UPDATE
Neighborhood and Community Development
Standing Committee Meeting Agenda
Monday, November 2, 2020
5:00 PM

Location: Remotely
You are invited to a Zoom webinar.
When: Nov 2, 2020 05:00 PM Central Time (US and Canada)
Topic: Standing Committee Meetings

Please click the link below to join the webinar:
https://zoom.us/j/93753522272?pwd=emVzd1VXTnVyZlV5dTd5eFF2T0RrUT09
Passcode: 009425
Or iPhone one-tap :
US: +13462487799,,93753522272# or +12532158782,,93753522272#
Or Telephone:
Dial(for higher quality, dial a number based on your current location):
US: +1 346 248 7799 or +1 253 215 8782 or +1 669 900 9128 or +1 312 626 6799 or +1 646 558 8656 or +1 301 715 8592 or 877 853 5257 (Toll Free) or 888 475 4499 (Toll Free)
Webinar ID: 937 5352 2272
International numbers available: https://zoom.us/u/adfYGbub8i

Name	Absent
Commissioner Brian McKiernan, Chair	☐
Commissioner Tom Burroughs	☐
Commissioner Gayle E. Townsend	☐
Commissioner Harold Johnson	☐
Commissioner James Walters	☐

I. **Call to Order/Roll Call**

II. **Revisions to November 2, 2020 Agenda**
Remove Item No. 1 – 20463…Ordinance: Amend Mortgage Default & Vacant Property Registrations

III. **Approval of standing committee minutes from August 10, 2020.**

IV. **Committee Agenda**

Item No. 1 - ORDINANCE: AMEND MORTGAGE DEFAULT & VACANT PROPERTY REGISTRATIONS

Synopsis: An ordinance amending mortgage default registration and vacant property registration by increasing the mortgage default registration fee and requiring both registrations to be updated semi-annually, submitted by Greg Talkin, Neighborhood Resource Director.

Tracking #: 20463

Item No. 2 - LAND BANK OPTION APPLICATIONS

Synopsis: Request consideration of the following Land Bank applications, submitted by Jud

Knapp, Interim Land Bank Manager.

New construction-single family homes
732 Everett Ave., Parcel 081856 - Community Housing of Wyandotte County
62 S. 23rd St., Parcel 059183 - Community Housing of Wyandotte County
74 S. 13th St., Parcel 066514 - Habitat for Humanity of Kansas City
80 S. 13th St., Parcel 066515 - Habitat for Humanity of Kansas City
81 S. 24th St., Parcel 059174 – Habitat for Humanity of Kansas City
16 S. 22nd St., Parcel 059025 - Bright Solutions
5121 Washington Ave., Parcel 047742 - Bright Solutions
1221 N. 50th Ter., Parcel 047707 - Bright Solutions
6607 Wood Ave. Parcel 420900 - Edwin Jones
1598 N. 86th St., Parcel 934501 - Celeb Christopher
Tracking #: 20464

Item No. 3 - LAND BANK PROPERTY TRANSFERS
Synopsis: Request consideration of the following Land Bank transfers, submitted by Jud Knapp, Interim Land Bank Manager.

Rehab-new construction side lot/yard extension
1115 Kimball Ave., Parcel 111813
(This lot in neighboring a home that is currently being rehabbed in the Land Bank Rehab Program. The contractor is requesting the neighboring lot to build a driveway.)
1119R Kimball Ave., Parcel 106219
(This lot is unbuildable due to being landlocked. The request is to add this parcel to the current Land Bank Rehab.)

Yard extension
current home 2822 Hiawatha St., Parcel 158762
(Request both neighboring Land Bank lots 2818 & 2826 Hiawatha St., Parcels 158763 & 158791)
Tracking #: 20465

V. **Public Agenda**

VI. **Adjourn**

AGENDA UPDATE
NEIGHBORHOOD & COMMUNITY DEVELOPMENT
STANDING COMMITTEE MEETING
MONDAY, NOVEMBER 2, 2020

IV. COMMITTEE AGENDA

DELETE ITEM

Item No. 1 – 20463…ORDINANCE: AMEND MORTGAGE DEFAULT & VACANT PROPERTY REGISTRATIONS
Synopsis: An ordinance amending mortgage default registration and vacant property registration by increasing the mortgage default registration fee and requiring both registrations to be updated semi-annually, submitted by Greg Talkin, Neighborhood Resource Director.

NEIGHBORHOOD AND COMMUNITY DEVELOPMENT
STANDING COMMITTEE MINUTES
Monday, August 10, 2020

The meeting of the Neighborhood and Community Development Standing Committee was held on Monday, August 10, 2020, at 5:00 p.m., remotely via Zoom and by phone. The following members were present: Commissioner McKiernan, Chairman; Commissioners Burroughs, Townsend, Johnson, and Walters. The following officials were also in attendance: Gordon Criswell, Assistant County Administrator; Jud Knapp, Acting Land Bank Manager; Katherine Carttar, Director of Economic Development; Bridgette Cobbins, UG Clerk; Patrick Waters, Senior Attorney.

Chairman McKiernan said before I call this meeting to order, I want to announce that due to COVID-19, the committee members, staff, and public are all attending remotely via Zoom or by phone. All participants joining by computer or by phone should mute their devices when they are not speaking to avoid background noise.

During the meeting, please make sure that you announce yourself by name and title every time you speak so the public that observing knows who is speaking. This is critical given the number of remote participants and is our current guidance from the Kansas Attorney General.

Due to COVID-19 requirements, public comment has been suspended unless otherwise required by law. The public has been allowed to submit comments by email prior to the meeting and those comments will be included in the record of this meeting.

Roll call was taken, and members were present as shown above.

Chairman McKiernan said I do not believe there have been any revisions to our agenda since it was originally published.

Approval of standing committee minutes from June 1, 2020. **On motion of Commissioner Johnson, seconded by Commissioner Burroughs, the minutes were approved. Chairman McKiernan** said at this point, what we could do is that silence will be assent. I'm going to ask all those in favor of this item, to please remain quiet and if you would not want these minutes to be approved as submitted, then in that case, you may make your objection known. So, at this point, we will have an assent vote on approving the minutes from June 1, 2020. Silence is assent. We will consider those minutes approved as submitted.

