



Neighborhood and Community Development
Standing Committee Meeting Agenda
Monday, November 30, 2020
5:00 PM

Location:

You are invited to a Zoom webinar.

When: Nov 30, 2020 05:00 PM Central Time (US and Canada)

Topic: N/CD & ED/F Standing Committee Meetings

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/84485376234?pwd=a0N6cXVsbEFucnJsRWFWRVBrd1hpdz09>

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<u>Name</u>	<u>Absent</u>
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 30, 2020 Agenda**

III. **Approval of standing committee minutes from August 31, 2020.**

IV. **Committee Agenda**

Item No. 1 - RESOLUTION: REVISED MOU FOR QUINDARO RUINS PROJECT AND APPOINTMENT OF BOARD OF DIRECTORS

Synopsis: A resolution approving a revised Memorandum of Understanding with the Western University Association of the A.M.E. Church, Inc., for the Quindaro Ruins Project and authorizing the Mayor to appoint members to the Board of Directors, submitted by Gordon Criswell, Assistant County Administrator.

A previous MOU was approved on August 10, 2020.

Tracking #: 20518

Item No. 2 - LAND BANK OPTION APPLICATIONS

Synopsis: Request consideration of the following Land Bank option applications, submitted by Jud Knapp, Interim Land Bank Manager.

New Construction – Single Family Homes

Charles Endicott - 643 N. 54th St. (Parcel 051619)

Megan Duma

2725 Glenrose Ln. (Parcel 161701), Build home (short-term rental)

2731 Glenrose Ln. (Parcel 194010), Build home in 5 years

2750 Glenrose Ln. (Parcel 194012), Needed for sewer connection

New Construction – Commercial

Dustan Fankhauser – 6235 Kansas Ave. (Parcel 923212)

Build two 3,200 square foot buildings ideal for small contractors

Martha E. Gonzalez – 1032 S. 25th St . (Parcel 152017)

Build a building to store and maintain trucks

Tracking #: 20526

V. Public Agenda

VI. Adjourn

**NEIGHBORHOOD AND COMMUNITY DEVELOPMENT
STANDING COMMITTEE MINUTES
Monday, August 31, 2020**

The meeting of the Neighborhood and Community Development Standing Committee was held on Monday, August 31, 2020, at 5:00 p.m., remotely via Zoom or by phone. The following members were present: Commissioner McKiernan, Chairman; Commissioners Burroughs, Townsend, Johnson (arrived at 5:03 PM), and Walters. The following officials were also in attendance: Melissa Sieben, Assistant County Administrator; Jud Knapp, Interim Land Bank Manager; and Katherine Carttar, Director of Economic Development.

Chairman McKiernan said before I call this meeting to order, I want to announce that due to COVID-19, some committee members, staff, and public are attending remotely via Zoom as well as being present on site. All participants joining by phone or by computer should mute their devices when 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 is observing knows who is speaking. This is critical given the number of remote participants and is current guidance from the Kansas Attorney General.

Due to COVID-19 requirements, in-person public comment has been suspended, unless otherwise required by law. However, the public is allowed to participate by Zoom or submit comments by email prior to the meeting. Those comments submitted by email will be included in the record of this meeting.

Chairman McKiernan called the meeting to order.

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

Chairman McKiernan said I'm not aware of any revisions to the August 31 agenda that was originally published. Carol, were there any revisions after that was published that you are aware of? **Carol Godsil, Deputy UG Clerk**, said no revisions, Chairman.

Approval of standing committee minutes from July 6, 2020. **On motion of Commissioner Walters, seconded by Commissioner Townsend, the minutes were approved.** Roll call was taken and there were five “Ayes,” Walters, Johnson, Townsend, Burroughs, McKiernan.

Committee Agenda:

Chairman McKiernan said that takes us on to our Committee Agenda. We have two items on that agenda tonight. Both are concerning Land Bank.

ITEM NO. 1 – 20325...LAND BANK APPLICATIONS

Synopsis: The Land Bank Manager respectfully request that the Neighborhood and Community Development Committee review the proposed item and forward it to the Land Bank Board of Trustees for final consideration, submitted by Jud Knapp, Interim Land Bank Manager.

Yard Extensions

1886 S. 6th St. – Kathryn Meyer

2726 N. 59th St. – Nakia Holley

Transfers from Land Bank to Unified Government

601 S. 26th – 151800

609 S. 26th - 151801

617 S. 26th – 151806

1602 S. 17th - 160401

3201 Kansas Avenue – 911304

3301 Kansas Avenue – 911303



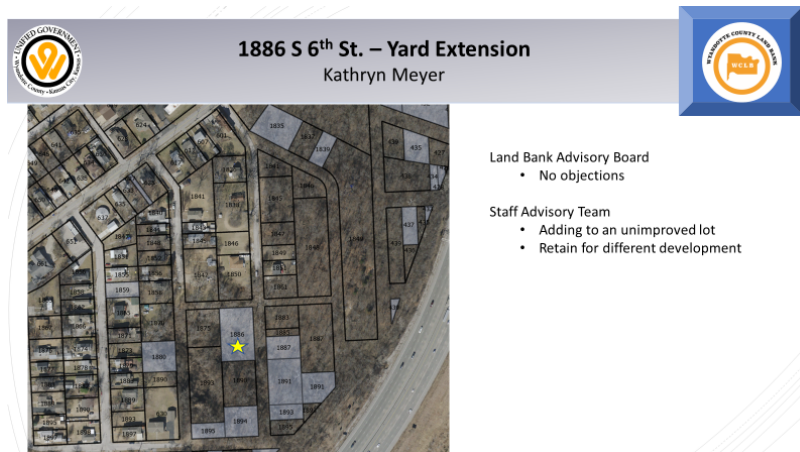
Neighborhood &
Community Development
Standing Committee

Land Bank Applications

August 31, 2020

August 31, 2020

Jud Knapp, Interim Land Bank Manager, said today, we have three applications for your consideration. We have two yard extensions and one transfer from the Land Bank to the Unified Government.



