

UPDATE
APRIL 8, 2021 UNIFIED GOVERNMENT BOARD OF
COMMISSIONERS MEETING
ORDER OF BUSINESS
MEETING TO CONVENE AT 7:00 PM

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Passcode: 539513

Description: The Board of Commission has policy-making authority over the County of Wyandotte County and Kansas City, KS. The Commission sets county policies, adopts ordinances, appropriates funds, approves land re-zonings and special exceptions to the zoning ordinance, and carries out other responsibilities set forth by the State Code.

Or iPhone one-tap:

+12532158782,,87862062807# US (Tacoma)

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Webinar ID: 878 6206 2807

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- I. CALL TO ORDER**
- II. ROLL CALL**
- III. INVOCATION GIVEN BY COMMISSIONER HAROLD JOHNSON, FAITH DELIVERANCE CHURCH OF GOD IN CHRIST**
- IV. PLEDGE OF ALLEGIANCE**
- V. REVISIONS TO THURSDAY, APRIL 8, 2021 AGENDA**
Administrator's Agenda Item No. 2 – 21771...MOU WITH SEIU LOCAL #1
(submission of the resolution and MOU).
- VI. MAYOR'S AGENDA**
- VII. CLERK'S STATEMENT**
(Anyone wishing to speak about a particular item on the Planning and Zoning Consent Agenda must notify the Mayor when he asks if there are any "set-asides" on the Planning and Zoning Consent Agenda. Your item will then be discussed and voted on separately. All remaining items on the Planning and Zoning Consent Agenda are viewed as a single group and voted on with one vote.)
- VIII. PLANNING AND ZONING CONSENT AGENDA**
- IX. PLANNING AND ZONING NON-CONSENT AGENDA**

- X. REGULAR CONSENT AGENDA
- XI. PUBLIC HEARING AGENDA
- XII. STANDING COMMITTEES' AGENDA
- XIII. ADMINISTRATOR'S AGENDA
- XIV. COMMISSIONERS' AGENDA
- XV. LAND BANK BOARD OF TRUSTEES' CONSENT AGENDA
- XVI. PUBLIC ANNOUNCEMENTS
- XVII. ADJOURN

VI. MAYOR'S AGENDA

1. **PROCLAMATION: NATIONAL SERVICE RECOGNITION DAY**

Synopsis: Proclaiming April 6, 2021, as National Service Recognition Day in Wyandotte County, Kansas, submitted by Mayor David Alvey.

Tracking #: 21767

PLANNING AND ZONING AGENDA

VIII. PLANNING AND ZONING CONSENT AGENDA

A. CHANGE OF ZONE APPLICATIONS

1. **COZ2021-001 - JAMES B. EVANS**

Synopsis: Change of Zone from A-G Agriculture District to R-1 Single Family District for a single-family home at 1825 North 94th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 21755

2. **COZ2021-002 - JAMES B. EVANS**

Synopsis: Change of Zone from A-G Agriculture District to R-1 Single Family District for a single-family home at 1841 North 94th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 21756

B. SPECIAL USE PERMIT APPLICATIONS

1. **SP2021-005 - CYNTHIA SLABY**

Synopsis: Home Occupation Special Use Permit for a doggie day care at 7714 Rowland Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**

Tracking #: 21758

2. **SP2021-006 - AMANDA AND NOAH TAYLOR**

Synopsis: Special Use Permit to store drilling and excavation equipment in vacant horse stable/barn at 3648 North 115th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR DENIAL)**

Tracking #: 21759

3. **SP2021-007 - RYAN BARROWS WITH JOE'S KANSAS CITY BBQ**

Synopsis: Renewal of a Special Use Permit (SP-2019-15 - expired 3/28/2021) for the Temporary Use of Land for an employee parking lot for Taco Republic at 4620 Mission Road, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR DENIAL)**

Tracking #: 21761

4. **SP2021-009 - JAMES P. DONOVAN WITH THE SHOWROOM FLOOR, LLC**

Synopsis: Renewal of a Special Use Permit (#SP-2019-18 - expired 3/28/2021) for an AirBnb at 1127 Southwest Boulevard, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**

Tracking #: 21753

5. **SP2021-010 - KELLY D. FOUNTAIN**

Synopsis: Renewal of a Special Use Permit (#SP-2016-17 - expired 2/25/2021) for a kennel at 3440 North 131st Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL FOR 10 YEARS)**

Tracking #: 21754

IX. PLANNING AND ZONING NON-CONSENT AGENDA

A. CHANGE OF ZONE APPLICATION

1. **COZ2021-003 - CAROL BLACKWELL**

Synopsis: Change of Zone from R-1 Single Family District to A-G Agriculture District for agricultural purposes at 3505 North 83rd Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL - 7/1 VOTE)**

Tracking #: 21757

TAX STATUS REPORT
BOARD OF COMMISSIONERS AGENDA FOR APRIL 8, 2021

None of the properties included in applications to be considered on the Planning & Zoning agenda have delinquent taxes prior to 2020.

NOTE: This information cannot serve as the basis for approval or denial of an application. It is not among the factors to be considered as set by ordinance or among accepted zoning factors and criteria. However, such information in certain cases might be relevant to evaluating accepted factors or as an accompaniment to other valid purposes and/or factors.

REGULAR AGENDA

X. REGULAR CONSENT AGENDA

1. GRANT: FY21 IMPROVING CRIMINAL JUSTICE RESPONSES TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING GRANT PROGRAM

Synopsis: The Police Department is seeking approval to apply for a FY21 US Department of Justice/Office on Violence Against Women grant in the amount of \$500,000, submitted by Michael Vivian, Acting Deputy Police Chief. No match required.

*On March 22, 2021, the **Public Works and Safety Standing Committee**, chaired by Commissioner Bynum, voted unanimously to approve and forward to full commission.*

Tracking #: 21721

2. ORDINANCE: RELATING TO PARK HOURS AND RESTRICTED ACTIVITIES

Synopsis: An ordinance relating to the operating hours, hunting and firearms, camping, and digging within UG parks; amending Chapter 25, submitted by Angel Obert, Assistant Director of Parks and Recreation.

*On March 22, 2021, the **Public Works and Safety Standing Committee**, chaired by Commissioner Bynum, voted unanimously to approve and forward to full commission.*

Tracking #: 21722

3. RESOLUTION: PARKS & RECREATION CODE OF REGULATIONS

Synopsis: A resolution amending the Unified Government's Parks and Recreation Code of Regulations, including the requirement that all new dock owners are Wyandotte County residents, submitted by Angel Obert, Assistant Director of Parks and Recreation.

*On March 22, 2021, the **Public Works and Safety Standing Committee**, chaired by Commissioner Bynum, voted unanimously to approve and forward to full commission.*

Tracking #: 21723

4. RESOLUTION: BPU LOAN THRU KDHE

Synopsis: A resolution authorizing the Board of Public Utilities to enter into a loan agreement with the Kansas Department of Health and Environment's State Revolving Loan Fund Program, submitted by Kathleen VonAchen, Chief Financial Officer; and Lori Austin, BPU Chief Financial Officer.

*On March 29, 2021, the **Economic Development and Finance Standing Committee**, chaired by Commissioner Burroughs, voted unanimously to approve and forward to full commission.*

Tracking #: 21726

5. RESOLUTION: SET PUBLIC HEARING DATE FOR THE RIVERFRONT REDEVELOPMENT DISTRICT

Synopsis: A resolution setting a public hearing date of May 13, 2021 to consider the advisability of adding property to the Riverfront Redevelopment District, submitted by Katherine Carttar, Director of Economic Development.

*On March 29, 2021, the **Economic Development and Finance Standing Committee**, chaired by Commissioner Burroughs, voted unanimously to approve and forward to full commission.*

Tracking #: 21735

6. RESOLUTION: ADOPT TIF AND IRB POLICIES

Synopsis: A resolution adopting the Economic Development Department's Tax Increment Financing (TIF) Policy and Industrial Revenue Bond (IRB) Policy, submitted by Katherine Carttar, Director of Economic Development. Staff previously provided a review of the policies to standing committee on February 1, 2021.

*On March 29, 2021, the **Economic Development and Finance Standing Committee**, chaired by Commissioner Burroughs, voted unanimously to approve and forward to full commission.*

Tracking #: 21736

7. PLAT: HART INDUSTRIAL PARK SECOND PLAT

Synopsis: Plat of Hart Industrial Park Second Plat located at 59th Lane and Speaker Road, being developed by Riverside Transport Corp. and C.A.R. Transport, Inc., submitted by Brent Thompson, County Surveyor; and Troy Shaw, County Engineer.

Tracking #: 21764

8. PLAT: CABELA'S SECOND PLAT

Synopsis: Plat of Cabela's Second Plat located along France Family Drive, and being developed by Cabela's Wholesale LLC, submitted by Brent Thompson, County Surveyor; and Troy Shaw, County Engineer.

Tracking #: 21765

9. MINUTES

Synopsis: Minutes from regular session of November 5, 2020; and special sessions of March 4 and 11, 2021.

Tracking #: MINUTES

10. WEEKLY BUSINESS MATERIAL

Synopsis: Weekly business material dated March 25 and April 1, 2021.

Tracking #: WEEKLY BUSINESS MATERIAL

XI. PUBLIC HEARING AGENDA

XII. STANDING COMMITTEES' AGENDA

XIII. ADMINISTRATOR'S AGENDA

1. RESOLUTION: OPTION PURCHASE AGREEMENT FOR 546 N. 130TH ST.

Synopsis: A resolution authorizing an option purchase agreement for 546 N. 130th St., Bonner Springs, KS, to River Bend Land Co. - PV LLC, for the building of a multi-family project, submitted by Katherine Carttar, Director of Economic Development. The project must receive approval through the planning and rezoning process with Bonner Springs before land is transferred.

Changes made since the March 1, 2021 Standing Committee approval:

1. One year Term instead of two.
2. Purchase price increased to \$525,000
3. UG will consider any information they provide about extreme site work costs but no guarantee of price reduction.

Tracking #: 21677

2. RESOLUTION: MOU WITH SEIU LOCAL #1

Synopsis: A resolution authorizing execution of a Memorandum of Understanding (MOU) between the Unified Government and the Service Employees International Union (SEIU) Local #1, submitted by Doug Bach, County Administrator.

Information forthcoming.

Tracking #: 21771

XIV. COMMISSIONERS' AGENDA

XV. LAND BANK BOARD OF TRUSTEES' CONSENT AGENDA

1. LAND BANK OPTION APPLICATIONS

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

24' Single Family Homes
CHWC - Rivers Edge East Subdivision

- Phase 1 - 6 Homes - 2021
 - 3036 N. Getty St. – 293023
 - 3030 N. Getty St. – 293024
 - 3022 N. Getty St. – 293025
 - 3016 N. Getty St. – 293026
 - 1726 Roswell Ave. – 293027
 - 2940 N. Getty St. – 293000
- Phase 2 - 6 Homes - 2022
 - 2938 N. Getty St. – 293001
 - 2938 N. Getty St. - 293002
 - 2938 N. Getty St. - 293004
 - 2938 N. Getty St. - 293006
 - 2938 N. Getty St. - 293011
 - 2938 N. Getty St. - 293012
- Phase 3 - 6 Homes - 2023
 - 3027 N. Getty St. - 293014
 - 3021 N. Getty St. - 293013
 - 3033 N. Getty St. - 293015
 - 3039 N. Getty St. - 293016
 - 3045 N. Getty St. – 293017
 - 3031 N. 18th St. - 293030

Kristi Smith High - 1 Home

- 202 Stewart Ave. - 094565
- 204 Stewart Ave. - 094566
- 206 Stewart Ave. - 094567

Karan Gupta - 2 Homes

- 844 Tauromee Ave. - 090403
- 848 Tauromee Ave. - 090402

Maribel Cortez – 1 Home

- 3517 N. 47th St. - 913921

Habitat for Humanity - 3008 N. 30th St. – 099328

Row Houses-Luminary Transformations - 8 Units

- 1026 Oakland Ave. - 087650
- 1030 Oakland Ave. - 080190
- 1038 Oakland Ave. - 080189

Victor Alfonso Laozano - Home Addition

- 3052 N. 31st St. - 099280

On March 29, 2021, the Neighborhood and Community Development Standing Committee, chaired by Commissioner McKiernan, voted unanimously to approve and forward to the Land Bank Board of Trustees.

Tracking #: 21727

2. LAND BANK PROPERTY TRANSFER

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

Yard Extension – Cassandra Bitterman

- 627 Shawnee Rd – 155110

(Lot is unbuildable by the Land Bank policy; Frontage - 12 Feet)

On March 29, 2021, the Neighborhood and Community Development Standing Committee, chaired by Commissioner McKiernan, voted unanimously to approve and forward to the Land Bank Board of Trustees.

Tracking #: 21728

XVI. PUBLIC ANNOUNCEMENTS

XVII. ADJOURN

**AGENDA UPDATE
UNIFIED GOVERNMENT COMMISSION MEETING
THURSDAY, APRIL 8, 2021**

XIII. ADMINISTRATOR'S AGENDA

ADDITIONAL INFORMATION

Item No. 2 - 21771...RESOLUTION: MOU WITH SEIU LOCAL #1

Synopsis: Submission of the resolution and memorandum of understanding between the Unified Government and the Service Employees International Union (SEIU) Local #1, for the period from January 1, 2020 through December 31, 2021.

RESOLUTION NO. _____

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

That the County Administrator of the Unified Government of Wyandotte County/Kansas City, Kansas, is hereby authorized and directed to execute in the name of the Unified Government of Wyandotte County/Kansas City, Kansas, and the Unified Government Clerk is hereby authorized and directed to attest the signature of said County Administrator and to attach the seal of the Unified Government thereto as the voluntary act of the Unified Government to the Memorandum of Understanding between the Unified Government of Wyandotte County/Kansas City, Kansas, and the Service Employees International Union, Local #1, for the period from January 1, 2020 through December 31, 2021.

**ADOPTED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED
GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS
THIS ____ DAY OF _____, 2021.**

David Alvey, Mayor/CEO

ATTEST:

Unified Government Clerk

Approved as to Form:

**Misty S. Brown
Chief Counsel**

MEMORANDUM OF UNDERSTANDING

BETWEEN

THE UNIFIED GOVERNMENT OF
WYANDOTTE COUNTY/KANSAS CITY,
KANSAS

AND

THE SERVICE EMPLOYEES
INTERNATIONAL UNION, LOCAL #1

January 1, 2020 thru December 31, 2021

MEMORANDUM OF UNDERSTANDING

ARTICLE I

THIS MEMORANDUM OF UNDERSTANDING. dated the ____ day of April, 2021. by and between the Unified Government of Wyandotte County/Kansas City. Kansas. Hereinafter referred to as "the Employer" and Service Employees International Union, Local No. 1, hereinafter referred to as "the Union," entered into for the purpose of establishing rates of wages, hours of work, working conditions, health and safety measures, and procedures for the settlement of differences.

ARTICLE II

RECOGNITION

Employer agrees to recognize the Union as the sole and exclusive bargaining agent pursuant to the Public Employer Employee Relations Act for Building Engineers by the Unified Government Department of Buildings & Logistics.

ARTICLE III

EMPLOYER'S RESPONSIBILITY

Section 1. Except as specifically set out herein, nothing in this Memorandum shall be construed as divesting the Employer of any of its vested management rights or as delegating to others the authority conferred by law on the Employer, or in any way abridging or reducing such authority.

Section 2. In the case of promotions, the Unified Government agrees to recognize qualifications (including training, education, experience, ability and past performance) of the affected employee and then recognize standard seniority rules and practices. In the case of lay off the Unified Government shall use seniority as the determining factor in selecting the employees to be laid off. The right to hire, promote, layoff, assign, transfer, discharge,

or discipline for cause and to maintain discipline and efficiency of employees is the sole responsibility of the Employer, except that Union members shall not be discriminated against as such.

Section 3. The Employer may adopt reasonable rules and regulations and amend the same from time to time, and the Employer and the Union will cooperate in the enforcement thereof. To the extent practical, the Employer will give prior notification of such rules and regulations to the Union.

Section 4. This Memorandum of Understanding shall be construed as requiring the employees to follow the provisions herein in the exercise of the authority conferred upon the Employer by law.

ARTICLE IV

Section 1. Employees shall be paid the following wages:

	1/1/20	1/1/21
Wage Rate	\$33.84	\$33.84

The parties recognize that the wage rate reflected above was frozen at the 2019 rate for both 2020 and 2021. The parties agree that they shall meet during the month of October in 2021 to re-open negotiations on compensation adjustments dependent upon economic feasibility. The Apprentice wage rate shall be at ninety percent (90%) of the above identified wage rate. An employee shall be deemed an Apprentice within the first eighteen (18) months of their employment. At the end of the initial eighteen (18) months of employment, the employee shall be paid the full wage rate provided that the employee is not at that time on a performance improvement plan and further provided that the employee must have successfully completed the Master Engineer License examination. If the

employee is on a performance improvement plan, the employee shall remain at the Apprentice wage rate until they have successfully completed the performance improvement plan. The Employer shall reimburse the cost of one preparatory class and one examination fee for each employee seeking to obtain his or her Master Engineer License upon such employee's successful completion of such examination.

ARTICLE V

FRINGE BENEFITS

Each employee shall be entitled to vacations, paid holidays, health benefits, pension, sick leave, family medical leave, funeral leave, military leave, personal leave, jury duty, and any other benefits in accordance with the Human Resources Guide of the UG as amended from time to time.

ARTICLE VI

STRIKES AND LOCK OUTS

There shall be no stoppage of work either by strike or lock out because of any dispute over matters relating to this Memorandum of Understanding, whether such matters are drafted within this Agreement.

ARTICLE VII

NONDISCRIMINATION

The Employer and the Union agree that there shall be no discrimination against any employee or applicant because of race, creed, sex, age, national origin, physical handicap or union activities.

ARTICLE VIII

WORKING CONDITIONS

All working conditions including discipline, discharge, equal opportunity in employment harassment in the workplace, workers' compensation and injury leave, unemployment compensation, responsible use of technology, and all other matters constituting working conditions shall be subject to and regulated by the policies of the UG as expressed in the Human Resources Guide and amendments thereof except as may be inconsistent with the terms of this Memorandum of Understanding.

ARTICLE IX

HOURS' OF WORK

The standard work week for full time employees shall be forty (40) hours within a consecutive seven (7) day period with two (2) consecutive days off except where operational needs require otherwise. Employees shall be advised of any changes in the beginning of their standard work week.

A standard workday for full time employees shall consist of eight (8) consecutive hours in a twenty-four (24) hour period, except for a thirty (30) minute intermission for lunch.

Employees will be allowed not to exceed two (2) fifteen minute breaks (one in the morning and one in the afternoon) per normal working day. Designation of rest breaks, times, and locations shall be at the supervisors discretion. Rest breaks shall not be taken in conjunction with the employee's lunch period, except at the mutual agreement of each employee and supervisor.

ARTICLE X

OVERTIME

All employees shall receive one and one-half (1½) times their actual hourly rate of pay for work performed in excess of eight (8) hours in a day. Overtime shall only be time actually worked and approved by the UG. Provided that for purposes of overtime calculations, the UG holidays are considered to be time worked. Employees designated to be “on-call” on a weekend day (Saturday or Sunday) or on a holiday shall receive two hours “on-call” pay at the overtime rate in addition to any hours actually worked.

ARTICLE XI

HEALTH AND SAFETY

The UG is committed to providing a workplace that is free from recognized safety and health hazards.

All employees covered by this Memorandum shall comply with all safety rules, manuals and regulations of the UG and safety rules relating specifically to their respective department/division.

ARTICLE XII

SENIORITY

Each full time employee shall accrue seniority, retroactive to the latest date of hire, upon completion of his or her probationary period. Part time employees shall accrue seniority on the basis of hours of continuous service during the employee's most recent employment with the Employer. Full time employees are those employees regularly scheduled for forty (40) hours per work week. Part time employees are those regularly scheduled for less than forty (40) hours per work week.

"Employer Seniority" is an employee's total length of service since his or her latest date of hire. When the term seniority" is used in this Agreement it shall mean Employer seniority unless the context clearly indicates otherwise. Employees transferred or promoted to positions with the Employer shall retain their Employer's seniority.

ARTICLE XIII

SAVINGS

In the event any part of this Agreement is judged to be unlawful or unenforceable by a court of law or administrative agency having jurisdiction of the subject matter and of the parties, then the remainder of this Agreement shall continue in full force and effect.

ARTICLE XIV

GRIEVANCE AND ARBITRATION

Section 1. Both parties to this Memorandum of Understanding recognize that most grievances involve misunderstandings and every attempt should be made to resolve the grievance informally. Grievances should immediately be reported to the Employer by the employee or Union within 7 calendar days of when the situation became known or reasonably should have been known.

Section 2. In the event a grievance cannot be informally settled such grievance shall be reduced to writing and provided to the Human Resource Director within 7 calendar days of the resolution of the informal step.

Section 3. If satisfactory settlement of a grievance which involves the interpretation or application of the terms of this Memorandum of Understanding is not obtained under Section 1 or 2 hereof, the Union may request that the matter be submitted to arbitration. If the parties cannot agree on the selection of an arbitrator, a seven-person panel will be

requested from the Federal Mediation and Conciliation Service with the Arbitrator selected by alternate striking of names.

Section. 4. The expenses and fee of the arbitrator shall be split by the parties. The arbitrator shall be limited to the particular dispute in question and shall be bound and governed by the provision of this Memorandum of Understand and restricted to its application to the facts presented. The arbitrator shall not have jurisdiction or authority to add, to modify, detract from, or alter in any way the provisions of the Memorandum of Understanding or any amendment or supplement thereto. The decision of the arbitrator shall be binding on the parties and employees involved.

Section 5. When it shall be necessary to reprimand and/or discipline an employee, the same shall be done in the privacy of the management supervisor's office or other private area.

ARTICLE XV

DURATION

THIS MEMORANDUM OF UNDERSTANDING shall be in full force and effect from January 1, 2020, and shall remain in force and effect until the 31st day of December, 2021, and shall continue in force and effect from year to year thereafter unless either party shall notify the other in writing at least sixty (60) days prior to December 31, 2021 or December 31st of any successive year of a desire to terminate or amend this Memorandum of Understanding.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals this _____ day of _____, 2021.

EMPLOYER

UNION

THE UNIFIED GOVERNMENT OF
WYANDOTTE COUNTY, KANSAS
KANSAS

THE SERVICE EMPLOYEES
INTERNATION UNION, LOCAL #1 CITY,

By: _____

Douglas G. Bach
County Administrator

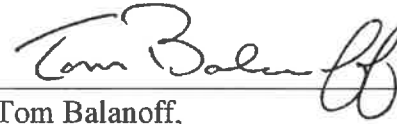
By: _____



Wesley Reed
Coordinator, Kansas City

Renee Ramirez

Director of Human Resources



Tom Balanoff,
SEIU President

ATTEST:

Unified Government Clerk



Christian Rak,
Missouri Director

Approved as to form:

Misty S. Brown
Chief Counsel



Unified Government of Wyandotte County/Kansas City, Kansas

PROCLAMATION

- WHEREAS,** service to others is a hallmark of the American character, and central to how we meet our challenges; and
- WHEREAS,** the nation's elected leaders are increasingly turning to national service and volunteerism as a cost-effective strategy to meet their needs; and
- WHEREAS,** AmeriCorps and AmeriCorps Seniors participants address the most pressing challenges facing our communities; they educate students for 21st century jobs, fight the opioid epidemic, respond to natural disasters, and support veterans and military families; and
- WHEREAS,** national service expands economic opportunity by creating more sustainable, resilient communities and providing education, career skills, and leadership abilities for those who serve; and
- WHEREAS,** AmeriCorps and AmeriCorps Seniors participants serve in more than 45,000 locations across the country, bolstering the civic, neighborhood, and faith-based organizations that are so vital to our economic and social well-being; and
- WHEREAS,** national service participants increase the impact of the organizations they serve, both through their direct service and by managing millions of additional volunteers; and
- WHEREAS,** national service represents a unique public-private partnership that invests in community solutions and leverages non-federal resources to strengthen community impact and increase the return on taxpayer dollars; and
- WHEREAS,** national service participants demonstrate commitment, dedication, and patriotism by making an intensive commitment to service, a commitment that remains with them in their future endeavors; and
- WHEREAS,** AmeriCorps shares a priority with local leaders nationwide to engage citizens, improve lives, and strengthen communities; and is joining with the National League of Cities, the National Association of Counties, and local leaders across the country for National Service Recognition Day on April 6, 2021.

NOW, THEREFORE, we, the three mayors of the cities of Wyandotte County, Kansas, do hereby proclaim April 6th, 2021, as:

"National Service Recognition Day"

and encourage residents to recognize the positive impact of national service in our community, to thank those who serve; and to find ways to give back to their communities.

DAVID ALVEY, MAYOR/CEO
UNIFIED GOVERNMENT WYCO/KCK

JEFF HARRINGTON
MAYOR, BONNER SPRINGS

JOHN MCTAGGART
MAYOR, EDWARDSVILLE



Planning and Urban Design

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

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

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: April 8, 2021

Re: COZ2021-001

GENERAL INFORMATION

Applicant:
James B. Evans

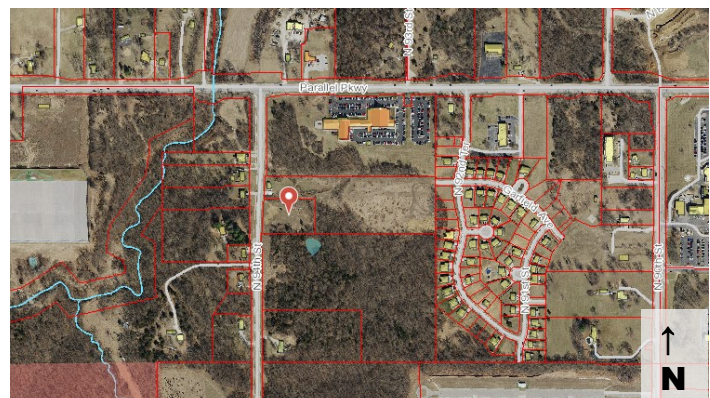
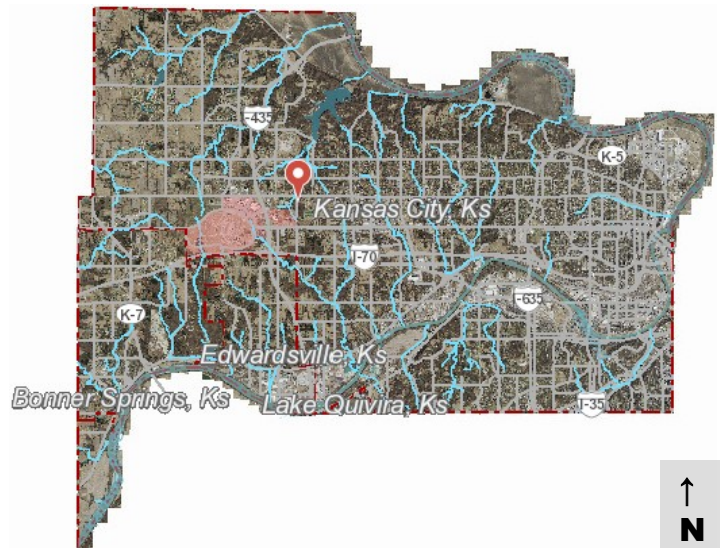
Status of Applicant:
Property Owner
1841 North 94th Street
Kansas City, KS 66112

Requested Actions:
Approval of a Change of Zone

Date of Application:
January 15, 2021

Purpose:
To change the zoning district from
A-G Agriculture District to R-1
Single-Family District.

Property Location:
1825 North 94th Street,
Kansas City, Kansas 66112



Commission District:	Commissioner At Large: Tom Burroughs District #7 Commissioner: Jim Walters
Existing Zoning:	A-G Agriculture District
Adjacent Zoning:	North: A-G Agriculture District South: A-G Agriculture District East: A-G Agriculture District West: R-1 Single-Family District
Adjacent Uses:	North: Single-family residence (owned by the applicant) South: Undeveloped land East: Single-family residence (owned by the applicant) West: Single-family residences
Total Tract Size:	1.75 Acre
Master Area Plan:	The subject property is within the Prairie-Delaware-Piper Area Master Plan.
Master Plan Designation:	The Prairie-Delaware-Piper Area Master Plan designates this property as Suburban Residential. Suburban Residential allows for single-family detached residential units on the typical “quarter-acre lot”. Such Suburban Residential developments should be primarily located between Leavenworth Road and the more intense commercial, industrial, and entertainment uses south of Parallel Parkway.
Major Street Plan:	The Major Street Plan classifies South 94 th Street/South 94 th Lane as a Collector Street.
Required Parking:	A-G (current zoning district): Section 27-452(e) requires two (2) off-street parking spaces to be provided on the premises for each single-family dwelling. The property is currently undeveloped and does not have any paved spaces. R-1 District (proposed zoning district): Section 27-454(e) requires two (2) parking spaces for each single-family residence, at least one (1) of which must be in a garage or carport. The property is currently undeveloped and does not have any paved spaces.
Advertisement:	<u>The Wyandotte Echo</u> – February 11, 2021 Letters to Property Owners – February 12, 2021 and March 30, 2021

Public Hearings:	March 15, 2021 and April 8, 2021
Public Support:	None to date.
Public Opposition:	None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, James B. Evans, has requested a Change of Zone for 1825 North 94th Street, from A-G Agriculture District to R-1 Single-Family District. The applicant has cited the fact that the property is not and has not been used for agricultural purposes as the impetus for requesting the Change of Zone.

City Ordinance Requirements: Article VI, Sections 27-196 – 27-216

Code Enforcement History: There are no outstanding violations recorded at this property. The subject property has been previously cited by Code Enforcement:

September 20, 2017- Weeds, 14-Day Abatement

September 27, 2013- Environmental/Weeds

FACTORS TO BE CONSIDERED

1. Character of the Neighborhood.

The subject property is within the I-435 West Statistical Neighborhood and is not within any Neighborhood Group boundary. The local neighborhood is a mix of large lots and single-family housing. The large lots are zoned A-G Agriculture, and the smaller lots that have been subdivided to accommodate single-family residences are zoned R-1 Single Family. There is also a church campus directly north of the subject property and uses such as a hospital within one-half (1/2) mile from the subject property.

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

The surrounding properties are a mix of zoning districts and uses. The properties are zoned A-G Agriculture District and are used as vacant land, farmland, or for a place of worship, or are zoned R-1 Single Family District and are used for single-family residences. As the applicant is requesting a Change of Zone from A-G to R-1 in order to split the lot and potentially develop single-family residences, the parcel's zoning and allowed uses are compatible with the nearby properties.

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

The property is suitable to be rezoned to the R-1 District. The parcel is 1.75 acre, which is 3.25 acres less than the minimum requirement for a parcel zoned A-G

Agriculture. The subject property is across North 94th Street from residentially zoned parcels similar in size to it.

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

A private demolition permit was issued to the property on December 18, 2006. It is likely that the property has been vacant for the past 14 years.

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

The subject property has several characteristics that makes it appropriate for a Change of Zone from A-G to R-1. First, the property is only 1.75 acres, making it too small to be legal conforming to the A-G District. Second, the subject property is adjacent to properties zoned R-1 to the west, across North 94th Street, and to the north and east the parcel is zoned A-G but is owned by the applicant as well and is requesting its own Change of Zone from A-G to R-1. Third, the parcel could be developed in the future, will serve as a natural transition between the existing single-family residences to the west, east, and north and the agricultural uses to the south. There is no indication that continued use will permanently injure the appropriate use, visual quality, or marketability of the nearby properties.

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

The Change of Zone has not been requested in conjunction with a Preliminary/Final Plat. While the property is currently vacant, no associated replat indicates the applicant has no immediate plans to develop it. Any future development, however, would require driveway access to North 94th Street. This would cause a slight increase in the traffic but it would not adversely affect road capacity, safety, or create parking problems.

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

The subject property is under the Prairie-Delaware-Piper Area Master Plan, which designates this property as Suburban Residential. Suburban Residential allows for single-family detached residential units on the typical "quarter-acre lot". Such Suburban Residential developments should be primarily located between Leavenworth Road and the more intense commercial, industrial, and entertainment uses south of Parallel Parkway. Although the subject property is located south of Parallel Parkway, it is currently in the A-G District and is used for residential purposes; the use of the property will not be different whether it is zoned A-G or R-1. Therefore, the proposed use relatively conforms with the Prairie-Delaware-Piper Area Master Plan,

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

There is no proposed development on the subject property, but if the applicant wishes to develop any resultant lot in the future, all proper planning actions must be undertaken in order for Staff to sufficiently review the proposed uses for environmental harm. Such future planning actions may include, but are not limited to, Preliminary & Final Plats, and Preliminary & Final Plan Review.

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

a. *Water service*

Water service is available to the subject property.

b. *Sanitary sewer service*

Sanitary sewer service is available to the subject property.

c. *Storm water control*

A storm water discharge points are present on North 94th Street immediately adjacent to the north and south of the subject property.

d. *Police*

Police service is provided by West District, #223.

e. *Fire*

Fire service is provided by Fire Station #6.

f. *Transit*

Public transit ostensibly serves this property, but it is not convenient nor safe for a pedestrian to access. A sidewalk serves the west side of 94th Street, but not on the east side of the street where the subject property lies; there is also no designated crosswalk to allow a pedestrian to cross North 94th Street, a Collector Street, in order to reach the sidewalk. The closest public transit stops are 0.3 miles away at 94th Street and Parallel Parkway on the 116 (West Parallel) route, both eastbound and westbound.

g. *Schools*

Claude Huyck Elementary School, Arrowhead Middle School, and Washington High School are provided by Kansas City, Kansas USD #500.

h. Streets

The subject property is accessible by North 94th Street.

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

The Change of Zone will allow for the parcel to be developed, as it will conform to district lot size regulations. A single-family residence would be allowed on the parcel, or one (1) of several other non-residential uses enumerated in Section 27-454(b). This may have a positive economic impact on the community as it would provide more housing in Wyandotte County.

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

The Change of Zone will allow the subject property to comply with all R-1 District ordinances; currently the lot does not meet the A-G District lot size minimum.

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

Due to the subject property's position in relation to adjacent parcels used for residential and religious purposes, a Change in Zone from the A-G Agriculture District to the R-1 Single Family District will not produce any uses that are not allowed by right in the R-1 District and therefore will not result in a hardship for the adjacent landowners.

PREVIOUS ACTIONS

N/A

NEIGHBORHOOD MEETING

The applicant accepted emails and phone calls through February 22, 2021. The applicant reported that just one (1) neighbor contacted him, only to ask if they (the neighbor) were required to attend the meeting. Attached is the sample letter sent to the neighbors (see the "Attachments" section of this report).

KEY ISSUES

Potential Accessory Unit Without a Primary Structure
Sanitary Sewer Service
Water Service

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 8 to 0 to recommend **APPROVAL** of COZ2021-001, subject to:

- 1) There are several dilapidated accessory structures on the property without a primary residence. All accessory structures must be demolished;
- 2) A building permit may be required. Please contact the Building Inspection Division to begin that process;
- 3) Driveway permit may be needed. Please contact the Building Inspection Division to begin that process;
- 4) Site improvements that include land disturbance activity on greater than one (1) acre of surface area of land shall require a land disturbance permit issued by the Unified Government and shall be compliant with all applicable local ordinances and State Statutes and Regulations (Article XIV, Sec. 8-610 through Sec. 8-618). Land disturbance fees shall be processed by UG Public Works during the Land Disturbance/Site Development application. The Land Disturbance permit and all applicable Public Works permits can be obtained from the Public Works Department, 701 North 7th Street, Kansas City, KS 66101, (913) 573-5700. With the issuance of the Land Disturbance Permit, a grading permit is required and issued by the Building Inspections Division, Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102, (913) 573-8620; and,
- 5) Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of **COZ2021-001**, subject to all comments and suggestions outlined in this staff report, and the conditions of the City Planning Commission.

ATTACHMENTS

March 15, 2021 City Planning Commission Minutes
Land Use Map
Aerial Map
Zoning Map
Photographs of the Property Provided by Staff, Dated February 21, 2021
Plot Plan, Submitted by the Applicant
Additional Information, provided by the Applicant
Neighborhood Meeting Materials, February 22, 2021

REVIEW OF INFORMATION AND SCHEDULE

<u>Action</u>	<u>Planning Commission</u>	<u>Board of Commissioners</u>
Public Hearing		
Change of Zone	March 15, 2021 Approval	April 8, 2021

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

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **COZ2021-001** as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. _____;
2. _____; And
3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition **COZ2021-001**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

March 15, 2021 City Planning Commission Minutes:

Hearing starts at 19:30 and Secretary Parker stated that the applicant is having trouble getting on the Zoom call and the applications were recalled at 52:50:

CHANGE OF ZONE APPLICATION COZ2021-001 – JAMES B. EVANS - SYNOPSIS:

Change of Zone from A-G Agriculture District to R-1 Single Family District for a single-family home at 1825 North 94th Street.

Detailed Outline of Requested Action: The applicant, James B. Evans, has requested a Change of Zone for 1825 North 94th Street, from A-G Agriculture District to R-1 Single-Family District. The applicant has cited the fact that the property is not and has not been used for agricultural purposes as the impetus for requesting the Change of Zone.

Code Enforcement History: There are no outstanding violations recorded at this property. The subject property has been previously cited by Code Enforcement:

September 20, 2017- Weeds, 14-Day Abatement

September 27, 2013- Environmental/Weeds

CHANGE OF ZONE APPLICATION COZ2021-002 – JAMES B. EVANS - SYNOPSIS:

Change of Zone from A-G Agriculture District to R-1 Single Family District for a single-family home at 1841 North 94th Street.

Detailed Outline of Requested Action: The applicant, James B. Evans, has requested a Change of Zone for 1841 North 94th Street, from A-G Agriculture District to R-1 Single-Family District in order to perform a lot split of the parcel and allow future residential uses on both newly created parcels. The Change of Zone request has been filed in conjunction with BOZA2021-003, variances from front yard setback regulation and accessory unit maximum.

Code Enforcement History: There are no outstanding violations recorded at this property. The subject property has been previously cited by Code Enforcement:

October 20, 2015- Other Multiple Violations

September 11, 2008- Stop Work Order (Construction of a metal carport)

The following items were included as part of the record for this cases:

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated March 15, 2021;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo; and
7. The Notices to property owners.

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

Present in Support:

- James Evans, applicant, 1841 North 94th Street, Kansas City, Kansas 66112

Present in Opposition:

- No one appeared.

Staff Recommendation starts at 57:50: Planning Director Hand stated that there is no primary structure on the property at 1825 North 94th Street (COZ2021-001); however, there are accessory structures on the property. If this property is rezoned to R-1 District, those accessory structures are no longer allowed and will have to be removed. Director Hand stated that at the March 8, 2021 meeting, the Board of Zoning Appeals heard (and approved) the variance for 1841 North 94th Street in relation to COZ2021-002. If these applications are approved, Mr. Evans will submit a lot split application and will have three (3) properties zoned R-1 Single Family District. The property where Mr. Evans lives currently resides (1841 North 94th Street) will be allowed two (2) accessory structures. One (1) of the conditions of approval for Tract B to have access provided off Garfield Avenue. There have been no Notices of Violation or any letters submitted in favor nor opposition for either application. Staff recommends approval of both applications, subject to the conditions in the staff report.

Motion and Vote starts at 1:00:45:

On motion by Mr. Miller, seconded by Ms. Huey, the Planning Commission voted as follows to recommend **APPROVAL** of **Change of Zone Application COZ2021-001:**

Carson	Chairman
Armstrong	Aye
Cho	Not Present
Connelly	Not Present
Ernst	Aye
Huey	Aye
Jones	Aye
Miller	Aye
Mohler	Aye
Pauley	Aye
Reasons	Aye

Motion to RECOMMEND APPROVAL Passed: 8 to 0

Subject to:

- 1) There are several dilapidated accessory structures on the property without a primary residence. All accessory structures must be demolished;**
- 2) A building permit may be required. Please contact the Building Inspection Division to begin that process;**
- 3) Driveway permit may be needed. Please contact the Building Inspection Division to begin that process;**
- 4) Site improvements that include land disturbance activity on greater than one (1) acre of surface area of land shall require a land disturbance permit issued by the Unified Government and shall be compliant with all**

- applicable local ordinances and State Statutes and Regulations (Article XIV, Sec. 8-610 through Sec. 8-618). Land disturbance fees shall be processed by UG Public Works during the Land Disturbance/Site Development application. The Land Disturbance permit and all applicable Public Works permits can be obtained from the Public Works Department, 701 North 7th Street, Kansas City, KS 66101, (913) 573-5700. With the issuance of the Land Disturbance Permit, a grading permit is required and issued by the Building Inspections Division, Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102, (913) 573-8620; and,
- 5) Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

On motion by Mr. Miller, seconded by Ms. Huey, the Planning Commission voted as follows to recommend **APPROVAL** of **Change of Zone Application COZ2021-002**:

Carson	Chairman
Armstrong	Aye
Cho	Not Present
Connelly	Not Present
Ernst	Aye
Huey	Aye
Jones	Aye
Miller	Aye
Mohler	Aye
Pauley	Aye
Reasons	Aye

Motion to RECOMMEND APPROVAL Passed: 8 to 0

Subject to:

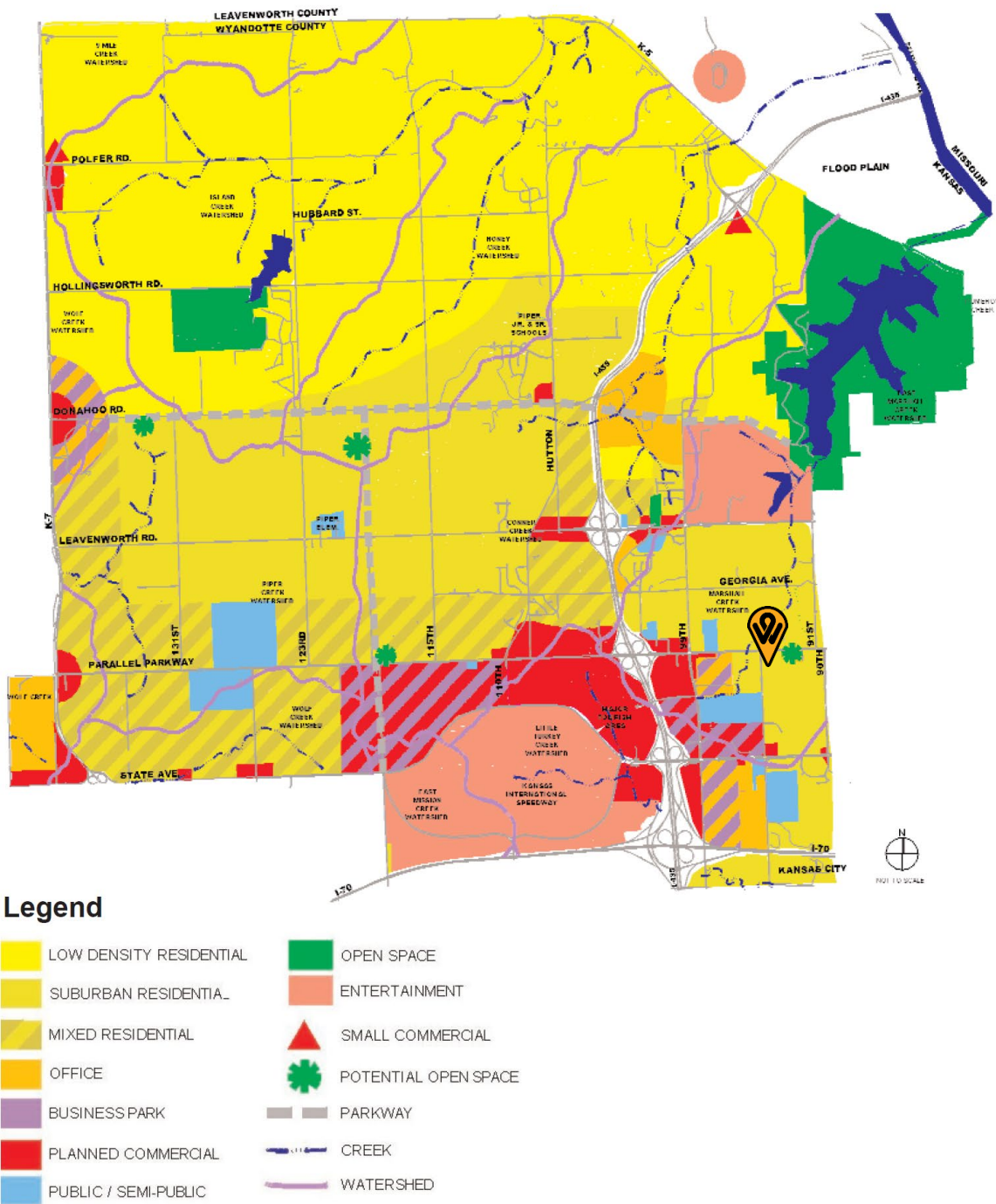
- 1) All variances requested in BOZA2021-003 must be granted (approved March 8, 2021);
- 2) Tract B must connect with or have access to Garfield Avenue;
- 3) Tract B must be assigned an address and connected off Garfield Avenue;
- 4) A building permit is required. Please contact the Building Inspection Division to begin that process;
- 5) Driveway permit needed. Please contact the Building Inspection Division to begin that process;
- 6) Site improvements that include land disturbance activity on greater than one (1) acre of surface area of land shall require a land disturbance permit issued by the Unified Government and shall be compliant with all applicable local ordinances and State Statutes and Regulations (Article XIV, Sect. 8-610 through Sect. 8-618). Land disturbance fees shall be processed by UG Public Works during the Land Disturbance/Site Development application. The Land Disturbance permit and all applicable Public Works permits can be obtained from the Public Works Department, 701 North 7th Street, Kansas City, KS 66101, (913) 573-5700. With the

- issuance of the Land Disturbance Permit, a grading permit is required and issued by the Building Inspection Division, Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102, (913) 573-8620; and,
- 7) Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

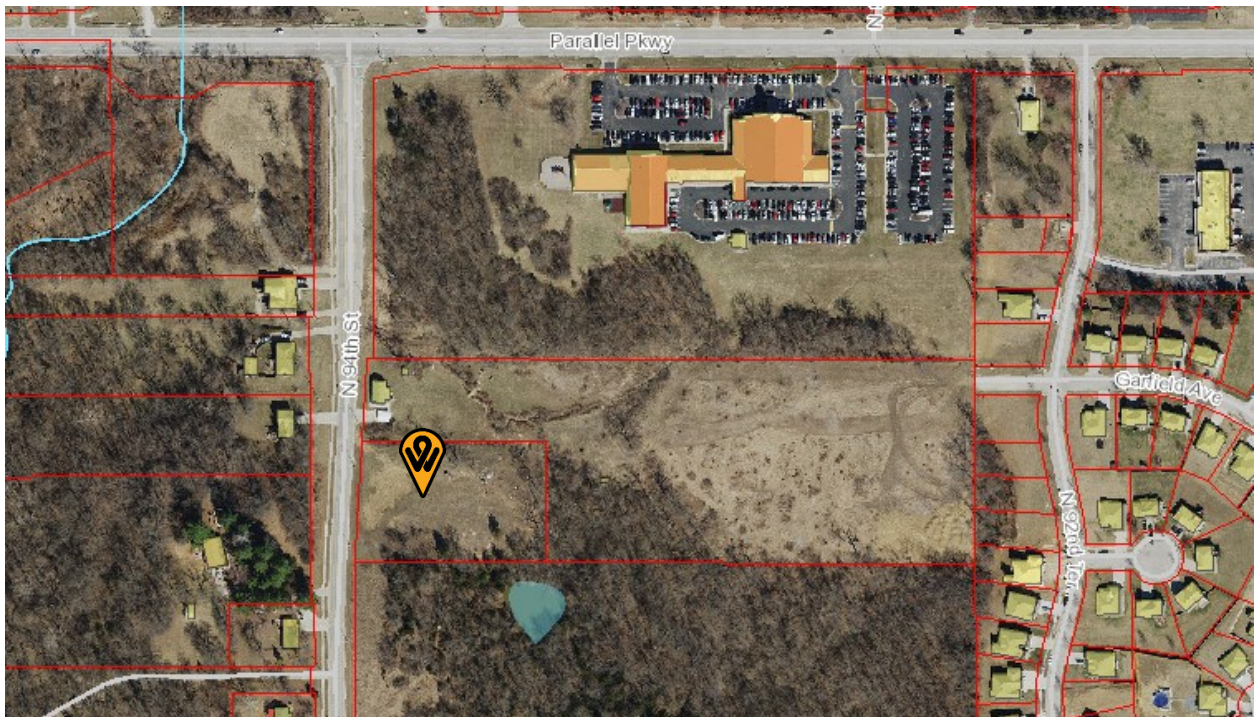
LAND USE MAP

Prairie Delaware Piper Master Plan

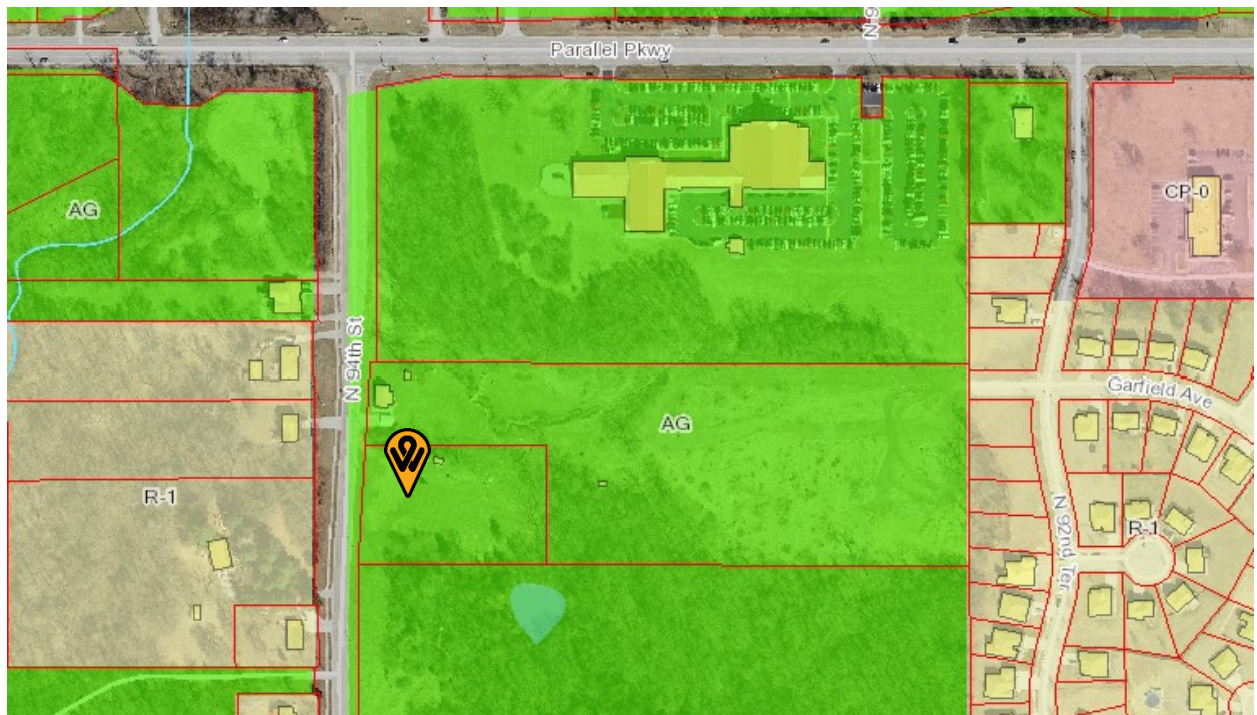
Map 11: Future Land Use



AERIAL MAP



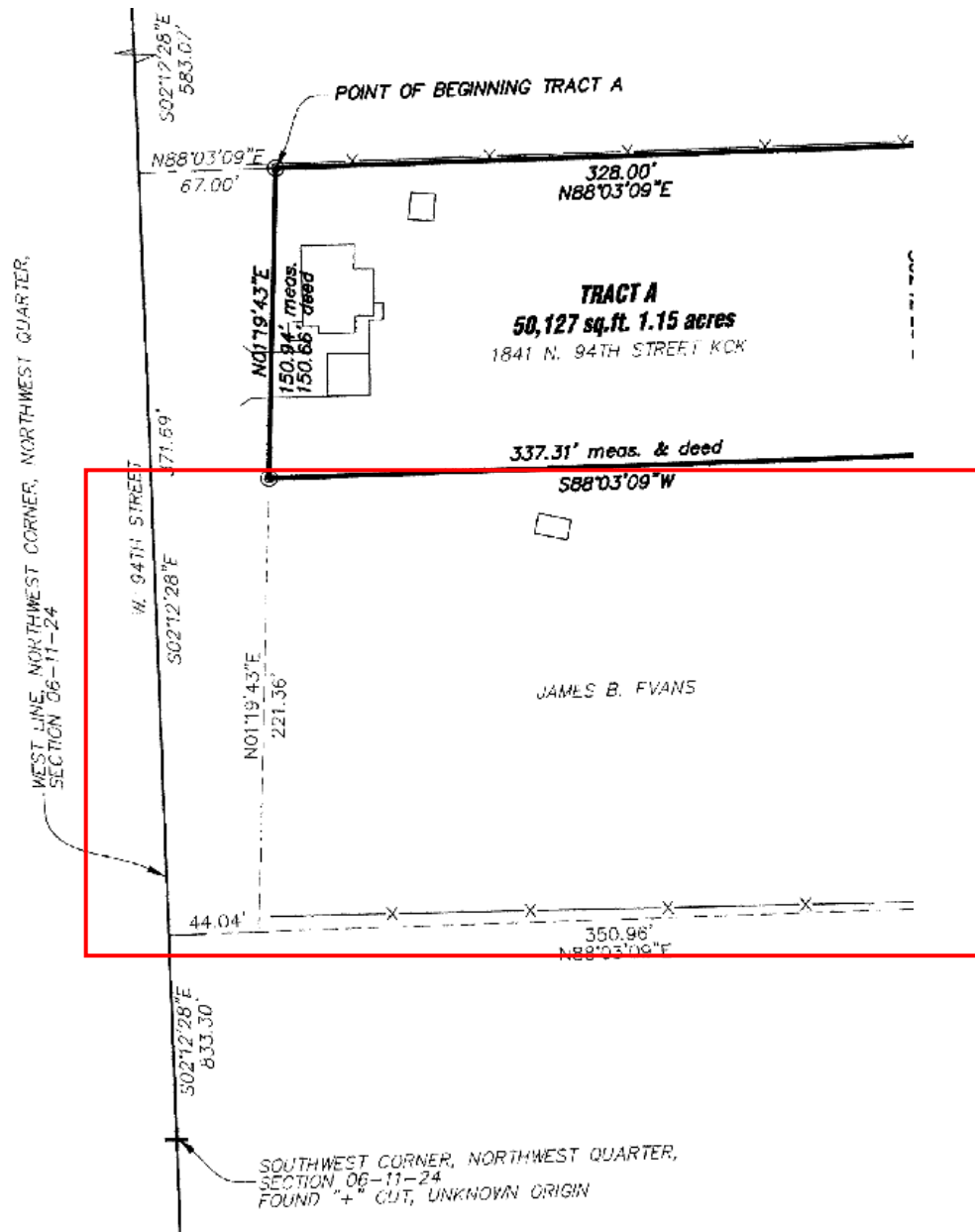
ZONING MAP



PHOTOGRAPHS OF THE PROPERTY PROVIDED BY STAFF, DATED FEBRUARY 21, 2021



PLOT PLAN, SUBMITTED BY THE APPLICANT



ADDITIONAL INFORMATION, PROVIDED BY THE APPLICANT

***** What is "The James Evans Property" *****

"The James Evans Property" is potentially an exclusive housing development located in Western Wyandotte County. Offering country living with arguably the best view of the Greater Kansas City, Kansas area.

"The James Evans Property" offers convenience and accessibility to shopping, dining, entertainment, sports, etc. Unmatched anywhere with the Kansas City, Kansas area

Just minutes from one of Kansas City areas unsurpassed shopping centers, "The Legends Outlets Shopping Center", "The James Evans Property", is conveniently located just blocks away.

Right across from the "The James Evans Property" is the ultra-modern "Homefield Sports Complex" which is projected to be open in the Summer of 2022.

***** Who is James Evans? *****

While he may be remembered for playing DiCenzo from the ABC-TV long-running soap opera General Hospital or from other TV shows, James Evans is the developer and owner of "The James Evans Property". Mr. Evans has been in the real estate industry for over 40 years. Before the term was ever invented, Mr. Evans started to "flip houses" back in the early 1980's. Mr. Evans also has experience in commercial real estate, property management, etc.