Committee Agenda:

Chairman McKiernan said the first item is a memorandum of understanding regarding the Quindaro Ruins Project.

ITEM NO. 1 – 20300…MEMORANDUM OF UNDERSTANDING: QUINDARO RUINS PROJECT

Synopsis: An MOU between Western University Association of the A.M.E. Church, Inc. and the Unified Government which sets forth the intent of the parties to form a trust in order to own property, seek grants and donations, and to develop the Quindaro Ruins Project, submitted by Gordon Criswell, Assistant County Administrator.

Chairman McKiernan said at this point, I'm going to turn the meeting over to Commissioner Townsend because I do believe that she has an action she would like us to take as a committee on this item.

Commissioner Townsend said Item 1 is an MOU, a Memorandum of Understanding, between Western University and the church and the Unified Government. The purpose of which is to form a legal entity, a trust, to move forward and seek opportunities such as funding to get the Quindaro Ruins Project moving. Part of that MOU is the attachment which is a map which broadly defines some areas. I'm asking this item be tabled so that the map can be more specifically detailed to include streets and specific landmarks.

In the last several months, we've had quite a bit of activity out in that area near the ruins for one thing or another with Planning & Zoning. I'm sure you all may recall, and I think it's imperative that when the public looks at this map, they will be able to more specifically identify landmarks and streets so that all of us know when it comes to applications in this area, how close we are to what has been defined as the ruins area.

Assistant County Administrator Criswell and Chris Cooley and I will be working on the detailed map, which I believe will be presented at the Board meeting on August 27th. So, it's just the detail in the map that I think needs to be upgraded and that's why I'm asking for the tabling of this item. Otherwise, I would be in favor of the MOU as it reads.

Chairman McKiernan said so the motion that Commissioner Townsend has made is that we table this item until the supplementary materials, the supporting documents, are more fully detailed.

Action: **Commissioner Townsend made a motion, seconded by Commissioner Walters, to table the item so the map can be more specifically detailed to include streets and specific landmarks, and advance to full commission on Thursday, August 27th.**

Bridgette Cobbins, Unified Government Clerk, asked will that be at the August 31st date? **Chairman McKiernan** said I'm going to doublecheck with Commissioner Townsend because I believe she said it was the August 27th. **Ms. Cobbins** said that's correct, because we don't have an NCD meeting on that day. Our next NCD meeting will be on August 31st. **Chairman McKiernan** said I will clarify this because I do believe it's going to come back to full commission on August 27th as part of full commission. Am I correct, Commissioner Townsend? **Commissioner Townsend** said that is my understanding. **Chairman McKiernan** said this will be tabled and brought back to full commission on Thursday, August 27th, for consideration. **Commissioner Townsend** said correct.

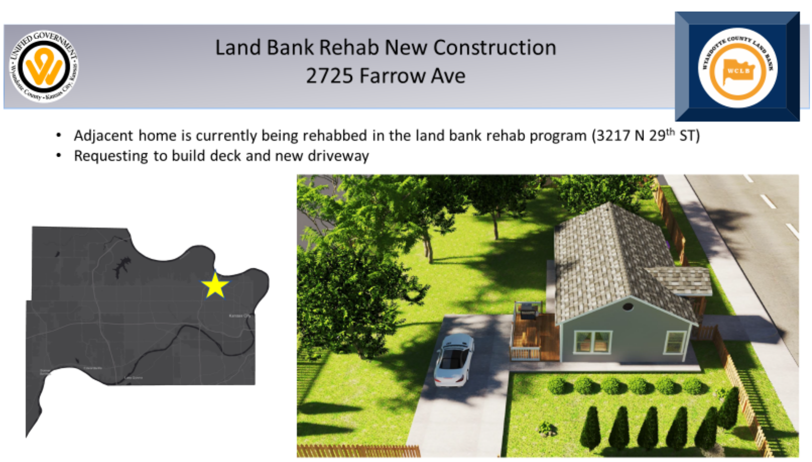
Roll call was taken on the motion and there were five "Ayes," Walters, Johnson, Townsend, Burroughs, McKiernan.

ITEM NO. 2 – 20299…LAND BANK APPLICATION

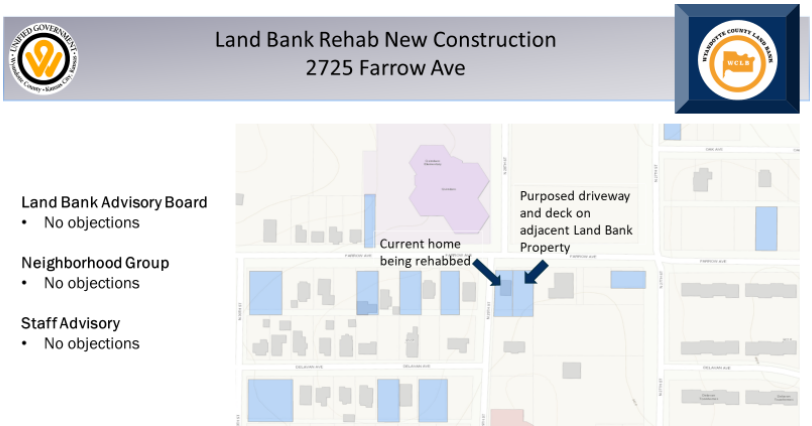
Request consideration of the following Land Bank application, submitted by Jud Knapp, Acting Land Bank Manager.

Application
2725 Farrow – Rogelio Avalos, new construction

Jud Knapp, Acting Land Bank Manager, said we have three items for tonight, requesting approval for one application. We're going to go over some option agreements and the Rehab Program Update.



The first application we have is for 2725 Farrow Ave. It is a vacant lot next to a current rehab home. The rehabber is requesting the lot next to it to build a deck and a driveway for the new rehab.



As you can see on the map, that's the arrow where the current home is being rehabbed and then the lot next to it is the proposed lot for the deck and the driveway.

APPLICATION – NEW CONSTRUCTION
2725 Farrow Ave

REQUESTING APPROVAL
OF THE REQUESTED APPLICATIONS
&
FORWARD TO THE LAND BANK BOARD OF
TRUSTEES FOR FINAL APPROVAL

The Land Bank Advisory Board, the neighborhood group, and the staff advisory team have no objections.

Chairman McKiernan asked, does the committee have any questions or any comments for Mr. Knapp?