The first one is 1886 S. 6th St. This is a—the Land Bank is recommending this for a yard extension because it is unbuildable by the fact that it is landlocked and it has severe—it is very hilly, basically. The road is platted, but if there's no road there, we deem that it would cost too much to put a road there for this lot to be buildable.

We shared this information with the Land Bank Advisory Board and had no objections. Our Staff Advisory Team said they did have some objections that we're adding on an unimproved lot and that we should retain it for different developments.

Katherine Carttar, Director of Economic Development, said I would that that after reviewing this with the suggestions by the Staff Advisory Team, as Jud mentioned, the extension of a road would be cost prohibited as well as due to the topography. Additionally, as you can see from this slide, the owner of the adjacent lot, owns the adjacent lot, so it's in line with the Land Bank Policy.

Mr. Knapp asked, do I have any questions on this before I move to the next application?

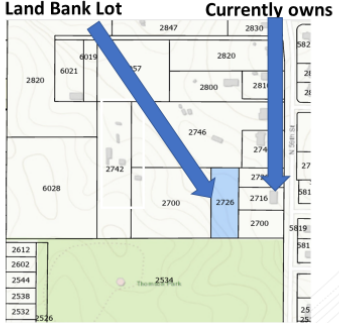
Chairman McKiernan said well, I'll tell you, Jud, I'm going to have a couple of questions about this and the next item; but why don't you go ahead and present the next item before I ask those.



2726 N 59th St. – Yard Extension
 Nakia Holly







Unbuildable Checklist	
Area less than 2,000 sqft	
Under 19.99 feet of frontage	
Flood plain	
Land locked	✓
Right of way	
Undermined	
Severe topography	

Mr. Knapp said the next one is 2726 N. 59th St. It is a landlocked parcel.



2726 N 59th St. – Yard Extension
 Nakia Holly





Land Bank Advisory Board

- No objections

Staff Advisory Team

- Add the land to the park

The Land Bank Advisory Board had no objections. Our Staff Advisory Team said to maybe add this to the park that's just to the south of it. I reached out to Parks and they said they were not interested in adding this to the park. That's all I have for this one.

Chairman McKiernan said it was interesting for me to see here that the Staff Advisory Team has recommended against both of these for the reason that there might be development available on these lots, and yet, from the position of the Land Bank, your position is that while it might be nice to have development, these particular lots don't lend themselves to it without an expensive investment. Therefore, it's your recommendation that we just go ahead and make the yard extension transfer as requested. Is that right? **Mr. Knapp** said that is correct.

August 31, 2020

Ms. Carttar said I will just for a point of clarification, these are (inaudible) by members of the Staff Advisory Team. This is not a recommendation from the entire team so, a pretty significant caveat there.

Chairman McKiernan said okay. So, they were discussed and is not necessarily a unanimous recommendation that we have brought forward for us. **Ms. Carttar** said correct. I think Jud thought of adding these on, I think, to stimulate potential discussion points by the committee here if you are interested in hearing kind of some of the discussions that we've had.

Commissioner Townsend said I would like to see some of the information that we used to get, a longer form, as part of the attachment to the applications because sometimes that had, or quite often it had good information about the purpose for which the requestor wanted the property that they're seeking. May have other tidbits of information about whether or not they had previously maintained it, maintained the lot. I would just like to see that added. I like the unbuildable checklist that's here, but I'd also like to see some of the other information included that we used to get in longer form. I found that helpful.

I don't have any particular questions that have not been answered on these two items. I did notice as I reviewed the packet, we don't have as much information about the applicant and the why history as we do now. I'd like to see that added back.

Commissioner Burroughs asked, Katherine or Jud, is 2726 presently—is that zoned ag there? **Ms. Carttar** said I'll find that quickly. Sorry, one moment. Bear with us. **Commissioner Burroughs** said I can't imagine the other piece of property being zoned ag, but this particular piece of property could be zoned ag. If 2716 wants to acquire it, I just want to see how that would work. Do we know how many? Is it a lot or is it acreage? Do we know? **Ms. Carttar** said it is zoned R-1 and it is just about one acre. It's 1.05 acres. That whole area is zoned either R-1 or R-2. **Commissioner Burroughs** said 2716, the one that wants to purchase that property is probably about three-quarters of an acre. **Ms. Carttar** said just about half an acre.

Chairman McKiernan said one thing that it seems to me as I look at these is that we probably should have some continuing discussions behind the scenes regarding our process. I think this may tie in somewhat to the item that's coming up next, which is the whole option item. So, as we think about updating our policies and procedures, making sure that our procedure is solid, that we

have criteria, that we advance enough information for the committee to make a decision. I think we might want to have some discussion behind the scenes, regardless of how these two properties tonight turn out. I'm just going to throw that out there.

Because, certainly, if we have criteria that suggest that a particular lot is not available for Land Bank transfer, then it would seem to me that lot should never come forward. So, it was a little odd to me that these both came forward to us, but with what looked like a recommendation not to do it on the part of staff. So, I found that a little confusing.

Chairman McKiernan asked, for the rest of the committee, any other comments or questions? If there are none, do we have a motion regarding these two properties? I'm going to elect to take these two properties separate from the next bundle that are coming because they are all for one purpose and these two stand alone as yard extensions.

Action: Commissioner Walters made a motion, seconded by Commissioner Burroughs, to approve these two applications.

Commissioner Burroughs said I understand we're going to take them separately; Item No. 1 and Item No. 2. **Chairman McKiernan** said my thought, Commissioner, was we have two groups of properties here under Item No. 1. Under Item No. 1, we have two yard extensions. Those are the two that we just discussed. Then, we're going to have a series of six transfers from Land Bank to the Unified Government, but that's for a different purpose. This will be for the consideration of these two yard extensions.