Mr. Evans moved to Kansas City in 2014, to be closer to relatives, where his family has been since the 1800's.

In 2014 Mr. Evans bought the 7.69 acres of land, with a house on it at 1841 N. 94th St., Kansas City, KS 66112, and then bought the adjacent 1.75 acres of vacant land at 1825 N. 94th St., Kansas City, KS 66112 in 2015.

***** The Objective*****

The "objective" is to make all the property owned by James Evans as a "residential development", to maximize the properties potential.

Currently Mr. Evans owns two parcels of land. One being 7.69 acres, 1841 N. 94th St. and the other 1.75 acres at 1825 N. 94th St. and no other property in Kansas City, KS at this time.

The 7.69 acres is a parcel of land that is flat on the western side, often referred to as the panhandle. The property then gradually rises as the property goes east, up to the section off of Garfield Avenue, abutting to 6 residential lots which are part of the "Sunset Ridge Development". Because of high elevation from the properties east side, there is a spectacular view of Greater Western Wyandotte County. Once the "Homefield Sports Complex" is built, the "Hard Rock Cafe" is finished, etc. the view should be beyond comparison.

ADDITIONAL INFORMATION, PROVIDED BY THE APPLICANT, CONT.

The 1.75 acres of land is located on the Southwest section of the "The James Evans Properties". The property is touching 94th street, just south of the panhandle of the 7.69 parcel of land. To the west, the 1.75 acres of land has an excellent view of the "The Legends Outlets Shopping Center" and to the north is a spectacular view of the Woodlands area.

What makes the land so desirable to the potential residents, and to the community in general, is that the "The James Evans Properties" has a rare dual access to his property, being from both 94th Street and 92nd Street, via Garfield Avenue. No other current buildable piece of land in the Piper/Prairie/Delaware Map Area, on the eastern side of the Legends, has dual access like "The James Evans Property" has, except the "Homefield Sports Complex".

The dual access guarantees accessibility for daily traffic and emergency services for future residents of Kansas City, Kansas and "The James Evans Property".

***** Conclusion *****

When "The James Evans Property" has become surrounded by residential lots with houses on two side and a church on the third side, it is only sensible to make "The James Evans Property" zoned residential.

Variances are needed for a variety of reasons, including previously built buildings, setbacks, etc. that existed long before the new governmental agency ever took command and control of an existing community. "The James Evans Property" and house existed long before Wyandotte County started controlling the Piper/Prairie/Delaware area.

One planner actually told me that variances are for people who don't like to follow the law.

"The James Evans Property" have been evaluated by experienced builders, civil engineers, surveyors, contractors, realtors, etc. and an overwhelming majority agree with the current rezoning plans, plot lines, etc. The inexperienced person is always the first one to give me their free unwanted advice.

With the spectacular view "The James Evans Property" has the inherited potential to be one of the finest, if not the best development in Kansas City, Kansas.

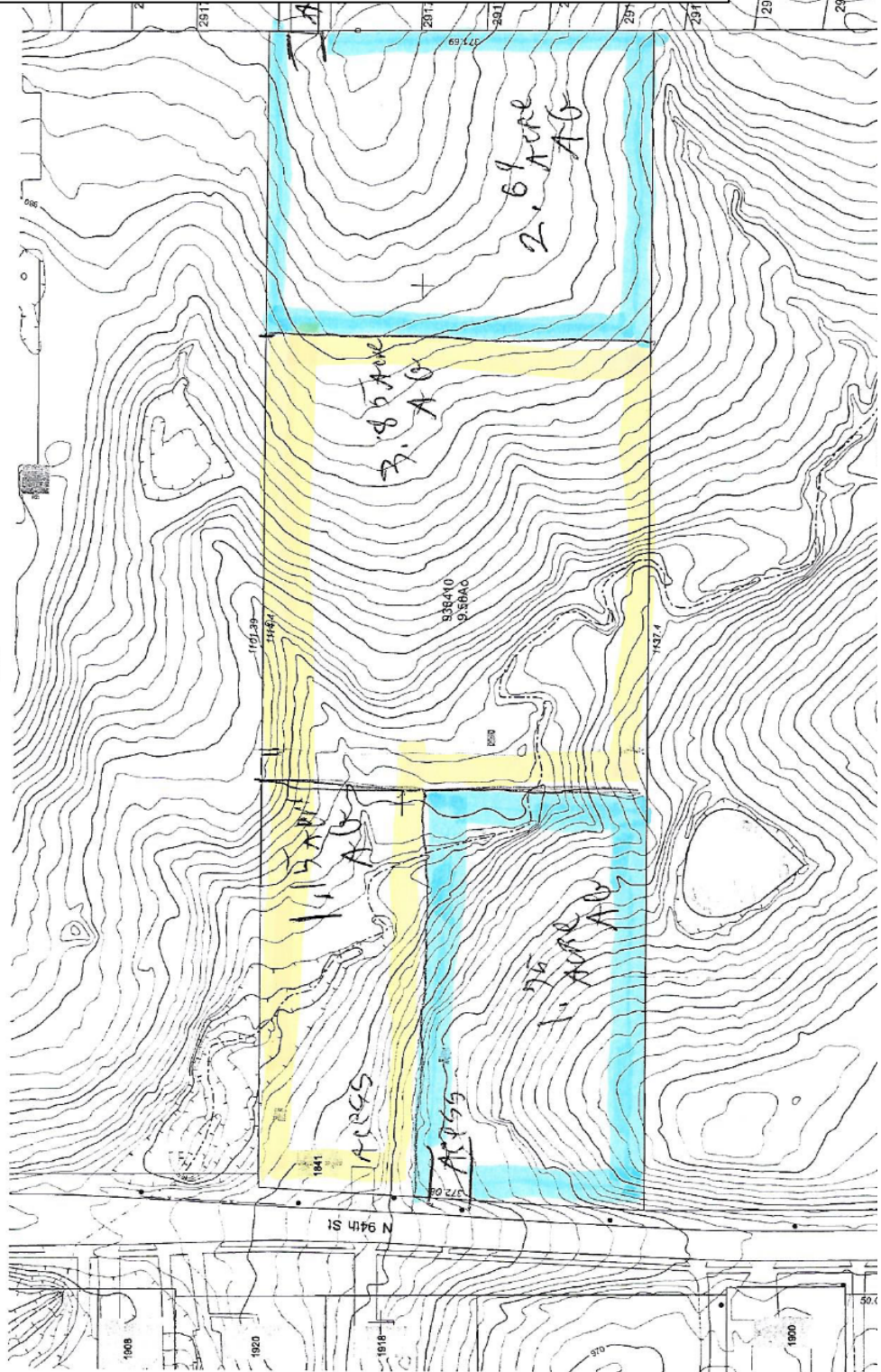
ADDITIONAL INFORMATION, PROVIDED BY THE APPLICANT, CONT.

The applicant has provided an alternative map that demonstrates the subject property and related property (1841 North 94th Street, COZ2021-002). Staff had offered this alternative, which would reduce the amount of land that would need to be rezoned. The applicant disagrees with this alternative.

Destruction of Access Idea



Bone Head Idea



NEIGHBORHOOD MEETING MATERIALS, FEBRUARY 22, 2021

Feb. 5, 2021

Neighbor Name
Street Address
City, State Zip Code

SUBJECT: Neighborhood Meeting

I have filed three applications with the Wyco Department of Urban Planning and Land Use #COZ2021-001, COZ2021-002 and BOZA2021-003.

The purpose is for a Change of Zoning for 1825 N.94th St., Kansas City, KS 66112 and a Change of Zoning and a Variance for 1841 N. 94th St., Kansas City, KS 66112

#COZ2021-001: This is a Change of Zoning for my property at 1825 N.94th St. from Agricultural to Residential. The Assessors Office currently considers the property Residential but the Planning Dept. considers it Agricultural. I want it to be Residential because that is what it has been used for most recently and for future use.

#COZ2021-002: This is a Change of Zoning for my property at 1841 N.94th St. from Agricultural to Residential. Same as #COZ2021-001

#BOZA2021-003: This is to have a Variance to keep my house and my shed, that was built many years ago, long before I bought my house and long before our area became part of Kansas City, KS boundary. When the house was built years ago no variance was needed for the house or shed. My house is 29 feet from the curb and this variance will not make anyone else get a variance.

With COVID 19, having an in-person meeting is not safe.

If you have any questions or comments, you can contact me by mail, email or call me.

Sincerely,

James B. Evans
P.O. Box 12925
Kansas City, KS 66112
(323) 997-1044
evansactor@aol.com

AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF Kansas)
COUNTY OF Wyandotte) SS:

Comes now James B. Evans, of lawful age, sound mind and upon his/her oath states as follows:
Neighborhood meeting was held through a letter sent to people within 200 feet of property, and the
1. That I am the petitioner for Petition # we've given the opportunity to respond
2. That I conducted a neighborhood meeting on by email, phone or mail
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Urban Planning and Land Use Department.
Petition #s COZ 2021-001, COZ 2021-003 and BQZA 2021-003
Further affiant saith not.

James B. Evans
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 19 day of February, 2002021

My commission expires NA of NA, 200 .

James B. Evans
Notary Public James B. Evans



Planning and Urban Design

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

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

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: April 8, 2021

Re: COZ2021-002

GENERAL INFORMATION

Applicant:
James B. Evans

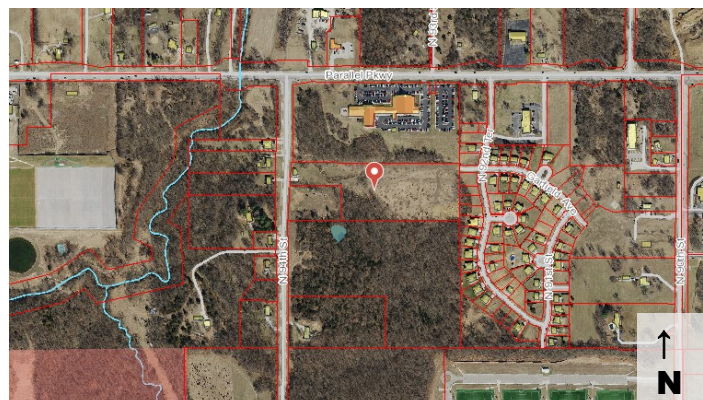
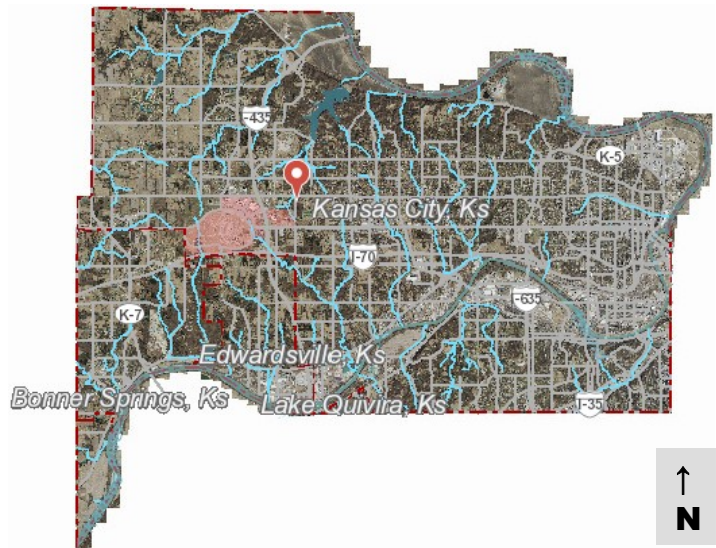
Status of Applicant:
Property Owner
1841 North 94th Street
Kansas City, KS 66112

Requested Actions:
Approval of a Change of Zone.

Date of Application:
January 15, 2021

Purpose:
To change the zoning district from
A-G Agriculture District to R-1
Single-Family District.

Property Location:
1841 North 94th Street,
Kansas City, Kansas 66112



Commission District:	Commissioner At Large: Tom Burroughs District #7 Commissioner: Jim Walters
Existing Zoning:	A-G Agriculture District
Adjacent Zoning:	North: A-G Agriculture District South: A-G Agriculture District East: R-1 Single-Family District West: A-G Agriculture District; R-1 Single-Family District
Adjacent Uses:	North: Church South: Undeveloped land (one parcel is owned by the applicant) East: Single-family residences West: Single-family residences; Undeveloped land (owned by the applicant)
Total Tract Size:	7.86 Acres
Master Area Plan:	The subject property is within the Prairie-Delaware-Piper Area Master Plan.
Master Plan Designation:	The Prairie-Delaware-Piper Area Master Plan designates this property as Suburban Residential. Suburban Residential allows for single-family detached residential units on the typical “quarter-acre lot”. Such Suburban Residential developments should be primarily located between Leavenworth Road and the more intense commercial, industrial, and entertainment uses south of Parallel Parkway.
Major Street Plan:	The Major Street Plan classifies South 94 th Street/South 94 th Lane as a Collector Street.
Required Parking:	A-G (current zoning district): Section 27-452(e) requires two (2) off-street parking spaces to be provided on the premises for each single-family dwelling. The property has available paved parking, although the parking spaces are not marked. R-1 District (proposed zoning district): Section 27-454(e) requires two (2) parking spaces for each single-family residence, at least one (1) of which must be in a garage or carport. Two (2) parking spaces are required after rezoning. Two (2) spaces are provided (one (1) in the garage; one (1) in the driveway).

Advertisement:	<u>The Wyandotte Echo</u> – February 11, 2021 Letters to Property Owners – February 12, 2021 and March 30, 2021
Public Hearings:	March 15, 2021 and April 8, 2021
Public Support:	None to date.
Public Opposition:	None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, James B. Evans, has requested a Change of Zone for 1841 North 94th Street, from A-G Agriculture District to R-1 Single-Family District in order to perform a lot split of the parcel and allow future residential uses on both newly created parcels. The Change of Zone request has been filed in conjunction with BOZA2021-003, variances from front yard setback regulation and accessory unit maximum.

City Ordinance Requirements: Article VI, Sections 27-196 – 27-216

Code Enforcement History: There are no outstanding violations recorded at this property. The subject property has been previously cited by Code Enforcement:
October 20, 2015- Other Multiple Violations
September 11, 2008- Stop Work Order (Construction of a metal carport)

FACTORS TO BE CONSIDERED

Change of Zone

1. Character of the Neighborhood.

The subject property is within the I-435 West Statistical Neighborhood and is not within any Neighborhood Group boundary. The local neighborhood is a mix of large lots and single-family housing. The large lots are zoned A-G Agriculture, and the smaller lots that have been subdivided to accommodate single-family residences are zoned R-1 Single Family. There is also a church campus directly north of the subject property and uses such as a hospital within one-half (1/2) mile from the subject property.

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

The surrounding properties are a mix of zoning districts and uses. The properties are zoned A-G Agriculture District and are used as wildland, open space, farmland, or for a place of worship, or are zoned R-1 Single Family District and are used for single-family residences. As the applicant is requesting a Change of Zone from A-G to R-1 in order to split the lot and potentially develop single-family

residences, the parcel's zoning and allowed uses are compatible with the nearby properties.

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

The property is suitable to be rezoned to the R-1 District. It is adjacent to residential lots and to another property that is zoned agricultural but serves as a place of worship. The applicant is also proposing to split the subject property into lots of 1.15 and 6.71 acres, respectively. The 1.15-acre lot (Tract A) is under the requisite five (5) acres that a parcel zoned in the A-G Agriculture District, and therefore must be rezoned in order to comply with all lot size minimum requirements. Removal of the restrictions will not detrimentally affect nearby properties, as many of those properties are also engaged in similar uses.

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

The subject property is not vacant. There has been a primary residence on the property since 1946. The applicant currently resides there.

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

The subject property is adjacent to properties zoned R-1 to both the east and west (the properties to the west are across South 94th Street), and to the south/southwest the parcel is owned by the applicant and is also requesting a Change of Zone from A-G to R-1. Tract B of the property is primed to be developed as a single-family residence, which would not be out of place adjacent to and across the right-of-way from other single-family residences that are zoned R-1. If Tract B were developed in the future, it would have to have access or at least be connected to Garfield Avenue. There is no indication that future residential use will permanently injure the appropriate use, visual quality, or marketability of the nearby properties.

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

The Change of Zone has not been requested in conjunction with a Preliminary/Final Plat. The applicant has not indicated interest in developing the subject property, proposed use would not change and hence will not increase the traffic or parking demand in ways that would adversely affect road capacity, safety, or create parking problems. If Tract B of the proposed lot split were to be developed in the future, traffic would increase on Garfield Avenue, but such a development would require its own plat review. Given the current plans (or lack thereof) for Tract B, the magnitude of traffic increase on Garfield Avenue cannot be predicted by Staff at this time.

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

The subject property is under the Prairie-Delaware-Piper Area Master Plan, which designates this property as Suburban Residential. Suburban Residential allows for single-family detached residential units on the typical “quarter-acre lot”. Such Suburban Residential developments should be primarily located between Leavenworth Road and the more intense commercial, industrial, and entertainment uses south of Parallel Parkway. Although the subject property is located south of Parallel Parkway, it is currently in the A-G District; the applicant’s current use of the property will not be different whether it is zoned A-G or R-1. Therefore, the proposed use relatively conforms with the City-Wide Master Plan.

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

In its proposed state, Tract B could be developed for one (1) single-family residence, and also has the potential to be replatted and developed for multiple residences, which would cause environmental harm. However, there is no proposed development on the subject property. If the applicant wishes to develop any resultant lot in the future, all proper planning actions must be undertaken in order for Staff to sufficiently review the proposed uses for environmental harm. Such future planning actions may include, but are not limited to, Preliminary & Final Plats, and Preliminary & Final Plan Review.

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

a. *Water service*

Water service is available to the subject property.

b. *Sanitary sewer service*

Sanitary sewer service is available to the subject property from North 94th Street.

c. *Storm water control*

A storm water discharge points are present on North 94th Street immediately adjacent to the north and south of the subject property.

d. *Police*

Police service is provided by West District, #223.

e. Fire

Fire service is provided by Fire Station #6.

f. Transit

Public transit ostensibly serves this property, but it is not convenient nor safe for a pedestrian to access. A sidewalk serves the west side of 94th Street, but not on the east side of the street where the subject property lies; there is also no designated crosswalk to allow a pedestrian to cross North 94th Street, a Collector Street, in order to reach the sidewalk. The closest public transit stops are 0.3 miles away at 94th Street and Parallel Parkway on the 116 (West Parallel) route, both eastbound and westbound.

g. Schools

Claude Huyck Elementary School, Arrowhead Middle School, and Washington High School are provided by Kansas City, Kansas USD #500.

h. Streets

The subject property is accessible by North 94th Street. Tract B will have access to Garfield Avenue to the east after the lot split.

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

The Change of Zone will allow the opportunity for future development on the parcel, including, but not limited to, a single-family residence. This may have a positive economic impact on the community as it would provide more housing in Wyandotte County.

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

The Change of Zone is occurring simultaneously with a variance request in order to comply with all ordinance requirements.

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

Due to the subject property's position in relation to adjacent parcels used for residential and religious purposes, a Change in Zone from the A-G Agriculture District to the R-1 Single Family District will not produce any uses that are not allowed by right in the R-1 District and therefore will not result in a hardship for the adjacent landowners.

PREVIOUS ACTIONS

BOZA2021-003 (simultaneous variances from front yard setback regulation and accessory unit maximum, 2021)

NEIGHBORHOOD MEETING

The applicant accepted emails and phone calls through February 22, 2021. The applicant reported that just one (1) neighbors contacted him, only to ask if they (the neighbor) were required to attend the meeting. Attached is the sample letter sent to the neighbors (see the “Attachments” section of this report).

KEY ISSUES

Future Development
Pedestrian and Vehicular Access
Sanitary Sewer Service
Violating Accessory Units
Water Service

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 8 to 0 to recommend **APPROVAL** of COZ2021-002, subject to:

- 1) **All variances requested in BOZA2021-003 must be granted (approved March 8, 2021);**
- 2) **Tract B must connect with or have access to Garfield Avenue;**
- 3) **Tract B must be assigned an address and connected off Garfield Avenue;**
- 4) **A building permit is required. Please contact the Building Inspection Division to begin that process;**
- 5) **Driveway permit needed. Please contact the Building Inspection Division to begin that process;**
- 6) **Site improvements that include land disturbance activity on greater than one (1) acre of surface area of land shall require a land disturbance permit issued by the Unified Government and shall be compliant with all applicable local ordinances and State Statutes and Regulations (Article XIV, Sect. 8-610 through Sect. 8-618). Land disturbance fees shall be processed by UG Public Works during the Land Disturbance/Site Development application. The Land Disturbance permit and all applicable Public Works permits can be obtained from the Public Works Department, 701 North 7th Street, Kansas City, KS 66101, (913) 573-5700. With the issuance of the Land Disturbance Permit, a grading permit is required and issued by the Building Inspection Division, Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102, (913) 573-8620; and,**
- 7) **Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the**

Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of **COZ2021-002**, subject to all comments and suggestions outlined in this staff report, and the conditions of the City Planning Commission.

ATTACHMENTS

March 15, 2021 City Planning Commission Minutes
Land Use Map
Aerial Map
Zoning Map
Photographs of the Property Provided by Staff, Dated February 21, 2021
Maps of Pre-Existing Accessory Structures
Proposed Lot Split, Submitted by the Applicant
Evidence of Demolition of Third Accessory Unit
Additional Information, Provided by the Applicant
Neighborhood Meeting Materials, February 22, 2021

REVIEW OF INFORMATION AND SCHEDULE

<u>Action</u>	<u>Planning Commission</u>	<u>Board of Commissioners</u>
Public Hearing		
Change of Zone	March 15, 2021 Approval	April 8, 2021

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

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **COZ2021-002** as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. _____;

2. _____; And
3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition **COZ2021-002**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

March 15, 2021 City Planning Commission Minutes:

Hearing starts at 19:30 and Secretary Parker stated that the applicant is having trouble getting on the Zoom call and the applications were recalled at 52:50:

CHANGE OF ZONE APPLICATION COZ2021-001 – JAMES B. EVANS - SYNOPSIS:

Change of Zone from A-G Agriculture District to R-1 Single Family District for a single-family home at 1825 North 94th Street.

Detailed Outline of Requested Action: The applicant, James B. Evans, has requested a Change of Zone for 1825 North 94th Street, from A-G Agriculture District to R-1 Single-Family District. The applicant has cited the fact that the property is not and has not been used for agricultural purposes as the impetus for requesting the Change of Zone.

Code Enforcement History: There are no outstanding violations recorded at this property. The subject property has been previously cited by Code Enforcement:

September 20, 2017- Weeds, 14-Day Abatement

September 27, 2013- Environmental/Weeds

CHANGE OF ZONE APPLICATION COZ2021-002 – JAMES B. EVANS - SYNOPSIS:

Change of Zone from A-G Agriculture District to R-1 Single Family District for a single-family home at 1841 North 94th Street.

Detailed Outline of Requested Action: The applicant, James B. Evans, has requested a Change of Zone for 1841 North 94th Street, from A-G Agriculture District to R-1 Single-Family District in order to perform a lot split of the parcel and allow future residential uses on both newly created parcels. The Change of Zone request has been filed in conjunction with BOZA2021-003, variances from front yard setback regulation and accessory unit maximum.

Code Enforcement History: There are no outstanding violations recorded at this property. The subject property has been previously cited by Code Enforcement:

October 20, 2015- Other Multiple Violations

September 11, 2008- Stop Work Order (Construction of a metal carport)

The following items were included as part of the record for this cases:

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated March 15, 2021;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo; and
7. The Notices to property owners.

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

Present in Support:

- James Evans, applicant, 1841 North 94th Street, Kansas City, Kansas 66112

Present in Opposition:

- No one appeared.

Staff Recommendation starts at 57:50: Planning Director Hand stated that there is no primary structure on the property at 1825 North 94th Street (COZ2021-001); however, there are accessory structures on the property. If this property is rezoned to R-1 District, those accessory structures are no longer allowed and will have to be removed. Director Hand stated that at the March 8, 2021 meeting, the Board of Zoning Appeals heard (and approved) the variance for 1841 North 94th Street in relation to COZ2021-002. If these applications are approved, Mr. Evans will submit a lot split application and will have three (3) properties zoned R-1 Single Family District. The property where Mr. Evans lives currently resides (1841 North 94th Street) will be allowed two (2) accessory structures. One (1) of the conditions of approval for Tract B to have access provided off Garfield Avenue. There have been no Notices of Violation or any letters submitted in favor nor opposition for either application. Staff recommends approval of both applications, subject to the conditions in the staff report.

Motion and Vote starts at 1:00:45:

On motion by Mr. Miller, seconded by Ms. Huey, the Planning Commission voted as follows to recommend **APPROVAL of Change of Zone Application COZ2021-001:**

Carson	Chairman
Armstrong	Aye
Cho	Not Present
Connelly	Not Present
Ernst	Aye
Huey	Aye
Jones	Aye
Miller	Aye
Mohler	Aye
Pauley	Aye
Reasons	Aye

Motion to RECOMMEND APPROVAL Passed: 8 to 0

Subject to:

- 1) There are several dilapidated accessory structures on the property without a primary residence. All accessory structures must be demolished;
- 2) A building permit may be required. Please contact the Building Inspection Division to begin that process;
- 3) Driveway permit may be needed. Please contact the Building Inspection Division to begin that process;
- 4) Site improvements that include land disturbance activity on greater than one (1) acre of surface area of land shall require a land disturbance permit issued by the Unified Government and shall be compliant with all applicable local ordinances and State Statutes and Regulations (Article XIV, Sec.8-610 through Sec.8-618). Land disturbance fees shall be processed by UG Public Works during the Land Disturbance/Site Development application. The Land Disturbance permit and all applicable Public Works permits can be obtained from the Public Works Department, 701 North 7th Street, Kansas City, KS 66101, (913) 573-5700. With the issuance of the Land Disturbance Permit, a grading permit is required and issued by the Building Inspections Division, Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102, (913) 573-8620; and,
- 5) Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

On motion by Mr. Miller, seconded by Ms. Huey, the Planning Commission voted as follows to recommend **APPROVAL** of **Change of Zone Application COZ2021-002:**

Carson	Chairman
Armstrong	Aye
Cho	Not Present
Connelly	Not Present
Ernst	Aye
Huey	Aye
Jones	Aye
Miller	Aye
Mohler	Aye
Pauley	Aye
Reasons	Aye

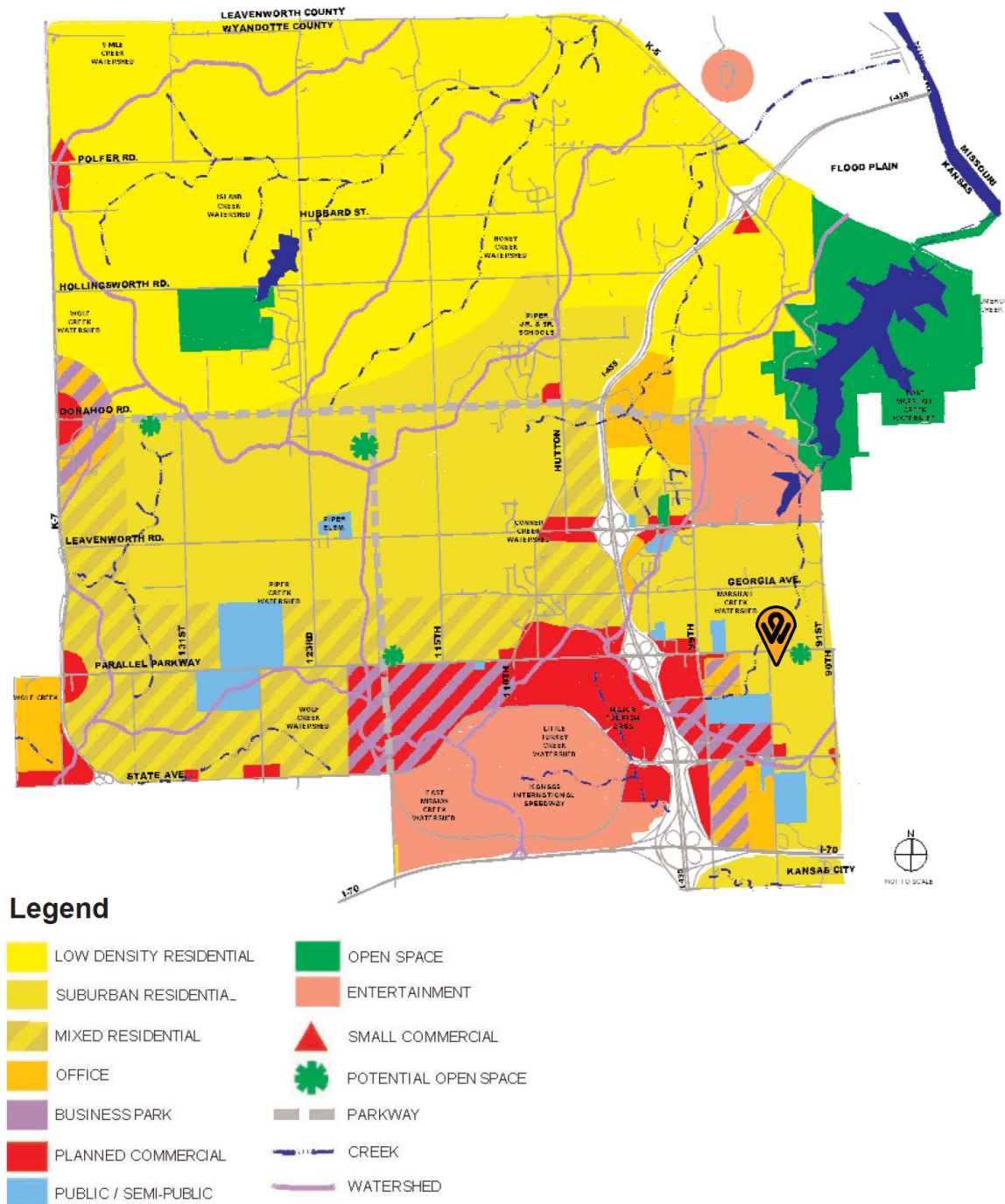
Motion to RECOMMEND APPROVAL Passed: 8 to 0

Subject to:

- 1) All variances requested in BOZA2021-003 must be granted (approved March 8, 2021);
- 2) Tract B must connect with or have access to Garfield Avenue;
- 3) Tract B must be assigned an address and connected off Garfield Avenue;

- 4) A building permit is required. Please contact the Building Inspection Division to begin that process;**
- 5) Driveway permit needed. Please contact the Building Inspection Division to begin that process;**
- 6) Site improvements that include land disturbance activity on greater than one (1) acre of surface area of land shall require a land disturbance permit issued by the Unified Government and shall be compliant with all applicable local ordinances and State Statutes and Regulations (Article XIV, Sect. 8-610 through Sect. 8-618). Land disturbance fees shall be processed by UG Public Works during the Land Disturbance/Site Development application. The Land Disturbance permit and all applicable Public Works permits can be obtained from the Public Works Department, 701 North 7th Street, Kansas City, KS 66101, (913) 573-5700. With the issuance of the Land Disturbance Permit, a grading permit is required and issued by the Building Inspection Division, Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102, (913) 573-8620; and,**
- 7) Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.**

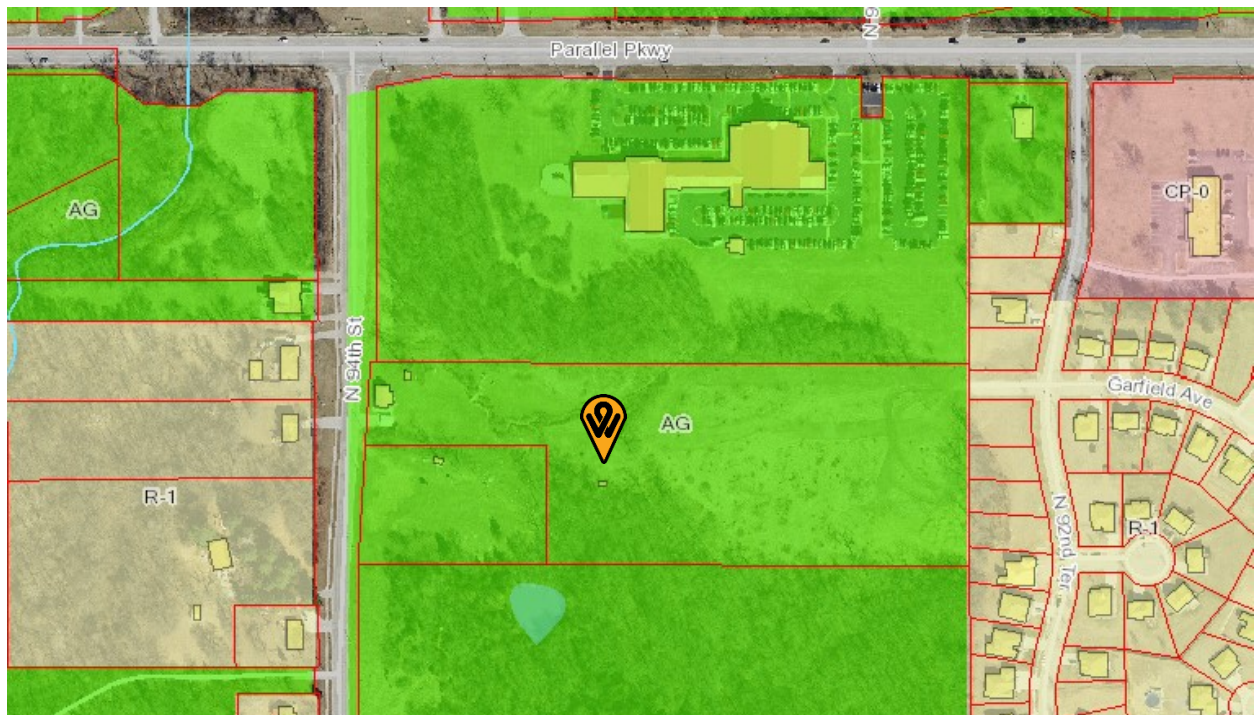
Map 11: Future Land Use



AERIAL MAP



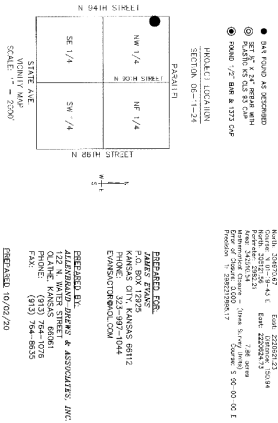
ZONING MAP



PHOTOGRAPHS OF THE PROPERTY PROVIDED BY STAFF, DATED FEBRUARY 21, 2021



LOT SPLIT SURVEY
PART OF THE NORTHWEST QUARTER, SECTION 06, TOWNSHIP 11 SOUTH, RANGE 24 EAST
KANSAAS CITY, WYANDOTTE COUNTY, KANSAS



NORTH

GRAPHIC SCALE

1" = 60'

THIS IS TO CERTIFY THAT ON THE 20th DAY OF OCTOBER 1906
THESE DEEDS WERE RECORDED IN THE PUBLIC OFFICE OF THE
COUNTY OF CLATSOP, WASHINGTON, AND THAT THE SAME ARE
THE SAME AS THE ORIGINALS, AND THAT THE SAME ARE
THE SAME AS THE ORIGINALS, AND THAT THE SAME ARE
THE SAME AS THE ORIGINALS.

ROBERT M. LAYTON
CLERK
OCT 20 1906
COUNTY CLERK
CLATSOP COUNTY, WASH.

AD
Engineering, Inc.

1420 N. WATER STREET
OKLAHOMA CITY, OK 73104
PHONE: (405) 754-1076
FAX: (405) 754-8053

CITY ENGINEERS
LAND SURVEYORS - LAND PLANNERS

14 W. PROMA
PAOLA, OK 73077
PHONE: (405) 587-0786
FAX: (405) 587-0804

AD PROJECT #35454

06-11-24

Filed for Record and Acknowledgment by _____ on this _____ day of _____, 2006, at _____, Oregon, by _____, Register of Deeds of Tipton County, Oregon.

Tipton County, Oregon

COUNTY CLERK'S CERTIFICATE

I hereby certify that the said deed is the execution of H. E. McQuinn. The time of its date was witnessed for the said H. E. McQuinn by _____, a Justice of the Peace in and for the County of Tipton, Oregon.

WITNESSED my hand and the seal of said County at Tipton, Oregon, this _____ day of _____, 2006.

J. E. Thompson, Clerk of said County.

REGISTER OF DEED CERTIFICATE

IN TESTIMONY WHEREOF, James B. Evans has caused the signature to be executed this _____ day of _____, 2003.

By: _____

James B. Evans

STATE OF _____)
COUNTY OF _____) SS
(_____)

BE IT CERTAINTY that on this _____ day of _____, 2003, before me, the undersigned, a Notary Public and for the County _____ and for the State of _____, personally appeared _____, known to me to be the person whose name is subscribed to and whose name is on the _____ of _____, and such person duly acknowledged the execution of the same for the uses and purposes herein.

WITNESS my hand and the seal of my office this _____ day of _____, 2003.

Notary Public for the State of _____

Restrictions
Subject to all restrictions of Kansas City, Wyandotte County, Kansas.

[illegible][illegible]

LEGAL DESCRIPTION: All that part of the Northwest Quarter of Section 6, Township 11 South, Range 24 East, Sloan Precinct, Deuel County, Nebraska, Kansas described as follows: Beginning 383.07 feet South and 67 feet East of the Northwest corner of the Northwest Quarter of said Section 6, thence East 114.4 feet, thence South 37.69 feet, thence West 786.4 feet, thence North 221.00 feet, thence West 337.31 feet, thence Northerly 150.65 feet to the point of beginning.

EVIDENCE OF DEMOLITION OF THIRD ACCESSORY UNIT



ADDITIONAL INFORMATION, PROVIDED BY THE APPLICANT

***** What is "The James Evans Property" *****

"The James Evans Property" is potentially an exclusive housing development located in Western Wyandotte County. Offering country living with arguably the best view of the Greater Kansas City, Kansas area.

"The James Evans Property" offers convenience and accessibility to shopping, dining, entertainment, sports, etc. Unmatched anywhere with the Kansas City, Kansas area

Just minutes from one of Kansas City areas unsurpassed shopping centers, "The Legends Outlets Shopping Center", "The James Evans Property", is conveniently located just blocks away.

Right across from the "The James Evans Property" is the ultra-modern "Homefield Sports Complex" which is projected to be open in the Summer of 2022.

***** Who is James Evans? *****

While he may be remembered for playing DiCenzo from the ABC-TV long-running soap opera General Hospital or from other TV shows, James Evans is the developer and owner of "The James Evans Property". Mr. Evans has been in the real estate industry for over 40 years. Before the term was ever invented, Mr. Evans started to "flip houses" back in the early 1980's. Mr. Evans also has experience in commercial real estate, property management, etc.

Mr. Evans moved to Kansas City in 2014, to be closer to relatives, where his family has been since the 1800's.

In 2014 Mr. Evans bought the 7.69 acres of land, with a house on it at 1841 N. 94th St., Kansas City, KS 66112, and then bought the adjacent 1.75 acres of vacant land at 1825 N. 94th St., Kansas City, KS 66112 in 2015.

***** The Objective*****

The "objective" is to make all the property owned by James Evans as a "residential development", to maximize the properties potential.

Currently Mr. Evans owns two parcels of land. One being 7.69 acres, 1841 N. 94th St. and the other 1.75 acres at 1825 N. 94th St. and no other property in Kansas City, KS at this time.

The 7.69 acres is a parcel of land that is flat on the western side, often referred to as the panhandle. The property then gradually rises as the property goes east, up to the section off of Garfield Avenue, abutting to 6 residential lots which are part of the "Sunset Ridge Development". Because of high elevation from the properties east side, there is a spectacular view of Greater Western Wyandotte County. Once the "Homefield Sports Complex" is built, the "Hard Rock Cafe" is finished, etc. the view should be beyond comparison.

ADDITIONAL INFORMATION, PROVIDED BY THE APPLICANT, CONT.

The 1.75 acres of land is located on the Southwest section of the "The James Evans Properties". The property is touching 94th street, just south of the panhandle of the 7.69 parcel of land. To the west, the 1.75 acres of land has an excellent view of the "The Legends Outlets Shopping Center" and to the north is a spectacular view of the Woodlands area.

What makes the land so desirable to the potential residents, and to the community in general, is that the "The James Evans Properties" has a rare dual access to his property, being from both 94th Street and 92nd Street, via Garfield Avenue. No other current buildable piece of land in the Piper/Prairie/Delaware Map Area, on the eastern side of the Legends, has dual access like "The James Evans Property" has, except the "Homefield Sports Complex".

The dual access guarantees accessibility for daily traffic and emergency services for future residents of Kansas City, Kansas and "The James Evans Property".

***** Conclusion *****

When "The James Evans Property" has become surrounded by residential lots with houses on two side and a church on the third side, it is only sensible to make "The James Evans Property" zoned residential.

Variances are needed for a variety of reasons, including previously built buildings, setbacks, etc. that existed long before the new governmental agency ever took command and control of an existing community. "The James Evans Property" and house existed long before Wyandotte County started controlling the Piper/Prairie/Delaware area.

One planner actually told me that variances are for people who don't like to follow the law.

"The James Evans Property" have been evaluated by experienced builders, civil engineers, surveyors, contractors, realtors, etc. and an overwhelming majority agree with the current rezoning plans, plot lines, etc. The inexperienced person is always the first one to give me their free unwanted advice.

With the spectacular view "The James Evans Property" has the inherited potential to be one of the finest, if not the best development in Kansas City, Kansas.

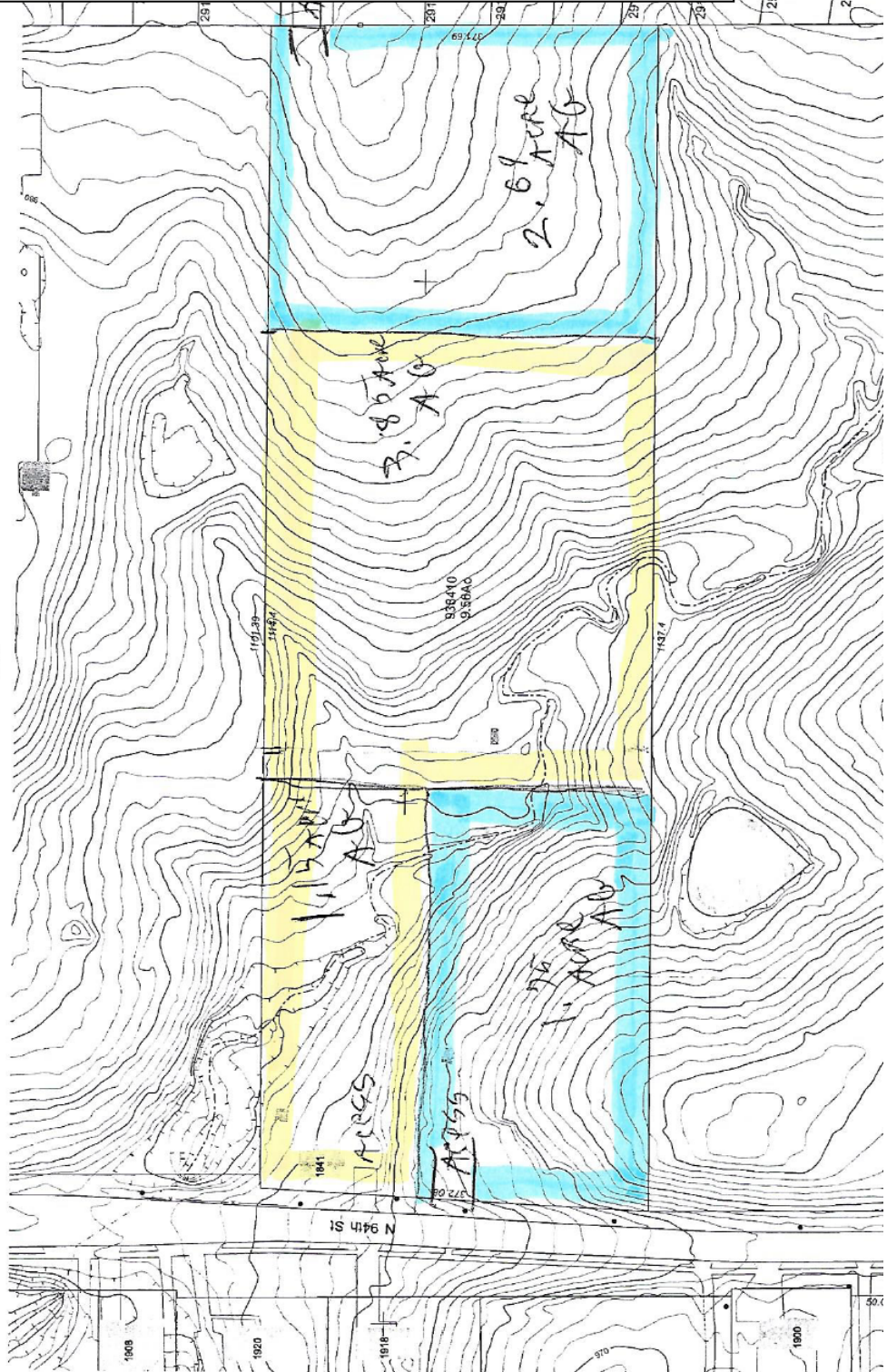
ADDITIONAL INFORMATION, PROVIDED BY THE APPLICANT, CONT.

The applicant has provided an alternative map that demonstrates the subject property and related property (1825 North 94th Street, COZ2021-001). Staff had offered this alternative, which would reduce the amount of land that would need to be rezoned. The applicant disagrees with this alternative.

Destruction of Access Idea



Bone Head Idea



Feb. 5, 2021

Neighbor Name
Street Address
City, State Zip Code

SUBJECT: Neighborhood Meeting

I have filed three applications with the Wyco Department of Urban Planning and Land Use #COZ2021-001, COZ2021-002 and BOZA2021-003.

The purpose is for a Change of Zoning for 1825 N.94th St., Kansas City, KS 66112 and a Change of Zoning and a Variance for 1841 N. 94th St., Kansas City, KS 66112

#COZ2021-001: This is a Change of Zoning for my property at 1825 N.94th St. from Agricultural to Residential. The Assessors Office currently considers the property Residential but the Planning Dept. considers it Agricultural. I want it to be Residential because that is what it has been used for most recently and for future use.

#COZ2021-002: This is a Change of Zoning for my property at 1841 N.94th St. from Agricultural to Residential. Same as #COZ2021-001

#BOZA2021-003: This is to have a Variance to keep my house and my shed, that was built many years ago, long before I bought my house and long before our area became part of Kansas City, KS boundary. When the house was built years ago no variance was needed for the house or shed. My house is 29 feet from the curb and this variance will not make anyone else get a variance.

With COVID 19, having an in-person meeting is not safe.

If you have any questions or comments, you can contact me by mail, email or call me.

Sincerely,

James B. Evans
P.O. Box 12925
Kansas City, KS 66112
(323) 997-1044
evansactor@aol.com

AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF Kansas)
COUNTY OF Wyandotte) SS:

Comes now James B. Evans, of lawful age, sound mind and upon his/her oath states as follows:
Neighborhood meeting was held through a letter sent to people within 200 feet of property, and that
1. That I am the petitioner for Petition # we were given the opportunity to respond
2. That I conducted a neighborhood meeting on by email, phone or mail
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Urban Planning and Land Use Department.
Petition #s COZ 2021-001, COZ 2021-002, and BOZA 2021-003
Further affiant saith not.

James B. Evans
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 19 day of February, 2021

My commission expires NA of NA, 200 .

James B. Evans
Notary Public James B. Evans



Planning and Urban Design

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

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

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: April 8, 2021

Re: Petition SP2021-005

GENERAL INFORMATION

Applicant:
Cynthia Slaby

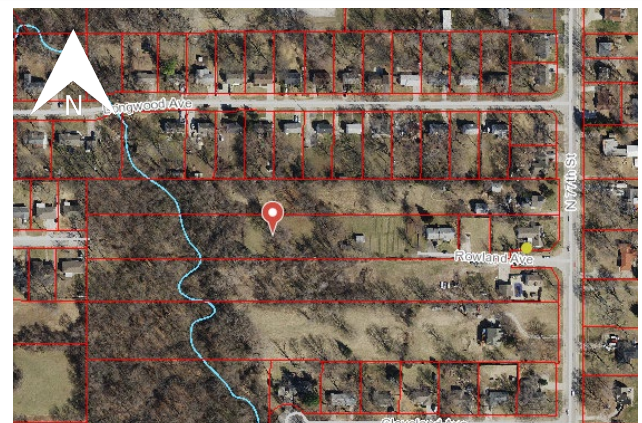
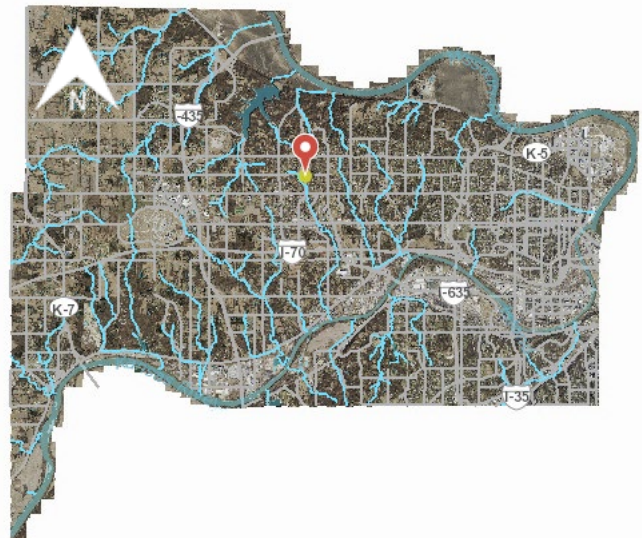
Status of Applicant:
Property Owner
7714 Rowland Avenue
Kansas City, Kansas 66109

Requested Action:
Approval of a Special Use
Permit.

Date of Application:
January 22, 2021

Purpose:
To operate a day care for ten (10) dogs.

Property Location:
7714 Rowland Avenue
Kansas City, Kansas 66109



Commission Districts:	Commissioner At Large: Melissa Bynum District #5 Commissioner: Mike Kane
Existing Zoning:	R-1 Single Family District
Adjacent Zoning:	North: R-1 Single Family District South: R-1 Single Family District East: R-1 Single Family District West: R-1 Single Family District
Adjacent Uses:	North: Single Family Homes South: Single Family Homes East: Single Family Homes West: Single Family Homes
Total Tract Size:	2.77 Acres
Master Plan Area:	This property is outside the boundaries of an Area Plan.
Master Plan Designation:	The City-Wide Master Plan designate this area as Low-Density Residential. This includes detached, single-family homes.
Major Street Plan:	The Major Street Plan classifies Rowland Avenue as a Local Street.
Parking Requirement:	Section 27-454 states that two (2) off-street parking spaces shall be provided on the premises for each single-family dwelling, at least one (1) of which shall be in a garage or carport.
Advertisement:	<u>The Wyandotte Echo</u> – February 11, 2021 Letters to Property Owner – February 12, 2021 and March 30, 2021
Public Hearings:	March 8, 2021 and April 8, 2021
Public Support:	None to date.
Public Opposition:	Note to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Cynthia Slaby, is requesting a Home Occupation Special Use Permit for a dog-sitting service on their property at 7714 Rowland Avenue. The applicant will have up to 10 dogs on the property between the hours of 10:00 am and 4:00 pm. The applicant will provide daily transportation to and from the home so no customers will come to the property.

Code Enforcement History: There have been no Notices of Violation issued on this property.

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The character of the neighborhood is residential in nature, with single-family homes on large lots.

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

The zoning and uses of nearby properties are laid out above. The proposed use could be compatible with neighboring properties because the parcel of land is large and the dogs will be on the property between the hours of 10:00am and 4:00pm.

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

The property is suitable for the uses to which it has been restricted. Removal of the restrictions could detrimentally affect nearby properties if waste or noise from the dogs is not properly managed.

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

The property is not vacant. It is a single-family home.

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

The Master Plan does not address Special Use Permits. The Master Plan designates this property as low-density residential, which includes detached, single-family homes. The proposed use conforms to the Master Plan because the property will continue to be used as a single-family residence.

6. Whether the proposed use will result in increasing the amount of vehicular traffic to the point where it exceeds the capacity of the street network to accommodate it.

The proposed use will not result in an increase in vehicle traffic because the applicant will pick-up and drop-off the pets.

7. Whether the proposed use is reasonably necessary for the convenience and welfare of the public and will not substantially or permanently injure the appropriate use, visual quality, or marketability of adjoining property.

The proposed use provides the service of dog-sitting to the public. This has the potential to create issues of noise, and damage to the property. These will not be issues if the animals are properly managed and the property is properly maintained.

8. *Whether the noise, vibration, dust, or illumination that would normally be associated with such use is of such duration and intensity as to create problems for near-by property.*

The proposed use will create issues of noise in the form of barking, but will not create issues of vibration, dust, or illumination.

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

The proposed use will not pollute the air or land. The proposed use may pollute the water in the creek if animal waste is not properly managed.

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

The proposed use will not damage or destroy an irreplaceable natural resource as it is being conducted primarily within the primary structure and rear yard of a permitted single-family residence.

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

The proposed use provides a service to the public in the form of dog-sitting. If denied, the property owner could not use the property as a business, but could still use the property as their home, rent the property, or sell the property.

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

The proposed use will not result in overcrowding of the land as it is limited to 10 dogs on a property that is 2.77 acres and no customers will visit the property on a regular basis. The proposed use will not cause undue concentrations of population because no pet-owners will come to the property.

PREVIOUS ACTIONS

None.

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on February 10, 2021 via email and/or phone call. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

Signage
Noise
Animal Waste
Screening

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 8 to 0 to recommend **APPROVAL** of Special Use Permit Application SP2021-005, subject to:

1. The maximum number of dogs is ten (10);
2. Business must operate between the hours of 10:00am and 4:00pm;
3. Dog owners are not to come to the premises except in emergency situations;
4. No signage is allowed;
5. The applicant must maintain a current business occupation tax application with the Business Licensing Division;
6. Maximum of three (3) parking spaces;
7. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
8. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
9. The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit in order to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and

approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved.

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

Staff recommends that the Board Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition **SP2021-005** subject to all comments and suggestions outlined in this staff report and the conditions of the City Planning Commission.

ATTACHMENTS

March 15, 2021 City Planning Commission Minutes
Zoning Map
Land Use Map
Aerial Map
Letter from Applicant
Site Photographs Provided by Applicant
Site Photographs Provided by Staff, Dated February 22, 2021
Neighborhood Meeting Documentation

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	March 8, 2021	April 8, 2021
Special Use	Approval	

STAFF CONTACT: **Shana Kelly**
 skelly@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **SP2021-005** as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. _____;
2. _____; And

3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition **SP2021-005** as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

March 15, 2021 City Planning Commission Minutes:

Hearing starts at 1:03:21:

SPECIAL USE PERMIT APPLICATION SP2021-005 – CYNTHIA SLABY -

SYNOPSIS: Home Occupation Special Use Permit for a doggie day care for ten (10) dogs at 7714 Rowland Avenue.

Detailed Outline of Requested Action: The applicant, Cynthia Slaby, is requesting a Home Occupation Special Use Permit for a dog-sitting service on their property at 7714 Rowland Avenue. The applicant will have up to 10 dogs on the property between the hours of 10:00 am and 4:00 pm. The applicant will provide daily transportation to and from the home so no customers will come to the property.

Code Enforcement History: There have been no Notices of Violation issued on this property.

The following items were included as part of the record for this case:

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated March 15, 2021;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo; and,
7. The Notices to property owners.

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

Present in Support:

- Cynthia Slaby, applicant, 221 West Navajo Lane, Kansas City, Missouri

Present in Opposition:

- No one appeared.

Staff Recommendation starts at 1:07:26: Planning Director Hand stated that this application is a day care for up to ten (10) dogs. Staff applied the standard conditions of approval and a two (2) year approval time period. If the Commission recommends approval of this application, staff requests adding a condition that the applicant provide a maximum of three (3) off-street parking spaces. He further confirmed that Chapter 7 requires all dogs at this and the previously heard dog day care must be up to date with all vaccinations.

