

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

**PLANNING & ZONING AND
REGULAR SESSION
THURSDAY, DECEMBER 10, 2015**

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in regular session Thursday, December 10, 2015, with ten members present: Bynum, Commissioner At-Large First District; Walker, Commissioner At-Large Second District; Townsend, Commissioner First District; Murguia, Commissioner Third District; Johnson, Commissioner Fourth District; Kane, Commissioner Fifth District; Markley, Commissioner Sixth District; Walters, Commissioner Seventh District; Philbrook, Commissioner Eighth District; and Mayor Holland, Mayor/CEO, presiding. McKiernan, Commissioner Second District, was absent. The following officials were also in attendance: Doug Bach, County Administrator; Ken Moore, Chief Counsel; Bridgette Cobbins, Unified Government Clerk; Joe Connor, Assistant County Administrator; Rob Richardson, Urban Planning and Land Use Director; Bryon Toy, Planner; Lew Levin, Chief Financial Officer; Debbie Jonscher, Asst. Financial Director; Maureen Mahoney, Asst. to Mayor/Chief of Staff; George Brajkovic, Economic Development Director; Anna Krstulic, Legal Counsel; Janet Parker, Administrative Assistant; and Captain Randall Balliett, Sergeant-At-Arms.

MAYOR HOLLAND called the meeting to order.

ROLL CALL: Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, Murguia, Holland.

INVOCATION was given by Reverend George Kemper, Ebenezer Ministries.

Mayor Holland asked if there were any revisions to the agenda. **Bridgette Cobbins, UG Clerk**, said yes, Mr. Mayor. Under Section 10, Non-Planning Consent Agenda, we have a correction. It's Item No. 5-a resolution amending the 2017 Commission meeting dates. Under Section 12, Administrator's Agenda, we have additional information. Under Item No. 6, we have a resolution for the MOU for FOP 4.

Mayor Holland said tonight we have two distinct parts of our meeting. The Planning and Zoning will be handled first and then followed by our regular Commission meeting.

Ms. Cobbins, UG Clerk, asked if any members of the Commission wished to disclose contact with proponents or opponents on any item on the agenda. No disclosures were made.

Ms. Cobbins, UG Clerk, read all items on the Planning and Zoning Consent Agenda.

PLANNING AND ZONING CONSENT AGENDA

Mayor Holland asked would any Commissioner or anyone in attendance tonight like to remove any item currently on the consent agenda. Any item not removed will be voted on with one vote as recommended by the Planning and Zoning Commission. Would anyone like to remove an item at this time?

Action: Commissioner Kane made a motion, seconded by Commissioner Murguia, to approve the Planning and Zoning Consent Agenda. Roll call was taken and there were nine “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, Murguia.

CHANGE OF ZONE APPLICATIONS

ITEM NO. 1 – 15216...CHANGE OF ZONE APPLICATION #3095 – JOE HERRING FOR HERRING SURVEY, INC.

Synopsis: Change of zone from A-G Agriculture District to R-1 Single Family District to subdivide the property at 11011 Leavenworth Road, submitted by Robin H. Richardson, Director of Planning. The applicant is seeking a rezoning of 1.5 of the 19.41 total acres in order to subdivide the property and sell the 1.8 acre portion. The Planning Commission voted 6 to 0 to recommend approval of Change of Zone Application #3095, subject to:

Urban Planning and Land Use Comments:

As lots are only permitted to be less than 3 times as long as they are wide, please confirm the dimensions of both the new lot being created (to be zoned R-1) and the dimensions for the remaining portion of the existing lot. (Note that the R-1 lot must have 50 feet of right-of-way frontage).

Applicant Response:

*The remaining portion will have 425 of frontage left.
1 to 3 would need 1275 maximum depth.*

It would meet this if the distance is taken from the 50' right of way line having 1273 or a 1 to 2.995 ratio taken from the section line $425 \times 1323 = 1$ to 3.11 ratio (16' short in width). Since this is just the rezone portion of the process, the end goal would be to combine the remainder of the 20 acres with her residence on the west then the ratio would not be in question at all.

Upon the splitting of the property or adjusting the boundary lines, if additional right-of-way is required to get to 50 feet, then that instrument will be created at that time.

Public Works Comments:

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

Action: Commissioner Kane made a motion, seconded by Commissioner Murguia, to approve Change of Zone Application #3095, subject to the stipulations. Roll call was taken and there were nine "Ayes," Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, Murguia.

ITEM NO. 2 – 15218...CHANGE OF ZONE APPLICATION #3099 – HAROLD PHELPS WITH PHELPS ENGINEERING

Synopsis: Change of zone from R-1 Single Family District to A-G Agriculture District for an agricultural use at 7251 Locust Avenue, submitted by Robin H. Richardson, Director of Planning. The applicant, Harold Phelps on behalf of the John J. Rieke Revocable Trust, wants to rezone the property to create four tracts of land for agricultural use. The Planning Commission voted 6 to 0 to recommend approval of Change of Zone Application #3099, subject to:

Urban Planning and Land Use Comments:

1. Sec. 27-452(d)(3) Lot width shall not be less than 250 feet measured at the building line.

Subject to the rezoning approval, the widths of the proposed lot split do not meet the A-G Agriculture District regulations. Each tract is measuring 160.84 feet, a violation of 89.16 feet. A lot width variance from the Board of Zoning Appeals is required if the four tracts want to remain as depicted on the proposed lot split.

Applicant Response: After approval of zone change application, the applicant will submit to the Board of Zoning Appeals for all variances which apply to the submitted lot split.

2. Sec. 27-280(b)(3) The depth of a lot, measured as the average horizontal distance from the front street to the rear lot line, shall not exceed three times the width. The lot width for this purpose is the maximum horizontal distance between side lot lines within 60 feet of the front street line.

The depth of proposed lot is 2,673.62 feet. In order to be compliant with the aforementioned ordinance, the lot width cannot be less than 891.20 feet. The lot width is 663.36 feet, so any proposed subdivision of land, whether by plat or lot split, requires a variance from the Board of Zoning Appeals.

Applicant Response: After approval of zone change application, the applicant will submit to the Board of Zoning Appeals for all variances which apply to the submitted lot split.

3. Correspondence from Code Enforcement Department:

- a. Inspector Haworth has noticed in the past few months a few dump trucks and construction equipment entering in and out of the property. He stated that he was unable to see from the street what work was occurring, but that there was a gate at the entrance. In looking at the Maui database, there are no permits for any work.

Please provide an explanation to the aforementioned statement. Depending on the work being done, a special use permit, land disturbance permit and/or a building permit will be required.

Applicant Response: The owner of the property was asked to provide access to the property in order to complete a boundary survey on the property. Direction from city staff was that an access easement would be required to all the lots along 74th Street as shown on the proposed lot split drawing. Minimized tree clearing was necessary to accomplish both the boundary survey and access easement survey as requested. Owner of property had resources to asphalt millings from a construction site and was able to utilize the millings for a more stable entrance to the property.

Staff Response: If there is earth work being done (i.e. earthen material being brought onto, removed from or relocated on the property) in which there is greater than 50 cubic yards of fill or not an active building permit on the property, a special use permit is required.

Public Works Comments:

1. Items that require plan revision or additional documentation before engineering can recommend approval: none.
2. Items that are conditions of approval (stipulations):
 - a. Not sure if the total acreage includes the right-of-way or not, but I believe there should be something in the description that states: Less that part taken for road right-of-way.
 - b. Label each parcel as Tract 1, Tract 2, Tract 3, and Tract 4.
3. Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents: none.

Action: Commissioner Kane made a motion, seconded by Commissioner Murguia, to approve Change of Zone Application #3099, subject to the stipulations. Roll call was taken and there were nine "Ayes," Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, Murguia.

ITEM NO. 3 – 15219...CHANGE OF ZONE APPLICATION #3100 – DAVID AND PATRICIA JOHNSON WITH PSB INVESTMENTS

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Synopsis: Change of zone from R-1 Single Family District to CP-O Planned Nonretail Business District for a new doctor's office with parking and expansion for existing doctor's office at 1205 North 90th Street,
and

MASTER PLAN APPLICATION #MP-2015-4 – DAVID AND PATRICIA JOHNSON WITH PSB INVESEMENTS

Synopsis: Master plan amendment from Low Density Residential to Neighborhood Commercial at 1205 North 90th Street, submitted by Robin H. Richardson, Director of Planning. The applicants want to expand their medical office building by constructing a second office building and additional parking for both buildings at 1205 North 90th Street. The Planning Commission voted 6 to 0 to recommend approval of Master Plan Amendment #MP-2015-4. The Planning Commission voted 6 to 0 to recommend approval of Change of Zone Application #3100, subject to:

Urban Planning and Land Use Comments:

1. Subject to approval, a \$50 rezoning ordinance publication fee shall be submitted to the Urban Planning and Land Use Department immediately following the Board of Commissioners meeting.
Applicant Response: Okay.
2. Only decorative lighting may be used on the façade of the office building.
 - a. Any site or building lighting shall have 90 cutoff fixtures.
Applicant Response: Okay.
3. The site plan does not indicate the location of the trash enclosure.
Applicant Response: Existing trash enclosure is in existing parking lot near the existing building. It will be used by the new building.
4. Sec. 27-463(d)(3)e. For parking and other paved areas: Not less than six feet from any property line or less than 25 feet from any street line. The parking lot along the north property line is setback five feet. Please revise.
Applicant Response: The parking lot moved six feet from the property line.
5. The ends of parking stalls shall be curbed and landscaped islands.
Applicant Response: The entire parking lot is curbed and all islands shall be landscaped.
6. The CP-0 Planned Nonretail Business District landscaping requirement is one tree for every 7,000 square feet of site area. The Commercial Design Guidelines requires that landscape exceed the district requirement by at least 75 percent.

Based on the site area, .89 acre (38,768.4 square feet), 10 (9.69) trees are required based on the guidelines. Please submit a landscape plan to meet this requirement. Please show required screening as well. (See #9 below)

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Applicant Response: Added 12 evergreen trees to the site plan. Evergreens along the north property line will work with the privacy fence to screen the property.

7. Landscaping shall be irrigated.

Applicant Response: Okay.

8. All shade trees shall be at least 2" caliper when planted. All evergreen trees shall be at least 6' in height when planted.

Applicant Response: Okay.

9. Sec. 27-577(c)(4) Landscape areas located between commercial districts and residential districts must provide 100 percent sight-obscuring year-round buffer using plant material or a combination of fence, berm and plant material.

- a. A 6' privacy fence with masonry columns every 32 running feet shall be constructed along the north property line screening the single family residence from the office building and parking lot.

Applicant Response: A six foot privacy fence has been added to screen the parking lot along the north property line.

10. Per the City-Wide Master Plan Neighborhood Commercial designation

- a. Required Infrastructure:

- i. Minimum 8-foot sidewalk/trail along a Class A or B Thoroughfare.

- ii. Minimum 4-foot pedestrian path with landscape buffer and pedestrian lighting from parking areas to buildings

An 8-foot sidewalk from the northeast corner of State Avenue shall extend north on the east side of North 90th Street to the north property line.

Applicant Response: As previously noted, there are existing five foot wide sidewalks along both sides of 90th Street that were constructed by the City when the street was improved. At that time, utility lines and poles were relocated to clear construction. Widening the existing sidewalk from five feet to eight feet will require relocation of several could make the project uneconomical. We do not understand that four foot pathway requested from the parking lot to the building.

Staff Response: A development must comply with the designated land use category. Because the property is being amended to Neighborhood Commercial, an eight foot sidewalk is required to be installed, in this case on the east side of 90th Street. Staff revised the stipulation to allow flexibility to avoid the existing light poles and utilities. The applicant will present a sidewalk plan as part of Final Plan Review. Staff and/or Planning Commission may revise the recommendation during the Final Plan Review process.

11. Please provide building elevations for the proposed office building.

Applicant Response: The building is to match the architecture of the existing medical building. Photos of the existing building are to be provided to the UG by the owner.

Staff Response: Details will be reviewed at final plan. The new building must meet Overlay Zone Criteria.

12. What are the proposed hours of operation?

Applicant Response: Maximum 8:00 AM to 5:00 PM, Monday through Saturday.

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13. Will there be any truck deliveries, and if so, which entrance will they use?

Applicant Response: There are no trucks other than trash accessing the dumpster.

14. Staff will review the security plan at the time of final plan review. This will determine the sufficiency of lighting and cameras or if there may be the need to gate the parking lot.

Public Works Comments:

1. Items that require plan revision or additional documentation before engineering can recommend approval:

a. What is height of proposed retaining wall? What type of retaining wall is proposed? Site Plan shows limited space for footing, etc. based on Property Line location.

Applicant Response: The wall is a maximum of two feet high and will be constructed of masonry modular stack stones. No footing will be necessary.

b. Note that proposed site layout may require revision if proposed detention basin and/or storm water quality BMP's are not sized correctly for UG approval.

Applicant Response: The basin and BMP have been calculated. There is room as indicated on the site.

c. Cross access agreement is required between the owners of the existing business with parking lot, and new building with parking lot for roadway maintenance, snow removal, etc. as required.

Applicant Response: Both facilities are owned by the developer. Cross access etc. will be provided if there is a separation of ownership in the future.

2. Items that are conditions of approval (stipulations): none.

3. Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents: none.

Action: Commissioner Kane made a motion, seconded by Commissioner Murguia, to approve Change of Zone Application #3100 and Master Plan Amendment #MP-2015-4, subject to the stipulations. Roll call was taken and there were nine "Ayes," Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, Murguia.

SPECIAL USE PERMIT APPLICATIONS

ITEM NO. 1 – 15209...SPECIAL USE PERMIT #SP-2015-63 – RICHARD AND MARY LESLIE

Synopsis: Renewal of a special use permit (#SP-2013-47) for a kennel for four dogs at 334 North Thorpe Street, submitted by Robin H. Richardson, Director of Planning. The Planning Commission voted 6 to 0 to recommend approval of Special Use Permit Application #SP-2015-63, subject to:

Urban Planning and Land Use Comments:

1. The applicants stated in their letter that they clean the yard twice daily and apply a natural odor control cleaner to the yard regularly. Please describe how the animals' waste is disposed of.

Applicant Response: We do not wash the solid waste into the ground; they are picked up at least twice a day or more. The solid waste is bagged and sealed, and disposed with the garbage pick-up every week. The yard is rinsed and deodorized with apple cider vinegar, or a cleanser with cinnamon, cedar wood and clove oil mixture; which are done about every month or when there is an exceptional dry spell with no rainfall. We also apply about 6 to 7 bales of hay to the yard every 3 to 5 months, to help with the erosion. We also have railroad tiles on the bottom of our 6 foot fencing to stop the erosion.