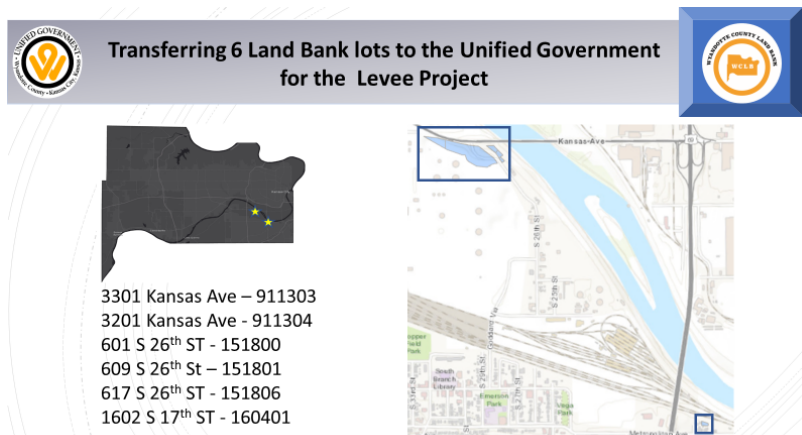
Commissioner Burroughs said second, Mr. Chair.

Chairman McKiernan said we have a motion from Commissioner Walters, a second from Commissioner Burroughs. Any further discussion among the committee? Carol, I'll ask you, did we have any communication regarding either of these properties? **Ms. Godsil** said the Clerk's Office received no communication from the public. **Chairman McKiernan** said with that, I'll ask for a roll call, please.

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

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Chairman McKiernan said those have been approved and they will move forward. Now, Mr. Knapp, if you could present to us the second batch of properties that are being considered tonight.



Mr. Knapp said we are recommending the transfer of six Land Bank lots to the Unified Government for the Levee Project. There are five of these lots at 26th & Kansas Ave. and there's one lot around 17th & Metropolitan.



Just some aerial views of the area. This is 26th & Kansas Ave. The total acreage here is 6.23 acres.



**Transferring 6 Land Bank lots to the Unified Government
for the Levee Project**





Land Bank Advisory Board

- No objections

Staff Advisory Team

- Give temporary access
- Only give what they really need

The next one is at 17th & Metropolitan and it is .17 of an acre. Sarah White is also here from Public Works to help answer any questions that you might have.

Chairman McKiernan said so, we have six properties; three on S. 26th, two off of Kansas Ave., and one off of S. 17th, all to be transferred from the Land Bank to the Unified Government so that the Unified Government has control of them for what purpose related to the Levee Project? Is it for staging? Is it for access?

Sarah White, Public Works/Engineering, said I'm the Project Manager for the Kansas City Levees Project. The KC Levees Project is a federally funded project with the Corps of Engineers for 17 miles of levee raise and enhancement along the Argentine, Armourdale, and CID Levee units. Part of the responsibilities of the UG, being a project partner, is we acquire the easements needed for this project.

In this case, these parcels, we are asking for them from the Land Bank for the project for access, laydown areas, and then also, in this area, this is a levee raise so we do need additional land to be able to—when you raise the levee, you also need to widen the levee to keep the same slopes. So, the ones closest to the levee, they're all needed for the actual levee raise. Then the 911303 and 911304 are for staging areas to be used.

Chairman McKiernan said, Sarah, there is a sliver of land in-between the three that are right up against the levee and then the other two that encompass 26th St. Do we have access? Do we own? **Ms. White** said I believe we already own that one in the center or it is already Kaw Valley Drainage District. It's either UG or Kaw Valley Drainage District on that one.

A lot of these areas will then be turned over to Kaw Valley Drainage District, the ones that are in the levee footprint. We are just doing the acquisition for them and they will be able to take over the O&M of these areas, but not the staging area. That would then be able to go back to being usable land. **Chairman McKiernan** said okay. That was going to be my next question. So, 151800, 801, and 806 might conceivably be—part of those might be taken by the Levee Project itself. The others would be used for staging and then could be returned to other uses after the levee raise is completed. **Ms. White** said right.

I know that one of the concerns was why we're not just getting an easement. All of these properties, we are actually—the ones that start with a 15, we are getting easements on those. We'll go through the process of getting easements on them because of the Corps' requirement that you have to have the easements for a levee. It needs to have a permanent drainage easement on there. So, those will have an easement on there.

One of the other reasons, like for the other two, why we're asking for that to just turn it over from the Land Bank to the UG is this project is a five-year construction project that will start next spring. At this time, we don't know their sequence or their phasing of how they'll—are they going to start downstream? Are they going to start upstream? It would be hard to know exactly when they're going to be in this location so that's why we're just wanting to have it for the full project.

Chairman McKiernan said got it.

Chairman McKiernan asked, Jud, could you flip to the next slide that has the S. 17th project, or parcel on it rather? I'm intrigued by this one. Is it also for staging? **Ms. White** said I believe this one is because it's a landlocked parcel and it is for access. **Chairman McKiernan** said okay, because if you look at the top of the picture that's on Jud's screen, that is the, I think, the BNSF Railroad tracks there. Then, the levee is further north of that. **Ms. White** said yes. **Chairman McKiernan** said so, there's no direct access to the levee from this location because of the railroad tracks in-between. **Ms. White** said right. I believe this is a pump station; needed for a pump station.

Chairman McKiernan said I guess my next question would be, it certainly just looks wooded to me. It doesn't look like there's any mechanical on this parcel. Would our transfer of these properties to the Unified Government, and would their inclusion as staging areas for the project,

what impact would that have on those few residents on S. 18th St. as it curves down there northward from Metropolitan and then to the west along the side of that parcel?

Ms. White said I'm going to backup, sorry. I just realized this location is where we are putting in—we have some railroad work because some of the areas we have to put in stoplogs for if there was a flood. We have to put them across the railroad. We have to install the mechanisms to allow for those closure structures to be put in. So, this one being adjacent to the railroad is because of a closure structure. **Chairman McKiernan** said okay. Got it.

Is it intentional, then, to have it next to the railroad because we access to those tracks as a part of the bigger project? **Ms. White** said yes. That line that you see drawn there that runs parallel, is where that becomes the railroad's right-of-way. So, that's the reasoning. There will be some stoplogs, mechanics put in there.

I missed your second question. **Chairman McKiernan** said no, that's fine. That explains everything that I need to know.

Chairman McKiernan said, at this point, I'll stop dominating the conversation and ask the rest of the committee if there are any other comments or questions?

