

**JANUARY 28, 2016 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 CYNTHIA SMART, MASON MEMORIAL
UNITED METHODIST CHURCH**
- IV. PLEDGE OF ALLEGIANCE**
- V. REVISIONS TO THE AGENDA**

X. NON-PLANNING CONSENT AGENDA

NEW ITEM NO. 7 – 16372...PLAT: REPLAT OF PARCEL 3, CENTER CITY

Synopsis: Plat of Replat of Parcel 3, Center City, located at 5th and Minnesota Avenue, owned by the Unified Government of Wyandotte County/Kansas City, KS, submitted by Brent Thompson, County Surveyor, and William Heatherman, County Engineer.

XII. ADMINISTRATOR'S AGENDA

**CLERICAL ERROR ITEM NO. 1 – 16345....MEMORANDUM OF
UNDERSTANDING WITH PLUMBERS LOCAL UNION NO. 8**

Synopsis: MOU with Plumbers Local Union No. 8 is the 5th (not the 6th) of 13 labor contracts to be ratified which represents 51% of the union workforce under contract.

VI. CLERK'S STATEMENT

(Anyone wishing to speak about a particular item on the Consent Agenda must notify the Mayor when he asks if there are any "set-asides" on the Consent Agenda. Your item will then be discussed and voted on separately. All remaining items on the Consent Agenda are viewed as a single group and voted on with one vote.)

VII. PLANNING AND ZONING CONSENT AGENDA

VIII. PLANNING AND ZONING NON-CONSENT AGENDA

IX. MAYOR'S AGENDA

X. NON-PLANNING CONSENT AGENDA

XI. PUBLIC HEARING AGENDA

XII. ADMINISTRATOR'S AGENDA

XIII. STANDING COMMITTEES' AGENDA

XIV. COMMISSIONERS' AGENDA

XV. LAND BANK BOARD OF TRUSTEES' CONSENT AGENDA

XVI. PUBLIC ANNOUNCEMENTS

XVII. ADJOURN

SERGEANT-AT-ARMS: CAPTAIN ROBERT MELTON

PLANNING AGENDA

VII. PLANNING AND ZONING CONSENT AGENDA

A. SPECIAL USE PERMIT APPLICATIONS

1. **#SP-2016-1 - TIMOTHY DRUMMER/4220 RHYTHM AND BLUES LOUNGE, LLC**
SYNOPSIS: Renewal of a Special Use Permit (#SP-2014-8) for live entertainment at 4210-4220 Leavenworth Road, submitted by Robin H. Richardson, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR FIVE (5) YEARS) (158)**
2. **#SP-2016-2 - GARY W. WHITE**
SYNOPSIS: Special Use Permit for fourteen (14) chickens at 6608 Woodend Avenue, submitted by Robin H. Richardson, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR TWO (2) YEARS FOR TEN (10) CHICKENS) (1511)**
3. **#SP-2016-3 - JENNIFER L. FINE**
SYNOPSIS: Special Use Permit for a doggie day care and boarding operation at 4001 North 74th Street, submitted by Robin H. Richardson, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR TWO (2) YEARS) (1512)**
4. **#SP-2016-4 - RONALD J. BEAL, JR.**
SYNOPSIS: Special Use Permit for the Temporary Use of Land to park personal tow trucks at 1106, 1108 and 1110 Ella Avenue, submitted by Robin H. Richardson, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR TWO (2) YEARS) (1515)**
5. **#SP-2016-8 - BILL SUPER/SM AUTO, INC.**
SYNOPSIS: Special Use Permit for used vehicles sales at 610 South 78th Street, submitted by Robin H. Richardson, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR TWO (2) YEARS) (1517)**
6. **#SP-2016-10 - DAVID FICKLIN/SPORTING CLUB AND SPORTING KANSAS CITY**
SYNOPSIS: Special Use Permit for twelve (12) soccer fields at 1500 North 90th Street, submitted by Robin H. Richardson, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR TWO (2) YEARS) (1514)**

B. PLAN REVIEW APPLICATION

1. **#PR-2015-30 - TONY PENNY/2 POINT CONSTRUCTION COMPANY, LLC**
SYNOPSIS: Preliminary Plan Review for a car wash and drive-through restaurant at 9801 Troup Avenue, submitted by Robin H. Richardson, Director of Planning,

C. MASTER PLAN APPLICATION

1. #MP-2016-1 – DAVID FICKLIN/SPORTING CLUB AND SPORTING KANSAS CITY

SYNOPSIS: Master Plan Amendment from Low Density Residential to Entertainment (Prairie-Delaware-Piper Master Plan) at 1500 North 90th Street, submitted by Robin H. Richardson, Director of Planning, 573-5774
(RECOMMENDED FOR APPROVAL) (1514)

VIII. PLANNING AND ZONING NON-CONSENT AGENDA

A. SPECIAL USE PERMIT APPLICATION

1. #SP-2016-6 - RYAN B. DENK WITH MCANANY VAN CLEAVE & PHILLIPS FOR THE WINE BARN

SYNOPSIS: Renewal of a Special Use Permit (#SP-2014-80) for live entertainment in conjunction with a farm winery at 2850 North 119th Street, submitted by Robin H. Richardson, Director of Planning, 573-5774
(RECOMMENDED FOR DENIAL - 5/2 VOTE) (1516)

A valid protest petition representing 44% of the property owners within 200' was filed in the UG Clerk's Office on January 22, 2016.

B. MISCELLANEOUS - PLANNING AND ZONING

1. UPDATE: K-32 CORRIDOR PLAN, ROSEDALE MASTER PLAN AND REWRITE OF SIGN CODE

SYNOPSIS: Update on K-32 Corridor Plan, Rosedale Master Plan and Rewrite of Sign Code by Robin H. Richardson, AICP, Director of Planning.
(15290)

**TAX STATUS REPORT
BOARD OF COMMISSIONERS AGENDA FOR JANUARY 28, 2016**

None of the properties included in applications to be considered on the Planning & Zoning agenda have delinquent taxes prior to 2015.

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.

COMMISSION AGENDA

IX. MAYOR'S AGENDA

X. NON-PLANNING CONSENT AGENDA

1. **BUDGET REVISION: EMPLOYEE HEALTH FUND**

SYNOPSIS: Request to approve a budget revision in the amount of \$750,000 that authorizes a supplemental payment to the Employee Health Fund from the County General Fund, submitted by Lew Levin, Chief Financial Officer.

*On January 4, 2016, the **Economic Development and Finance Standing Committee**, chaired by Commissioner McKiernan, voted unanimously to approve and forward to the full commission. (15325)*

2. **GRANT: 2016 CHOICE NEIGHBORHOODS GRANT**

SYNOPSIS: Request authorization for staff to apply for the 2016 Choice Neighborhoods Grant through HUD, submitted by Melissa Mundt, Assistant County Administrator. The grant provides up to \$2M for planning and construction activities over a three-year period.

*On January 19, 2016, the **Administration and Human Services Standing Committee**, chaired by Commissioner Markley, voted unanimously to approve and forward to the full commission. (15336)*

3. **ORDINANCE: JUDGES PRO TEMPORE**

SYNOPSIS: An ordinance amending Section 23-11 of the Code of Ordinances relating to judges pro tempore, submitted by Ken Moore, Chief Counsel.

*On January 19, 2016, the **Administration and Human Services Standing Committee**, chaired by Commissioner Markley, voted unanimously to approve and forward to the full commission. (151)*

4. **PROPOSED REVISIONS: COUNTY EMERGENCY OPERATIONS PLAN**

SYNOPSIS: Request approval of proposed revisions to Section ESF 8 - Public Health and Medical Services of the County Emergency Operations Plan (CEOP), submitted by Matt May, Emergency Management Director.

*On January 19, 2016, the **Public Works and Safety Standing Committee**, chaired by Commissioner Bynum, voted unanimously to approve and forward to the full commission. (15342)*

5. **MINUTES**

SYNOPSIS: Minutes from regular sessions of November 19 and December 17, 2015; and special session of January 7, 2016.

6. **WEEKLY BUSINESS MATERIAL**

SYNOPSIS: Weekly business material dated December 31, 2015; January 7, 14, and 21, 2016.

XI. PUBLIC HEARING AGENDA

1. **PUBLIC HEARING/RESOLUTION: IRBS/PILOT FOR THE LEGENDS APARTMENTS**

SYNOPSIS: Conduct a public hearing to consider a Resolution of Intent to issue \$50M in IRBs and a PILOT structure for a multifamily project known as The Legends Apartments, located at 1879 Village West Pkwy., proposed by EPC Real Estate, Legacy Development and KKR, submitted by George Brajkovic, Economic Development Director. The project includes a 3-story parking garage with 240+ units of market-rate, luxury 1 & 2 bedroom units above.

On November 19, 2015, the commission unanimously adopted Resolution No. R-101-15, setting the public hearing date to December 17, 2015. Subsequently, a new notice was published on January 21, 2016, setting the public hearing date for January 28, 2016. (16364)

2. **PUBLIC HEARING/ORDINANCE: SSMID IMPROVEMENTS**

SYNOPSIS: Conduct a public hearing and consider an ordinance authorizing the purchase of new banners and trash receptacles for the Downtown Self-Supported Municipal Improvement District (SSMID), submitted by Patrick Waters, Senior Attorney.

*On January 4, 2016, the **Economic Development and Finance Standing Committee**, chaired by Commissioner McKiernan, voted unanimously to approve and forward to full commission for a public hearing. (15321)*

XII. ADMINISTRATOR'S AGENDA

1. **RESOLUTION: MEMORANDUM OF UNDERSTANDING WITH PLUMBERS LOCAL UNION NO. 8**

SYNOPSIS: A resolution authorizing the County Administrator to execute the Memorandum of Understanding between the UG and the Plumbers Local Union No. 8, effective date from January 1, 2013, to December 31, 2014, submitted by Ken Moore, Chief Counsel. This is the 6th of 13 labor contracts to be ratified which represents 51% of the union workforce under contract. (16345)

XIII. STANDING COMMITTEES' AGENDA

XIV. COMMISSIONERS' AGENDA

XV. LAND BANK BOARD OF TRUSTEES' CONSENT AGENDA

1. **COMMUNICATION: LAND BANK APPLICATIONS**

SYNOPSIS: Request approval of the following applications, submitted by Chris Slaughter, Land Bank Manager. The Land Bank Advisory Board has recommended approval.

Applications

1625 S. Early Dr. - Tyler Curry, future single-family construction

907 Ann Ave. - Mission House Network, Inc., single-family construction

Transfers to Land Bank

6214 Troup Ave. - Unified Government WyCo/KCK

7648 Roswell Ave. - Unified Government WyCo/KCK

7651 Webster Ave. - Unified Government WyCo/KCK

4112 Oakland Ave. - Unified Government WyCo/KCK

4117 Oakland Ave. - Unified Government WyCo/KCK

1731 N. 42nd St. - Unified Government WyCo/KCK

1721 N. 42nd St. - Unified Government WyCo/KCK

1713 N. 42nd St. - Unified Government WyCo/KCK

1707 N. 42nd St. - Unified Government WyCo/KCK

1701 N. 42nd St. - Unified Government WyCo/KCK

4110 Victory Dr. - Unified Government WyCo/KCK

1770 N. 41st Ter. - Unified Government WyCo/KCK

1746 N. 41st Ter. - Unified Government WyCo/KCK

1606 N. 41st St. - Unified Government WyCo/KCK

4016 Coleman Ct. - Unified Government WyCo/KCK

4020 Coleman Ct. - Unified Government WyCo/KCK

4024 Coleman Ct. - Unified Government WyCo/KCK

4028 Coleman Ct. - Unified Government WyCo/KCK

4038 Coleman Ct. - Unified Government WyCo/KCK

6236 Freeman Ave. - city of Kansas City, KS

820 N. 78th St. - city of Kansas City, KS

900 N. 78th St. - city of Kansas City, KS

2510 N. 55th St. - city of Kansas City, KS

1312 N. 47th St. - city of Kansas City, KS

1925 N. 47th St. - city of Kansas City, KS

Per the December 2014 Neighborhood & Community Development Standing Committee presentation, property controlled by the Unified Government (UG, city of KCK and Board of County Commissioners) that are delinquent will be transferred to the Land Bank to have delinquent property taxes abated.

Transfers from Land Bank

1100 Grandview Blvd. - CHWC, construction of single-family house

3023 S. 23rd Cir. - KCKCC, property to help their Tech Center program/students

Donations to Land Bank

1301 N. 55th St. - Vaughn Stoner

5320 State Ave. - iDonate Real Property, LLC

226 N. Early St. - Robert Barnes

*On January 4, 2016, the **Neighborhood and Community Development Standing Committee**, chaired by Commissioner Walker, voted unanimously to approve and forward to the Land Bank Board of Trustees. (15324)*

XVI. PUBLIC ANNOUNCEMENTS

XVII. ADJOURN



**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 17, 2015

Mrs. Bridgette D. Cobbins
Unified Government Clerk
East Building

Re: Subdivision Plat Approval

Dear Mrs. Cobbins:

Please be advised that the Engineering Division has reviewed the attached plat of "REPLAT OF PARCEL 3, CENTER CITY" located at 5th and Minnesota Avenue being owned by Unified Government of Wyandotte County, Kansas City, Kansas.

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, R.L.S.
County Surveyor

William J. Heatherman, P.E.
County Engineer

Attachments



Urban Planning and Land Use

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

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

To: Unified Government Board of Commissioners
From: City Staff
Date: January 28, 2016
Re: Petition #SP-2016-1 (158)

GENERAL INFORMATION

Applicant:
Timothy Drummer

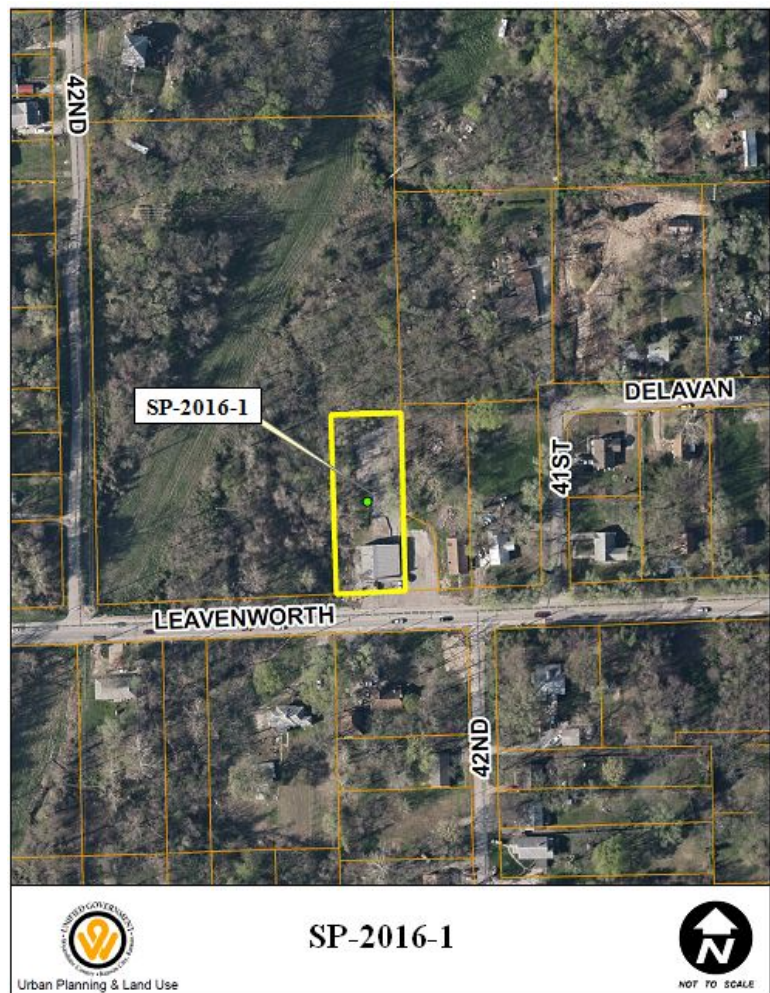
Status of Applicant:
Applicant
Rhythm and Blues Lounge LLC
P.O. Box 4171
Kansas City, Kansas 66104

Requested Action:
Renewal of Special Use Permit
to have live music in
conjunction with Rhythm and
Blues Lounge

Date of Application:
November 25, 2015

Purpose:
To have live music in
conjunction with The Rhythm
and Blues Lounge

Property Location:
4220 Leavenworth Road



Existing Zoning: C-1 Limited Business District

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

Existing Uses: **North:** Vacant property
South: Residential homes
East: Residential homes
West: Vacant property

Total Tract Size: 0.6 acre

Master Plan Designation: The Master Plan designates this property as area for Low-Density Residential.

Major Street Plan: Leavenworth Road is designated as a Class "B" thoroughfare.

Advertisement: The Wyandotte Echo – December 17, 2015
Letters to Property Owner – December 16, 2015 and January 21, 2016

Public Hearings: January 11, 2016 and January 28, 2016

Public Opposition: No one appeared in opposition at the January 11, 2016 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: Timothy Drummer for Rhythm and Blues Lounge LLC is seeking a renewal of a Special Use Permit to allow live music at the restaurant lounge.

City Ordinance Requirements: 27-592 through 27-593

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The character of the neighborhood surrounding this business is comprised of mostly single family residences. However along this stretch of Leavenworth Road there are commercial uses spatially mixed in with the residential areas.

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

The zoning of the property is C-1 Limited Business District. If properly operated, the addition of live entertainment would be compatible with nearby 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 property is zoned for a restaurant. If it is properly supervised, operated and planned the addition of live entertainment to this approved use would not detrimentally affect nearby properties.

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

The space has been occupied by the applicant since December 2013. Prior to that, a bar and restaurant named C & R operated there since 1995.

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

The use of a restaurant in this area is not in compliance with the Master Plan, but the use is grandfathered and allowed. The accessory use of performances is not within the scope of the master plan. That is why this special use permit hearing is necessary.

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 created any issues with traffic or the street network.

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.*

This use is not a necessary convenience to the public. This will only be a convenience to the owners of the restaurant. As for the points listed above, we do have concerns about the noise that could be generated from this site. However, with the proper plan and management, this impact can be minimized.

Feedback from the police department on any complaints or lack thereof to date would substantiate whether or not this has caused inconvenience or detriment to neighboring property owners.

Applicant has indicated that he employs two off-duty KCK police officers on Fridays and Saturday and some Sundays as well. Applicant has also indicated that while there have been a few incidents in and around the business; the off-duty officers have been able to prevent/solve the problems. Additionally, applicant indicates that having the officers at the business has improved the image of the operation.

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.*

We do have continuing concerns about the noise that could potentially be generated from this site. However, with the proper plan and management, this impact can be minimized. Again, feedback from the police department regarding any complaints or lack thereof would substantiate whether this is an ongoing concern.

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

N/A

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

N/A

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 community as a whole is that we would continue to have another option for entertainment. On the other hand, staff is assuming that if the application was denied, the restaurant could still operate, but it may not be as profitable.

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

This has not been nor is it foreseen to be an issue.

PREVIOUS ACTIONS

No previous action has been taken on this property.

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on December 27, 2015. There were no persons in attendance. See attached documents.

KEY ISSUES

None

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 7 to 0 to recommend **approval** of Special Use Permit Application #SP-2016-1, subject to:

Urban Planning and Land Use Comments:

Clarification of businesses

Staff understands that this was a lounge with music operated by a previous owner. We also understand that the applicant is committed to use KCK off-duty officers for security and the entertainment will be live bands or DJ on weekend and holidays. With that said, we are requesting a letter from the applicant that confirms how the business has been operating since the original granting of the Special Use Permit. Specifically:

Staff is asking the applicant to explain what security plans are in place and what steps they have taken to make sure that the bar and the neighborhood is safe. Additionally, staff requests that applicant list in detail any security incidents that have occurred and how applicant has taken steps to better prepare for and remedy such incidents in the future.

Applicant has provided information that there have been some incidents (without detail) and that the off-duty police officers have helped remedy those situations. Otherwise applicant indicates that business plan has not changed.

Staff recommends approval, subject to:

1. An off-duty KCK officer is on site during the events. The applicant has agreed to comply and has also committed to use 2 KCK off-duty officers when he is expecting larger crowds. Those officers will use their training to deal with any situation appropriately.
2. The entertainment will be live bands or DJ only on weekends and holidays
3. The entertainment will take place between 8:00 p.m. and 1:00 a.m.
4. The special use permit is for five (5) years.
5. All entertainment will be held inside the building.

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-2016-1 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

January 11, 2016 City Planning Commission Minutes
Zoning Map
Vicinity Map
Applicant Comments
Neighborhood Meeting Information

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	January 11, 2016	January 28, 2016
Special Use	Approval	

STAFF CONTACT: **Zach Tusinger** **ztusinger@wycokck.org**

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #**SP-2016-1** 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-2016-1**, 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.

JANUARY 11, 2016 CITY PLANNING COMMISSION MINUTES:

SPECIAL USE PERMIT APPLICATION #SP-2016-1 – TIMOTHY DRUMMER/4220 RHYTHM AND BLUES – SYNOPSIS: Renewal of a Special Use Permit (#SP-2014-8) for live entertainment at 4210-4220 Leavenworth Road

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 January 11, 2016;
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 permit;
7. The notices to property owners; and
8. The communication concerning the stipulations for SP-2016-1 that was emailed to the Commission today.

The Commission will vote to approve in one vote these items unless someone comes forward and asks that an item be removed from the Consent Agenda.”

Chairman Huey asked if any member of the public, staff or Commission wished to remove an item from the Consent Agenda. (No one responded in the affirmative.)

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

Carson	Aye
Connelly	Aye
DeWitt	Aye
Ernst	Aye
Gonzalez	Aye
Huey	Chairman
Pauley	Not Present
Schwartzman	Not Present
Serda	Aye
Wing	Aye

Motion to APPROVE Passed: 7 to 0

NOTE: The special use permit is a recommendation for approval.

Subject to:

Urban Planning and Land Use Comments:

Clarification of businesses

Staff understands that this was a lounge with music operated by a previous owner. We also understand that the applicant is committed to use KCK off-duty officers for security and the entertainment will be live bands or DJ on weekend and holidays. With that said, we are requesting a letter from the applicant that confirms how the business has been operating since the original granting of the Special Use Permit. Specifically:

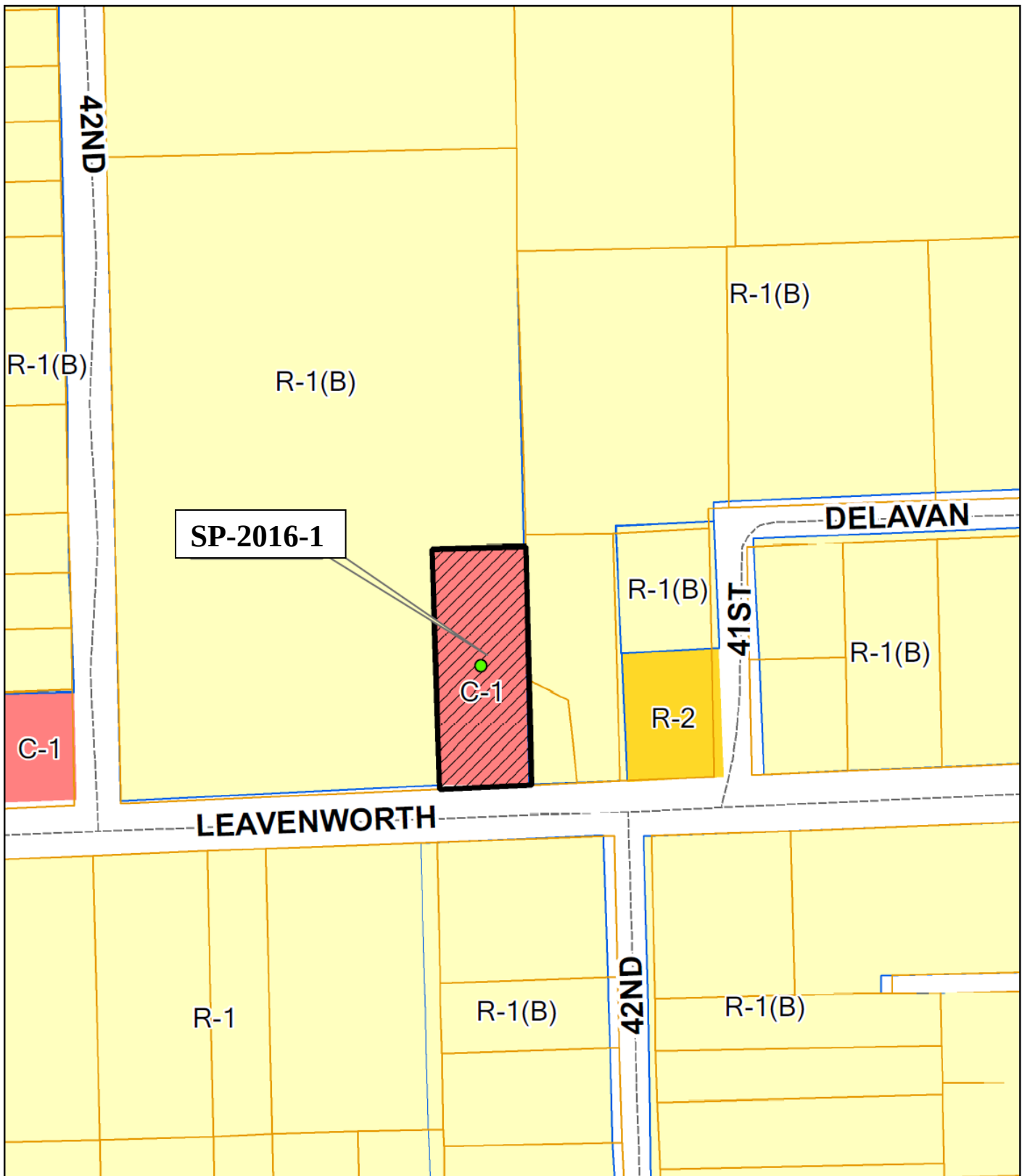
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have occurred and how applicant has taken steps to better prepare for and remedy such incidents in the future.

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5. All entertainment will be held inside the building.

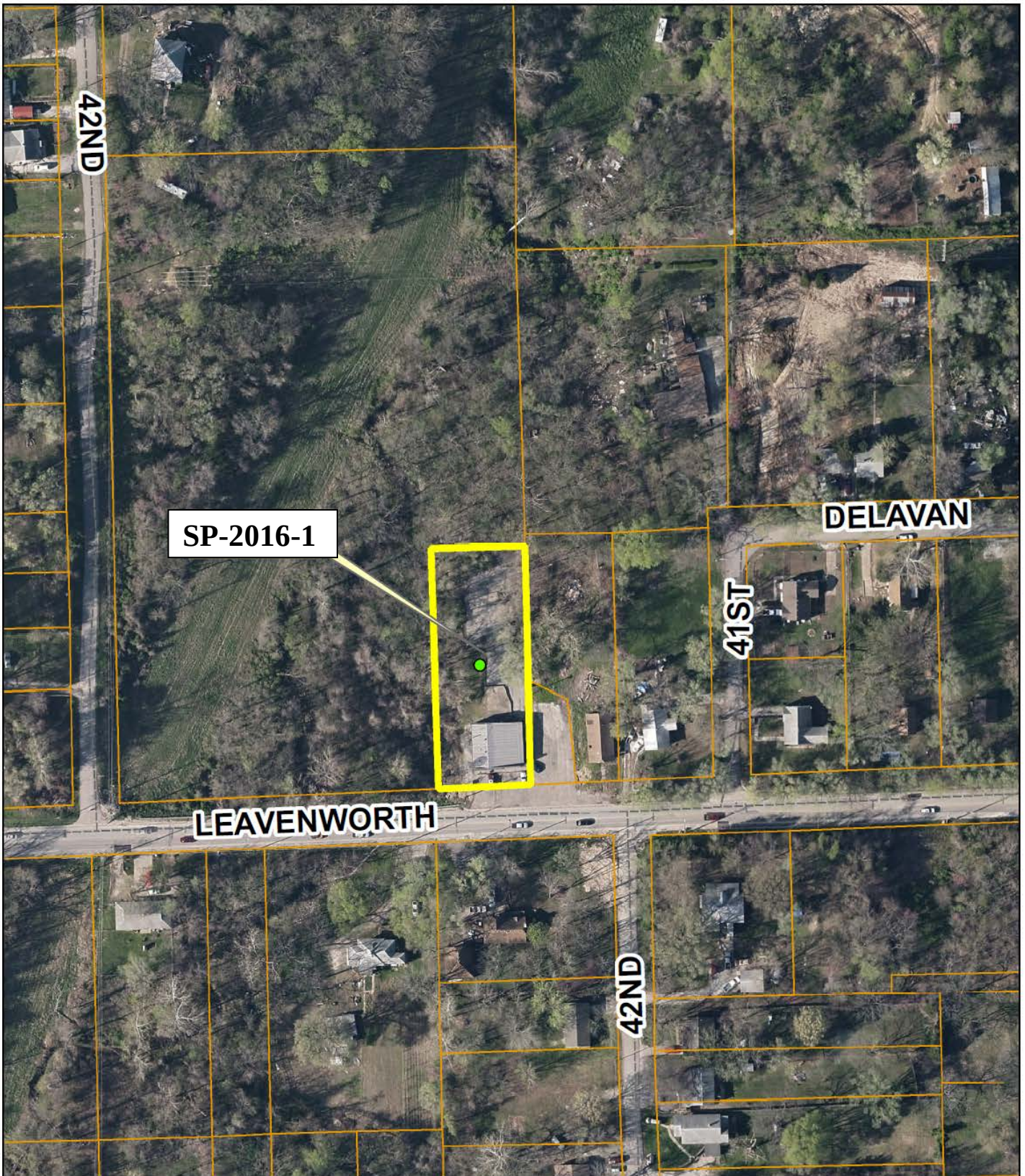


Urban Planning & Land Use

SP-2016-1



NOT TO SCALE



Urban Planning & Land Use

SP-2016-1



NOT TO SCALE

APPROVAL - NEIGHBORHOOD MEETING

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS:

Comes now Tina Wells, SDR of lawful age, sound mind and open his/her oath states as follows:

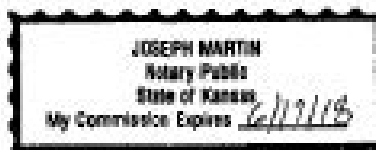
1. That I am the petitioner for Petition # SP-15402-60071
2. That I conducted a neighborhood meeting on 12-27-15
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Urban Planning and Land Use Department.

Further affiant saith not.


Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 20th day of Dec, 2015
My commission expires 19th of June, 2018.

Notary Public



SAMPLE MINUTES:

Application Number SP-2016-1

Date and Location: 12-27-15 4220 LEAVENWORTH RD
K.C. KS 66104

Meeting called to order at: 1400 hrs.

✓ Names of people in attendance: Ø

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: 1430 hrs

Minutes taken by: OWHER

PEOPLE IN ATTENDANCE. Ø

MEETING BEGAN AT 1400HRS
ENDING AT 1430HRS

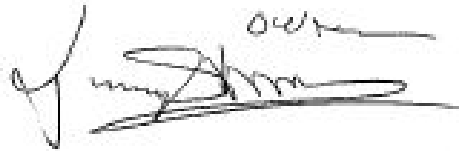
FROM: Tim - Drummer - OWNER - 422 Rt B
TO: CITY PLANNING COMMISSION
SUBJECT: NEIGHBORHOOD MEETING

SIGN IN SHEET

- ①
- ②
- ③
- ④
- ⑤
- ⑥
- ⑦
- ⑧
- ⑨
- ⑩.

NO ATTENDANTS

12-29-15

own


DATE 12-29-15

From: Timothy S. Drummer - OWNER
TO: URBAN PLANNING COMMISSION
SUBJECT: BUSINESS OPERATIONS

TO WHOM IT MAY CONCERN.

- ① BUSINESS EMPLOYS TWO (2) K.C.K.S POLICE OFFICER FRI/SAT & SOME SUNDAYS
- ② ENTERTAINMENT INCLUDES, D.J. LIVE LOCAL BANDS AND DANCING.
- ③ THERE HAS BEEN INCIDENTS IN AND AROUND THE BUSINESS WHERE THE ON-DUTY OFFICERS WERE ABLE TO PREVENT OR SOLVE, BY HAVING THE OFFICERS AT THE BUSINESS HAS IMPROVE THE BUSINESS IMAGE.
- ④ IT SHOULD BE NOTED THAT THE BUSINESS HAS HELP & ASSISTED CUSTOMERS & CLIENTS WHO NEED MONETARY ASSIST FOR THOSE WHO CAN'T PROVIDE FOR THEMSELVES IN TIME OF NEED - GIVING BACK TO THE COMMUNITY.
- ⑤ BUSINESS HAS OPERATING THE SAME SINCE THE GRANTING OF THE ORIGINAL SPECIAL USE PERMIT.

Owner
Timothy S. Drummer



Urban Planning and Land Use

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

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

To: Unified Government Board of Commissioners
From: City Staff
Date: January 28, 2016
Re: Petition #SP-2016-2 (1511)

GENERAL INFORMATION

Applicant:
Gary White

Status of Applicant:
Owner
6608 Woodend
Kansas City, KS 66106

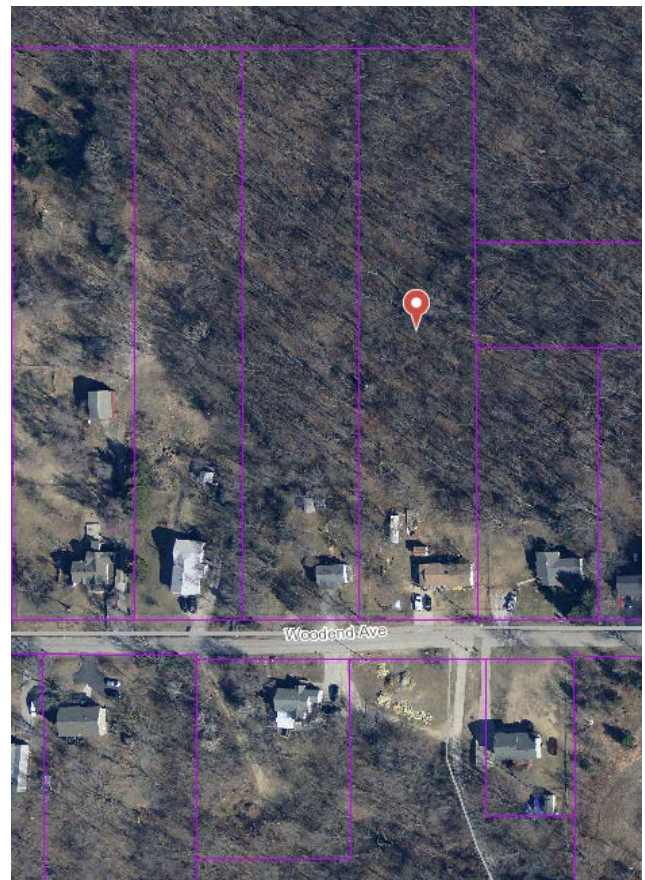
Requested Action:
Approve Special Use Permit

Date of Application:
November 25, 2015

Purpose:
To keep fourteen (14) chickens on the property

Property Location:
6608 Woodend

Existing Zoning:
R-1 Single Family District



Existing Surrounding Zoning: **North:** AG Agricultural District
South: R-1 Single Family District
East: R-1 Single Family District / RP-6 Apartment 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: 1.94 acres

Master Plan Designation: The City Wide Master Plan designates this property for low density residential use.

Major Street Plan: The City-Wide Master Plan classifies Woodend Avenue as a local street.

Advertisement: The Wyandotte Echo – December 17, 2015
Letters to Property Owner – December 16, 2015 and January 21, 2016

Public Hearings: January 11, 2016 and January 28, 2016

Public Opposition: One neighbor appeared in opposition at the January 11, 2016 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Gary White wants to keep fourteen (14) chickens on 1.94 acres at 6608 Woodend. Mr. White plans to keep the chickens in a store bought coop in a 10 foot by 14 foot fenced run, more than 50 feet from the east property line and more than 70 feet from the west property line, as well as more than 100 feet from neighboring houses.

City Ordinance Requirements: 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The neighborhood is rural in nature; it is almost entirely comprised of single family homes, some on larger, agriculturally zoned lots.

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

The zoning of nearby properties and their uses are set out above. The proposed use could be seen as 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, given the property is 1.94 acres could detrimentally affect nearby property if the property is not properly maintained.

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 and welfare of the public and could injure the visual quality or marketability of adjoining property given the current zoning district setbacks.

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 dust that is normally associated with the keeping of livestock, in this case fourteen (14) chickens, could be such as to create problems for near-by properties.

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

If waste is not picked up regularly and disposed of properly, the proposed use could pollute the water or land, which can cause public health problems.

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

The proposed use will not damage or destroy an irreplaceable natural resource.

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 is minimal as compared 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.

The keeping of fourteen (14) chickens may be crowded as much of the parcel is wooded, constraining the chickens to an area considerable smaller than the 1.94 total acreage.

PREVIOUS ACTIONS

None

NEIGHBORHOOD MEETING

Not Required

KEY ISSUES

Size of the property

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 7 to 0 to recommend **approval** of Special Use Permit Application #SP-2016-2, subject to:

Urban Planning and Land Use Comments:

1. Are you planning on ever increasing the number of chickens on the property?

Applicant Response: We currently have 8 hens, but would like to add more in the spring. At no time will we ever go above 14 chickens.

2. Please provide a drawing/image relating to where the chickens will be kept in relation to the home on the property, neighboring homes, property line and other structures.

See below

3. Please submit a plan for how the chickens will be kept in addition to a plan to deal with waste from the chickens.

Applicant Response: Our hens are currently housed in a coop, with an attached run. At no time will the chickens be free ranged, unless closely supervised at all times. We are currently using the “deep litter method” if chicken waste. Basically, this means that the waste remains in the coop, with layers of straw added as needed. Not only does this keep smell to a minimum, it also provides heat in the coop for the winter months. In the spring, the coop will be cleaned out, and the straw will be added to a compost pile. This, in turn, becomes excellent fertilizer for gardens. During the summer months, the coop will be cleaned weekly, adding the waste to a compost pile.

4. Please address issues of feed and diet for the chickens, how will they be fed?

Applicant Response: Currently, our hens receive a diet of Purina laying pellets with added black oil sunflower seeds, and whatever table scraps we have. Chickens are omnivores, eating both meat and vegetation. As a treat, we give them “scratch” which is cracked corn and bird seeds. We also add oyster shell calcium to strengthen the egg shells. The feed/seeds are stored in a water proof, food grade, heavy plastic containers and a container designed to store dog food. The hens are fed twice a day, and fresh water is given daily. With the freezing temps, we have added an electric water dish that keeps the water from freezing. The hens are fed/watered outside the coop, under a covered area of the run. Our intent is to grow a garden (using composed fertilizer), providing the chickens with fresh vegetables through the summer and fall months, and frozen/canned vegetables in the winter months. Right now, our chickens are giving us an average of 3-4 large eggs per day. We have no intentions of selling eggs. We have a large extended family as well as friends and neighbors that will be gifted with any surplus we may have.

5. If approved, no roosters may ever be present on the property as they are prohibited by ordinance.

Applicant Response: We do not have roosters in our little flock.

Mr. White seems to have a comprehensive understanding of the requirements of keeping his yard and chickens clean, safe, and nuisance-free for the neighbors as well as a willingness to cooperate with any stipulations staff may impose. While staff appreciates this, we feel that 14 chickens may be too many on a heavily wooded 1.94 acre lot.

Approval is for two (2) years for no more than ten (10) chickens at any given time and the coop is in the middle of the yard.

Public Works Comments:

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

STAFF COMMENTS AND SUGGESTIONS

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

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition #**SP-2016-2** subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

January 11, 2016 City Planning Commission Minutes
Zoning map
Aerial image
Photos submitted by applicant

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	January 11, 2016	January 28, 2016
Special Use	Approval	

STAFF CONTACT: **Jamie Ferris** **jferris@wycokck.org**

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #**SP-2016-2** 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-2016-2**, 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.

JANUARY 11, 2016 CITY PLANNING COMMISSION MINUTES:

SPECIAL USE PERMIT APPLICATION #SP-2016-2 – GARY W. WHITE - SYNOPSIS:

Special Use Permit for fourteen (14) chickens maximum at 6608 Woodend Avenue

Recording Secretary Parker stated that the following items should be 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 January 11, 2016;
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 December 17, 2015;
7. The Notices to property owners dated December 16, 2015.

Ms. Parker asked if any member of the Planning Commission had any contact to disclose concerning this case. (No one responded in the affirmative.)

Mr. Gary W. White, 6608 Woodend Avenue, Kansas City, Kansas, 66106, applicant, appeared in support of this application. Mr. White stated that he wants to have fourteen (14) chickens for eggs and to enjoy the chickens. He stated that they will be 50' back from the house. They will be in the back yard equal distance from his neighbors' property lines. He further stated that they will be in a pen (10' by 10") with a coup and any waste will be gathered up and put in the garden in a compost pile.

Mr. Mary White, 6608 Woodend Avenue, Kansas City, Kansas, 66106, appeared in support of this application. She stated that currently they have eight (8) chickens. They will never go above fourteen (14) chickens. The fourteen (14) is a built in bumper pad in case her granddaughter wants a baby chicken in the spring to watch it grow. She stated that she read an article from a newspaper clipping from World War II that said that two (2) chickens per every person that lives in the home will supply enough eggs

and meat to sustain. She stated that they have four (4) people in the home but have neighbors that enjoy their eggs along with other family members.

Planning Commissioner Wing asked if they plan to sell the eggs. Mrs. White stated no; they are for their own use and to give to other people.

Mr. Richard Quijas, 6616 Woodened Avenue, Kansas City, Kansas, 66106, appeared in opposition to this application. He stated that he is in opposition to the chicken coops that his neighbors have built next to him. It started last fall and he thought that it was going to be a dog run or pen. The coup looked about 6' tall and it had a wired in fenced-in area and it looks really bad. He stated that they brought in chickens, roosters and three (3) turkeys. One of the turkeys got out the first week and ended up in his back yard which was just a little before Thanksgiving. He went to Code Enforcement and took pictures with him and showed them the pictures. Code Enforcement went out and talked to Mrs. White. They told her that they could not have the chicken coup there. Mrs. White told him that it was temporary and they were going to build one behind the house. With all the time, effort and work they put into this you would think that they would have waited if it was going to be temporary until after they got approval. The gentleman from Code Enforcement told them that they could not do this but they did it anyway only on a smaller scale behind the house. The initial chicken coup was about 20' outside his bedroom window. He stated that when chicken and roosters get excited in the morning they can make a lot of noise. He further stated that after being told that they could not have a coup they went ahead and built the coup. If it is on the books that you cannot do it, he would not have taken matters into his own hands and built the coup and then asked permission to build it later. He would have got approval from the proper authorities and would have talked to his neighbors about it. As far as he knows they are the only people that have a chicken coup in the neighborhood.

Chairman Huey stated that the reason that this is before the Commission is they were cited by Code Enforcement. She asked how far the chicken coup is from his home since it was moved. Mr. Quijas stated about 50'; he has not measured it but it is not 20' outside his bedroom window.

Mr. White stated that what his neighbor was talking about has been converted into a shed for their tools. The coup is 50' behind their house and they submitted a drawing to the staff of where it is located. He stated that he thinks that the coup is 150' from his neighbor's property and 150' from the house on the other side. The neighbor's house is probably 35' from his property line and he has about 150' and the coup is right in the middle of the property.

Chairman Huey asked if they currently have roosters and turkeys. Mr. White stated no, they got rid of them. Mrs. White stated that they did not know that they were not allowed to have roosters. They brought one (1) home and one of the younger hens turned out to be a rooster. They do not have the roosters or turkeys.

Planning Director Richardson stated that given the distance from the neighbor, the staff has recommended approval for ten (10) chickens with the coup being in the middle of the yard away from the neighbors.

On motion by Mr. Gonzalez, seconded by Mr. Ernst, the Planning Commission voted as follows to **recommend APPROVAL of Special Use Permit Application #SP-2016-2:**

Carson	Aye
Connelly	Aye
DeWitt	Aye
Ernst	Aye
Gonzalez	Aye
Huey	Chairman
Pauley	Not Present
Schwartzman	Not Present
Serda	Aye
Wing	Aye

Motion to recommend APPROVAL Passed: 7 to 0

Subject to:

Urban Planning and Land Use Comments:

1. Are you planning on ever increasing the number of chickens on the property?

Applicant Response: We currently have 8 hens, but would like to add more in the spring. At no time will we ever go above 14 chickens.

2. Please provide a drawing/image relating to where the chickens will be kept in relation to the home on the property, neighboring homes, property line and other structures.

See below

3. Please submit a plan for how the chickens will be kept in addition to a plan to deal with waste from the chickens.

Applicant Response: Our hens are currently housed in a coop, with an attached run. At no time will the chickens be free ranged, unless closely supervised at all times. We are currently using the “deep litter method” if chicken waste. Basically, this means that the waste remains in the coop, with layers of straw added as needed. Not only does this keep smell to a minimum, it also provides heat in the coop for the winter months. In the spring, the coop will be cleaned out, and the straw will be added to a compost pile. This, in turn, becomes excellent fertilizer for gardens. During the summer months, the coop will be cleaned weekly, adding the waste to a compost pile.

4. Please address issues of feed and diet for the chickens, how will they be fed?

Applicant Response: Currently, our hens receive a diet of Purina laying pellets with added black oil sunflower seeds, and whatever table scraps we have. Chickens are omnivores, eating both meat and vegetation. As a treat,

we give them “scratch” which is cracked corn and bird seeds. We also add oyster shell calcium to strengthen the egg shells. The feed/seeds are stored in a water proof, food grade, heavy plastic containers and a container designed to store dog food. The hens are fed twice a day, and fresh water is given daily. With the freezing temps, we have added an electric water dish that keeps the water from freezing. The hens are fed/watered outside the coop, under a covered area of the run. Our intent is to grow a garden (using composed fertilizer), providing the chickens with fresh vegetables through the summer and fall months, and frozen/canned vegetables in the winter months. Right now, our chickens are giving us an average of 3-4 large eggs per day. We have no intentions of selling eggs. We have a large extended family as well as friends and neighbors that will be gifted with any surplus we may have.

5. If approved, no roosters may ever be present on the property as they are prohibited by ordinance.

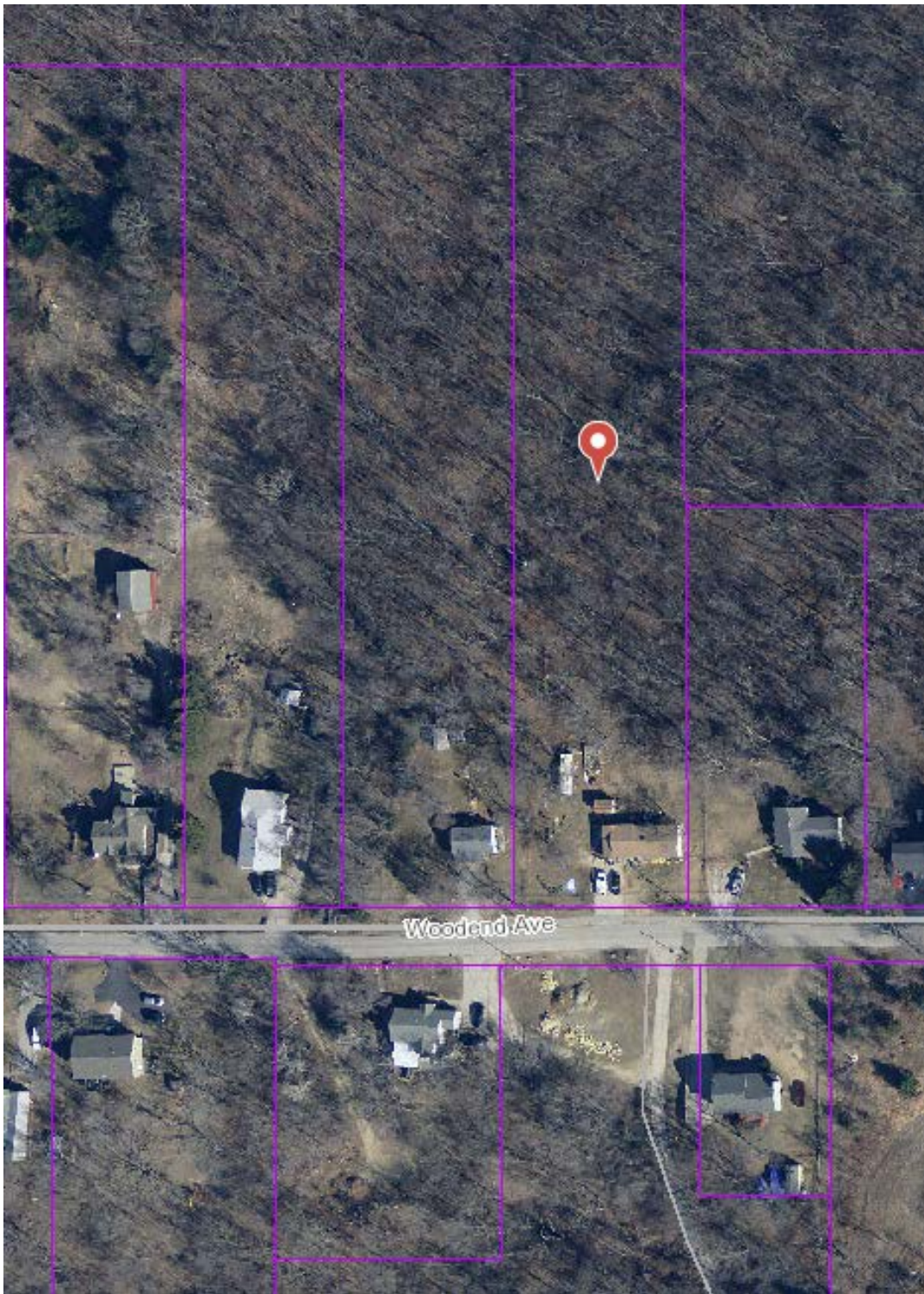
Applicant Response: We do not have roosters in our little flock.

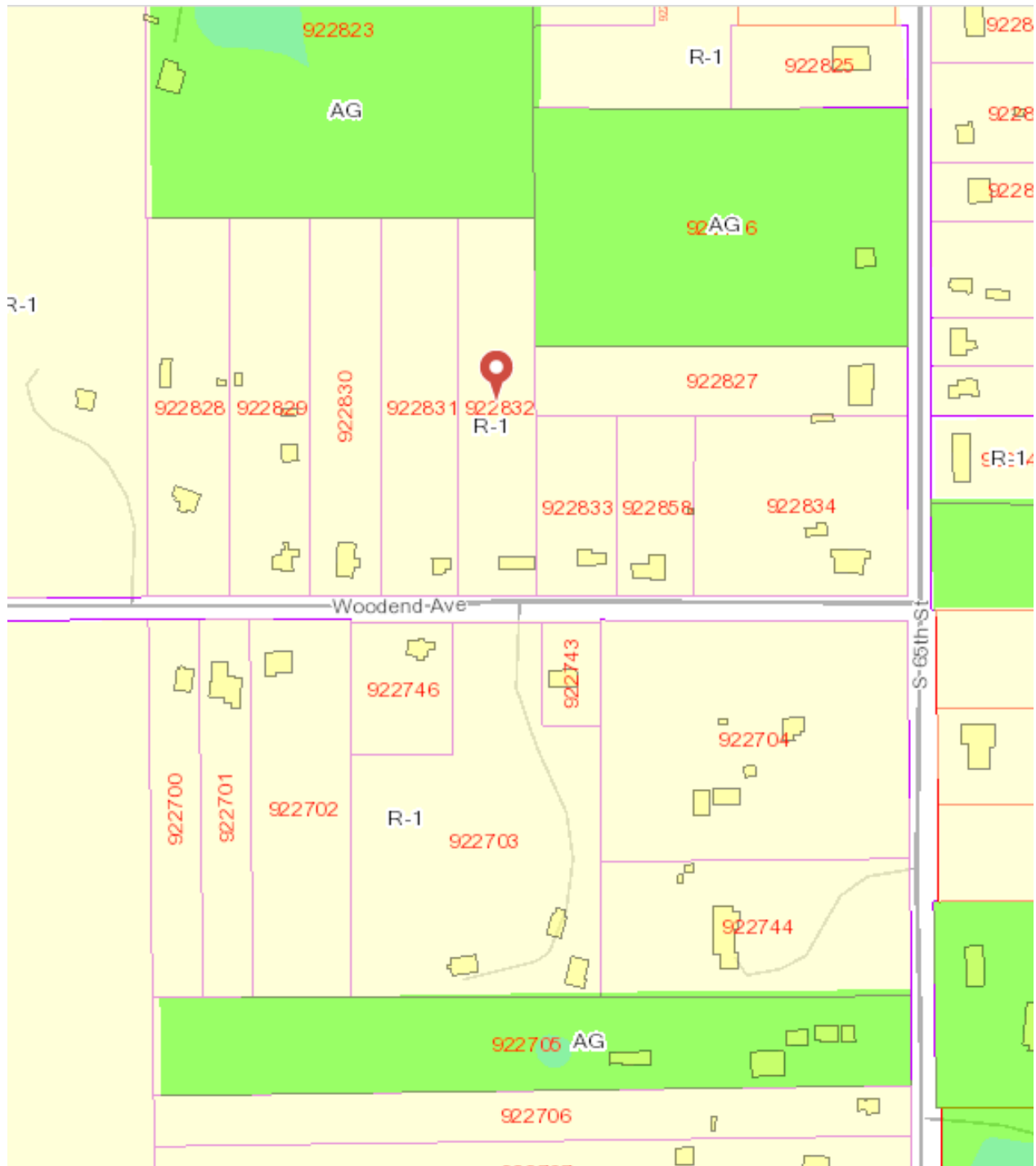
Mr. White seems to have a comprehensive understanding of the requirements of keeping his yard and chickens clean, safe, and nuisance-free for the neighbors as well as a willingness to cooperate with any stipulations staff may impose. While staff appreciates this, we feel that 14 chickens may be too many on a heavily wooded 1.94 acre lot.

Approval is for two (2) years for no more than ten (10) chickens at any given time and the coop is in the middle of the yard.

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











Urban Planning and Land Use

701 North 7th Street, Room 423
Kansas City, Kansas 66101
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To: Unified Government Board of Commissioners
From: City Staff
Date: January 28, 2016
Re: Petition #SP-2016-3 (1512)

GENERAL INFORMATION

Applicant:
Jennifer Fine

Status of Applicant:
Owner
4001 N. 74th Street
Kansas City, KS

Requested Action:
Approve a Special Use Permit for a dog
day care and boarding facility

Date of Application:
November 25, 2015

Purpose:
To operate a dog day care and boarding
facility

Property Location:
4001 North 74th Street



Existing Zoning: R-1(B) 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:** Large lot homes
 South: Large lot homes
 East: Large lot homes and wooded vacant lots
 West: Large lot homes and wooded vacant lots

Total Tract Size: 9.2 acres

Master Plan Designation: The City-Wide Master Plan designates this property for rural density residential use.

Major Street Plan: The Major Street Plan classifies 22nd Street as a local street.

Advertisement: The Wyandotte Echo – December 17, 2015
 Letters to Property Owner – December 16, 2015 and
 January 21, 2016

Public Hearings: January 11, 2016 and January 28, 2016

Public Opposition: No one appeared in opposition at the January 11, 2016 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Jennifer Fine, wants to operate a dog day care and boarding facility for up to 17 dogs out of her 9.2 acre property where she resides at 4001 North 74th Street. She wants to provide door-to-door service, as well as over-night boarding of dogs.

City Ordinance Requirements: 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The neighborhood is primarily comprised of large residential lots. There are a few homes in the area, establishing a secluded, rural setting along 74th Street, south of the Missouri River. The single family homes have ample space between them.

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

While the zoning of the properties around the proposed use is R-1 Single Family District, the area itself is relatively secluded with expansive wooded lots,

sheltering homes from each other. The continued operation of the dog day care and boarding, giving its location and the surrounding neighborhood, could 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 removal of the restrictions on the property 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 where it exceeds capacity. The clients will not drop off their dogs at the address.

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. However it provides convenience for those that would use the service. The dog day care and boarding will not substantially injure the visual quality or marketability of adjoining property because of the seclusion of the lot.

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.*

There is a potential for noise to be a problem in this type of scenario, but because the homes are not directly adjacent and the lots are heavily wooded, creating a natural buffer, the impact of the barking should be minimal. Additionally, the dogs will be supervised at all times while on the property, from 11 a.m. to 2 p.m. each day.

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

The applicant will have to dispose of the dog waste in a timely manner; otherwise an odor will pollute the air of nearby property or water may be polluted.

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

The proposed use will not damage or destroy an irreplaceable natural resource.

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

There is a minimal gain to the public health, safety, and welfare as compared to the hardship imposed on the individual landowners.

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

The proposed use will not result in overcrowding of land, as 9.2 acres is adequate space for dogs.

PREVIOUS ACTIONS

None

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on December 22, 2015. Five (5) people were in attendance. No opposition was recorded.

KEY ISSUES

None

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 7 to 0 to recommend **approval** of Special Use Permit Application #SP-2016-3, subject to:

Urban Planning and Land Use Comments:

1. How many dogs will be staying overnight in the boarding facility?

Applicant Response: At the very most 10-12 dogs overnight during the busiest season like Christmas and thanksgiving. Most every other average day I would say I would average 1-5 a night. Some months like September, October and January I might not have any since travel is slow.

If approved the following stipulations are recommended:

1. No signage is allowed on site
2. Property owner maintains regular removal of dogs' waste
3. Hours of day-care operation are from 9 a.m. to 5 p.m.
4. Approval would be for two (2) years.

Public Works Comments:

None

STAFF COMMENTS AND SUGGESTIONS

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

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition #**SP-2016-3** subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

January 11, 2016 City Planning Commission Minutes
Zoning Map
Aerial Map
Business Plan

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	January 11, 2016	January 28, 2016
Special Use	Approval	

STAFF CONTACT: **Jamie Ferris** **jferris@wycokck.org**

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #**SP-2016-3** 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-2016-3**, 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.

JANUARY 11, 2016 CITY PLANNING COMMISSION MINUTES:

SPECIAL USE PERMIT APPLICATION #SP-2016-3 – JENNIFER L. FINE -

SYNOPSIS: Special Use Permit for a doggie day care and boarding operation at 4001 North 74th Street

Recording Secretary Parker stated that the following items should be 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 January 11, 2016;
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 December 17, 2015;
7. The Notices to property owners dated December 16, 2015.

Ms. Parker asked if any member of the Planning Commission had any contact to disclose concerning this case. (No one responded in the affirmative.)

Ms. Jennifer Fine, 4001 North 74th Street, Kansas City, Kansas, 66109, applicant, appeared in support of this application. She stated that she has 9.2 acres and she will pick up the dogs in a minivan from the Brookside, Plaza and the Mission Hills area to her home. They will play for about three (3) hours (11:00 a.m. to 2:00 p.m.) Monday through Friday and then she will take the dogs back home. She stated that she will also do boarding overnight. There is no extra vehicle traffic. It is purely a mobile doggie day care. She stated that she spoke to all the neighbors and they are all in favor of this proposal. She further stated that she just purchased this property two (2) months ago.

No one appeared in opposition to this application.

Planning Director Richardson stated as noted in the staff report the dogs will only be present during the mid-day when most people are not home. The staff recommends approval subject to the stipulations.

On motion by Mr. Carson, seconded by Mr. Gonzalez, the Planning Commission voted as follows to **recommend APPROVAL of Special Use Permit Application #SP-2016-3:**

Carson	Aye
Connelly	Aye
DeWitt	Aye
Ernst	Aye
Gonzalez	Aye
Huey	Chairman
Pauley	Not Present
Schwartzman	Not Present
Serda	Aye
Wing	Aye

Motion to recommend APPROVAL Passed: 7 to 0

Subject to:

Urban Planning and Land Use Comments:

1. **How many dogs will be staying overnight in the boarding facility?**

Applicant Response: At the very most 10-12 dogs overnight during the busiest season like Christmas and thanksgiving. Most every other average day I would say I would average 1-5 a night. Some months like September, October and January I might not have any since travel is slow.

If approved the following stipulations are recommended:

1. **No signage is allowed on site**
2. **Property owner maintains regular removal of dogs' waste**
3. **Hours of day-care operation are from 9 a.m. to 5 p.m.**
4. **Approval would be for two (2) years.**

Public Works Comments:

None

Executive Summary

Opportunity

to their concerns. I make myself available and pride myself by making things easier and more convenient on the client.

Expectations

Forecast

Financing Needed

cleaning, and even dog groomers come to your house. People are willing to pay for convenience and good, quality service. They know that that time saved is time better spent with their families.

Market

Working business professionals and dual income households are abundant in Kansas City. The dog business is one of the fastest growing fields to be in, because there is such a need in Kansas City and nationwide.

Competition

Clients are looking for a better service than K-9 Club provides. They are wanting longer hours and a better option when it is extremely hot or cold. And of course safety, and cleanliness are the clients top priority.

Why Us?

I have a way of easing stressful situations and putting their mind at ease. It takes great trust to hand some one your house keys, especially when they own a multi million dollar home. I know what the clients want because of my time in the field and listening

Opportunity

Problem & Solution

Problem Worth Solving

People are busy and working longer hours and harder than ever. People are burdened with guilt by having to leave their dogs at home while they work long or odd hours. But they don't have the time or desire to take their dog to traditional doggie daycare and pick them up in time. Or maybe they don't want the dog hair or nose prints in their luxury car. And the owner comes home tired to a crazy dog full of pent up energy that needs exercise, when all the owner wants to do is relax.

Our Solution

I offer a mobile doggie day care service that allows me to pick up their dog from their home. I pick up the dog from their house using a key or code that they provide. I take the dog to play off leash for 3+ hours, and then I take the dog back to the clients home, tired and happy. It requires no effort from the owner whatsoever. I also offer boarding services at my home that almost exclusively pick up and deliver as to make no impact on my own neighborhood vehicular traffic.

Target Market

Approximately 37-47% of all households in the United States have a dog. (Source: APPA) With Kansas City Metro being an increasingly dog friendly place to live. My target market is business professionals who work long hours, have healthy incomes and that live in areas with little to no back yard. Such as doctors, nurses, and lawyers living on the Plaza and Brookside area in Kansas City, MO and Mission Hills, KS.

Competition

Current Alternatives

I have worked for my competition, K-9 Club, for more than 4 years. This is where I have built my client relationships and trust. They offer pick up and delivery of dogs. This business has operated for more than 10 years.

A lot of other doggie day care exist in Kansas City, but they are a small "concrete jungle" where dogs are forced to eliminate inside, creating bad potty habits at home. And it makes for a smelly environment for the dog to be in all day.

Our Advantages

I have worked for K-9 Club long enough to see that it needs higher sanitary protocols and more staff to properly handle all of the dogs. It needs to be more choosy on which dogs will be allowed and which ones will not be based on personality testing. I will offer a cleaner environment for the dogs. K-9 Club is 90% outside, with very little shelter for inclement weather such as rain and severe cold and heat. It offers no air conditioning other than box fans and one small wall unit. I will be offering heating and cooling and a larger indoor environment. Our price will be the same, but I will be offering less dogs in the van, which makes it safer. And my van will be larger and provide kennels in the van.

Execution

Marketing & Sales

Marketing Plan

I already have many people whom are interested in my services. Mostly are already currently using K-9 Club, And they are anxious to refer me. I plan to have T-shirts made with my phone number and website made that I will wear at all times. I plan on having my van wrapped with advertising including what I do and what I charge. My fee will be \$30 per day of play. And \$40 for overnight stays. With the second dog in the same household being \$10 extra. I will offer my clients an option to pay online, or leave a check at their house when I get their dog.

Sales Plan

Operations

Locations & Facilities

The location will be at the home of my husband and I. 4001 N 74th St Kansas City, KS 66109. This property sits on 9.2 secluded acres surrounded by woods. The secludedness of the property will make it minimal to no impact on neighbors in the near by community. I almost solely pick up and take home the dogs, so there will be next to 0 impact on increased vehicle traffic. The location has minimal neighbors. I will use bark or shock collars to make sure the dogs are quiet and respectful. The dogs will only be on the property for doggie daycare from the hours of 11 a.m. -2p.m.. Then when I return home about 5:30 I will only have my boarding dogs on the property. I will make a compost pile of the dog feces in a deep hole and pick up feces every day, so smell is of no concern. I will be a very courteous neighbor and offering a lifetime discount to my neighbors who need my dog daycare and boarding services. During the time the dogs are there, I throw the ball with them and interact with them while they socialize. The last hour of the day, from 1p.m. - 2 P.M., they usually nap and rest.

Technology

Equipment & Tools

I will be purchasing over 500 feet of 6 foot chain link on the property to keep the dogs in and minimize risk of escape. I plan on purchasing a dog bath tub so that the dogs can be cleaned in the wet season. I will be purchasing a Ford Transit Connect van to transport the dogs safely. I will have a doggie camera set up so that the owners can check in on there dogs while they play. The 3 car garage will be converted to an inside shelter equipped with heating and cooling. With plans to expand in the future by building a pole barn type of structure on the North side of the property.

Company

Overview

My company will be an LLC with myself, Jennifer Fine, as the sole owner. I will not have any employees in the near future. My husband, Andrew, helps out when needed since he lives on the facility too. But he works full time and travels some for work.

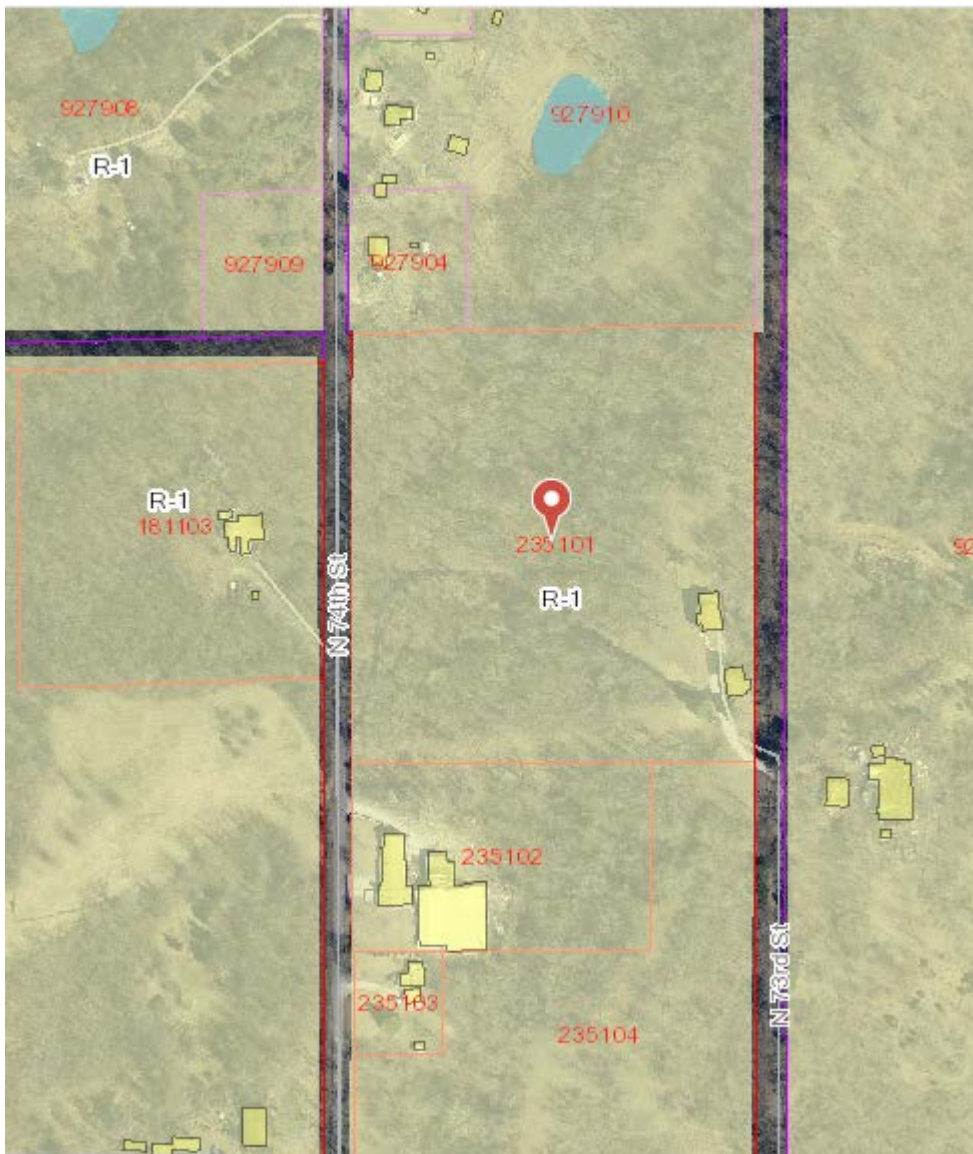
Team

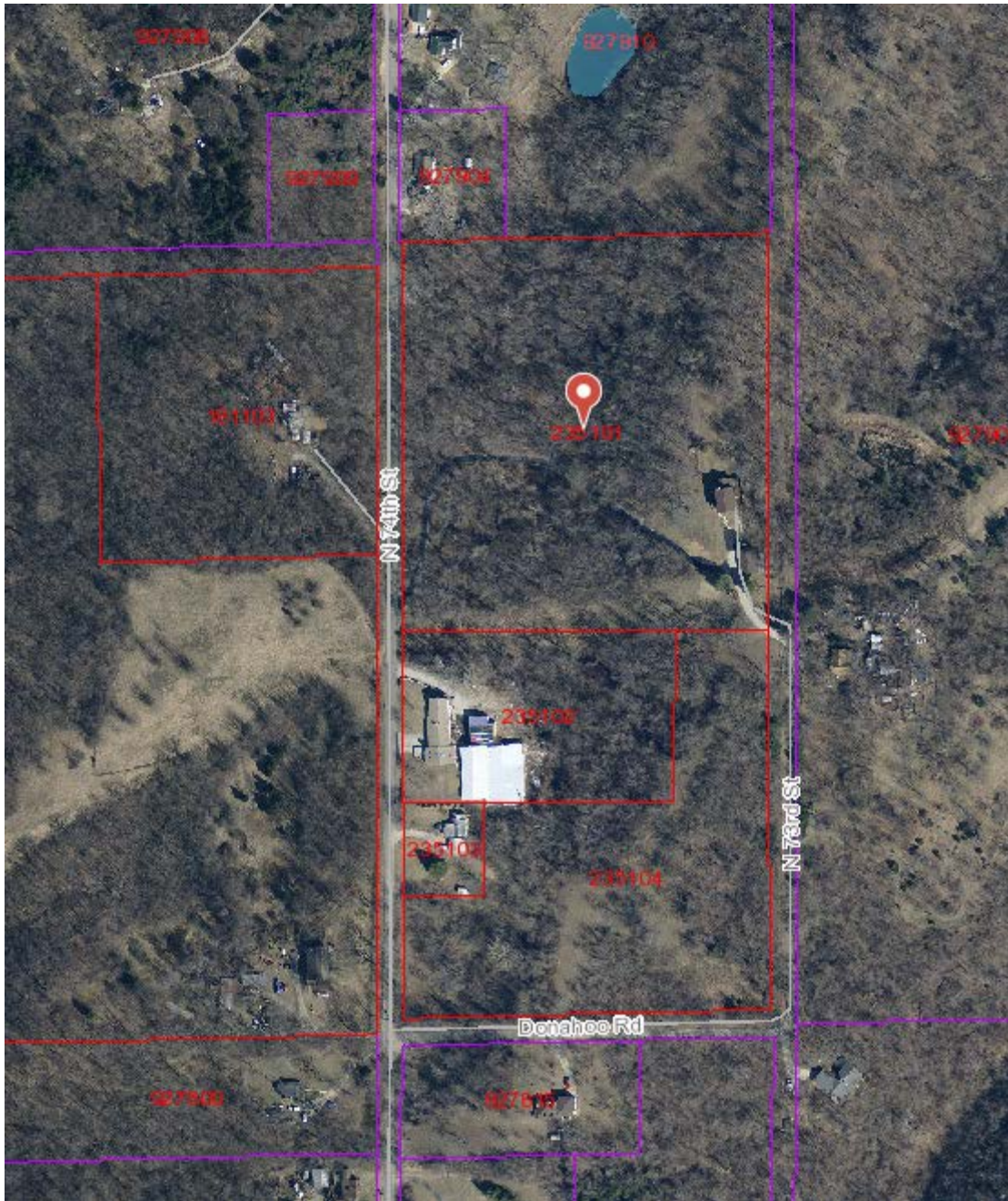
Management Team

I have volunteered and professionally worked with dogs for over 5 years. I am a certified dog trainer from Animal Behavior College. The animals safety and well being is my top priority. I have worked at a doggie day care for over 4 years, and I know how to properly control over 45 dogs in one large environment. I know body language of dogs which aids in avoiding fights. Not only do I have skills taking care of dogs, I have amazing people skills. People can sense my honesty and good hearted nature in all that I do.

Advisors

I have taken a 3 course work shop from SCORE. Whom of which I take care of my advisors dog, Jack and Errett Schmid. I have the honor and privilege of knowing David Starling, CEO of Kansas City Southern Railroad. He is a resource I have a relationship with, and can ask for advice. Frank Friedman, Deloitte CEO is another business resource I have. The Sosland Foundation and its members always have wisdom to offer me as well.







Urban Planning and Land Use

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

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

To: Unified Government Board of Commissioners
From: City Staff
Date: January 28, 2016
Re: Petition #SP-2016-4 (1515)

GENERAL INFORMATION

Applicant:
Ronald J. Beal, Jr.

Status of Applicant:
Applicant
1106, 11108, and 1110 Ella Avenue
Kansas City, KS 66102

Requested Action:
Special Use Permit to park tow trucks at
1106, 1108, and 1110 Ella Avenue

Date of Application:
November 25, 2015

Purpose:
To park tow trucks in backyard area of
1106, 1108, and 1110 Ella Avenue

Property Location:
1106, 1108, 1110 Ella Avenue

Existing Zoning:
R-1(B) Single Family District



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

Existing Uses: North: Residential Homes
South: Residential homes
East: Residential homes
West: Residential Homes

Total Tract Size: .25 acre

Master Plan Designation: The Master Plan designates this property as area for Urban Density.

Major Street Plan: Ella Avenue is designated local residential.

Advertisement: The Wyandotte Echo – December 17, 2015
Letters to Property Owner – December 16, 2015 and January 21, 2016

Public Hearings: January 11, 2016 and January 28, 2016

Public Opposition: No one appeared in opposition at the January 11, 2016 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: Applicant Ronald J. Beal, Jr. is requesting a special use permit to allow tow trucks to be parked in the backyard area of 1106, 1108, and 1110 Ella Avenue.

City Ordinance Requirements: 27-592 through 27-593

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The character of the neighborhood surrounding this property is comprised of mostly older, single family residences.

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

The zoning of the property is R-1(B) Single Family District. The proposed off-street parking of large commercial vehicles is clearly inconsistent with the zoning and use of nearby properties. However, applicant has indicated that the parking

area will be screened, and the parking will take place off the alley to the rear of the properties. These factors somewhat mitigate the incompatibility. Applicant has indicated that the vehicles are for personal use and have only been driven a few times over the previous few months. Applicant additionally comments that they are parked on an improved surface.

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

The property is zoned for single family residential. If it is properly screened, maintained, and generates minimal traffic then this approved use would not detrimentally affect nearby properties.

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

N/A

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

This use of parking tow trucks is not in compliance with the zoning district or the Master Plan. That is why this special use permit hearing is necessary.

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.*

By its nature this use may create some additional vehicular traffic on the alley to the north of Ella Avenue. Applicant however has indicated that the two trucks are only driven minimally, perhaps as little as a few times every few months.

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.*

This use is not a necessary convenience to the public. This will only be a convenience to the owner of the property. As for the points listed above, we do have concerns about the visible impact that could result from this use at the site, as well as noise from the trucks, and increased traffic. Additionally, staff is concerned about ancillary outdoor storage that may occur alongside the tow trucks and the potential for that to become a nuisance. However, with the proper plan and management, these impacts can be minimized.

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.*

There are concerns associated with possible noise (especially OSHA beepers), vibrations, and lights caused by the tow trucks or any additional security illumination installed around them. However, with the proper plan and

management, this impact can be minimized. Again, additional information from the applicant regarding his plans for the tow trucks and the site itself may mitigate some of these concerns. Applicant has not provided information regarding his long term plans for the tow trucks, nor has applicant provided detail information regarding screening or the surface which they will be parked on. Applicant indicates that the tow trucks do not have beepers or excess lights.

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

Other than minimal exhaust caused by the tow trucks, and the increased risk of automotive chemicals leaking at the site, the proposed use is not expected to pollute the air, land, or water.

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

N/A

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

If the application is denied applicant will have to find another location to store the tow trucks. There is little to no gain to the public health, safety, and welfare regardless of whether this application is approved or denied.

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 in regards to this application.

PREVIOUS ACTIONS

No previous action has been taken on this property.

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on December 27, 2015. There were no persons in attendance.

KEY ISSUES

Use and Storage of Commercial Automobiles in the backyard of a residential district

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 7 to 0 to recommend **approval** of Special Use Permit Application #SP-2016-4, subject to:

1. The applicant has clarified that the trucks are for his personal use and not a commercial business.
2. The applicant will install either asphalt or concrete for the parking pad for the trucks during this two-year approval period.
3. No parking on the street.
4. Trucks must be empty at all times.
5. This special use permit is for the trucks in the pictures submitted by the applicant.
6. Compliance with any Code Enforcement issues.
7. Approval would be for two (2) years.

STAFF COMMENTS AND SUGGESTIONS

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

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered* and *Key Issues* and recommends **APPROVAL** of Petition #SP-2016-4 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

January 11, 2016 City Planning Commission Minutes
Zoning Map
Vicinity Map
Applicant Photos
Meeting Information
Applicant Comments

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	January 11, 2016	January 28, 2016
Special Use	Approval	

STAFF CONTACT: Zach Tusinger
ztusinger@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #SP-2016-4 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:

OR

I move the Unified Government Board of Commissioners **DENY** Petition #**SP-2016-4**, 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.

JANUARY 11, 2016 CITY PLANNING COMMISSION MINUTES:

SPECIAL USE PERMIT APPLICATION #SP-2016-4 – RONALD J. BEAL -

SYNOPSIS: Special Use Permit for the Temporary Use of Land to park tow trucks at 1106, 1108 and 1110 Ella Avenue

Recording Secretary Parker stated that the following items should be 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 January 11, 2016;
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 December 17, 2015;
7. The Notices to property owners dated December 16, 2015.

Ms. Parker asked if any member of the Planning Commission had any contact to disclose concerning this case. (No one responded in the affirmative.)

Mr. Ronald Beal, 1106 Ella Avenue, Kansas City, Kansas, 66102, applicant, appeared in support of this application. Mr. Beal stated that he wants to park his tow trucks in the back of his yard. He has lived there for a couple of years and thought that he was in compliance because when he looked it up the first time it said trucks under 10,000 pounds. He was told that he had to apply for the special use permit because it has a tow truck bed on the back of it. He has talked to all of his neighbors and none of them really have any problems with it. He further stated that he tries to keep the property cleaned up. He has prepared the back of his property with a privacy fence so it is not a nuisance to people that see it. It is not sitting out there all the time. They are not commercial vehicles. He only used them the last ice storm. In reviewing the staff comments one of the comments was extra traffic. He made an exit in the back of the lot and it is improved concrete surface. He does not use them for commercial purposes. He was looking for a 4-wheel drive and got a good deal for them.

Chairman Huey asked if this is a business or is it for pure pleasure to have a tow truck. Mr. Beal stated that he races cars and restores them with his kids. He got a good deal

on it. He was going to buy a 4-wheel drive for \$1,000 and he got this truck. They go drag racing and mud racing. He keeps them for his personal use.

Planning Commissioner Carson asked what the debris is around the black truck. Mr. Beal stated that there are vacant lots and vacant houses around his property. There are things thrown out by people: tires, etc. The city does not maintain the property. They cut the grass in the area and collect trash from the debris. He stated that is what is on the truck. He further stated that he lives next to M. E. Pearson. Mr. Carson asked if the trash is periodically disposed of. Mr. Beal stated yes. He stated that people throw tires in the alley, empty out their vehicles, spray paint, etc. and he tries to keep it clean. Some of the tires the city would not take and he disposes of them accordingly. Mr. Caron stated that he would suggest in the future that when he submitting pictures and is making his case he should submit aesthetically pleasing pictures.

Planning Commissioner Gonzalez stated that the Commission has had applicants come forward for trucks and they are huge, noisy and when they back up there is "beeping." He is looking at the red truck and asked if that is the truck they are talking about. Mr. Beal stated yes. Mr. Gonzalez asked if he uses the red truck for snow removal. Mr. Beal stated no; they use it for personal use if there is ice (it has a big block in it) because it gets around better than their personal vehicle. Mr. Gonzalez asked if he tows. Mr. Beal stated no unless it is a family member that has car trouble. He stated that the truck does not have lights or beepers on it. It has adequate exhaust on it and the motors do not leak oil; they are new GM engines.

Chairman Huey asked him to address the Code Enforcement comments which states: "It appears (applicant) has expanded his parking area/driveway on lot address 1108 Ella with gravel instead of blacktop/concrete. Applicant is also damaging the lawn by driving over the curb to access the new section of driveway." Mr. Beal stated that new gas lines are being put in throughout the neighborhood and they dug a hole right there and it is muddy. Mr. Beal stated that he owns three (3) separate lots and two of the properties have a house on them and there is a lot between the two (2) houses. He stated that they have been cleaning up things and obviously he had to put down the gravel to improve the surface to park anything in the back of the one lot. He does not think that anything that he has done has been over the percentage of gravel. At a later date he wants to put concrete in there but his kids are at the age that they go to college. If he does any type of concrete, that is expensive. He has been working on his houses: windows, insulation, painting, etc. to make them nicer. He has a lot of expenses and cannot get to everything at once.

No one appeared in opposition to this application.

Planning Director Richardson stated that the applicant's clarification was very helpful and he would like to amend the staff's recommendation. Since this is not a business and he is not doing any commercial towing, he would not need a business license. He would strike stipulation number two and put in its place, that within the two (2) year period of the special use permit he would need to either get asphalt or concrete down for the parking pad for the trucks. The staff recommends approval with the other stipulations for two (2) years.

On motion by Mr. Gonzalez, seconded by Mr. Wing, the Planning Commission voted as follows to **recommend APPROVAL of Special Use Permit Application #SP-2016-4:**

Carson	Aye
Connelly	Aye
DeWitt	Aye
Ernst	Aye
Gonzalez	Aye
Huey	Chairman
Pauley	Not Present
Schwartzman	Not Present
Serda	Aye
Wing	Aye

Motion to recommend APPROVAL Passed: 7 to 0

Subject to:

- 1. The applicant has clarified that the trucks are for his personal use and not a commercial business.**
- 2. The applicant will install either asphalt or concrete for the parking pad for the trucks during this two-year approval period.**
- 3. No parking on the street.**
- 4. Trucks must be empty at all times.**
- 5. This special use permit is for the trucks in the pictures submitted by the applicant.**
- 6. Compliance with any Code Enforcement issues.**
- 7. Approval would be for two (2) years.**



1106, 1108, and 1110 Ella Ave.



NOT TO SCALE



1106, 1108, and 1110 Ella Ave.



NOT TO SCALE



Aerial photo provided by applicant indicating where storage is to occur



Photos of the site provided by Applicant (1 of 2)



Photos of the site provided by Applicant (2 of 2)

Clarification of Draft Staff Recommendation/Report

#SP-2016-4/#SP-15402-00074

- 2) The tow trucks are not commercial vehicles and they weigh under 10,000 lbs, which is the weight limit stated in the code ordinances. They will be hidden from general public view in the rear parking area of 1106 Ella Avenue, example seen on page 10. They will be parked on improved surfaces. One tow truck has been used twice in three months and the other has not been used at all in the same time frame.
- 3) They will be screened and parked on improved surfaces.
- 6) One tow truck has been used twice in three months and the other has not been used at all in the same time frame.
- 7) They are privately owned, personal vehicles. The tow trucks will primarily be there for storage and they will not be commercially running.
- 8) They do not have beepers or excess lights. They have minimal usage and the proper exhaust.
- 9) The tow trucks are regularly maintained and have the proper exhaust.

Key Issues

The tow trucks are for personal use. One is primarily used during winter storms. The vehicles are under 10,000 lbs. and not commercially used vehicle. They are regularly maintained so not to be a nuisance. The tow trucks will be parked mainly for storage on the property. I have always strived to keep my residence presentable and respectable in appearance and action. I strive to keep a good rapport with my neighbors. We try to discuss any issues openly as neighbors so that we can continue living in consideration and good rapport, without any nuisance.

***Please do not hesitate to contact me with any additional questions, comments, or for further clarification on the subject. ***

Neighborhood Meeting Minutes

Application Number: #SP-2016-4 / #SP-15402-00074

Date: December 27, 2015

Location: Willa Gill Center

645 Nebraska

Kansas City, KS

Meeting was Scheduled For: 5-6PM

Meeting Called to Order At: NA

Names of People in Attendance: NA

Introductions: NA

Presentation: NA

Questions and Answers: NA

Meeting Adjourned At: NA

Minutes Taken By: NA

***The meeting was supposed to be held from 5-6PM on December 27th. Ronald Beal was going to give the presentation and Lori McCoy was going to take the minutes. After thirty minutes of waiting, Ronald Beal and Lori McCoy asked the security officer on duty at Willa Gill and another Willa Gill employee that was present at the time if they would sign the "Meeting Sign In Sheet" to attest that the persons above waited the proposed, allotted time before leaving the premises. ***

AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF Kansas)
COUNTY OF Johnson) SS:

Comes now Ronald Jay Beal Jr of lawful age, sound mind and upon his/her oath states as follows:

1. That I am the petitioner for Petition # SP-2016-4 / #SP-15402-0007
2. That I conducted a neighborhood meeting on 12/27/15.
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.

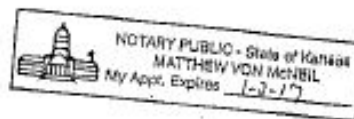
Further affiant saith not.

Ronald Jay Beal Jr
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 27th day of December, 2015

My commission expires 2nd of January, 2016

Matthew Von McNeil
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: January 28, 2016

Re: **Petition #SP-2016-8 (1517)**

GENERAL INFORMATION

Applicant:
Bill Super

Status of Applicant:
SM Auto Inc.
5601 NW 81st Terrace
Kansas City, MO 64151

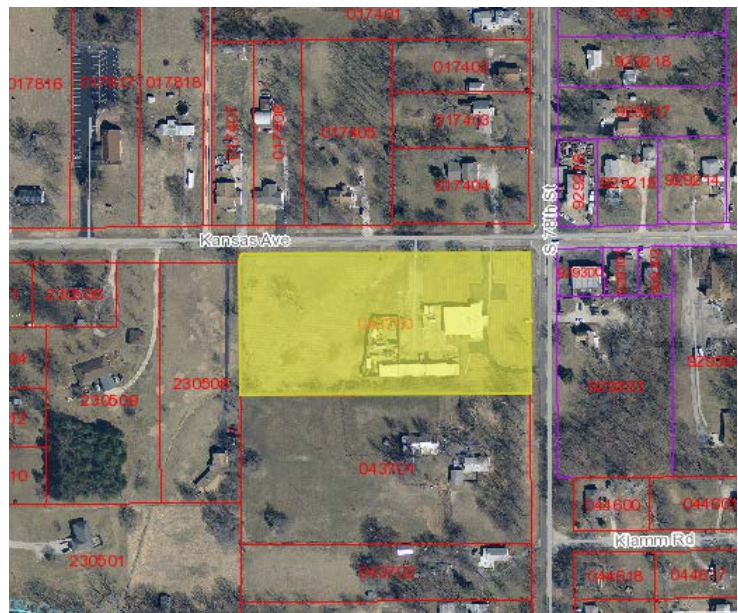
Requested Action:
Approve Special Use Permit

Date of Application:
November 25, 2015

Purpose:
To operate a used car dealership

Property Location:
610 South 78th Street

Existing Zoning:
MP-2 Planned General Industrial District



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

Existing Uses: **North:** Single family homes (across Kansas Avenue)
South: Large lot single family home
East: Auto repair shop and single family homes (across 78th Street)
West: Single family homes

Total Tract Size: 4.44 acres

Master Plan Designation: The City-Wide Master Plan designates this property as Low Density Residential.

Major Street Plan: The City-Wide Master Plan classifies 78th Street and Kansas Avenue are classified as Class A and Class B Thoroughfares, respectively.

Advertisement: The Wyandotte Echo – December 17, 2015
Letters to Property Owner – December 16, 2015 and January 21, 2016

Public Hearings: January 11, 2016 and January 28, 2016

Public Opposition: No one appeared in opposition at the January 11, 2016 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Bill Super with SM Auto Inc. wants to use, as a co-tenant, 140 square feet of the 2,640 square foot building for an office to sell use cars at 610 South 78th Street.

City Ordinance Requirements: 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The character of the neighborhood is generally residential. Large lot single family homes border the property to the south and west. There are single family homes to the north, across Kansas Avenue and an auto repair shop to the east, across 78th Street.

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. This space was formerly a contractor's business with mechanical, electrical and plumbing services. This is a significant change from the previous use.

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

The removal of the restrictions could affect nearby property.

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

Based on Business License records, there is currently a contractor's business operating at this address.

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

The proposed use does not conform to the Master Plan. Additionally, 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 and welfare of the public. If the proposed use is not properly managed and screened from public view, the use could substantially injure the 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.*

Used car dealerships generally do not generate an excessive amount of noise or illumination. Since there is no repair work associated with some dealerships, this will not be a problem 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.

The proposed use will not damage or destroy an irreplaceable natural resource.

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 is minimal. If this application is denied, the applicant will have to find an alternate location and apply for another special use permit.

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

This property is very large with a fenced area and available parking for customers and vehicles for sale. The proposed use will not result in overcrowding of land.

PREVIOUS ACTIONS

None

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on December 28, 2015. According to the applicant, no one who attended the meeting appeared in opposition.

KEY ISSUES

Compliance with the automotive repair ordinance

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 7 to 0 to recommend **approval** of Special Use Permit Application #SP-2016-10, subject to:

Urban Planning and Land Use Comments:

1. Subject to approval, this special use permit shall be valid for two (2) years.
2. Per the Business License Department:
 - a. If approved, the applicant will need to register and file the occupation tax application with our office.

Their office is at 4953 State Avenue, KCK 66102. Their number is (913) 573-8780.

Applicant Response: Applicant will file with the Business License Department, if approved.

3. Will this building be split into multi-tenant spaces? If so, what portion of the building are you occupying?

Applicant Response: Applicant will occupy approximately 5 percent of the building.

4. This property has numerous overhead doors. How do you plan on incorporating these doors into your business operation?
5. Per Sec. 27-593(b)(20)a.
 - a. Upgrade parking, including striping and/or resurfacing of parking lots, if deemed necessary by staff.
 - b. Landscaping, screening, and façade improvements to meet commercial design guidelines.

The parking lot needs to be restriped and resurfaced, as the asphalt and concrete lot has become degraded. With that said, on the scaled site plan (drawing), please illustrate where the used cars will be parked.

Additionally, the Commercial Design Guidelines requires that trees be planted at least 75 percent greater than the district requirement. The requirement is one tree per 7,000 square feet of site area; therefore 48 trees are required to be planted.

The trees that exist may go towards that total, so please provide the total number of trees currently on the property, and the remaining deficit will be the number that needs to be planted to comply with the Commercial Design Guidelines.

Applicant Response: Striping can be done. Surfaces are in good shape. There are approximately 60 trees on the property.

6. In order to calculate the required parking, please provide the square footage of the building.

The parking ratio for vehicle repair is four (4) spaces for every 1,000 square feet of building area. Looking at aerial photographs, the south and east sides of the parking lot does not have any striping. Staff cannot determine how many parking spaces are required if we do not know the building square footage.

Applicant Response: The contractor business occupies about 2,460 square feet. Auto sales will occupy about 140 square feet of office space.

Staff Response: Based on the existing square footage and the M-2 General Industrial District, 5 spaces are required for the contractor's business. The auto sales business requires 1 space. Based on the aerial photographs, there is enough parking on-site for 6 parking spaces.

7. Per Sec. 27-593(b)(20)d.1-3.

- a. Parking of the automobiles under heavy service repair, or mechanics shall not be placed within a required parking/paving setback area and shall not reduce the capacity of a parking lot below that required by sections 27-466 through 27-470.
- b. Parking shall be upgraded to current standards and regulations including medians, landscaping, and screening.
- c. Each automobile shall be in a striped, designated parking space.

Please provide a more detailed drawing that shows the parking allocated for 610 South 78th Street. This includes property lines, building location, driveways, paved areas, pervious areas (grass), parking spaces for customers and the vehicles that are for sale.

Applicant Response: No vehicles under repair will be on this property. Parking of used vehicles will be in an existing, wall enclosed area on the back side of the building. The area where the used cars are parked will be striped.

Staff Response: Prior to obtaining a business license and paying your occupational tax with the Business License Department, the parking lot on the east side of the building and the used car parking spaces behind the wall on the west side of the building shall be restriped.

8. The chain link fence on the north and east sides of the property along the perimeter need to become 6' privacy fences. All outside storage must be screened from public view.