2. The applicants have stated in their letter that the dogs are supervised at all times when they are outside. The dogs are mainly house dogs and eat and sleep inside.

Applicant Response: Our dogs have all their necessary shots and check up from the veterinarian. They are healthy and never run wild. We turned our basement into a (12 x 15 foot) kennel. Our dogs stay in the kennel during our working hours or when we are not home.

3. The applicants stated in their letter that they have not received any complaints.
4. The applicants have submitted information showing the yearly cost for the care of their dogs.
5. The applicants understand that the legal limit is three dogs and none of the existing dogs can be replaced once they get to that limit.
6. Approval would be for five years.

Public Works Comments:

No comments

Action: Commissioner Kane made a motion, seconded by Commissioner Murguia, to approve Special Use Permit Application #SP-2015-63 for five years, subject to the stipulations. Roll call was taken and there were nine "Ayes," Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, Murguia.

ITEM NO. 2 – 15220...SPECIAL USE PERMIT #SP-2015-64 – RONALD E. ISOM

Synopsis: Special use permit for a storage container at 3002 Delavan Avenue, submitted by Robin H. Richardson, Director of Planning. The Planning Commission voted 6 to 0 to recommend approval of Special Use Permit Application #SP-2015-64, for 18 months.

Action: Commissioner Kane made a motion, seconded by Commissioner Murguia, to approve Special Use Permit Application #SP-2015-63 for five years. Roll call

was taken and there were nine “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, Murguia.

ITEM NO. 3 – 15210...SPECIAL USE PERMIT #SP-2015-65 – REID ROBERTS

Synopsis: Renewal of a special use permit (#SP-2013-34) for live entertainment in conjunction with event center at 3150 North 91st Street, submitted by Robin H. Richardson. The applicants, Reid and Marisa Roberts want to continue to have live entertainment in their event center known as Venue at Willow Creek located at 3150 North 91st Street. For most of the initial period, the venue was under construction. The Planning Commission voted 6 to 0 to recommend approval of Special Use Permit Application #SP-2015-65, subject to:

Urban Planning and Land Use Comments:

1. Subject to approval, this special use permit shall be valid for five years.
2. All live entertainment, bands, DJs, etc. shall be within the enclosed building. Doors shall remain closed when music is being played.
3. Staff has been made aware by the KCKPD that there has been one service call to the property since August 15, 2015, which was medically related.
4. Based on the site plan, if a monument sign is proposed, a sign permit from a licensed and bonded sign company must file for the permit on behalf of the applicant.

Public Works Comments:

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

Action: Commissioner Kane made a motion, seconded by Commissioner Murguia, to approve Special Use Permit Application #SP-2015-65 for five years, subject to the stipulations. Roll call was taken and there were nine “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, Murguia.

ITEM NO. 4 – 15221...SPECIAL USE PERMIT #SP-2015-66 – JESUS M. RODRIGUEZ

Synopsis: Special use permit for the temporary use of land to keep lawn care equipment for their business at 1701 South 40th Street, submitted by Robin H. Richardson. The Planning

Commission voted 6 to 0 to recommend approval of Special Use Permit Application #SP-2015-66, subject to:

Urban Planning and Land Use Comments:

1. How long are you intending to keep the trailer and equipment on the property?

Applicant Response: Taking into consideration the fact that it's a small business and net profit is not enough to afford commercial storage, we would like to keep it on the property until business grows. The equipment is not visual to neighbors and we do not advertise at all at home. Trucks are not marked with business name.

2. How many accessory buildings (garages, sheds, etc.) do you have on the property?

Applicant Response: We have a carport where we park our vehicles (in the front of the house). There is a shed towards the back part of the yard where all the machinery is kept inside. It's not visual to the neighbors. We like to keep everything away from public view to avoid theft.

3. Could the trailer and equipment be parked in the garage?

Applicant Response: There is no garage in the house. There is a carport on the front of the house and equipment is kept in the shed in the back of the house. Staff recognizes the need for small businesses to have time to grow their businesses in Wyandotte County before it is possible to move into more costly commercial space. So long as the trailer with the equipment is not visible from the street (where it is currently parked, near the shed toward the rear of the property is sufficient) and is screened from view for adjacent property owners and the property is kept clear of all equipment other than the trailer, there should not be any aesthetic issues and recommends approval for two years. Staff suggests that, when possible, the applicant move the business and its associated equipment to a commercial property.

Public Works Comments:

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

Action: Commissioner Kane made a motion, seconded by Commissioner Murguia, to approve Special Use Permit Application #SP-2015-66 for two years, subject to the stipulations. Roll call was taken and there were nine "Ayes," Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, Murguia.

ITEM NO. 5 – 15222...SPECIAL USE PERMIT #SP-2015-67 – DIEGO TOTO WITH XM AUTOMOTIVE

Synopsis: Special use permit for a mechanic/heavy repair shop at 4439 Shawnee Drive, submitted by Robin H. Richardson, Director of Planning. The Planning Commission voted 6 to 0 to recommend approval of Special Use Permit #SP-2015-67, subject to:

Urban Planning and Land Use Comments:

1. Subject to approval, this special use permit shall be valid for two years.
2. How large is the tenant space that you are leasing? Please provide the square footage of the building.

Applicant Response: It is 2,700 square feet.

Staff Response: Based on the 2,700 building square footage, 10.8 parking spaces, or 11 parking spaces are required for this building. Even though the property is zoned MP-1 Planned Light Industrial and Industrial Park District, automotive uses or commercial uses require four spaces for every 1,000 square feet of building area.

3. Looking at the photographs, the south and west sides of the parking lot do not have any striping. Staff cannot determine how many parking spaces are required if we do not know the building square footage. Also, per your landlord, how many parking spaces have been allocated to you in the parking lot?

Applicant Response: Stated by the landlord, the parking availability is on a first come first serve basis. With that being said, all but one of the other tenants in the building uses this facility as a storage unit only. They do not have customers or cars parked outside except for the times they come to get items from their space and those are only their own personal car.

Staff Response: Since there is adequate space on the south side of the building, five 90 degree head-in parking stalls shall be striped to accommodate additional parking. The industrial businesses have a parking ratio of 1 space for every 500 square feet up to 20,000 square feet. The parking lot located on the east side of the building is needed for all of the various businesses/tenants on the property, not just the proposed mechanic shop.

4. Per Sec. 27-593(b)(20)d.1-3.
 - a. Parking of the automobiles under heavy service repair, or mechanics shall not be placed within a required parking/paving setback area and shall not reduce the capacity of a parking lot below that required by Sections 27-466 through 27-470.
 - b. Parking shall be upgraded to current standards and regulations including medians, landscaping, and screening.
 - c. Each automobile shall be in a striped, designated parking space.

The ends of the row of parking stalls shall be curbed and landscaped that complies with the Commercial Design Guidelines. The asphalt inside the islands shall be removed prior to the landscaping being planted. Please provide a more detailed drawing that shows the parking allocated for 4439 Shawnee Drive. Additionally, please show on the drawing that at either end of each row of parking a curbed, landscaped island. There shall be at least one shade tree (minimum 2" caliper when planted) shown in each parking lot island. Lastly, where the curb is poured around the perimeter of the island, the asphalt shall be removed inside the island and replaced with topsoil, so the plantings will adequately grow.

Applicant Response: I believe my landlord stated he was getting in contact with someone at the office to speak about the parking and about the whole permit itself, since they stated that this building already has a permit for auto repair since it was built back in the 1990's. I am unsure of what the process is with this. My landlord said he was looking into it.

Staff Response: The code requires these improvements to be made to the property. The special use permit will not become valid until all stipulations are met. Curbed islands shall be installed at the end of the parking row and landscaped as previously stated.

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

Applicant Response: We will follow getting a sign once and if the application is approved. Thank you.

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

Applicant Response: Understood.

7. Will any vehicles or materials be stored outside?

Applicant Response: Yes, some vehicles will be parked outside while awaiting service. Cars will be in running condition, with current tags and all appropriate paperwork. The heavy repair will not be parked outside or towed in, vehicles will be inside.

Staff Response: Cars that are awaiting service shall be parked in a code compliant parking stall. Salvaged or wrecked vehicles are not permitted to be on the property, as this is not a salvage operation.

Public Works Comments:

1. Items that require plan revision or additional documentation before engineering can recommend approval:

- a. Verify/clarify that no new exterior construction, parking lot improvements, etc. is being proposed with this special use permit.

Applicant Response: As the tenant at this location, I am not submitting new plans for any exterior construction, etc. I am aware that the landlord is also getting in touch with the office regarding this permit. So I am unaware if he, as the owner of the building is making any improvements.

2. Items that are conditions of approval (stipulations): none.

3. Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents: none.

Action: Commissioner Kane made a motion, seconded by Commissioner Murguia, to approve Special Use Permit Application #SP-2015-67 for two years, subject to the stipulations. Roll call was taken and there were nine "Ayes," Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, Murguia.

ITEM NO. 6 – 15211...SPECIAL USE PERMIT #SP-2015-68 – JEFF PIERCE/L.G. EVERIST, INC.

Synopsis: Renewal of a special use permit (#SP-2013-55) for a dirt fill at 8600 Gibbs Road, submitted by Robin H. Richardson, Director of Planning. The applicant wants to continue to operate a dirt fill site on 12.94 acres at 8600 Gibbs Road for potential leasing opportunities. The applicant's representative has indicated that they have not moved any dirt the last two years. The Planning Commission voted 6 to 0 to recommend approval of Special Use Permit Application #SP-2015-68, subject to:

Urban Planning and Land Use Comments:

1. Special use permit for dirt fill shall be valid for two years.

Applicant Response: This is understood, we request that the current SUP be extended for a period of five years.

Staff Response: Five years is acceptable.

2. In addition to the special use permit, plans must be submitted for grading permits to the Development Review Committee prior to beginning site work.

Applicant Response: This is understood and was completed at the time of the original SUP. Plans have been resubmitted for the current SUP application.

3. Any future development for industrial purposes of this property will require a change of zone and final development plan.

Applicant Response: This is understood.

4. How much fill do you intend on excavating from and/or bringing onto the site?

Applicant Response: We plan on bringing in 20,000 cubic yards of fill.

Updated Applicant Response: The 20,000 cubic yards figure was recorded or reported in error with the original SUP, the actual figure is 80,000 cubic yards. This is consistent with the grading permit and plans as they have always been.

5. How many trucks do you anticipate for the project, daily, monthly, and annually?

Applicant Response: We plan on using three pieces of equipment, a CAT 966K wheel loader, a CAT 980L wheel loader, and a CAT D8T dump truck all of which have been approved by Southern Star for work over the gas line.

Updated Applicant Response: This response remains effective for the current SUP application.

6. How long do you intend on having an open fill site?

Applicant Response: We intend on completing fill operations within 7 years.

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Updated Applicant Response: As no fill operations ever commenced on the site, the original timeframe of 7 years remains in effect.

7. What are the proposed hours of operation for this site?

Applicant Response: The work is planned on being done from 7:00 AM to 6:00 PM.

Updated Applicant Response: These hours will remain the same throughout this permit.

8. Compliance with Appendix J of the 2009 International Building Code. This would include that no material with a dimension greater than one foot would be placed unless rock disposal areas are delineated on the plans and approved.

Applicant Response: This is understood.

9. A letter from the petitioner shall be provided agreeing to remedy, repair, or cleanup any damage to adjacent property owners or streets or utilities occasioned by the washing of silt or earthen material upon adjacent properties.

Applicant Response: The requested letter was supplied with the original application, a copy can be provided to the City upon request.

10. Per the Building Inspection Department:

- a. Building Inspection does not support approval of this application. The parties never obtained grading/excavation permits for #PR-2007-6. A "Stop Work" was posted on the property. They made revisions to the plan review application to include the fill, but never obtained the permits.

Staff Response: L.G. Everist has made contact with the Building Inspection Department, and is in the process of applying for a grading permit.

Applicant Response: To our knowledge, this comment is in relation to a separate property and drainage ditch that was filled on that property and unrelated to this special use permit application. To our knowledge, that was resolved to the satisfaction of the city.

11. Per Melissa Mitchell, CFM:

- a. Parcel is located within a zone AE floodplain. Floodplain designation shall be shown on the site plan and the FIRM panel number and effective date noted. Project shall comply with Floodplain

Management Ordinance. Applicant is responsible for obtaining any required local, State, and/or Federal permits.

Applicant Response: Information as requested has been placed on the site plans. As of this date, all required State and Federal permits have been obtained and provided to the City. The local Floodplain Development Permit is being applied for with the Grading Permit

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concurrently with this special use permit application. The application, and supporting materials, complies with the Floodplain Management Ordinance and nothing further is anticipated for compliance.

12. This is the current timeline of events pertaining to 8400 to 8440 Gibbs Road:

- a. 2007 plans were submitted to DRC for new office/maintenance building and a Final Plan Review #PR-2007-6 was approved per engineering stipulations.
- b. Complaint received by George Sooter and sent to Building Inspections. Case initiated June 9, 2011.
- c. Stop Work Order issued June 20, 2011, for commercial excavation and hauling of earth material, to location, or away from the location, in excess of 5,000 cubic yards. Fill dirt is being brought in at south side of property without proper permits.
- d. June 30, 2011, request for extension by Jeff Pierce, L.G. Everist Area Manager received.
- e. February 20, 2012, engineering comments issued by Dave Clark for storm drainage, general engineering, and erosion control. BHC submitted plans in conjunction with the 2007 final plan review stipulation; transmittal January 24, 2012.
- f. Comments are outstanding and we do not have applications on file for a special use permit or DRC.

Applicant Response: Per comment 10a, this comment is not related to the current special use permit. The current special use permit application subject property is located at 8600 Gibbs; this comment references 8400 and 8440 Gibbs. As stated in our response to 10a, similar events described in this comment, as recalled by the applicant, occurred for a drainage ditch located between 8400 and 8440 (a separate property) and we believe that to have been resolved.

Public Works Comments

No additional comments on the renewal.

Action: Commissioner Kane made a motion, seconded by Commissioner Murguia, to approve Special Use Permit Application #SP-2015-68 for five years, subject to the stipulations. Roll call was taken and there were nine “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, Murguia.

VACATION APPLICATION

ITEM NO. 1 – 15225...VACATION APPLICATION #A-2015-11 – WILL ANDERSON WITH BHC RHODES

Synopsis: Vacation of an alley at 1122 Southwest Boulevard, submitted by Robin H. Richardson, Director of Planning. The applicant is requesting to vacate a 16 foot wide alley between Lots 10 & 11, Block 1 of Rolling Mill Resurvey. The Planning Commission voted 6 to 0 to recommend approval of Alley Vacation Application #A-2015-11, subject to:

Urban Planning and Land Use Comments:

None

Public Works Comments:

1. Items that require plan revision or additional documentation before engineering can recommend approval: none.
2. Items that are conditions of approval (stipulations): Existing utilities shall be protected and maintained.
3. Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents: none.