Motion and Vote starts at 1:08:57:

On motion by Mr. Miller, seconded by Ms. Armstrong, the Planning Commission voted as follows to **recommend APPROVAL of Special Use Permit SP2021-005:**

Carson	Chairman
Armstrong	Aye
Cho	Not Present
Connelly	Not Present
Ernst	Aye
Huey	Aye
Jones	Aye
Miller	Aye
Mohler	Aye
Pauley	Aye
Reasons	Aye

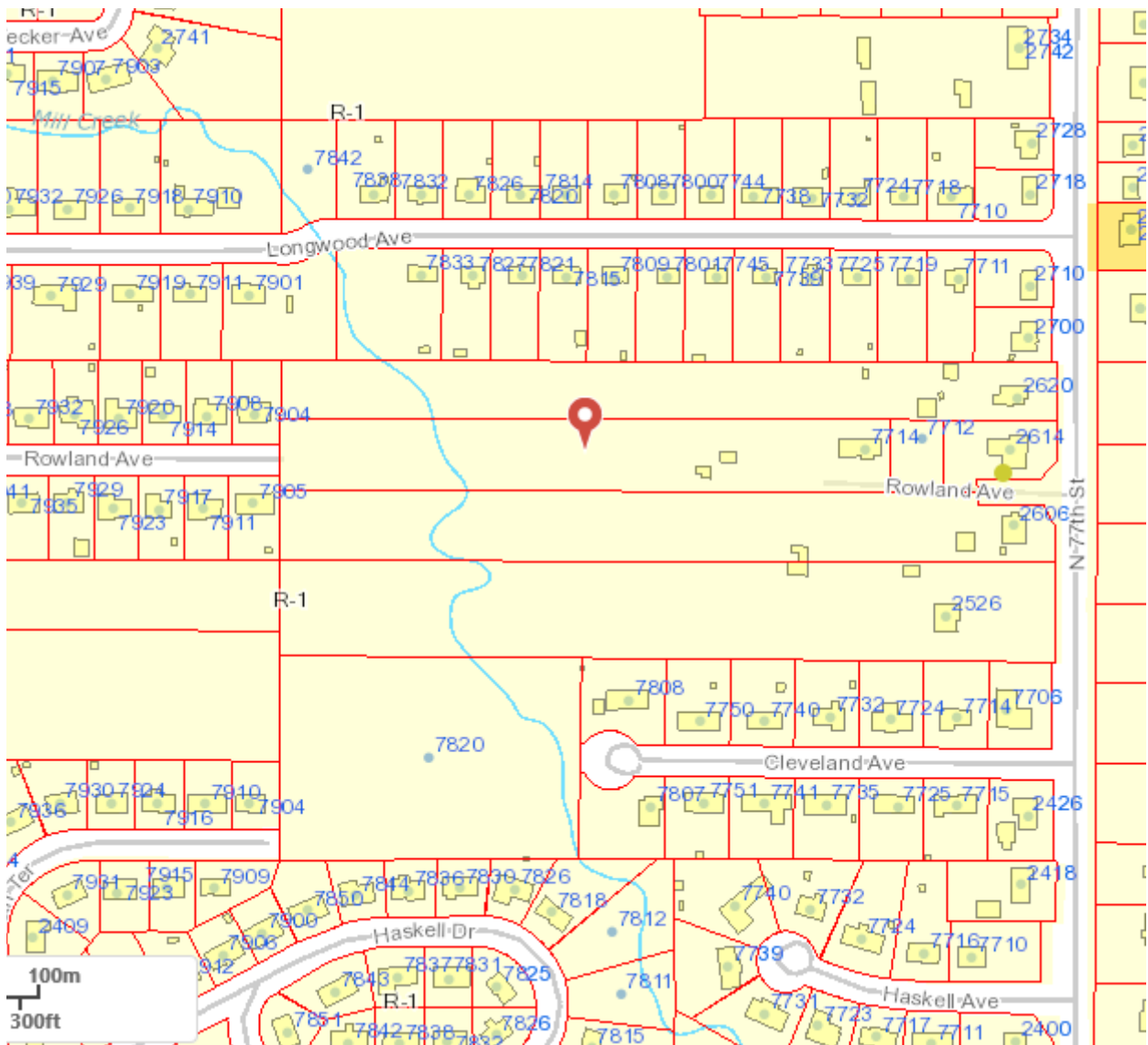
Motion to RECOMMEND APPROVAL Passed: 8 to 0

Subject to:

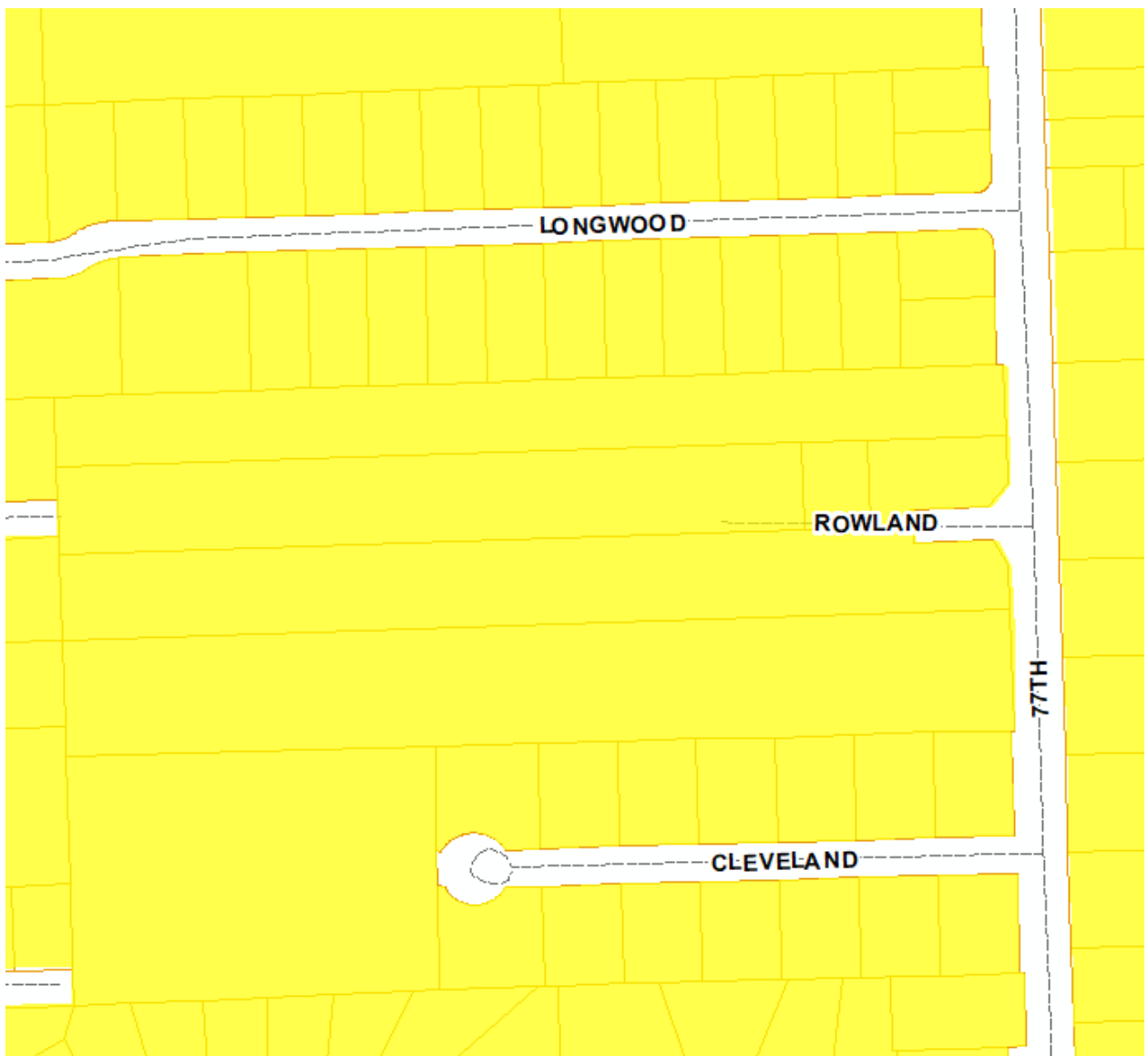
- 1. The maximum number of dogs is ten (10);**
- 2. Business must operate between the hours of 10:00am and 4:00pm;**
- 3. Dog owners are not to come to the premises except in emergency situations;**
- 4. No signage is allowed;**
- 5. The applicant must maintain a current business occupation tax application with the Business Licensing Division;**
- 6. Maximum of three (3) parking spaces;**
- 7. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;**
- 8. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,**

- 9. The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit in order to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved.**

Zoning Map:



Land Use Map:



Aerial Map:



Site Photographs Provided by Applicant:

SP2021-005 - 7714 ROWLAND AVENUE Photos for WYCO Special Use Permit App



Front view



Garage and den proposed to be used

SP2021-005 - 7714 ROWLAND AVENUE Photos for WYCO Special Use Permit App



12' x 10' room

View from back of
room



12' x 10' room

View from front of
room, door leads
directly to garage

SP2021-005 - 7714 ROWLAND AVENUE Photos for WYCO Special Use Permit App



12' x 10' room

View through den
to

Door from den
directly to garage



12' x 10' room

Door from den
directly to garage



12' x 12' room

Garage view from
West side looking
in to den

Plan to lay down
1/2" garage floor
utility mat



12' x 12' room

Garage view
looking in from front

In addition to laying
down utility mat I
Plan to move lawn
equipment in to
sheds and use all
space in garage for
dog care



View from West exterior of
garage looking through both the
garage and the den (door at
end leads in to house kitchen)



View from exterior door of garage to
fenced area that will be used for
outdoor time

Sheds will be used for storage



Front of fenced exterior space that will be used for outdoor time

Sheds will be used for storage

Site Photographs Provided by Staff, Dated February 22, 2021:





Letter from Applicant:

Special Use Permit Application Objective - 7714 Rowland Ave. KCK 66109

For pet parents with active schedules, limited time, and dogs who need more stimulation and play than the average walk around the block, I will offer a small, private, day setting for up to 10 dogs Monday-Friday, 10 a.m. - 4 p.m. utilizing 2 rooms of my house at 7714 Rowland Ave, the den and the garage.

Having worked with animals for many years in addition to being certified in dog obedience and massage I will offer daily activities to include training reinforcement, agility exercise, calming massage and bathing. All activities will be fully monitored, and every precaution will be taken to ensure the safety of the neighborhood and dogs.

To ensure the peace of the neighborhood and be able to limit dogs attending Mon-Fri, I will provide daily transportation - no additional traffic will be generated as a result of my proposed day care.

Furthermore, all dogs must have demonstrated good behavior and demeanor before attending the day care - I will have a zero-tolerance policy for any anti-social or consistently disruptive/loud behavior. I also hold liability insurance from the leading pet professional organization, National Association of Professional Pet Sitters.

I will hold a 2 day per week minimum requirement in order to build a familiar community for the dogs thus reinforcing the safety, peace and intended nature of the day care.

In order to apply for and attend my proposed day care, records of all up to date immunizations must be provided and kept on file.

Thank you for your consideration — this has been a life-long dream.

Neighborhood Meeting Documentation:

February 10, 2021

Dear Neighbor,

I was blessed to buy the property at 7714 Rowland Ave, KCKS 66109 late last year for my parents to relocate to be closer to my brother and me.

I would like to utilize the garage and den on the West side of the house for a weekday dog day stay for up to 10 dogs. Hours of operation will be Monday - Friday between 10 a.m. and 4 p.m.. I will call it the KC Canine Retreat.

To comply with Wyandotte County I have filed an application with the Department of Urban Planning and Land Use #SP2021-005 - 7714 ROWLAND AVENUE. The purpose of this is application for a special use permit.

A goal and plan of mine is also to ensure our neighborhood remains as quiet as it is today.

No additional traffic will be generated as I will provide daily transportation to and from my house for all dogs attending. Likewise, outdoor space is securely fenced and located in immediate proximity to my house at 7714. I do not plan to clear or use any of the wooded land at 7714 Rowland Ave.

I am certified in dog obedience, massage and acupressure, in addition to spending many hours working with special needs, pre/post operative, anxious, etc. dogs using physical, massage, and hydrotherapy. Working with animals is my passion and I have found the perfect spot to bring a dream of mine to life in a place I love.

In lieu of a neighborhood meeting due to Covid, please reach out to me with any questions, concerns or inquiries related to my proposal to run a small, limited dog day stay by Monday, February 22nd @ cdslaby@gmail.com or (816) 788-3647.

Thank you so much!

Cynthia Slaby

AFFIDAVIT - NEIGHBORHOOD MEETING

STATE OF KANSAS)
COUNTY OF LOYANDOTTE) ss: 593 24 1792

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

- I sent 1. That I am the petitioner for Petition # _____
2. That I conducted a neighborhood meeting on 7.12-2.22.21
2 letter 3. Attached are the minutes/summary of the meeting and a copy of the
with contact notice mailed to the property owners on the list provided by the Urban
info (attached) Planning and Land Use Department.

Further affiant saith not.

[Signature]
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this _____ day of _____, 200_.

My commission expires _____ of _____, 200_.

SP2021-005: Neighborhood letter responses and inquiries

Received 2.14 from daughter of Joanne Higbee Trust at 2614 N. 77th St.

H Trumble <htrumble6724@gmail.com>
to me ▾

Sun, Feb 14, 6:37 AM (12 days ago) ☆

Good morning, Cynthia! I am Helene's sister, Hilary. Just wanted you to know that mom received your letter yesterday. We are so excited to have you here and fully support your endeavors! It's truly a blessing to know how much you appreciate the setting. It is magical. I also hope to take advantage of your expertise for my own dogs at some point. Essentially, I just wanted to make contact and give you my number in case I can ever be of assistance. I truly look forward to meeting you! Wishing you all the best!!

No other responses or inquiries have been received.

Thank you!!

Cynthia Slaby



Planning and Urban Design

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

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

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: April 8, 2021

Re: SP2021-006

GENERAL INFORMATION

Applicant:
Amanda & Noah Taylor

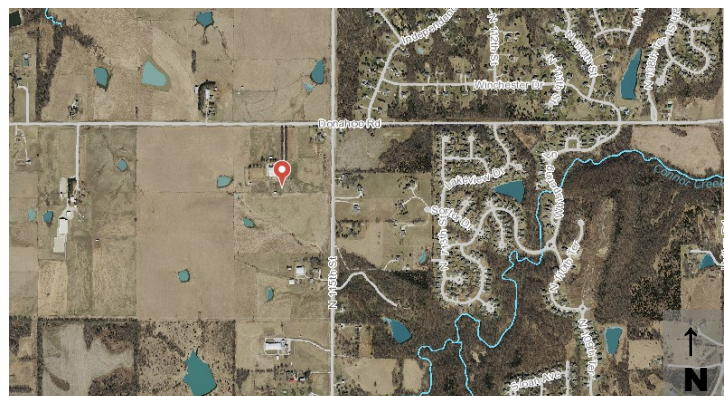
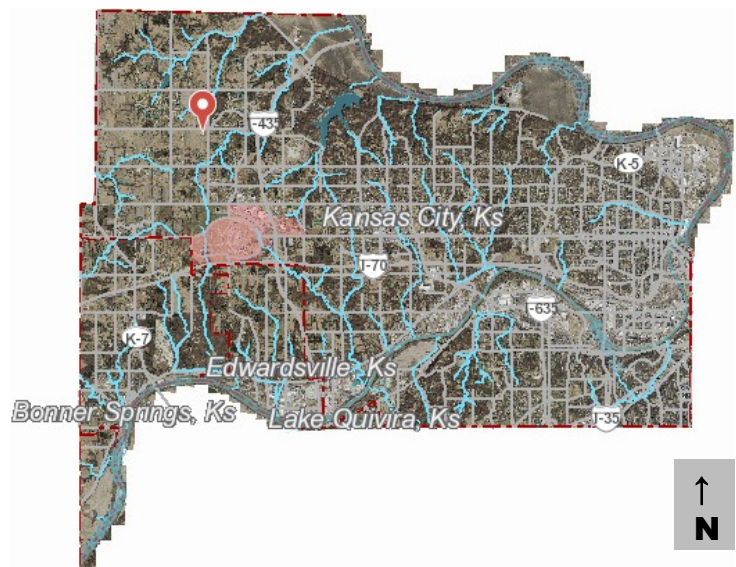
Status of Applicant:
Property Owners
12226 South Appleridge Lane
Olathe, Kansas 66061

Requested Action:
Approval of a Special Use Permit.

Date of Application:
January 5, 2021

Purpose:
Special Use Permit to store drilling
and excavation equipment in a
vacant horse barn.

Property Location:
3648 North 115th Street
Kansas City, Kansas 66109



Commission District:	Commissioner At Large: Melissa Bynum District #5 Commissioner: Mike Kane
Existing Zoning:	A-G (WyCo) Agriculture District
Adjacent Zoning:	North: A-G (WyCo) Agriculture District South: A-G (WyCo) Agriculture District East: A-G (WyCo) Agriculture District; R-1 Single Family District West: A-G (WyCo) Agriculture District
Adjacent Uses:	North: Farmland; Single-family homestead South: Single-family homestead East: Single-family lots West: Farmland
Total Tract Size:	45.32 Acres
Master Area Plan:	The subject property is within the Prairie-Delaware-Piper Area Master Plan.
Master Plan Designation:	The Prairie-Delaware-Piper Area Master Plan designates this property as Suburban Residential. Suburban Residential allows for single-family detached residential units on the typical “quarter-acre lot”. Such Suburban Residential developments should be primarily located between Leavenworth Road and the more intense commercial, industrial, and entertainment uses south of Parallel Parkway.
Major Street Plan:	The Major Street Plan classifies North 115 th Street as a Class C Thoroughfare.
Required Parking:	Section 4.5 of the 1992 Piper Area Annex Zoning Code requires at least one (1) parking space for each of the permitted use, unless otherwise specified. It is further specified that residences require two (2) spaces per dwelling unit. The property has at least two (2) parking spaces on the driveway.
Advertisement:	<u>The Wyandotte Echo</u> – February 11, 2021 Letters to Property Owners – February 12, 2021, February 26, 2021 and March 30, 2021
Public Hearings:	March 15, 2021 and April 8, 2021
Public Support:	None to date.

Public Opposition:

Staff has received phone calls and emails in opposition and there was opposition at the March 15, 2021 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicants, Amanda & Noah Taylor, are requesting a Special Use Permit for storage of drilling and excavation tools in an existing but vacant horse barn/stable. The applicants have stated that the equipment and tools will not be operated on the property.

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

Code Enforcement History: There are no outstanding zoning enforcement issues. There is no record of any zoning enforcement issues on that the property.

FACTORS TO BE CONSIDERED

1. *The Character of the Neighborhood.*

The subject property is within the Prairie-Piper Statistical Neighborhood and is not within any Neighborhood Group. The property is located just south of Donahoo Road and just west of North 115th Street. The neighborhood serves as a transition between the single-family housing developments to the east and the agriculture land to the west. The surrounding properties are zoned almost exclusively A-G (WyCo), meaning those properties have been zoned for agricultural uses since before the annexation of the Piper area into Kansas City.

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

Agriculturally zoned properties have the least intense uses. One (1) of the several purposes of a zoning code is to separate incompatible uses and to concentrate like uses with other like uses. Use of drilling and excavation equipment is appropriate in areas with heavy industrial or mining and extraction work, not in the middle of farmland. Subsequently, the storage of drilling and excavation equipment is also better suited for industrially zoned areas, not in agriculturally zoned areas.

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

The subject property is over 45 acres. This provides enough room for tools to be stored far removed from both the public rights-of-way and from the parcel boundary lines.

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

Staff does not know if the property is vacant, and if so, how long the property has been vacant.

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

Special Use Permits are not addressed in the Prairie-Delaware-Piper Master Plan. The Suburban Residential land use designation should be located at major arterial intersections and integrate complimentary uses of retail, offices, small businesses, and mixed-use residential. The proposed uses integrate education and training with commercial and semi-private dining. Through the applicant's business model, both uses are quite complimentary to each other, both in terms of skill building and development, as well as timing of the uses. The proposed uses conform well with the City-Wide Master Plan.

6. *Whether the proposed use will result in increasing the amount of vehicular traffic to the point where it exceeds the capacity of the street network to accommodate it.*

It is not clear how large the drilling and excavation tools are. If the tools are so large as to need a large or specialized truck for transport, use of such a truck on the property could create issues on the public right-of-way, including, but not limited to, adequate turning radius, per-axle weight, and traffic congestion while the equipment is being brought to and from the subject property.

7. *Whether the proposed use is reasonably necessary for the convenience and welfare of the public and will not substantially or permanently injure the appropriate use, visual quality, or marketability of adjoining property.*

The applicants have stated that the equipment needs to be stored in a covered area; it is currently being stored in the open on a different property, which results in the equipment being exposed to the elements. Maintenance and proper storage of work equipment is important for the seamless operation of a business, although the storage of drilling and excavation equipment on agricultural land it is not necessary for the greater welfare of the public. One (1) of the several purposes of a zoning code is to separate incompatible uses and to concentrate like uses with other like uses. Storage of drilling and excavation equipment is better suited for industrially zoned areas, not in agriculturally zoned areas. Due to the type of equipment, storage on the subject property may cause substantial or permanent injury to the appropriate use, visual quality, or marketability of adjoining properties.

8. *Whether the noise, vibration, dust, or illumination that would normally be associated with such use is of such duration and intensity as to create problems for near-by property.*

The applicants have stated that the equipment could be moved as early as 6AM, and as late as 9PM. Any noise or light generated from moving the equipment will be exacerbated if done so early in the morning or so late at night. Such times need to be regulated if there is an indication that neighboring properties will be disturbed. The applicants, however, have stated that the equipment will not be run while on the subject property, so issues of light, dust, noise, or vibrations on-site are moot.

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

Staff is unsure what “drilling and excavation equipment” fully entails, so an assessment cannot be made as to whether storage of such equipment will pollute the air, land, or water.

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

There are no irreplaceable natural resources that would be damaged by the proposed storage use in a pre-existing building with no proposed expansion of the building’s space or footprint.

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

There is no relative gain to the public health, safety, and welfare by storing drilling and excavation equipment in an agriculturally zoned parcel. Potential hardships to neighboring properties have been previously noted in this report, including noise, illumination, vibrations, and traffic.

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

Storage of drilling and excavation equipment, no matter the size, is not likely to cause an overcrowding of land on a 45-acre parcel. Such storage will not cause an undue concentration of population either because there will not be any significant increase of persons on the subject property as a result of the storage.

PREVIOUS ACTIONS

N/A

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on February 22, 2021 at 3648 North 115th Street/11601 Donahoo Road. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant (see the “Attachments” section of this report).

KEY ISSUES

Lights
Noise
Parking
Site Plan
Traffic

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 8 to 0 to recommend **DENIAL** of Special Use Permit Application SP2021-006 **based on the staff's revised staff recommendation and the incompatibility of the use proposed with the nature of the area.**

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

If the Board of Commissioners approve this application, staff would recommend the following conditions:

- 1) Equipment may not be moved on or off site before 6 AM nor after 9 PM. Hours of transportation may be amended due to neighbor concerns or reports of traffic safety issues from maneuvering large equipment on the public right-of-way in the dark;
- 2) All drilling and excavation equipment must be stored inside the barn when not being transported;
- 3) User of the space for a private softball team practice does not require a Special Use Permit, but practice must be limited to the applicants' team, must take place away from the drilling and excavation equipment, and must comply with all contemporary County regulations for social distancing and athletic practices;
- 4) Any signage must comply with the sign code and be permitted through the Department of Planning and Urban Design;
- 5) The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit in order to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;
- 6) The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions and other requirements of this approval. Failure to meet all these requirements may result

in revocation of this permit. The property may also be subject to enforcement actions and administrative citations; and,

- 7) Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Urban Planning and Land Use Department (check made payable to the Unified Treasurer) immediately following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **DENIAL** of Petition **SP2021-006** for the reasons outlined by the City Planning Commission.

ATTACHMENTS

March 15, 2021 City Planning Commission Minutes
Land Use Map
Aerial Map
Zoning Map
Photographs of the Property Provide by Staff, Dated February 21, 2021
Photographs of Equipment to be Stored, Provided by the Applicant
Site Plan Provided by the Applicant
Neighborhood Meeting Materials, February 15, 2021

REVIEW OF INFORMATION AND SCHEDULE

<u>Action</u>	<u>Planning Commission</u>	<u>Unified Government Commission</u>
Public Hearing		
Special Use	March 15, 2021	April 8, 2021
	Denial	

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

MOTIONS

I move the Unified Government Board of Commissioners **DENY** Petition **SP2021-006**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

OR

I move the Unified Government Board of Commissioners **APPROVE** Petition **SP2021-006** as meeting all the requirements of the City code and being in the interest of the

public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. _____;
2. _____; And
3. _____.

March 15, 2021 City Planning Commission Minutes:

Hearing starts at 1:10:24:

SPECIAL USE PERMIT APPLICATION SP2021-006 – AMANDA AND NOAH

TAYLOR - SYNOPSIS: Special Use Permit to store drilling and excavation equipment in vacant horse stable/barn at 3648 North 115th Street.

Detailed Outline of Requested Action: The applicants, Amanda & Noah Taylor, are requesting a Special Use Permit for storage of drilling and excavation tools in an existing but vacant horse barn/stable. The applicants have stated that the equipment and tools will not be operated on the property.

Code Enforcement History: There are no outstanding zoning enforcement issues. There is no record of any zoning enforcement issues on that the property.

The following items were included as part of the record for this case:

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated March 15, 2021;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo;
7. The Notices to property owners; and,
8. The numerous emails/calls received in opposition to this application that were forwarded to the City Planning Commission.

Recording Secretary Parker asked if the Commission had any contact to disclose on this application. Chairman Carson stated that he has been contacted by numerous members of the public concerning this application. Commissioner Miller stated that he has also been contacted by numerous residents.

Present in Support:

- Noah Taylor, 12226 South Appleridge Lane, Olathe, Kansas 66061
- Eric Jones, 12444 Farrow Avenue, Kansas City, Kansas 66109

Mr. Jones spoke about proposed ballfields that he wants and Planning Director Hand stated that the ballfields were not included in the notice of hearing so they cannot be considered at this meeting. During his presentation Mr. Jones stated that he has 7 employees and they will park their trucks on the property during the day. Director Hand stated that will not be allowed.

Present in Opposition:

- Phil Noah, 4115 Independence Boulevard, Kansas City, Kansas 66109
- Jamie Cochran, 12220 Donahoo Road, Kansas City, Kansas 66109
- Steve McDonald, 11718 Donahoo Road, Kansas City, Kansas 66109

- Mark Evans, 3515 North 115th Street, Kansas City, Kansas 66109
- Dannell Collins, 3400 North 115th Street, Kansas City, Kansas 66109
- Cindy Kuklenski, 3657 North 115th Street, Kansas City, Kansas 66109 (and representing her husband David Kuklenski)
- Stacia Bradley, 4238 North 125th Circle, Kansas City, Kansas 66109
- Lois (could not understand her comments over phone)
- Joanna Wolfe, 4417 North 124th Terrace, Kansas City, Kansas 66109
- Kurt Cook, 12520 Donahoo Road, Kansas City, Kansas 66109
- Scott Holt, 4033 Independence Boulevard, Kansas City, Kansas 66109
- Kathie Steineger, 4014 North 122nd Street, Kansas City, Kansas 66109
- Jane McKinley, 12020 Donahoo Road, Kansas City, Kansas 66109 (and representing her husband)
- Brad Hoffman, 3701 North 115th Street, Kansas City, Kansas 66109

Staff Recommendation starts at 2:06:46: Planning Director Hand stated that this is a request for a temporary use of land for two (2) years, which gives sufficient time for the applicant to find a permanent solution. This type of use is only allowed in industrial areas. After the neighborhood meeting, staff received communications in opposition for reasons that staff felt was misinformed. Based on the explanation by the applicant this evening, staff received clarification on what they are requesting. The frequency of the Mack truck up and down the street, even if only weekly, along with the trailer moving equipment is different than staff understanding that the building would only be used for storage. Staff amends their recommendation to denial and if the Commission recommends approval of the application, staff requests that the conditions listed in the staff report be included in the approval along with any additional conditions staff may have at that time.

Planning Commissioner Miller asked why a Special Use Permit is being requested and not a Change of Zone to the appropriate zoning for this use. Planning Director Hand stated that it would be spot zoning and a Temporary Use of Land, as interpreted by staff, is only for two (2) years to find a permanent solution.

Planning Commissioner Reasons asked why the applicant was allowed to file this application when it does not fit into the area. Planning Director Hand stated that the applicant had purchased the property and staff is not the decision maker and tries to advise and guide the applicant through the process to obtain the necessary entitlements to meet their project objectives.

Motion and Vote starts at 2:13:25:

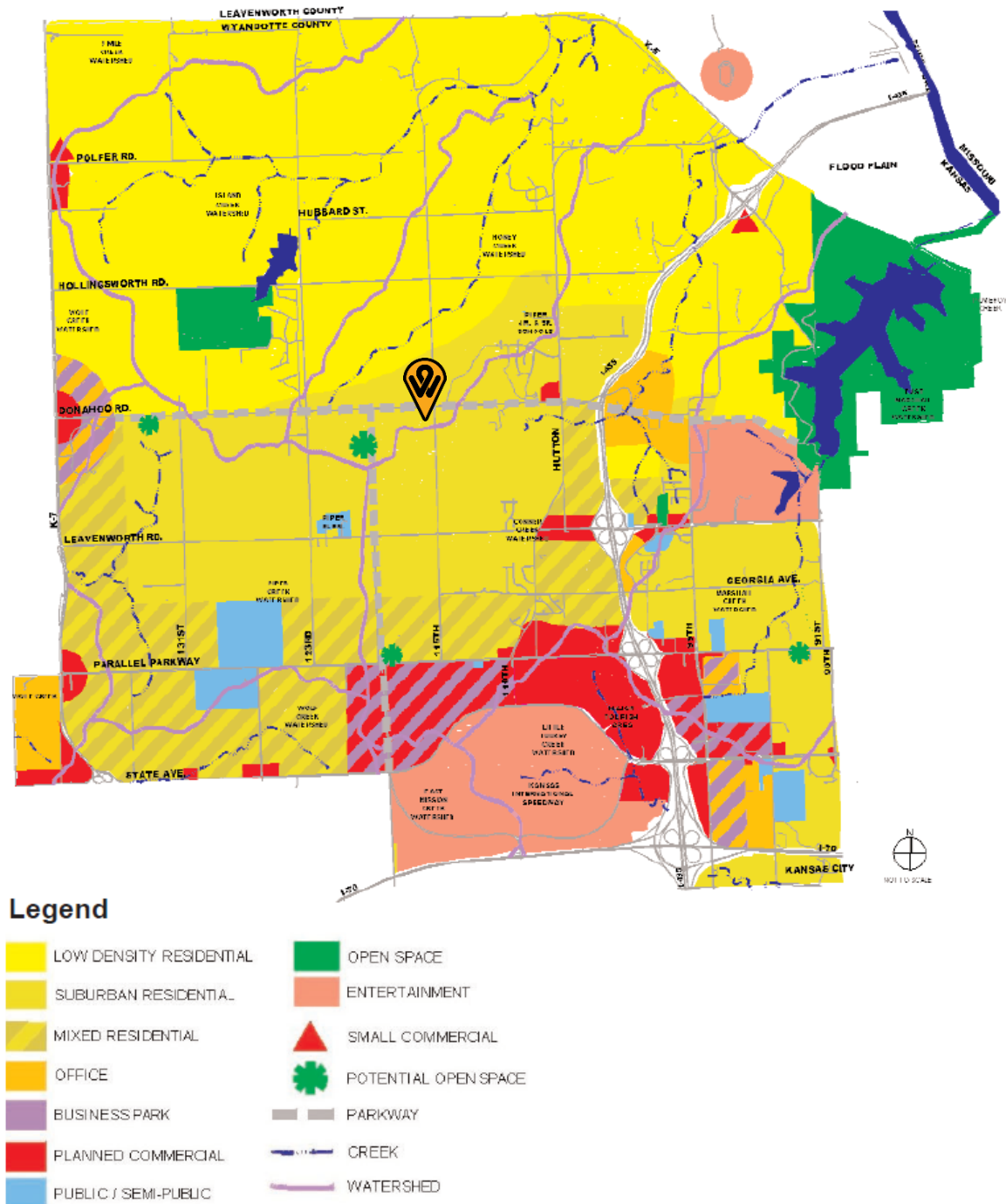
On motion by Mr. Ernst, seconded by Mr. Miller, the Planning Commission voted as follows to **recommend DENIAL of Special Use Permit SP2021-006 based on the staff's revised staff recommendation and the incompatibility of the use proposed with the nature of the area:**

Carson	Chairman
Armstrong	Aye
Cho	Not Present
Connelly	Not Present
Ernst	Aye

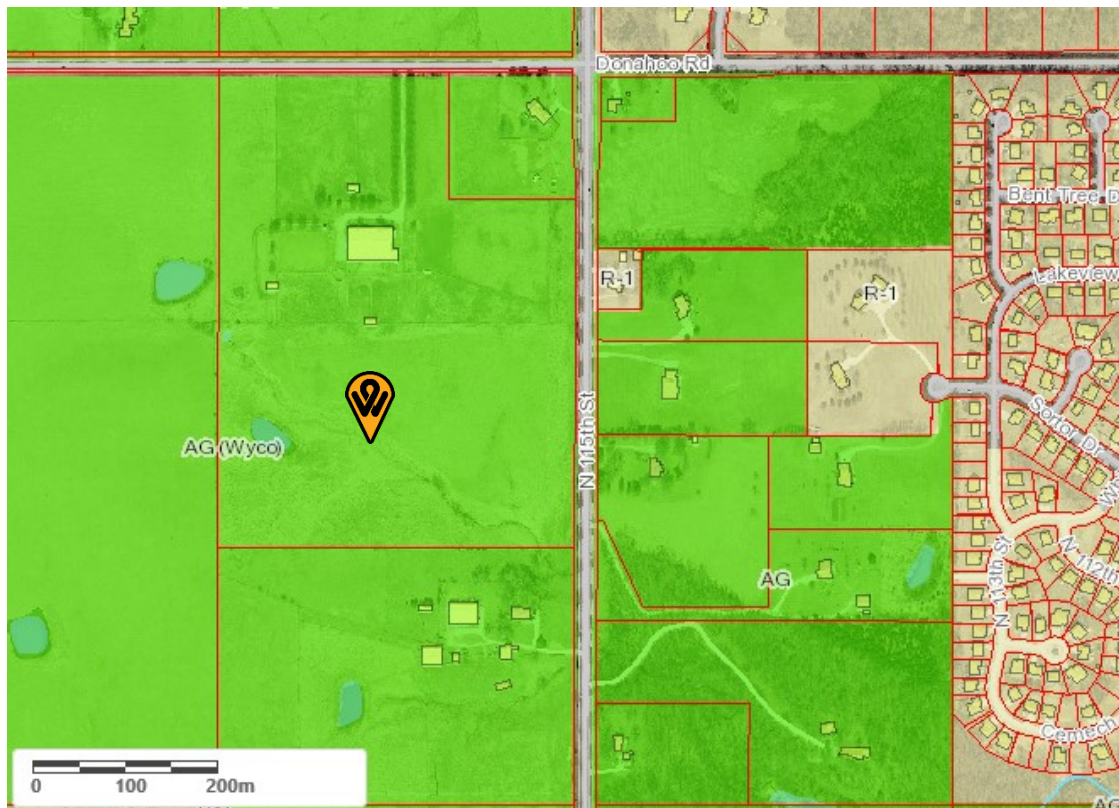
Huey	Aye
Jones	Aye
Miller	Aye
Mohler	Aye
Pauley	Aye
Reasons	Aye

Motion to RECOMMEND DENIAL Passed: 8 to 0

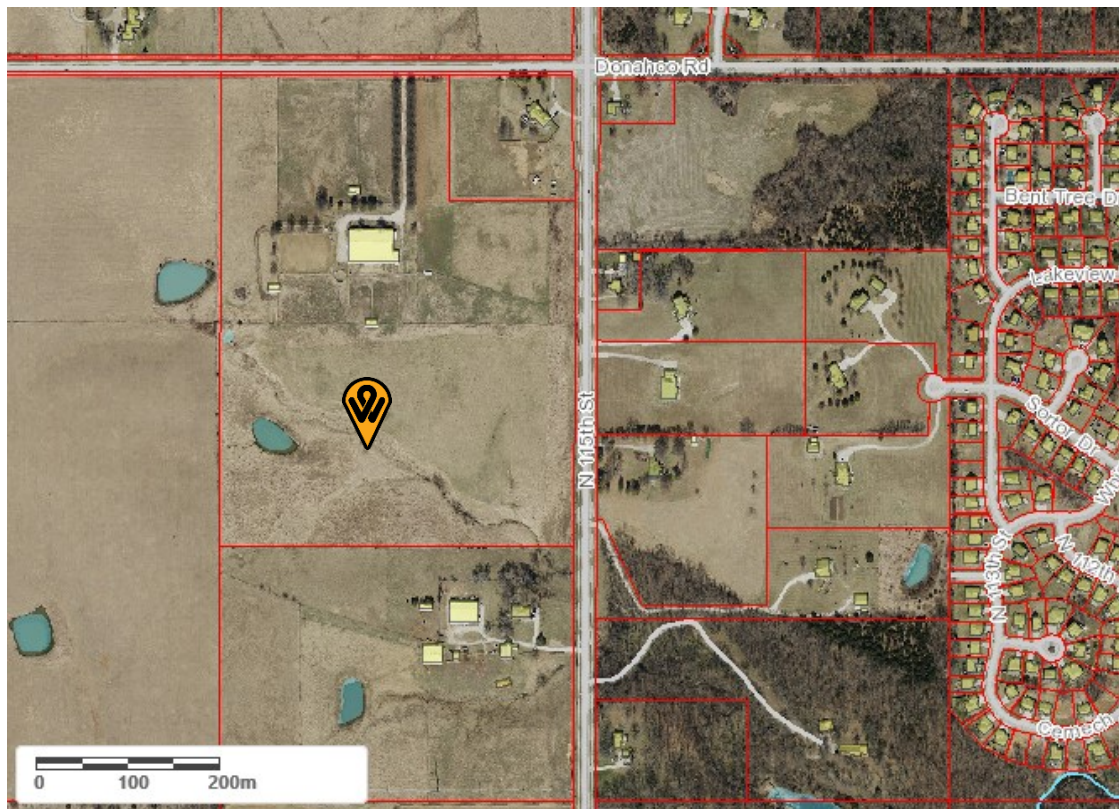
Map 11: Future Land Use



AERIAL MAP



ZONING MAP



PHOTOGRAPHS OF THE PROPERTY PROVIDE BY STAFF, DATED FEBRUARY 21, 2021



PHOTOGRAPHS OF EQUIPMENT TO BE STORED, PROVIDED BY THE APPLICANT



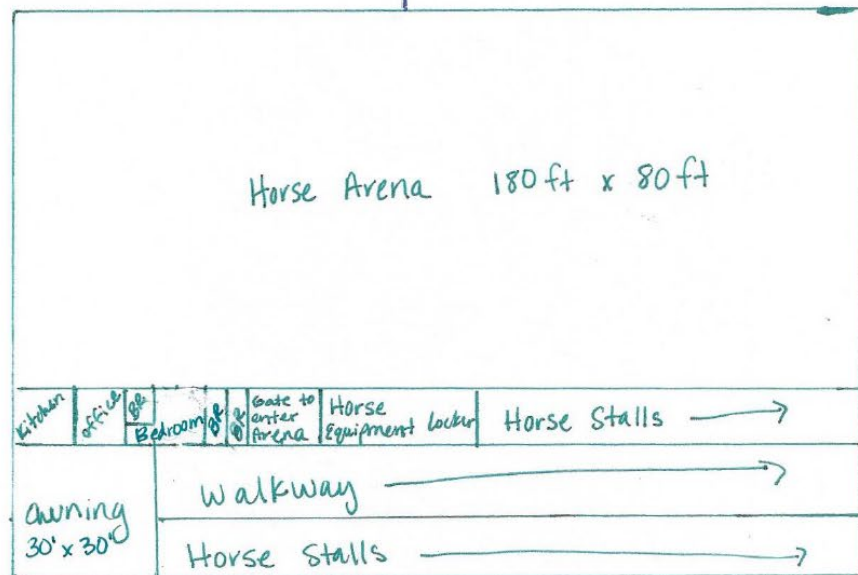
SITE PLAN PROVIDED BY THE APPLICANT

1 inch = 150 ft

Donahoo Road

The applicant has stated that the approximate distance between the front property line and the front of the barn is 475 feet.

Distance between the front Property line and front of the building.



Interior rooms:

- Kitchen: 10' x 12'
- Office: 10' x 10'
- Bathroom next to bedroom: 5' x 8'
- Bedroom 10' x 12'
- 2 Half bath 4' x 6' men & womens

1 inch = 30 ft scale for building only.

Date: 2/11/2021

Noah and Amanda Taylor
3648 N. 115th Street
Kansas City, KS 66061

SUBJECT: Neighborhood Meeting

I/We have filed an application with the Department of Urban Planning and Land Use #SP2021-006. The purpose of this:

➤ special use permit

is for: a Drilling and Excavation Equipment storage, and private indoor softball facility for Kansas City, KS based girls softball organization-Select Fastpitch

at the following address: 3648 N. 115th St, Kansas City, KS 66061.

I/We am having a neighborhood meeting on Feb 22, 2021 at __6__p.m. at the following address: 3648 N. 115th St, Kansas City, KS 66061.

The purpose of this meeting is to explain the proposal and to answer any questions/concerns you may have.

I look forward to seeing you at the neighborhood meeting. Or if you have concerns about COVID-19 please feel free to email or call us at anytime. If you are unable to attend, please contact me at the address/phone number listed below. We appreciate it!

Sincerely,

Noah & Amanda Taylor
415-215-8000 (Noah's cell) noah@solidssubsurface.com
913-486-7131 (Amanda's cell) amanda@solidssubsurface.com

NEIGHBORHOOD MEETING MINUTES

Discuss special permit usage and Q & A. Petition #SP2021-006
At address: 3648 N. 115th Street/11601 Donahoo Road, KC, KS 66061

NAME	EMAIL ADDRESS	PHONE
Stella J. Georgann McDonald	georgannmcdonald@gmail.com	913 949 0865
Brad Hoffman		(913) 268-1195
Landon Roth	landon@lrrgroupllc.com	(913) 314-5230
BRUCE PROPLESCH	BRUCE.Proplesch@yahoo.com	913-721-1142
Dan + Cindy Kulkowski	Kulk3657@gmail.com	913-645-1131
Amanda + Noah Taylor	amanda@solidstudiesurf.com	913-480-3928

AFFIDAVIT - NEIGHBORHOOD MEETING

STATE OF KS)
COUNTY OF Wyandotte) SS:

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

1. That I am the petitioner for Petition # SP2021-006
2. That I conducted a neighborhood meeting on _____.
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Urban Planning and Land Use Department.

Further affiant saith not.

Amanda Taylor
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this _____ day of _____, 200__.

My commission expires _____ of _____, 200__.

Notary Public

MEETING MINUTES:

Application Number SP2021-006

Date and Location: Feb 22nd, 2021

Meeting called to order at: 6:00 pm

Names of people in attendance: 6

Introductions:

Presentation by applicant and/or team (explain what information was given to those in attendance and a summary of what the speaker said).

Questions and answers (include the following):

- Who asked question or gave comment
- What was the question or comment
- Who answered the question/comment
- What was the answer given

Meeting adjourned at: 6:50 pm

Minutes taken by: 50 mins

Questions and answers:

After introductions the primary question for the group was what was our intention with the property. We (Noah and Amanda Taylor) replied that our intention was to store our company's drilling and excavation equipment inside the barn. Pictures were shown of what our company does and an explanation of given. The groups main concern was they did not want multi-family housing in the area. We replied we are not developers and did intend to develop the area. We did also inform the group that our softball coach/organizer Eric Jones with Select Fastpitch was wanting to have inside softball practice facility inside the barn, as we as an outdoor practice field for Select Fastpitch members only. The group appeared to be onboard with the idea and a lot of their daughters played softball. The McDonalds concern was the traffic because of having softball games. We informed them that it was not going to be used for games just for practice and scrimmage and only a limited number of members would be allowed at a time. So traffic would be at a minimum. They were okay with that. The McDonalds thought Eric would hold tournaments which is not the case. Overall, the neighbors were thankful for informing them of our special use permit application, and did not see any cause for concern with the purpose we intend to use the property and barn.



Planning and Urban Design

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

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

To: Unified Government Board of Commissioners
From: Planning and Urban Design Staff
Date: April 8, 2021
Re: Petition SP2021-007

GENERAL INFORMATION

Applicant:
Ryan Barrows

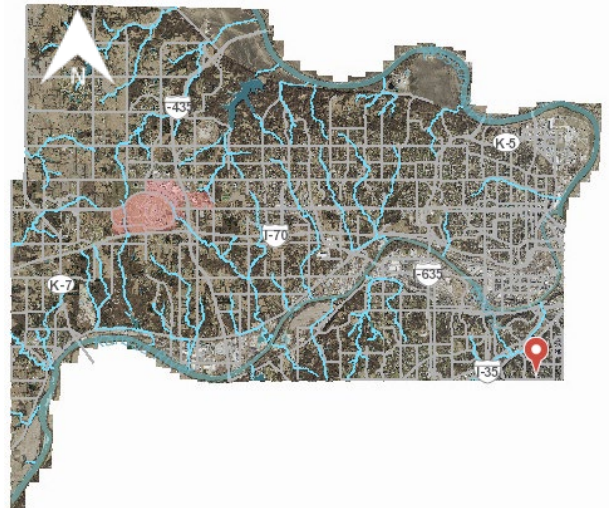
Status of Applicant:
Representative
Joe's Kansas City BBQ
3002 West 47th Avenue
Kansas City, Kansas 66103

Requested Action:
Renewal of Special Use Permit
SP-2019-15, expired on
3/28/21.

Date of Application:
January 22, 2021

Purpose:
Continuation of a temporary
use of land for a parking lot.

Property Location:
4620 Mission Road
Kansas City, Kansas 66103



Commission Districts:	Commissioner At Large: Tom Burroughs District #3 Commissioner: Christian Ramirez		
Existing Zoning:	C-3 Commercial District		
Adjacent Zoning:	North:	CP-1 Planned Limited Business and R-1(B) Single Family District	
	South:	C-3 Commercial District	
	East:	CP-1 Planned Limited Business and R-2 Two Family District	
	West:	R-1(B) Single Family District	
Adjacent Uses:	North:	Commercial Businesses and Single Family Homes	
	South:	Commercial Businesses	
	East:	Commercial Businesses and Duplexes	
	West:	Single Family Homes	
Total Tract Size:	0.24 Acre		
Master Plan Area:	Rosedale Master Plan		
Master Plan Designation:	The Rosedale Master Plan designates this area as Urban Mixed Use.		
Major Street Plan:	The Major Street Plan classifies Mission Road as a Class A Thoroughfare.		
Parking Requirement:	Section 27-467 states that uses in this district require paved off-street parking at a ratio of not less than four (4) spaces per 1,000 square feet of floor area in the building. One (1) out of every 25 parking spaces must be ADA. One (1) out of every six (6) ADA parking spaces must be van accessible.		
Advertisement:	<u>The Wyandotte Echo</u> – February 11, 2021 Letters to Property Owner – February 12, 2021, February 26, 2021 and March 30, 2021		
Public Hearings:	March 15, 2021 and April 8, 2021		
Public Support:	None to date.		
Public Opposition:	Opposition has been received from one (1) neighboring property owner.		

PROPOSAL

Detailed Outline of Requested Action: The applicant, Ryan Barrows, is requesting the renewal of Special Use Permit SP-2019-15 for the continued use of 4620 Mission Road

as a parking lot for Taco Republic at 500 County Line Road. The property has been granted Special Use Permits to be used as a parking lot since 2017.

Taco Republic at 500 County Line Road currently has approximately 24 parking spaces on the premises. According to the zoning ordinance, 35 spaces are required. This property is in need of 11 additional parking spaces. Taco Republic previously had an agreement with a neighboring property to the south, within the city limits of Roeland Park. According to the City of Roeland Park, this parking agreement expired around 2018.

The property owner at 4628 Mission Road is in opposition to the above renewal for the following reasons:

1. Semi-tractor trailer trucks are parked in the lot and block access to his property – occurs continuously;
2. Numerous RV's on the property;
3. Has had to call the police in order to resolve the situation; and,
4. Has talked to the owner of Joe's KC with no resolution.

City Ordinance Requirements: 27-592 through 27-606

Code Enforcement History: There have been 12 Notices of Violation issued on this property between the years of 2009 and 2017. These have been for weeds, trash, inoperable vehicles, and graffiti.

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The neighborhood is mixed use in nature. There are currently both commercial and residential uses in the area.

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

The zoning of nearby properties is both residential and commercial. While parking is a compatible commercial use, it may not be the highest and best use of the property.

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

The property is not suitable for the continued use as a parking lot. Landscaping and buffering has not been implemented. There is no sidewalk or safe, continuous, pedestrian access from the lot to Taco Republic. The property has not made the previously agreed-to property upgrades.

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

A demolition permit for the structure on this parcel was obtained in December of 2014. It has been used as a parking lot since 2017.

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

The Rosedale Master Plan designates this area as Urban Mixed Use. This district should be urban in character with buildings up to the street. The proposed use does not conform to the Master Plan because it is for a secondary parking lot to a principal use.

6. *Whether the proposed use will result in increasing the amount of vehicular traffic to the point where it exceeds the capacity of the street network to accommodate it.*

The proposed use will result in the increase of vehicular traffic because it is designed to accommodate automobiles.

7. *Whether the proposed use is reasonably necessary for the convenience and welfare of the public and will not substantially or permanently injure the appropriate use, visual quality, or marketability of adjoining property.*

The proposed use provides the parking accommodations nearby Taco Republic; however, there is no continuous sidewalk between the parking lot and the restaurant. A parking lot is not the highest and best use of this property.

8. *Whether the noise, vibration, dust, or illumination that would normally be associated with such use is of such duration and intensity as to create problems for near-by property.*

The proposed use will create issues of noise, vibration, dust, and illumination as traffic passes through the lot.

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

The proposed use will not pollute the air, land, or water because it is an existing surface parking lot in a built-out neighborhood.

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

The proposed use will not damage or destroy an irreplaceable natural resource because the proposed use is for the continuation of an existing surface parking lot.

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

The proposed use provides minimal benefit to the public. If denied, the applicant could not use the accessory parking lot, but would still have enough parking spaces available on-site to meet the required code. If denied, the property owner could not use the property as an off-site parking lot but could develop the land for Mixed Use purposes or sell the property.

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

The proposed use may increase the number of people in the area and could result in an overcrowding of land.

PREVIOUS ACTIONS

SP-2017-7
PR-2017-8
SP-2019-15

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting via letter on February 5th, 2020. The applicant states that no one responded to the letter. Documentation is attached below.

KEY ISSUES

Pedestrian Safety
Plan Review
Lack of Landscaping

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 8 to 0 to recommend **DENIAL** of Special Use Permit Application SP2021-007 **as the applicant did not meet the conditions of approval with the previous two (2) applications.**

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

If the Board of Commissioners approve this application, staff would recommend the following conditions:

1. The applicant has six (6) months from the final publication of the Special Use Permit to fully construct all improvements as previously conditioned and requested by code, including public improvements, pedestrian connectivity, landscaping, screening and striping. The parking lot will include at least the 11

- parking spaces necessary to meet the off-street parking requirement for the Taco Republic (500 County Line Road).
2. That an ADA accessible sidewalk be constructed to connect the subject property to the Taco Republic (500 County Line Road) via the existing public right-of-way along Mission Road.
 3. If approved, the Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
 4. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
 5. If approved, the Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit in order to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved.

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **DENIAL** of Petition **SP2021-007** for the reasons outlined by the City Planning Commission.

ATTACHMENTS

March 15, 2021 City Planning Commission Minutes
Zoning Map
Land Use Map
Aerial Map
Site Photographs provided by Staff dated February 23, 2021
Civil Plans, Dated October 2019
Photographs provided by Applicant
Neighborhood Meeting Letter

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	March 8, 2021	April 8, 2021
Special Use	Denial	

STAFF CONTACT: **Shana Kelly**
 skelly@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **DENY** Petition **SP2021-007**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

OR

I move the Unified Government Board of Commissioners **APPROVE** Petition **SP2021-007** as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. _____;
2. _____; And
3. _____.

March 15, 2021 City Planning Commission Minutes:

Hearing starts at 2:15:20:

SPECIAL USE PERMIT APPLICATION SP2021-007 – RYAN BARROWS WITH JOE’S KANSAS CITY BBQ - SYNOPSIS: Renewal of a Special Use Permit (SP-2019-15 – expires 3/28/2021) for the Temporary Use of Land for a parking lot for Taco Republic at 4620 Mission Road.

Detailed Outline of Requested Action: The applicant, Ryan Barrows, is requesting the renewal of Special Use Permit SP-2019-15 for the continued use of 4620 Mission Road as a parking lot for Taco Republic at 500 County Line Road. The property has been granted Special Use Permits to be used as a parking lot since 2017. Taco Republic at 500 County Line Road currently has approximately 24 parking spaces on the premises. According to the zoning ordinance, 35 spaces are required. This property is in need of 11 additional parking spaces. Taco Republic previously had an agreement with a neighboring property to the south, within the city limits of Roeland Park. According to the City of Roeland Park, this parking agreement expired around 2018.

The property owner at 4628 Mission Road is in opposition to the above renewal for the following reasons:

1. Semi-tractor trailer trucks are parked in the lot and block access to his property – occurs continuously;
2. Numerous RV’s on the property;
3. Has had to call the police in order to resolve the situation; and,
4. Has talked to the owner of Joe’s KC with no resolution.

Code Enforcement History: There have been 12 Notices of Violation issued on this property between the years of 2009 and 2017. These have been for weeds, trash, inoperable vehicles, and graffiti.

The following items were included as part of the record for this case:

1. The City’s currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City’s currently adopted Master Plan for the area in question;
4. The staff report and attachments dated March 15, 2021;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo; and,
7. The Notices to property owners.

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

Present in Support:

- Ryan Barrows, 1515 Hodgins Lane, Raymore, Missouri

Present in Opposition:

- No one appeared.

Staff Recommendation starts at 2:19:55: Planning Director Hand stated that the request is for an off-site parking lot that has been approved twice in the past. The staff has reviewed the plans (and determined that the plans i.e., improvements to the property have not been met since its initial approval and first renewal) and recommends denial of this second required renewal. Taco Republic will need to find 11 additional parking spaces in order to comply with this required parking if this Special Use Permit is ultimately denied by the Board of Commissioners. Taco Republic previously had an agreement across the county line, but that agreement has since been terminated. If the Commission recommends approval of this application, staff has two (2) conditions of approval:

6. The applicant has six (6) months from the final publication of the Special Use Permit to fully construct all improvements as previously conditioned and requested by code, including public improvements, pedestrian connectivity, landscaping, screening and striping. The parking lot will include at least the 11 parking spaces necessary to meet the off-street parking requirement for the Taco Republic (500 County Line Road).
7. That an ADA accessible sidewalk be constructed to connect the subject property to the Taco Republic (500 County Line Road) via the existing public right-of-way along Mission Road.

There has been a history of Notices of Violation prior to Mr. Barrow's company purchasing the property; however, it is not the best kept parking lot. He stated that one (1) letter has been received in opposition.