Applicant Response: The vehicles sales will not be in this area of the property. A detailed drawing has been added.

9. In order to have legitimate signage, a sign permit must be filed with the Urban Planning and Land Use Department by a licensed and bonded sign company with the Kansas City, Kansas Business Licensing Department.

Applicant Response: Any signs will be similar to those of the existing building.

10. No displays on the sidewalk, this includes signs, pennants, attention-attracting devices, etc.

Applicant Response: There will be no display on the sidewalks.

Public Works Comments:

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

Staff Conclusion:

The applicant has worked with staff to resolve questions and comments pertaining to the use of the building and the location of the used cars. Knowing that the cars will be behind a wall that cannot be seen from Kansas Avenue and there is enough on-site parking for both businesses, staff stipulates the following:

- (1) Subject to approval, this special use permit shall be valid for two (2) years.
- (2) At no time may any car for sale be displayed in the parking lot along 78th Street and Kansas Avenue. Any vehicle for sale shall be behind the wall in the enclosure adjacent to Kansas Avenue.
- (3) Repair work is not permitted on the property without an additional special use permit.
- (4) The east parking lot and the west paved parking area shall be restriped to comply with the code.
- (5) Any signage, temporary or permanent shall require a sign permit from the Urban Planning and Land Use Department.
- (6) Compliance with the letter of operation submitted by the applicant.

STAFF COMMENTS AND SUGGESTIONS

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

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition #SP-2016-8 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

January 11, 2016 City Planning Commission Minutes
Applicant Response Letter
Neighborhood Meeting Minutes
Photograph of property

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	January 11, 2016	January 28, 2016
Special Use	Approval	

STAFF CONTACT: **Byron Toy, AICP**

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #**SP-2016-8** 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-2016-8**, 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.

JANUARY 11, 2016 CITY PLANNING COMMISSION MINUTES:

SPECIAL USE PERMIT APPLICATION #SP-2016-8 – BILL SUPER/SM AUTO, INC. - SYNOPSIS: Special Use Permit for used vehicle sales at 610 South 78th Street

Recording Secretary Parker stated that the following items should be 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 January 11, 2016;
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 December 17, 2015; and
7. The Notices to property owners dated December 16, 2015.

Ms. Parker asked if any member of the Planning Commission had any contact to disclose concerning this case. (No one responded in the affirmative.)

Mr. Bill Super, SM Auto, Inc., 5601 NW 81st Terrace, Kansas City, MO 64151, applicant, appeared in support of this application. He stated that he started this business in 1987 and it was something he did on the side. He has been at two different locations. He believes that they have been at the current location for about 20 years. It is in with a collision repair facility and the owner of the property has the property up for sale. He stated that the night he had his neighborhood meeting was the night when there was rain, sleet and snow so the turnout was low. He read the following statement into the record that he read at the neighborhood meeting. "This used vehicle business has operated from its current location for about 20 years. The owner of the property currently has it for sale. I am looking for a location to move the business. It is a small, 2 person operation that sells 20 to 25 vehicles a year. Most of those are wholesale to other dealers. It is a very low traffic, low exposure business. The owner of the proposed location will allow no more than 3 vehicles to be displayed at any time. No inoperable vehicles will be stored on the property and no repair facility will be allowed there." The owner is giving him three (3) parking spaces and room for a small office so he can maintain his dealer license. There are no additions to the building and there will be no additional concrete or lights. The only sign put up will be the one required by the State as long as it is in compliance with the city. One of the neighbors that came to the meeting was afraid that it was going to be a mega auto complex. It is only three (3) parking spaces, a small sign and office space.

No one appeared in opposition to this application.

Planning Director Richardson stated that the staff recommends approval subject to the staff comments and adding a number 6 that they comply with their operations letter on page 11 of the staff report.

On motion by Dr. Serda, seconded by Mr. Carson, the Planning Commission voted as follows to **recommend APPROVAL of Special Use Permit Application #SP-2016-8**

Carson	Aye
Connelly	Aye
DeWitt	Aye
Ernst	Aye
Gonzalez	Aye
Huey	Chairman
Pauley	Not Present
Schwartzman	Not Present
Serda	Aye
Wing	Aye

Motion to recommend APPROVAL Passed: 7 to 0

Subject to:

Urban Planning and Land Use Comments:

- 1. Subject to approval, this special use permit shall be valid for two (2) years.**
- 2. Per the Business License Department:**

- a. If approved, the applicant will need to register and file the occupation tax application with our office.

Their office is at 4953 State Avenue, KCK 66102. Their number is (913) 573-8780.

Applicant Response: Applicant will file with the Business License Department, if approved.

3. Will this building be split into multi-tenant spaces? If so, what portion of the building are you occupying?

Applicant Response: Applicant will occupy approximately 5 percent of the building.

4. This property has numerous overhead doors. How do you plan on incorporating these doors into your business operation?
5. Per Sec. 27-593(b)(20)a.
 - a. Upgrade parking, including striping and/or resurfacing of parking lots, if deemed necessary by staff.
 - b. Landscaping, screening, and façade improvements to meet commercial design guidelines.

The parking lot needs to be restriped and resurfaced, as the asphalt and concrete lot has become degraded. With that said, on the scaled site plan (drawing), please illustrate where the used cars will be parked.

Additionally, the Commercial Design Guidelines requires that trees be planted at least 75 percent greater than the district requirement. The requirement is one tree per 7,000 square feet of site area; therefore 48 trees are required to be planted.

The trees that exist may go towards that total, so please provide the total number of trees currently on the property, and the remaining deficit will be the number that needs to be planted to comply with the Commercial Design Guidelines.

Applicant Response: Striping can be done. Surfaces are in good shape. There are approximately 60 trees on the property.

6. In order to calculate the required parking, please provide the square footage of the building.

The parking ratio for vehicle repair is four (4) spaces for every 1,000 square feet of building area. Looking at aerial photographs, the south and east sides of the parking lot does not have any striping. Staff cannot determine how many parking spaces are required if we do not know the building square footage.

Applicant Response: The contractor business occupies about 2,460 square feet. Auto sales will occupy about 140 square feet of office space.

Staff Response: Based on the existing square footage and the M-2 General Industrial District, 5 spaces are required for the contractor's business. The auto sales business requires 1 space. Based on the aerial photographs, there is enough parking on-site for 6 parking spaces.

7. Per Sec. 27-593(b)(20)d.1-3.

- a. Parking of the automobiles under heavy service repair, or mechanics shall not be placed within a required parking/paving setback area and shall not reduce the capacity of a parking lot below that required by sections 27-466 through 27-470.**
- b. Parking shall be upgraded to current standards and regulations including medians, landscaping, and screening.**
- c. Each automobile shall be in a striped, designated parking space.**

Please provide a more detailed drawing that shows the parking allocated for 610 South 78th Street. This includes property lines, building location, driveways, paved areas, pervious areas (grass), parking spaces for customers and the vehicles that are for sale.

Applicant Response: No vehicles under repair will be on this property. Parking of used vehicles will be in an existing, wall enclosed area on the back side of the building. The area where the used cars are parked will be striped.

Staff Response: Prior to obtaining a business license and paying your occupational tax with the Business License Department, the parking lot on the east side of the building and the used car parking spaces behind the wall on the west side of the building shall be restriped.

8. The chain link fence on the north and east sides of the property along the perimeter need to become 6' privacy fences. All outside storage must be screened from public view.

Applicant Response: The vehicles sales will not be in this area of the property. A detailed drawing has been added.

9. In order to have legitimate signage, a sign permit must be filed with the Urban Planning and Land Use Department by a licensed and bonded sign company with the Kansas City, Kansas Business Licensing Department.

Applicant Response: Any signs will be similar to those of the existing building.

10. No displays on the sidewalk, this includes signs, pennants, attention-attracting devices, etc.

Applicant Response: There will be no display on the sidewalks.

Public Works Comments:

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

Staff Conclusion:

The applicant has worked with staff to resolve questions and comments pertaining to the use of the building and the location of the used cars. Knowing that the cars will be behind a wall that cannot be seen from Kansas Avenue and there is enough on-site parking for both businesses, staff stipulates the following:

- (1) Subject to approval, this special use permit shall be valid for two (2) years.
- (2) At no time may any car for sale be displayed in the parking lot along 78th Street and Kansas Avenue. Any vehicle for sale shall be behind the wall in the enclosure adjacent to Kansas Avenue.
- (3) Repair work is not permitted on the property without an additional special use permit.
- (4) The east parking lot and the west paved parking area shall be restriped to comply with the code.
- (5) Any signage, temporary or permanent shall require a sign permit from the Urban Planning and Land Use Department.
- (6) Compliance with the letter of operation submitted by the applicant.

Staff Comments and Suggestions

1. a. Applicant will file with the Business License Department if approved.

2. Applicant will occupy approximately 5% of the building.

3. The overhead doors will be used as they currently are. No changes.

4. a. Striping can be done. Surfaces are in good shape.

b. The commercial exterior area to be used is about 700 sq. ft.

Parking lot surfaces are in good repair. Striping can be done.

There were approximately 60 trees on the property.

5. Contractor Business occupies about 2460 sq. ft. Auto Sales will occupy about 140 sf. ft. of office space.

There will be no vehicle repair on this property.

6. a. No vehicles under repair will be on the property

b. Parking of used vehicles will be in an existing, wall enclosed area on the back side of the building.

c. Area will be striped.

A detailed drawing has been added.

7. The vehicle sales will not be in this area of the property.

8. Any signs will be similar to those of the existing building.

9. There will be no displays on the sidewalks.

1. This proposed business will operate out of the current structure along with the current business. No additions or changes will be made to the present structure. No new buildings will be erected.
2. This additional business will not significantly change anything to the property or the surrounding properties. The property is zoned for this type of business.
3. Removal of restrictions for this particular business should not effect nearby properties.
4. The property has not been vacant for the last 16 years. The current business has been there for that amount of time.
5. I will need to look at the Master Plan.
6. There so be no increase in traffic from the proposed business.
7. Nothing on the property will change. A small area will be used for used vehicle display.
8. No repair work or illumination will be added to this property.
9. This business should not cause any additional pollution.
10. This business should not damage any natural resources.
11. This business will not cause any hardships to surrounding properties or owners.
12. No new structures are being added that would cause any overcrowding.

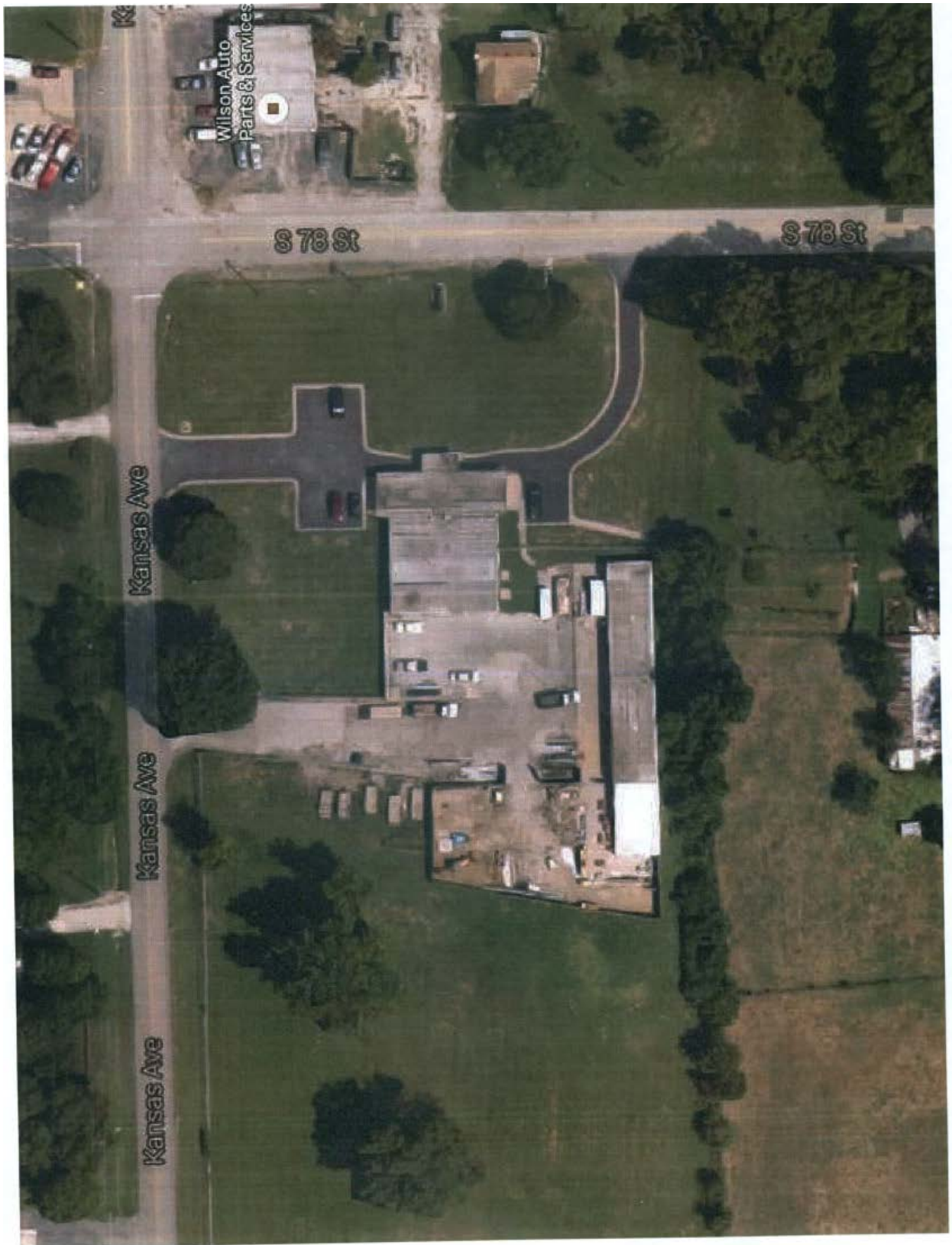
This used vehicle business has operated from its current location for about 20 years. The owner of the property currently has it for sale. I am looking for a location to move the business. It is a small, 2 person operation, that sells 20 to 25 vehicles a year. Most of those are wholesale to other dealers. It is a very low traffic, low exposure business. The owner of the proposed location will allow no more than 3 vehicles to be displayed at any time. No inoperable vehicles will be stored on the property and no repair facility will be allowed there.

The meeting started at 6:15 pm - Dec 28 - 2015.

Bill Super gave an explanation of the two handouts (copies attached).

Lloyd Collins asked if there would be any new facilities built on any of the property or any changes concerning drive ways or green areas. When he understood that there would be no changes made, he was satisfied. There were no further questions and the meeting closed at 6:21 pm.

Connie Super



Proposed
Parking
Area for
no more
than 3
vehicles
for sale









Urban Planning and Land Use

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

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

To: Unified Government Board of Commissioners
From: City Staff
Date: January 28, 2016
Re: Petition #SP-2016-10 and #MP-2016-1(1514)

GENERAL INFORMATION

Applicant:
David Ficklin

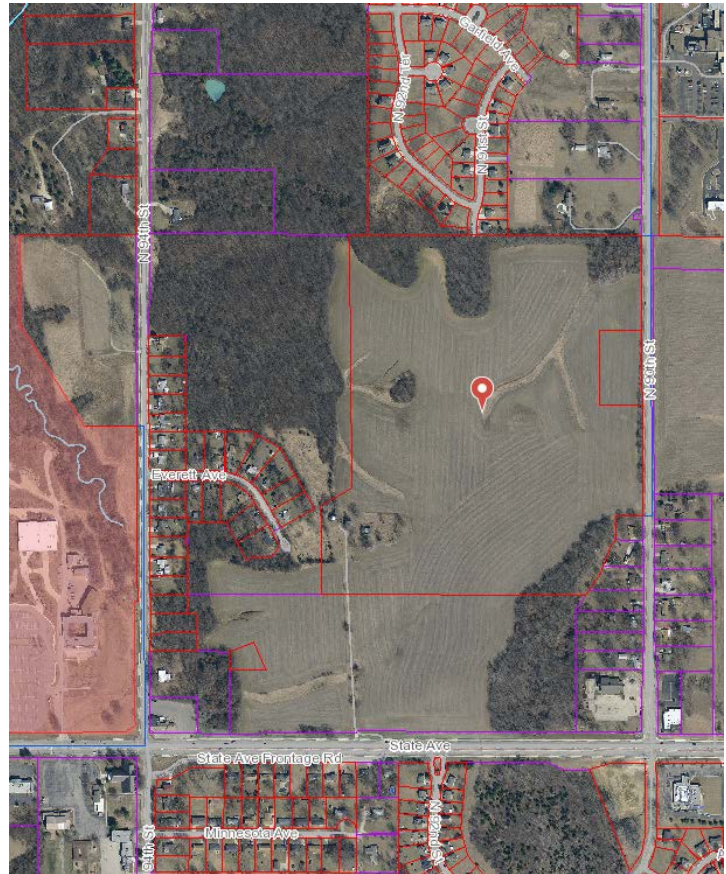
Status of Applicant:
Representative
Sporting Kansas City
1511 Baltimore Avenue
Kansas City, Missouri

Requested Action:
Approve a Special Use Permit for
12 soccer fields, related parking
and maintenance facility

Master Plan Amendment from low
density residential to entertainment
(Prairie-Delaware-Piper Master
Plan)

Date of Application:
November 25, 2015

Purpose:
To operate a 12 field soccer facility



Property Location: 1500 North 90th Street

Existing Zoning: AG Agricultural District

Existing Surrounding Zoning:

North:	R-1 Single Family District and RP-2 Two-Family District
South:	R-1 Single Family District and AG Agricultural District
East:	R-1 Single Family District
West:	R-1 Single Family District and AG Agricultural District

Existing Uses:

North:	Single family homes
South:	Vacant land and single family homes
East:	Large lot homes and undeveloped land
West:	Single family homes and undeveloped land

Master Plan Designation: The Prairie-Delaware-Piper Master Plan designates this property for low density residential use.

Major Street Plan: The Master Plan classifies 90th Street as a Class C thoroughfare

Advertisement: The Wyandotte Echo – December 17, 2015
Letters to Property Owner – December 16, 2015 and
January 22, 2016

Public Hearings: January 11, 2016 and January 28, 2016

Public Opposition: At the July 13, 2015 residents nearby this development expressed concern over noise, screening, landscaping, street improvements, and storm water management. At the January 11, 2016 City Planning Commission meeting there were two (2) neighbors present with questions.

PROPOSAL

Detailed Outline of Requested Action: The applicant, David Ficklin of Sporting Kansas City is seeking approval of a Special Use Permit to build 12 soccer fields and associated parking areas and maintenance facility on 63.11 acres as a community amenity, per the agreement with the Unified Government and Sporting Kansas City. The applicant is also requesting a Master Plan Amendment from Low Density Residential to Entertainment (Prairie-Delaware-Piper Master Plan).

City Ordinance Requirements: 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. *The Character of the Neighborhood.*

The area is primarily residential in nature. There is much undeveloped land in the proximity. There is some commercial development along 90th Street to the north and along State Avenue to the south.

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

With the area being primarily residential, recreational soccer fields could easily be a compatible use.

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 on the property will not detrimentally affect nearby property though the increase in traffic expected will significantly change the impact this parcel has on the surrounding area.

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

The property has not been developed.

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 result in a significant increase in the amount of vehicular traffic to the site. Refer to parking and circulation comments below.

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 reasonably necessary for the convenience of those that would use the service, particularly young families in the area. It could have an impact on both the residential properties nearby as well as the future potential for adjacent undeveloped parcels.

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.*

There will be a significant change in the noise and activity on the site, particularly on weekends when the site will be most heavily visited. Buffering should be in place to limit the impact on nearby residents.

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

Runoff could be a problem for this site, please refer to Public Works comments below.

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

The proposed use will not damage or destroy an irreplaceable natural resource.

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

There is an expected gain to public health with the addition of recreational facilities in the area.

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

The proposed use is not expected to result in overcrowding of land.

PREVIOUS ACTIONS

#R/W-2015-4, Preliminary and Final Plat for Wyandotte Youth Soccer Complex:
Approved July 2015

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on Monday, December 28, 2015 with 12 people in attendance. There were questions and concerns regarding traffic, lighting and screening, and construction.

KEY ISSUES

Site plan—parking
Restroom facilities
Sanitary sewer design
Storm drainage design

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 7 to 0 to recommend **approval** of Master Plan Amendment Application #MP-2016-1.

The Planning Commission voted 7 to 0 to recommend **approval** of Special Use Permit Application #SP-2016-10, subject to:

Urban Planning and Land Use Comments:

1. Please provide a document showing the actual parking counts within each lot.
 - a. It does not appear that the plan shows the 500 +/- grass spaces described in the storm water study.
Applicant Response: Plan and drainage study have been revised to show 548 paved and 270 grass parking spaces for a total of 818 spaces.
 - b. Grass parking is significantly less compact than striped asphalt parking. How is this inefficiency accounted for on the plan?
Applicant Response: The plan has been revised to allow for 12' width in grass parking.
 - c. All grass spaces should be graded so that future paving is easily accomplished.
Applicant Response: All proposed grass parking areas are less than 3% slope currently. The earthwork specifications will require compaction of 95% or greater in these areas as well. In the future, if they were to be paved, it would simply require stripping the top soil, cutting the sub grade to depth and installing base rock and asphalt.
2. Any parking space adjacent to a pitch should be paved. Most notably the stretch adjacent to the western pitch "C"
Applicant Response: The area just north of fields 9-10 is now shown as paved.
Staff Response: Grass overflow parking shall be gated and only open when necessary.
3. A speed table should be added mid-block on the western north/south drive.
Applicant Response: The speed table at the north end of this drive nest the traffic circle has been moved to the mid-block location. It makes more sense here, not where traffic is already slow.
4. Please provide a detail as to the edge of pavement adjacent to the grass parking. It would seem an asphalt edge would be inadequate support.
Applicant Response: The paving details will be provided at the final development plan stage.
5. Please show restroom location and number of facilities within each.
Temporary facilities will not be permitted.
Applicant Response: Restroom facilities will be provided within the indoor building. The indoor building will be submitted separately but will open concurrent with the fields.

Staff Response: If this is the case, construction permits will be issued simultaneously for both projects. Applicant must show restroom capacity and proximate location to serve the maximum number of patrons.

6. Landscaped islands must be included after every 20 parking stalls

Applicant Response: *We have shown parking islands consistent with parking lots in surrounding areas (Providence Hospital and Schlitterbahn). Please indicate where in the ordinance this requirement is located so we may address. This appears to be a requirement of an overlay district.*

Staff Response: This is a requirement of Sec. 27-577 e.3-4. It is included in the Commercial Design Guidelines Overlay District; however, we expect all new parking lot construction to be in compliance with these ordinances.

7. Show any lights and assure it does not exceed one foot candle at the property line

Applicant Response: *The lighting is shown on C07 with foot candle readings of 0 at the property line.*

8. Show buffering and screening of facility from adjacent houses

Applicant Response: *Buffering and screening is provided by preservation of the existing tree line on the north, west, and southeast of the property.*

Staff Response: Due to neighbor concerns, the applicant shall provide more significant screening for adjacent residential properties.

9. BMP issues must be resolved by a Final Plan Review

Public Works Comments:

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

None

Business License Comments:

If approved, applicant will need to register and file the occupation tax application with our office.

STAFF COMMENTS AND SUGGESTIONS

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

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petitions #**SP-2016-10** and **Master Plan Amendment #MP-2016-1** subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

January 11, 2016 City Planning Commission Minutes
Zoning Map
Aerial Map
Site plans
Landscape plan
Metal buildings
Aerial image
Zoning map

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	January 11, 2016	January 28, 2016
Special Use	Approval	

STAFF CONTACT: **Jamie Ferris** jferris@wycokck.org

MOTIONS

Master Plan Amendment:

I move the Unified Government Board of Commissioners **APPROVE** Petition #**MP-2016-11** 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 #**MP-2016-1**, 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.

Special Use Permit:

I move the Unified Government Board of Commissioners **APPROVE** Petition #**SP-2016-10** 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-2016-10**, 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.

JANUARY 11, 2016 CITY PLANNING COMMISSION MINUTES:

SPECIAL USE PERMIT APPLICATION #SP-2016-10 – DAVID FICKLIN WITH SPORTING CLUB AND SPORTING KANSAS CITY - SYNOPSIS: Special Use Permit for twelve (12) soccer fields at 1500 North 90th Street

MASTER PLAN AMENDMENT #MP-2016-1 – SPORTING CLUB AND SPORTING KANSAS CITY – SYNOPSIS: Master Plan Amendment from Low Density Residential to Entertainment (Prairie-Delaware-Piper Master Plan) at 1500 North 90th Street

Recording Secretary Parker stated that the following items should be 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 January 11, 2016;
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 December 17, 2015; and
7. The Notices to property owners dated December 16, 2015.

Ms. Parker asked if any member of the Planning Commission had any contact to disclose concerning this case. (No one responded in the affirmative.)

Mr. David Ficklin, Sporting Kansas City and Sporting Club, 1511 Baltimore Avenue, Kansas City, Missouri, 64108, applicant, appeared in support of this application. He stated that this is half of the U.S. Soccer development agreement that was finalized with the Unified Government in April of last year. He stated that this is a professional soccer training complex (which they will present to the Commission in a few months) and a youth fields complex which will be presented tonight. As part of the project, the Unified Government bought the old Speer farm which is about a 130 acre farm with the southern boundary along State Avenue, the eastern 90th Street and parts of it went all the way to 94th Street. Upon the culmination of the real estate contract the lower approximately 40 acres was set aside for future development. The western 30 acres was set aside as a nature preserve. A two (2) acre site was set aside for On-Goal to develop an indoor facility. There are 55 acres that encompass 12 youth fields, all lighted, 800 parking spaces. To the east of field #12 is a blue rectangle which is a maintenance shed. Between fields #3, #8 and 90th Street is another part of the project that goes hand-in-hand that they are working with Mr. Richardson that will be the indoor building where the restrooms and concessions will be located for the fields complex. They are working towards opening it all at the same time. He stated that they also held a neighborhood meeting on the snowy, icy evening of December 28th with their neighbors. One of the big concerns that they heard was the issue of privacy of the home west of field #9. They have studied the sight lines from all the houses around to the fields and they would like to propose a 450 foot long 6' privacy fence that they would put on the city's side of the property lines to visually screen as much of the park as possible. With the light poles being in excess of 50' they cannot do anything sufficiently to screen the actual lights to the people's yards. One of the city's requirements is that the lighting levels are zero foot candles at the property lines. He stated that their engineers have already calculated this and it is shown on the plans. Down in the southeast corner they have built a berm to hide the entry along 90th Street and the maintenance building. They spent a tremendous amount of time in trying to locate this complex in the north-south direction to maintain as much of the natural landscaping buffer as possible. The area that has been disturbed is outlined in yellow on the aerial photograph. They have tried to locate it as far north as possible for the driveway onto 90th Street to make sure it is as far away as possible from the southernmost home on both sides of 90th Street and still allow sufficient distance between the two (2) driveways to meet all the traffic safety the City Engineer requires.

Planning Commissioner Gonzalez asked if the white line on the map is the fence that he is talking about. Mr. Ficklin stated yes. Mr. Gonzalez asked what the circles are on the map; are those circular drives for the traffic to go in and out. Mr. Ficklin stated that they are traffic circles. Mr. Gonzalez asked if the only parking is near the entrance. Mr. Ficklin stated that there is a significant parking south of fields #6, #7 and #8 and another several hundred spaces north of fields #1 through #4. Mr. Gonzalez stated that the location on Monticello in Shawnee almost depicts the same thing.

Mr. Roy Jones, 1423 North 91st Street, Kansas City, Kansas, 66112, appeared concerning this application. He asked if this property belongs to the Unified Government. Planning Director Richardson stated yes. Mr. Jones asked if this property is going to be leased to the applicant or is this going to belong to the Unified Government. He asked if it is true that the Unified Government purchased all of the old Speer Farm. Planning Director Richardson stated yes, it is part of a larger development agreement. Mr. Jones asked what is going to happen with the remainder of the property. Planning Director Richardson showed the area for the fields. The area west of the fields to 94th Street will remain undeveloped where the trees are. The trees will remain except for a small area that will be graded. To the south, the property along State Avenue has been reserved for future development. Mr. Jones stated that will probably be developed for commercial. There is a lot of property left on the west of the fields and surely the Unified Government is not going to let that sit there or are they going to designate it a permanent nature area. Planning Director Richardson stated that Mr. Ficklin can address some of these questions. Mr. Jones stated that he is for this development but he is concerned about the rest of the land. All of the land the Unified Government purchased is not being shown. There is a lot of land that belonged to the Speer family that is not being shown. Planning Director Richardson showed him on the map what has been purchased by the Unified Government; they did not purchase any of the property north of the line (they did not purchase all the property). Mr. Jones asked if the Speer family still owns the rest of it. Director Richardson stated that he does not know. Mr. Jones stated that it appears that property is landlocked. Mr. Jones asked if the wooded area will be sold for housing. Director Richardson stated that there is a ravine that runs through there that would not be feasible for housing. He stated that he thinks that it would be a good idea if he scheduled a meeting to discuss this. He stated that as far as he knows this wooded area with the ravine will be preserved. They looked at putting a road through there for the soccer fields and it will not work.

Mr. Jeff Letterman, 1323 North 90th Street, Kansas City, Kansas, appeared concerning this application. He asked if there will be any traffic lights on 90th Street at the entrance of the fields. Director Richardson (after conferring with Mr. Heatherman) stated no. Mr. Letterman asked if a turn lane will be added to turn into the complex. Director Richardson stated no. Mr. Letterman stated that his concern is at game times the traffic will back up to the houses, etc. Director Richardson stated that he will have the applicant address that. Mr. Letterman asked if the lights will be left on all night or shut off after games. Director Richardson stated that they will be turned off after the games. Mr. Letterman asked if the property will be completely fenced or just the part on 94th Street. Director Richardson stated just the 450' along 94th Street. Mr. Letterman asked if they will drop the fields on the land or will they be flattened out. Director Richardson stated that he will let the applicant address that.

Mr. Ficklin stated that the long-term plans for the approximately 35 to 40 acres along State Avenue are to develop it when the market conditions are right, when the uses are right and their organization has a right of first refusal to the purchase the land. He stated that they hope at some time to be a partner with the Unified Government to develop it. He would concur with Mr. Richardson that the ravine to the west is so steep

that it is undevelopable so they have no desire to enter into that. They believe that maintaining as much of the natural forest around the site is a great attribute to this complex. The more that you can be close to residences and yet seclude them from it makes it a much more attractive soccer complex. The lights will go off within about 15 minutes after the last game.

Chairman Huey asked what the hours of operation will be. Mr. Ficklin stated that they currently operate Swope Soccer Village which is a 9 field complex in Swope Park in Kansas City, Missouri and they anticipate the hours and months to be very similar to that. The months are March through June and then August through the end of October. There is typically practice from 4:30 p.m. until 9:30 or 10:00 p.m. on week nights and games are from 8:00 a.m. to 11:00 p.m. on Friday and Saturday and somewhere around 6:00 p.m. on Sunday.

Planning Commissioner Gonzalez asked if the indoor facility will be open at the same time because the concessions are only in the indoor facility. Mr. Ficklin stated yes. The goal is to design it in such a way should there ever be a need to have the complex open and the indoor not open, the restrooms and concessions will be easily accessible to the fields. Mr. Gonzalez asked if the restrooms will be heated. Mr. Ficklin stated yes.

Mr. Brian Lavery, engineer for the applicant, stated that the two entrances onto 90th Street will be stop sign controlled for the traffic leading out onto 90th Street. They did a traffic study and got background traffic counts and forecasted their projected counts on 90th Street with the peak hours being Saturday morning and Friday night. Those studies indicated that the two (2) intersections operated at a level of service (A) which means very minimal delay. The worst case was one (1) vehicle queuing up to make a left-hand turn going northbound into either the south or north drives so there did not seem to be a need for a lot of storage for a left-hand turn lane. As far as the grading they are generally trying to balance the site and since the fields are basically flat they are flattening it out. Field #8 is going to be the elevation of 90th Street (3' or 4" below) and they will step down going to the west per field and the fields to the north are the same. Fields #12, #11, #10 and #9 are above fields #8, #7, #6 and #5 step to the west.

Planning Director Richardson stated that he has two (2) revisions to the stipulations. The revision to stipulation #2 related to any parking space adjacent to a _____ should be paved. The site is divided and has some paved and some grass parking. The grass parking is intended to be overflow parking. It will be gated off unless there is a need for it to be used. It will not survive if they are parking every day of the week. It will probably be open on the weekends. The second stipulation change would on #5 that grading would be allowed but no further construction until both projects are simultaneously approved and ready for construction. They can grade the fields and get them ready and get the grass growing but when they go back to do the drives, parking, etc. all of the final approvals for the buildings and everything else will need to be done at that time. The staff recommends approval with the two (2) additional revisions.

On motion by Mr. Ernst, seconded by Dr. Serda, the Planning Commission voted as follows to **recommend APPROVAL of Master Plan Amendment Application #MP-2016-1**

Carson	Aye
Connelly	Aye
DeWitt	Aye
Ernst	Aye
Gonzalez	Aye
Huey	Chairman
Pauley	Not Present
Schwartzman	Not Present
Serda	Aye
Wing	Aye

Motion to recommend APPROVAL Passed: 7 to 0

On motion by Dr. Serda, seconded by Mr. Wing, the Planning Commission voted as follows to **recommend APPROVAL of Special Use Permit Application #SP-2016-10**

Carson	Aye
Connelly	Aye
DeWitt	Aye
Ernst	Aye
Gonzalez	Aye
Huey	Chairman
Pauley	Not Present
Schwartzman	Not Present
Serda	Aye
Wing	Aye

Motion to recommend APPROVAL Passed: 7 to 0

Subject to:

Urban Planning and Land Use Comments:

1. Please provide a document showing the actual parking counts within each lot.
 - a. It does not appear that the plan shows the 500 +/- grass spaces described in the storm water study.
Applicant Response: Plan and drainage study have been revised to show 548 paved and 270 grass parking spaces for a total of 818 spaces.
 - b. Grass parking is significantly less compact than striped asphalt parking. How is this inefficiency accounted for on the plan?
Applicant Response: The plan has been revised to allow for 12' width in grass parking.
 - c. All grass spaces should be graded so that future paving is easily accomplished.
Applicant Response: All proposed grass parking areas are less than 3% slope currently. The earthwork specifications will require compaction of 95% or greater in these areas as well. In the future, if they were to be paved, it would simply require stripping the top soil, cutting the sub grade to depth and installing base rock and asphalt.

2. Any parking space adjacent to a pitch should be paved. Most notably the stretch adjacent to the western pitch "C"
Applicant Response: The area just north of fields 9-10 is now shown as paved.
Staff Response: Grass overflow parking shall be gated and only open when necessary.
3. A speed table should be added mid-block on the western north/south drive.
Applicant Response: The speed table at the north end of this drive nest the traffic circle has been moved to the mid-block location. It makes more sense here, not where traffic is already slow.
4. Please provide a detail as to the edge of pavement adjacent to the grass parking. It would seem an asphalt edge would be inadequate support.
Applicant Response: The paving details will be provided at the final development plan stage.
5. Please show restroom location and number of facilities within each.
Temporary facilities will not be permitted.
Applicant Response: Restroom facilities will be provided within the indoor building. The indoor building will be submitted separately but will open concurrent with the fields.

Staff Response: If this is the case, construction permits will be issued simultaneously for both projects. Applicant must show restroom capacity and proximate location to serve the maximum number of patrons.
6. Landscaped islands must be included after every 20 parking stalls
Applicant Response: We have shown parking islands consistent with parking lots in surrounding areas (Providence Hospital and Schlitterbahn). Please indicate where in the ordinance this requirement is located so we may address. This appears to be a requirement of an overlay district.

Staff Response: This is a requirement of Sec. 27-577 e.3-4. It is included in the Commercial Design Guidelines Overlay District; however, we expect all new parking lot construction to be in compliance with these ordinances.
7. Show any lights and assure it does not exceed one foot candle at the property line
Applicant Response: The lighting is shown on C07 with foot candle readings of 0 at the property line.
8. Show buffering and screening of facility from adjacent houses
Applicant Response: Buffering and screening is provided by preservation of the existing tree line on the north, west, and southeast of the property.

Staff Response: Due to neighbor concerns, the applicant shall provide more significant screening for adjacent residential properties.
9. BMP issues must be resolved by a Final Plan Review

Public Works Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:
None

Business License Comments:

If approved, applicant will need to register and file the occupation tax application with our office.

Preliminary Development Plan,
Special User Permit,
Masterplan Amendment Package

December 28, 2015

- C01 Aerial Image
- C02 Adjacent Owners
- C03 Existing Conditions
- C04 Preliminary Site Plan
- C05 Preliminary Utility Plan
- C06 Preliminary Erosion Control
- C07 Preliminary Site Lighting
- C08 Preliminary Grading Plan
- SEN01 Metal Building Footprints
- SEN02 Final Plot
- L01 Preliminary Landscape Plan



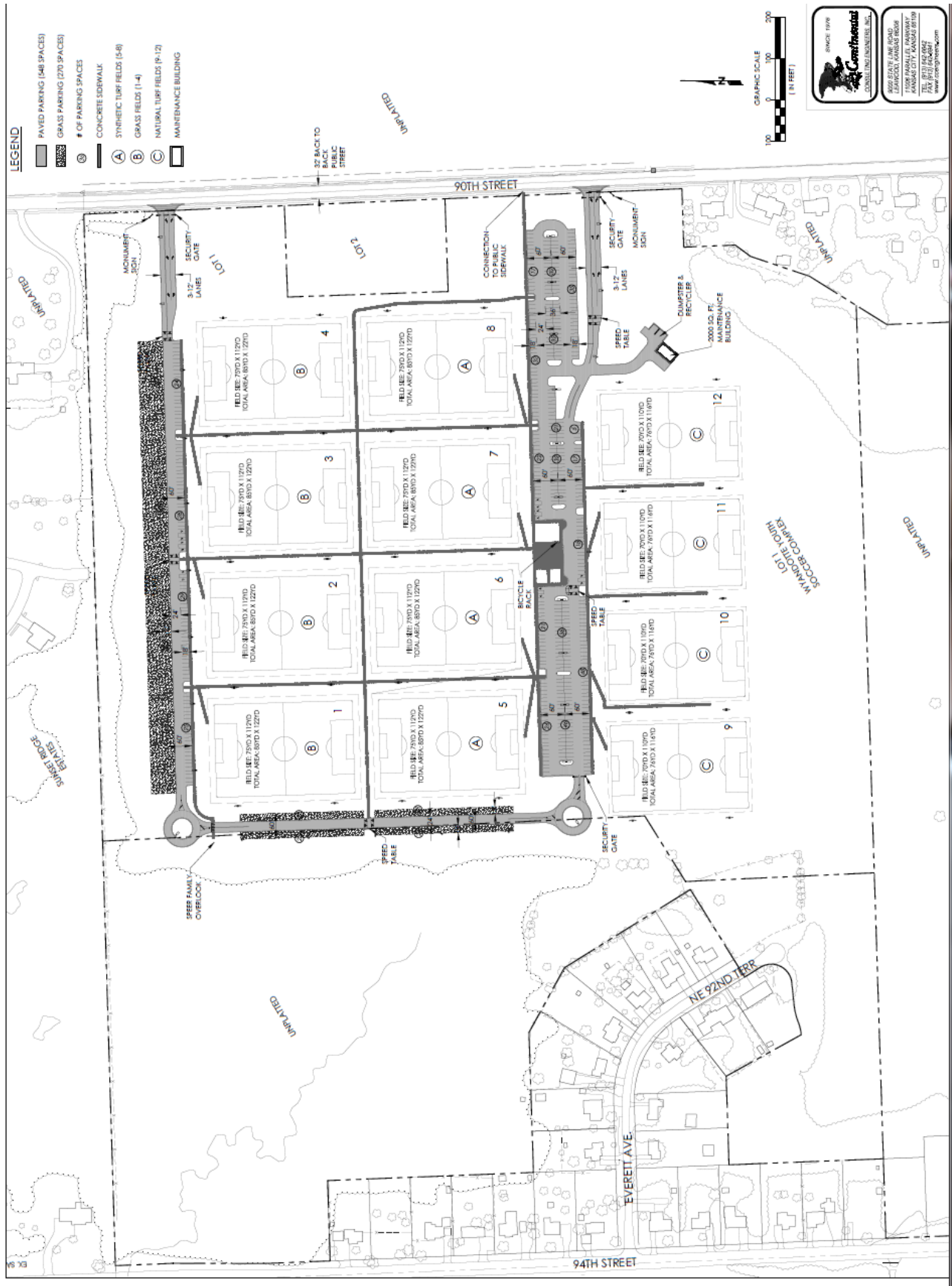
NOTES:

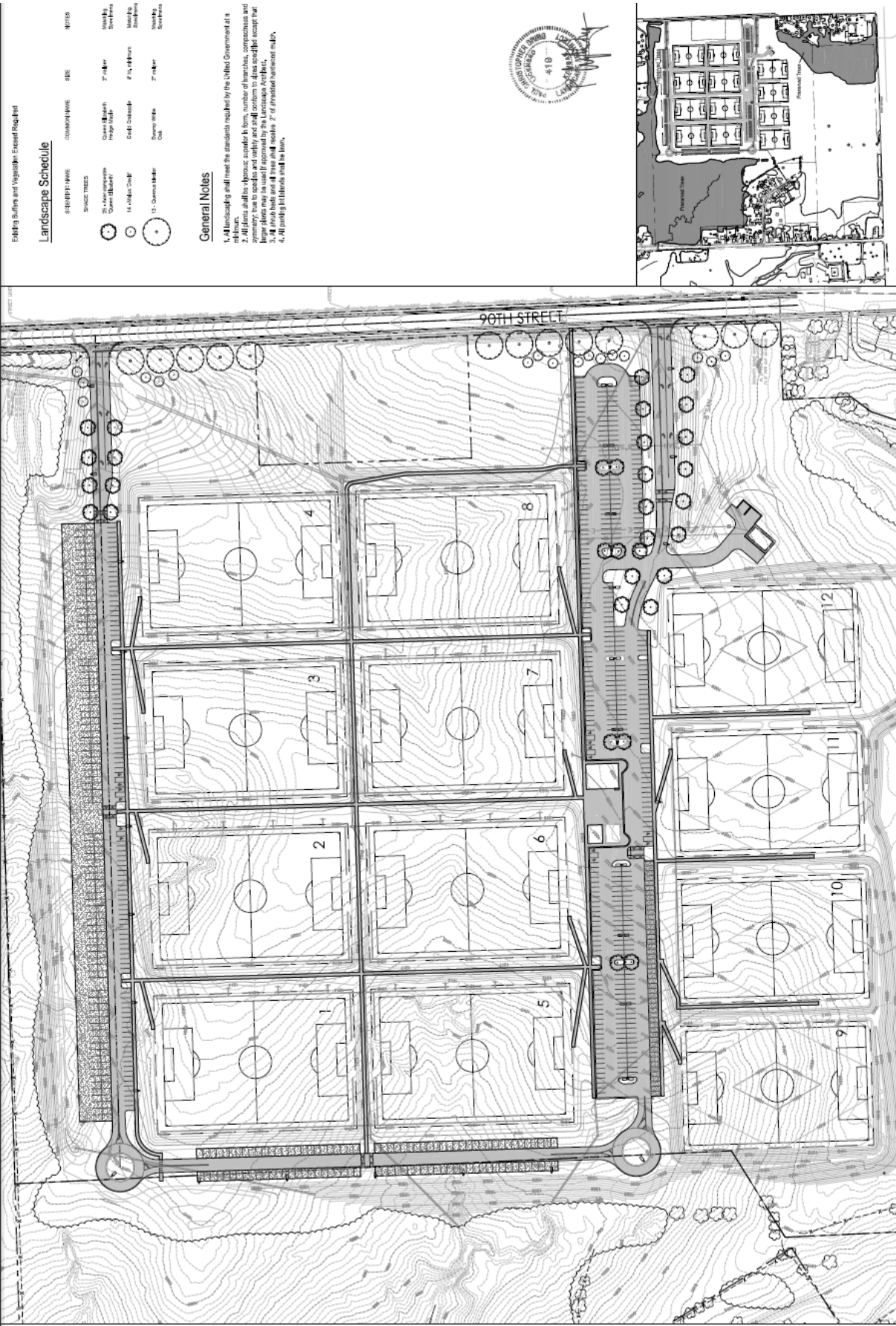
THIS PROJECT WILL REQUIRE NO IMPORT OR EXPORT OF SOIL. APPROXIMATE CUT OF 288,000 CY AND FILL OF 288,000 CY, ADJUSTED FOR PAVEMENT, BUILDING, FIELD DEPTHS AND SHRINKAGE.

PROJECT IMPERVIOUS/PERVIOUS AREA TABLE:

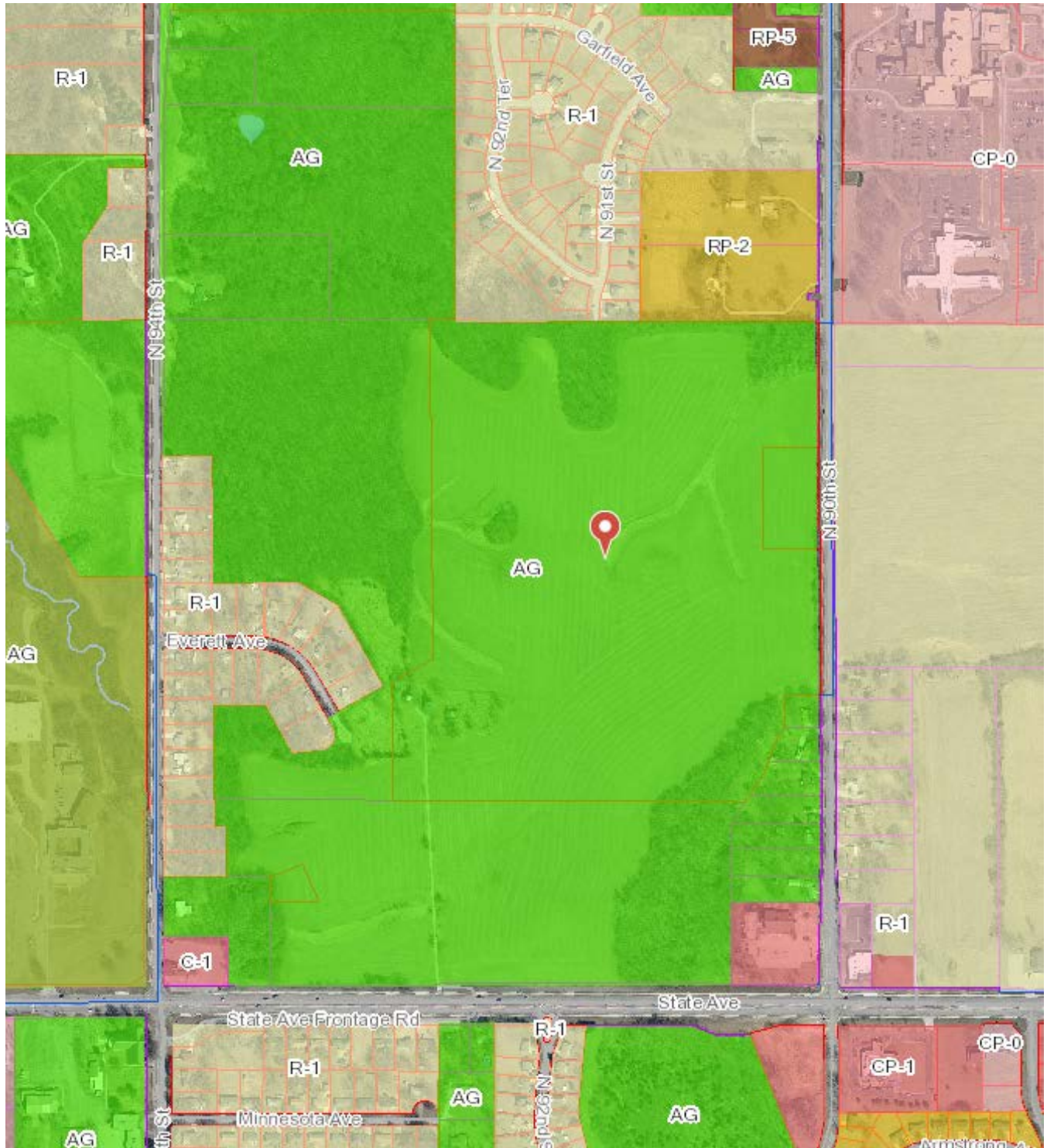
	PERVIOUS	
	EXISTING	PROPOSED*
IMPERVIOUS	0 AC	83.73 AC
PERVIOUS	90.79 AC	7.06 AC

* AFTER PAVING AND SIDEWALKS (NOT THIS PHASE)





POPULOUS' 1000 N. 90th St. Suite 100 Overland Park, KS 66212 Phone: (913) 241-1111 Fax: (913) 241-1112 Email: info@populous.com Website: www.populous.com		WYANDOTTE COUNTY YOUTH SOCCER COMPLEX 1500 N. 90th St. Kansas City, KS 66112		Project Phase: Permit		REVISIONS 1. 11/11/2020 2. 11/11/2020 3. 11/11/2020 4. 11/11/2020 5. 11/11/2020 6. 11/11/2020 7. 11/11/2020 8. 11/11/2020 9. 11/11/2020 10. 11/11/2020 11. 11/11/2020 12. 11/11/2020 13. 11/11/2020 14. 11/11/2020 15. 11/11/2020 16. 11/11/2020 17. 11/11/2020 18. 11/11/2020 19. 11/11/2020 20. 11/11/2020			
METAL BUILDING PRECEDENTS GEN01		1. METAL BUILDING WITH COLOR		2. METAL BUILDING WITH COVERED EXTERIOR AREA		3. TYPICAL METAL BUILDING		4. METAL BUILDING WITH COLOR	
									





Urban Planning and Land Use

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

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

To: Unified Government Board of Commissioners
From: City Staff
Date: January 28, 2016
Re: Petition PR-2015-30 (15302)

GENERAL INFORMATION

Applicant:
Tony Penny

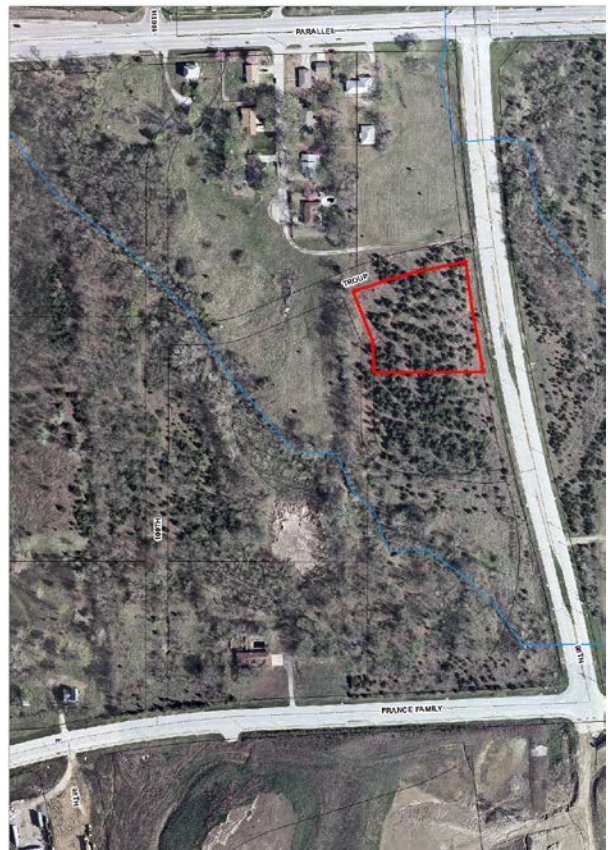
Status of Applicant:
Representative
Premier Automotive of Kansas City
9801 Troup Avenue
Kansas City, Kansas

Requested Actions:
Preliminary Plan Review for new drive-through car wash and restaurant

Date of Application:
May 29, 2015

Purpose:
Approve plans to build a car wash and restaurant space at Legends Auto Plaza

Property Location:
1720 North 100th Terrace



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: Cemetery
 West: CP-2 Planned General Business
 District/Interstate I-435

Existing Uses: **North:** Planned for commercial use
 South: Planned for commercial use
 East: Commercial
 West: Interstate I-435

Total Tract Size: 1.75 acres

Master Plan Designation: The Prairie Delaware Piper Master Plan designates this property as Planned Commercial District

Major Street Plan: 100th Terrace has not yet been built; will be a designated Collector street.

Advertisement: The Wyandotte Echo – November 19, 2015
 Letters to Property Owners – November 17, 2015 and January 22, 2016

Public Hearings: January 11, 2016 and January 28, 2016

Public Opposition: No one appeared in opposition at the January 11, 2016 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: Mr. Penny is seeking approval to build a 7,200 square foot drive-through car wash facility and restaurant on lot 6 of the Legends Auto Plaza.

City Ordinance Requirements: Article VIII Sections 27-340 – 27-765 and Article VII Sections 27-245 – 27-339

STATUTORY REQUIREMENTS/FACTORS TO BE CONSIDERED

1. Neighborhood character.

This property is surrounded by current or future commercial development, the proposed use is compatible with other projects in the area.

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

The zoning and 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 nearby property.

4. *The extent to which the proposed use would increase the traffic or parking demand in ways that would adversely affect road capacity, safety, or create parking problems.*

The proposed use will increase traffic and parking demands for the site which is currently undeveloped. This is not expected to have a negative effect on nearby properties, however.

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

This use is in line with the Master Plan use of commercial space.

6. *The extent to which the proposed use is reasonably necessary for the convenience and welfare of the public and will not substantially or permanently injure the appropriate use, visual quality, or marketability of nearby property.*

The proposed use, an auto dealership, is not reasonably necessary for the convenience and welfare of the public and will not substantially injure the appropriate use, visual quality or marketability of nearby property.

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

This is not an issue.

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

a. *Water service*

To be designed and built to Unified Government standards.

b. *Sanitary sewer service*

To be designed and built to Unified Government standards.

c. Storm water control

To be designed and built to Unified Government standards.

d. Police

Police service is provided by the West Patrol, District #223

e. Fire

Fire service is provided by Station #6

f. Transit

Transit stops are located on Village West Parkway

g. Schools

Piper USD 203

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

This plan meets all ordinance requirements.

PREVIOUS ACTIONS

Change of Zone from AG Agricultural to CP-2 approved November 2007
Final Plat approved December 2014

KEY ISSUES

Compliance with the Commercial Design Guidelines
Signage

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 7 to 0 to recommend **approval** of Plan Review Application #PR-2015-30, subject to:

Urban Planning and Land Use Comments:

- A) This site plan will be very confusing to future users. Directional signage cannot be used for advertising so there will be significant way finding issues with this site plan. It should be significantly reworked.**
- B) Signage**
- **All signage requires sign permitting and standard sign permit review processing. Sign code must be met. Any deviation from sign code will require a variance.**

District (Includes Planned District Equivalent)	Wall Signs		Detached Signs						
	Number (Maximum of One Per Facade)	Area (As Percentage of Signable Wall Area)	Number	Pole or Pylon			Monument		
				Area (Per Sign Face)	Height (Overall Sign Height)	Setbacks (From All Property or Proposed Street Lines)	Area (Per Sign Face)	Height (Overall Sign Height)	Setbacks (From All Property or Proposed Street Lines)
		exceed 75 square feet)	permitted wall sign)	feet			feet		
C-1	2	7 percent	1	50 square feet	12 feet	15 feet	40 square feet	8 feet	5 feet
							For each one foot additional setback, one foot additional height and two square feet in area are permitted up to the maximums for pole or pylon signs		

- Note that sign package submitted with approved plan does not constitute approved sign permit application.

C) An erosion control plan including silt fences is suggested. See Conservation District comments attached.

D) Parking

- Restaurants are required to have a minimum of ten (10) parking spaces.

E) Architecture

- All materials and colors must meet the materials palette approved in the Legends Auto Plaza Conceptual Design Guide (approved 2014). If approved by seller, written documentation must be provided.

All materials and color will comply with the approved Design Guidelines.

- South Elevation
 - o (Sec. 27-576 c) 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 facade. 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; or
- e. Variation in rooflines. (Sec. 27-576 c)

One more treatment is needed to be in compliance with the guidelines as laid out above.

The south façade is broken up by masonry pilasters at approximately 15' O.C. A variation of masonry, stucco and brick break divide up the south façade, the masonry pilasters project out from the main building line creating shade and shadow along the wall. The building height has been increased at the pay center for the car wash.

- All downspouts must be internalized

All downspouts will be on the interior of the building

- All roof mounted units must be screened by the parapet

All rooftop units will be screened by the parapet or unit screens.

- All signs must be approved and permitted separately by the Planning Staff

Acknowledged

F) Lighting

- Only decorative lighting can be used on the exterior of the building. No pack lights or flood lights are allowed.
- Exterior parking lot lighting shall have 90 degree cutoff fixtures.
- Use of low energy, high efficiency LED lighting is encouraged.

Acknowledged

The Commercial Design Guidelines call for 360* architectural design. Staff has, at this point, not received updated architectural elevations. During the Final Plan Review, staff will work with the applicant to insure that the building meets the Commercial Design Guidelines prior to final approval.

Public Works Comments

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

None

Conservation District Comments

The following limitations and resource concerns were noted for this plat:

- There are two major soil types identified: Ladoga silt loam, 3 to 8 percent slopes, 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.
- This site has the grading already done. There are no erosion control measures in place. There needs to be silt fence installed on the east, south and west sides of the property to keep soil from flowing onto the street.
- If construction is not going to start right away, the area needs to be mulched and seeded. The area may need to be top soiled to get grass established.
- Construction entrance/exit needed to be installed and properly maintained. The Best Management practices in this report can be used to solve erosion concerns.
- Shrink Swell potential has been identified as a limiting factor for the development of dwellings. Shrinking and swelling can cause damage to buildings, roads and other structures and to plant roots. Special design commonly is needed.

The following Best Management Practices are recommended for this plat:

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

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

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

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

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

*Sediment Trap -Temporary catch basins consisting of a row or more of entrenched and anchored straw bales can be utilized in minor swales with less

than 2 acres of drainage. See the *Protecting Water Quality Field Guide* for Straw Bale Sediment Trap.

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

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

* **Sediment Basins** – This best management practice should be utilized in the natural concentrated flow areas to protect adjacent property and meet the National Pollution Discharge Elimination Systems Permit (NPDES). See the *Water Quality Field*

STAFF COMMENTS AND SUGGESTIONS

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

STAFF RECOMMENDATION

Staff recommends that the Board of Commissions concur with the findings contained within the staff report related to *Factors to be Considered* and *Key Issues* and recommends **APPROVAL** of Petition #PR-2015-30 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

January 11, 2016 City Planning Commission Minutes
Aerial photograph
Zoning map
Site plans
Landscape plan
Elevations
Material palette

REVIEW OF INFORMATION AND SCHEDULE

<u>Action</u>	<u>Planning Commission</u>	<u>Board of Commissioners</u>
Public Hearing	January 11, 2016	January 28, 2016
Plan Review	Approval	

STAFF CONTACT: **Jamie Ferris** **jferris@wycokck.org**

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #**PR-2015-30** 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-2015-30**, 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.

JANUARY 11, 2016 CITY PLANNING COMMISSION MINUTES:

PLAN REVIEW APPLICATION #PR-2015-30 – TONY PENNY/2 POINT

CONSTRUCTION COMPANY LLC – SYNOPSIS: Preliminary Plan Review for a car wash and drive-through restaurant at 9801 Troup Avenue

Recording Secretary Parker stated that the following items should be 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 January 11, 2016;
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 December 16, 2015.

Ms. Parker asked if any member of the Planning Commission had any contact to disclose concerning this case. (No one responded in the affirmative.)

Mr. Tony Penny, Premier Automotive of Kansas City, 9901 Delmar, Overland Park, Kansas, applicant, appeared in support of this application. He stated that he is the general contractor for a new car wash facility and proposed drive-through restaurant located within the auto mall plaza and Schlitterbahn Vacation Village development. He stated that they are in agreement with the staff recommendation.

No one appeared in opposition to this application.

Planning Director Richardson stated that the staff recommends approval subject to the stipulations.

On motion by Dr. Serda, seconded by Mr. Gonzalez, the Planning Commission voted as follows to **recommend APPROVAL of Plan Review Application #PR-2015-30**

Carson	Aye
Connelly	Aye
DeWitt	Aye
Ernst	Aye
Gonzalez	Aye
Huey	Chairman
Pauley	Not Present
Schwartzman	Not Present
Serda	Aye
Wing	Aye

Motion to recommend APPROVAL Passed: 7 to 0

Subject to:

Urban Planning and Land Use Comments:

A) This site plan will be very confusing to future users. Directional signage cannot be used for advertising so there will be significant way finding issues with this site plan. It should be significantly reworked.

B) Signage

- All signage requires sign permitting and standard sign permit review processing. Sign code must be met. Any deviation from sign code will require a variance.**

District (Includes Planned District Equivalent)	Wall Signs		Detached Signs						
	Number (Maximum of One Per Facade)	Area (As Percentage of Signable Wall Area)	Number	Pole or Pylon			Monument		
				Area (Per Sign Face)	Height (Overall Sign Height)	Setbacks (From All Property or Proposed Street Lines)	Area (Per Sign Face)	Height (Overall Sign Height)	Setbacks (From All Property or Proposed Street Lines)
		exceed 75 square feet)	permitted wall sign)	feet			feet		
C-1	2	7 percent	1	50 square feet	12 feet	15 feet	40 square feet	8 feet	5 feet
For each one foot additional setback, one foot additional height and two square feet in area are permitted up to the maximums for pole or pylon signs									

- Note that sign package submitted with approved plan does not constitute approved sign permit application.

C) An erosion control plan including silt fences is suggested. See Conservation District comments attached.

D) Parking

- Restaurants are required to have a minimum of ten (10) parking spaces.

E) Architecture

- All materials and colors must meet the materials palette approved in the Legends Auto Plaza Conceptual Design Guide (approved 2014). If approved by seller, written documentation must be provided.

All materials and color will comply with the approved Design Guidelines.

- South Elevation
 - (Sec. 27-576 c) 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 facade. 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; or
 - e. Variation in rooflines. (Sec. 27-576 c)

One more treatment is needed to be in compliance with the guidelines as laid out above.

The south façade is broken up by masonry pilasters at approximately 15' O.C. A variation of masonry, stucco and brick break divide up the south façade, the masonry pilasters project out from the main building line creating shade and shadow along the wall. The building height has been increased at the pay center for the car wash.

- All downspouts must be internalized

All downspouts will be on the interior of the building

- All roof mounted units must be screened by the parapet

All rooftop units will be screened by the parapet or unit screens.

- All signs must be approved and permitted separately by the Planning Staff

Acknowledged

F) Lighting

- Only decorative lighting can be used on the exterior of the building. No pack lights or flood lights are allowed.
- Exterior parking lot lighting shall have 90 degree cutoff fixtures.
- Use of low energy, high efficiency LED lighting is encouraged.

Acknowledged

The Commercial Design Guidelines call for 360* architectural design. Staff has, at this point, not received updated architectural elevations. During the Final Plan Review, staff will work with the applicant to insure that the building meets the Commercial Design Guidelines prior to final approval.

Public Works Comments

- A) Items that require plan revision or additional documentation before engineering can recommend approval:
None

Conservation District Comments

The following limitations and resource concerns were noted for this plat:

- There are two major soil types identified: Ladoga silt loam, 3 to 8 percent slopes, 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.
- This site has the grading already done. There are no erosion control measures in place. There needs to be silt fence installed on the east, south and west sides of the property to keep soil from flowing onto the street.
- If construction is not going to start right away, the area needs to be mulched and seeded. The area may need to be top soiled to get grass established.
- Construction entrance/exit needed to be installed and properly maintained. The Best Management practices in this report can be used to solve erosion concerns.
- Shrink Swell potential has been identified as a limiting factor for the development of dwellings. Shrinking and swelling can cause damage to

buildings, roads and other structures and to plant roots. Special design commonly is needed.

The following Best Management Practices are recommended for this plat:

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

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

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

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

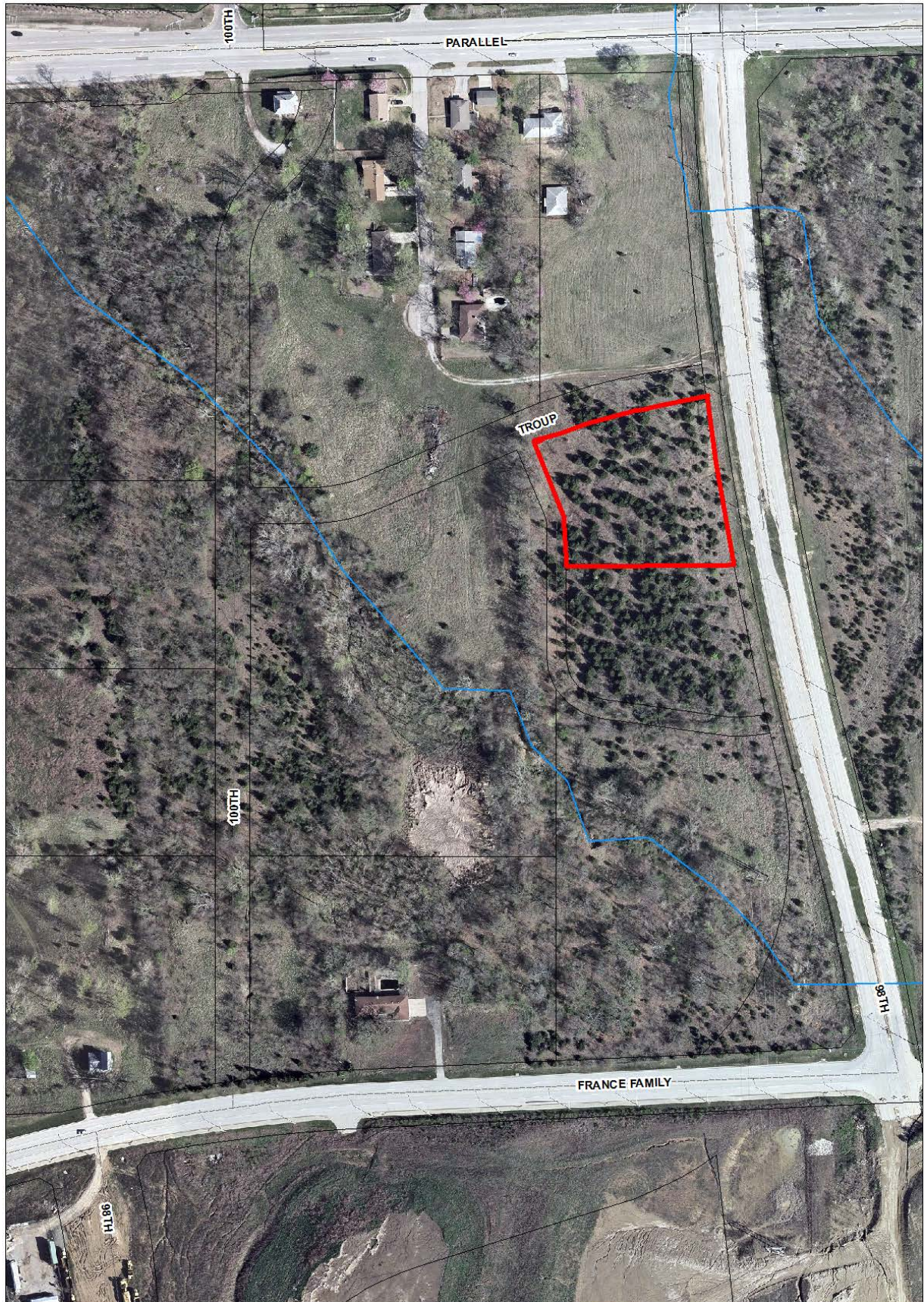
* **Silt Fences**- Temporary sediment barrier consisting of a geotextile fabric which is attached to supporting posts and trenched into the ground may be substituted for vegetative strips. Install on the contour, where fence can intercept runoff as a sheet flow; not located in crossing channels, waterways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

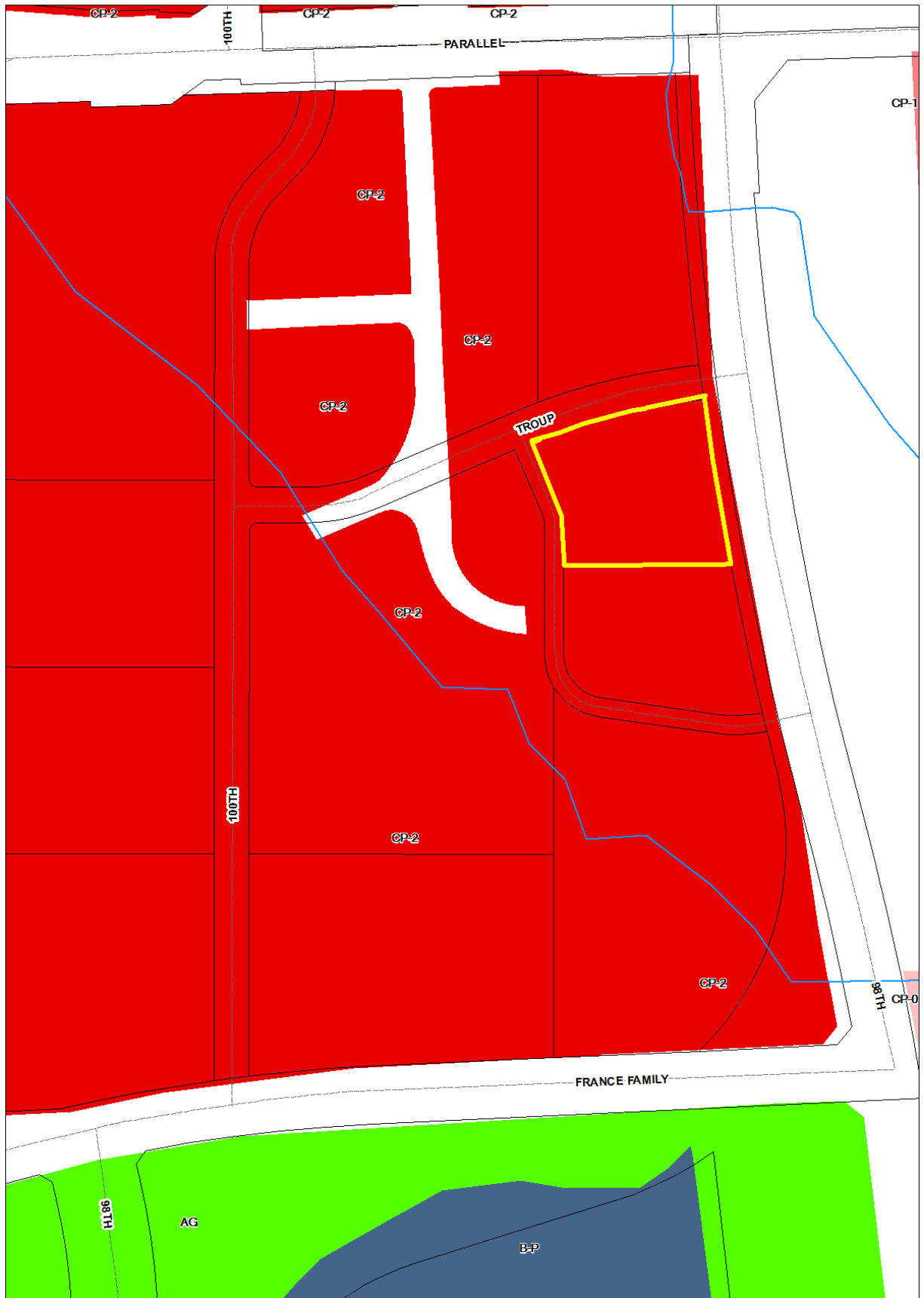
* **Sediment Trap** -Temporary catch basins consisting of a row or more of entrenched and anchored straw bales can be utilized in minor swales with less than 2 acres of drainage. See the *Protecting Water Quality Field Guide* for Straw Bale Sediment Trap.

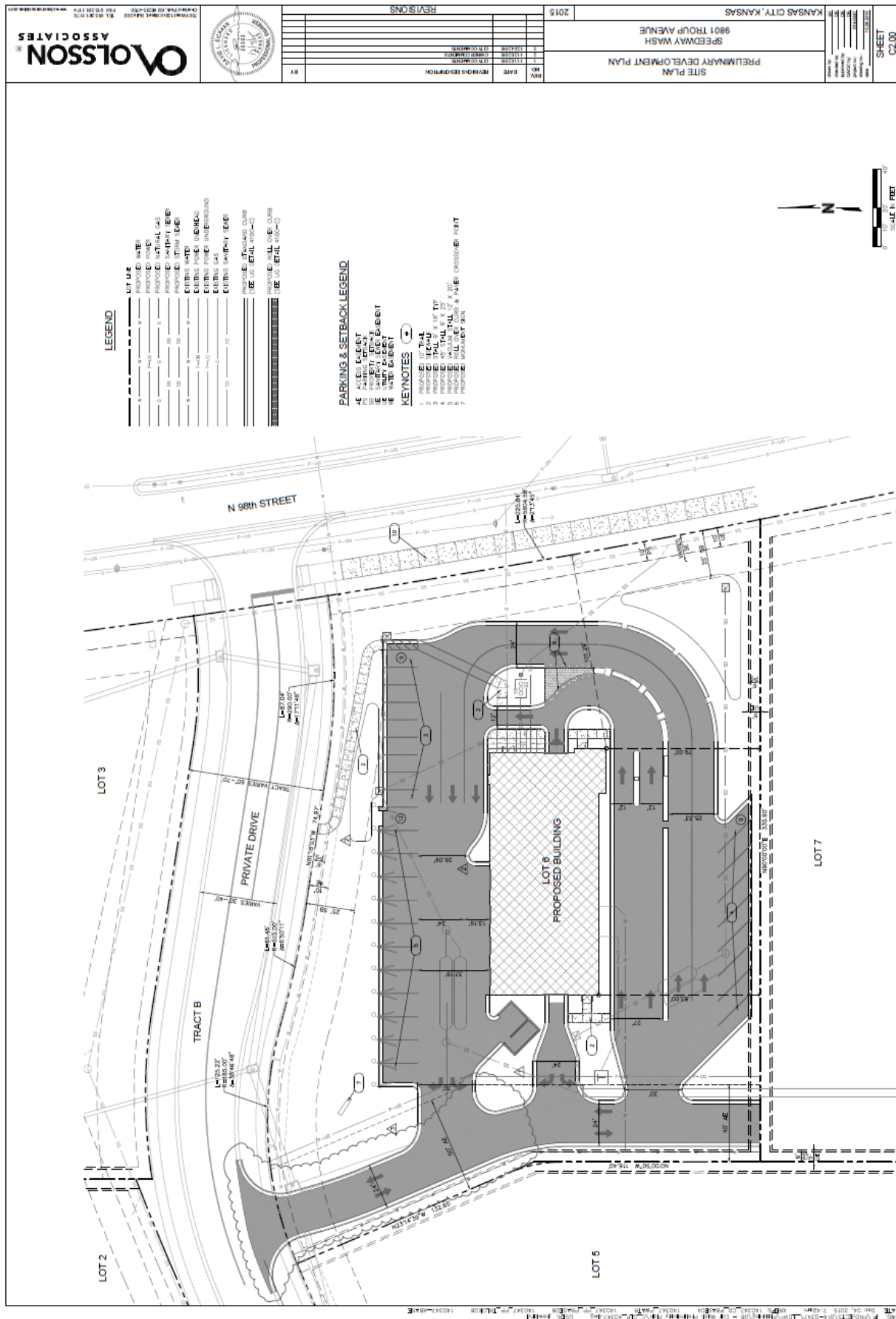
* **Mulching** – Mulch can be applied to seeded areas to help establish plant cover. It can also be used in unseeded areas to protect against erosion over the winter or until final grading and shaping can be accomplished. See the *Protecting Water Quality Field Guide* pages 61-66 for Mulching.

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

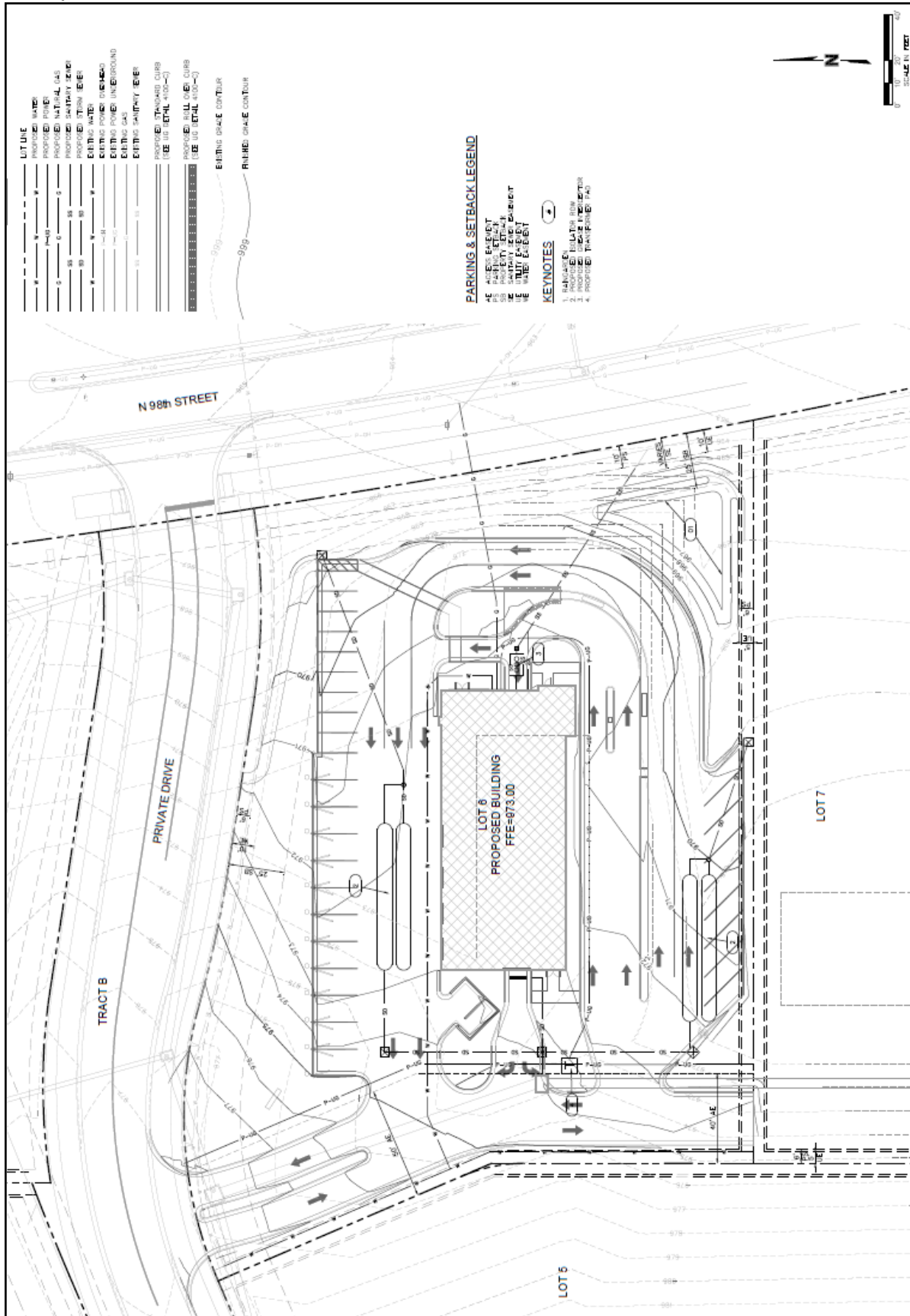
* **Sediment Basins** – This best management practice should be utilized in the natural concentrated flow areas to protect adjacent property and meet the National Pollution Discharge Elimination Systems Permit (NPDES). See the *Water Quality Field*







Site plan submission #2



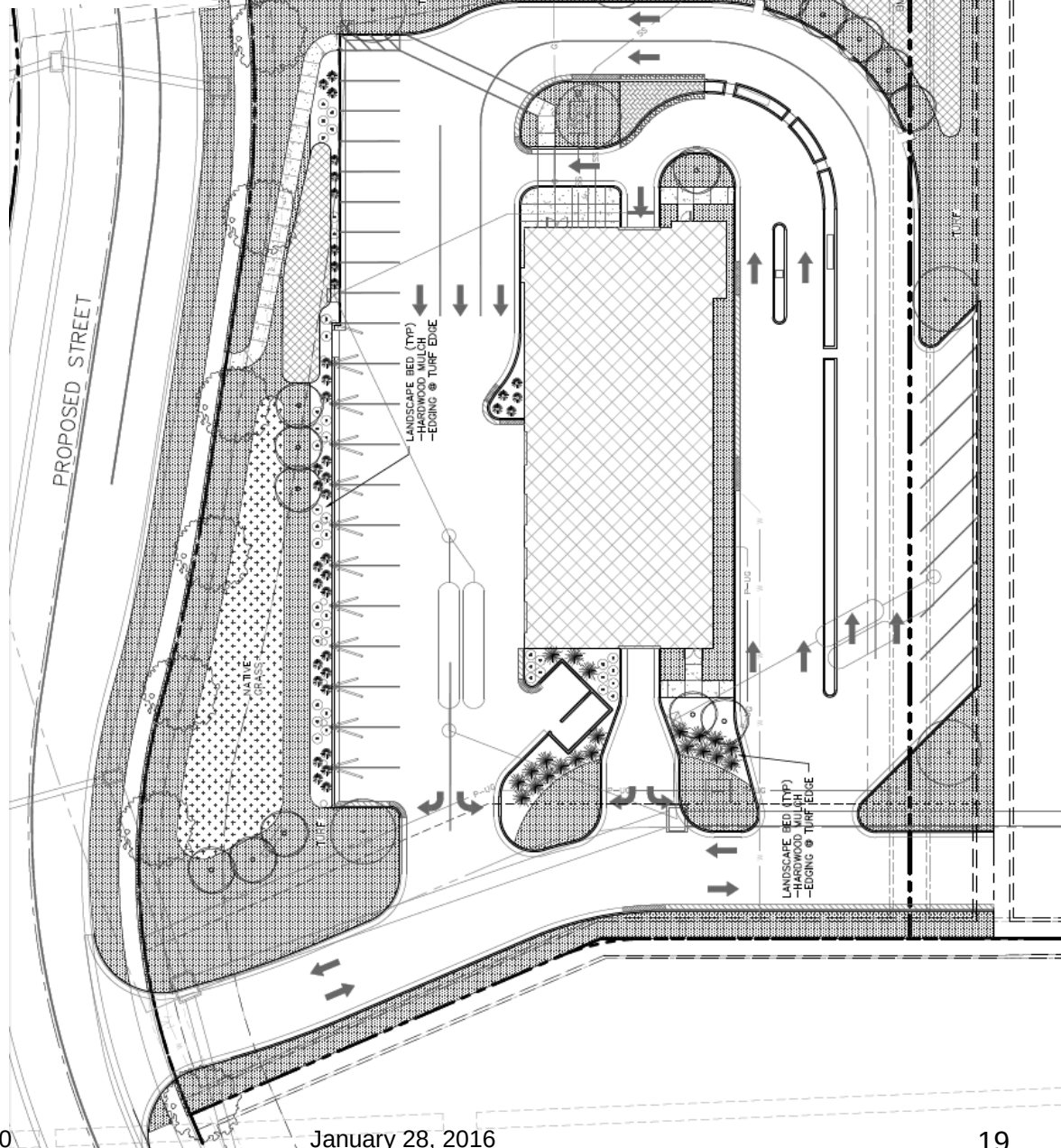
PLANT LIST			
QTY.	Symbol	Common/Scientific Name	Size
SHADE TREES			
11		White Oak <i>Quercus alba</i>	3" Caliper
6		Red Sunset Maple <i>Acer rubrum 'Red Sunset'</i>	3" Caliper
ORNAMENTAL TREES			
14		Heritage River Birch (Single Stem) <i>Betula nigra</i>	2" Caliper
DECIDUOUS SHRUBS			
41		Blue 4 Gold Shrub <i>Hypericum korolkowii</i>	3 Gallon
EVERGREEN SHRUBS			
21		Skyrocket Juniper <i>Juniperus scopulorum 'Skyrocket'</i>	3 Gallon
31		Shamrock Hberrry <i>Ilex glabra 'Shamrock'</i>	3 Gallon
PERENNIALS			
		Shemadash Sultichgrass <i>Panicum virgatum 'Shemadash'</i>	1 Gallon
		Little Bluestem <i>Schizanthus scoparius</i>	Seed
			30" On Center

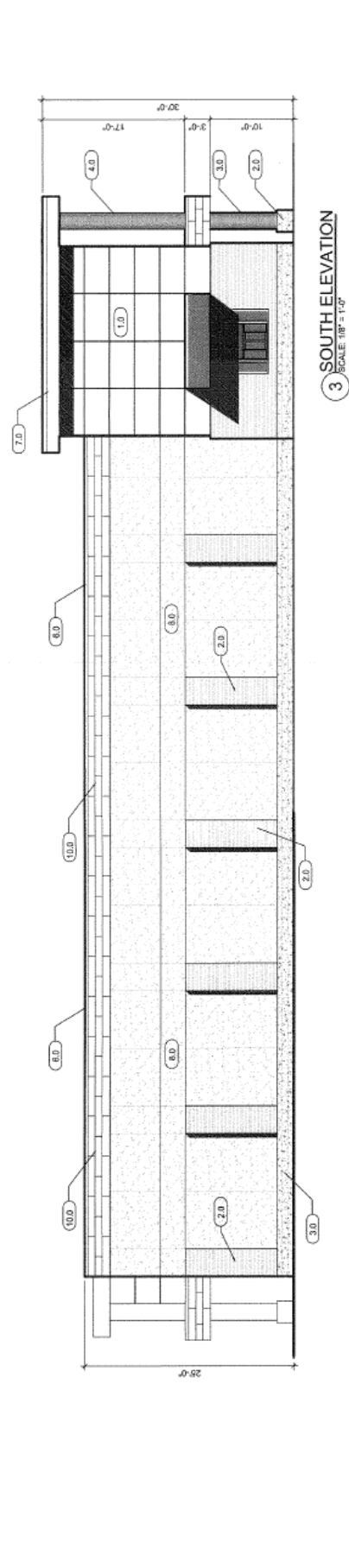
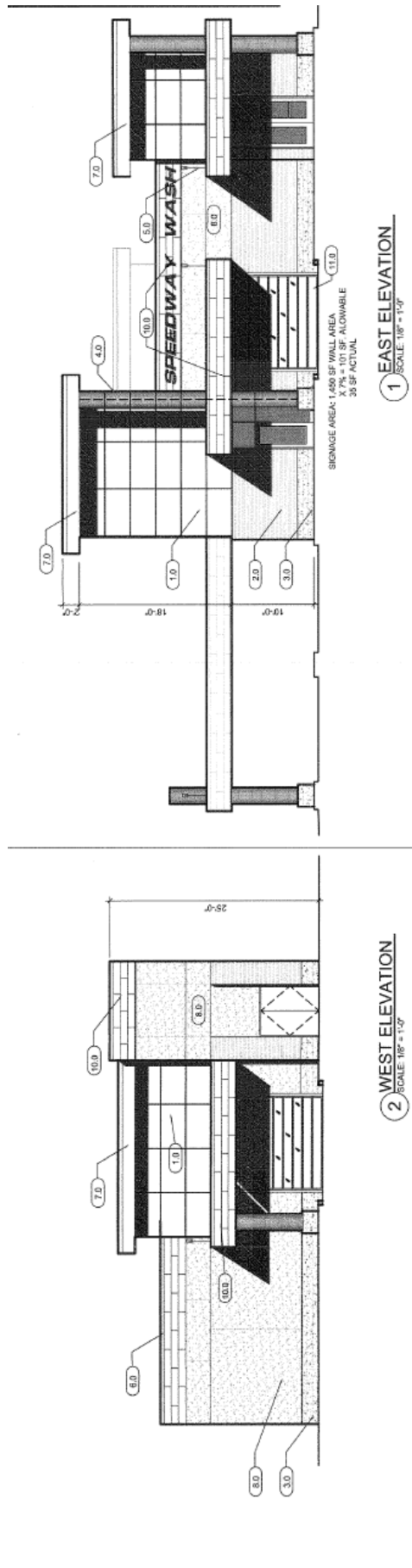
LANDSCAPE REQUIREMENTS

Open Space Landscaping
 1 Tree / 1000 SF Area
 Multiplier (15% Additional Trees Required)
 Lot = 16,225 SF
 Required Trees = 11 Trees
 Multiplier of .15 x 11 = 9
 20 Trees Required
 x Trees Provided

Parking Lot Landscaping
 1 Shade Tree / 20 Stalls
 30 Stalls = 2 Shade Trees

Street Buffer Landscape Requirement
 - 1 Tree / 60' of Street Frontage
 - 100% Shrub Screening of Parking Area
 Proposed Street
 400 LF
 1 Trees Required
 1 Trees Provided
 N 99th Street
 240 LF
 4 Trees Required
 4 Trees Provided





MATERIAL AND COLOR PALETTE



BRICK - ACADEMY RED



SPLIT FACE MASONRY
BLOCK - BUFF / TAN



SPANDRAL WINDOW
SYSTEM



STUCCO



METAL PANEL



GARAGE DOOR



Urban Planning and Land Use

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

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

To: Unified Government Board of Commissioners
From: City Staff
Date: January 28, 2016
Re: Petition #SP-2016-10 and #MP-2016-1(1514)

GENERAL INFORMATION

Applicant:
David Ficklin

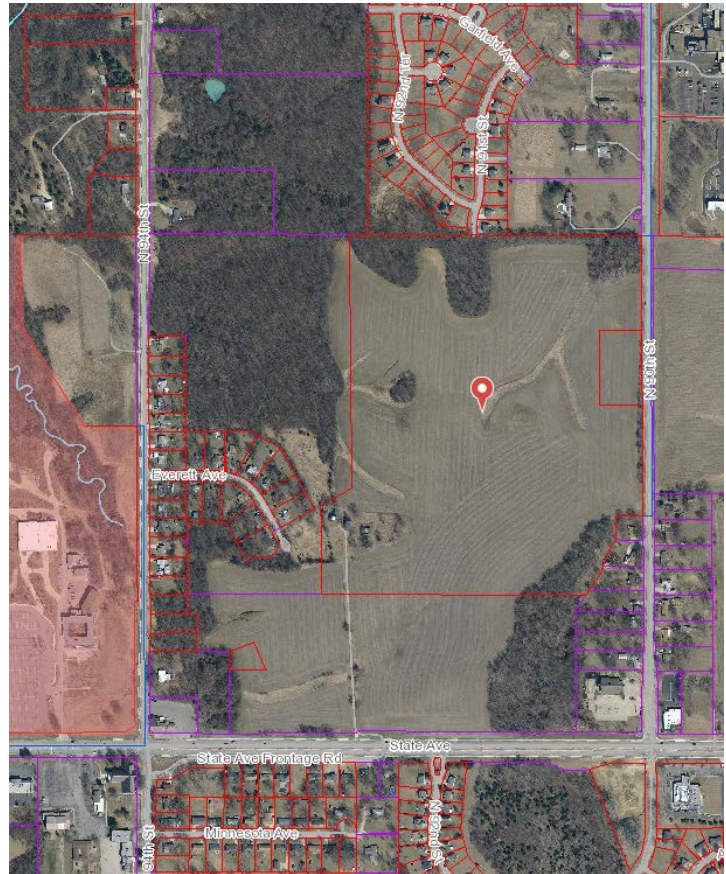
Status of Applicant:
Representative
Sporting Kansas City
1511 Baltimore Avenue
Kansas City, Missouri

Requested Action:
Approve a Special Use Permit for
12 soccer fields, related parking
and maintenance facility

Master Plan Amendment from low
density residential to entertainment
(Prairie-Delaware-Piper Master
Plan)

Date of Application:
November 25, 2015

Purpose:
To operate a 12 field soccer facility



Property Location: 1500 North 90th Street

Existing Zoning: AG Agricultural District

Existing Surrounding Zoning:

North:	R-1 Single Family District and RP-2 Two-Family District
South:	R-1 Single Family District and AG Agricultural District
East:	R-1 Single Family District
West:	R-1 Single Family District and AG Agricultural District

Existing Uses:

North:	Single family homes
South:	Vacant land and single family homes
East:	Large lot homes and undeveloped land
West:	Single family homes and undeveloped land

Master Plan Designation: The Prairie-Delaware-Piper Master Plan designates this property for low density residential use.

Major Street Plan: The Master Plan classifies 90th Street as a Class C thoroughfare

Advertisement: The Wyandotte Echo – December 17, 2015
Letters to Property Owner – December 16, 2015 and
January 22, 2016

Public Hearings: January 11, 2016 and January 28, 2016

Public Opposition: At the July 13, 2015 residents nearby this development expressed concern over noise, screening, landscaping, street improvements, and storm water management. At the January 11, 2016 City Planning Commission meeting there were two (2) neighbors present with questions.

PROPOSAL

Detailed Outline of Requested Action: The applicant, David Ficklin of Sporting Kansas City is seeking approval of a Special Use Permit to build 12 soccer fields and associated parking areas and maintenance facility on 63.11 acres as a community amenity, per the agreement with the Unified Government and Sporting Kansas City. The applicant is also requesting a Master Plan Amendment from Low Density Residential to Entertainment (Prairie-Delaware-Piper Master Plan).