Action: Commissioner Kane made a motion, seconded by Commissioner Murguia, to approve Vacation Application #A-2015-11, subject to the stipulations. Roll call was taken and there were nine "Ayes," Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, Murguia.

PLAN REVIEW APPLICATION

ITEM NO. 1 – 15227...PLAN REVIEW APPLICATION - #PR-2015-20 - KHALID BANDAY/KAM DESIGN & CONSTRUCTION, INC.

Synopsis: Preliminary plan review for a C-store at 7552 State Avenue, submitted by Robin H. Richardson, Director of Planning. The applicant wants to build a 1,500 square foot retail store and a 3,500 square foot convenience store in conjunction with five gas pumps at 7552 State Avenue. The Planning Commission voted 6 to 0 to recommend approval of Plan Review Application #PR-2015-20, subject to:

Urban Planning and Land Use Comments:

General Planning:

1. It shall be noted that there are not enough parking spaces to accommodate a future restaurant on this property. The 23 parking spaces can only be used for general retail uses with a parking ratio of 4:1,000.

2. Please provide template of queueing vehicles in front of the five pumps. The truck turning template poses a question. How will customers access the drive-through lane of the restaurant if the fueling truck is serving the fuel pumps? The truck blocks all access to the rear of the building.

Applicant Response: Please see sheet C5 that shows fuel truck maneuvering with the property. We also took out the restaurant as well as the revised building size.

3. Based on the 1,250 square footage seating area and the remaining 920 square feet of floor area in the restaurant, 28 parking spaces are required. This does not include the 3,000 square foot convenience store, which requires 12 spaces. The total parking count on site is 25 spaces. Based on the proposed uses and square footages, the parking requirement is 40 spaces. Either you will need to apply for a variance to have a reduction in parking or revise your proposal.

Applicant Response: The building will have only the retail space and the required number of spaces is 20 and we are providing 23 spaces including 2 accessible spaces.

4. Sec. 27-576(i) Drive-up and drive-through facilities, order stations, pick-up windows, bank teller windows, money machines, etc., shall be located on the side or rear of primary structures to minimize views from public streets. Drive-up and drive-through lanes should not be located between the front of the primary structure and the adjacent streets or sidewalks. Drive up facilities, including drive lanes, shall not be located within 150 feet of an existing residential structure. All means available should be taken to minimize the impact on adjacent residential structures.

Applicant Response: The drive-thru is not within the project.

Building Architecture:

1. Sec. 27-576(c)(1) - Commercial development should take into account the architectural design of all building elevations, 360 degrees. Quality design should be expressed on all elevations of a building.

The bar has been raised with commercial buildings. The pictures of the Family Dollar in the attachments are the level of detail we expect to see with smaller commercial buildings.

2. Sec. 27-576(c)(2) - In order to break up the monotonous appearance of long facades, a building wall no more than 45 feet in length should be divided into increments of not more than 45 feet through articulation of the façade. This can be achieved through combinations of at least three of the following techniques:
 - a. Divisions or breaks in materials;
 - b. Building offsets (projects, recesses, niches);
 - c. Window bays;
 - d. Separate entrances and entry treatment; or
 - e. Variation in rooflines.

There appears to be no building articulation in the building; there is a significant lack of depth. Faux windows or inset window displays can be added on the façade to promote products for sale, without being considered signage on the side and rear façades, which will aid in breaking up the building.

Please specify the exterior materials and color used in the building's construction.

The bar has been raised with commercial buildings. The pictures of the Family Dollar in the attachments are the level of detail we expect to see with smaller commercial buildings.

3. Sec. 27-576(e)

(1) Building materials must be durable, economically maintained, and of a quality that will retain its appearance over time, including but not limited to: natural or synthetic stone, brick, stucco, integrally-colored, textured, or glazed concrete masonry units, high quality pre-stressed concrete systems, cementitious siding (hardy board), or glass. The director may approve other high-quality materials.

- a. Building design should avoid large expanses of highly reflective surfaces and mirror glass exterior walls.
- b. Highly tinted glass or glass tinted in unnatural colors should be avoided.

(2) Exterior building materials shall not include the following:

- a. Split shakes, rough sawn, or board and batten wood;
- b. Vinyl siding;
- c. Smooth-faced grey concrete block, painted or stained concrete block, tilt-up concrete panels;
- d. Field painted or prefinished corrugated metal siding;
- e. Standard single-tee or double-tee concrete systems; or
- f. EIFS at the ground level or comprising more than 15 percent of any facade.

4. Downspouts shall be internalized.

5. Masonry columns shall wrap the entire metal column underneath the gas canopy. Please provide gas canopy elevations.

Applicant Response: Please see the revised elevations that incorporate these requirements.

Landscaping and Screening:

1. Sec. 27-577(a)(5) - Landscaping shall exceed the typical code requirements by at least 75 percent.

- a. The district requirement is one tree per 7,000 square feet of site area. The property is .789 acres, so 9 trees are required per code.
- b. All deciduous trees shall be at least 2½" caliper when planted. All evergreens must be at least 6' in height when planted. All shrubs must be planted at a minimum of 5 gallons.
- c. Landscaping shall be irrigated.

2. Sec. 27-577(b)(2) Landscape berms and/or continuous rows of shrubs are required to screen parking from adjacent developments or public streets. Shrubs used in this area must not exceed a maximum height of 30 inches at maturity. Please add note on landscape plan and revise as necessary.

3. Sec. 27-577(b)(3) In general, formal, stand-alone trees are encouraged to be planted in landscape zones along major streets and medians. These trees should be planted as follows:

- a. One tree with a minimum caliper of two inches (ornamental) evergreen trees must be planted at least six feet tall (when planted) provided for every 30 feet of street easement or frontage.
- b. Street trees should be planted no closer than 55 feet and no more than 65 feet apart. Groupings of ornamental trees and shrubs should be placed in between the street trees.

8 trees are required to be planted along the perimeter of the property to meet the street tree requirement. Please revise the landscape plan to space out the trees.

4. Sec. 27-577(d)(1) At least 75 percent of the length of building foundations facing public streets, the exterior of the development or common spaces must be planted with ornamental plant material such as ornamental trees, flowering shrubs, perennials, and groundcovers. Please revise the landscape plan.
5. Utility connections (including transformer boxes) shall be screened with landscaping or an architecturally designed screen wall. All utilities mounted on the wall shall be painted to match the building. All rooftop mechanical equipment shall be screened from public view on all sides by a parapet.

Please revise the screening details to revise the building elevation to show that a parapet will screen the mechanical units from public view. It is poor practice to show a false representation of the building elevations when it is clear that the proposed HVAC unit screening will be taller than the parapet.

6. Sec. 27-575(g)(3) All trash receptacles shall be enclosed with a screening wall or fence constructed of the same materials as the primary structure. The screen must be a minimum of six feet in height on all sides and designed with the gate facing away from streets or adjacent land uses. All screening materials must be well maintained at all times.
7. All lighting shall have 90 degree cutoff fixtures. Any lighting that is physically mounted to the building shall be decorative and have 90 degree cutoffs, as not to cast light on adjacent properties and public right-of-way. Light shall not exceed one foot candle as measured from said property line. Wall pack lighting is not permitted.
Applicant Response: Please see the revised landscape plan that has taken care of all requirements of landscaping and screening needs.

Signage:

1. Sec. 27-727 states that in C-2, three wall signs are permitted at seven percent signable wall area or in lieu of one wall sign, a detached sign can be constructed. In the case of the monument sign, the sign face may be 40 square feet, 8 feet in overall height and 5 feet setback from the property line.

It appears that the pylon sign (called monument sign on the site plan) located in the southeast corner of the property is less than 5 feet from the south property line. Please revise. If you are proposing a pylon sign, the regulations are 15 feet in overall height and must be at least 15 feet setback from the property line.

Applicant Response: The pylon sign has been relocated to adhere to the city requirements.

Staff Response: While the proposed sign is setback 15 feet from the property line along State Avenue, the sign is only setback 7 feet from the west property line, therefore, the pylon sign needs to be removed. A monument sign can be erected in the same place as the pylon sign because a monument sign requires a 5 foot setback from all property lines.

2. The monument sign that is along State Avenue is in the right-of-way. Secondly, that is the second monument sign on the property. The zoning district permits one detached sign.

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Applicant Response: The sign has been taken out of the project.

3. Staff stipulates that if this petition is approved, a monument sign is the only permitted detached sign on the property.

Applicant Response: Please see the note 2 reply

Staff Response: Again, staff stipulates that the only detached sign permitted on the property is a monument sign.

4. Banners are not allowed to be hung from the building or on the structure of the gas canopy. Attention attracting devices such as streamers, pennants, inflatables, and wind catchers are prohibited. The applicant is still eligible to use these devices for special events on a temporary basis by applying for a temporary banner permit through the Urban Planning and Land Use Department.

Applicant Response: We will comply with the city requirements.

5. Window graphics must be scenic pictures only and cannot take up more than 25% of the window area. No painted messages are allowed. All graphics must be at least 6 inches back from the glass of window.

Applicant Response: We will comply with the city requirements.

6. T-Mobile will comply with the sign ordinance requirements.

Public Works Comments:

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

Action: Commissioner Kane made a motion, seconded by Commissioner Murguia, to approve Plan Review Application #PR-2015-20, subject to the stipulations. Roll call was taken and there were nine "Ayes," Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, Murguia.

MASTER PLAN APPLICATION

ITEM NO. 1 – 15219...MASTER PLAN APPLICATION #MP-2015-4 – DAVID AND PATRICIA JOHNSON WITH PSB INVESTMENTS

Synopsis: Master plan amendment from Low Density Residential to Neighborhood Commercial at 1205 North 90th Street, submitted by Robin H. Richardson, Director of Planning.

Action: This item was heard with Change of Zone #3100.

MISCELLANEOUS – ORDINANCE AMENDMENTS

ITEM NO. 1 – 15228...ORDINANCE AMENDMENTS

Synopsis: Certain amendments to Section 27-340, Section 27-593(a), Section 27-608(4), Section 27-612(8), Section 27-613(9), Section 27-614, Section 27-615, and Section 27-616, Planning and Development of Kansas City, Kansas Code of Ordinances, generally concerning the definition of farmers' markets and special use permit requirements for zoning districts AG, C-1, C-D, C-2, C-3, M-1, M-2, M-3, and TND, submitted by Robin H. Richardson, Director of Planning. The Planning Commission voted 6 to 0 to recommend approval of this ordinance amendment.

Action: Commissioner Kane made a motion, seconded by Commissioner Murguia, to approve the ordinance. Roll call was taken and there were nine “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, Murguia.

ITEM NO. 2 – 15229...ORDINANCE AMENDMENT

Synopsis: A new provision to Section 27-612 Planning and Development of Kansas City, Kansas Code of Ordinances, to amend where food trucks and mobile food vendors may operate without a special use permit, submitted by Robin H. Richardson, Director of Planning.

Action: Commissioner Kane made a motion, seconded by Commissioner Murguia, to approve the ordinance. Roll call was taken and there were nine “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, Murguia.

MISCELLANEOUS – PLANNING AND ZONING ORDINANCES (items previously approved)

ITEM NO. 1 – 15228...ORDINANCE

Synopsis: An ordinance amending the permitting process for farmers’ markets; amending Sections 27-340, 27-593, 27-608, and 27-611 through 27-616 to Chapter 27, Article VIII, of the

2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.

Action: **ORDINANCE NO. O-66-15**, “An ordinance amending the permitting process for farmer’ markets; amending Sections 27-340, 27-593, 27-608, and 27-611 through 27-616 to Chapter 27, Article VIII, of the 2008 Code of Ordinance and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.” **Commissioner Kane made a motion, seconded by Commissioner Murguia, to approve the ordinance.** Roll call was taken and there were nine “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, Murguia.

ITEM NO. 2 – 15229...ORDINANCE

Synopsis: An ordinance amending the permitting process for food trucks and mobile food vending; amending Sections 27-340 and 27-612 through 27-614 to Chapter 27, Article VIII, of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.

Action: **ORDINANCE NO. O-67-15**, “An ordinance amending the permitting process for food trucks and mobile food vending; amending Sections 27-340 and 27-612 through 27-614 to Chapter 27, Article VIII, of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.” **Commissioner Kane made a motion, seconded by Commissioner Murguia, to approve the ordinance.** Roll call was taken and there were nine “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, Murguia.

PLANNING AND ZONING NON-CONSENT AGENDA

SPECIAL USE PERMIT APPLICATION

ITEM NO. 1 – 15223...THE HEALTHCARE RESORT OF KANSAS CITY #SP-2015-69

Synopsis: Special use permit for a liquor license in conjunction with assisted living and skilled nursing facility at 8900 Parallel Parkway, submitted by Robin H. Richardson, Director of Planning. The applicant and operator, Health Resort of Kansas City, wants a special use permit
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for a liquor license in order to sell alcohol in their par/pub for the residents at 8900 Parallel Parkway. The Planning Commission voted 5 to 1 to recommend approval of Special Use Permit Application #SP-2015-69, subject to:

Urban Planning and Land Use Comments:

1. Will the bar/pub be open to resident's guests?

Applicant Response: Yes, they will pay for their own drinks with a two drink limit.

2. What are the proposed hours of operation of the pub?

Applicant Response: Hours are from 5:00 PM to 9:00 PM, seven days a week. We do not have set eating times which allows the later pub operation.

3. Will the bartenders be employed by Healthcare Resort of Kansas City or an outside vendor?

Applicant Response: The bartenders will be employed by The Healthcare Resort of Kansas City.

4. Will residents be charged at the point of sale or will there be a tab charged to their account, similar to a clubhouse at a golf course or health club membership?

Applicant Response: The guest of the resort will have their card scanned for medical purposes. We will not be allowing guests to consume alcohol if it is not allowed by the physician. They will never be charged for drinks, but the State requires we track the drinks purchased by the guest's visitor(s) for taxation.

Public Works Comments:

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

Lisa Kolman, The HealthCare Resort of Kansas City, 8900 Parallel Parkway, said we are a 70 bed skilled nursing facility and a 35 bed assisted living facility located at 8900 Parallel Parkway. We offer short-term skilled rehab on our bottom floor and assisted living on our top floor. We have several amenities throughout our resort and one of those being, we have a pub on our skilled nursing unit and our assisted living and our apartments up there.