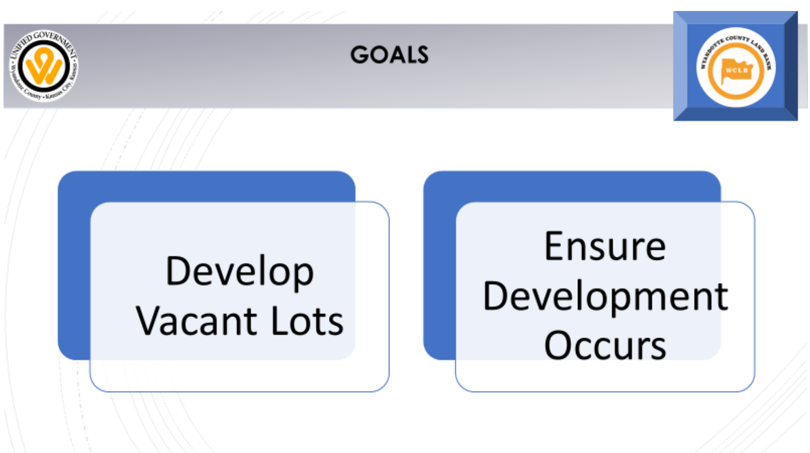
Commissioner Townsend asked, is the item that we're looking at, that's just a representation of the desired driveway and deck? **Mr. Knapp** said yes, that is correct.

Action: **Commissioner Townsend made a motion, seconded by Commissioner Walters, to approve.** Roll call was taken and there were five "Ayes," Walters, Johnson, Townsend, Burroughs, McKiernan.

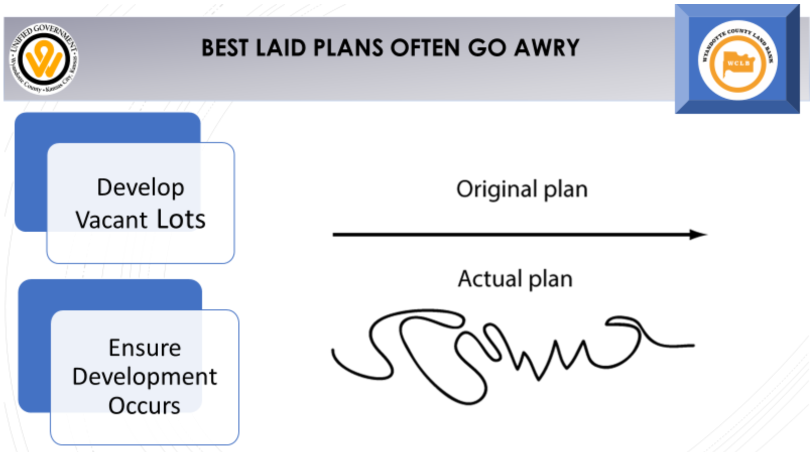
ITEM NO. 3 – 20301…UPDATE: LAND BANK REHAB PROGRAM

Synopsis: Update on the Land Bank Rehab Program, submitted by Jud Knapp, Acting Land Bank Manager.

Jud Knapp, Acting Land Bank Manager, said I am going to go over why we are using option agreements.

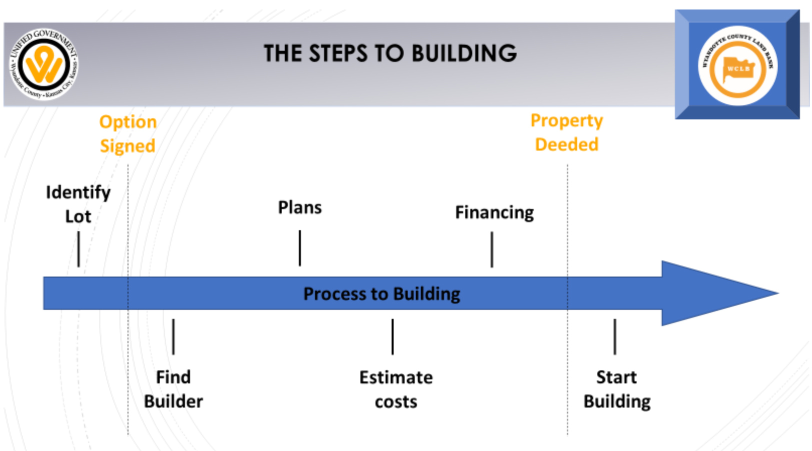


In the Land Bank, we have a few goals: to development vacant lots and ensure development occurs. The option agreement is really useful to ensure the development occurs.



The best laid plans often go array. How often do our original plans look like the final outcome?

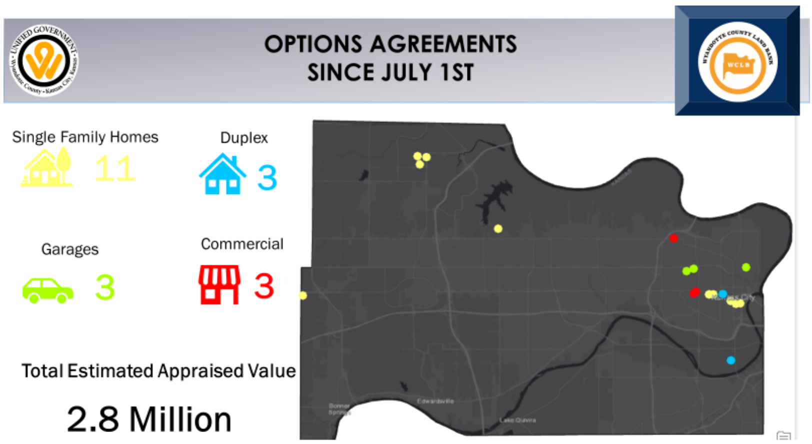
When I built my home, my plans also drastically changed. I found out it's very expensive to run utilities into a middle of a field, so I moved my home location. My home build definitely looks like this crazy lines of ups and downs. It did not match my original plan.



So, how does this work with Land Bank lots? We have brainstormed and identified the steps that causes our plans to change, so like the plans there, maybe the lot is too small. The estimate cost, this is what caused by plans to change when I seen how much it was to build a new home, I started looking for other houses that were already built. And financing, can I get that construction loan?