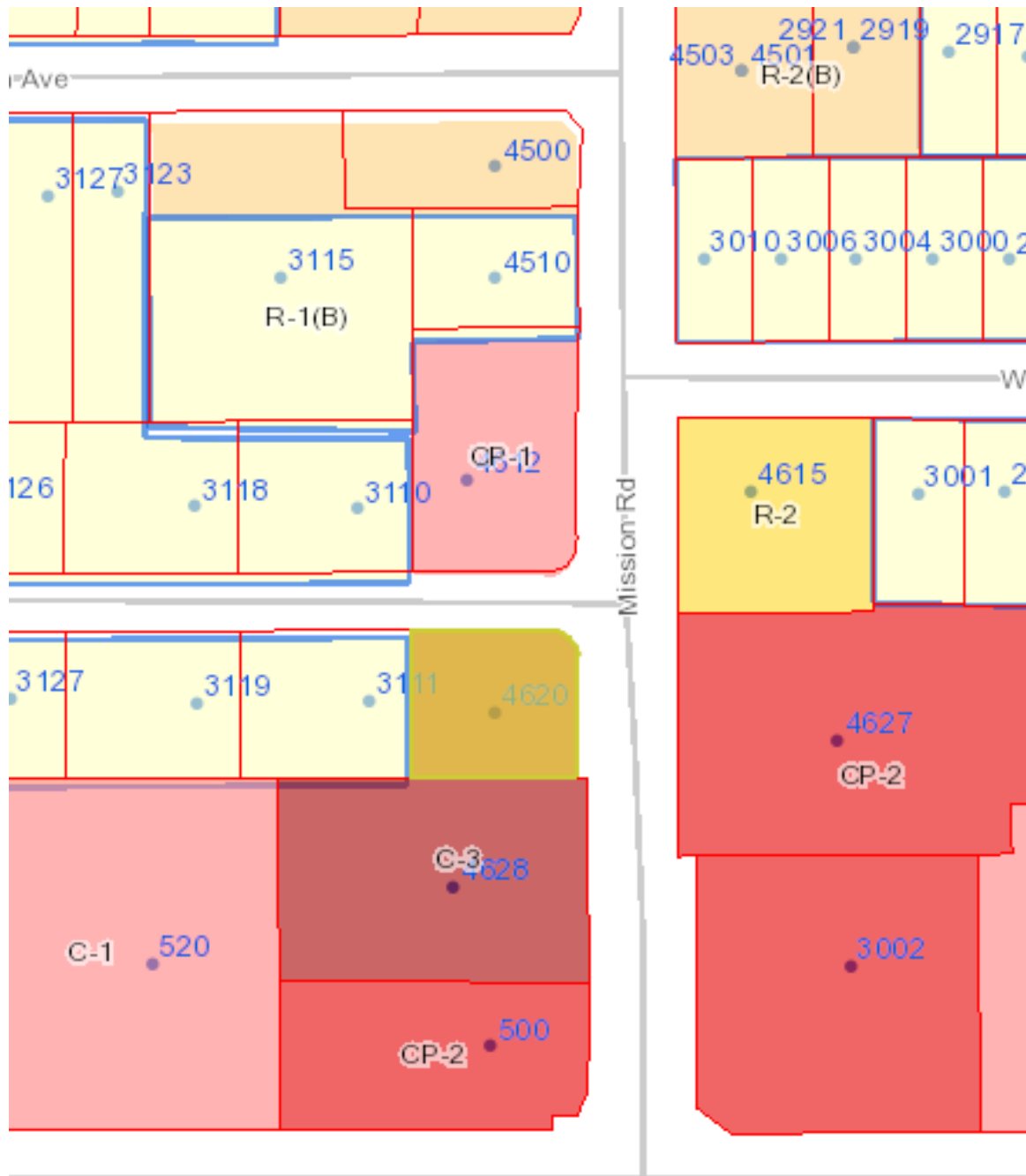
Motion and Vote starts at 2:27:30:

On motion by Ms. Pauley, seconded by Mr. Ernst, the Planning Commission voted as follows to **recommend DENIAL of Special Use Permit SP2021-007 as the applicant did not meet the conditions of approval with the previous two (2) applications:**

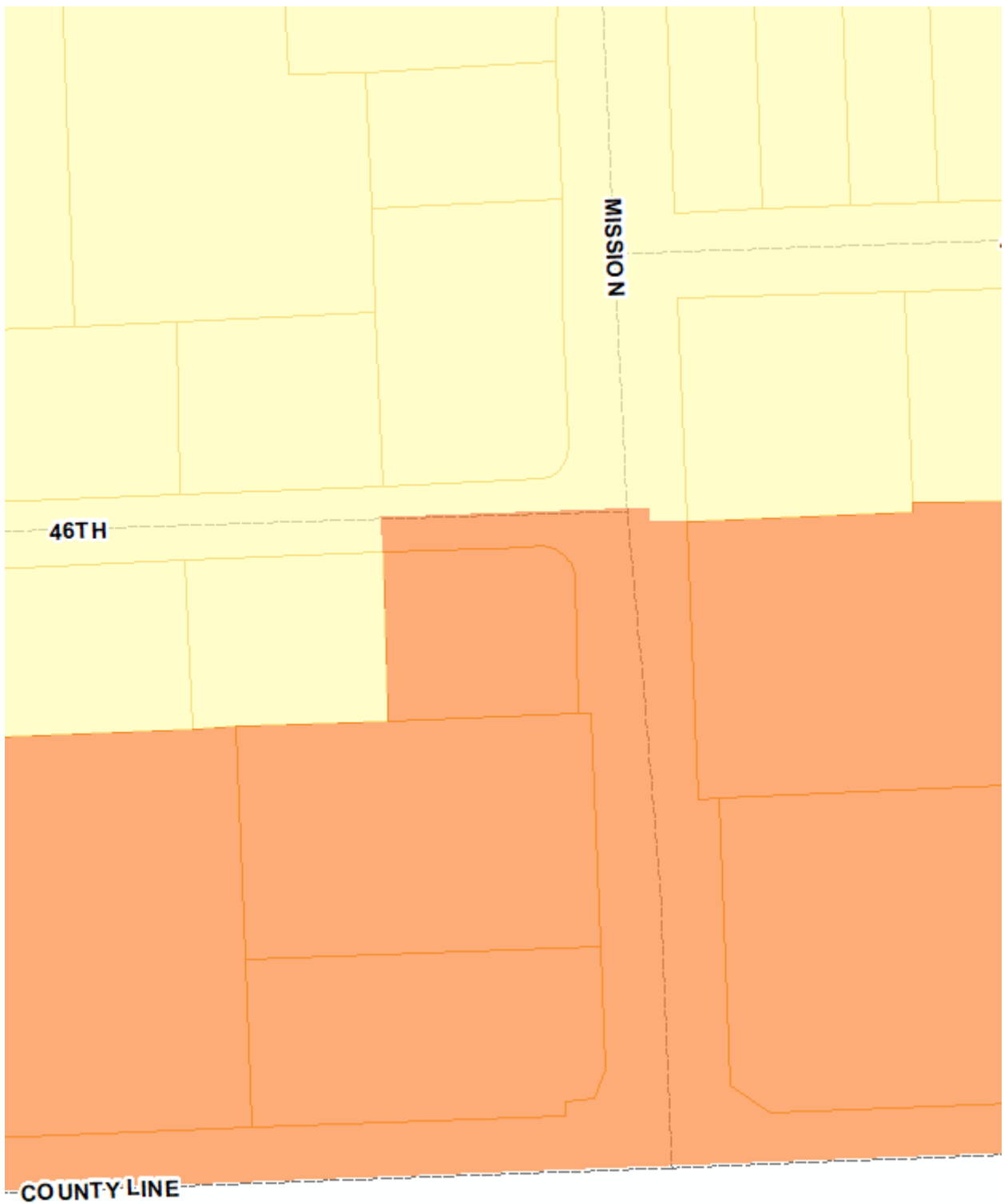
Carson	Chairman
Armstrong	Aye
Cho	Not Present
Connelly	Not Present
Ernst	Aye
Huey	Aye
Jones	Aye
Miller	Aye
Mohler	Aye
Pauley	Aye
Reasons	Aye

Motion to RECOMMEND DENIAL Passed: 8 to 0

Zoning Map:



Land Use Map:



Aerial Map:



Site Photographs Provided by Staff, Dated February 23, 2021:











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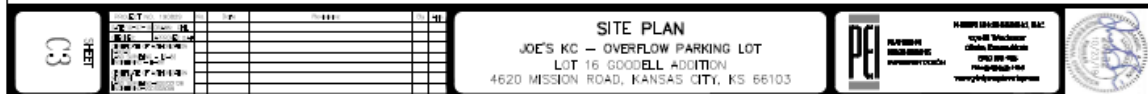
- EXPLANATIONS AND ANSWERS:**
1. **A** $200 \div 2 = 100$ and $100 \div 2 = 50$
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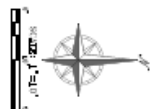
LOT 16 GOODELL ADDITION
4620 MISSION ROAD, KANSAS CITY, KS 66103



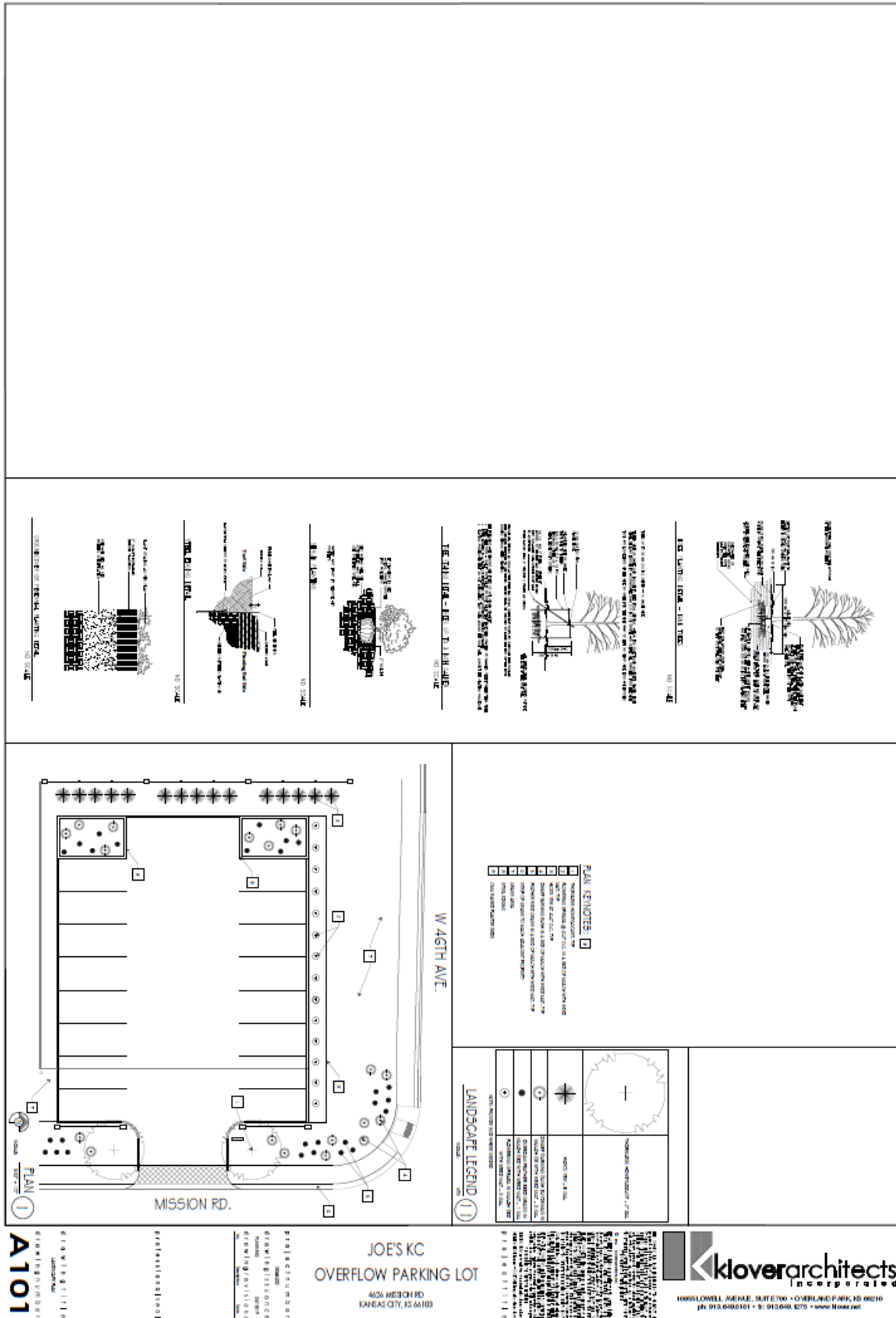
HEALTH CARE SERVICES, INC.
 10000 N. Wisconsin
 Chicago, Illinois 60655
 (708) 478-1000
 FAX (708) 478-1000
 708/478-1000





STAGING CHART

24



Photographs Provided by Applicant:







Neighborhood Meeting Letter:



February 5th, 2021

Joe's Kansas City Bar-B-Que
3002 W. 47th Ave
Kansas City, KS 66103

SUBJECT: Virtual Neighborhood Meeting via email questions or phone call

We have filed an application with the Department of Urban Planning and Land Use #SP-2021-007. The purpose of this application is to renew the special use permit currently in place for the parking lot at 4620 Mission Road.

The current special use permit was set to expire, and construction of a fully developed lot was supposed to take place. The economic hardships brought on by the COVID-19 pandemic was not only unexpected, but extremely detrimental to the financial wellbeing of both Taco Republic and Joe's Kansas City BBQ, the companies affiliated with the parking lot at 4620 Mission Road.

We are seeking a two-year extension to the current SUP before the provision of needing to build a fully developed lot is recognized, which comes at a tremendous expense.

Please feel free to contact me via email or phone prior to February 22nd, 2021 to answer any questions you might have regarding this topic. I appreciate the communities ongoing support, especially as we all work through our cooperative handling of the COVID-19 pandemic.

Thank you for your time and support.

Ryan Barrows
Joe's Kansas City BBQ
Vice President of Operations
913-722-3366

r.barrows@joeskc.com



Planning and Urban Design

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

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

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: April 8, 2021

Re: Petition SP2021-009

GENERAL INFORMATION

Applicant:
James Donovan

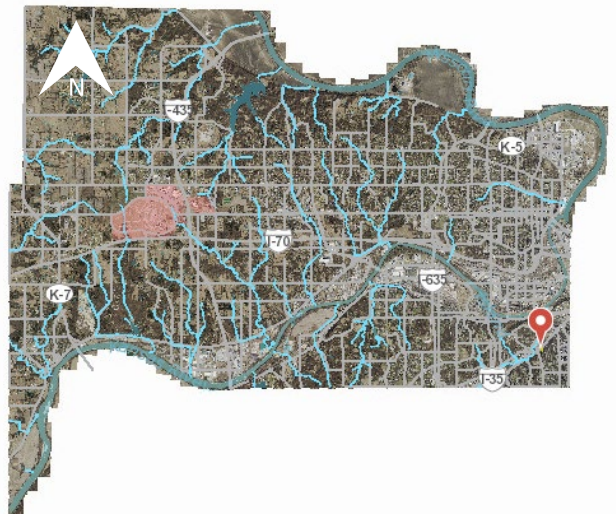
Status of Applicant:
Property Owner:
The Showroom Floor, LLC
1127 Southwest Boulevard
Kansas City, Kansas 66103

Requested Action:
Renewal of Special Use
Permit SP-2019-18,
expires on 3/28/2021.

Date of Application:
January 22, 2021

Purpose:
Continue to operate a short-term
rental. This is not the applicant's
primary residence.

Property Location:
1127 Southwest Boulevard
Kansas City, Kansas 66103



Commission Districts:	Commissioner At Large: Tom Burroughs District #3 Commissioner: Christian Ramirez
Existing Zoning:	M-2 General Industrial District
Adjacent Zoning:	North: M-2 General Industrial District South: M-2 General Industrial District East: M-2 General Industrial District West: M-2 General Industrial District
Adjacent Uses:	North: Industrial Business South: Industrial Business East: Restaurant (Dagwood's Café) West: Industrial Business
Total Tract Size:	0.11 Acre
Master Plan Area:	The Rosedale Master Plan
Master Plan Designation:	The Rosedale Master Plan designates this area as Creative and Industrial Mixed Use. Creative and Industrial Mixed Use is intended to promote a mix of low and medium intensity manufacturing uses alongside creative and artistic industries with potential for multifamily housing or live/work units.
Major Street Plan:	The Major Street Plan classifies Southwest Boulevard as a Class C Thoroughfare.
Parking Requirements:	Section 27-469 states that uses in this district require paved off-street parking at a ratio necessary to serve the employees, visitors, customers and others who may be on the premises. The ratio will vary among occupants and will be determined by the director of planning after receipt of a summary of parking needs and characteristics prepared by the owner or initial occupant. In no case, however, shall less than one (1) space for each 500 square feet of building floor area be provided.
Advertisement:	<u>The Wyandotte Echo</u> – February 11, 2021 Letters to Property Owner - February 12, 2021, February 26, 2021 and March 30, 2021
Public Hearings:	March 15, 2021 and April 8, 2021
Public Support:	None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, James Donovan, is seeking the renewal of SP-2019-18, which expires on 3/28/2021. The Special Use Permit allows for the operation of a short-term rental at 1127 Southwest Boulevard. This is not the applicant's primary residence.

City Ordinance Requirements: 27-592 through 27-606

Code Enforcement History: There have been two (2) Notices of Violation issued on this property, both in 2012. One (1) for a structural building issue and one (1) for an inoperable vehicle.

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The neighborhood is commercial and industrial in nature, with several businesses along a Class C Thoroughfare.

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

The Rosedale Master Plan designates this area as Creative and Industrial Mixed Use. Creative and Industrial Mixed Use is intended to promote a mix of low and medium intensity manufacturing uses alongside creative and artistic industries with potential for multifamily housing or live/work units. The proposed use of a short-term rental is compatible if properly managed. Operating this property as a short-term rental has the potential to create issues related to noise, parking, and other concerns related to overcrowding. There have been no noise or parking complaints during the time this property has been used as a short-term rental.

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

This property was formerly a commercial business but has been modified for use as a short-term rental if properly managed. This property is not suitable for use as a single-family home. Removal of the restrictions that require a Special Use Permit for such activities has the potential to create issues such as parking, excessive noise, and overcrowding.

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

This property is not vacant. It is currently being used as a short-term rental.

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

Special Use Permits are not addressed in the Master Plan. The Rosedale Master Plan designates this property as Creative and Industrial Mixed Use. The Creative and Industrial Mixed-Use District is intended to promote a mix of low and medium intensity manufacturing uses alongside creative and artistic industries with potential for multifamily housing or live/work units. The proposed use conforms to the Master Plan because it is for short-term accommodations.

6. *Whether the proposed use will result in increasing the amount of vehicular traffic to the point where it exceeds the capacity of the street network to accommodate it.*

The proposed use has the potential to increase vehicular traffic but should not exceed the capacity of the Class C Thoroughfare to accommodate it if managed properly, while it functions as a short-term rental. Guests of short-term rentals tend to travel more throughout the area, as they are typically visitors or tourists.

7. *Whether the proposed use is reasonably necessary for the convenience and welfare of the public and will not substantially or permanently injure the appropriate use, visual quality, or marketability of adjoining property.*

The proposed use provides a convenience to the public in the form of temporary lodging. If managed properly, the continued use of the property will not substantially nor permanently injure the appropriate use, visual quality, or marketability of adjoining property as it the proposed use operates entirely within a permitted structure in a built-out neighborhood.

8. *Whether the noise, vibration, dust, or illumination that would normally be associated with such use is of such duration and intensity as to create problems for near-by property.*

Noise is an issue that is related to short-term rentals. There have been no noise complaints during the time the property has been used as such. Vibration, dust, and illumination are not expected to be issues.

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

The proposed use will not pollute the air, land, or water as it is an existing, permitted single family residence.

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

The proposed use will not damage or destroy an irreplaceable natural resource as it is an existing single-family residence in a built-out commercial/industrial neighborhood.

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

The relative gain or loss to the public health, safety, and welfare is likely to be minimal as it only provides the convenience of lodging with some economic benefit. If denied, the landowner could not use the property as a short-term rental but may still use the property as a long-term rental, their primary residence, or sell the property.

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

The proposed use will not create issues of overcrowding as it operates within an existing structure on the site. The maximum number of guests allowed at one time by SP-2019-18 was five (5). If the applicant abides by the outlined conditions, undue concentrations of population should not be an issue.

PREVIOUS ACTIONS

SP-2019-18 will expire on 3/28/2021

NEIGHBORHOOD MEETING

The applicant held a Zoom meeting on February 18, 2021. No one, other than the applicants, attended the meeting. Documentation is attached below.

KEY ISSUES

Noise
Parking
Adjacent to Industrial Uses

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 8 to 0 to recommend **APPROVAL** of Special Use Permit Application SP2021-0009, subject to:

1. **Maximum number of guests, which has been deemed appropriate for the available accommodations shall be five (5);**
2. **Guest parking must be provided off-street. Maximum number of guest parking shall be four (4);**
3. **Applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;**
4. **Applicant must post a copy of the Ordinance granting permission to operate the short-term rental, the expiration date of the Special Use Permit, a copy of the Occupational Tax Receipt, and the property**

manager's contact information within the entrance of the area that is rented;

5. Must provide a manual/welcome packet that lists all rules, including "No Parties, etc." This manual must inform guests that the Unified Government enforces this policy. Include the contact information for Host Compliance:
913-246-5133 www.hostcompliance.com/tips;
6. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
7. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
8. The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit in order to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved.

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition **SP2021-009** subject to all comments and suggestions outlined in this staff report and the conditions of the City Planning Commission.

ATTACHMENTS

March 15, 2021 City Planning Commission Minutes
Zoning Map
Aerial Map
Land Use Map
Floor Plan
Site Photographs provided by Applicant
Neighborhood Meeting Minutes
Site Photographs provided by Staff, Dated February 22, 2021
Site Plan

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	March 15, 2021	April 8, 2021
Special Use	Approved	

STAFF CONTACT: **Shana Kelly**
 skelly@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **SP2021-009** as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. _____;
2. _____; And
3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition **SP2021-009** to the Unified Government Board of Commissioners, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

March 15, 2021 City Planning Commission Minutes:

Consent Agenda at 8:47:

SPECIAL USE PERMIT APPLICATION SP2021-009 – JAMES P. DONOVAN WITH THE SHOWROOM FLOOR, LLC – SYNOPSIS: Renewal of a Special Use Permit (#SP-2019-18 – expires 3/28/2021) for an AirBNB at 1127 Southwest Boulevard.

Detailed Outline of Requested Action: The applicant, James Donovan, is seeking the renewal of SP-2019-18, which expires on 3/28/2021. The Special Use Permit allows for the operation of a short-term rental at 1127 Southwest Boulevard. This is not the applicant's primary residence.

Code Enforcement History: There have been two (2) Notices of Violation issued on this property, both in 2012. One (1) for a structural building issue and one (1) for an inoperable vehicle.

The items I have just read are on the Consent Agenda. At this time, does any member of the Commission wish to disclose any contact on any of the items?" No one responded in the affirmative.

"Please include the following items as part of the record for all of the Items on the Consent Agenda:

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated March 8, 2021;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The publications in The Echo; and,
7. The notices to property owners.

The Commission will vote to approve in one vote these items unless someone requests that an item be removed from the Consent Agenda."

Chairman Carson asked if anyone wanted to remove an item from the Consent Agenda. Planning Director Hand requested that Special Use Permit SP2021-010 for Kelly Fountain at 3440 North 131st Street be removed from the Consent Agenda.

On motion by Ms. Jones, seconded by Ms. Armstrong, the Planning Commission voted as follows to **APPROVE** the remaining item on the Consent Agenda:

Carson	Chairman
Armstrong	Aye
Cho	Not Present
Connelly	Not Present
Ernst	Aye

Huey	Aye
Jones	Aye
Miller	Aye
Mohler	Aye
Pauley	Aye
Reasons	Aye

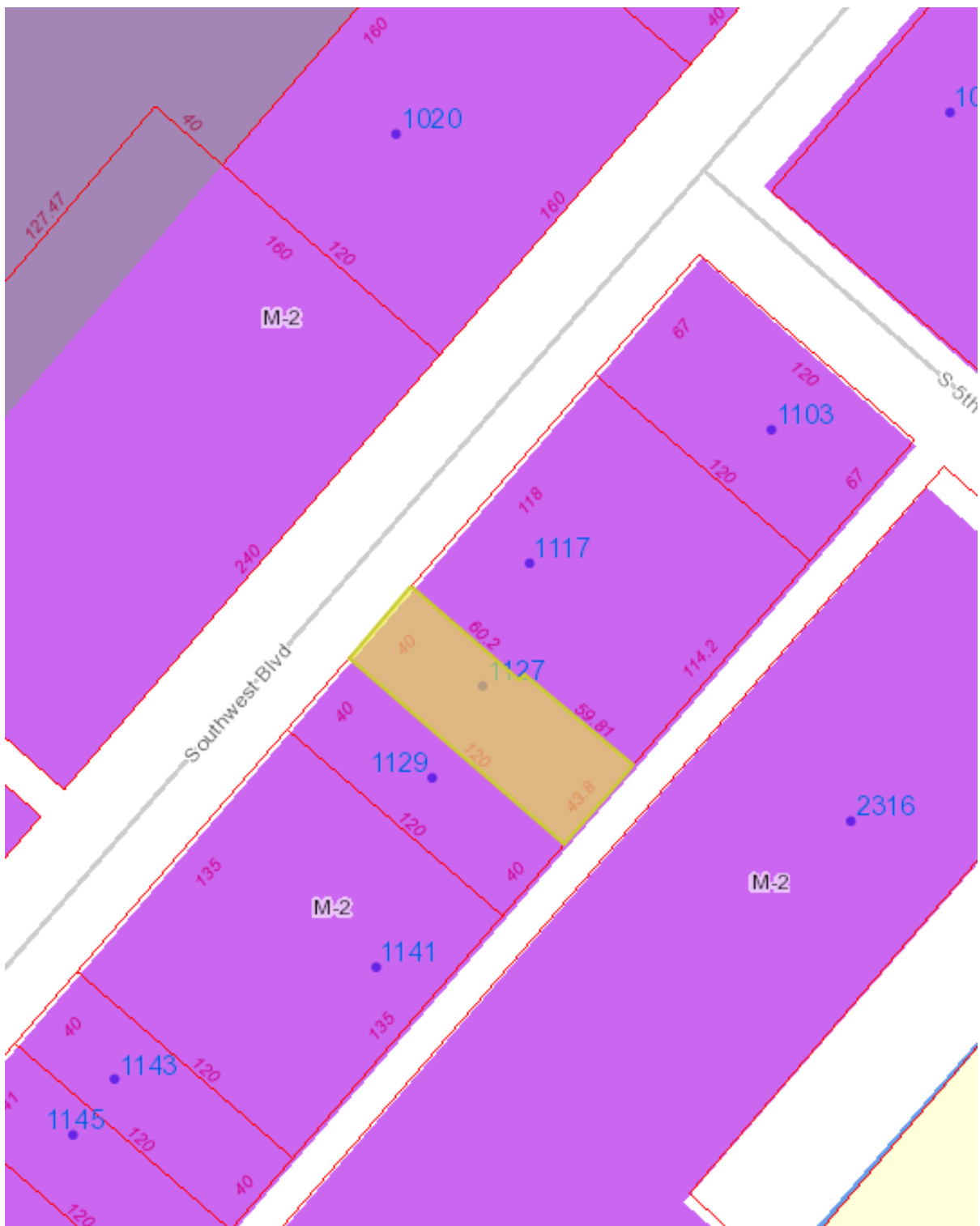
Motion to recommend APPROVAL Passed: 8 to 0

Subject to:

- 1. Maximum number of guests, which has been deemed appropriate for the available accommodations shall be five (5);**
- 2. Guest parking must be provided off-street. Maximum number of guest parking shall be four (4);**
- 3. Applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;**
- 4. Applicant must post a copy of the Ordinance granting permission to operate the short-term rental, the expiration date of the Special Use Permit, a copy of the Occupational Tax Receipt, and the property manager's contact information within the entrance of the area that is rented;**
- 5. Must provide a manual/welcome packet that lists all rules, including "No Parties, etc." This manual must inform guests that the Unified Government enforces this policy. Include the contact information for Host Compliance:
913-246-5133 www.hostcompliance.com/tips;**
- 6. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;**
- 7. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,**
- 8. The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit in order to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all**

operations must cease until such time as a new Special Use Permit is approved.

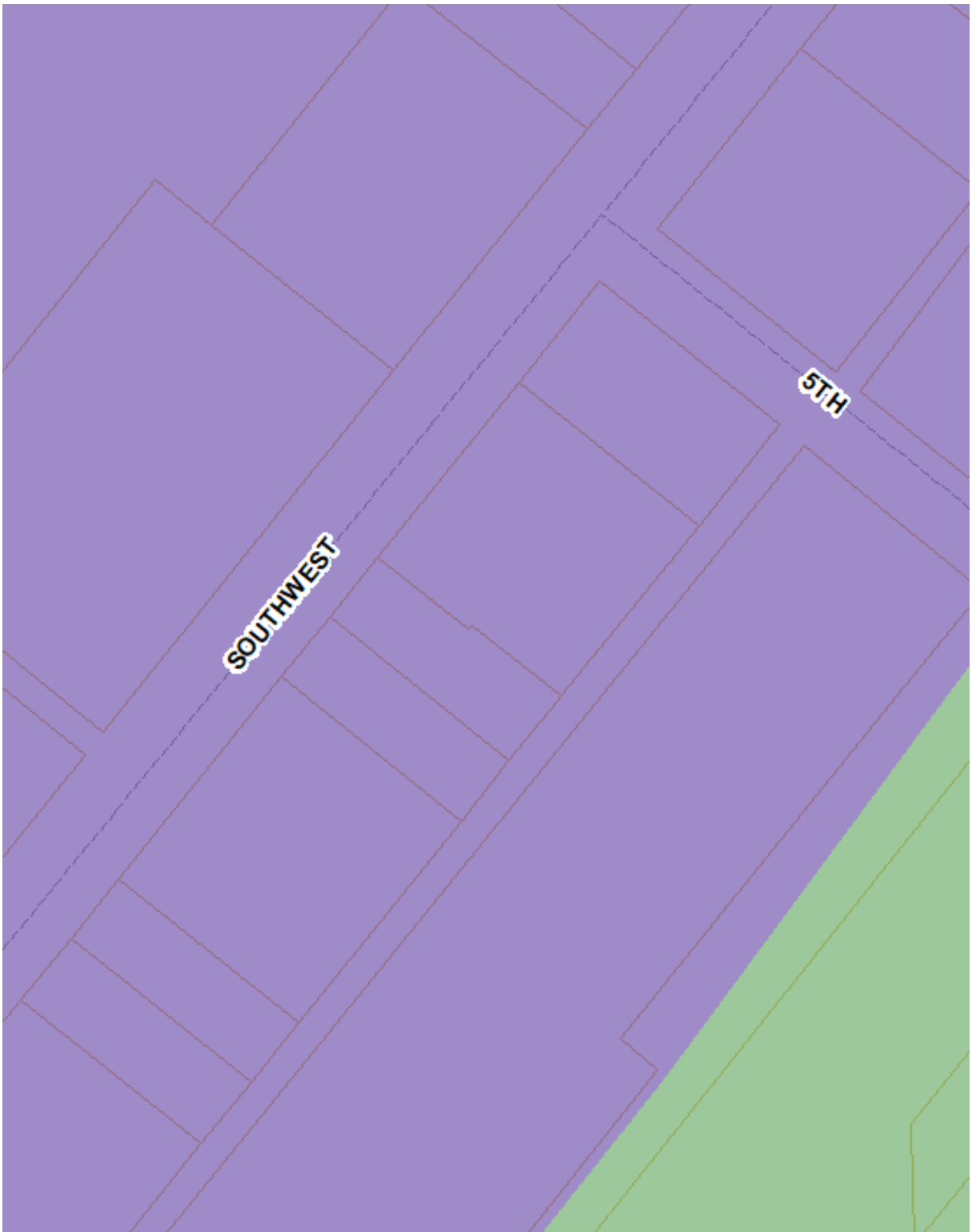
Zoning Map:



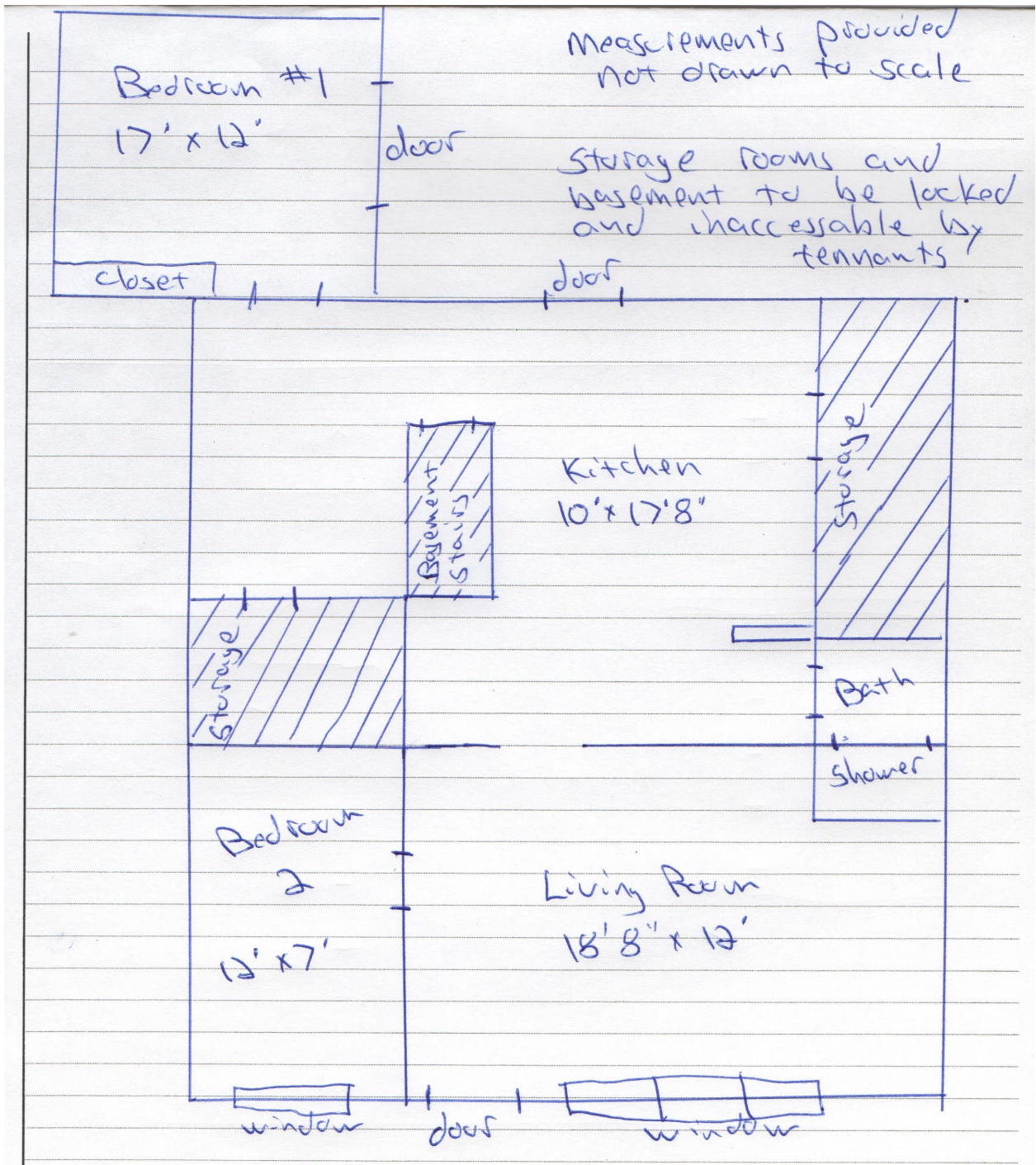
Aerial Map:



Land Use Map:



Floor Plan:



Site Photographs Provided by Applicant:

The Showroom Floor LLC
5400 Johnson Drive #166
Mission, KS 66205
913-660-4815

Edit listing 'The Rosedale Roadhouse - Spacious 20d 10a Bungalow' - Airbnb

2/19/21, 5:04 PM

Street view of property. [Edit](#)



Living room as seen from the r... [Edit](#)



Living room as seen from the ... [Edit](#)



Living room as seen from dinin... [Edit](#)



Kitchen is complete with all a... [Edit](#)



Kitchen storage area next to r... [Edit](#)



Dishwasher, oven, refrigerator ... [Edit](#)



Spacious master bedroom. [Edit](#)



Queen sized bed in master be... [Edit](#)



Twin bed in second bedroom. [Edit](#)



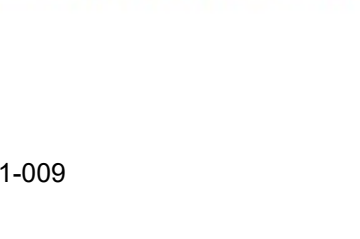
Second bedroom, the wall op... [Edit](#)



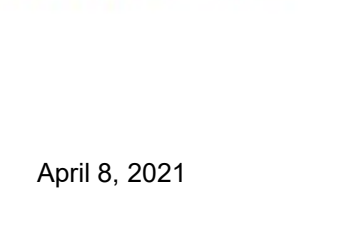
Full bath. [Edit](#)



Day bed with a trundle bed un... [Edit](#)



Tiled shower enclosure. [Edit](#)



Patio area with kitchen door (l... [Edit](#)



The Showroom Floor LLC
5400 Johnson Drive #166
Mission, KS 66205
913-660-4815

Edit listing 'The Rosedale Roadhouse - Spacious 2Bd 1Ba Bungalow' - Airbnb

2/19/21, 5:04 PM



Add caption



Add caption



Add caption



Add caption



Add caption



Add caption



Add caption



Add caption



Add caption



The Showroom Floor LLC
5400 Johnson Drive #166
Mission, KS 66205
913-660-4815

Edit listing 'The Rosedale Roadhouse - Spacious 2Bd 1Ba Bungalow' - Airbnb

2/19/21, 5:04 PM



Add more



Add caption



Front



Back side



East side



West side

Neighborhood Meeting Minutes:

The Showroom Floor LLC
5400 Johnson Drive #166
Mission, KS 66205
913-660-4815

NEIGHBORHOOD MEETING MINUTES

The Rosedale Roadhouse, a short-term rental via ABnB
<https://airbnb.com/h/rosedale-roadhouse>

Application Number: SP2021-009
Date and Location: February 18, 2021 via Zoom

Notice of the Neighborhood Meeting was mailed via USPS on February 8, 2021. The notice included applicant/manager contact information via USPS, phone, and email along with the link to join via Zoom.

The meeting was called to order on February 18, 2021 at 530pm. A 75 second Zoom recording was made of the meeting opening and is available upon request.

Applicant (James P. Donovan) and owner (wife Peggy S. Donovan) were both available on Zoom via the same device and were prepared to record the Neighborhood Meeting with permission from the participants.

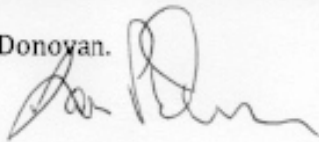
Other than the applicant and the owner, no one joined the meeting via Zoom.

Applicant and owner received no questions or comments via USPS, phone, or email.

Applicant and owner adjourned the meeting at 6pm. A 20 second Zoom recording was made of the meeting adjournment and is available upon request.

Minutes taken by James P. Donovan.

Signed Affidavit Attached

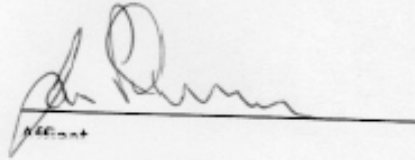


AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF Kansas)
COUNTY OF Johnson) SS:

Comes now James P. Donohue of lawful age, sound mind and open his/her oath states as follows:

2. That I conducted a neighborhood meeting on February 18 2021
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Urban Planning and Land Use Department.



SUBSCRIBED IN MY PRESENCE AND SWORN to before me this _____ day of _____, 20__.

Notary Public

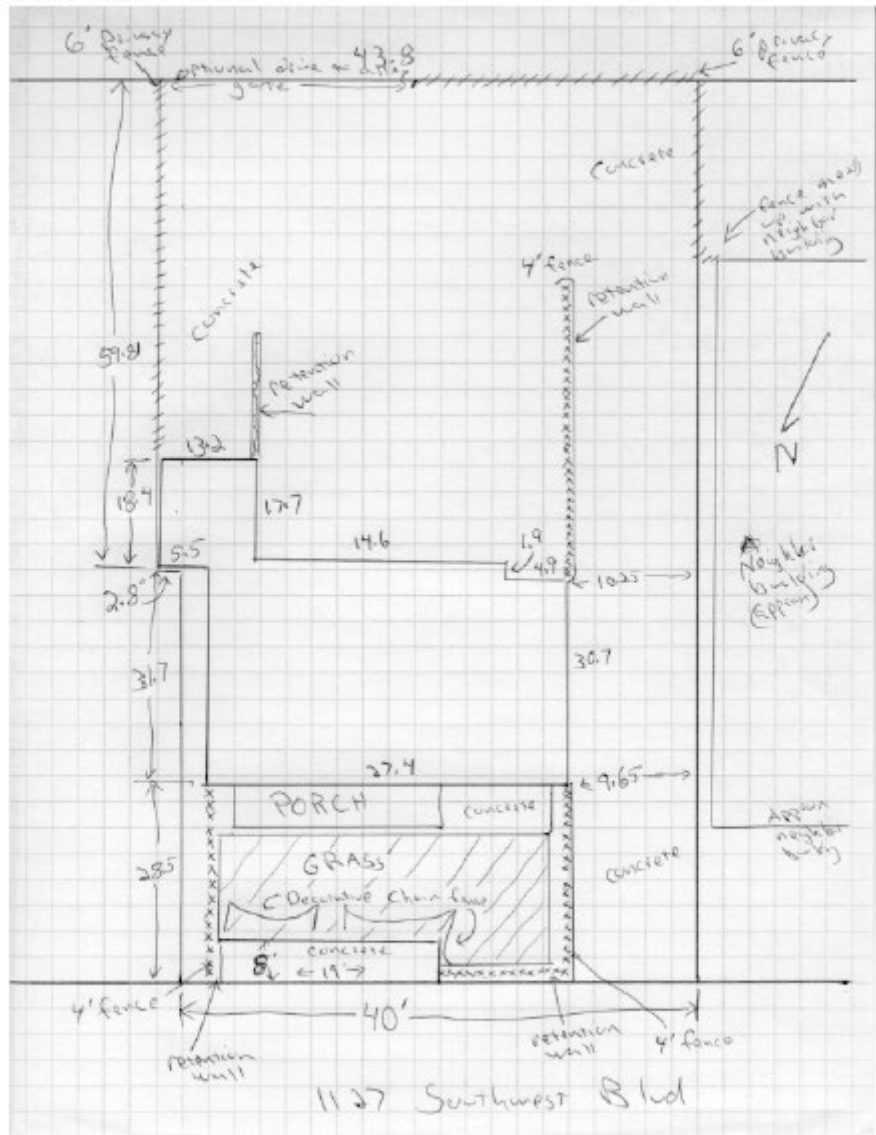
Site Photographs Provided by Staff, Dated February 22, 2021:





Site Plan:

Scaled Site Plan:



NOTE: Parking is directed to the rear yard via the Southwest Blvd driveway or the rear alley optional vehicle access gate.



Planning and Urban Design

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

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

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: April 8, 2021

Re: SP2021-010

GENERAL INFORMATION

Applicant:
Kelly Fountain

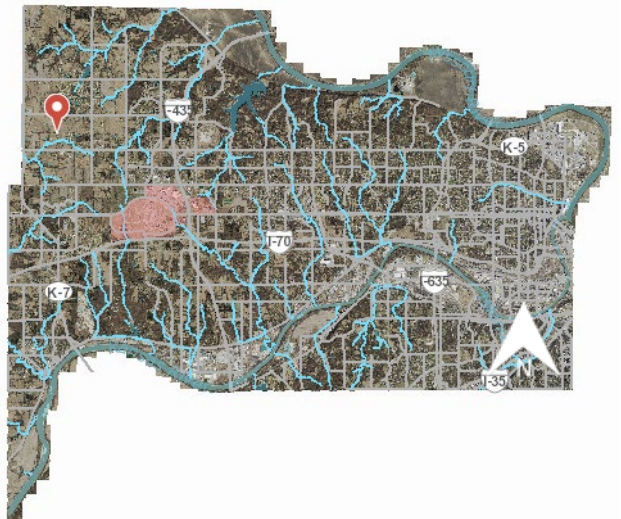
Status of Applicant:
Property Owner
3440 North 131st Street
Kansas City, Kansas 66109

Requested Action:
Renewal of Special Use Permit
SP-2016-17, expired on
2/25/2021.

Date of Application:
January 22, 2021

Purpose:
To operate a kennel for ten (10) dogs.

Property Location:
3440 North 131st Street
Kansas City, Kansas 66109



Commission Districts:	Commissioner At Large: Melissa Bynum District #5 Commissioner: Mike Kane
Existing Zoning:	R Rural Residential District (WyCo)
Adjacent Zoning:	North: AG Agriculture District South: R Rural Residential District (WyCo) East: R-1 Single Family District West: AG Agriculture District (WyCo)
Adjacent Uses:	North: Large Lot Single Family Home South: Large Lot Single Family Home East: Large Lot Single Family Home West: Large Lot Agricultural Acreage
Total Tract Size:	7.92 Acres
Master Plan Area:	The Prairie Delaware Piper Master Plan
Master Plan Designation:	The Prairie Delaware Piper Master Plan designates this property as Planned Suburban Residential. This allows for detached single family homes on large lots.
Major Street Plan:	The Major Street Plan designates 131 st Street as a Class B Thoroughfare.
Parking Requirement:	At least two (2) parking spaces per dwelling unit plus two (2) spaces for any accessory house occupation or principal agriculture use. Four (4) spaces are required.
Advertisement:	<u>The Wyandotte Echo</u> – February 11, 2021 Letters to Property Owner – February 12, 2021, February 26, 2021 and March 30, 2021
Public Hearings:	March 15, 2021 and April 8, 2021
Public Support:	None to date.
Public Opposition:	None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Kelly Fountain, is requesting the renewal of a Special Use Permit to operate a residential boarding kennel at their residence, 3440 North 131st Street for up to ten (10) dogs. The boarding facility was originally permitted in 2014 under Special Use Permit SP-2013-62 and renewed with SP-2016-17 for five (5) years. The applicant is requesting that the Special Use Permit be valid for ten (10) years.

Code Enforcement History: There have been no Notices of Violation issued on this property.

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The character of the neighborhood is residential and rural in nature, with single family homes on large lots.

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

The zoning and their uses are set out above. The proposed use should not pose any compatibility issues if the animals are properly managed and cared for and the property is properly maintained.

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

The property is suitable for the proposed use because it is a single-family home on a large parcel of land. Given the location of the property and its proximity to adjacent residences, the removal of the restrictions will not detrimentally affect nearby property.

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

The property is not vacant. It is a single-family home currently being used as the property-owner's primary residence and a kennel since 2014.

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

Special Use Permits are not addressed in the Master Plan. The Prairie Delaware Piper Master Plan designates this property as Planned Suburban Residential. This allows for detached single family homes on large lots. The proposed use conforms to the Master Plan because it will continue to be used as a single-family home.

6. Whether the proposed use will result in increasing the amount of vehicular traffic to the point where it exceeds the capacity of the street network to accommodate it.

The proposed use will increase the amount of vehicular traffic when dogs are picked up and dropped off but will not increase beyond the capacity of the Class B Thoroughfare to accommodate it.

7. *Whether the proposed use is reasonably necessary for the convenience and welfare of the public and will not substantially or permanently injure the appropriate use, visual quality, or marketability of adjoining property.*

The proposed use offers the convenience of a dog-sitting service to the public. The proposed use will not substantially or permanently injure the appropriate use, visual quality, or marketability of adjoining property as this business has been operating since 2014 with no issues.

8. *Whether the noise, vibration, dust, or illumination that would normally be associated with such use is of such duration and intensity as to create problems for near-by property.*

The proposed use may create issues of noise from the dogs if not managed properly. The proposed use will not create issues of vibration, dust, or illumination. The business will be open between the hours of 8:00 am and 1:00 pm and 3:00 pm and 6:00 pm Monday through Friday, between 8:00 am and noon on Saturday, and between 3:00 pm and 6:00 pm on Sunday.

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

The proposed use may create issues of air, land, or water pollution if animal waste is not managed properly. There is a pond on the far west edge of the property that must be carefully preserved.

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

This is not an issue because it is an existing single-family home and accessory structure in a mostly built-out neighborhood.

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

The relative gain to the public health, safety, and welfare is minimal. If denied, the applicant would not be able to operate the doggie daycare but would still be able to use the property as their primary residence, rent the property, or sell it.

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

The proposed use will increase the number of people and dogs in the area but will not result in overcrowding of land or undue concentrations of population, as the lot is large and the maximum number of dogs is ten (10).

PREVIOUS ACTIONS

SP-2013-92

SP-2016-17

NEIGHBORHOOD MEETING

The applicant held an in-person neighborhood meeting on February 20th at 3440 North 131st Street Kansas City, Kansas 66109. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

Screening

Noise

Waste Management

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 8 to 0 to recommend **APPROVAL** of Special Use Permit Application SP2021-010, subject to:

- 1) **Subject to approval, the maximum number of dogs is ten (10);**
- 2) **Signage is not allowed on the property;**
- 3) **Applicant must keep a current annual Business License/Occupation Tax Receipt;**
- 4) **A maximum of three (3) off-street parking spaces will be provided.**
- 5) **Hours of operation shall be 8:00 a.m. to 6:00 p.m.**
- 6) **According to Section 27-675, for existing single-family dwellings, a driveway ten feet in width or less extending directly from the street or alley to the garage, or from the street or alley to the house if there is no garage, or to the rear yard, can be paved in its entirety, or as continuous concrete wheel paths, or improved in its entirety with a minimum four (4) inch depth of gravel or its equivalent. Any other parking, loading, or maneuvering areas must be paved with a minimum of two (2) inches of asphalt over six inches of compacted gravel or its equivalent, as subject to the provisions of subsection (a) of this section. If the parking, loading or maneuvering area is in the rear yard it may be improved with a minimum four inch depth of gravel so long as it includes less than 40 percent of the rear yard and less than 1,000 square feet in area;**
- 7) **The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions and other requirements of this approval. Failure to meet all these requirements may result in**

revocation of this permit. The property may also be subject to enforcement actions and administrative citations;

- 8) Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
- 9) The Special Use Permit shall be valid for ten (10) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit in order to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved.

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

Staff recommends that the City Planning Commission make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommend **APPROVAL** of Petition **SP2021-010** subject to all comments and suggestions outlined in this staff report and the conditions of the City Planning Commission.

ATTACHMENTS

March 15, 2021 City Planning Commission Minutes
Zoning Map
Land Use Map
Aerial Map
Floor Plan
Letters from Applicant
Neighborhood Meeting Documentation
Photographs Provided by the Applicant
Photographs Provided by the Staff, Dated February 22, 2021

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	March 15, 2021	April 8, 2021
Special Use	Approval	

STAFF CONTACT: **Shana Kelly**
 skelly@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **SP2021-010** as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements :

1. _____;
2. _____; And
3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** of Petition **SP2021-010** as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

March 15, 2021 City Planning Commission Minutes:

Recording Secretary Parker stated that the Commission will consider the one (1) item removed from the Consent Agenda.

SPECIAL USE PERMIT APPLICATION SP2021-010 – KELLY D. FOUNTAIN –

SYNOPSIS: Renewal of a Special Use Permit (SP-2016-17 – expired 2/25/2021) for a kennel at 3440 North 131st Street.

Detailed Outline of Requested Action: The applicant, Kelly Fountain, is requesting the renewal of a Special Use Permit to operate a residential boarding kennel at their residence, 3440 North 131st Street for up to ten (10) dogs. The boarding facility was originally permitted in 2014 under Special Use Permit SP-2013-62 and renewed with SP-2016-17 for five (5) years. The applicant is requesting that the Special Use Permit be valid for ten (10) years. **Code Enforcement History:** There have been no Notices of Violation issued on this property.

Present in Support:

- Kelly Fountain, applicant, 3440 North 131st Street, Kansas City, Kansas 66209

Present in Opposition:

- No one appeared.

Staff Recommendation: Planning Director Hand stated that the staff requested that this item be removed from the Consent Agenda in order to add new standard conditions to Home Occupation Special Use Permits. Staff is recommending approval of this application for ten (10) years with two (2) additional conditions; the hours of operation are 8:00 a.m. to 6:00 p.m. and the applicant provide a maximum of three (3) off-street parking spaces. There have been no Notices of Violation and staff has received one (1) letter of support and no letters in opposition were submitted.

Chairman Carson asked if there is a requirement that dogs taken to a kennel be current on all vaccinations. Ms. Fountain stated that the Department of Agriculture requires Rabies, Parvo, Bordetella and Distemper. In addition, she requires Canine Influenza and Leptospirosis and the client must bring the information from the veterinarian or they will call the vet to make sure that all required vaccinations are current. Director Hand confirmed that the Animal Code requires that all animals must be vaccinated.