City Ordinance Requirements: 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. *The Character of the Neighborhood.*

The area is primarily residential in nature. There is much undeveloped land in the proximity. There is some commercial development along 90th Street to the north and along State Avenue to the south.

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

With the area being primarily residential, recreational soccer fields could easily be a compatible use.

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 on the property will not detrimentally affect nearby property though the increase in traffic expected will significantly change the impact this parcel has on the surrounding area.

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

The property has not been developed.

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 result in a significant increase in the amount of vehicular traffic to the site. Refer to parking and circulation comments below.

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 reasonably necessary for the convenience of those that would use the service, particularly young families in the area. It could have an impact on both the residential properties nearby as well as the future potential for adjacent undeveloped parcels.

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.*

There will be a significant change in the noise and activity on the site, particularly on weekends when the site will be most heavily visited. Buffering should be in place to limit the impact on nearby residents.

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

Runoff could be a problem for this site, please refer to Public Works comments below.

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

The proposed use will not damage or destroy an irreplaceable natural resource.

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

There is an expected gain to public health with the addition of recreational facilities in the area.

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

The proposed use is not expected to result in overcrowding of land.

PREVIOUS ACTIONS

#R/W-2015-4, Preliminary and Final Plat for Wyandotte Youth Soccer Complex:
Approved July 2015

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on Monday, December 28, 2015 with 12 people in attendance. There were questions and concerns regarding traffic, lighting and screening, and construction.

KEY ISSUES

Site plan—parking
Restroom facilities
Sanitary sewer design
Storm drainage design

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 7 to 0 to recommend **approval** of Master Plan Amendment Application #MP-2016-1.

The Planning Commission voted 7 to 0 to recommend **approval** of Special Use Permit Application #SP-2016-10, subject to:

Urban Planning and Land Use Comments:

1. Please provide a document showing the actual parking counts within each lot.
 - a. It does not appear that the plan shows the 500 +/- grass spaces described in the storm water study.
Applicant Response: Plan and drainage study have been revised to show 548 paved and 270 grass parking spaces for a total of 818 spaces.
 - b. Grass parking is significantly less compact than striped asphalt parking. How is this inefficiency accounted for on the plan?
Applicant Response: The plan has been revised to allow for 12' width in grass parking.
 - c. All grass spaces should be graded so that future paving is easily accomplished.
Applicant Response: All proposed grass parking areas are less than 3% slope currently. The earthwork specifications will require compaction of 95% or greater in these areas as well. In the future, if they were to be paved, it would simply require stripping the top soil, cutting the sub grade to depth and installing base rock and asphalt.
2. Any parking space adjacent to a pitch should be paved. Most notably the stretch adjacent to the western pitch "C"
Applicant Response: The area just north of fields 9-10 is now shown as paved.
Staff Response: Grass overflow parking shall be gated and only open when necessary.
3. A speed table should be added mid-block on the western north/south drive.
Applicant Response: The speed table at the north end of this drive nest the traffic circle has been moved to the mid-block location. It makes more sense here, not where traffic is already slow.
4. Please provide a detail as to the edge of pavement adjacent to the grass parking. It would seem an asphalt edge would be inadequate support.
Applicant Response: The paving details will be provided at the final development plan stage.
5. Please show restroom location and number of facilities within each.
Temporary facilities will not be permitted.
Applicant Response: Restroom facilities will be provided within the indoor building. The indoor building will be submitted separately but will open concurrent with the fields.

Staff Response: If this is the case, construction permits will be issued simultaneously for both projects. Applicant must show restroom capacity and proximate location to serve the maximum number of patrons.

6. Landscaped islands must be included after every 20 parking stalls

Applicant Response: *We have shown parking islands consistent with parking lots in surrounding areas (Providence Hospital and Schlitterbahn). Please indicate where in the ordinance this requirement is located so we may address. This appears to be a requirement of an overlay district.*

Staff Response: This is a requirement of Sec. 27-577 e.3-4. It is included in the Commercial Design Guidelines Overlay District; however, we expect all new parking lot construction to be in compliance with these ordinances.

7. Show any lights and assure it does not exceed one foot candle at the property line

Applicant Response: *The lighting is shown on C07 with foot candle readings of 0 at the property line.*

8. Show buffering and screening of facility from adjacent houses

Applicant Response: *Buffering and screening is provided by preservation of the existing tree line on the north, west, and southeast of the property.*

Staff Response: Due to neighbor concerns, the applicant shall provide more significant screening for adjacent residential properties.

9. BMP issues must be resolved by a Final Plan Review

Public Works Comments:

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

None

Business License Comments:

If approved, applicant will need to register and file the occupation tax application with our office.

STAFF COMMENTS AND SUGGESTIONS

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

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petitions #**SP-2016-10** and **Master Plan Amendment #MP-2016-1** subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

January 11, 2016 City Planning Commission Minutes
Zoning Map
Aerial Map
Site plans
Landscape plan
Metal buildings
Aerial image
Zoning map

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	January 11, 2016	January 28, 2016
Special Use	Approval	

STAFF CONTACT: **Jamie Ferris** jferris@wycokck.org

MOTIONS

Master Plan Amendment:

I move the Unified Government Board of Commissioners **APPROVE** Petition #**MP-2016-11** 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 #**MP-2016-1**, 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.

Special Use Permit:

I move the Unified Government Board of Commissioners **APPROVE** Petition #**SP-2016-10** 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-2016-10**, 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.

JANUARY 11, 2016 CITY PLANNING COMMISSION MINUTES:

SPECIAL USE PERMIT APPLICATION #SP-2016-10 – DAVID FICKLIN WITH SPORTING CLUB AND SPORTING KANSAS CITY - SYNOPSIS: Special Use Permit for twelve (12) soccer fields at 1500 North 90th Street

MASTER PLAN AMENDMENT #MP-2016-1 – SPORTING CLUB AND SPORTING KANSAS CITY – SYNOPSIS: Master Plan Amendment from Low Density Residential to Entertainment (Prairie-Delaware-Piper Master Plan) at 1500 North 90th Street

Recording Secretary Parker stated that the following items should be 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 January 11, 2016;
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 December 17, 2015; and
7. The Notices to property owners dated December 16, 2015.

Ms. Parker asked if any member of the Planning Commission had any contact to disclose concerning this case. (No one responded in the affirmative.)

Mr. David Ficklin, Sporting Kansas City and Sporting Club, 1511 Baltimore Avenue, Kansas City, Missouri, 64108, applicant, appeared in support of this application. He stated that this is half of the U.S. Soccer development agreement that was finalized with the Unified Government in April of last year. He stated that this is a professional soccer training complex (which they will present to the Commission in a few months) and a youth fields complex which will be presented tonight. As part of the project, the Unified Government bought the old Speer farm which is about a 130 acre farm with the southern boundary along State Avenue, the eastern 90th Street and parts of it went all the way to 94th Street. Upon the culmination of the real estate contract the lower approximately 40 acres was set aside for future development. The western 30 acres was set aside as a nature preserve. A two (2) acre site was set aside for On-Goal to develop an indoor facility. There are 55 acres that encompass 12 youth fields, all lighted, 800 parking spaces. To the east of field #12 is a blue rectangle which is a maintenance shed. Between fields #3, #8 and 90th Street is another part of the project that goes hand-in-hand that they are working with Mr. Richardson that will be the indoor building where the restrooms and concessions will be located for the fields complex. They are working towards opening it all at the same time. He stated that they also held a neighborhood meeting on the snowy, icy evening of December 28th with their neighbors. One of the big concerns that they heard was the issue of privacy of the home west of field #9. They have studied the sight lines from all the houses around to the fields and they would like to propose a 450 foot long 6' privacy fence that they would put on the city's side of the property lines to visually screen as much of the park as possible. With the light poles being in excess of 50' they cannot do anything sufficiently to screen the actual lights to the people's yards. One of the city's requirements is that the lighting levels are zero foot candles at the property lines. He stated that their engineers have already calculated this and it is shown on the plans. Down in the southeast corner they have built a berm to hide the entry along 90th Street and the maintenance building. They spent a tremendous amount of time in trying to locate this complex in the north-south direction to maintain as much of the natural landscaping buffer as possible. The area that has been disturbed is outlined in yellow on the aerial photograph. They have tried to locate it as far north as possible for the driveway onto 90th Street to make sure it is as far away as possible from the southernmost home on both sides of 90th Street and still allow sufficient distance between the two (2) driveways to meet all the traffic safety the City Engineer requires.

Planning Commissioner Gonzalez asked if the white line on the map is the fence that he is talking about. Mr. Ficklin stated yes. Mr. Gonzalez asked what the circles are on the map; are those circular drives for the traffic to go in and out. Mr. Ficklin stated that they are traffic circles. Mr. Gonzalez asked if the only parking is near the entrance. Mr. Ficklin stated that there is a significant parking south of fields #6, #7 and #8 and another several hundred spaces north of fields #1 through #4. Mr. Gonzalez stated that the location on Monticello in Shawnee almost depicts the same thing.

Mr. Roy Jones, 1423 North 91st Street, Kansas City, Kansas, 66112, appeared concerning this application. He asked if this property belongs to the Unified Government. Planning Director Richardson stated yes. Mr. Jones asked if this property is going to be leased to the applicant or is this going to belong to the Unified Government. He asked if it is true that the Unified Government purchased all of the old Speer Farm. Planning Director Richardson stated yes, it is part of a larger development agreement. Mr. Jones asked what is going to happen with the remainder of the property. Planning Director Richardson showed the area for the fields. The area west of the fields to 94th Street will remain undeveloped where the trees are. The trees will remain except for a small area that will be graded. To the south, the property along State Avenue has been reserved for future development. Mr. Jones stated that will probably be developed for commercial. There is a lot of property left on the west of the fields and surely the Unified Government is not going to let that sit there or are they going to designate it a permanent nature area. Planning Director Richardson stated that Mr. Ficklin can address some of these questions. Mr. Jones stated that he is for this development but he is concerned about the rest of the land. All of the land the Unified Government purchased is not being shown. There is a lot of land that belonged to the Speer family that is not being shown. Planning Director Richardson showed him on the map what has been purchased by the Unified Government; they did not purchase any of the property north of the line (they did not purchase all the property). Mr. Jones asked if the Speer family still owns the rest of it. Director Richardson stated that he does not know. Mr. Jones stated that it appears that property is landlocked. Mr. Jones asked if the wooded area will be sold for housing. Director Richardson stated that there is a ravine that runs through there that would not be feasible for housing. He stated that he thinks that it would be a good idea if he scheduled a meeting to discuss this. He stated that as far as he knows this wooded area with the ravine will be preserved. They looked at putting a road through there for the soccer fields and it will not work.

Mr. Jeff Letterman, 1323 North 90th Street, Kansas City, Kansas, appeared concerning this application. He asked if there will be any traffic lights on 90th Street at the entrance of the fields. Director Richardson (after conferring with Mr. Heatherman) stated no. Mr. Letterman asked if a turn lane will be added to turn into the complex. Director Richardson stated no. Mr. Letterman stated that his concern is at game times the traffic will back up to the houses, etc. Director Richardson stated that he will have the applicant address that. Mr. Letterman asked if the lights will be left on all night or shut off after games. Director Richardson stated that they will be turned off after the games. Mr. Letterman asked if the property will be completely fenced or just the part on 94th Street. Director Richardson stated just the 450' along 94th Street. Mr. Letterman asked if they will drop the fields on the land or will they be flattened out. Director Richardson stated that he will let the applicant address that.

Mr. Ficklin stated that the long-term plans for the approximately 35 to 40 acres along State Avenue are to develop it when the market conditions are right, when the uses are right and their organization has a right of first refusal to the purchase the land. He stated that they hope at some time to be a partner with the Unified Government to develop it. He would concur with Mr. Richardson that the ravine to the west is so steep

that it is undevelopable so they have no desire to enter into that. They believe that maintaining as much of the natural forest around the site is a great attribute to this complex. The more that you can be close to residences and yet seclude them from it makes it a much more attractive soccer complex. The lights will go off within about 15 minutes after the last game.

Chairman Huey asked what the hours of operation will be. Mr. Ficklin stated that they currently operate Swope Soccer Village which is a 9 field complex in Swope Park in Kansas City, Missouri and they anticipate the hours and months to be very similar to that. The months are March through June and then August through the end of October. There is typically practice from 4:30 p.m. until 9:30 or 10:00 p.m. on week nights and games are from 8:00 a.m. to 11:00 p.m. on Friday and Saturday and somewhere around 6:00 p.m. on Sunday.

Planning Commissioner Gonzalez asked if the indoor facility will be open at the same time because the concessions are only in the indoor facility. Mr. Ficklin stated yes. The goal is to design it in such a way should there ever be a need to have the complex open and the indoor not open, the restrooms and concessions will be easily accessible to the fields. Mr. Gonzalez asked if the restrooms will be heated. Mr. Ficklin stated yes.

Mr. Brian Lavery, engineer for the applicant, stated that the two entrances onto 90th Street will be stop sign controlled for the traffic leading out onto 90th Street. They did a traffic study and got background traffic counts and forecasted their projected counts on 90th Street with the peak hours being Saturday morning and Friday night. Those studies indicated that the two (2) intersections operated at a level of service (A) which means very minimal delay. The worst case was one (1) vehicle queuing up to make a left-hand turn going northbound into either the south or north drives so there did not seem to be a need for a lot of storage for a left-hand turn lane. As far as the grading they are generally trying to balance the site and since the fields are basically flat they are flattening it out. Field #8 is going to be the elevation of 90th Street (3' or 4" below) and they will step down going to the west per field and the fields to the north are the same. Fields #12, #11, #10 and #9 are above fields #8, #7, #6 and #5 step to the west.

Planning Director Richardson stated that he has two (2) revisions to the stipulations. The revision to stipulation #2 related to any parking space adjacent to a _____ should be paved. The site is divided and has some paved and some grass parking. The grass parking is intended to be overflow parking. It will be gated off unless there is a need for it to be used. It will not survive if they are parking every day of the week. It will probably be open on the weekends. The second stipulation change would on #5 that grading would be allowed but no further construction until both projects are simultaneously approved and ready for construction. They can grade the fields and get them ready and get the grass growing but when they go back to do the drives, parking, etc. all of the final approvals for the buildings and everything else will need to be done at that time. The staff recommends approval with the two (2) additional revisions.

On motion by Mr. Ernst, seconded by Dr. Serda, the Planning Commission voted as follows to **recommend APPROVAL of Master Plan Amendment Application #MP-2016-1**

Carson	Aye
Connelly	Aye
DeWitt	Aye
Ernst	Aye
Gonzalez	Aye
Huey	Chairman
Pauley	Not Present
Schwartzman	Not Present
Serda	Aye
Wing	Aye

Motion to recommend APPROVAL Passed: 7 to 0

On motion by Dr. Serda, seconded by Mr. Wing, the Planning Commission voted as follows to **recommend APPROVAL of Special Use Permit Application #SP-2016-10**

Carson	Aye
Connelly	Aye
DeWitt	Aye
Ernst	Aye
Gonzalez	Aye
Huey	Chairman
Pauley	Not Present
Schwartzman	Not Present
Serda	Aye
Wing	Aye

Motion to recommend APPROVAL Passed: 7 to 0

Subject to:

Urban Planning and Land Use Comments:

1. Please provide a document showing the actual parking counts within each lot.
 - a. It does not appear that the plan shows the 500 +/- grass spaces described in the storm water study.
Applicant Response: Plan and drainage study have been revised to show 548 paved and 270 grass parking spaces for a total of 818 spaces.
 - b. Grass parking is significantly less compact than striped asphalt parking. How is this inefficiency accounted for on the plan?
Applicant Response: The plan has been revised to allow for 12' width in grass parking.
 - c. All grass spaces should be graded so that future paving is easily accomplished.
Applicant Response: All proposed grass parking areas are less than 3% slope currently. The earthwork specifications will require compaction of 95% or greater in these areas as well. In the future, if they were to be paved, it would simply require stripping the top soil, cutting the sub grade to depth and installing base rock and asphalt.

2. Any parking space adjacent to a pitch should be paved. Most notably the stretch adjacent to the western pitch "C"
Applicant Response: The area just north of fields 9-10 is now shown as paved.
Staff Response: Grass overflow parking shall be gated and only open when necessary.
3. A speed table should be added mid-block on the western north/south drive.
Applicant Response: The speed table at the north end of this drive nest the traffic circle has been moved to the mid-block location. It makes more sense here, not where traffic is already slow.
4. Please provide a detail as to the edge of pavement adjacent to the grass parking. It would seem an asphalt edge would be inadequate support.
Applicant Response: The paving details will be provided at the final development plan stage.
5. Please show restroom location and number of facilities within each.
Temporary facilities will not be permitted.
Applicant Response: Restroom facilities will be provided within the indoor building. The indoor building will be submitted separately but will open concurrent with the fields.

Staff Response: If this is the case, construction permits will be issued simultaneously for both projects. Applicant must show restroom capacity and proximate location to serve the maximum number of patrons.
6. Landscaped islands must be included after every 20 parking stalls
Applicant Response: We have shown parking islands consistent with parking lots in surrounding areas (Providence Hospital and Schlitterbahn). Please indicate where in the ordinance this requirement is located so we may address. This appears to be a requirement of an overlay district.

Staff Response: This is a requirement of Sec. 27-577 e.3-4. It is included in the Commercial Design Guidelines Overlay District; however, we expect all new parking lot construction to be in compliance with these ordinances.
7. Show any lights and assure it does not exceed one foot candle at the property line
Applicant Response: The lighting is shown on C07 with foot candle readings of 0 at the property line.
8. Show buffering and screening of facility from adjacent houses
Applicant Response: Buffering and screening is provided by preservation of the existing tree line on the north, west, and southeast of the property.

Staff Response: Due to neighbor concerns, the applicant shall provide more significant screening for adjacent residential properties.
9. BMP issues must be resolved by a Final Plan Review

Public Works Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:
None

Business License Comments:

If approved, applicant will need to register and file the occupation tax application with our office.

Preliminary Development Plan,
Special User Permit,
Masterplan Amendment Package

December 28, 2015

- C01 Aerial Image
- C02 Adjacent Owners
- C03 Existing Conditions
- C04 Preliminary Site Plan
- C05 Preliminary Utility Plan
- C06 Preliminary Erosion Control
- C07 Preliminary Site Lighting
- C08 Preliminary Grading Plan
- SEN01 Metal Building Footprints
- SEN02 Final Plot
- L01 Preliminary Landscape Plan



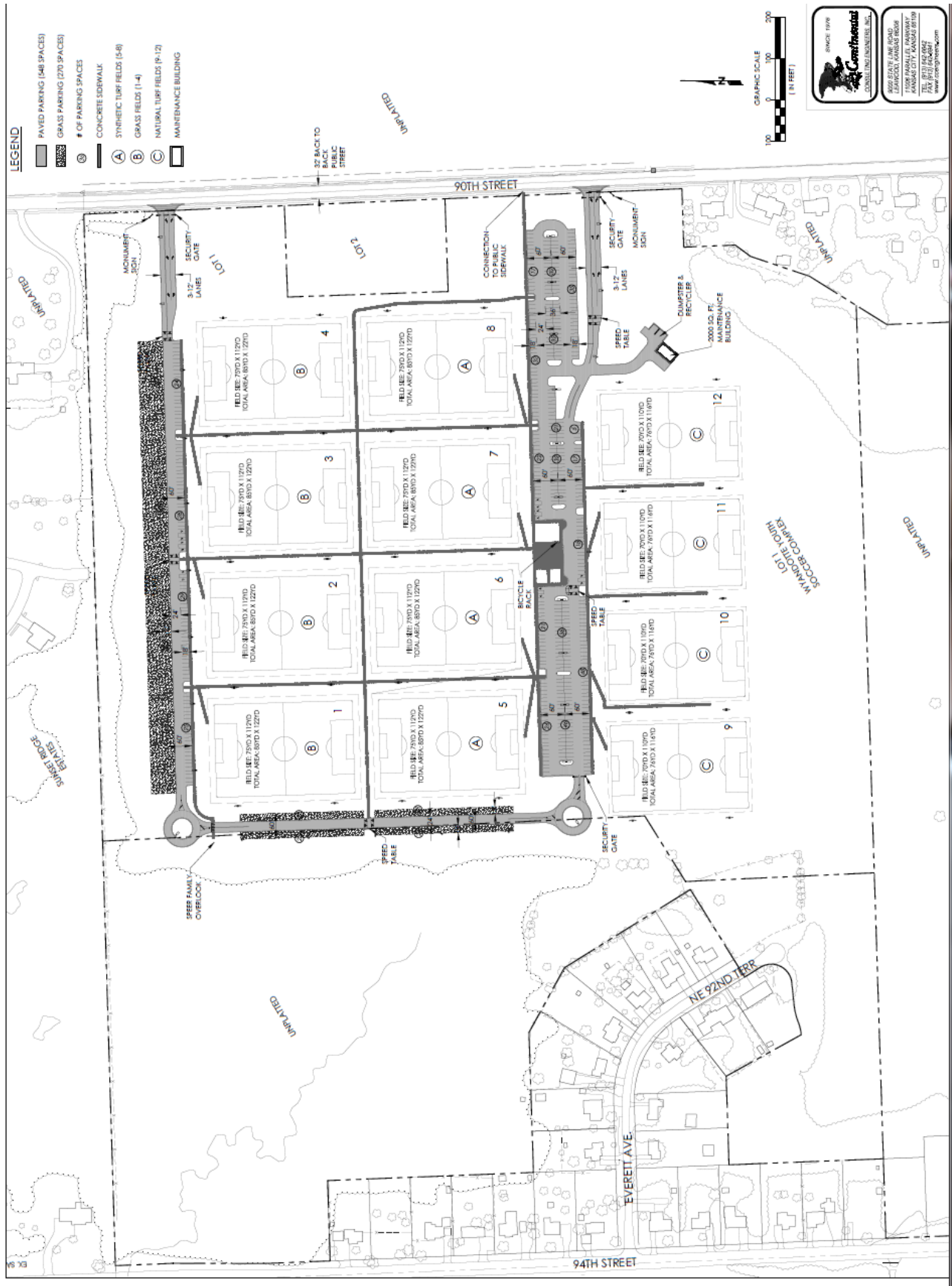
NOTES:

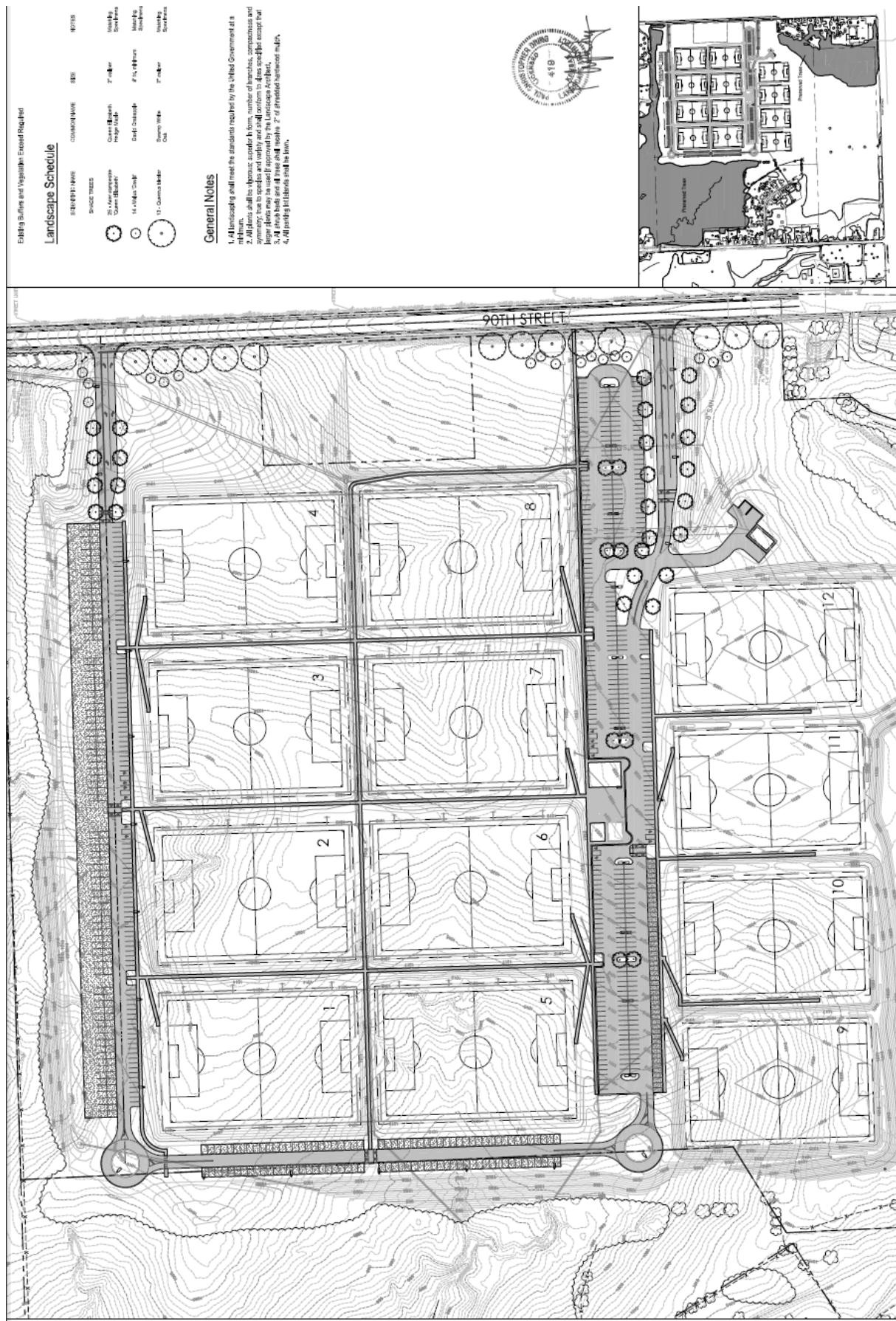
THIS PROJECT WILL REQUIRE NO IMPORT OR EXPORT OF SOIL. APPROXIMATE CUT OF 288,000 CY AND FILL OF 288,000 CY, ADJUSTED FOR PAVEMENT, BUILDING, FIELD DEPTHS AND SHRINKAGE.

PROJECT IMPERVIOUS/PERVIOUS AREA TABLE:

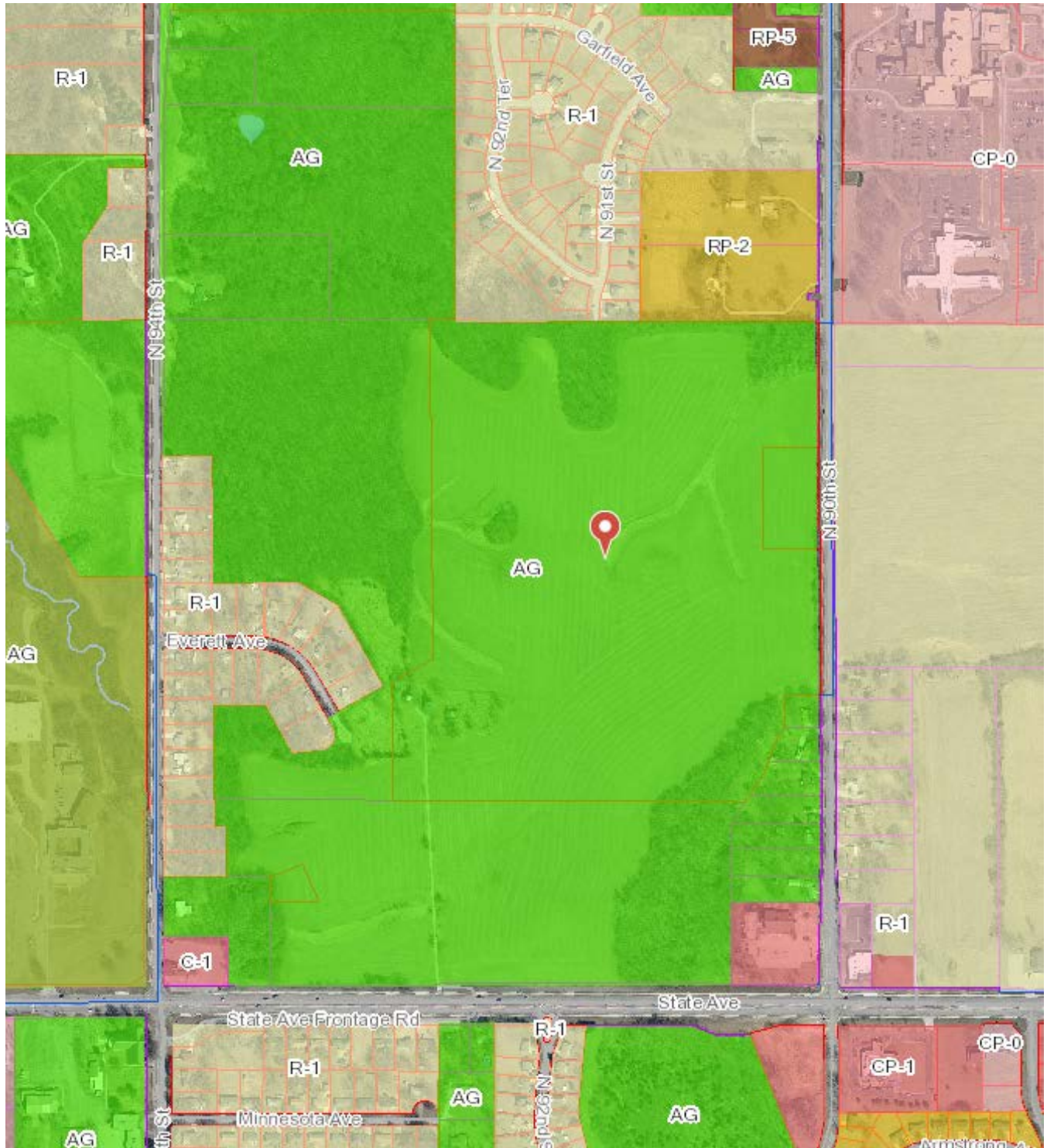
	PERVIOUS	
	EXISTING	PROPOSED*
IMPERVIOUS	0 AC	83.73 AC
PERVIOUS	90.79 AC	7.06 AC

* AFTER PAVING AND SIDEWALKS (NOT THIS PHASE)





POPULOUS' 1000 N. 90th St. Suite 100 Overland Park, KS 66212 Phone: (913) 241-1111 Fax: (913) 241-1112 Email: info@populous.com Website: www.populous.com		WYANDOTTE COUNTY YOUTH SOCCER COMPLEX 1500 N. 90th St. Kansas City, KS 66112		Project Phase: Permit		REVISIONS 1. 11/11/2014 2. 11/11/2014 3. 11/11/2014 4. 11/11/2014 5. 11/11/2014 6. 11/11/2014 7. 11/11/2014 8. 11/11/2014 9. 11/11/2014 10. 11/11/2014 11. 11/11/2014 12. 11/11/2014 13. 11/11/2014 14. 11/11/2014 15. 11/11/2014 16. 11/11/2014 17. 11/11/2014 18. 11/11/2014 19. 11/11/2014 20. 11/11/2014			
METAL BUILDING PRECEDENTS GEN01		1. METAL BUILDING WITH COLOR		2. METAL BUILDING WITH COVERED EXTERIOR AREA		3. METAL BUILDING WITH COLOR		4. METAL BUILDING WITH COVERED EXTERIOR AREA	





Urban Planning and Land Use

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

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

To: Unified Government Board of Commissioners
From: City Staff
Date: January 28, 2015
Re: Petition #SP-2016-6 (1516)

GENERAL INFORMATION

Applicant:
Ryan Denk

Status of Applicant:
Attorney for Applicant
Wine Barn, LLC
2850 North 119th Street
Kansas City, KS 66109

Requested Action:
Renew Special Use Permit for
live entertainment

Date of Application:
October 26, 2012

Purpose:
A special use permit to have
live entertainment at a farm
winery

Property Location:
2850 North 119th Street



SP 2012-56



Existing Zoning: A-G Agriculture District (WYCO)

Existing Surrounding Zoning: North: R Rural Residential District (WYCO)

South: A-G Agriculture District (WYCO)

East: A-G Agriculture District (WYCO)

West: A-G Agriculture and R Rural Residential Districts (WYCO)

Existing Uses: North: Immediately adjacent uses are residences on acreages

South: Immediately adjacent uses are residences on acreages

East: Large acreage

West: Immediately adjacent uses are residences on acreages

Total Tract Size: 15.2 acres

Master Plan Designation: The Prairie-Delaware-Piper Master Plan designates this area as Suburban Residential.

Major Street Plan: The Prairie-Delaware-Piper Master Plan classifies 119th Street as a Parkway.

Advertisement: The Wyandotte Echo – December 17, 2015
Letters to Property Owner – December 16, 2015 and January 21, 2016

Public Hearings: January 11, 2016 and January 28, 2016

Public Opposition: Over the past years staff has received complaints from several neighbors about noise and the lack of compliance with approved stipulations. There has been ongoing opposition to this operation especially related to the noise generated. During the last few months, the opposition has been from one neighbor that continues to express complaints about the noise and failure to comply with stipulations regarding informing the neighbors of events. There were two (2) people present in opposition at the January 11, 2016 City Planning Commission meeting. Two (2) letters in opposition have been submitted and are attached. One of the neighbors in opposition has submitted a video of events that have taken place at the Wine Barn. A valid protest petition totaling 44% has been submitted and is attached.

PROPOSAL

Detailed Outline of Requested Action: Noah Hiatt and the Mikijanis' Brian and Celeste are members of Wine Barn, LLC is requesting renewal of a special use permit to have live entertainment in conjunction with a farm winery at 2850 North 119th Street.

Mr. Hiatt resides on the 15.2 acres site includes the residence, a pond, a 30' by 40' accessory building, and a few acres of vineyards. Recently the Kansas Legislature exempted farm winery operations from local zoning so the only item at issue is live entertainment.

They are requesting a renewal for 10 years.

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

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The character of the neighborhood is primarily rural. However, it is certainly in the long-term path of development.

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. We see compatibility issues with the music that causes 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.

Staff considers the winery the primary use on the site. The applicant is asking to keep the secondary use of live entertainment for their patrons. Gauging from the continued complaints that were received by staff, we can conclude that the neighbors feel that there is a detrimental effect.

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

The property is not vacant; it is the home of the applicant.

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

Special use permits are not addressed in the Master Plan, however, agricultural uses are not considered to be at odds with residential designations.

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.

Although the use does bring in more traffic than a normal residential home, the street network can support the traffic generated from the site if the proper parking is built on site.

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 use is not reasonably necessary, but given the level of complaints it would appear the live entertainment is impacting the adjacent properties. This injury would presumably go away when the loud music goes away.

- 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.***

Occasional events might conceivably pose noise or dust issues for neighbors.

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

This is not a significant issue for the farm winery.

- 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 ability for the neighbors to live in peace without the repeated loud music seems to justify the hardship on this owner.

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

This is not an issue.

PREVIOUS ACTIONS

1. #SP-2008-11 was approved by the City Planning Commission and Unified Government Board of Commissioners on April 14, 2008 and May 1, 2008, respectively.
2. #SP 2010-6 was approved by the City Planning Commission and Unified Government Board of Commissioners on April 12, 2010 and April 29, 2010, respectively.
3. #SP 2011-44 was approved by the City Planning Commission and Unified Government Board of Commissioners on October 27, 2012 and January 26, 2012 respectively. The Board gave a 5 year permit to the winery and a one year permit for the live entertainment. This application is asking to renew the live entertainment portion of the permit.
4. The last permit was approved in January of 2013. It had several stipulations. They have not complied with all of those stipulations. Those stipulations are listed below. The stipulations that neighbors claim have not been followed are in italics. Stipulations that were removed at the last approval have been struck thru.
5. In April 2015, the Board of Zoning Appeals (BOZA) upheld all of the Director's determinations related to the timing of the appeals that were filed and the

necessity of the special use permit for live entertainment. The applicant's ability to appeal that ruling to the district court ends on May 13, 2015. The Planning Commission, provided the applicant does not file an appeal prior to the Planning Commission meeting on May 1, 2015, will hear the special use permit request for live entertainment. If an appeal is filed at any time, by code, all proceedings before the Planning Commission and or Board of Commissioners will be stayed until such time as a final determination is made by the courts. The wine Barn's Special Use Permit for Live Entertainment has expired and they no longer have zoning authority to conduct any live music events until a special use permit is approved or the court rules in favor of the applicant.

6. In May 2015, the Board of Commissioners approved a short term SUP to allow the operation to continue under significant stipulations through the 2015 season.

NEIGHBORHOOD MEETING

A neighborhood meeting was held on December 21, 2015 with two (2) neighbors present. The minutes from the meeting are attached.

KEY ISSUES

Noise
Compliance with past stipulations

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 5 to 2 to recommend **denial** of Special Use Permit Application #SP-2016-6 **based on staff comments and public hearing comments received at the meeting.**

STAFF COMMENTS AND SUGGESTIONS

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

Urban Planning and Land Use **PREVIOUS COMMENTS:**

Compliance with past stipulations

This case has a fairly long history. To summarize, in 2008 the Unified Government approved a special use permit for a winery. In 2010 the UG renewed the special use permit for 10 years. In mid-2011 Staff started to receive calls complaining about music and large parties taking place on the property and consumption on the premises. Once confirmed, the applicant reapplied for the winery with the addition of live entertainment, a tasting room and winemaking classes. That permit, #SP-2011-44 was approved with very specific stipulations. Those stipulations with various modifications have been included in every renewal involving live entertainment. The 2015 stipulations are:

Approved Stipulations:

1. One year approval for 6 months from May 28, 2015
2. *Live music only from May – October (included the 4 planned weddings)*
3. *57.5 DB reading at the big tree near the Reynolds Property line. The responsibility for monitoring this belongs to the applicants.*
4. Live music ends by 9:30 PM and the wine Barn coordinates its calendar with its neighbors
5. No guest parking on 119th Street
6. Parking is constrained to event size according to staff.
7. No parking adjacent to Reynolds;
8. Improved parking is not required. Must comply with storm water quality regulations.
9. No rock bands
10. *No more than 14 events of no more than 35 hours total in any one calendar year*
11. *Any new drives must be paved*
12. *Collect trash on 119th after each event.*
13. *Use of Fire Hydrant only with meter and it may never have its view obscured*
14. *The wine barn will add two new segment s of fencing*
 - a. *Wine barn will extend a fence(not necessarily a privacy fence) from the south east corner of the wine barn to the vineyard to make it difficult for patrons to come near the Seeberger's property*
 - b. *Wine Barn will extend a 6' privacy fence from the northeast corner of the Wine barn east to the edge of the drive to the pond (and beyond if necessary) to block the view of the parking area from the Seeberger's property. This will also prevent interaction between neighbors and guests.*
15. *Conform to UG security Policies for events with alcohol and entertainment.*
16. *The parties are to communicate via email not in person. Mr Denk and Mr. Richardson should be copied on all communications.*
17. *Request that the County Administrator waive the application fee*

Urban Planning and Land Use CURRENT COMMENTS:

1. It would appear that the Wine Barn misunderstands what makes a live entertainment event. Any time that there is live entertainment it is a live event. This includes weddings, Friday or Saturday evenings, other times when someone renting the facility has live entertainment. According to the neighbors, there have been significantly more than 14 live music events this year. It should be noted the stipulations specifically included the weddings. If this is the case, it is clear the Wine Barn continues to simply ignore the stipulations set by the Board of Commissioners.

Based on Mr. Denk's letter (attached) it would appear they disagree. However, we do not dispute, the winery can operate without live entertainment under the state law. We are only addressing live music events.

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 RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered* and *Key Issues* and recommends **DENIAL** of Petition #SP-2016-6 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

January 11, 2016 City Planning Commission Minutes
Neighborhood Meeting Minutes
Zoning map
Aerial Photography
Letter from Mr. Denk date 1/6/2016
Excerpts from the May 11, 2015 minutes highlighted by Mr. Denk
Statement of operation from the Wine Barn
Two (2) letters in opposition
List of events at the Wine Barn submitted by the applicant
Protest petition

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	January 11, 2016	January 28, 2016
Special Use	Denial	

STAFF CONTACT: Robin H. Richardson rrichardson@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **DENY** Petition #SP-2016-6, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

OR

I move the Unified Government Board of Commissioners **APPROVE** Petition #**SP-2016-6**, 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. _____.

JANUARY 11, 2016 CITY PLANNING COMMISSION MINUTES:

SPECIAL USE PERMIT APPLICATION #SP-2016-6 – RYAN B. DENK WITH MCANANY VAN CLEAVE & PHILLIPS - SYNOPSIS: Renewal of a Special Use Permit (#SP-2014-80) for live entertainment in conjunction with a farm winery at 2850 North 119th Street

Recording Secretary Parker stated that the following items should be 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 January 11, 2016;
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 December 17, 2015;
7. The Notices to property owners dated December 16, 2015; and
8. Letters from Nina and Wayman Vickers at 2430 North 119th Street and Bill Kincaid at 2625 North 123rd Street.

Ms. Parker asked if any member of the Planning Commission had any contact to disclose concerning this case. (No one responded in the affirmative.)

Mr. Ryan Denk, attorney representing the applicants, 10 East Cambridge Circle Drive, Kansas City, Kansas, 66103, appeared in support of this application. He further stated that the applicants, Brian and Celeste Mikijanis and Scott and Denise Hiatt, are present this evening. Mr. Denk stated that this is an application to renew the special use permit for live entertainment. Last meeting, it was the opinion of staff that the farm winery operation no longer required a special use permit. They are requesting a ten (10) year special use permit. The main reason for the longer term special use permit is that they want to build a multi-functional building. The building will be used for the live music events as well as wine production and agricultural uses including storage of their agricultural implements associated with running a farm winery. For those that have

been on the Planning Commission for some time, getting these live entertainment events would hopefully address the concerns a lot of the neighbors have had over the years. To get financing to build a building, the banks have indicated to the applicants that they will need a long-term special use permit to finance the building. They also want a long-term special use permit because they have been through this process many times and it becomes expensive to come back time and time again. There is a lengthy list of stipulations that have been developed over the years but he thinks that the only stipulation that the staff addresses in its staff report is the number of events. He distributed a list of the events that were held or originally scheduled over this past year. They are authorized under the stipulation to have 14 events. They scheduled 14 events including five (5) weddings. The list is as follows:

1. Saturday June 13th – music event – wedding
2. Friday, June 19th – music event
3. Friday, July 10th – music event – cancelled
4. Friday, July 17th – music event
5. Friday, July 24th – music event
6. Friday, August 14th – music event
7. Friday, September 11th – music event
8. Saturday, September 12th – music event – cancelled
9. Friday, September 18th – music event – cancelled
10. Saturday, September 19th – music event – wedding
11. Friday, September 25th – music event
12. Saturday, September 26th – music event – wedding
13. Saturday, October 3rd – music event – wedding
14. Saturday, October 10th – music event – wedding

He stated that it was discussed last time as to what constitutes a live event. This is probably where this issue is going to turn tonight. Before the last application, it was their understanding that you had to have a band but after the last application and discussions with staff, the staff said a band, DJ or someone providing live projected music and that is how they have been operating. In every live music event this time around, they have measured the decibel level as per the stipulation. They measured it twice during each event and they videotaped each measurement and emailed each video tape to staff including a signature by the security officer who was a KCK police officer that the reading was true and accurate and as to the time of the reading of the decibels. They do not believe that the number of events should be an issue. They had a neighborhood meeting and had two (2) residents show up – Mrs. Seeberger and Mr. Reynolds. Prior to the property being purchased by Mr. and Mrs. Seeberger, it was owned by a co-owner of the Wine Barn, Sal Coco. He showed the drive path that used to connect to the two (2) properties. He showed where the Seeberger's live and Mr. Reynolds' property. He stated that Mr. Coco sold the property a couple of years ago and they are quite a bit closer to the Wine Barn than anyone else. Mr. Denk further stated that Mrs. Seeberger admitted last time that they knew about the special use permit when they purchased the property so they came in with their "eyes wide open." They have had numerous concerns and have voiced those to staff. He stated that in the neighborhood meeting there were two (2) things that the opposition was talking about. They generally do not think that a farm winery should be conducted in this type of setting (rural residential.) That is not why they are present this evening as staff last

time stated that farm winery operations do not require special use permits. The other point Mrs. Seeberger raised is that she believes that any large events they have should count in their fourteen (14) events. She gave several examples of what should count in their fourteen (14) events. One was a fundraiser for a charity called Unleashed Pet Rescue (with no live music); a fundraiser for the Kiwanians (with no live music) and a wedding for 25 people (with no music). If they do not have any live music, it is not supposed to count in the fourteen (14) events. To change the standard in the middle of the game is a tough thing to hold his applicants to. He stated that he addressed that in a letter to Mr. Richardson (which is in the Commission's packet.) He further stated that Director Richardson brought to his attention today that there has been an allegation that they had a rock band there which is one of the stipulations that they not play out there. He stated that he has not seen the evidence or the video and cannot respond to it. The Wine Barn tells everyone that comes out there to play that they cannot play rock music as it is against the stipulations.

Planning Commissioner Ernst stated that a number of reasons were pointed out but he does not think that those are the real issues that the staff will get to. There are more issues than what was mentioned by Mr. Denk. There appears to be many misunderstandings. Last time that they were before the Commission he does not believe that the Commission had the 2014 aerial view of the property and they do now. They have stated that they cannot afford to put down concrete but if they ever had to change anything or add on they will. There are four (4) or five (5) pictures that indicate that the road has grown. His interpretation is that is not adding some rock as to what existed before; that is adding something new. The staff has said for years that if they did that they had to follow the rules like everyone else in the city. Mr. Denk stated that he called Mr. Richardson about the driveway today because he wanted to know if staff still had concerns about the drive and Mr. Richardson stated that he no longer had those concerns. Director Richardson stated that the issue that he was looking at this time was between 2012 and 2014 as the driveway looks like new gravel extending to the east on the south side of the barn. It looks like there is a "U" shape (being pointed out on the map) and that was not apparent in previous photographs. He went back and looked at the 2010 aerial and there was gravel down. It may now be a little wider than before but he is not getting into measuring a foot. It was a driveway in 2010 when the Board of Commissioners said what they had was ok. He did not include that in the stipulations. Planning Commissioner Ernst asked about the fences that were added last time Mr. Denk stated that after the Planning Commission meeting they met with Mr. Richardson before the Board of Commissioners' meeting and outlined where the fence would be located and they were built within a couple of weeks of the approval.

Planning Commissioner Gonzalez asked if they provided the location for the new building and does that mean there will be no more live entertainment in the current building and will the current building go away. Mr. Denk stated that he does not believe that they know the details of the new building. They would need to come back before the Commission for approval. The live music event would be inside the new building. The current building is not big enough to hold those events and that is why they are outside and the reasons for the concerns. Ms. Mikijanis stated that they do not know exactly where the new building will go but the idea would be to move forward and they would have to come back before the Commission with site plan, etc. Until they have a long-term permit in place, the bank has said that they will not finance it so there has

been no reason to look into it. The barn will stay there and the new barn will go ideally in the open area. Mr. Gonzalez asked if the live entertainment will not be relocated; they are going to continue their outside live entertainment events. Ms. Mikijanis stated in some respects yes. The current building can house 25 people indoors so everything has to be held outside. Mr. Gonzalez asked if due to the success of their events last year if they are looking to increase the events this year. Ms. Mikijanis stated no they want to keep everything the same and all the stipulations the same but just for a longer time.

Planning Commissioner Connelly asked how long the bank said that they needed the special use permit. Mrs. Mikijanis stated that they are asking for ten (10) years. Mr. Noah Hiatt stated that the bank said seven (7) years. They are trying to get longer than seven (7) years so they can go to the bank and get a loan. Director Richardson stated that the bank would want seven (7) years from the date the loan is approved so they would need longer than a seven (7) year permit; it would probably be more like eight (8) years. Mr. Hiatt stated that is correct.

Planning Commissioner Gonzalez asked if the special use permit was approved for them to construct a building and stipulate that the events are inside, he would assume that would take away the issues that are present. Mr. Denk stated that the stipulation that all the events be held inside, he would have to talk to the applicants because he is not sure they know when they will be constructing the building. Mrs. Mikijanis stated that she would request that there not be a stipulation that the events be held indoors because there is not a facility for that. If they want to build another facility, they would have to come before the Commission. Mr. Gonzalez stated that he is confused as to why they are before the Commission tonight. Chairman Huey stated that they are present for renewal of the special use permit for live entertainment. Mr. Denk stated that for the first couple of years, they could not agree to have the events inside when they are working on the financing and construction of the building. Mr. Gonzalez stated that he thinks if the Commission is going to approve something for ten (10) years that seems more appealing than having live music for ten (10) years outside. Mr. Denk stated that he understands; it is like the chicken and egg. If they can't get the approval, they cannot get the financing.

Planning Commissioner Connelly asked if this is approved for ten (10) years, will there be more events scheduled. Mr. Denk stated no, they will stay within the fourteen (14) events per year which is the stipulation.

Planning Director Richardson asked how long it would take to get the loan and construct the building if this is approved considering they have 60 to 90 days to work with staff on the site plan. Mr. Denk stated probably two (2) years. Knowing how these things go, it could be a challenge.

Planning Commissioner Wing stated that the problem he is going to have is that if this is approved for ten (10) years and the proposal (constructing the building) does not go through, they are under the radar for the live music for ten (10) years. Mr. Denk stated that he would propose approval for ten (10) years with the first two (2) years being outside events and then after that the events would be held inside. If they do not have the building constructed at that point, they would have to come back before the

Commission to ask for a revision. Chairman Huey stated that after ten (10) years the special use permit would expire and they would have to come back before the Commission. Planning Director Richardson stated that at any time during a special use permit the Board of Commissioners can revoke a special use permit if they are not in compliance.

There were nine (9) people in favor of this application including the following that spoke.

Mr. Albert McComas, also speaking for his brother Robert, 2717 North 119th Street, Kansas City, Kansas 66109, (southeast of the property in question) stated that he is in favor of the continuation of this special use permit and any improvements that they wish to make on the property. The attorney stated that someone made a comment that the agricultural winery use should not be there. He stated that at least three (3) sides surrounding the Wine Barn are agriculture/residential or straight agriculture property. The properties to the west are the vineyards; the property to the southwest of that corner across to the east side of 119th Street is 137 acres of agricultural property not counting his property which is four (4) acres of residential/agricultural. As you go to the north two (2) houses are residences and then it falls back into agricultural property. He further stated that it is quite appropriate to be in this area since it has been that way since 1962 and before when he moved there.

Mr. Murrell Bland, 8311 Garfield Avenue, Kansas City, Kansas, 66112, Executive Director of Business West, stated that this is a quality place and they have had events there. It speaks to the quality of life here and they support the ten (10) years special use permit.

Ms. Nina Vickers, 2430 North 119th Street, Kansas City, Kansas, appeared in opposition to this application. She stated that for about five (5) years they have been complaining about the Wine Barn's severe disturbance to their neighborhood. They do not care if they grow grapes and sell wine. It is the wedding parties that make noise and it is extremely disturbing to their brains and nerves. From May to November, two (2) times or three (3) times a week, until 9:30 p.m. the party starts and the music begins. What they hear is not music. They hear electric drums and some kind of electric instrument that carries irritating sounds through the open field into their homes. Sometimes the wind is strong, it carries the noise even further. For example, a few years ago the teenagers were driving around with a boom box and her car stopped at the red light and she heard a very loud noise. A car stops next to her with the noise very loud and screeching. A young boy sits with his window open bobbing his head to the drums. She honks her horn to get his attention to ask him to turn his noise down and he does not hear her or care. Her car shakes, her brain rattles and her ears hurt. She wants to jump out and shake him by the neck; the light turns and he is gone and she sits there shaking with anger because her ears hurt. That was a boom box and this is what the Wine Barn has – a huge boom box. It is not music that they hear; it is the drums and the screeching electric instruments. In the evening when they are trying to have dinner or relax watching television, the screeching sound is very irritating. On top of this there is the loud yelling of humans talking above the music. The noise sounds like 100 squawking ducks or a field of crickets. The Wine Barn has their parties outside and the loud music should be inside and in a commercial zone not in a residential neighborhood. Some people are selling their houses and are not telling the buyers the whole truth of the situation. This is not fair but if they tell the truth, they would not be

able to sell their houses. They are asking to stop the noise. Planning Commissioner Connelly asked if the noise has improved since last year. Ms. Vickers stated no; they are still playing music and it is loud and has not changed.

Planning Commissioner Gonzalez asked if this is her first time at the meeting. Ms. Vickers stated that she has been here before and she told the same story. Mr. Gonzalez asked how far away she is. She stated that it is not right next to them but when the wind blows that way the fields are open and they can hear the noise. She further stated that they can hear noises from The Legends and they are three (3) miles away. When they go to sell their house, which they will because they are older, they will not be able to do so.

Ms. Ann Seeberger, 2810 North 119th Street, Kansas City, Kansas, appeared in opposition to this application. She stated that she and Larry Reynolds both attended the neighborhood meeting. She read the following statement into the record: "I brought up the concerns about the frequency of the 560 group on parties that have been sold. She was assured that these parties occurred over a four (4) year period and no entertainment was provided. I assume they meant no entertainment besides the satellite television they added and was documented being serviced prior to major sporting events that occurred at the same time as private parties, and the music that had been heard through the walls in their back yard. This is part of the reason that little trust has developed over this season. I would now like to address the rest of the previous season in context with the research I gathered through an agricultural law educator through the K-State Extension office. When I moved in next to the Wine Barn, activities and event were regulated by special use permit when they exceeded the provisions of agricultural zoning. Assistant Attorney Doug Taylor confirmed this as appropriate regulation when he responded to an email I sent him. He said that any restrictions on the type of event held on premise of a farm winery would come from local ordinances or zoning. With that in mind he goes on, KSA 41-710 does require that the location of a farm winery must be properly zoned (as agricultural, commercial or business) in order for a farm winery to obtain a license. He recommended I take my concerns about specific activities to my local county because KSA 41-710 allows the application of zoning restrictions for specific special uses that would exceed the zoning, or any other ordinance that may prohibit the activity. Since the Wine Barn did not apply for their liquor license under Central Business District zoning activities described as permitting such use can be regulated. For this reason it is extremely difficult to understand why uses that are only permitted under Sec. 27-465. Central Business District zoning go unregulated on agriculturally zoned land. An example of this is use as a place of assembly defined in Sec. 19-431, "Assembly means a company of persons gathered together at any location within the corporate limits of the city, at any single time for any purpose" Under Sec. 27-593, for allowable uses, lists assembly and exhibition as a use that requires a special use permit when not zoned appropriately, and that for issuance of a special use permit without publication or posting for promotional ventures and entertainment certain requirements must be met such as, at cessation of the event all materials and equipment will be removed from the property and restored to its normal condition and that full consideration of the effect of the requested use on the neighborhood will be taken into account. The reason I cite this, is that the circus tent is functioning as an assembly hall, or it is being used for temporary short term use for promotions and entertainment, if it is the later it must be limited to 10 days. Please

consider how not consistently applying zoning, sets up families moving next to agricultural land, to be extremely unhappy and upset. My hope is that maybe in the future families will not have this happen. At the last meeting Mr. Walker had concerns about why I did not know what I was moving in next to and I hope that you can see that this could happen to anyone moving next to agriculture land when zoning ordinances are not applied. This was brought up by Rob Richardson 3/15 when he said that all the applicant or future applicants would need to do to operate as a major event venue is acquire an Agritourism permit from the State of Kansas, to allow unregulated volume and wine by the drink every day till midnight if minimal local ordinances and zoning are not applied. It is very difficult to have the Assistant Attorney General respond for the Kansas Department of Revenue, Alcoholic Beverage Control Division, that not adhering to local zoning and ordinances is in violation of KSA 41-710 and then have the county tell me they cannot apply these zoning or ordinances. The preceding views were confirmed also by the Chief Legal Counsel of the Department of Agriculture Robert Large in his response to my email, when he explains to me that while some activities can have an Agritourism element and still be considered agriculture for purposes of the zoning regulation exemption, certain activities, such as weddings, live music, etc., (basic assembly uses) should be regulated due to potential safety hazards involved, and that these types of activities go beyond what is intended to be included in the ag zoning regulation exemption. I believe the Chief Legal Counsel of the Department of Agriculture's clarification directly refutes the reasoning presented by the Wine Barn representative Mr. Holland on 3/3/15 that an Agritourism activity is by definition an agriculture use and exempt from all zoning, and that assembly goes beyond what is intended to be included in the ag zoning regulation exemption. This is further supported by the fact that Robert Large also points out, that the State Department of Wildlife, Parks, and Tourism, is the agency responsible for registering Agritourism operations in Kansas, not the Department of Agriculture, supporting that the activities are by definition a use associated with tourism, but not necessarily agriculture. Mr. Gonzalez's concern that this is a business based on parties to sustain itself also relates to Section 5 KSA 79-1476 that states land devoted to agricultural uses shall not include those lands which are for recreation purposes, other than for controlled shooting, even though such properties may produce or maintain some of those plants or animals listed in the foregoing definition. It is evident they have not addressed these concerns by the number of events in addition to their special use permit not associated with agriculture that they have had this season. This includes 2 additional weddings with live music entertainment, a 3rd wedding with noise amplification, and a 4th and 5th wedding, they also had an event associated with domestic pet adoptions not agriculture, they had water coloring events, and reunions. An event associated with an intermodal container for a shopping fundraiser had over 70 cars in attendance, 62 cars were documented in one picture and this equals 250-to-280 patrons on a Thursday night, based on the 4 to a car calculation that has been used in other special use permits. This is another discrepancy in the description of their business operations. There were also other additional gatherings that disturbed the peace on 6/10, 6/12, 6/24, 7/14, 10/9. At one of these gatherings my dogs were yelled at to shut up when they were in my front yard which is 300 feet away; at another the auxiliary lighting was left on all night and could be seen from inside our home. These are examples of activities that have aroused resentment in us. However you count it 2, 3, 5, 7, 12, or 20 additional events the conclusion is the same the applicants have not been able to toe the line for good behavior and develop trust."

Recording Secretary Parker stated that her five (5) minutes had expired. The Commission can extend a speaker's time in five (5) minute increments according to their bylaws. Mrs. Seeberger requested an additional five (5) minutes to speak. The Commission voted unanimously to extend her time for five (5) minutes. Planning Commissioner Gonzalez asked Legal Counsel Waters for an opinion once the speaker has completed her presentation. Counsel Waters stated that it is way too much to address at the meeting and he has not been able to catch every point. He stated that he believes the focus should be on the issue at hand, which is the special use permit. There are other issues about State Law that she is expressing disagreement on that go beyond what is being discussed this evening.

Mrs. Seeberger continued her statement: "In addition to the extra events, another area they did not do everything in their power to meet the special use permit is in regards to the fence. Planning Commissioner Pauley emphasized the importance of the specific attributes the fence was required to have. I notified the Wine Barn on 6/10, but they chose to never connect to the northeast corner of the Wine Bar to the privacy fence, creating a view for the patio and noise and light to move into our yard. I did not remember to bring this up at the December meeting, but it was ignored all season so it did not seem to make a difference then. Last time Planning Commissioner Huey's concern was that decreasing the noise for the neighbors should be a huge consideration. The only attempt to move music and sound amplification farther from our home was the second event they had in addition to the 14 scheduled events they had given us a schedule for, where they moved to the west side of the Wine Barn and that event did have music played at it. The incomplete fence shows how they are still pushing the line to do as little as they can, not everything that they can to build trust with the neighbors. I also applied this to Planning Commissioner Ernst's concern that rather than working with neighbors they want more for themselves which is directly opposed to working with the neighbors. They wanted more parties and so they had more parties, they didn't want a privacy fence to the northeast corner so they didn't. I think the special use permit is a privilege, and they stated at the neighborhood meeting that they want to put up a building which we have heard for a long time. I do not believe there to be any location on the limited space available on this property where this would not be an extreme intrusion to the peace and welfare of other occupied residential homes. Planning Commissioner Connelly's concern that in a quiet environment loud noises can be more disruptive when there is other background noise; the Wine Barn violated their permit by having weddings that included noise amplification on 8/7/2015 and 10/24/15, while music was part of the violation it was the thudding that occurs when a microphone is used that disturbed my children while napping by causing my dogs to be alarmed inside my house. When I went out I could view and document the events taking place in excess to the special use permit. Planning Commissioner Connelly also had concerns that this should not be a night club. Planning Commissioner Escobar had concerns that this event does not create a relaxing environment and the Wine Barn has disregarded these concerns by operating nightclub environment receptions with strobe lights and music that has a resounding thudding nature. I did not bring up the auxiliary lighting at the neighborhood meeting because I was told by a Wine Barn representative last year to stop lying about this, so I assumed it didn't concern them. They also operate tastings at night making it difficult to find the location. The two events that correspond with the sporting events and the satellite provider coming to the Wine Barn were on

7/14/15 and 10/28/15 for the all-star and the world series game respectively. The later event a car pulled up to the Wine Barn blaring bass so loudly it was heard in our house 400 some feet away from where they parked. That was in violation of Wyandotte County Section 22-125 excessive noise from sound amplification of vehicles which is also inconsistent with their business operations. I also made several recordings of people talking over each other is almost disruptive or more so than the music. Planning Director Richardson stated that in his opinion he always assumed that weddings were part of the 14 events and no clarification was requested, but the Wine Barn had multiple additional weddings. Weddings are not associated with the agricultural use; neither are fine art festivals where all the art is shipped onto the site. They scheduled a weekend festival with a wedding so I believe that to be in excess of their operation plan because on 10/3/15, this created issues where people were leaving one event and coming to another. I feel that it is a matter of public concern to allow the Wine Barn to continue to operate as a place of assembly and exhibition, because it set precedence for taking the land that is ours that is designated as a private access easement to be taken for commercial recreational use. It also increases liability because if there was an accident it would occur there. I believe that it is also a public safety concern should an emergency situation occur at an event with a large number of patrons in that leaving they could block the other people trying to respond. The Wine Barn stated it has a relaxing environment, tucked back on 15 acers. I believe that is because it is buffered by residential property - occupied homes and that favor is not returned to us. The concerns for safety for us was because they are behind us and GPS routing is directing cars to our home and not their (location) which is something we did not anticipate due to the location of the land and also the ruin down aspects of the driveway with the potholes are also making more and more noise. We have had 18 misdirected patrons come to our home that we have been able to document. They have almost run over my dogs, and limited my children's ability to safely enjoy our yard. I believe that overall the operations are negatively impacting the neighborhood. The Tichenors didn't want to deal with it and left, the Cocos left, and now the neighbors to the south are selling and the Reynolds are leaving. This relates to Ms. Pauley's concern about the neighborhood meetings, and why they are not well attended."

Recording Secretary Parker stated that Mrs. Seeberger's additional five (5) minutes has expired. Mrs. Seeberger requested additional time to finish her thought. The Commission voted 6 to 1 to extend her time five (5) minutes (Carson voted no).

Mrs. Seeberger continued her statement: "In my research one solution would be working with Sue Stinger at the Kansas Department of Tourism to write guidance for Agritourism that will benefit businesses and residents by promoting Agritourism and ensuring the peace, welfare, and safety of residents. The Department of Tourism has done this for Douglas County, Riley County and Johnson County. This is a solution I believe would benefit Wyandotte County as a whole."

Planning Commissioner Connelly stated that he is looking at the calendar of events that was submitted by the applicant and she mentioned some dates that are not on this calendar. He stated that he can tell that she has been keeping very detailed information. He stated that peaceful enjoyment is what people do at their home and it seems that nothing has changed since last year even with the fence. Ms. Seeberger stated that she emailed on June 10, 2015 that she did not think that the fence had been

built as described and there was no effort to work with her. They said that they had worked it out with Rob Richardson and it was good enough. Mr. Connelly asked who she emailed. Mrs. Seeberger stated that she emailed Mr. Richardson, their attorney and the Wine Barn.

Chairman Huey asked if the additional events that she cited all had music. Mrs. Seeberger stated that on August 7, 2015 she only heard the microphone use where the officiant was performing a ceremony for an audience and that is what disturbed her and had her come outside and record it. She never heard anything musical. On October 24, 2015 what disturbed her was the microphone but when she came out there was also music.

Planning Commissioner Gonzalez asked if there is another neighbor that has a winery and he has come before the Commission. He stated that he provides music but it is only during the day only on the weekends and it is maybe a one-man band. Mrs. Seeberger stated that is the guy down the street. Mr. Gonzalez asked if he is a nuisance as well. Mrs. Seeberger stated that they are blocks away.

Director Richardson played a video that was provided by Mrs. Seeberger to the Commission detailing the events, noise, etc.

Planning Commissioner Gonzalez asked if any of the events were after 9:30 p.m. Mrs. Seeberger stated no.

Mr. Denk stated with regard to the sporting events, there is no television in the Wine Barn; there was a satellite truck there related to Mr. Hiatt's residence. With regard to the reference about the state and county regulations, the Wine Barn is in full compliance with the State. They have their liquor license and they have all of their licenses; the State has no issues with them. As far as the local regulations, they have been working with Mr. Richardson and this is the past they have laid out stipulations for them to comply and indicated if they do so they can run this operation. They do not know what else they can do in terms of complying legally. He stated with regard to the fence, they met with Director Richardson on May 27, 2015, which was after the last Planning Commission meeting; they brought in a diagram (which he distributed to the Commission) and Mr. Richardson signed and dated it. That is what they built. They laid out at the Planning Commission what they were going to do. Planning Director Richardson asked if the fence connects to the corner of the barn because the line connects from the barn straight east to the property, jets north and then down the property line a little bit. Mr. Denk stated that what was agreed on was the privacy fence along the property and then to prevent people from going back along the property line (he showed on the map) they put up a temporary fence on the days of the event so no one can get back there. With respect to the lights there are no disco or dance lights. He stated that they acknowledge that in the past there have been misdirected vehicles to the Seeberger's property and that is primarily because when this business opened Mr. Coco lived there and that was the address provided for the Wine Barn. When people google it, they have come to this property. The applicants have taken measures with Google and other mapping sites because they want people coming to their place of business and not this property (Seeberger's). With respect to the recommendation about the agricultural tourism and advisory council, Mrs. Mikijanits sits on that council

with Sue Stringer and works with her all the time and they have been fully supportive of the Wine Barn. Mr. Denk stated that it is difficult to judge the video because sound can be distorted and this is the first time that he has seen it. It was not provided to him beforehand and he has not taken it to a sound engineer to have it checked. He stated that he heard crickets on it and they may be the loudest crickets he has ever heard and loud birds and every breath of wind. If they have the microphones wide open it is going to be louder than it actually is. Without seeing it before, or having the opportunity to have someone look at it, it is difficult to comments on it. All they can say is that there was a standard provided to them as part of the stipulations for this special use permit and that was no louder than 57.5 decibels at a designated point on the property. Every live music event they have done that and documented it because they knew that it was going to be an issue. They knew that the Seebergers were not happy no matter what they did out there. They documented it, videotaped it and a witness signed it (Kansas City, Kansas police officer serving as the security guard) and each one after every event was provided to staff. He is not sure what else can be done.

Planning Commissioner Connelly asked what was actually built with regard to the fence. Mr. Denk stated that there is a privacy fence (he showed on the map where it goes) and what they talked about with Mr. Richardson, and maybe there was a misunderstanding, because the comments at the public hearing last time was that people needed to stop getting back beyond the venue and some people were not using the port-a-potty on site, they also have a temporary fence that they put up on the days of the event. They need to get their equipment back in there and he thinks that they made it clear to Mr. Richardson. If they have to build another 6' of fence, they will do that. Mr. Connelly stated that he guesses they do not have a concern for their neighbors because if it is too loud, it is too loud no matter what decibel point they are reading at. When people lay down at night, there is something called cognitive thinking and you hear things that you do not hear during the day because your mind is relaxed and noise is magnified. From her testimony from last time, this time and the video he does not think that Mr. Denk's clients have concern about Mrs. Seeberger's well-being and peaceful enjoyment. At this point in time instead of extending it, it seems like it needs to stop.

Mr. Denk stated that he is sorry that Mr. Connelly feels that way because they have been through a lot and have been here a long time and through his history of this, the applicants tried their hardest this time. In terms of the video and documentation he does not know what else they can do to make the Commission happy. At the end of the day, he understands the concern when you lay down at night, the music stops at 9:30 p.m. (and Mrs. Seeberger confirmed that.) so hopefully they are addressing some of that. Mr. Denk stated that the Wine Barn was there when the Seeberger's moved there and they knew about the special use permit for the live music. At the time the special use permit was there for the farm winery which the staff has now said they do not need. He stated that he understands the concern, but a farm winery on 15 acres cannot be operated on Minnesota Avenue. Mr. Connelly stated that he understands that but live entertainment is something totally different for him and all he is saying is that he does not know how to address the concerns the neighbors are having. Have they ever come over and asked that the music be turned down. Mr. Denk stated that they tried to address that last time and that was a specific recommendation that Mr. Richardson put in that all communication had to be copied with Mr. Denk so if there were concerns, they could move to address them. He stated that he was copied on one (1) email and the

rest of them were sent to staff. How can they address the concerns if they are not brought to their attention? Planning Director Richardson stated that he would clarify that stipulation. If there was going to be communication between the neighbors, Mr. Denk and Mr. Richardson were to be copied. There was no stipulation that Mrs. Seeberger had to copy Mr. Denk on her communications to Mr. Richardson. Mr. Denk stated that is fine; she has his email. If there are complaints or concerns, how can they address them if they are not brought to them?

Planning Commissioner Gonzalez stated that they need to focus on the original business plan that they have been doing and perfect it so that it is the bestselling wine out there. He stated that he mentioned at the last meeting about being in the spirit business and pushing it and how much it grew and they did not do parties. It seems that they want to have two (2) businesses in one (1) location. He further stated that even the Commission does not get it right all the time. When Mr. Denk says that they did everything that they could, in looking at the video, he would not want to live next door. He has had a neighbor that was distracting and he would not want to live next to this property (Wine Barn.)

Mr. Denk stated that Mrs. Mikijanis did talk about their business model last time. This is the business model for farm wineries. They have to get people to their events and get on their wine list and sell wine. They cannot get into Berbiglia; that is not avenue that is available to them to grow their business. With regard to the video, the last time that they were present Mrs. Seeberger had another video and in that video she had a decibel reader and showed the readings. From the audience Mrs. Seeberger stated that was in court. Mr. Denk stated fine, she does have a decibel reader. Mr. Denk has stated that his client has told him several times that if she cannot have this her business is going to fail.

Planning Commissioner Wing stated that he likes the point that it was reiterated that the problem is not the Wine Barn (wine business); it is the 14 events that are taking place per year. It seems that the applicant is trying to get around what is an event. It is a good thing that the Wine Barn is in Kansas City, Kansas but the festivals and parties seem to be the problem and not the wine.

Chairman Huey stated that she has been on the Commission since this became the Wine Barn. It started out great but the last few years with the special use permit for live entertainment there has to be a compromise between the business and residents. She gets it that Mrs. Seeberger moved in there and maybe she did and maybe she didn't know what was going on. But the business also changed with time and when people come and go in the neighborhood or area they may not know what types of activities happen. That does not mean that it was necessarily disclosed. The matter at hand is that good neighbors need to be established good neighbors and right now there is a total lack of trust and respect. She further stated that she believes that it is mutual and there has been no communication between the parties and that is what is suffering. The Commission wants this business to succeed but at the cost of other residents she does not know if it is worth it. It is a tough decision as the Commission contemplates this application.

Planning Commissioner Carson stated that he has a different view. It would be like purchasing a home next to Kansas Speedway and then they have a race and then not realizing that it is going to be noisy. When he goes out and shows people property (he is a real estate agent) and there is a business or within five (5) miles of railroad tracks they will hear trains and if that is a concern because you have small children that want to sleep and you want to enjoy your property, that needs to be taken into consideration because it is something that is going to be heard if the property is purchased. To purchase a property next to an entity like that and to not have those concerns and to go forward with the purchase, he has a concern about that. He thinks that he is outnumbered here but he does this every day.

Planning Commissioner Serda stated that to him one of the primary issues is the live entertainment. He was off the Commission for two (2) years and was surprised when he came back to see that this issue was coming back because his recollection from 2010 was a lot of these issues were discussed from the time the business went through the special use permit. Looking at the case history there have been multiple stipulations added since that time. He agrees with Mr. Denk in that he does not know about the reliability of the sound levels or whatever the case is but he knows what he heard in terms of the music on that one particular event. It was not consistent with any of the deliberations that have happened on the time he has been on this Commission. He remembered one time that there was a question as to whether Classic music could only be stipulated. He stated that he is the one that suggested the decibel reading when it came up as to what sounds loud to me and what sounds too loud to you can be different. There needed to be some objective threshold. Even with this objective threshold the sense that he gets is that there has not been the level of compliance with the overall stipulations that have been established throughout the history of this case. There is a question about the fence. There is a question of what is live entertainment and that makes him very uneasy. This body has been charged above and beyond everything else to treat everyone consistently in terms of the stipulations that are put in place. With regard to Mrs. Seeberger's stating all the legal statutes, one thing that is clear to him is that the use/activities are allowed only through a special use permit through the Planning Commission and Board of Commissioners and that is to be taken very seriously in terms of the requirements that are laid out. He sees a lot of inconsistencies in terms of adherence to the stipulations. He agrees with Mr. Gonzalez that the Commission keeps moving it around and not getting it right but it is harder to get it right when what has been laid out has not been complied with. That is the nature of the evidence that he is seeing in front of him and he is very disappointed in that.

Planning Director Richardson stated that related to the State Law and further regulations of the Unified Government if Mrs. Seeberger would like to propose ordinance changes, there is a way to work through the Commission and he will be happy to speak to her about that. He has determined, through the support of the Legal Department, that the way that staff is administering the law with regard to the farm winery is correct in this location. With regard to what is live entertainment he understands that the Wine Barn may have had questions about what that meant from the beginning but the Commission has been very clear since the special use permits for live entertainment were initiated. It is anything that is a juke box, band, etc. That was in the original reports that the staff did. With regard to the fence, the Commission saw the diagram and there are two (2) arrows to fences at the Wine Barn's choice to keep

people out and a 6' privacy fence that they definitely misunderstood as it needs to connect to the Wine Barn on the northeast corner. That is definitely a miscommunication that needs to be rectified if this is to be approved. He stated that the applicant did send their documentation to him and he did not have any issue with that. Quite frankly most of the summer went by without him hearing anything and he talked to Mr. Denk and told him that he had not heard anything. Two (2) days later he was contacted by Mrs. Seeberger with issues concerning this use. While he does not necessarily disagreed with Planning Commissioner Carson, when they (Seebergers) moved in the term of the special use permit was two (2) years so there was the opportunity that it was going to be discussed in the future. This was not a permanent approval. Whether you dispute the volume of the video it is a clear violation of stipulation number 9. Three (3) of the songs he recognized and they were top 40 hits and it is definitely rock music. It is not the peaceful, serene music that was described. One of the songs might have been a rap song because it sounded as though someone was screeching the record and that was not what was approved. That is pushing the limits of the stipulations and he does not know what stipulation that could be crafted that would make this work for the neighbors and the staff recommends denial.

Planning Commissioner Carson asked Mr. Denk if he thinks that a compromise can be crafted between the neighbor and his clients. Mr. Denk stated that it is clear that they want the live music shut down and the farm winery shut down. The position that they took at the neighborhood meeting was that the farm winery should not be run there. Mr. Denk stated that he does not know how they get there. If someone has a solution, they are all ears.

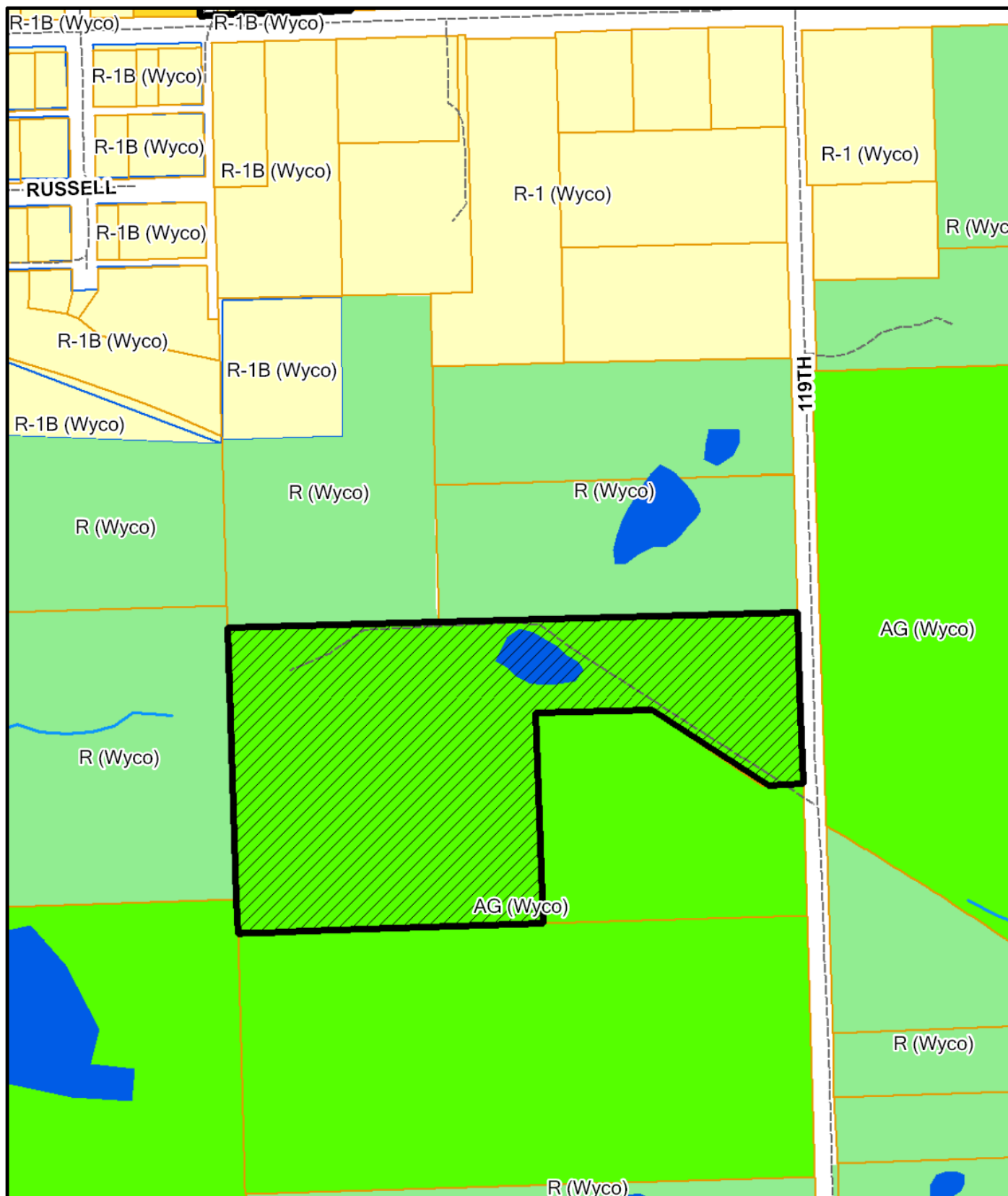
On motion by Mr. Ernst, seconded by Mr. Wing, the Planning Commission voted as follows to **recommend DENIAL of Special Use Permit Application #SP-2016-6 based on staff comments and public hearing comments received this evening.**

Carson	No
Connelly	Aye
DeWitt	No
Ernst	Aye
Gonzalez	Aye
Huey	Chairman
Pauley	Not Present
Schwartzman	Not Present
Serda	Aye
Wing	Aye

Motion to recommend DENIAL Passed: 5 to 2

WINE BARN NEIGHBORHOOD MEETING MINUTES
BEST WESTERN SPEEDWAY – 10401 FRANCE FAMILY DRIVE
DECEMBER 21, 2015 – 6:00 P.M.

The neighborhood meeting for the renewal of the Wine Barn's SUP relating to live music events was held at the Best Western at the Speedway at 6:00 p.m. on December 21, 2015. In addition to the applicants and their attorney, Ryan Denk, the neighbors who attended were Anne Seebarger and Larry Reynolds. Mr. Denk discussed the nature of the requested renewal as a renewal of the Wine Barn's live music SUP for a period of 10 years including a discussion of the current existing stipulations. Mr. Denk also indicated that the Wine Barn would like to build a larger building which would be multi-functional including wine making, wine tasting, storage of agricultural equipment and conducting and housing of events. The building of a building would allow the live music events to be contained in a building which would hopefully alleviate many of the neighbor's concerns with the present SUP. Mr. Denk also indicated that without the extension of a long term SUP, the applicant cannot get bank financing to construct such a building. Mr. Denk inquired of Mr. Reynolds and Mrs. Seebarger whether they had any continuing concerns regarding the extension of the SUP and how they felt that the last year went with the now existing SUP. Mrs. Seebarger expressed concern about the noise from the operation and from the traffic. She generally expressed concern relating to the entire nature of having a winery which she considers a commercial use of property in a rural residential setting. She additionally addressed some research that she had conducted relating to state regulation of wineries and the state's indication that the local land use regulation of such operations is left to local control. She additionally indicated that she believed that it would be appropriate if the Unified Government would adopt regulations restricting this type of activity which she again considered commercial in nature. Mr. Denk responded to some of these points by indicating that both the State attorney general as well as the Unified Government have indicated that the operation of the winery is permitted within the agricultural zoning district and that the present SUP request didn't relate to the overall winery operation, it just relates to the SUP for live music events. With respect to the live music events Mrs. Seebarger indicated that she believes that there were "events" which were held that were not on the live music event list. She further indicated that whether or not there is live music at the events or not, all of the events, including private events without live music should be counted towards the permissible number of events. She gave the example of private events where there is no live music however a microphone may be used to make announcements. She believes that these events should be counted towards the total number of events. Generally, Mrs. Seebarger's position was that she believed the operation was commercial in nature and that she believed its operation in an agricultural zoning district was inappropriate. Inquiry was also made of Mr. Reynolds who indicated that his position is similarly that he doesn't agree that this type of land use is appropriate in a rural neighborhood. Meeting adjourned at 6:30 p.m.

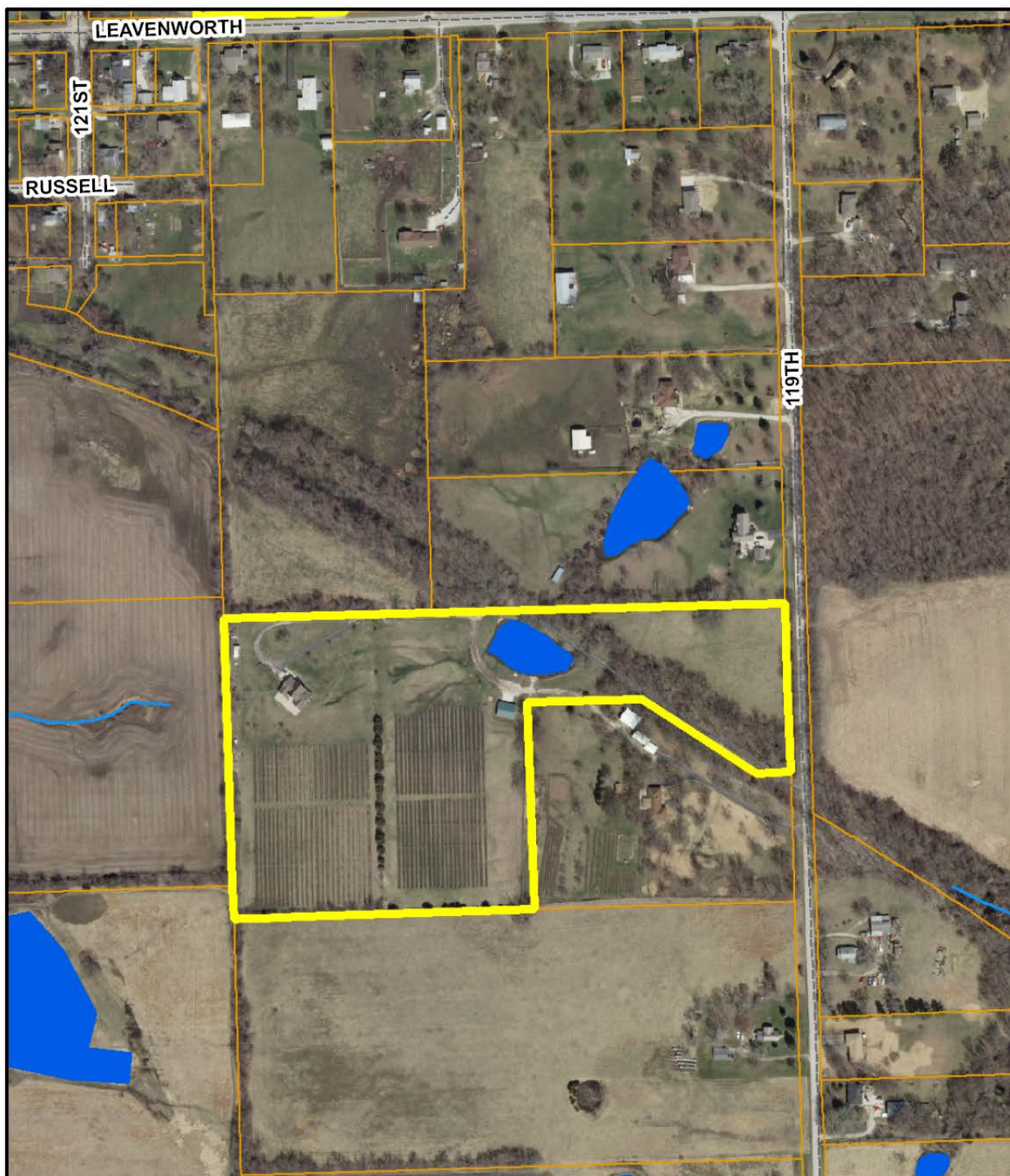


Urban Planning & Land Use

SP 2016-6



NOT TO SCALE



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January 6, 2016

Via E-mail

Rob Richardson
Director, Urban Planning and Land Use
701 N. 7th Street, Rm. 423
Kansas City, KS 66101
E-mail: richardson@wycokck.org

Re: Wine Barn – Petition #SP-2016-6
Response to Draft Staff Report

Dear Rob,

As you know, I represent the Wine Barn relating to its application for renewal of its SUP relating to live music. We are in receipt of the draft staff report and offer the following comments in response.

First, with respect to comment number one that the applicant misunderstands what makes a “live entertainment” event and the following comment that any time that there are events at the wine barn, apparently irrespective of whether or not there is live music or for that matter any music at the event or not, is not consistent with either the U.G. Code, the history of this application, or the prior approval of this application. First, I will address the prior approval of this SUP. A fairly clear examination of the stipulations make clear that the SUP which is granted is for live music events. The stipulations are attached below:

1. Approval for six months (basically this summer as another test for them to fully comply)
2. Live music events (which includes the 4 contracted weddings for 2015 and any others contracted) from May- October.
3. 57.5 DB at the big tree near the Reynolds’ property line. The responsibility for monitoring this belongs to the applicants.
4. Live Music ends by 9:30 and the Wine Barn coordinates its calendar with the neighbors



10 East Cambridge Circle Drive, Suite 300, Kansas City, Kansas 66103
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KANSAS MISSOURI ILLINOIS ARKANSAS OKLAHOMA NEBRASKA IOWA

5. No guest parking on 119th Street
6. Parking is constrained to the size of the event according to staff.
7. No parking adjacent to the Reynolds property
8. Improved parking is not required but must comply with storm water quality regulations.
9. No rock bands
10. No more than 14 events per year totaling no more than 35 hours
11. Any new drives must be paved
12. Collect trash on 119th Street after each event
13. Use of fire hydrant only with meter and it may never have its view obscured
14. The Wine Barn will add two new segments of fencing.
 - a. Wine Barn to extend an fence (not necessarily a privacy fence) from the southeast corner of the Wine Barn to the vineyard or beyond to make it difficult for patrons to come near the Seebergers' property
 - b. Wine Barn to extend a 6' privacy fence from the northeast corner of the Wine Barn east to the east edge of the drive to the pond (and beyond if necessary) to block the view of the parking area from the Seebergers' property. This will also prevent interaction between neighbors and guests
15. Conform to UG security policies for events with alcohol and entertainment.
16. The parties are to communicate via email not in person. Mr. Denk and Mr. Richardson should be copied on communications.
17. Request the County Administrative waive application fee.

The Wine Barn made clear at the hearing before the Planning Commission and has consistently taken the position that it has other events which do not involve live music. No one has ever suggested, nor do the conditions of the approved SUP indicate that events which do not involve live music either require an SUP or are subject to the requirements of the SUP which was granted.

Furthermore, an examination of the U.G. Code Section and the history of the application of that Code section to other applicants makes clear that it has not been applied to any events hosted, irrespective of the existence of live music or not. Specifically, U.G. staff has argued in the past that an SUP is required associated with the live music events at the Wine Barn under Section 27-593(a)(5) as such live music events are the equivalent of a "concert hall, discotheques and dance hall." The U.G.'s position in the past has been that the live music component of the Wine Barn's operations is the functional equivalent of a concert hall, discotheque or a dance hall. Examples provided by staff of other applicants in the City who have also been required to obtain an SUP under this Section similarly have involved a live music component. In contrast, it does not appear that the U.G. has required locations who merely host gatherings such as fundraisers without live music to obtain an SUP under this Section of the Code.

With respect to the comment about the drive, we have previously addressed this issue in our prior approvals. There has been no expansion of the drive areas since the last SUP approval.

If you have any further questions, please feel free to contact me.

Thanks,

January 6, 2016
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Sincerely,

Ryan B. Denk

Cc: Wine Barn

5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo dated November 13, 2014;
7. The Notices to property owners dated November 12, 2014, December 4, 2014, January 29, 2015, February 27, 2015 and April 6, 2015.

Ms. Parker asked if any member of the Planning Commission had any contact to disclose concerning this case. Chairman Hurrelbrink recused himself from the meeting at 7:55 p.m. and Vice Chairman Huey assumed the chairmanship.

Mr. Ryan Denk, attorney and applicant for the owners of the property, 10 East Cambridge Circle Drive, Kansas City, Kansas, appeared in support of this application. Mr. Denk stated that Celeste and Brian Mikijanis and Scott and Denise Hiatt, owners of the Wine Barn, are also present in support of this application. He stated that the application was before the Board of Zoning Appeals last month so the Commission knows the back. There has been a change in circumstance from the present special use permit renewal from prior renewals. The original special use permit was in 2008 and related exclusively to the farm winery operation which included wine tastings and the making and producing of wine. At that time the application was approved for two (2) years. In 2010 the special use permit for farm winery came back and was approved for ten (10) years. In 2012 the special use permit for live entertainment came before the Planning Commission. At that time that special use permit was approved for one (1) year and the farm winery that was previously approved for ten (10) years was reduced to five (5) years. At that time there were a number of concerns raised by the neighbors that lived in the area and those concerns gave life to the original stipulations. In 2013 the special use permit for live entertainment came back before the Planning Commission for renewal and at that time there was some discussion back and forth with the Reynolds and the Tichenors (who no longer live there). That is how the stipulations in front of the Commission were arrived at. He further stated that they are present this evening only for the live entertainment renewal. The staff has changed its position as to whether or not a special use permit is required for a farm winery operation. They have stated in the staff report that a special use permit is no longer required as the farm winery operations are an exempt agricultural use from local zoning authority. The Wine Barn is requesting renewal of the live music events. There are fourteen (14) live entertainment events that they are permitted to have. He understood that originally live music was a band. The staff has taken the position that if there is recorded music such as at a wedding that is live music and counts against them (for the 14 approved events.) He stated that he would like to address the staff report and some of the neighbors concerns. Mr. Denk stated that the original staff report came out in December and at that time there were several comments that are still in this report, that refer to the number of complaints that the staff has received and the period of time that it covers. The report states that over the past year staff has received complaints from several neighbors about noise and the lack of compliance with approved stipulations. They stated that due to the amount of complaints received, they have concerns about this use at this location. He stated that when the draft staff report was received, his clients were concerned because they thought that they had been working with most of the neighbors. In communications with the Reynolds to the north they had not expressed any concerns about the way they had been operating. They understood that the person complaining was the one that purchase a home in September of 2013 (which is five years after the first special use permit was issued and about 2 ½ years after the live entertainment permit was issued). He stated that is the Seebergers (and he showed where they live) and they are closer to the Wine Barn than the Reynolds are. That being said the special use permits had been issued for quite some time and they should have known what was going on

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at the Wine Barn and what the approvals from the City Planning Commission and Board of Commissioners had been. He further stated that when they received the draft staff report they submitted an open records request for any and all complaints so they could adequately address them. The only complaint that staff produced was one written complaint from Mrs. Seeberger. He stated that in the staff report it talks about the numerous complaints and people that they had received complaints from and when they received the formal statutory request this was the only written complaint that they received from staff. He stated that Mr. Richardson did share with him that he had had phone conversations with some of the neighbors and obviously that was not documented anywhere because they would have had to give it to them as part of the open records request. It seems to them that the only documented complaint since the last approval was just the one written complaint that has been documented and provided to them. After that was given to them they made an effort to reach out to the Seebergers to see what they could do to address some of their concerns. He showed the Commission an email that he sent to Mrs. Seeberger to see if they could address her concerns. He stated that they are interested in working with them and asked what they could do to address her concerns. He talked about various screening options whether it be a fence or landscaping. The response he received back was that she had spoken with Mr. Hiatt back in July and he knows what she wants. He stated that his client's only conversation with Mrs. Seeberger was that the music was too loud; there was no productive conversation about what could be done to address their concerns. It makes it difficult for his property owner to find a resolution when there is very little engagement from the other individual. He stated that they had a neighborhood meeting and the Seebergers did not attend the meeting. The neighbors that did appear were in favor of the Wine Barn and wanted to know what they could do to help the Wine Barn. Without feedback from the Seebergers they were left to figure out what they could do on their own. He stated that the Wine Barn planted some plantings and when they mature, that will provide some screening for the Seebergers property. He showed pictures of the plantings, the Seebergers property, etc. He stated that he would like to go through the previous list of stipulations and he has accumulated all of them together in one list:

1. Term of Permit – His client would like to get a ten (10) year special use permit for these operations. They had that for the farm winery originally. At the minimum they would like to have five (5) years. Having to come back year after year and retain professionals to help them through this process is very expensive for them.
2. Live music from May – September – He stated that they have had a lot of requests for dates in October and they would like to extend the time out to October.
3. During live music events, the sound level will be maintained at a level of 57.5 dB or less at a location (large tree near property line) in the front five acres. They are in agreement with that.
4. Live music is held in a three-sided tent with double sided thickness – They would like to have that removed. The concern is the decibel levels and as long as the decibel levels are at the appropriate level, dealing with the stage is very cumbersome and unsightly and they would like to request relief from that.
5. Wine Barn will post its calendar of events on its website (winedottebarn.com). Live music events will end at 9:30 p.m. and customers will need to leave by 10:00 p.m. Any deviation from the calendar of music events will be coordinated with neighbors. For example, if one of the music events gets rained out, Wine Barn will coordinate with the neighbors to reschedule a time for the event. If live music events include wedding receptions, they would like to get that extended to 10:00 p.m. They would like the hours of operation to be with their ABC hours of operation which is 12:00 midnight.