The process for the option would help a person identify a lot that would suit them and then we would sign an option agreement that's basically telling them that I will hold that lot for one year while you do this due-diligence process like find a builder, get your plans together, estimate your costs and financing. When you have all that completed and almost ready to build, we will deed you the property so you can start building. The key to the option is we aren't deeding the property at this time to the person so they can go through this process and then maybe they decide they don't want to build. Then what happens to that lot? Do they stop paying their taxes? Stop maintaining it? As it is, they walk away from the building.

The option basically lets them do this part without actually owning the property and they complete this step and then we deed them the property and they start building. It's a way that we ensure that development happens.



Our option agreement since July 1st, the ones that have signed, we have 11 single-family homes. We have 3 duplexes, 3 garages, and 3 commercial buildings. The estimated appraised value for just those option agreements is $2.8M after they get built.

Katherine Carttar, Director of Economic Development, said I want to just jump in here for a second. I just want to make sure—this is not something that we have brought to you all in the past. Jud kind of laid out what the process is. I feel like it is imperative that we give this committee a heads-up on what is coming down the road.

One of the things—these are just since July 1st. I would say that this is probably more options, more interest in in-fill development and people wanting to build a new home. These are all new builds. This is all looking at vacant property. I think we've had more interest in just over a month than we have probably in the last year. It's exciting. It's trying to get some of—we've done a great job on the rehab, and Jud will give another couple of these examples of that in a second, but really trying to push forward into having our collective stable of rehabbers move into a new build and in-fill homes is really exciting. You can see going from lands that had not paid any taxes, in many instances for quite a long time, to a potential estimated appraised value in a year or two, once everything is built, to almost $3M. It's pretty significant. We think this is just the beginning.

Chairman McKiernan asked, does that conclude this part of the presentation? **Mr. Knapp** said I still have the Rehab update. **Chairman McKiernan** said okay. Let's stop here for just a moment because I had not seen these materials in the agenda, so I'm interested to see these.

Now, does this effectively replace what has been our standard procedure? Historically in the past, it seems like we've had somebody could acquire a property from the Land Bank and we made them promise that they were going to, within a year, develop that property or it would come back to us. Do I understand that what we're doing now is that we're holding the property, they have the option to it, if they have the capacity to move forward within a year, it's all good, it's all already taken care of. If they don't—

Ms. Carttar said this is just kind of giving you an overview of kind of what's happening so that all of these properties, once we get to the property deeded point, that we'll come back to you and each of those properties will get approval from this committee to actually be transferred. **Chairman McKiernan** said okay. That's good to know. That's great information.

Chairman McKiernan asked, does any other member of the committee have questions or comments either for Ms. Carttar or Mr. Knapp?

Commissioner Townsend said I'm glad, Mr. Chairman, that you made the comment because I thought I had missed something in the packet. I think I may have had more questions if I had seen kind of a written summation of what this is about really. It's not too late for that. If there's some written, I don't want to say proposals, but summation of what this is about so I can more clearly understand what is changed in here with this. That's the bottom line for me. I would appreciate that.

Chairman McKiernan said I would absolutely endorse that, that if we could get a copy of these slides as well as any written summary of the process and how it's changing from our current process, that would be marvelous.

Chairman McKiernan asked, anybody else from the committee have comments or questions? Alright, I don't see anybody else's hand up. Since this is for information only, you'll just provide us a little bit of additional information after the meeting. Then, we'll wait for you to bring it back at some point in the future.

Chairman McKiernan said, Mr. Knapp, I believe you have a Rehab update for us. **Mr. Knapp** said I do. A very exciting one.

WYANDOTTE COUNTY LAND BANK

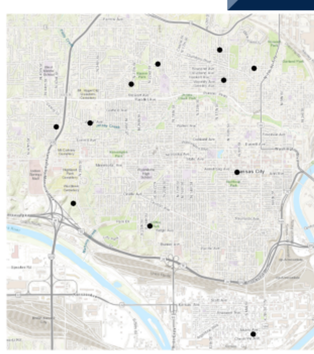
WCLB

Rehab Program Update

REHAB PROGRAM OPEN HOUSES
JULY 21ST & 22ND

Address	Contractors attended	Number of offers
66 S 23rd St	13	1
327 N 40th St	13	4
1713 N 43rd St	28	12
908 Ann Ave	17	5
1051 Webster A	15	2
2602 N Allis St	11	1
1024 Waverly Av	14	1
3605 Wood Ave	19	6
2715 Haskell Ave	21	9
923 S 8th St	11	5

Winning Bid Total $121,841



Mr. Knapp said we showed our open houses for 11 houses on July 21st and July 22nd. There's a map of all the locations of the houses we showed. Legal removed one house, so I had 10 remaining that we could sell. We sold all 10 for a winning bid total of $121,000.

The house on 1713 N. 43rd St. had 12 offers on it. That was a very popular one. That was a very good showing. I currently don't have any houses left for the Rehab Program. They're all taken by rehabbers.

If we go into our completed rehabs, this is a rehab by JC Keys. It's a 2 bed/1bath, 884 sqft. The appraised value at the tax sale was $18,000. I talked to JC Keys today and he said he's expected to sell it between $80,000 - $100,000.

Here's some before and after pictures.

The new kitchen was amazingly put together. He definitely used some upgraded materials there.

COMPLETED REHAB
2915 FARROW AVE

Before

After

COMPLETED REHAB
2915 FARROW AVE

Before

After

COMPLETED REHAB
2915 FARROW AVE

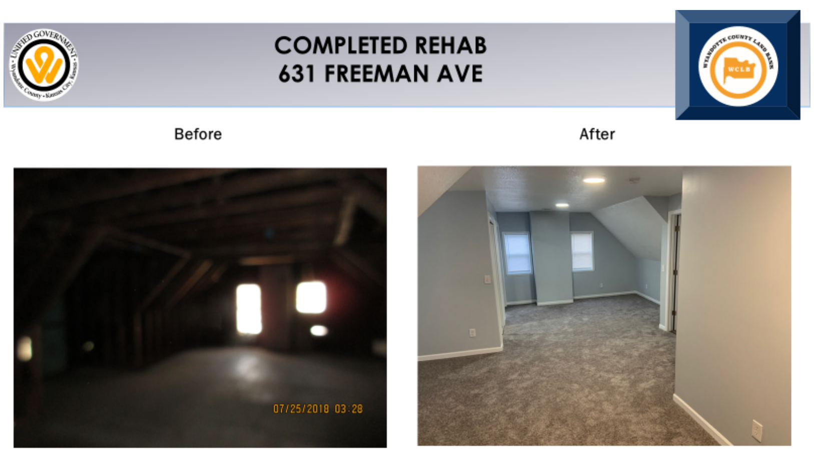
Before

After

Then, we have another completed rehab at 631 Freeman Avenue. The rehabber was Bright Solutions. It's a 4 bed/4 bath house. It's 2,200 sqft. It's appraised value at tax sale was $7,500. He actually already sold this house for $230,000.