Our plan is to serve our guest at a two drink maximum free of charge during their stay with us. We call our patients or our residents on our assisted living our guests. If families were to come in and choose to have a beer with dad while he's watching football, they're allowed to do that. Again, it's a two drink maximum for our guests and for their visitors that are coming in to visit.

I know that some of the concerns were maybe somebody came in intoxicated already and we were to offer additional alcohol. I think we do have a right to post a sign that says we have a right to refuse service at any time for those types of folks, as liquor stores and some of your bars also have that right to refuse.

Another concern that was brought up was the close proximity to the church. I would hope that we would never have anybody intoxicated enough to cause any disturbances at the church property.

That is our intent and the reason for the special use permit. I don't know if I mentioned, it'll be point of sales for the visitors, but it'll be free of charge for our guests that are with us and of course with the physician's order. Somebody that might be on medications that alcohol might affect their wellbeing then the physician would not be prompted to issue a physician order for that.

Mayor Holland opened the public hearing. No one appeared in favor or opposition.

Mayor Holland closed the public hearing.

Action: **Commissioner Kane made a motion, seconded by Commissioner Walters, to approve Special Use Permit Application #SP-2015-69 for two years, subject to the stipulations.** Roll call was taken and there were nine "Ayes," Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, Murguia.

MISCELLANEOUS – PLANNING AND ZONING

ITEM NO. 1 – 15290...UPDATE

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

Major Planning Project Update
Rosedale Master Plan
K32 Plan and Quiet Zone
Sign Code rewrite

12/10/2015

Robin Richardson, Director of Planning, said we're currently working on three major planning projects: the Rosedale Master Plan, the K-32 Transit and Land Use Development Plan and Quiet Zone Study and then the rewrite of the Sign Code.

Master Plan and Sign Code Update
Contact Resources

Rosedale Master Plan Web Site and My Sidewalk pages

<http://www.rosedalemasterplan.com/about>

<https://mysidewalk.com/organizations/290124/rosedale-master-plan-traffic-study>

K-32 Plan Web Site

<https://www.k32.digicate.com>

Sign Code Update Contact

rrichardson@wycokck.org

The two master plan amendment processes have websites that go along with them. Those websites are up on the screen and we'll put those up later and they'll also be up on UGTV. For Sign Code information, folks can just email me.

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Update Commitment

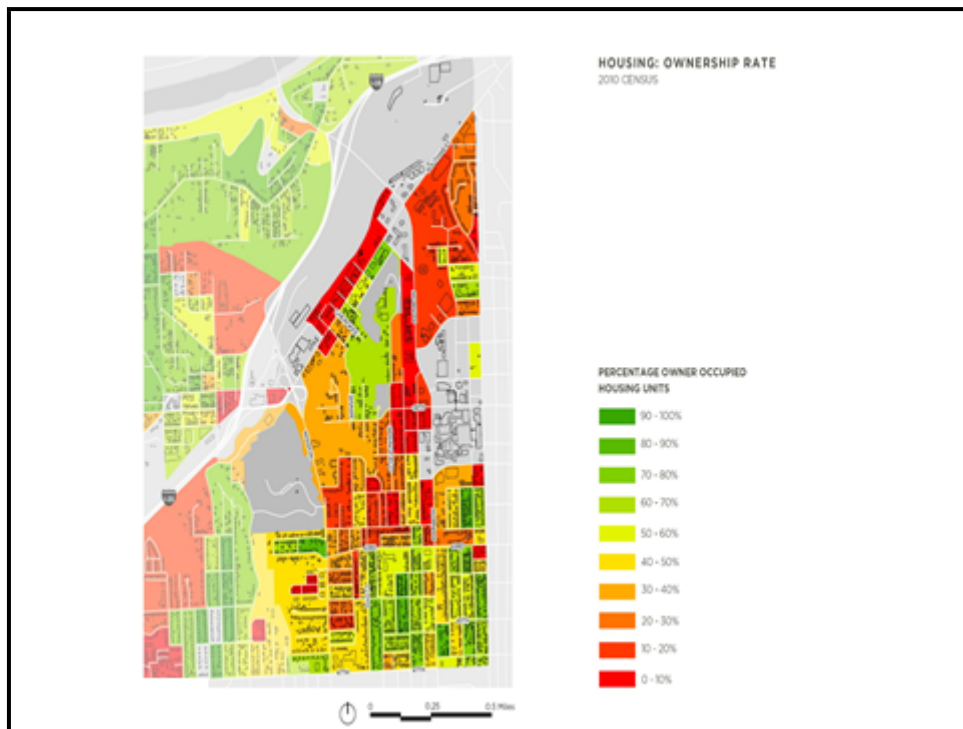
- Update Commissioners on all 3 projects monthly
- Tonights Update
 - Major update on Rosedale Master Plan
 - Minor update on K-32 and Quiet Zone
 - Minor update on Sign Code rewrite

We committed to updating the Board of Commissioners monthly during this Planning and Zoning meeting and these three projects.



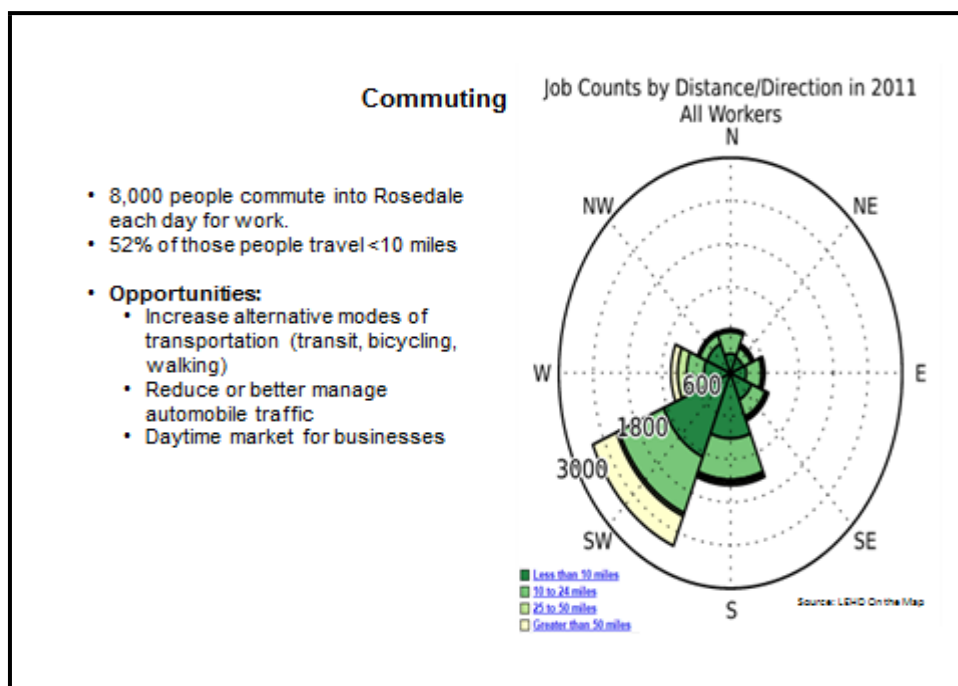
For tonight, I'm going to do more of an indepth update on the Rosedale Master Plan and a less significant minor update on the K-32 Quiet Zone and the Sign Code rewrite.

people, sidewalks, neighborhoods, traffic and streets are all big issues there. The public is really excited about this process. They have a very optimistic view of their neighborhood, but they also recognize what some of their challenges will be. I think this does a good job of showing where their thoughts are as we go forward in this process.

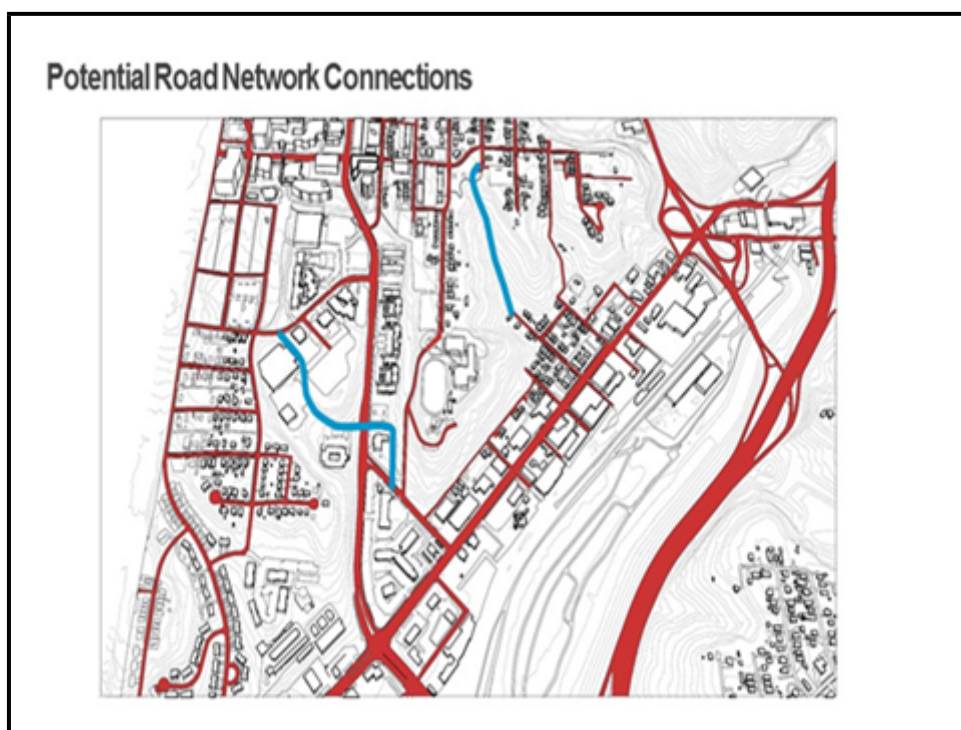


One of the interesting things that affects the Rosedale Neighborhood is the housing and ownership rate. On this map, you can see I-35 towards the north where it kind of divides between the bright colors and the faded colors. The bright colors are within our study area which goes from I-35 to 47th Street and from State Line basically to Mission Road.

The dark red colors show where you have a very low percentage of homeownership or property ownership in this particular corridor. Having driven all of these streets in preparation for this process, I tell you that it correlates fairly directly to housing conditions and other issues within the neighborhoods that we've heard in the planning process.



There's also a traffic study involved in this. This is one of the most interesting things that the consultant team has provided to us so far. This shows you the direction of the 8,000 people; the direction that the people come into Rosedale every day. Eight thousand people commute to work in Rosedale everyday. Fifty-two percent of those people live more than 10 miles away, but you can see that about half of them, or 4,000 people a day, come up I-35.

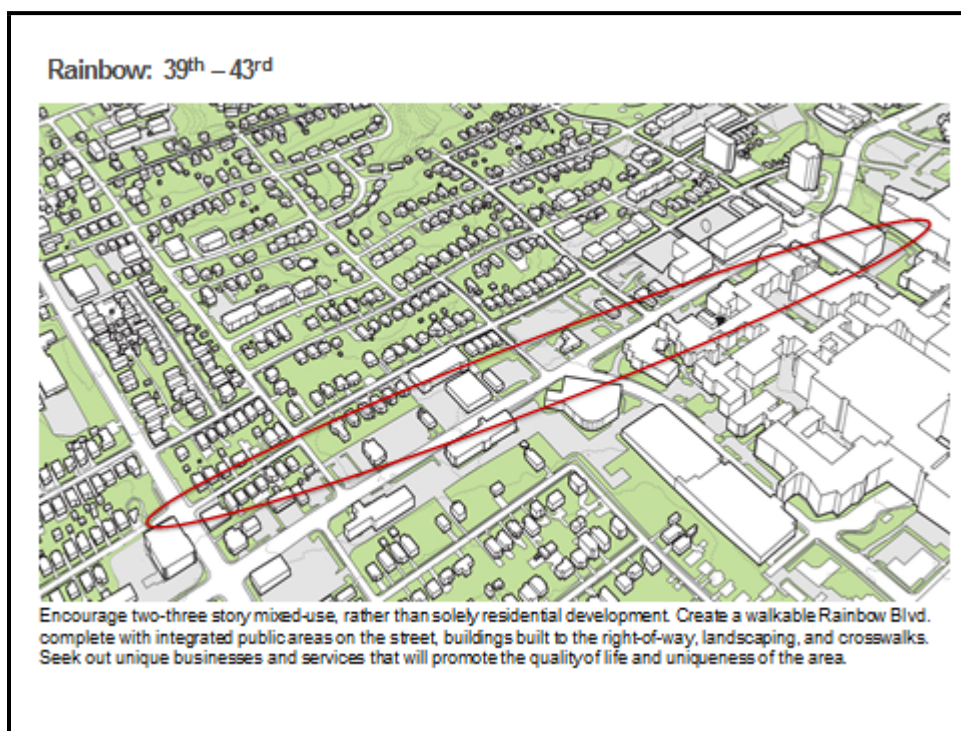


When they come into Rosedale, most of them are turning south on Rainbow and then making left-hand turns into the Medical Center Campus. Those left turns are primarily responsible for the traffic issues that we have on Rainbow Blvd. Trying to find a way to address those left turns and the rest of the traffic issues in the Rosedale area is the primary focus of the traffic study.

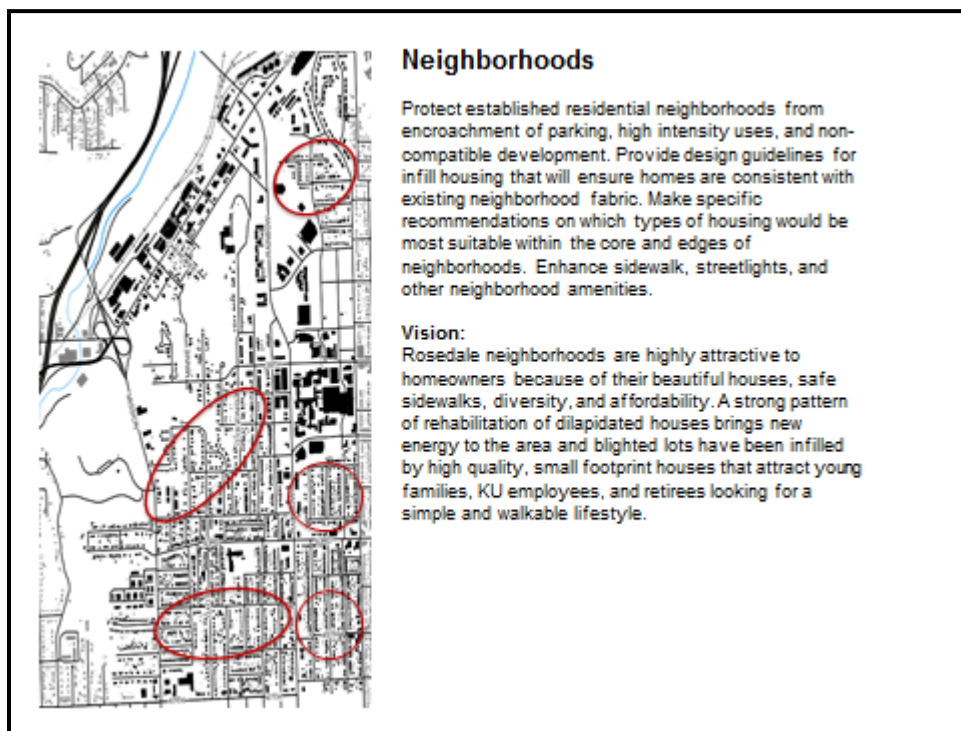
As you'll notice, the University is currently building a new hospital building at 39th and State Line. That is just step one in a process that will add nearly a million square feet of additional development to the area just north of 39th Street between State Line and Rainbow. I think that we're probably going to have more traffic than this in the future and the traffic engineers are working on that.