6. Wine Barn personnel will direct traffic following events. He stated that he believes that was put in place when the stop sign was required. As the stop sign has been put in, he does not think that they need this stipulation. If so, they will agree to it.
7. No guest parking on 119th Street – They are in agreement.
8. Parking is constrained to event size according to staff – They are in agreement.
9. No parking adjacent to the Reynolds property – They are in agreement.
10. Improved parking is not required; must comply with storm water quality regulations – They are in agreement.
11. No rock bands – They are in agreement.
12. No more than 14 events of no more than 35 hours total in any one calendar year – He stated that if weddings are going to be included as part of the 14 events, they would like to have more events because that takes away a lot of the events they can have. They would request 18 events or whatever the Commission is comfortable with.
13. Any new drives must be paved – They are in agreement.
14. Walk 119th Street and collect rash after each event – They are in agreement.

Mr. Denk requested a five (5) minute extension of time which was unanimously approved by the City Planning Commission. Mr. Denk stated that the staff report addresses the gravel drive and the staff is concerned about an expansion of the gravel drive. This issue came into play in 2012 when the first live music permit was issued and at that time the two stipulations the staff is talking about were put in place. Specifically that there be no further expansion with the drive or parking areas and if there was an expansion they would be graveled or paved and comply with stormwater management. He stated that there has been no expansion of the drive areas since 2011. He submitted a letter from the contractor who performed the gravel drive work depicted in the staff report. The aerial photographs attached to the staff report support that. There is a 2008 aerial that does not show the gravel drive, the 2010 aerial shows some gravel and in 2012 the pronounced gravel drive is there that they are discussing. Staff also makes a comment that the only comment received from the applicant with regard to the drive was all they did was re-rock it and he is not sure that is completely accurate. He submitted an email from himself to Mr. Richardson and Mr. Toy advising them that the last work that they did that in any way extended the driveway or parking areas was before the first special use permit (live entertainment) was issued in 2011. He talked about the fact that they re-rocked it and they acknowledge expanding it in 2011. He submitted an email from 2012 which is the first time that these issues relating to the drive areas came into play; this is an email from Mr. Richardson to Mr. Denk and Mr. Hiatt (after the approval) whereby Mr. Richardson advises that so long as the parking remains grass and no gravel is installed no stormwater regulations apply. Any additional gravel or improved surface on the site will likely trigger stormwater quality regulations. He stated that the expansion had already occurred. He stated that they are now saying that they have to comply when they told them in 2012 that they did not. This was the subject of extensive discussion before the Board of Commissioners in 2012 where they gave them specific relief from this requirement. The only other item that he wants to address is hooking up to the fire hydrant for water. That did happen and since that time his client has got a meter from the BPU and they pay for the water when they use it.

Planning Commissioner Escobar asked who monitors the music noise decibel. Mr. Denk stated that the stipulation currently places it on the owners and they have done that for every live music event from the designated locations.

Planning Commissioner Pauley asked when the neighborhood meeting was held. Mr. Denk stated that it was held in November of 2014. Ms. Pauley asked how many people attended.

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level of sound at the neighbor's fence is what is being discussed, that seems like the more appropriate solution.

Planning Director Richardson stated that he would request a ten (10) minute recess so he can speak with Mr. Denk, Mr. and Mrs. Seeberger and Mr. Reynolds so he can formulate a recommendation that would be more acceptable to everyone. He has spoken with Assistant County Attorney Waters and he stated that if that recess is taken the Commission should not discuss this application. The Commission voted unanimously to recess at 9:14 p.m. for ten (10) minutes. The meeting reconvened at 9:24 p.m.

Planning Director Richardson stated that he thinks everyone agrees that small family businesses are and can be great for Wyandotte County and it is a balancing act between the neighbors and the business in this case and that is not easy for anyone to discern. Live music, as those that have been on the Planning Commission for some time, came up before the Wine Barn came up, included anything that was controlled by the audience such as a juke box, DJ, etc. that was considered live music. He can see how there would be misunderstandings but he was also not asked for an interpretation. There were numerous times that he communicated with Mrs. Seeberger and Mr. Denk has the videos and photos as that was part of the public information request and court case. When someone calls him and says that they are mad about this, their name doesn't come up on his phone all the time and he says ok. He does not have times, date and phone number. There were other times that people called but it is not like he has had a hundred of these. He has 8 or 10 calls from 2 or 3 people. He stated that he thinks that he was fair in discussing that with Mr. Denk verbally. The Wine Barn does have four (4) weddings under contract for the summer. His recommendation, no matter what else occurs, to let those weddings go on. The brides and grooms are not responsible for what is going on in this room tonight and there is probably not time or locations available for them to reschedule. He stated that he would like to go through the stipulations:

1. Term of Permit – He stated that he would be agreeable to a five (5) or ten (10) year term if they went through one (1) term where he felt the applicants did everything in their power to toe the line down to dotting the "i"s and crossing the "t"s. Does he feel that they have been excessive and overbearing? He does not know, he has heard the same testimony as the Commission over a longer period of time as it is coming to his phone and email. He would like to have a small period of time where there are good actions on both sides. He stated that he would like to see this process go through the summer and build some trust between the neighbors and applicants and from that point forward if that goes well, Director Richardson would be agreeable to recommending a five (5) year or seven (7) year permit that they would need to expand their business for 2016. He stated that he does not think that anyone wants an all or nothing. He wants the business to succeed and the neighborhood and business to be able to live in harmony.
2. Live music from May – September. Director Richardson stated that he does not care if their fourteen (14) events go through September or October.
3. During live music events, the sound level will be maintained at a level of 57.5 dB or less at a location (large tree near property line) in the front five acres.
4. Live music is held in a three-sided tent with double sided thickness. Stipulation removed
5. Wine Barn will post its calendar of events on its website (winedottebarn.com). Live music events will end at 9:30 p.m. and customers will need to leave by 10:00 p.m. Any deviation from the calendar of music events will be coordinated with neighbors.

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For example, if one of the music events gets rained out, Wine Barn will coordinate with the neighbors to reschedule a time for the event. Planning Director Richardson stated that given the history, expanding the time for the music at this time would not be wise. For the foreseeable future, they could work with their clients to make sure the time for the music ended at 9:30 p.m. He is not comfortable with something in line with their ABC at this time.

6. Wine Barn personnel will direct traffic following events. Director Richardson stated that he agrees that this can be stricken as the stop sign takes care of that.
7. No guest parking on 119th Street
8. Parking is constrained to event size according to staff. He stated that the last issue is the driveway. He does not think that it is all that big of deal because it is such an open agriculture area but the memo the Commission saw was from February of 2012 and the city was still using the aerial photograph from April 2010 because the updated aerials were not received until July or August of 2012. There was probably some confusion as to what the staff was referring to. The gravel is there and the staff is not saying to take it away. If there was a need to comply with the ordinance with regard to stormwater BMPs he would like their commitment to work with the city on that. Within the winery context he is not sure that they would have to do anything except tell the staff how they are managing the property to comply with that regulation. What they were exempted from by the Board of Commissioners was providing a specific ratio of parking to people at the events. The staff is not challenging that but the city does have city codes that the EPA has the ability to come in and monitor those. He does not want the city or the Wine Barn to be involved in that. They could work with them over a year or so to figure out what the right solution is but he does not think that it is any physical improvement; it is a documentation issue. The gravel was expanded between this time the photograph was taken and what the Commission saw in the staff report. He does not think that it is a significant issue and it can probably be done by statement or letter and it might involve a little bit of work by an engineer.
9. No parking adjacent to the Reynolds property.
10. Improved parking is not required; must comply with storm water quality regulations.
11. No rock bands
12. No more than 14 events of any more than 35 hours total in any one calendar year – Planning Director Richardson stated that in his opinion he always assumed that weddings were part of the 14 events and there was no clarification requested. Until there is a time period of compliance with the letter of these stipulations (these stipulations came out of a lot of work by one of the Unified Government Commissioners) this should stay at 14 events at this time.
13. Any new drives must be paved.
14. Walk 119th Street and collect rash after each event.
15. Use of fire hydrant will be done with the meter and the fire hydrant will be kept free of debris and other obstacles that would block it from visibility of the Unified Government Fire Department.
16. Security – This is dealt with live events at other venues and at a minimum they should comply with the Unified Government's policy based on the number of people that are present. They should comply with the Unified Government's code for live music and drinking events.
17. The four (4) contracted weddings would be allowed for 2015 as part of their 14 events for 2015.
18. Privacy Fence – He stated that the neighbors testified tonight to keep it away from their fence line. He stated that he does not know if people wander through the vineyard but extending a fence line from the southwest corner of the barn up to the

Company Description

The Wine Barn LLC was established in 2006 between the families of Scott Hiatt and Salvatore Coco. Managers of the Wine Barn LLC were Denise Hiatt and Maria Coco. The initial intent of the LLC was to grow grapes for sale. Demands by friends to sell our wines as well as success in local competitions, inspired our quest to develop a winery. Mr. Coco had been an amateur wine maker for over 25 years. Mr. Hiatt has been for 10 years. A 30 by 40 production area was completed in 2007 and all equipment for the start of the business was moved to the facility in the summer of 2007. In February of 2010 Mr. Coco left the business, but continued as a consultant. During that time Brian and Celeste Mikijanis joined into the business. Effective October 2010 Brian and Celeste Mikijanis became official partners in the Wine Barn Winery. Their goal was to grow the Wine Barn brand further in production and notoriety. 2010 became a productive year reaching that goal, specifically by hosting events and becoming active in our Community. This practice has continued through 2014. Our advertising is continued in the tourism guide for Wyandotte County, and surrounding areas and provides visibility to county residents and visitors. Predictions of over 10 million tourists in the upcoming years to the Legends Tourism District along with many other amenities will allow us to capitalize on the ever growing metropolis area here in Kansas City, KS. We predict that further market growth may require small expansion in future years.

Detailed Statement of Operations

We will be open for business Monday through Thursday 12-9pm, Friday and Saturday 12-10pm and Sundays 12-6pm. We may adjust our hours based on the market needs, but always following the farm winery statutes for hours of operations. During regular business hours we expect to have from 2-20 guests at a time. During business hours, guests may buy bottles to take with them or to consume according to the Kansas statute 14-308a Farm Winery laws.

We sell various retail products in the tasting room. Some are produced by local vendors and small businesses. This is to help support the community and other local small businesses.

We also hold private events, including bachelorette parties, birthday parties, bridal showers, retirement parties, family gatherings or other small groups. These events are during off business hours and are not open to other public visitors.

We also host live music events on Friday evenings and occasionally on Saturday. Our Friday evenings run from 6-9pm and host from 30-150 people. We have food catered in for these events. Most guests arrive between 5:30 and 6:30pm and leave between 8:30 and 9:30pm. Our bands will play in a stage designed for such events. During the last SUP renewal we agreed to a stipulation relating to the decibel level for these live music events which we intend on continuing to comply with during the term of the proposed SUP renewal. Guests can buy bottles of wine in our tasting room and take them outside to drink in our wine garden during these events.

We also intend to host fundraisers which may host anywhere from 50- 200 people. All proceeds from these events will go towards the organization hosting the event. These fundraisers will benefit local organizations. This is our way of giving back to the community. These events have typically had vendors (small independent consultants of businesses) that sell their products. During these events, sometimes there is food available that has been donated and door prizes as well. There is a ticket cost associated with these events. Again, all proceeds go towards the non-profit group hosting the event. Typically we set these events up with the vendors under our event tent and driveway and parking in the lot above.

We host weddings at our venue. The typical wedding will be between 50-200 people, with a more accurate average being 100 people. The venue is set up so that the bride and groom marry in front of the pond in the gazebo, the tent is used for seating for dinners and socializing, however, each wedding can differ and the ground may be used in a slightly different way. However, the parking is consistent to two levels. The first is that they park where we park for events, if that space is used for the actual ceremony. During regular business hours the gravel lot in front of our building is used for parking. We intend to host wedding rehearsals and weddings and receptions. Live music or Djs may be used for these events.

Fundraisers and weddings will be held during off business hours or we will adjust our hours on specific days so that we are not open to the general public on these days.

We have a 1200 square foot building that is used as our tasting room and our wine production area. Roughly 800 square feet is used for production and storage of case good wine, and about 400 is used for tasting room space and a restroom.

We have one restroom indoors and for the accessory volume of people, we use Johnny on the Spot restrooms, which are handicap accessible. These are available year round and are maintained by the rental company once per week.

We dispose of our waste once per week as well through Deffenbaugh on Fridays. During the week, the winery waste is kept at the private residence until the disposal date. Recycling is used for all of the current materials allowable by Deffenbaugh.

Traffic is not generally an issue because coming and going is done near the same times during events. There are several spaces within the current drive that allow for a person to pull off to the side and allow another car to pass. We do have a circle drive available to assist in the two way traffic if necessary. We have staff accordingly to manage the volume of guests. Additionally, during larger events, security staff is hired to assist. We don't have paved parking because it would take away from our agricultural look and charm of our facility.

We advertise our events through our network of people which signed up for our weekly/bi-weekly newsletter, facebook, localwineevents.com, word of mouth, visit the dot website, flyers, and our website.

Date: 1-08-2016

Planning Board:

Voicing concern is the only way for residents to communicate to the city the importance of preserving the safety and welfare of citizens in residential neighborhoods. I would like the city to know that allowing commercial use that exceeds the provisions of agricultural zoning should not go unregulated in the name of progress. Setting precedent for unregulated commercial recreation in residential areas should not continue without concern for others homes.

Requests:

- Please discontinue the live music events, and use of noise amplification at the Wine Barn. This disruption has intruded on the peace of other for long enough.
- Please consider the need for special use permits for other events that exceed the provisions of agricultural zoning such as weddings for use as a place of assembly, and the applicable permits for promotional events, and exhibitions, which are required of other business in Wyandotte County.
- Most importantly, please do not allow the expansion of a business in a residential area to continue to increase the traffic and the volume of drinking patrons coming and going on our dark narrow streets.

Conclusion:

Your support is needed to stop the expansion of commercial recreation involving alcohol consumption in residential neighborhoods. Other counties across Kansas have upheld this in regards to farm wineries. The state has also acknowledged that certain activities such as weddings, labeled "agritourism" exceed the provisions of agricultural zoning ordinance exemptions. I am sorry I am unable to voice my concern at the meeting in person, thank you for considering my position.

I sincerely appreciate your time,



Date: 1/04/2016

Planning Board:

Voicing concern is the only way for residents to communicate to the city the importance of preserving the safety and welfare of citizens in residential neighborhoods. I would like the city to know that allowing commercial use that exceeds the provisions of agricultural zoning should not go unregulated in the name of progress. Setting precedent for unregulated commercial recreation in residential areas should not continue without concern for others homes.

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I sincerely appreciate your time,

Hina Vickers
Wendy L. Vickers
2430 No. 119th St
Kc Ks 66109

• Sat. June 13th	Music Event	wedding
• Fri. June 19th	Music Event	
cancelled • Fri. July 10th	Music Event	
• Fri. July 17th	Music Event	
• Fri. July 24th	Music Event	
• Fri. Aug 14th	Music Event	
• Fri. Sept 11th	Music Event	
cancelled • Sat. Sept 12th	Music Event	
cancelled • Fri. Sept 18th	Music Event	
• Sat. Sept 19th	Music Event	wedding
• Fri. Sept. 25th	Music Event	
• Sat. Sept 26th	Music Event	wedding
• Sat. Oct. 3rd	Music Event	wedding
• Sat. Oct. 10th	Music Event	wedding

Logs sent to Rob Richardson for all
not cancelled.

Protest	Neutral
	105,100
162,800	168,095
208,442	134,000
<u>49,030</u>	18,177
420,272 Total	<u>96,000</u>
	521,372 Total

Total Area
 521,372
420,272
 941,644 Total

Protest Percentage
44.0%

FILED *TK*
JAN 20 2016

UNIFIED GOVERNMENT CLERK

PROTEST PETITION GUIDELINES

(Provided by the Unified Government of Wyandotte County/Kansas City, Kansas)

These guidelines are designed to assist those who wish to exercise their right to file a Protest Petition in opposition to the granting of a rezoning or a special use permit by the Unified Government of Wyandotte County/Kansas City, Kansas. (Note: Throughout these guidelines, references to rezonings are also applicable to special use permits.) This document is only a guide. There may be other issues which are not addressed herein. You should consult with your attorney in regard to the completion and filing of your specified Protest Petition.

QUICK ADVICE

1. Protest petitions properly signed and acknowledged must be filed with the Clerk's Office on the 3rd Floor of City Hall at 701 North 7th Street, no later than 14 days after the Planning Commission has concluded its public hearing. The day following the Planning Commission hearing shall be counted as the first day. (Example: If the Planning Commission met on September 8th, then September 9th is the first day and September 22nd is the last day.)
2. Owners of at least 20% of the land area within 200 feet of the property to be rezoned, excluding public streets and rights-of-way, must properly sign and acknowledge the protest petition for it to constitute a valid protest. If a valid protest is filed, at least nine of the eleven members of the Unified Board of Commissioners must vote to approve in order for the rezoning application to be approved. Without a valid protest petition, the affirmative votes of just six members of the Governing Body are needed to approve the rezoning application.

3. Only signatures of owners of property within 200 feet of the property to be rezoned will be counted when determining if the 20% minimum requirement has been met. Signatures from owners of property that is located within 200 feet of the property to be rezoned, but is outside of the city limits or across a county line, shall also be considered in this determination. If the area outside the city limits or across a county line is unincorporated, the distance to be counted increases to 1000 feet.
4. Meeting the necessary requirements takes considerable time, so even though there are 14 days after the Planning Commission meeting to file, you should start the process as soon as possible.
5. In the particular case of applications initiated by the Planning Commission or the Governing Body and not the landowner(s), special rules apply. Please contact the Planning and Zoning Division at 913-573-5750 for these rules.

REQUIREMENTS OF PROTEST PETITION

1. The rezoning number and the address or legal description of the property must be clearly identified.
2. Signers of the protest petition must be the owners of the real property for which a rezoning is sought or be owners of real property within the statutory area of notification for this rezoning application. Owners of real property that is beyond the City limits but within the statutory area of notification for this rezoning application shall be eligible to sign the petition.
3. Signers of the protest petition must sign their full names as they appear on the deed to the property recorded in the Office of the Register of Deeds. If Mary

Smith signs as "Mrs. John Smith," her signature will not be counted. If the County records indicate that Mary Smith owns the property but she has remarried and changed her name to Mary Jones, she should sign the petition "Mary Jones/formerly Mary Smith."

4. All owners of a particular parcel of property must sign in order to place the property into protest. If the parcel is owned in joint tenancy or tenancy in common, both joint tenants or all tenants in common must sign in order to place the property into protest. If there has been a death, divorce, or other event, which is not recorded with the Register of Deeds, documentation will need to be supplied.
5. Joint tenants or co-tenants may not sign for each other. For this reason, there should be no signatures such as Mr. & Mrs. Bill Smith or Bill & Mary Smith.
6. If one person signs as attorney-in-fact for another person, a copy of the power-of-attorney must be provided.
7. If a parcel is owned by a partnership, all of the partners must sign in order for the parcel to be placed into protest. Furthermore, the proper name in which the property is held and the address of the property must be shown on the face of the petition.
8. If a parcel is owned by a corporation, only the signature of the President of the corporation can bind the corporation. Any officer, other than the corporate President, given legal authority to bind the corporation may sign the petition provided that he/she furnishes the Unified Government with proper documentation of his/her authority (articles of incorporation, by-laws, or power-

of-attorney or other document establishing the authority of that person to act on behalf of the corporation). Furthermore, the proper name in which the property is held and the address of the property must be shown on the face of the petition.

9. A protest petition may consist of one or more sheets entitled "Protest Petition." The signatures on each such sheet must be verified. The individual who verifies each such sheet must have witnessed all of the signatures affixed to that sheet and must have his or her verifying signature notarized. If several such sheets are filed, a separate verification and notarization must be affixed to each sheet. One person may verify one or more such sheets provided that person is one of the signers of one of the sheets constituting the petition, is an owner of property within the statutory area of notification for which a rezoning plan is sought, and witnessed all of the signatures on each sheet he/she is verifying. All signatures should be on the "Protest Petition" form provided by the Unified Government. Use of an attached blank sheet for additional signatures is strongly discouraged and may result in the petition being rejected.
10. If there is evidence leading a reviewing Unified Government staff member to believe any signature is not genuine, such signature may be considered improper and insufficient.
11. The protest petition must be filed within 14 days after the date of the conclusion of the Planning Commission public hearing regarding the rezoning application at issue. Even though the rezoning application may be returned to the Planning Commission at a later date, the protest petition can only be filed during the 14

days after the date of the conclusion of the Planning Commission's original public hearing.

12. The protest petition must be filed with the Unified Government Clerk of the Unified Government of Wyandotte County/Kansas City, Kansas, on the 3rd Floor of City Hall at 701 North 7th Street, Kansas City, Kansas, 66101, before 5:00 p.m. on or before the 14th day after the date of the conclusion of the public hearing before the City Planning Commission. The day following the Planning Commission hearing shall be counted as the first day. If the 14th day falls on a weekend or holiday, the petition must be filed before 5:00 p.m. on the first business day following that weekend or holiday. (Example: If the Planning Commission concluded its hearing on September 8th, then September 9th is the first day and September 22nd is the last day.)

After the protest petition is filed with the Unified Government, various departments of the Unified Government will review the legality of the petition. If you have any questions about the protest petition procedure, or its completion, please contact the Urban Planning and Land Use Department at (913) 573-5750 or contact a private attorney.

(Please carefully read the verification statement before signing)

1. Anne N Seeburger, 2810 NW 9th St KL, ^{KS 66109} being
(Name) (Address)

Anne Sabryer
(Signature)

Subscribed and sworn to before me this 20 day of January,
2016, by Anne N Seelinger, who is personally known to me to be the
same person whose name is subscribed to in the foregoing instrument.

David A. Shost
Notary Public

My Commission Expires:

3-12-17



PROTEST PETITION

Protest Petition Against Rezoning or Special Use Permit No. SP-2016-6

We, the undersigned property owners, do hereby protest the above referenced application at the following address: 2850 N 119th St - HCK566109

We, the undersigned, realize that this petition of protest must be submitted to the Office of the Unified Government Clerk within fourteen (14) days from the date of the conclusion of the Planning Commission public hearing regarding this rezoning application. Further, we realize that this Petition is in opposition to the rezoning application and our signatures cannot be removed after filing unless certain lawful actions are taken to remove the Protest Petition. This Petition may be filed pursuant to the laws of Kansas, K.S.A. 12-757; and of the Unified Government of Wyandotte County/Kansas City, Kansas Sec 27-1049(d) and shall be subject to the rules contained therein.

We, the undersigned, are owners of real property located within the statutory area of notification related to the area for which a rezoning is sought, whereby, our signatures shall hereafter be verified by one of the signers of the Protest Petition as true and correct signatures in order for this Protest Petition to be valid. The statutory area of notification includes the real property located within two hundred (200) feet of the boundaries of the area for which a rezoning is sought; or, if the area is adjacent to unincorporated property, the incorporated real property located within two hundred (200) feet of the boundaries of the area for which a rezoning is sought **and** the unincorporated property within one thousand (1,000) feet of the boundaries of the area for which a rezoning is sought.

↓



Contacts Names and Addresses
for Petition: #SP-15402-00076 (Ref: SP-2016-6)

Special Use Permit/ Other

Petition Address: 2850 N 119TH ST, KANSAS CITY, KS 66109

The proposed changes are as follows:

**SYNOPSIS: Renewal of a Special Use Permit (#SP-2014-80) for live entertainment
in conjunction with a farm winery**

Contacts

Other Interested Party
COMMISSIONER MELISSA BYNUM
701 NORTH 7TH STREET, 9TH FLOOR
KANSAS CITY, KS 66101

Other Interested Party
COMMISSIONER MIKE KANE
701 NORTH 7TH STREET, 9TH FLOOR
KANSAS CITY, KS 66101

Petitioner
RYAN B DENK WITH MCANANY VAN CLEAVE &
PHILLIPS
10 E CAMBRIDGE CIR DR
KANSAS CITY, KS 66103

Within 200 Feet of Property(B)
FRYATT, TIMOTHY A
12011 LEAVENWORTH RD
KANSAS CITY, KS 66109

Within 200 Feet of Property(B)
HIATT, MARY D
2850 N 119TH ST
KANSAS CITY, KS 66109

Within 200 Feet of Property(B)
HIATT, NOAH S
2850 N 119TH ST
KANSAS CITY, KS 66109

Within 200 Feet of Property(B)
HOLT, MURETTA L
2606 156TH ST
BASEHOR, KS 66007

Within 200 Feet of Property(B)
HOLT, RICHARD J
2606 156TH ST
BASEHOR, KS 66007

Within 200 Feet of Property(B)
KINCAID BILL L & EVELYN M
2625 N 123RD ST
KANSAS CITY, KS 66109

Within 200 Feet of Property(B)
LEE VALLEY REDEVELOPMENT LLC
PO BOX 372
BONNER SPRINGS, KS 66012

Within 200 Feet of Property(B)
MCCOMAS, ROBERT F
2717 N 119TH ST
KANSAS CITY, KS 66109

Within 200 Feet of Property(B)
REYNOLDS, JOLENE
2910 N 119TH ST
KANSAS CITY, KS 66109

Within 200 Feet of Property(B)
REYNOLDS, LARRY W
2910 N 119TH ST
KANSAS CITY, KS 66109

Within 200 Feet of Property(B)
SCOTT, KENNETH E TRUSTEE
2941 N 123RD ST
KANSAS CITY, KS 66109

Within 200 Feet of Property(B)
SEEBERGER, ANNE N
2810 N 119TH ST
KANSAS CITY, KS 66109

Within 200 Feet of Property(B)
THE KENNETH E SCOTT TRUST
2941 N 123RD ST
KANSAS CITY, KS 66109

Within 200 Feet of Property(B)
VANFLEET, MARY JO
9460 PARALLEL PKWY
KANSAS CITY, KS 66109

Within 200 Feet of Property(B)
WELLS FARGO BANK, NA
4101 WISEMAN BLVD, BLDG 108
SAN ANTONIO, TX 78251

Number of contacts: 18

PETITION NUMBER: SP-2016-6

	LEGAL SIGNATURE OF OWNER (All owners of property must sign)	PROPERTY DESCRIPTION (Address and/or lot and block number)	DATE
	<u>Jerry W Reynolds</u>	<u>2910 N 119th St KC, KS 66109</u>	<u>1-15-16</u>
	<u>Johanna Reynolds</u>	<u>2910 N 119th St KC, KS 66109</u>	<u>1-15-16</u>
out?	<u>Lawrence Moon</u>	<u>2949 No. 119th St KC, KS 66109</u>	<u>1-16-16</u>
out?	<u>Charles S. Moon</u>	<u>2949 N 119th St KC, KS 66109</u>	<u>2-16-16</u>
	<u>Bill Tincard</u>	<u>2625 N 123rd St MOH 66109</u>	<u>1-16-16</u>
out?	<u>Robert J. Jorg</u>	<u>3000 N 119th St</u>	<u>1-18-16</u>
	<u>Anne N. Seiberger</u>	<u>2810 N 119th St KC, KS 66109</u>	<u>1-15-16</u>
out?	<u>Theresa Lickert</u>	<u>2430 No 119th St KC, KS 66109</u>	<u>1-18-16</u>
out?	<u>Wynnon Lee Vietzen</u>	<u>2430 N. 119th St KC, KS 66109</u>	<u>1-18-16</u>
	<u>Johanna Seiberger</u>	<u>2810 N. 119th St KC, KS 66109</u>	<u>1-19-16</u>

Evelyn Mae Kincaid
in the U.S., Social Security Death Index, 1935-2014

Name: Evelyn Mae Kincaid

Last Residence: 66109 Kansas City, Wyandotte, Kansas

BORN: 4 May 1929

Died: 13 Mar 2010

State (Year) SSN issued: Kansas (Before 1951)

Source Citation

Issue State: Kansas; Issue Date: Before 1951

Source Information

Ancestry.com, U.S., Social Security Death Index, 1935-2014 (database on-line), Provo, UT, USA: Ancestry.com Operations Inc, 2011.

Original data: Social Security Administration, Social Security Death Index, Master File, Social Security Administration.

Description

The Social Security Administration Death Master File contains information on millions of deceased individuals with United States social security numbers whose deaths were reported to the Social Security Administration. Birth years for the individuals listed range from 1875 to last year. Information in these records includes name, birth date, death date, and last known residence. [Learn more.](#)



Staff Request for Commission Action

Tracking No. 15325

Full Commission Meeting Date: 1/28/16

Committee: Economic Development & Finance

Date of Standing Committee Action: 1/4/16

(If none, please explain):

Publication Required: No

<u>Date:</u> 01/22/2016	<u>Contact Name:</u> Lew Levin, Chief Financial Officer	<u>Contact Phone:</u> x5186	<u>Contact Email:</u> llevin@wycokck.org	<u>Department/Division:</u> Finance
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Item Description:

Request to approve a budget revision in the amount of \$750,000 that authorizes a supplemental payment to the Employee Health Fund from the County General Fund. This action reduces the outstanding balance of deferred employer payments from \$1,998,452 to \$1,248,452.

Action Requested:

Approve request.

Budget Impact: (if applicable)

Amount: \$750,000.00

Source:

Included In Budget:

Other (explain): This revision will be reflected in the 2016 amended budget.

Attachments List:

Employee Health Fund Memo



Unified Government Finance Office

Lew Levin
Chief Financial Officer

701 North 7th Street, Suite 330
Kansas City, Kansas 66101-3065

Phone: (913) 573-5186
Fax: (913) 573-5003

MEMORANDUM

TO: Doug Bach, County Administrator

FROM: Lew Levin, Chief Financial Officer

SUBJECT: Employee Health Fund – Operating Account (2016 Budget Revision)

DATE: December 21, 2015

The Employee Health Fund has two accounts.

1. The health plan operating account is used to pay administrative costs associated with the health plan and cover shortfalls in the health reserve account. The operating account receives revenues from employee and retiree deductions or payments.
2. The health reserve bank account pays health care claim billings. This account receives weekly employer contributions to the health plan.

The deferral of employer contributions from 2009-2011 has impacted cash balances in each of these accounts, as the operating account has covered losses in the reserve account. With the August 2015 budgeted transfer of \$2 million (from the City General Fund) to the operating account, the remaining deferred payments are \$1,998,451.83.

The current balance in the operating account is a negative \$718,086.17. The health reserve account has a positive balance of \$510,021 as of 12/21/15.

To address the negative balance in the operating account, I am requesting a \$750,000 payment from the County General Fund to the health plan operating account. This supplemental payment will reduce the balance of outstanding deferred payments to \$1,248,452. (*The 2009-2011 deferrals were from the County General Fund.*) This payment is a budget revision to the 2016 County General Fund and will be reflected in the 2016 amended budget.



Staff Request for Commission Action

Tracking No. 15336

Full Commission Meeting Date: 1/28/16

Committee: Administration & Human Services

Date of Standing Committee Action: 1/19/16

(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>
01/22/2016	Melissa Mundt, Assistant County Administrator	x5017	mmundt@wycokck.org	Administrator's Office

Item Description:

HUD is accepting applications for the 2016 Choice Neighborhoods grant that are due by February 9, 2016.

On December 9, 2015, staff met with the Kansas City, Kansas Housing Authority, HUD Region 7 Director and staff, and a representative of McCormak and Baron (developer for Choice Neighborhoods) to discuss this significant opportunity for the Unified Government. The grant provides up to \$2,000,000 for planning and construction activities over a three-year period. The primary focus is creating a comprehensive planning document to help ignite a transition in distressed public and assisted housing areas. The goal is to develop a plan to create mixed-income housing, energy efficient and sustainable units that are financially viable with a one for one replacement requirement for the public units. The units are not required to be replaced within the area that is identified for the grant.

In addition to working on a new plan for the area, the grant provides support to the Housing Authority residents in a variety of meaningful ways through development of strong public/private partnerships during the planning phase.

Action Requested:

Allow staff to submit an application for up to \$2 million award for the 2016 Choice Neighborhood Grant.

Budget Impact: (if applicable)

Amount:

Source:

Included In Budget:

Other (explain):

Attachments List:



Staff Request for Commission Action

Tracking No. 151

Full Commission Meeting Date: 1/28/16

Committee: Administration & Human Services

Date of Standing Committee Action: 1/19/16
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(If none, please explain):

Publication Required: Yes 02/04/2016

<u>Date:</u> 01/22/2016	<u>Contact Name:</u> Ken Moore, Chief Counsel	<u>Contact Phone:</u> x5070	<u>Contact Email:</u> kjmoore@wycokck.org	<u>Department/Division:</u> Legal
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Item Description:

An Ordinance amending Section 23-11. Judges pro tempore.

Action Requested:

Approve amendment to Ordinance Sec. 23-11. Judges pro tempore.

Budget Impact: (if applicable)

Amount:

Source:

Included In Budget:

Other (explain):

Attachments List:

Ord Amend 23-11, Ord Amend 23-11 markup

(Published _____)

ORDINANCE NO. _____

AN ORDINANCE relating to Judges pro tempore, amending original Section 23-11 of the Code of the Unified Government of Wyandotte County/Kansas City, Kansas, and repealing said original Section 23-11.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS:

Section 1. That original Section 23-11 of the Code of the Unified Government of Wyandotte County/Kansas City, Kansas, be and the same is hereby amended to read as follows:

Sec. 23-11. - Judges pro tempore.

- (a) In the event a judge of the municipal court is temporarily unable to preside due to absence, illness, or disqualification, or when additional judges are temporarily needed to handle cases pending before the court, the administrative judge shall designate attorneys licensed to practice in the State of Kansas, to act as judges pro tempore.
- (b) The compensation for judges pro tempore of municipal court shall be fixed by the unified government County Administrator.
- (c) All persons eligible to serve as judges pro tempore shall be approved by the administrative judge and the County Administrator. The administrative judge shall establish procedures whereby the names of persons possessing the qualifications are submitted as judge pro tempore.

Section 2. That said original Section 23-11, of the Code of the Unified Government of Wyandotte County/Kansas City, Kansas be and the same is hereby repealed.

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 _____ DAY OF _____, 2016.

APPROVED:

Mark Holland
Mayor/CEO

Attest:

Unified Government Clerk

Approved as to form:

Chief Counsel

- **Sec. 23-11. - Judges pro tempore.**

(a)

In the event a judge of the municipal court is temporarily unable to preside due to absence, illness, or disqualification, or when additional judges are temporarily needed to handle cases pending before the court, the administrative judge shall designate attorneys licensed to practice in the State of Kansas, to act as judges pro tempore.

(b)

The compensation for judges pro tempore of municipal court shall be fixed by the unified government County Administrator. ~~board of commissioners in the same manner as the compensation of all other county employees is set and shall be included as a part of the unified government's overall pay plan.~~

(c)

All persons eligible to serve as judges pro tempore shall be approved by the administrative judge and the County Administrator. ~~submitted for review to the rules and governance standing committee no less than annually prior to serving.~~ The administrative judge shall establish procedures whereby the names of persons possessing the qualifications ~~of a municipal judge~~ are submitted as judge pro tempore.

~~(Code 1988, § 23-7; Ord. No. O-23-98, §§ 1, 2, 5-21-1998)~~



Staff Request for Commission Action

Tracking No. 15342

Full Commission Meeting Date: 1/28/16

Committee: Public Works & Safety

Date of Standing Committee Action: 1/19/16

(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>
01/22/2016	Matt May, Director	x6337	mmay@wycokck.org	Emergency Management

Item Description:

Background: The County is required by State statute (KSA 48-928(d)) and has adopted local resolution (R-47-12) to maintain a County Emergency Operations Plan (CEOP). The State requires that it be reviewed for minor updates annually as well as to perform a major review and revision every 5 years. As the plan is broken into sections based on the 15 Emergency Support Functions, the Public Health Department and Emergency Management Department have recently reviewed and updated the ESF 8 Public Health and Medical Services section of the plan. We present this proposed revision to this body for awareness and consideration for adoption.

Action Requested:

Recommended Action: Submit to the County Administrator for signature.

Alternate Action: Move forward for consideration by the Commission

Budget Impact: (if applicable)

Amount:

Source:

Included In Budget:

Other (explain):

Attachments List:

ESF #8 Draft



Wyandotte County, Kansas Emergency Operations Plan

ESF 8 Public Health and Medical Services

Coordinating Agencies

Bonner Springs Fire Department EMS Division
Edwardsville Fire Department EMS Division
KCKFD EMS Division
Providence Hospital and Medical Center
Unified Government Public Health Department
University of Kansas Hospital [Authority](#)

Primary Agencies

Bonner Springs Fire Department
Bonner Springs Police Department
County Coroner
Edwardsville Fire Department
Edwardsville Police Department
KCK Fire Department
KCK Police Department
[Regional Specialty Response Teams](#)
Wyandot Center
Wyandotte County Coroner
Wyandotte County Sheriff's Office

Support Agencies

American Medical Response (AMR)
American Red Cross
Area Agency on Aging
Board of Public Utilities
Bonner Springs/Edwardsville School District 204
Center for Disease Control
Edwardsville FD/EMS
Environmental Protection Agency
Funeral Directors' Association
Home Health Associations



Support Agencies Contd.

Support Agencies Contd.

Kansas City Kansas School District 500
KCK Fire Department, Hazardous Materials Unit
Kansas Department of Health and Environment
Kansas ~~City Metro~~City Kansas Healthcare Coalition
Kansas University Medical Center
Long Term Care Associations
Metropolitan Medical Reserve Corps
Mid-America Regional Council
Piper School District 203
Turner School District 202
Regional Specialty Response Teams
Unified Government Building and Logistics Division
Unified Government Emergency Management
Unified Government Transit Authority
Voluntary Organizations Active in Disasters



1 PURPOSE, SCOPE, POLICIES/AUTHORITIES

This section provides the overall purpose of this ESF annex, the scope of emergency operations, as well as specific policies and authorities that govern assigned actions and responsibilities.

1.1 Purpose

This Emergency Support Annex (ESF) describes the actions required ~~to provide to~~ coordinate public health and medical services during a disaster. Specifically ESF 8 addresses:

- Public Health Department (PHD) notification, coordination and response
- Emergency Medical Services (EMS) activities
- Coordination among health care providers
- Mass fatalities management

1.2 Scope

This ESF includes information that addresses: 1) the four phases of emergency management; 2) stakeholders including those with functional and access needs and children; 3) incident management procedures including organizational charts, as appropriate; and 4) all hazards planning. This ESF Annex applies to all County, City and participating agencies with assigned emergency responsibilities as described in Section 3, Responsibilities. This annex benefits Wyandotte County through coordination with partner agencies, outside organizations and the public. This annex specifically addresses:

- Command, Control, and Notification including the roles of County and City agencies with emergency responsibilities and their working relationships with the volunteer agencies providing public health and medical services;
- A flexible organizational structure capable of meeting the varied requirements of different emergency scenarios with the potential to require activation of the Emergency Operations Center (EOC) and implementation of the Emergency Operations Plan (EOP). The number of people in need and the type of services required will vary greatly depending on the hazard and its severity. The population affected could range from very few in an isolated event, such as a



small, quickly contained hazardous materials spill , to large numbers as a result of a widespread event such as a large powerful tornado impacting densely populated areas..

- Coordination of voluntary organizations offering emergency assistance programs to meet disaster-related public health and medical service needs.

1.3 Policies/Authorities/Guidelines

The following local, regional, state and federal authorities apply to this ESF 8 Annex.

Local

- Unified Government Code of Wyandotte County/Kansas City, Kansas, Health and Sanitation Article 1. Section 17-3;
- Unified Government Continuity of Operations Plan;
- Wyandotte County, Kansas City, Kansas Unified Government Resolution Number R-25-99 dated March 10, 1999;
- Wyandotte County, Kansas City, Kansas Unified Government Ordinance Number 0-20-99 dated March 10, 1999;
- Unified Government Code of Wyandotte County/Kansas City, Kansas, Codified through Resolution No. R-57-11, passed September 15, 2011. (Supp. No. 10).

Regional

- [Incident Management Plan](#)
- Mid-America Regional Council (MARC) Regional Coordination Guide for ESF 8 (~~currently under development~~);
- Regional Mass Casualty Incident (MCI) Plan;
- [MARCER](#) Regional High Demand Plan;
- KC Metro Hospital Diversion Plan.

State

- [Kansas Statutes Annotated \(K.S.A.\)](#), ~~K.S.A.~~ 65-119a, Duties and powers of local health officers;
- K.S.A. 65-201, Defines “local board of health” and “local health officer”;
- Executive Order 05-03, Use of the National Incident Management System (NIMS);



- [K.S.A. Kansas Statutes Annotated \(KSA\)](#), 48-9a01, Emergency Management Assistance Compact (EMAC);
- [K.S.A. KSA](#) 48-904 through 48-958: as amended, State and County Emergency Management Responsibilities;
- [State of Kansas Response Plan, 20141.](#)
- [Kansas Pandemic Influenza Preparedness and Response Plan](#)
-

Federal

- Health Information Portability and Accountability Act (HIPPA);
- Title II of the Americans with Disabilities Act;
- National Response Framework;
- Homeland Security Presidential Directive – 5: Management of Domestic Incidents;
- Homeland Security Presidential Directive – 8: National Preparedness;
- Comprehensive Planning Guide (CPG) 101;
- **Disaster Mitigation Act of 2000.**
-
- [Centers for Disease Control](#)

2



2 CONCEPT OF OPERATIONS

This section provides a narrative description summarizing the Concept of Operations for the following ESF 8 activities. 1) General Command, Control, and Notification, 2) Continuity of Operations, 3) Medical Surge, 4) Epidemiology and Surveillance, 5) Fatality Management, 6) Pre-hospital Care, 7) Medical Countermeasure Distribution and Dispensing, 8) Medical Material Distribution, 9) Non-pharmaceutical Interventions, 10) Responder Health and Safety, 11) Volunteer Management, 12) Environmental Health, 13) Behavioral Health, and 14) Considerations for Functional and Access Needs Populations.

The narrative portions of this section provide summarized overviews for the topics listed above. Section 2.15 provides additional operational details by listing specific actions to be accomplished in each phase of Emergency Management for ESF 8. Then Section 3 provides the detailed actions organized by agency detailing their ESF 8 duties in a consolidated format.

2.1 General (Command, Control, and Notification)

Managing the health and medical components of any mass casualty event is a complex, multi-faceted process and as such requires the careful coordination of resources. In order to best facilitate this process, Wyandotte County recognizes the need for multiple coordinating agencies. From an operational standpoint, responsibilities for ESF 8 coordination are assigned as follows:

Public Health Agencies (Public Health Response)

- ~~Epidemiology~~ / Disease Surveillance
- Epidemiology Investigation
- Isolation and Quarantine
- Non-Pharmaceutical Interventions
- Countermeasure Response and Reporting

Emergency Medical Services (Casualty Management)

- High Demand for EMS Services
- Patient Tracking
- Hospital Diversion
- Large Venue / Scenario Pre-Planning



Hospital Services (Acute Care Management)

- Medical Surge
- Alternate Care Sites
- National Disaster Medical System (NDMS)
- Regional Healthcare Coordinating System (RHCS)

Comment [u1]: Confirm group status

Coroner (Fatality Management)

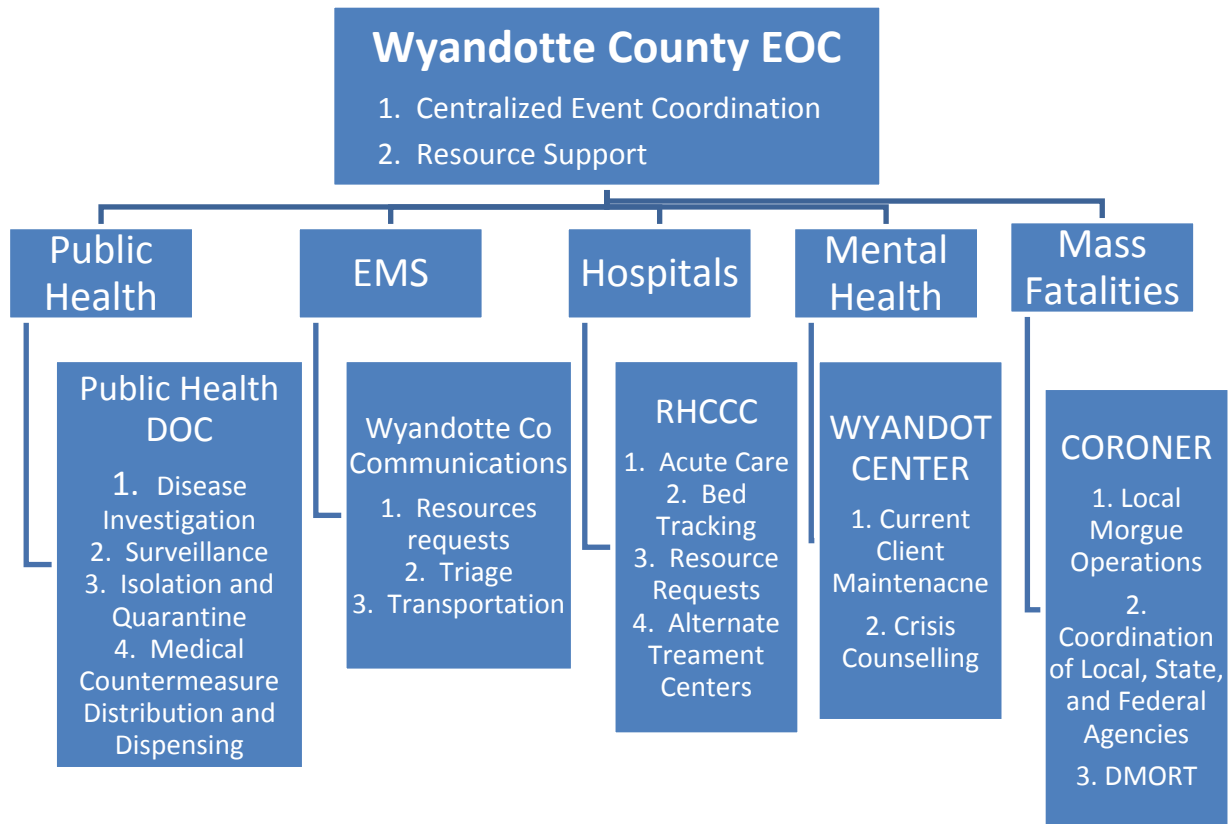
- Local Morgue Operations
- Coordination with Local, State and Federal Agencies
- Disaster Mortuary Operational Response Team (DMORT)

Wyandotte Center for Behavioral Health Care

- Behavioral Health

For a full list of responsibilities of other primary agencies, see Section 3.

An abbreviated organizational chart for ESF 8 is below:





Activation of ESF 8 may result from one of the following:

- 1) An event that originates as a Health and Medical Emergency such as a widespread disease that is being monitored by the Public Health Department and hospitals in the County that escalates beyond normal capabilities;
- 2) An event that originates as a multiple injury EMS call that escalates beyond normal capabilities or
- 3) Another primary event that has resulted in the activation of the EOC that also involves the need for coordinated health and medical services.

In situations originating as a health and medical emergency, or EMS call, the Public Health Department or responding EMS Department will keep the Emergency Management Department informed of situations with the potential to require activation of the Wyandotte County EOC.

When the Emergency Management Director is notified of an event that requires the activation of the EOC, the Emergency Management Director, in consultation with the County Administrator, and emergency management staff will determine which Emergency Support Functions are required for activation in support of emergency operations. If the request to activate the EOC came from the Public Health Department or EMS Departments, from an event that originated as a health and medical emergency, ESF 8 will automatically be activated. If another primary event resulted in activation of the EOC and it is determined that health and medical services are needed, the Emergency Management Director will contact the Coordinating Agencies for ESF8 and request representatives [to](#) report to the EOC to attend an initial briefing regarding the situation.

Depending on the complexity or severity of the event, the Emergency Management Director, or designee, may advise the County Administrator that the need exists to declare a local emergency. The Emergency ~~M~~management Director or designee may also advise the City Administrators in Bonner Springs and/or Edwardsville of the need to declare a local emergency in their community. For more information on a declaration of a local emergency, see the ESF 5 Annex.

ESF 8 has six designated Coordinating Agencies

- Unified Government Public Health Department
- KCKFD EMS Division
- Bonner Springs EMS Department



- Edwardsville FD/EMS
- Providence Medical Center
- University of Kansas Medical Center and Hospital

Depending on the location and complexity of the event, one or more representatives will be requested to report to the EOC. Once activated, the ESF 8 Coordinators are responsible for contacting primary and support agencies with liaison roles as well as providing briefings and direction for activities pertaining to public health and medical.

2.1.1 Departmental Operations Centers (DOC)

It is understood through this planning effort that whenever a coordinating agency chooses to open a Departmental Operations Center to manage the event, they will also send a representative to the EOC to serve as liaison between the EOC and the DOC. Wyandotte County Emergency Management will be responsible for ensuring that the proper equipment and connections are provided for those representatives so the connectivity is maintained.

Public Health Departmental Operations Center

In some instances originating as a health and medical emergency (i.e., a disease outbreak or suspected bioterrorism event), the Public Health Department may activate the Public Health Departmental Operations Center (PH DOC) to coordinate health and medical activities and/or support health and medical operations in the EOC. If activated, the PH DOC will coordinate closely with the Emergency Management Department and the County EOC.

Activation of a PH DOC serves as notice to all Public Health Department staff to shift from normal operations to emergency operations, which may require departmental shifts in mission, staffing and resource allocation.

The PH DOC will be established at the PHD on the third floor or at a secondary facility as needed. The PH DOC will be operated in accordance with the ICS structure in place for the PHD. ~~(See Attachment xx, PHD Multi-Hazard Incident Command Structure.~~

KCK Fire Departmental Operations Center

In some instances originating as an EMS response, the KCK Fire Department may activate the KCK Departmental Operations Center or alternate DOC.

Primary:

Station #6
9548 State Street

Alternate:

815 N. 6th Street
Kansas City, Kansas



Kansas City, Kansas

Bonner Springs EMS Departmental Operations Center

The Bonner Springs EMS Department may activate their DOC.

Bonner Fire Department
13001 Metropolitan
Bonner Springs, Kansas

Edwardsville Fire Department EMS Departmental Operations Center

The Edwardsville Fire Department EMS Department may activate their DOC.

Edwardsville Fire Department
698 South 4th
Edwardsville, Kansas

Tactical EMS operations will be controlled by the incident, Unified or Area Commander(s) at the scene(s) within the Incident, Unified or Area Command System (ICS) structure. The Incident, Unified or Area Commander(s) will assess the need for additional resources and request additional resources initially through the Wyandotte County Communications Center to activate mutual aid. Once mutual aid resources are exhausted, EMS, will request the EOC request additional assets to support field operations through the Wyandotte County Communications Center.

Hospital Departmental Operations Centers

Both acute care hospitals in Wyandotte County (Providence Medical Center (PMC) and ~~†The University of Kansas Medical Center and Hospital~~ [University of Kansas Hospital Authority (UKHA)] have developed Standard Operating Procedures (SOP's) that include activation of Hospital Incident Command Centers-DOCs to respond to mass casualty incidents or other situations that exceed normal capabilities.

The UKHA and PMC Emergency Plans contain procedures for surge capacity, CBRNE agent identification, patient decontamination, triage, and treatment, etc. A contact list and each facility's identified capabilities are included as Appendices C and D of Attachment 2 of the Special Incident Annex Plan.

The Hospital Incident Command System (HICS) will be used by both UKHA and PMC to manage emergency incidents at their facilities. The HICS is based on the Incident Command System (ICS) and provides a logical structure, defined responsibilities, clear lines of command, and common terminology to assist hospitals in managing emergency events. The use of this shared command structure will assist with coordination during events.



2.1.2 Communications Systems

The ESF 8 Coordinator(s) will manage the collection, processing, and dissemination of ESF 8-related information to and from the EOC. WebEOC will be utilized as the preferred method to maintain communications between the EOC and all applicable field sites (i.e., field command post, points of dispensing, local distribution site, the DOCs, etc.) and to disseminate information to EOC staff and other activated ESFs. Other forms of communications to provide information updates to the EOC will be closely coordinated through the EOC Data and Technology Coordinator to ensure necessary ESF 8 information is disseminated to the EOC staff.

ESF 8 also has several other communications resources to assist health and medical agencies in accomplishing emergency activities. Brief overviews are provided below for these communications resources:

- **EMResourceSystem** is the region's primary method of communicating hospital status and capabilities and coordinating patient routing during a multi-casualty incident (MCI). **EMResourceSystem**, a web-based program providing real-time information on hospital emergency department status, patient capacity, and the availability of staffed beds and specialized treatment capabilities, is used in the metropolitan area to link all acute-care hospitals and most EMS agencies.
- Additionally, each hospital facility is also equipped with the Hospital Emergency Administrative Radio (HEAR) system. The HEAR system is a single channel radio system that is available to link hospitals and many area EMS agencies in the metropolitan area ~~on a single channel radio system. The HEAR system and also~~ serves as a backup to ~~the~~ **EMResourceSystem** in the event of a mass casualty incident.
- The **Health Alert Network (HAN)** is available to assist Wyandotte County with notification of a public health emergency. The state HAN is capable of notifying the Wyandotte County PHD via pager, phone, fax, and email. ~~The local HAN may be used to notify additional PHD personnel, the Emergency Management Department and other local agencies.~~
- ~~(For additional information, see Attachment 4.44.5 Health Alert Network, Alert and Notification)~~
- Also in place to assist with coordination and communication among multiple emergency medical agencies providing out-of-hospital emergency medical care in the metropolitan area is the **Mid-America Regional Council Emergency Rescue Committee (MARCER) Regional Mass Casualty Incident Plan**. The MARCER Plan is designed to maximize the existing resources of EMS agencies and hospitals.



- Phone, Pager, Facsimile, E-mail and Amateur (Ham) Radio-Satellite capabilities at the PHD are available for use in emergency situations to both receive information and provide information to the public. The two acute care hospitals also have point-to-point communications between hospitals and Amateur Radios for back-up communications.
 - The primary means of communications with PHD field personnel will be through cellular telephones. When necessary, PHD field personnel will be equipped with handheld 800-MHz Radios operating on the Wyandotte County Public Safety Radio System (WCPSRS). The PHD will coordinate with the Emergency Management Department to ensure sufficient two-way or 800 Megahertz WCPSRS radios in the event cellular telephones and landline communications are non-functional.
 - The primary means of communications with EMS field personnel will be through 800-MHz WCPSRS radios. The KCK and Bonner Springs EMS Departments utilize a medical communications system built on area-800-MHz WCPSRS radio system. This system facilitates communication between responders on scene, between the responders and area hospitals, and between scenes as needed. In addition, these units have access to the NPSPAC mutual aid radio frequencies, the Regional Area Mutli Band Integrated System (RAMBIS) and other Metropolitan Area Regional Radio System (MARRS) talkgroups if needed. PHD has access to all of the above systems.
 - KCKFD commanders and EMS units carry **cellular phones** on either the AT&T or (Nextel) Sprint network. In addition, the department utilizes Sprint **wireless cards** to maintain computer connectivity in the field.
 - The hospitals in the MARC region maintain their own call trees ~~dispatching~~ and alerting capabilities (via City Watch) and will notify personnel and call up personnel via their internal procedures.
- In addition to the EMResourceSystem, communications between hospitals and EMS agencies will occur through the Medical Channel System (Med Channel), a two-way communication system allowing EMS responders from over thirty (30) agencies to communicate with area hospitals regarding pre-hospital patient care and/or to alert the hospitals to in-coming patient situations.
- EMSystem is a web-based program providing real-time information on hospital emergency department status, patient capacity, and the availability of staffed beds and specialized treatment capabilities. EMSystem is used in the metropolitan area to link all acute care hospitals and most EMS agencies—for additional information, see the EMSystem Policies and Protocols Manual maintained by the MARCER.
- UKHA and PMC, are equipped with 800-MHz-MARCER radio system resources, as are most hospitals in the region. All Med Channel pre-hospital communications to hospitals occur over this radio system. During MCI

Comment [u2]: Is this correct. Or should it be Sprint?



operations, MARCER has the ability to patch multiple hospitals into one tactical talk group to facilitate region wide communications.

- ~~Each hospital facility is also equipped with the Hospital Emergency Administrative Radio (HEAR) system. The HEAR system is a single channel radio system that is available to link hospitals and many area EMS agencies in the metropolitan area and also serves as a backup to EMS system. The HEAR system is activated by contacting St. Joseph's Medical Center, who will then alert other hospitals of the incident.~~
- ~~The hospitals also have Amateur Radios for back-up communications.~~

2.2 Continuity of Operations

Public Health: During serious emergency situations, the PHD will consider focusing its entire resources on managing the public health aspects of the situation, except the TB control nurse. When necessary, the PHD will reassign staff according to Appendix B – *PHD Multi Hazard Incident Command Structure* in Chapter 5 of the Special Incident Annex.

If necessary, the planning section will discuss ongoing and/or long term PHD staffing needs. If the decision is made to suspend non-essential services, PHD staff will be available to perform various functions as requested. PHD personnel may be notified for duty on a very short notice ~~(see Attachment 4.14.1 – PHD Internal Call Tree)~~ and rescission of planned leaves and other absences will be instituted as necessary.

Based on the activation of the PHD ICS, the Logistic Section will coordinate staffing with the approval of the PHD Director. If necessary and feasible, the EOC will activate the mutual aid agreements signed with neighboring jurisdictions to provide additional staff to assist with health and medical activities. Assistance with PHD activities may be requested from private sector resources and voluntary organizations. Assistance may also be requested from regional health department partners.

EMS / Public Safety Answering Point (PSAP): Although EMS agencies all maintain offices, they are generally mobile resources and determination of a COOP event for these entities is dependent on the number of persons and vehicles that have been rendered unavailable by the circumstances. They are largely dependent on dispatching services however, and a catastrophic failure at the PSAP operations will be moved to the alternate PSAP facility. () The Unified Government's departmental Continuity of Operations Plans would be implemented as needed. ~~These plans describe procedures to get assistance when overwhelmed and list alternate locations to operate from when their facility is damaged and unavailable. All alternate locations are accessible under the American with Disabilities Act.~~

Comment [u3]: Something seems to be missing!



The alternate location for the Wyandotte County Communication Center is the Emergency Operations Center. Incident dispatching can occur from the mobile command vehicle, but -9-1-1 dispatching cannot be managed from the mobile vehicle. Other alternate locations include the city halls of Bonner Springs and Edwardsville and the Johnson County Emergency Communications Center. All alternate locations are accessible under the American with Disabilities Act.

Hospitals: Hospitals are complex highly technical entities with sophisticated, sensitive, expensive equipment which is in some instances nearly impossible to acquire on short notice. Hospitals in Wyandotte County have functional Continuity of Operations plans. Additionally hospitals are responsible for as ensuring the Alternate Care Center plans are in place and that sufficient equipment has been purchased. Training and exercises regarding Alternate Care Sites is on-going. In some instances Alternate Care Sites may be used during COOP situations.

2.3 Medical Surge

Both acute care hospitals in Wyandotte County have identified a surge capacity as follows:

- UKHA: 751 licensed beds of which 24 are bassinets. 638696 are fully staffed.
- PMC: 400 licensed beds with 145200 fully staffed.

This allows an average reserve capacity of 137-208 beds (depending on staffing) for new inpatients on any day in Wyandotte County. In addition, both PMC ~~has plans to set up hospital overflow at the Kansas City Kansas Community College (KCKCC)~~ and UKHA ~~have~~ plans to set up patient overflow capability in-house.

To further expand available beds, all patients who can be discharged will be sent home and those with less acute needs will be sent to other specialty hospitals or nursing homes in the area. ~~Other residential care facilities, shelters, schools, large businesses, and churches will be utilized if needed for hospitals overflow.~~ ESF 6 (Mass Care, Housing and Human Services) ~~to of~~ the Wyandotte County EOP includes a list of facilities identified as emergency shelters that may potentially be used for expansion of the healthcare system.



In the event of a MCI, the number of seriously injured or ill patients could easily overwhelm Wyandotte County's hospital capacities. If this occurs, additional beds will be sought at other metropolitan area hospitals. The Regional Hospital Plan for the NE Kansas Region may be activated when more than two hospitals in the region are needed to receive casualties from an event, and when the resources utilized to respond to the event have been or will soon be exhausted. ~~Plan activation will be made by the affected Hospital to the Regional Incident Commander.~~ will request the Regional Hospital Coordinator to activate the plan. Activation of the plan authorizes the deployment of available resources such as personnel, supplies, equipment, and facilities. A copy of the ~~MARCERNE Kansas Regional~~ Plan ~~is kept in~~ maintained by the Emergency Management Department can be found in the Documents Section of EM Resource. It contains various contacts and resource lists for the thirty-~~one~~ four (314) hospitals in the region.

2.3.1 Monitor/Communicate Bed Availability

In the event of a mass casualty incident, ~~an alert will be posted on EMResource. the Incident Commander (IC) will contact the appropriate EMS System Coordination Center (EMCC) through their agency dispatch center and request that a Mass Casualty Incident (MCI) alert be issued through the EMS System.~~ The alert can be local in nature (i.e., issued to the five hospitals closest to the incident) or it can be issued to the hospitals metropolitan-wide.

~~EMSystem is a web-based program providing real-time information on hospital emergency department status, patient capacity, and the availability of staffed beds and specialized treatment capabilities. EMSystem is used in the metropolitan area to link all acute care hospitals and most EMS agencies — for additional information, see the EMSystem Policies and Protocols Manual maintained by the MARCER.~~

In some instances, hospitals may be the first to identify a mass casualty incident through the presentation of walk-in patients. In this scenario, the affected hospital(s) will ~~notify the~~ notify the EMResource System Coordination Center (EMCC) as well as System Coordination Center (EMCC) as well as the Public Health Department in the affected jurisdiction. Public Health Departments will alert the Emergency Management ~~Department~~ Agency and other appropriate officials in their jurisdictions.

Upon notification or recognition of an event, the hospitals in the area will activate their disaster response plans. The hospitals in the MARC region maintain their own dispatching and alerting capabilities and will notify personnel and call up personnel via their internal procedures.



~~In addition to the EMS system, communications between hospitals and EMS agencies will occur through the Medical Channel System (Med Channel), a two-way communication system allowing EMS responders from over thirty (30) agencies to communicate with area hospitals regarding pre-hospital patient care and/or to alert the hospitals to incoming patient situations.~~

~~UKHA and PMC, are equipped with 800 MHz radio resources, as are most hospitals in the region. All Med Channel communications to hospitals occur over this radio system. During MCI operations, MARCER has the ability to patch multiple hospitals into one tactical talk group to facilitate region-wide communications.~~

~~Each facility is also equipped with the Hospital Emergency Administrative Radio (HEAR) system. The HEAR system is a single channel radio system that is available to link hospitals and many area EMS agencies in the metropolitan area and also serves as a backup to EMS system. The HEAR system is activated by contacting St. Joseph's Medical Center, who will then alert other hospitals of the incident.~~

Communications between the hospitals and the Wyandotte County EOC will occur using the capabilities of WebEOC, telephones or radios.

EMS – Hospital Coordination

Utilizing EM Resource System, field medical operations will notify area hospitals as soon as possible of the nature and scope of the incident, including but not limited to:

- Estimated number of affected persons
- Known CBRNE substances

Throughout the event and at regular intervals, the on-scene medical transport officer will frequently update the hospital(s) regarding the scope of the incident. EMS agencies on scene and in enroute will maintain contact with the hospitals regarding patient status / condition, potential hazards to hospital personnel and the level of PPE being utilized based on decontamination status, triage, and treatment. As described under decontamination, the EMS agencies will inform hospitals prior to their arrival so they may implement their decontamination procedures, if necessary.

The two acute care hospitals in Wyandotte County, the University of Kansas Hospital Authority and Medical Center (UKHA) and Providence Medical Center (PMC), have emergency plans in place as required by the Joint Commission (TJC) on the Accreditation of Healthcare Organizations (JCAHO). The medical activities of the



hospitals will be governed in accordance with these internal emergency plans and procedures.

2.3.2 Decontamination

If necessary, the hospitals will prevent contamination of their facilities from non-EMS walk-in patients by performing a lock down as described in “Security”. If contaminants on incoming patients present a threat to hospital personnel, hospitals will implement decontamination procedures and use appropriate Personnel Protective Equipment (PPE).

Decontamination should be performed, as much as possible, prior to the patient’s arrival at a definitive care facility. However, if contaminated patients arrive at hospitals, appropriate decontamination will be performed based on the agent involved. Once they are notified of an incident with the potential need for patient decontamination, hospitals will prepare to implement their decontamination procedures. Both UKHA and PMC have decontamination capabilities as described in their internal emergency plans.

The Hospitals will use their own decontamination equipment first and if additional decontamination equipment is required, the hospital will request use of decontamination equipment from nearby hospitals. If additional equipment is still needed, the hospital can make calls to other hospitals in the region. If further assistance is needed, state resources may be requested through the [Wyandotte County](#) EOC.

Depending on the nature and scope of the incident, situations may arise where large numbers of patients awaiting decontamination present a threat to the safety of hospital triage personnel. If inadequate security is present and a threat exists, the triage personnel should retreat to the safety of the hospital.

Detailed information on hospital decontamination capabilities and procedures are contained in the PMC and UKHA CBRNE Plans.

2.3.3 WMD Agent Recognition & Treatment of Casualties

Each Health Care Facility (HCF) in Wyandotte County is required to have up-to-date internal disaster plans in place. These plans include procedures that address CBRNE agent recognition & treatment of casualties. The plans are specific in nature with regards to job descriptions and responsibilities in the event of mass casualty incidents.

Patients arriving at hospitals will be triaged using the basic principles of triage and standard operating procedure, as this is a task hospitals perform daily. Special triage



procedures described in the treatment protocols referenced above will be incorporated as appropriate. The triage and initial care of contaminated patients presents special concerns for hospital personnel. Recommendations for appropriate PPE for hospital staff will be made by the Safety Officer as dictated by the event. Hospital personnel should be familiar with performing triage and administering treatment while wearing PPE.

Both Wyandotte County acute care hospitals have access to emergency treatment protocols for Chemical, Biological, Radiological, Nuclear, and Explosive (CBRNE) illnesses and injuries through several websites and 24-hour access numbers, such as the National Institute for Occupational Safety and Health (NIOSH); the Poison Control Center, TOMES Medical and Pharmaceutical Services and the Jane's Chem-Bio Handbook.

~~The approved Treatment Protocols for the use of Mark I/Duo-Dote kits can be found at: <http://www.drugs.com/pro/duodote.html>. are included as an Appendix to Attachment 6—Chemical, Radiological, Nuclear and Explosive Incidents in the Chapter 5 of the Special Incident Annex.~~

For access to the prepositioned category B shipping containers and packaging materials (Chemical Event Shipping Supply Locations—**CESSL**) for health professionals to use for collecting specimens from persons within a chemical exposure area:

- During normal business hours: Contact the Emergency Management Department at (913) 573-6300.
- After normal business hours and on holidays/weekends: Contact Fire Dispatch at (913) 596-3081, ask them to contact the Emergency Management on-call representative and have the on-call EM contact you.

For access to the local supply of nerve agent antidotes (**CHEMPACK**): Contact the Regional Hospital Emergency Preparedness Coordinator at (816) 858-2550 ([Steve Hoeger](#)).

For security and transport of CHEMPACK within Wyandotte County:

- During normal business hours: Contact the Wyandotte County Sheriff's office at (913) 573-2861 and ask for a Sheriff's Field Supervisor to contact you.



- After normal business hours and on weekends and holidays: Contact the Police Communications Supervisor at (913) 596-3000, ask them to contact a Sheriff's Field Supervisor and have the Field Supervisor contact you.
To transport larger quantities of the CHEMPACK, items that cannot be moved in a regular sheriff's sedan, contact Emergency Management in the same manner as described above for the CESSL.

2.3.4 Patient Tracking

All hospitals and EMS agencies in the Kansas City metropolitan area ~~use EMS system to~~ track patients and route them to appropriate healthcare facilities. ~~During a mass casualty event, the EMS system Coordination Centers (EMCCs) will coordinate all patient transfers between facilities. The three (3) EMS system Control Centers (EMCC) are:~~

~~EMCC West: Johnson County Emergency Communications Center~~

~~EMCC Central: KCFD/EMS~~

~~EMCC East: Lee's Summit Fire Department~~

Hospitals will continually update patient treatment capability information to the EMCC.

The three (3) EMResource Control Centers (EMCC) are:

- EMCC West: Johnson County Emergency Communications Center
- EMCC Central: KCFD/EMS
- EMCC East: Lee's Summit Fire Department

~~Based on this information, recommendations will be made to the on-scene Transportation Officer and the Hospital Incident Commander(s) regarding the distribution of patients and the need or potential need to activate resources outside Wyandotte County.~~

As part of the on-scene triage process, patients will be issued triage tags that provide a color coded status (no injury, immediate, delayed, minor, morgue). Patient documentation and tracking will be in written form.

Information regarding the need to transfer patients from a facility will be relayed through the Hospital ~~Emergency~~ Incident Command System (HEICS) structure to the



appropriate ECC, Regional Healthcare Coordination Center or the Wyandotte County EOC.

2.3.5 Information Sharing/Victim Identities

Wyandotte County follows the September 2, 2005 bulletin from the U.S. Department of Health and Human Services Office for Civil Rights regarding HIPAA Privacy and Disclosures in Emergency Situations. Providers and health plans covered by the HIPAA Privacy Rule can share patient information in all the following ways:

TREATMENT

Health care providers can share patient information as necessary to provide treatment. Treatment includes:

- Sharing information with other providers (including hospitals and clinics),
- Referring patients for treatment (including linking patients with available providers in areas where the patients have relocated) and,
- Coordinating patient care with others (such as emergency relief workers or others that can help in finding patients appropriate health services),
- Sharing patient and situational information with public health for epidemiological purposes

Providers can also share patient information to the extent necessary to seek payment for these health care services.

NOTIFICATION

Health care providers can share patient information as necessary to identify, locate and notify family members, guardians, or anyone else responsible for the individual's care of the individual's location, general condition or death.

The health care provider should get verbal permission from individuals, when possible; but, if the individual is incapacitated or not available, providers may share information for these purposes if, in their professional judgment, doing so is in the patient's best interest.

Thus, when necessary, the hospital may notify the police, the press, or the public at large to the extent necessary to help locate, identify or otherwise notify family members and others as to the location and general condition of their loved ones.



In addition, when a health care provider is sharing information with disaster relief organizations such as the American Red Cross who are authorized by law or by their charters to assist in disaster relief efforts, it is unnecessary to obtain a patient's permission to share the information if doing so would interfere with the organization's ability to respond to the emergency.

IMMINENT DANGER

Providers can share patient information with anyone as necessary to prevent or lessen a serious and imminent threat to the health and safety of a person or the public – consistent with applicable law and the provider's standards of ethical conduct.

FACILITY DIRECTORY

Health care facilities maintaining a directory of patients can tell people who call or ask about individuals whether the individual is at the facility, their location in the facility, and general condition.

Of course, the HIPAA Privacy Rule does not apply to disclosures if they are not made by entities covered by the Privacy Rule. Thus, for instance, the HIPAA Privacy rule does not restrict the American Red Cross from sharing patient information.

ESF 8 Coordinators will coordinate closely with ESF 6 to coordinate a comprehensive reunification effort.

2.4 Epidemiology and Surveillance

In responding to public health emergencies, the assistance of hospitals, schools, industry, pharmacies, ambulances, emergency rooms, and others is required to collect and share information with local and state public health officials. Information and methods to confidentially collect this information include a direct line phone number to the PHD Epidemiology Division (913-573-6712), direct facsimile (913-573-6744) and a 24-hour pager number (913-573-8877).

The Public Health Department has disease surveillance systems in place to continually collect, analyze, interpret, and disseminate data to prevent and control disease. The PHD uses a variety of methods to conduct disease surveillance including Passive Surveillance, Syndromic Sites, Active Surveillance Sites, and ambulance surveillance data.

Passive Surveillance

The Epidemiology Division receives daily disease reports via confidential telephone and facsimile from hospitals, laboratories, veterinarians, and physicians concerning



communicable and environmental diseases legally mandated as reportable to the local health department and Kansas Department of Health and Environment (KDHE). This passive form of surveillance provides valuable information regarding disease prevalence.

The University of Kansas Hospital Pediatrics Services is the sentinel site for Influenza Like Illness (ILI) for Wyandotte County.

EpiTrax is the primary tool used in Wyandotte County to provide reports of disease events to KDHE. This database of all reportable diseases in Kansas is an electronic, Internet-based, disease surveillance tool that allows for the rapid input of data, advanced analysis of data, and the ability to view aggregate data of the entire state. The Wyandotte County EpiTrax coordinator is the administrative support specialist in the PHD Epidemiology Division. This individual enters all data. The Chief Epidemiologist reviews EpiTrax data on a routine basis for disease trends.

The Chief Epidemiologist participates in a bimonthly Regional Epidemiology Conference call with participants from Kansas Region 15 and a bimonthly Regional Conference call with Missouri Region A. The purpose of these calls is to strengthen communication lines between our Regional and Metro partners and foster the exchange of Epidemiological information.

~~The PHD will monitor radio, TV and the Internet for news information and activate the PHD Emergency Response Plan.~~

Active Surveillance

Active surveillance will be established and maintained by the Chief Epidemiologist in the event of a suspected or confirmed infectious disease outbreak or bioterrorism event. Active surveillance will provide two-way communication and information regarding morbidity and mortality of disease in Wyandotte County. The following conditions would warrant activation of these surveillance sites:

- Disease outbreaks of the same illness occurring in noncontiguous areas
- Unusual illness in a population
- Unusual routes of exposure for a pathogen
- Large numbers of ill persons with a similar disease or syndrome
- Large numbers of unexplained disease, syndrome or deaths
- Higher morbidity and mortality with a common disease
- Failure of a common disease to respond to routine therapies and treatments



- Unusual strains or variants of organisms or anti-microbial resistance patterns different from those circulating
- Similar genetic type among agents isolated from distinct sources at different times or locations
- Higher attack rates in those exposed in certain areas, such as inside a building if released indoors, or lower rates in those inside a sealed building if released outside
- Disease with an unusual geographical or seasonal distribution
- Unusual, atypical, genetically or antiquated strain or agent identified
- Disease normally transmitted by a vector that is not present in the local area
- Endemic disease with unexplained increase in incidence
- Atypical aerosol, food, or water transmission or contamination
- Increased numbers of absenteeism from work and school
- Increased numbers of dead animals, birds, or insects
- Multiple simultaneous or serial epidemics of different disease in the same population
- A single case of disease by an uncommon agent, (Smallpox)
- Disease that is unusual for an age group
- A disease outbreak with zoonotic impact
- Intelligence of a potential attack, claims by a terrorist or aggressor of a release, or discovery of munitions or tampering

Syndromic Surveillance

Local public schools serve as syndromic surveillance sites to report key sets of symptoms of a bioterrorism outbreak to the Chief Epidemiologist. This information is collated reviewed and submitted back to the reporting schools. An analysis of these reports serves as an early warning system for disease detection.

Ambulance Surveillance Data

The PHD receives First Watch® ambulance surveillance data from the KCKFD EMS Division and JOCO MedAct. Aberrations related to specific symptoms automatically initiate a [noticepage](#) to various health and medical partners including the Epidemiologist on-call. This [noticepage prompts](#) recipients to log onto a website to receive further information.

Upon receiving information regarding a disease reportable to KDHE, the PHD will forward the initial report information ~~to the KDHE field epidemiologist, via~~ the KDHE



hotline at 1-877-427-7317 and/or via Epi-Trax as the situation warrants. KDHE will provide assistance in determining the diagnosis and disposition of the patient.

An epidemiological investigation will be necessary to determine if individuals have been exposed and/or infected. The Environmental Health ~~Division~~ ~~Department~~ of the PHD will coordinate with the EPA regarding contamination of buildings and the environment.

When passive, syndromic, and/or active sentinel site surveillance indicates a deviation from the norm, the data will be analyzed for trends and patterns. Any clustering or increase in a particular disease or syndrome will be investigated immediately by the PHD Epidemiology ~~Program~~ ~~Division~~. The KDHE and CDC epidemiologists may be brought in to assist with investigations. Epidemiological protocols, tools, and resources are available in the Epidemiology ~~Program~~ ~~Division~~ located on the second floor of the PHD. A Disease Protocol Manual on-line (http://www.kdheks.gov/epi/disease_reporting.html) used for investigation and managing disease outbreaks, was prepared and maintained by the Kansas Department of Health and Environment-Bureau of Epidemiology and Disease Prevention (KDHE-BEDP). ~~For additional information, see Attachment 5 Special Incident Annex.~~

Radiological Emergency Community Reception Center

In an event involving potential radiation exposure to persons where Wyandotte County is not the hot zone, the PHD in conjunction with emergency management and the Kansas Department of Health and Environment Radiation Division will set up a population monitoring community reception center (CRC). The CRC will screen for the presence of radiation, de-contaminate, and refer persons for medical care as deemed necessary.

2.5 Fatality Management

The Wyandotte County Coroner is responsible for the proper examination, care and disposition of fatalities. Some specific duties of the Wyandotte County Coroner are:

- Establish temporary morgues and temporary interment sites, as required.
- Establish and coordinate activities of the survey and recovery teams
- Determine victim identification and cause of death
- Coordinate notification of next of kin
- Coordinate security and transportation of remains and personal effects
- Report pertinent information to the EOC thru the Incident Command System



- Coordinate with HazMat and/or Public Health experts on decontamination requirements for deceased
- Estimate the number of deceased
- Excavation of remains
- Body tag procedures and tracking system
- Determine, request and coordinate additional required resources
- Coordinate with other agencies as required

Depending on the size of the incident, the Wyandotte County Coroner will utilize local funeral directors in providing mortuary services. Wyandotte County also has a Memorandum of Understanding with First Call ~~(Morgue in)~~ Wyandotte County ~~for~~ transport of decedents. Morgue Services would be provided by Frontier Forensics Midwestfirst Call in the event of a Mass Fatality Incident. The Kansas City Homeland Security Region has developed a Kansas City Regional Mortuary Operational Response Group (KCRMORG) that utilizes regional personnel, resources and capabilities to assist local medical examiners/coroners to recover, transport, process, and identify decedents of a mass fatality event occurring in the Kansas City metropolitan area. Team members are trained in the functional areas of site recovery of decedent remains, morgue operations and working with the family assistance center (FAC). The team has a mobile morgue that will deploy with and be operated by KCRMORG personnel. With current equipment supplies and dependent on the condition of remains, the KCRMORG has the ability to process 800-100 decedents.

Comment [BM4]: Call and clarify roles of First Call and Frontier Forensics

State Resources and Kansas Funeral Directors Association Disaster Team

The Coroner will coordinate with the Wyandotte County EOC to request activation of State resources. The Kansas Funeral Directors and Embalmers Association (KFDA) is available to assist local Coroners in Kansas as needed and requested. ~~In addition, a~~ KFDAstate Disaster Mortuary Response Team can be activated in accordance with the KFDDA Mass Fatalities Disaster Plan.

Additional information may be found on the KFDDA Website at: <http://www.ksfda.org/>, and on the Kansas State Board of Mortuary Arts (KSbMA) website at: <https://ksbma.ks.gov/resources/license-listings/establishments-by-city-K-O> (-K-O, Kansas City, KS; -A-D, Bonner Springs, KS) which includes a list of funeral homes with on-site refrigeration units, and their address, and KSbMA website: https://ksbma.ks.gov/resources/license-listings/establishments-with-refrigeration-units which lists funeral homes with refrigeration units along with their maximum storing capacities.



<http://www.accesskansas.org/ksbma/Funeral%20Homes%20and%20Crematories%20with%20Refrigeration%20Units.html>

Federal Resources

If the event exceeds local, regional, and state capabilities, Wyandotte County can request assistance from federal Disaster Mortuary Operational Response Teams (DMORT) resources. When needed, the state EOC will work with the federal government to activate federal disaster mortuary operations.

DMORTs are available to provide guidance, including Field Operations Guides (FOGs) for mass fatalities incidents.

The federal DMORT maintains three (3) Disaster Portable Morgue Units (DPMUs) ~~that~~ that may be deployed to the region, when needed and requested. The DPMU is a packaged system containing the forensic equipment, instrumentation, support equipment, and administrative supplies required to operate an incident morgue facility in the field, or to support an existing morgue facility. The DPMU carries computers and related equipment to support the Family Assistance Center (FAC) and Information Resource Center (IRC). Additional information on the DPMU is located at: <http://www.dmort.org/DNPages/DMORTDPMU.htm>

As described on the DMORT [website](#), any temporary morgue facility used must meet certain requirements for size, layout, and support infrastructure (potential facilities include airplane hangars and abandoned warehouses). For additional information on morgue site requirements, see: <http://www.dmort.org/dpmupublic/dpmurequirements.htm>

The Region VII (KS, MO, IA, and NE) DMORT is located in Kansas City, Missouri. The Region VII Website at <http://www.dmort7.org/index.asp> includes information on Region VII contacts, as well as a Standard Operating Procedure for mass fatalities incidents. ~~See:~~ http://www.dmort7.org/downloads/DMORT_SOP_2008jn2.pdf.

2.5.1 Family Assistance Center

A Family Assistance Center designed and staffed to take care of the needs of the victims' families and survivors will be established and coordinated through ESF 6 during a mass fatality incident. Depending on the needs of those affected, the FAC will assist in the collection of ante mortem data to identify victims and serve as the primary point for releasing remains to families. The FAC will also coordinate support from professional mental health and spiritual care providers.



2.6 Pre-hospital Care

Kansas City, Kansas Fire Department (KCKFD) operates the Emergency Medical Service (EMS) for Kansas City, Kansas; the Bonner Springs EMS Departments operates EMS for Bonner Springs, and the Edwardsville Fire Department/EMS operates EMS for Edwardsville. The EMS departments maintain the expertise through daily operations to respond to, evaluate, and transport patients to definitive care.

2.6.1 Field-based Triage Scheme

Responding EMS support agencies will assume responsibility for patient triage, treatment and tracking under the guidelines set forth in the Mid-America Regional Council Emergency Rescue (MARCER) Regional Multi-Casualty Incident Plan.

EMS personnel will coordinate and track the delivery of patients to individual hospitals throughout the metropolitan area using ~~the EMResource~~, the Hospital Emergency Administrative Radio (HEAR) System and local medical channels.

2.6.2 EMS Mutual Aid Agreements

The KCK, Bonner Springs, and Edwardsville EMS departments maintain arrangements with other area EMS providers to provide assistance should the needs of the emergency exceed those available. In the event of a disaster, the departments will direct the EMS assets to best accomplish the mission of moving patients to definitive care.

The KCK, Bonner Springs, and Edwardsville EMS Departments are also part of the MARCER mass casualty incident plan. This plan describes EMS activities during a mass casualty event, including regional coordination in regional events.

2.7 Mass Countermeasure Distribution and Dispensing (MCDD)

~~Mass Countermeasure Distribution and Dispensing (MCDD) is the responsibility of the Wyandotte County Health Department.~~ This Mass Countermeasure Distribution and Dispensing (MCDD) section has been developed in collaboration with a diverse group of emergency management, public health, law enforcement, medical, behavioral health agencies and other public and private organizations to promote their understanding and connection to MCM activities.



The main goal of this section is to outline the steps necessary for mass distribution and dispensing of prophylactic medications/vaccinations during a public health emergency and to assign individual or group responsibilities for MCDD activities. Primary responsibility for MCDD falls on local governments and jurisdictions, in this case, Wyandotte County and the PHD. Large-scale MCDD requires a community response; involvement and participation of community organizations, businesses, and volunteers.

Regional, State and Metro partners have collaborated in the creation of this section to maintain a certain level of consistency with planning issues. Specifically, in maintaining consistent nomenclature for cross training purposes and to coordinate the opening of Metro-wide Points of Dispensing (PODs). While the focus of this section is MCDD in response to a WMD or public health emergency event, the concepts henceforth will be applied to other infectious disease outbreaks or emergencies that may require similar resources; these include but are not limited to receiving and distributing the Strategic National Stockpile (SNS), dealing with pandemic influenza, or responding with other mass immunizations.

Dispensing of the local pharmacy and pharmaceutical cache will be initiated from a recommendation to the EOC from the Incident Commander. Use of the cache may necessitate the requesting and dispensing of Strategic National Stockpile (SNS) supplies and materials. Initiation of the SNS will be coordinated through KDHE and the EOC.

Antivirals

The use of antivirals received from the SNS will be used for treatment only and must begin within 48 hours from the onset of symptoms. Standing orders for the SNS stockpile and the state cache of antivirals will be written by the Kansas State Health Officer while the Local Health Officer will be issue standing orders for dispensing of local and regional caches. SNS antivirals will be delivered by KDHE to ~~the University of Kansas Hospital and Medical Center which will distribute to Providence Medical Center in Wyandotte County as well as treatment centers in~~ Wyandotte County.

~~Currently Oseltamivir (Tamiflu) in capsule or oral suspension forms and Zanamivir (Relenza) in dry powder for oral inhalation forms are available for treatments of the SNS stockpile of antivirals~~

Vaccination

Vaccination would be required when the presence of a disease can be mitigated by the administration of a vaccine to contacts and possible contacts of contacts to prevent further spread of the pandemic.



Kansas will receive one percent of the federally manufactured vaccine. Distribution of the vaccine will be decided by the State Health Officer in consultation with the State Epidemiologist. Distribution of the SNS vaccine will be by KDHE. Vaccine will be packed for each county and delivered to the local public health departments in Kansas.

The local public health departments will administer the vaccine at their PODs. It is probable that vaccination will require a second dose; however, KDHE will make recommendations for prioritization and not hold second dosing, but will prioritize first dose patients so as to cover as much of the population as possible. Priority vaccination will follow priority countermeasure guidelines. Note: the web-based Dispense Assist systems and forms will be utilized for both vaccination and dispensing. See www.dispenseassist.com

Smallpox vaccine use in a confirmed response will be directed and coordinated through the PHD, EOC, KDHE and the CDC. Both antivirals and vaccines may be needed for a Pandemic Influenza.

Use of the pharmaceutical and pharmacy cache will provide countermeasure to some but not all persons involved in public health emergency. The cache will be utilized to provide countermeasure to priority countermeasure dispensing personnel and their families, ill persons (as appropriate), and contacts of ill persons based on epidemiological investigation and the priority countermeasure list. See “Priority Countermeasure” section for more information.

The Unified Government of Wyandotte County recognizes the need to prevent illness and death resulting from a natural or malicious infectious disease outbreak. This need has been acknowledged by the allocation of federal funds for state and local WMD preparedness initiatives. This has allowed the County to purchase and stock special equipment for dispensing as described in Attachment 4 – Equipment.

Considerations and Assumptions

Any person exposed to a potentially infectious disease while in Wyandotte County will receive Post-Exposure Countermeasure (PEP) to the best of our ability and dependent on availability of proper materials for such countermeasure.

Any person exposed to a potentially infectious disease while in Wyandotte County that subsequently leaves the jurisdiction of Wyandotte County, will be provided Post-Exposure Countermeasure by the jurisdiction that individual is currently in.

Both the MPD and Mass Vaccination sections can be used for a variety of public health emergencies—from small outbreaks requiring Post-Exposure Countermeasure of a



small number of people to large County/Metro wide outbreaks that require Post-Exposure Countermeasure of most of the population.

Priority Countermeasure will be provided at the Priority Countermeasure Dispensing Site. Information regarding the specifics of the Priority Countermeasure Dispensing Site is located in the Public Health Mass Countermeasure Distribution and Dispensing (MCDD) Standard Operating Guide.

Only asymptomatic persons will receive Post-Exposure Countermeasure at any dispensing site. Symptomatic persons shall be diverted to an Acute Care Treatment Center.

All recipients will be required to complete a Dispense Assist form. Adults who have knowledge of health history, demographics and weight of children may pick up medications for family members and close contacts.

If the mass exposure is limited to a localized area, public health and other trained medical/health providers will respond.

All visitors not staying in a private residence will report to or be transported to the nearest Open Site. Information regarding the specifics of the open sites is located in the Public Health MCDD Standard Operating Guide

Wyandotte County is responsible for dispensing to all persons under custodial or incarcerated status. School children and children in licensed childcare facilities could be dismissed to go home as they would with any other emergency disaster. However, if it is determined those children were exposed at school (or are at very high risk for being exposed) they will:

- Receive countermeasure by the school nurse and/or public health nurse
-
-
- Be transported, in coordination with the EOC and the Public School District, to the nearest POD. Information regarding the specifics of open sites or the schools is located in the Public Health MCDD Standard Operating Guide.
-

The Wyandotte Center for Community Behavioral Healthcare will be the lead agency for assisting in the prophylactic treatment of homeless, transient, and mentally ill persons and populations throughout Wyandotte County. Information regarding the specifics of



functional and access needs populations is located in the Public Health MCDD Standard Operating Guide.

Licensed Care Facilities and other clients/residents of licensed facilities are considered in most cases to be at lower risk for exposure. Those facilities will implement isolation or limited isolation policies to prevent exposure. However, if it is determined those persons were directly exposed or at very high risk for being exposed, they will receive countermeasure from individuals or staff that would routinely give them medications. For a list of the Licensed Care Facilities refer to the Public Health MCDD Standard Operating Guide.

The EOC will arrange transportation of medication and supplies to these facilities as the need arises based on the advice of PHD officials. Information regarding the specifics of functional and access needs populations is located in the Public Health MCDD Standard Operating Guide.

Home Health Agencies will be contacted by the PHD in coordination with the EOC and/or Area Agency on Aging to arrange pickup of medications for dispensing to homebound recipients. Information regarding the specifics of functional and access needs populations is located in the Public Health MCDD Standard Operating Guide.

Other special populations will be provided PEP by the PHD utilizing those agencies that currently provide services to said persons.

Direction and Control

The Public Health Department Operation Center (PHDOC) will utilize the Incident Command Structure. See the Public Health Department Operation Center SOG.

Emergency Operations Center (EOC) personnel involved in Mass Countermeasure Dispensing will operate through the Emergency Operations Center (EOC) Unified Command structure. The EOC will notify the appropriate agencies, coordinate logistics, request mutual aid and include other jurisdictions as necessary as described in ESF 5 – Emergency Management, the essential support function of the LEOP

Open Sites will be assigned a Site Commander who will be given operational control during activation. Closed Sites will have pre-selected Site Commanders who will be given this same control. Information regarding the specifics of the Mass Countermeasure On-Site Command Flow Chart is located in the Public Health MCDD Standard Operating Guide.

All Site Commanders will provide regular status reports to the Open Site Group Supervisor, who will provide information to the Mass Countermeasure Dispensing



Branch Director at the PHD DOC. Information from the PH DOC will be provided to the ESF #8 Coordinator Information regarding the specifics of the Mass Countermeasure Dispensing On-Site Command Flow Chart is located in the Public Health MCDD Standard Operating Guide.

The Medical Advisor, or designee, will be responsible for approving all decisions regarding the allocation of pharmaceutical assets among delivery sites based on input from the reports mentioned above, in consultation with the Incident Commander, Logistics Section Chief, KDHE, CDC and/or other regional or federal agencies.

To limit the span of control, all workers in identical roles will designate a lead for their job responsibilities that will represent and speak for all members to their Supervisor. Other workers that may be needed at dispensing sites include EMS, who would provide care and transport. Smaller dispensing sites and those serving target populations may not utilize every site worker classification.