Ms. Carttar said $230,000 is about twice as much as any other rehabbed house we've sold so this is pretty exciting. I think we had one other that hit $200. **Mr. Knapp** said this house was like completely gutted from the inside and he just went through. It's really an amazing house.

Here's some before and after shots.



This is actually the upstairs, the third floor. This room is huge and there's actually a bathroom up here.

COMPLETED REHAB
631 FREEMAN AVE

These are the two bathrooms that they have. I didn't really have a before picture of a bathroom because the house was gutted.

That is my presentation.

Chairman McKiernan asked, does any member of the committee have comments or questions for Mr. Knapp? I don't see any hands up so we will just thank you for your continued work and ask you to just keep moving forward.

Action: For information only.

Public Agenda:

No items

Adjourn

Chairman McKiernan adjourned the meeting at 5:22 p.m.

dt/cg

Staff Request for Commission Action

Tracking No. 20463

Full Commission Meeting Date: 11/19/20
Committee: Neighborhood & Community Development

Date of Standing Committee Action: 11/2/20 (If none, please explain):

Publication Required: Yes 11/26/2020

Date:	Contact Name:	Contact Phone:	Contact Email:	Department/Division:
10/21/2020	Greg Talkin	x8628	gtalkin@wycokck.org	Neighborhood Resource Center

Item Description:

An amendment to the Mortgage Default Registration ordinance and the Vacant Property Registration ordinance to increase the mortgage default registration fee and to require both registrations to be updated semi-annually, submitted by Greg Talkin, NRC Director.

Action Requested:
To approve the amendment to the ordinance.

Budget Impact: (if applicable)
Amount:
Source:
Included In Budget:
Other (explain):

Attachments List:
VPR Amendment_clean, VPR Amendment_red lined

Published: ______________________

ORDINANCE NO. ____________________________

AN ORDINANCE relating to Chapter 8, Buildings and Building Regulations, amending Section 8-481 and Section 8-483 of the Unified Government Code.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS:

Section 1. That Chapter 8 Buildings and Building Regulations, Section 8-481, of the Code of Ordinances for the Unified Government of Wyandotte County/Kansas City, Kansas, be amended to read as follows:

Sec. 8-481. - Mortgage default registration.

When an owner of a building, structure or vacant parcel has been determined to be in default of a mortgage, the mortgagee or lienor shall inspect the mortgaged property to determine whether such property is vacant or occupied. Within ten days of an inspection, the mortgagee or lienor shall register the property in the manner required regardless of whether it's vacant or occupied.

(1) *Definitions.*

a. *Default* shall mean that the mortgagor has not complied with the terms of the mortgage on the property, or the promissory note, or other evidence of the debt, referred to in the mortgage.

b. *Foreclosure* shall mean the legal process by which a mortgagee, or other lien holder, terminates a property owner's equitable right of redemption to obtain legal and equitable title to the real property pledged as security for a debt or the real property subject to the lien. This definition shall include, but is not limited to, public notice of default, a deed-in-lieu of foreclosure, sale to the mortgagee or lien holder, certificate of title and all other processes, activities and actions, by whatever name, associated with the described process. The process is not concluded until the property obtained by the mortgagee, lien holder, or their designee, by certificate of title, or any other means, is sold to a non-related bona fide purchaser in an arm's length transaction to satisfy the debt or lien.

c. *Mortgagee* means the creditor, including but not limited to, trustees; mortgage servicing companies; lenders in a mortgage agreement; any agent, servant, or employee of the creditor; any successor in interest; or any assignee of the creditor's rights, interests or obligations under the mortgage agreement.

d. *Registrable property* means, any real property located in the corporate limits of the city, whether vacant or occupied, that it is subject to an ongoing foreclosure action by the mortgagee or trustee, has been the subject of a foreclosure action by a mortgagee or trustee and a judgement has been entered, or has been the subject of a foreclosure sale where the title was transferred to the beneficiary of a mortgage involved in the foreclosure and any properties transferred under a deed in lieu of foreclosure/sale. The designation of a "default/foreclosure" property as "registrable" shall remain in place until such time as the property is sold to a non-related bona fide purchaser in an arm's length transaction or the foreclosure action has been dismissed.

(2) *Registration of defaulted mortgaged real property.*

a. Any mortgagee who holds a mortgage on real property located within the corporate limits of the city shall perform an inspection of the property to determine vacancy or occupancy, upon default by the mortgagor as evidenced by a foreclosure filing. The mortgagee shall, within ten days of the inspection, register the property with the code enforcement department, or its designee, on forms or other manner as directed, and indicate whether the property is vacant or occupied. A separate registration is required for each property, whether it is found to be vacant or occupied.

b. Registration pursuant to this section shall contain the name, direct mailing address, a direct contact name, telephone number, and e-mail address for the mortgagee/trustee, and the mortgage servicer, and the name and 24-hour contact phone number of the local property management company responsible for the security and maintenance of the property who has the authority to make decisions concerning the abatement of nuisance conditions at the property, as well as any expenditure in connection therewith.

c. Mortgagees who have existing registrable property on the effective date of this section have 30 calendar days from the effective date to register the property with the code enforcement department, or its designee, on forms or other manner as directed, and indicate whether the property is vacant or occupied. A separate registration is required for each property, whether it is vacant or occupied.

d. If the mortgage on a registrable property is sold or transferred, the new mortgagee is subject to all the terms of this article. Any previous unpaid registration fees are the responsibility of the new mortgagee or trustee and are due and payable with their initial registration. Except if it is determined that the transferee is exempt from paying fees then the previous mortgagee will not be released from the responsibility of paying all previous unpaid fees and fines, regardless of who the mortgagee was at the time when registration was required, including but not limited to unregistered periods during the foreclosure process. The provisions of this section are cumulative with and in addition to other available remedies. Moreover, the code enforcement department is authorized and empowered to refer the previous mortgagee's nonpayment of previous fees and fines to the code enforcement special magistrate or a court of competent jurisdiction for disposition.