On motion by Mr. Miller, seconded by Mr. Armstrong, the Planning Commission voted as follows to **recommend APPROVAL** of Special Use Permit Application **SP2021-010:**

Carson	Chairman
Armstrong	Aye
Cho	Not Present
Connelly	Not Present
Ernst	Aye
Huey	Aye
Jones	Aye
Miller	Aye
Mohler	Aye
Pauley	Aye
Reasons	Aye

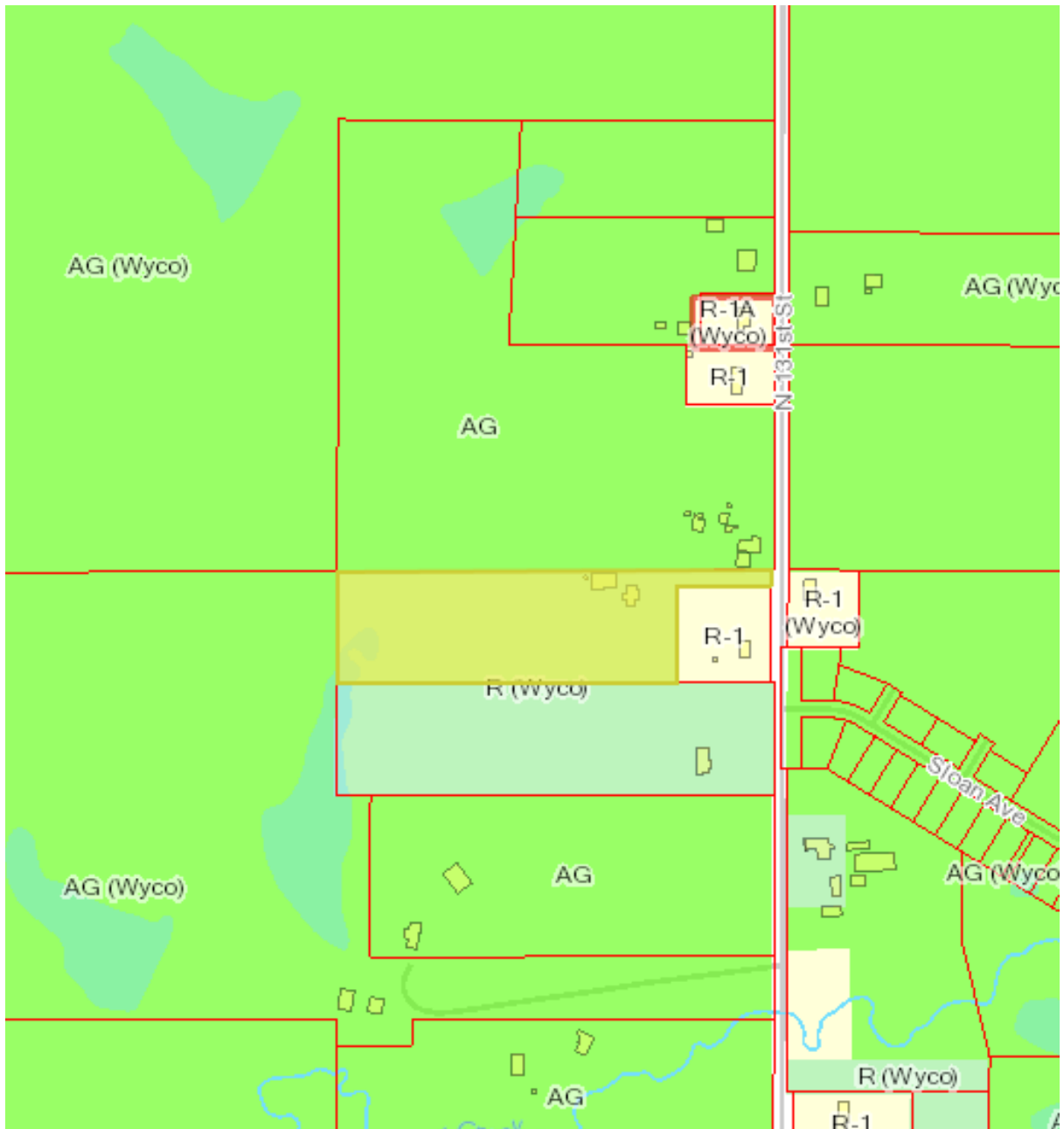
Motion to recommend APPROVAL Passed: 8 to 0

Subject to:

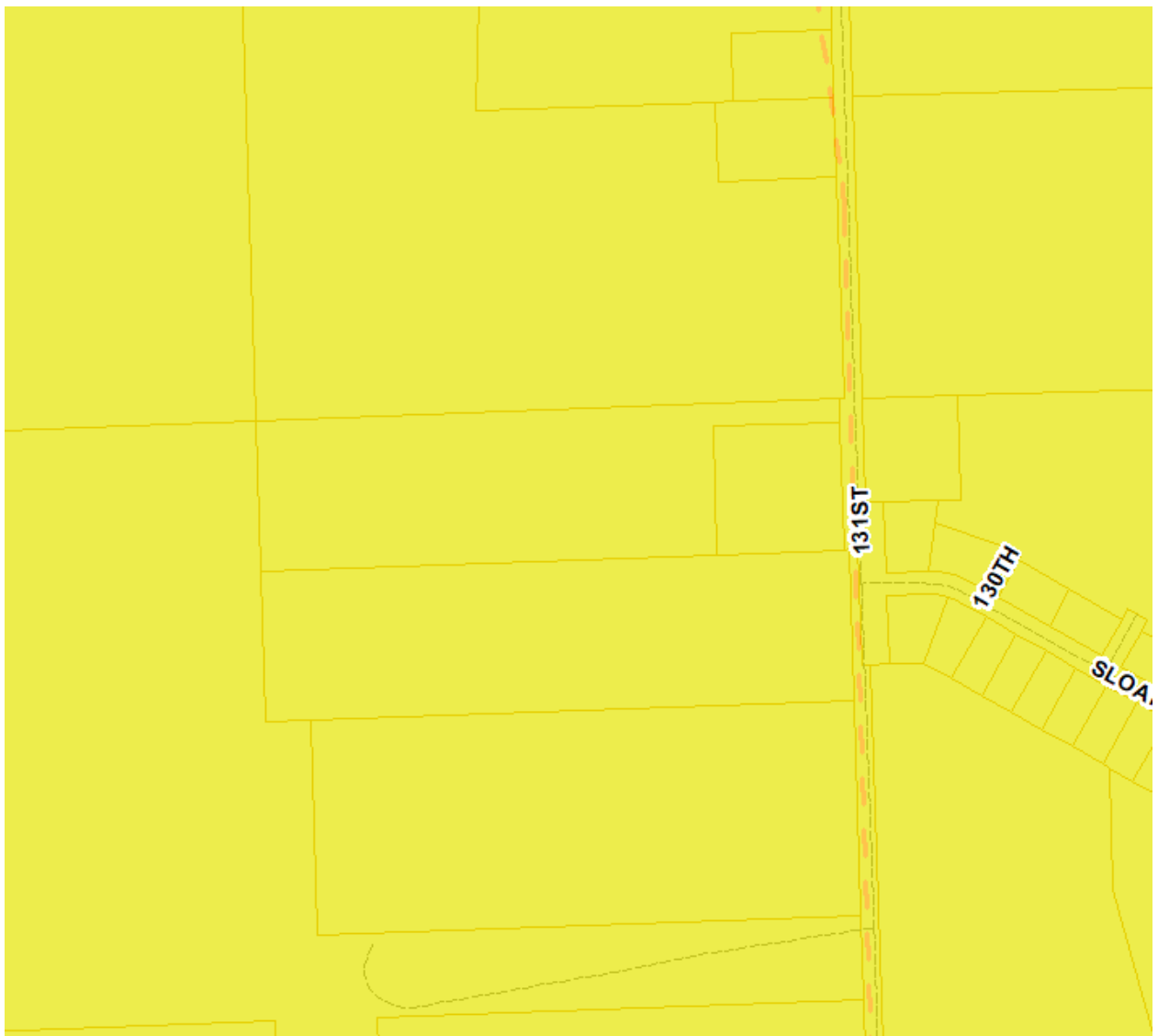
- 1) Subject to approval, the maximum number of dogs is ten (10);**
- 2) Signage is not allowed on the property;**
- 3) Applicant must keep a current annual Business License/Occupation Tax Receipt;**
- 4) A maximum of three (3) off-street parking spaces will be provided.**
- 5) Hours of operation shall be 8:00 a.m. to 6:00 p.m.**
- 6) According to Section 27-675, for existing single-family dwellings, a driveway ten feet in width or less extending directly from the street or alley to the garage, or from the street or alley to the house if there is no garage, or to the rear yard, can be paved in its entirety, or as continuous concrete**

- wheel paths, or improved in its entirety with a minimum four (4) inch depth of gravel or its equivalent. Any other parking, loading, or maneuvering areas must be paved with a minimum of two (2) inches of asphalt over six inches of compacted gravel or its equivalent, as subject to the provisions of subsection (a) of this section. If the parking, loading or maneuvering area is in the rear yard it may be improved with a minimum four inch depth of gravel so long as it includes less than 40 percent of the rear yard and less than 1,000 square feet in area;
- 7) The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
 - 8) Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
 - 9) The Special Use Permit shall be valid for ten (10) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit in order to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved.

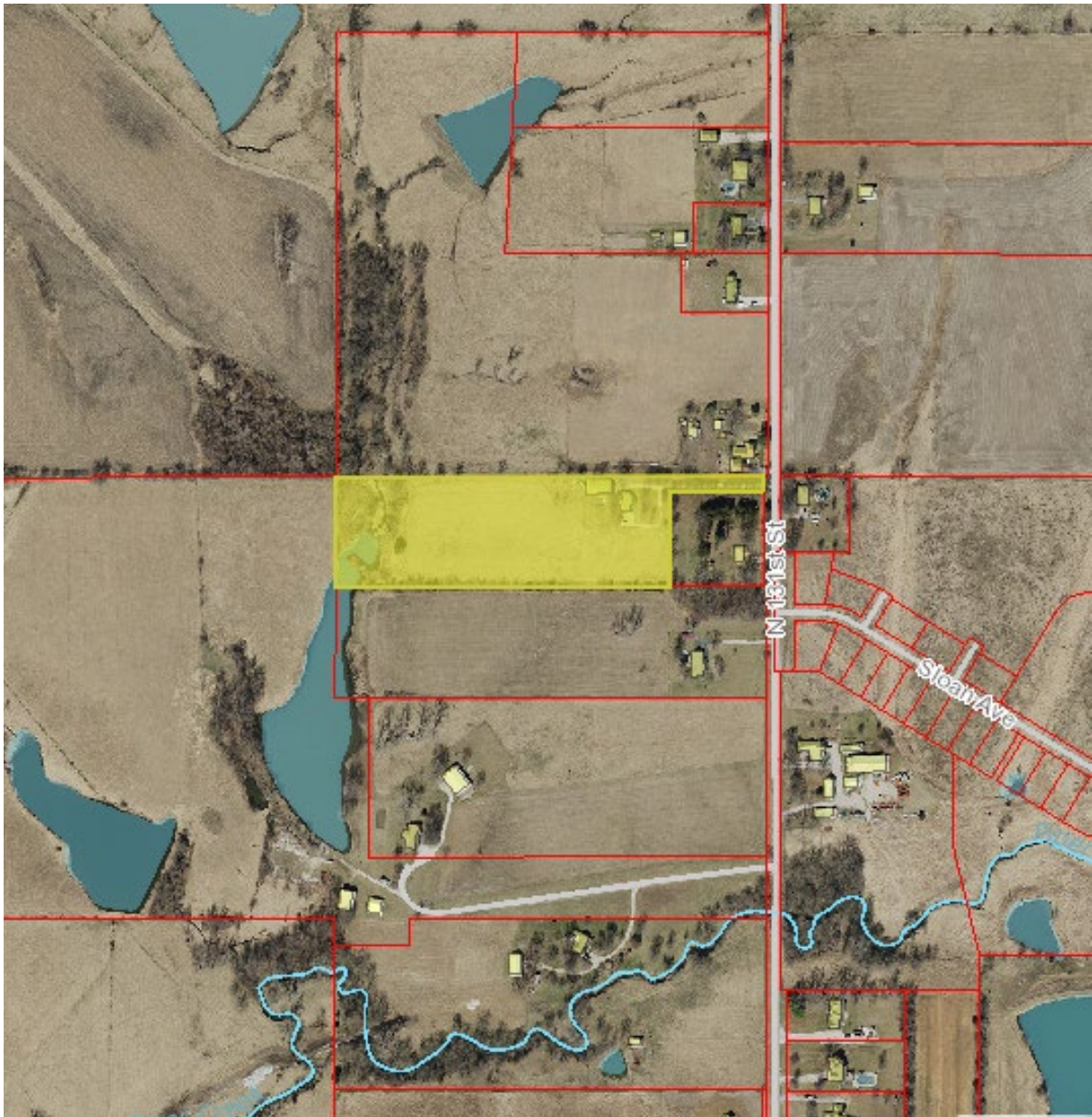
Zoning Map:



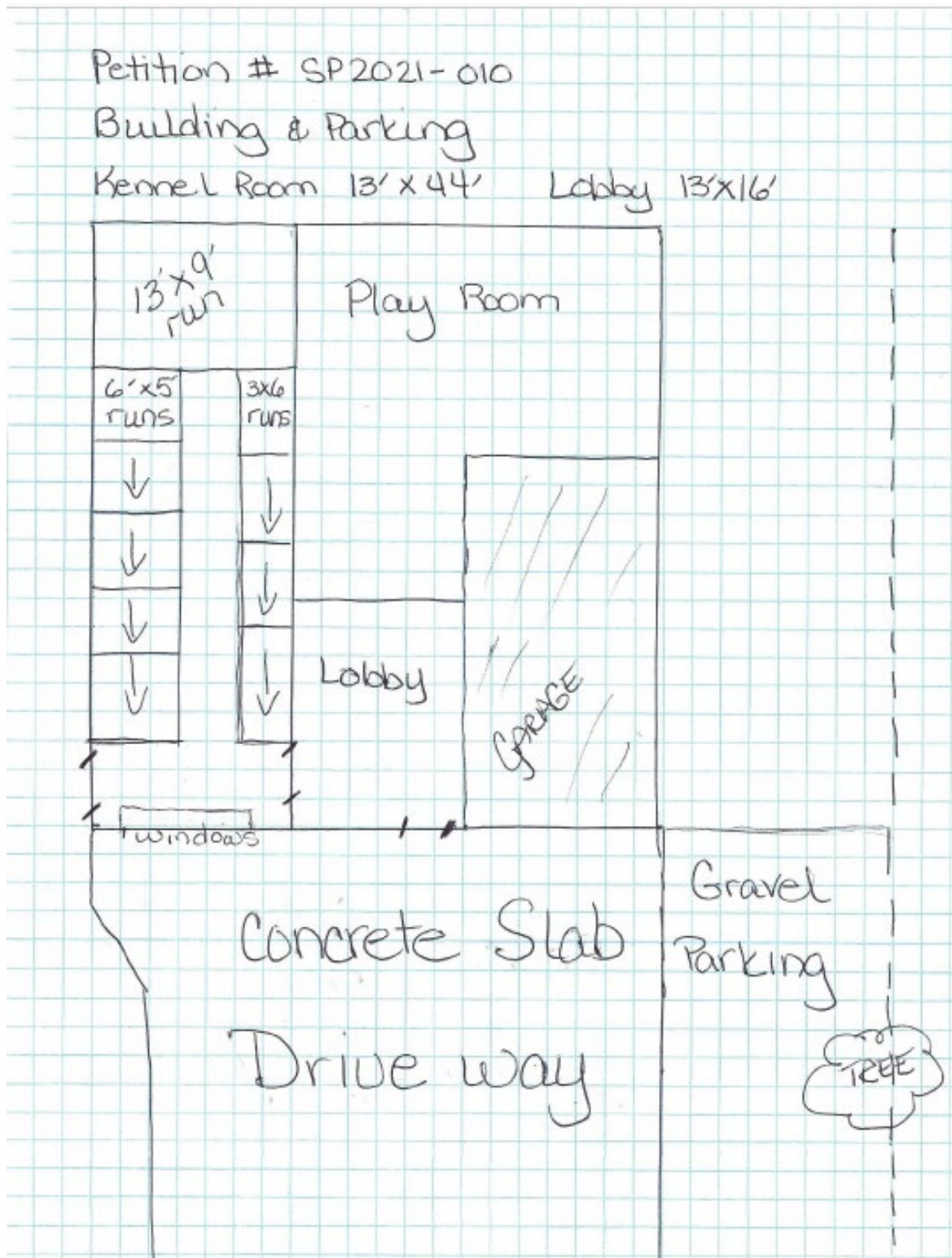
Land Use Map:



Aerial Map:



Floor Plan:



Letters from Applicant:

Kelly Fountain
A Great Place to Stay
3440 N 131st St
Kansas City, Ks 66109

I am asking that my special use permit be extended for another ten years at the address shown above. I believe that my property continues to be an ideal location and setting for this enterprise. I believe this because it is a semi-rural setting that is located near freeways, commercial, and residential areas. As Wyandotte County expands to the west, I feel that the need/demand for a safe place to board dogs will continue to increase.

I have over thirty years' experience working with dogs in a grooming/boarding setting. The past seven years have been under the existing special use permit here in Wyandotte County. This experience allows me to handle dogs in a safe and loving manner. I am able to read the body language of dogs in order to insure the proper handling of these pets.

I would like to continue using the building behind my home to hold the boarding facility that can accommodate up to twenty dogs. This facility is climate controlled with ten indoor/outdoor runs and four indoor only runs. The kennel area is surrounded by an 8-foot-high fence, and each outdoor run is covered with predator panels to ensure the safety of each guest. The runs are designed to prevent cross contamination from bodily fluids, and for ease of cleaning and sanitation. The kennel lights are on from 7:30 am until 7:30 pm at a minimum when dogs are present and have very subtle lighting during nighttime hours.

I do not expect to run at full capacity all of the time. I have averaged between 30-70% during the past seven years occasionally reaching full capacity during peak travel times.

The indoor/outdoor runs allow easy access to an outdoor environment during business hours (weather permitting). There are additional outdoor runs for the small dogs that are kept in the indoor only runs. The small dogs are offered outdoor time every three hours during hours of operation.

Prior to boarding dogs are required to come for a visit at which time we do a temperament assessment. Dogs showing overt aggression will not be boarded.

Each dog is assigned a kennel upon arrival. Their food, treats, medications, or other personal items will be stowed in a tote. Feeding and care instructions and a medical release form will be kept on the kennel during the stay to insure there is no confusion in care.

Proof of current vaccinations is required prior to the pets stay. Pets are assessed for overall condition, and pet parents are required to sign a boarding agreement. Pets may be picked up or dropped off between 8am and 1pm, or between 3pm and 6pm Monday through Friday, between 8am and noon on Saturday, and between 3pm and 6pm on Sunday.

Daily Schedule:

- 7:00-8:00 am: Dogs are outside while the kennels are cleaned and sanitized. They will be given food and fresh water at this time.
- 12:00 pm: dogs are inside while outside runs are cleaned and sanitized.
- 6:00 pm: Dogs are given food and fresh water.
- 7:00 pm: Dogs are given final opportunity to go outdoors before bedtime.

Dogs are checked on at least once an hour between 7:00 am and 7:00 pm.

If a dog is injured or becomes ill the veterinarian currently treating the pet will be contacted. If this veterinarian is not available, the pet will be taken to the VCA emergency vet on Johnson Dr.

This plan provides a safe and loving environment for the dogs in my care. The location of the kennel allows for an insignificant impact to my neighbors. I am more than happy to address any questions you may have.

Sincerely,

Kelly Fountain

Kelly Fountain
3440 N 131st St
Kansas City, Ks. 66109

Planning and Urban Design Staff Wyandotte County

701 N. 7th St

Kansas City, Ks 66101

RE: PetitionSP2021-010

January 21, 2021

To Whom it may concern;

I am writing in answer to the **FACTORS TO BE CONSIDERED** in regards to my petition for a special use permit. I will specifically address the concerns that have been stated that have not been addressed without question in the letter I received.

In question #8 there was a concern about noise issues if the dogs are not managed properly. The dogs do bark on occasion, and there have been dogs that I consider nuisance barkers. When this happens the offending dogs are not given as much outside time as outside time leads to additional barking. Further, the hours that we maintain limit the coming and going factor that leads to barking therefore minimizing the impact.

In question #9 there was a question of how animal waste is disposed of. The waste has always been picked up and bagged so that it can go out in the weekly trash.

I did hold a neighborhood meeting on Saturday February 20, 2021. There were no neighbors in attendance. I had asked concerned parties to contact me by phone or email with any questions they may have. I was only contacted by the neighbor to my immediate north. He called to let me know that they would not be attending, but that as far as they were concerned there were no issues.

I am sending pictures of the kennel interior/exterior, and parking area. I am sending an updated floor plan as an additional run that is 13 x 9 has been added. The customers park in a gravel area on the side of the driveway, or on the driveway itself.

During the time that the kennels have been in operation there have been no complaints. I touch base with my neighbors periodically to insure that there are no issues that I need to address. To date there have not been.

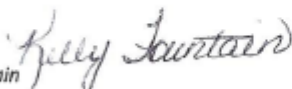
My daughter and I are the only staff members. The kennel is a very small business. During peak times (holidays) we are usually full, but under normal circumstances we average between two and four dogs.

We do maintain a current Occupational Tax Receipt. This year due to COVID-19 my new tax receipt has not been issued. I mailed my application in January and when I called to confirm the status I was informed that as of February 19th they had only been able to process items received through January 6th. I was informed that I should have the current receipt within a month.

I thank all of you for your questions and concerns and hope that I have been able to answer them to your satisfaction. If there is any other information that I can provide, don't hesitate to ask.

Sincerely,

Kelly Fountain



Neighborhood Meeting Documentation:

February 20, 2021

Location of meeting: 3440 N 131st St KCK 66109

Minutes to meeting Re: Petition SP2021-010

On February 20 a meeting was to be held in regards to the above stated petition.

Not one person attended this meeting in person.

Not one person e-mailed in regards to this petition.

One person (Terry Theiss) called to inform me that he and Marilyn Theiss would not be attending the meeting, but that they were satisfied with the way things are.

Because no one attended the meeting was never called to order, nor adjourned.

Kelly Fountain

A handwritten signature in cursive script that reads "Kelly Fountain". The signature is written in dark ink and is positioned below the printed name "Kelly Fountain".

Photographs Provided by the Applicant:







Photographs Provided by the Staff, Dated February 22, 2021:





Planning and Urban Design

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

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

To: Unified Government Board of Commissioners
From: Planning and Urban Design Staff
Date: April 8, 2021
Re: COZ2021-003

GENERAL INFORMATION

Applicant:
Carol Blackwell

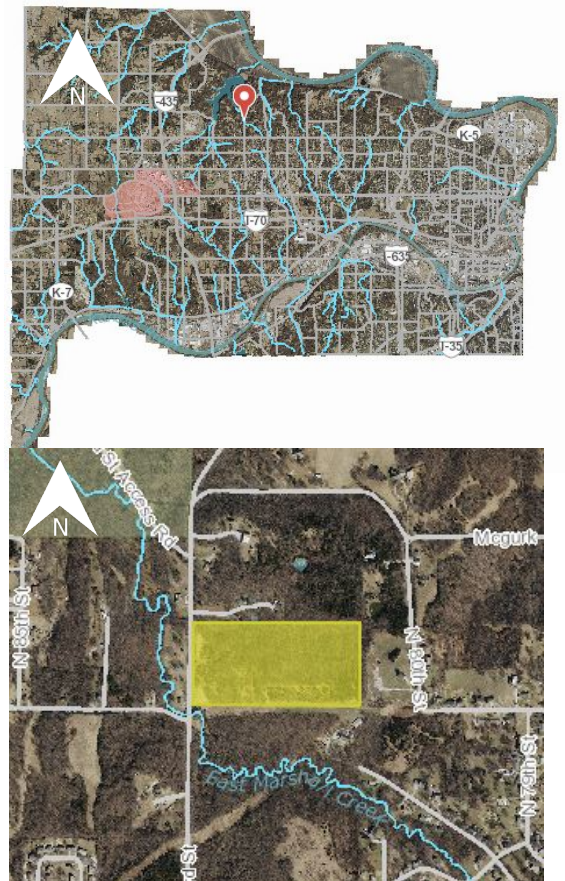
Status of Applicant:
Property Owner
3505 North 83rd Street
Kansas City, Kansas 66109

Requested Action:
Approval of a Change of Zone

Date of Application:
January 22, 2021

Purpose:
Change of Zone from
R-1 Single Family District to
AG Agriculture District.

Property Location:
3505 North 83rd Street
Kansas City, Kansas 66109



Commission Districts:	Commissioner At Large: Melissa Bynum District #8 Commissioner: Dr. Jane Winkler Philbrook
Existing Zoning:	R-1 Single Family District
Adjacent Zoning:	North: R-1 Single Family District South: R-1 Single Family and AG Agriculture District East: R-1 Single Family District West: R-1 Single Family and AG Agriculture District
Adjacent Uses:	North: Single Family Home South: Undeveloped Land East: Single Family Home West: Single Family Home and Undeveloped Land
Total Tract Size:	18.91 Acres
Master Plan Area:	This property is outside the boundaries of an Area Plan.
Master Plan Designation:	The City-Wide Master Plan designates this area as Low-Density Residential. This allows for single family detached homes.
Major Street Plan:	The Major Street Plan classifies 3505 North 83 rd Street as Local Street.
Parking Requirements:	Section 27-454 states that in districts that are zoned R-1 Single Family District, two (2) off-street parking spaces shall be provided on the premises for each single-family dwelling, at least one of which shall be in a garage or carport. Section 27-452 states that in districts that are zoned AG Agriculture District, two (2) off-street parking spaces shall be provided on the premises for each single-family dwelling.
Advertisement:	<u>The Wyandotte Echo</u> – February 11, 2021 Letters to Property Owner – February 12, 2021 and March 30, 2021
Public Hearings:	March 15, 2021 and April 8, 2021
Public Support:	None to date.

Public Opposition:

Staff has been contacted by neighbors in opposition and there was opposition at the March 15, 2021 City Planning Commission meeting. A protest petition has been submitted and the percentage in opposition will be available at the April 8, 2021 meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Carol Blackwell, is seeking a Change of Zone from R-1 Single Family District to AG Agriculture District for the purpose of constructing a home and a 3,600 square foot accessory structure on the property. The applicant states that the property will not be used for commercial purposes.

City Ordinance Requirements: 27-592 through 27-606

Code Enforcement History: There have been no Notices of Violation issued on this property.

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The neighborhood is rural and residential in nature, with large parcels of undeveloped land.

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

The zoning and uses of properties nearby are set out above. The proposed use is expected to be compatible with them because the lots in the area are large and there are several other parcels of land zoned AG Agriculture District in the area.

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

The property is suitable for rezoning to AG because the parcels in the area are large and heavily wooded. There are several other agriculturally zoned properties nearby.

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

There is no record of a building being constructed on the property.

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

The proposed use is reasonably necessary for the convenience and welfare of the public as the applicant intends to construct a home and an accessory structure on the property.

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

The proposed use may increase traffic or parking demand while construction is being done at the property. This is expected to be temporary. The property is intended for a single-family home and an accessory structure to store personal equipment. The proposed use will increase traffic as it changes from green space to a single family home but is not expected to increase traffic or parking demand in ways that would adversely affect road capacity, safety, or parking problems that will exceed the capacity of the Local Street to accommodate it.

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

The proposed use conforms to the Master Plan as it is for a single-family home.

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

The proposed use could cause environmental harm if it creates issues of structure or agricultural runoff. The proposed use is expected to enhance the environment because the applicant intends to plant wildflowers, clover, and have beehives.

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

a. *Water service*

Municipal water service is unavailable.

b. *Sanitary sewer service*

Sanitary sewer service is unavailable.

c. *Storm water control*

Municipal storm water control is available.

d. *Police*

Police service is provided by District #222 West Patrol.

e. Fire

Fire service is provided by Station #4.

f. Transit

KCATA provides transportation near this location. The nearest stop is at the intersection of Leavenworth Rd. and North 83rd Street, approximately one half (0.5) mile away.

g. Schools

Public Education is provided by Kansas City USD 500.

h. Streets

See item #6 above.

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

The expected economic impact of the proposed use on the community is expected to be minimal as it is only for a single-family home and an accessory structure.

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

The proposed use is capable of meeting all applicable ordinance requirements.

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

The relative gain to the public health, safety, and welfare is expected to be minimal as it is for a single-family home and an accessory structure. If denied, the applicant could still build a single-family home and an accessory structure, but the accessory structure could not exceed the minimum square feet for an accessory structure in R-1 Single Family District, which is 1,000 square feet.

PREVIOUS ACTIONS

BOZA 2403 - DENIED

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting via Zoom on February 18, 2021. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

Erosion Control
Previous Denial

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 7 to 1 to recommend **APPROVAL** of COZ2021-003, subject to:

1. **A building permit is required for new construction for both the single-family home and the accessory structure. Please contact the Building Inspection Department to begin that process;**
2. **In order to reside on the property during construction, the applicant must either:**
 - a. **Place a mobile home on the property that meets all of the requirements outlined in Section 27-462, which state:**
 - i. **The home must be new when placed on the site;**
 - ii. **The home must be placed on a permanent foundation that complies with the unified government's building code for residential structures. The foundation must include a solid perimeter wall;**
 - iii. **The home must be oriented on the lot so that its long axis is parallel to the street. A perpendicular or diagonal placement is permitted only if the narrow dimension of the home nearest the street is no less than two-thirds (2/3) of the lot width at the building line. Garages or other completely enclosed additions may be included to meet this requirement;**
 - iv. **The home must be at least 22 feet wide over a major part of the mobile home;**
 - v. **The home must have a roof sloped at least four (4) feet to 12 over no less than 40 percent of the total roofed area. Roof slope indicates the actual incline of a roof as a ratio of vertical rise to horizontal run, determination must be based on actual measurements and not on nominal designation or rules of thumb. It must consist of shingles or other material used for conventionally built dwellings in the area;**
 - vi. **The roof overhand must not be less than one (1) foot measured from the vertical side of the mobile home;**
 - vii. **The home and any attached building additions must be covered with an exterior material customarily used on conventional dwellings in the area. The exterior covering material must extend to the top of the foundation and no less than two (2) feet from the ground. Exterior material**

- customarily used on conventional dwellings does not include smooth, ribbed, or corrugated metal or plastic panels;
- viii. The home must meet all requirements required of other single-family residences in the area where it is to be located; and,
 - ix. The mobile structure must be removed once a Final Certificate of Occupancy is issued for the residence and accessory structure are completed; or,
- b. Build a residence within the accessory structure that complies with the minimum square footage requirements per the zoning district, which is 864 square feet. A building permit is required. Please contact the Building Inspection Department to begin that process;
- 3. No commercial storage or activity that does not comply with the A-G Agriculture District is permitted on the property without a special use permit; and,
 - 4. Land disturbance permits is obtained from the Public Works Department.
 - 5. Driveway permit is obtained from the Public Works Department.
 - 6. Provide an erosion control plan to mitigate the flow that is coming from her driveway onto the right-of-way.
 - 7. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition **COZ2021-003** subject to all comments and suggestions outlined in this staff report and the conditions of the City Planning Commission.

ATTACHMENTS

March 15, 2021 City Planning Commission Minutes
Zoning Map
Aerial Map
Land Use Map
Letter from Applicant
Site Photographs Provided by the Applicant
Site Photographs Provided by Staff, Dated February 22, 2021

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	March 8, 2021	April 8, 2021
Special Use	Approval	

STAFF CONTACT: Shana Kelly
 skelly@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **COZ2021-003** as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. _____;
2. _____; And
3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition **COZ2021-003** as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

March 15, 2021 City Planning Commission Minutes:

Hearing starts at 21:34:

CHANGE OF ZONE APPLICATION COZ2021-003 – CAROL BLACKWELL -

SYNOPSIS: Change of Zone from R-1 Single Family District to A-G Agriculture District for agricultural purposes at 3505 North 83rd Street.

Detailed Outline of Requested Action: The applicant, Carol Blackwell, is seeking a Change of Zone from R-1 Single Family District to AG Agriculture District for the purpose of constructing a home and a 3,600 square foot accessory structure on the property. The applicant states that the property will not be used for commercial purposes.

Code Enforcement History: There have been no Notices of Violation issued on this property.

The following items were included as part of the record for this case:

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated March 15, 2021;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo; and
7. The Notices to property owners.

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

Present in Support:

- Carol Blackwell, applicant, 8007 West 153rd Terrace, Overland Park, Kansas

Present in Opposition:

- Elaine Kross, 3530 North 80th Street, Kansas City, Kansas

Staff Recommendation starts at 29:58: Planning Director Hand stated that this property is currently zoned R-1 Single Family District. In January of 2021, a variance application was denied by the Board of Zoning Appeals for an accessory structure larger than allowed by code. The applicant has submitted a Change of Zone application from R-1 Single Family District to A-G Agriculture District and if approved, the restriction for the size of an accessory structure would be removed. The applicant's plan is for a large barn and single-family home. Director Hand Stated that the house and accessory structure must comply with other code requirements. The Change of Zone is before the Commission this evening and not the barn, even though they are related. The size requirement would be removed but the barn would still need to meet the height requirement which is the same requirement as in the R-1 District. At the Board of Zoning Appeals meeting there was some confusion with the plans that were submitted and called into question whether the structure would be used for a business. Staff has worked with the application on a condition of approval that does not allow commercial activity on this 19+ acre site. He further stated that any structure on land over three (3) acres does not have to have matching materials with the home on the property. There have been no Notices of Violation on the property but there have been citations recently, especially with the rain, for dirt and debris in the right-of-way. Staff recommends approval subject to the conditions in the staff report and three (3) addition conditions:

1. Land disturbance permit is obtained from the Public Works Department.
2. Driveway permit is obtained from the Public Works Department.
3. Provide an erosion control plan to mitigate the flow that is coming from her driveway onto the right-of-way.

Motion and Vote starts at 46:50:

On motion by Ms. Pauley, seconded by Mr. Miller, the Planning Commission voted as follows to recommend **APPROVAL** of **Change of Zone Application COZ2021-003**:

Carson	Chairman
Armstrong	Aye
Cho	Not Present
Connelly	Not Present
Ernst	Aye
Huey	Aye
Jones	Aye
Miller	Aye
Mohler	Aye
Pauley	Aye
Reasons	No

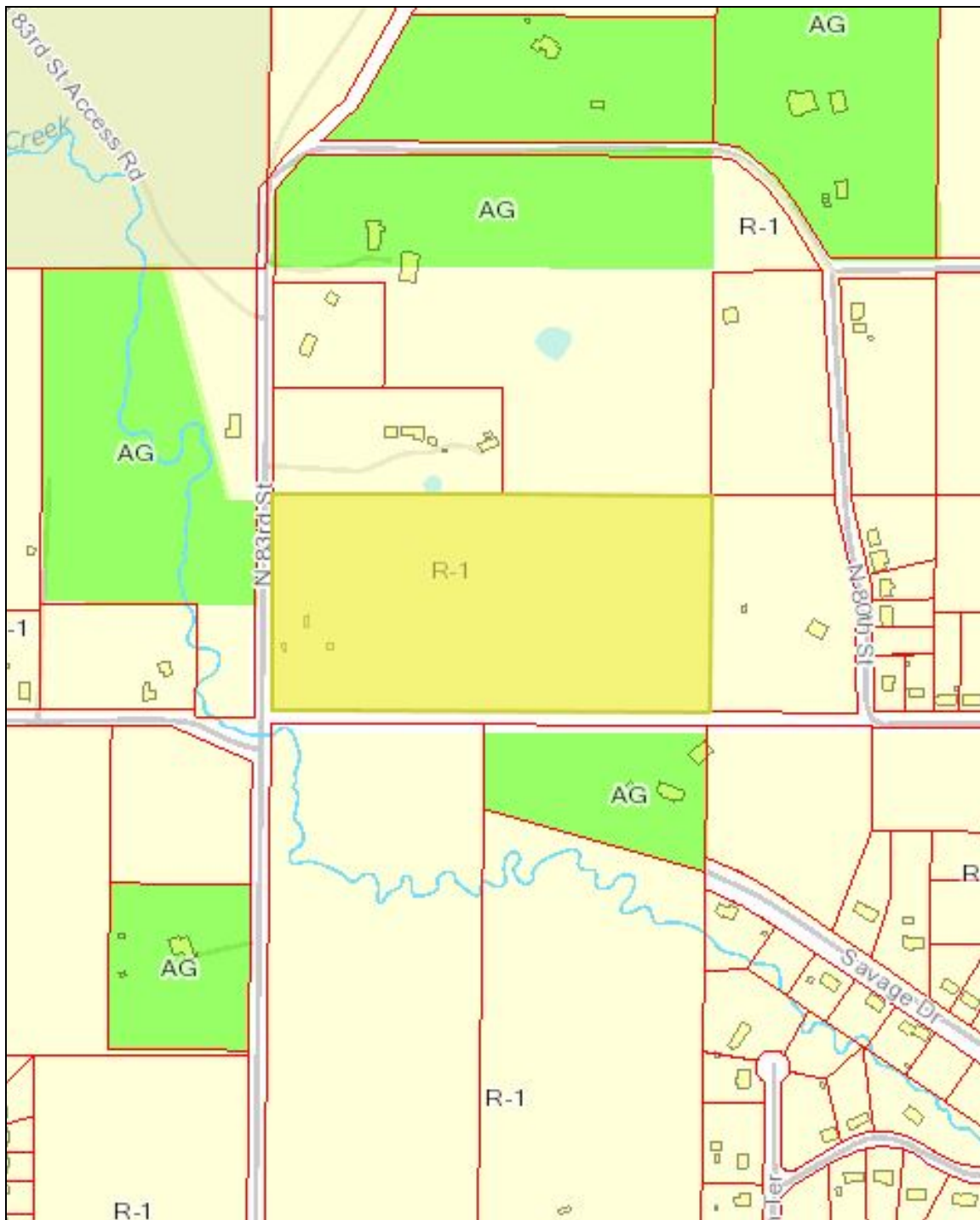
Motion to RECOMMEND APPROVAL Passed: 7 to 1

Subject to:

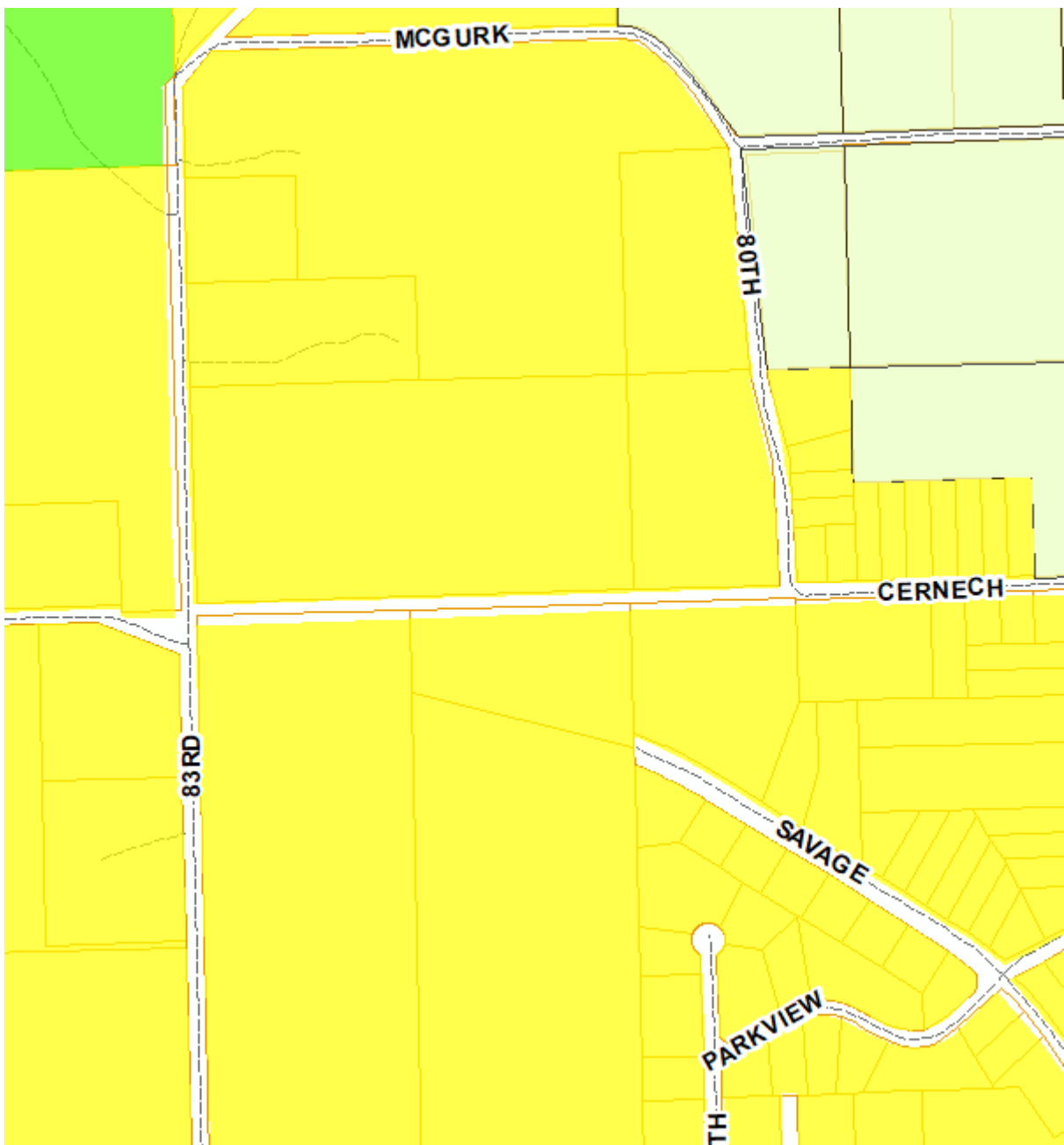
- 1. A building permit is required for new construction for both the single-family home and the accessory structure. Please contact the Building Inspection Department to begin that process;**
- 2. In order to reside on the property during construction, the applicant must either:**
 - a. Place a mobile home on the property that meets all of the requirements outlined in Section 27-462, which state:**
 - i. The home must be new when placed on the site;**
 - ii. The home must be placed on a permanent foundation that complies with the unified government's building code for residential structures. The foundation must include a solid perimeter wall;**
 - iii. The home must be oriented on the lot so that its long axis is parallel to the street. A perpendicular or diagonal placement is permitted only if the narrow dimension of the home nearest the street is no less than two-thirds (2/3) of the lot width at the building line. Garages or other completely enclosed additions may be included to meet this requirement;**
 - iv. The home must be at least 22 feet wide over a major part of the mobile home;**
 - v. The home must have a roof sloped at least four (4) feet to 12 over no less than 40 percent of the total roofed area. Roof slope indicates the actual incline of a roof as a ratio of vertical rise to horizontal run, determination must be based on actual measurements and not on nominal designation or rules of thumb. It must consist of shingles or other material used for conventionally built dwellings in the area;**
 - vi. The roof overhand must not be less than one (1) foot measured from the vertical side of the mobile home;**

- vii. The home and any attached building additions must be covered with an exterior material customarily used on conventional dwellings in the area. The exterior covering material must extend to the top of the foundation and no less than two (2) feet from the ground. Exterior material customarily used on conventional dwellings does not include smooth, ribbed, or corrugated metal or plastic panels;
 - viii. The home must meet all requirements required of other single-family residences in the area where it is to be located; and,
 - ix. The mobile structure must be removed once a Final Certificate of Occupancy is issued for the residence and accessory structure are completed; or,
 - b. Build a residence within the accessory structure that complies with the minimum square footage requirements per the zoning district, which is 864 square feet. A building permit is required. Please contact the Building Inspection Department to begin that process;
- 3. No commercial storage or activity that does not comply with the A-G Agriculture District is permitted on the property without a special use permit; and,
- 4. Land disturbance permits is obtained from the Public Works Department.
- 5. Driveway permit is obtained from the Public Works Department.
- 6. Provide an erosion control plan to mitigate the flow that is coming from her driveway onto the right-of-way.
- 7. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

Zoning Map:



Land Use Map:



Letter from Applicant:

Unified Government, Wyandotte Co., Kansas City KS, Commissioners and Planning Committee Members

2/01/2021

Dear Commissioners:

Thank you for the time you serve on the committee to make our city organized and zoning improved. You are appreciated.

I have lived in the KC area for 55 years. I have refurbished, rebuilt, and constructed many buildings from Overland Park, St Joseph Mo, Leavenworth and to Stilwell KS. Several months ago, I purchased 19 acres at 3505 N. 83rd Street. It is so lovely, heavily treed, very hilly, very private. Just walking around on it brings me peace and contentment. I wish to build my primary residence on it. My present home sold so fast I have no place to live after April 30. Am feeling a bit anxious.

The large barn is for my hobbies and to house equipment such as my tractor with a bush hog which I bought last year to clear out underbrush so we could plant clover and wildflowers. There are large patches of wildflowers on it now and I wish to add more for the honey bees. We (my son and I) are adding beehives to the property. The barn will also house my pickup truck which I purchased just this week. I will be using it a lot to carry building supplies. Since I am the General Contractor, I will be making many trips to the lumber yard, I am sure. The other equipment is a John Deer 6X4 Gator to help me get around the hilly terrain, a large riding lawn mower, a snow blade for the tractor to clear the 1,000+ feet of driveway from house and barn down to 83rd street.

I have several hobbies that I am really looking forward to enjoying now that I am fully retired. I am most anxious to get working on these. The property has many walnut and oak trees. We are going to salvage the ones that must be removed and after they dry in the barn for several months, we will be using them in the buildings as accent walls and ceilings.

The one neighbor in particular was concerned that I was building a large business of some sort in the barn because 3 of the rooms in the shop were labeled "Office" by the architect. I want to assure you I **AM NOT** building the barn to house a business. I am 75 and have put in my time by working years of 10-12 hour days and 6 days a week to build several successful businesses. This is my time to sit back and enjoy my hobbies and relax. Please do not accept someone else's opinion. It is not correct. The large barn is for my enjoyment of my hobbies and storage of equipment to work the 19 acres and keep it looking lovely and attractive for family, friends, visitors, wildlife, bees and me. Just so you understand my commitment, this is a cash project. There will not be any loans involved in the project.

I would appreciate your support in this rezoning request.

Thank you,

Carol Blackwell,

913-209-4455



Neighborhood Meeting Documentation:

Minutes from Zoom Neighborhood meeting on Rezoning application for 3505 N 83rd Street

2/18/2021, 7pm

People present: Carol Blackwell, property owner-host

Dan Van Goethem – has 40 acres zoned Ag. Has no objections to my rezoning request.

Elaine Kross – Felt my letter was misleading and inconsistent. Felt the bees were an add on and not the real reason for the large barn.

Ashley & Jeff Gardner- Jeff stated No meeting ID was given in the letter to the neighbors so he felt some might have missed out on attending.

Ashley was unhappy with the fact that the previous floor plan for barn showed offices. That even if I did not use the barn for commercial purposes in the future the new owner might like the 3000 sq ft and buy the property for commercial reasons. She felt also that the bee hive propagation mentioned as a reason for rezoning was misleading.

Lori Swartwood – Nothing against your rezoning request since you are not starting a business, but felt the letter was not honest and was questionable and inconsistent. Repeated story of neighbor at 77th St who built a construction co in his large barn.

Kim Kookan- No objection to the rezoning. Just felt we have received 3 letters and they are inconsistent. But saw no reason to deny rezoning.

My Response:

I responded repeatedly with all the clarity I have, that I am not starting a business in the barn.

I want to help my son with the bees and that it is both of our projects. He helps me a lot. We both want to increase the wildlife population on the property. That we were looking forward to planting clover and wild flowers on the property. I have registered with the NE KS Bee Keepers Association. Have made contact with another bee keeper in Wyandotte Co.

I want the barn to be 3,000 sq ft for my equipment to manage the 19 acres and for my hobbies. That I did not feel that I should be held hostage for the sins of another neighbor who broke the city codes.

Meeting adjourned at approximately 8:00.

Carol Blackwell
913-209-4455

Present Address:
8007 W. 153rd Terrace
Overland Park, KS 66223

2-22-2021

New Address:
3505 N. 83rd Street
Kansas City, KS 66109

SUBJECT: Neighborhood Meeting last night by ZOOM. **My tech error, I apologize.**

In regard to the application with the Department of Urban Planning and Land use # COZ 2021-003 for change of zoning from R-1 to Agricultural. This is located at 3505 N. 83rd St. KC, KS
Planning and Zoning suggested that I send this letter of clarification and restate purpose of rezoning.

My error last evening was a technical issue. I could not find an ID # on my request to schedule a Zoom meeting. I apologize if you tried to get into the meeting and could not. It appeared from my email that registers each person that attempted to enter, that everyone entered who wanted in, after they called and told me what was missing. I am very sorry. I have scheduled these before with no problem but not this time. I am not very tech savvy. But again, in case you wanted to be heard and were not able to, then please email me at Blackwell8007@gmail.com or call me at **913-209-4455**. I will register your opinion and email it on to the Planning and Zoning department immediately. They have recommended this avenue to me today for letting everyone be heard. No votes are taken at the Neighborhood meetings. It is an information and opinion stating session only.

Several neighbors stated I had been unclear and inconsistent in my statements as to my request for rezoning.

So the Planning and Zoning department recommended today that I give you a brief synopsis of the issue.

1. I wish to build a large barn. I am hoping for somewhere between 2,000-3,000 sq ft. I have dreamed of this for over 15 years. This is definitely not a business venture. It is strictly for Ag purposes, equipment housing, and hobbies. I love to do wood working with my son. We will have a private personal work shop in the barn. He is a carpenter and painter.
2. One of the projects we will be working on first is the building of bee hives and preparing the soil so we can plant clover and wildflowers for the bees, birds and butterflies. **We will not be taking down trees to do the planting.** Farmers depend on the bees for pollination of their crops. I would like to help with this recovery process. We are losing 40% of our honey bee populations each year. This is \$15 billion worth of crops lost. This is devastating in some areas of the country.
3. It was suggested by the Planning and Zoning dept. before my very first variance request, that I should get Ag zoning and I did not want to because of the taxes due on buildings with ag zoning. I wish I had listened better to them.
4. I have several hobbies I wish to do in the barn. I also want to have a mobile sawmill come in the spring and cut some boards from the trees that were necessary to take down for the house and barn. I want to use wood from my own property to use as accents in my home, not structural boards, accents. These boards will need to dry in the barn before they can be used.
5. All of the Ag equipment will be housed in the barn. **This is for personal use only, not business use!!!**

I solicit your support. I know you have been told that I am starting a large business of some sort in the barn. **I am not starting a business in the barn. I am retired and intend to stay retired.** Please hear me on this point.
Thank you. Carol Blackwell
Call me if you have any questions. 913-209-4455

Carol Blackwell

Site Photographs Provided by the Applicant:







BLACKTOP ROAD FRONTAGE



Site Photographs Provided by Staff, Dated February 22, 2021:





Staff Request for Commission Action

Tracking No. 21721

Full Commission Meeting Date: 4/8/2021

Committee: Public Works & Safety

Date of Standing Committee Action: 3/22/2021

(If none, please explain):

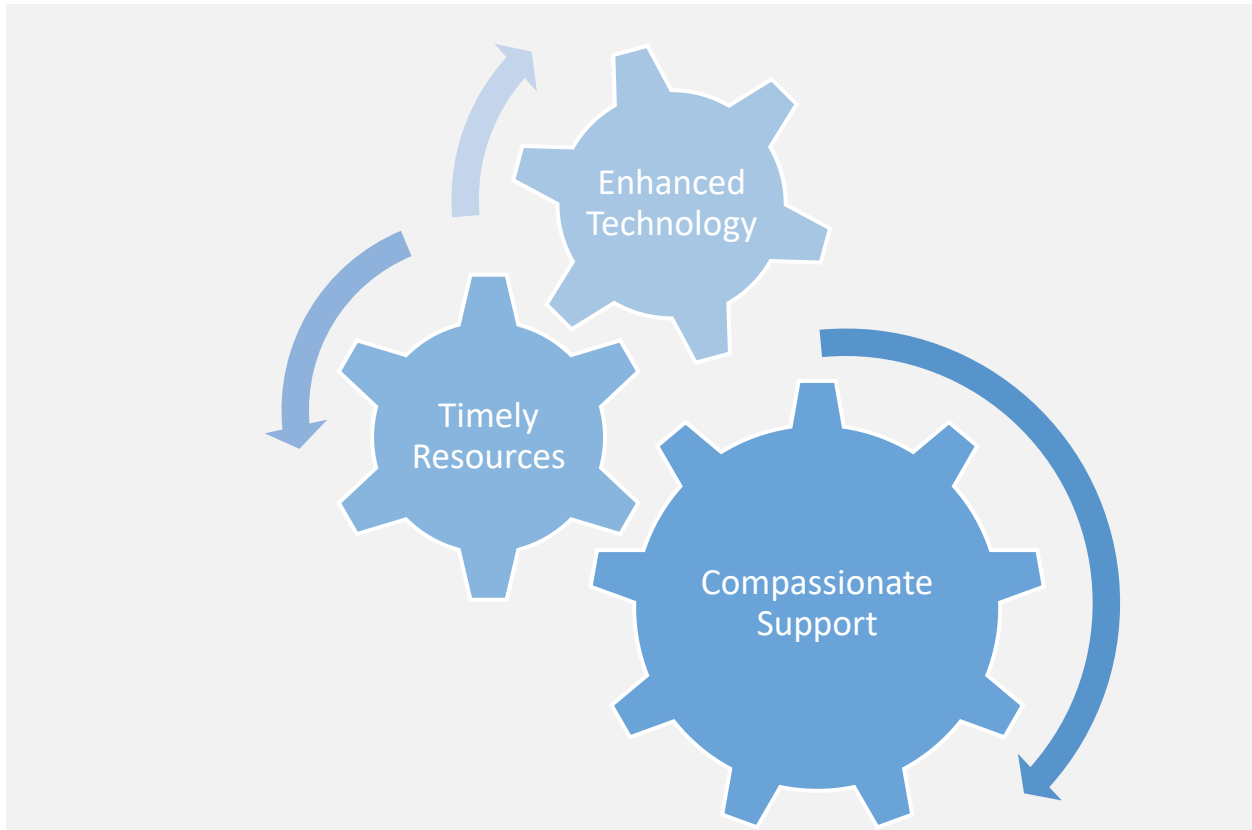
Publication Required: No

<u>Date:</u> 3/31/2021	<u>Contact Name:</u> Michael Vivian	<u>Contact Phone:</u> x6241	<u>Contact Email:</u> mvivian@kckpd.ord	<u>Department/Division:</u> Police Department
<u>Item Description:</u> The Police Department is seeking approval to apply for the FY21 "Improving Criminal Justice Responses to Domestic Violence, Dating Violence, Sexual Assault, and Stalking" federal grant being awarded by the US Department of Justice/Office on Violence Against Women. The award will be \$500,000. This funding will be used to create a Rapid Response Team that will focus on providing real-time, trauma-informed care for sexual assault and human trafficking victims. The awarded funds will be used to purchase equipment needed by the Rapid Response Team to perform their duties in quickly providing compassionate care to our victims. The funds will also be used to purchase equipment that will assist detectives and CSI personnel with investigating the crimes with the latest in police technology. The grant runs October 1, 2021 through September 30, 2025. There is no match required for this grant.				
<u>Action Requested:</u> For approval				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u> Power Project Abstract				

Kansas City, Kansas Police Department

“The Power Project”

Restoring power, dignity and respect to survivors of sexual assault and human trafficking through compassionate support, timely resources, and enhanced digital forensics.



Improving Criminal Justice Responses to Domestic Violence, Dating Violence, Sexual Assault, and Stalking Grant Program

Acting Deputy Chief Michael S. Vivian

Detective Jefferson Jacobs II

Detective Michael Eckel

Detective David Hopkins

Cost of Project: \$500,000

Federal Amount Requested: \$500,000

The Kansas City, Kansas Police Department is looking to establish a comprehensive initiative to combat sexual assault, human trafficking, domestic violence, and stalking in our city. The primary means to accomplish this goal is by establishing a Rapid Response Team (RRT) that is trained in trauma-informed care methodologies. The team will consist of patrol officers, investigators, prosecutors, and sexual assault counselors. The RRT will be responsible for responding to all sexual assaults and human trafficking incidents that occur in the city. Providing real-time trauma-informed care, at the earliest stage of contact with victims, is paramount to the wellbeing of their mental health. Responding in a quick and timely manner also provides investigators with the opportunity to gather crucial evidence at the outset of the investigation, solve the crimes, and increase prosecution of offenders. Kansas City, Kansas reported 222, 186, and 192 sex related crimes in 2018, 2019, and 2020 respectively. In many of those cases, ancillary crimes such as stalking and domestic violence were reported alongside the sex related crimes. Personnel trained in trauma-informed care applications rarely make the initial contact with victims. The RRT will be trained in Forensic Experiential Trauma Interview (FETI) methods. This allows for a science-based interview that documents the victim's experience in a neutral, equitable, and fair manner. The RRT will be equipped to transport any victim to a medical facility for treatment and evidence collection. The RRT will be supplied with personal items that can be provided to victims at crime scenes and medical facilities that immediately begin restoring power, dignity and respect to the victims. A key component of restoring power, dignity, and respect to victims is solving the crimes committed against them and holding the offender criminally accountable. The Kansas City, Kansas Police Department will be building upon infrastructure already in place by enhancing the digital forensics capabilities of the sex crimes investigators and crime scene technicians. Enhancing the digital forensics of the department will allow sex crimes investigators and crime scene technicians to obtain digital forensic evidence at the scene of a crime in a timelier manner. To combat human trafficking and the sexual assaults and exploitation of trafficked victims, the department will be enhancing its current video surveillance system throughout the city. The department is currently implementing cross-jurisdictional software that is designed to allow front line officers and investigators the ability to share data and information in real-time to large scales of officers throughout the metropolitan area. Additionally, the department will be creating a web-based portal for victims to access in order to track the progress of their case. This application will allow victims the opportunity to connect with the case investigators, prosecutors, and a wide range of social service professionals from the comfort of their own home. This project restores power, dignity, and respect to victims by being timely in its compassionate care of victims with social services readily available at their fingertips. The project continues to strengthen the victims with a user-friendly web portal application allowing them to track their case as it works its way through the criminal justice system. Finally, the project solidifies trust and confidence between the victims and law enforcement through trauma-informed care and a diligent investigation led by real-time digital forensics.



Staff Request for Commission Action

Tracking No. 21722

Full Commission Meeting Date: 4/8/21

Committee: Public Works & Safety

Date of Standing Committee Action: 3/22/21

(If none, please explain):

Publication Required: Yes 4/15/2021

<u>Date:</u> 3/31/2021	<u>Contact Name:</u> Angel Obert	<u>Contact Phone:</u> x8354	<u>Contact Email:</u> aobert@wycokck.org	<u>Department/Division:</u> Parks & Recreation
<u>Item Description:</u> An ordinance relating to the operating hours, hunting and firearms, camping, and digging within parks under the Unified Government jurisdiction, amending original Sections 25-44, 25-49, 25-50, 25-57 of the Code of the Unified Government of Wyandotte County/Kansas City, Kansas.				
<u>Action Requested:</u> Approve ordinance				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u> park.Ord.memo, Ordinance amendments Clean, Ordinance amendments				



**LEGAL DEPARTMENT of the UNIFIED GOVERNMENT OF
WYANDOTTE COUNTY/KANSAS CITY, KANSAS**

**Ninth Floor-Municipal Office Building
701 North Seventh Street
Kansas City, Kansas 66101
Phone (913) 573-5060
Fax (913) 573-5243**

**Acting Chief Counsel
Angela J. Lawson**

**Deputy Chief Counsel
Misty S. Brown**

**Senior Counsel
Henry E. Couchman Jr.
Patrick M. Waters**

**Assistant Counsel:
Susan Q. Alig
Wendy M. Green
Casey L. Meyer
Daniel E. Kuhn
Jeffrey Conway
Edward James Bain
Chase D. Cook**

**Prosecutors
Andrew K. Kent
Francis X. Altomare**

SUMMARY

TO: Governing Body of the Unified Government of Wyandotte
County/Kansas City, Kansas

FROM: James Bain
Assistant Counsel

DATE: March 11, 2021

RE: Proposed Changes to Unified Government Ordinances

Legal Background:

- On December 9, 2020, the Board of Park Commissioners voted 8-0 to recommend approval of the UG Parks and Recreation Code of Regulations amendments. These ordinances changes are being requested to ensure consistency between ordinance and regulation.