All section chiefs will provide regular situation reports to the Site Commander who will report to the PH DOC Mass Countermeasure Operations Section Chief during an event. Positions are not exclusive or all-inclusive.

The initial dispensing work force will include current Public Health Staff with prior training and those that receive just-in-time training. Public Health staff will ensure the dispensing of countermeasures to mass dispensers. An internal contact list has been created with names and corresponding day, night and off-hour contact information. A phone tree delineating calls initiation and flow has been created. Information regarding the specifics of the calling tree is located in the Public Health MCDD Standard Operating Guide. Names and numbers have been distributed to those who need them, and copies are on file in the PHD Director's Office and the PHD Emergency Preparedness (EP) Office.

Workforce will be expanded as needed via pre-existing or new partnerships with various local organizations that may include:

- Unified Government Employees
- University of Kansas Schools of Medicine, Nursing, and Allied Health Students and faculty
- Kansas City Kansas Community College School of Nursing [(RN -& LPN); Nurse's Aide Training (CNA & CMA), Medical Assistant] and Occupational and Physical Therapy
- ~~Area Vocational Technical School of Nursing and Nurse's Aide Training~~



- Johnson and Wyandotte County Medical Society
- Election Volunteers
- Service Organizations:
 - Junior League
 - Kiwanis
 - Lions Club
 - Masonic Lodges
 - Local churches
- Local volunteer agencies (RACES, CERT, MRC, etc.)
- Occupational health agencies
- Kansas National Guard*
- US Public Health Service Commissioned Corps Readiness Force (CCRF)*

* The EOC must request these resources per the EOP

~~Mass Dispensers: Those pre-trained mass dispensing volunteers will be notified via their registered contact information on file in the PHD EP Office.~~

Priority Countermeasure

Designated individuals within local government and throughout the County have been identified as Priority Countermeasure recipients. The PH DOC will notify these agencies that dispensing is to occur. Information regarding the specifics of the Priority Countermeasure distribution-contact list is located in the Public Health MCDD Standard Operating Guide.

All volunteers and workers will receive countermeasure at their assigned site. All volunteers and workers not assigned to a site will receive countermeasure from the Priority Countermeasure Dispensing Site. ~~Information regarding the specifics of closed sites is located in Public Health Emergency Preparedness, the Public Health MCDD Standard Operating Guide.~~

To implement and sustain a Mass Countermeasure Dispensing response, responding individuals need to be assured that their immediate health and the well-being of their loved ones is not in immediate jeopardy. Therefore, supplies of individual doses in the pharmacy cache will first be provided to ill persons (as appropriate) and their contacts based on epidemiological investigation and the priority countermeasure list and dispensers and their families. ~~Information regarding the specifics of the Priority~~



Countermeasure Dispensing is located in the Public Health MCDD Standard Operating Guide.

Priority countermeasure designation will alter when:

- The scope of the event warrants
- Medication/vaccine supplies are limited
- The medication is contraindicated or may involve risk to the individual
- There is not sufficient time or adequate workers to do dispensing activities

Each agency and/or organization that has persons eligible for priority countermeasure has been asked to estimate the number of persons eligible and provide that information to the UG PH DOC. This will be used to estimate required priority countermeasure from each organization. Information regarding the Priority Countermeasure Needs Assessment Summary is located in the Public Health MCDD Standard Operating Guide.

Site Determination

Open Sites have been determined through examination of population demographics and densities. Maps locating these sites are located in the Public Health MCDD Standard Operating Guide.

Determining how many dispensing sites to activate will depend upon the projected number of individuals needing Post-Exposure Countermeasure and their distribution throughout the city. Assuming some overlap and simultaneous use, Post-Exposure Countermeasure dispensing is anticipated at the following types of sites:

Open Sites

Public dispensing sites will include:

- Schools
- Community Centers
- Other sites as identified
-



Alternate Dispensing Sites

The Public Health Department will be using alternate forms of dispensing / vaccinations to ensure that all needs of county residents are met. In addition to sites that are open to the public (Open POD) the following sites will also be utilized. The utilization of these sites and methods would reduce the number of citizens that would be going to the open sites.

Closed Sites

÷ The closed sites would provide countermeasure to specific populations i.e., employees, students, residential care patients. Each closed site would require a signed Memorandum of Understanding and an approved plan by the Public Health Department.

Bulk Dispensing

÷ This method of dispensing would help meet the needs of the portion of the population that have special needs or are at-risk. Agencies and/or organizations would be the link to these special population members. A signed Memorandum of Understanding is required.

Drive-Through Site

~~Clinic~~: This method is optional and would also help reduce the numbers of person receiving countermeasure medications at an Open POD. A drive-thru site may also serve as a secondary dispensing site if needed.

Considerations

The recommended hours of public access to Open Sites will be from 8 am – 8 a.m., (24 hours), unless otherwise determined by the Incident Commander.

It is projected that 30,000 recipients will go through each open site, resulting in all persons receiving countermeasure within 48 hours.

Unified Government employees will be utilized as Mass Countermeasure Personnel as will Medical Reserve Corps Personnel.

Persons with health care training, nurses, pharmacists, physicians, paramedics, EMS, certified medical aids, etc., will be utilized as effectively as possible. When the number of available medical/healthcare workers is insufficient, their roles will be those of Section Chief. All personnel will be notified and supplied with Just-In-Time Training.



Security

ESF 13 will coordinate security at dispensing sites. Other participating agencies and organizations include the Wyandotte County Sheriff's Office, Bonner Springs and Edwardsville Police, the Kansas Highway Patrol (KHP), and the security personnel of individual designated sites (if any). The Law Enforcement Branch Director will oversee all agencies and personnel involved in security.

Individualized identification badges will be provided thru the EOC to identify site workers and those who have security clearance for restricted areas of operations. These badges will ensure that workers are granted access to the facilities and locations describe in this plan and are able to move throughout the county, if necessary, to carry out their duties. Unified Government employees may utilize their employee name badges.

Transportation

As the Lead Agency for ESF 1 – Transportation, the Transit Department will work within the EOC structure and coordinate with the PHD Transportation Unit Leader to provide transportation resources as necessary to support MPD operations.

Transit Department buses will be available and will run from predetermined “pick-up” sites to dispensing sites. This will be coordinated with the EOC by the Transportation Unit Leader.

Persons transported can include asymptomatic patients to Open Sites as well as Open/Closed Site workers. The ESF#8 Public Health Coordinator may need to oversee and/or arrange transport of symptomatic patients to treatment sites.

The Office of Building and Logistics, in coordination with ESF 1 will be in charge of all movement of materiel to and from storage and delivery sites. This includes the movement of materiel to the dispensing sites and other delivery points such as licensed care facilities, assisted living facilities, detention centers, etc.

The primary method of transporting SNS materials to the delivery sites will be trucks. Helicopter transportation will be the alternate method of transportation in the event that traffic or other situations prohibit the use of trucks. Refer to the Activation of the Strategic National Stockpile section for more detailed information.

The Office of Building and Logistics, in Coordination with ESF 1 will be responsible for ensuring that daily medical waste from all Open Sites and pre-identified Closed Sites is removed from the facility and disposed of properly. Medical waste will be brought to the



PHD medical waste disposal area located in the PHD-Lab. From there, it will be disposed of as with all PHD medical waste.

Medical Materiel Distribution

The Wyandotte County EOC will deploy and oversee pharmaceutical inventories and the Local Distribution Site (LDS). To ensure a continuous flow of material as needed, the LDS must provide continuous feedback to the EOC Logistics Manager on the amount of medication and other supplies that have been distributed to the dispensing sites.

Inventory and re-supply management includes tracking the local cache (or Strategic National Stockpile {SNS} Assets) while stored at present locations, en route to the dispensing centers, and delivered to the dispensing centers. Note that SNS assets will be stored at the LDS location (see the Public Health MCDD for location and back-up location).

The Medical Advisor/Health Officer and Chief Epidemiologist will project immediate and long term needs for treatment and post-exposure countermeasure. They will prioritize the use of such assets and identify primary deficits that will require Federal (SNS) assistance and make the necessary recommendation to the EOC. ~~For more information see Attachment 5—Biological Incidents.~~

The Logistics Branch will routinely monitor appropriate local, regional, and state medical materiel asset availabilities and will maintain a summary of these assets. This data will be made available on the county Crisis Information Management System (CIMS), Web EOC.

With some degree of overlap and simultaneous use, it is anticipated that medical materiel resources will be utilized in the following order:

Tier 1: Local and Hospital Pharmacies

- On hand pharmaceuticals.
- For treatment of incoming patients and Post-Exposure Countermeasure of pre-selected workers.
- Availability is immediate upon determination of need.



Tier 2: Wyandotte County Pharmaceutical Cache

- Can serve as a re-supply for hospital response
- Available within 1 hour of needs determination
- Priority countermeasure cache of medications available within 4 hours

Tier 3: Regional Pharmaceutical Vendors (drug wholesalers)

- Vendors may provide primarily medical/surgical supplies, IV fluids, and/or unanticipated drug needs.
- Availability varies with vendor.
- **See Appendix E of Attachment 4 of the Special Incident Annex Plan—Pharmaceutical Distribution Companies**

Tier 4: Strategic National Stockpile

- The SNS will arrive at point of transfer to state within 12 hours of need determination and request. Due to its size, SNS material may require substantial time to offload, stage, apportion, and further transport. Thus, it is anticipated that assets will be available within 24 hours of needs determination and request. Refer to the Activation of SNS section for more detailed information.

2.9 Non-pharmaceutical Interventions

As a guideline for procedures and requirements for pandemic influenza, the UG PHD will use the CDC “Pre-pandemic Planning Guidance: Community Strategy for Pandemic Influenza Mitigation in the United States.” Non-Pharmaceutical Interventions are personal and community-level public health measures that don’t involve vaccines or drugs that may serve as a first line of defense to help reduce the spread of disease.

During the on-set of a public health emergency in which pharmaceuticals are not available, the UG PHD will work to delay the spread of a pandemic to allow time for vaccine production; to help lessen the demand for and preserve scarce healthcare resources; and help to reduce the overall number of people who become sick, therefore, reducing suffering, illness and death by the use of Non-Pharmaceutical Interventions. Examples of these interventions are:

- Advising people to stay home if they are sick (7 to 10 days)
- Asking people who have been exposed to a sick person to stay at home (7 days)
- Dismissing children and teenagers from schools and preventing them from re-congregating in the community (possibly up to 3 months)



- Asking people to work from home if possible and use measures to increase the distance between people at the workplace
- Closing of mass gatherings

To determine the trigger for these interventions, the UG PHD will utilize the CDC Pandemic Severity Index (PSI) with reference to the WHO Phases of a Pandemic and Federal Government Response Stages of a Pandemic

The CDC recommends the following condition for the use of masks during a pandemic outbreak:

- If they have the flu and might have contact with others.
- If they live with someone who has flu symptoms and they need to be in a crowded place
- If they are well and don't expect to have close contact with a sick person, but need to be in a crowded place.

Isolation and Quarantine

The rationale and background justification (both from public health and legal perspectives) for the use of isolation and quarantine of exposed individuals can be found in [the Community Containment SOG, Guide C Appendix 6 of the CDC's Smallpox Response Plan and Guidelines v.3](#) and in [Appendix 7 sections 2.4.6 and 3.3.7 of the KDHE's Public Health Preparedness and Response Plan](#). Kansas Statutes 65-119 and 65-126 authorize the Local Health Officer (PHD Medical Advisor) or the Kansas Secretary of Health and Environment to order and enforce isolation and quarantine of people afflicted with or exposed to infectious or contagious disease.

The PHD will assist local institutions in implementing appropriate policies and procedures to reduce the risk of infectious disease exposure within populations they serve. Information regarding the need for isolation for particular disease is provided by the CDC.

Isolation of suspect infectious patients is a primary function of hospitals. Unless otherwise specified, standard hospital isolation will occur when the disease situation warrants, based on [KDHE state](#) and CDC recommendations and guidelines. UKHA has [384](#) positive pressure and [2846](#) negative pressure full isolation rooms. [PMC has 13 negative pressure rooms.](#)



The PHD will impose quarantine when circumstances warrant (considering the nature of the disease and whether it has been identified). Individuals exposed to a known infectious disease will be quarantined based on state and CDC guidelines and recommendations for the identified disease.

To ensure daily compliance with quarantine, the PHD Epidemiology Division, or their designee, will monitor quarantined contacts daily by a variety of means, including, but not limited to, home visits or phone calls. Food and supplies will be coordinated through the EOC through ESF 6.

Enforcement of quarantine will be coordinated through the PH DOC, the EOC and ESF 13, Law Enforcement. Individuals will be educated to contact public health officials should symptoms of disease develop.

ESF 8 will coordinate closely with ESF15 to promote hygiene and disease prevention methods to prevent further spread of pathogens or contaminants.

The Incident Commander may consider the closing of large public gatherings and venues in order to mitigate the spread of disease.

The PHD will work with the necessary agencies to implement procedures for decontamination, vector intervention and a process for safe re-entry into a suspect area.

2.10 Responder Health and Safety

All emergency responder and emergency receivers may be asked to perform duties under dangerous circumstances and consideration must always be given to employee safety. Further, since employee activities may directly affect the level of morbidity and mortality of disease, responders will be provided education at their orientation and annually thereafter, regarding appropriate precautions to limit likelihood of exposure to potentially toxic and/or infectious agents.

Hospitals, Public Health, EMS, and the Coroner are responsible for providing sufficient Personal Protection Equipment (PPE) for employees. In situations where warranted, fit testing of N95 masks will be conducted annually using standard fit test guidelines with test records kept on file at each agency. If needed, additional personnel may be fit tested and N95 masks and other PPE obtained through the EOC

Exposure to toxic agents or infection will be limited as much as possible. Guidelines for isolation precautions, patient placement, and patient transport, cleaning/disinfection of equipment, discharge management and post mortem care are typically found with State and Federal agencies (i.e. KDHE and CDC). found in ?? Additionally, each agency has

Comment [u5]: Where?



standard operating procedures for health and safety that relate specifically to the tasks that the agency's employees may be required to perform during an event.

2.11 Volunteer Management

The Unified Government of Wyandotte County/Kansas City Kansas Emergency Management Department leadership has embraced the benefits of a planned, systematic and professional approach to incorporating spontaneous, unaffiliated volunteers into disaster response.

Medical Reserve Corps (MRC) - The Medical Reserve Corps of Greater Kansas City is a network of medical and non-medical volunteers who support public health and emergency management agencies throughout the Greater Kansas City area during disasters and other times of community need. While programs similar to MRCKC already exist, they may be "federalized" in large-scale emergencies and may not be available to assist in their home communities. MRCKC is dedicated for use within the Kansas City region to support local public health agencies and emergency management agencies. MRCKC is sponsored by the Mid-America Regional Council, the Regional Homeland Security Coordinating Committee and the Metropolitan Emergency Managers Committee.

KC CVOAD & Volunteer Reception Center(s) -- An exercised volunteer management process initiated by the Kansas City Metro-Community Volunteer Organizations Active in Disasters (KC CVOAD) Volunteer Reception Center (VRC) is in place for the Kansas City Metro area. The Wyandotte County Volunteer Registration Center (VRC) process is tailored to meet identified specific needs for Wyandotte County disasters.

The Kansas City Metro Volunteers Organizations Active in Disasters (KC VOAD) Volunteer Reception Center will be used for regional responses and those incidents for which numerous volunteers (over 1000 volunteers) are required for the entire Kansas City Metropolitan area as identified by the Mid America Regional Council jurisdictions.

The Wyandotte County Volunteer Registration Center (VRC) process is tailored to meet identified specific needs for Wyandotte County disasters.

The Wyandotte County VRC may also be used in cooperation with the KC VOAD VRC, if requested. The Public Health Department has badges that can be provided to the Volunteer Reception Center once credentialing has been completed and can be augmented by the Rapid Tag system deployed by the EOC.

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2.12 Environmental Health



The Air Quality and Environmental Departments of the Public Health Department will work with the EOC to identify resources to provide air quality monitoring in the disaster area(s) and in support of other emergency activities (such as debris burning operations). In most cases, the resources of the Environmental Protection Agency (EPA) and Kansas Department of Health and Environment (KDHE) will be used to support local air monitoring operations.

KDHE and the United States Environmental Protection Agency (EPA) shall be tasked with ascertaining when it is safe for the general public to re-enter an affected area. The KDHE and EPA have resources available for the testing of air and water quality in areas where a known or suspected agent has been released. The results of these tests shall help identify environmental risk and shall aid in determining the need for decontamination. Assistance from the EPA for environmental concerns shall be requested through the Unified Government/Wyandotte County EOC, as early in the incident as practical. An On-Scene Coordinator will then respond to the area and begin a needs assessment based on the agent(s) involved and the extent of involvement.

The State of Kansas resides in the EPA's Region 7. Regional Response Team 7 (RRT 7) is the federal component of the National Response System for the states of Kansas, Iowa, Missouri and Nebraska. It is made up of representatives of 14 agencies plus each of the four states. RRT 7 is a planning, policy and coordinating body, which does not respond directly to the scene of an oil spill or hazardous substance release. It provides assistance as requested to the On-Scene Coordinator during an incident.

Depending upon the pathogen or contaminant involved in a public health emergency, vector intervention may be required. A "vector" is defined usually as an insect that helps spread a pathogen. The vector may be a tick, a mosquito or flea.

Based on the pathogen or contaminant involved a determination will be made as to what actions / interventions may be undertaken to prevent the spread of the agent and / or disease. Examples of possible interventions are spraying insecticides to eliminate possible vectors, quarantining of livestock, etc.

2.13 Behavioral Health

Every effort will be made to provide crisis-counseling services to people affected by the disaster. Depending on the magnitude of the event, a representative from the Wyandot Center may be requested to report to the EOC to serve as the Mental Health Services Coordinator. To activate the mental health responders during an emergency event, the appropriate designee in the EOC will contact the 24-hour Wyandot Center Mental health



Crisis Line (913-788-4200831-1773). The Crisis Line operator will notify the Director of Outpatient/Crisis Services or designee in the director's absence. The director or designee will then activate the center's disaster response call system.

Trained mental health counselors are available through the Wyandot Center and numerous volunteer organizations have the ability to provide both faith-based and non-faith-based disaster counseling services.

Emergency services personnel will be notified to be alert to signs of high stress, emotional instability or unusual behavior among both disaster victims and emergency workers and will notify ESF 6 of such conditions. The Mental Health Services Coordinator will work with primary and support agencies to assess disaster mental health requirements and, based on the needs of the event, deploy appropriately trained staff to provide services at:

- Disaster sites
- Damage areas
- Shelters
- Medical Facilities
- Assistance Centers
- Mortuary facilities
- Dispensing sites
- Mental health offices

If the emergency is crime-related, the Police Department's Office of Victims Services will take the lead in providing appropriate mental health services to the individuals affected by the event and work with the Mental Health Services Coordinator to ensure services are coordinated.

ESF 6, specifically the Mental Health Services Coordinator, will work with ESF 15 to ensure information regarding the availability of crisis counseling services is provided to the public. If dictated by the scope of the event, a special telephone number may be established to take calls specifically related to disaster mental health issues.

All Mental Health Workers to be activated will be Critical Incident Stress Management (CISM) trained. The Wyandot Center Crisis Services will maintain a database of current CISM-certified Mental Health Workers within the organization and the broader community



The American Red Cross will operate a Disaster Welfare Information (DWI) system to report on victims statuses and assist with family reunification. Information regarding individuals residing in the affected area will be collected and provided to authorities and immediate family members. If appropriate, the ARC will work closely with agencies providing mental health services when relaying information to family members.



2.14

2.14 Considerations for Functional and Access Needs Populations and Children

The Unified Government has a local ADA Coordinator position within the Human Services Department ~~who~~^{that} coordinates regularly with the State ADA Coordinator to ensure programs and policies are in compliance with the Americans with Disabilities Act. In addition, in large or complex disasters, the EOC Manager may choose to staff an ADA Incident Coordinator directly in the EOC. If necessary, the ESF 8 Coordinator(s) will consult with the ADA Coordinator, or ADA Incident Coordinator, if assigned, to ensure firefighting services are delivered in a manner consistent with the ADA.

Evacuation Plans have been independently developed for institutions housing functional and access needs populations and children by the administrations of those facilities including:

- Long term care facilities;
- Kansas School for the Blind;
- Assisted Living Centers
- Independent Living Facilities
- Schools
- Hospitals
- Day Care Facilities

In many cases, these evacuation plans have been communicated in advance to medical services agencies. In the event of evacuation of a large facility, ESF 8 would coordinate closely with ESF 1 and other transportation providers to provide appropriate transportation for the medically fragile. ESF 1 and ESF 8 have access to transport resources to accommodate those with functional and access needs.

Through its Public Health Agency, Wyandotte County has identified the primary languages spoken in households within Wyandotte County. Most educational materials have been translated in to Spanish and on occasion other languages. Within the Unified Government of Wyandotte County and in Bonner Springs and Edwardsville employees who are fluent in foreign languages have been identified and are “on-call” to provide interpretation and translation services as needed. These individuals are



utilized routinely for day-to-day activities and a contact list is maintained by the ADA Coordinator in the [Office of the County Administrator](#)[Human Resources Department](#). In addition, the Kansas State School for the Blind can assist with Braille interpretation. For those languages for which no individuals have been identified, the Public Health Department utilizes Propio for interpretation and translation services. This service is available to all emergency response agencies and the Public Information Officers throughout the county. The local television stations have agreed to provide materials in Spanish and other languages as appropriate when they interrupt programming or when text lines are used across normal programming. TTY telephone services are available throughout Wyandotte County.

2.15 Phases of Emergency Management

The four phases of Emergency Management are defined in Section 2.2 of the Basic Plan. The following table provides actions that have been identified for ESF 8 in each of the four emergency management phases: preparedness, response, recovery and mitigation.

2.15.1 Preparedness

Agency	Action
American Red Cross	Coordinate and maintain family reunification policies or procedures to be used by ESF 8
Bonner Springs EMS Department	Credential and badge department employees prior to an incident
Bonner Springs EMS Department	Credential medical staff
Bonner Springs EMS Department	Maintain Resource list for specialized medical transportation
Edwardsville FD-EMS	Credential medical staff
Edwardsville FD-EMS	Maintain Resource list for specialized medical transportation
Kansas University of Kansas Hospital and Medical Center Hospital	Establish and maintain field and inter-hospital medical communications



Agency	Action
<u>Authority</u>	
KCKFD EMS Division	Credential and badge department employees prior to an incident
KCKFD EMS Division	Credential medical staff
KCKFD EMS Division	Maintain Resource list for specialized medical transportation
Mid-America Regional Council	Serve as the sponsoring agency for the Medical Reserve Corps and coordinate with Wyandotte County to provide health and medical resources to support emergency operations
Providence Medical Center	Identify ability of hospitals to perform decontamination of patients, service animals and pets
Providence Medical Center	Monitor available medical beds and report to ESF 8 Coordinator in EOC
Providence Medical Center	Maintain MOUs or MOAs to share medical resources
Providence Medical Center	Identify alternate care site planning activities
Providence Medical Center	Credential and badge department employees prior to an incident
Providence Medical Center	Credential medical staff
Providence Medical Center	Maintain Resource list for specialized medical transportation
Providence Medical Center	Maintain list/contacts for specialty medical care organizations such as Dialysis Centers
Providence Medical Center	Ensure medical staff are credentialed and badged by the state in ESR, VIP, or MRC prior to an incident
Unified Government Building and Logistics Division	Ensure that any County facilities suitable for use in support of ESF #8 activities can be quickly made available
Unified Government Emergency Management Wyandotte County Emergency Management Department	Provide initial notification for ESF 8
Unified Government Wyandotte County Emergency Management Department	Coordinate local efforts related to K-SERV and medical professional volunteer registration
Unified Government Wyandotte County Emergency Management Department	Identify currently available health and medical sector related volunteer organizations
Unified Government Wyandotte County Emergency Management Department	Capture incident related expenses to be used in emergency response
Unified Government Wyandotte County Emergency Management Department	Coordinate credentialing/privileging procedures to utilize volunteer behavioral health professionals and other staff
Unified Government Wyandotte County	Coordinate activities in preparing access and functional needs populations for disasters



Agency	Action
Emergency Management Department	
Wyandotte County Public Health Department	<u>Provide liaison to communicate between public health department and ESF 8 for emergency related information</u>
Unified Government Wyandotte County Public Health Department	Provide a trained representative to serve as the ESF #8 Coordinator and report to the EOC or other designated location as requested by the Emergency Management Department
Unified Government Wyandotte County Public Health Department	Establish preventive public health services including the control of communicable diseases
Wyandotte County Public Health Department	Identify public health services needed to support identified disaster risks and provision of those services.
Wyandotte County Public Health Department	Coordinate the county medical countermeasure distribution and planning activities
Wyandotte County Public Health Department	Ensure department employees are credentialed and badged in the state CRMCS system and that volunteers are registered in K-SERV or MRC prior to an incident
Wyandotte County Public Health Department	Coordinate public health department's training and exercise program
Wyandotte County Public Health Department	Coordinate activities related to public health department SOG development
Wyandotte County Public Health Department	Coordinate with ESF 6 to identify agencies that work with individuals with functional and access needs in advance of, during, and following an emergency. This will serve as a resource to identify individuals with functional and access needs.
Wyandotte County Public Health Department	Work with neighboring community public health departments, as well as with State and Federal officials, to augment Wyandotte County's public health resources
Unified Government Wyandotte County Public Health Department	Investigate sanitation conditions and coordinate immunization programs
Unified Government Public Health Department	Work with neighboring community public health departments, as well as with State and Federal officials, to augment Wyandotte County's public health resources
Unified Government Public Health Department	Provide liaison to communicate between public health department and ESF 8 for emergency related information
Unified Government Public Health Department	Coordinate with ESF 6 to identify agencies that work with individuals with functional and access needs in advance of, during, and following an emergency. This will serve as a resource to identify individuals with functional and access needs.
Unified Government Public Health Department	Identify public health services needed to support identified disaster risks and provision of those services.
Unified Government Public Health Department	Coordinate activities related to public health department SOG development
Unified Government Public Health Department	Participate in the CDC Public Health Preparedness Program
Unified Government Public Health Department	Ensure department employees are credentialed and badged in the state CRMCS system and that volunteers are registered in K-SERV or MRC prior to an incident
Unified Government Public Health Department	Coordinate public health department's exercise program



Agency	Action
Unified Government Public Health Department	Coordinate the county medical countermeasure distribution and planning activities
University of Kansas Medical Center and Hospital Authority	Ensure medical staff are credentialed and badged in the state CRMCS system or registered in K-SERV or MRC prior to an incident
University of Kansas Medical Center and Hospital Authority	Identify ability of hospitals to perform decontamination of patients, service animals and pets
University of Kansas Medical Center and Hospital Authority	Monitor available medical beds and report to ESF 8 Coordinator in EOC
University of Kansas Medical Center and Hospital Authority	Maintain MOUs or MOAs to share medical resources
University of Kansas Medical Center and Hospital Authority	Identify alternate care site planning activities
University of Kansas Medical Center and Hospital Authority	Credential and badge department employees prior to an incident
University of Kansas Medical Center and Hospital Authority	Credential medical staff
University of Kansas Medical Center and Hospital Authority	Participate in the Hospital Preparedness Program
University of Kansas Medical Center and Hospital Authority	Maintain Resource list for specialized medical transportation
University of Kansas Medical Center and Hospital Authority	Maintain list/contacts for specialty medical care organizations such as Dialysis Centers
Wyandot Center	Identify county's behavioral health response capabilities
Wyandot Center	Coordinate behavioral health capabilities of the organization
Wyandot Center	Coordinate organization's behavioral health disaster team
Wyandotte County Coroner	Identify county's fatality management capabilities
Wyandotte County Coroner	Develop procedures to appropriately vet and release casualty and fatality information

2.15.2 Response

Agency	Action
All Agencies	Document and track resources that are committed to specific missions and costs
American Red Cross	Coordinate with functional and access needs populations at community shelters
Area Agency on Aging	Provide assistance in dealing with the health and medical needs of seniors, such as health screening and inoculations



Agency	Action
Bonner Springs EMS Department	Report incident related injuries to EOC
Bonner Springs EMS Department	Dispose of medical supplies
Bonner Springs EMS Department	Compile ESF 8 information and provide to EM for Incident Action Plan
Bonner Springs Fire/EMS Department	Support EMS operations as needed
Bonner Springs Fire/EMS Department	Respond to the disaster scene with emergency medical personnel and equipment.
Bonner Springs Fire/EMS Department	Respond to the disaster scene with emergency medical personnel and equipment.
Bonner Springs Fire/EMS Department	Establish a medical command post at the disaster site(s) to coordinate health and medical response team efforts.
Bonner Springs Fire/EMS Department	Provide triage, medical care and transport for the injured
Bonner Springs Fire/EMS Department	As requested, deploy personnel to the Wyandotte County EOC to assist the Public Health and Medical Services Coordinator
Bonner Springs Fire/EMS Department	Establish and maintain field communications and coordination with other responding emergency teams (police, public works, etc.) and radio or telephone communications with hospitals
Bonner Springs Fire/EMS Department	Evacuate patients from affected hospitals and nursing homes
Bonner Springs Police Department	Provide security at or around health and medical facilities or at mass casualty sites
Bonner Springs Police Department	Provide security assistance to medical facilities and to health and medical field personnel upon request
Bonner Springs Police Department	Maintain emergency health services at correctional facilities
Bonner Springs Police Department	Provide communications support for health and medical activities
Bonner Springs Police Department	Provide traffic flow and parking assistance around health and medical facilities
Edwardsville FD	Support EMS operations as needed
Edwardsville FD-EMS	Report incident related injuries to EOC
Edwardsville FD-EMS	Dispose of medical supplies
Edwardsville FD-EMS	Compile ESF 8 information and provide to EM for Incident Action Plan
Edwardsville FD-EMS	Support EMS operations as needed
Edwardsville FD-EMS	Respond to the disaster scene with emergency medical personnel and equipment.
Edwardsville FD-EMS	Respond to the disaster scene with emergency medical personnel and equipment.
Edwardsville FD-EMS	Establish a medical command post at the disaster site(s) to coordinate health and medical response team efforts.
Edwardsville FD-EMS	Provide triage, medical care and transport for the injured
Edwardsville FD-EMS	As requested, deploy personnel to the Wyandotte County EOC to assist the Public Health and Medical Services Coordinator
Edwardsville FD-EMS	Establish and maintain field communications and coordination with other responding emergency teams (police, public works, etc.) and radio or telephone communications with hospitals
Edwardsville FD-EMS	Evacuate patients from affected hospitals and nursing homes



Agency	Action
Edwardsville Police Department	Provide security at or around health and medical facilities or at mass casualty sites
Edwardsville Police Department	Provide security assistance to medical facilities and to health and medical field personnel upon request
Edwardsville Police Department	Maintain emergency health services at correctional facilities
Edwardsville Police Department	Provide communications support for health and medical activities
Edwardsville Police Department	Provide traffic flow and parking assistance around health and medical facilities
Edwardsville Public Works Department	When deployed, assume an appropriate role in the incident Command System (ICS). If the ICS has not been established, initiate ICS procedures until relieved by other first responder service (i.e. fire, police)
Kansas Department of Health and Environment	Provide additional resources, personnel and technical assistance to support public health and medical activities
Kansas Department of Health and Environment	Determine the extent or threat of contamination from chemical, radiological or infectious agents
Kansas University of Kansas Hospital and Medical Center Authority	Implement internal and external hospital disaster plans
Kansas University of Kansas Hospital and Medical Center Authority	Advise the Health and Medical Services Coordinator in the EOC of conditions of the hospital and number and type of available beds
Kansas University of Kansas Hospital and Medical Center Authority	Establish and maintain field and inter-hospital medical communications
Kansas University of Kansas Hospital and Medical Center Authority	Provide a representative to the Wyandotte County EOC
Kansas University of Kansas Hospital and Medical Center Authority	Coordinate with EMS, other hospitals and any medical response personnel at the scene to ensure that casualties are transported to the appropriate medical facility.
Kansas University of Kansas Hospital and Medical Center Authority	Distribute patients to hospitals both inside and outside the area based on severity and types of injuries, time and mode of transport, capability to treat, bed capacity and special designations such as trauma and burn centers
Kansas University of Kansas Hospital and Medical Center Authority	Coordinate the use of clinics to treat less than acute illnesses and injuries.
Kansas University of Kansas Hospital and Medical Center Authority	Coordinate with local emergency responders to isolate and decontaminate incoming patients to avoid the spread of chemical or bacterial agents to other patients and staff
Kansas University of Kansas Hospital and Medical Center Authority	Coordinate with other hospitals and EMS on the evacuation of patients from affected hospitals, and specify where patients are to be taken.
Kansas University of Kansas Hospital and Medical Center Authority	Depending on the situation, deploy medical personnel, supplies, and equipment to the disaster site(s) or retain them at the hospital for incoming patients.
Kansas University of Kansas Hospital and Medical Center Authority	Establish and staff a reception and support center at each hospital for the relatives and friends of disaster victims who may converge there in search of their loved ones.



Agency	Action
Kansas University of Kansas Hospital and Medical Center Authority	Provide patient identification information to the American Red Cross
KCK Fire Department	Support EMS operations as needed
KCK Fire Department	Respond to the disaster scene with emergency medical personnel and equipment.
KCK Fire Department	Upon arrival at the scene, assume an appropriate role in the Incident Command System (ICS)
KCK Fire Department	Establish a medical command post at the disaster site(s) to coordinate health and medical response team efforts.
KCK Fire Department	Provide triage, medical care and transport for the injured
KCK Fire Department	As requested, deploy personnel to the Wyandotte County EOC to assist the Public Health and Medical Services Coordinator
KCK Fire Department	Establish and maintain field communications and coordination with other responding emergency teams (police, public works, etc.) and radio or telephone communications with hospitals
KCK Fire Department	Evacuate patients from affected hospitals and nursing homes
KCK Fire Department, Hazardous Materials Unit	Activate and perform decontamination of patients, service animals and pets
KCKFD EMS Division	Report incident related injuries to EOC
KCKFD EMS Division	Dispose of medical supplies
KCKFD EMS Division	Compile ESF 8 information and provide to EM for Incident Action Plan
Metropolitan Medical Reserve Corps	Coordinate support activities to ESF 6 for functional and access needs populations at shelters
Mid-America Regional Council	Serve as the sponsoring agency for the Medical Reserve Corps and coordinate with Wyandotte County to provide health and medical resources to support emergency operations
Providence Medical Center	Implement internal and external hospital disaster plans
Providence Medical Center	Advise the Health and medical Services Coordinator in the EOC of conditions of the hospital and number and type of available beds
Providence Medical Center	Establish and maintain field and inter-hospital medical communications
Providence Medical Center	Provide a representative to the Wyandotte County EOC
Providence Medical Center	Provide medical guidance as needed to Emergency Medical Services
Providence Medical Center	Coordinate with EMS, other hospitals and any medical response personnel at the scene to ensure that casualties are transported to the appropriate medical facility.
Providence Medical Center	Distribute patients to hospitals both inside and outside the area based on severity and types of injuries, time and mode of transport, capability to treat, bed capacity and special designations such as trauma and burn centers
Providence Medical Center	Coordinate the use of clinics to treat less than acute illnesses and injuries.
Providence Medical Center	Coordinate with local emergency responders to isolate and decontaminate incoming patients to avoid the spread of chemical or bacterial agents to other patients and staff
Providence Medical Center	Coordinate with other hospitals and EMS on the evacuation of patients from affected hospitals, and specify where patients are to be taken.



Agency	Action
Providence Medical Center	Depending on the situation, deploy medical personnel, supplies, and equipment to the disaster site(s) or retain them at the hospital for incoming patients.
Providence Medical Center	Establish and staff a reception and support center at each hospital for the relatives and friends of disaster victims who may converge there in search of their loved ones.
Providence Medical Center	Provide patient identification information to the American Red Cross
Providence Medical Center	Operate community alternate care site
Providence Medical Center	Operate community alternate care site
Providence Medical Center	Track the injured (registration to discharge process)
Providence Medical Center	Provide liaison for communication between hospitals and ESF 8 related to patient numbers and information
Providence Medical Center	Report incident related injuries to EOC
Providence Medical Center	Activate and conduct medical care activities during a disaster
Providence Medical Center	Activate and conduct medical surge activities: cancellation of elective surgeries, transfer of patients, etc.
Providence Medical Center	Provide numbers of available beds, resources, medical capabilities and medical specialties to the ESF 8 Coordinator
Providence Medical Center	Coordinate and activate patient decontamination activities
Providence Medical Center	Dispose of medical supplies
Providence Medical Center	Conduct decontamination activities, in coordination with elf 10, for chemical, radiological, or biological agents
Providence Medical Center	Compile ESF 8 information and provide to EM for Incident Action Plan
Providence Medical Center	Activate Departmental Operations Center
Providence Medical Center	Request needed hospital resources through Hospital Regional Coordinator
Providence Medical Center	Coordinate the location, procurement, screening and allocation of health and medical supplies and resources, including human resources, required to support health and medical operations
Unified Government Building and Logistics Division	Ensure that any County facilities suitable for use in support of ESF #8 activities can be quickly made available
Unified Government Wyandotte County Emergency Management Department	Provide initial notification for ESF 8
Unified Government Wyandotte County Emergency Management Department	Communicate ESF 8 information to and between support agencies



Agency	Action
Unified Government Wyandotte County Emergency Management Department	Coordinate and maintain ESF 8 situational awareness
Unified Government Wyandotte County Emergency Management Department	Coordinate medical operations activities and resource needs for the following: health department, hospitals, EMS, environmental health, pharmacies, behavioral health centers/teams, clinics, funeral directors/coroner
Unified Government Wyandotte County Emergency Management Department	Identify specific health and safety risks for disasters
Unified Government Wyandotte County Emergency Management Department	Coordinate with ESF 7 to request resources
Unified Government Wyandotte County Emergency Management Department	Coordinate and activate mutual aid, K-SERV and other methods for requesting additional medical providers and support personnel
Unified Government Wyandotte County Emergency Management Department	Activate continuity of operations plan
Unified Government Wyandotte County Emergency Management Department	Coordinate emergency organization credentialing/privileging procedures
Unified Government Wyandotte County Emergency Management Department	Coordinate community outreach to functional and access needs populations
Unified Government Wyandotte County Emergency Management Department	Provide communication of functional and access needs populations to the ESF 8 Coordinator
Unified Government Wyandotte County Emergency Management Department	Coordinate and activate the Kansas Funeral Directors Association to support fatality management according to the Kansas Mass Fatality Plan
Wyandotte County Public Health Department	Activate Threat Assessment Team (TAT) and Departmental Operations Center
Wyandotte County Public Health Department	Provide liaison to communicate between public health department and ESF 8 for emergency related information
Unified Government Wyandotte County Public Health Department	Provide a trained representative to serve as the ESF #8 Coordinator and report to the EOC or other designated location as requested by the Emergency Management Department
Wyandotte County Public Health Department	Establish preventive public health services including the control of communicable diseases
Wyandotte County Public Health Department	Recommend or determine public health-related protective actions



Agency	Action
Wyandotte County Public Health Department	Ensure the protection of public health emergency response staff by taking actions to obtain necessary personal protective equipment (PPE) and prophylactic medications/vaccines
Unified Government Wyandotte County Public Health Department	IssueEnsure public health advisories on such matters as emergency water, supplies, waste disposal, vectors, immunizations, disinfecting, and other public health issues dictated by the event are provided to the PIO for dissemination.
Wyandotte County Public Health Department	Coordinate with Public Information Officer or ESF 15, if activated, to communicate incident related health and medical information to citizens including at-risk populations
Wyandotte County Public Health Department	Ensure appropriate public health situational information is made available to the EOC
Wyandotte County Public Health Department	Coordinate surveillance and epidemiological activities of the local public health department including activities with community partners: schools, EMS, hospitals, private medical providers, and others
Wyandotte County Public Health Department	Activate and conduct activities that may be involved in community disease containment measures
Wyandotte County Public Health Department	Work with neighboring community public health departments as well as with State and Federal officials, to augment Wyandotte County's public health resources
Wyandotte County Public Health Department	Investigate sanitation conditions and coordinate immunization programs
Unified Government Public Health Department	Establish preventive public health services including the control of communicable diseases
Unified Government Wyandotte County Public Health Department	Activate/coordinate county mass distribution and/or dispensing of medical countermeasures/materiel
Unified Government Public Health Department	Ensure appropriate public health situational information is made available to the Data and Technology section in the EOC
Unified Government Public Health Department	Investigate sanitation conditions and coordinate immunization programs
Unified Government Public Health Department	In the event the potable water supply has been determined as contaminated, coordinate with the ESF #7—Resource Support to identify water supply vendors and assist with the development of a water distribution system.
Unified Government Public Health Department	Work with neighboring community public health departments as well as with State and Federal officials, to augment Wyandotte County's public health resources
Unified Government Public Health Department	Ensure the protection of public health emergency response staff by taking actions to obtain necessary personal protective equipment (PPE) and prophylactic medications/vaccines
Unified Government Wyandotte County Public Health Department	Serve as the Lead Agency for Biological Incidents
Unified Government Public Health Department	Provide liaison to communicate between public health department and ESF 8 for emergency related information
Unified Government Public Health Department	Coordinate with Public Information Officer or ESF 15, if activated, to communicate incident related health and medical information to citizens including at-risk populations
Unified Government Public Health Department	Coordinate surveillance and epidemiological activities of the local public health department including activities with community partners: schools, EMS, hospitals, private medical providers, and others



Agency	Action
Unified Government Public Health Department	Recommend or determine public health-related protective actions
Unified Government Public Health Department	Activate and conduct activities that may be involved in community disease containment measures
Unified Government Public Health Department	Recommend or determine public health department's protective action
Unified Government Public Health Department	Provide liaison to communicate between health department and ESF-8 for emergency related information
Unified Government Wyandotte County Public Health Department	Report incident related injuries to EOC
Unified Government Wyandotte County Public Health Department	Coordinate vector surveillance activities
Unified Government Wyandotte County Public Health Department	Perform vector surveillance activities
Unified Government Wyandotte County Public Health Department	Recover <u>medical</u> supplies and dispose of medical waste
Unified Government Public Health Department	Compile ESF-8 information and provide to EM for incident action plan
Unified Government Public Health Department	Activate Departmental Operations Center
University of Kansas Medical Center and Hospital Authority	Coordinate the location, procurement, screening and allocation of health and medical supplies and resources, including human resources, required to support health and medical operations
University of Kansas Medical Center and Hospital Authority	Activate community alternate care site
University of Kansas Medical Center and Hospital Authority	Activate community alternate care site
University of Kansas Medical Center and Hospital Authority	Track the injured (registration to discharge process)
University of Kansas Medical Center and Hospital Authority	Provide liaison for communication between hospitals and ESF 8 related to patient numbers and information
University of Kansas Medical Center and Hospital Authority	Report incident related injuries to EOC
University of Kansas Medical Center and Hospital Authority	Activate and conduct medical care activities during a disaster
University of Kansas Medical Center and Hospital Authority	Activate and conduct medical surge activities: cancellation of elective surgeries, transfer of patients, etc.
University of Kansas Medical Center and Hospital Authority	Provide numbers of available beds, resources, medical capabilities and medical specialties to the ESF 8 Coordinator



Agency	Action
University of Kansas Medical Center and Hospital Authority	Coordinate and activate patient decontamination activities
University of Kansas Medical Center and Hospital Authority	Dispose of medical supplies
University of Kansas Medical Center and Hospital Authority	Conduct decontamination activities, in coordination with elf 10, for chemical, radiological, or biological agents
University of Kansas Medical Center and Hospital Authority	Compile ESF 8 information and provide to EM for Incident Action Plan
University of Kansas Medical Center and Hospital Authority	Activate Departmental Operations Center
University of Kansas Medical Center and Hospital Authority	Request needed hospital resources through Hospital Regional Coordinator
Voluntary Organizations Active in Disasters	Provide food for emergency medical workers, volunteers and patients, if requested
Voluntary Organizations Active in Disasters	Maintain a Disaster Welfare Information (DWI) system in coordination with hospitals, EMS, aid stations, and field triage units to collect, receive, and report information about the status of victims.
Voluntary Organizations Active in Disasters	Provide Disaster Welfare Information to the ESF #8 Coordinator for appropriate dissemination
Voluntary Organizations Active in Disasters	Assist in the notification to the next of kin of the injured and deceased.
Voluntary Organizations Active in Disasters	Assist with the reunification of the injured with their families
Voluntary Organizations Active in Disasters	Provide first aid and other related medical support (within capabilities) at temporary treatment centers
Voluntary Organizations Active in Disasters	Provide supplementary medical and nursing aid and other health services, if requested and within capabilities
Voluntary Organizations Active in Disasters	Provide assistance for the special needs of the disabled, elderly and children separated from their parents.
Wyandot Center	Coordinate and activate behavioral health care activities
Wyandot Center	Conduct behavioral health care activities
Wyandotte County Coroner	Manage the disposition and tracking of the deceased
Wyandotte County Coroner	Coordinate fatality management process and request additional support
Wyandotte County Coroner	Activate the Kansas Funeral Directors Association Disaster Team to support fatality management according to the Kansas Mass Fatality Plan
Wyandotte County Coroner	Report incident related fatalities to EOC
Wyandotte County Coroner	Coordinate and activate mortuary services during an emergency
Wyandotte County Coroner	Conduct mortuary services during an emergency
Wyandotte County Coroner	Coordinate and activate the Kansas Funeral Directors Association to support fatality management according to the Kansas Mass Fatality Plan



Agency	Action
Wyandotte County Coroner	Activate mass fatality site
Wyandotte County Sheriff's Office	Provide security at or around health and medical facilities or at mass casualty sites
Wyandotte County Sheriff's Office	Provide security assistance to medical facilities and to health and medical field personnel upon request
Wyandotte County Sheriff's Office	Maintain emergency health services at correctional facilities,
Wyandotte County Sheriff's Office	Provide communications support for health and medical activities
Wyandotte County Sheriff's Office	Provide traffic flow and parking assistance around health and medical facilities

2.15.3 Recovery

Agency	Action
American Red Cross	Activate family reunification policies or procedures to be used by ESF 8
Board of Public Utilities	Restore water and wastewater capabilities in coordination with ESF 3
Bonner Springs EMS	Coordinate with health and medical sector agencies submitting response and recovery information to emergency management
Bonner Springs EMS	Compile ESF 8 information and provide to EM for Incident Action Plan
Edwardsville FD EMS	Coordinate with health and medical sector agencies submitting response and recovery information to emergency management
Edwardsville FD EMS	Compile ESF 8 information and provide to EM for Incident Action Plan
Kansas Department of Health and Environment	Inspect food service establishments prior to resuming business
Kansas University of Kansas Hospital and Medical Center Authority	Establish and maintain field and inter-hospital medical communications
KCKFD EMS Division	Coordinate with health and medical sector agencies submitting response and recovery information to emergency management
KCKFD EMS Division	Compile ESF 8 information and provide to EM for Incident Action Plan
Mid-America Regional Council	Serve as the sponsoring agency for the Medical Reserve Corps and coordinate with Wyandotte County to provide health and medical resources to support emergency operations
Providence Medical Center	Coordinate with health and medical sector agencies submitting response and recovery information to emergency management
Providence Medical Center	Report damages to hospitals to ESF 8
Providence Medical Center	Compile ESF 8 information and provide to EM for Incident Action Plan
Unified Government Wyandotte County Emergency Management Department	Record damage assessment information
Unified Government Wyandotte County Emergency Management Department	Provide incident reports for elected officials



Agency	Action
Unified Government Wyandotte County Emergency Management Department	Assist functional and access needs populations in recovering from disasters including programs provided
Wyandotte County Public Health Department	Provide liaison to communicate between public health department and ESF 8 for emergency related information
Unified Government Wyandotte County Public Health Department	Provide a trained representative to serve as the ESF #8 Coordinator and report to the EOC or other designated location as requested by the Emergency Management Department
Unified Government Wyandotte County Public Health Department	Establish <u>Continue</u> public health preventive health services including the control of communicable diseases
Wyandotte County Public Health Department	Monitor public health effects post-disaster
Wyandotte County Public Health Department	Continue investigation on sanitation conditions and coordinate the immunization programs
Wyandotte County Public Health Department	Provide public health input into community recovery affairs
Wyandotte County Public Health Department	Coordinate with health and medical sector agencies submitting response and recovery information to emergency management
Unified Government Public Health Department	Investigate sanitation conditions and coordinate immunization programs
Unified Government Public Health Department	Provide liaison to communicate between public health department and ESF 8 for emergency related information
Unified Government Public Health Department	Coordinate with health and medical sector agencies submitting response and recovery information to emergency management
Unified Government Public Health Department	Conduct and monitor public health effects post-disaster
Unified Government Public Health Department	Provide public health input into community recovery affairs
Unified Government Public Health Department	Compile ESF 8 information and provide to EM for Incident Action Plan
University of Kansas Medical Center and Hospital Authority	Coordinate with health and medical sector agencies submitting response and recovery information to emergency management
University of University of Kansas Medical Center and Hospital Authority	Report damages to hospitals to ESF 8
University of Kansas Medical Center and Hospital Authority	Compile ESF 8 information and provide to EM for Incident Action Plan

2.15.4 Mitigation

Agency	Action
Bonner Springs EMS Department	Participate on the jurisdictional hazard mitigation planning committee
Edwardsville FD EMS	Participate on the jurisdictional hazard mitigation planning committee
KCKFD EMS Division	Participate on the jurisdictional hazard mitigation planning committee



Agency	Action
Mid-America Regional Council	Serve as the sponsoring agency for the Medical Reserve Corps and coordinate with Wyandotte County to provide health and medical resources to support emergency operations
Providence Medical Center	Participate on the jurisdictional hazard mitigation planning committee
Wyandotte County Public Health Department	Provide liaison to communicate between public health department and ESF 8 for emergency related information
Unified Government Wyandotte County Public Health Department	Provide a trained representative to serve as the ESF #8 Coordinator and report to the EOC or other designated location as requested by the Emergency Management Department
Unified Government Wyandotte County Public Health Department	Establish public health preventive services including the control of communicable diseases
Wyandotte County Public Health Department	Identify the public health impact of identified risks
Wyandotte County Public Health Department	Investigate sanitation conditions and coordinate immunization programs
Wyandotte County Public Health Department	Provide hand washing and other disease prevention campaign activities
Wyandotte County Public Health Department	Participate on the jurisdictional hazard mitigation planning committee
Unified Government Public Health Department	Investigate sanitation conditions and coordinate immunization programs
Unified Government Public Health Department	Provide liaison to communicate between public health department and ESF 8 for emergency related information
Unified Government Public Health Department	Identify the public health impact of identified risks
Unified Government Public Health Department	Provide hand washing and other disease prevention campaign activities
Unified Government Public Health Department	Participate on the jurisdictional hazard mitigation planning committee
University of Kansas Medical Center and Hospital Authority	Participate on the jurisdictional hazard mitigation planning committee

3 In addition, Chapter 4 of the *Wyandotte County Multi-hazard Mitigation Plan* details specific mitigation measures related to Public Health and Medical Services. http://www.wycokck.org/InternetDept.aspx?id=22574&menu_id=950&banner=15284.



3 RESPONSIBILITIES

It is understood that each coordinating and primary agency will at a minimum:

- Develop applicable standard operating procedures, guidelines and/or checklists detailing the accomplishment of their assigned functions.
- When requested, deploy a representative to the EOC to assist with ESF 8 activities.
- Provide ongoing status reports as requested by the Mass Care, Housing and Human Services Coordinators.
- Maintain updated resource inventories of supplies, equipment, and personnel resources, including possible sources of augmentation or replacement.
- Document all costs and expenses associated with response and recovery activities taking care to clearly separate disaster related work from daily work in the event that State and Federal reimbursement becomes available.
- Maintain up-to-date rosters for notifying personnel and 24-hour staffing capabilities.

~~The remainder of this section provides the actions necessary to implement this ESF sorted alphabetically by responsible agency.~~

Agency	Action
American Red Cross	Coordinate and maintain family reunification policies or procedures to be used by ESF 8
American Red Cross	Coordinate with functional and access needs populations at community shelters
American Red Cross	Activate family reunification policies or procedures to be used by ESF 8
Area Agency on Aging	Provide assistance in dealing with the health and medical needs of seniors, such as health screening and inoculations
Board of Public Utilities	Restore water and wastewater capabilities in coordination with ESF 3
Bonner Springs EMS Department	Credential and badge department employees prior to an incident
Bonner Springs EMS Department	Credential medical staff
Bonner Springs EMS Department	Report incident related injuries to EOC
Bonner Springs EMS Department	Dispose of medical supplies
Bonner Springs EMS Department	Coordinate with health and medical sector agencies submitting response and recovery information to emergency management
Bonner Springs EMS Department	Participate on the jurisdictional hazard mitigation planning committee
Bonner Springs EMS Department	Compile ESF 8 information and provide to EM for Incident Action Plan



Agency	Action
Bonner Springs EMS Department	Maintain Resource list for specialized medical transportation
Bonner Springs Fire/EMS Department	Support EMS operations as needed
Bonner Springs Fire/EMS Department	Respond to the disaster scene with emergency medical personnel and equipment.
Bonner Springs Fire/EMS Department	Upon arrival at the scene, assume an appropriate role in the Incident Command System (ICS)
Bonner Springs Fire/EMS Department	Establish a medical command post at the disaster site(s) to coordinate health and medical response team efforts.
Bonner Springs Fire/EMS Department	Provide triage, medical care and transport for the injured
Bonner Springs Fire/EMS Department	As requested, deploy personnel to the Wyandotte County EOC to assist the Public Health and Medical Services Coordinator
Bonner Springs Fire/EMS Department	Establish and maintain field communications and coordination with other responding emergency teams (police, public works, etc.) and radio or telephone communications with hospitals
Bonner Springs Fire/EMS Department	Evacuate patients from affected hospitals and nursing homes
Bonner Springs Police Department	Provide security at or around health and medical facilities or at mass casualty sites
Bonner Springs Police Department	Provide security assistance to medical facilities and to health and medical field personnel upon request
Bonner Springs Police Department	Maintain emergency health services at correctional facilities
Bonner Springs Police Department	Provide communications support for health and medical activities
Bonner Springs Police Department	Provide traffic flow and parking assistance around health and medical facilities
Edwardsville Fire Department	Support EMS operations as needed
Edwardsville FD EMS	Credential and badge department employees prior to an incident
Edwardsville FD EMS	Credential medical staff
Edwardsville FD EMS	Report incident related injuries to EOC
Edwardsville FD EMS	Dispose of medical supplies
Edwardsville FD EMS	Coordinate with health and medical sector agencies submitting response and recovery information to emergency management
Edwardsville FD EMS	Participate on the jurisdictional hazard mitigation planning committee
Edwardsville FD EMS	Compile ESF 8 information and provide to EM for Incident Action Plan
Edwardsville FD EMS	Maintain Resource list for specialized medical transportation
Edwardsville Police Department	Provide security at or around health and medical facilities or at mass casualty sites
Edwardsville Police Department	Provide security assistance to medical facilities and to health and medical field personnel upon request
Edwardsville Police Department	Maintain emergency health services at correctional facilities
Edwardsville Police Department	Provide communications support for health and medical activities
Edwardsville Police Department	Provide traffic flow and parking assistance around health and medical facilities



Agency	Action
Edwardsville Public Works Department	When deployed, assume an appropriate role in the incident Command System (ICS). If the ICS has not been established, initiate ICS procedures until relieved by other first responder service (i.e. fire, police)
Kansas Department of Health and Environment	Provide additional resources, personnel and technical assistance to support public health and medical activities
Kansas Department of Health and Environment	Determine the extent or threat of contamination from chemical, radiological or infectious agents
Kansas Department of Health and Environment	Inspect food service establishments prior to resuming business
Kansas University Hospital and Medical Center	Implement internal and external hospital disaster plans
Kansas University Hospital and Medical Center	Advise the Health and Medical Services Coordinator in the EOC of conditions of the hospital and number and type of available beds
Kansas University Hospital and Medical Center	Establish and maintain field and inter-hospital medical communications
Kansas University Hospital and Medical Center	Provide a representative to the Wyandotte County EOC
Kansas University Hospital and Medical Center	Coordinate with EMS, other hospitals and any medical response personnel at the scene to ensure that casualties are transported to the appropriate medical facility.
Kansas University Hospital and Medical Center	Distribute patients to hospitals both inside and outside the area based on severity and types of injuries, time and mode of transport, capability to treat, bed capacity and special designations such as trauma and burn centers
Kansas University Hospital and Medical Center	Coordinate the use of clinics to treat less than acute illnesses and injuries.
Kansas University Hospital and Medical Center	Coordinate with local emergency responders to isolate and decontaminate incoming patients to avoid the spread of chemical or bacterial agents to other patients and staff
Kansas University Hospital and Medical Center	Coordinate with other hospitals and EMS on the evacuation of patients from affected hospitals, and specify where patients are to be taken.
Kansas University Hospital and Medical Center	Depending on the situation, deploy medical personnel, supplies, and equipment to the disaster site(s) or retain them at the hospital for incoming patients.
Kansas University Hospital and Medical Center	Establish and staff a reception and support center at each hospital for the relatives and friends of disaster victims who may converge there in search of their loved ones.
Kansas University Hospital and Medical Center	Provide patient identification information to the American Red Cross
KCK Fire Department	Support EMS operations as needed
KCK Fire Department	Respond to the disaster scene with emergency medical personnel and equipment.
KCK Fire Department	Upon arrival at the scene, assume an appropriate role in the Incident Command System (ICS)



Agency	Action
KCK Fire Department	Establish a medical command post at the disaster site(s) to coordinate health and medical response team efforts.
KCK Fire Department	Provide triage, medical care and transport for the injured
KCK Fire Department	As requested, deploy personnel to the Wyandotte County EOC to assist the Public Health and Medical Services Coordinator
KCK Fire Department	Establish and maintain field communications and coordination with other responding emergency teams (police, public works, etc.) and radio or telephone communications with hospitals
KCK Fire Department	Evacuate patients from affected hospitals and nursing homes
KCK Fire Department, Hazardous Materials Unit	Activate and perform decontamination of patients, service animals and pets
KCKFD EMS Division	Credential and badge department employees prior to an incident
KCKFD EMS Division	Credential medical staff
KCKFD EMS Division	Report incident related injuries to EOC
KCKFD EMS Division	Dispose of medical supplies
KCKFD EMS Division	Coordinate with health and medical sector agencies submitting response and recovery information to emergency management
KCKFD EMS Division	Participate on the jurisdictional hazard mitigation planning committee
KCKFD EMS Division	Compile ESF 8 information and provide to EM for Incident Action Plan
KCKFD EMS Division	Maintain Resource list for specialized medical transportation
Metropolitan Medical Reserve Corps	Coordinate support activities to ESF 6 for functional and access needs populations at shelters
Mid-America Regional Council	Serve as the sponsoring agency for the Medical Reserve Corps and coordinate with Wyandotte County to provide health and medical resources to support emergency operations
Providence Medical Center	Implement internal and external hospital disaster plans
Providence Medical Center	Advise the Health and medical Services Coordinator in the EOC of conditions of the hospital and number and type of available beds
Providence Medical Center	Establish and maintain field and inter-hospital medical communications
Providence Medical Center	Provide a representative to the Wyandotte County EOC
Providence Medical Center	Provide medical guidance as needed to Emergency Medical Services
Providence Medical Center	Coordinate with EMS, other hospitals and any medical response personnel at the scene to ensure that casualties are transported to the appropriate medical facility.
Providence Medical Center	Distribute patients to hospitals both inside and outside the area based on severity and types of injuries, time and mode of transport, capability to treat, bed capacity and special designations such as trauma and burn centers
Providence Medical Center	Coordinate the use of clinics to treat less than acute illnesses and injuries.
Providence Medical Center	Coordinate with local emergency responders to isolate and decontaminate incoming patients to avoid the spread of chemical or bacterial agents to other patients and staff
Providence Medical Center	Coordinate with other hospitals and EMS on the evacuation of patients from affected hospitals, and specify where patients are to be taken.



Agency	Action
Providence Medical Center	Depending on the situation, deploy medical personnel, supplies, and equipment to the disaster site(s) or retain them at the hospital for incoming patients.
Providence Medical Center	Establish and staff a reception and support center at each hospital for the relatives and friends of disaster victims who may converge there in search of their loved ones.
Providence Medical Center	Provide patient identification information to the American Red Cross
Providence Medical Center	Identify ability of hospitals to perform decontamination of patients, service animals and pets
Providence Medical Center	Monitor available medical beds and report to ESF 8 Coordinator in EOC
Providence Medical Center	Maintain MOUs or MOAs to share medical resources
Providence Medical Center	Identify alternate care site planning activities
Providence Medical Center	Credential and badge department employees prior to an incident
Providence Medical Center	Credential medical staff
Providence Medical Center	Participate in the Hospital Preparedness Program
Providence Medical Center	Operate community alternate care site
Providence Medical Center	Operate community alternate care site
Providence Medical Center	Track the injured (registration to discharge process)
Providence Medical Center	Provide liaison for communication between hospitals and ESF 8 related to patient numbers and information
Providence Medical Center	Report incident related injuries to EOC
Providence Medical Center	Activate and conduct medical care activities during a disaster
Providence Medical Center	Activate and conduct medical surge activities: cancellation of elective surgeries, transfer of patients, etc.
Providence Medical Center	Provide numbers of available beds, resources, medical capabilities and medical specialties to the ESF 8 Coordinator
Providence Medical Center	Coordinate and activate patient decontamination activities
Providence Medical Center	Dispose of medical supplies
Providence Medical Center	Conduct decontamination activities, in coordination with elf 10, for chemical, radiological, or biological agents
Providence Medical Center	Coordinate with health and medical sector agencies submitting response and recovery information to emergency management
Providence Medical Center	Report damages to hospitals to ESF 8
Providence Medical Center	Participate on the jurisdictional hazard mitigation planning committee



Agency	Action
Providence Medical Center	Compile ESF 8 information and provide to EM for Incident Action Plan
Providence Medical Center	Activate Departmental Operations Center
Providence Medical Center	Maintain Resource list for specialized medical transportation
Providence Medical Center	Maintain list/contacts for specialty medical care organizations such as Dialysis Centers
Providence Medical Center	Request needed hospital resources through Hospital Regional Coordinator
Providence Medical Center	Coordinate the location, procurement, screening and allocation of health and medical supplies and resources, including human resources, required to support health and medical operations
Providence Medical Center	Ensure medical staff are credentialed and badged by the state in ESR, VIP, or MRC prior to an incident
Unified Government Building and Logistics Division	Ensure that any County facilities suitable for use in support of ESF #8 activities can be quickly made available
Unified Government Emergency Management Department	Provide initial notification for ESF 8
Unified Government Emergency Management Department	Coordinate local efforts related to K-SERV and medical professional volunteer registration
Unified Government Emergency Management Department	Identify currently available health and medical sector related volunteer organizations
Unified Government Emergency Management Department	Capture incident related expenses to be used in emergency response
Unified Government Emergency Management Department	Coordinate credentialing/privileging procedures to utilize volunteer behavioral health professionals and other staff
Unified Government Emergency Management Department	Coordinate activities in preparing access and functional needs populations for disasters
Unified Government Emergency Management Department	Communicate ESF 8 information to and between support agencies
Unified Government Emergency Management Department	Coordinate and maintain ESF 8 situational awareness



Agency	Action
Unified Government Emergency Management Department	Coordinate medical operations activities and resource needs for the following: health department, hospitals, EMS, environmental health, pharmacies, behavioral health centers/teams, clinics, funeral directors/coroner
Unified Government Emergency Management Department	Identify specific health and safety risks for disasters
Unified Government Emergency Management Department	Coordinate with ESF 7 to request resources
Unified Government Emergency Management Department	Coordinate and activate mutual aid, K-SERV and other methods for requesting additional medical providers and support personnel
Unified Government Emergency Management Department	Activate continuity of operations plan
Unified Government Emergency Management Department	Coordinate emergency organization credentialing/privileging procedures
Unified Government Emergency Management Department	Coordinate community outreach to functional and access needs populations
Unified Government Emergency Management Department	Provide communication of functional and access needs populations to the ESF 8 Coordinator
Unified Government Emergency Management Department	Coordinate and activate the Kansas Funeral Directors Association to support fatality management according to the Kansas Mass Fatality Plan
Unified Government Emergency Management Department	Record damage assessment information
Unified Government Emergency Management Department	Provide incident reports for elected officials
Unified Government Emergency Management Department	Assist functional and access needs populations in recovering from disasters including programs provided
Unified Government Public Health Department	Provide a trained representative to serve as the ESF #8 Coordinator and report to the EOC or other designated location as requested by the Emergency Management Department



Agency	Action
Unified Government Public Health Department	Issue public health advisories to the public on such matters as emergency water supplies, waste disposal, vectors, immunizations, disinfecting, and other public health issues dictated by the event
Unified Government Public Health Department	Establish preventive public health services including the control of communicable diseases
Unified Government Public Health Department	Organize the distribution of medical material
Unified Government Public Health Department	Ensure appropriate public health situational information is made available to the Data and Technology section in the EOC
Unified Government Public Health Department	Investigate sanitation conditions and coordinate immunization programs
Unified Government Public Health Department	In the event the potable water supply has been determined as contaminated, coordinate with the ESF #7—Resource Support to identify water supply vendors and assist with the development of a water distribution system.
Unified Government Public Health Department	Work with neighboring public health departments, as well as with State and Federal officials, to augment Wyandotte County's public health resources
Unified Government Public Health Department	Ensure the protection of public health emergency response staff by taking actions to obtain necessary protective respiratory devices and clothing, detection and decontamination equipment and antidotes for personnel assigned to perform tasks during response operations
Unified Government Public Health Department	Serve as the Lead Agency for Biological Incidents
Unified Government Public Health Department	Provide liaison to communicate between health department and ESF 8 for emergency related information
Unified Government Public Health Department	Coordinate with ESF 6 to identify agencies that work with individuals with functional and access needs in advance of, during, and following an emergency. This will serve as a resource to identify individuals with functional and access needs.
Unified Government Public Health Department	Identify health services needed to support identified disaster risks and provision of those services.
Unified Government Public Health Department	Coordinate activities related to health department SOG development
Unified Government Public Health Department	Participate in the CDC Public Health Preparedness Program
Unified Government Public Health Department	Ensure department employees are credentialed and badged by the state in KSRV or MRC prior to an incident
Unified Government Public Health Department	Coordinate public health department's exercise program



Agency	Action
Unified Government Public Health Department	Participate in county medical countermeasure planning
Unified Government Public Health Department	Coordinate community distribution and dispensing activities including vaccines and pharmaceuticals
Unified Government Public Health Department	Coordinate with Public Information Officer or ESF 15, if activated, to communicate incident related health and medical information to citizens including at-risk populations
Unified Government Public Health Department	Coordinate surveillance and epidemiological activities of the local public health department including activities with community partners: schools, EMS, hospitals, private medical providers, and others
Unified Government Public Health Department	Recommend or determine public health-related protective actions
Unified Government Public Health Department	Activate and conduct activities that may be involved in community disease containment measures including isolation, quarantine, and gathering cancellation
Unified Government Public Health Department	Activate and conduct county's mass countermeasures priorities and general activities
Unified Government Public Health Department	Activate and conduct county's disease surveillance system
Unified Government Public Health Department	Recommend or determine public health department's protective action
Unified Government Public Health Department	Provide liaison to communicate between health department and ESF 8 for emergency related information
Unified Government Public Health Department	Report incident related injuries to EOC
Unified Government Public Health Department	Coordinate vector surveillance activities
Unified Government Public Health Department	Perform vector surveillance activities
Unified Government Public Health Department	Provide briefs or updates related to vector surveillance activities to ESF 8
Unified Government Public Health Department	Dispose of medical supplies
Unified Government Public Health Department	Coordinate public health response and recovery information sent to emergency management
Unified Government Public Health Department	Conduct and monitor health effects post-disaster



Agency	Action
Unified Government Public Health Department	Provide public health input into community recovery affairs
Unified Government Public Health Department	Identify the public health impact of identified risks
Unified Government Public Health Department	Provide vaccinations against preventable diseases including tetanus, influenza, pertussis, etc.
Unified Government Public Health Department	Provide hand-washing and other disease prevention campaign activities
Unified Government Public Health Department	Participate on the jurisdictional hazard mitigation planning committee
Unified Government Public Health Department	Compile ESF 8 information and provide to EM for Incident Action Plan
Unified Government Public Health Department	Activate Departmental Operations Center
University of Kansas Medical Center and Hospital	Coordinate the location, procurement, screening and allocation of health and medical supplies and resources, including human resources, required to support health and medical operations
University of Kansas Medical Center and Hospital	Ensure medical staff are credentialed and badged by the state in ESR, VIP, or MRC prior to an incident
University of Kansas Medical Center and Hospital	Identify ability of hospitals to perform decontamination of patients, service animals and pets
University of Kansas Medical Center and Hospital	Monitor available medical beds and report to ESF 8 Coordinator in EOC
University of Kansas Medical Center and Hospital	Maintain MOUs or MOAs to share medical resources
University of Kansas Medical Center and Hospital	Identify alternate care site planning activities
University of Kansas Medical Center and Hospital	Credential and badge department employees prior to an incident
University of Kansas Medical Center and Hospital	Credential medical staff
University of Kansas Medical Center and Hospital	Participate in the Hospital Preparedness Program
University of Kansas Medical Center and Hospital	Activate community alternate care site



Agency	Action
University of Kansas Medical Center and Hospital	Activate community alternate care site
University of Kansas Medical Center and Hospital	Track the injured (registration to discharge process)
University of Kansas Medical Center and Hospital	Provide liaison for communication between hospitals and ESF 8 related to patient numbers and information
University of Kansas Medical Center and Hospital	Report incident-related injuries to EOC
University of Kansas Medical Center and Hospital	Activate and conduct medical care activities during a disaster
University of Kansas Medical Center and Hospital	Activate and conduct medical surge activities: cancellation of elective surgeries, transfer of patients, etc.
University of Kansas Medical Center and Hospital	Provide numbers of available beds, resources, medical capabilities and medical specialties to the ESF 8 Coordinator
University of Kansas Medical Center and Hospital	Coordinate and activate patient decontamination activities
University of Kansas Medical Center and Hospital	Dispose of medical supplies
University of Kansas Medical Center and Hospital	Conduct decontamination activities, in coordination with elf 10, for chemical, radiological, or biological agents
University of Kansas Medical Center and Hospital	Coordinate with health and medical sector agencies submitting response and recovery information to emergency management
University of Kansas Medical Center and Hospital	Report damages to hospitals to ESF 8
University of Kansas Medical Center and Hospital	Participate on the jurisdictional hazard mitigation planning committee
University of Kansas Medical Center and Hospital	Compile ESF 8 information and provide to EM for Incident Action Plan
University of Kansas Medical Center and Hospital	Activate Departmental Operations Center
University of Kansas Medical Center and Hospital	Maintain Resource list for specialized medical transportation
University of Kansas Medical Center and Hospital	Maintain list/contacts for specialty medical care organizations such as Dialysis Centers



Agency	Action
University of Kansas Medical Center and Hospital	Request needed hospital resources through Hospital Regional Coordinator
Voluntary Organizations Active in Disasters	Provide food for emergency medical workers, volunteers and patients, if requested
Voluntary Organizations Active in Disasters	Maintain a Disaster Welfare Information (DWI) system in coordination with hospitals, EMS, aid stations, and field triage units to collect, receive, and report information about the status of victims.
Voluntary Organizations Active in Disasters	Provide Disaster Welfare Information to the ESF #8 Coordinator for appropriate dissemination
Voluntary Organizations Active in Disasters	Assist in the notification to the next of kin of the injured and deceased.
Voluntary Organizations Active in Disasters	Assist with the reunification of the injured with their families
Voluntary Organizations Active in Disasters	Provide first aid and other related medical support (within capabilities) at temporary treatment centers
Voluntary Organizations Active in Disasters	Provide supplementary medical and nursing aid and other health services, if requested and within capabilities
Voluntary Organizations Active in Disasters	Provide assistance for the special needs of the disabled, elderly and children separated from their parents.
Wyandotte Center	Identify county's behavioral health response capabilities
Wyandotte Center	Coordinate behavioral health capabilities of the organization
Wyandotte Center	Coordinate organization's behavioral health disaster team
Wyandotte Center	Coordinate and activate behavioral health care activities
Wyandotte Center	Conduct behavioral health care activities
Wyandotte County Coroner	Manage the disposition and tracking of the deceased
Wyandotte County Coroner	Identify county's fatality management capabilities
Wyandotte County Coroner	Develop procedures to appropriately vet and release casualty and fatality information
Wyandotte County Coroner	Coordinate fatality management process and request additional support
Wyandotte County Coroner	Activate the Kansas Funeral Directors Association Disaster Team to support fatality management according to the Kansas Mass Fatality Plan
Wyandotte County Coroner	Report incident related fatalities to EOC
Wyandotte County Coroner	Coordinate and activate mortuary services during an emergency
Wyandotte County Coroner	Conduct mortuary services during an emergency
Wyandotte County Coroner	Coordinate and activate the Kansas Funeral Directors Association to support fatality management according to the Kansas Mass Fatality Plan
Wyandotte County Coroner	Activate mass fatality site
Wyandotte County Sheriff's Office	Provide security at or around health and medical facilities or at mass casualty sites
Wyandotte County Sheriff's Office	Provide security assistance to medical facilities and to health and medical field personnel upon request
Wyandotte County Sheriff's Office	Maintain emergency health services at correctional facilities,



Agency	Action
Wyandotte County Sheriff's Office	Provide communications support for health and medical activities
Wyandotte County Sheriff's Office	Provide traffic flow and parking assistance around health and medical facilities

4 REFERENCES/ATTACHMENTS

The following reference documents are available from the Emergency Management Department. These documents have been hyperlinked where possible:

- Public Health Emergency Response Plan
- [ICS Forms](#)
- [Wyandotte County Multi-hazard Mitigation Plan](#) [Regional Hazard Mitigation Plan](#)
- [ESF 8 Resource Coordination Guide \(under development\)](#)
- [Wyandotte County, Kansas Special Incident Annex](#)
- [Regional Incident Management Plan](#);
- [RHSCC Regional Coordination Guide](#) ESF #8 Plan
- Regional Mass Casualty Incident (MCI) Plan

Comment [u7]: Wrong link

In general, detailed contact lists and inventories will not be attached to ESF annexes since this type of information changes constantly. Instead, information is provided as to the department or individual that maintains each type of contact list or inventory.

- Local emergency resources—see [ESF 5 and](#) ESF 7
- Mass Fatality Resources/Contacts—information maintained by the County Coroner
- Mental Health Resources/Contacts—Information maintained by the Wyandot Center
- Suppliers—Maintained by Unified Government Purchasing Department
- Services/contracts—Maintained by Unified Government Purchasing Department
- Mutual aid agreement contacts—maintained by [the State of Kansas individual response agencies](#)

The following documents are attached to this ESF:

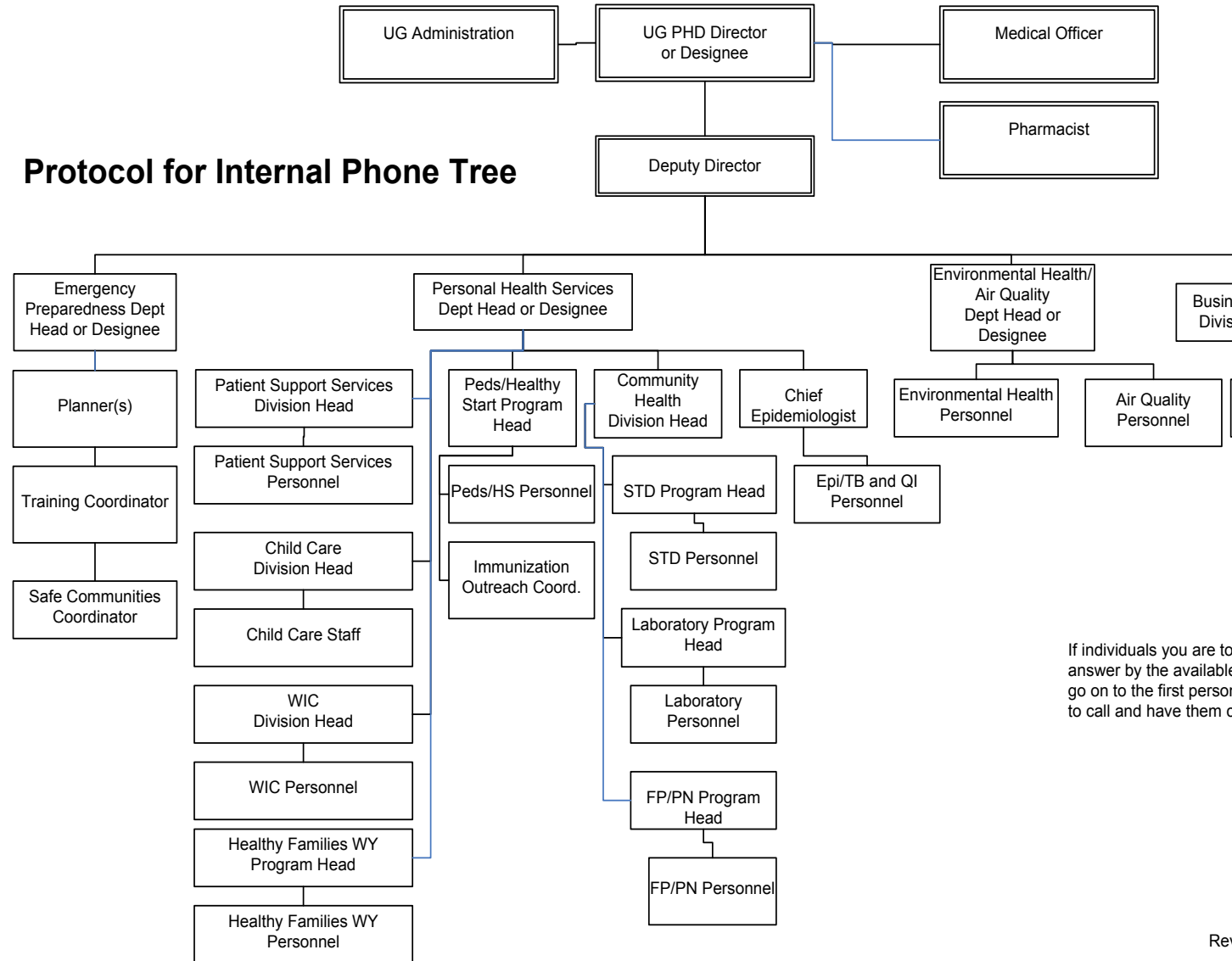
[Public Health Department Internal Call Tree](#)
[Public Health Department ICS Structure](#)



~~Disaster Worker Activity Log~~
~~Disaster Supplies Used Log~~
~~Health Alert Network~~

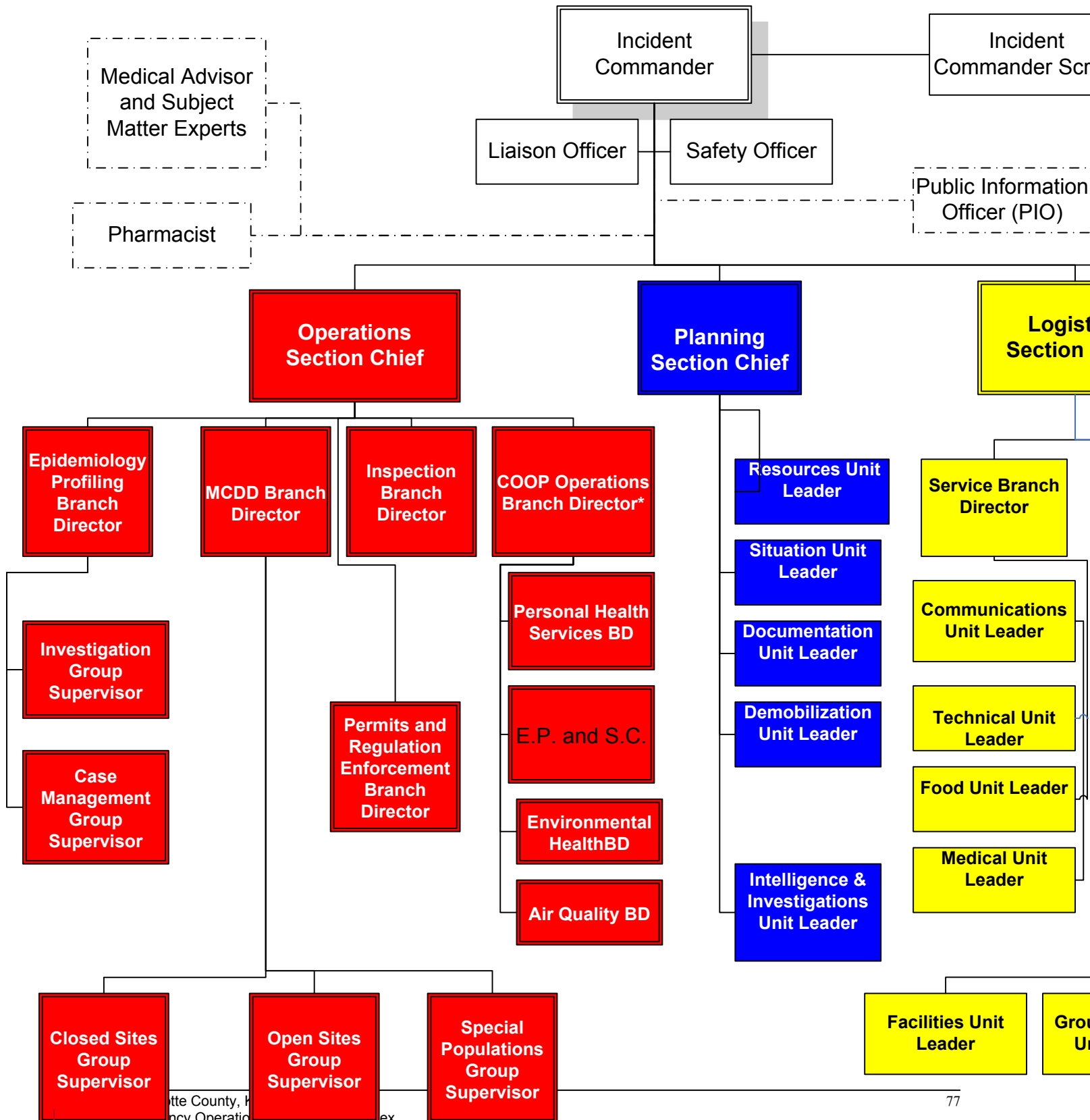


Public Health Department Internal Call Tree





Public Health Department Operations Center
ICS Flowchart



*If the COOP ICS Structure needed to be activated, the COOP Branch Director would then become the Operations Section Chief



Revised 6/30/1

4



Disaster Worker Activity Log

DISASTER WORKER ACTIVITY LOG					
Date	Name/Department (if any)	Activity/Service	Start Time	End Time	TOTAL Time

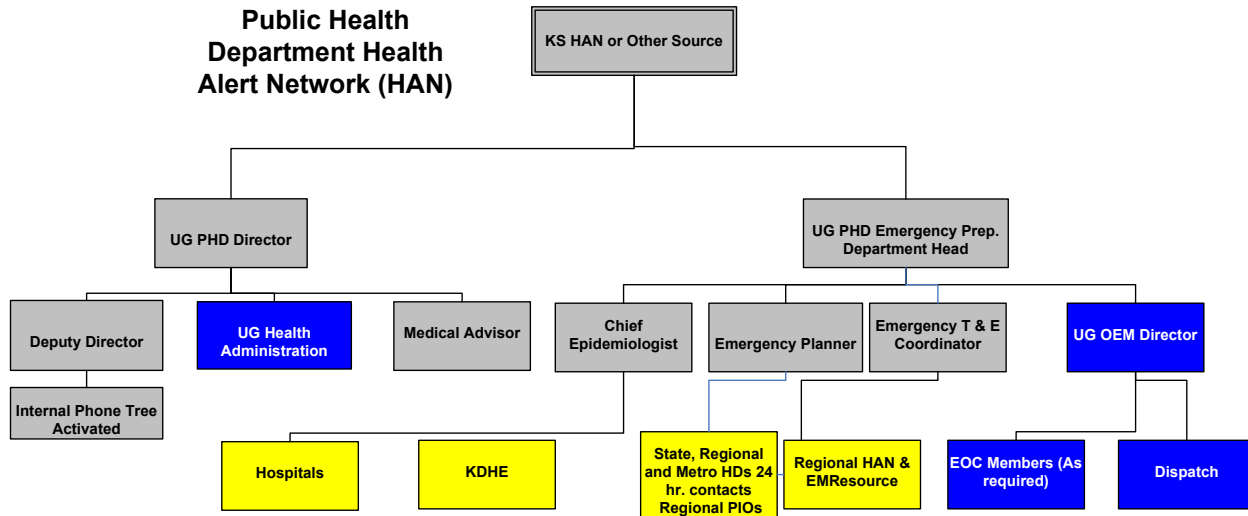


Disaster Supplies Used Log

DISASTER SUPPLIES USED LOG					
Date	Employee Name	Activity/Service	Start Time	End Time	TOTAL Time



Health Alert Network



Attachment 123
Revised 6/30/14



**ESF # 8 RECORD OF
REVIEW AND
UPDATES**

Review — Revision
Comment/reason for
revision date
completed by

COMMUNITY DISEASE CONTAINMENT (CC) SOG RECORD OF REVIEW AND UPDATES				
REVIEW	REVISION	COMMENTS / REASON FOR REVISION	DATE:	COMPLETED BY:
	0	pg. 7--added Priority Prophylaxis	4/3/2007	Jason Cummins
	1	pg. 10--added translation and language line	4/3/2007	Jason Cummins
	2	added Attachments 21 & 22	4/3/2007	Jason Cummins
	3	Updated all	5/15/2007	Jason Cummins
	4	pg. 5--added Attachment 146 & Inventory Info	5/15/2007	Jason Cummins
	5	Updated all	8/20/2007	Jason Cummins
	6	Added PPE Inventory	10/22/2007	Jason Cummins
	7	pg. 5--Added Bob and update comment	12/27/2007	Betty Amos
	8	Updated all	8/18/2009	Kevin Cluskey
9		Reviewed	2/23/2010	Kevin Cluskey
	10	Added History Page (Replaced by this page 9/3/2014)	9/28/2010	Kevin Cluskey
	11	Added HIPAA Guidelines	10/20/2011	Larry Franken
	12	Additions to recognizing the event section	12/14/2011	Larry Franken
	13	Linked Attachments to Document	2/29/2012	Kevin Cluskey
	14	Changed "Clinicial Services Division Head" to "Clinical Services Division Head"; changed promulgation wording; changed EDDs to Epi-Trax; "Chief Epidemiologist" to "Chief Epidemiologist"; PAPRs were added and phone investigators only was eliminated.	1/15/2013	Gay Hall
	15	General Review and update	8/27/2013	Gay Hall; Erica Hupka; Gary Martin
	16	General Review and update	2/18/2014	Gay Hall; Kevin Cluskey; Gary Martin
	17	General Revision to Include Attachments	9/12/2014	C.L. Webb, Jr.

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

REGULAR SESSION
THURSDAY, NOVEMBER 19, 2015

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in regular session Thursday, November 19, 2015, with eight members present: Bynum, Commissioner At-Large First District; Walker, Commissioner At-Large Second District; Townsend, Commissioner First District (via phone); Murguia, Commissioner Third District (via phone); Johnson, Commissioner Fourth District; Kane, Commissioner Fifth District; Markley, Commissioner Sixth District; and Mayor Holland, Mayor/CEO, presiding. McKiernan, Commissioner Second District; Walters, Commissioner Seventh District; Philbrook, Commissioner Eighth District; were absent. The following officials were also in attendance: Doug Bach, County Administrator; Ken Moore, Interim Chief Counsel; Bridgette Cobbins, Unified Government Clerk; Joe Connor, Assistant County Administrator; Gordon Criswell, Assistant County Administrator; Melissa Mundt, Assistant County Administrator; Misty Brown, Senior Attorney; George Brajkovic, Director Economic Development; Lew Levin, Chief Financial Officer; Debbie Jonscher, Asst. Finance Director; Chris Slaughter, Land Bank Manager; Maureen Mahoney, Asst. to the Mayor/Chief of Staff; Marlon Goff, Economic Development; and Captain William Sanders, Sergeant-At-Arms.

MAYOR HOLLAND called the meeting to order.

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

INVOCATION was given by Reverend Mike May (Ret.) St. Luke's Lutheran Church

Mayor Holland said I want to begin our meeting tonight recognizing a KCK student in attendance tonight, Daniel Freeman II who is here for an American Government class; Daniel, welcome.

I will ask the Clerk if there are any revisions to tonight's agenda. **Bridgette Cobbins, UG Clerk**, said a blue sheet has been distributed. Under Consent Agenda we have a new Item No. 5. We have three plats before the Commission: Buchanan's Crossing Subdivision-Stage 1, located at 65th Street and Tauromee; McKinley Point, located at 14th St. and Grandview Blvd.; P & R located at Holliday Dr. and Inland Dr.

Also, under the Standing Committee Agenda, Item No. 1 that item should be listed as an ordinance recommending for approval tonight and that at the Administration and Human Services Standing Committee, it was a vote of four to one. **Mayor Holland** said thank you for that correction.

MAYOR'S AGENDA

ITEM NO. 1 – 15244...INNOVATION: 100 GARAGES

Synopsis: Presentation on 100 Garages by Alicia R. Hooks, Director of Entrepreneurship-KCKCC Innovation Center.

Alicia R. Hooks, Director of Entrepreneurship-KCKCC Innovation Center, said I just came to basically say thank you and let you know what's going on in Wyandotte County, Kansas City, Kansas that is being recognized nationally and it's a program called 100 Garages. What I mean by nationally is it's going around what's happening in Wyandotte County about organically growing the entrepreneurial economy right here.

We've got a lot of entrepreneurs that are jumping in the game and one of the initiatives that the college has started in order to help inventors, designers and fabers meet each other to grow locally and keep the money local in creating new products and inventions, it's called 100 Garages.

Just to make this presentation quick, basically what it does it's a free website that's been setup by ShopBot Tools that allows those who have tools and equipment in their garages to meet up with people who have ideas and inventions and need small level manufacturing so, they can meet, negotiate a price and all of this can happen locally using our own resources.

Just in closing to let you know some of the recognition that has happened, we've received a letter of support from Congressman Dennis Moore. We received a tribute from the State of Kansas, Senator David Haley. We received a certificate of recognition from Governor Brownback and then it was entered into the United States Congressional record by Senator Jerry Moran; all of what's going on right here in Wyandotte County that's making a national impact and most importantly the recognition that we received from the Mayor in a Proclamation. Thank you very much.

Mayor Holland said thank Ms. Hooks and for your leadership at the Kansas City Kansas Community College. We're very grateful for the Community College for all that you all do day
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in and day out for our students. Continue to push the innovation in our community and the partnership with the Community College is great. So, thank you very much for coming out tonight to share that with us.

Action: For information only.

CONSENT AGENDA

Mayor Holland asked if any member of the commission, staff or citizen in attendance tonight wish to set aside an item on tonight's Consent Agenda. If you would like to, please step forward at this time and your item will be set aside. Any item not set aside will be voted on by a single vote based on the committee's recommendation. Let the record show no one came forward.

Action: **Commissioner Kane made a motion, seconded by Commissioner Johnson, to approve the Consent Agenda.** Roll call was taken and there were seven "Ayes," Murguia, Johnson, Kane, Markley, Bynum, Walker, Townsend.

ITEM NO. 1 – 15195...RESOLUTIONS AND ORDINANCE: AUTHORIZE/FINANCE VARIOUS IMPROVEMENTS FOR 2016 CMIP PROJECTS

Synopsis: Request approval of various resolutions and an ordinance authorizing improvements and the manner for paying for such projects approved in the CMIP budget for the 2016 Temporary Note and Bond Financing, submitted by Debbie Jonscher, Assistant Finance Director.

Schedule A: A list of all CMIP projects approved to be funded per the 2016 CMIP Budget. (22 Resolutions)

Schedule B: A list of all on-going projects requiring an amendment to the project description or an increase in authority and additional financing for the 2016 issue, approved to be funded per the 2016 CMIP Budget. (9 Resolutions /1 Ordinance)

On November 9, 2015, the Economic Development and Finance Standing Committee, chaired by Commissioner McKiernan, voted unanimously to approve and forward to full commission.

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Action: **RESOLUTION NO. R-68-15**, “A resolution authorizing certain street, sidewalk, and intersection improvements and providing for the manner of paying for the same, 2015 ADA Pedestrian Ramp Improvement (CMIP 941-0815).” **Commissioner Kane made a motion, seconded by Commissioner Johnson, to adopt the resolution.** Roll call was taken and there were seven “Ayes,” Murguia, Johnson, Kane, Markley, Bynum, Walker, Townsend.

RESOLUTION NO. R-69-15, “A resolution authorizing certain street, sidewalk, and intersection improvements and providing for the manner of paying for the same, 2016 ADA Pedestrian Ramp Improvements (CMIP 941-0816).” **Commissioner Kane made a motion, seconded by Commissioner Johnson, to adopt the resolution.** Roll call was taken and there were seven “Ayes,” Murguia, Johnson, Kane, Markley, Bynum, Walker, Townsend.