A couple of the items we're looking at to help relieve those left turns—you'll see here we have Cherokee, a potential extension up on the utility lines that would get you up to 39th Street which is right here. This is Rainbow and Southwest Blvd. The Southwest Blvd. and I-35 interchange is down here. This is Rainbow Extension. If you have 4,000 cars a day coming from this direction and going up Rainbow, if you could take some of them up Rainbow Extension and then create a new intersection that had no left turns but just allowed people to go straight across Rainbow and circulate over to Eaton Street and be in the heart of the campus where the new garage and up to the Cambridge will be, if you could eliminate left turns using that that would free-up Rainbow up here and some of the backups you see when you're trying to turn left onto 36th or 39th Street might be alleviated by this maneuver.

They're looking at these two options to look at the cost benefit of those as well as some other options for traffic in the area, but this is just some of the earlier results of things that we've seen from the consultant team on the road network and what we might do about Rainbow to make Rainbow function better. I don't think that adding four more lanes to Rainbow all the way north or south is really going to solve our problem. It'll be a different kind of problem at that point. We don't really have room for that so we're looking for some creative alternatives that would be cost effective and alleviating some of those traffic issues. They're also studying various corridors in the area. This is just a representative of five or six or seven of these that they're looking at.



This is Rainbow from 39th to 43rd and they want to encourage mixed use development in this area similar to 39th and Rainbow, create a walkable Rainbow Blvd. integrating public areas. That's kind of what they're focusing on based on what we've heard in the public testimony in this area. They're also looking at places like 43rd Street, 47th Street, State Line and some other places, 39th Street from Rainbow to the west to see what really we can do as far as the street network and the development along that street network to help make the community work a little bit better within itself.



They're also looking at specific neighborhoods. This is a draft of a map that we saw this morning in our Advisory Board Committee meeting. It's not by any means the last map on neighborhoods we'll see because they've looked at these areas and they were talking about different things that they might do because this part of Hilltop Neighborhood is a little bit different than the stuff down closer to 43rd Street. Then we might want to look at the Mission Cliffs area as a neighborhood of its own as well.

Obviously, the circles here don't encompass like all of Spring Valley or all of Hanover Heights or all of Frank Rushton. We're going to look at the different neighborhoods. You can see there on the slide division that we want neighborhoods that are attractive to homeowners because of beautiful homes, safe sidewalks and other aspects of having a quality neighborhood.

Upcoming meetings

- 12/10/2015 Advisory Committee #2 **TODAY**
- 1/13/2016 Second Public Meeting 2a
Noon - Our Savior Lutheran Church
- 1/14/2016 Second Public Meeting 2b
6:30 PM – Rosedale Middle School
- 2/6/2016 Planning Commissions Update #2
9-11 AM – NRC (update on all 3 projects)

We have some upcoming meetings. I mentioned we had an Advisory Committee meeting today. On January 13th and 14th we'll hold our second set of public meetings. The first on the 13th will be at noon at Our Savior Lutheran Church in their Fellowship Hall in the basement. On the 14th at 6:30 p.m. will be at Rosedale Middle School and that'll be the same meeting twice, but we try to do different days and different times to allow people who might have work conflicts or other personal conflicts to attend the meetings.

We had about 60 different residents at the first two meetings and we're well over 100 different people that have been involved in the process when you look at the My Sidewalk page that they have and the other outreach that they've done. They've been to nearly all of the neighborhood group meetings for the smaller neighborhood groups in the area. They've done a walking tour with community members. They plan to do a bike tour, but that morning it was about 34 degrees and so there weren't many people wanting to ride their bikes that morning. We might do that again in the spring to talk about bicycles and how bicycles circulate in that area.

Then on February 6th, they'll be doing a Planning Commission update. For those meetings, we go from 9 to 11:00 and each consultant has an hour to talk to the Planning Commission to update them on that process. We're not doing that with them every month. They wanted to do that off-line, not during the regular monthly evening meetings. They wanted to be able to spend more time on it. They thought doing that on a Saturday morning would work better, so that's what we're doing with them on all three projects.

Commissioner Murguia said just a quick clarification, Rob. I think it was just a slip of the tongue, but for the public's knowledge, the \$250M hospital is not being built by the University. **Mr. Richardson** said correct. **Commissioner Murguia** said important clarification. **Mr. Richardson** said there are three entities that are important on what we think of as the KU Campus. There is the University of Kansas Hospital Authority, and they are building the hospital. There's the University of Kansas Medical Center which is the medical school, and there's the KU Endowment Association which works with a lot of property in the area. Those three groups are distinct.

Commissioner Murguia said right. There are two major developments going on. There's a \$250M hospital tower and there's a \$75M medical education building which is being built by the University. Just for those people that don't get involved in development projects, I believe Administrator Bach told me that when we built Nascar that was a \$200M project. That should put in perspective the level of economic development investment that's going on in Rosedale.

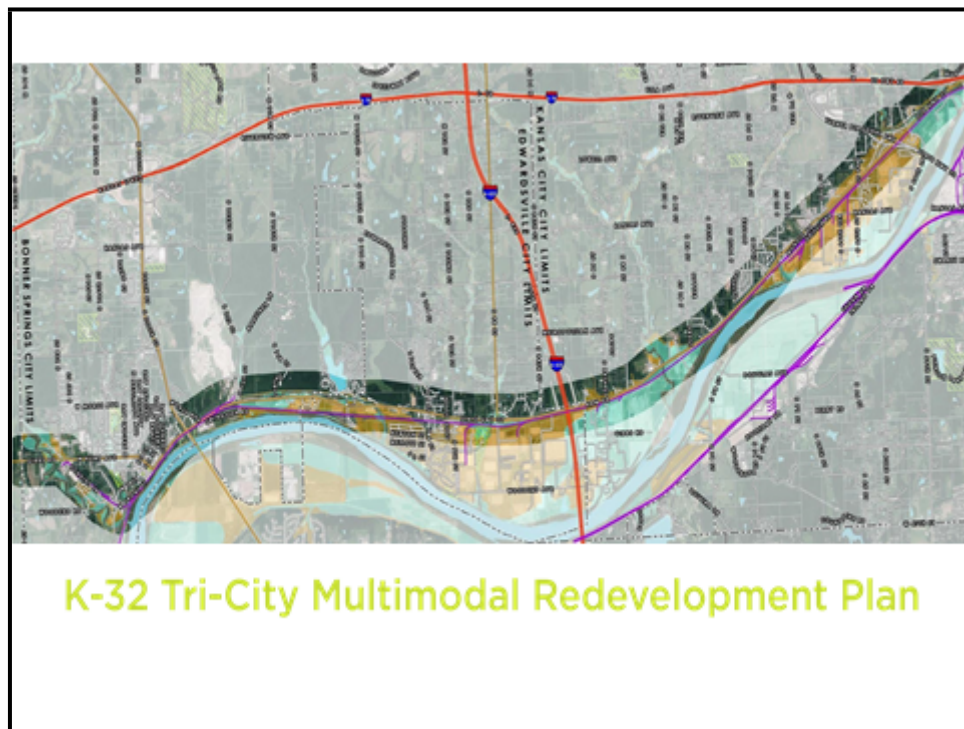
Mr. Richardson said if you drive 39th Street from State Line to Rainbow, there are two very significant projects underway and they're getting to be very obvious and they've done individual traffic plans for each of those. They can work with the machinery equipment and supplies that they're bringing in there to do as little disruption in the regular flow of traffic in the neighborhood as they can.

Mayor Holland said I would say too, this effort is remarkable. The hospital's had a master plan for a long time; the city's has a master plan for a long time. This is the first time that we're doing it together. The hospital and the university are supporting it with funding and are at the table in the discussions.

It's very important that we have—there's been a tension historically between KU and the city really for no reason other than we have a ton of parking and a ton of people and it's a conflict with the residents and it's a conflict with the businesses. KU as a whole, all of it together, is our largest employer in Wyandotte County. There are over 10,000 employees there every single day. Unfortunately the majority of that benefit for those employees and that economic engine that is KU is benefiting Johnson and Jackson counties. Not that we don't love Johnson and Jackson counties yes, but we'd like to see a lot of that benefit here in Wyandotte County.

This master plan offers us an opportunity to see how we can capture the office space that KU needs, how we can capture better housing opportunities for the students, but not just for the students, but for other people who work there, who want to live, work and play in the same area; how we can have greenspace, how we can make Rosedale a university town. It's a great asset and do that while not further encroaching on some of our historic neighborhoods. The growth out there and the lack of a good plan have put a lot of pressure on some of the local neighborhoods there. I think this plan offers the best opportunity for us to address the traffic and do it in a planful way that's mutually beneficial to the homeowners as well as the folks who work there.

I commend you on working on this. It's been an effort that has needed to be done for a long time. We have a lot of great partners who are working on this.



Mr. Richardson said the next project is the K-32 Tri-City Multimodal Redevelopment Plan and Quiet Zone Study. This project starts at 57th and I-70 and extends all the way along K-32 out to the western city limits of Bonner Springs. We're looking at about a quarter mile either side of that as part of the study, but obviously there are areas where that quarter mile will grow a little bit because of the nature of the land uses there.

K-32 Tri City Master Plan Advisory Committee

UG Appointments by District Commissioners

Jim Walters – UG appointment
 Zach Owen – UG appointment
 David Staker – UG appointment
 Chris Herre – UG appointment
 Greg Kindle – Appointed by all 3 cities
 Lindsey Douglas – Bonner/Edwardsville
 Tom Stephens – Bonner/Edwardsville
 Craig Stephan – Bonner/Edwardsville
 Mike Holloway – Bonner/Edwardsville
 Ralph Easton – Bonner/Edwardsville
 David Streit – Bonner/Edwardsville
 Garrett Mellott – Bonner/Edwardsville
 Chuck Stites – Bonner/Edwardsville

This project too has an Advisory Committee. The Unified Government has four appointments to this. Those were done by District Commissioners, they're listed there. All three communities asked for Greg Kindle to participate as an economic development person that works with all of us on projects that move forward.

Vision – Advisory Committee

- In 2025, the one word or phrase to be used:
 - Walkability
 - Economic sustainability
 - Attractive
 - Cohesive but unique
 - Gateways



We've done a little bit of public work with this one as well. We've had our first round of meetings and from that, the consultant asked for one word or phrase to be used in 2025. What would the Advisory Committee think we should talk about for K-32: walkability, economic

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sustainability, attractive, cohesive but unique and gateways were the prominent words that we heard in those meetings.

Challenges –Advisory Committee

- Steep slopes
- Flooding and/or soils
- The railroad
- Transportation options
- Missing infrastructure (utilities) for development
- Type, sizes, and/or appearance of future development and redevelopment



We also talked about challenges. From the development side, the two or three biggest challenges are: the steep slopes on the north, the floodplain north of K-32, the floodplain south of K-32 and the railroad. We need transportation options. We have some infrastructure that's missing for a new development in different places. We need to talk about the type, size and appearance of the future development of this corridor. There are large sections of industrial ground in that area that's going to remain industrial. There are also areas that are adjacent to residences as you move to the north. Bonner Springs and Edwardsville have a little bit different character than K-32 in the corridor so we have to address all those challenges within the three cities independently.

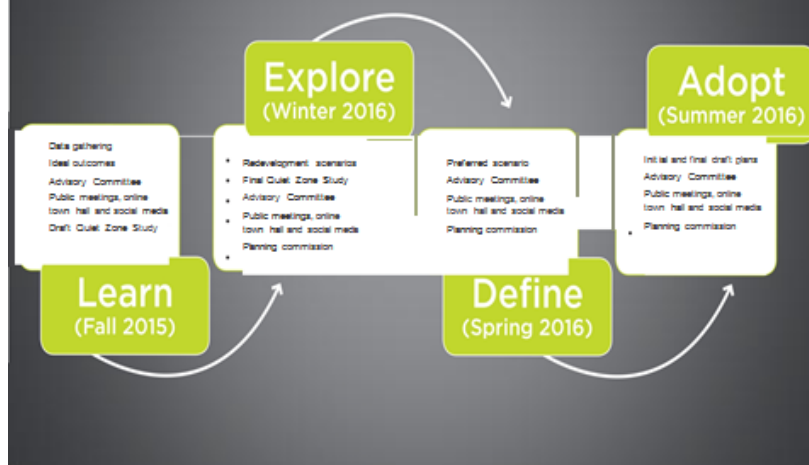
Opportunities – Advisory Committee

- Vacant land
- Existing areas that could be redeveloped
- Gateways or entry points to into the corridor
- Park and recreational amenities
- Bike, transit, and pedestrian connections



We looked at opportunities and some of these correlates to our challenges. We have vacant land, we have existing areas that could be redeveloped, we have the opportunity to develop unique gateways in this area. There are parks and recreational amenities and opportunities and also opportunities with the way we get around. K-32 on Saturday mornings is a great bicycle ride because there's not much traffic on it. It's a nice long, flat road and it's a great ride, but that's about Saturday and Sunday mornings probably the only time that you'd want to do that because of the traffic flow most of the rest of the time. There are opportunities along there that we're going to look at as we move forward with the three communities in KDOT.

Next Steps



This graphic was put together by the consultant. I will tell you that right now we're kind of in the explore mode. They're getting ready to look at redevelopment scenarios. The draft of the Quiet Zone Study is completed and they're going to work on finalizing that working with the Advisory Committee and another set of public meetings and talking with you all and the various planning commissions. We should be done with this in August of 2016 is when all three communities are set to adopt the plan in August of 2016 if everything goes well.