Summary of Proposed Changes:

- Specify each park's hours of operation are determined by the posted hours at the specific park and grants the UG Parks and Recreation Director the authority to set park hours.
- Requires an individual acquire a permit to dig upon UG parks land.
- Excepts individuals traversing to and from the archery range from the weapons possession prohibition.
- Prohibits overnight camping and allows exceptions within the Parks and Recreation regulations.

(Summary Published _____)

ORDINANCE NO. _____

AN ORDINANCE relating to the operating hours, hunting and firearms, camping, and digging within parks under the Unified Government jurisdiction, amending original Sections 25-44, 25-49, 25-50, 25-57 of the Code of the Unified Government of Wyandotte County/Kansas City, Kansas,

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

Section 1. That original Sections of the Code of the Unified Government of Wyandotte County/Kansas City, Kansas, be and the same are hereby amended to read as follows:

ARTICLE III. – CONDUCT IN PARKS

DIVISION 1. - GENERALLY

Sec. 25-44 Operating Hours

No person shall enter or remain within the boundaries of any Wyandotte County park at any time other than the posted hours of operation for that specific park. The Parks and Recreation Director shall set the operating hours for each park and facility operating under the jurisdiction of the Unified Government.

Sec. 25-49 Same-Trees, shrubbery, lawns

(a) No person shall damage, cut, carve, transplant or remove any tree or plant or injure the bark or pick the flowers or seeds of any tree or plant. A person shall not dig in or otherwise disturb grass areas or in any way injure or impair the natural beauty or usefulness of any area unless the individual has a valid permit from the Parks and Recreation Director and is in compliance with digging regulations which may be hereafter adopted.

(b) No person shall walk, stand or sit upon monuments, vases, fountains, or upon any other property not designated or customarily used for such purposes.

Sec. 25-50 Animals, hunting and firearms

(a) No person shall hunt, molest, harm, frighten, kill, trap, chase, tease, shoot, throw missiles at or give toxic substances to any animal, reptile or bird. No person shall remove or have in his possession the young of any wild animal or the eggs, nests or the young of any reptile or bird.

(b) No person shall use, carry or possess air rifles, spring guns, bows and arrows, slings, any other forms potentially inimical to wildlife and dangerous to human safety, or any kind of trapping device.

(c) Exceptions shall be made for bow and arrow possession and use at the archery range and in regulations which may hereafter be adopted.

Sec. 25-57 Camping

(a) Overnight camping is prohibited in all parks.

(b) Exceptions may be granted under regulations which may be hereafter adopted.

Section 2. This ordinance shall take effect and be in full force from and after its passage, approval, and publication in the official Unified Government newspaper.

PASSED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT OF
WYANDOTTE COUNTY/KANSAS CITY, KANSAS
THIS ____ DAY OF _____, 2021.

APPROVED:

David G. Alvey
Mayor/CEO

Attest:

Unified Government Clerk

Approved as to form:

Chief Counsel

(Summary Published _____)

ORDINANCE NO. _____

AN ORDINANCE relating to the operating hours, hunting and firearms, camping, and digging within parks under the Unified Government jurisdiction, amending original Sections 25-44, 25-49, 25-50, 25-57 of the Code of the Unified Government of Wyandotte County/Kansas City, Kansas,

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Sec. 25-44 Operating Hours

No person shall enter or remain within the boundaries of any Wyandotte County park at any time other than the posted hours of operation for that specific park. The Parks and Recreation Director shall set the operating hours for each park and facility operating under the jurisdiction of the Unified Government.

~~Bethany, Kensington, Eisenhower, City, Rosedale, Shawnee, Klammer, Clopper, Emerson, Highland, Heathwood and Parkwood parks shall be open to the public every day of the year from 6:00 a.m. until 12:00 a.m. All other parks within the city shall be open every day of the year from 6:00 a.m. until 10:30 p.m. Given unforeseen or unusual circumstances, the director may order any park to be closed during hours designated by the director. The hours of operation of individual parks may be extended, provided the person or persons using a park during hours other than those hours the park is normally open have been issued a permit by the director.~~

Sec. 25-49 Same-Trees, shrubbery, lawns

(a) No person shall damage, cut, carve, transplant or remove any tree or plant or injure the bark or pick the flowers or seeds of any tree or plant. A person shall not dig in or otherwise disturb grass areas or in any way injure or impair the natural beauty or usefulness of any area unless the individual has a valid permit from the

Parks and Recreation Director and is in compliance with digging regulations which may be hereafter adopted.-

(b) No person shall walk, stand or sit upon monuments, vases, fountains, or upon any other property not designated or customarily used for such purposes.

Sec. 25-50 Animals, hunting and firearms

(a) No person shall hunt, molest, harm, frighten, kill, trap, chase, tease, shoot, throw missiles at or give toxic substances to any animal, reptile or bird. No person shall remove or have in his possession the young of any wild animal or the eggs, nests or the young of any reptile or bird.

(b) No person shall use, carry or possess air rifles, spring guns, bows and arrows, slings, any other forms potentially inimical to wildlife and dangerous to human safety, or any kind of trapping device.

(c) Exceptions shall be made for bow and arrow possession and use at the archery range and in regulations which may hereafter be adopted.

Sec. 25-57 Camping

(a) Overnight camping is prohibited in all parks.

(b) Exceptions may be granted under regulations which may be hereafter adopted.

~~No person shall set up tents, shacks, or other temporary shelter for the purpose of overnight camping, nor shall any person leave in a park after closing hours any movable structure or special vehicle that can be used for such purposes, such as a house trailer, camp trailer, camp wagon, or the like.~~

Section 2. This ordinance shall take effect and be in full force from and after its passage, approval, and publication in the official Unified Government newspaper.

PASSED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT OF
WYANDOTTE COUNTY/KANSAS CITY, KANSAS
THIS ____ DAY OF _____, 2021.

APPROVED:

David G. Alvey
Mayor/CEO

Attest:

Unified Government Clerk

Approved as to form:

Chief Counsel



Staff Request for Commission Action

Tracking No. 21723

Full Commission Meeting Date: 4/8/21

Committee: Public Works & Safety

Date of Standing Committee Action: 3/11/21
--

(If none, please explain):

Publication Required: Yes 4/15/2021 4/22/2021

<u>Date:</u>	<u>Contact Name:</u>	<u>Contact Phone:</u>	<u>Contact Email:</u>	<u>Department/Division:</u>
3/31/2021	Angel Obert	x8354	aobert@wycokck.org	Parks & Recreation

Item Description:

Request approval of the updated Parks and Recreation Code of Regulations, including the requirement that all new dock owners are Wyandotte County residents.

Action Requested:

Adopt resolution

Budget Impact: (if applicable)

Amount:

Source:

Included In Budget:

Other (explain):

Attachments List:

Parks Regulations Reso (002), MEMO Summary of Changes, Parks Code of Regulations (clean) - Updated_ 3.11, Parks Code of Regulations (red) - Updated_ 3.11, Summary Resolution

(Published _____)

RESOLUTION NO. _____

A RESOLUTION amending the Unified Government Parks and Recreation Code of Regulations.

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

WHEREAS, pursuant to the provisions of Charter Ordinance No. CO-05-08 and Charter Resolution No. CR-01-08 of the Unified Government and K.S.A 19-2803a of the Kansas Statutes Annotated, the Board of Commissioners shall have the power, upon recommendation of the Parks Board, to adopt or decline to adopt regulations for the orderly government of parks and recreation areas and prescribe fines and penalties for the violation of the provisions of such regulations; and

WHEREAS, on October 5, 1982 the Board of County Commissioners of Wyandotte County adopted regulations relating to the orderly operation of park grounds within Wyandotte County.

WHEREAS, from time to time Parks and Recreation Directors have added to the rules and regulations for the orderly operation of parks.

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

1. That the Unified Government Board of Commissioners hereby approves the amendments to the Unified Government Parks and Recreation Regulations as attached.
2. The Mayor, the County Administrator, and the Unified Government's other officers, agents, and employees are hereby authorized and directed to take such further action, adopt fees, and execute such other documents, certificates, and instruments as may be necessary or desirable to carry out and comply with the intent of this Resolution.

ADOPTED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS,
THIS _____ DAY OF _____ 2021.

David Alvey, Mayor/CEO

Attest:

Unified Government Clerk



**LEGAL DEPARTMENT of the UNIFIED GOVERNMENT OF
WYANDOTTE COUNTY/KANSAS CITY, KANSAS**

**Ninth Floor-Municipal Office Building
701 North Seventh Street
Kansas City, Kansas 66101
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**Prosecutors
Andrew K. Kent
Francis X. Altomare**

SUMMARY

TO: Governing Body of the Unified Government of Wyandotte
County/Kansas City, Kansas

FROM: James Bain
Assistant Counsel

DATE: March 11, 2021

RE: Proposed Changes to UG Parks and Recreation Code of Regulation

Legal Background:

- Pursuant to the authority provided in Charter Ordinance No. CO-05-08 and Charter Resolution No. CR-01-08 of the Unified Government and K.S.A. 19-2803a of the Kansas Statutes Annotated, the Board of Commissioners is empowered to adopt rules and regulations pertaining to the use and enjoyment of park property upon the recommendation of the Board of Park Commissioners.
- On December 9, 2020, the Board of Park Commissioners voted 8-0 to recommend approval of the UG Parks and Recreation Code of Regulations amendments.
- On January 25, 2021, the Public Works and Safety Standing Committee voted 6-0 to restrict the rental of Wyandotte County Lake boat dock slips to Wyandotte County residents only.

Summary of Proposed Changes:

- Requirement that all renters of Wyandotte County Lake boat dock slips be residents of Wyandotte County. Current nonresident holders of boat slips will be allowed to continue to rent. The waitlist would include only Wyandotte County residents.
- Addition of regulations pertaining to e-bikes. The proposed regulation mirrors those used in Kansas State Parks.
- Addition of regulations pertaining to drones. Drone operators will be limited to flying at Wyandotte County Park after acquiring a permit from UG Parks and Rec and showing proof of insurance.
- Restricts use of metal detectors unless a permit is obtained. Prohibits digging within designated areas such as soccer or baseball fields, the archery range, near structures, or in areas with irrigation.
- Allows the Wyandotte County Sheriff the ability to close parks in the event of an emergency.

**Unified Government of Wyandotte County and
Kansas City, Kansas**



Parks and Recreation Code of Regulations

Exhibit A

**WYANDOTTE COUNTY AND KANSAS CITY, KANSAS
CODE OF REGULATIONS FOR PARKS AND RECREATION
2021 EDITION**

CHAPTER 1

ARTICLE 1

General Provisions

Section 1.1.1 – Title.

This Code shall be known and may be cited as the Unified Government of Wyandotte County and Kansas City, Kansas Code of Regulations for Parks, 2021 Edition.

Section 1.1.2 – Purpose.

The purpose of this Code is:

- (a) To provide quality park facilities and leisure opportunities to the residents of Wyandotte County; and
- (b) To prescribe rules, regulations and enforcement procedures for public safety and awareness, to conserve park resources, to emphasize the highest standards for services and programs, and to ensure that the future recreational needs of Wyandotte County residents are met.

Section 1.1.3 – Authority.

This Code is adopted pursuant to the authority provided in Charter Ordinance No. CO-05-08 and Charter Resolution No. CR-01-08 of the Unified Government and K.S.A. 19-2803a of the Kansas Statutes Annotated, and any amendments thereto, if any.

Section 1.1.4 – Scope.

This Code shall be applicable to all Wyandotte County, Kansas, Parks and Recreation park lands and facilities. All parks under the jurisdiction of this Code shall include the following:

<i>Bethany Park</i>	<i>Edgerton Park</i>	<i>Hope Park</i>	<i>Matney Park</i>
<i>Big Eleven Lake</i>	<i>Eighth Street Park</i>	<i>Huron Park</i>	<i>Mt. Marty Park</i>
<i>Bill Clem Park</i>	<i>Eisenhower Park</i>	<i>Jersey Creek Park</i>	<i>Northrup Park</i>
<i>Boston Daniel Park</i>	<i>Emerson Park</i>	<i>Kaw Point Park</i>	<i>Parkwood Park</i>
<i>City Park</i>	<i>Fairfax Park</i>	<i>Kensington Park</i>	<i>Pierson Park</i>
<i>Clifton Park</i>	<i>Fisher Park</i>	<i>Klamm Park</i>	<i>Prescott Park</i>
<i>Clopper Park</i>	<i>Flat Iron Park</i>	<i>Lally Park</i>	<i>Quindaro Park</i>
<i>Coronado Park</i>	<i>Heathwood Park</i>	<i>Leo Alvey Park</i>	<i>Regan Park</i>
<i>Delaware Park</i>	<i>Holy Family Park</i>	<i>Mac's Park</i>	<i>Riverview Park</i>
<i>Rosedale Park</i>	<i>Silver City Park</i>	<i>St. Margaret's Park</i>	<i>Waterway Park</i>
<i>Ruby Park</i>	<i>Splitlog Park</i>	<i>Thomson Park</i>	<i>Welborn Park</i>
<i>Shawnee Park</i>	<i>Stony Point Park</i>	<i>Trolley Park</i>	<i>Westheight Park</i>
<i>Simpson Park</i>	<i>St. John's Park</i>	<i>Vega Park</i>	<i>Wyandotte County Lake Park</i>
			<i>Wyandotte County Park</i>

This Code shall apply uniformly to all Wyandotte County Parks that now exist and those that are later developed and shall supersede any prior Wyandotte County Parks and Recreation Code.

Section 1.1.5 – Severability.

If any clause, sentence, paragraph, section or subsection of this Code shall be judged invalid by a court of competent jurisdiction, such judgement shall not affect, repeal or invalidate the remainder of the provision of any other section or subsection, and shall be confirmed to the specific clause, sentence, paragraph, section or subsection which was found invalid.

Section 1.1.6 – Disclaimer of Liability.

- (a) This code shall not be construed nor interpreted as imposing upon Wyandotte County, or any of their officials, officers, agents, or employees:
 - (1) any liability or responsibility for damages to any property; or
 - (2) any liability or responsibility for any personal injury

Section 1.1.7 – Amendments and Additions.

This code may be supplemented, or its provisions may be amended by resolution duly adopted by the Board of County Commissioners of Wyandotte County, Kansas, and any such amendments or additions shall be incorporated within and codified as part of this Code.

Section 1.1.8—Permits & Fees

Unified Government may charge fees for the permits required under the Parks and Recreation Code of Regulations. The permit fee will be in an amount established by the County Administrator and may be changed from time to time.

Section 1.1.9 – Effective Date.

This Code shall be effective upon its adoption by the Board of County Commissioners.

CHAPTER 2

ARTICLE 1

Public Safety

Section 2.1.1- Park Hours.

Except as outlined below no person shall enter or remain within the boundaries of any Wyandotte County park at any time other than the posted hours of operation for that park.

- (a) All park patrons shall be out of the park by midnight. Anyone still in the park after midnight will be presumed to be trespassing.
 - (1) Exceptions for on-duty UG Parks and Recreation employees and law enforcement.
- (b) The Wyandotte County Sheriff or designee may close any park in an emergency situation where the health and safety of park patrons is in peril. Park closures due to inclement weather must be approved by the Parks Director.
- (c) Boating – Wyandotte County Lake opens at 6:00 A.M and closes at midnight from March 1-October 15. Wyandotte County Lake opens at 7:00 A.M. and closes at midnight from October 16-April 30.
- (d) Sledding – Sledding is only permitted from the time the park opens to ½ hour after sunset.

Section 2.1.2 - Trail Riding.

- (a) Riding hours are limited to Sunrise to Sunset.
- (b) Unloading and loading of animals for riding must be done at the marked horse trailer area at 83rd street.
- (c) Cleanliness of the loading and unloading area depends mainly on its users. Each rider is expected to clean up after themselves and those they are responsible for. Brooms and shovels should be used to clean up any droppings animals leave, and not just in this area, but any area in the park including roadways and parking lots.
- (d) Alcoholic beverages or cereal malt beverages are not allowed on the trails.
- (e) Children under the age of 18, must be accompanied by an adult of at least 18 years of age.
- (f) All animals being ridden will stay on the trails at all times. No rider will exit the trail and approach any shelter, building and watering holes where park patrons frequent. Exiting the trails is a violation of park rules and is not permitted. If your animal needs water, you must dismount and lead it to the nearest part of the lake that allows the animals a safe drinking environment for both the rider and park patrons.
- (g) All riders ride at their own risk. Any injuries shall be reported to Park Rangers at (913) 573-8327. All riders must have insurance coverage on their animals and themselves when riding.
- (h) Any group of riders of ten or more, must report to the administration office prior to the use of their trail. A contact person and cell phone number should be given to park staff. (913) 573-8327.
- (i) It is the responsibility of all riders to know the rules and regulations of both that of horseback riding and other park rules that may pertain to them.
- (j) Riders shall notify the maintenance division of any safety issues, or maintenance items on the trail that needs their attention at (913) 596-7084.
- (k) Any violation of the park rules, ordinances, or state laws, may result in the loss of future use of the trails.

Section 2.1.3 – Animals.

- (a) It shall be unlawful for any person owning or keeping any animal to permit or allow the animal to run at large within any park unless inside of an area designated as approved for off-leash activity.
 - 1. Dogs allowed to run loose in the designated dog park must at all times be under the control of the owner, not aggressive, and up to date on vaccines.
- (b) Pet owners shall to follow all municipal ordinances regarding animals.

Section 2.1.4 – Swimming, Wading, Bathing.

- (a) No person shall swim, wade, or bathe in any waters of the said parks, except at such times and in such places as the park director may designate for a special event, park personnel training or for UG Parks and Recreation approved educational purposes or from boats conforming to rules set forth by the park director.
- (b) Swimming is allowed from boats only, no shoreline swimming.
- (c) No fisherman will wade in park waters to fish.
- (d) Park patrons using sail boards and sail boats will stay on their boats. In the case of capsizing or falling off such sail vessels the operator or occupants will get back into the vessel as soon as possible.

Section 2.1.5 – Ice Skating.

Ice skating or being on the ice in any Unified Government Park waters is prohibited.

Section 2.1.6 – Archery.

- (a) The range will be used during daylight hours only.
- (b) The archery range is the only area a bow and arrow is to be used.
- (c) Anyone with a bow and arrow must be directly in route to or from the range or at the range.
- (d) No broad arrow tips, will be allowed.

Section 2.1.7 – Alcoholic Beverages.

- (a) Unless otherwise posted, no person shall be in possession of, with the intent to ~~dispense in any manner~~ sell alcoholic beverages or cereal malt beverages other than in shelter houses or buildings designated for such purpose with proper permits.
- (b) No person under the age of 21 will consume or possess alcoholic beverages.
- (c) Alcohol is permitted in Parks unless otherwise posted NO ALCOHOL or as noted herein.
- (d) No person will drive any boat, vehicle, or operate a remote-control object, ride a horse or mule while under the influence of drugs or alcohol.

Section 2.1.8 – Firearms and Weapons.

- (a) No person shall bring into any park, discharge or use, within park boundaries, any air gun, spring gun, blank gun, BB gun, slingshot, or blow gun..
- (b) Water guns are allowed if they do not resemble any real firearm.
- (c) This section shall not apply to any law enforcement officer who is engaged in the discharge of official duties.
- (d) This section shall not apply to persons using archery equipment in conformity with the provisions of Section 2.1.6 of this Code.

Section 2.1.9 – Camping.

- (a) Camping is prohibited in all parks except for the Scout Area located at Wyandotte County Lake Park which requires a permit.
- (b) All scout groups must be affiliated by a 501c3 organization such as the Campfire Girls of America or the Boy Scouts of America. All scout groups will have a group leader that must be 21 years of age. All overnight campers must have proof of affiliation documentation by a recognized organization.

Section 2.1.10 – Nudity.

Nudity is prohibited in UG Parks.

Section 2.1.11 – Aviation.

- a. The following definition apply to this section:
 - 1. *Unmanned aircraft vehicle* means any aircraft that is not operated from within the aircraft.
 - 2. Operate means fly via remote control, perform the process of flying via remote control, or cause a machine designed for flight to fly via remote control
- b. In order to lawfully operate an unmanned aircraft vehicle, all unmanned aircraft vehicle operators must comply with applicable FAA regulations and meet the requirements below:
 - 1. Obtain a Flying Permit issued by UG Parks and Rec
 - A. Permit will be issued for flight at Wyandotte County Park unless otherwise requested and agreed to by UG Parks and Rec staff
 - 2. Show proof of liability insurance in the amount of \$2.5 million prior to receiving the permit.

ARTICLE 2
Conservation of Park Resources

Section 2.2.1 – Protection of Wildlife.

- (a) No person, except under a special permit issued by the park director, will be allowed to hunt, trap, or in any way molest any animal, bird, or reptile on Unified Government park property.
- (b) No person will turn loose any animal within the park unless special permission has been granted by the proper Federal or State authorities and the Unified Government Parks Director.
- (c) No animal, reptile, bird, amphibian, or eggs or nest of any bird or reptile shall be removed out of the park without special permission from the proper Federal or State authorities and the Unified Government Parks Director.

Section 2.2.2 – Damage to Park Property.

- (a) No person shall destroy, alter, damage, injure, or remove any real or personal property which belongs to the Unified Government. No person shall remove or carry away any asphalt, flagstone, rock, stone, clay, or earth; or make any excavation of any kind. No person shall destroy or alter any ruins, relics, or geological formations found within the boundaries of Unified Government Parks.
- (b) This section shall not apply to persons performing work on behalf of the Unified Government or to persons who are engaged in scientific or educational collection and who possess, and are in compliance with, specific prior written permission obtained from the Director of Parks and Rec for such activity.

Section 2.2.3 – Illegal Fireworks.

No person shall bring into or have in said parks any fireworks, explosives including any substance compound mixture or article having properties of such a character that alone or in combination or contiguity with other substances or compounds may decompose suddenly and generate sufficient heat, gas, pressure or any or all of them to produce rapid flame, combustion or administer a destructive blow to surrounding objects, unless approved in writing by the parks director.

Section 2.2.4 – Fires.

- (a) No person shall kindle, build, maintain, or use a fire, except in fireplaces provided for the purpose of under special permit. Charcoal fires are only to be used in shelter fire pits and shelter grills. No logs or wood will be used in any shelter grill or pit.
- (b) Campfires may be used in accordance with the Wyandotte County Parks fire permit issued by the Unified Government Parks Director. All campfires will be placed in an area where the fire will not get out of control and the perimeter shall be contained by rocks.
- (c) Any fire shall remain continuously under the care and direction of a competent person over twenty-one (21) years of age, from the time it is kindled until it is extinguished. All fires must be completely extinguished with water or dirt before they are left behind.

Section 2.2.5 – Littering.

No person shall throw, cast, lay or drop, discharge into, or on any park, or allow an agent, servant or employee of any person in his or her charge, do likewise. Dropping discharge to include diseased or dead animals, organic refuse, or other offensive matter. No such refuse or trash shall be placed in any waters in or contiguous to any park or left anywhere on the grounds thereof, but shall be placed in the proper receptacles where these are provided. Where receptacles are not so provided, all such rubbish or waste shall be carried

away from the park by the person responsible for its presence and properly disposed of elsewhere. Littering in parks located within the City of Kansas City, Kansas are subject to UG Code of Ordinance Section 22-380.

Section 2.2.6 – Sound

Only those persons who hold a valid Parks and Rec permit and who are acting in conformity with the terms and conditions of the permit are allowed to set up or use amplified sound equipment within the boundaries of any Unified Government park.

Section 2.2.7 Excessive Noise

Municipal ordinances regarding excessive noise are enforced in Unified Government Parks.

Section 2.2.8 – Digging & Use of Metal Detectors.

- (a) No person shall dig or use a metal detector without a permit obtained through UG Parks and Rec.
- (b) Digging and metal detection is strictly prohibited on soccer fields, baseball/softball fields, historical sites, golf courses, archery ranges, campgrounds, within 50 yards of an existing structure, in any area with irrigation, and within the designated unmanned aircraft flying area.
- (c) Digging instruments are limited to ice picks, screwdrivers, or other probes not exceeding six inches in width and eight inches in length.
- (d) No person shall dig a hole exceeding six inches in depth.
- (e) All ground moved must be replaced to its previous condition.

ARTICLE 3 Special Events

Section 2.3.1 – Vending without Permit.

No person shall solicit contributions, sell, barter, exchange, or conduct any other transactions involving any type of merchandise for profit within the boundaries of parks without written authorization of the park director. This shall be construed to mean any item for resale or profit which would include, but not limited to beverages, ice cream, food products, ice, picnic and fishing supplies, etc.

Section 2.3.2 – Protesting.

No one person, or group will in anyway disturb the normal operation, the flow of traffic, or interfere with a gathering that has been approved by the park director. No one person or group will interrupt any meeting, shelter reservation, building reservation, or special function.

Section 2.3.3 – Advertising.

No person shall post, affix, paint, distribute, hand out, deliver, place, cast, or leave about, any bill, billboard, placard, ticket handbill, circular or advertisement; display any flag, banner, transparency, target, sign, placard, or other matter for advertisement purposes; or operate any musical instrument, drum or cause any noise to be made, for advertising purposes or for the purpose of attracting attention to any exhibition performance, show, building reservation, concert, shelter reservation or other purpose unless permission has been granted by the park director.

Section 2.3.4 – Solicitation.

No person shall solicit alms or contributions for any purpose.

ARTICLE 4

Fishing

Section 2.4.1 – Fishing.

- (a) Unless modified by the Parks Director fishing is only permitted during park hours. Fishermen must vacate the park by midnight.
- (b) Fishing season is the first Saturday in March through November 30th.
- (c) Fishing in restricted and posted areas is prohibited, unless granted permission from the park director.
- (d) All fishermen will abide by all State and County rules and regulations regarding fishing. Failure to do so may result in fine or loss of fishing permit.
- (e) Only children 15 years of age and under may fish in the kiddy pond at Wyandotte County Lake. Children fishing in the kiddy pond must abide by the rules posted there. Any adult helping a childfish must possess proper licenses and permits. If an adult is just watching and not actively fishing including, by reeling in, or casting out, they do not need to possess a license and permit. The parent or guardian may bait hooks and take off fish. Children should always have a parent or guardian supervising them while at kiddy pond.
- (f) All fishermen will abide by all length and creel limits designated by the park director.
- (g) All fishermen between the age of 16 and 65 75 must possess a Kansas State fishing license.
- (h) A Wyandotte County Lake fishing permit is required for those age 16-65.
 - a. Both State and County permits must be in possession of the fisherman while fishing in park waters.
 - b. Non residents on active military stationed in Kansas are entitled to purchase a resident Wyandotte County Lake fishing permit.
- (i) All fish must be put on a stringer or in a suitable place so that identification of ownership may be made by the rangers. Fishermen using a live well must have individual markers if sharing the same live well.
- (j) Trot, limb, or jug lines are prohibited.
- (k) There is no open season for frogs or turtles.

Section 2.4.2 Bowfishing

No person shall bowfish unless obtaining a special permit issued by the Unified Government Parks Director. Bowfishers must also follow the regulations outlined in Sec. 2.4.1 & Sec. 2.4.2 herein. Catch and release bowfishing is strictly prohibited.

ARTICLE 5

Boating, Sailboards and Water Safety

Section 2.5.1 – Definitions

Watercraft means every vessel designed to be propelled by machinery, oars, paddles, or wind action upon a sail for navigation on the water.

Section 2.5.2 – Boat Slip Rental

- (a) Except as set out in (c) Boat slip rental at Wyandotte County Lake is restricted to Wyandotte County residents only.
- (b) Only Wyandotte County residents may place themselves on the boat slip rental waiting list.

- (c) Current renters of boat slips may renew their rental agreement no matter their county of residence so long as all other requirements of boat slip rental including paying appropriate rental fees and State of Kansas boat registration are met.
- (d) A fee may be charged, as set by the County Administrator, for the boat slip rental.
- (e) Dock slips are non-transferable. The name listed on the dock slip rental record or waitlist may not be added to or changed from year to year.
- (f) Upon changing residential address, slip holders shall provide the new address to the Lake Marina Manager within 14 days of the change.
- (g) Slip holder may be asked for boat license and registration by Lake Marina Manager, Unified Government employee or law enforcement at anytime. Slip holder must provide requested documentation in an expeditious manner.
- (h) All boats must be secured to the dock as not to swing freely causing damage to neighboring boats and docks. All boats that work free and are loose on the lake are the responsibility of the boat owner to retrieve.
- (i) The docks are not to be altered in any manner (such as adding bumpers, hooks, etc.) All alterations will be removed after a two-week notice with slip holders required to pay costs to remove alterations and facing charges under Section 2.2.2 of these regulations
- (j) All boats must be off the water no later than December 1st. After that date, all boats will be removed and stored at the owner's expense.

Section 2.5.3 – Boating

- (a) Boating season is the first Saturday in March through November 30 unless modified.
- (b) State of Kansas and U.S. Coastguard Boating Rules and Regulations strictly enforced. The Lake patrol has complete jurisdiction of all watercraft on the lake.
- (c) A valid County Boat Permit is required prior to placing any watercraft in park waters. The required Boat Permit shall be affixed to the right bow of the watercraft and visible above the water line. County Boat Permit's shall be non-transferable to any other watercraft or person.
- (d) No inflatable boats or rafts are allowed on the lake. Hand powered and wind powered watercrafts have the right-of-way over motorboats. Pontoon boats have right-of-way over motorboats.
- (e) All boats must be at least 10 feet in length.
- (f) All boat operators at Wyandotte County Lake will abide to the no wake zones, 20-mph speed limit, no boating areas, right of way rules and use correct navigational rules.
- (g) All boats will be equipped with proper boat registration and lettering, county permit and sticker, flotation devices, fire extinguishers, horn or whistle, lights, ventilation, and flame arrestor, as required by Kansas State Law. Classification of boats will determine which if all items are needed. Capacity limits for both occupants' capacity, weight, and gear will be followed, along with max. hp. for each boat.
- (h) All boats, except sailboats, must be launched from launching ramp in Boathouse Cove and inspected by marina operator.
- (i) The operator of every watercraft shall require every person 12 years of age or younger to wear a United States Coast Guard approved personal flotation device.
- (j) Consistent with State law, no person under the age of 12 shall operate a motorized boat unsupervised. No person between the age of 12 and 20 shall operate a motorized boat unsupervised unless the operator is licensed and has successfully completed a boating education course approved by Kansas Wildlife, Parks, and Tourism.
- (k) No watercraft shall be moored/tied to any buoy on the lake.
- (l) Waterskiing, wakeboarding, wakesurfing, or tubing is prohibited.

(m) Canoes, kayaks, and paddleboards must have a County Boat Permit and can only launch from the boat ramp or from the sailboat/kayak launch area.

1. Consistent with State law all individuals in a canoe, kayak, and paddleboard are required to properly wear a Coast Guard approved personal flotation device.

Section 2.5.4 – Sailboards.

(a) Sailboard season is May 15 to October 15.

(b) Sailboards must be registered with the State of Kansas.

(c) Wyandotte County Lake Permits will be required and placed on the board or mast as to be visible when in the water. Constant with State law all individuals on a sailboard are required to properly wear a Coast Guard approved personal flotation device.

(d) The sailboards may be put in the water at the sailboat launching ramp only.

ARTICLE 6

Traffic

Section 2.6.1 – Commercial Vehicles.

Commercial trucks, tour buses, tractor trailers, tractor, farm machinery, industrial equipment, and all other vehicles the parks director or Rangers feel are too large and cause unsafe roadway for other traffic will not be allowed. Special permission may be granted for deliveries, special functions and other projects which the park director or Rangers approve.

Section 2.6.2 – Bicycles.

No person shall ride a bicycle other than on the right side of the road paving as close as conditions permit, and bicycles shall not be ridden more than two abreast when two or more are operating as a group. Bicyclists shall at all times operate their machines with reasonable regard to the safety of others, signal all turns, pass to the right of any vehicle they are overtaking, and pass to the right of any vehicle they may be meeting. No person shall leave a bicycle other than in a bicycle rack when such is provided and there is a space available. No person shall ride a bicycle on any road between 30 minutes after sunset and 30 minutes before sunrise without an attached headlight plainly visible at least 200 feet in front and without a red taillight or red reflector plate visible at least 100 feet from the rear of such bicycle.

Section 2.6.3 – ATV's and Motorized Dirt Bikes.

No all-terrain vehicle or motorized dirt bikes will be used in any Unified Government Park. A dirt bike, if properly licensed and insured, may use park roads but will never leave park roadways or parking areas. Special permission by the park director may be granted for special events.

Section 2.6.4 – e-Bikes.

(a) The following definition apply to this section:

- i. *Electric bike or e-bike* means a bike with two or three wheels, fully operable pedals, and an electric motor not to exceed 750 watts of power
- ii. *Class 1* means an e-bike equipped with a motor that provides assistance only while peddling. Motorized power ceases when the e-bike reaches 20 MPH.
- iii. *Class 2* means an e-bike equipped with a motor that provides assistance with or without peddling. Motorized power ceases when the e-bike reaches 20 MPH.

- iv. *Class 3* means an e-bike equipped with a motor that provides assistance with or without peddling. Motorized power ceases when the e-bike reaches 28 MPH.
- (b) Class 1 and 2 e-bikes are allowed on roadways and designated bike lanes as well as on multi use trails and other areas that are open to non-motorized biking with the exception of horse trails.
 - i. No person shall operate a Class 3 e-bike on multi-use trails or other areas open to non-motorized biking.
- (c) Class 3 e-bikes are only allowed on roadways and designated bike lanes.

Section 2.6.5 – Snow Sledding.

- (a) Sled riding is only permitted during safe light starting when the park opens and ending ½ hour after sunset.
- (b) Snow sledding /cross country skiing is permitted in all Unified Government parks. If the Park Ranger feels that a location is unsafe, sledding and snow skiing will be stopped.
- (c) No ramps will be built or used for jumps.
- (d) All sleds will be made of safe material and design. No car hoods will be allowed.
- (e) No sledding in closed or prohibited areas of the parks.
- (f) If the director of parks and recreation or her designee feels that you are operating a sled in a reckless manner, you will be required to leave the park.

CHAPTER 3

ARTICLE 1

Adoption and Penalties

Section 3.1.1 – Use of Park Property or Services.

No person shall build, improve, or in any other manner encroach upon any Unified Government property, and no person shall use any unified Government property, equipment, or service for which a permit fee is required without first obtaining such permit of paying such fee. The Unified Government hereby reserves the right to restrict or close Unified Government Parks or facilities temporarily should weather, safety or incompatible resource or program use so require.

Section 3.1.3 – Enforcement, Violations and Penalties.

- (a) From and after the effective date of this Code, no person shall violate any of the provisions of this Code, or fail to comply with any of its requirements, including, but not limited to, any condition or term established in connection with granted permits or use of Unified Government property, and any act, conduct, or use that fails to comply with the provisions of this Code and any rules or standards adopted as a part of the Code, shall be and hereby is declared to be unlawful as a violation of this Code.
- (b) The failure of any person to comply with, or the violation of any provision, requirement, standard, or condition contained within this Code, shall be a public offense punishable, upon conviction, by a fine in an amount determined according to the Fine Schedule which is attached hereto as Appendix A and incorporated herein by reference and up to 30 days in jail.
- (c) Multiple or repeated violations shall be deemed a violation of the next most serious violation class and shall be subject to a higher fine amount, as provided in the attached fine schedule.

Fine Schedule

Section	1 st Offense	2 nd Offense	3 rd Offense
2.1.1	\$25.00	\$50.00	\$100.00
2.1.2	25.00	50.00	100.00
2.1.3	50.00	75.00	100.00
2.1.4	25.00	50.00	100.00
2.1.5	25.00	50.00	100.00
2.1.6	25.00	50.00	100.00
2.1.7(a)	50.00	75.00	100.00
2.1.7(b) & (d)	State or Municipal charges	State or Municipal charges	State or Municipal charges
2.1.8	25.00	50.00	100.00
2.1.9	25.00	50.00	100.00
2.1.10	25.00	50.00	100.00
2.1.11	25.00	50.00	100.00
2.2.1	100.00	100.00	100.00
2.2.2	100.00	100.00	100.00
2.2.3	100.00	100.00	100.00
2.2.4	50.00	100.00	100.00
2.2.5	Municipal Charges and Penalties	Municipal Charges and Penalties	Municipal Charges and Penalties
2.2.6	50.00	75.00	100.00
2.2.7	50.00	100.00	100.00
2.2.8	50.00	100.00	100.00
2.3.1	50.00	100.00	100.00
2.3.2	50.00	100.00	100.00
2.3.3	25.00	50.00	100.00
2.3.4	25.00	75.00	100.00
2.4.1	50.00	75.00	100.00
2.4.2	50.00	75.00	100.00
2.5.3	50.00	75.00	100.00
2.5.4	25.00	50.00	100.00
2.6.1	25.00	50.00	100.00
2.6.2	50.00	100.00	100.00
2.6.3	50.00	100.00	100.00
2.6.4	50.00	100.00	100.00
2.6.5	50.00	100.00	100.00

Unified Government of Wyandotte County and Kansas City, Kansas



Parks and Recreation Code of Regulations

Exhibit A

**WYANDOTTE COUNTY AND KANSAS CITY, KANSAS
CODE OF REGULATIONS FOR PARKS AND RECREATION
2021 EDITION**

CHAPTER 1

ARTICLE 1

General Provisions

Section 1.1.1 – Title.

This Code shall be known and may be cited as the Unified Government of Wyandotte County and Kansas City, Kansas Code of Regulations for Parks, 2021 Edition.

Section 1.1.2 – Purpose.

The purpose of this Code is:

- (a) To provide quality park facilities and leisure opportunities to the residents of Wyandotte County; and
- (b) To prescribe rules, regulations and enforcement procedures for public safety and awareness, to conserve park resources, to emphasize the highest standards for services and programs, and to ensure that the future recreational needs of Wyandotte County residents are met.

Section 1.1.3 – Authority.

This Code is adopted pursuant to the authority provided in Charter Ordinance No. CO-05-08 and Charter Resolution No. CR-01-08 of the Unified Government and K.S.A. 19-2803a of the Kansas Statutes Annotated, and any amendments thereto, if any.

Section 1.1.4 – Scope.

This Code shall be applicable to all Wyandotte County, Kansas, Parks and Recreation park lands and facilities. All parks under the jurisdiction of this Code shall include the following:

<i>Bethany Park</i>	<i>Edgerton Park</i>	<i>Hope Park</i>	<i>Matney Park</i>
<i>Big Eleven Lake</i>	<i>Eighth Street Park</i>	<i>Huron Park</i>	<i>Mt. Marty Park</i>
<i>Bill Clem Park</i>	<i>Eisenhower Park</i>	<i>Jersey Creek Park</i>	<i>Northrup Park</i>
<i>Boston Daniel Park</i>	<i>Emerson Park</i>	<i>Kaw Point Park</i>	<i>Parkwood Park</i>
<i>City Park</i>	<i>Fairfax Park</i>	<i>Kensington Park</i>	<i>Pierson Park</i>
<i>Clifton Park</i>	<i>Fisher Park</i>	<i>Klamm Park</i>	<i>Prescott Park</i>
<i>Clopper Park</i>	<i>Flat Iron Park</i>	<i>Lally Park</i>	<i>Quindaro Park</i>
<i>Coronado Park</i>	<i>Heathwood Park</i>	<i>Leo Alvey Park</i>	<i>Regan Park</i>
<i>Delaware Park</i>	<i>Holy Family Park</i>	<i>Mac's Park</i>	<i>Riverview Park</i>
<i>Rosedale Park</i>	<i>Silver City Park</i>	<i>St. Margaret's Park</i>	<i>Waterway Park</i>
<i>Ruby Park</i>	<i>Splitlog Park</i>	<i>Thomson Park</i>	<i>Welborn Park</i>
<i>Shawnee Park</i>	<i>Stony Point Park</i>	<i>Trolley Park</i>	<i>Westheight Park</i>
<i>Simpson Park</i>	<i>St. John's Park</i>	<i>Vega Park</i>	<i>Wyandotte County Lake Park</i>
			<i>Wyandotte County Park</i>

This Code shall apply uniformly to all Wyandotte County Parks that now exist and those that are later developed and shall supersede any prior Wyandotte County Parks and Recreation Code.

Section 1.1.5 – Severability.

If any clause, sentence, paragraph, section or subsection of this Code shall be judged invalid by a court of competent jurisdiction, such judgement shall not affect, repeal or invalidate the remainder of the provision of any other section or subsection, and shall be confirmed to the specific clause, sentence, paragraph, section or subsection which was found invalid.

Section 1.1.6 – Disclaimer of Liability.

(a) This code shall not be construed nor interpreted as imposing upon Wyandotte County, or any of their officials, officers, agents, or employees

(1) any liability or responsibility for damages to any property; or

(2) any liability or responsibility for any personal injury

~~In addition, no individual duly authorized to enforce the Code, who acts in good faith and without malice in the performance of official duties shall assume or have imposed upon them any personal liability, and they are hereby relived from personal liability for damage that may occur to any person or property as a result of any act required by this Code in the discharge of official duties.~~

Section 1.1.7 – Amendments and Additions.

This code may be supplemented, or its provisions may be amended by resolution duly adopted by the Board of County Commissioners of Wyandotte County, Kansas, and any such amendments or additions shall be incorporated within and codified as part of this Code.

Section 1.1.8—Permits & Fees

Unified Government may charge fees for the permits required under the Parks and Recreation Code of Regulations. The permit fee will be in an amount established by the County Administrator and may be changed from time to time.

Section 1.1.9 – Effective Date.

This Code shall be effective upon its adoption by the Board of County Commissioners.

CHAPTER 2

ARTICLE 1

Public Safety

Section 2.1.1- Park Hours.

Except as outlined below no person shall enter or remain within the boundaries of any Wyandotte County park at any time other than the posted hours of operation for that park.

(a) All park patrons shall be out of the park by midnight. Anyone still in the park after midnight will be presumed to be trespassing.

(1) Exceptions made for on-duty UG Parks and Recreation employees and law enforcement.

~~Night horse riding — Horse riding hours are limited to Sunrise to Sunset. Night riding is prohibited.~~

- (b) The Wyandotte County Sheriff or designee may close any park in an emergency situation where the health and safety of park patrons is in peril. Park closures due to inclement weather must be approved by the Parks Director.
- (c) ~~Archery range— Archery Range will be used during daylight hours only.~~
- (c) ~~Camping—Camping is prohibited.~~
- (c) ~~Fishing— Fishing is only permitted during park hours. Fishermen must vacate the park by midnight.~~
- (c) ~~Boating – Wyandotte County Lake opens at 6:00 A.M and closes at midnight from March 1-October 15. Wyandotte County Lake opens at 7:00 A.M. and closes at midnight from October 16-April 30.~~
- (d) ~~Sledding – Sledding is only permitted from the time the park opens to ½ hour after sunset.~~

Section 2.1.2 - Trail Riding.

- (a) Riding hours are limited to Sunrise to Sunset. ~~NO NIGHT RIDING.~~
- (b) Unloading and loading of animals for riding must be done at the marked horse trailer area at 83rd street.
- (c) Cleanliness of the loading and unloading area depends mainly on its users. Each rider is expected to clean up after themselves and those they are responsible for. Brooms and shovels should be used to clean up any droppings animals leave, and not just in this area, but any area in the park including roadways and parking lots.
- (d) Alcoholic beverages or cereal malt beverages are not allowed on the trails.
- (e) Children under the age of 18, must be accompanied by an adult of at least 18 years of age.
- (f) All animals being ridden will stay on the trails at all times. No rider will exit the trail and approach any shelter, building and watering holes where park patrons frequent. ~~Riders are expected to stay on the trail at all times.~~ Exiting the trails is a violation of park rules and is not permitted. If your animal needs water, you must dismount and lead it to the nearest part of the lake that allows the animals a safe drinking environment for both the rider and the park patrons.
- (g) ~~Littering on the trail, or in the park is prohibited. This includes signs or markers that have not been approved or posted by park personnel.~~
- (g) All riders ride at their own risk. Any injuries ~~shall~~ will be reported to Park Rangers ~~at~~ (913) 573-8327. All riders must have insurance coverage on their animals and themselves when riding.
- (h) Any group of riders of ten or more, must report to the administration office prior to the use of their trail. A contact person and cell phone number should be given to park staff. (913) 573-8327.
- (i) It is the responsibility of all riders to know the rules and regulations of both that of horseback riding and other park rules that may pertain to them.
- (j) Riders shall notify the maintenance division ~~The maintenance division would appreciate notification of any safety issues, or maintenance items on the trail that needs their attention at n-~~ (913) 596-7084.
- (k) ~~These rules and regulations may be amended at any time to better reflect the needs of the park. Any violation of the park rules, ordinances, or state laws, may result in the loss of future use of the trails.~~

Section 2.1.3 – Animals.

- (a) It shall be unlawful for any person owning or keeping any animal to permit or allow the animal to run at large within any park unless inside of an area designated as approved for off-leash activity.
 - 1. Dogs allowed to run loose in the designated dog park must at all times be under the control of the owner, not aggressive, and up to date on vaccines.
- (b) Pet owners ~~shall~~ are expected to follow all municipal ordinances regarding animals.

Section 2.1.4 – Swimming, Wading, Bathing.

- (a) No person shall swim, wade, or bathe in any waters of the said parks, except at such times and in such places as the park director may designate for a special event, park personnel training or for UG Parks and Recreation approved educational purposes or from boats conforming to rules set forth by the park director.
- (b) Swimming is allowed from boats only, no shoreline swimming.
- (c) No fisherman will wade in park waters to fish.
- (d) Park patrons using sail boards and sail boats will stay on their boats. In the case of capsizing or falling off such sail vessels the operator or occupants will get back into the vessel as soon as possible.

Section 2.1.5 – Ice Skating.

Ice skating or being on the ice in any Unified Government Park waters is prohibited. ~~illegal.~~

Section 2.1.6 – Archery.

- (a) The range will be used during daylight hours only.
- (b) The archery range is the only area a bow and arrow is to be used.
- (c) Anyone with a bow and arrow must be directly in route to or from the range or at the range.
- (d) No broad arrow tips, will be allowed.

Section 2.1.7 – Alcoholic Beverages.

- (a) ~~Unless otherwise posted~~, no person shall be in possession of, with the intent to ~~dispense in any manner sell~~, alcoholic beverages or cereal malt beverages other than in shelter houses or buildings designated for such purpose with proper permits, ~~within the boundaries of the park.~~
- (b) ~~A fee may be charged, as set by the County Administrator, for a permit allowing the sale of alcohol.~~
- (b) No person under the age of 21 will consume or possess alcoholic beverages.
- (c) ~~Alcohol is permitted in Parks unless otherwise posted~~ **NO ALCOHOL** or as noted herein.
- (d) No person will drive any boat, vehicle, or operate a remote-control object, ride a horse or mule while under the influence of drugs or alcohol.

Section 2.1.8 – Firearms and Weapons.

- (a) No person shall bring into any park, ~~discharge or use, within park boundaries~~, any ~~firearm~~, air gun, spring gun, blank gun, BB gun, slingshot, or blow gun, ~~or any other device in which force is used to propel projectiles.~~
- (b) Water guns are allowed if they do not resemble any real firearm.
- (c) ~~This section shall not apply to any law enforcement officer who is engaged in the discharge of official duties.~~
- (d) ~~This section shall not apply to persons using archery equipment in conformity with the provisions of Section 2.1.6 of this Code.~~

Section 2.1.9 – Camping.

- (a) ~~Camping is prohibited in all parks except for the Scout Area located at Wyandotte County Lake Park which requires a permit.~~
- (b) ~~A fee may be charged, as set by the County Administrator, for the permit allowing overnight camping.~~
- (b) ~~Unless hours are posted otherwise, all park patrons shall be out of the park by midnight. Anyone still in the park after midnight will be presumed to be trespassing.~~

- (b) ~~All scout groups wishing to use the scout area and camp overnight may do so by making special arrangements at the administrative office. All scout groups must be affiliated by a 501c3 recognized organization such as the Campfire Girls of America or the Boy Scouts of America. All scout groups will have a group leader that must be 21 years of age. All overnight campers must have proof of affiliation documentation by a recognized organization.~~

Section 2.1.10 – Nudity.

Nudity is prohibited in UG Parks.

~~No person shall be undressed in any Unified Government park. No person shall be in any restroom, building, vehicle, wooded area, open area or any other place in the park with their clothes off.~~

~~Park patrons may change their clothes in restrooms., no two people can be in a restroom when one person is changing clothes.~~

~~Men and women will wear clothing that properly covers all sexual organs. The act of sex will not be conducted in Unified Government parks, either in a car, restroom, building, shelter, wooded area, open area, or any other place in the park.~~

Section 2.1.11 – Aviation.

1. The following definition apply to this section:

- a. *Unmanned aircraft vehicle* means any aircraft that is not operated from within the aircraft.
- b. Operate means fly via remote control, perform the process of flying via remote control, or cause a machine designed for flight to fly via remote control

2. In order to lawfully operate an unmanned aircraft vehicle, all unmanned aircraft vehicle operators must comply with applicable FAA regulations and meet the requirements below:

- a. Obtain a Flying Permit issued by UG Parks and Rec
 - 1. Permit will be issued for flight at Wyandotte County Park unless otherwise requested and agreed to by UG Parks and Rec staff
- ~~b. A fee may be charged, as set by the County Administrator, for the permit allowing the operation of unmanned aircraft.~~
- b. Show proof of liability insurance in the amount of \$2.5 million prior to receiving the permit.

ARTICLE 2

Conservation of Park Resources

Section 2.2.1 – Protection of Wildlife.

- (a) No person, except under a special permit issued by the park director, will be allowed to hunt, trap, or in any way molest any animal, bird, or reptile on Unified Government park property.
- ~~(b) A fee may be charged, as set by the County Administrator, for the permit allowing hunting or trapping.~~
- (b) No person will turn loose any animal within the park unless special permission has been granted by the ~~the proper Federal or State authorities~~ and the Unified Government Parks Director.
- (c) No animal, reptile, bird, amphibian, or eggs or nest of any bird or reptile shall be removed out of the park without special permission from the proper Federal or State authorities and the Unified Government Parks Director.

~~No animal, reptile, bird, amphibian, or eggs or nest of any bird or reptile shall be removed out of the park without special permission from the proper Federal or State authorities and the Unified Government Parks Director.~~

~~This section does not apply to cats or dogs.~~

(a) **Section 2.2.2 – Pollution of Waters.**

- (a) ~~No person shall, within the park, throw, cast, lay, drop or discharge into, or leave in the waters, in any park, or in any storm sewer, or drain flowing into said waters, any substance, matter, or thing, liquid or solid, which may or shall result in the pollution of said waters.~~
- (a) ~~No person shall have brought in or dump, deposit or leave any bottles, broken glass, ashes, paper, boxes, cans, dirt, rubbish, waste, garbage, or refuse or other trash. No such refuse or trash shall be placed in any waters in or contiguous to any park or left anywhere on the grounds thereof, but shall be placed in the proper receptacles where these are provided. Where receptacles are not so provided, all such rubbish or waste shall be carried away from the park by the person responsible for its presence and properly disposed of elsewhere.~~

Section 2.2.23 – Damage to Park Property.

- (a) No person shall destroy, alter, damage, injure, or remove any real or personal property which belongs to the Unified Government. No person shall remove or carry away any asphalt, flagstone, rock, stone, clay, or earth; or make any excavation of any kind. No person shall destroy or alter any ruins, relics, or geological formations found within the boundaries of Unified Government Parks.
- (b) ~~This section shall not apply to persons performing work on behalf of the Unified Government or to persons who are engaged in scientific or educational collection and who possess, and are in compliance with, specific prior written permission obtained from the Director of Parks and Rec for such activity.~~

Section 2.2.3 – Illegal Fireworks.

No person shall bring into or have in said parks any fireworks, explosives including any substance compound mixture or article having properties of such a character that alone or in combination or contiguity with other substances or compounds may decompose suddenly and generate sufficient heat, gas, pressure or any or all of them to produce rapid flame, combustion or administer a destructive blow to surrounding objects, unless approved in writing by the parks director.

Section 2.2.45 – Fires.

- (a) No person shall kindle, build, maintain, or use a fire, except in fireplaces provided for the purpose of under special permit. Charcoal fires are only to be used in shelter fire pits and shelter grills. No logs or ~~f~~ wood will be used in any shelter grill or pit.
- (b) Campfires may be used in accordance with the Wyandotte County Parks fire permit issued~~s~~ by the Unified Government Parks Director. All campfires will be placed in an area where the fire it will not get out of control ~~and, usually the fires the~~ perimeter ~~shall be~~ is contained by rocks.
- (c) ~~A fee may be charged, as set by the County Administrator, for the permit allowing campfires.~~
- (c) Any fire shall remain continuously under the care and direction of a competent person over twenty-one (21) years of age, from the time it is kindled until it is extinguished. All fires must be completely extinguished with water or dirt before they are left behind.

Section 2.2.56 – Littering.

No person shall throw, cast, lay or drop, discharge into, or on any park, or allow an agent, servant or employee of any person in his or her charge, do likewise. Dropping discharge to include diseased or dead animals, organic refuse, or other offensive matter. No such refuse or trash shall be placed in any waters in or

contiguous to any park or left anywhere on the grounds thereof, but shall be placed in the proper receptacles where these are provided. Where receptacles are not so provided, all such rubbish or waste shall be carried away from the park by the person responsible for its presence and properly disposed of elsewhere. Littering in parks located within the City of Kansas City, Kansas are subject to UG Code of Ordinance Section 22-380.

Section 2.2.67 – Amplified Sound

Only those persons who hold a valid Parks and Rec permit and who are acting in conformity with the terms and conditions of the permit are allowed to set up or use amplified sound equipment within the boundaries of any Unified Government park. ~~A fee may be charged, as set by the County Administrator, for the permit allowing amplified sound.~~

Section 2.2.78 Excessive Noise

~~Municipal ordinances regarding excessive noise are enforced in Unified Government Parks. Unified Government Ordinances Sec. 22-124, Sec. 22-125, and Sec. 22-128, et seq and amendments thereto are enforced at parks within the city limits of Kansas City, KS. Bonner Springs Ordinance Sec. 12-217, et seq and amendments thereto are enforced at Wyandotte County Park.~~

Section 2.2.89 – Digging & Use of Metal Detectors.

- (a) No person shall dig or use a metal detector without a permit obtained through UG Parks and Rec.
- (b) ~~A fee may be charged, as set by the County Administrator, for the permit allowing digging or the use of a metal detector.~~
- (b) Digging and metal detection is strictly prohibited on soccer fields, baseball/softball fields, historical sites, golf courses, archery ranges, campgrounds, within 50 yards of an existing structure, in any area with irrigation, and within the designated unmanned aircraft flying area.
- (c) Digging instruments are limited to ice picks, screwdrivers, or other probes not exceeding six inches in width and eight inches in length.
- (d) No person shall dig a hole exceeding six inches in depth.
- (e) All ground moved must be replaced to its previous condition.

ARTICLE 3 Special Events

Section 2.3.1 – Vending without Permit.

No person shall solicit contributions, sell, barter, exchange, or conduct any other transactions involving any type of merchandise for profit within the boundaries of parks without written authorization of the park director. This shall be construed to mean any item for resale or profit which would include, but not limited to beverages, ice cream, food products, ice, picnic and fishing supplies, etc. ~~A fee may be charged, as set by the County Administrator, for the permit allowing vending.~~

Section 2.3.2 – Protesting.

No one person, or group will in anyway disturb the normal operation, the flow of traffic, or interfere with a gathering that has been approved by the park director. No one person or group will interrupt any meeting, shelter reservation, building reservation, or special function. ~~without the permission of the park director.~~

Section 2.3.3 – Advertising.

No person shall post, affix, paint, distribute, hand out, deliver, place, cast, or leave about, any bill, billboard, placard, ticket handbill, circular or advertisement; display any flag, banner, transparency, target, sign, placard, or other matter for advertisement purposes; or operate any musical instrument, drum or cause any noise to be made, for advertising purposes or for the purpose of attracting attention to any exhibition performance, show, building reservation, concert, shelter reservation or other purpose unless permission has been granted~~exempted~~ by the park director.

Section 2.3.4 – Solicitation.

No person shall solicit alms or contributions for any purpose.

ARTICLE 4

Fishing

Section 2.4.1 – Fishing.