RESOLUTION NO. R-70-15, “A resolution authorizing certain street, sidewalk, and intersection improvements and providing or the manner of paying for the same, 2016 Arterial/Collector Resurfacing (CMIP 941-0416).” **Commissioner Kane made a motion, seconded by Commissioner Johnson, to adopt the resolution.** Roll call was taken and there were seven “Ayes,” Murguia, Johnson, Kane, Markley, Bynum, Walker, Townsend.

RESOLUTION NO. R-71-15, “A resolution authorizing certain sanitary sewer facilities and sewage treatment and disposal plant improvements and providing for the manner of paying for the same, CID Dump Station Improvement or Relocation (CMIP 963-6125).” **Commissioner Kane made a motion, seconded by Commissioner Johnson, to adopt the resolution.** Roll call was taken and there were seven “Ayes,” Murguia, Johnson, Kane, Markley, Bynum, Walker, Townsend.

RESOLUTION NO. R-72-15, “A resolution authorizing certain public building and structure improvements and providing for the manner of paying for the same,
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2016 Elevator Upgrades (CMIP 948-0116).” **Commissioner Kane made a motion, seconded by Commissioner Johnson, to adopt the resolution.** Roll call was taken and there were seven “Ayes,” Murguia, Johnson, Kane, Markley, Bynum, Walker, Townsend.

RESOLUTION NO. R-73-15, “A resolution authorizing certain street and bridge improvements and providing for the manner of paying for the same, 2015 Emergency Bridge Repair (CMIP 942-0115).” **Commissioner Kane made a motion, seconded by Commissioner Johnson, to adopt the resolution.** Roll call was taken and there were seven “Ayes,” Murguia, Johnson, Kane, Markley, Bynum, Walker, Townsend.

RESOLUTION NO. R-74-15, “A resolution authorizing certain street and bridge improvements and providing for the manner of paying for the same, 2016 Emergency Bridge Repair (CMIP 942-0116).” **Commissioner Kane made a motion, seconded by Commissioner Johnson, to adopt the resolution.** Roll call was taken and there were seven “Ayes,” Murguia, Johnson, Kane, Markley, Bynum, Walker, Townsend.

RESOLUTION NO. R-75-15, “A resolution authorizing certain public building structure, or parking improvements and providing for the manner of paying for the same, 2016 Facility Parking Maintenance and Repair (CMIP 948-0216).” **Commissioner Kane made a motion, seconded by Commissioner Johnson, to adopt the resolution.** Roll call was taken and there were seven “Ayes,” Murguia, Johnson, Kane, Markley, Bynum, Walker, Townsend.

RESOLUTION NO. R-76-15, “A resolution authorizing certain street, sidewalk, and intersection improvements and providing for the manner of paying for the same, 2015 Fairfax Industrial Area Improvements (CMIP 941-0915).” **Commissioner Kane made a motion, seconded by Commissioner Johnson, to adopt the resolution.** Roll call was taken and there were seven “Ayes,” Murguia, Johnson, Kane, Markley, Bynum, Walker, Townsend.

RESOLUTION NO. R-77-15, “A resolution authorizing certain street, sidewalk, and intersection improvements and providing for the manner of paying for the same, 2016 Fairfax Industrial Area Improvements (CMIP 941-0916).” **Commissioner Kane made a motion, seconded by Commissioner Johnson, to adopt the resolution.** Roll call was taken and there were seven “Ayes,” Murguia, Johnson, Kane, Markley, Bynum, Walker, Townsend.

RESOLUTION NO. R-78-15, “A resolution authorizing certain street, sidewalk, and intersection improvements and providing for the manner of paying for the same, 2016 Industrial District Rehab (CMIP 941-0116).” **Commissioner Kane made a motion, seconded by Commissioner Johnson, to adopt the resolution.** Roll call was taken and there were seven “Ayes,” Murguia, Johnson, Kane, Markley, Bynum, Walker, Townsend.

RESOLUTION NO. R-79-15, “A resolution authorizing certain street, sidewalk, and intersection improvements and providing for the manner of paying for the same, 2015 Neighborhood Street Repairs (CMIP 941-0615).” **Commissioner Kane made a motion, seconded by Commissioner Johnson, to adopt the resolution.** Roll call was taken and there were seven “Ayes,” Murguia, Johnson, Kane, Markley, Bynum, Walker, Townsend.

RESOLUTION NO. R-80-15, “A resolution authorizing certain street and intersection improvements and providing for the manner of paying for the same, 2016 Neighborhood Street Repairs (CMIP 941-0616).” **Commissioner Kane made a motion, seconded by Commissioner Johnson, to adopt the resolution.** Roll call was taken and there were seven “Ayes,” Murguia, Johnson, Kane, Markley, Bynum, Walker, Townsend.

RESOLUTION NO. R-81-15, “A resolution authorizing certain street, sidewalk, and intersection improvements and providing for the manner of paying for the same, 2016 Neighborhood Street Resurfacing (CMIP 941-0216).” **Commissioner Kane made a motion, seconded by Commissioner Johnson, to adopt the**

resolution. Roll call was taken and there were seven “Ayes,” Murguia, Johnson, Kane, Markley, Bynum, Walker, Townsend.

RESOLUTION NO. R-82-15, “A resolution authorizing certain public building and structure improvements and providing for the manner of paying for the same, New Boilers Municipal Office Building/City Hall (CMIP 969-8171).” **Commissioner Kane made a motion, seconded by Commissioner Johnson, to adopt the resolution.** Roll call was taken and there were seven “Ayes,” Murguia, Johnson, Kane, Markley, Bynum, Walker, Townsend.

RESOLUTION NO. R-83-15, “A resolution authorizing certain sanitary sewer facilities and sewage treatment and disposal plant improvements and providing for the manner of paying for the same, Plant 20 R & R/Improvements (CMIP 963-6033).” **Commissioner Kane made a motion, seconded by Commissioner Johnson, to adopt the resolution.** Roll call was taken and there were seven “Ayes,” Murguia, Johnson, Kane, Markley, Bynum, Walker, Townsend.

RESOLUTION NO. R-84-15, “A resolution authorizing certain street and traffic control improvements and providing for the manner of paying for the same, Priority Traffic Signal Replacements (CMIP 943-0116).” **Commissioner Kane made a motion, seconded by Commissioner Johnson, to adopt the resolution.** Roll call was taken and there were seven “Ayes,” Murguia, Johnson, Kane, Markley, Bynum, Walker, Townsend.

RESOLUTION NO. R-85-15, “A resolution authorizing certain street improvements and providing for the manner of paying for the same, 2016 Railroad Crossing Improvements (CMIP 941-1016).” **Commissioner Kane made a motion, seconded by Commissioner Johnson, to adopt the resolution.** Roll call was taken and there were seven “Ayes,” Murguia, Johnson, Kane, Markley, Bynum, Walker, Townsend.

RESOLUTION NO. R-86-15, “A resolution authorizing certain street and bridge improvements and providing for the manner of paying for the same, Riverview
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Avenue Bridge Replacement (CMIP 962-9246).” **Commissioner Kane made a motion, seconded by Commissioner Johnson, to adopt the resolution.** Roll call was taken and there were seven “Ayes,” Murguia, Johnson, Kane, Markley, Bynum, Walker, Townsend.

RESOLUTION NO. R-87-15, “A resolution authorizing certain street, sidewalk, and intersection improvements and providing for the manner of paying for the same, State Avenue Resurfacing at Village West Parkway and 110th Street (CMIP 970-1227).” **Commissioner Kane made a motion, seconded by Commissioner Johnson, to adopt the resolution.** Roll call was taken and there were seven “Ayes,” Murguia, Johnson, Kane, Markley, Bynum, Walker, Townsend.

RESOLUTION NO. R-88-15, “A resolution authorizing certain storm water improvements and providing for the manner of paying for the same, Stonehaven Storm Sewer (CMIP 963-5034).” **Commissioner Kane made a motion, seconded by Commissioner Johnson, to adopt the resolution.** Roll call was taken and there were seven “Ayes,” Murguia, Johnson, Kane, Markley, Bynum, Walker, Townsend.

RESOLUTION NO. R-89-15, “A resolution to make capital expenditures after the date of the resolution in connection with the TA Edison/Friendship Heights (CMIP 970-1226).” **Commissioner Kane made a motion, seconded by Commissioner Johnson, to adopt the resolution.** Roll call was taken and there were seven “Ayes,” Murguia, Johnson, Kane, Markley, Bynum, Walker, Townsend.

RESOLUTION NO. R-90-15, “A resolution amending Resolution No. R-93-13 authorizing certain storm water improvements, and providing for the manner of paying for the same, the 82nd and Tauromee Storm Sewer Reconstruction (CMIP 963-5044).” **Commissioner Kane made a motion, seconded by Commissioner Johnson, to adopt the resolution.** Roll call was taken and there were seven “Ayes,” Murguia, Johnson, Kane, Markley, Bynum, Walker, Townsend.

RESOLUTION NO. R-91-15, “A resolution amending Resolution No. R-73-12 authorizing certain street and bridge improvements, and providing for the manner of paying for the same, the Priority Bridge Repair (CMIP 962-2305).” **Commissioner Kane made a motion, seconded by Commissioner Johnson, to adopt the resolution.** Roll call was taken and there were seven “Ayes,” Murguia, Johnson, Kane, Markley, Bynum, Walker, Townsend.

RESOLUTION NO. R-92-15, “A resolution amending Resolution NO. R-67-11 authorizing certain street and traffic control improvements, and providing for the manner of paying for the same, the Center City 7th and Minnesota, Traffic Signal Reconstruction, Program (CMIP 3320).” **Commissioner Kane made a motion, seconded by Commissioner Johnson, to adopt the resolution.** Roll call was taken and there were seven “Ayes,” Murguia, Johnson, Kane, Markley, Bynum, Walker, Townsend.

RESOLUTION NO. R-93-15, “A resolution amending Resolution No. R-137-09 authorizing certain street improvements, and providing for the manner of paying for the same, Hutton Road Phase 2; Cleveland Avenue to Leavenworth Program 1215.” **Commissioner Kane made a motion, seconded by Commissioner Johnson, to adopt the resolution.** Roll call was taken and there were seven “Ayes,” Murguia, Johnson, Kane, Markley, Bynum, Walker, Townsend.

RESOLUTION NO. R-94-15, “A resolution amending Resolution No. R-72-11 authorizing certain street and traffic control improvements, and providing for the manner of paying for the same, Dynamic Speedway Message Sign, Program (CMIP 970-3344).” **Commissioner Kane made a motion, seconded by Commissioner Johnson, to adopt the resolution.** Roll call was taken and there were seven “Ayes,” Murguia, Johnson, Kane, Markley, Bynum, Walker, Townsend.

RESOLUTION NO. R-95-15, “A resolution amending Resolution No. R-82-14 authorizing certain sanitary sewer and storm water facilities improvements, and providing for the manner of paying for the same, the Pump Station #12
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Elimination (CMIP 963-6124).” **Commissioner Kane made a motion, seconded by Commissioner Johnson, to adopt the resolution.** Roll call was taken and there were seven “Ayes,” Murguia, Johnson, Kane, Markley, Bynum, Walker, Townsend.

RESOLUTION NO. R-96-15, “A resolution amending Resolution No. R-112-13 authorizing certain sanitary sewer facilities and sewage treatment and disposal plant improvements and providing for the manner of paying for the same, the Pump Station 41 (CMIP 963-6120).” **Commissioner Kane made a motion, seconded by Commissioner Johnson, to adopt the resolution.** Roll call was taken and there were seven “Ayes,” Murguia, Johnson, Kane, Markley, Bynum, Walker, Townsend.

RESOLUTION NO. R-97-15, “A resolution amending Resolution No. R-94-12 authorizing certain public park and utility improvements, and providing for the manner of paying for the same, Wyandotte County Lake Waterline Study (CMIP 971-4425).” **Commissioner Kane made a motion, seconded by Commissioner Johnson, to adopt the resolution.** Roll call was taken and there were seven “Ayes,” Murguia, Johnson, Kane, Markley, Bynum, Walker, Townsend.

ORDINANCE NO. O-64-15, “An ordinance amending Sections 1, 3, 4, and 6 of Ordinance No. O-72-02, pertaining to authorizing storm drainage improvements and providing for the method of paying for same.” **Commissioner Kane made a motion, seconded by Commissioner Johnson, to approve the ordinance.** Roll call was taken and there were seven “Ayes,” Murguia, Johnson, Kane, Markley, Bynum, Walker, Townsend.

RESOLUTION NO. R-98-15, “A resolution amending Resolution No. R-114-13 authorizing certain public building improvements, and providing for the manner of paying for the same, Relocation of Sewer Office, Storage and Maintenance Facilities (CMIP 963-6039).” **Commissioner Kane made a motion, seconded by Commissioner Johnson, to adopt the resolution.** Roll call was taken and

there were seven “Ayes,” Murguia, Johnson, Kane, Markley, Bynum, Walker, Townsend.

ITEM NO. 2 – 15176...RESOLUTION: KAW POINT INDUSTRIAL PARK

Synopsis: A resolution approving the First Amendment to Amended and Restated Redevelopment Agreement to allow for a second mortgage regarding NorthPoint Development's project known as Kaw Point Industrial Park (located along Fairfax Road next to Kaw Park), submitted by George Brajkovic, Economic Development Director. On November 9, 2015, the Economic Development and Finance Standing Committee, chaired by Commissioner McKiernan, voted unanimously to approve and forward to full commission.

Action: **RESOLUTION NO. R-99-15**, “A resolution authorizing the County Administrator to sign the First Amendment to Amended and Restated Redevelopment Agreement (Kaw Point Industrial Park) by and between Developer and the Unified Government.” **Commissioner Kane made a motion, seconded by Commissioner Johnson, to adopt the resolution.** Roll call was taken and there were seven “Ayes,” Murguia, Johnson, Kane, Markley, Bynum, Walker, Townsend.

ITEM NO. 3 – 15242...MINUTES

Synopsis: Minutes from special sessions of October 19 and 29, 2015.

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

ITEM NO. 5 - WEEKLY BUSINESS MATERIAL

Synopsis: Weekly business materials dated November 12, 2015

Action: **Commissioner Kane made a motion, seconded by Commissioner Johnson, to approve fund transfers and receive and file.** Roll call was taken and there were seven “Ayes,” Murguia, Johnson, Kane, Markley, Bynum, Walker, Townsend.

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PUBLIC HEARING AGENDA

No items of business.

STANDING COMMITTEES' AGENDA

ITEM NO. 1 – 15241...ORDINANCE: TOBACCO 21

Synopsis: A discussion was held to raise the age to buy cigarettes, electronic cigarettes, and tobacco products to 21 years of age. Direction was given to draft an ordinance, submitted by Misty Brown, Senior Attorney. On October 26, 2015, the Administration and Human Services Standing Committee, chaired by Commissioner Bynum, voted unanimously to approve and forward to full commission.

Mayor Holland said ordinarily we have an ordinance in front of our standing committees' and that ordinance is discussed and moved on to the full commission, but in this instance it was brought to the standing committee. There was discussion and the standing committee did vote to move it on, but we didn't have the formal ordinance. I believe when we have a formal ordinance before the public, the public should have an opportunity to speak to that so we will have an opportunity for public comment tonight. I will ask that you keep to a maximum of three minutes and please note that you're not required to use all three minutes, but you're able to.

For this presentation I want to recognize Commissioner Ann Murguia has been working very hard on this and has taken leadership in this activity. Commissioner Murguia I'd like to turn it over to you at this time for presentation.

Commissioner Murguia said I've very excited about this initiative tonight Tax Tobacco 21. I apologize to everyone that I'm unable to attend, but I believe all the people that have all of the great knowledge to help our Commission make a good educated decision are there tonight.

Mayor, if you don't mind, I'd like to turn this over to Misty Brown and to some of the speakers who are there tonight to speak on this issue...(inaudible).

Misty Brown, Senior Attorney, said before you, you have an ordinance which we've subtitled Tobacco 21. Basically this ordinance would change the legal age to buy tobacco products including electronic cigarettes in Kansas City, Kansas from 18 to 21. Currently a 19 or 20 year old could buy this product. With this ordinance passage you'd have to be 21 and show proper identification to buy it. The other change is just some signage requirement that we added into

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the ordinance which would require store retail sellers to post signs saying you have to be 21 in order to purchase. I'd like at this point to turn it over to Scott Hall.

Scott Hall, Vice President for Strategic Initiatives the Greater Kansas City Chamber of Commerce, said I'm speaking on behalf of our members more than 2,000 organizations in greater Kansas City and asking you to take action to raise the age that young people can buy cigarettes from 18 to 21. Why, because it's one of the most effective ways to prevent young people from starting a noxious habit that can lead to a lifetime of health problems and potentially death.

This project is one very important piece of a larger project we have in the Greater Kansas City Chamber of Commerce we call Healthy KC. That project is a partnership of the KC Chamber Blue Cross/Blue Shield and more than 100 area organizations, hospitals, school districts and governmental entities.

The Healthy KC effort partnered with these entities to offer recommendations to improve the health of the Greater KC region and this is part of that project.

I'm excited to tell you that only a few hours ago the city of Kansas City, Missouri City Council passed an ordinance approving Tobacco 21 in Kansas City, Missouri. We're here tonight because we hope that KCK will do the same thing, the Unified Government of Wyandotte County, KCK.

I'd now like to introduce one of our collaborators in this project, John Stevens, the Executive Director of the KCK Chamber.

John Stevens, Executive Director of Kansas City Kansas Chamber of Commerce, said you might be wondering why the KCK Chamber, the Greater Kansas City Chamber, and more than 182 business organizations cares so much about Tobacco 21. Quite simply we see tobacco use among young people turning into tobacco use among employees and their families.

When private employers hire someone who smokes, it adds \$5,816 in excess cost due to health care and absenteeism. By preventing young people from starting this habit, we can ensure a healthier workforce and lower health care costs well into the future. To be it succinctly this is an economic development, a healthy workforce and a vitality issue. Healthy communities will grow faster and stronger than those that are not.

We believe in Tobacco 21 is a step to make Kansas City, Kansas a destination for healthy living and all of the Kansas City Metro a destination for healthy living. We ask you for your support in this effort. That is why the KCK Chamber approved Tobacco 21 in a unanimous vote.

I'd now like to turn it over to Dr. Doug Girard, Executive Vice Chancellor of the University of Kansas Medical Center.

Dr. Doug Girod, Executive Vice Chancellor of the University of Kansas Medical Center, said it's a pleasure to be here tonight really as one of Wyandotte County's largest employers. We certainly deal with many of the issues that Mr. Stevens just talked about with our employees, but really tonight I want to talk about this from a community health perspective.

Cigarettes actually are the only legal consumer product that if used properly and as intended will kill a third of the regular users. Unfortunately 95% of current adult smokers started smoking, started their habit before the age of 21. The data shows that the earlier a smoker starts the harder it is for them to quit. I've seen this certainly first-hand, I'm a head/neck surgical Oncologist by training. I've treated more than my share of mouth, neck and throat cancers caused by tobacco and the remarkable havoc that that creates on lives and families. I certainly operated on several of those folks and it's amazing to see how hard it is for these people to quit smoking. Even undergoing extensive surgery, radiation therapy, chemotherapy, more than 50% of these folks continue to smoke because it's that hard to give it up.

The vast majority of smokers do want to quit. One out of every three every single year attempt to quit and they fail. The reason they fail is really because it's such an intense nicotine addiction that starts when they're teenagers. We know that until we're in our mid-twenties, our brains continue to develop and especially the small neural-circuits in our frontal temporal regions of our brains really control impulse control and our decision-making capacity and that those neural-circuits can be remodeled and rewired under the influence of nicotine. Of course we know the young people are under immense peer pressure as well and they also tend to pursue sensation seeking and that really creates a neurologic perfect storm, if you will, for our teenagers for nicotine addiction.

We're facing a new epidemic at this point and time with e-cigarettes. Research suggests a very high rate of conversion from the e-cigarettes to normal tobacco products and we now risk this whole new generation with a potential of lifelong addiction to nicotine.

Tobacco 21 focuses on reducing exposure to nicotine during the critical period between ages 16 to 21 when youth are most vulnerable to both experimentation and to addiction. At the

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KU Cancer Center we stand ready to treat cancers in our community as we do on a regular basis, regrettably far too much related to tobacco related cancers. We really cannot handle the wave of cancers coming down the road and it's in our best interest and it's in the community's best interest to do anything we can to prevent cancer. We are in our drive for comprehensive cancer center designation and a major component of comprehensive designation is preventing cancer, not just treating cancer, but preventing cancer. Really Tobacco 21 is a very important step in that process.

Thank you for giving me the opportunity to speak tonight and I would now like to turn this over to Ms. Rebecca Garza who's going to talk you through this in a little greater detail.

Rebecca Garza, Tobacco Free Wyandotte Coordinator in the Healthy Communities Division of the Wyandotte County Health Department, said I'm proud to say I'm a Rosedale resident. Tobacco 21 is a proposal to increase the minimum age of sale and purchase of tobacco products, e-cigarettes, paper products and paraphernalia to 21. The great thing about this policy change is that we have an example of what happens if one community in a metropolitan area does this policy change. Needham, Massachusetts pictured there in red is a suburb of Boston. It's surrounded on all sides by Boston itself or other suburbs of Boston and they passed their Tobacco 21 policy in 2005 and when they did in the first five years that they had Tobacco 21, they saw a 46% decrease in teen smoking. At the same time, of course there are national and regional educational campaigns targeting youth about the dangers of tobacco, but the 16 surrounding communities only saw a 20% decrease in teen smoking. You can see just how effective adding that Tobacco 21 policy is for a community.

The Institute of Medicine confirmed this with a publication that came out in March of this year which suggested that teen smoking, the 15 to 17 year old range, would be reduced by 25% with Tobacco 21. That really is all to do with social circles. In our high schools 80% of our high school seniors are 18 when they graduate. All of those 18 year olds are able to provide tobacco products to their younger classmates and friends. When you raise that age to 21, you really cut off that social supply chain which keeps tobacco out of our high schools. You see that effectiveness drop off a little bit as people get older because as you grow into your 20's your social circle is so much more expanded.

The great thing about this policy change though is that we won't see that short term impact on our local business owners because there's only 2% of tobacco sales that are attributed to those younger populations. Where you will see the impact is with private business owners,

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like John was saying, that almost \$6,000 of access cost is on a private employer when they employ a smoker. This really is an urgent issue for Wyandotte County because 25% of our population are current smokers so you can see why the KCK Chamber is here with us today.

Another important thing about the age of 18 is that it's a time when our teenagers and our young adults can choose to defend our country, but the thing about tobacco in the military is that tobacco really does undercut our military readiness and harms individual performance. Our wounded warriors who smoke suffer from increased complications and delayed healing. Tobacco use actually cost our Department of Defense \$1.6 billion annually so one of the best things we can do to support our military is to make sure that our teens are not getting addicted to tobacco this young. That's why these policy changes are so popular. I'd like to point out that when I presented this slide to the standing committee a few weeks ago, the number of municipalities was 94, but as of earlier today the entire state of Hawaii and 105 municipalities outside of Hawaii have enacted Tobacco 21 policies.

This is an out-of-date slide because now, like Scott said, with 106 municipalities with Kansas City, Missouri, so well over 14 million people are living in Tobacco 21 communities and that's because it's a very popular policy change among organized state adults. Three quarters of adults favor raising the minimum age of tobacco to 21. This was a poll done by the CDC in 2014. Another portion of this poll that isn't pictured here is that 70% of smokers also favor raising the age. I think you'll find that support here in Kansas City, Kansas. You can see just a small portion of the over 135 organizations that are currently endorsing today.

I'm going to turn it over to Christy to tell you a little bit more about why this is so important for our Kansas City, Kansas community.

Christi Nance, current student in the Master of Public Health program at the University of Kansas Medical Center, said I'm here tonight as a Kansas City, Kansas resident in the Rosedale community and also as a young adult.

Not very long ago I was actually in the same shoes as a lot of our youth that we're trying to target with Tobacco 21 and I was in those first few months of high school and I was trying to find the crowd I fit into and who I was going to hang out with for the next four years. That's a pretty pivotal point in your age or in your youth. I went to a few parties in those beginning months and I remember cigars and cigarettes just being passed around like it was nothing. Everyone was taking a puff. It made it look like it was cool, everyone was doing it. It's crazy to think back now I was 14 then and I had access to tobacco and something that could potentially I

could be addicted to for the rest of my life. It's no wonder that 90% of our current smokers start before the age of 21.

Tobacco 21 will hopefully decrease the access to tobacco that our youth have and hopefully stop them from picking up that first cigarette or e-cigarette now or any other tobacco product.

Mayor Holland said we appreciate everyone who has spoken tonight. Is there anyone else who would like to speak related to this topic? If so, please come forward at this time.

Luciano Martinez said today I'm here to talk about the importance of increasing the minimum age of selling and purchasing of tobacco products to 21.

I've been living in Wyandotte County for the past nine years and I have noticed the impact that tobacco has been with our youth and population. As a teenager I can still remember the importance for me to fit into a group and every member eventually is trying a cigarette to impress others. I believe that almost everybody around that age tried to do the same thing just to fit into a group. That is why it's important to move the minimum age to sell and purchase tobacco products to 21.

As a young adult and as a community health worker I have also seen how the population struggles to quit smoking and it is especially hard for those who started smoking at an early age. Changing the age to 21 will not only stop teenagers to smoke at an early age, but it will make a change for our upcoming generations.

Mayor Holland said I see no one else coming to the microphone to speak. I'll close the public hearing portion of this meeting and turn it over to the Commission. If there are any statements that the Commission would like to make, I will lead off and say I'm very supportive of this. I think Healthy Communities Wyandotte has made tobacco cessation one of our priorities. There are a number of factors, about 35 factors, that led to Wyandotte County being ranked at the bottom and near the bottom in recent years in overall health and tobacco usage is one of those particularly in a community that lacks a lot of access to health care to have smoking is an increased problem.

The opportunity for us to reduce smoking among our young people especially and to give them a leg up in the future is big. As an employer with 2,200 people at the Unified Government we spend on an annualized basis about \$28M a year on health care and reduction in smoking

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could substantially save our money as we are self-insured. With our own employees helping our employees make healthier choices and to save us money, that we can invest in other things. I'd much rather invest in employee raises than increases to health insurance.

This is an opportunity that we have as the Unified Government to join up. We did have an opportunity, we were actually ready last week, but we wanted to partner with Kansas City, Missouri and do a joint roll-out together as a part of this initiative. Working with Sly James on this, he feels strongly about it. I know our communities share many of the same needs and the opportunity to do this together with Kansas City, Missouri and Kansas City, Kansas is a special privilege. I think it sends a clear message to the rest of the metropolitan area, an opportunity for the rest of the metropolitan area, to follow suit and to the right thing as well. Let's eliminate teen smoking in the entire metro area and get everyone started off on the right foot.

I appreciate everyone who's worked on this project and it's a privilege for me to be here tonight to be a part of this historic action.

Commissioner Kane said I did get a lot of emails about this today which is interesting. Probably 95% of them were not people who live in Wyandotte County. That makes it even more interesting. At lunch I was talked to by a guy that doesn't smoke and I don't smoke either, but he said why should you dictate to us what we can or we can't do. We hire policemen at age 18, we hire firemen at age 18, sheriffs at age 18 and we let people serve our country at age 18. Some of them when they serve their country they end up losing their lives, but if they came to Wyandotte County on their break they couldn't buy a cigarette. We get mad about the state dictating to us what we do with our municipalities and yet now we're going to dictate to the people that live here or the people that come here. We're to govern, not to dictate, and just so you know my Mom died of smoke related cancer, but that doesn't give us the right to say you have to do this or you have to do that because we said so. It's our job to listen to the people. I haven't heard anybody that's living here say boy I'd really like to see this happen other than the Mayor.

I feel very strongly in opposition of it and I don't think it's our job to tell—they can vote and I'm not smiling about this at all, like you are, because I'm dead serious about this stuff. This isn't a joke to me, it's not a joke to the community either. You can sit in the audience and smile all you want, but it's not appreciated.

Commissioner Bynum said I do support it number one and secondarily could we clarify that what we're asking in our ordinance change, is a change in purchase and we're not criminalizing the position or use of tobacco for those between the ages of 18 and 21. Is that correct? **Ms. Brown** said that is correct Commissioner. It's just the retail sale of tobacco and electronic cigarettes.

Mayor Holland said I don't see any other commissioner's wishing to speak. Commissioner Murguia had asked that I come back to her at the end.

Commissioner Murguia said I just wanted to say a couple of short things. Ms. Brown, I really appreciate all of your hard work on this. You've done a fantastic job and everybody has commented on how great you are to work with. I also want to say thank you to the Administrative Standing Committee who were nice enough to move forward a concept on an ordinance change and I really appreciate that.

Mayor, thank you very much for moving this forward to the full commission agenda. I really appreciate your advocacy on this issue. As I said early on in this meeting the Tobacco 21 team and their advocates have done a fantastic job on the presentation and I think their arguments are very clear. I am proud to be asked to be this political spokesperson on this issue. With all of that said I would move for approval.

Action: **ORDINANCE NO. O-65-15**, "An ordinance relating to raising the age to buy tobacco products to 21 years of age in the City of Kansas City, Kansas, amending Section 22-204." **Commissioner Murguia made a motion, seconded by Commissioner Johnson, to approve the ordinance.** Roll call was taken and there were six "Ayes," Murguia, Johnson, Markley, Bynum, Walker, Townsend and one "Nay," Kane.

Mayor Holland said because there are six votes I don't have the opportunity to vote, but I'd like the record to show my support for this ordinance.

Thank you all very much. It is Tobacco 21 in Kansas City, Kansas and Kansas City, Missouri.

ITEM NO. 2 – 15246...RESOLUTIONS: AUTHORIZING EXECUTION OF DEVELOPMENT AGREEMENT & SET PUBLIC HEARING

Synopsis: A resolution adopting execution of the Development Agreement and a resolution setting a public hearing on December 17, 2015 to consider establishing a CID regarding a \$50M proposal for a 250 unit luxury, market rate multifamily project and 3 story parking garage in the Legends, submitted by George Brajkovic, Economic Development Director.



George Brajkovic, Director Economic Development, said just for the record, I'm not a smoker, but I am trying to get over bronchitis so if I start hacking during the middle of this presentation I wanted the record to be clear.

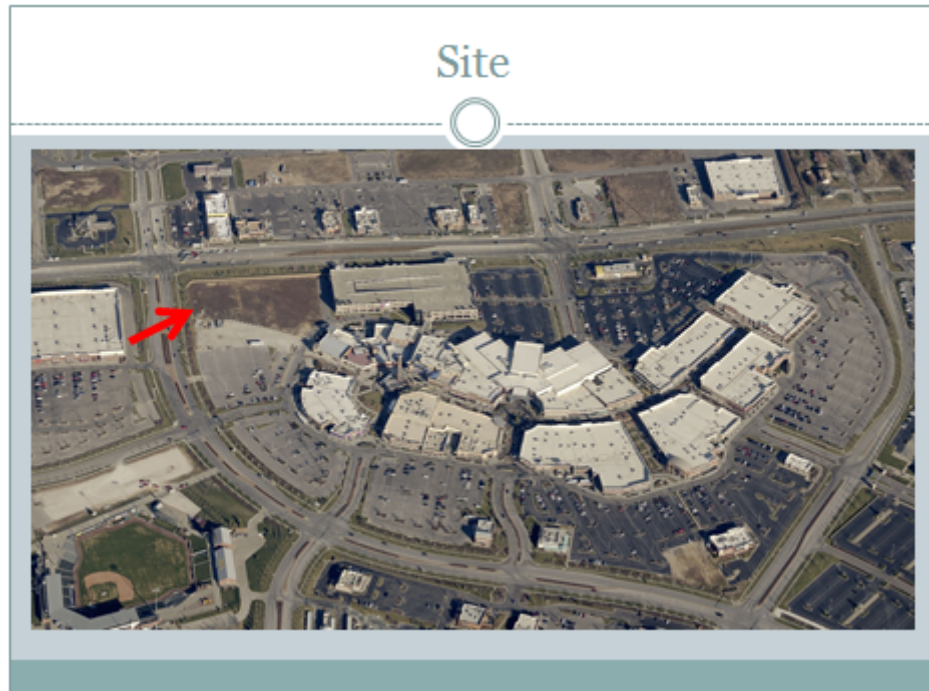
Let me make a couple of quick introductions from the developer's team. Steve Coon with EPC Development, John Hansen with Integra Realty Services was part of their team as well as John Synder with Dentons, he's counsel to the developer on this. You guys probably know Todd LaSala. Since Leonard he actually was counsel to the UG on this. She's not here tonight, but I need to recognize Anna Krstulic with UG Legal. She had a large role in this project as well.

What are we here for tonight?

- Consider the Development Agreement
- Adopt Resolution authorizing the Development Agreement
- Adopt Resolution setting December 17, 2015 as a Public Hearing to consider the CID

What we're here for tonight again is to discuss a proposal for a new multi-family project with a structured parking garage and the Legends. This item actually came before EDF Standing Committee back in April so we spent the better part of the year going back and forth on negotiating. We felt that both sides, both the developer's team and staff, really had a solid proposal to put before you tonight. Again, what we're going to ask for tonight is for you to consider the development agreement and we have a short presentation that kind of rolls through what the project is. I'll turn it over to Steve so that he can talk a little bit about their concept and since EPC is a new developer to Wyandotte County, but not new to the metropolitan area, I hope he spends a little bit of time kind of talking about some of the cool projects they've done in the metro.

At the end of the night what we're looking for really two actions: 1) adopt a resolution authorizing the execution of the development agreement and then secondarily, adopt a resolution setting a public hearing date of December 17, 2015 to actually consider establishing the CID so the Community Improvement District or CID is one of the incentive components in this deal.



Having said all that let me start with where the site is. This is an aerial shot looking down on the Legends. If you look to the left of where that red arrow is that's Target. You see Community America Ball Park down below that. It's a currently vacant 2.5 acre piece of property. There is a Residence Inn that's under construction that this aerial doesn't show. It's just to the south of that, but you'll see directly to the east there's a current three story parking garage that's in the area. This project would actually propose connecting that garage with this new garage and then the multi-family units would be then constructed above the new parking garage. We've got some slides that show that in a little more detail.

Project Details



- Development Team – EPC Real Estate, Legacy Development, KKR, and Humphreys Architects
- \$50M Capital investment
- 3 story Parking garage
 - Public parking vs. private
 - Bridge connection to existing garage
- 240 unit, luxury, market rate Multi-family
 - 1 & 2 bedroom units

Again, some of the details before I ask Steve to talk about the project, the team is EPC Real Estate, Legacy Development formerly Red Legacy, and KKR represent the current property owners and then Humphrey's Architects were involved on the design aspect. It is about a \$50M total capital investment. Again the three story parking garage and we've got a delineation of what's public parking vs. private parking that would be dedicated to the apartment project. That's important to remember because later in the presentation as we talk about how the CID incentive was calculated, the project is looking for incentives to help pay for public parking not the private parking component and I mentioned the bridge connection already.

In total it's approximately 240 units. I think we can probably get up to about 250, but for the development agreement we called out a minimum and again market rate one and two bedroom units by design which is kind of that general nature of other multi-family projects we've considered in that same corridor. With that, let me turn it over to Steve Kuhn and let him kind of talk about the design element and the other projects they've done. Then when he's done we'll roll through the incentive structure for this project.

Steve Coon, EPC Real Estate Group, said we're a local Kansas City company started about 15 years ago. We specialize in apartments. We are currently working on our tenth project mostly in Kansas City and we've gone to Arizona and Dallas.

Conceptual Design



We've been very active in the last four or five years building high density urban projects and it's interesting that in the past urban projects like this were primarily in the downtown urban core. What we've found is that people like living in higher density projects even in suburbia. They like the lifestyle that's provided and the conveniences that if you can surround four or five story apartment project with the amenities like we have at the Legends, people will want to live there. We're developing it all over town. We have a project in Overland Park—we've actually done three projects in Overland Park, another project in Lenexa, one in the downtown Crossroads area, so we've really come to know and understand what people want to rent and the lifestyle that they're looking for.

When Legacy came to us and said hey do you want to co-develop this with us we instantaneously knew that this was a great opportunity because of what the Legends has become. It's not just the race track or the casino or the ballpark, it's the 31 restaurants, it's the thousands of jobs that are being created with Cerner and others. It's a beautiful mix of employment, entertainment, places to shop, to dine so what we're most excited about is that this is great opportunity to take what's already great about the Legends and make it better and complete and we'll have 300 to 350 people living there that will be shopping and dining and going to the bars and restaurants and walking around and making it more of a full complete mixed use destination. It's a great opportunity for us, it's a great opportunity for retailers in the Legends, and for the city and the town.

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It's a little bit about us. A little bit about the design where it is a three story garage. We're putting five stories of apartments on top of it. We have an architect out of Texas that's particularly good at this type of layout and we've been very happy with them. The design is different than I think anything else in town. We have quite a bit of glass and a lot of metal on the outside so it'll give it kind of a contemporary urban feel that I think will be very complimentary to the architecture of the Legends itself. I think it will blend in very well architecturally.



This is a shot from the Yard House if you were walking out the front door of the Yard House. This is looking toward a very highly developed corner. You can see the lower glassed areas are leasing office and where you enter there'll be an elevator to take you up. There are three levels of garage. There'll be an elevator on each of those levels that'll take you up to each of the levels of the apartments. I don't have a picture of the interior courtyard, but it's going to be really nice. Nice pools and barbeque pits and fire pits and just a very—it's going to be a great place to live. It'll be something we'll all be pretty excited about when we get it built.

EPC – Village at Mission Farms



Our first project we built in 2012 is Village at Mission Farms at 435 and Mission Road. This is a first luxury apartment that has been built. High density apartment with a garage that's been built in the Kansas City area probably since WW11 and a lot of people said we couldn't do it because really this product type had not been built in the city before.

EPC – Village at Mission Farms (cont.)



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We'd seen it in other cities and we leased it in record time and it's been very successful. Another project is—oh that's the inside. You can see the community center.



This is 51st and Main. We opened that up last Spring and we're almost full. It's right south of the Plaza. It's got retail on the first floor and apartments above. It's been very successful and very popular.



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The project that's currently under construction close to downtown Overland Park at the corner of Metcalf and 80th Street. The corner feature is office and we have about 6,000 feet of office and 10,000 feet of retail and 200 apartments. The notable thing about this is we work with the city of Overland Park for about a year. They had adopted the vision Metcalf wanted to develop the Metcalf corridor and we were the first mixed-use project in the vision Metcalf corridor and the city was extremely excited about it.

That's a little bit about us. Appreciate you considering the adoption of the resolution tonight. I really believe this is going to be an extremely exciting addition to the Legends so thank you very much.

Requested Incentive Structure



- **IRBs**
 - Expected issuance amount \$50M
 - 10 year PILOT, calculation based on prospective market value
 - 2014 Base taxes – annual estimated \$9k
 - Year 1 PILOT projected \$300k
- **CID**
 - 0.6% sales tax add-on, would move total sales tax to 10.325%
 - Proposed District boundaries
 - CID Cap \$14M
 - Eligible expenses exclude developer and legal fees

Mr. Brajkovic said real quickly then the Requesting Incentive Structure, you've seen this model a lot and really in the most recent history and really the projects we do in the western corridor make use of Industrial Revenue Bonds to help finance the project and also qualify for depending on how big of an investment it is up to a 10 year PILOT.

For this project, I mentioned earlier, it an expected issuance of about \$50M. Again, that qualifies for a 10 year PILOT. What is different about when we do industrial projects with IRBs we typically roll over to our tax abatement policy and try to come up with an abatement percentage that the project qualifies for, but it's been our practice for multi-family projects that we typically try to determine a prospective market value and then set that value for that 10 year

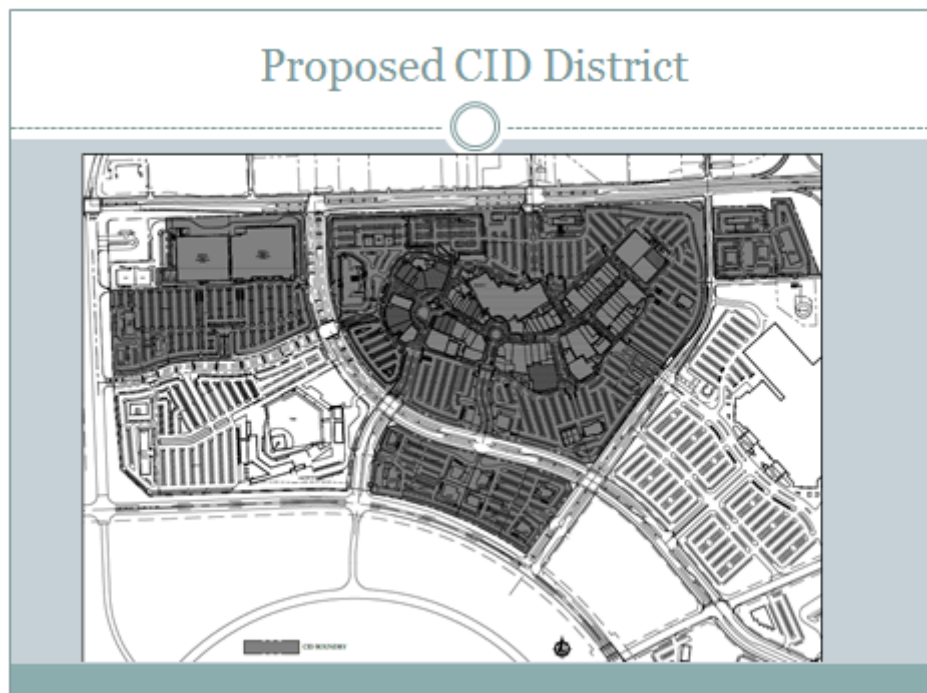
period. That's what we've done here as well. To give you an idea when we started talking about this project, that whole area in terms of the Legends underlying ground, we determined that there's an annual estimated tax payment of about \$9,000 off that 2.5 acres.

With this project and the PILOT structure we have, year one of the PILOT is projected to be actually, I have \$300,000, it's a little over \$300,000 a year; so you can see what kind of revenue impact that project has upon year one of completion. That's the standard incentive we bring, but what's a little bit unique about this project is that they're building a three story parking structure.

The developer asked for some other relief related to the construction of that. From staff's perspective we haven't really taken a position to ever subsidize a developer's cost for parking. I think from a staff's perspective we'll stay strong on that, but this one was fairly unique in that of—again it's a three story structure, we think it's about 600 spaces total. Of the 600 spaces, 350 have to be reserved for public parking. In the ratio when we determine what the CID Cap would look like for this project, that 350 public parking spaces, that was the number we used in the formula to determine what kind of value on a per space basis we'd want a public incentive to pay for a public parking spot. That's how we got to this \$14M Cap.

The developer's cost to actually building that garage with the 600 spaces is estimated to be north of about \$22M. We feel pretty strong that this is a good position to be in, however; the CID is requested to be a sales tax add-on and I'll make note that when we first presented this in April, our projected total sales tax in the Legends or in the proposed district was going to still be under 10%. It was going to be in the 9.9% range, but in the summer we know that the state elevated their portion of the sales tax and so even though this request didn't change it, does change the total sales tax at the Legends. We wanted to note that again is going to be 10.325% within that proposed district.

The CID legislation or statute is written fairly broadly and there're a lot of expenses that a developer can submit under the CID. Within this agreement we actually call out what we believe all of us will agree to as eligible expenses and we wanted to note that that does exclude things like developer and legal fees from the developer's side.



Let me touch on the proposed CID District real quickly as well. Again, we're going to come back December 17th and have a public hearing to consider this. I know that when we initially presented this at standing committee we had excluded all of the UG assets including Community America ball park and Legends 14 Theatre.

We've been discussing the potential sale of Legends 14 Theatre and we feel that we're close enough in that potential sale to actually include the theatre now as part of this overall CID District. It is slightly different and I know some of the commissioner's at standing committee had very specific questions about why we would not want to include any of the UG assets. For the ballpark we'd still like to exclude it because in the event that there's a need to do any sort of improvements or something, it's nice that flexibility you know that there's not a CID layered on that particular component.

Expected Future Actions

- Create CID
- Resolution of Intent for IRBs

There's some Expected Future Actions, but before I get into that let me ask Todd to come up. I know we submitted an executive summary and so the Requested Incentive Structure briefly touches on some of those, but I think there're some other key points to this deal that I'd like Todd to briefly go over with you.

What are we here for tonight?

- Consider the Development Agreement
- Adopt Resolution authorizing the Development Agreement
- Adopt Resolution setting December 17, 2015 as a Public Hearing to consider the CID

Todd LaSala, UG Counsel from Stinson Leonard Street, said I would like to touch very quickly on two or three things. Two are about the financing and then there're two others. On the financing, I wanted to point out that on the CID whether we issue bonds or it winds up being pay as you go, either way George pointed out that's really about building that parking garage and those public spaces. This development agreement includes a 10% holdback on that CID money. The developer can't have access to it until such time as they have completed the parking garage. That's a good protection for the city to make sure that the parking garage gets built.

2) On the IRBs, as George mentioned, that there is an agreed to PILOT structure over the 10 year term of the IRBs. I wanted to point out that this agreement, like your other development agreements, has LBE/MBE/WBE requirements. The developer has agreed that if they fail to meet those MBE/WBE/LBE goals that the PILOT structure actually increases. If you look at that PILOT schedule, you'll see a second column that shows increases in the event that they were to fail to meet those obligations.

Two other things very quickly. There's a parking garage right next door to the parking garage that will be built as a part of this project. The development agreement contemplates a connection point, a vehicular bridge that attaches those two parking facilities. Currently the UG owns that existing parking structure that's there right now. That structure was built with STAR Bonds as part of the original transaction and as a result of that we were required to own that for a period of time that those original STAR Bonds were outstanding. That portion of the STAR Bond debt is now paid off and so we now have the ability to sale that parking facility to Legends KKR. That's what is intended and so there are some provisions in this agreement that speak to that sale that is forthcoming and will probably happen at the end of this month.

One final thing I'll mention, there's a completion date in this document in that the developer is required to complete these improvements and deliver this facility by April 30, 2018. I wanted to point out all of those handful of things that are all in your executive summary, but also happy to answer any questions.

Commissioner Walker said I guess I have a question I'm not sure who can answer it, Mr. Coon maybe you. If we adopt this what is the anticipated time of—estimated time of breaking ground and getting started?

Mr. Coon said the question is what is the anticipated breaking ground time? It will probably take

us, depending on how quickly we can get through permit review, that's always a big question, but typically about seven months so I would think the beginning of the summer. **Commissioner Walker** asked how long is construction. **Mr. Coon** answered typically 18 to 20 months. **Commissioner Walker** asked do you have a contractor. **Mr. Coon** said we do not. We've been talking to several, but have not made a selection yet. **Commissioner Walker** said thanks to our Governor we can't require prevailing wage on any project and I would not suggest that you in any manner what your business practice would be, but it is firmly my belief that people trained in the labor skills, in carpentry, electricians so forth build a better more permanent building than those who do not. For what that's worth to you, I think there're a lot of people in Wyandotte County that feel that way.

Commissioner Kane said Commissioner Walker caught some of my storm there. We would like you and we can't make you, I would love to make you, use the local people, the union folks, but as Hal said we're specifically trained in that. It's the group I work with and lots of others and we would prefer a local contractor verses somebody from out of state. George, you always do a good job. Does Piper School District know about this? **Mr. Brajkovic** said yes. I've had discussions with Tim Conrad the Superintendent. I don't know if anyone from the development team has met with him, but they realize the revenue impact. It's not just a tax revenue increase for us to do the project, its some more revenue increase for them.

Doug Bach, County Administrator, said I just wanted to make a couple of comments that staff worked hard with through this project. As George went through and explained the nature of the IRBs, again that is in keeping with the directive of this Commission that we find a way that entities that come in and do large projects in our community we establish the tax value of those. Then they are not in a position that we go out we are fighting for appraised value for the coming years after they build which was a problem we had with many of the developments when they came into the Village West area. This clearly takes that into account. As George explained, we're setting 100% value of this establishment and that is what they are paying taxes on according to this IRBs structure. That is set forth and we know that. What that amount is for the coming years the school district will be able to see that and they'll know what that is in the coming years.

George also did a good job of explaining that the CID is directed toward an incentive for

what increases public parking. That was also an initiative the Commission had set out or noted that we need to make sure if we do additional projects that we are providing additional public spaces in the Village West area and this project sets forth those. This is in keeping with the issues that were set out for standing committee last time it was before you. I wanted to congratulate George and staff for the way they really worked hard to make sure they kept specific initiatives that the Commission had set forth within this deal.

Action: **RESOLUTION NO. R-100-15**, “A resolution authorizing the Mayor to sign the Development Agreement for Legends Apartment and Garage by and between On Goal and the Unified Government, and all other documents and agreements contemplated by these documents in substantially the form presented to and review by the Board of Commissioners on November 19, 2015, with such changes therein as shall be approved by the officers of the Unified Government executing these documents, such officers’ signature thereon being conclusive evidence thereof.” **Commissioner Walker made a motion, seconded by Commissioner Bynum, to adopt the resolution.**

RESOLUTION NO. R-101-15, “A resolution calling and providing for the giving of notice of a public hearing to be held on December 17, 2015, on the advisability of creating a Community Improvement District in the City of Kansas City, Kansas to be known as the Legends Apartments and Garage Community Improvement District and regarding the Unified Government’s intent to levy a Community Improvement District Sales Tax within such district and issue Special Obligation Bonds.” **Commissioner Murguia made a motion, seconded by Commissioner Johnson, to approve the ordinance.**

Mayor Holland said I would like to also just reiterate this looks like a great project. We’re very excited about adding the housing component to Village West. That’s been a missing piece. We’re trying to grow office, we’re trying to grow the housing and they’re supporting one another in the growth. I think this is going to be big. I love adding additional parking spaces to the Yard House because that’s an important restaurant for me, but I think this is a great project that continues to build the density out west. Just to reiterate, Doug said it again, we’ve all said it; the

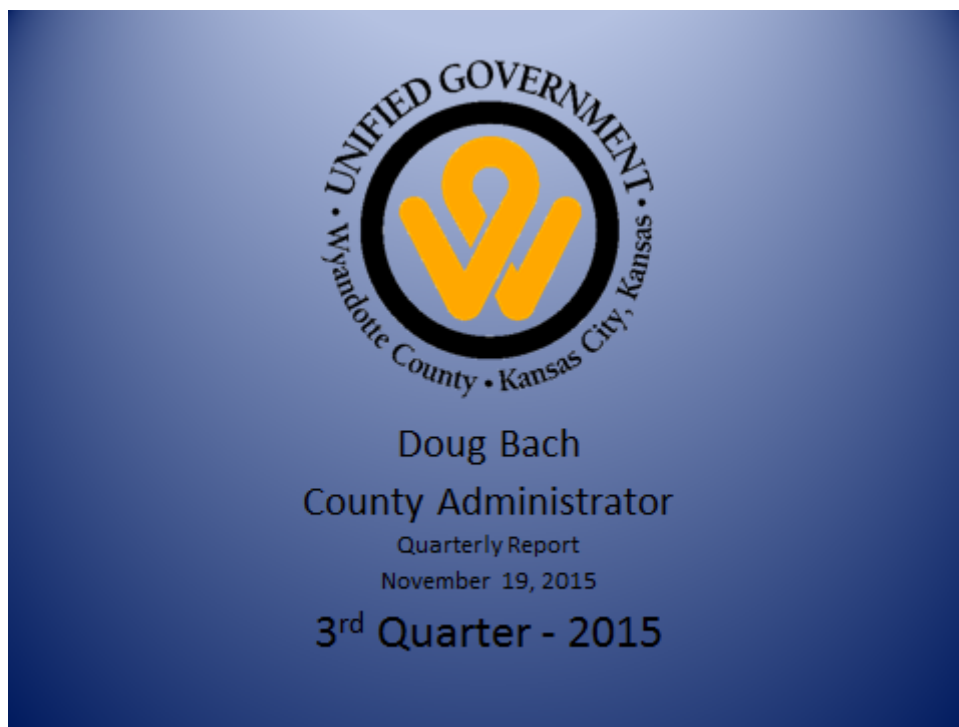
PILOT structure is not a tax abatement. They're paying full freight for 10 years and there's no arguing in court. It's a great opportunity for us and it's a win-win for the developer as well as the city. They get the Industrial Revenue Bonds and we get the assurance of directed revenue coming back into the city.

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

ADMINISTRATOR'S AGENDA

ITEM NO. 1 – 15243...PRESENTATION: ADMINISTRATOR'S QUARTERLY REPORT

Synopsis: Administrator's Quarterly Report.

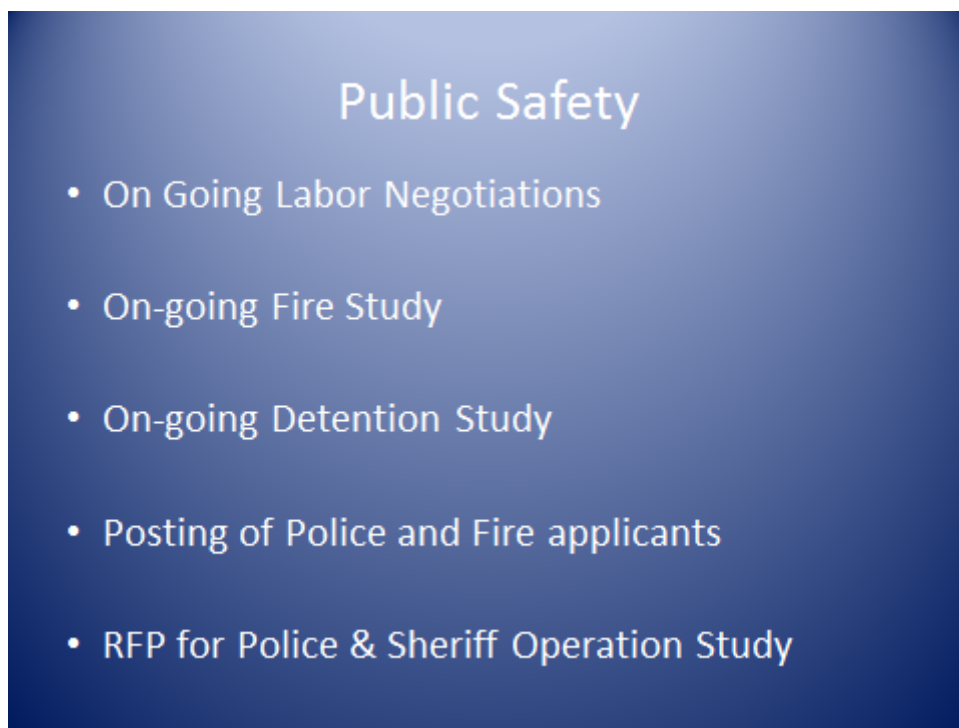


Mr. Bach said earlier today as you are aware I usually submit—we usually go over the quarterly report during a special session. That's what we did the last time around. I spent a fair amount going into detail. That was before my last review.

This afternoon this document was submitted to you in detail by electronic copy. It's also attached to our agenda so anyone from the public can go back and pull it up if they go through the detail. Unless the Commission likes, I will just go through a few highlights of tonight's

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report. If you have any questions, I can go back or you can give me a call we can go through and answer. I'm just going to touch on a couple different pages through this document.



In Public Safety I'll just note we've had our on-going labor negotiations with the Police, Fire and the Sheriff's Department. We resolved that with the Police Department and then we're actively working with the other two. Also, we resolved that with the Dispatch Unit.

On-going Fire Study, we had our initial report that came out in that regard so that was definitely a highlight at that time. Then we have on-going work to bring that forward as we develop our strategies for implementation. Our Detention Study is ready to come back. It will be there. Essentially we'll be seeing some of the review stuff in December, but it looks like it'll be January before we're able to present that to the governing body; just where we are with that report.

We've established posting of police and fire application procedures. We've initiated the RFP process for the Police and Sheriff Operation Study.

Public Safety Police Department

- On going programs
 - High School interaction with youth – car stop video
 - Ongoing Active Shooter Training
 - Safety 1st – Courtesy Always Program
- Evaluation of Body Camera Equipment purchase and completion of draft of Body Camera Policy - next step working with Community Stakeholders
- 4% increase in violent crime, 6.7% decrease in property crimes; 5.5% decrease in target crimes – hoping to reach target of overall 10% reduction in violent crime
- New Hiring process ready to implement for 4th Quarter
- 66% of department CIT trained
- Animal Shelter in compliance with Kansas Department of Agriculture per the Kansas Animal Pet Act
- South Patrol – direction from Standing Committee to advance project
- Police Department receives CALEA Accreditation

Infrastructure

- Debt financing and bond resolutions were assembled for 2016 funded projects, and a presentation delivered to the Public Works Standing Committee in October on upcoming 2016 construction
- Bids were opened on Stony Point drainage project, 2015 Safe Routes to School sidewalks, and Leavenworth Road intersections (55th & 72nd)
- Construction progresses on the Kaw Point Solids Dewatering facility, which will serve our future wastewater processing needs
- Briefings were given to individual commissioners on the 2016 NSRP plan
- Oak Grove Road, 53rd to 55th Street was completed and opened to traffic – in time for the opening of Oak Grove Elementary
- High volume of Engineering of the month calls were received and responded to – mostly in response to the frequent rains this summer

Projects List

- Futsal Court Openings
 - Bethany Park
 - Highland Park
 - Welborn Park
 - Westheigh Park
- CNIP Sidewalk Projects
 - Minnesota Avenue at 8th Street
 - Merriam Lane – 10th-24th – almost complete & open to traffic
 - Oak Grove Road 53rd to 55th Streets – completed and opened in time for Oak Grove Elementary
- Bid Openings:
 - Stony Point Drainage Project
 - 2015 Safe Routes to Schools
 - Leavenworth Road intersections – 55th & 72nd Streets

I'll notice on a project list we opened several different futsal courts. They're listed up here: Bethany, Highland, Welborn and Westheigh. Those are all ones that worked with existing tennis courts so we were able to do a double surface at each of those and then we'll be moving forward with the additional ones in the springtime for the new courts. CNIP sidewalk projects are listed here and other bid openings for other projects and Safe Routes to Schools are on this sheet.

Projects List Safe Routes to Schools

- The safe Routes to schools has been hard at work with ten partner schools this fall. Efforts are a partnership between healthy Communities Wyandotte, the Traffic Engineering Division, and Bike Walk KC, a local non-profit. Those partnerships include:
 - Five partner schools have regular, weekly walking school bus programs with some programs having as many as 35 students participating
 - Four partner schools have hosted the "Walk Safe" Safety Assembly. Walk Safe is an assembly brought to schools in Wyandotte County by the Safe Routes Team, Animal Services and the KCKPS Police Department
 - In partnership with the Latino Health for All Coalition – the safe routes to school team was awarded a mini-grant to purchase bike racks that were installed in front of the Wyandotte County Health Department

Customer Service

- Core 4 Colloquium hosted by UG– Senior Manager’s participated in on-going 4 county partnership to identify and develop solutions to common issues that have no regard to county lines or borders
- Treasurer’s office implements customer service survey through Awesome Q
- HR Customer Service training on-going with employees
- Introduction with new employees during orientation sessions
- NRC Worked 4,261 Code Enforcement Cases
- Bids out for Residential Water & Sewer Line Protection Program

Customer Service Cont.

- Area Agency on Aging selected to receive \$10,000 from Meals on Wheels in addition to monies already being received
- Staff presented to the Mid America Regional Council’s Planner’s Roundtable on urban development strategies such as our Narrow Lot Design Standards and Traditional Neighborhood Design Ordinance
- Vending Machine Presentation to Board of Commissioners
- Health Department
 - Disease Control staff completed the development of a Surge Disease Investigator training toolkit to be used throughout the state of Kansas.
 - Immunizations were given to over 1000 children
 - Installed card readers for debit cards
 - 2 employees completed the Certified Healthcare Emergency Professional
 - Staff attended the National Association of Cities and Counties Health Organization (NACCHO) annual conference in KCMO; food emergencies training; KPHA Annual Conference; Fugitive Dust and Advanced Inspector Training; Region 7 EPA meeting; and the Kansas Public Health Accreditation Readiness Training

Customer Service Parks & Recreation

- La Placita – 7 CABA sponsored bi-weekly event
- 2nd Annual Christmas in July at WYCO Lake
- Free Community Picnic at City Park
- Overnight Fishing Derby at WYCO Lake & Pierson Park
- Rentals
 - 801 Shelter Rentals
 - 124 Building Rentals
 - 358 – Gyms & Sports Fields used
- MR340 River Race at Kaw Point Park
- Lewis & Clark National Convention at Kaw Point
- Back to School Supply Give-away at Parkwood Pool
- Amateur Disc Golf Tournament at Rosedale Park
- Area Cross Country events
- Hunter Safety Course at WYCO Lake
- Library in the Park at Big 11

Customer Service, we had several active events in Parks and Recreation, our second annual Christmas lighting at Wyandotte County Lake, we also had the river race at Kaw Point which continues to draw large numbers down to that event; our Back to School give-away at Parkwood Pool and our Hunter Safety Course at Wyandotte County Lake is always a huge draw in that area and there are several others that are listed.

Innovation DOTS

- Worked with District Attorney on Paperless Mobile Warrants, looking to expand from major call-outs (Homicides, Traffic fatalities, etc.) to include drug warrants, and blood samples. Should be done within a year
- Public_UG Public WiFi Access routed through Google Fiber
- Completion of Budget Software upgrade
- PaperVision Upgrade for Register of Deeds
- Deployment of Service Manager Help Desk Citizen Self-service 311 portal
- Worked with KCKFD for Internal SharePoint/Collaboration needs used by KCKFD Staff

Economic Development

- Consultants selected with schedules for the three major 2015-2016 planning initiatives. K-32 Corridor Study and Quiet Zone Study, Rosedale Master Plan and Sign Code Revision
- PQ Corporation continued strong in investments in its KCK facility with \$4.5 million in investments, new and additions
- Dairy Farmers of America began site work on its new headquarters, \$1.2 million in grading and utilities
- Fultan Nissan began construction of dealership at auto mall adjacent to Schlitterbahn
- Sunshine underwent \$4.6 million in remodeling/improvements (2nd & 3Q)

Economic Development Cont.

- Small Business – Develop policy for city-wide Business grant awards, funded by bond issuance fees from larger scale projects
- LED Lighting – Project with new Business in Downtown LED 2 – in UG buildings and streetlights in downtown
- Tourism
 - US Soccer – Issuance of \$64M in STAR Bonds to finance NTC
 - Schlitterbahn – Expected issuance of \$84.65M STR Bonds in October for Waterpark and Auto Mall Development
- Public Levee – On-going 300,000 square foot facility development

Economic Development Cont.

- Turner Commerce Center – 130 Acres – former defunct residential TIF, \$69M capital investment, \$1M of new industrial space, expected 600+ job creation, average salary \$42k
- Legends Apartments – On-going negotiations with RED legacy announced to construct a \$40M multi-family ^ structured parking garage in Legends Shopping. 250 Market Rate Units with parking structure adding 350 more public parking spaces

Housing

- 34 single Housing Permits issued
- NRC Conducted vehicle blitzes throughout the City sighting numerous violations during each blitz
- Continued preparation for Tax Sales, implementing change to bidder registration – now begins 30 days prior to tax sale

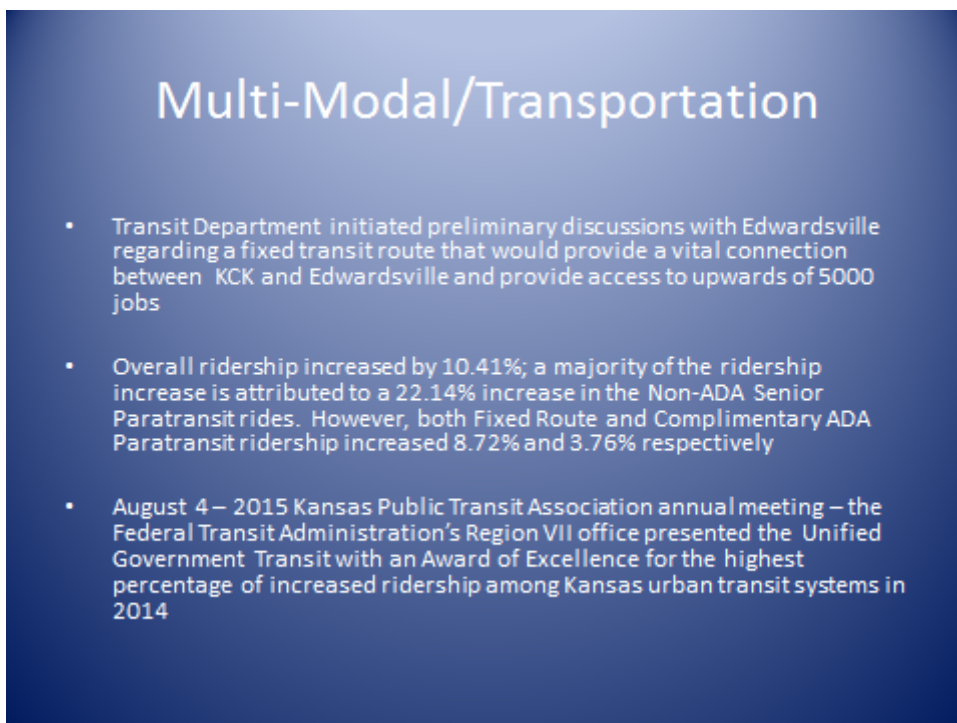
Education/Workforce Development

- Core 4 Youth Career Expo (September 2015) - Hosted by leaders of the Kansas City metro's four core local governments. Interactive event introduced area junior and senior high-school students in local government. Event featured more than 50 exhibitors from local government, as well as representatives from colleges, universities and employment resource agencies. Students explored career paths expected to be in high demand over the next five to ten years and learn about youth-oriented employment opportunities, such as job shadowing, internships and mentorships.

There are some notes here on Housing and you can see where we continue to do project blitzes through different neighborhoods in the community, but I want to note a notable event under our Education/Workforce Development. This was really a partnership we did with our Core4 Group where we came in and hosted—well it was over at Bartle Hall, but we hosted it with them. Put together a large event for students in junior and senior high school area. A great event where we

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were able to take various units of local government over there particularly to talk about what the many opportunities are for the youth if they want to look at things they can do in various areas of local government. I think that's often an area that as we looked at it from local government administrator's that people overlook. All of us employ thousands of people in the metropolitan area and to make this available for our youngsters.



Multi-Modal/Transportation

- Transit Department initiated preliminary discussions with Edwardsville regarding a fixed transit route that would provide a vital connection between KCK and Edwardsville and provide access to upwards of 5000 jobs
- Overall ridership increased by 10.41%; a majority of the ridership increase is attributed to a 22.14% increase in the Non-ADA Senior Paratransit rides. However, both Fixed Route and Complimentary ADA Paratransit ridership increased 8.72% and 3.76% respectively
- August 4 – 2015 Kansas Public Transit Association annual meeting – the Federal Transit Administration's Region VII office presented the Unified Government Transit with an Award of Excellence for the highest percentage of increased ridership among Kansas urban transit systems in 2014

In the area of Multi-Modal/Transportation, we've initiated discussions with Edwardsville about providing service in that area. I'll also note our ridership increased by 10.41% bringing this up and that department will be presenting to standing committee here in the near future to give additional details.

Healthy Communities Parks & Recreation

- Fall Youth Sports – 415 Participants
 - Volleyball
 - Flag Football
 - Soccer
- Fall Adult Sports – 30 teams
 - Soccer
 - Volleyball
 - Softball
- 4 Volleyball Tournaments at Rosedale Park hosted by Heart of America
- Amateur Disc Golf Tournament at Rosedale Park
- 5K runs
 - Trail Nerds hosted 5 runs at WYCO Lake, runs included 5k, 10k and 20 mile runs
 - Foam Run 5K at WYCO Lake
 - Summer Intro Trail Run at WYCO lake

Healthy Communities Continued

- Health Department
 - Hosted Annual Women's Health Fair in May at JFK Community Center in recognition of National Women's Health week
 - Held 1st Fetal Infant Mortality Review (FIMR) Community Action team meeting which reviewed the first set of FIMR chart review Committee's recommendations.
 - Health Department received funding from Greater KC Healthcare Foundation for \$56,000 to help fund the 20/20/20 campaign which is a community level campaign setting goals to build 20 miles of high priority sidewalks, 20 miles of trails and 20 miles of bike lanes by the year 2020

Environment

- Storm & Sanitary spot repairs
- Continue to create mitigation plan for compliance with EPA consent decree

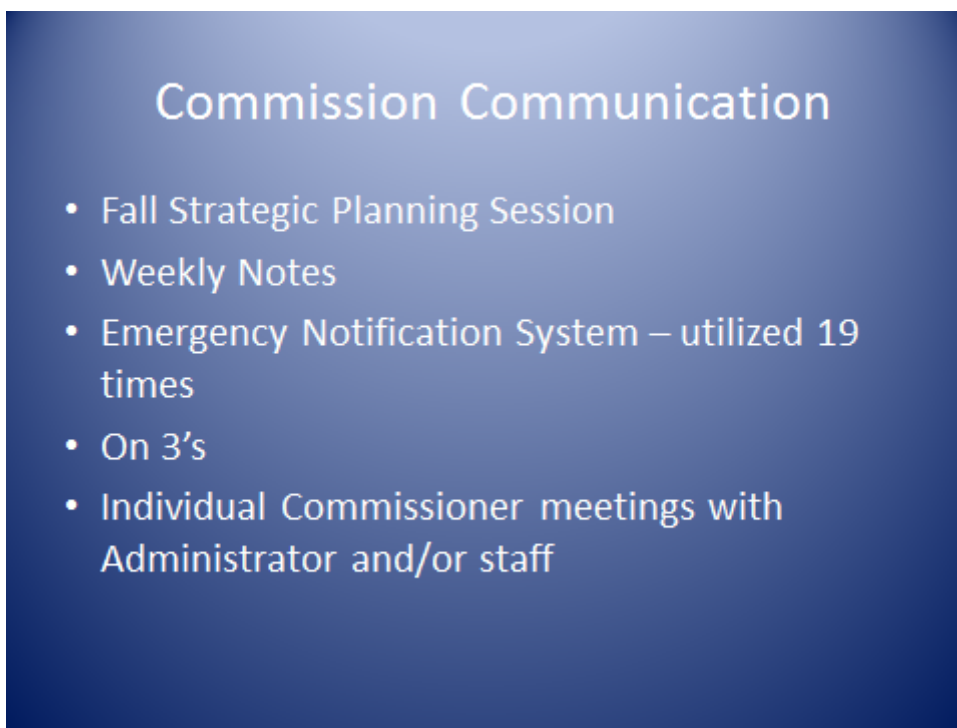
Finance

- Budget Workshops and Adoption
- Roll-out of OpenGov with Budget
- US Soccer STAR Bond Financing - \$64m
- Schliterbahn STAR Bond Financing – all structuring, agreements and pricing completed in third quarter - \$85m
- Marketing of Hilton downtown hotel continued during 3rd Quarter, interest remains strong, no definitive agreement at this time
- Advance Sale of Legends 14 Theater

Just noting too that one of the last areas I'll point out is the Third Quarter report. During the third quarter we also adopted a budget during that session. Just one small task we finished. Seems like a long time ago now, but before we get started we can recognize that we had that one take place.

Also did a major issue for the US Soccer STAR Bond Financing Project which today had the notable event where they announced their new name of Children's Mercy Park for Sporting KC was a big announcement. Even bigger to that point was their announcement that that partnership with Children's Mercy is leading to a new state of the art youth facility for rehab that they'll be coupling at the National Training Center for US Soccer that'll be building here. This is really a national opportunity that shows the vision of going forward with this project and catapult us into seeing additional subsequent development that will build in and around this. That announcement being on my report today, but just noting that here before we even really break ground with it we're already seeing the fruit of the labor of how that project is paying off.

Also noted here is the continued marking of the Hilton. As George mentioned in his other the advancing the sell of the Legends 14 Theater which is nearing our closing time so we will see that move to final in the near future.



Mayor, that concludes my quarterly report. If there's anything additional you'd like for me to report on I will, but as I said the information is all there for the commissioner's. You should have it and you can read through the details of what's been submitted to you.

Action: For information only.

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Mayor Holland asked if there were any questions or comments regarding the Administrator's report. Seeing none thank you Mr. Bach for your excellent work. Now, that is our last item.

COMMISSIONERS' AGENDA

No items of business.

Mayor Holland said we will adjourn in this capacity and I will call us back to order as the Land Bank Board of Trustees.

LAND BANK BOARD OF TRUSTEES' CONSENT AGENDA

Mayor Holland said that concludes this portion of our regular meeting. We will adjourn in this capacity. I'll call us back to order as the Land Bank Board of Trustees. We have the Consent Agenda before us. Does any member of the commission, staff or any citizen left in attendance tonight wish to set-aside any item on tonight's consent agenda. If you would please step forward and do so otherwise all items will taken together in a single vote based on the committee's recommendation.

ITEM NO. 1 – 15196...COMMUNICATION: LAND BANK APPLICATIONS

Synopsis: Communication requesting consideration of the following Land Bank applications submitted by Chris Slaughter, Land Bank Manager. The Land Bank Advisory Board has recommended approval.

Applications

1512 Garfield Ave-Renewed Hope Christian Center
 2020 Springfield Blvd-Walnut Boulevard Missionary Baptist Church
 1500 N. 5th St.- Thatcher's Funeral Home
 1512 N. 5th St.-Thatcher's Funeral Home

Donations

814R Tenny Ave-Robert Barnes
 3023 S. 23rd Cir.-Wells Fargo REO Community Development Program
 14141 Minnesota Ave-Weston Associates, LLC

Transfers from Land Bank

1035 & 1037 Freeman Ave.-Heartland Habitat for Humanity
 (Habitat is requesting to build a property on the land)

Transfers to Land Bank

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1320 N. 5th St.-Unified Government
 1420 N. 5th St. Unified Government
 1416 N. 5th St. Unified Government
 1400 N. 5th St. Unified Government
 2606 N. 5th St. Unified Government
 2921 N. 5th St. Unified Government
 2923 N. 5th St. Unified Government
 2925 N. 5th St. Unified Government
 1941 N. 6th St. Unified Government
 1939 N. 6th St. Unified Government
 1937 N. 6th St. Unified Government
 1905 N. 6th St. Unified Government
 1903 N. 6th St. Unified Government
 1920 N. 6th St. Unified Government
 1908 N. 6th St. Unified Government
 1907 N. 7th St. Unified Government
 1905 N. 7th St. Unified Government
 1904 N. 7th St. Unified Government
 1900 N. 7th St. Unified Government
 1906 N. 7th St. Unified Government
 2836 S. 7th St. Unified Government
 1526 S. 7th St. City of KCK
 1525 S. 7th St. City of KCK
 905 N. 7th St. Unified Government
 907 N. 7th St. City of KCK

Per the December 2014 NCD Standing Committee presentation, property controlled by the UG, city and Board of County Commissioners that are delinquent will be transferred to the Land Bank to have delinquent property taxes abated.) On November 9, 2015, the Neighborhood and Community Development Standing Committee, chaired by Commissioner Walker, voted unanimously to approve and forward to the Land Bank Board of Trustees.

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

PUBLIC ANNOUNCEMENTS

Mayor Holland said one announcement before we adjourn. The Mayor’s Christmas Tree Lighting will be held tomorrow night from 4 to 7:00 p.m. Be here for the festivities. Bring the kids and grandkids. They’ll be an opportunity to meet Santa with goody bags and entertainment. Then at 7:00 I’m honored to say Deputy Scott Wood from our Sheriff’s Department will be there

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with his family flipping the switch to turn on the Mayor's tree lighting. It's going to be a great evening.

The program will begin promptly at 7:00 o'clock. We hope to see everyone there tomorrow night and the weather is going to be beautiful. I'm just putting in a word now. It's going to be beautiful.

MAYOR HOLLAND ADJOURNED

THE MEETING AT 8:09 P.M.

November 19, 2015

cm

Bridgette Cobbins
Unified Government Clerk

November 19, 2015

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

**REGULAR SESSION
THURSDAY, DECEMBER 17, 2015**

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in regular session Thursday, December 17, 2015, with ten members present: Bynum, Commissioner At-Large First District; Walker, Commissioner At-Large Second District; Townsend, Commissioner First District; McKiernan, Commissioner Second District; Johnson, Commissioner Fourth District; Kane, Commissioner Fifth District; Markley, Commissioner Sixth District; Walters, Commissioner Seventh District; Philbrook, Commissioner Eighth District; and Holland, Mayor/CEO presiding. Commissioner Murguia, Third District; was absent. The following officials were also in attendance: Doug Bach, County Administrator; Gordon Criswell, Assistant County Administrator; Joe Connor, Assistant County Administrator; Ken Moore, Chief Legal Counsel; Carol Godsil, Deputy Unified Government Clerk; Lew Levin, Chief Financial Officer; George Brajkovic, Economic Development Director; Jason Banks, Asst. to the Mayor/Manager; Ken Moore, Deputy Chief Counsel; Sharon Reed, Purchasing Director; Mike Tobin, Interim Public Works Director; Mike Taylor, Public Information Officer; Chris Slaughter, Land Bank Manager; Marlon Goff, Economic Development; Angie Masloski, Public Safety Business Office; and Major Robert Melton, Sergeant-at-Arms.

MAYOR HOLLAND called the meeting to order.

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

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

Mayor Holland asked if there were any revisions to tonight's agenda. **Carol Godsil, Deputy Unified Government Clerk**, stated a blue sheet went out for a Memorandum of Agreement with LiUNA/Public Service Employees Local Union #1290PE for years 2015 – 2017. That's the only

amendment. **Mayor Holland** said that will be the last item on our agenda, just before the Land Bank.

MAYOR'S AGENDA

No items

CONSENT AGENDA

Mayor Holland asked would any member of the Commission, staff or citizens in attendance wish to set-aside an item. There were none.

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

ITEM NO. 1 – 15248...ORDINANCE: EXTENSION OF MBE/WBE ORDINANCE FOR CONSTRUCTION CONTRACTS

SYNOPSIS: A request to re-adopt Division 2 of Ordinance No. O-17-09 to extend the sunset date of December 31, 2014, to December 31, 2017, relating to the MBE/WBE program for construction contracts exceeding \$250,000, which is located in Chapter 18, Article V, Division 2 of the Unified Government Code of Ordinances (Sec. 18-256 et seq.), submitted by Brandy Wells, Purchasing Department. On November 30, 2015, the Administration and Human Services Standing Committee, chaired by Commissioner Markley, voted unanimously to approve and forward to full commission.

Action: **ORDINANCE NO. O-71-15**, “An ordinance amending Chapter 18, Article V of the Code of the Unified Government of Wyandotte County/Kansas City, Kansas, by adding a new division directing the County Administrator to take affirmative measures to provide opportunities for minority and woman business enterprises to participate on Unified Government construction contracts exceeding \$250,000, with a sunset date of December 31, 2017.” **Commissioner McKiernan made a**

motion, seconded by Commissioner Johnson, to approve the ordinance. Roll call was taken on the motion and there were nine “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan.

ITEM NO. 2 – 15245... DISTRIBUTION: 2016 SPECIAL DRUG AND ALCOHOL TAX FUNDS

SYNOPSIS: Recommendation of the Alcohol and Drug Fund Advisory Committee to disburse 2016 Special Drug and Alcohol Tax funds to the following agencies, submitted by Angie Masloski, Public Safety Business Office. On December 7, 2015, the Neighborhood and Community Development Standing Committee, chaired by Commissioner Walker, voted unanimously to approve and forward to full commission.

- Associated Youth Services: \$127,536 (flat funding)
- Friends of Yates: \$73,474 (increase of \$2,558)
- Mirror, Inc.: \$48,490 (decrease of \$2,558)

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

ITEM NO. 3 – 15249...GRANT: 2016 VIOLENCE AGAINST WOMEN ACT (VAWA)

SYNOPSIS: Approval to request VAWA funding for \$76,618 for partial salaries and travel with a match of \$25,313, submitted by Angie Masloski, PSBO. The match is the remaining salaries of Ms. Meyer and Ms. Thomas as well as their travel expenses to the Annual Governor's Conference on Domestic Violence. On December 7, 2015, the Neighborhood and Community Development Standing Committee, chaired by Commissioner Walker, voted unanimously to approve and forward to full commission.

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

ITEM NO. 4 – 15271...RESOLUTION: SALE OF MUNICIPAL TEMPORARY NOTES AND GENERAL OBLIGATION BONDS

SYNOPSIS: Resolution authorizing the offering for sale of Municipal Temporary Notes and General Obligation Bonds of the Unified Government of Wyandotte County/Kansas City, Kansas.

Temporary Notes:

2016-I (Tax-Exempt) \$61,048,573.29

2016-II (Taxable) \$ 7,167,702.08

General Obligation Improvement Bonds:

2016-I (Tax-Exempt) \$28,076,930.89

On December 7, 2015, the Economic Development and Finance Standing Committee, chaired by Commissioner McKiernan, voted unanimously to approve and forward to full commission.

Action: **RESOLUTION NO. R-111-15**, “A resolution authorizing the offering for sale of Municipal Temporary Notes and General Obligation Improvement Bonds of the Unified Government of Wyandotte County/Kansas City, Kansas, Temporary Notes 2016-I (Tax-Exempt) \$61,048,573.29, 2016-II (Taxable) \$7,167,702.08, General Obligation Improvement Bonds 2016-I (Tax-Exempt) \$28,076,930.89.”

Commissioner McKiernan made a motion, seconded by Commissioner Johnson, to adopt resolution. Roll call was taken on the motion and there were nine “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan.

ITEM NO. 5 – 15273...AMENDMENT: WYANDOTTE PLAZA REDEVELOPMENT AGREEMENT

SYNOPSIS: Second amendment to the Wyandotte Plaza Redevelopment Agreement to allow for the sale of the Wyandotte Plaza by the developer and removes the pledge of the original CID to the lender, submitted by Lew Levin, Chief Financial Officer. This amendment pledges the original CID to the initial bond refinancing, which will occur in February of 2016. On December 7, 2015, the Economic Development and Finance Standing Committee, chaired by Commissioner McKiernan, voted unanimously to approve and forward to full commission.

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

ITEM NO. 6 – 15279...RESOLUTION: TRANSFER/SALE OF WYANDOTTE PLAZA RETAIL CENTER

SYNOPSIS: A resolution authorizing the transfer/sale of Wyandotte Plaza Retail Center (the grocery store and all in-line shops), located at the northeast corner of 78th Street and State Avenue, to Phillips Edison, submitted by George Brajkovic, Economic Development Director. On December 7, 2015, the Economic Development and Finance Standing Committee, chaired by Commissioner McKiernan, voted unanimously to approve and forward to full commission.

Action: **RESOLUTION NO. R-112-15,** A resolution authorizing the County Administrator to execute in the name of the Unified Government as the voluntary act of the Unified Government the Agreement (Wyandotte Plaza) by and between the Unified Government, Developer, and Transferee, and all other documents and agreements contemplated by this document in substantially the form presented to and reviewed by the Board of Commissioners on December 17, 2015, with such changes therein as shall be approved by the officers of the Unified Government executing these documents, such officers’ signature thereon being conclusive evidence thereof.” **Commissioner McKiernan made a motion, seconded by Commissioner Johnson, to adopt the resolution.** Roll call was taken on the motion and there were nine “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan.

ITEM NO. 7 – 15284...RESOLUTION: TRANSFER/SALE OF KRISPY KREME DOUGHNUTS IN THE WYANDOTTE PLAZA RETAIL CENTER

SYNOPSIS: A resolution authorizing the transfer/sale of Krispy Kreme Doughnuts in the Wyandotte Plaza Retail Center, located at the northeast corner of 78th Street and State

Avenue, to LAG Investments Kansas City, LLC, submitted by George Brajkovic, Economic Development Director. On December 7, 2015, the Economic Development and Finance Standing Committee, chaired by Commissioner McKiernan, voted unanimously to approve and forward to full commission.

Action: **RESOLUTION NO. R-113-15**, A resolution authorizing the County Administrator to execute in the name of the Unified Government as the voluntary act of the Unified Government the Transferee Acknowledgement and Assumption Agreement (Wyandotte Plaza) by and between Developer and the Unified Government, and all other documents and agreements contemplated by this document in substantially the form presented to and reviewed by the Board of Commissioners on December 17, 2015, with such changes therein as shall be approved by the officers of the Unified Government executing these documents, such officers' signature thereon being conclusive evidence thereof." **Commissioner McKiernan made a motion, seconded by Commissioner Johnson, to adopt the resolution.** Roll call was taken on the motion and there were nine "Ayes," Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan.

ITEM NO. 8 – 15247... RESOLUTION: RIVERVIEW AVENUE BRIDGE REPLACEMENT

SYNOPSIS: A resolution authorizing the replacement of the existing Riverview Avenue Bridge over Turner Diagonal with a new bridge and authorizing the issuance of general obligation bonds not to exceed \$8.8M for said improvement, submitted by Bill Heatherman, County Engineer. On November 30, 2015, the Public Works and Safety Standing Committee, chaired by Commissioner Bynum, voted unanimously to forward this item to the Economic Development and Finance Standing Committee with the recommendation for the bridge replacement and an increase in the cost of the project from \$7M to \$8.8M. On December 7, 2015, the Economic Development and Finance Standing Committee, chaired by Commissioner McKiernan, voted unanimously to approve the increase for the bridge replacement and forward to full commission.

Action: **RESOLUTION NO. R-114-15**, A resolution authorizing certain street and bridge improvements, Riverview Avenue Bridge Replacement, CMIP 962-9246, and providing for the manner of paying for the same.” **Commissioner McKiernan made a motion, seconded by Commissioner Johnson, to adopt the resolution.** Roll call was taken on the motion and there were nine “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan.

ITEM NO. 9 – 15317...PLAT: KU MEDICAL PLAZA, FIRST PLAT

SYNOPSIS: Plat of KU Medical Plaza, First Plat, located at 39th and State Line Road and being developed by The University of Kansas Hospital Authority, submitted by Brent Thompson, County Surveyor, and William Heatherman, County Engineer.

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

ITEM NO. 10 – 15318...PLAT: KAW 88 SECOND PLAT

SYNOPSIS: Kaw 88 Second Plat located at Gibbs Road and S. 88th St. and being developed by W.H. Warehouse, LLC, submitted by Brent Thompson, County Surveyor, and William Heatherman, County Engineer.

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

ITEM NO. 11 – WEEKLY BUSINESS MATERIAL

SYNOPSIS: Weekly business material dated December 10, 2015.

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

PUBLIC HEARING AGENDA

ITEM NO. 1 – 15310...RESCHEDULE A PUBLIC HEARING/RESOLUTIONS:

LEGENDS APARTMENTS CID

SYNOPSIS: Request approval of the following resolutions relating to the proposed Legends Apartments and Garage CID, a \$50M development to include a three-story parking garage with 240+ units of luxury, market-rate apartments above, submitted by George Brajkovic, Economic Development Director. On November 19, 2015, the Commission unanimously adopted Resolution No. R-101-15 setting the public hearing date to December 17, 2015, to consider the CID; however, the original CID petition filed by the developer on November 16, 2015, was found to contain errors in the legal description and needs to be terminated.

- Terminate the previous CID action.

- Create a new public hearing date on January 7, 2016, to consider the CID as identified in the new CID petition filed December 10, 2015.

Mayor Holland said there are actually two items that are related, Item No. 1 and 2 are both rescheduling public hearings for the Legends Apartments. I’ll turn this over to Mr. Bach.

Doug Bach, County Administrator, said yes, in fact we had a public hearing scheduled tonight to consider a CID for the Legends area which is in relation to the apartments project, however; there were some errors and emissions in the documentation as it was set forth, thus we need to readvertise correctly the CID and then we recommend that we hold a new one on the 7th. Tonight I’m asking for actions to terminate the previous CID and then a separate action to establish a new public hearing for January 7th. **Mayor Holland** said the reason for setting the second one off, we could vote on the IRB and the PILOT schedule. It doesn’t make sense to do the full presentation for the public and only do half of the work. It makes sense to keep these

two items together. The developer understands the situation and we have worked out this plan with them. I need a motion to terminate the previous CID action.

Action: **RESOLUTION NO. R-115-15**, A resolution authorizing execution of the termination and release of petition for the creation of a Community Improvement District.” **Commissioner McKiernan made a motion, seconded by Commissioner Johnson, to approve the resolution to terminate the previous CID by and between KKR and the Unified Government.** Roll call was taken on the motion and there were nine “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan.

Action: **RESOLUTION NO. R-116-15**, A resolution calling and providing for the giving of notice of a public hearing to be held on January 7, 2016 on the advisability of creating a Community Improvement District in the city of Kansas City, Kansas to be known as the Legends Apartments and Garage Community Improvement District and regarding the Unified Government’s intent to levy a Community District sales tax within such district and issue Special Obligation Bonds.” **Commissioner McKiernan made a motion, seconded by Commissioner Johnson, to adopt the resolution to create a new public hearing date of January 7, 2016 to consider establishing a CID.** Roll call was taken on the motion and there were nine “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan.

Mayor Holland said we need to accept a motion to move to reschedule the public hearing for the IRBS/PILOT to January 7th as well.

ITEM NO. 2 – 15308...RESCHEDULE A PUBLIC HEARING/RESOLUTION: LEGENDS APARTMENTS IRBS/PILOT

SYNOPSIS: Reschedule a public hearing to consider a Resolution of Intent to issue \$50M in IRBs and approve the PILOT structure for a multifamily project known as the Legends Apartments, located at 1879 Village West Pkwy., proposed by EPC Real Estate, Legacy

Development and KKR, submitted by George Brajkovic, Economic Development Director. The project includes a three-story parking garage with 240+ units of market-rate, luxury 1 & 2 bedroom units above. On November 19, 2015, the commission unanimously adopted Resolution No. R-101-15, setting the public hearing date.

Action: **Commissioner McKiernan made a motion, seconded by Commissioner Johnson, to reschedule a public hearing date of January 7, 2016 for the IRBS/PILOT.** Roll call was taken on the motion and there were nine “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan.

Mayor Holland said that brings us to Item No. 3, which is a public hearing. We will have this public hearing. There will actually be two public hearings on the same issue, Item No. 3 and Item No. 4. The first one is Rainbow Village Redevelopment District. I will ask staff for presentation.

ITEM NO. 3 – 15309...PUBLIC HEARING/ORDINANCE: RAINBOW VILLAGE REDEVELOPMENT DISTRICT

SYNOPSIS: Conduct a public hearing to consider the creation of the Rainbow Village Redevelopment District, (a 4-acre parcel located at the NW corner of 34th Street and Rainbow Boulevard), to allow for the acquisition of land and redevelopment for hotel and transient guest purposes, retail and office use, submitted by Marlon Goff, Economic Development. On November 12, 2015, the commission unanimously adopted Resolution No. R-65-15, setting the public hearing date.

Doug Bach, County Administrator, said this is an item to which the standing committees have heard about. It's the Rainbow Village area. We'll have a presentation from Mr. Goff from Economic Development regarding this. I will note, what we are doing tonight is establishment of a TIF District. We're not approving or looking to approve a plan or a development agreement in relation to this at this point. Those would be steps that would come in the future, but establishment of the district allows the developer to move forward knowing that they have

expenses that occur at this time that could be included in a future plan should we elect to do this as part of the plan as it comes forward.

As the Mayor noted, and I think Mr. Goff will wrap this in, Item No. 4 on the agenda is really one that just, some years ago we adopted an Urban Redevelopment Plan and there is some prohibiting language, it doesn't allow us to build new hotels and such like that and that's really clean up from that old language. With that I'll turn it over to Mr. Goff and let him provide a presentation.

Commissioner McKiernan said I want to clarify that the request for action tonight is to create the TIF District at the conclusion of the public hearing. **Mr. Bach** said yes. **Commissioner McKiernan** said and then the request for action on the other item would be to amend the University Rosedale Urban Renewal Plan after the public hearing. **Mr. Bach** said yes.

Marlon Goff, Economic Development, said before we start the presentation I'll just make a couple of brief introductions. In the audience we have Korb Maxwell with Polsinelli Law Firm and Hunter Harris with the Lane4 Property Group, representing development interest for this particular site.

Action items for consideration tonight



- **An ordinance to establish the Rainbow Village Redevelopment District.**
 1. Establishes district boundaries and base value.
 2. Outlines district plan activities.

To start again, to set the stage again, the action item we have under consideration is actually an ordinance. The ordinance will establish the boundaries of the district and set the base value. As

Mr. Bach pointed out, pave the way for the developer to continue their due diligence efforts while we negotiate with staff for a future TIF plan.



The proposed site in the foreground, you see the intersection of 7th Street Trafficway as it crosses the intersection with Southwest Boulevard and as you head south towards the medical center campus. It's roughly a four acre parcel and it's inside of an existing retail mixed use center.



Zooming in closer, this represents the boundaries for the proposed district outline and you'll see it expands the roadway to pick up the public right-away.

Proposed District Activities

- **A mix of uses including but not limited to:**
 - ✦ Acquisition and public infrastructure improvements.
 - ✦ Hotel and transient guest uses.
 - ✦ Restaurant and retail
- **Future TIF project plan will include the following:**
 1. Summary of public/private investment
 2. Summary of public benefit (assessed value, jobs, future investment)
 3. Development Agreement

As part of the district plan some of the proposed uses that are contemplated in this plan include acquisition, public infrastructure improvements and it will also allow for the development of hotel or transient guest uses. As Doug also pointed out earlier, this will require us to return back before the governing body with any project plans which would also contemplate a development agreement.