Commissioner Burroughs said the question I would have is the fact that these are residential properties that we are butting up against. My comment is, will this construction work create dust or a residue that will impact the local residents in that area? **Ms. White** said yes. One of the things that we'll have as a requirement for any of these areas if they're up against residential, abutting residential properties or commercial property, is very strict construction, erosion control technique. The Corps has very strict requirements and they hold their contractors to them of spraying down the roads if there's any dust, etc. However, even though this parcel looks like its right next to those properties, the actual construction will be further away than just right there on the road because we're putting in those apparatuses closer to the railroad.

Chairman McKiernan asked, does any other member of the committee have a comment or a question for Ms. White or for Mr. Knapp? (There were none.) I'll ask the Clerk; did we receive any correspondence from the public regarding these properties? **Carol Godsil, Deputy UG Clerk**, said no comments were received. **Chairman McKiernan** asked, does any member of the public

wish to comment on these particular properties? I don't see any. At that point, I would just ask the committee if there is a motion regarding these properties.

Action: Commissioner Johnson 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. 2 – 20326...UPDATE: LAND BANK OPTION PROCESS

Synopsis: The Land Bank Manager will give detailed information on the current option process for Land Bank properties. The Land Bank Manager will also give an update on the new proposed changes for the option agreement, submitted by Jud Knapp, Interim Land Bank Manager.

Chairman McKiernan said this item is for information only. It is an update on the Land Bank option process. We got a preview of this last month and Mr. Knapp is back after some more discussion with the staff to present us an update. Again, this is for information only this evening.

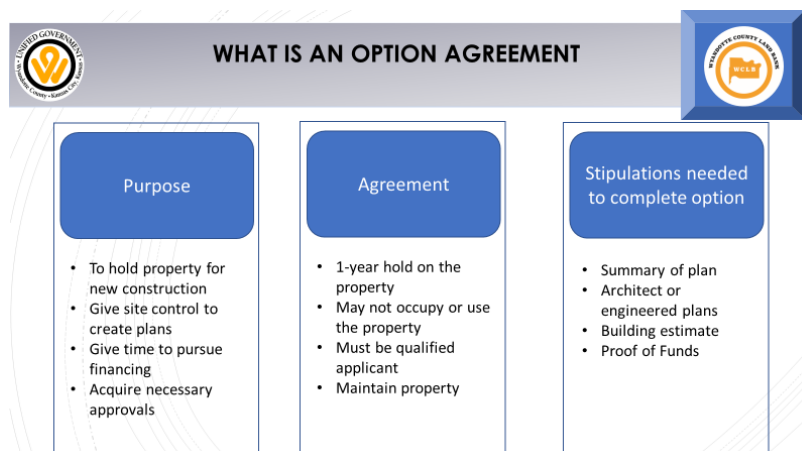


Land Bank Options

August 31, 2020

Jud Knapp, Interim Land Bank Manager, said today I'm going to explain what is an option and why we use it and the proposed changes.

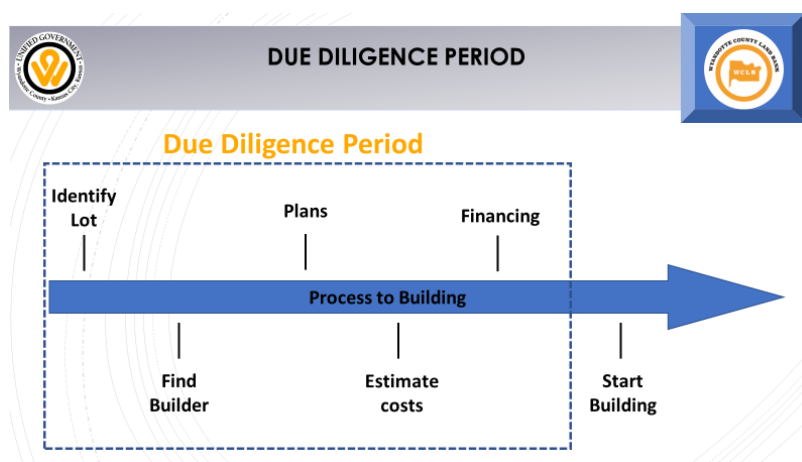
August 31, 2020



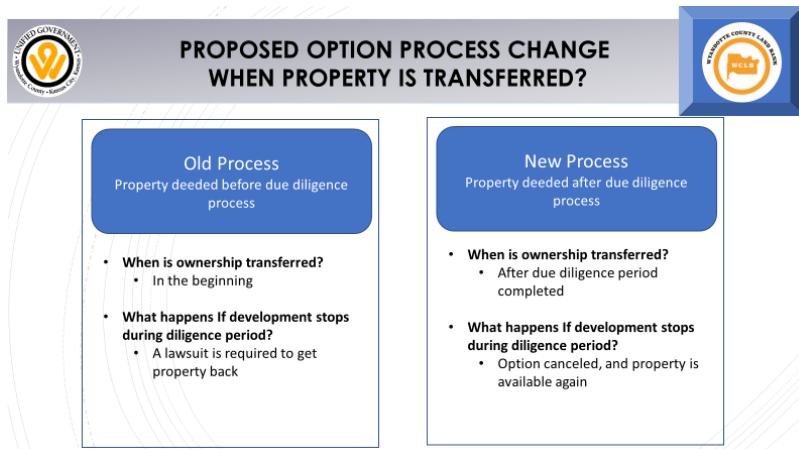
What is an option agreement? The main purpose is to hold property for new construction. It gives the applicant site control so they can create plans. It gives them time to pursue financing and to acquire the necessary approvals. The whole purpose is telling the applicant that the Land Bank will not sell the property for one year so you can go create those plans, you can go spend your money and be assured that you can build your project when you're done.

The agreement is for one year. You may not occupy or use the property during that time. You must be a qualified applicant. A qualified applicant is no code violations and you're current on your taxes and you have to maintain the property during this one-year period.

For the Land Bank to give the property to complete the option, we need like a summary of the plan, architect or engineered plans, a building estimate, and proof of funds that cover your building estimate.