e. If the servicing rights for a mortgage on a registrable property are sold or transferred, the registration must be updated to include all the new servicer information within ten days of the servicing transfer.

f. If the mortgagee owner of a foreclosed real property sells or transfers the property to a non-arm's length related person or entity, the transferee is subject to all the terms of this article and within five days of the transfer update the property. Any previous unpaid registration fees are the responsibility of the new registrable property owner and are due and payable with their initial registration. Except if it is determined that the transferee is exempt from paying fees then the previous mortgagee will not be released from the responsibility of paying all previous unpaid fees and fines, regardless of who the mortgagee was at the time when registration was required, including but not limited to unregistered periods during the foreclosure process. The provisions of this section are cumulative with and in addition to other available remedies. Moreover, the code enforcement department is authorized and empowered to refer the previous mortgagee's nonpayment of previous fees and fines to the code enforcement special magistrate or a court of competent jurisdiction for disposition.

g. As long as the property is registrable it shall be inspected by the mortgagee, or designee, monthly. If an inspection shows a change in the property's occupancy status the mortgagee shall, within ten days of that inspection, update the occupancy status of the property registration.

h. A nonrefundable semi-annual registration fee of $200.00 shall accompany each registration pursuant to this section.

i. If the foreclosing or foreclosed property is not registered, or the registration fee is not paid within 30 days of when the registration or renewal is required pursuant to this section, a late fee equivalent to ten percent of the semi-annual registration fee shall be charged for every 30-day period, or portion thereof, the property is not registered and shall be due and payable with the registration.

j. Properties subject to this section shall remain under the semi-annual registration requirement, and the inspection, security and maintenance standards of this section as long as they are registrable.

k. Until the mortgage or lien on the property in question is satisfied, or legally discharged, the desire to no longer pursue foreclosure, the filing of a dismissal of lis pendens and/or summary of final judgment and/or certificate of title, voluntary or otherwise, does not exempt any mortgagee holding the mortgage, from all the requirements of this article as long as the borrower is in foreclosure.

l. Any person or legal entity that has registered a property under this section must report any change of information contained in the registration within ten days of the change.

m. Failure of the mortgagee to properly register or to modify the registration information from time to time to reflect a change of circumstances as required by this article is a violation of the article and shall be subject to enforcement and any resulting monetary penalties and/or property liens.

n. Pursuant to any administrative or judicial finding and determination that any property is in violation of this article, the unified government may take the necessary action to ensure compliance with and place a lien on the property for the cost of the work performed to benefit the property and bring it into compliance.

o. Properties registered as a result of this section are not required to be registered in the vacant property or rental property registries.

(Code 1988, § 8-387; Ord. No. 65152, § 1(21-61), 5-28-1987; Ord. No. O-12-17 , § 5, 6-29-2017; Ord. No. O-6-18 , § 7, 2-22-2018; Ord. No. O-14-20 , § 1, 3-12-2020)

Section 2. That Chapter 8 Buildings and Building Regulations, Section 8-483, of the Code of Ordinances for the Unified Government of Wyandotte County/Kansas City, Kansas, be amended to read as follows:

Sec. 8-483. - Vacant properties.

(a) Upon any building or structure located within the corporate city limits becoming vacant, the owner of such building or structure shall have 60 days from the first date of vacancy to register such building or structure in the same manner as provided in sections 8-471 and 8-474 and said statement must include an agent designation as provided in section 8-472 as well as a written comprehensive plan of action detailing a timeline for correcting any Code violations, any rehabilitation required, the maintenance that will be performed while the building or structure is vacant and the future use of the building or structure and pay a registration fee of $200.00.

(b) The owner of any vacant building or structure subject to this section shall be required to update the plan of action provided with the registration statement and pay a fee of $200.00 every six months the said building or structure remains vacant.

(c) Any vacant building or structure registered pursuant to this section shall be subject to inspection to verify the status of the plan of action submitted.

(d) In addition to the registration statement in subsection (a) above, the owner of any vacant building or structure shall provide written notice, within 30 days, of a change in: (1) ownership of the property, including a copy of the deed; (2) contact information for either the owner or the designated agent.

(e) Upon identification of a vacant building or structure by an enforcement officer that has not been registered under this section, a written notice shall be issued to the property owner by means of personal service, or by first class mail to their last known address of record, and by posting on the property. The owner of said vacant building or structure shall have 30 days from the date the written notice is issued in which to register.

(f) Properties that are vacant and in default or bank owned (REO) remain subject to the registration requirements as set forth in section 8-481 and are exempt from the requirements of this section.

(g) This registration requirement shall not apply to:

(1) Any governmental entity, excluding government sponsored entities (G.S.E.'s), any public authority or any quasi-public, nonprofit corporation engaged in housing development, management or operation under contract with a governmental entity.

(2) Any owner who has a current and valid license as required by section 19-226 with respect to the subject parcel.

(3) Any owner who intends for the building or structure to be his/her/its domicile regardless of whether said building or structure is occupied for all 12 months of the year.

(4) Any owner who has listed the building or structure for sale with a licensed real estate agent or broker.

(h) Upon written request from an owner of an unoccupied building or structure, the codes administrator may approve of an existing use of said building or structure if, after verification of the records on file in the codes administration office to determine there have been no code violations on the subject property for the preceding 12 months and after inspection, it is found that such use is a permitted and lawful use under current code requirements, and, provided further, that no fire hazards or other hazards are found in such building or structure or part thereof, and relieve said owner of the registration fee required under this section.

(Ord. No. O-12-17 , § 6, 6-29-2017; Ord. No. O-6-18 , § 8, 2-22-2018)

Section 3. This ordinance and resolution 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 _____ 2020

____

David Alvey, Mayor/CEO

Attest:

Unified Government Clerk

Approved as to Form:

Wendy M. Green, Assistant Counsel

Published: ________________________

ORDINANCE NO. ______________________________

AN ORDINANCE relating to Chapter 8, Buildings and Building Regulations, amending Section 8-481 and Section 8-483 of the Unified Government Code.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS:

Section 1. That Chapter 8 Buildings and Building Regulations, Section 8-481, of the Code of Ordinances for the Unified Government of Wyandotte County/Kansas City, Kansas, be amended to read as follows:

Sec. 8-481. - Mortgage default registration.