Engagement

- Jan. 19 PublicWorks Standing Comm. (QZ only)
- Jan. 21 Stakeholder Adv. Comm. Mtg.
- Jan. 26 Public Mtg. in KCK (TBD)
- Jan. 27 Public Mtg. in Edwardsville
(Edwardsville Community Center)
- Jan. 28 Board of Commission (QZ only)
- Feb. 6 Planning Commission Update

The graphic also includes four small images: a group of people in a meeting, a screenshot of a website, the Twitter and Facebook social media icons, and a hand using a computer mouse.

As far as the next set of meetings coming up goes, on January 19th, Mr. Heatherman and the consultant will be before the Public Works Standing Committee to talk about the Quiet Zone Study. We'll have another stakeholder advisory meeting on the 21st. On the 26th and 27th of January, we'll have public meetings in Kansas City, Kansas, and then in Edwardsville. On January 28th, Mr. Heatherman, again, will be before the Board of Commissioners with the Quiet Zone Study. Then on February 6th, this will be a part of the additional Planning Commission updates that we do.

Unified Government of Wyandotte County-Kansas City

Sign Code Update

Sign Code Rewrite Advisory Committee

Appointed by Commissioners and Mayor

Paul Mose
Theresa Van Goethem
Jim Schraeder
Delaney Moore
Marty Thoennes
Chuck Stites
Joe Vaught
Norman Scott
Tony Privitera
Melissa Clark
Ty Collins
Matt Watkins
Marissa Gray
Edgar Galicia

I'll move on to the Sign Code update. There's an advisory committee for this as well and you all have appointed these members. If you have not appointed someone to represent the residential folks in your area or the business folks in your area, there is still some time to do that. Our next advisory committee meeting is coming up next week, I believe, so if you haven't done that and want to, please contact me quickly.

Typical Sign Issues

- Traffic Safety
- Aesthetics
- Visibility
- Economic Development
- Property Values

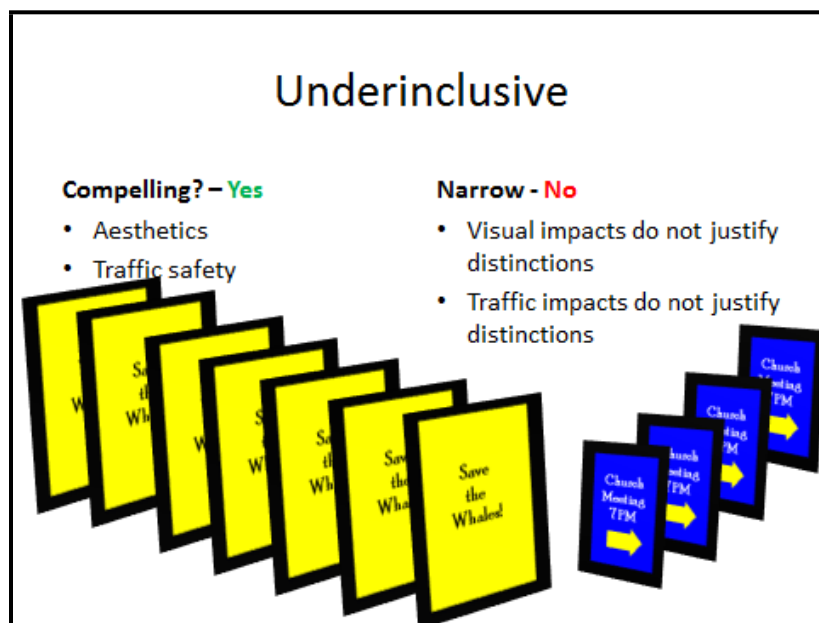
We're not quite as far along on this study as we have been on the others so this is some background. The typical sign issues that communities face deal with: traffic, aesthetics, visibility; the affects signs have on economic development for the community and for individual businesses and then how they might impact property values.

Reed v. Town of Gilbert (US 2015)



You all know we got into this because of a US Supreme Court case, Reed v. the Town of Gilbert, Arizona. This is the sign that resulted in a Supreme Court case that changed how every community in the country does sign codes. **Mayor Holland** asked it was the Presbyterian's. **Mr. Richardson** said it was the city and how they treated the Presbyterians more precisely. In their code, this was called a Temporary Directional Sign Relating to a Qualifying Event. When you had a qualifying event, you had to have the signs up a couple of hours before and down a couple of hours after.

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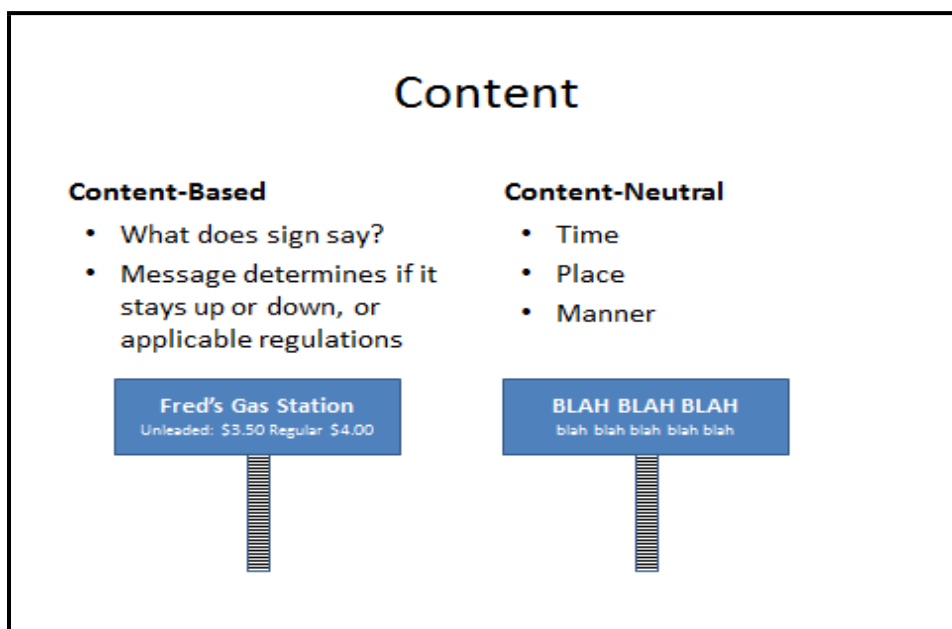


However, if you were putting up a “save the whale sign” or whatever message you wanted to put up, you could have more of them, they could stay up longer and they could be bigger than the special Qualifying Event Sign. To tell the difference, you had to read the signs. This is where the Supreme Court made their distinction, I believe, in saying that if you’re looking at aesthetics and traffic safety then that’s okay, but visual impacts from one to the other when they’re basically the same, don’t really qualify. There’s not really any difference in traffic impacts. When you have to read the sign, you’re really regulating the content of the sign and not the sign itself.

What can we regulate?	
Majority • Size • Materials • Lighting • Moving parts • Portability • Public property (ban)	Concurring • Locations • Freestanding v. Attached • Lighting • Fixed v. changeable electronic signs • Public property (distinction) • Commercial v. residential • On-premises v. Off-premises • Total number of signs allowed per frontage or area • Time restrictions on advertising a one-time event • Governmental signs
Unanswered questions • Commercial speech • On- v Off-Premises	

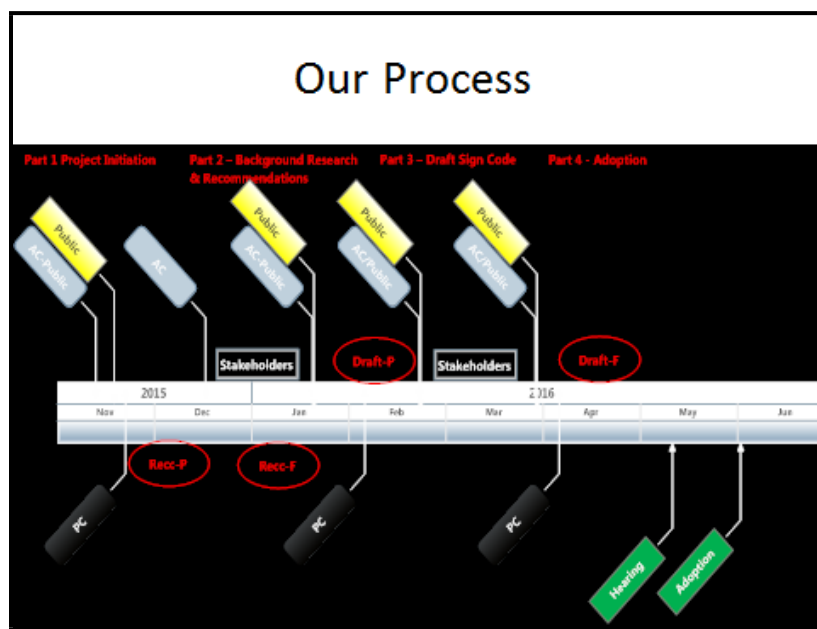
After the case, there was a majority and concurring opinion and they talked about what we can regulate and there's still some unanswered questions. Mark White, the attorney that's helping us with this, provided this slide so I'm just really retelling his story here. But the majority of the courts said we can regulate size, materials, lighting, moving parts, portability and signs on public property. So if the words in green, it means that both majority and the concurring opinions included that.

The concurring opinion also said that we could regulate location, free standing vs. attached signs, lighting, again, fixed vs. electronic message signs, public property, commercial vs. residential, on and off premises, the total number of signs allowed per some other criteria like frontage, time restrictions on advertising an event and governmental signs. But there's still some unanswered questions that the case left related to commercial speech and on vs. off from the signs. We have a lot of direction from them in this case.



When we're looking at a sign now and how we're developing our regulations, we have to be content-neutral. We can't base our regulations on what a sign says. If the message determines if it stays up or down or if it has regulations to what it says, then it's content-based. We're talking about how long a sign can be out, where it can be placed or how it can be placed then the regulation is content-neutral.

Where this rubber really hits the road is real estate signs, political signs, grand opening signs, we have to come up with a way to regulate those where it's content-neutral and not based on what it says. That's where the challenge will be in updating our regulations. In addition to looking at the regulations, we want to make them more easily understood, easily used, we'll do a better job with definitions and graphics in the code and we will also talk about the particular technical parts of the code as far as how big are the signs, how many signs and things like that.



Our process, we're in the part 2 here. You'll see in red at the top of this graphic: Background Research and Recommendations. Next week we'll be having an advisory committee meeting where the consultant will present their early recommendations on this process and discuss that with the advisory committee then go back and work on those recommendations again. Then in January, we will have another advisory committee meeting and a series of public meetings to talk about the final draft and amendments to the final draft of the recommendations and then he'll begin the drafting process. This process should be concluded in the May Planning Commission, but I think the May Planning Commission with you all might fall to the first week of June. That's what we're looking at for this as we move forward.

Upcoming Meetings

- December 17 – Sign Code Advisory Committee # 2
4 PM- Mid town Metro Center 849 B North 47th Street
- January 20 – Sign Code Advisory Committee # 2
4 PM Neighborhood Resource Center 50th and State
- January 20 – Sign Code Advisory Committee # 2
6 PM - Location TBD
- January 21 – Sign Code Advisory Committee # 2
4 PM – Location TBD

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Coming up, as I said, next week we have our second advisory committee meeting December 17th. Then on January 20th and 21st, we'll have another advisory committee meeting and then it's actually January 25th should be meeting number three with the advisory committee and then two public meetings that we'll have, one at 6:00 p.m. one day and one at 4:00 p.m. the next day. We don't have those locations locked down yet.

Thank You

Rosedale Master Plan Web Site and My Sidewalk pages

<http://www.rosedalemasterplan.com/about>

<https://mysidewalk.com/organizations/290124/rosedale-master-plan-traffic-study>

K-32 Plan Web Site

<https://www.k32.digicate.com>

Sign Code Update Contact

richardson@wycokck.org

I'll go head and put up the links again for the different planning processes if someone wants to learn more about those processes.

Mayor Holland said thank you for your work. You're carrying a lot of freight down the highway here. Each of these plans is big for our community and they're going to take a lot of work so I appreciate you and your staff spearheading this.

Action: For information only.

REGULAR SESSION

MAYOR'S AGENDA

No item of business

NON-PLANNING CONSENT AGENDA

Mayor Holland asked if there were any set-asides on the Non-Planning Consent Agenda. There were no set-asides.

Action: **Commissioner Walker made a motion, seconded by Commissioner Kane, to approve the Non-Planning Consent Agenda.** Roll call was taken and there were nine “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, Murguia.

ITEM NO. 1 – 15278...ORDINANCES: ADDITIONAL IRBs FOR PQ CORPORATION

Synopsis: Two ordinances authorizing the issuance of taxable industrial revenue bonds for the PQ Corporation project located at 1700 Kansas Avenue, submitted by George Brajkovic, Economic Development Director. On December 5, 2013, the Commission voted unanimously to adopt a master resolution of intent (R-127-13) to issue \$219M in IRBs and a 75% tax abatement for PQ Corporation’s multiphase expansion.

- Industrial Revenue Bonds, Series 2015A - \$14M
- Industrial Revenue Bonds, Series 2015B - \$13.5M

Action: **ORDINANCE NO. O-68-15**, “An ordinance authorizing the Unified Government of Wyandotte County/Kansas City, Kansas, to issue Taxable Industrial Revenue Bonds (PQ Corporation Project) Series 2015A, in a principal amount not to exceed \$14,000,000, for the purpose of providing funds to pay the cost of acquiring, improving, constructing, installing and equipping of an industrial facility, including land, buildings, structures, improvements and fixtures; authorizing the Unified Government to enter into certain documents and the taking of other actions in connection with the issuance of said bonds.”

Commissioner Walker made a motion, seconded by Commissioner Kane, to approve the ordinance. Roll call was taken and there were nine “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, Murguia.

ORDINANCE NO. O-69-15, “An ordinance authorizing the Unified Government of Wyandotte County/Kansas City, Kansas, to issue Taxable Industrial Revenue Bonds (PQ Corporation Project) Series 2015B, in a principal amount not to exceed \$13,500,000, for the purpose of providing funds to pay the cost of acquiring, improving, constructing, installing and equipping of an industrial facility, including land, buildings, structures, improvements and fixtures; authorizing the Unified Government to enter into certain documents and the taking of other actions in connection with the issuance of said bonds.”

Commissioner Walker made a motion, seconded by Commissioner Kane, to approve the ordinance. Roll call was taken and there were nine “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, Murguia.