- (a) ~~Unless modified by the Parks Director~~ fishing is only permitted during park hours. Fishermen must vacate the park by midnight.
- (b) ~~Fishing season is the first Saturday in March through November 30th.~~
- (c) Fishing in restricted and posted areas is prohibited, unless granted permission from the park director.
- (d) All fishermen will abide by all State and County rules and regulations regarding fishing. Failure to do so may result in fine or loss of fishing permit.
- (e) Only children 15 years of age and under may fish in the kiddy pond at Wyandotte County Lake. Children fishing in the kiddy pond must abide by the rules posted there. Any ~~adult~~parent helping a child-fish must possess proper licenses and permits. If an ~~adult~~ parent is just watching and not actively fishing including, by reeling in, or casting out, they do not need to possess a license and permit. The parent or guardian may bait hooks and take off fish. Children should always have a parent or guardian supervising them while at kiddy pond.
- (f) All fishermen will abide by all length and creel limits designated by the park director.
- (g) All fishermen between the age of 16 and ~~65~~ 75 must possess a Kansas State fishing license.
- (h) ~~A Wyandotte County Lake fishing permit is required for those age 16-65.~~
 - a. Both State and County permits must be in possession of the fisherman while fishing in park waters.
 - b. ~~Non residents on active military stationed in Kansas are entitled to purchase a resident Wyandotte County Lake fishing permit.~~
- (i) All fish must be put on a stringer or in a suitable place so that identification of ownership may be made by the rangers. Fishermen using a live well must have individual markers if sharing the same live well.
- (j) Trot, limb, or jug lines are prohibited.
- (k) There is no open season for frogs or turtles.

Section 2.4.2– Fishing Permit.

~~No fishing shall be allowed on any lake until a fishing permit is first obtained from the Unified Government Parks and Rec or designated agent. Said permit shall not be used in any violation of any regulation of the park director that shall be established from time to time, which will include rules for fishing and fees for the permits.~~

~~A fee may be charged, as set by the County Administrator, for the permit allowing fishing.~~

Section 2.4.23 Bowfishing

No person shall bowfish unless obtaining a special permit issued by the Unified Government Parks Director. A fee may be charged, as set by the County Administrator, for the permit allowing bowfishing. Bowfishers must also follow the regulations outlined in Sec. 2.4.1 & Sec. 2.4.2 herein. Catch and release bowfishing is strictly prohibited.

ARTICLE 5

Boating, Sailboards and Water Safety

Section 2.5.1 – Definitions

Watercraft means every vessel designed to be propelled by machinery, oars, paddles, or wind action upon a sail for navigation on the water.

Section 2.5.2 – Boating Permits

~~A valid County Boat Permit is required prior to placing any watercraft in park waters. The required Boat Permit shall be affixed to the right bow of the watercraft. County Boat Permit's shall be non-transferable to any other watercraft or person. A fee may be charged, as set by the County Administrator, for the permit allowing boating.~~

Section 2.5.23 – Boat Slip Rental

- (a) ~~Except as set out in (c)~~ Boat slip rental at Wyandotte County Lake is restricted to Wyandotte County residents only.
- (b) ~~Only Wyandotte County residents may place themselves on the boat slip rental waiting list.~~
- (c) ~~All Current renters of boat slips (as of February 2021) are allowed to continue to may renew their rental agreement no matter their county of residence so long as the individual adheres to all other requirements of boat slip rental including paying appropriate rental fees and State of Kansas boat registration are met.~~
- (d) A fee may be charged, as set by the County Administrator, for the boat slip rental
- (e) Dock slips are non-transferable. The name listed on the dock slip rental record or waitlist may not be added to or changed from year to year.
- (f) Upon changing residential address, slip holders shall provide the new address to the Lake Marina Manager within 14 days of the change.
- (g) Slip holder may be asked for boat license and registration by Lake Marina Manager, Unified Government employee or law enforcement at anytime. Slip holder must agree to provide requested documentation in an expeditious manner.
- (h) All boats must be secured to the dock as not to swing freely causing damage to neighboring boats and docks. All boats that work free and are loose on the lake are the responsibility of the boat owner to retrieve.
- (i) The docks are not to be altered in any manner (such as adding bumpers, hooks, etc.) All alterations will be removed after a two-week notice with slip holders required to pay costs to remove alterations and facing charges under Section 2.2.2 of these regulations.
- (j) All boats must be off the water no later than December 1st. After that date, all boats will be removed and stored at the owner's expense.

Section 2.5.34 – Boating

- (a) ~~Wyandotte County Lake opens at 6:00 A.M and closes at midnight from March 1-October 15 each year. Wyandotte County Lake opens at 7:00 A.M. and closes at midnight from October 16-April 30 each year.~~

- (a) ~~-Boating season is the first Saturday in March through November 30 unless modified weather permitting.~~
- (b) ~~Swimming is allowed from boats only, no shoreline swimming.~~
- (c) State of Kansas and U.S. Coastguard Boating Rules and Regulations strictly enforced. The Lake patrol has complete jurisdiction of all watercraft on the lake.
- (d) A valid County Boat Permit is required prior to placing any watercraft in park waters. The required Boat Permit shall be affixed to the right bow of the watercraft and visible above the water line. County Boat Permit's shall be non-transferable to any other watercraft or person.
- (e) No inflatable boats or rafts are allowed on the lake. Hand powered and wind powered watercrafts have the right-of-way over motorboats. Pontoon boats have right-of-way over motorboats.
- (f) All boats must be at least 10 feet in length.
- (g) All boats operators operating at Wyandotte County Lake will abide to the no wake zones, 20-mph speed limit, no boating areas, right of way rules and use correct navigational rules.
- (h) All boats will be equipped with proper boat registration and lettering, county permit and sticker, flotation devices, fire extinguishers, horn or whistle, lights, ventilation, and flame arrestor, as required by Kansas State Law. Classification of boats will determine which if all items are needed. Capacity limits for both occupants' capacity, weight, and gear will be followed, along with max. hp. for each boat.
- (i) All boats, except sailboats, must be launched from launching ramp in Boathouse Cove and inspected by marina operator.
- (j) The operator of every watercraft shall require every person 12 years of age or younger to wear a United States Coast Guard approved personal flotation device.
- (k) Consistent with State law, no person under the age of 12 shall operate a motorized boat unsupervised. No person between the age of 12 and 20 shall operate a motorized boat unsupervised unless the operator is licensed and has successfully completed a boating education course approved by Kansas Wildlife, Parks, and Tourism.
- ~~(l) Boating under the influence charges will be filed on anyone operating a water vessel while legally intoxicated. Operators will be tested by lake patrol with portable breathalyzers.~~
- ~~(l) All boats will be operated in a safe manner. No riding on bow of boats, no reckless driving.~~
- ~~(l) All boats will comply with all state and county laws. Failure to do so may result in fine or loss of boating privileges at the lake.~~
- ~~(l) No watercraft shall be moored/tied to any buoy on the lake.~~
- (m) Waterskiing, wakeboarding, wakesurfing, or tubing is prohibited.
- (n) Canoes, kayaks, and paddleboards must have a County Boat Permit and can only launch from the boat ramp or from the sailboat/kayak launch area.
 - 1. Consistent with State law all individuals in a canoe, kayak, and paddleboard are required to properly wear a Coast Guard approved personal flotation device.

Section 2.5.5 Personal Flotation Device

~~The operator of every watercraft shall require every person 12 years of age or under to wear a United States Coast Guard approved type I, type II, or type III personal flotation device while aboard such watercraft. A life belt or ring shall not satisfy this requirement.~~

Section 2.5.6 — Launching Watercraft.

~~All boats, except sailboats, must be launched from launching ramp in Boathouse Cove and inspected by marina operator before safety for lake permit is issued.~~

Section 2.5.7 — Personal Watercraft.

~~No personal watercrafts, such as wet bikes, jet skis or wave runners.~~
~~No water skiing from any device or towing of any object or boat except in an emergency.~~

Section 2.5.48 – Sailboards.

- (a) Sailboard season is May 15 to October 15.
- (b) Sailboards must be registered with the State of Kansas, the same as any other boat.
- (c) ~~Failure to have the sailboard registered with the state or have valid lake permit will result in the same penalties as any other craft.~~
- (c) Wyandotte County Lake Permits will be required and placed on the board or mast as to be visible when in the water.
- (c) Constant with State law all individuals on a sailboard are required to properly wear a Coast Guard approved personal flotation device.
- (d) ~~Personal flotation device (belt or vest) is always required on the operator's person when in the water (Coast Guard approved).~~
- (d) ~~Failure to wear a personal flotation device or wearing one not Coast Guard approved will result in the operator and/or owner being required to leave the lake. On the same offence involving the lake board, the lake permit will be revoked permanently.~~
- (e) The sailboards may be put in the water at the sailboat launching ramp only.

ARTICLE 6

Traffic

Section 2.6.1 – Commercial Vehicles.

Commercial trucks, tour buses, tractor trailers, tractor, farm machinery, industrial equipment, and all other vehicles the parks director or Rangers feel are too large and cause unsafe roadway for other traffic will not be allowed. Special permission may be granted for deliveries, special functions and other projects which the park director or Rangers approve.

Section 2.6.2 – Bicycles.

No person shall ride a bicycle other than on the right side of the road paving as close as conditions permit, and bicycles shall not be ridden more than two abreast when two or more are operating as a group. Bicyclists shall at all times operate their machines with reasonable regard to the safety of others, signal all turns, pass to the right of any vehicle they are overtaking, and pass to the right of any vehicle they may be meeting. No person shall leave a bicycle other than in a bicycle rack when such is provided and there is a space available. No person shall ride a bicycle on any road between 30 minutes after sunset and 30 minutes before sunrise without an attached headlight plainly visible at least 200 feet in front and without a red taillight or red reflector plate visible at least 100 feet from the rear of such bicycle.

Section 2.6.3 – ATV's and Motorized Dirt Bikes.

No all-terrain vehicle or motorized dirt bikes will be used in any Unified Government Park. A dirt bike, if properly licensed and insured, may use park roads but will never leave park roadways or parking areas. Special permission by the park director may be granted for special events.

Section 2.6.4 – e-Bikes.

- (a) The following definition apply to this section:

- i. *Electric bike or e-bike* means a bike with two or three wheels, fully operable pedals, and an electric motor not to exceed 750 watts of power
 - ii. *Class 1* means an e-bike equipped with a motor that provides assistance only while peddling. Motorized power ceases when the e-bike reaches 20 MPH.
 - iii. *Class 2* means an e-bike equipped with a motor that provides assistance with or without peddling. Motorized power ceases when the e-bike reaches 20 MPH.
 - iv. *Class 3* means an e-bike equipped with a motor that provides assistance with or without peddling. Motorized power ceases when the e-bike reaches 28 MPH.
- (b) Class 1 and 2 e-bikes are allowed on roadways and designated bike lanes as well as on multi use trails and other areas that are open to non-motorized biking with the exception of horse trails.
- i. No person shall operate a Class 3 e-bike on multi-use trails or other areas open to non-motorized biking.
- (c) Class 3 e-bikes are only allowed on roadways and designated bike lanes.

Section 2.6.5 – Snow Sledding.

- (a) Sled riding is only permitted during safe light starting when the park opens and ending ½ hour after sunset.
- (b) Snow sledding /cross country skiing is permitted in all Unified Government parks. ~~Safety will be the main issues.~~ If the park Ranger feels that a location is unsafe, sledding and snow skiing will be stopped in that specific area.
- (c) No ramps will be built or used for jumps.
- (d) All sleds will be made of safe material and design. No car hoods will be allowed.
- (e) No sledding in closed or prohibited areas of the parks.
- (f) If the director of parks and recreation or her designee feels that you are operating a sled in a reckless manner, you will be required to leave the park.

CHAPTER 3

ARTICLE 1

Adoption and Penalties

Section 3.1.1 – Previous Regulations.

~~This Code shall apply uniformly to all Wyandotte County Parks that now exist and those that are later developed and shall supersede any prior Wyandotte County Parks and Recreation Code.~~

Section 3.1.12 – Use of Park Property or Services.

No person shall build, improve, or in any other manner encroach upon any Unified Government property, and no person shall use any unified Government property, equipment, or service for which a permit fee is required without first obtaining such permit of paying such fee. The Unified Government hereby reserves the right to restrict or close Unified Government Parks or facilities temporarily should weather, safety or incompatible resource or program use so require.

Section 3.1.3 – Enforcement, Violations and Penalties.

- (a) From and after the effective date of this Code, no person shall violate any of the provisions of this Code, or fail to comply with any of its requirements, including, but not limited to, any condition or term established in connection with granted permits or use of Unified Government property, and any act, conduct, or use that fails to comply with the provisions of this Code and any rules or standards adopted as a part of the Code, shall be and hereby is declared to be unlawful as a violation of this Code.
- (b) The failure of any person to comply with, or the violation of any provision, requirement, standard, or condition contained within this Code, shall be a public offense punishable, upon conviction, by a fine in an amount determined according to the Fine Schedule which is attached hereto as Appendix A and incorporated herein by reference and up to 30 days in jail.
- (c) Multiple or repeated violations shall be deemed a violation of the next most serious violation class and shall be subject to a higher fine amount, as provided in the attached fine schedule.

Fine Schedule

Section	1 st Offense	2 nd Offense	3 rd Offense
2.1.1	\$25.00	\$50.00	\$100.00
2.1.2	25.00	50.00	100.00
2.1.3	50.00	75.00	100.00
2.1.4	25.00	50.00	100.00

2.1.5	25.00	50.00	100.00
2.1.6	25.00	50.00	100.00
2.1.7(a)	50.00	75.00	100.00
2.1.7(b) & (d)	State or Municipal charges	State or Municipal charges	State or Municipal charges
2.1.8	25.00	50.00	100.00
2.1.9	25.00	50.00	100.00
2.1.10	25.00	50.00	100.00
2.1.11	25.00	50.00	100.00
2.2.1	100.00	100.00	100.00
2.2.2	100.00	100.00	100.00
2.2.3	100.00	100.00	100.00
2.2.4	50.00	100.00	100.00
2.2.5	Municipal Charges and Penalties	Municipal Charges and Penalties	Municipal Charges and Penalties
2.2.6	50.00	75.00	100.00
2.2.7	50.00	100.00	100.00
2.2.8	50.00	100.00	100.00
2.3.1	50.00	100.00	100.00
2.3.2	50.00	100.00	100.00
2.3.3	25.00	50.00	100.00
2.3.4	25.00	75.00	100.00
2.4.1	50.00	75.00	100.00
2.4.2	50.00	75.00	100.00
2.5.3	50.00	75.00	100.00
2.5.4	25.00	50.00	100.00
2.6.1	25.00	50.00	100.00
2.6.2	50.00	100.00	100.00
2.6.3	50.00	100.00	100.00
2.6.4	50.00	100.00	100.00
2.6.5	50.00	100.00	100.00

(PUBLISHED IN THE *WYANDOTTE ECHO* on _____)

SUMMARY OF RESOLUTION

On April 8, 2021 the governing body of the Unified Government of Wyandotte County/ Kansas City, Kansas passed a resolution entitled:

A RESOLUTION amending the Unified Government Parks and Recreation Code of Regulations

The resolution amended current rules regulating the operation and enjoyment of parks under the jurisdiction of the Unified Government Parks and Recreation Department.

A complete text of the regulations may be obtained or viewed free of charge at the office of the Clerk of the Unified Government, 701 N. 7th Street, Kansas City, Kansas or at the Parks and Recreation Office at 5033 State Avenue, Kansas City, Kansas.



Staff Request for Commission Action

Tracking No. 21726

Full Commission Meeting Date: 4/08/2021

Committee: Economic Development & Finance

Date of Standing Committee Action: 3/29/2021

(If none, please explain):

Publication Required: No

<u>Date:</u> 3/31/2021	<u>Contact Name:</u> Angela Lawson, Debbie Jonscher	<u>Contact Phone:</u> 573-9032, x5847	<u>Contact Email:</u> alawson@bpu.com, djonscher@wycokck.org	<u>Department/Division:</u> Finance
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Item Description:

Approve a resolution authorizing the Board of Public Utilities to enter into a loan agreement with the Kansas Department of Health and Environment's State Revolving Loan Fund Program.

Action Requested:

Approved

Budget Impact: (if applicable)

Amount:

Source:

Included In Budget:

Other (explain):

Attachments List:

UG Resolution approving Water Loan - BPU Water Loan 2021, Board Meeting KDHE Loan Board Presentation-012021_final

RESOLUTION NO. R_____

A RESOLUTION AUTHORIZING THE BOARD OF PUBLIC UTILITIES OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS TO OBTAIN A LOAN FROM THE KANSAS PUBLIC WATER SUPPLY FUND ADMINISTERED BY THE KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT

WHEREAS, the Unified Government of Wyandotte County/Kansas City, Kansas (the “Unified Government”) is a municipal corporation duly organized under the laws of the state of Kansas (the “State”) as a consolidated city-county; and

WHEREAS, the Unified Government owns and operates a public water supply and distribution system (the “System”), which is managed, operated, maintained and controlled on a day-to-day basis by an administrative agency of the Unified Government known as the Board of Public Utilities (the “BPU”); and

WHEREAS, the Board of Directors of the BPU (the “BPU Governing Body”) has heretofore determined it to be in the best needs of the customers of the System to undertake certain modifications and improvements to the System, including (i) 7 MG Argentine Reservoir at an estimated cost of \$10,000,000, (ii) replace aging distribution mains at an estimated cost of \$9,000,000, (iii) transmission main from 90th and Parallel to I-435 and France Family Drive at an estimated cost of \$2,000,000, (iv) electrical improvements at Nearman Water Treatment Plant and pumping stations at an estimated cost of \$1,500,000 and (v) replace 24-inch main at 12th Street and Kansas River at an estimated cost of \$2,500,000 (collectively, the “Projects”), and to pay Loan origination costs; and

WHEREAS, pursuant to K.S.A. 65-163c et seq. (the “KDHE Act”), the Kansas Department of Health and Environment (“KDHE”) administers the Kansas Public Water Supply Fund (the “Fund”) from which loans are made to certain qualified Municipalities (as said term is defined in the KDHE Act) to finance modification and improvements to public water supply systems; and

WHEREAS, the BPU has heretofore made an application to KDHE for a loan in an aggregate amount not to exceed \$25,000,000 (the “Loan”) to finance the Improvements; and

WHEREAS, the BPU Governing Body has heretofore conducted a public hearing on the advisability of proceeding with the completion of the application for the Loan and has authorized the appropriate officials of the BPU to accomplish the completion process; and

WHEREAS, the Board of Commissioners of the Unified Government wishes to authorize the BPU to enter into the Loan to finance the Improvements; and

WHEREAS, in order to maintain flexibility for a future refinancing of the Loan with utility system revenue bonds, the Board of Commissioners of the Unified Government also wishes to authorize the issuance of utility system revenue bonds as an alternative financing source for the Improvements, and accordingly, pursuant to the provisions of Charter Ordinance No. CO-5-01, as

amended, Article 12, Section 5 of the Kansas Constitution and K.S.A. 10-1201 *et seq.* (collectively, the “Act”), the governing body of the Unified Government has determined that it is advisable to publish in the official newspaper of the Unified Government a notice of the Improvements to the System at an estimated cost of \$25,000,000 and that utility system revenue bonds of the Unified Government may be issued in an estimated amount of \$25,000,000 plus the cost of any required reserves, costs of issuance and related expenses; and

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, AS FOLLOWS:

Section 1. Approval of Improvements. The governing body of the Unified Government hereby approves the Improvements at a total estimated cost of \$25,000,000.

Section 2. Approval of Loan. The BPU is hereby authorized to obtain the Loan in order to provide financing for the Improvements.

Section 3. Approval of Issuance of Bonds as an Alternative Financing Source for the Improvements; Necessary Action. In order to maintain flexibility for a future refinancing of the Loan with utility system revenue bonds, the Unified Government also authorizes the issuance of utility system revenue bonds in the principal amount not to exceed \$25,000,000 plus the cost of any required reserves, costs of issuance and related expenses as an alternative financing source for the Improvements, provided that any such issuance of utility system revenue bonds shall require further approval by the Unified Government of the sale of any such bonds prior to any such issuance. The governing body of the Unified Government hereby directs that notice of the Improvements to the System and the possible issuance of such bonds be given as provided by the Act, in substantially the form attached hereto as **Exhibit A**.

Section 4. Further Proceedings. The Mayor, Unified Government Clerk and other officers and representatives of the Unified Government are hereby authorized and directed to take such action as may be necessary to implement this Resolution.

Section 5. Effective Date. This Resolution shall be in full force and effect following its adoption by the governing body of the Unified Government.

ADOPTED by the Governing Body of the Unified Government of Wyandotte County/Kansas City, Kansas on _____, 2021.

**UNIFIED GOVERNMENT OF WYANDOTTE
COUNTY/KANSAS CITY, KANSAS**

By: _____
Mayor/Chief Executive

(SEAL)

ATTEST:

Unified Government Clerk

Exhibit A

(Published in *The Wyandotte County Echo* on _____, 2021)

NOTICE

Notice is hereby given that pursuant to a resolution of the Unified Government of Wyandotte County/Kansas City, Kansas (the “Unified Government”), adopted _____, 2021, the governing body of the Unified Government has approved making improvements to the Unified Government’s water utility system including a water reservoir replacement project at the Argentine Pump Station, transmission main and distribution main construction and replacement projects, and electrical improvements at the Nearman Water Treatment Plant and pumping stations (the “Improvements”) at a total estimated cost of not to exceed \$25,000,000 and the financing of the Improvements with a loan from the Kansas Department of Health and Environment, and has authorized the issuance of utility system revenue bonds as an alternative financing source for the Improvements under the authority of Charter Ordinance No. CO-5-01 of the Unified Government, as amended, Article 12, Section 5 of the Kansas Constitution and K.S.A. 10-1201 *et seq.* (the “Act”), in a principal amount not exceeding \$25,000,000 plus the cost of any required reserves, costs of issuance and related expenses to pay the costs of the Improvements.

Notice is further given that the governing body of the Unified Government may issue its utility system revenue bonds (the “Bonds”) pursuant to the Act in an aggregate principal amount not exceeding \$25,000,000 plus the cost of any required reserves, costs of issuance and related expenses to pay the cost of the Improvements. The Bonds, if and when issued, will be payable solely from the net revenues derived by the Unified Government from the operation of its utility system.

If within fifteen (15) days after the date of publication of this notice, written protest against the Improvements and/or issuance of the Bonds for the payment of the Improvements is filed with the Unified Government Clerk and signed by not less than twenty percent (20%) of the qualified electors of the City of Kansas City, Kansas, the governing body shall submit the question of the proposed Improvements and the proposed issuance of the Bonds for the payment of the Improvements to the electors of the City of Kansas City, Kansas at an election for such purpose as provided by law. If sufficient protest is not filed, then the governing body of the Unified Government will proceed in accordance with the intentions hereinbefore declared and make the Improvements, and may issue the Bonds in an aggregate principal amount not in excess of \$25,000,000 plus the cost of any required reserves, costs of issuance and related expenses to pay the costs of the Improvements.

DATED: _____, 2021.

**UNIFIED GOVERNMENT OF WYANDOTTE
COUNTY/KANSAS CITY, KANSAS**

By: _____
Unified Government Clerk

REVIEW OF KDHE LOAN

January 20, 2021



KDHE Loan Projects (2021 - 2024)

- 7 MG Argentine Reservoir - \$10,000,000 (2021- 2023)
- Replace Aging Distribution Mains - \$ 9,000,000 (2021-2024)
- T-Main 90th and Parallel to I 435 & France Family Drive - \$2,000,000 (2021-2023)
- Electrical Improvements at NWTP & Pumping Stations - \$1,500,000 (2022-2023)
- Replace 24 inch Main at 12th Street & Kansas River - \$2,500,000 (2021-2023)
- KDHE Loan Amount - \$25,000,000

Argentine 7 MG Reservoir



Aging Infrastructure - Small Diameter Mains

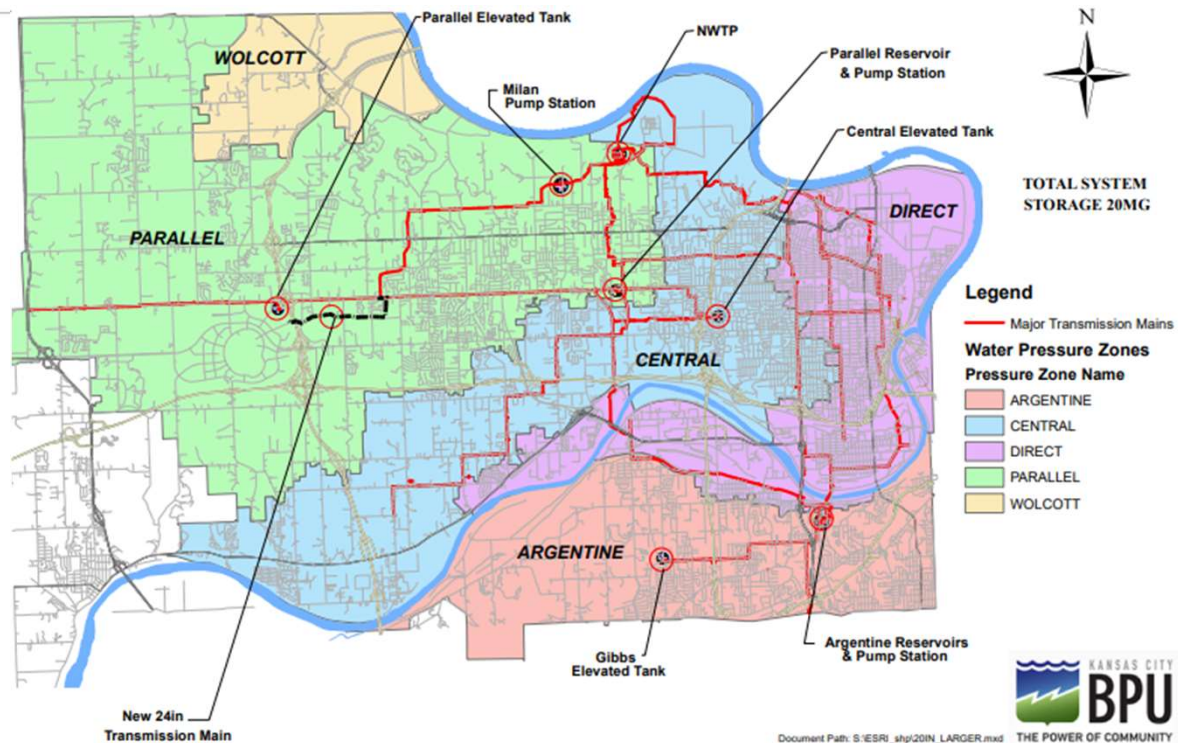


Highland Crest Area

Existing 4 inch Main

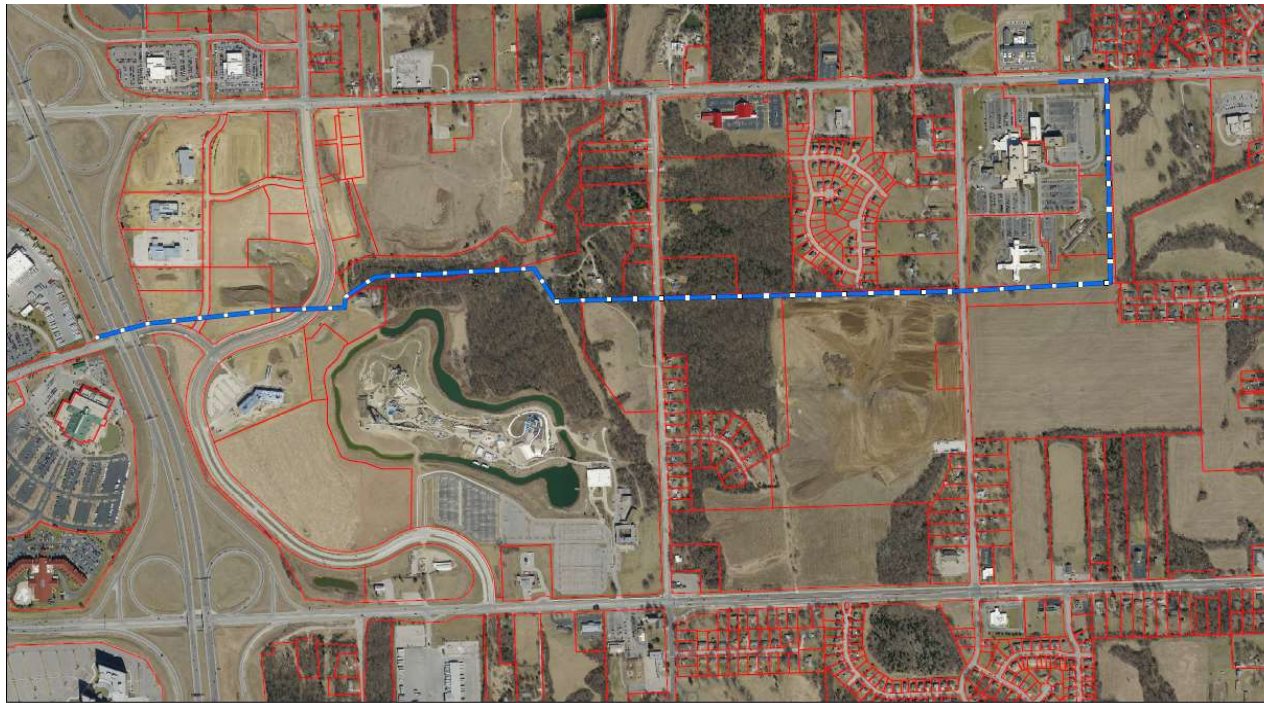


24 inch Transmission Main - 90th and Parallel to France Family Drive



24 inch Transmission Main - 90th and Parallel to France Family Drive

1435



Parallel

State Avenue

Electrical Improvements at NWTP & Pump Stations



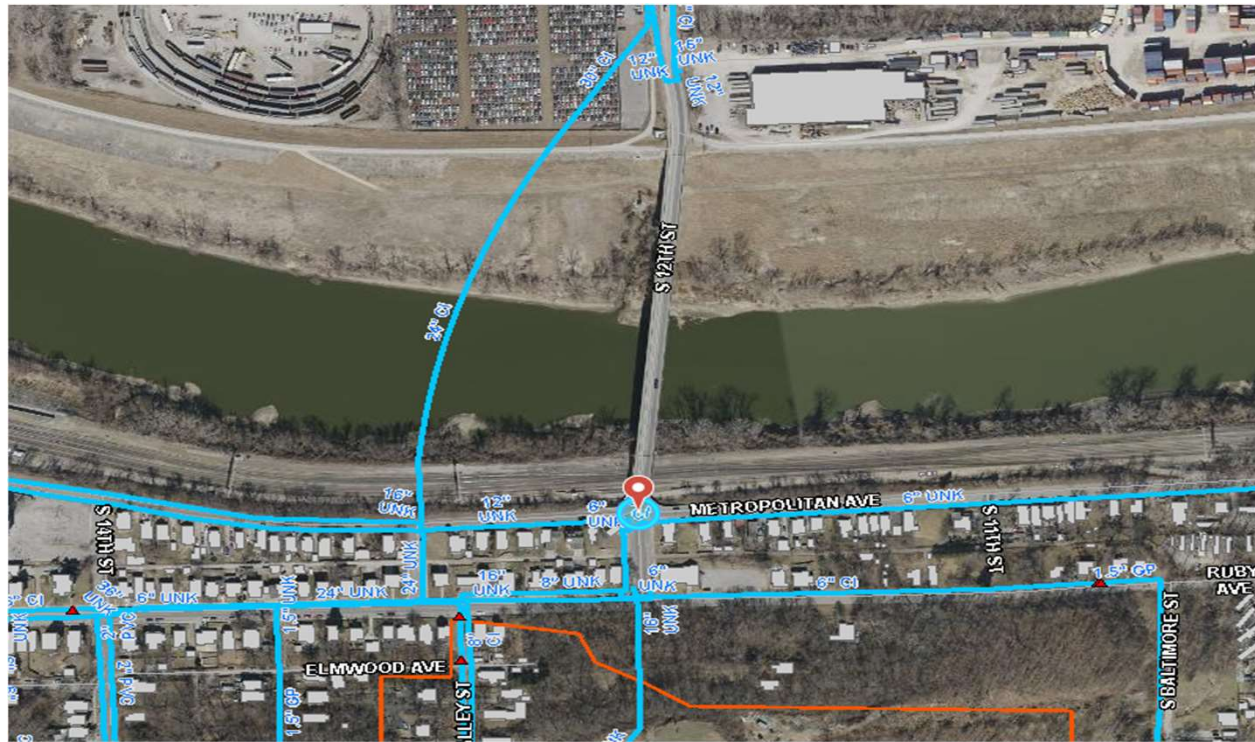


New Project - 12th Street River Crossing

- Transmission Main Crossings on the Kansas River
 - Turner Diagonal: Channel Crossing with 24 inch main installed 2002
 - 18th St. : Bridge Crossing with 24 inch main installed 1959 and anticipate replacement with KDOT Bridge Project Scheduled for 2025
 - 12th Street : Channel Crossing with 24 inch main Installed in 1940



12th Street River Crossing





12th Street River Crossing - New Project

- 12th st River Crossing - Installed in 1940
 - 1940 Pipeline Centerline approximately = 706 Elevation
 - 1940 River Bed approximately = 719 Elevation
 - 1940 Cover depth over top of Pipe = 12 feet
 - Restrained joint pipe



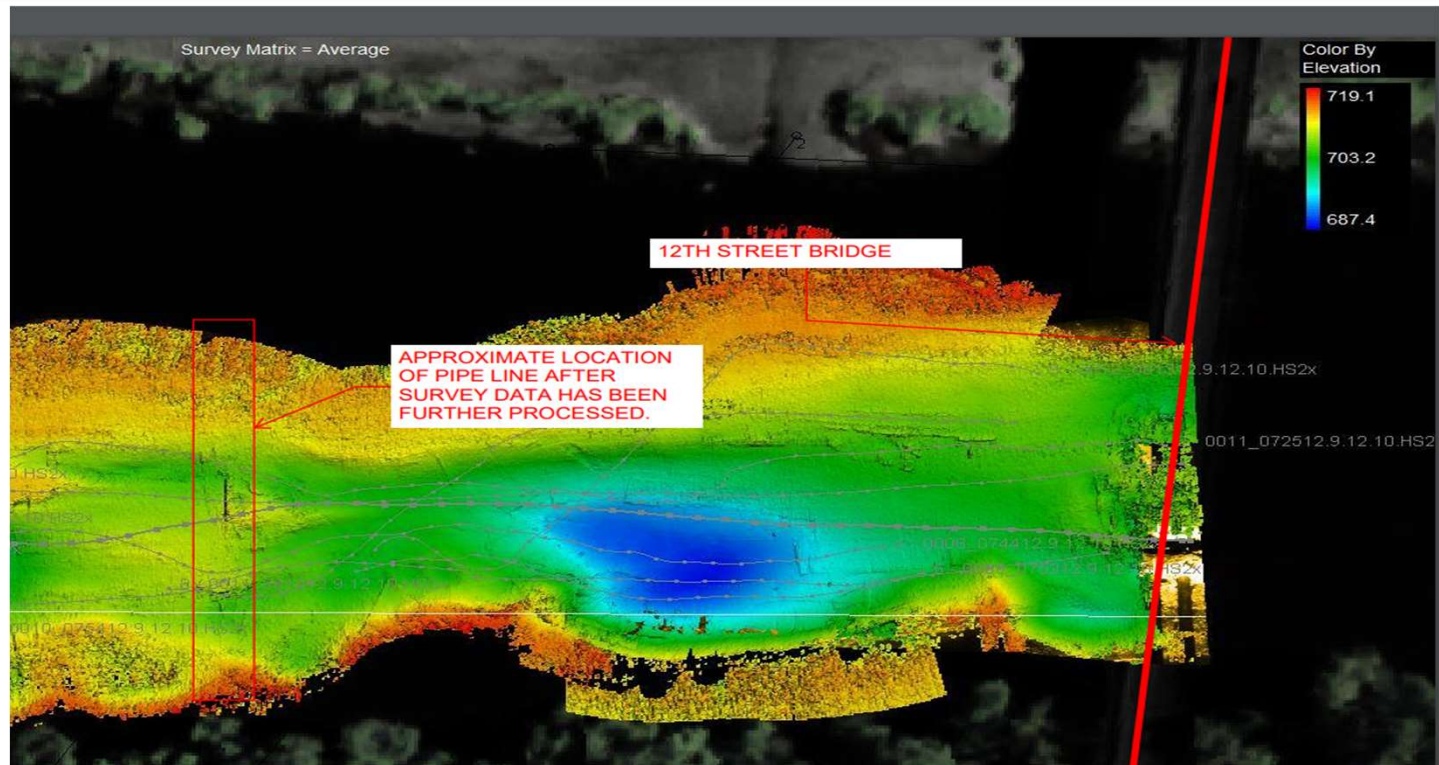


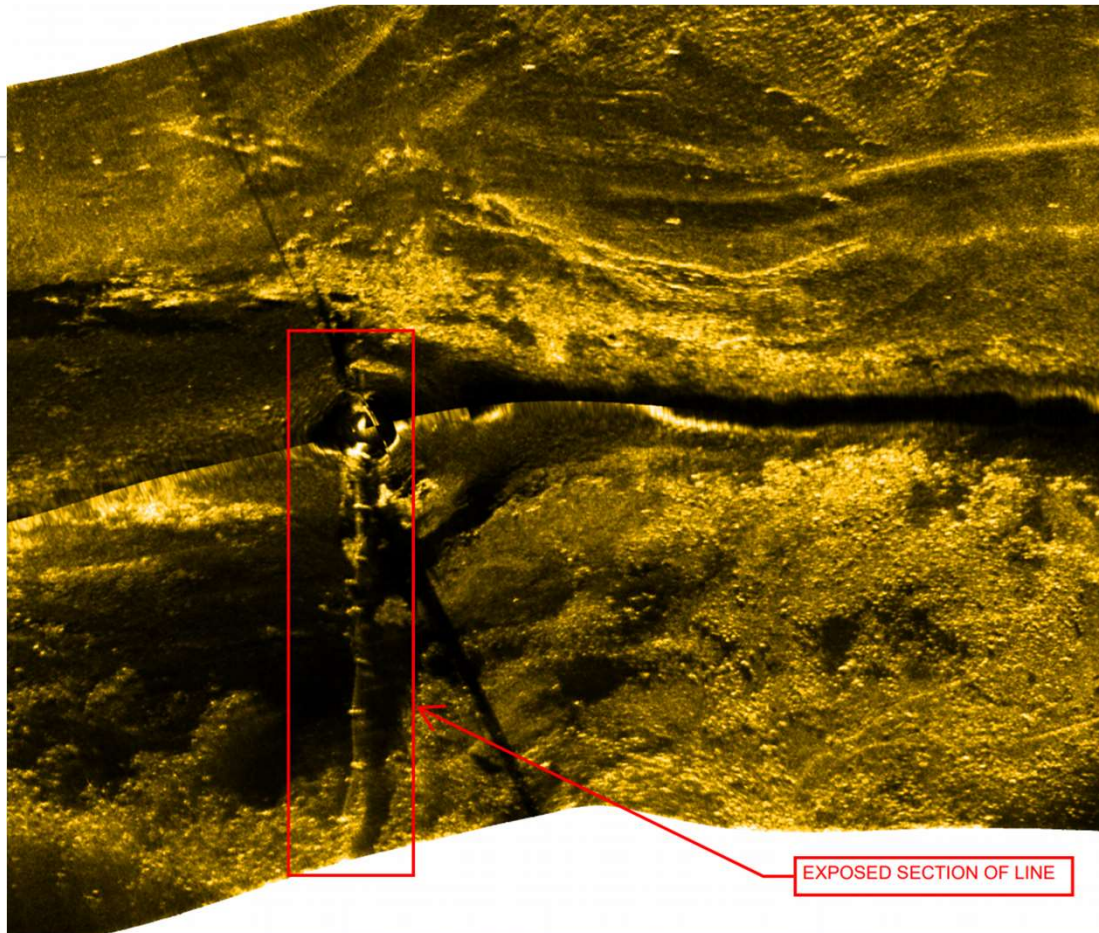
12th Street River Crossing - New Project

- Current Pipe / River Conditions
 - Confirmed by Bathymetric Survey and Divers
 - River Bed at Crossing is approximately Elevation 703 to 706
 - 140 ft of Pipe Exposed
 - 30 ft of pipe undermined with 2 ft of separation from river bed
 - 32 ft of pipe undermined with 1 ft -1.5 ft of separation from river bed



Sonar and Sounding of River Channel





Inspection by Divers - 1/12/2021





KDHE Loan - Proposed Schedule

- Review Process & Answer Questions - January 20th
- Board Approval for 30 day Notice of Public Hearing - February 3rd
- Public Hearing & Board Resolution - March 17th
- UG Finance Committee Presentation - March 29th
- UG Commission Resolution / Approval - April 29th

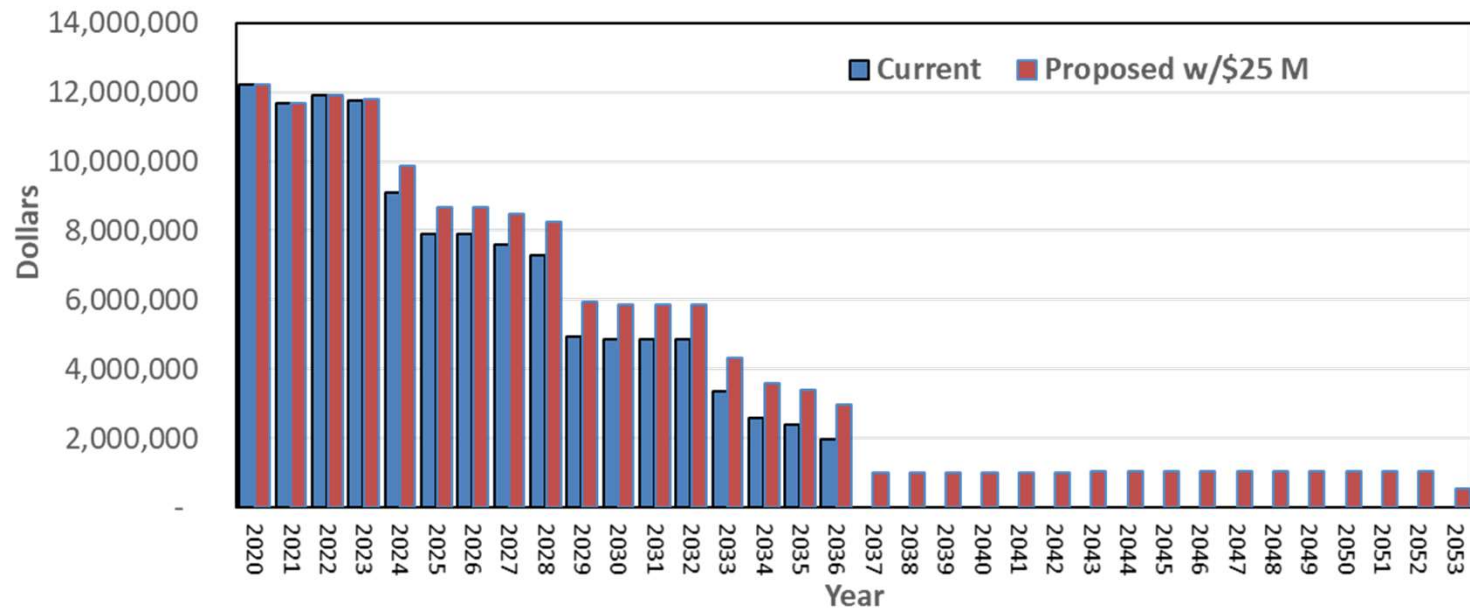
Estimated Loan Parameters

- \$25,000,000 Principal
- 30 Year Loan
- Projected Interest rate - 1.56 %
- Projected First Payment - 8/1/2024
- Number of Payments - 60 (twice per year)
- Projected Annual Payment - \$1,060,562



Current Debt Schedule vs Proposed Debt

Current Debt vs Proposed Debt





Questions

- Thank You





Staff Request for Commission Action

Tracking No. 21735

Full Commission Meeting Date: 4/8/21 and 5/13/21-public hearing

Committee: Economic Development & Finance

Date of Standing Committee Action: 3/29/21

(If none, please explain):

Publication Required: Yes 4/29/2021

<u>Date:</u> 3/31/2021	<u>Contact Name:</u> Katherine Carttar	<u>Contact Phone:</u> x5176	<u>Contact Email:</u> kcarttar@wycokck.org	<u>Department/Division:</u> Economic Development
<u>Item Description:</u> Resolution: Calling and providing notice of a Public Hearing on the advisability of adding property to the Riverfront Redevelopment District.				
<u>Action Requested:</u> Approve & Advance for Public Hearing on May 13				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u> Resolution calling TIF Public Hearing for Amended District (UG Riverfront)				

(Published in *The WyandotteEcho* on _____, 2021)

RESOLUTION NO. R-_____-21

A RESOLUTION CALLING AND PROVIDING FOR NOTICE OF A PUBLIC HEARING ON THE ADVISABILITY OF ADDING PROPERTY TO THE RIVERFRONT REDEVELOPMENT DISTRICT PURSUANT TO K.S.A. 12-1770 *ET SEQ.*

WHEREAS, K.S.A. 12-1770 *et seq.*, as amended (the "Act"), provides for the creation and amendment of redevelopment districts and the approval of redevelopment plans; and

WHEREAS, on August 13, 2020, the Governing Body of the Unified Government of Wyandotte County/Kansas City, Kansas (the "UG") adopted Ordinance No. O-47-20, approving the Riverfront Redevelopment District (the "District"), pursuant to the Act; and

WHEREAS, Ordinance No. O-47-20 was published in *The Wyandotte Echo* on August 20, 2020; and

WHEREAS, the legal description of the District, contained in Exhibit B of Ordinance No. O-47-20, unintentionally omitted the legal description of the property contained in Project Area 4, the Rock Island Bridge, as depicted on the map attached hereto as **Exhibit B**; and

WHEREAS, the Governing Body desires to add the missing property of Project Area 4 to the District, pursuant to K.S.A. 12-1771(e); and

WHEREAS, the Governing Body intends to set a date for a public hearing for the purpose of considering the amendment of the District in accordance with the Act to correct the legal description of the boundaries of the District to add Project Area 4; and

WHEREAS, the District, including Project Area 4, consists of an area described on **Exhibit A** attached hereto and generally depicted on the map attached hereto as **Exhibit B**, both of which are incorporated herein and made a part of this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS:

Section 1. **Public Hearing.** It is hereby authorized, ordered, and directed that the Governing Body shall hold a public hearing on **May 13, 2021 at 7:00 p.m.** to hear comments and consider findings necessary to add additional property consisting of Project Area 4 to the District pursuant to the Act. The hearing will be held virtually and may be accessed via Zoom web conference or toll free via telephone by dialing (877) 853-5257 or (888) 475-4499. Public hearing access information is available on the UG event calendar at www.wycokck.org or by contacting the UG Clerk via telephone at (913) 573-5260 or email to ugclerkrequest@wycokck.org.

Section 2. **Description and Map.** A description and map of the proposed expanded District is available for public inspection from 8:00 a.m. to 5:00 p.m., Monday through Friday, in the

UG Clerk's office located in Suite 323 on the third floor of the Municipal Office Building at 701 North 7th Street, Kansas City, Kansas 66101.

Section 3. **District Plan.** The District Plan may be described in a general manner as consisting of some or all of the following uses, without limitation: multifamily residential uses, commercial uses, mixed use commercial retail, restaurant uses, and any other commercial structure or use (including but not limited to, office, non-profit, governmental, or community use), and including such associated site work, infrastructure, utilities, storm water control, access, street improvements, landscaping, lighting, parking facilities (including parking garages), courtyards, other associated and appurtenant structures and facilities, and any other items allowable under the Act.

Section 4. **Findings.** The Governing Body will consider findings necessary to add additional property consisting of Project Area 4 to the District after conclusion of the public hearing.

Section 5. **Notices.** The UG Clerk is hereby authorized and directed to publish this Resolution once in the official city newspaper not less than one (1) week or more than two (2) weeks preceding **May 13, 2021**, the date set for the public hearing. The Clerk or any other employee or officer of the UG is authorized and directed to mail a copy of this Resolution via certified mail, return receipt requested to the Unified Government Board of Commissioners; the Kansas City, Kansas Unified School District #500 Board of Education, as the school district levying taxes on property within the proposed District; and to each owner and occupant of land within the project areas of the proposed expanded District not more than ten (10) days following the date of the adoption of this Resolution.

Section 6. **Further Action.** The Mayor/CEO, County Administrator, and other officers, agents, and employees of the UG are hereby further authorized and directed to take such further action as may be appropriate or desirable to accomplish the purpose of this Resolution.

Section 7. **Effective Date.** This Resolution shall be effective upon its adoption by the Governing Body.

**ADOPTED BY THE UNIFIED GOVERNMENT BOARD OF
COMMISSIONERS THIS _____ DAY OF _____, 2021.**

Mayor/CEO

(SEAL)

Unified Government Clerk

EXHIBIT A

LEGAL DESCRIPTION OF DISTRICT

A PORTION OF LOT 1 OF FRACTIONAL SECTION 14, TOWNSHIP 11 SOUTH, RANGE 25 EAST OF THE SIXTH PRINCIPAL MERIDIAN IN KANSAS CITY, WYANDOTTE COUNTY, KANSAS, AS LOCATED BY SILAS ARMSTRONG, ACCORDING TO THE OFFICIAL GOVERNMENT PLAT FILED IN THE DISTRICT LAND OFFICE AT LECOMPTON, KANSAS TERRITORY IN FEBRUARY 1858; SAID LAND ALSO BEING PORTIONS OF TRACTS 1, 2, 3 AND 4 AS SHOWN ON THE PLAT OF PARTITION IN DISTRICT COURT CASE NO. 911 IN 1867 AND A PORTION OF THE NORTH 40 ACRE TRACT AS SHOWN ON THE PLAT OF PARTITION IN DISTRICT COURT CASE NO. 1066 IN 1869, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

NOTE: BEARINGS STATED IN THE FOLLOWING DESCRIPTION ARE ORIENTED TO GRID NORTH, MISSOURI STATE PLANE COORDINATE SYSTEM, WEST ZONE, NORTH AMERICAN DATUM 1983.

BEGINNING AT A POINT ON THE KANSAS/MISSOURI STATE LINE, SAID POINT BEING 2162.94 FEET SOUTH OF THE NORTHEAST CORNER OF SAID FRACTIONAL SECTION 14 AND 1016.21 NORTH OF THE SOUTHWEST CORNER OF FRACTIONAL SECTION 6, TOWNSHIP 49 NORTH, RANGE 33 WEST OF THE FIFTH PRINCIPAL MERIDIAN IN KANSAS CITY, JACKSON COUNTY, MISSOURI, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF GATEWAY 2000 - KANSAS, A SUBDIVISION OF LAND IN KANSAS CITY, WYANDOTTE COUNTY, KANSAS; THENCE NORTH 87 DEGREES 58 MINUTES 19 SECONDS WEST 835.11 FEET, ALONG THE SOUTH LINE OF SAID GATEWAY 2000 - KANSAS, TO A POINT ON THE UNITED STATES HARBOR LINE WHICH IS A CURVE CONCAVE TO THE EAST AND TO WHICH POINT A RADIAL LINE BEARS NORTH 66 DEGREES 17 MINUTES 58 SECONDS EAST; THENCE SOUTHERLY 149.84 FEET, ALONG SAID HARBOR LINE AND SAID CURVE TO THE LEFT HAVING A RADIUS OF 2570.20 FEET AND A CENTRAL ANGLE OF 3 DEGREES 20 MINUTES 25 SECONDS; THENCE SOUTH 27 DEGREES 02 MINUTES 27 SECONDS EAST 314.59 FEET, ALONG SAID HARBOR LINE, TO THE BEGINNING OF A CURVE CONCAVE TO THE WEST AND TANGENT TO THE LAST DESCRIBED COURSE; THENCE SOUTHERLY 1021.96 FEET, ALONG SAID HARBOR LINE AND SAID CURVE TO THE RIGHT HAVING A RADIUS OF 5729.68 FEET AND A CENTRAL ANGLE OF 10 DEGREES 13 MINUTES 10 SECONDS; THENCE SOUTH 16 DEGREES 49 MINUTES 25 SECONDS EAST 262.70 FEET, ALONG SAID HARBOR LINE, TO THE BEGINNING OF A CURVE CONCAVE TO THE WEST AND TANGENT TO THE LAST DESCRIBED COURSE; THENCE SOUTHERLY 288.90 FEET, ALONG SAID HARBOR LINE AND SAID CURVE TO THE RIGHT HAVING A RADIUS OF 1910.08 FEET AND A CENTRAL ANGLE OF 8 DEGREES 39 MINUTES 69 SECONDS, TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF THE CHICAGO, ROCK ISLAND AND PACIFIC RAILROAD (NOW ABANDONED); THENCE SOUTH 87 DEGREES 27 MINUTES 18 SECONDS EAST 98.27 FEET, ALONG SAID NORTH RIGHT-OF-WAY LINE, TO A POINT ON THE KANSAS/MISSOURI STATE LINE AND THE WEST RIGHT-OF-WAY LINE OF AMERICAN ROYAL DRIVE, AS NOW ESTABLISHED; THENCE NORTH 00 DEGREES 17 MINUTES 16 SECONDS EAST 854.18 FEET, ALONG SAID STATE LINE, TO THE SOUTHWEST CORNER OF SAID FRACTIONAL SECTION 6, TOWNSHIP 49 NORTH, RANGE 33 WEST; THENCE NORTH 00 DEGREES 17 MINUTES 41 SECONDS EAST 1016.21 FEET, ALONG SAID STATE LINE, TO THE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED.

And

A TRACT OF LAND IN THE SOUTHEAST QUARTER OF FRACTIONAL SECTION 14, TOWNSHIP 11 SOUTH, RANGE 25 EAST, OF THE SIXTH PRINCIPAL MERIDIAN IN KANSAS CITY,

WYANDOTTE COUNTY, KANSAS, SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY STEVEN C. SHAFER, PLS 852, OF BHC RHODES, CLS 175, BY METES AND BOUNDS AS FOLLOWS:

(NOTE: FOR COURSE ORIENTATION THE BEARINGS IN THIS DESCRIPTION ARE BASED ON GRID NORTH KANSAS STATE PLANE COORDINATE SYSTEM NORTH ZONE, ON THE STATE LINE BETWEEN KANSAS AND MISSOURI IN THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 49 NORTH, RANGE 33 WEST, OF THE FIFTH PRINCIPAL MERIDIAN HAVING A BEARING OF SOUTH 1 DEGREES 56 MINUTES 53 SECONDS EAST.)

COMMENCING AT THE NORTHWEST CORNER OF SECTION 7, TOWNSHIP 49 NORTH, RANGE 33 WEST, OF THE FIFTH PRINCIPAL MERIDIAN MONUMENTED BY A 1/2-INCH REINFORCING ROD WITH A 3-INCH DISK ON THE STATE LINE BETWEEN KANSAS AND MISSOURI; THENCE SOUTH 1 DEGREES 56 MINUTES 53 SECONDS EAST, 793.02 FEET, ON SAID STATE LINE AND THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID FRACTIONAL SECTION 14; THENCE SOUTH 88 DEGREES 03 MINUTES 07 SECONDS WEST, 107.67 FEET, PERPENDICULAR TO THE LAST DESCRIBED COURSE, TO A POINT ON THE EAST HARBOR LINE OF THE KANSAS RIVER, AND THE POINT OF BEGINNING OF SAID TRACT HEREIN DESCRIBED; THENCE SOUTHEASTERLY ON SAID EAST HARBOR LINE, ON A CURVE CONCAVE WESTERLY, WITH A RADIUS OF 1910.08 FEET, AN ARC LENGTH OF 139.43 FEET, SAID CURVE HAVING A CHORD BEARING SOUTH 10 DEGREES 02 MINUTES 08 SECONDS EAST, A CHORD DISTANCE OF 139.40 FEET; THENCE DEPARTING SAID EAST HARBOR LINE SOUTH 83 DEGREES 53 MINUTES 28 SECONDS WEST, 119.43 FEET; THENCE SOUTH 81 DEGREES 14 MINUTES 26 SECONDS WEST, 615.15 FEET, TO A POINT ON THE WEST HARBOR LINE OF THE KANSAS RIVER AND THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE TO THE WEST, HAVING A RADIUS OF 1176.08 FEET; THENCE NORTHERLY ON SAID WEST HARBOR LINE AND ON SAID CURVE, TO THE LEFT, AN ARC LENGTH OF 140.50 FEET, SAID CURVE HAVING A CHORD BEARING NORTH 11 DEGREES 05 MINUTES 28 SECONDS WEST, A CHORD DISTANCE OF 140.42 FEET; THENCE DEPARTING SAID WEST HARBOR LINE, NORTH 81 DEGREES 14 MINUTES 26 SECONDS EAST, 620.86 FEET; THENCE NORTH 84 DEGREES 25 MINUTES 18 SECONDS EAST, 116.38 FEET, TO THE POINT OF BEGINNING, SAID TRACT CONTAINING 103,084 SQUARE FEET OR 2.3665 ACRES. SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD. TOGETHER WITH ALL THAT PART OF THE ABANDONED CHICAGO, ROCK ISLAND AND PACIFIC RAILROAD RIGHT-OF-WAY LYING BETWEEN THE KANSAS/MISSOURI STATE LINE AND THE UNITED STATES HARBOR LINE ON THE EASTERLY SIDE OF THE KANSAS RIVER.