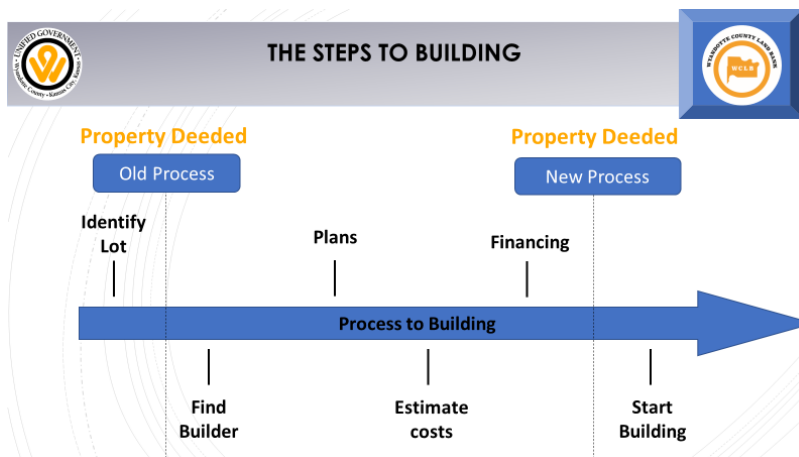


Here is where the due diligence period is. It's the whole planning process of building without actually building.



One is our proposed change here. It is the old or the existing process. Land ownership was transferred in the beginning. The new process, it's transferred after the due diligence period is completed. The main purpose for that is to make sure that there's no problems that come up that prevent development from happening. Let's say like a house is going to be built and we use the existing process and sign the property over to them but they found out that the old house that was demoed on that lot is buried underneath that lot. It would cost way too much for them to build their house and they walk away from it.

How do we get that property back? With the existing process, we would have to have a lawsuit to get the property back, but with the new proposed changes, we would just cancel the option and we would have the property available again the next day.



Here's a little like timeline of when the property would be deeded. The old process it's deeded after they identify a lot and they have interest in it. Then, the new process is when it's deeded is when they have their plans, their cost estimates, and their financing, and they are ready to build.



PROPOSED CHANGE TO THE PROCESS



Before the option agreement is signed, the Land Bank will get approval for the development

- This ensures that the applicant is approved to build
- The Land bank retains control during the due diligence process
- The Land Bank can easily get the property back if the development fails

The Land bank will present the current options for approval on September 28th

- Keep the approval conditional until the option stipulations are confirmed

The proposed change to the process. Before the option agreement is signed, the Land Bank will get approval for development. That means coming to this Board and getting approval for it. This ensures the applicant is approved to build. We would really hate if they spent all of their money in getting plans and then we tell them that they're not approved to build. So, that's the main reason we're making this change.

The Land Bank retains control during the due diligence process. The Land Bank can easily get the property back if the development fails.

The Land Bank will present the current options we have on September 28th. I believe we have like 8 options that are signed currently, but we have like 29 in total that could be like—that need to be approved. We will keep this approval conditional until the option stipulations are confirmed. That is, like they turn in their plans and their proof of funds and their building estimate.

That pretty much sums up what I have to say about the options. Do I have any questions about this?

Chairman McKiernan said, Jud, certainly you know I'm going to have a couple of questions. So, first of all, the Land Bank will present the current options for approval on September 28th. Unpack that a little bit more for me. Is that that this new process is going to be brought to the full Commission? Is that a regular Commission meeting on the 28th, by the way? **Katherine Carttar, Director of Economic Development**, said it's the next Neighborhood and Community Development. **Chairman McKiernan** said okay. So, sorry. That's our next standing committee meeting. **Ms. Carttar** said correct. **Chairman McKiernan** said and at that time, okay, alright. That's good to know.

Chairman McKiernan asked now, before an option is created, before this process is even contemplated, wouldn't the applicant have had to go through all the staff approval before they're even considered for having an option for a year's time? **Ms. Carttar** said no. The whole idea of an option is because all of this process, the planning process, it's an expensive process, both time and money. So, this is how we work with larger developers. We have some assurances that if everything goes according to plan, you kind of have reserved this property. You know that the Unified Government will not sell it out from under you.

So, really the idea with the option is that a person pays a fee so that they have kind of put that—have said that they are going to work diligently to move forward through the process. That's why we give them a very specific length of time. They get one year. That is their time to go look for financing, get their architectural drawings, all of that. Once all of that is done, then the actual transfer would be made.

Chairman McKiernan said I'm sorry. I didn't explain myself. That's perfectly clear to me that that's why that buffer is in there. I mean in terms of even considering them to build. We had two parcels tonight in Item No. 1 where there was still maybe a little bit of disagreement and discussion about whether or not that was an appropriate use of that parcel. So, I'm assuming before they ever got this option that we would have confirmed that the use they are proposing for that parcel is appropriate. Is that right? **Ms. Carttar** said that is correct. A much shorter than I thought. Sorry about that.

Chairman McKiernan said finally, Mr. Knapp, you said that they can't exercise their option for one year. That seems to me odd. If I have an option and I can lineup everything I need to lineup in six months, are you going to make me wait six more months before I can get started? **Mr. Knapp** said no. If you have all of your documents together within a month, we will deed it over to you, that's why we wanted to come to you first and get it approved so once we have all the documents together, we could deed the property over to them. **Chairman McKiernan** said perfect.

Commissioner Townsend said, Mr. Knapp, I too think you're going to have to pack a lot more for me, Commissioner McKiernan said. Could you go back to the slide that says what is an option agreement? That will help. Okay. The first one, purpose. My concern is that I did not hear from constituents who were saying I want to buy property out of the Land Bank and I'm told it's on

hold. A lot of constituents I've talked to still have kind of a, I'll say sour taste in their mouth about what we did a year ago trying to organize certain areas that were related to the Northeast Master Plan and that hold. If you could distinguish for me how this is not that. Is there a minimum sized lot? How would this impact what we just did for someone who wants merely a yard extension? Let me stop there with those questions.