When an owner of a building, structure or vacant parcel has been determined to be in default of a mortgage, the mortgagee or lienor shall inspect the mortgaged property to determine whether such property is vacant or occupied. Within ten days of an inspection, the mortgagee or lienor shall register the property in the manner required regardless of whether it's vacant or occupied.

(1) *Definitions.*

a. *Default* shall mean that the mortgagor has not complied with the terms of the mortgage on the property, or the promissory note, or other evidence of the debt, referred to in the mortgage.

b. *Foreclosure* shall mean the legal process by which a mortgagee, or other lien holder, terminates a property owner's equitable right of redemption to obtain legal and equitable title to the real property pledged as security for a debt or the real property subject to the lien. This definition shall include, but is not limited to, public notice of default, a deed-in-lieu of foreclosure, sale to the mortgagee or lien holder, certificate of title and all other processes, activities and actions, by whatever name, associated with the described process. The process is not concluded until the property obtained by the mortgagee, lien holder, or their designee, by certificate of title, or any other means, is sold to a non-related bona fide purchaser in an arm's length transaction to satisfy the debt or lien.

c. *Mortgagee* means the creditor, including but not limited to, trustees; mortgage servicing companies; lenders in a mortgage agreement; any agent, servant, or employee of the creditor; any successor in interest; or any assignee of the creditor's rights, interests or obligations under the mortgage agreement.

d. *Registrable property* means, any real property located in the corporate limits of the city, whether vacant or occupied, that it is subject to an ongoing foreclosure action by the mortgagee or trustee, has been the subject of a foreclosure action by a mortgagee or trustee and a judgement has been entered, or has been the subject of a foreclosure sale where the title was transferred to the beneficiary of a mortgage involved in the foreclosure and any properties transferred under a deed in lieu of foreclosure/sale. The designation of a "default/foreclosure" property as "registrable" shall remain in place until such time as the property is sold to a non-related bona fide purchaser in an arm's length transaction or the foreclosure action has been dismissed.

(2) *Registration of defaulted mortgaged real property.*

a. Any mortgagee who holds a mortgage on real property located within the corporate limits of the city shall perform an inspection of the property to determine vacancy or occupancy, upon default by the mortgagor as evidenced by a foreclosure filing. The mortgagee shall, within ten days of the inspection, register the property with the code enforcement department, or its designee, on forms or other manner as directed, and indicate whether the property is vacant or occupied. A separate registration is required for each property, whether it is found to be vacant or occupied.

b. Registration pursuant to this section shall contain the name, direct mailing address, a direct contact name, telephone number, and e-mail address for the mortgagee/trustee, and the mortgage servicer, and the name and 24-hour contact phone number of the local property management company responsible for the security and maintenance of the property who has the authority to make decisions concerning the abatement of nuisance conditions at the property, as well as any expenditure in connection therewith.

c. Mortgagees who have existing registrable property on the effective date of this section have 30 calendar days from the effective date to register the property with the code enforcement department, or its designee, on forms or other manner as directed, and indicate whether the property is vacant or occupied. A separate registration is required for each property, whether it is vacant or occupied.

d. If the mortgage on a registrable property is sold or transferred, the new mortgagee is subject to all the terms of this article. Any previous unpaid registration fees are the responsibility of the new mortgagee or trustee and are due and payable with their initial registration. Except if it is determined that the transferee is exempt from paying fees then the previous mortgagee will not be released from the responsibility of paying all previous unpaid fees and fines, regardless of who the mortgagee was at the time when registration was required, including but not limited to unregistered periods during the foreclosure process. The provisions of this section are cumulative with and in addition to other available remedies. Moreover, the code enforcement department is authorized and empowered to refer the previous mortgagee's nonpayment of previous fees and fines to the code enforcement special magistrate or a court of competent jurisdiction for disposition.

e. If the servicing rights for a mortgage on a registrable property are sold or transferred, the registration must be updated to include all the new servicer information within ten days of the servicing transfer.

f. If the mortgagee owner of a foreclosed real property sells or transfers the property to a non-arm's length related person or entity, the transferee is subject to all the terms of this article and within five days of the transfer update the property. Any previous unpaid registration fees are the responsibility of the new registrable property owner and are due and payable with their initial registration. Except if it is determined that the transferee is exempt from paying fees then the previous mortgagee will not be released from the responsibility of paying all previous unpaid fees and fines, regardless of who the mortgagee was at the time when registration was required, including but not limited to unregistered periods during the foreclosure process. The provisions of this section are cumulative with and in addition to other available remedies. Moreover, the code enforcement department is authorized and empowered to refer the previous mortgagee's nonpayment of previous fees and fines to the code enforcement special magistrate or a court of competent jurisdiction for disposition.

g. As long as the property is registrable it shall be inspected by the mortgagee, or designee, monthly. If an inspection shows a change in the property's occupancy status the mortgagee shall, within ten days of that inspection, update the occupancy status of the property registration.

h. A nonrefundable semi-annual registration fee of $200.00 shall accompany each registration pursuant to this section.

i. If the foreclosing or foreclosed property is not registered, or the registration fee is not paid within 30 days of when the registration or renewal is required pursuant to this section, a late fee equivalent to ten percent of the semi-annual registration fee shall be charged for every 30-day period, or portion thereof, the property is not registered and shall be due and payable with the registration.

j. Properties subject to this section shall remain under the semi-annual registration requirement, and the inspection, security and maintenance standards of this section as long as they are registrable.

k. Until the mortgage or lien on the property in question is satisfied, or legally discharged, the desire to no longer pursue foreclosure, the filing of a dismissal of lis pendens and/or summary of final judgment and/or certificate of title, voluntary or otherwise, does not exempt any mortgagee holding the mortgage, from all the requirements of this article as long as the borrower is in foreclosure.

l. Any person or legal entity that has registered a property under this section must report any change of information contained in the registration within ten days of the change.

m. Failure of the mortgagee to properly register or to modify the registration information from time to time to reflect a change of circumstances as required by this article is a violation of the article and shall be subject to enforcement and any resulting monetary penalties and/or property liens.

n. Pursuant to any administrative or judicial finding and determination that any property is in violation of this article, the unified government may take the necessary action to ensure compliance with and place a lien on the property for the cost of the work performed to benefit the property and bring it into compliance.

o. Properties registered as a result of this section are not required to be registered in the vacant property or rental property registries.