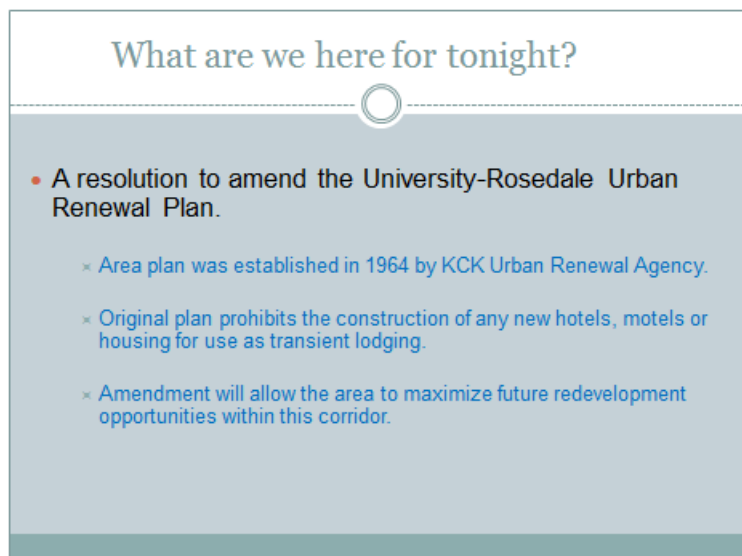
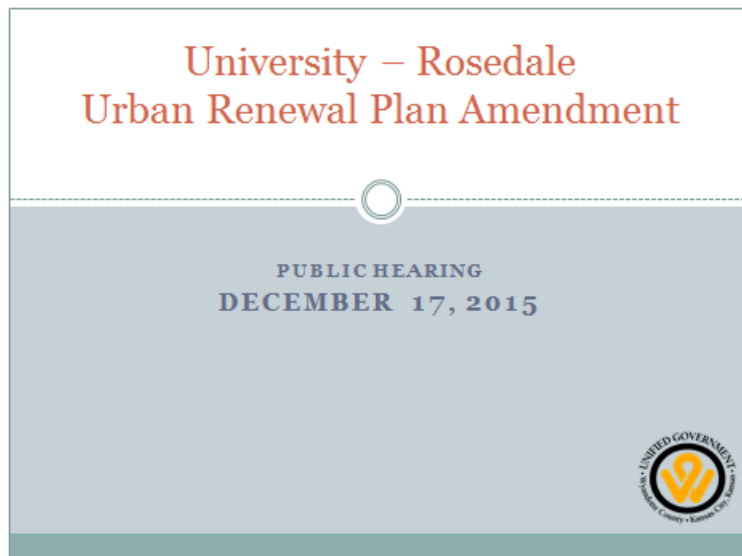
Proposed Calendar

Date	Committee	Action
11/9/15	ED&F Standing Committee	Presentation and discussion of district plan proposal
11/12/15	Full Commission	Adopt resolution setting a public hearing on 12/17/15
12/17/15	Full commission	1. Conduct a public hearing 2. Adopt ordinance to establish district.
TBD	ED&F Standing Committee	Presentation of TIF project plan and development agreement
TBD	Full Commission	1. Conduct public hearing 2. Consider adoption of ordinance approving project plan and development agreement.

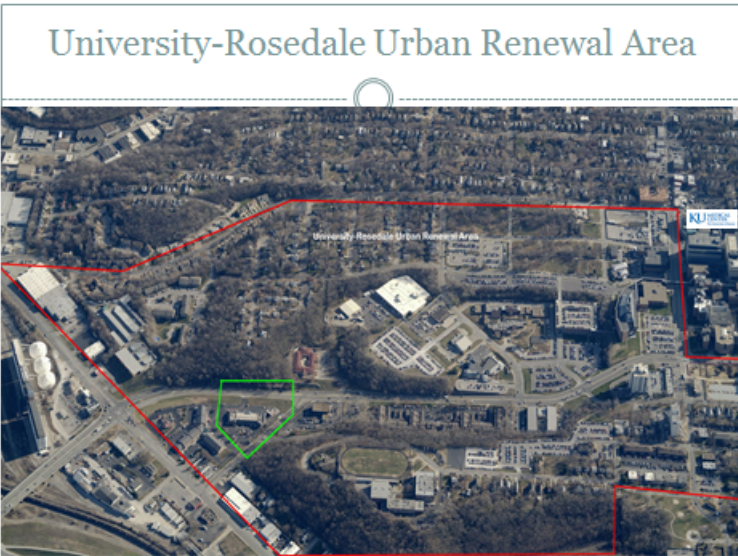
Here's just an outline of how we foresee this proposed calendar unfolding. You'll see back in November where we presented before the standing committee to get feedback and talk about the proposed district plan and then the blue section highlights the action before you tonight.

That'll conclude my comments for the presentation and I'll turn it back over to you for public comment. We can also roll into the next presentation which is also a public hearing on a

separate item, but also related to this project area. **Mayor Holland** said why don't you do that and then we'll open the public hearings consecutively.



Mr. Goff said this is part of the 1960s era urban redevelopment action. There's a plan that actually is included in the boundaries for the proposed district. A resolution is in your packet to consider an amendment to that plan. Currently that plan prohibits the construction of any new hotel or motel uses. The amendment will only impact this target area and it will essentially strike the language prohibiting the construction of any new hotel or motel developments.



Again, looking at the same site but from a different vantage point, the red boundary outlines the urban renewal plan. You'll see in the green that project plan that we previously looked at for the Rainbow Village Project Area.



Proposed Amendment



- The plan will be modified to remove language prohibiting the construction of any new hotels, motels or transient guest lodging within the area outlined.

Again, that's the target area that this amendment will impact and this essentially outlines what that amendment will entail. I will note that we had a previous amendment to an urban renewal plan before you earlier this year and it's something that we've actively been working with our UG Legal staff and Community Development staff to kind of look at all the existing and remaining Urban Renewal Plans across the city and to see if there's a way where we can make a joint ordinance to do away with those if they don't seem currently in line with what we're doing in redevelopment areas. With that, we can open it up for public comment on both items.

Mayor Holland said I'd like to open the public hearing. Commissioner Bynum would you like to comment before we open it? **Commissioner Bynum** said the amendment to the Urban Renewal Plan is only amending the projected development area, not the that whole red outlined area. **Mr. Goff** said correct. **Mayor Holland** asked is there a reason we want to retain it on the whole rest of the red area? **Mr. Goff** said when you look at the urban renewal plan, it really calls out the preferred land uses for the different corridors. I guess if we looked at the boundary within this district, it just so happens that the most recent hotel development was just to the south of the boundary of this area. I guess when you look at the available land uses, I wouldn't really want to speak for any private development firms to know where else we'd look to situate a hotel and, Ken, you might want to weigh in on this. So by making this amendment this will pave the way for this development area to move forward, but I don't think we plan on renewing it so it will essentially terminate on its own in the year 2020 if I'm not mistaken.

Ken Moore, Chief Legal Counsel, said that's correct. This is really a temporary move to facilitate this development to move forward. I think the long-term goal is to look at all these urban renewal plans because the city and the Unified Government have become more aggressive in adopting various master plans that control land use, like we're studying now for the Rosedale Master Plan and there are different areas. Ultimately those plans would govern land use and we would terminate the urban renewal plans across the city in their entirety because they have been around since 1965. **Mayor Holland** said I think every 51 years we should review our plans. **Commissioner Kane** asked isn't this where Applebee's and the gas station are at? **Mr. Goff** said it is. That parcel is included in this project area. Developers are proposing they will acquire that entire parcel. **Commissioner Kane** said but aren't those thriving businesses. **Mr. Goff** said under the preliminary proposal that we're currently evaluating, the Applebee's restaurant is targeted to remain in use. The design of the mixed-use of the hotel or the transient the extended stay part of it would incorporate that existing restaurant into the project plan for this area.

Mayor Holland opened the public hearing regarding the TIF District.

Gretchen Patch 2808 Lake Ave., said I'm here tonight representing Rosedale Development Association who stands in support of the proposed TIF District. Lane4 has been a valuable community partner and we look forward to pursuing a new project in Rosedale. While we appreciate their ongoing investment in our neighborhood, there are a few items that we wish to mention for the Commission's consideration. The corner of Rainbow and Southwest Trafficway is a valuable commercial site. This intersection is one of the busiest in KCK and is within blocks of the largest employer in the city. These inherent assets should be kept in mind as a development agreement is negotiated.

Sometimes in development agreements like these, the developer will make a civic contribution as a benefit to the overall community. If that occurs in this potential development agreement, we believe the gift should go to the city at-large specifically the Parks Department. Since the deferred taxes would come from the entire city, we think it is good public policy that that benefit should be shared equally across the city.

Lastly, while this meeting focuses on the economic aspects of the proposal, we hope the current and new master plan will offer good guidance on building for long-term sustainability and compatibility with the neighborhoods.

Mayor Holland asked if anyone was present in favor or opposition. No one came forward in opposition to the proposal.

Mayor Holland closed the public hearing on the TIF District.

Mayor Holland opened the public hearing on the amendment to the 1964 plan.

Mayor Holland asked if anyone was present in opposition let the record show no one came forward in favor or opposition to the proposal.

Mayor Holland closed the public hearing.

Item No. 3 is before us; the project as a whole is before us, but Item No. 3, the creation of the TIF District is now before us.

Commissioner McKiernan said in general I'm willing to make a motion to establish this TIF District contingent on future development agreements and as I shared with Mr. Maxwell and Mr. Harris the night they came to standing committee I still have a lot of unanswered questions as regards to the development itself, but I'm willing to make a motion to approve the TIF District so that we can move forward to try to answer those questions and provided that they are answered that we could move forward with this development.

Action: **ORDINANCE NO. O-72-15**, "An ordinance making certain findings and establishing the Rainbow Village Redevelopment District." **Commissioner McKiernan made a motion, seconded by Commissioner Johnson, to approve the ordinance.**

Commissioner Walker said I'm not going to oppose the development of the TIF District, but again as I did in the committee, I want to be clear that the proposal as initially submitted was unacceptable to me. I don't recall the specifics beyond the fact that every potential source of revenue for this project was taken out to help fund the project for a 20 year period. The CID, the increment, the sales tax, including the sales tax and I don't know that Applebee's will improve, but whatever increment of tax on them.

I am not going to be part of establishing a goal standard because for a project that is really primarily to benefit, as I see it, the family, friends and relatives of people who are at KU. I don't think KU much cares where those people go and stay. While it's convenient and closer for them, KU could care less whether they're at the Plaza, Westport or Legends or anywhere else for that matter. If KU is that vitally interested in a creation of a hotel, then they need to be at the table with some dollars. They could build a hotel of their own if they wanted to.

I'm hoping that there will be significant give and take on this development agreement because I don't see the hotel being worth waiting 20 years to get the first revenue off of other than incidental sales tax that people might accrue by going to the few restaurants in the Rosedale area that now exist. Most of the restaurants at the present time are in Missouri on 39th St, on Southwest Boulevard on the Missouri side, and if we don't get anything out of this project in a shorter period than that, I'm not sure a hotel is worth building because there's no benefit for me or the community as I see it. Alright, I've been clear about it but I support the idea. I'm hopeful there's room to negotiate, but I'm not going to make this the standard that every developer wanting incentives comes in and ask for.

Mayor Holland said it has been moved and seconded to establish a TIF District. To reiterate, we have done this before. We have established TIF District's without a development plan. It does not obligate this Commission to advance a development plan, it just gives us the opportunity to move one forward.

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

ITEM NO. 4 – 15312...PUBLIC HEARING/RESOLUTION: UNIVERSITY-ROSEDALE URBAN RENEWAL PLAN AMENDMENT (Staff presented a PowerPoint with Item. No. 3)

SYNOPSIS: Conduct a public hearing to consider amending the University-Rosedale Urban Renewal Plan, submitted by Marlon Goff, Economic Development. The University-Rosedale Urban Renewal Area was established in 1964. The original plan includes language prohibiting the construction of any new hotels, motels and transient guest housing developments. The proposed resolution removes this language to help maximize the development opportunities within this corridor. On November 12, 2015 the commission unanimously adopted Resolution No. R-66-15, setting the public hearing date.

Mayor Holland said that brings us to the second vote on the urban renewal plan. I will say we have begun a very comprehensive Rosedale Master Plan that is currently underway. The master architect for that is BNIM, is that correct. Yes, BNIM is doing that. It goes from the interstate on the north all the way to County Line Road on the south. It goes from State Line Road on the east all the way to Mission Road and even further to the west. It's a very comprehensive look at all of Rosedale. We did have an update on that master plan last week to give us an idea of the scope, looking at all levels of it. Obviously, one of these things I'd want this development to focus on is fitting in with that master plan and there may be some reason to see how that master plan comes out before we do something on this valuable site.

I don't think it's one of the busiest intersections. I think 7th & Southwest Boulevard is the busiest intersection in Kansas City, KS. It's a major corridor and KU is our largest employer by more than double. In fact it's larger than our next two largest employers. It's a critical piece. This is a critical area for our community and we need to capture the benefit of KU. I think Jackson County and Johnson County capture the majority. As I say all the time we love Jackson County and Johnson County, we just want our fair cut of this revenue that's coming off of this enterprise right here in Kansas City, KS.

I think it is time to update our master plan and this one piece of it I think is fine, but I think we'll probably need to remove the entire urban renewal area established in 1964 with the adoption of our new master plan. We don't need to do that tonight, but anticipate that recommendation will come forward so that we're free to develop this whole area as the new

master plan comes forward. I will say this one last item. It's the first time the city and KU has worked together to do a master plan. KU has a master plan; we've had a master plan. This is the first joint master plan and I think that gives us a great opportunity to grow our city. I just wanted to make that preliminary statement.

Action: **RESOLUTION NO. R-117-15**, "An resolution calling and providing for amending the University-Rosedale Urban Renewal Plan." **Commissioner McKiernan made a motion, seconded by Commissioner Johnson, to approve the resolution amending the University-Rosedale Urban Renewal Plan.** Roll call was taken on the motion and there were nine "Ayes," Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan.

ITEM NO. 5 – 15316...PUBLIC HEARING/ORDINANCE: AMEND THE METROPOLITAN AVENUE REDEVELOPMENT DISTRICT PLAN

SYNOPSIS: Conduct a public hearing to consider an amendment to the Metropolitan Redevelopment TIF District and Project Plan as part of the proposed location for the new South Patrol Police Station, submitted by Marlon Goff, Economic Development Department. On November 12, 2015, the commission unanimously adopted Resolution No. R-67-15, setting the public hearing date.

Doug Bach, County Administrator, said last week we advanced a land coordination deal where we received a larger parcel of property in the Metropolitan Redevelopment District. This TIF was approved some time ago for this whole area. This is the one in which the Walmart Market is built within. It includes the area to where we were proposing to build the South Patrol Station. What this does is it modifies our current TIF structure to allow us to include public structures, the cost of public structures within the revenue that comes from that TIF. Marlon Goff is here to give any additional public presentation for this item.

What are we here for tonight?

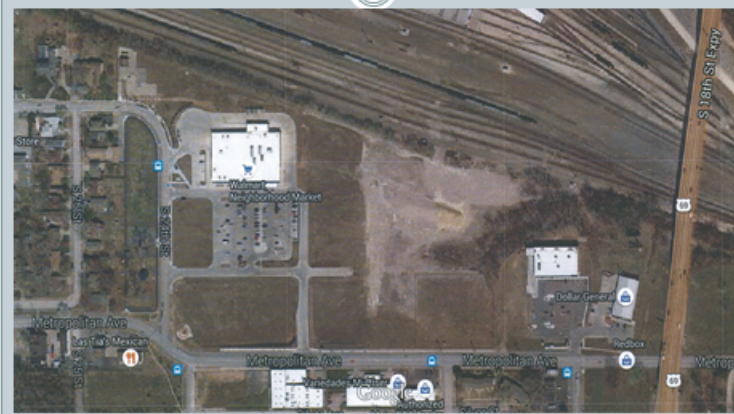
- Conduct a public hearing and consider a proposed amendment to the Metropolitan Avenue Redevelopment District Plan for Project Area 2.
- Proposed amendment would allow for the construction of buildings designated for governmental use within this TIF project area.

Marlon Goff, Economic Development Department, said I'm back for another amendment for another plan; this one being the Metropolitan Avenue Redevelopment District. As Mr. Bach pointed out, tonight's public hearing is to consider an amendment to that district plan. That amendment would allow for the construction of buildings designated for governmental purpose and then potentially be able to have those up TIF eligible cost reimbursed as part of the project.

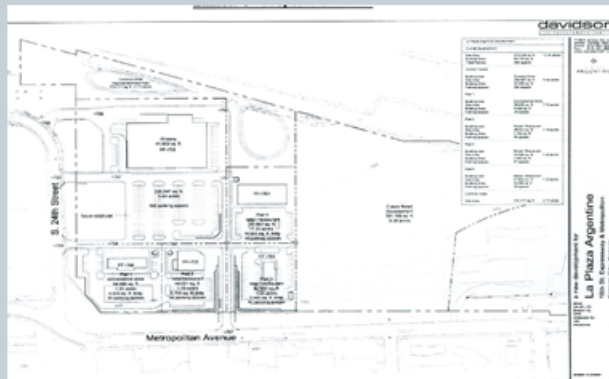
District Boundaries



Current site conditions



Proposed Site Plan by Argentine Retail Developers, Inc. and **LANE4** PROPERTY GROUP



Real quickly the boundaries for Projects Area 2, it's just to the west. This is what the current site looks like. You'll see the construction of the Walmart Neighborhood Market, the end of last year and 2014 so this is a preliminary rough site plan it what was originally proposed for that project area.

District Plan Amendment

Redevelopment Project Area 2:
 Residential, industrial, commercial, and mixed-use development including, but not limited to, some or all of the following uses:

Government, retail, office, hotel, residential, industrial, manufacturing, structured and surface parking, as well as all associated public and private infrastructure.

Essentially, the amendment will include the language which will allow for governmental uses within this district plan, thereby paving the way for construction of that public facility.

Prior Commission Action

- August 29, 2013 – Commission adopted Ord 48-13 approving the Project Plan for Area 2 of the Metropolitan Avenue Redevelopment District. The Project Plan did not allow government buildings as an eligible TIF expense.
- October 16, 2014 – Authorized new South Patrol facility in the 2015 CMIP G.O. debt funding.
 Proposed location: Former Structural Steel site in Argentine.
- December 18, 2014 – Commission adopted R-122-14 authorizing \$1,850,000 in G.O. debt for an estimated 10,000 sq. ft. South Patrol facility located generally at 2300 Metropolitan Ave.

A quick summary of some prior Commission actions we've had, in August 2013 is when the plan was adopted. The South Patrol facility was added to the CMIP was added to 2014 so we authorized the financing mechanism for that project.

Prior Commission Action		
Date		Commission Action
8/29/13		Ordinance (O-48-13) Approval of the project plan for Area 2 of the redevelopment district. The reimbursement of TIF eligible project costs for government building not eligible under this plan.
10/16/14		Authorization to add South Patrol project to the 2015 CMIP projects schedule
11/12/15		Resolution (R-67-15) A resolution setting a public hearing on December 17, 2015, to consider amendment to Project Area 2 Plan for the Metropolitan Avenue Redevelopment District.
12/10/15		Resolution (R-102-15) A resolution approving Donation Agreement for land within the Metropolitan Avenue Redevelopment District for construction of South Patrol facility.
12/17/15		(Ordinance) After public hearing and comment, an ordinance approving the amendment to Project Area 2 Plan for the Metropolitan Avenue Redevelopment District.

Here's a slide that kind of brings it together a bit more. That previous slide, I apologize I don't think we're supposed to have that one as a part of this presentation. In yellow is tonight's action. We started back in 2013 with the ordinance approving the project plan and that brings us to tonight's action to amend the project plan and allow for that use.

Mayor Holland opened the public hearing.

Marcia Rupp, 2816 N. 46th St., said we just need to get this one done. I mean this is something great. I worked there three years as a volunteer in the South Patrol. You can hardly turn around to shake hands with someone. This will be great. We just need to get it done. Really I wanted to get up here to ask you guys please warm up this room by next year. It's so cold.

Mayor Holland asked if there was anyone present in opposition. No one came forward in opposition to the proposal.

Mayor Holland closed the public hearing.

Action: **ORDINANCE NO. O-73-15,** "An ordinance amending the Redevelopment District Plan for Project Area 2 within the Metropolitan Avenue Redevelopment District in the Unified Government of Wyandotte County/Kansas City, Kansas

December 17, 2015

pursuant to K.S.A 12-1770 ET SEQ.” **Commissioner Walker made a motion, seconded by Commissioner Kane, to adopt the resolution amending the Metropolitan Avenue Redevelopment District Plan as presented.**

Commissioner Kane said I would sure like since this is going to be in our community that as many local people build this as possible. It’s much easier for us to drive by and see plates from Kansas, Missouri instead of Texas or some other states. I also would like to say that you know I think this is great, much needed, but as we looked at our fire study the other day we are underserved in western Wyandotte County by at least two fire stations. We found a way to figure out to build this, I think we need to figure out a way to build a fire station out west.

Mayor Holland said I’m very committed to the redevelopment of our public infrastructure. When we think of public infrastructure we often think of streets and sidewalks, most recently sewers. We also need to be mindful of our buildings. Our fire stations are in a dismal condition. No fault of our workers who have worked very hard to keep them up as best they can. Some of them started as challenging buildings and they have continued that way. This South Patrol station is in poor condition.

We have the Downtown Police Station in a great location at 7th & Minnesota. We have a new Central Patrol that is now at the Indian Springs in the Transient Center, which is a great location and our West Patrol is in a combined Police and Fire Station. It’s one of our newer facilities remarkably and then this one would update South Patrol. I’ve been pushing for this, this is a good project. It was contemplated in the original retail development that we would put the patrol here and it’s coming to fruition.

I want to thank our staff, it has been a very challenging project. There have been a number of bumps along the way, but we’ve been able to persevere through them. I’m glad that we’re here.

Roll call was taken on the motion and there were nine “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan.

STANDING COMMITTEES' AGENDA

No items

ADMINISTRATOR'S AGENDA

ITEM NO. 1 – 15311... RESOLUTION: FUTURE SALE OF HILTON GARDEN INN HOTEL

SYNOPSIS: A resolution, submitted by Marlon Goff, Economic Development, authorizing the County Administrator to proceed with the following actions:

- Execute a purchase/sale agreement with potential buyers of the Hilton Garden Inn Hotel at an amount sufficient to satisfy outstanding obligations. (The Hilton Garden Inn Hotel is owned by the KCK Hotel Group, LLC, an entity which includes the Unified Government as a majority shareowner.)
- Execute an exclusive third-party agreement for management of the Jack Reardon Center. (The Reardon Center is fully owned by the Unified Government and is proposed to continue as a publicly owned facility and managed under a new third-party agreement.)

Doug Bach, County Administrator, said earlier this year I came to the Commission to let you know that I thought that our Hilton Garden Hotel in the downtown was marketable item, that we can go out and find a potential buyer to come forward with this. We've been out on the market. We have went out for RFPs, selected a company by the name of Warm Brat Hospitalities who have been marketing it. They have come forth with some proposals that we're working with from a staff level. Two things we're doing is looking at from the hotel perspective and then also what we can do from the Reardon Center and how we can put it back into play and what renovations would be to get it and have a third party manager. Tonight, I'm asking the Commission to give me authority to move forward with the executed deal which would cover our cost that we currently have in the hotel. If you see that we have the 2013 debt obligations, refinance that we did there. There's \$ 4.1M, we have a Section 108 Loan that's outstanding on it and we'd come up with at least enough money to put \$2M toward renovations over in the Reardon and then cover any closing costs, including our taxes and such like that.

I'm looking for authority that will allow me to execute a deal that cover all of these outstanding costs, put money back into the Reardon Center and allow us to move forward with the private sector operator that would be able to maintain the flag at the Hilton Hotels going into the future.

I'd also be looking for the ability to execute a third party management agreement, which I believe do already have as County Administrator, but I would be looking to move forward with that on the Reardon Center with a third party manager that would take it into the future and make it a more viable center than it is today.

Mayor Holland said we have two resolutions before us. The first is to—we did the same thing with the—**Mr. Bach** said it's just one resolution. **Mayor Holland** said you are correct. It's one resolution that has two items in it. It's similar to the one we did with the theatre to ask our Administrator to move forward with that sale. This is a similar resolution. **Commissioner Bynum** said I just wanted to commend Mr. Bach and staff on the work you've done on this project. It's a really good opportunity for us I think as a governing body.

Action: **RESOLUTION NO. R-118-15**, "A resolution authorizing the negotiation and execution of a purchase agreement for the sale of the Hilton Garden Inn Hotel and a management agreement for the Jack Reardon Center." **Commissioner Bynum made a motion, seconded by Commissioner McKiernan, to adopt the resolution.**

Commissioner Walker said the only question I have is that this motion to approve this resolution is subject to final approval of the development agreement, is it not. **Mr. Bach** said no, this would be giving me authority to go forward and execute an agreement with the hotel buyer. **Commissioner Walker** said the development agreement that we have seen is pretty much final. **Mr. Bach** said yes, the terms and what I have talked to you about is what we would be covering within this. **Commissioner Walker** said alright, thanks for that clarification.

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

ITEM NO. 2 – 15314... ADOPTION: 2016 STATE LEGISLATIVE PROGRAM

SYNOPSIS: Request approval of the 2016 Unified Government State Legislative Program, submitted by Mike Taylor, Public Relations Officer. The State Program was presented to the Commission and Wyandotte County Legislative Delegation during a special session held on December 10, 2015.

Mayor Holland said Mr. Taylor presented this to us. We had a great dinner and conversation with our legislative delegation. I want to just thank again the legislative delegation from Wyandotte County for all the hard work that they do on our behalf in Topeka. We were able to share with them our legislative agenda and ask them to support it. That legislative program is now before us for formal adoption.

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

ITEM NO. 3 – 15322... RESOLUTION: MEMORANDUM OF AGREEMENT WITH LIUNA

SYNOPSIS: A Memorandum of Agreement with LiUNA/Public Service Employees Local Union #1290PE for 2015-2017, submitted by Joe Connor, Assistant County Administrator. This is the 5th of 13 labor contracts to be ratified which represents 51% of the union workforce under contract.

Doug Bach, County Administrator, said before you tonight is a contract we’ve reached with our local LiUNA/Public Service Employees Local Union. Jeremy Hendrickson with the union is here present with the local. We’ve reached all the terms that are part of the agreement that Commission has given direction for us to move forward with and I recommend approval of this contract.

Commissioner Kane said just for a point of clarification, I work for Laborers 1290. I do not work for Laborers 1290PE.

Action: **RESOLUTION NO. R-119-15**, “A resolution authorizing and directing the County Administrator to execute in the name of the Unified Government a Memorandum of Understanding between the Unified Government of Wyandotte/Kansas City, Kansas and the Laborers’ International Union of North America (LiUNA!) Public Service Employees, Local Union 1290PE effective date of execution through December 31, 2017.” **Commissioner McKiernan made a motion, seconded by Commissioner Johnson, to approve the Memorandum of Agreement.** Roll call was taken on the motion and there were nine “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan.

COMMISSIONERS' AGENDA

No items

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

LAND BANK BOARD OF TRUSTEES' CONSENT AGENDA

ITEM NO. 2 – 15270... COMMUNICATION: LAND BANK APPLICATIONS

SYNOPSIS: Request approval of the following applications, submitted by Chris Slaughter, Land Bank Manager. The Land Bank Board of Trustees has recommended approval. On December 7, 2015, the Neighborhood and Community Development Standing Committee, chaired by Commissioner Walker, voted unanimously to approve and forward to the Land Bank Board of Trustees.

Land Bank Applications

2113 Pacific Ave. – Dean Zagortz, development

2029 Homer Ave. – Dean Zagortz, development

2024 Quindaro Blvd. – Ronald Smith, yard extension

2102 N. 30th St. – Mustaffa Muhammad, property maintenance

3120 N. 23rd St. – Vance Reynolds, future development

1621 S. Early Dr. – Tyler Curry, future development

Transfer to Land Bank

2113 Pacific Ave. from Board of County Commissioners

(part of the land assemblage for Dean Zagortz)

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

PUBLIC ANNOUNCEMENTS

No items

**MAYOR HOLLAND
ADJOURNED THE MEETING AT 7:50 P.M.
December 17, 2015**

Carol Godsil
Deputy Government Clerk

tpl

December 17, 2015

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

SPECIAL SESSION, THURSDAY, JANUARY 7, 2016

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in special session, Thursday, January 7, 2016, with eleven members present: Bynum, Commissioner At-Large First District; Walker, Commissioner At-Large Second District (arrived at 5:10 p.m.); 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 Holland, Mayor/CEO; presiding. The following officials were also in attendance: Doug Bach, County Administrator; Carol Godsil, Deputy Unified Government Clerk; Gordon Criswell, Asst. County Administrator; Joe Connor, Asst. County Administrator; Melissa Mundt, Asst. County Administrator; Ken Moore, Chief Legal Counsel; Mike Grimm, Research Manager; Mike Taylor, Public Relations Director; Lew Levin, Chief Financial Officer; Lindsay Behgam, Executive Coordinator to the Mayor; and John Turner, Sergeant-at-Arms.

MAYOR HOLLAND called the meeting to order.

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

AMENDED NOTICE OF SPECIAL MEETING of the Unified Government of Wyandotte County/Kansas City, Kansas, to be held Thursday, January 7, 2016, at 5:00 p.m. in the 5th floor conference room of the Municipal Office Building for a presentation of the Chamber's Legislative Agenda followed by a review of the Community Survey questions. Immediately following will be an executive session regarding litigation in Suite 531.

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.

Chamber's Legislative Agenda

Valerie Mussett, Design Mechanical; said we are a local company and have been in Kansas City, Kansas since 2003, the inception of our company. We employ over 150 employees here in Kansas City, Kansas. I also come to you as the Chair of the Kansas City, Kansas Chamber of Commerce and with that we're excited for 2016. We have a great staff onboard now, we're fully staffed and I'm looking forward to everyone working together and the focus this year collaboration with ourselves, the UG, WYEDC, CBV and others in our community. With a new staff this year I want to introduce the Executive Director that we have onboard now and then Daniel Silva and he is going to continue on.

Daniel Silva, Executive Director of the KCK Chamber, said I am one month on the job and definitely enjoying it. It has been a great experience thus far. I think the support that has been exhibited has been tremendous and I'm very much looking forward to positioning this chamber as a proactive partner to the community, business community and community at-large. I come to this role from the Greater Kansas City Chamber of Commerce where I was the Director of Diversity and Inclusion working closely with minority women on business owners creating equitable access for opportunities to business owners. I also oversaw the GenKC group which is young professionals group focused on recruitment and retention of young professionals to the region. We engage them activities of social networking, philanthropy and professional development. I'm very excited to be here. I think the work the committee has done has been tremendous. I think you will be pleased with the agenda that we're putting forward and if enacted, I think it will be a very positive thing for Kansas City, Kansas and Wyandotte County.

Mike Smallwood is the Chair of our Legislative Committee and I'm going to turn it over to him so he can go over the platform.

Mike Smallwood, President of the Smallwood Lock Supply, said we have been a business in Kansas City, Kansas since 1912. I went back and looked at the census, the earliest census record

for my grandfather was the 1910 census and he lived right down here on Ann right where the parking lot is for City Hall.

The Kansas City, Kansas Chamber Legislative Agenda that you have before you is the combination of more than a dozen meetings, hundreds of hours of time spent by more than 50 individuals in the community.

As Daniel said, our objective is clear to create a legislative platform that if enacted, will make Kansas City, Kansas and Wyandotte County an even better place to own a business, grow a business, live, work, raise a family and prosper. To do that we need your support and partnership and we're asking for that and we're going to continue to reach out to you and try to engage as much as we can because we believe there are a lot of things that we can work together on and move the community forward.

I must also thank several commissioners, the Mayor and his staff, and Mike Taylor for their input and feedback throughout the process. It's rare that Mike ever misses a legislative committee meeting so hopefully he has been giving you some good feedback on what we've done.

The first item on our agenda is really more of a request of our legislators in Topeka than it is a legislative item. The Chamber believes that to be most effective our elected officials must act in a transparent and clear way when considering legislation and one that allows ample opportunity for public engagement and review. We saw some results of the opposite of that in 2015 session in Topeka. We don't think that's productive for anyone and leads to potentially some troublesome legislation as we move forward.

The Local Agenda, the Chamber supports a property appraisal process that provides a high level of certainty and consistency. That's important for the business community as we move forward.

STAR Bond Revenue—as the Unified Government begins to discuss STAR Bond distribution as a business community that we represent, we request a distribution that adds a long-term benefit to the community. We also request that the process include public discussion and that involves the business community in a meaningful way. **Mayor Holland** said I want to speak to that. We've had our Listening Tour that engaged over 700 residents and we're working currently to find two dates where we can do that specifically with the business community to get your input as well. **Mr. Smallwood** said that's terrific. **Mayor Holland** said we would like to

coordinate one with the Chamber. Murrel Bland is working on both of these and one with Business West so we're trying to do two, one on the east side of the county and one on the west so we absolutely need your input. **Mr. Smallwood** said that's great and we will be happy to provide and thank you very much for doing that and providing an ability for us to add to the discussion.

The first one on the State Agenda is payday lending. We strongly request that payday loan laws be reformed in a way that our citizens know what the loan ramifications are and that the payoff process be simple and easy to understand. I have to personally thank Commissioner Johnson for bringing that issue to our attention providing valuable input. Ken Williams with Catholic Charities has a process to help rescue people from payday loans. Payday Loan Companies provide no value to the community and just suck economic life out, but the payoff process is terrible. It's what, five hours I think I was told for an experienced banker to get somebody out of a payday loan and we think the best way to attack this from the beginning is to provide an easy payoff term for the consumer.

Urban Opportunity Zones, we fully support those to help revitalize our community and believes there needs to be additional tools to address blight. I would like to thank Commissioner McKiernan for helping us expand that item to include blighted tax current properties. That was an issue he brought to our attention.

Gaming, as a Chamber we oppose any changes to gaming provisions that would negatively impact Hollywood Casino operations.

Abandoned Structures, KCK supports the legislation. We talked about the blight.

Fort Leavenworth, we believe that our elected officials should continue to support investment in Ft. Leavenworth, a facility that provides great economic benefit here in Wyandotte County and throughout the state.

Healthcare, the Chamber urges the state to develop a Kansas specific health care plan that assists our most vulnerable citizens, low-income and working poor. A program that is stable and economically viable in the long-term and whatever that is. There are many states around the country that have modified Medicaid proposals and that's what we support. We think that a Kansas solution is probably the best rather than trying to just duplicate what someone else has done.

Public Education, we support the creation of a new public education formula that allows USD 500, 202, 203 and 204 and all districts within Kansas to provide high-quality education to our students. All children in our community should have the opportunity to attend well-funded, successful public schools, ones that have rigorous standards and maintain local control of curriculum development. Additionally, we support a fair funding formula that allows the community colleges to continue to provide work ready graduates.

Regulation, we oppose any state mandate that does not carry with it appropriate state funding to carry out that mandate especially ones that place a budget burden on local governments.

Taxes, furthermore, we believe that the state should close the so-called “LLC Loophole” that’s been talked about to create tax equity across all types of Kansas businesses. It shouldn’t make a difference whether you’re an LLC or an S Corporation, the tax implication should be the same and currently they are not.

We oppose any increase to the state sales tax rate and strongly support lowering of sales tax on food. Both of these place an undue burden on those least able to handle increased taxation.

Origin vs Destination Based Sales Taxes, the KCK Chamber supports an origin-based sales tax. The current system in place in Kansas is destination-based. I can speak for that as our company—we in the state of Kansas have over 800, nearly 900, taxing jurisdictions. Each of the taxing jurisdictions has potentially its own rate. We’re required whenever we ship a product or whenever we provide service in one of these other taxing jurisdictions to collect the appropriate tax at the appropriate rate and remit that to the state and it creates an onerous burden on business. When they had the statewide tax changed that went through last year we had to hire a programmer to come in and change our tax rates for us and so an origin-based system would allow a much easier way to collect and remit taxes to the state.

Transportation, we believe the funding of T-Works Transportation Programs vital to the future of a business friendly Kansas and growth in Wyandotte County.

Tourism, we believe that tourism is vital to Kansas City, Kansas and Kansas and Wyandotte County and request that the state creates a comprehensive tourism plan in order to generate new to Kansas tax dollars.

University of Kansas Medical Center and the KU Hospital are vital to our city, state and region. Funding should be maintained.

Amateur Athletics Ticket Sales, we recently learned that Kansas, believe it or not, is the only state in the nation that imposes a sales tax on amateur sports ticket sales. We don't know the original of that. It may have to do with when the NCAA was in Kansas, but we don't know. That places in jeopardy many collegiate championship events from choosing Kansas City, Kansas and the state particularly two of those most recent ones were the Division II championship that they had at Sporting as well as the Division I Soccer Tournament and Wichita also has championship events. The NCAA is going to consider potentially not locating those here in the future if something is not done with the sales tax.

Those are the highlights of our State Agenda. If you indulge me though, I would like to talk a little bit about a couple of the items that we have on our federal platform.

Energy and Environmental Mandates, the KCK Chamber opposes federal mandates that would result in excessive utility rate increases that would be deemed burdensome to residents and detrimental to business recruitment and retention.

On taxation, a similar item here, Marketplace Fairness Act; the Kansas City Kansas Chamber strongly supports collection of sales tax and use tax on e-commerce sales provided that the tax is origin-based and not destination-based and does not place an undue burden on Kansas City, Kansas businesses that sell their products and services outside the area. We're one of those companies. We sell pretty much to every state. We sold locker locks to 47 states this past year. Under some of the proposals in Congress we would have to file a tax return in every single state that we ship to and have to know the laws that are applicable in that state. For example, in the state of California some schools pay tax and we don't know that and so we support an origin-based system and send the money to Topeka with a zip code report and let them figure out how to split it up amongst the states.

National Institutes of Health, we support the efforts of Congressman Yoder and others that are seeking to invest significantly more dollars in the National Institutes of Health in order to find cures and prevention of diseases that impact so many and adds billions to health care costs. We have been told this will directly benefit the lifesaving work happening right here at Kansas City, Kansas at the KU Med Center.

January 7, 2016

Thank you again for your time tonight. Once again I encourage you to review our platform in detail. We will be reaching out to the community to continue to work with our team to ensure that this agenda is acted on for the benefit of Kansas City, Kansas and Wyandotte County. I might also mention that we have both Kathy Damron as our state lobbyist and Jon Stephens who is sitting back in the back that is most recently our interim executive director, but is now serving as a consultant assisting us in these initiatives.

As we continue to work to represent the business community of Kansas City, Kansas and Wyandotte County we would ask for your support and feedback on these and other issues.

Commissioner Philbrook said I think you skipped over something, but I want to make sure that the community gets to hear and the state gets to hear this and that is the Kansas City Kansas Chamber supports a repeal of the 2015 Tax Lid law placed on local communities. I just want to make an emphasis on that because that really binds us on what we can do in the future and I know you didn't mean to leave that out. **Mr. Smallwood** said we will be looking into that and getting that in writing. **Commissioner Philbrook** said it's on your sheet.

Commissioner Kane asked are you guys affiliated with the State Chamber. **Ms. Mussett** said we are members of the State Chamber. We haven't really engaged in much of their activities as of yet. We feel that we should be involved if we would like to have a voice in what they're doing so rather than calling it in support of the Chamber or in a top position of the Chamber we feel that we need to be there and be a voice for this community. **Mr. Smallwood** said I have not spoken with anyone at the State Chamber on any of these issues. These were developed exclusively with the legislative committee for the Kansas City Kansas Chamber of Commerce. I've not spoken with anyone at the state on any of these, the State Chamber. Now, if they happen to align, that's a coincidence. If they happen to differ, that's a coincidence too. We have not spoken with them on any of this. **Commissioner Kane** said I am positive you haven't because you wouldn't have put some of this stuff down. You are literally telling just the opposite because they actually pushed for a lot of the changes and I think that's interesting. I like what you've got, I wish you had the Prevailing Wage and Home Rule for Wyandotte County, but they have literally pushed for things that really, really hurt Wyandotte County. **Mr. Smallwood** said we feel that we have to be a member so that when we get this agenda complete

we can go up and visit with them and tell them what we think about it. In fact my company belongs to the State Chamber for that very reason and I had a lengthy discussion with them on the destination versus origin sales tax because they take a different position than that and you know the destination tax the way it's implemented is primarily a big business benefit. It's an anti-small business provision because I can't comply. At the federal level I called Congressman Yoder's office and talked to them for about 45 minutes and said why do you want to pass a law at the federal level that will make me a criminal from day one. I can't comply with that law. **Commissioner Kane** said I'm glad you're doing this and I know you need to be there, but when you're talking to them you might tell them—I'm going to be really nice, you might tell them that they're killing us and they literally get up and give this total opposite story of what's really needed in the communities and it's affecting us, it's affecting Wichita, and it's affecting Lawrence even with the school stuff. If they are ever here in town and you want somebody to talk to them, call me. **Mr. Smallwood** said we realize as business representatives that for our businesses to be successful we have to have a successful and vibrant community and that requires everything like good jobs, good schools, everything and so that's what we're trying to support. **Commissioner Kane** said that's exactly my point, just what you said. What they have done has affected us with the prevailing wage and what they've also help do is with the school with the way they did that and also the 33,000 people that—doctors, lawyers—**Mayor Holland** said 133,000. **Commissioner Kane** said farmers and money that would help us get out of the hole the State Chamber said no, we like it the way it is and if I were you guys, if you're there and you don't like it, maybe you ought to tell them in a more aggressive way. I can help. I can write it up if you want. **Mr. Smallwood** said I will be happy to carry that forward, but I'm also known as very direct and so sensitivity is not always my strongest suit.

Mayor Holland said one of the things too that I'm working on with our federal delegation I've talked to them about for the last couple of years, but want to get more specific with, is addressing lobbying for levies and levy funding. I think the flooding in St. Louis highlights the risks and dangers of an aging levy system and when you add up the amount of business valuation being protected by the levies in Kansas City, Kansas it would be decimating to our community to have the kind of flooding that they are having right now in other parts of the country. I had a good conversation with Senator Moran about that and looking at doing a joint policy with Mayor

James and the folks in Kansas City, MO because it affects all of us so that levy funding you might consider—I'm actually coming to your meeting in the morning and we can talk a little more about it, but I think we're going to need to add some voices together because we're talking hundreds of millions of dollars to refurbish and shore up our levies, but I don't want to be on CNN for broken levies in Kansas City, Kansas. I would rather be on CNN as a model city for all that's right in America which is where we're headed of course.

Commissioner Philbrook said not speaking as a commissioner, but taking advantage of the fact that I'm here, speaking as a small businessperson and having a business that is a corporation and being given the opportunity to not have to pay all those terrible corporate taxes; my comment is I would pay—I would rather pay those corporate taxes and support my community than go along with taking that away. The reason you have a corporation is not to pay taxes and you can figure out a lot of ways to spend your money and negate the amount you have to pay and be legal so you don't need to take what little bit is left away from the community. I would rather pay the taxes that I have and contribute to my community than not and I'm sure there are a lot of other small businesses that feel that way too because they don't save that much money. I doubt the amount of money that most of the small businesses save is minimal, but you add all of us up and it counts so that's just coming from a small business person. **Mr. Smallwood** said understood.

Mayor Holland said thank you very much Daniel, Valerie and Mike. We appreciate you coming and, John, we appreciate you coming as well. Thank you for your work on our behalf at the Chamber and we appreciate this legislative update and look forward to joining our voices together because this parallels much of the legislative agenda that we have here at the Unified Government and we appreciate the opportunity to join our voices together.

Community Survey

Doug Bach, County Administrator, said as directed by the Commission staff has been moving forward to work on a community survey. This is one of those steps that going through the process we have Mike Grimm in our Research Department who is leading up this effort. What we've done is early in December Mike went through and showed you a copy of the last community survey we did. I think that's provided the opportunity for many of the

commissioners to come forward and offer some questions that they may have to him, some changes they would like to see on the survey and so tonight I have Mike here and ETC who we have under contract now to work the contract. I'm going to have him go ahead and lead us in a presentation through this of what he has worked up and then there will be time to go ahead and work through some of the questions we have on there. Also, he has a few issues for us to sit out and decide from a financial perspective and provide direction as to which way we would like to go.

Mike Grimm, Research Manager, said I want to thank Chris Tatum for being here tonight with ETC. A lot of you probably recognize him, but he's pretty good at what he does and so I'm going to start the discussion, but at any time if there are any questions for Chris or he feels like he needs to jump in, he will go ahead and do that.

Community Survey Special Session Agenda

1. Review Calendar
2. Survey Scope and Cost
3. Survey Draft, including Commission District
Unique Questions

There three areas I would like to focus on tonight regarding the community survey is a quick review of the calendar and then we will jump into the survey scope and cost and then finally we will look at a draft of the survey, I'll call it the base survey, and then unique questions that some commissioners submitted and there is an option to add them, a page of unique questions for each commission district.

Community Survey Special Session Agenda

1. Review Calendar

- Dec. 1 – Dec. 18
 - Survey question review by elected officials and senior managers
- Jan. 7 – Feb. 19
 - special session, Jan. 7th
 - continued question development with elected officials and senior managers
 - finalize survey questions; format survey (internal and with ETC)
- Feb. 20 – March 31
 - Conduct survey; followed by summary of results and creation of final report
- April
 - Presentation of survey results by ETC

On the calendar December 1st – December 18th the survey questions were sent out to the elected officials and senior managers to review and we received some input during that timeframe.

January 7 – February 19, of course tonight is the special session and we expect to get some good feedback and some direction on where we want to go with revisions of the questions on the survey. Towards the end of that period, the last three or four weeks, I'll work with Chris but I'll assume it's going to be ETC more so, kind of finalizing the survey questions and getting a product ready to send out to the community.

February 20th – March 31st ETC will do their work, conduct the survey, and work on results and the creation of a final report.

In April at a date to be determined ETC will come back and present the results of the survey.

Community Survey Special Session Agenda

2. Survey Scope and Cost

- Current cost per contract, \$46,400
 - 1,200 completed surveys county-wide (+/- 2.8%)
 - 150 completed per commission district (+/- 8.1%)

Number of Surveys Completed		95% Confidence Level		Cost
County-Wide	Commission District	County	Commission District	
1,200	150	+/- 2.8%	+/- 8.1%	\$46,400
1,600	200	2.4%	7.1%	59,300*
3,200	400	1.8%	5.0%	\$109,600*

*Approximate Cost

The survey scope and cost, as the contract is written and signed the cost is \$46,400. That gets us 1,200 completed surveys countywide and that bound of error +/-2.8%. Per commissioner district that's 150 completed surveys with that bound of error of +/-8.1%. The table on the bottom, I think most of you have seen this before and we reviewed it, it lays out the options if we want to get more completed surveys countywide and per commission district, you can see how that changes that bound of error of 2.8%, 2.4% to 1.8%, for example on the county side and associated costs with that.

Are there any questions on this slide of where we're going and how the contract is written at this point for the cost and level of service results we're going to get?

Community Survey Special Session Agenda

2. Survey Scope and Cost, cont.

- Additional cost of one-page unique Commission District questions
 - \$16,000 (\$2,000 * 8 districts)
 - Total survey cost with this option = \$62,400
- Summarize survey results by city
 - Additional processing and oversampling
 - Cost for results and data only = \$8,850
- Unique Commission District questions requires one-page reduction of base survey

Continuing with the scope of the survey there was discussion of adding a one-page of unique commissioner district questions. If all commission districts wanted to add a page of unique questions, its \$2,000 per district times 8, that's \$16K. That gets us up to \$62,400. This is called a scalable option. If one commission district or however many wanted to do this option, that can be done.

I think I'll jump ahead and something to think about on that option, the survey contract currently has a seven page maximum and if we have a page of unique commission district questions, we will have to shave off a page of questions to give us six pages of the base survey and then one page for each commission district that chooses to have a page of unique questions. I think it's my assumption that if one commissioner wants one page of unique questions, that base survey is then six pages and every other commissioner and their district has to work with that six page base survey. I guess the option exists to have the questions that are deleted back in, but am I right, Chris, that if we don't—**Chris Tatum, ETC**, said if it's just one commission we just have to identify what set of questions would be deleted so there would be seven pages for the county of questions, but if one district wanted special questions, they would lose one page just because the survey really can't be longer than seven pages or people won't do it; that's just our experience and so that district would lose that common—**Mr. Grimm** said but just that one district and so that's something to keep in mind.

The second bullet, this came up a little later, staff had a question of being able to see a summary of the results by city and we will look at this and get into this a little more when we

look at a draft of the survey, but right now as the contract is written the results are going to be summarized at the commission district level. The question was if we want to look at specifically Kansas City, Kansas, Bonner Springs or Edwardsville; can we do this and Chris said for that cost that would be—I mean for the processing and oversampling but the results would just be the data and I suppose, Chris, just some quick summaries. No cross tabulations, no GIS sampling or anything like that. **Mayor Holland** said in terms of Bonner Springs and Edwardsville would it be possible to just do Bonner Springs and Edwardsville and not do Kansas City, Kansas because I think the district by district and the countywide would be sufficient for us but I think the Bonner Springs and Edwardsville specific answers would not change the outcome of the whole counties data percentagewise whereas the whole counties data could skew Bonner Springs and Edwardsville data. **Mr. Tatum** said the bulk of that cost is for Bonner Springs and Edwardsville. There are only about 1,750 I think would be for Kansas City, Kansas. That would just be to process the data separately. You wouldn't have to do any additional surveys for KCK.

Commissioner Bynum said I have a question on the number of surveys. At 1,200 surveys returned completed, wouldn't that be less than a 1% rate of return or I should say less than 1% sample. Is that a good sample? **Mr. Tatum** said when you're thinking about the 1%, that's typically used for a lot of health studies and things like that which require a higher level of precision and accuracy. For a community attitude survey like this the sample size is fine. We're looking at a 95% level of confidence versus a 99% and that's traditionally acceptable for this type of survey.

Commissioner Murguia said I have several comments on this project. I'll stick with Commissioner Bynum's theme of the number of surveys. I hear what you're saying that that number of surveys for a city of our size is statically significant, but I think what is not clear to the commission is that when you try to break that information down and try to actually do something with the data, for example, within a particular district or neighborhood or particular area of the city; the data pool is so small that you have to target a bigger geographic area and, therefore, you don't get the same results you would if you were looking at a smaller area. I'm going to give the Commission an example. For those of you that are new in 2007 or 2008, around that time, when I first became a commissioner I worked with ETC. I think they're

fabulous, you do great work, to do a survey of my district and I will give you a great example. This is a picture, I love map coding. This bottom picture right here, I'm sorry you can't all see it, but I think it's good enough for the point; the bottom picture all the bright blue is referencing snow removal which means that I got a really good grade on snow removal in my district in that area. Yellow is kind of neutral so that's still, I would say, above average. If I got this and I was looking at snow removal in my district, I would probably go to Mike Tobin and say great job Mike Tobin, now all I want you to do is take these yellow areas in between and I want you to see if you can't improve those areas because remember this is just District 3, this is just Argentine and Rosedale. Now when I look at our countywide survey because the pool is so small the area to be statistically significant has to be so much greater, my district is getting a D in snow removal, well I call it a D, and I'm almost flunking snow removal on the countywide survey. If I would have gotten this and not this, I would have went to Mike Tobin and said are you pushing any snow in my district, is anything happening there. Chris, I know you're being upfront when you say it's statistically significant, but I think it's important for the commissioners to know many of us are very focused on our district and if we want to make impacts within our district, we need to drill down deeper. It took me a while to sort of get my head around this.

The other thing is I understand the whole issue with Bonner Springs and Edwardsville and Kansas City, Kansas and the different cities. I think we can greatly reduce the size of the survey by not separating city and county. I say we are the Unified Government and all we are doing is asking questions about government services whether they be provided by the city or the county and then areas like Bonner Springs and Edwardsville you would be able to get pretty close to block by block data as to—for example, I'll use this example; if I live in Bonner Springs and I'm asked quality of police and I say the quality of police is good, that's going to show up on this map in Bonner Springs. I know that the people I'm rating, the police officers I'm rating, are Bonner Springs Police Officers. If I live in the city and I respond it's good, then it's going to show up on the map as good in Kansas City, Kansas so it's a way to differentiate without the residents having to determine what is a county position versus what is a city position and literally I spent about an hour with Mike today right before the meeting and kind of went over it with him. It could literally cut a couple of pages out of the survey. Now, the negative to that is that when you want to get survey results from more people you have to send out more surveys. I'll give you an example. Chris, you sent out 1,600 surveys for a countywide survey? **Mr. Tatum**

asked which one. **Commissioner Murguia** said the 2014 one. **Mr. Tatum** said 1,600 responses. **Commissioner Murguia** asked how many surveys did you send out. **Mr. Tatum** said probably about four times that so usually it's about four or five times that. **Commissioner Murguia** said so 5,000. **Mr. Tatum** said up to 1,600 probably around 8,000. **Commissioner Murguia** said so he sent out 8,000 surveys for 150,000 people, I'm giving rough numbers and I know it's less than that. In my district for the survey I did you have to consider we have 20,000 people in a district, I sent out with Chris 4,500 surveys which allowed me to get that block by block data.

Let me give you another example and I will use a couple of different districts. Commissioner McKiernan, you're all familiar with the St. Peter area; 16th and 17th Street we all know are very good blocks where there is a great sense of community, well taken care of homes and people enjoy where they live, but if you step one block over and you can ask Commissioner McKiernan this, you will get a completely different response about the neighborhood. It's important for Commissioner McKiernan to have that detailed level of information in order to make day-to-day decisions and for him to prioritize what he would like to lobby for at budget time in the way of financing within his district. I think that level of data is very important.

Let me give you another example. Commissioner Markley represents a large portion of Argentine, but mostly Turner and if you don't know anything about Turner, correct me if I'm wrong in this, but stormwater runoff, drainage issues because of the hilly terrain are issues. There is a stormwater runoff question in here. If we do less surveys, we have to take into account a bigger area which is outside of Turner which could include Argentine where we don't have as many stormwater runoff issues and so it dilutes the issue that Commissioner Markley is trying to fight within her district. With this deeper study she will be able to determine literally block by block what areas she wants to earmark with Public Works for stormwater issues to be addressed.

Now, from a whole overarching county perspective the reality is I think we've all been here long enough to realize we have a little bit money and we have a lot to do that costs a lot of money. When we're prioritizing I think we can do creative things like Commissioner Markley clearly when we look at this level of data has the greatest need for stormwater runoff.

Commissioner McKiernan, I'm making this up by the way, I'm just speculating as an example, Commissioner McKiernan clearly has the highest percentage of abandoned houses.

Commissioner Townsend may have the highest percentage of abandoned vacant lots and when we allocate our resources we allocate them in accordance with the area of greatest need for that particular issue. Though I think the first survey was a nice attempt and my comment would be there are ways that Mike and I have talked about that we could combined the city and county questions, just ask about government services, get the drilled down data we all need to actually roll up our sleeves and actually do some work within our district individually so we can be better as a whole county.

Commissioner McKiernan said Commissioner Markley and I were part of the original team that met and got this first one going and one of the reasons that we went with the confidence levels that we went with was simply because it was the cheapest option we had and we really hadn't preallocated any money because we came at the October retreat and said my God we need a survey and it needs to happen right now and so we were constrained by that. As you know I've really started to map much more granularly within my district in terms of housing, in terms of tax status, and most recently been mapping it just the census tract level with census data in terms of poverty, educational attainment level, unemployment and I will say it has been striking to look at a heat map, for example, of poverty rate broken up just by the census tracts where bluer is better redder is bad, it's like oh my goodness I have one census tract that glows red. That is something I wouldn't have gotten if I would have stuck with my district level census data and so Mike was nice enough to give me my census tract level data and it was a real eye-opener. My map that I created and the mapping I've done just at the census tract level has really opened my eyes to the utility of having data that goes much deeper into detail within my particular district. It may help me to ask questions I wouldn't ordinarily ask. For example, in one of my census tracts where the poverty rate is 67% I have to ask what factors in that geography in that demography leads me to have such a high poverty rate and if I can get a handle on those factors, I may be able to get a handle on a solution to those factors a little bit faster than if I look broadly across the district.

Recognizing that we still have the constraint of funds, but I think that if we could find a way maybe to modify the length of the survey, maybe to consider the additional questions, but if we could send out more surveys and get down to the—I think the last line on that original table was +/- five within the district, that to me would be a major step forward because it would give us the same great county data, the same great city data, the same great district data; but boy it

would allow me to get much deeper and maybe target my interventions a little bit better. I think if we can find a way to pull it off, I think there would be a great utility to do that.

Commissioner Markley said as Commissioner Murguia mentioned, last survey came back and we had this priority listing in the survey where people in the community got to tell what was their highest priority and stormwater came back as a District 6 priority. I was like great, now I'm not crazy anymore, I can tell people for sure this is a problem, it's not just me. The problem I faced then was my whole district just showed up with this higher priority. I can't tell where in my district the stormwater problems are, but now I kind of know some of them obviously because I've either been approached or I've just lived there long enough. As we're doing our district specific questions I said I wanted a question to kind of drill down and say are there stormwater issues at your house, like where are they. Commissioner Murguia says why do you have that question, wasn't it answered last time, and I said no because I can't tell where it is so if we could get the level of detail that Commissioners Murguia and McKiernan are talking about, I wouldn't even need that other question on a district specific survey because it would be answered by the level of data I was receiving by sending out more surveys to begin with. I wouldn't just have one whole district that said it's a priority, I would be able to drill down and see where in my district that problem existed. That's just one example that's specific to my district, but for each our districts if we had something that came back as the highest priority we would all be able to look and see not only what's at the highest priority for our district as a whole, but where in our districts those answers were coming from and why it was important in a specific neighborhood.

Commissioner Walker said well I'm probably going to be the lone voice. I'm not a survey guy. I find limited utility in them because first of all the district boundaries are not drawn in any kind—they're like the Middle East; they're drawn by people that had no sense of tribal or religious affinities. To me if you have a neighborhood, the St. Peter's neighborhood, okay we can define what the St. Peter's neighborhood is, we can define what various other neighborhoods are, but when you do it by district your boundaries often include dispirit or dissimilar groupings of people.

Another reason I don't like surveys is they are almost predictable what the results are going to be. I would be very surprised if the top four or five things aren't the top four or five things that have always been the result of the survey. Say the examples given by Commissioner Murguia are correct and it comes back that in Turner there are drainage problems, are we going to allocate all our drainage money to Turner as a result of that and forego the drainage problems in Commissioner Philbrook's—I know has drainage problems and abandoned housing. I'm not giving up abandoned housing in one district in favor of another simply because the survey says it's a bigger problem in my district than it is in your district. That's not how we've allocated funding. We allocate a certain amount of funding for abandoned housing and as far as I know we've never specified that well as a result of the survey we're going to put all of this abandoned housing money in District 5 or we're going to put all the drainage money in another.

Why don't we do it this way, if we want a good turnout, why don't we give—I had a guy call me today on the phone that I had won a seven day trip to the Bahamas if I would just complete this survey? Why don't we give a prize? **Mayor Holland** asked when are you going. **Commissioner Walker** said it's an encouragement, no, I'm being—a reasonable prize, not a trip to the Bahamas, but you want surveys returned, what's in it for the people that return them? Give them something to justify, \$500, I know that sounds ridiculous but I bet your results would be higher if there is some benefit to return them.

I don't like surveys, I don't think any of us who have had any experience in government, especially you district commissioners that are focused on your district, don't have a pretty good handle on what the problems are in your area and we're going to spend \$109K on a survey when we don't have enough money to allocate to a number of projects that you've all voiced. If you all are in favor of it, I'm not going to be you know—I'll be glad to get what the results are, but I'll be very surprised if there is anything that is surprising to any of us as an outcome of it and we're going to wonder why we spent \$109K and I think the taxpayers are going to wonder why too.

Commissioner Kane said I agree with Hal. I don't need a survey to tell me what's going on in the district because they're calling you with the issue saying here's what I've got and if they're not calling you, they might not like you. I'm telling you I get calls from other districts and I say I'm not your commissioner, well I want to talk to you anyway; but here's the deal, we should

know what's going on in our district. I don't need a survey to tell me what's going on and there are two streets nicer than what Commissioner Murguia said over in St. Peter's. Here's the deal. We should know what's going on in our district and if we don't, then shame on us. We're the ones that answer the emails, we're the ones that answer the calls and they're saying—because we've all got issues with stormwater and some of us have cows and a whole bunch of other things that a lot of other districts don't have. You know we have farm land and stuff like that, but I don't want to send any kind of survey out. I think I know what's going on and I just think it's a waste of money.

Commissioner Philbrook said I understand wanting to know as much as possible about what's going on in the minds of our constituents. I fully understand that and that's really getting down into the weeds. You don't get much deeper than when you do that by knowing that much information. You got really down into the stacks and there is nothing wrong with that because that's how we help support our people, but we also have a whole lot of people working for us like in the water area that can tell us exactly where the worse places are and what's going on in our community if we ask them. I get feedback all the time. If somebody calls me and says well they didn't fix this right over there, then I've got to go talk to those folks and say why is it draining into this guy's yard now instead of going around his yard like it used to. They know where the problems are and that's what we pay them to do and so maybe we're just not getting enough feedback from our people that handle that, but that's what we pay Doug Bach and the people that work for him to help take care of that.

I'm not against having the information, but I'm kind of curious as to why we need that total extent of it, that deep into it, spending that kind of money for that much—I mean I'll go along with the rest of you guys, whatever you guys decide, but I'm not gung-ho on having a really deep one for \$109K.

Commissioner Townsend said I just wanted to say my view of looking at the survey again was to be able to compare whatever goes out this time, assuming one does go out, with the results that came in at the last. I would not be in favor necessarily of changing it so drastically that you really can't compare apples and apples or oranges and oranges. I do agree that most of us have some idea what's going on in our communities and our districts, but I think it's good to have that

outreach so I like the idea of a survey and my hat is always off to Commissioner McKiernan. He is the stat man, he knows and Commissioner Markley, but when I see the difference between the 150 in the commission district that would go out at a cost of \$46,400 compared to \$109K that gives me some concern. What I see is, I know in District 1 vacant lots are an issue, economic development is an issue and so I'm seeing the \$60K that I would like to see put in for the development of that survey and so I would like to keep it as similar to what was done before. That is the reason I did not offer any new or additional questions so I could see in District 1 was an apple two years ago and it's an apple now and an orange now and later. I like the idea that if another commissioner did want to submit individual criteria, then that would affect the survey in that district. I'm I right? **Someone** was inaudible. **Commissioner Townsend** said but not necessarily in District 1.

Commissioner McKiernan said I guess maybe it's just the old time academic in me, but I do think there is a lot of utility to surveys and I do look at the data and I try to look at the data very thoughtfully and use it to help me figure out targeting priorities and those kinds of things. I think one of the things, and you're right, lots of phone calls, lots of emails; but there are some people out there who are the unusual voices who chose not to reach out who suffer silently and don't make that phone call, but if asked and especially if asked anonymously, would absolutely share their opinion, would absolutely share their rating. One of the things that a survey like this does is it gives us a chance to engage the unusual voices, the people who aren't necessarily communicating with us regularly or at all to get feedback from them. I think there is value to that. I do think there would be utility to it. I don't want to be pennywise and pound foolish. If can use the data to help target better some of our larger dollar allocations, then I think it's worth it upfront.

One of the questions that I do have and it's not something we're going to be able to necessarily answer here tonight is, is it possible as we look at the various length of survey options, as we look at the various data analysis options; is it possible that there is a way to mitigate that cost with a different length of survey with a different—so if that \$109M may not be \$109M once it's all said and done and we have all of our options decided upon with length and number of questions and level of data analysis, etc. Is that correct? **Mr. Tatum** said yes, that's absolutely right. In fact for some of our clients that we work with sometimes there is a district

that wants the data, some don't, so there is usually a minimum level that you need and that's kind of where you're at, at the \$150K per district; but we've oftentimes worked with folks where maybe two or three commissioners want the higher sample and you just increase it there. You don't necessarily have to do 400 in every district, it could just be for those of you who want it, and you just pay that incremental cost so that way if you don't really want to use the data you don't have to. But that way you still get the countywide information and then all we do is weight the sample when we're done so that way we adjust the fact that we did more surveys in one district, we essentially do a weighting process so that every district still counts equally in the final results for the county. That's one option that would bring it down greatly if you didn't want to do it in all districts. The other option is to make the survey shorter so that certainly makes a difference as well, but those would be two ways you could potentially reduce the cost. **Commissioner McKiernan** said so we still have options as it comes to the total cost of operation. **Mr. Tatum** said yes. Until we actually administer it you have a number of options. Once you actually go to the field then you can't change it, but until you actually decide to get it going and we draw the sample, you have a number of options available.

Mayor Holland said I do like the idea that Commissioner Murguia has of making it UG specific. I was surprised last time that city and county were separated out and inviting people to think about city and county separately. I think that is hard to do and I think we could solidify; we could probably economize one page, probably more just by simplifying the survey. There is I'm sure some part of the craft in terms of how redundant things are so you can double-check a person's answers. I don't know if you do part of that as well so part of the length of it is determined by what you need as a statistician to get an accurate response, but I think there might be a way to simplify it as UG specific services and then to mitigate for or to weigh it out as you said with Bonner and Edwardsville in terms of their specific interests when you ask a question that's broader. I think that's interesting. I also think, and I'm just questioning, looking at total cost; Commissioner, when you did your survey, Commissioner Murguia, was it about \$20K. **Commissioner Murguia** said no, it was like \$14K. **Mayor Holland** said one of the questions I had is would it be, it wouldn't be cheaper, but it would be more economical which is not the same as less expensive; to do individual district ones rather than a countywide one? I don't know how that works, but it was a question that came to my mind if we had a significant overlap

in them, then you could bring the data together and it might not make any difference to your team.

The other question, if you sent out 4,500 surveys and you're sending out about 8,000 countywide and you spent out \$4,500 I mean that level of density would going up to the 400 per district even get you the level of data that the commissioners are wanting or would we need to go to 4,500 sent out per district and spend \$14K to \$20K per district in order to get that level? **Mr. Tatum** said it's really less than a function of the number you send out as far as the number of completes. I don't remember what the response rate. **Commissioner Murguia** said 795. **Mr. Tatum** said so we ended up getting about 15% to 20% back and that's really the key thing. You have a much larger sample and then what you have to do is look at well what portion of that population do you want to assess so in your situation all you really need is 30 randomly selected respondents to have statistically significant data. In that case if you get 900 surveys, just 3% respondents, gives you statistically significant data whereas if you're looking at 150, you can only do seven analyses for populations that account for 20% of that area if that makes sense to you. **Mayor Holland** said at that rate of return with almost 800 back that's double what we're talking about here. Would even spending \$109K get to what the commissioners want or would we need to spend \$150K or \$200K? **Mr. Tatum** said the real challenge would be is if you end up having tailored surveys completely for each area. There's just going to be a lot of professional time in the development and that's what actually sometimes gets costly is you would end up working with each district to develop their survey and that survey was done in what year? **Mayor Holland** said in 2007/2008. **Mr. Tatum** said so we're talking almost ten years of inflation and so even the cost of the professional time will have gone up.

Commissioner Murguia said but let me also tell you just so you know, three pages of my \$14K survey were health questions from KU Medical Center that they helped fund so those questions were specific to a particular health related concern. Back then it would have been significantly less money and I do think, as you said Mayor, the combination of the city and county as one—my concern is when you ask someone a question if you want a legitimate answer, they have to understand the question and I think some people don't necessarily always understand the difference between what is still on the county side versus what is still on the city side. It has to be very straight forward. We have to remember that we as commissioners up here understand more about government because we're up here, but the average person on the street

doesn't necessarily pay that much attention and so we have to make it as easy as possible for them to answer.

Since I'm talking I do want to respond, Commissioner Walker, you are dead wrong about thinking the first thing that politicians do is they get themselves in trouble when they think they know what their constituents want. When I came into office I was adamant I would not be one of those politicians. I do not know everything because a handful of people call me. You can't base a whole county's issues on the vocalness of a handful of people and people I had suspected that it wasn't property taxes that was the number one issue or concern in my district, but what nobody had guessed is that 69% of my respondents their number one concern in my district was curb and sidewalk. I will never forget Dennis Hays approaching me in the hallway and saying who would have thought the people in Wyandotte County in your district want curb and sidewalks. Not one commissioner, not one elected official had even uttered the words curb and sidewalk prior to the results of that survey. Many policies up here at the Unified Government have changed as a result of that. More urban commissioners now are talking to their constituents about curb and sidewalk than ever before. That is the fact.

This is the other point I would make. Not every district has multimillion dollar deals served up to them on a silver platter. Some districts have to work for development. We don't have a NASCAR in District 3, we don't have other multimillion dollar projects in District 3, so for me to improve the lives of my constituents I have to roll up my sleeves and get involved which means I have to go sometimes incrementally block by block to figure out how to make those areas better. We all know in the urban core there are pockets that are better than others and to build momentum and to build out those areas we have to be able to identify those areas around it that show the greatest potential for improvement. I've talked about this before and for me this topic is well beyond the survey. It's more about how we redevelop and how we stabilize Wyandotte County as a whole. I've said this before; it might be a bad analogy of your Commission sometimes as a basketball team, if we all play our spot and we stay in our spot and we play it well, all of Wyandotte County will be better. Well, in my spot I have to pay attention to the details. I have to pay attention to the little things because it's multiple little things in my district that are going to make the big difference. That's why this data is particularly important to those areas that aren't having multimillion dollar deals come to their area on their own.

Commissioner Walters said I just want to make a comment about the Bonner Springs/Edwardsville phenomenon. I don't think really tabulating results by city really solves the problem completely. The problem is there is still less than 100% understanding of exactly what the UG is versus the city of Bonner Springs believe it or not. If you're in Bonner Springs and you get a survey in the mail with Unified Government all over the envelope and you open it up and it says Unified Government on the letterhead, you're thinking okay this Unified Government is asking me for my opinion on something and you will go down there and you will, I think, in a lot of cases get answers of what that resident thinks of the Unified Government or Kansas City, Kansas. I don't think it's automatic that if somebody says what do you think about police service, some might, some might not and I think most might not; think of Bonner Springs Police Department versus the Unified Government Police Department. It's confusing and if you really want a survey what the people in District 7 think about the Bonner Springs Police Department, you need to say that and not just say what do you think about police or what do you think about fire or what do you think about this or that because when people see the Unified Government logo on everything they will be thinking Unified Government and they will be thinking it's interesting that they're asking me about their police department and I'm not sure why. Just like some always say I just voted, I don't understand why they wanted me to vote for the Unified Government Mayor, but they did and so that's the phenomenon and I don't think just tabulating the results by cities is going to solve that. I kind of leave that up to you. It's an unusual situation. **Mr. Tatum** said I've dealt with it in other places and typically if you are trying to distinguish city versus county services, the language of the survey just would be please rate the following services based on the community or city where you live. So you can do little things like that to get people to basically compensate their ratings to get the answers you're looking for.

Commissioner Johnson said I'm generally in favor of a survey. I think what we have to come to a conclusion or to a point of understanding amongst ourselves is having a consistent level of expectation of the data. For me I see it as a continuous process so if we're just going to go through the motions of saying we're going through this survey and there is no process that takes place after that in terms of what do we do with the data; then it's certainly a waste of taxpayers' money. As we look at the consistent level of expectation we may not all be on the same page in

terms of what we want to see from that, but at least there should be some threshold of what we would like to see whether it would be countywide or district wide. Obviously, as a district commissioner I am very much interested in what's going on in my district particularly as a newer commissioner. I am thinking to Commissioner Walker's point, what am I going to do with the data once it gets to the table. Once I get the information I want to be able to move with that information and impact my district with pinpoint accuracy.

I will tell you I'm a little surprised by the cost of it particularly when I look at it on a per page basis and this is a good education process for me. I would like to make sure that the information is as pinpoint as possible so that I can serve my district. I'm no different than Commissioner Murguia, I want to make sure that I'm identifying the hotspots in my area, but I think there are some general countywide questions that we could all benefit from as well and so that's my two cents on the matter.

Commissioner Murguia asked can I just provide clarity on something, Commissioner Johnson, in regard—I don't think I'm doing a good job of explaining. You are right there are a number of questions. Let me give you another example. When you talk about quality of police in a particular area, what Chris is talking about is you're asking for the opinion of where they live at. When you don't have a lot of people you're surveying you get a broader sample, but if you can go down the block, you can literally look where people are having positive interactions with police versus negative. In regard to what you do with that we can all chose to do different things, but what I've done is in areas where they don't have as good a relationship with police; because we're just talking blocks, we're not talking the whole county. This particular block area doesn't have a good relationship with police for whatever reason; they're giving them a negative mark even though the rest of my area thinks they're fabulous. I can go over there and I can call a town hall meeting, I can find out what's going on over there.

Another great example was I view the red color as an F and that I'm flunking that and so when you look at Animal Control on my survey, there was a five block area in what I call lower Argentine which is now Commissioner Markley's district that was flunking me on Animal Control. I thought what is going on down there. It didn't cost me any money. I drove my car down there and looked around, that didn't work, I got out and I walked around and before I knew it there was a pack of five dogs following me around. When I knocked on doors and said why is

there a pack of five dogs around here they said Joey has three dogs and when he goes to work in the morning he opens up the door and he lets them out and lets them run around the neighborhood and they come home at night and he lets them in. It took one phone call, it wasn't a major budget discussion, it wasn't an argument, it drastically improved that five block radius quality of life by me making one phone call to Animal Control to say Joey, obviously I'm not saying his right name, and Joey is letting his dogs out during the day. Could you please go tell him to stop doing it, the community doesn't like it. They did and now I'm not saying it's always that easy, I'm just trying to give you more gross examples to show you how in areas like yours and mine where developers aren't flocking to make major changes, we have to get what we can get. We're out there scrapping for our people to do the best we can for them. Those little tiny things, curb and sidewalk, stopping a dog from chasing down the street; those drastically improve the lives of some of the poorest people in our county. The only way I can drill down on that is to have that data. By asking more people each one of us will get that information, each one of us will get that on the block level. What you chose to do with it would be totally up to you and so you're right the standard question, quality of police, we're all going to get very different answers in every corner of our district and I love Chris's suggestion about just tell us about where you're at, how's police, how's fire where you're at and then let's look at how is snow removal where you're at. Instead of me yelling at Mike Tobin because my area is gold and I don't think he's pushing snow over there—the other thing you can look at is we talk about accountability and good employee, you can say this whole section up here is getting a bad rating for snow plowing. That could be an employee issue. I'm not saying any of our employees would do this, but maybe that snowplow driver is pulling into a park and going to sleep. We have no idea what's going on until we get to that level and that's why I agree with Commissioner Philbrook, we need to provide that data to our directors and let them handle it and figure it out.

Commissioner Bynum said I have a couple of technical questions about the survey process and then a couple of bigger pictured questions for the group. Commissioner Murguia, the block level data that you got are you referring to your specific 2007 survey? **Commissioner Murguia** said its right here. **Commissioner Bynum** said so a couple of years ago when we did a community survey did you get valuable data? **Commissioner Murguia** said I did not. I found the data completely not valuable at all. It was too high level. For example, look at this question, this is

from your 2014 survey; it says satisfaction with the monthly sewer fee and this is that manila yellow color, the whole county is the same color which means it's average, it's a C if you're going to grade yourself. My point is you're not going to tell me because I get calls about people very upset about the sewer fee, there are pockets where people are very upset about the sewer fee and I want to know where those areas are. I will tell you where it usually is, people that are on septic that don't utilize the sewer system. I want to know where that is. How do you solve that, Commissioner Johnson, you look at those areas. I will tell you right here because this is sewer data, that gold area right there where I'm getting a D, this is on stormwater runoff on property and sewers and that's because this whole area up here is on ditches with culverts. How do you solve that? We set up a benefit district and five years later, this spring, they're going to kick off this benefit district in this area and you know what else this addresses, this addresses the question on sidewalks where I got an F in that area. I'm going to knock out that problem and I'm going to knock out sidewalks by forming a benefit district where the majority of the cost is going to come from the people that live there and I'm going to rid myself of that problem. **Commissioner Bynum** said thank you. I appreciate it and I appreciate the data. I agree with the desire to have the data and see what it's telling us about our districts.

My technical questions on the process are and I'm looking at the timeline so from February 20 to March 31 we're going to conduct, create a summary and then a final report and so out of that 40 day timeframe how much of that is going to be spent on conducting the survey, getting them out and back? **Mr. Tatum** said it's about 30 days. **Commissioner Bynum** said so you're confident that whatever level of survey's we desire back, you can do that piece in 30 days because in April we're going to have a presentation of the results and that's one of my higher level questions is for this group is April a time that's going to help us be impactful about budget decisions based on these survey results. Okay.

Commissioner, you had suggested the Listening Tour questions could be incorporated, but I've not seen anything further with regard to that. **Commissioner Murguia** said that was just a suggestion. That's why I sent it to all of you. That really isn't a district question. **Commissioner Bynum** said correct, but I'm wondering if that's a discussion topic for tonight because tonight is the meeting where we're talking about the survey, but if those are valid questions or if that could be added in a way that could be tabulated, I mean I can see, for example, what Murrel Bland is doing by basically taking those categories and allowing people to

do the same thing that we did at the Listening Tour which is make your sheet add to \$12M. Is that a fair question for this and I'm asking that of the group because I think that also might provide important budget information for us. **Commissioner Murguia** said I totally agree with you.

Commissioner Bynum said the last question I guess is, sorry it's back to the technical part, can you help me understand when you mail out the surveys by district what is the technique used there? Who has control over who gets one and how we get one back beyond say the two of you? **Mr. Tatum** said what we do is let's say there are 20,000 people in each district, I'm just putting a rough estimate, let's say that means there are 7,000 households, each household has a unique address and so we're going to randomly select a number of households from the 7,000 that gets the survey so it's all completely random. Once the households are selected they will be mailed the survey with a cover letter. For those that we're able to obtain email address we will also send them emails letting them know about the survey with a link to an online option. We will then also do phone calls to try to maximize the response. We found that once we give people three methods to respond we will get a much higher response rate than if you do just one method. **Commissioner Bynum** said when you say for those that you are able to obtain email addresses for, are you saying that you obtain those through some sort of list purchase? **Mr. Tatum** said yes, we basically do an address base sample so address base samples so the addresses are selected, households are selected, not everyone has a phone number, not everybody has an email address; but to maximize response to the survey we try to follow-up with people with every method we can. **Commissioner Bynum** said including maybe a postcard. Did I understand that? **Mr. Tatum** said yes, we actually do a mailing so every household that gets selected gets the survey in the mail. If the response rate is low, we will actually do a second mailing, but we will also then do emails to those for whom we can get email addresses and phone calls to those who we would get phone numbers for both landlines and cell phones.

Commissioner Bynum said part of my question is because I'm curious and I did a fairly major survey more than a decade ago back in another work environment so I know that we had things in place for—even though I wasn't involved in who got the survey, we knew the addresses of where the surveys went so we knew we could postcard mail those folks and say don't forget to send your survey back. **Mr. Tatum** said the actual address information for the household is printed at the very back of the survey and there is a disclosure to the respondent

indicating the reason the address is there so we can better understand. **Commissioner Bynum** said I'm really just looking for once we as a group identify how many and what will the questions be and what dollar amount are we willing to pay; that we all are hands-off at that point with no further influence in the process. **Mr. Tatum** said that will strictly be with ETC Institute at that point.

Commissioner Townsend said just to clarify for me a lot of the questioning that Commissioner Bynum brought up, from what listing are you getting these addresses? I guess my basic concern is that the surveys that go out in District 1 or any other district are going to occupied homes. How is that addressed? **Mr. Tatum** said we actually work with a company called Egeth Roman which a subsidiary of InfoUSA and what they use, they basically use hundreds of sources of data to make sure that the people who get the surveys are most likely the recent occupant. They are a good provider. There is no list in the world that's perfect, but it tends to be about 98% accurate and so that's the reason we use them because we don't want to waste a lot of money and send surveys that aren't going to end up at somebody's house so we make sure we use a source that's reliable and they are. **Commissioner Townsend** asked do you know what they're using or do they use election rolls, tax rolls? **Mr. Tatum** said they probably use thousands of sources. What they do, and they are updated regularly, it's amazing and that's kind of the scary part of everybody knows about—you can buy lists and get information that basically if you were living someplace three months ago and you moved someplace last week and you filled out an application for utilities that day, your utility company probably already reported it to some list sites and we get the new address that quickly. It's not perfect. There are some people that are no longer at that address, but we try to make sure that the sources that we use are as accurate as possible because that way we don't want to waste a lot of money sending mail out that all comes back undeliverable.

Commissioner McKiernan said you know I started advocating for a survey the day I was elected and showed up here and I do think there is tremendous utility to it, but I think one of the things—and even if we chose not to do it, I'm still going to collect my data and make my maps and thanks in advance, Mike, for helping me get the data. I think what we have now is we have an opportunity or at least we have a little bit more work to do to flush out what it's going to look

like and what it's going to cost. For example, if we combine city and county and just made that one question rather than separating it out, that might eliminate a page or a page and a half from the previous survey and not really change the data we get back, the answers that we get back. I think one of the things we might consider is if we were to do some modifications to the questions, now in light of this discussion, then consider how long would the survey be and then consider what would the cost be and we would have a whole new table of stratified levels of costs based potentially on a revised survey that would still give us great data. We might have a week or two worth of work here where we would then have a new appreciation for what it would actually cost and we could make the decision. We chose to do that or we chose not to.

Mayor Holland said I have a question that I didn't understand your answer if you gave it to me. Commissioner Murguia's first survey had double the number of respondents that you anticipate at your highest level here. Would going to \$109K deliver the same—the level of detail she's wanting with half the respondents? **Mr. Tatum** said the answer is absolutely not and I would ask you; how many of you answered your phones ten years ago and how many of you answer your phones today. Doing survey research like this has gotten much harder so the unit costs is substantially higher now than it was a decade ago and so that's the reality. We won't get the same response rate we did then now so we have to try a lot harder to get a valid sample. **Mayor Holland** said okay, that's one question. **Commissioner Markley** said one clarification though and correct me if I'm wrong, but the number you show on that chart is the number you guarantee. **Mr. Tatum** said exactly. I guarantee that number. **Commissioner Markley** said you're going to get us at least 400, but that doesn't mean that Commissioner Murguia might not get 800 in her district. It just means they're not going to let us get less than 400. **Mr. Tatum** said exactly. The response rate may be better, but we're anticipating worst-case scenario for the response rate and so if we get 450, you will get 450 in the district or whatever the quantity is. **Mayor Holland** said if I remember last time, there were areas of our city that we had a higher percentage response than others and you had to weight it. **Mr. Tatum** said exactly and we would do that again this time as well. **Mayor Holland** said okay, in some areas you had to try harder to get more respondents.

Mayor Holland said I think we have four questions that I think we need to get some consensus on so we can give the staff some direction on what survey to start building. I have four questions, but if you have a clarification for us—**Commissioner Philbrook** said the more I listen the more I'm kind of swaying a little bit more toward the definite information, the more defined information. What I would like to see is—I guess my question is can we not, forget that. Let's make it all positive. Is there a way where we can use most of the questions like I read the questions you guys suggested and they are all very similar, each one is asking almost the same thing except you are using neighborhood names and that sort of thing? Is there some way we can use similar questioning for every district and then let them fill in the neighborhood or something like that so we have definite information for that area? **Commissioner Murguia** said sorry to jump in, Jane, that is your spot on. We have to ask all these questions because we're not asking enough people. Does that make sense to you? **Commissioner Philbrook** said yes. I understand. **Commissioner Murguia** said let me give you an example. One of the questions I wanted—I'll just give you one of the questions. I wanted to know the quality of life in Argentine and the quality of life in Rosedale. Well I would only need to ask rank the quality of life if we dug deep enough where I could get the data in each neighborhood. Right now it's so vague I have to ask per neighborhood on a separate Commission sheet. I just want to make sure because I didn't get it for a long time. **Commissioner Philbrook** said I understand what you're saying. **Commissioner Murguia** said if I had to eliminate those questions and the only question I would need is please rate your quality of life because then I'm going to get this detailed neighborhood level—**Commissioner Philbrook** said we're going to know exactly when they send them out. We will know what neighborhood these people are from. **Commissioner Murguia** said so let me give you a neighborhood you can relate to. There is a neighborhood called Hanover Heights in my district in Rosedale. They rank their neighborhood so high that it's blue right here, it stands out so I know that I'm getting a B or better in Hanover Heights for Wyandotte County. Do you see what I'm saying? I know I'm not getting that up here. **Commissioner Philbrook** said I know that about some of my own neighborhoods without that, but yes, it is very helpful. **Commissioner Murguia** said but this is just validation.

Mayor Holland said let me see if I can consolidate what we want to do. One question is do we want to move away from the city/county separation and just ask UG specific? **Commissioner**

Markley said not even UG; it just has to say government. **Mayor Holland** said just government; do away with the differentiation because we do have the two kind of redundancy. Is there a consensus that we would want to move that just to government services? (Several said yes). **Mayor Holland** said I don't see anyone hating that idea.

The next question is, I'm going to do the two easy ones first, and then we will do the harder ones. Is there an interest in taking some of the questions that we did with the Listening Tour in terms of giving people an opportunity about how to allocate that \$12M and try to work that into this leveraging some of the page savings from the previous decision? Are people open to that and see what it looks like. **Mr. Bach** said we have a sample. **Mayor Holland** said you have a sample of that. **Mr. Grimm** said it's a short question. **Commissioner Murguia** said we could put it out there as an option. I really don't feel one way or the other, but I was just curious of what you all thought about that. **Mr. Grimm** said I worked with Lindsey and we had a format that you had for the meetings, Listening Tour meetings, but for space issues we went to something like this. **Mr. Tatum** said just seeing it for the first time here I would probably comment that I would probably take perhaps what you've learned before and have closed-ended responses, otherwise if it's all open-ended, it will be difficult to analyze, but if you actually gave some choices then that would help you prioritize. **Mayor Holland** asked are people comfortable doing some rendition of specifying the STAR Bond payoff? Are people okay with that? (Someone said yes). **Commissioner Johnson** said it doesn't need to get any longer than that. **Mayor Holland** said we're not going to make it the focus of the survey, but an addendum.

The next one is Commission specific and there are going to be two questions, there is going to be two layers to this. The first is are we open to trying to get a page doing some savings through the consolidation of questions as we consolidated our government consolidating our survey and then having a page of Commission specific questions. **Commissioner Markley** said I would rather save the money on that and spend more money on getting the more surveys sent. **Commissioner McKiernan** said yes. **Commissioner Murguia** said I totally agree and there is some data I want pretty bad that's not on there, but I'll tell you I will forego that to get more quality data from this. **Commissioner Bynum** was inaudible. **Mayor Holland** said the value is more surveys, fewer questions. **Commissioner Murguia** said fewer commission district specific questions. **Commissioner Markley** said because you will get the district specific data in more detail if we send out more surveys. **Commissioner Murguia** said we will get what we need if

you go deeper in the number of people you survey. **Commissioner Walters** said it depends on what the additional questions in your district are. (**Commissioner Walters** was inaudible). **Commissioner Murguia** said for the most part you're right. **Mr. Tatum** said you're going to get more detail for the questions that are there, but if you want to ask people what color they want their street, and that's not on the other surveys, you're not going to get that. **Mayor Holland** said they're going to be black with white and yellow strips. Here's the question, everyone has the opportunity to make suggestions. I would say if you have a question that's valid in your district, it's probably valid in other districts as well and so if you have a suggested question, they're probably transferable to other districts as well. I would be surprised, I'm not going to dare him because he's got one, but if there is a specific question, say about quiet zones, I'm just going to guess, there are other parts of our community that might be interested in quiet zones as well maybe for different reasons.

The interest is more on the level, the depth of it, then the breath of it. Is that what you're saying? You want a deeper look so then the question is do we have a consensus, can you go back to the pricing slide? What we did last time was the top line of 1,200 countywide, about 150 per district and it was probably a different cost then. **Mr. Tatum** said not much actually. **Mayor Holland** said the goal that I've heard is to go to the deeper level and maybe look at if we can abbreviate the survey a little bit if it can save us some money. **Commissioner Bynum** said deeper level meaning more—**Mayor Holland** said more surveys, the 400 per district. Is that the goal 400 per district? **Commissioner Murguia** said 4,500 was mine. If there is a difference between 4,000 and 4,500 and it's substantial, if it's not it doesn't matter. **Mayor Holland** said I'm saying 400. **Commissioner Murguia** said I'm sorry 400. I was looking at the whole total number. **Commissioner Bynum** said a minimum 400. **Mayor Holland** said so we would be looking at 400 per district minimum, guaranteed minimum, and are people comfortable? **Commissioner Philbrook** asked is that going to give us the data. **Commissioner Murguia** said that's my question. Will that give us this level of data? **Mr. Tatum** said what it will let you do is probably for any population or any area within your district that accounts for about 7% of your population you would have statistically significant data. As I was trying to explain before is what you're looking for is a sample of at least 30 that will give you something that's really meaningful. If you have 400, you can look at any area and so if you have a neighborhood that has 7% or 8% of your population in your district or that area, you will be able to look at it with

statistical confidence. You can then break it down and have groups of ten and things like that, but there ultimately are some limitations for any sample size; even with your sample of 700 to 800, there ultimately were some limitations there as well. **Commissioner Philbrook** asked does that mean we will know which areas are statistically—**Mr. Tatum** said I guess what I should qualify is let's say you have an area in your district that accounts for 20% of the geography, but there is only one person who lives there, you're probably not going to get many surveys from that area. **Commissioner Philbrook** said I know but I guess will we have that information from you as to what areas are not statically—**Mr. Tatum** said there are a couple of things we can do. Often times if you're interested in your neighborhoods, if we're able to get a neighborhood overlay from you, we can actually aggregate the data within here so we could create maps for your districts that then show for the neighborhoods within your districts. Rather than just get county maps we can actually create district level maps and that's what I think that you were looking for last time that was a much greater value. With 400 you can do district level maps. You couldn't do that with 150.

Commissioner Townsend said I think that last statement got to the confusion that I'm having. At 200, if you're guaranteeing 200 returns, that's the guaranteed column as I understand it, can you get the level of detail that my fellow commissioners here want? **Mr. Tatum** said probably not the way they've described it in this meeting. They are probably going to want the 400 or more. **Mayor Holland** said they want 1,000. **Mr. Tatum** said the way it works if we were going to do just a survey for a city of 20,000 folks, I would recommend 400 surveys for that city and so you kind of have eight cities and that essentially would be the recommendation if you wanted maps that would actually show you within that city what the results look like. In this case we can create maps for you at the district level with 400 completed surveys. We're not going to be able to do that if there are just 150 or 200 because there are not enough respondents to really make it meaningful. **Commissioner Townsend** said okay, I understand. I think I would urge my people if you get a survey, fill it out. **Mr. Tatum** said if that response rate is better, we will process everything. **Commissioner Townsend** said I'm just having difficulty absorbing a lot more than \$46,400 to get it there so my urging would be where is the camera, District 1, if you get it, fill it out. To me that would be the most effective because I kind of know what some of the problems are going to be. Maybe not as specifically from street x, 3rd Street to

33rd Street to 53rd Street, but the level I'm at and maybe one day I can get to her level of detail, that's going to be sufficient for me so I just in good conscious couldn't see supporting a lot more than that financially.

Commissioner Walters said I did request a separate page for District 7 and the reason I did that was that we have a K-32 Corridor Study underway right now and part of that process is that we're asking for public input on what they think the future of that corridor should be. The only challenge is that the public meetings so far have not been very well attended. There will be two more rounds of those public meetings and we're going to try to get more attendants, but it seems like it's a shame to have this survey go out and not take advantage of that opportunity to ask the questions that are being asked of the public at these public meetings. The problem with a public meeting is you have to make an attempt to go and spend an evening and especially during the winter it might not be the easiest thing to do. That's what I was getting at and so they were District 7 specific issues generally. There is a follow-up to that. It's \$2,000 for this extra page. My question is we established a \$100K Commissioner Fund that we could direct money with the approval of the rest of the commissioners and so I'm throwing it out there. If somebody wanted to spend \$2,000 of that \$100K on this particular task, wouldn't that be an acceptable option? **Commissioner Murguia** said I think that's a great idea. **Mayor Holland** said I think that's legitimate. **Commissioner Walters** said I think I would like to do that. **Commissioner Kane** said let's let him do it. We can figure out how we're going to pay for it later. He needs that and it covers three different cities. I think it would be really important that he add that to it so I guess we can tell him yes now and figure out how to pay for it later. **Mayor Holland** asked are people content with that? I think that's okay.

Mayor Holland asked, Doug, how are you going to pay for all this. **Mr. Bach** said I might ask another question to clarify because as we were going with this survey with Mike I think we identified a few questions and I think he might have identified in the document that went out. Some of them we could take out because generally the answer that comes back to them—they were about the economic development ones and you kind of go; do you want new economic development in your area? Even yes or no on that question, it's not really enlightening. It kind of goes to Commissioners Walker's points where that's not helping us a whole lot so I think

there are several questions we as staff would probably recommend taking out and then maybe we could take a couple of the top questions that Commissioner Markley has and Commissioner Murguia has that they have submitted for specific, but they do apply across about every district and maybe be able to weave some of it in there so you wouldn't not get any of those, you would be able to get some of those built back in and then we could take some of those out that you know yes, it's consistent from one to the other, but we've moved on from that point. It's not helping us that much.