Ms. Carttar said there's a pretty significant difference between what we had been utilizing the hold area, which was a very large area in most cases, for either a particular developer or in the case of the Northeast Area Master Plan, as we were going through that process, wanted to keep that on hold until we finished the policy. Anything that is currently on hold predates the change in policy about a year ago. We're actually kind of reviewing those and seeing exactly what is still on hold, what needs to be removed, and you may all see some of those coming forward in the coming months.

What this really does is it really tries to keep it very focused for a private, a person who's interested in building a house or a developer is interested in building a couple of houses; keep them very focused and on a very quick timeframe. When we had the larger hold areas, a lot of times those had no expiration dates. The Northeast Area Master Plan was a different one. That is no longer a hold area. That is open and we're happy to receive applications. But these, the goal is you have to pay a non-refundable \$100 if you're interested in residential. We're really trying to keep this very focused of people who are serious about actually investing and building on a Land Bank property rather than someone who is kind of interested in maybe somewhere down the road and just wants to keep it off for sale sign.

Commissioner Townsend said so there is, I guess, as a basic criteria, it has to be a minimum size, a buildable lot, I guess for a better term. **Ms. Carttar** said correct.

Commissioner Townsend asked, why is the \$100 nonrefundable if, as I think, Mr. Knapp gave an example of a situation that may arise during that due diligence period? Why is the \$100 not refundable? **Ms. Carttar** said, again, we feel like that's an appropriate cost to separate someone who may be serious about looking into a property versus kind of more prospecting. We do have other costs that could get waived down the road when you're actually building your house, but we feel like that really when you're—especially when we hear from a developer who's interested in 20 lots. If you say well, you have to pay \$100 for each lot to get an option, they're more likely to actually whittle that down to what they're really serious about looking at today. We

fell if that was refundable, then they just wouldn't worry about it and they'd just try to get an option on a whole ton of lots; try to really weed out folks who aren't serious about building.

Commissioner Townsend said to the due diligence period, the due diligence period then, is that the year period of time from the time the buildable lot is identified to either the conclusion of the paperwork and whatever else needs to take place that allows the builder to go forward or they find out they can't? That's the one-year period, the due diligence we're talking about, right? **Ms. Carttar** said correct.

Commissioner Townsend said this new—this revision says that title on the property will be at the conclusion of that period or when all the paperwork is done as opposed to when a perspective builder identifies the lot. Correct? **Ms. Carttar** said that's correct.

Commissioner Townsend said on the agreement, it was back to that first graphic that showed the purpose agreement. Now, maybe I misunderstood Mr. Knapp. In that one-year period, the perspective owner/builder cannot occupy or use the property, but they must maintain the property? That's what I understood and I didn't quite understand that. **Ms. Carttar** said yes. That really just means that they can't start building on the property until they've gone through—they don't own it yet. But, during that time, they need to mow the grass, make sure if there's illegal dumping, getting that taken care of, that kind of thing. **Commissioner Townsend** said okay, I understand that.

Commissioner Townsend said and, of course, this would apply the current as well as the proposed, should it go through, applies to not just one district, but the entire county. **Ms. Carttar** said that's correct. **Commissioner Townsend** said thank you. I think those answers clarified it for me. **Ms. Carttar** said thank you for bearing with us as we're kind of working through this new process and working out the issues. I'm sure it will not be the first time we slightly modify things, but we appreciate your collaboration.

Chairman McKiernan said I would pretty much guarantee that we will talk more before the 28th.

Commissioner Johnson said to either Jud or to Katherine, I have a very simple question. I think I heard it during presentation, but I want to make it clear for those that may be watching. This proposal is for both commercial as well as residential property. Is that correct? **Ms. Carttar** said

that's correct. **Commissioner Johnson** said that's the only question I had. I just wanted to make sure we clarified that.

Chairman McKiernan said as I said, I think that as we all—first of all, thank you so much for bringing this forward. It does flush out a little bit further what we had first talked about last month. It gives us some more ideas about how this would actually be executed, and that's really good. I think we'll probably end up having a few more discussions behind the scenes before we bring this to the committee for approval at our next meeting on the 28th.

I would say if no other member of the committee has questions or comments at this time, we will thank you for your presentation. We will just get some discussions scheduled before the 28th so that we can follow-up a little bit further.

Chairman McKiernan said I don't see any other members of the committee with comments or questions.

Action: For information only.

Public Agenda:

No items

Adjourn

Chairman McKiernan adjourned the meeting at 5:43 p.m.

cg



Staff Request for Commission Action

Tracking No. 20518

Full Commission Meeting Date: 12/17/20

Committee: Neighborhood & Community Development

Date of Standing Committee Action: 11/30/20

(If none, please explain):

Publication Required: No

<u>Date:</u> 11/16/2020	<u>Contact Name:</u> Gordon Criswell	<u>Contact Phone:</u> x5024	<u>Contact Email:</u> gcriswell@wycokck.org	<u>Department/Division:</u> Administrator's Office
<u>Item Description:</u> Resolution approving a revised Memorandum of Understanding for the Quindaro Ruins Project and authorizing the Mayor to appoint members to the Board of Directors.				
<u>Action Requested:</u> Approve and advance to December 17th Commission meeting.				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u> Resolution approving revised MOU and authorizing Mayor to appoint members to Quindaro Board of Directors, Memorandum of Understanding - revised				

RESOLUTION NO. R _____

**A RESOLUTION APPROVING A REVISED MEMORANDUM OF UNDERSTANDING
AND AUTHORIZING THE MAYOR/CEO OF THE UNIFIED GOVERNMENT TO
APPOINT MEMBERS TO THE BOARD OF DIRECTORS FOR THE QUINDARO
RUINS PROJECT**

WHEREAS, on August 10, 2020 the Unified Government of Wyandotte County/Kansas City, Kansas (the “Unified Government”) approved a Memorandum of Understanding (“MOU”) with Western University Association of the A.M.E. Church (“Western University”) agreeing to proceed in good faith in connection with a potential partnership related to the future preservation and development of the Quindaro ruins site located in and around the site of the former Quindaro township in Kansas City, Kansas (the “Quindaro Ruins Project”); and

WHEREAS, after further discussion the parties have concluded that a non-profit corporation is a better vehicle by which to accomplish the goals of the Quindaro Ruins Project, and have therefore drafted a revised MOU, attached as Exhibit A hereto: and

WHEREAS, the parties are in the process of drafting and negotiating Articles of Incorporation and other Corporation documents as set forth in the MOU, which will set forth clearly defined purposes for the Board of Directors for the Quindaro Ruins Project (“Quindaro Ruins Board of Directors”) related to the use of the Quindaro Ruins Project property, the use of funds, and the development of the Quindaro Ruins Project; and

WHEREAS, it is currently planned for the Quindaro Ruins Board of Directors to be comprised of seven (7) members; four (4) appointed by Western University and three (3) appointed by the Unified Government.