ITEM NO. 2 – 15276...RESOLUTION: DONATION AGREEMENT FOR SOUTH PATROL SITE

Synopsis: A resolution approving a donation agreement between the Unified Government and Argentine Retail Developers, Inc. for a site to be used for the South Patrol facility, submitted by Mike Tobin, Interim Public Works Director. The 8.99 acres is in the vicinity of the northeast corner of Metropolitan Avenue and S. 24th St. On October 26, 2015, the Public Works and Safety Standing Committee, chaired by Commissioner Bynum, voted unanimously to approve this site and forward to full commission.

Action: **RESOLUTION NO. R-102-15**, “A resolution approving a Donation Agreement with Argentine Retail Developers, Inc. (Donor) under which Donor agrees to donate to the Unified Government approximately 8.99 acres of real property located in the vicinity of the northeast corner of Metropolitan Avenue and South 24th Street in Kansas City, Kansas.” **Commissioner Walker made a motion, seconded by Commissioner Kane, to adopt the resolution.** Roll call was taken and there were nine “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, Murguia.

ITEM NO. 3 – 15265...POLICY CHANGES: TRANSIT AND FEES

Synopsis: Recommending various changes to the transit policy and fee schedule, submitted by Justus Welker, Director of Transportation. On November 30, 2015, the Public Works and Safety Standing Committee, chaired by Commissioner Bynum, voted unanimously to approve and forward to full commission.

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

ITEM NO. 4 – 15172...RESOLUTION: GRANT APPLICATION AND ACCEPTANCE POLICY

Synopsis: A resolution adopting a new Grant Application and Acceptance Policy, submitted by Ken Moore, Chief Legal Counsel. On November 30, 2015, the Administration and Human Services Standing Committee, chaired by Commissioner Markley, voted unanimously to approve and forward to full commission.

Action: **RESOLUTION NO. R-103-15**, “A resolution adopting the Grant Application and Acceptance Policy dated December 10, 2015.” **Commissioner Kane made a motion, seconded by Commissioner Murguia, to adopt the resolution.** Roll call was taken and there were nine “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, Murguia.

ITEM NO. 5 – 15295...RESOLUTION: AMEND COMMISSION MEETING SCHEDULE

Synopsis: A resolution changing full commission meeting dates to hear Planning & Zoning items, submitted by Ken Moore, Chief Counsel.

Action: **RESOLUTION NO. R-104-15**, “A resolution amending Resolution No. R-27-15 by cancelling the previously set Planning and Zoning agenda portion of the full commission meeting scheduled on February 23, 2017; and adding two additional Planning and Zoning Commission meetings on January 5, 2017 and March 2, 2017.” **Commissioner Kane made a motion, seconded by December 10, 2015**

Commissioner Murguia, to adopt the resolution. Roll call was taken and there were nine “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, Murguia.

ITEM NO. 6 – 15277...REAPPOINTMENTS/APPOINTMENT: BOARDS AND COMMISSIONS

Synopsis: Reappointments/Appointments to Boards and Commissions:

Reappointment of George Gates to the Self-Supported Municipal Improvement District Advisory Board, 12/10/15 – 5/30/19, submitted by Commissioner Johnson

Reappointment of Anne McDonald to the Housing Authority Board, 12/10/15 – 5/30/19, submitted by Commissioner McKiernan

Reappointment of Dennis McWilliams to the Golf Advisory Board, 12/10/15 – 5/30/19, submitted by Commissioner Johnson

Appointment of Jeffery Sachen to the Wyandotte County Park Board, 12/10/15 – 5/30/17, submitted by Commissioner Walker

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

ITEM NO. 7 – MINUTES

Synopsis: Minutes from regular sessions of October 29 and November 12, 2015; and special sessions of November 12 and 19, 2015.

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

ITEM NO. 8 - WEEKLY BUSINESS MATERIAL

Synopsis: Weekly business material dated November 19 and 25, and December 3, 2015.

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

PUBLIC HEARING AGENDA

No business items

Mayor Holland recognized Mary Gonzalez, Jeff Bryant and Norm Scott, Board of Public Utilities elected officials, who were present in the audience.

ADMINISTRATOR'S AGENDA**ITEM NO. 1 – 15281...ORDINANCE: BOARD OF PUBLIC UTILITY REVENUE BONDS**

Synopsis: An ordinance authorizing the issuance of Utility System Improvement Revenue Bonds, Series 2016-A, subject to six parameters, submitted by Lew Levin, Chief Financial Officer. On December 19, 2013, the Commission unanimously adopted Resolution No. R-128-13, authorizing the utility system improvement bonds.

Doug Bach, County Administrator, said tonight we have the issuance of utility system improvement bonds. As the Commission will recall, this is a project that we've been involved with the Board of Public Utilities for a couple of years. When they came in some time ago, went through the evaluation of the type of system they wanted to put in place, our Commission went through, vetted this process with them and ultimately made the recommendation to move forward with the new plant that they are building today.

They've done this in two bond issues. This is the second of two different bond issues.

Lew Levin, Chief Financial Officer, said as Doug said, we're ready to move forward with the second phase of the financing. I do want to say with me this evening is Don Gray, General Manager of the Board of Public Utilities; Lori Austin, Chief Financial Officer; Dave MacGillivray, our financial advisor with Springsted, is here to answer any questions as well as our legal representatives from Gilmore & Bell, Gina Riekhof and Kevin Wempe. Angela Lawson, our attorney with the Board of Public Utilities, is also here.

What you have before you is really the second phase of the BPU financing. Two years ago you approved or authorized up to \$250M for the financing primarily related to air quality control systems with existing utility plans. The action before you what we have is what's referred to as a perimeters resolution. We're ready to move forward with the financing in January subject to the perimeters in the ordinance. I'll just read those and then when I'm done,

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Mr. Gray's going to go through a brief presentation just to provide a little additional detail on the project.

The second phase of the financing, the principle is not to exceed \$133M. The project fund cost not to exceed \$125M with capitalized interest through March 2017. The true interest cost shall not exceed 4.6% so we believe the interest cost will be at 4.6% or less. Final maturity shall not occur after 2045 so we're looking at a 30 year financing. The underwriters discount is 0.35%. That means the fees paid to underwriters is less than 1% and we should have the ability to do our first call no later than 9/1/27 that means when the bonds would be eligible for refinancing.

Don Gray, General Manager, Board of Public Utilities, said what I'd like to do is just kind of give a little background of the project and then talk a little bit about the financing to conclude.



Background

- December 2013, the UG Commissioners approved our recommendation to invest \$250M in environmental upgrades for our 235 MW Nearman Power Station
- We provided a presentation which explained in detail our options and reasons for making the upgrades at Nearman
- As a strategy to reduce costs to the customers, we essentially split the \$250M bond issue. Thus, we sold \$110M in 2014.

As Lew said, in December of 2013, the Unified Government Commissioners approved our recommendation to invest \$250M in environmental upgrades for our 235 megawatt Nearman Power Station. During that evening, we made a formal presentation outlining and explaining in detail our options and reasons for making the upgrades at Nearman. Also, as part of our strategy to reduce the cost to our customers, we essentially split the \$250M bond issue and thus we sold \$110M in the first issue in 2014.



Issue

- EPA issues a Federal mandate ordering all utilities to comply with a new Air Quality Control (AQC) standard.
- MATS - Mercury and Air Toxics Standards
 - Goal: Reduce sulfur dioxide compounds, mercury, and particulates - finalized in April 2012
 - Nearman environmental upgrades should be completed by February, 2017

The reason for spending this money was to—EPA has come out with a federal mandate ordering all utilities to comply with a new air quality control standard and it's called MATS, mercury and air toxic standards. What that is, the goal of the MATS rule was to reduce sulfur dioxide compounds, mercury and particulates. That was finalized in April of 2012. That was kind of our marching orders to start putting more environmental controls on our plant. Now the work should be completed February of 2017.



In Summary

- Nearman has more than 30 years useful life
- Coal is price stable vs natural gas
- You can store coal on site
- Maintains generation diversity of our fuel mix (natural gas, coal, hydro, wind and landfill gas)
- Maintain better control of our generating costs
- Favorable bond market
- Supports energy reliability for our community

The main drivers and the main reasons for making this big investment in our power station was, the Nearman Plant has more than 30 years of useful life, coal is price stable verses natural gas, you can store coal on site which is practically impossible to do that with natural gas, and also having coal along with all of our other renewables and other natural gas systems, it keeps our generation fleet diversified. It helps us maintain better control of our generating cost and also, as we know, this is a very favorable time to be in the bond market in these recent years. It also supports energy reliability for our community.



Surrounding Utilities Are Installing Air Quality Control

Plant	ST	Units	Year In Service	Cost
Westar - Lawrence*	KS	2,4,5	54,60,71	\$300 M
Westar - Jeffrey*	KS	1,2,3	79,80,83	\$500 M
KCP&L - La Cigna*	KS	1,2	72,77	\$1.2 B
KCP&L - Iatan*	MO	1	90	\$300 M
Empire - Albany*	MO	1	70	\$108 M
PSCOK - Northeastern**	OK	4	90	\$400 M
SINERO - Flint Creek**	AR		79	\$408 M
IP&L - Ottumwa**	IA	1	91	\$245 M
IP&L - George West*	IA	2,4	75,79	\$280 M
IP&L - Lansing**	IA	4	77	\$180 M
Alliant - Columbia**	WI	1,2	75,79	\$627 M
Alliant - Edgewater*	WI	5	95	\$350 M
LG&S - Trimble Co.	KY	1	90	\$150 M
LG&S - Mill Creek**	KY	1,2,3,4	72,74,76,82	\$1.0 B
IRL - Petersburg/Landing**	IN	1,2,3,4	87,89,77,96	\$400 M
Average		28 Units		\$245 M
BPU - Nearman	KS	1	1981	\$150 M

- Nearman is newer than 80% of units that have been retrofitted to meet AQC
- Average compliance costs are in line with surrounding utility projects

* - Completed
** - In progress

I also pointed out during the presentation in December of 2013 that we're not alone. A lot of utilities around us are having to make sizable and have made sizable investments in their plants as well. Westar, for example, as well as Kansas City Power & Light which are two of our neighboring utilities, made substantial investments in their facilities too.



Nearman Construction Progress

- Nov 2014 - Developing site for construction activities
- April 2015 - Mobilize contractors to site
- May 2015 - Begin installing piles and foundations
- May-Sept 2015 - Delivery of majority of AQC equipment
- Oct 2015 - Begin erecting structural steel
- Dec 2015 - Project is ahead of schedule and will finish under budget
- July 2016 - Begin checkout and commissioning of equipment
- Nov 2016 - First fire of unit/commercial operation date
- Nov 2016-Feb 2017 - Startup, tuning and testing of AQC equipment
- Six month compliance demonstration period

The Nearman construction progress is going well. In our specifications we made sure that any contractor that bid on our projects had to have certified workforce and I am personally proud to say that all of our contractors are union contractors. We begin installing piles and foundations roughly May of this year. We began erecting steel recently. I will also say proudly that the project is ahead of schedule and will finish under budget. We should start commissioning equipment in 2016 and then hopefully our startup will be—and I don't know why it wouldn't since its on schedule—would be roughly between November and February, 16 and 17.



September 2015 - Laydown with Crane



December 2015 SCR & Scrubber Support Steel



I put a few photographs in here so you could kind of see the level of work activity that's going on. One photograph to the left, my left, is laid down there where a lot of equipment when it arrived we had to make room to place everything kind of like an erector set. Then to the right, you can see the tall crane and a lot of the steel starting to go up. Also, you can see on the left again more steel, part of our scrubber and our SCR, so there's a lot of work going on.



BPU is Spreading Costs to Reduce Rate Payer Impacts

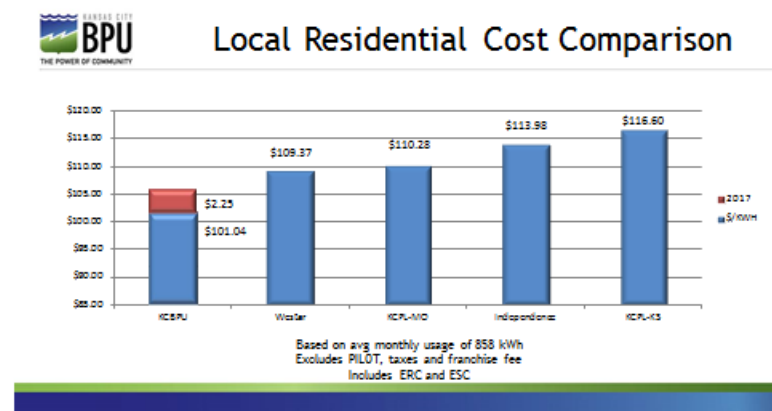
- We received authorization from our Board and this body to sell \$250M in revenue bonds
- As a strategy to reduce cost impacts to our customers, we split the bond issue to spread the costs & to most accurately establish cost of the project
 - 2014 - sold \$110M
 - 2016 - selling 125M
 - Total = \$235M vs \$250M
 - A savings of \$15M
- December 2nd, 2015, the BPU Board passed a resolution for Phase 2 of the bond sale
- 2016 - The Environmental Surcharge (ESC) will increase \$1.18 per month for residential customers
- 2017 - The ESC is estimated to increase \$2.25 per month for residential customers

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We are spreading the cost to reduce ratepayer impacts. We received authorization to sell the \$250M, but as a strategy to reduce the cost, like I said earlier, we split the bond issue. The two reasons for that naturally is to not only spread the cost, but to also, we would get more accurate information as to the actual cost of the project the closer we got towards, especially getting towards the middle of the project; we would have a good idea of what actual costs were because all of the major bids for construction would have come in by then and so forth.

Instead of now the project costing the full \$250M as originally projected by our engineering staff, I'm happy to say now that the project has been reduced to the second issue, which instead of being roughly \$140M, is set at \$125M to complete the project. We hope to do that early in 2016. This is a savings to our community of \$15M.

On December 2nd, our Board passed a resolution for phase two of the bond sale and the 2016, just so you know basically the cost impact so far to our customers, the environmental surcharge, and this goes into our environmental surcharge it's a rider, it's a pass-through. In 2010 we had that established, the environmental surcharge rider, because when regulations come out whether they're for the energy sector, whether they're for water, we have no control over what EPA directs or what the state directs over us. We decided to put that up as a pass-through because some of the investments that we need to make in order to meet some of these changes in the regulations are pretty substantial like the Nearman project. We thought it would be good to setup the debt schedule as a pass-through. I will say that's being well received by our rating agencies.