(Code 1988, § 8-387; Ord. No. 65152, § 1(21-61), 5-28-1987; Ord. No. O-12-17 , § 5, 6-29-2017; Ord. No. O-6-18 , § 7, 2-22-2018; Ord. No. O-14-20 , § 1, 3-12-2020)

Section 2. That Chapter 8 Buildings and Building Regulations, Section 8-483, of the Code of Ordinances for the Unified Government of Wyandotte County/Kansas City, Kansas, be amended to read as follows:

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(c) Any vacant building or structure registered pursuant to this section shall be subject to inspection to verify the status of the plan of action submitted.

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(Ord. No. O-12-17 , § 6, 6-29-2017; Ord. No. O-6-18 , § 8, 2-22-2018)

Section 3. This ordinance and resolution 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 _____ 2020

____

David Alvey, Mayor/CEO

Attest:

Unified Government Clerk

Approved as to Form:

Wendy M. Green, Assistant Counsel

Staff Request for Commission Action

Tracking No. 20464

Full Commission Meeting Date: 11/19/20

Committee: Neighborhood & Community Development

Date of Standing Committee Action: 11/2/20
(If none, please explain):

Publication Required: No

Date:	Contact Name:	Contact Phone:	Contact Email:	Department/Division:
10/21/2020	Jud Knapp	x5472	jknapp@wycokck.org	Economic Development

Item Description:

The Land Bank Manager respectfully requests that the Neighborhood and Community Development Committee review the proposed items and forward it to the Land Bank Board of Trustees for final consideration.

10 single family homes (Option agreements)

Map link - https://arcg.is/1CO8Lu Items 1 - 10

Action Requested:
Approve and forward to Land Bank Board of Trustees

Budget Impact: (if applicable)
Amount:
Source:
Included In Budget:
Other (explain):

Attachments List:
RFA 11.02.2020 Land Bank Options

Wyandotte County Land Bank

Economic Development Department

Jud Knapp, Interim Manager

701 North 7th St., 4th Floor
Kansas City, Kansas 66101

Phone: (913) 573-5472
Fax: (913) 573-5745
Email: jknapp@wycokck.org

M E M O R A N D U M

TO: Neighborhood & Community Development Standing Committee

FROM: Jud Knapp, Interim Land Bank Manager

DATE: October 21, 2020

SUBJECT: Applications for consideration

The following **option application(s)** are being presented at the 11/02/2020 meeting:

New Construction – Single Family Homes (10 Applications)

- 732 Everett Ave – Parcel 081856 - Community Housing of Wyandotte County
- 62 S 23rd St – Parcel 059183 - Community Housing of Wyandotte County
- 74 S 13th St – Parcel 066514 – Habitat for Humanity of Kansas City
- 80 S 13th St – Parcel 066515 – Habitat for Humanity of Kansas City
- 81 S 24th St – Parcel 059174 – Habitat for Humanity of Kansas City
- 16 S 22nd St – Parcel 059025 – Bright Solutions
- 5121 Washington Ave – Parcel 047742 – Bright Solutions
- 1221 N 50th Ter – Parcel 047707 – Bright Solutions
- 6607 Wood Ave – Parcel 420900 – Edwin Jones
- 1598 N 86th St – Parcel 934501 – Celeb Christopher

Land Bank Staff Advisory

Held a virtual meeting to review applications
No objections to the above applications.
Provided recommendations for the next steps needed.

Land Bank Advisory Board

Held a virtual meeting and sent the recording to the members that could not attend.
No objections to the above applications

Staff Request for Commission Action

Tracking No. 20465

Full Commission Meeting Date: 11/19/20
Committee: Neighborhood & Community Development

Date of Standing Committee Action: 11/2/20 (If none, please explain):

Publication Required: No

Date:	Contact Name:	Contact Phone:	Contact Email:	Department/Division:
10/21/2020	Jud Knapp	x5472	jknapp@wycokck.org	Economic Development

Item Description:

The Land Bank Manager respectfully requests that the Neighborhood and Community Development Committee review the proposed item and forward it to the Land Bank Board of Trustees for final consideration.

1 Rehab program side lot to build a driveway & yard extension for unbuildable lot
1 yard extension request

Map link - https://arcg.is/1CO8Lu items 11 & 12

Action Requested:

Approve and forward to Land Bank Board of Trustees

Budget Impact: (if applicable)

Amount:
Source:
Included In Budget:
Other (explain):

Attachments List:

RFA 11.02.2020 Land Bank Applications

Wyandotte County Land Bank
Economic Development Department
Jud Knapp, Manager

701 North 7th St., 4th Floor
Kansas City, Kansas 66101

Phone: (913) 573-5472
Fax: (913) 573-5745
Email: jknapp@wycokck.org

M E M O R A N D U M

TO: Neighborhood & Community Development Standing Committee

FROM: Jud Knapp, Land Bank Manager

DATE: October 21, 2020

SUBJECT: Applications for consideration

The following **application(s)** are being presented at the 11/02/2020 meeting:

Rehab - New Construction side lot / Yard extension
- 1115 Kimball Ave - Parcel 111813
  - This lot in neighboring a home that is currently being rehabbed in the Land Bank rehab program. The contractor is requesting the neighboring lot to build a driveway.
- 1119 R Kimball Ave – Parcel 106219
  - This lot is unbuildable due to being land locked. The request is to add this parcel to the current Land Bank rehab.

Yard Extension
- Current home - 2822 Hiawatha St - Parcel 158762 is requesting both neighboring Land Bank lots 2818 & 2826 Hiawatha St Parcel – 158763 & 158791

Land Bank Staff Advisory
- Held a virtual meeting to review applications
- No objections for the Rehab – New Construction / Yard Extension
- Recommends one lot for approval 2826 Hiawatha St
  - Highly probable the demoed structure is buried on lot, causing high development costs for any future development

Land Bank Advisory Board
- Held a virtual meeting and sent the recording to the members that could not attend.
- No objections to the above application