WHEREAS, the MOU provides that the Mayor/CEO shall select the Unified Government members of the Quindaro Ruins Board of Directors, and it is the intent of this Resolution to formalize that process.

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Unified Government of Wyandotte County/KCK as follows:

1. That the Mayor/CEO of the Unified Government shall have the authority to appoint three (3) members to the Quindaro Ruins Board of Directors. However, should the size of the Board increase or decrease pursuant to the proportional representation set forth in the MOU, then the Mayor/CEO shall have the authority to appoint the Unified Government’s share of members in whatever numerical amount allowed.
2. That the initial terms of the appointments shall be determined as set forth the Articles of Incorporation and other Corporation documents, which must be approved unanimously by the Quindaro Ruins Board of Directors. If no Corporation documents are approved within four (4) years of the date of this Resolution, then the term of the appointments shall expire.

3. The Mayor/CEO of the Unified Government shall have authority to fill any vacancies and to replace any previous appointment made by the same Mayor/CEO with or without cause so long as the Corporation is active and in good standing.
4. That the Mayor/CEO, County Administrator, and other officers, agents, and employees of the Unified Government are hereby further authorized and directed to take such further action as may be appropriate or desirable to accomplish the purpose of this Resolution.
5. This Resolution shall take effect and be in full force immediately after its adoption by the Government Body of the Unified Government.

ADOPTED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED
GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS
THIS 17th DAY OF DECEMBER, 2020.

Unified Government Clerk

ARTICLES OF INCORPORATION OF THE CORPORATIONS

(attached)

Memorandum of Understanding

This Memorandum of Understanding (“MOU”) is made effective as of the date last executed by and between Western University Association of the A.M.E. Church, Inc. (“Western University”) and the Unified Government of Wyandotte County/Kansas City, Kansas (“Unified Government”). This MOU is not intended to be a binding agreement or enforceable against either party, but is merely an expression of the intent of the parties to proceed in good faith with negotiations toward a final and binding agreement. This MOU is entered into in connection with the potential partnership between the parties related to the proposed future preservation and development of the Quindaro ruins site located in and around the site of the former Quindaro township in Kansas City, Wyandotte County, Kansas (“Quindaro Ruins Project”). Therefore, the parties express their mutual intent as follows:

1. The parties will proceed in good faith to identify the physical boundaries of the land to be included in the Quindaro Ruins Project, but it is the expectation of the parties that it will approximately include the property outlined and identified on Exhibit A.
2. It is the intention of the parties to form a non-profit corporation (the “Corporation”) to own the property included in the Quindaro Ruins Project, to apply for and seek grants, government funding, and donations, and to develop the Quindaro Ruins Project in accordance with the purposes of the Corporation as outlined in the Articles of Incorporation. The parties intend for the Corporation to qualify as a tax-exempt entity under the federal income tax code.
3. The parties will proceed with drafting and negotiating the Articles of Incorporation and any other documents necessary for the formation of the Corporation (the “Corporation documents”). Western University will draft the initial Corporation documents, and the parties will then proceed with good faith negotiations to finalize the Corporation documents. The costs of preparing the Corporation documents and applying for and obtaining tax exempt status for the Corporation will be initially borne by Western University, but will be reimbursed from funds, once available, of the Quindaro Ruins Project.
4. The Corporation documents will set forth clearly defined purposes for the Corporation related to the use of the Quindaro Ruins Project property, the use of funds, and the development of the Quindaro Ruins Project. The Corporation documents will also include specific project milestones to be accomplished by the Corporation to ensure that the project is progressing, including the immediate need to take the actions necessary to comply with The Quindaro Ruins Preservation Covenant (2004), and the Corporation documents will provide a process by which the property contributed to the Corporation by the parties will revert back to the parties if the milestones are not accomplished by the dates set forth in the Corporation documents.
5. Once the Corporation is formed and achieves tax-exempt status, the property to be included in the Quindaro Ruins Project will be conveyed by each of the parties to the Corporation.

6. Majority control of the Corporation, and therefore, the Quindaro Ruins Project, will be held by Western University. The Corporation will be governed by a Board of Directors, and all decisions of the Corporation will be made by a majority vote of the Board of Directors. The Board of Directors must at all times consist of a majority of Directors appointed by Western University (e.g. if there are 5 Directors, Western University will appoint 3, and if there are 7 Directors, Western University will appoint 4, and so on). The Unified Government will appoint the remaining Directors to the Board of Directors, although the parties may agree, but shall not be required, to allow some of the remaining Directors to be elected "at large"; provided however, that the Directors appointed by the Unified Government and those appointed "at large", in the aggregate, will always constitute a minority vote of the Board of Directors.
7. The Board of Directors may appoint officers, such as a President and/or Executive Director, to carry out the directions of the Board of Directors.

The parties acknowledge that this MOU sets forth an accurate non-binding summary of their mutual intent on how to proceed with the negotiation of the preparation and formation of the Corporation and the Quindaro Ruins Project.