Commissioner Murguia asked can I just make a comment about your economic development question that it pertains to the whole county. That was one of the issues that I was very concerned about is the vagueness. There are several questions that I don't like that I think are vague and we don't really care in the end what the answer to that question is. **Mr. Bach** said because you can't do anything with it. **Commissioner Murguia** said yes, we can't do anything with it. There is nothing we can accomplish with that information so why ask it. I actually had the benefit of working with the University of Kansas and some of their research people and I asked them to help us craft a question that we could ask our people countywide more specifically what they desired in the way of retail because, Mayor, I know you can appreciate when I say if they say yes we want more retail; hopefully, they don't mean a \$500 more stores. **Mayor Holland** said hopefully. **Commissioner Murguia** said so I think we need more specific information so it provides us with direction and that's not only good for western Wyandotte County, that's good for eastern Wyandotte County. For example, I have a question they crafted that I've submitted to Mike that literally lists fine dining, fast-food, hardware, pharmacy; it actually lists the category of retail and you get to select from those so that when we go out to look for economic development in our areas, and there is a category just grocery for grocery stores, you can see very specifically what particular retail they are interested in seeing come to their area. If we can use Chris's approach to tell us what you want in your neighborhood, now Jim, that doesn't say K-32; but at least it gets you closer to what people will find acceptable. I have that question and I've given it to Mike. I think it's a much better question than do you like economic development.

Mayor Holland said I don't think we have unanimity on doing the deeper survey. I do think we do have the majority in terms of going forward with looking towards the \$100K target area in

terms of depth. I think we will go ahead and craft the survey with the feedback we've had tonight, come back with a final look and a final pricing for this group to approve because I want this group to see the final survey that goes out so there are no questions about that's not what we want. The last thing I want to do I don't want to spend \$46K and not be happy with it, I really don't want to spend \$100K and not be happy with it. I think we have some direction to work with and we will come back in the next couple of weeks with a proposed final draft for this group to approve.

Mr. Grimm said it sounds like the group wants it drilled down to the neighborhood level and Chris said we would need a neighborhood overlay. Now the Research Office we have a neighborhood overlay aggregated census tracts, but as Commissioner Murguia knows, that's not the neighborhoods she's interested in. I think we might be challenged. I don't know how we're going to get the overlay of neighborhoods—**Commissioner Murguia** asked how did you get that for my survey? **Mr. Tatum** said we may have created it so I have a lot of GIF on our staff that does that so it's one of those things that if you don't have one, we can create the layers. **Commissioner Murguia** said I thought we got that from the GIF Base Mapping at the Unified Government. **Mr. Tatum** said likely with your Planning Department, but I don't know. **Commissioner Murguia** said I think we have that. **Mayor Holland** said we will have to work on that. **Mr. Grimm** said I think Liveable Neighborhoods does have kind of a general (inaudible).

Mayor Holland said we are slated for 7:00 p.m. It takes us about 15 or 20 minutes to turn the technology for downstairs anyway, but in the interim just to make sure we have no downtime, we're going to step into the side room for an executive session on litigation.

Commissioner Murguia made a motion, seconded by Commissioner Markley, to go into executive session for 15 minutes regarding litigation. Motion carried unanimously.

**MAYOR HOLLAND RECONVENED INTO SPECIAL SESSION
AND ADJOURNED THE MEETING AT 7:03 P.M.**

dt

Carol Godsil
Deputy Unified Government Clerk

January 7, 2016



Unified Government Clerk's Office

Bridgette D. Cobbins

Unified Government Clerk

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Memorandum

To: Doug Bach
County Administrator

From: Bridgette Cobbins
UG Clerk

Date: December 31, 2015

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

Weekly Business Material for December 31, 2015

1. PERSONNEL ACTION COMMUNICATION, DATED DECEMBER 30, 2015:

Section III - Separations

Name	Department/Division	Eff. Date	Job Title
James J Bartolac	PW/Engineering	8/21/15	Intern
Naomi N. Green	Sheriff/Detention	12/16/15	Deputy
Jeffrey S Johnson	Sheriff/Detention	12/15/15	Deputy
Lillian P Kindred	Sheriff/Admin	12/10/15	Deputy

Section V - Increases per Memorandum of Understanding

Name	Department/Division	Eff. Date	Job Title
Kaleigh B. Armstrong	Police/Comm	1/2/16	Public Safety Dispatcher
Bryan L. Henderson	PW/Street	1/2/16	General Laborer
Leeann C. Shelton	Police	1/27/16	Sr Sergeant
Pamela E. Waldeck	Police/IA	1/27/16	Sr Detective

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

2. CLAIM FOR DAMAGES:

Lorene P. Wilson, 1925 N. 25th St. KCK, alleging damage to roof when trees from 1927 N. 25th fell on it during the storm on June 26, 2015.

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

3. APPLICATION FOR CMB LICENSE (PKG):

Wyandot BBQ Inc./Ronald Williams II DBA Wyandot Barbque Inc., 8441 State Ave.

Action: Referred to License.



Unified Government Clerk's Office

Bridgette D. Cobbins

Unified Government Clerk

701 North 7th Street, Suite 323
Kansas City, Kansas 66101-3064

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

Memorandum

To: Doug Bach
County Administrator

From: Bridgette Cobbins
UG Clerk

Date: January 7, 2016

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.

cm

Attachment

Weekly Business Material for January 7, 2016

1. PUBLIC NOTICE:

Alandon Tow, 6224 Kansas Ave., held a public auto auction on January 5, 2016 at 10:00 a.m.

Action: Received and filed.

2. COMMUNICATION:

Lew Levin, Chief Financial Officer, regarding warrant cancellations:

<u>WT. NO.</u>	<u>ISSUED</u>	<u>AMOUNT</u>	<u>FUND / VENDOR</u>
759062	2/13/2015	\$ 17.56	160/County General Fund V #J5022 Past 45 days
775730	10/2/2015	\$ 197.70	160/County General Fund 790 Tax Collection Fund V #2792Q Lost Warrant
767058	5/29/2015	\$ 20.00	160/County General Fund 790/Tax Collection V #1637Q Past 45 days

Action: Received and filed.

3. PERSONNEL ACTION COMMUNICATION, DATED JANUARY 5, 2016:

No action

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

4. PERSONNEL ACTION COMMUNICATION, DATED JANUARY 7, 2016:

Section I - Appointments

<u>Name</u>	<u>Department/Division</u>	<u>Eff. Date</u>	<u>Job Title</u>
Jonathan E. Bennett	Parks/Rec/Golf	1/4/16	Oper General Sup
Michael S. Jones	B&L	1/4/16	Fac Maint Specialist
Kyle C. Kobe	Urban Planning	12/17/15	Intern
Juan M. Murillo	Health	1/4/16	Disease Inter Specialist
Jamie M. Vanhouten	Comm Corr	1/4/16	ISO

January 7, 2016

Section III - Separation

Name	Department/Division	Eff. Date	Job Title
Megan C McCall	Police	12/23/15	Program Specialist

Section IV - Leave of Absence

Name	Department/Division	Leave Begins	Leave Ends
Tiffany J Alexander	Health	12/22/15	1/18/16

Section V - Increase per Memorandum of Understanding

Name	Department/Division	Eff. Date	Job Title
Kevin L. Pahls	Fire	12/29/15	Master Fire Captain

Section VIII - Other Requests

Name	Department/Division	Action Requested and Explanation
David Adell	Fire Dept.	ACD code change effective 1/1/16
Gregory Allen	Fire Dept.	ACD code change effective 1/1/16
Matthew Allen	Fire Dept.	ACD code change effective 1/1/16
Brandon Alvord	Fire Dept.	ACD code change effective 1/1/16
James Bailey	Fire Dept.	ACD code change effective 1/1/16
Richard Baker III	Fire Dept.	ACD code change effective 1/1/16
Ashley Baska	Fire Dept.	ACD code change effective 1/1/16
Adam Bond	Fire Dept.	ACD code change effective 1/1/16
Anne Brown	Fire Dept.	ACD code change effective 1/1/16
Matthew Brown	Fire Dept.	ACD code change effective 1/1/16
Christopher Budenz	Fire Dept.	ACD code change effective 1/1/16
Patrick Bruce	Fire Dept.	ACD code change effective 1/1/16
Dustin Bryant	Fire Dept.	ACD code change effective 1/1/16
Robert Copher	Fire Dept.	ACD code change effective 1/1/16
Terence Dunn	Fire Dept.	ACD code change effective 1/1/16
Jennifer Ebelke	Fire Dept.	ACD code change effective 1/1/16
Jason Effenhiem	Fire Dept.	ACD code change effective 1/1/16
Kimberly Enriquez	Fire Dept.	ACD code change effective 1/1/16
Brandon Farrell	Fire Dept.	ACD code change effective 1/1/16
Matthew Flenoy	Fire Dept.	ACD code change effective 1/1/16
Nicholas Gerkovich	Fire Dept.	ACD code change effective 1/1/16
Shae Grosiddier	Fire Dept.	ACD code change effective 1/1/16
Joshua Gutierrez	Fire Dept.	ACD code change effective 1/1/16
Milan Hajdukovich	Fire Dept.	ACD code change effective 1/1/16
Bobby Henson	Fire Dept.	ACD code change effective 1/1/16
Benjamin Higgins	Fire Dept.	ACD code change effective 1/1/16
Nick Jennings	Fire Dept.	ACD code change effective 1/1/16
Marcus Johnson	Fire Dept.	ACD code change effective 1/1/16
Jacob Kavanaugh	Fire Dept.	ACD code change effective 1/1/16
Brandon Lipsey	Fire Dept.	ACD code change effective 1/1/16
Brett Little	Fire Dept.	ACD code change effective 1/1/16
John Lumley	Fire Dept.	ACD code change effective 1/1/16
Brandon Maples	Fire Dept.	ACD code change effective 1/1/16
Shane McClure	Fire Dept.	ACD code change effective 1/1/16
John McGee	Fire Dept.	ACD code change effective 1/1/16
Stanley Millison Jr	Fire Dept.	ACD code change effective 1/1/16
Mark Millstead	Fire Dept.	ACD code change effective 1/1/16
Nicholas Murguia	Fire Dept.	ACD code change effective 1/1/16
Christopher Novak	Fire Dept.	ACD code change effective 1/1/16
Christopher Omland	Fire Dept.	ACD code change effective 1/1/16

January 7, 2016

Marcos Ramirez	Fire Dept.	ACD code change effective 1/1/16
Craig Ratliff	Fire Dept.	ACD code change effective 1/1/16
Ruben Raygoza	Fire Dept.	ACD code change effective 1/1/16
Don Reed	Fire Dept.	ACD code change effective 1/1/16
Devin Rich	Fire Dept.	ACD code change effective 1/1/16
Barton Richardson	Fire Dept.	ACD code change effective 1/1/16
Marsha Rymer	Fire Dept.	ACD code change effective 1/1/16
Rance Scharp	Fire Dept.	ACD code change effective 1/1/16
Matthew Schmidt	Fire Dept.	ACD code change effective 1/1/16
Justin Simonich	Fire Dept.	ACD code change effective 1/1/16
Towan Smith	Fire Dept.	ACD code change effective 1/1/16
Shakila R. Stewart	Fire Dept.	Reinstated effective 1/4/16
David Sunderman	Fire Dept.	ACD code change effective 1/1/16
Jeremy Tarwater	Fire Dept.	ACD code change effective 1/1/16
John Young	Fire Dept.	ACD code change effective 1/1/16

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

5. CLAIMS FOR DAMAGES:

Andrew DeShon, 5409 Foxridge Dr. #303, Mission, KS, alleging damage to vehicle after driving over potholes in street.

Rebecca Millikan, 5810 Beverly Ave., Mission, KS, alleging damage to a tire after driving over an unmarked road construction site.

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

6. TRAVEL REQUESTS:

Brandon Farrell, Jeff Farmer and Michael McDonald, Fire Dept., travel to Chicago, IL, December 17 – 18, 2015, to serve as honor guards for a funeral, N/A.

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

7. BUSINESS BONDS:

Electrical Contractor's Bonds:

- A.B. May Company
- All Electric LLC
- ARM Electric, Inc.
- Best Electric Inc.
- Capital Electric Line Builders, Inc.
- Electrical Associates, LLC
- Fatboy Electric, Inc.
- Ronald Fredericks
- Four Star Electric, Inc.
- H & S Electric, LLC
- Jericho Home Improvements, LLC (2)
- Lucas Electric, LLC

January 7, 2016

Mark One Electric Co., Inc.
MC Power Companies, Inc.
Pro Circuit, Inc.
Pro Electric, LC
Psalm-1 Electric, Inc.
Tee & Bee Electric Company
The Islas Fam
Total Electric Contractors, Inc. and James Leonard

Mechanical Contractor's Bonds:

Reddi Services, Inc. d/b/a Brush Creek Heating and Cooling
Reddi Services, Inc. d/b/a Reddi Root'r
ALTA Refrigeration, Inc.
Rodina Company Inc.
Blaze Mechanical, Inc.
A.B. May Company
Western Enterprise, Inc.
U.S. Engineering Company

Mechanical/HVAC Bonds:

Barclay Mechanical Services of Utah, Inc.
Central Industrial Sheet Metal Works
CM Mose & Son
Even Temp LLC
Gatza Heating & Air Conditioning Inc.
Gorman's Heating and Cooling LLC
The Islas Fam

Plumber's Bonds:

A.B. May Company
Accurate Mechanical, LLC
Boss Mechanical Contractor, Inc.
Fred Pflumm Plumbing, Inc.
Gerry Reeves d/b/a Drains & Things
Gorman's Heating and Cooling, LLC
Kinney's Plumbing Company
Reddi Services, Inc. d/b/a Reddi Root'r
Scott's Square Deal, LLC
The Islas Fam
U.S. Engineering Company
Western Enterprise, Inc.

Second Hand and Junk Dealer's Bond:

Pick-n-Pull Auto Dismantlers, Kansas City, LLC

Sign Hanger's Bonds:

Royal Signs & Graphics, Inc.
See-More Signs Mfg., Inc.

Action: Referred to License.

January 7, 2016

8. SURETY RIDER:

HVAC Mechanical & Gas: George Racki

Action: Referred to License.

9. CERTIFICATES OF INSURANCE:

Custom Limousine, Inc.
Doubled D, Inc. d/b/a Dale Brothers
J Tree Service
Mendoza Ground Transportation
Thomas Protective Service, Inc. Semper - Fi

Action: Referred to License.

10. CONTINUATION OF CERTIFICATES:

Electrical Contractor's Bonds:

Cimmaron Electric, Inc.
Convera, Inc.
D Electric, LLC
Gary Ferrell
Jackson County Electrical Services, Inc.
R.F. Fisher Electric Company, LLC
Rodina Company, Inc.

Mechanical Contractor's Bonds:

Romved, Inc. d/b/a Al-Ham Heating & Cooling
Sheet Metal Contractors, Inc.

Mechanical/HVAC Contractor's Bond:

Russell Blair B. L. Air, Inc.

Plumber's Bonds:

Action Plumbing, Inc.
Hampton Plumbing, Inc.
Lutz Plumbing Inc.
Ray Morrison Plumbing
Riden Service Company, Inc.
Rodina Company, Inc.
Paul H. Scott d/b/a Paul Scott's Plumbing
Shawnee Mission Plumbing, Heating & Cooling, Inc.
Stine-Nichols Plumbing, Inc.
TMS, Inc.

Septic Tank and Cess Pool Installer & Cleaner's Bond:
Deffenbaugh Industries, Inc. d/b/a Johnny On The Spot

Sign Hanger's Bonds:
Miller Sign Shoppe, LLC
Service & Industrial Repair, Inc.
St. Joe Sign Company, LLC

Action: Referred to License.

11. REINSTATEMENT NOTICES:

Mechanical Bond:
B & H Appliance

Miscellaneous Bond:
Pit Stop Auto Parts, Incorporated

Action: Referred to License.

12. APPLICATIONS FOR CMB LICENSE (PKG):

786 Enterprises, Inc./Khalid Hussain d/b/a Rapido Mart 1, 748 Washington Blvd.
7-Eleven Sales Corporation/Craig Johnson d/b/a 7-Eleven Store #36101, 4431 Shawnee Dr.
Alma LLP/Alonso Villasenor d/b/a Mi Puebleto Meat Market, 1311 Minnesota
Cheema Enterprises, Inc./Mohammed Raza-Khan d/b/a Quick Shop #3, 5568 Leavenworth Rd.
Cheema Enterprises, Inc./Mohammed Raza-Khan d/b/a Quick Shop #5, 4201 Shawnee Dr.
Cheema Food and Petroleum/Mohammed Raza-Khan d/b/a Quick Stop #1, 3200 State Ave.
Supermarket El Torito, Inc./Ramiro Romo-Viramontes d/b/a Supermarket El Torito, 1409 Central Ave.
Walmart Stores, Inc./Keith Pappert d/b/a Walmart 1151, 10824 Parallel Pkwy.
Walmart Stores, Inc./Keith Pappert d/b/a Sam's Club 4870, 10510 Parallel Pkwy.
Walmart Stores, Inc./Keith Pappert d/b/a Walmart 6172, 2300 Metropolitan Ave.
Yuvraj, LLC/Binay Sharma d/b/a Conoco, 616 S. 7th St.
Yuvraj, LLC/Binay Sharma d/b/a Phillips 66, 2701 Fairfax Trfy.

Action: Referred to License.

13. APPLICATIONS FOR CMB LICENSE (OP):

Pablo Flores d/b/a Caporales Mexican Food, 12060 Merriam Lane
Frontera's Super Market, Inc./Rolando Pla d/b/a Frontera's Restaurant, 761 Central Ave.
Metro Express Stop/Thomas Rehorn d/b/a Metro Express Stop, 2101 Metropolitan Ave.
Smilja Pavlovic/Gloria Oliver d/b/a St. Archangel Michael Serbian Church, 310 N. 72nd St.
Tierra Caliente, LLC d/b/a Restaurante Tierra Caliente, 2512 N. 20th
FR Anthony Quелlette d/b/a All Saints Parish, 811 Vermont Ave.
Zoila Rodriguez d/b/a Las Plamas Restaurant, 825 Minnesota Ave.
Rosedale Drive-In Theatre, Inc./Samuel W. Neal d/b/a Boulevard Drive-In, 1051 Merriam Lane

January 7, 2016

Edward Rychlec d/b/a St. Peter's Catholic Church, 416 N. 14th St.
Sabor Y Sol, Inc./Thomas Rehorn d/b/a Sabor Y Sol Mexican Restaurante, 542 Southwest Blvd.
The Corkhouse, LLC/Lisa Lugar d/b/a Wyandotte County Corkhouse, 509 Armstrong Ave.
Gary Wilson d/b/a Wilson's Pizza, 1801 Quindaro Blvd.
Kenneth Yarnevich d/b/a St. John's Catholic Club, 414 Barnett Ave.

Action: Referred to License.

14. APPLICATIONS FOR DRINKING ESTABLISHMENT:

7th Street Casino/Randy Culp d/b/a 7th Street Casino, 777 N. 7th St. Tfwy.
Fowl Friendship, LLC/William Hutton d/b/a Gus's Fried Chicken, 2816 W. 47th Ave.
Granite City of Kansas, LTD/William Hutton d/b/a Granite City Food and Brewery, 1701 Village West Pkwy.
Francis Vertz d/b/a Ranch Bowl, 5604 State Ave.

Action: Referred to License.

15. APPLICATION FOR CATERER:

William Bloyd/Thomas Rehorn d/b/a Amigos Grill and Cantina, 2737 S. 47th St.

Action: Referred to License.

16. APPLICATIONS FOR PRECIOUS METAL DEALERS:

American Collateral Lenders, Inc./Frank Aguilar d/b/a Sol's Jewelry, 721 State Ave.
Boyd, Inc./Paul Boyd d/b/a Little Joe's Pawn, 7907 State Ave.
Jung Park d/b/a Han's Jeweler, 7700 State Ave.

Action: Referred to License.

17. APPLICATIONS FOR PRIVATE SECURITY BUSINESS:

NPB Companies, Inc./National Registered Agents, Inc. of Kansas d/b/a NPB Companies, 77 S. 7th St.
Semper Securus, LLC/Richard Clauser d/b/a Signal 88 Security, 33255 Lexington Ave. #G, Desoto, KS
Thomas Protective Services, Inc./National Registered Agent d/b/a Thomas Protective Services, PO Box 883, Kaufman, TX
Yale Enforcement Services, Inc./Dawn Kuhn d/b/a Yale Enforcement Services, 3601 N. Belt West, Belleville, IL

Action: Referred to License.



Unified Government Clerk's Office

Bridgette D. Cobbins

Unified Government Clerk

701 North 7th Street, Suite 323
Kansas City, Kansas 66101-3064

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

Memorandum

To: Doug Bach
County Administrator

From: Bridgette Cobbins
UG Clerk

Date: January 14, 2016

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.

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Attachment

Weekly Business Material for January 14, 2016

1. AGREEMENT:

Michael S. King, Secretary of Transportation, Project No. 105 N-0636-01 CMQ-N063(601), for transportation enhancement project creation of bike route in Wyandotte County Unified Government of Wyandotte County/Kansas City, Kansas.

Action: Approved by County Administrator and received and filed.

2. COMMUNICATIONS:

Stacey Baalman, Solid Waste Permits Section, KDHE, to Kevin White, Liquid Environmental Solutions of Kansas, LLC, 3349 Harvester Rd., notifying that their permit (#0869) for a solid waste processor must be renewed by March 17, 2016.

Stacey Baalman, Solid Waste Permits Section, KDHE, to Jack McDonald, Environmental Management of KC, Inc., 861 S. 66th Terrace, notifying that their permit (#0861) for a solid waste processor must be renewed by March 5, 2016.

Action: Received and filed.

3. COMMUNICATIONS:

Low Levin, Chief Financial Officer, regarding warrant cancellations:

<u>WT. NO.</u>	<u>ISSUED</u>	<u>AMOUNT</u>	<u>FUND / VENDOR</u>
780312	1/7/2016	\$ 355.40	750/Payroll Deduction V #PA014
778410	11/20/2015	\$ 33.48	Garnishment Cancelled 790/Tax Collection 5456P/James Few
779671	12/11/2015	\$ 745.10	Customer to pay next year taxes 790/Tax Collection Fund V #5495P
775682	10/2/2015	\$ 69.35	Wrong Vendor 160 County General Fund 790/Tax Collection Fund
777800	11/6/2015	\$ 17.20	Lost Warrant 160/County General Fund V #J9218
749816	10/3/2014	\$ 18.00	Past 45 days 160 County General Fund V #J2779
768281	6/12/2015	\$ 109.99	Past 45 days 160/County General Fund 790/Tax Collection Fund V #1754Q Lost Warrant

779650 12/11/2015 \$ 150.00 113/Parks and Rec.
V #R4687
Lost Warrant

Action: Received and filed.

4. PERSONNEL ACTION COMMUNICATION, DATED JANUARY 12, 2016:

Section I - Appointments

Name	Department/Division	Eff. Date	Job Title
Amber N Adams	Health Dept	1/14/16	Program Coordinator
Chloe R. Grabanski	Comm Corr	1/14/16	Prof Programs Asst
Lauren E. McCluskey	District Court	1/4/16	Law Clerk
Stephanie M. Rodas	Health Dept	1/4/16	Admin Supt Assistant

Section II - Transfers

Name	Department/Division	Eff. Date	Former Job Title	New Job Title
Robert C. Baumli	Police	12/24/15	Police Sergeant	Police Captain
Alex M. Bruce	Police	12/24/15	Patrol Officer	Police Sergeant
Jonathan H Daniels	Police	12/24/15	Patrol Officer	Police Sergeant
Van Caleb Lindesay	B&L	12/17/15	Fac Maint Tech	Oper & Maint Superintendent
Frank Lopez Jr	B&L	12/17/15	Bldg Maint Worker	Fac Maint Specialist
Curtis J. Nicholson	Police	12/24/15	Police Captain	Police Major
John P. Peterson	Fire	11/12/15	Asst Fire Chief	Deputy Fire Chief
Rodney E Smith	Police	12/24/15	Police Major	Deputy Chief/Colonel

Section V - Increase per Memorandum of Understanding

Name	Department/Division	Eff. Date	Job Title
John P. Peterson	Fire	12/24/15	Sr Deputy Fire Chief

Section VIII - Other Request

Name	Department/Division	Action Requested and Explanation
Todd R. Kinney	DOTS	Out of class pay from Info Systems Manager to Acting Director effective 11/19/15

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

5. PERSONNEL ACTION COMMUNICATION, DATED JANUARY 14, 2016:

Section I - Appointment

Name	Department/Division	Eff. Date	Job Title
Jesse L Johns	Comm Corr/AISP	1/14/16	ISO

Section II - Transfers

Name	Department/Division	Eff. Date	Former Job Title	New Job Title
John Calvert	PSBO	12/31/15	Admin Supt Specialist	Fiscal Officer
Chad M Erwin	Sheriff	12/31/15	Deputy	Deputy
Michael D Evans	Parks and Rec	12/31/15	Groundskeeper I	Groundskeeper II
Randall E Henderson	Comm Corr	12/17/15	ISO	ISO
Kenneth J Moore	Legal	12/3/15	Chief Deputy Counsel	Chief Legal Counsel
Meagan M. Myers	Parks and Rec	12/31/15	Admin Supt Specialist	Groundskeeper I
Andrew C. O'Neal	Sheriff/Detention	12/31/15	Deputy	Deputy
Nick R Parks	PW/WPC	12/31/15	General Maint Worker	Sewer Maint Worker I
Jay M Pennington	Sheriff/Admin	12/31/15	Deputy	Deputy
Kenneth E Reed	Sheriff/Detention	12/31/15	Deputy	Deputy

Section III - Separations

Name	Department/Division	Eff. Date	Job Title
Matthew W. Allen	Fire	12/24/15	Firefighter MICT II
Gail R Bragg	DOTS	1/8/16	Info Systems Coordinator
Justin W. Swartz	Police/Animal Control	1/11/16	Prog Tech II

Section V - Increase per Memorandum of Understanding

Name	Department/Division	Eff. Date	Job Title
Chad E. Adams	Fire	1/15/16	Sr Firefighter MICT

Section VII - Reclassifications

Name	Department/Division	Eff. Date	Former Job Title	New Job Title
Johnathan M Grube	DA's Office	1/4/16	ADA I	ADA II
Vacant	Sheriff/Juv	1/11/16	Program Specialist	Juv Det Officer
Vacant	Sheriff/Juv	1/11/16	Juvenile Sergeant	Juv Det Officer

Section VIII - Other Requests

Name	Department/Division	Action Requested and Explanation
Geneva L. Gregory	Transportation	ACD code change effective 1/1/16
Ramon D Smith	Transportation	ACD code change effective 1/1/16
Angela A Yadrich	Transportation	ACD code change effective 1/1/16

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

6. CLAIM FOR DAMAGES:

Rex Jamerson, 8910 W. 48th St., Merriam, KS, alleging damages to vehicle from hitting pothole in the road.

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

7. TRAVEL REQUESTS:

Bruce Andersen, Air Quality, travel to Charleston, SC, January 30 – February 1, 2016, to attend NACAA Board of Directors Winter Meeting, Federal.

Kathy Briney, Appraiser's Office, travel to Kansas City, MO, January 12, 2016, to attend Integra Real Estate Trends & Investment Criteria Forecast Event, Employee Training/Travel.

David A. Shost, Fire/EMS, travel to Henderson, NV, May 22 – 25, 2016, to attend Fire Rescue Med, Employee Training/Travel.

Solomon Young and Rance Quinn, Police/Operations, travel to Chicago, IL, April 24 – 28, 2016, to attend 2016 CIT International Conference, SLETF.

Terry Zeigler, Police/Chief's Office, travel to Washington, DC, January 28 – 30, 2016, to attend PERF Re-Engineering Use of Force, SLETF.

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



Unified Government Clerk's Office

Bridgette D. Cobbins

Unified Government Clerk

701 North 7th Street, Suite 323
Kansas City, Kansas 66101-3064

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

Memorandum

To: Doug Bach
County Administrator

From: Bridgette Cobbins
UG Clerk

Date: January 21, 2016

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.

cm

Attachment

Weekly Business Material for January 21, 2016

1. COMMUNICATION:

Bridgette Cobbins, UG Clerk, listing bids received January 20, 2016, for Project ID #5303 – 35th St. Culvert Repair.

Action: Received and filed. Copies previously forwarded to County Administrator, Emma Scovil, Legislative Auditor and Public Works.

2. COMMUNICATION:

Michael J. Stringer, District Engineer, KDOT, to Kimball Parker, AT&T-Leavenworth, 4501 Brewer Place, Leavenworth, KS, approving Highway Permit 1-16-036 to bore and bury fiber optic and copper cables on K-32, 0.20 miles northeast of S. 72nd Street from RP:27.01 to RP: 27.47 in Wyandotte County.

Action: Received and filed.

3. PERSONNEL ACTION COMMUNICATION, DATED JANUARY 19, 2016:

Section I - Appointment

Name	Department/Division	Eff. Date	Job Title
Jennifer R Phillips	Human Resources	1/28/16	HR Analyst- PS Recruiter

Section II - Transfer

Name	Department/Division	Eff. Date	Former Job Title	New Job Title
Dennis T. Laughlin	General Services	12/17/15	Manager	General Services Director

Section III - Separation

Name	Department/Division	Eff. Date	Job Title
Mamika S. Sappington	Municipal Court	1/8/16	Court Clerk I

Section V - Increases per Memorandum of Understanding

Name	Department/Division	Eff. Date	Job Title
Jerritt D. Barbarich	Sheriff/Detention	2/12/16	Deputy
Bryan J Bauer	Fire/EMS	1/25/16	Firefighter III
Chad C. Brown	Fire/EMS	1/25/16	Firefighter III
Joseph C. Chizmar	Fire/EMS	1/25/16	Firefighter III
David MT Churchill	Fire/EMS	1/25/16	Firefighter III
Arich D. Cole	Sheriff/Detention	2/12/16	Deputy
Wendell W Cole	Sheriff/Detention	2/12/16	Deputy
Justin A Contreras	Sheriff/Detention	2/12/16	Deputy
Robert A Dolan	Sheriff/Detention	2/12/16	Deputy

January 21, 2016

Rachel R Green	Sheriff/Detention	2/12/16	Deputy
Luke M Hays	Fire/EMS	1/25/16	Firefighter III
Chance A Kresyman	Sheriff/Detention	2/12/16	Deputy
Zachary D. Martin	Fire/EMS	1/25/16	Firefighter III
Walter C. Meierarend	Fire/EMS	1/25/16	Firefighter III
Dominic Moran	Fire/EMS	1/25/16	Firefighter III
Jackson P. Selby	Fire/EMS	1/25/16	Firefighter III
Kevin T. Trader	Fire/EMS	1/25/16	Firefighter III
Adam M. Tyrrell	Sheriff/Detention	2/12/16	Deputy
Tom V. Xiong	Fire/EMS	1/25/16	Firefighter III
Andrew J Williams	Fire/EMS	1/25/16	Firefighter III
James C Wing	Fire/EMS	1/25/16	Firefighter III

Section VIII - Other Request

Name	Department/Division	Action Requested and Explanation
Anna M. Krstulic	Legal	Amend PAC 12/22/15 to reflect change effective 1/6/16

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

4. PERSONNEL ACTION COMMUNICATION, DATED JANUARY 21, 2016:

Section II - Transfers

Name	Department/Division	Eff. Date	Former Job Title	New Job Title
Devlin L. Brown	Fire	1/7/16	Sr. Fire Driver	Fire Captain
Harry Keith Jr.	Sheriff/Admin	12/31/15	Deputy	Deputy
Karen A. Mills	Police/Comm.	1/7/16	Public Safety Dispatcher	Lead Dispatcher
Erica M. Reyes	Police/Comm.	1/7/16	Lead Dispatcher	Public Safety Dispatcher
Ruben Sanchez	Parks/Rec	1/14/16	Operations Supervisor	Operations Superintendent
Anne N Seeberger	Fire/EMS	1/7/16	Training Instructor II	Quality Assur/Ins Coord
Mark D Snelson	Sheriff/Admin	12/31/15	Deputy	Deputy
Brett R Stevens	Sheriff/Admin	12/31/15	Deputy	Deputy
Gabriel Valdovino Jr	Transportation	1/14/16	School Crossing Guard	Transit Operator
Mark A Zahnter	Sheriff/Detention	12/31/15	Deputy	Deputy

Section III - Separations

Name	Department/Division	Eff. Date	Job Title
Matthew L. Blackman	NRC/Code	1/8/16	Inspector I
Thomas W Groneman	Register of Deeds	1/21/16	Prof Programs Asst.

Section V - Increases per Memorandum of Understanding

Name	Department/Division	Eff. Date	Job Title
Jesseka J Davis	Finance/Treasury	1/2/16	Fiscal Supt Asst
Ezola E Johnson	Finance/Treasury	2/8/16	Fiscal Supt Asst
Samantha R Saysoff	Finance/Treasury	1/16/16	Fiscal Supt Asst.
Wendy M Wrisinger	Finance/Treasury	1/16/16	Fiscal Supt Asst.

January 21, 2016

Section VIII - Other Requests

Name	Department/Division	Action Requested and Explanation
Jennifer Allen	Health Dept.	ACD code change effective 1/14/16
Bruce Andersen	Health Dept.	ACD code change effective 1/14/16
Angela Germany-Amendariz	Health Dept.	ACD code change effective 1/14/16
Kim Jones	Health Dept.	ACD code change effective 1/14/16
Sonia Lopez	Health Dept.	ACD code change effective 1/14/16
Dianetta Nicholson	Health Dept.	ACD code change effective 1/14/16
Mark Weckwerth	Health Dept.	ACD code change effective 1/14/16

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

5. CLAIMS FOR DAMAGES:

Kyle Larson, 9220 Kansas Ave., alleging damage to fence, mailbox and Christmas lights after a KCKPD vehicle crashed onto property, Report #2015122187.

Deborah Vandervoort, 220 Willis Drive, Tonganoxie, KS, alleging she was rear-ended by KCKPD vehicle while stopped at stop sign, Report #2016010298.

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

6. PETITION:

Robert S. Wing, Steven Long, William P. Young, and John J. Simma, as Representatives of a Class consisting of the members of International Association of Fire Fighters, Local No. 64, through Scott L. Brown, Attorney, Blake & Uhlig, P.A., 475 New Brotherhood Building, 753 State Ave., vs. The Unified Government of Wyandotte County/Kansas City, Kansas, 701 N. 7th Street, Case No. 16-CV-28.

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

7. PROTEST PETITION:

Petition signed by individuals in opposition to Special Use Permit No. SP-20-16-6, 2850 N. 119th St.

Action: Received and filed. Copy previously forwarded to Urban Planning & Land Use.

8. TRAVEL REQUESTS:

Dion Dundovich, Police/Operations/EOD Unit, travel to Huntsville, AL, February 6 – March 19, 2016, to attend Hazardous Devices School, N/A.

January 21, 2016

Robert Melton, KCKPD, travel to Hutchinson, KS, January 24 – 29, 2016, to attend Law Enforcement Leadership Academy Command School, N/A.

Cotarino Mendez, Police/Chief's Office/Internal Affairs, travel to Chicago, IL, March 21 – 23, 2016, to attend Body Cameras & Other Recordings in Law Enforcement Training, SLETF.

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

9. APPLICATIONS FOR CMB LICENSE (OP):

La Hacienda El Camino Real LLC/Ruben Martinez d/b/a El Camino Real, 903 N. 7th St.
La Hacienda El Camino Real LLC/Ruben Martinez d/b/a El Camino Real, 1147 Argentine Blvd.
Brian Lam/John Biscanin d/b/a Vietnam Café 39, 2200 W. 39th Ave.

Action: Referred to License.

10. APPLICATION FOR DRINKING ESTABLISHMENT:

Rosedale Barbecue, Inc./Heather Tuttle d/b/a Rosedale Barbque, 600 Southwest Blvd.

Action: Referred to License.

11. APPLICATIONS FOR CATERER/DRINKING ESTABLISHMENT:

Maria Yazdoni/Wesley Lona, Jr. d/b/a Bermudas, 6220 Kansas Ave.
Midwest BBQ Ventures Overland Park LLC/William Hutton d/b/a Famous Dave's, 1320 Village West Pkwy.
Murray Anderson, Sr. d/b/a Visionary Impact Theatre Bistro, 1017 N. 6th St.

Action: Referred to License.

12. APPLICATION FOR MASSAGE THERAPIST LICENSE:

Michael Major/Debra Singer-Hanson d/b/a Blue River Casino Massage, 1225 N. 78th St., Suite G.

Action: Referred to License.



Staff Request for Commission Action

Tracking No. 16364

Full Commission Meeting Date: 1/28/16

Committee: Full Commission

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

Publication Required: No

<u>Date:</u> 01/22/2016	<u>Contact Name:</u> George Brajkovic, Director	<u>Contact Phone:</u> x5749	<u>Contact Email:</u> gbrajkovic@wycokck.org	<u>Department/Division:</u> Economic Development
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Item Description:

On 11/19/15 the Board of Commisisoners adopted R-100-15 which approved a Development Agreement with Legends Apartments Legacy LLC for a multi family project in the Legends area. Subsequently, the Board also passed O-4-16 on 01/07/16, creating a Community Improvement District (CID) to help finance public parking associated with this project. The 240 unit, luxury market-rate project, includes 1 & 2 bedroom units, and a 3 story parking structure.

The project also qualifies for the use of IRBs in financing. Although a 10 year PILOT has been negotiated, it is based on a 0% tax abatement, and PILOT payments should reflect market value.

Action Requested:

Conduct Public Hearing and adopt Resolution of Intent

Budget Impact: (if applicable)

Amount:

Source:

Included In Budget:

Other (explain):

Attachments List:

Resolution of Intent

RESOLUTION DETERMINING THE INTENT OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, TO ISSUE ITS INDUSTRIAL REVENUE BONDS IN THE AMOUNT OF APPROXIMATELY \$50,000,000 TO FINANCE THE COSTS OF ACQUIRING, CONSTRUCTING, IMPROVING AND EQUIPPING COMMERCIAL FACILITIES FOR THE BENEFIT OF LEGENDS APARTMENTS LEGACY, LLC

WHEREAS, the Unified Government of Wyandotte County/Kansas City, Kansas (the “Unified Government”), desires to promote, stimulate and develop the general welfare and economic prosperity of Wyandotte County/Kansas City, Kansas and their inhabitants and thereby to further promote, stimulate and develop the general welfare and economic prosperity of the State of Kansas; and

WHEREAS, the Unified Government is authorized and empowered under the provisions of K.S.A. 12-1740 to 12-1749d, inclusive (the “Act”), to issue revenue bonds to pay the cost of certain facilities (as defined in the Act) for the purposes set forth in the Act and to lease such facilities to private persons, firms or corporations; and

WHEREAS, Legends Apartments Legacy, LLC, a Kansas limited liability company or its subsidiary (the “Company”), has submitted to the Unified Government an Application for the Issuance of Industrial Revenue Bonds (the “Application”) requesting that the Unified Government finance the cost of acquiring, constructing, improving and equipping (collectively, the “Project”) through the issuance of its revenue bonds in one or more series in the amount of approximately \$50,000,000, and to lease the Project to the Company or its successors and assigns in accordance with the Act;

WHEREAS, it is hereby found and determined to be advisable and in the interest and for the welfare of Wyandotte County/Kansas City, Kansas and their inhabitants that the Unified Government finance the costs of the Project by the issuance of revenue bonds under the Act in a principal amount of approximately \$50,000,000, said bonds to be payable solely out of rentals, revenues and receipts derived from the lease of the Project by the Unified Government to the Company;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, AS FOLLOWS:

Section 1. Approval of Project. The Governing Body of the Unified Government hereby finds and determines that the acquiring, constructing, improving and equipping of the Project will promote the general welfare and economic prosperity of Wyandotte County/Kansas City, Kansas, and the issuance of the Unified Government's revenue bonds to pay such costs will be in furtherance of the public purposes set forth in the Act.

Section 2. Intent to Issue Bonds. The Governing Body of the Unified Government hereby determines and declares the intent of the Unified Government to acquire, construct, improve and equip the Project out of the proceeds of revenue bonds of the Unified Government in a principal amount of approximately \$50,000,000 to be issued pursuant to the Act.

Section 3. Provision for the Bonds. Subject to the conditions of this Resolution, the Unified Government will (i) issue its revenue bonds to pay the costs of acquiring, constructing, improving and equipping the Project, with such maturities, interest rates, redemption terms and other provisions as may be determined by ordinance of the Unified Government; (ii) provide for the lease (with an option to purchase) of the Project to the Company; and (iii) to effect the foregoing, adopt such resolutions and ordinances and authorize the execution and delivery of such instruments and the taking of such action as may be necessary or advisable for the authorization and issuance of said bonds by the Unified Government and take or cause to be taken such other action as may be required to implement the aforesaid.

Section 4. Conditions to Issuance. The issuance of said bonds and the execution and delivery of any documents related to the Bonds are subject to (i) obtaining any necessary governmental approvals; (ii) agreement by the Unified Government, the Company and the purchaser of the bonds upon (a) mutually acceptable terms for the bonds and for the sale and delivery thereof and (b) mutually acceptable terms and conditions of any documents related to the issuance of the bonds and the Project; and (iii) the Company's compliance with the Unified Government's policies relating to the issuance of revenue bonds.

Section 5. Sale of the Bonds. The sale of the bonds shall be the responsibility of the Company.

Section 6. Ad Valorem Tax Abatement. In consideration of the Company's decision to acquire, construct, improve and equip the Project, the Unified Government hereby agrees to take all appropriate action to request the Kansas Board of Tax Appeals to approve a 100% ad valorem property tax abatement (not including special assessments) for all real property financed with the proceeds of the Bonds.

The Unified Government and the Company shall enter into a Performance Agreement in substantially the form approved by the Governing Body for the Project. The Project financed with the proceeds of the Bonds shall be entitled to a 10-year tax abatement, with the first year of the abatement being the year beginning on the January 1 following the year the Bonds are issued by the Unified Government. The percentage of abatement is subject to adjustment in accordance with the Performance Agreement.

The Company agrees to submit to the Unified Government by March 1st of each year, an annual certification of the Company of the percentage of its employees employed at the Project on the previous December 31st that are residents of Wyandotte County as shown on the records of the Company.

In consideration of the Unified Government's agreement to request 100% ad valorem property tax abatement, the Company will agree to make an annual fixed payment in lieu of tax (PILOT) to the Unified Government during the term of the abatement for the Project equal to the amounts set forth below:

This is the PILOT schedule if the Company meets the goals of Local/Minority/Women Business Enterprises provisions:

Year	Meets L/M/W
1	\$300,434.01
2	\$300,434.01
3	\$300,434.01
4	\$300,434.01
5	\$300,434.01
6	\$300,434.01
7	\$300,434.01
8	\$300,434.01
9	\$300,434.01
10	\$300,434.01

This is the PILOT schedule if the Company does not meet the goals of Local/Minority/Women Business Enterprises provisions:

Year	Does Not Meet L/M/W (1.5%)
1	\$300,434.01
2	\$304,940.52
3	\$309,514.63
4	\$314,157.35
5	\$318,869.71
6	\$323,652.76
7	\$328,507.55
8	\$333,435.16
9	\$338,436.69
10	\$343,513.24

Section 6. Limited Obligations of the Unified Government. The bonds and the interest thereon shall be special, limited obligations of the Unified Government payable solely out of the amounts derived by the Unified Government under the Lease Agreement and as provided herein and are secured by a transfer, pledge and assignment of and a grant of a security interest in the Trust Estate to the Trustee and in favor of the Owners of the bonds, as provided in the Indenture. The Bonds shall not constitute a general obligation of the Unified Government, the State or of any other political subdivision thereof within the meaning of any State constitutional provision or statutory limitation and shall not constitute a pledge of the full faith and credit of the Unified Government, the State or of any other political subdivision thereof and shall not be payable in any manner by taxation, but shall be payable solely from the funds provided for as provided in the Indenture. The issuance of the bonds shall not, directly, indirectly or contingently, obligate the Unified Government, the State or any other political subdivision thereof to levy any form of taxation therefor or to make any appropriation for their payment.

Section 7. Required Disclosure. Any disclosure document prepared in connection with the offering of the bonds shall contain the following disclaimer:

NONE OF THE INFORMATION IN THIS OFFICIAL STATEMENT, OTHER THAN WITH RESPECT TO INFORMATION CONCERNING THE UNIFIED GOVERNMENT CONTAINED UNDER THE CAPTIONS "THE UNIFIED GOVERNMENT" AND "LITIGATION -- THE UNIFIED GOVERNMENT" HEREIN, HAS BEEN SUPPLIED OR VERIFIED BY THE UNIFIED GOVERNMENT, AND THE UNIFIED GOVERNMENT MAKES NO REPRESENTATION OR WARRANTY, EXPRESS OR IMPLIED, AS TO THE ACCURACY OR COMPLETENESS OF SUCH INFORMATION.

Section 8. Further Action. Counsel to the Unified Government and Gilmore & Bell, P.C., Bond Counsel for the Unified Government, together with the officers and employees of the Unified Government, are hereby authorized to work with the purchaser of the bonds, the Company, their respective counsel and others, to prepare for submission to and final action by the Unified Government all documents necessary to effect the authorization, issuance and sale of the bonds and other actions contemplated hereunder.

Section 9. Termination of Resolution. This Resolution shall terminate if the Bonds are not issued by December 31, 2017.

Section 10. Effective Date. This Resolution shall take effect and be in full force immediately after its adoption by the Governing Body of the Unified Government.

ADOPTED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS ON JANUARY 28, 2015.

By: _____
Mayor/CEO of the Unified
Government of Wyandotte County/
Kansas City, Kansas

(Seal)
Attest:

By: _____
Unified Government Clerk



Staff Request for Commission Action

Tracking No. 15321

Full Commission Meeting Date: 1/28/16

Committee: Economic Development & Finance

Date of Standing Committee Action: 1/4/16

(If none, please explain):

Publication Required: Yes 02/04/2016

<u>Date:</u> 01/22/2016	<u>Contact Name:</u> Patrick Waters, Senior Attorney	<u>Contact Phone:</u> x5079	<u>Contact Email:</u> patrickwaters@wycokck.org	<u>Department/Division:</u> Legal
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Item Description:

Conduct a public hearing to consider the authorization of 150 new banners and 20 new high quality trash receptacles for the SSMID.

Action Requested:

Conduct a public hearing and consider an ordinance

Budget Impact: (if applicable)

Amount:

Source:

Included In Budget:

Other (explain):

Attachments List:

Ordinance Authorizing Purchase of Banners and Trash Receptacles, Notice of Public Hearing, Attachment #1 - banners proposal, Attachment #2 - trash receptacle proposal

[Published in The Wyandotte Echo _____]

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE PURCHASE OF NEW BANNERS AND TRASH RECEPTACLES FOR THE DOWNTOWN KANSAS CITY, KANSAS SELF-SUPPORTED MUNICIPAL IMPROVEMENT DISTRICT.

WHEREAS, on October 2, 2008 the Unified Government of Wyandotte County/Kansas City, Kansas (“Unified Government”) passed Ordinance O-72-08, which authorized the establishment of the Downtown Self-Supported Municipal Improvement District (“SSMID”); and

WHEREAS, the Unified Government also created the SSMID Advisory Board, whose duties include making recommendations to the governing body on assessments, budgets, and policies for the SSMID, the programs, improvements and services to be provided by or for the SSMID, and any amendment, modification, or addition to the Business Plan for the District; and

WHEREAS, on November 16, 2015 the SSMID Advisory Board recommended that the Unified Government initiate proceedings to allow the SSMID to purchase and install 150 (One hundred and fifty) banners promoting downtown Kansas City, Kansas, at a cost not to exceed \$10,000.00 (Ten thousand dollars and zero cents); and

WHEREAS, on November 16, 2015 the SSMID Advisory Board recommended that the Unified Government initiate proceedings to allow the SSMID to purchase and install 20 (Twenty) high quality trash receptacles at a cost not to exceed \$30,000.00 (Thirty thousand dollars and zero cents); and

WHEREAS, pursuant to K.S.A. 12-17-101a, before any contract is let or any work is ordered or authorized for an improvement, or before any services are provided in the SSMID, the governing body of the district shall hold a public hearing on the advisability of the improvement or service; and

WHEREAS, pursuant to K.S.A. 12-17-101a, notice of the public hearing was published in the official city paper once each week for two consecutive weeks, on January 14, 2016 and January 21, 2016; the last date being at least three days prior to the date fixed for the January 28, 2016 public hearing; and

WHEREAS, the estimated or probable cost of the proposed improvements is \$40,000.00 (Forty thousand dollars and zero cents) over the next three years; and

WHEREAS, the revenue for the proposed improvements and services will come from existing funds collected from the annual SSMID assessment levied upon property owners in the SSMID; and

WHEREAS, the governing body of the Unified Government, having considered and reviewed the proposed improvements and services, finds that the purchase and installation of the proposed banners and trash receptacles for the SSMID is advisable and in the best interest of the SSMID;

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT:

SECTION 1. Banners. The Board of Commissioners of the Unified Government of Wyandotte County/Kansas City, Kansas, having considered and reviewed the proposed SSMID improvements and services, hereby approves and authorizes the purchase and installation of 150 (One hundred and fifty) banners promoting downtown Kansas City, Kansas, to be placed within the SSMID, at a cost not to exceed \$10,000 (Ten thousand dollars and zero cents).

SECTION 2. Trash Receptacles. The Board of Commissioners of the Unified Government of Wyandotte County/Kansas City, Kansas, having considered and reviewed the proposed SSMID improvements and services, hereby approves and authorizes the purchase and installation of 20 (Twenty) high quality trash receptacles, to be placed within the SSMID, at a cost not to exceed \$30,000 (Thirty thousand dollars and zero cents).

SECTION 3. Contracting Entity. The Downtown Shareholders of Kansas City, Kansas is hereby authorized to be the contracting entity for the proposed improvements and services.

SECTION 3. The Mayor/CEO, County Administrator and other officials and employees of the Unified Government 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 4. This ordinance shall be in full force and take effect from and after its passage, approval and publication in The Wyandotte Echo.

PASSED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/CITY OF KANSAS CITY, KANSAS, THIS 28th DAY OF JANUARY, 2016.

Mark Holland, Mayor/CEO

Attest:

Unified Government Clerk

Approved as to Form: _____

***NOTICE OF PUBLIC HEARING
PURCHASE OF NEW BANNERS AND TRASH RECEPTACLES FOR
THE DOWNTOWN KANSAS CITY, KANSAS SELF-SUPPORTED MUNICIPAL
IMPROVEMENT DISTRICT.***

A public hearing is scheduled for Thursday, January 28, 2016 at 7:00 p.m. during a regularly scheduled Unified Government of Wyandotte County/Kansas City, Kansas Commission Meeting. This meeting will be held in the Commission Chambers immediately to the south of the main floor lobby of the east Unified Office Building, 701 North 7th Street, Kansas City, Kansas.

The purpose of the hearing is to discuss:

Consideration of the purchase of 150 new banners promoting downtown Kansas City, Kansas and 20 high quality trash receptacles for the Downtown Kansas City, Kansas Self-Supported Municipal Improvement District (“SSMID”) as authorized by KSA 12-17,101a.

The estimated or probable cost of the proposed improvements and services is \$40,000.00 (Forty thousand dollars and zero cents) during the next three years. The revenue for the proposed improvements and services will come from existing funds collected from the annual SSMID assessment levied upon property owners in the SSMID.

All persons or anyone wishing to be heard either for or against this matter are invited to attend.

This Notice shall be published at least once each week for two consecutive weeks in the official city newspaper, with at least three days between the last publication and the hearing.

UNIFIED GOVERNMENT CLERK

----- Forwarded message -----

From: William Krueger <WKrueger@brittenstudios.com>
Date: Fri, Sep 18, 2015 at 9:39 AM
Subject: Re: Kansas City Kansas banners
To: Lynn Kuluva <lkuluva@gmail.com>
Cc: Chuck Schlitter <director@downtownkck.org>

Lynn, we can match the price we did on these last time. We will be at \$5624.00 plus shipping. Would you like us to move forward on this?

William Krueger
New Business Development | Britten Studios
O. [231.995.8634](tel:231.995.8634) **M.** [231.492.6901](tel:231.492.6901) **O.** [800.426.9496](tel:800.426.9496)

From: Lynn Kuluva <lkuluva@gmail.com>
Date: Thursday, September 17, 2015 at 1:24 PM
To: Microsoft Office User <wkruieger@brittenstudios.com>
Cc: Chuck Schlitter <director@downtownkck.org>
Subject: Re: Kansas City Kansas banners

William,

I located our chart and there are more banners than I was aware of. Please provide us a quote of 150 again. I don't think we will need more mounting brackets but give me a price on them anyway. I believe that if we provide you with a general layout you can do the final design work so include that in your quote.

Lynn

On Fri, Sep 11, 2015 at 2:40 PM, William Krueger <WKrueger@brittenstudios.com> wrote:
There were 150 ordered of these at the time. Size was 24 x 72.

William Krueger
New Business Development | Britten Studios
O. [231.995.8634](tel:231.995.8634) **M.** [231.492.6901](tel:231.492.6901) **O.** [800.426.9496](tel:800.426.9496)

From: Lynn <lkuluva@gmail.com>
Date: Friday, September 11, 2015 at 3:17 PM
To: Microsoft Office User <wkruieger@brittenstudios.com>
Subject: Kansas City Kansas banners

**MM COMPANIES, LLC**

720 Minnesota Avenue Kansas City Kansas 66101
T. 913 871 6867 Orders@MMCompaniesLLC.com

MINNESOTA AVE TRASH RECEPTACLES BID

*Color Options Available For All Models Shown Below.

**Option 1**

- 32 gallon capacity
- Steel with polyester powder coating
- Surface mount
- Plastic Liner

\$ 1,100.00 Includes Receptacle and Installation

**Option 2**

- 32 gallon capacity
- Steel with polyester powder coating
- Surface mount
- Plastic Liner

\$1,250.00 Includes Receptacle and Installation

**Receptacles being Installed on Minnesota**

- 36 gallon capacity
- Steel
- Surface mount
- Plastic Liner

\$ 1,500.00 Includes Receptacle and Installation

**Option 3**

- 36 gallon capacity
- Cast Aluminum
- Surface mount
- Plastic Liner

\$1,600.00 Includes Receptacle and Installation



Staff Request for Commission Action

Tracking No. 16345

Full Commission Meeting Date: 1/28/16

Committee: Unused

Date of Standing Committee Action: NA
(If none, please explain):

Publication Required: No

<u>Date:</u> 01/19/2016	<u>Contact Name:</u> Ken Moore, Chief Counsel	<u>Contact Phone:</u> x5070	<u>Contact Email:</u> kjmoore@wycokck.org	<u>Department/Division:</u> Legal
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Item Description:

Resolution authorizing the County Administrator to execute the Memorandum of Understanding between the UG and the Plumbers Local Union No. 8, dated January 1, 2013, through December 31, 2014.

Action Requested:

Adopting the Resolution authorizing the County Administrator to execute the Memorandum of Understanding between the UG and the Plumbers Local Union No. 8 dated January 1, 2013 to December 31, 2014.

Budget Impact: (if applicable)

Amount:

Source:

Included In Budget:

Other (explain):

Attachments List:

Resolution, MOU between UG and Plumbers 2013-14

RESOLUTION NO. _____

**BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED
GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS:**

That the County Administrator of the Unified Government of Wyandotte
County/Kansas City, Kansas, is hereby authorized and directed to execute in the name of
the Unified Government of Wyandotte County/Kansas City, Kansas, and the Unified
Government Clerk is hereby authorized and directed to attest the signature of said
County Administrator and to attach the seal of the Unified Government thereto as the
voluntary act of the Unified Government to a Memorandum of Understanding between
the Unified Government of Wyandotte County/Kansas City, Kansas, and the Plumbers
Local Union No. 8, effective date from January 1, 2013, to December 31, 2014.

**ADOPTED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED
GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS
THIS _____ DAY OF _____, 2016.**

Mark Holland, Mayor/CEO

ATTEST:

Unified Government Clerk

MEMORANDUM OF UNDERSTANDING

BETWEEN

THE UNIFIED GOVERNMENT OF

WYANDOTTE COUNTY,

KANSAS CITY, KANSAS

AND

PLUMBERS LOCAL UNION NO. 8

JANUARY 1, 2013 – December 31, 2014

MEMORANDUM OF UNDERSTANDING

ARTICLE I – INTENT AND PURPOSE.

This **MEMORANDUM OF UNDERSTANDING**, dated ____ day of _____, 2015 by and between the Unified Government, Wyandotte County, Kansas City, Kansas, and the Plumbers and Gas Fitters Local No. 8, Kansas City and Vicinity, is entered into for the purpose of establishing rates of wages and specified working conditions. The Local Union Working Agreement or “Agreement” (Joint Agreement between Mechanical Contractors Association and Plumbers Local Union No. 8, marked exhibit A and attached hereto) shall be recognized except as amended, deleted, modified or supplemented by the provisions of this Memorandum.

ARTICLE II – RECOGNITION.

The Unified Government of Wyandotte County, Kansas City, Kansas, (hereunto the U.G.) recognizes and acknowledges the above stated Plumbers and Gas Fitters Local No. 8, Kansas City and Vicinity, (hereunto the “Union”) as the exclusive bargaining representative pursuant to the Public Employee Relations Act for all Plumbers employed by the Building and Logistics Department of said U.G.

ARTICLE III – EMPLOYER’S RESPONSIBILITY.

Section 1. Except as specifically set out herein, nothing in this Memorandum shall be construed as divesting the U.G. of any of its management rights vested by the Kansas Public Employee Relations Act or as delegating to others the authority conferred by law on the U. G. or in any way abridging or reducing such authority.

Section 2. The right to hire, promote, layoff, assign, transfer, discharge or discipline for cause and to maintain discipline and efficiency of employees is the sole responsibility of the U.G., except the Union member shall not be discriminated against due to their Union membership. Persons subject to this agreement shall be considered as employees of the U.G. and subject to all policies, orders, and directives, written or oral, of the Unified Government, Wyandotte County, Kansas City, Kansas, the Commissioners, the County Administrator and such other persons designated as supervisors of said employees except as modified or provided elsewhere herein. In the case of promotion, the U.G. agrees to recognize qualifications (including training, education, experience, ability and past performance) of the affected employee and then recognize standard seniority rules and practices. In the case of layoff the U.G. shall use seniority as the determining factor in selecting the employees to be laid off.

Section 3. The U.G. may adopt additional reasonable rules and regulations and amend the Human Resources Guide and other policies, orders and directives from time to time, and the U.G. and the Union will agree that any such changes, additions or amendments not in conflict with this Memorandum of Understanding shall be in full

force and effect. Disputes concerning the application or interpretation of any changes, additions or amendments as provided in this section may be submitted by the Union to arbitration as provided hereunder. To the extent practical, the U.G. will give prior notification of such rules and regulations to the Union.

Section 4. This memorandum shall be construed as requiring the employees to follow the provisions herein in the exercise of the authority conferred upon the U.G. by law.

ARTICLE IV – FILLING OF VACANT POSITIONS.

When a permanent job vacancy exists in a bargaining unit position, the U.G. may determine within forty-five (45) days from the declaration of the vacancy by the U.G., whether such position shall be filled. If it is determined that the position is to be filled, it shall be posted within sixty (60) working days from the determination to fill it or within a reasonable time thereafter. However, even if the U.G. initially determines not to fill a position, the U.G. expressly reserves the right, at any time, to determine that such a position should be permanently filled and then post the same for bid.

If the U.G. determines that a position is to be filled, the following procedure shall govern:

- (a) Such job vacancies shall be posted for ten (10) working days along with the information related to the qualifications required for the position is assigned. The affected bargaining unit local will be sent a copy of the job vacancy posting.
- (b) Applicants desiring to apply for a job vacancy may do so by being qualified and/or certified. In order for an applicant to be considered, a U.G. employment application and related application materials must be submitted to Human Resources within the specified guidelines.
- (c) Such vacancies shall be awarded to the best qualified applicant considering the applicants training, education, experience, ability and past performance as long as such selection does not contravene any affirmative legal responsibility place upon the U.G. and the applicants successful completion of a drug screen and physical examination.

ARTICLE V – WAGES.

Section 1. The basic rate of pay for the Plumbers as enumerated in the Agreement shall be \$31.48 per hour.

Section 2. Employer shall be responsible to pay the full cost of fringe benefits and supplementary dues in accordance with the current Master Agreement entered into by the Local Union and Mechanical Contractors Association of Greater Kansas City. The parties agree that in the event the two current bargaining unit members of the union are no longer employed by the Employer as bargaining unit members, the contract will be reopened. In the event that a current bargaining unit member is no longer employed as a bargaining unit member for disciplinary reasons, the contract will not be reopened until any grievance is resolved. If the grievance results in the current bargaining unit member being reinstated, then the contract remains in effect. If not, then the contract will be reopened.

Section 3. As fringe benefits change under the Agreement, the craft shall obtain from the Plumbers Union Local #8 a written statement of the changes and the effective date thereof, and upon written notice sent by registered mail, to the County Administrator and the Human Resources Department, the U.G. will adjust the fringe benefits to conform to the changes in the Agreement provided the notice of the change is received within forty-five (45) days of the effective date of the pay and fringe benefit change.

Section 4. Bargaining unit members shall be permitted to contribute up to \$10.00 per hour to the defined contribution plan of the Union.

Section 5. No person subject to this Memorandum shall be eligible to purchase, receive or participate in any health insurance contract, program or benefit provided to other U.G. employees, including all preferred provider organizations, health maintenance organizations or indemnity policies and coverage unless said person bears the cost of said insurance or coverage without any U.G. contribution. All such persons shall be eligible to participate, receive or purchase any dental insurance provided by the U.G.

ARTICLE VI – WORKING CONDITIONS.

All working conditions including vacations, paid holidays, sick leave, jury duty, maternity leave, injury leave, discharge, discipline and all other matters constituting working conditions shall be subject to and regulated by the policies of the U.G. as expressed in the Human Resources Guide, and amendments thereof except as may be inconsistent with the terms of this Memorandum of Understanding.

ARTICLE VII – STRIKES AND LOCKOUTS.

Section 1. There shall be no stoppage of work either by strike or lock out because of any dispute over matters relating to this Memorandum.

Section 2. There shall be no work stoppage in the event of any construction industry strike or problems or lockouts.

ARTICLE VIII – UNION SECURITY.

Notwithstanding any provisions of the attached Agreement and specifically Article IV of said Agreement, to the contrary, the Union recognizes and acknowledges that the Kansas Constitution at Article 15, Section 12 and K.S.A. 75-4324 provide and guarantee an employee the right to work regardless of union membership or affiliation and the parties hereto are bound thereby. Under the provisions of said law, the Union recognizes that the U.G. cannot require as a condition of employment that all employees of the U.G. covered by the attached Agreement will be members of the Union in good standing while so employed by the U.G.

Article IX – FRINGE BENEFIT PROGRAM.

If it is held by a Court of competent jurisdiction that the U.G. is prohibited from entering into or becoming a party to the provided trust agreements or funds set out in the Agreement at Article V, then the U.G.'s obligation to continue its commitment hereunder shall cease.

Article X – HOURS OF WORK, OVERTIME, AND SHIFTWORK.

Sections 1-10 of Article IX of the Agreement are deleted and the subjects expressed therein shall be governed by the provisions of the U.G.'s Human Resources Guide.

Eight hours constitute a day's work. Any time worked in excess of eight (8) hours per day or any work performed on a Saturday or Sunday shall be paid at the rate of one and one-half (1 1/2) times the actual hourly rate.

An employee called in to perform services related to the job shall be paid in accordance with the Agreement. In no event shall an employee receive less than two (2) hours compensation at the overtime rate of pay for every call-in on days off, furlough days, holidays or other scheduled leave time. Management retains the right to schedule the employees in accordance with the best interest of the Unified Government.

No foreman shall be required on any project unless three (3) or more fulltime plumbers are employed by the Unified Government. If three (3) fulltime plumbers are so employed, the Unified Government shall designate one (1) person as a fulltime foreman.

Article XI – PAYDAY AND PAYROLL CHECKS.

The U.G. has adopted a bi-weekly payroll system. Represented employees are paid each two weeks, as opposed to weekly. This practice shall in no way modify the amount of compensation to be received by the represented employees as provided herein.

Article XII – GRIEVANCE AND ARBITRATION PROCEDURE.

In the event of any dispute or grievance arising under the terms and provisions of the Memorandum or of any difference between the parties as to the interpretation or application of this Memorandum, it shall be processed through the grievance procedure. The parties shall make sincere and determined efforts to settle meritorious grievances at the voluntary steps of the grievance procedure and to keep the procedure free from any unmeritorious grievances. A union representative may be present during any step of the grievance procedure.

Step 1: Within ten (10) days of the occurrence or events giving rise to the grievance or dispute, or within ten (10) days of when the affected employee or employees became aware of such occurrences or event, whichever is longer, the matter must be taken up between the involved employee or employees and their supervisor. First, the employee shall verbally explain to his supervisor the nature of the grievance. The supervisor must communicate his decision to the grievant verbally within five (5) days of the Step 1 meeting.

Step 2: If the grievance is not satisfactorily adjusted under step 1, a written grievance shall be submitted to employee's supervisor within five (5) days after the supervisor has provided his verbal decision pursuant to Step 1. Within five (5) days thereafter, the supervisor must submit a written answer to the grievance.

Step 3: If the supervisor's written answer does not resolve the matter, a written appeal shall be made to the division head within five (5) days after the U.G. receives the supervisor's written report pursuant to step 2. The division head shall attempt to resolve the matter, and shall give a written answer within five (5) days after receiving the written appeal.

Step 4: If the division head's written answer does not resolve the grievance, a written appeal shall be taken to the department head within five (5) days after the receipt of the division head's written response. The department head shall attempt to resolve the matter in a meeting of the concerned parties, and shall give a written answer within five (5) days after the receipt of the written appeal of the division head's decision.

Step 5: If the matter has not been resolved in Steps 1-4, it may be submitted to the County Administrator within five (5) working days after receipt of the department head's written decision. The County Administrator shall render a decision in writing within ten (10) days thereafter.

Step 6: If the County Administrator's decision is not satisfactorily to the Union, or if the parties are otherwise unable to satisfactorily resolve the dispute, arbitration may be requested by the U.G. or the Union, in the following manner:

- (a) Notice in writing of intent to arbitrate shall be delivered by the party seeking arbitration to the opposing party within fifteen (15) calendar days following the decision of Step 5.
- (b) Within fifteen (15) calendar days after the notice is delivered, the parties will mutually agree upon an arbitrator or jointly obtain a list of seven (7) arbitrators from the Federal Mediation and Conciliation Service (FMCS), and the parties will alternately and independently strike unacceptable arbitrators from such a list with the last remaining arbitrator being selected. If the party upon whom a properly executed FMCS panel request is served fails to execute and send such request within fifteen (15) calendar days of service thereof, then the grievance shall be found in favor of the non-defaulting party.
- (c) The arbitrator shall have the authority to determine the procedural rules of arbitration, and shall have the ability to make such binding orders as necessary to enable him to act effectively. He shall observe the rules of evidence, and his decision shall be final and binding on all parties.
- (d) Once an arbitrator has been selected by the parties, the parties shall act with all deliberate speed to schedule a hearing for the arbitration.
- (e) The arbitrator shall have no power to add to, subtract from or modify any of the terms of this Memorandum.
- (f) The cost of the arbitrator shall be shared equally by the U.G. and the Union.

Article XIII – SUBCONTRACTING.

Article XVI of the Agreement related to subcontracting is hereby deleted.

Article XIV – DURATION.

Article XV of the Agreement is deleted. This Memorandum shall be in full force and effect from January 1, 2013, (effective date), to and including December 31, 2014, (expiration date), and shall continue from year to year thereafter unless written notice of desire to cancel or terminate the Memorandum is served by either party upon the other not less than thirty (30) and not more than ninety (90) days prior to the expiration date. The attached agreement shall be deemed a part of this Agreement.

When no such cancellation or termination notice is served and the parties desire to continue said Memorandum, but also desire to negotiate changes or revisions in this Memorandum, either party may serve the other a written notice not less than thirty (30) and not more than ninety (90) days prior to the expiration date advising that such party desires to revise or change terms or conditions of such Memorandum.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals this _____ day of _____, 2015.

EMPLOYER

UNION

THE UNIFIED GOVERNMENT OF
WYANDOTTE COUNTY, KANSAS
CITY, KANSAS

PLUMBER'S LOCAL UNION NO. 8

By: _____
Doug Bach
County Administrator

By:  _____
Matthew Harris
Business Representative

Director of Human Resources

Approved as to form:

Kenneth J. Moore, Chief Counsel

ATTEST:

Unified Government Clerk

WYANDOTTE COUNTY LAND BANK - APPLICATIONS

APPLICANT	APPLICANT ADDRESS	LAND BANK ADDRESS	PROPOSED USE	NOTES	STANDING COMMITTEE RECOMMENDATION
Tyler Curry	Roeland Park	1625 S Early Dr	Future Development	Build in 5 years, would build a single family home	APPROVED
Mission House Network, Inc.	Lenexa	907 Ann Ave	Single Family Construction	Building a Single Family house, plan is to complet build in 2017	APPROVED

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Slaughter, Chris

From: Wufoo <no-reply@wufoo.com>
Sent: Saturday, November 07, 2015 11:11 AM
To: Land Bank; info@opportunityspace.org
Subject: Unified Government Land Bank Application [#8]

Name of applicant * Tyler Curry

Address * 
5400 W 58th Street
Roeland Park, KS 66205
United States

Email currytyler@yahoo.com

Home phone * (316) 371-2249

Offer price * 700

Do you (or your spouse) have any Code Enforcement violations? * No

Are you (or your spouse) delinquent on any licenses or taxes in Wyandotte County? * No

Address of property 
1625 S EARLY DR
KansasCity, KS 66103
United States

Property type? * Vacant land

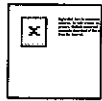
Proposed use of property * Other

How is the property currently zoned? * Residential: R - 1 (B)

Does the project comply with current zoning? * Yes

Type of ownership? * Individual

Please attach a letter of credit or pre-approval letter from your bank *



1625_s_early_dr_method_of_purchasing.pdf 43.89 KB · PDF

Please attach drawings for your proposed project *



1625_s_early_dr_purpose_of_acquisition.pdf 44.06 KB · PDF

Proposed use of property

Property would be maintained and cared for until later date of design and construction

Will you seek Tax Increment Financing or other public tax exemptions? No

Will you seek Neighborhood Revitalization Tax Rebates? No

Comments

Would like to purchase property to maintain and care for until a future date. The property is has heavy vegetation and at some point in the future clearing and grubbing, survey, design and construction would like to be performed. There is no scheduled date for construction at this time and until then the property will be maintained and cared for on a regular basis.

As the applicant I attest that the information in this proposal is accurate. I attest that I have read the Unified Government's Land Bank policy and agree to the terms and conditions of it. I understand that the Unified Government reserves the rights to reject any proposal without cause. *

Name *

Tyler Curry

Date *

Saturday, November 7, 2015



Unified Government Land Bank Application

Section 1: Personal Information.

1. Applicant's Name: Matt Adams
Spouse (if applicable): _____
2. Name of Corporation (if applicable) Mission House Network, Inc.
3. Street Address: 708 North 9th Street
4. City, State, Zip: Kansas City, KS 66101
5. Home Phone #: _____ Work Phone #: (913) 484-5400
6. E Mail Address: MissionHouseNetwork@gmail.com
7. List Properties you own in Wyandotte County: 708 North 9th Street, Kansas City, KS
8. Do you (or your spouse) have any Code Enforcement violations? Yes__ No X
9. Are you (or your spouse) delinquent on any licenses or taxes in Wyandotte County? Yes__ No X

Section 2: Proposed Land Bank Purchase.

1. Address(s) of Property 907 Ann Avenue, Kansas City, KS
 - ☐ Vacant Land
 - ☐ Structure
2. Proposed Use of Property:
 - ☐ Yard Extension. Go to section 4.
 - ☐ Parking. (Must comply with UG regulations) Go to section 4.
 - ☐ Garage. Requires building permit. Go to section 4.
 - ☐ Home Addition. Requires building permit. Go to section 3.
 - ☒ New Home Construction. Requires building permit. Go to section 3.
 - ☐ Commercial Construction. Requires building permit. Go to section 3.
 - ☐ Rehabilitation of existing structure. . Requires building permit. Go to section 3.
 - ☐ Other: _____

Section 3: Construction Project Information.

1. Does the project comply with current zoning? Yes ☒ No ☐
(Call Planning & Zoning at 913-573-5750)
2. Type of Ownership: Individual ☐ Corporation ☐ Nonprofit: ☒
Other: the nonprofit will be the owner initially, we hope to sell the home to a family upon completion.
3. **Must attach a letter of credit or pre-approval letter from your bank.**
4. **Must attach drawings for your proposed project.**
5. Proposed use of property:
 - ☒ Home Ownership.
 - ☐ Rental Home.
 - ☐ Business/Commercial Use.
 - ☐ Apartments.
 - ☐ Other, Specify: _____
6. Will you seek Tax Increment Financing or other public tax exemptions? No.
7. Will you seek Neighborhood Revitalization Tax Rebates? No.
8. Starting Project Date: 04/01/2016 Completion Date: 04/01/2017

Comments: The attached drawings illustrate the type of house we will build on the property.
RS Bickford & Company Architects has agreed to provide drawings which will be submitted to
Planning/Zoning for approval prior to construction. We will build a single family home with 3-4
bedrooms, 2.5 baths, and with architectural features to compliment the neighborhood.

Section 4: Additional Comments & Terms of Proposal.

Mission House will reimburse the city for the cost of demolition and pay the sewer/water
disconnect fee. After Mission House claims the property, plans will be submitted to Planning/Zoning
within 6 months, construction will begin within 9 months and the project will be
completed within 12 months.

Incomplete applications will not be considered and will be returned to the sender.
As the applicant I attest that the information in this proposal is accurate. I attest that I have read the Unified Government's Land Bank policy and agree to the terms and conditions of it. I understand that the Unified Government reserves the rights to reject any proposal without cause.

Matt Adams
Applicant's Signature

Matt Adams
Print Your Name

December 17, 2015
Date

Return Completed Application to: Attn: Land Bank Manager, Chris Slaughter
701 N. 7th St, Suite 421, KC, KS 66101
Fax 913-573-5745 Phone 913-573-8977



"breaking the cycle of poverty
through community development"

PO Box 34495 Kansas City, MO 64116
info@avenueoflife.org www.avenueoflife.org

December 17, 2015

To Whom It May Concern:

Avenue of Life located in Kansas City, Kansas, is committed to equip and mobilize the community. Our goal is to facilitate the journey from hand-outs (emergency relief) in crisis, to hand-ups (individual betterment) for those ready to rise above their circumstances, to hand-offs (community development) to indigenous leaders of a transformed community.

Avenue of Life firmly believes in the power of collaboration and leveraging the resources and strengths of local collaborative agencies to create the most effective change in a community. Our volunteer base comes from our high-capacity network of partnered churches, families, and corporations in both Kansas and Missouri.

We have successfully renovated multiple commercial and residential properties, mobilizing professionals and volunteers from various trades to renovate and restore blighted properties for the sake of community development in our community.

Avenue of Life strongly supports Mission House Network in their neighborhood revitalization efforts in the urban core of Kansas City, Kansas. Avenue of Life is committed to leveraging our expertise and resources to assist Mission House in the renovation of any acquired properties.

Sincerely,

Desiree' Monize

Executive Director/CEO

Avenue of Life

816.519.8419



Commerce Bank

Bonner Springs Banking Center
13010 South Commercial Drive
Bonner Springs Kansas 66012
(913) 441-7400

December 17, 2015

To Whom It May Concern,

The Mission House Network has been with Commerce Bank since April 12th, 2013. The account they have with the bank has always been in good standing and we have not had any issues.

If you have any questions or concerns, please call us at 816-234-2000.

Thank you,

Spencer Robbins
Asst. Branch Manager II
Bonner Springs Banking Center



"developing Christian leaders to serve the needs of the urban core"

December 17, 2015

The Mission House Story

The house that is now Mission House was built in 1910 near the downtown of Kansas City, Kansas. The 4,000 square foot home was originally owned by a local chiropractor and later became a group home for boys in foster care.

In 2012 Mission House Network purchased the home and renovated it to serve as a residence and a base for training young adults in urban ministry. In the three years since then, Mission House has been home to more than 60 college-aged young adults. Each of these young adults have lived in the house as a resident missionary to learn about Christian leadership and serve the neighborhood. Our residents have been White, Black, Hispanic, Bhutanese refugees, African students, Brazilian, Trinidadian, and Asian-American.

As we worked to serve the neighborhood, one of the key problems we quickly identified is the issue of abandoned housing. The zip code in which Mission House is situated is one of the two zip codes in the metropolitan Kansas City area with the most abandoned housing. This is economically devastating and dramatically effects the safety and livability of the neighborhood.

Mission House seeks to transform abandoned spaces into useful and inspiring places for neighbors. Our hope is to partner with other like-minded nonprofits to purchase and renovate, or rebuild, abandoned homes. Our goal is to enable new families to secure home ownership, thus providing the foundation for a stable and flourishing neighborhood.

Mission House Network is a recognized nonprofit (501c3).



Letter of Credit

December 17, 2015

To Whom It May Concern:

Upon approval of this proposal, Mission House Network, Avenue of Life, and Westside Family Church will raise funds to build a new single family home on the property. Our relationship with each of these potential donors gives us the confidence to project the following:

Project Project Costs

Demolition	\$6,812	
Sewer Disconnect	\$2,000	
Donation to KCK PD	\$1,000	
		<u>\$9,812</u>
Materials	\$50,000	
Labor	\$20,000	
		<u>\$70,000</u>
	ESTIMATED TOTAL	\$79,812

Funding Proposal

Available Funds from Mission House	\$15,000	
Bangs Family Foundation	\$7,500	
Hodgdon Family Foundation	\$25,000	
Harry J Lloyd Charitable Trust	\$25,000	
Westside Family Church	\$5,000	
Individual Donations	\$2,312	
	ESTIMATED FUNDING TOTAL	\$79,812



Project Drawings

December 17, 2015

To Whom It May Concern:

We will build a single family home with 3-4 bedrooms, 2.5 baths, front porch, and approximately 1800 square feet of living space. We have secured the services of Bickford & Company Residential Architecture (<http://www.bick.com>) to prepare plans for this project which will be submitted to the Planning/Zoning within 6 months of the date of the property being awarded to Mission House Network. While we do not have final plans to submit with this application the attached is an illustration of the kind of house we would like to build.

The attached plan features a front porch which we believe enhances the sense of healthy neighborhood and community we hope to develop.

The first floor is an open floor plan with living room and kitchen, ½ bath, as well as a master bedroom suite, mud porch and laundry room.

The second floor will have 2 bedrooms, 1 bath, and a loft.

We intend to rebuild the stairs that lead up from the street to the property, and add landscaping that will provide space for a vegetable garden, as well as gathering space for neighborhood events.



HOUSEPLANS

Questions about this plan? Visit Houseplans today or call 1-800-913-2350

You can view this plan at houseplans.com/p/48-646

Plan #48-646



1777 sq ft 3 beds 2.5 baths 30' wide 51' deep

Pricing

Plan Set	
5 Copy Set	\$750.00
CAD Set	\$1670.00
PDF Set	\$980.00
Foundation	
Basement	+\$225.00
Crawlspace	+\$0.00
Right-Reading Reverse	
Each	+\$100.00
Additional Construction Sets	
Each Additional Set	+\$40.00

House Features

Main Floor Master Bedroom
Walk In Closet
Den Office Study Computer
Great Room Living Room
Loft Balcony
Den Office Study Computer
Great Room Living Room

Upstairs Bedrooms
Kitchen Island
Main Floor Laundry
Covered Front Porch
Suited For Narrow Lot
Main Floor Laundry

Specifications

Main Floor Sq Ft	1150 sq ft
Total Sq Ft	1777 sq ft
Upper Floor Sq Ft	627 sq ft

Height	26' 1"
Width	30'
Depth	51'

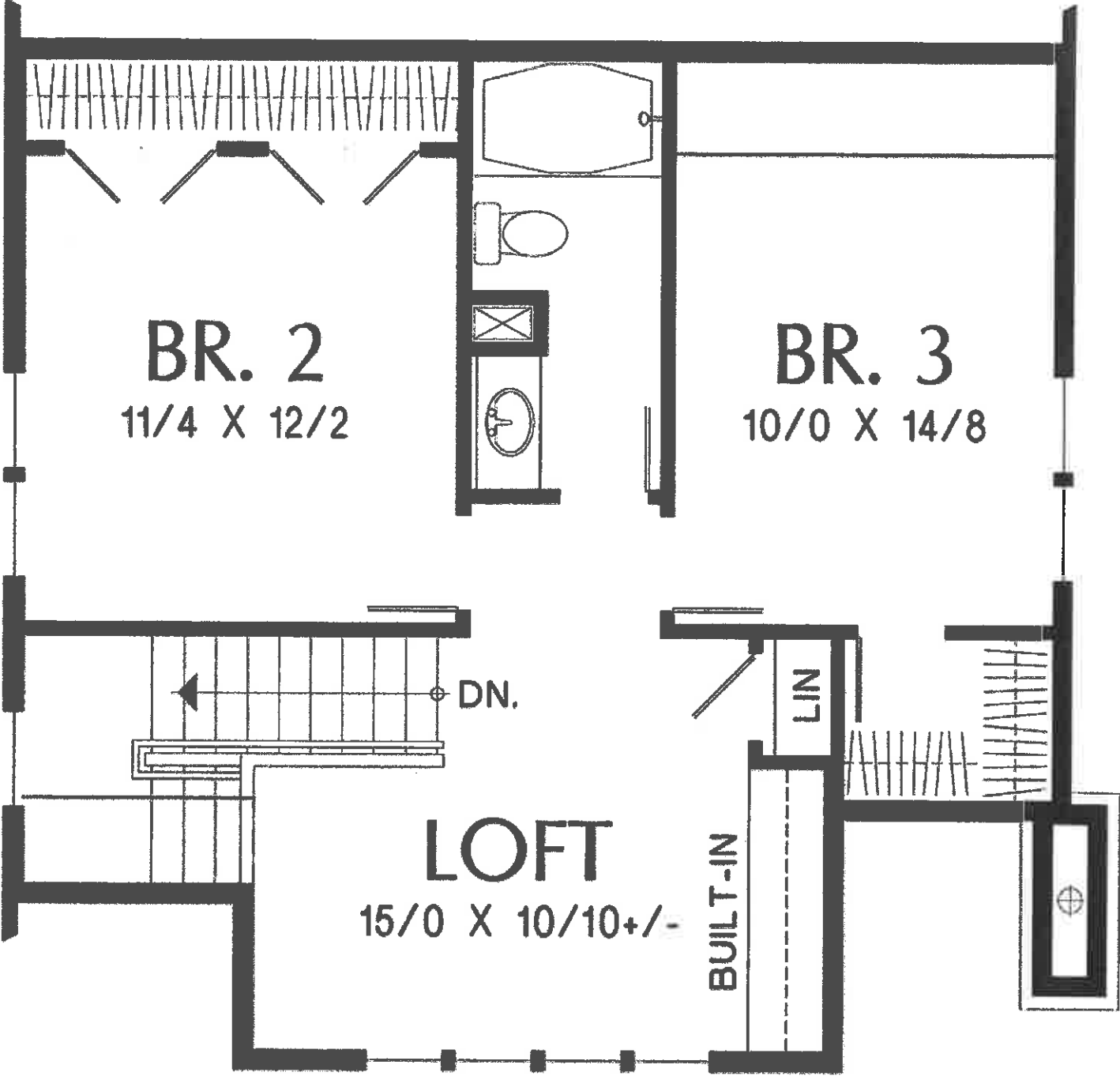
Roof Framing	Stick
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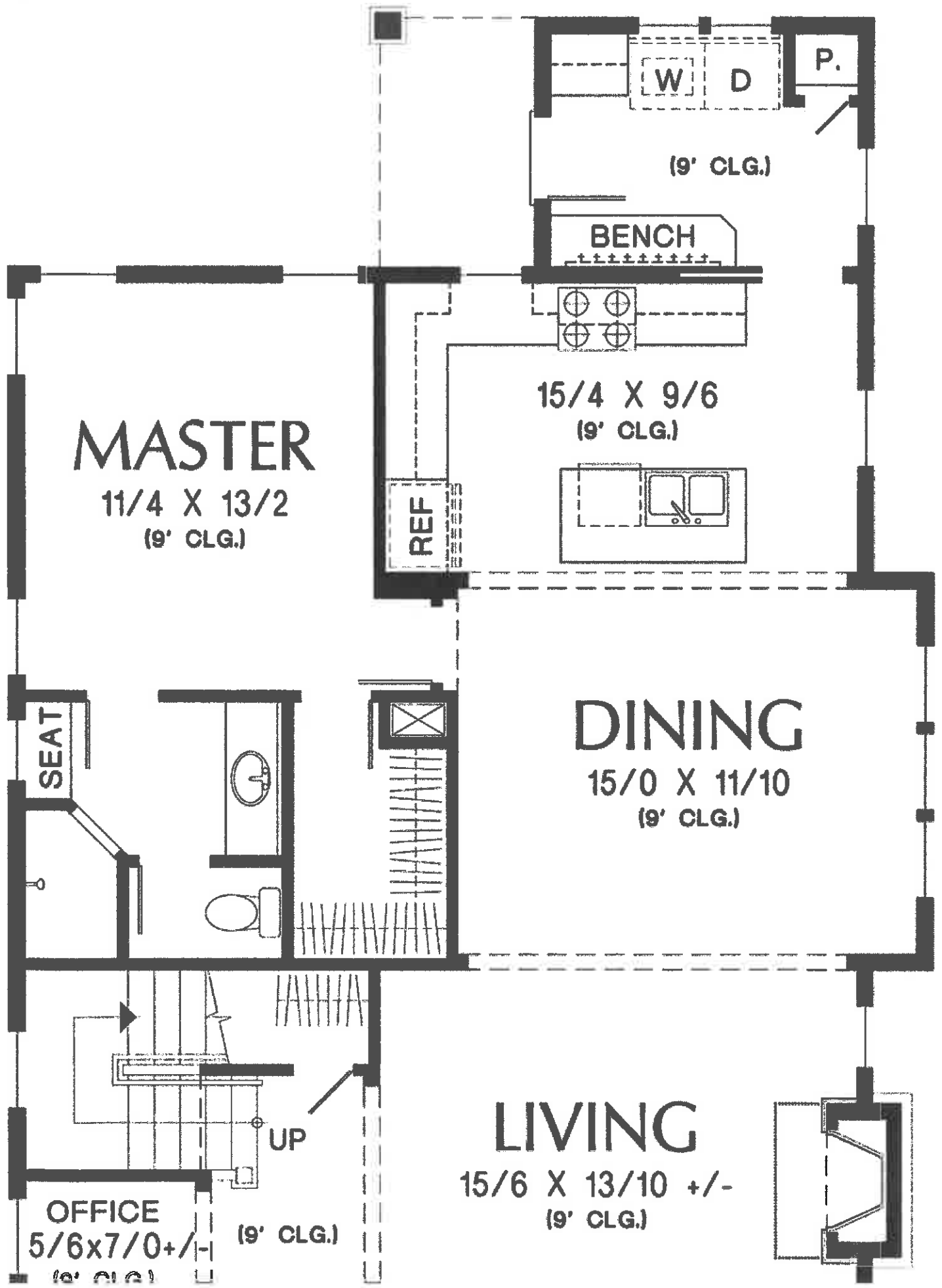
Main Ceiling Ft	9'
Upper Ceiling Ft	8'

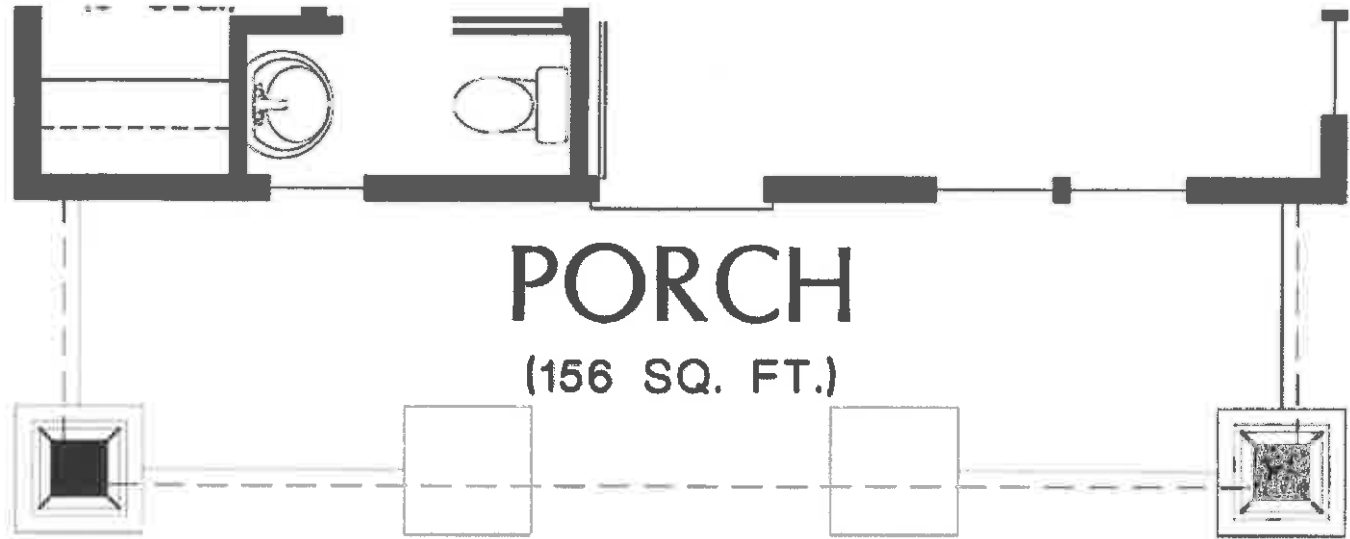
Styles Classifications

Bungalow

Craftsman







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TRANSFERS TO LAND BANK

Owner	Property Address	Comments	Standing Committee Recommendation
UNIFIED GOVERNMENT WY CO/KCK	6214 Troup Ave	Per the December 2014 N/CD Standing Committee presentation, property controlled by the Unified Government (UG, City of KCK & Board of County Commissioners) that are delinquent; will be transferred to the Land Bank to have delinquent property taxes abated.	APPROVED
UNIFIED GOVERNMENT WY CO/KCK	7648 Roswell Ave		APPROVED
UNIFIED GOVERNMENT WY CO/KCK	7651 Webster Ave		APPROVED
UNIFIED GOVERNMENT WY CO/KCK	4112 Oakland Ave		APPROVED
UNIFIED GOVERNMENT WY CO/KCK	4117 Oakland Ave		APPROVED
UNIFIED GOVERNMENT WY CO/KCK	1731 N 42nd St		APPROVED
UNIFIED GOVERNMENT WY CO/KCK	1721 N 42nd St		APPROVED
UNIFIED GOVERNMENT WY CO/KCK	1713 N 42nd St		APPROVED
UNIFIED GOVERNMENT WY CO/KCK	1707 N 42nd St		APPROVED
UNIFIED GOVERNMENT WY CO/KCK	1701 N 42nd St		APPROVED
UNIFIED GOVERNMENT WY CO/KCK	4110 Victory Dr		APPROVED
UNIFIED GOVERNMENT WY CO/KCK	1770 N 41st Ter		APPROVED
UNIFIED GOVERNMENT WY CO/KCK	1746 N 41st Ter		APPROVED
UNIFIED GOVERNMENT WY CO/KCK	1606 N 41st St		APPROVED
UNIFIED GOVERNMENT WY CO/KCK	4016 Coleman Ct		APPROVED
UNIFIED GOVERNMENT WY CO/KCK	4020 Coleman Ct		APPROVED
UNIFIED GOVERNMENT WY CO/KCK	4024 Coleman Ct		APPROVED
UNIFIED GOVERNMENT WY CO/KCK	4028 Coleman Ct		APPROVED
UNIFIED GOVERNMENT WY CO/KCK	4038 Coleman Ct		APPROVED
CITY OF KANSAS CITY KS	6236 Freeman Ave		APPROVED
CITY OF KANSAS CITY KS	820 N 78th St		APPROVED
CITY OF KANSAS CITY KS	900 N 78th St		APPROVED
CITY OF KANSAS CITY KS	2510 N 55th St		APPROVED
CITY OF KANSAS CITY KS	1312 N 47th St		APPROVED
CITY OF KANSAS CITY KS	1925 N 47th St		APPROVED

* indicates property has an improvement

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TRANSFERS FROM LAND BANK

Recipient	Land Bank Address	Comments	Standing Committee Recommendation
CHWC	1100 Grandview Blvd	Construction of Single Family House	APPROVED
KCKCC	3023 S 23rd Cir	Property to help their Tech Center program/students	APPROVED

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DONATIONS TO LAND BANK

Donor	Parcel #	Requested Donation Address	Standing Committee Recommendation
Vaughn Stoner	918015	1301 N 55th St	APPROVED
iDonate Real Property, LLC	406501	5320 State Ave	APPROVED
Robert Barnes	119816	226 N Early St	APPROVED

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