In 2017 the environmental surcharge rider, after we sell the second issue, is estimated to increase \$2.25 per month for residential customers. I know we get asked a lot about how our rates are doing for our community so I thought we would put up a bar chart to show for a residential

customer with an average of 858 kilowatt hours, which is roughly average for our community, what would be the monthly change to the customer bill. Currently, going into 2016, our current costs are \$101 approximately a month on the average. With the second issue, rates will go up roughly \$2.25. Again, that's an approximation because we haven't actually sold the bonds to see what type of interest rates we will receive. I will say the last time we were in the market we had a lot of interest in our bonds and we don't anticipate nothing less this time. I might also add that in 2018, they'll be another slight bump similar to '16 and '17 and, again, as a way to continue to spread the cost out as far as we can to lessen the impact on our community.

Commissioner Walker asked, Mr. Gray, was your Board—I see that you said they passed, was your Board unanimous. **Mr. Gray** said yes, sir.

Action: **ORDINANCE NO. O-70-15**, “An ordinance authorizing the issuance of Utility System Improvement Revenue Bonds, Series 2016-A, of the Unified Government of Wyandotte County/Kansas City, Kansas, for the purpose of financing the cost of certain improvements and paying the cost of issuing said bonds; authorizing the execution and approval of certain documents in connection with the issuance of said bonds, and authorizing certain other actions in connection with the issuance of said bonds.” **Commissioner Walker made a motion, seconded by Commissioner Kane, to approve the ordinance.** Roll call was taken and there were nine “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, Murguia.

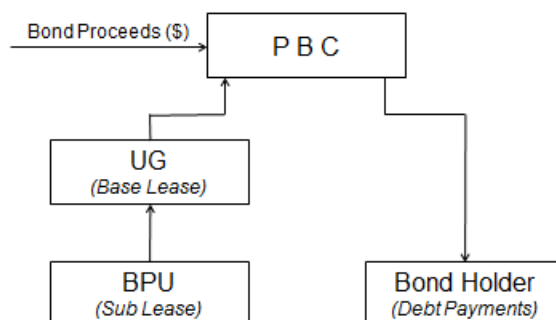
Mayor Holland said thank you, Mr. Gray. We want to thank our friends at the BPU for your hard work, the elected officials as well as the staff. You all face a tough regulatory environment and we appreciate the work that you're doing on behalf of our community.

ITEM NO. 2 – 15283... RESOLUTION: PUBLIC BUILDING COMMISSION BONDS

Synopsis: A resolution requesting the Public Building Commission to issue revenue bonds to acquire the office building located at 540 Minnesota Avenue for continued use as an office building for the Board of Public Utilities, submitted by Lew Levin, Chief Financial Officer.

Mr. Levin, Chief Financial Officer, said we sort of have a companion piece of financing associated with the larger financing that we just authorized. The BPU office building was financed under an IRB structure in 2001. We have the opportunity to refinance it and we're really looking at just a savings over a five-year period. Since it was done under an IRB structure, one of the alternatives that bond counsel has identified for us or actually recommends to us is that we do the refinancing under the Public Building Commission structure.

PBC Bond Structure – BPU Office Building Refinancing



1. 5 Year Refinancing, \$7 Million Bond Issue
2. Est. Net Present Value Savings of \$641,000 or 7.8%

The chart that appears on the wall there shows basically the structure of that financing. We would issue the debt through the Public Building Commission. The Unified Government would enter into a lease with the PBC and there would be a sublease by the BPU. The BPU would make payments through the UG to the PBC and then the debt payments go to the bondholder.

There's a significant savings associated with it over the five years; almost 8% over. Approximately we're projecting \$641,000. The resolution before you authorizes the Public Building Commission to proceed with that financing. We would do the actual financing in January with our annual bond and note sale.

Commissioner Walters said a couple of questions. I believe you told me that essentially this would be switching the debt from the BPU to the Unified Government. Is the IRB process not available?

Gina Riekhof, Attorney, Gilmore & Bell, PC, said I'll try and make my explanation as simple as possible. Currently under the IRB structure, there is a developer that was involved in the financing transaction for the office building when it was completed in 2001. We'd be taking the

developer out of the middle of that. When we do that, then the IRB structure is not available to us. The structure that we would be using here, though with the PBC would in terms of the ultimate repayment stream that is expected to be used to repay the bonds, is the same here under the PBC structure as compared to the IRB structure.

I think the one point that you raise that it's appropriate to point out is that under any lease between the PBC and the Unified Government, those leases, under Kansas law, are not subject to annual appropriation. They are payable if the Commission decided not to appropriate funds or in this particular case, the BPU did not make funds available to repay bondholders then the UG, at that point, would be obligated to make those lease payments from any available source of funds in your General Fund that were not already committed.

We are interjecting the UG into the repayment stream with bondholders. That's one of the things that helps bring down the interest rate and helps us achieve some of these savings, but frankly, it's one of the few legal structures that's available under Kansas law to be able to refinance this transaction to be able to achieve that interest cost savings.

Commissioner Walters said another question I think for Lew. I don't have any concern that BPU won't actually pay this, but our overall debt structure that we are concerned about, do you think that this will inhibit us in the near future in any of the projects that we anticipate financing?

Mr. Levin asked because of our overall debt. **Commissioner Walters** said because of this \$5M, in particular, \$7M. What impact do you think accepting this \$7M more in debt will have on our immediate future of trying to finance other projects? **Mr. Levin** said Public Building Commission debt is not subject to our debt limitation under Kansas Statute so it really won't affect us from that sense. We'll still show that debt as an obligation of the Unified Government, but if we had any credit calls with credit agencies, we would clearly indicate that the debt was an obligation of the Board of Public Utilities through that sublease structure. It might actually be viewed positively because credit agencies also look at the overall debt of the community and what we're doing. With this transaction, it's creating a savings as it relates to the community.

Action: **RESOLUTION NO. R-105-15**, "A resolution requesting the Public Building Commission of the Unified Government of Wyandotte County/Kansas City, Kansas, to issue revenue bonds for the purpose of acquiring the office building located at 540 Minnesota Avenue for continued use as an office building for the

Board of Public Utilities.” **Commissioner Walters made a motion, seconded by Commissioner Kane, to adopt the resolution.**

Mayor Holland said I do want to thank our Legal team and our Finance team. You are very aggressive in refinancing. Almost with every bond issue, we do a refinancing that saves us significant money and I appreciate your being aggressive in that.

Roll call was taken on the motion and there were nine “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, Murguia.

ITEM NO. 3 – 15280...RESOLUTION: CRICKET WIRELESS AMPHITHEATER FINANCING

Synopsis: A resolution authorizing a base lease with the Public Building Commission (PBC) whereby the UG will lease from the PBC certain public facilities and buildings for use by the UG, submitted by Debbie Jonscher, Deputy Finance Director. On August 27, 2015, the Commission unanimously adopted Resolution No. R-55-15, authorizing certain improvements to the amphitheater and requesting the PBC to issue bonds to pay a portion of the costs.

Debbie Jonscher, Deputy Finance Director, said this resolution is related to financing of the Cricket Wireless improvements. Back in August, the Commission approved the improvements and requested the PBC to issue revenue bonds. We did take bids and we have selected a bid from UMB Bank. It is a taxable series with a total amount of \$780,000 and the true interest cost is 3.29%.

This resolution authorizes the lease agreements between the Unified Government and the PBC, a similar structure as they just talked about with the BPU bonds. There is a base lease and a sublease between the PBC and the UG.

The copies that are in your packet were draft documents so we do intend to update the resolution and the lease documents to reflect the terms of the bid that was accepted.

Action: **RESOLUTION NO. R-106-15**, “A resolution authorizing the Unified Government of Wyandotte County/Kansas City, Kansas to enter into a base lease with the Public Building Commission of the Unified Government of Wyandotte County/Kansas City, Kansas, whereby the Unified Government will lease certain
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property to the Public Building Commission and enter into a lease whereby the Unified Government will lease from the Public Building Commission certain public facilities and buildings for use by the Unified Government.” **Commissioner Walters made a motion, seconded by Commissioner Kane, to adopt the resolution.** Roll call was taken and there were nine “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, Murguia.

ITEM NO. 4 – 15282...RESOLUTION: ACQUISITION OF REAL ESTATE FOR THE UG MEDICAL CLINIC

Synopsis: A resolution authorizing the acquisition of 810 Ann Avenue, an adjacent parking lot, in conjunction with the acquisition of property at 800 Ann Avenue for the construction and furnishing of a building located at such sites for the purpose of establishing a medical clinic to serve employees of the UG, submitted by Debbie Jonscher, Deputy Finance Director.

Debbie Jonscher, Deputy Finance Director, said this is a resolution for acquisition of property at 800 and 810 Ann Avenue for the UG Medical Clinic. There was a previous resolution approved in September that only listed the 800 Ann Avenue address. Tthe property that we’re purchasing actually includes 810 Ann Avenue so this resolution adds 810 Ann Avenue to the property which is an adjacent parking lot.

Mayor Holland said the parking lot was left out and we’re going to need it. That’s all it is.

Action: **RESOLUTION NO. R-107-15,** “ A resolution authorizing the acquisition of real estate located at 800 Ann Avenue and 810 Ann Avenue, and the constructing, reconstructing, equipping and furnishing of a building located at such sites, all for the purpose of establishing a medical clinic to serve employees of the Unified Government of Wyandotte County/Kansas City, Kansas; and requesting the Public Building Commission of the Unified Government of Wyandotte County/Kansas City, Kansas to issue revenue bonds for the purpose of paying a portion of the costs thereof.” **Commissioner Walters made a motion, seconded by Commissioner Kane, to adopt the resolution.** Roll call was taken and there were nine “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, Murguia.

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ITEM NO. 5 – 15292...RESOLUTION: APPOINTMENT OF INTERIM COUNTY APPRAISER

Synopsis: A resolution, as mandated by K.S.A. 19-430, appointing Katherine Briney as Interim County Appraiser, effective December 17, 2015, submitted by Joe Connor, Assistant County Administrator.

Doug Bach, County Administrator, said with the announced retirement of Gene Bryan, our County Appraiser, which will be effective on December 16th, it puts us in a position where we need to have a County Appraiser on staff. At this point, I am moving forward with our Deputy County Appraiser, Kathy Briney, who I am recommending for ratification tonight that we put a resolution appointing her, guess it's not ratification, but a resolution appointing her for the appraiser role for a six-month time period.

Action: Commissioner Philbrook made a motion, seconded by Commissioner Kane, to approve.

Mayor Holland asked Mr. Bach if he'd like to introduce Ms. Briney. **Mr. Bach** said if I could have her come forward. Kathy, if you'd come to the microphone and maybe say a couple of words about yourself. She's been in Kansas for over 20 years. I will let you just give a brief introduction and then I'll let you proceed with your vote.

Katherine Briney, Deputy County Appraiser, said I did get the opportunity to meet a few of you this afternoon, but I would like to go ahead and introduce myself just a little. I'll keep it brief. As Doug mentioned, my name is Kathy Briney. I am working towards my 23rd year in public service having served in the capacity of either the County Appraiser or the Deputy Appraiser in several other Kansas counties over this time period.

In mid-April, I did relocate to Wyandotte County and started with the UG as the Deputy County Appraiser. This move also gave me the opportunity to be closer to both my children which is very important to me. My goal for this transition is to be as seamless of a move as possible. I will continue to evaluate processes currently in place and plan to work closely with one of my most valuable assets and that's my staff. We do have a really great staff in place. And to successfully execute the duties of the Appraiser's Office in a manner that is in

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compliance with both the Kansas Department of Revenue/Property Evaluation Division and Kansas State laws.

I take this role very seriously and have every intention of performing my duties in a manner that positively reflects the expectations of the citizens of Wyandotte County as well as the Unified Government. Again, thank you for your consideration.

Action: **RESOLUTION NO. R-108-15**, “A resolution appointing Katherine Briney as Interim County Appraiser for the Unified Government of Wyandotte County/Kansas City, Kansas, effective December 17, 2015, subject to the approval of the director of property valuation, for a period not to exceed six months.” Roll call was taken on the motion and there were nine “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, Murguia.

ITEM NO. 6 – 15294...RESOLUTION: MOU WITH FOP 4

Synopsis: A resolution authorizing the execution of a Memorandum of Understanding between the UG and Fraternal Order of Police (FOP) 4, submitted by Joe Connor, Assistant County Administrator. The union has ratified the contract.

Action: **RESOLUTION NO. R-109-15**, “A resolution authorizing the County Administrator to execute a Memorandum of Understanding (MOU) between the Unified Government and the Fraternal Order of Police (FOP) 4.” **Commissioner Kane made a motion, seconded by Commissioner Walker, to adopt the resolution.** Roll call was taken and there were nine “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, Murguia.

ITEM NO. 7 – 15293...RESOLUTION: MOU WITH PLUMBERS LOCAL UNION NO. 8

Synopsis: A resolution authorizing the execution of a Memorandum of Understanding between the Unified Government and Plumbers Local Union No. 8, submitted by Joe Connor, Assistant County Administrator.

Action: **RESOLUTION NO. R-110-15**, “A resolution approving a Memorandum of Understanding between the Unified Government of Wyandotte County/Kansas City, Kansas, and Plumbers Local Union No. 8, for the period January 1, 2015 – **December 10, 2015**

December 31, 2017.” **Commissioner Kane made a motion, seconded by Commissioner Philbrook, to adopt the resolution.** Roll call was taken and there were nine “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, Murguia.

STANDING COMMITTEES’ AGENDA

No business items

COMMISSIONERS’ AGENDA

No business items

LAND BANK BOARD OF TRUSTEES’ AGENDA

No business items

PUBLIC ANNOUNCEMENTS

Mayor Holland said before we adjourn, I do want to ask Mr. Bach to make two announcements, one about the union contracts we just voted on and about another personnel issue.

Doug Bach, County Administrator, said just noting that on the union contracts with the approval of the Police contract and that of the Plumber’s Union, that brings 40% or a little over 600 of our employees that are in the labor union; so 40% of the labor union employees under contract now which we’ve been working on over the last couple of months to start bringing into compliance or into agreement I should say rather than compliance.

The second thing I’d like to announce since this is the first meeting since I’ve made this movement; I just want to formally introduce our new Chief Counsel, Ken Moore, who I appointed the first of last week to his position. He’s been with our organization a long time. He is now stepping up to a new role and I am very confident in his leadership and his ability. He has some great ideas for the future of the Legal Department and initiatives that he’s going to put into place. Welcome him and I wanted to make a formal announcement here tonight.

Commissioner Walker said he’s got a couple of hard acts to follow.

Mayor Holland said yes he does. Congratulations. For everyone, this is our last meeting until the end of the year so Merry Christmas and Happy New Year. No! I’m sorry. We have to come back on the 17th. I’m so eager.

MAYOR HOLLAND ADJOURNED

THE MEETING AT 8:15 P.M.

December 10, 2015

cm/cg

Bridgette D. Cobbins
Unified Government Clerk

December 10, 2015