Western University Association of the A.M.E.
Church, Inc.,
a Kansas not-for-profit corporation

The Unified Government of Wyandotte
County/Kansas City, Kansas,
a political subdivision of the State of Kansas

By: _____
Name: _____
Title: _____

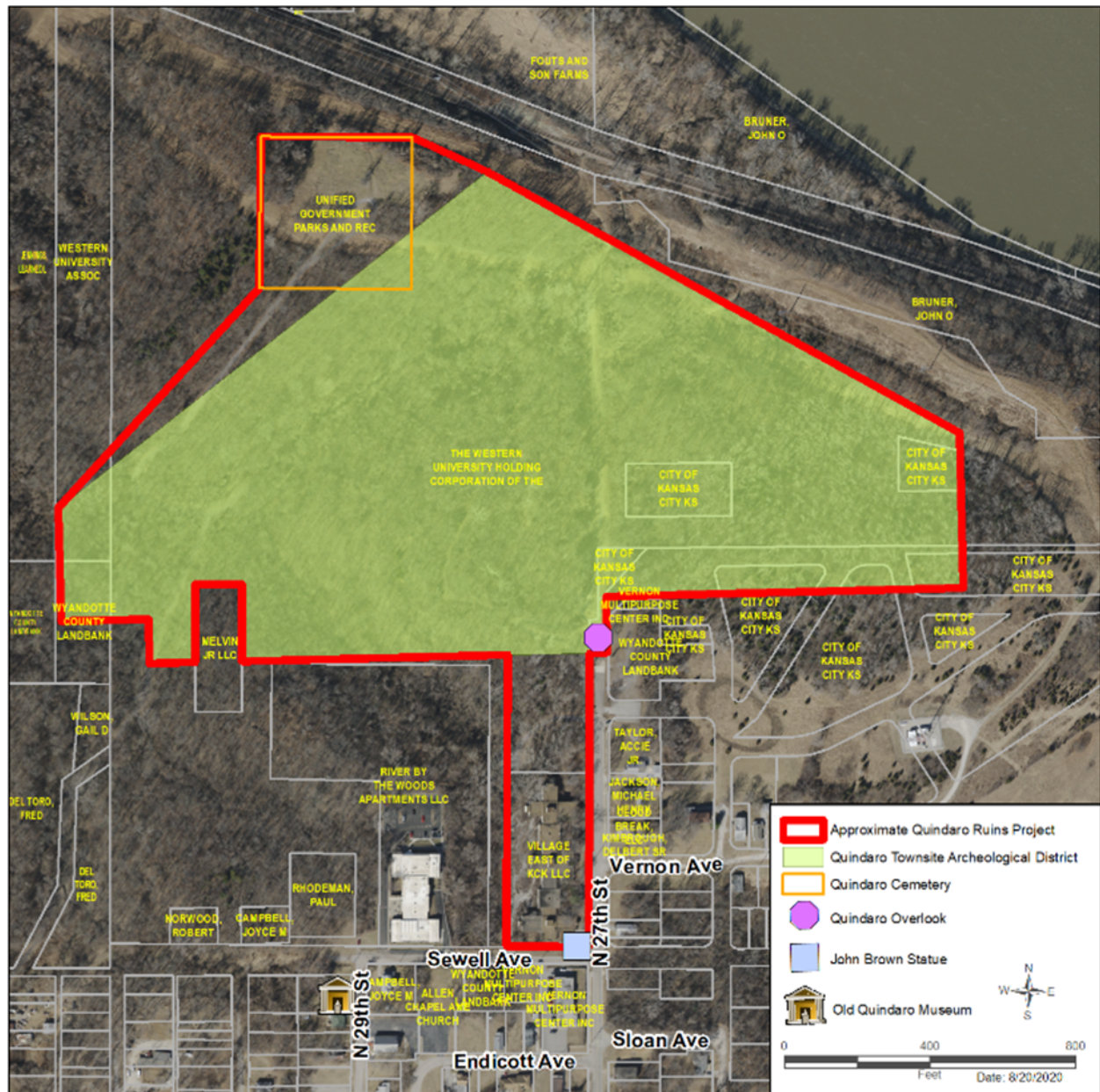
By: _____
David Alvey, Mayor/CEO

Date: _____, 2020

Date: _____, 2020

Exhibit A

Proposed Quindaro Ruins Project (outlined in red)





Staff Request for Commission Action

Tracking No. 20526

Full Commission Meeting Date: 12/17/2020

Committee: Neighborhood & Community Development

Date of Standing Committee Action: 11/30/2020

(If none, please explain):

Publication Required: No

<u>Date:</u> 11/18/2020	<u>Contact Name:</u> Jud Knapp	<u>Contact Phone:</u> x5472	<u>Contact Email:</u> jknapp@wycokck.org	<u>Department/Division:</u> Economic Development
<u>Item Description:</u> The Land Bank Manager respectfully request that the neighborhood and community development committee review the proposed item and forward it to the Land Bank Board of Trustees for final consideration, Submitted by Jud Knapp, Interim Land Bank Manager 2 Single Family Homes 2 Commercial Buildings Map link - https://arcg.is/0r94Ln				
<u>Action Requested:</u> Approve and forward to Land Bank Board of Trustees on 12/17				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u> NCD Memo Land Bank Options 11.30.2020				



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: November 19, 2020
SUBJECT: Applications for consideration

The following **option application(s)** are being presented at the 11/30/2020 meeting:

New Construction – Single Family Homes (2 Applications)

- Charles Endicott - 643 N 54th St – Parcel 051619
- Megan Duma
 - 2725 Glenrose Ln – Parcel 161701 – Build home (short term rental)
 - 2731 Glenrose Ln – Parcel 194010 – Build home in 5 years
 - 2750 Glenrose Ln – Parcel 194012 – Needed for sewer connection

New Construction – Commercial (2 Applications)

- Dustan Fankhauser – 6235 Kansas Ave – Parcel 923212
 - Build 2 3,200 square foot buildings ideal for small contractors
- Martha E Gonzalez – 1032 S 25th St – Parcel 152017
 - Build a building to store and maintain trucks

Land Bank Staff Advisory - Held a virtual meeting to review applications

Megan Duma Recommendations

- Not approving 2731 Glenrose Ln – 5 years is too long to wait for construction
- Not approving 2750 Glenrose Ln – No construction planned

Martha E Gonzalez

- Building would need 15ft on each side to meet screening guidelines.
this would make the building only 20ft wide

Land Bank Advisory Board

Held a virtual meeting and sent the recording to the members that could not attend.
Some confusion on the policy for the applicant to notify the neighborhood group