And

Lot 1A, RIVER PARK, a subdivision of land recorded October 25, 1999, as Document Number 1311902, in Plat Book 39 at Page 4, in Section 14, Township 11 South, Range 25 East, of the Sixth Principal Meridian, in Kansas City, Wyandotte County, Kansas, said Tract being more particularly described by Steven C. Shafer, PLS 852, of BHC RHODES CLS 175, by metes and bounds as follows:

(Note: For course orientation the bearings in this description are based on Grid North, Kansas State Plane Coordinate System, North Zone, NAD83, on the State Line between Kansas and Missouri in the Northwest Quarter of Section 7, Township 49 North, Range 33 West, of the Fifth Principal Meridian having a bearing of South 1° 56' 53" East.)

BEGINNING at the Southeast corner of said Lot 1A, monumented by a found 1/2-inch reinforcing rod with a cap marked LS 533 set in concrete; Thence South 87° 27' 18" West, 457.45 feet (South 89° 39' 08" West by plat), on the South line of said Lot 1A; Thence North 88° 21' 50" West, 126.06 feet (North 86° 10' 00" West by plat), on said South line; Thence South 87° 27' 18" West, 50.00 feet (South 89° 39' 08" West by plat), on said South line, to the beginning of a tangent curve, concave to the Northeast, having a radius of 70.00 feet;

Thence Northwesterly on said curve, to the right, an arc length of 110.10 feet, said curve having a chord bearing North 47° 29' 12" West, a chord distance of 99.10 feet, on the Westerly line of said Lot 1A; Thence North 02° 25' 42" West, 13.50 feet (North 1°15'32" West by plat), on said West line, to the beginning of a non-tangent curve concave to the South, having a radius of 838.97 feet; Thence Easterly on said curve, to the right, an arc length of 56.13 feet, said curve having a chord bearing North 85° 28' 14" East (North 87° 40' 04" East by plat), a chord distance of 56.12 feet (56.13 feet by plat), on the North line of said Lot 1A; Thence North 87° 23' 15" East, 567.72 feet (North 89° 35' 05" East by plat), on said North line, to the beginning of a non-tangent curve, concave to the North, having a radius of 466.34 feet; Thence Easterly on said curve, to the left, an arc distance of 67.84 feet, said curve having a chord bearing North 83° 13' 00" East (North 85° 25' 02" East by plat), a chord distance of 67.78 feet, to a point on the Westerly Harbor Line of the Kansas River and the East line of said Lot 1A, and the beginning of a non-tangent curve, concave to the West, having a radius of 1176.08; Thence Southerly on said curve, to the right, an arc length of 101.17 feet, said curve having a chord bearing South 09° 12' 39" East, a chord distance of 101.14 feet, to the POINT OF BEGINNING, said Lot 1A containing 63,774 square feet or 1.4640 acres.

Subject to all easements and restrictions of record.

And

A Tract of land in the Southeast Quarter of Fractional Section 14, Township 11 South, Range 25 East, of the Sixth Principal Meridian in Kansas City, Wyandotte County, Kansas, said Tract being more particularly described by Steven C. Shafer, PLS 852, of BHC RHODES, CLS 175, by metes and bounds as follows:

(Note: For course orientation the bearings in this description are based on Grid North, Kansas State Plane Coordinate System, North Zone, NAD83, on the State Line between Kansas and Missouri in the Northwest Quarter of Section 7, Township 49 North, Range 33 West, of the Fifth Principal Meridian having a bearing of South 1° 56' 53" East.)

COMMENCING at the Northwest corner of Section 7, Township 49 North, Range 33 West, of the Fifth Principal Meridian, monumented by a found 1/2-inch reinforcing rod with a 3-inch disk, on the State Line between Kansas and Missouri; Thence South 1° 56' 53" East, 705.07 feet, on said State Line and the East line of said Southeast Quarter of Fractional Section 14, to the POINT OF BEGINNING of said Tract herein described; Thence South 1° 56' 53" East, 654.10 feet, on said State Line and said East line, to its intersection with a point below the North face of the Kansas Avenue bridge over the Kansas River; Thence North 74° 12' 00" West, 92.55 feet, along said North face, to a point on the East Harbor Line of the Kansas River, and the beginning of a non-tangent curve, concave to the West, having a radius of 1910.08 feet; Thence Northerly on said East Harbor line and on said curve to the left, an arc length of 621.24 feet, said curve having a chord bearing North 5° 14' 38" West, a chord distance of 618.51 feet; Thence North 84° 10' 00" East, 123.99 feet, the POINT OF BEGINNING, said Tract containing 56,767 square feet or 1.3032 acres.

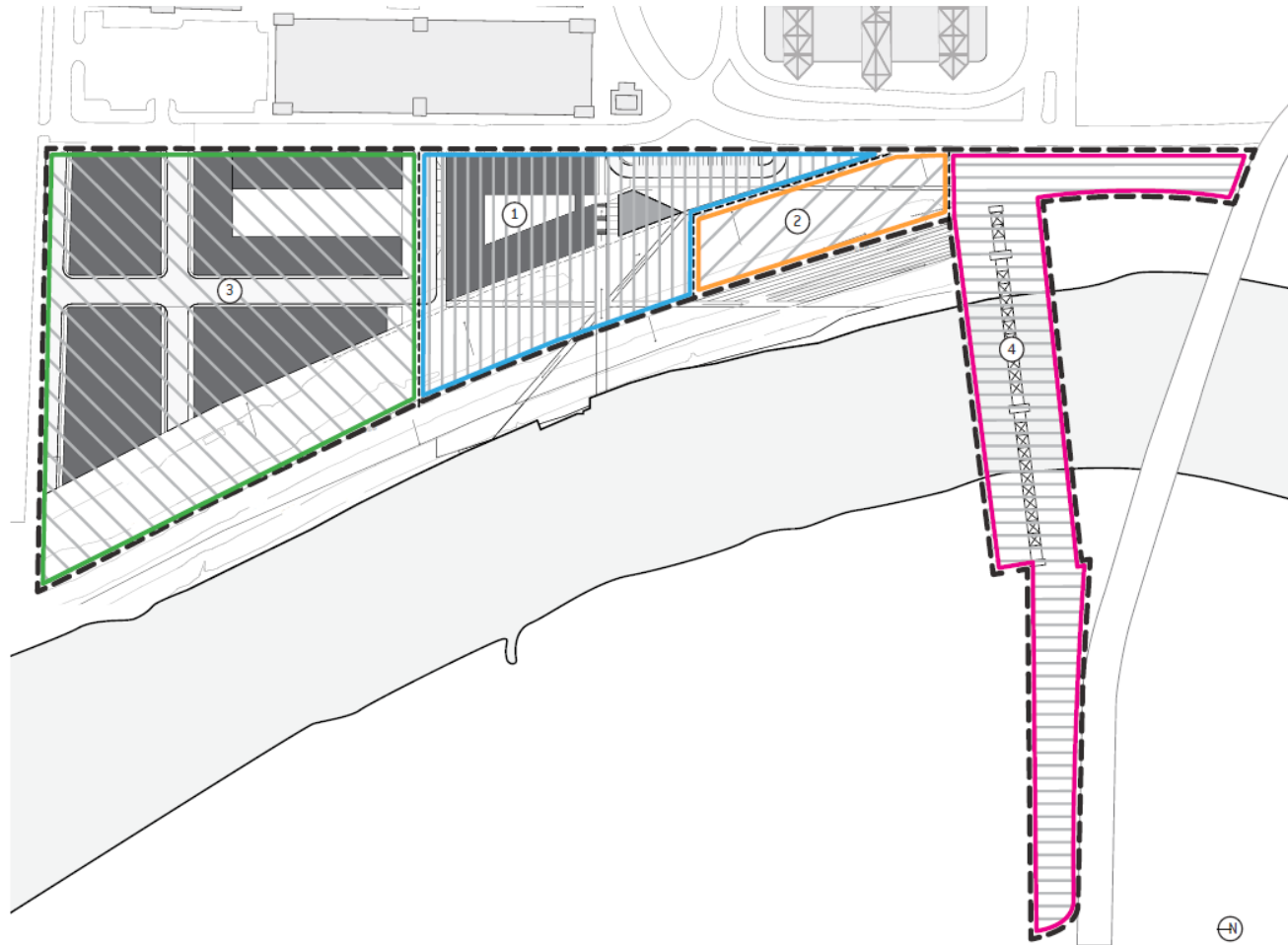
Subject to all easements and restrictions of record.

And all adjacent right-of-way, all as depicted on the map on **Exhibit B.**

EXHIBIT B
MAP OF DISTRICT

RIVERFRONT REDEVELOPMENT PROJECT AREA MAP

-  TIF DISTRICT AREA
- PROJECT AREAS:
-  ① THE YARDS II
 -  ② LEVEE PARK
 -  ③ HAW DEVELOPMENT
 -  ④ ROCK ISLAND BRIDGE





Staff Request for Commission Action

Tracking No. 21736

Full Commission Meeting Date: 4/8/21

Committee: Economic Development & Finance

Date of Standing Committee Action: 3/29/21

(If none, please explain):

Publication Required: No

<u>Date:</u> 3/31/2021	<u>Contact Name:</u> Katherine Carttar	<u>Contact Phone:</u> x5176	<u>Contact Email:</u> kcarttar@wycokck.org	<u>Department/Division:</u> Economic Development
<u>Item Description:</u> Resolution: Approving the Economic Development Department's Tax Increment Financing (TIF) Policy and Industrial Revenue Bond (IRB) Policy				
<u>Action Requested:</u> Approve & Advance to Full Commission on 4/8				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u> Resolution, DRAFT - IRB Policy 3.17.21, DRAFT - TIF Policy 3.17.21				

RESOLUTION NO. R-_____

**A RESOLUTION APPROVING THE ECONOMIC DEVELOPMENT DEPARTMENT'S
TAX INCREMENT FINANCING (TIF) POLICY AND INDUSTRIAL REVENUE BOND
(IRB) POLICY**

WHEREAS, the Unified Government of Wyandotte County/Kansas City, Kansas ("Unified Government") believes that it is essential to stimulate economic growth and development in the residential, commercial and industrial sectors in order to provide housing, services, employment and tax revenues for the benefit of the community; and

WHEREAS, it is therefore important to set forth the Unified Government's public policy objectives as they relate to economic incentive programs that assist in the promotion of economic growth and development; and

WHEREAS, in order to promote consistency, establish base-line requirements expected of economic incentive programs, and to assist businesses and residents of Wyandotte County in understanding how they may apply for and benefit from such programs, the Economic Development Department has undertaken a review of its current policies and desires to update them in order to reflect changes in the law and to promote best practices based on experience with previous projects; and

WHEREAS, in order to further these efforts the Economic Development Department has drafted an updated Tax Increment Finance (TIF) Policy and an updated Industrial Revenue Bond (IRB) Policy.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE
UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/ KANSAS CITY, KANSAS:**

Section 1. That the Unified Government Board of Commissioners hereby approves the Economic Development Department's TIF Policy in substantially the form attached as Exhibit A hereto and the IRB Policy in substantially the form attached as Exhibit B hereto.

Section 2. That the County Administrator, Economic Development Director and all other employees and agents of the Unified Government are authorized to take all actions and to approve all instruments as may be necessary or desirable to carry out and comply with the intent of this Resolution.

Section 3. This Resolution will take effect and be in full force from and after its passage by the Board of Commissioners.

**ADOPTED BY THE BOARD OF COMMISSIONERS OF WYANDOTTE
COUNTY/KANSAS CITY, KANSAS, THIS 8th DAY OF APRIL, 2021.**

Attest:

Unified Government Clerk



Unified Government of Wyandotte County
and Kansas City, Kansas

Industrial Revenue Bond Policy

Commission Resolution:
2021-xxx

Adopted: xx/xx/xxxx

I. **Authority:**

The Mayor and the Board of Commissioners are responsible for legislation, policy formulation, and overall direction setting of the government. This includes the approval of financial policies which establish and direct the operations of Unified Government (UG). The County Administrator is responsible for carrying out the policy directives of the UG Board of Commissioners and managing the day-to-day operations of the executive departments, including the Finance Department. This policy shall be administered on behalf of the County Administrator by the Chief Financial Officer and the Budget Director.

II. **Purpose:**

This Industrial Revenue Bond (IRB) policy is designed to create a positive business environment to stimulate economic growth and development in order to encourage capital investment, employment opportunities, and quality services for the benefit of the community. The objectives are described below:

- Attract and retain quality businesses for the community
- Add and retain employment opportunities for Residents
- Attract major projects to impact local tax base
- Diversify the local economy
- Remove blight
- Create opportunities in distressed areas of the community
- Ensure equal opportunities for minority, women, and locally owned businesses
- Reward quality environmental design

III. **Eligibility**

- A. **Existence of Economic Benefit.** The Project must add to the local economy. Evaluation criteria to be used in determining benefit to the community shall include but shall not be limited to the following: the amount of capital investment; whether the project produces value-added products and services; number of jobs created and associated payroll; and whether the project provides a positive fiscal and/or economic impact.
- B. **Type of Business.** The Project shall be of a nature that is desirable and stimulates the local economy and improves the quality of life for its citizens. Additional considerations may include whether the Project has the effect of supporting or spurring other development and whether a Project would help achieve successful completion of an existing commercial or industrial park or the development of a new commercial or industrial enterprise.

- C. **Compatibility with Adopted Plans.** All Projects shall be consistent with the Unified Government Comprehensive Plan, any applicable corridor plans, and other plans of the Unified Government which may be relevant to the Project. When evaluating proposed Projects, the Unified Government will consider a variety of factors to determine compliance, including compatibility of the location of the business with land use and development plans of the Unified Government and the availability of existing infrastructure facilities and essential public services.
- D. **Excluded Businesses.** In addition to the uses of property prohibited by K.S.A. 79-201 (a) *Second*, the following uses shall not be eligible for an Industrial Revenue Bond: car wash, retail, fast food, day care, private school, veterinary clinic, storage facility, and branch bank offices. The Unified Government may, at its sole discretion, waive any of these prohibitions if the applicant demonstrates compelling and unique circumstances regarding its Project.
- E. **Maintain Existing Tax Base.** To facilitate new development, the Unified Government shall assist new industries that invest in new buildings and building expansion. However, the amount of property taxes or special assessments on the existing land and facilities shall under no circumstances be reduced for new development Projects.
- F. **Transfer of Ownership.** The owner or lessee of any property that is all or partially exempt from ad valorem taxes as the result of the Unified Government having granted the exemption shall obtain the Unified Government written consent before transferring majority ownership of the property unless the transfer is to an affiliate or a related entity.

IV. **Scope:**

This Policy shall apply to the City of Kansas City, Kansas ("City").

V. **Definitions and Acronyms:**

For purposes of this Industrial Revenue Bond policy, when used in this policy, the following words shall have the following meanings. Additional definitions may be added in exhibits to this Policy.

ABATEMENT: The difference between the amount of ad valorem property taxes an entity would pay if there were no abatement granted and the amount required to be paid as payments in lieu of taxes. For example, if the taxes required with no abatement were \$5,000, and the required in lieu payments were \$3,000, the "abatement" would be \$2,000.

APPLICANT: Any person, firm, or entity making application to receive private activity conduit financing and/or requesting tax abatement.

BOND COUNSEL: That firm or individual designated by the Unified Government to handle legal and financial matters and issues associated with the issuance of temporary notes and bonds by the Unified Government.

CAPITAL INVESTMENT: Capital investment shall include expenditures for land, buildings, or personal property subject to ad valorem taxation.

ECONOMIC DEVELOPMENT EXEMPTION or *EDX:* For purposes of an abatement pursuant to the Kansas Constitution, this term shall mean the establishment of a new business

or the expansion of an existing business, engaged in manufacturing commodities which are sold or traded in interstate commerce.

EXISTING BUSINESS: A business shall be an “Existing Business” if it has had facilities and operations in Wyandotte County for a period of not less than one year. All other businesses shall be “New Businesses.”

INCENTIVE: Economic development tool(s) designed to entice preferred types of development to meet community goals. Incentives are generally, but not exclusively, an exemption, abatement, or redirection of future tax revenue that will be generated as a result of the Project.

INCREMENT: The difference between the amount of ad valorem property taxes before and after a project has occurred. For example, if a parcel was being taxed at \$1,000 before a development occurred, and \$4,000 after a development occurred, there would be \$3,000 of increment.

ENVIRONMENTAL CERTIFICATION: A reputable third party green building certification program that offers validation of a Project’s green features and verifies that the building is operating exactly the way it was designed to.

LOCAL BUSINESS ENTERPRISE or LBE: A business headquartered or that maintains a major branch that performs the significant functions of the business in Wyandotte County, or businesses of which at least 51% of the stock, equity, or beneficial interest is owned, held, or controlled and whose day-to-day management is under the control of an individual residing in Wyandotte County, Kansas.

MINORITY BUSINESS ENTERPRISE or MBE: A business of which at least 51% of the stock, equity, or beneficial interest is owned, held, or controlled and whose day-to-day management is under the control of one or more minority individuals and which business is certified as a Minority Business Enterprise under Article V of Chapter 18 of the Unified Government Code. A “minority individual” is as defined in Article V of Chapter 18 of the Unified Government Code.

NEW BUSINESS: Any business which is not an Existing Business.

PRIVATE ACTIVITY BONDS or BONDS: The financing or refinancing of Projects, including but not limited to buildings, equipment, furniture and fixtures, and related capital items by bonds or other debt obligations issued by the Unified Government where the Projects are owned by or leased to a private entity and the debt service on such bonds or other obligations is paid or secured by a private entity.

PROJECT: The purpose for which issuance of the Private Activity Bonds/or an EDX abatement is being requested.

RESIDENT: An individual residing in Wyandotte County, Kansas.

WOMEN BUSINESS ENTERPRISE or WBE: A business of which at least 51% of the stock, equity, or beneficial interest is owned, held, or controlled and whose day-to-day management is under the control of one or more women who are citizens or lawful permanent residents of the United States and which business is certified as a Woman Business Enterprise under Article V of Chapter 18 of the Unified Government Code.

VI. Policy:

It shall be the policy of the Unified Government that economic development Projects pay their fair share of property tax, special improvement district assessments, and cost of utility services. Economic development Projects shall have a positive financial impact on the community, and the Unified Government reserves the right to approve the cost-benefit analysis model used to determine the financial impact. The Board of Commissioners shall consider the following factors when granting property tax incentives pursuant to Section 13 of Article 11 of the Kansas Constitution and K.S.A. 12-1740 *et seq.* and 79-201a.

Initiation of IRB

1. Developer Initiated

- i. Developer has interest to redevelop an area
- ii. Asks City for Incentives
- iii. City may issue an RFP to redevelop the proposed area

2. City Initiated

- i. City issues RFP to redevelop an eligible area
- ii. Offers IRB and/or other incentives to facilitate interest

Level of Abatement

To meet the economic goals of the community, it shall be the policy of the Unified Government to typically provide a 45% real property tax exemption for portions of a Project that qualify for tax exemption under Kansas law so long as the Project meets the criteria established by the Unified Government. Depending how the tax exemption is structured over the term, tax abatement for a Project may exceed an overall average of 45%.

A project may, at the UG's discretion, receive increased levels of tax exemption if the project meets bonus provisions described below and/or demonstrates a clear financial need to make the project feasible.

It shall be the policy of the Unified Government that, regardless of the percentage amount of bonus provisions an applicant may be eligible for, the maximum percentage of abatement provided for any Project shall not exceed 75% for 10 years.

The Unified Government may, at its sole discretion, deviate from these directives if the applicant demonstrates compelling and unique circumstances regarding its Project.

- A. **Major Projects Bonus.** It is the goal to strengthen the local economy through the growth of the local tax base. Major Projects produce a long-term tax benefit to the community; therefore, a major Project may be eligible for an additional exemption percentage. Depending upon the Project's capital investment, an increase in the exemption may be considered as follows:
 - a. Capital Investment of \$10,000,000 to \$24,999,999 may receive a bonus of up to 5%
 - b. Capital Investment of \$25,000,000 to \$49,999,999 may receive a bonus of up to 10%
 - c. Capital Investment of \$50,000,000 and above may receive a bonus of up to 15%
- B. **Target Area Bonus.** It is a goal to encourage development / redevelopment in distressed areas of the community. Strong consideration will be given for a business that will be located in a targeted area for economic development or redevelopment. An abatement adjustment of up to 10% may be considered for Projects that locate in the targeted area. The Target Area is defined in Exhibit A of this document.
- C. **Targeted Industries.** It is a goal to attract and retain certain targeted industries for the community due to their long-term economic impact. An abatement adjustment of 5% to 15% may be considered for Projects that are in targeted industries. The current targeted industries generally include global and regional headquarters, grocery stores, class A office, high technology, advanced manufacturing, logistics, e-commerce, and bioscience-

related businesses and development. The attached list of Targeted Industries and associated abatement bonuses are defined in Exhibit B of this document.

- D. **Residency Bonus:** It is a goal to create new employment opportunities for community Residents. An abatement adjustment from 5% to 10% will be considered depending on the percentage of Wyandotte County Residents employed by the company receiving tax abatements; the required percentage of Wyandotte County Residents and the associated abatement percentage are attached in Exhibit C of this document. Existing Businesses which apply for abatement will be examined for the amount of existing Wyandotte County Residents currently employed in operations, as well as commitment for new hires related to the Project receiving exemption. The Unified Government may choose to certify resident employment numbers, and the company receiving tax exemption must comply if they are to receive this bonus provision.
- E. **Minority, Women, and Locally Owned Businesses Bonus:** It is a goal to give opportunities for the utilization of Minority, Women, and Locally Owned Business where available and applicable. A bonus of 5% to 10% may be given depending on the participation of MBE, WBE, and LBE in the construction of the Project receiving tax abatement; the attached list of MBE, WBE, LBE percentages and associated abatement bonuses are defined in Exhibit D of this document. It is the intent that the designated percentages for each of MBE, WBE, LBE categories are achieved, but an adjustment may be made for a designated level of cumulative participation by MBEs, WBEs, and LBEs.
- F. **Environmental Design Bonus.** It is a goal to create quality and sustainable developments / structures throughout the City. The City, at its sole discretion, may require higher design standards for the design of buildings and materials used for Projects receiving property tax abatement. An abatement adjustment will be given to businesses whose new construction proposes quality environmental design for the project. This abatement adjustment shall range from 5% to 10% given the level of Certification.
- G. **Transit Bonus.** Applicants who have located on major public transportation corridors, made significant investment into transportation for their workers, or have otherwise demonstrated a commitment to utilizing and enhancing public transportation as a result of this project may receive a 5% bonus.
- H. **Childcare Bonus.** Companies who have made investments and/or unique accommodations for their employees' access to childcare, either on site or via a stipend, may receive a 5% bonus.

Term of Abatement

The abatement period for a Project approved under this Policy will be determined by the amount of new Capital Investment in the City. Capital Investment shall include expenditures for land, building, or personal property subject to ad valorem taxation.

- A. **Existing Businesses.** The normal term of abatement for each Project where the applicant is an Existing Business is determined according to the following schedule, unless a different term is established by the Board of Commissioners:

Capital Investment

Normal Term

\$3,999,999 or less
\$4,000,000 or greater

5 years
10 years

- B. **New Businesses.** The normal term of abatement for each Project where the applicant is a New Business is determined according to the following schedule, unless a different term is established by the Board of Commissioners:

Capital Investment

Normal Term

\$5,999,999 or less
\$6,000,000 and greater

5 years
10 years

- C. **Commencement of Abatement.** The abatement term for Projects under authority of Section 13 of Article 11 of the Kansas Constitution shall begin in the calendar year after the calendar year in which the business commences its operations or the calendar year in which expansion of an Existing Business is completed, as the case requires. The abatement term for Projects under authority of K.S.A. 12-1740 through 12-1749 and 79-201a shall begin in the calendar year after the calendar year in which the Private Activity Bonds are issued. Projects which include multiple phases shall have an expiration date for the commencement of the term of the abatement for all phases as determined by the Board of Commissioners at the time of the adoption of the Resolution of Intent.

VII. Performance Agreement:

- A. **Continued Compliance.** Any tax exemption/abatement granted pursuant to this Policy shall be accompanied by a performance agreement between the applicant and/or lessee and the Unified Government. Any tax exemption is subject to annual review and determination by the Unified Government County Administrator that the conditions qualifying the business for the exemption or abatement continue to exist. The Unified Government at any time may review information provided by the company, lessee, or State of Kansas, or may request additional information to determine compliance with the performance agreement. If the Board of Commissioners finds that the business or Project is not in compliance, then the tax exemption may be modified pursuant to the performance agreement or eliminated as the Board of Commissioners deems appropriate. The County Appraiser and the Board of Tax Appeals shall be notified of such action. Each performance agreement shall contain a notice and waiver disclosing to each applicant that the Unified Government reserves the right to grant future tax exemptions on comparable Projects in amounts different than the exemption granted to such applicant. Such notice and waiver shall include a provision that the applicant waives any right to request a modification or amendment of such exemption or abatement based upon such differences
- B. **Clawbacks.** Each performance agreement for a Project shall provide that the percentage of property tax abatement shall be scaled back to the term provided for in this Policy if, within three years after the issuance of the Private Activity Bonds, the applicant has not incurred the required Capital Investment. Additionally, if any of the

terms of the performance agreement at not met, the Unified Government reserves the right to alter or terminate the tax abatement at their discretion.

- C. Utilization of UG Services.** The performance agreement shall require that the company receiving the property tax abatement (or any other user of the property) utilize solid waste services provided by the Unified Government. This requirement shall not apply to any user if the user demonstrates that solid waste services provided by the Unified Government are not adequate to serve such user's reasonable needs.

VIII. Procedure.

The Unified Government will consider granting a tax abatement/exemption pursuant to this Policy after receipt of a complete application from the applicant in a form prescribed by the Unified Government together with the application fee. The application shall be submitted in sufficient time for staff to follow established procedures for publication of notice, to review the Project's preliminary site plans and building elevations, to prepare a fiscal impact analysis, and to contact the school district within which the property proposed for exemption is located. The Project's site plans and building elevations are subject to final approval to ensure that they are similar to the preliminary plans and elevations submitted.

Based on each application and such additional information as may be requested by the Unified Government, the Unified Government shall prepare or cause to be prepared a fiscal impact analysis of the proposed exemption on the City, County, and State of Kansas, which analysis shall be used by the Board of Commissioners in considering the request for abatement.

Prior to formal action on each Resolution of Intent, the Board of Commissioners shall conduct a public hearing thereon, to be scheduled at least seven days after publication of notice.

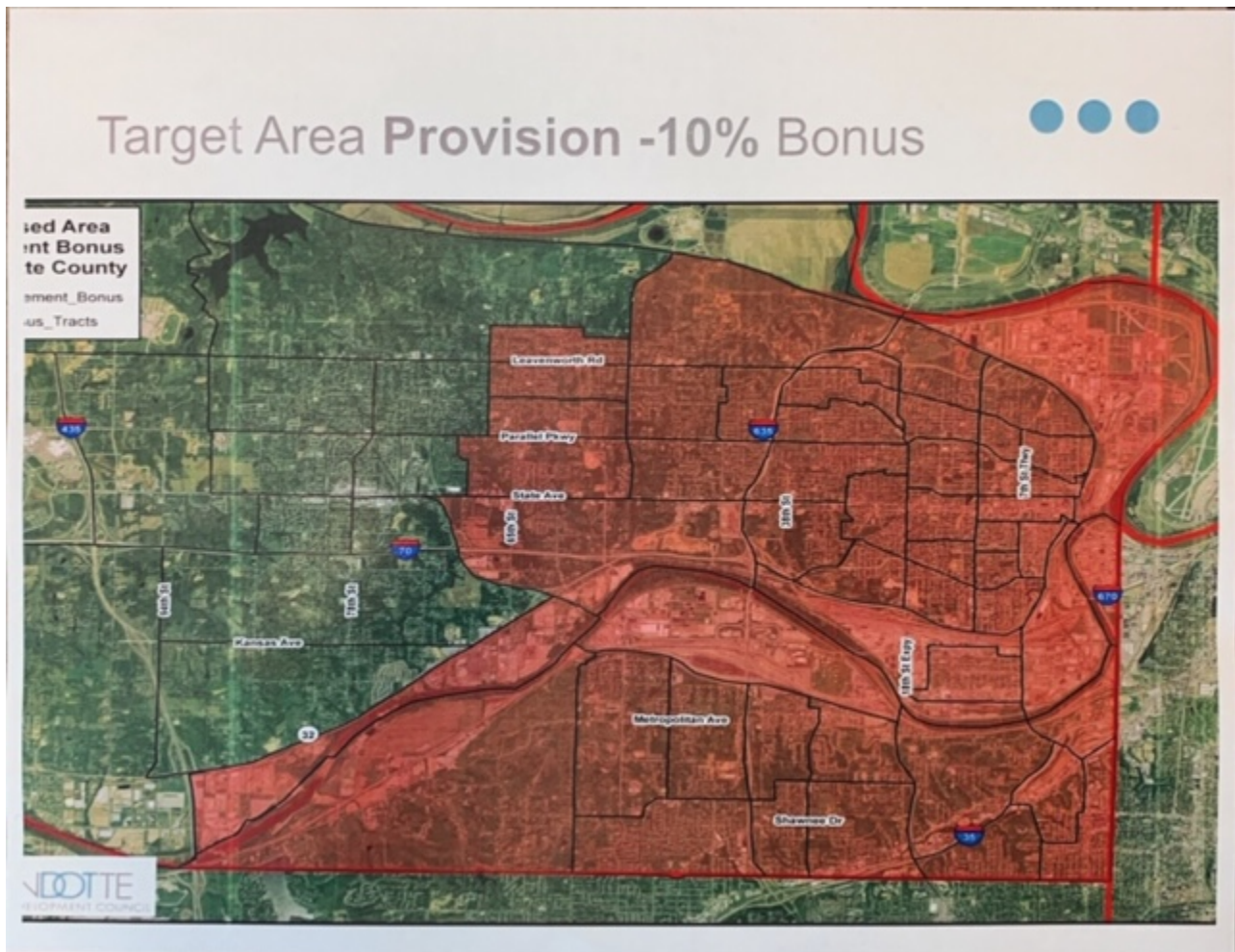
IX. Authority of UG Commission:

The Board of Commissioners reserves the right to deviate from this Policy, but not any procedure set forth in this Policy or any other procedural requirements of State law, when it considers such action to be of exceptional benefit to the Unified Government or extraordinary circumstances prevail that the Commission believes such deviation is in the best interests of the Unified Government.

X. Appendices:

Exhibit A

Target Area Bonus



PEAK Eligibility

- Unless qualified as a headquarters or administrative/back office and approved by the Secretary of Commerce, the following NAICS assignments are ineligible: 7132 (Gambling Industries), 8131 (Religious Organizations), Sectors 44 and 45 (Retail Trade), 61 (Educational Services), 92 (Public Administration) or 221 (Utilities including water and sewer services), Subsector 722 (Food Services and Drinking Places); companies delinquent in the payment of taxes to any federal, state and/or local taxing entities. Companies under the protection of the federal bankruptcy code are also ineligible.

Missouri Works Eligibility

- For-Profit or non-profit businesses.
- Not Eligible:
 - Gambling establishments, store front consumer-based retail trade establishments, food and drinking places, public utilities, educational services, religious organizations, public administration, ethanol distillation or production, biodiesel production, or healthcare and social services.

- Businesses that are delinquent in payment of any non-protested taxes or other payments (state, federal, local).
- Businesses that have filed for or have publicly announced their intention to file for bankruptcy, unless certain requirements are met.
- Businesses that are relocating jobs from Johnson, Miami, or Wyandotte counties in Kansas to Jackson, Platte, Clay or Cass counties in Missouri. However, net new jobs created above a qualified company's base employment may be eligible for benefits.
- Note: Headquarters, administrative, or research and development offices of otherwise excluded businesses may be eligible if the predominant function of such offices is to serve a multistate territory.

NAICS Code	Industry	Bonus Abatement Percentage
3111	Animal Food Manufacturing	5%
3251	Basic Chemical Manufacturing	5%
3253	Pesticide, Fertilizer, and other Ag Chemical Mfg	5%
3254	Pharmaceutical and Medicine Manufacturing	5%
3341	Computer and Peripheral Equipment Manufacturing	5%
3342	Communication Equipment Manufacturing	5%
3343	Audio and Video Equipment Manufacturing	5%
3344	Semiconductor and Other Electronic Component Manufacturing	5%
3345	Navigational Measuring, Electromedical, and Control Instruments Manufacturing	5%
3359	Other Electrical Equipment and Component Manufacturing if researching developing or manufacturing power system technology for the following: • Aerospace; • Space; • Defense; • Hybrid vehicles; or • Implantable or wearable medical devices	5%
3364	Aerospace Product and Parts Manufacturing	5%
3391	Medical Equipment and Supplies Mfg	5%
5171	Wired Technology Carriers	5%
5179	Other Telecommunications	5%
5181	Internet Service Providers and Web Search Portals	5%
5182	Data Processing, Hosting, and Related Services	5%

5416	Management, Scientific, and Technical Consulting Services	5%
5417	Scientific Research and Development Services	5%
6113	Colleges, Universities and Professional Schools	5%
54171	Research & Development in Physical, Engineering and Life Sciences	5%
325193	Ethyl Alcohol Manufacturing	5%
325199	All Other Basic Organic Chemical Manufacturing	5%
325411	Medicinal and Botanical Manufacturing	5%
325412	Pharmaceutical Preparation Manufacturing	5%
325414	Biological Product (except Diagnostic) Manufacturing	5%
334510	Electromedical and Electrotherapeutic Apparatus Mfg	5%
334516	Analytical Laboratory Instrument Manufacturing	5%
334517	Irradiation Apparatus Manufacturing	5%
339111	Laboratory Apparatus and Furniture Mfg	5%
339112	Surgical and Medical Instrument Manufacturing	5%
339113	Surgical Appliance and Supplies Mfg	5%
339114	Dental Equipment and Supplies Mfg	5%
541380	Testing Laboratories	5%
541711	Research and Development in Biotechnology	5%
621511	Medical Laboratories	5%
621512	Diagnostic Imaging Centers	5%
622110	General Medical and Surgical Hospitals	5%

Quality office developments shall receive up to a 15% bonus depending on quality design and material used.

***Target Industries included in Exhibit B are excluded from Minimum Employment Requirements.

Exhibit C

Residency Bonus

<i>Percentage of Residency Hires</i>	<i>Abatement Bonus Percentage</i>	<i>Minimum Employment</i>
25% Wyandotte County Residents Employed at time of IRB Application	5% Abatement Bonus	
50% Wyandotte County Residents Employed at time of IRB Application	10% Abatement Bonus	
25% Wyandotte County Residents Employed – Subject to Certification	5% Abatement Bonus	35 New Hires
50% Wyandotte County Residents Employed – Subject to Certification	10% Abatement Bonus	70 New Hires

Exhibit D

Minority, Women, and Locally Owned Business Bonus

MBE / WBE / LBE Participation Percentage	Abatement Bonus Percentage
LBE – 15% MBE – 10% WBE – 5% Combined Total – 25%	5% Abatement Bonus
LBE -20% MBE – 15% WBE – 10% Combined Total – 35%	10% Abatement Bonus

Exhibit E

Fee Schedule

The following fees are hereby established:

- A. **Application Fee.** For Existing Businesses, a non-refundable application fee of \$1,000 shall accompany all applications for the issuance of Private Activity Bonds or for EDX abatement. For New Businesses, a non-refundable application fee of \$2,000 shall accompany all applications for the issuance of Private Activity Bonds or for EDX abatement.
- B. **Issuance Fee.** For Projects requesting tax abatement, applicants shall pay an issuance fee of (i) .400 of the first \$10 million par amount of Bonds being issued or the amount of EDX abatement being requested, plus (ii) .250 of the par amount in excess of \$10 million but less than \$25 million of Bonds being issued or the amount of EDX abatement being requested. (iii) .125 of the par amount in excess of \$25 million of Bonds being issued. The fee shall be due and payable at the time the Bonds are issued.
- C. **Additional Costs.** The applicant shall reimburse the Unified Government for all costs associated with all legal publication notices, application fees to the Court of Tax Appeals, the Unified Government's Bond Counsel fees, and all other miscellaneous costs.
- D. **Monitoring Fee.** The Unified Government will require an annual compliance review of all Projects receiving tax abatement either from the issuance of Private Activity Bonds or by EDX. The business will be required to submit an annual monitoring fee of \$1,000 for activities required to insure compliance.



Unified Government of Wyandotte County
and Kansas City, Kansas

Tax Increment Finance Policy

Commission Resolution:
2021-xxx

Adopted: xx/xx/xxxx

I. Authority:

The Mayor and the Board of Commissioners are responsible for legislation, policy formulation, and overall direction setting of the government. This includes the approval of financial policies which establish and direct the operations of Unified Government (UG). The County Administrator is responsible for carrying out the policy directives of the UG Board of Commissioners and managing the day-to-day operations of the executive departments. This policy shall be administered on behalf of the County Administrator by the Chief Financial Officer and the Director of Economic Development.

II. Purpose:

This Tax Increment Finance (TIF) Policy is designed to create a positive business environment to stimulate economic growth and development in order to encourage capital investment, employment opportunities, and quality services for the benefit of the community. The policies and procedures outlined within this document are separate from Kansas Sales Tax Revenue (STAR) bonds.

III. Eligible Areas

- Blighted Areas (including environmentally contaminated areas and 100-year floodplains)
- Conservation Areas
- Pre-1992 Enterprise Zones
- Major Tourism Areas
- Major Commercial Entertainment and Tourism
- Buildings that are 65+ years old and any contiguous vacant or condemned lots
- Bioscience Development Area
- Intermodal Transportation Area
- Redevelopment District

IV. Scope:

This Policy shall apply to the City of Kansas City, Kansas ("City").

V. Definitions and Acronyms:

For purposes of this TIF Policy, when used in this Policy, the following words shall have the following meanings. Additional definitions may be added in exhibits to this Policy.

APPLICANT: Any person, firm, or entity making an application to receive TIF incentive.

REDIRECTION: The change in destination for new ad valorem taxes. For example, without the TIF incentive the new ad valorem taxes would go into the UG's general fund but with the TIF incentive the new funds are redirected to pay for eligible project costs for the development receiving the TIF incentive.

BOND COUNSEL: That firm or individual designated by the Unified Government to handle legal and financial matters and issues associated with the issuance of temporary notes and bonds by the Unified Government.

CAPITAL INVESTMENT: Capital investment shall include expenditures for land, buildings, or personal property subject to ad valorem taxation.

INCREMENT: The difference between the amount of ad valorem property taxes before and after a project has occurred. For example, if a parcel was being taxed at \$1,000 before a development occurred, and \$4,000 after a development occurred, there would be \$3,000 of increment.

ENVIRONMENTAL CERTIFICATION: A third party green building certification program that offers validation of a Project's green features and verifies that the building is operating the way it was designed to.

LOCAL BUSINESS ENTERPRISE or LBE: A business headquartered or that maintains a major branch that performs the significant functions of the business in Wyandotte County , or businesses of which at least 51% of the stock, equity, or beneficial interest is owned, held, or controlled and whose day-to-day management is under the control of an individual residing in Wyandotte County, Kansas.

MINORITY BUSINESS ENTERPRISE or MBE: A business of which at least 51% of the stock, equity, or beneficial interest is owned, held, or controlled and whose day-to-day management is under the control of one or more minority individuals and which business is certified as a Minority Business Enterprise under Article V of Chapter 18 of the Unified Government Code. A "minority individual " is as defined in Article V of Chapter 18 of the Unified Government Code.

VI. Policy

- A. TIF Defined** - A Tax Increment Financing (TIF) District allows the Unified Government to work with private developers to authorize redevelopment projects in blighted areas in accordance with State statutory requirements as set forth in **K.S.A 12-1770a**. TIF financing allows for a development project to access the incremental property and/or sales tax revenues generated by the project. TIF diverts all or a portion of new (incremental) local taxes created by a project which includes real property taxes, city sales tax, and county sales tax.
- B. Funding Mechanism** - TIF funding may be through developer reimbursement ("Pay as you Go") or bond financed. Pay as you go reimbursement will occur as increment is received per terms of the development agreement whereas bond financing will require Special Obligation Revenue Bonds to be issued by the City (who will hold limited obligation). The City can provide a pledge of annual appropriation or general obligation (GO) backing.

C. Eligible Costs - TIF Districts may exist for up to twenty (20) years per project. In accordance with Kansas Laws, these funds may only be used for TIF-eligible expenses, which include but are not limited to:

1. Land Acquisition & Relocation (of families)
2. Public Improvements (curb, sidewalks, streets, lighting)
3. Site Preparation (demolition)
4. Utilities, and
5. Sanitary and Storm Sewers

D. UG Directives - To supplement the statutory guidelines, staff will also adhere to the following policy directives:

1. Feasibility Studies – shall be conducted to estimate future revenue of the project and account for market fluctuations which could negatively impact revenue generation.
2. Bonding options – the strong preference of the UG is for TIF funding to be on a Pay as you go basis. In certain circumstances special revenue funds and general obligation backing will be considered.
3. Performance measures:
 - i. Require certain conditions be met prior to approval of Project Plan.
 - ii. Require certain conditions be met prior to debt issuance or reimbursement.
4. The preference of the UG is for public financing not to exceed 20% of the project's total costs.
5. Institute a “sunset” provision for timing between District approval and Project Plan approval.
6. As part of Development, segregate and quantify the dollar amount used for Public infrastructure improvements.
7. Separate criteria may be applied towards developers based on positive and negative reputations and track records.

E. UG Recourse Options - For TIF projects that are underperforming, the following recourse options may be considered:

1. Restart TIF
2. Refinance Bond Debt
3. Termination recommendations
4. Development Agreement shall contain non-compliance actions
5. Modify Project Plan
6. Option to take property or part of development area

VII. TIF Term and Level Directives

A. General Directive - The TIF incentive is used to fill a financial gap on a development project. As such, the amount of TIF, both percentage of redirected ad valorem taxes and duration, will be determined through a financial assessment of need.

- B. Feasibility Study/Financial Analysis** – A third party analysis shall be conducted to determine the feasibility of the project, the projected revenues, and the financial gap based on reasonable market returns for comparable projects.
- C. TIF Cap** – A maximum figure for redirected TIF dollars will be agreed upon in the development agreement. Should the project reach that dollar figure ahead of schedule, the TIF incentive will be terminated at that time.

VIII. Quality Control and Quality Assurance - Continued Compliance. Any TIF pursuant to this Policy shall be accompanied by a development agreement between the applicant and/or lessee and the Unified Government. Any TIF is subject to annual review and determination by the Unified Government County Administrator that the conditions qualifying the business for the TIF continue to exist. The Unified Government at any time may review information provided by the company, lessee, or State of Kansas, or may request additional information to determine compliance with the development agreement. If the Board of Commissioners finds that the business or Project is not in compliance, then the TIF may be modified pursuant to the development agreement or eliminated as the Board of Commissioners deems appropriate. The County Appraiser and the Board of Tax Appeals shall be notified of such action. Each development agreement shall contain a notice and waiver disclosing to each applicant that the Unified Government reserves the right to grant future incentives on comparable projects in amounts different than the TIF, exemption, or abatement granted to such applicant. Such notice and waiver shall include a provision that the applicant waives any right to request a modification or amendment of such incentive based upon such differences.

IX. Process

A. Initiation

1. Developer Initiated

- i. Developer has interest to redevelop an area
- ii. Asks City for Incentives
- iii. City may issue an RFP to redevelop the proposed area

2. City Initiated

- i. City issues RFP to redevelop an eligible area
- ii. Offers TIF of other incentives to facilitate interest

B. Process With Sample Timeline

- 1. Resolution Calling Public Hearing on Redevelopment District – Day 1
- 2. Mailed Notice to Taxing Districts – Day 5
- 3. Mailed Notices to Property Owners – Day 5
- 4. Published Notices – Day 25
- 5. Public Hearing on Redevelopment Plan – Day 35
- 6. Ordinance Approving Redevelopment District – Day 35
- 7. Redevelopment Plan prepared and submitted to City; Planning Commission finding of consistency with intent of comprehensive development plan – Day 60
- 8. Negotiation of Redevelopment Agreement – Days 60-90
- 9. City Resolution Calling Public Hearing on Redevelopment Plan – Day 70
- 10. Mailed Notices to Taxing Districts – Day 75

11. Mailed Notices to Property Owners – Day 75
12. Published Notices – Day 91
13. Public Hearing on Redevelopment Plan – Day 101
14. Ordinance Approving Redevelopment Plan and Agreement – Day 101

X. Fees

Department	Description	Fee
Finance, Legal, & Economic Development	TIF Bonds Issuance Fees	Applicants shall pay an issuance fee of (i) .400 of the first \$10 million par amount of Bonds being issued or the amount of TIF being requested, plus (ii) .250 of the par amount in excess of \$10 million but less than \$25 million of Bonds being issued or the amount of TIF being requested. (iii) .125 of the par amount in excess of \$25 million of Bonds being issued.
Finance & Economic Development	Tax Increment Financing (TIF) application fee	\$2,500
Finance & Economic Development	TIF retainer (used to pay third-party consultants for review of the application; any amount unused will be refunded to the applicant). This fund shall be continually replenished as necessary.	Minimum \$15,000 (dependent on the complexity of the project)
Finance & Economic Development	Substantial request from developer to amend TIF district	\$5,000 per request
Finance & Economic Development	Annual TIF administrative fee (City deducts fee when funds are distributed)	1% of TIF property tax increment, and 1% of sales tax increment, disbursed to applicant

Other Items: The County Administrator is authorized to establish fees ranging from \$250 to \$2,500 per request, including requests for time extensions to agreements & project plans, requests for amendments to existing agreements, and requests for estoppel certificates. The

fee will be determined by the County Administrator based on a variety of factors, including the complexity of the issue and the estimated staff time associated with the request. The Director of Economic Development is also authorized to request retainer payments to cover third-party consultant costs and review requiring significant staff time for projects where a formal application and retainer payment have not been submitted by the applicant. At the UG's discretion, retainer payments may be refunded to the applicant if no activity has occurred for the project within the past 12 months or if the project is completed.

- XI. Authority of UG Commission.** The Board of Commissioners reserves the right to deviate from this Policy, but not any procedure set forth in this Policy or any other procedural requirements of State law, when it considers such action to be of exceptional benefit to the Unified Government or extraordinary circumstances prevail that the Commission believes such deviation is in the best interests of the Unified Government.

21764

CONSENT AGENDA ITEM NO. 7



**UNIFIED GOVERNMENT OF WYANDOTTE COUNTY
& KANSAS CITY, KANSAS
PUBLIC WORKS DEPARTMENT**

ONE McDOWELL PLAZA

701 NORTH 7TH STREET, 66101

(913) 573-5400
FAX (913) 573-5435

March 31, 2021

Mr. Brett A. Deichler, PMP CMP
Unified Government Clerk
East Building

Re: Subdivision Plat Approval for **HART INDUSTRIAL PARK SECOND PLAT**

Dear Mr. Deichler

Please be advised that the Engineering Division has reviewed the attached plat of HART INDUSTRIAL PARK SECOND PLAT located at 59th Lane and Speaker Road being developed by Riverside Transport Corp. and C.A.R. Transport Inc.

Currently, we recommend that the Commissioners accept this plat and authorize the Mayor/CEO and Unified Government Clerk signatures. I am providing you with two mylars for signature, and one (1) paper copy for Commission review. Please place this on the next scheduled Commission agenda.

After the Mayor has signed the plat, it should be referred to Planning Division for further processing.

Respectfully submitted,

 Date: 2021.03.31 13:36:51-05'00'
Brent E. Thompson, P.S.
County Surveyor

 Digitally signed by Troy Shaw
Date: 2021.03.31 14:17:34 -05'00'

Troy Shaw, P.E.
County Engineer

Attachments

21765

CONSENT AGENDA ITEM NO. 8



**UNIFIED GOVERNMENT OF WYANDOTTE COUNTY
& KANSAS CITY, KANSAS
PUBLIC WORKS DEPARTMENT**

ONE McDOWELL PLAZA

701 NORTH 7TH STREET, 66101

(913) 573-5400
FAX (913) 573-5435

March 31, 2021

Mr. Brett A. Deichler, PMP CMP
Unified Government Clerk
East Building

Re: Subdivision Plat Approval for **CABELA'S SECOND PLAT**

Dear Mr. Deichler

Please be advised that the Engineering Division has reviewed the attached plat of CABELA'S SECOND PLAT located along France Family Drive and being developed by Cabela's Wholesale LLC.

Currently, we recommend that the Commissioners accept this plat and authorize the Mayor/CEO and Unified Government Clerk signatures. I am providing you with two mylars for signature, and one (1) paper copy for Commission review. Please place this on the next scheduled Commission agenda.

After the Mayor has signed the plat, it should be referred to Planning Division for further processing.

Respectfully submitted,

 Date: 2021.03.31
13:32:49-05'00'

Brent E. Thompson, P.S.
County Surveyor

 Digitally signed by Troy Shaw
Date: 2021.03.31
14:17:59 -05'00'

Troy Shaw, P.E.
County Engineer

Attachments

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

REGULAR SESSION
NOVEMBER 5, 2020

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in regular session virtually via Zoom or by phone on Thursday, November 5, 2020, with eleven members present: Bynum, Commissioner At-Large First District; Burroughs, Commissioner At-Large Second District; Townsend, Commissioner First District; McKiernan, Commissioner Second District; Ramirez, Commissioner Third District; Johnson, Commissioner Fourth District; Kane, Commissioner Fifth District; Markley, Commissioner Sixth District; Walters, Commissioner Seventh District; Philbrook, Commissioner Eighth District; and Alvey, Mayor/CEO, presiding. The following officials were also in attendance: Doug Bach, County Administrator; Gordon Criswell, Emerick Cross, and Alan Howze, Assistant County Administrators; Misty Brown, Deputy Chief Counsel; Katherine Carttar, Director of Economic Development; Bridgette Cobbins, Unified Government Clerk; and Kathleen VonAchen, Chief Financial Officer.

MAYOR ALVEY said before I call the meeting to order, I want to announce that due to COVID-19, commissioners, staff, and the public are attending remotely via Zoom or by phone. All participants joining by phone should mute their phones when not speaking to avoid background noise.

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

MAYOR ALVEY called the meeting to order.

ROLL CALL: Ramirez, Johnson, Kane, Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Alvey.

INVOCATION was given by Commissioner Harold Johnson, Faith Deliverance Church of God in Christ.

MAYOR ALVEY asked, Bridgette, are there are any revisions to tonight's agenda. **Bridgette Cobbins, UG Clerk**, said there are no revisions, Mr. Mayor.

CONSENT AGENDA

Mayor Alvey said our first order of business is the Consent Agenda. Does any member of the Commission or the County Administrator wish to set-aside any item on the Consent Agenda? If an item is not set aside, all items on the Consent Agenda will be voted on by one vote.

Action: **Commissioner McKiernan made a motion, seconded by Commissioner Bynum, to approve the Consent Agenda.** Roll call was taken on the motion and there were ten "Ayes," Ramirez, Johnson, Kane, Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan.

Item No. 1 – 20460...COUNTYWIDE MOBILITY PLAN & TRANSIT ORIENTED DEVELOPMENT (TOD) STRATEGY

Synopsis: Authorize the County Administrator's signature committing the UG to its \$165K local match for a total \$300K long-range transportation, land use integration and environmental planning process. On October 26, 2020, the Public Works and Safety Standing Committee, chaired by Commissioner Bynum, voted unanimously to approve and forward to full commission.

Action: **Commissioner McKiernan made a motion, seconded by Commissioner Bynum, to approve.** Roll call was taken on the motion and there were ten "Ayes," Ramirez, Johnson, Kane, Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan.

ITEM NO. 2 – 20446...RESOLUTION: 2018-2019 PRIORITY TRAFFIC SIGNAL PROJECT (CMIP 0117)

Synopsis: A resolution declaring the 2018-2019 Priority Traffic Signal Project (CMIP 0117) to be a necessary and valid public improvement and authorizing a survey of lands necessary for said project, submitted by James Bain, Assistant Counsel. On October 26, 2020, the Public Works and

Safety Standing Committee, chaired by Commissioner Bynum, voted unanimously to approve and forward to full commission.

Action: **RESOLUTION NO. R-78-20**, “A resolution declaring the necessity and authorizing a survey and descriptions of lands necessary to be condemned for the construction, maintenance, operation, use and repair of the 2018-2019 Priority Traffic Signal Project (CMIP 0117), all in Wyandotte County, Kansas.” **Commissioner McKiernan made a motion, seconded by Commissioner Bynum, to adopt the resolution.** Roll call was taken on the motion and there were ten “Ayes,” Ramirez, Johnson, Kane, Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan.

ITEM NO. 3 – 20450...ORDINANCE: INFLUENZA REPORTING

Synopsis: An ordinance relating to the required reporting cases of influenza to the UG Public Health Department, submitted by Juliann VanLiew, Director of the Health Department. On October 26, 2020, the Administration and Human Services Standing Committee, chaired by Commissioner Markley, voted unanimously to approve and forward to full commission.

Action: **ORDINANCE NO. O-98-20**, “An ordinance relating to the required reporting of cases of influenza to the Unified Government Public Health Department (UGPHD) by all health care providers within Wyandotte County.” **Commissioner McKiernan made a motion, seconded by Commissioner Bynum, to approve the ordinance.** Roll call was taken on the motion and there were ten “Ayes,” Ramirez, Johnson, Kane, Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan.

ITEM NO. 4 – WEEKLY BUSINESS MATERIAL

Synopsis: Weekly business material dated October 29, 2020.

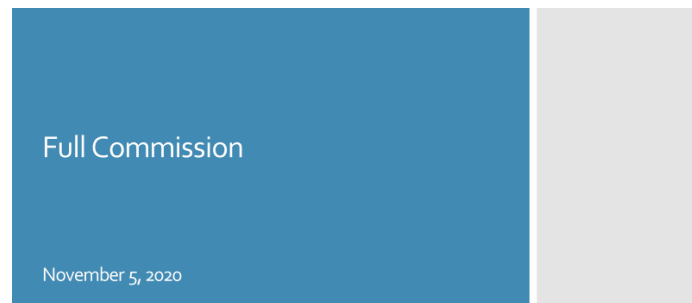
Action: **Commissioner McKiernan made a motion, seconded by Commissioner Bynum, to receive and file.** Roll call was taken on the motion and there were ten

“Ayes,” Ramirez, Johnson, Kane, Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan.

PUBLIC HEARING AGENDA

ITEM NO. 1 – 20399...PUBLIC HEARING/ORDINANCE: HOMEFIELD PROJECT

Synopsis: Conduct a public hearing to consider an ordinance approving the redevelopment project plans for the Village East STAR Bond District as part of the Homefield redevelopment project, submitted by Katherine Carttar, Director of Economic Development. On October 1, 2020, the Commission unanimously adopted Resolution No. R-74-20 setting the public hearing date of November 5, 2020.



Katherine Carttar, Director of Economic Development, said this is something that the Economic Development and Finance—**Commissioner Kane** said I can barely hear you. **Ms. Carttar** said okay. Give me two seconds.

This is a project that the Economic Development and Finance Committee is very familiar with as it's come forward in a variety of different iterations and excited to come forward tonight first with the public hearing for the project plan and then next a little later in the agenda, for the development agreement approval.



November 5, 2020

With that, I'm actually going to have a couple of folks helping to present tonight. First, I'm going to have Robb Heineman, of Homefield, actually kind of explain the project. He can do a much better job than I can.



Robb Heineman, Homefield, said thank you, Katherine. I appreciate it very much. I appreciate everyone's time tonight and consideration for this project. It's a project that we're really, really excited about at Homefield.

What you're looking at on this site plan is the former Schlitterbahn site. As part of this deal, what we will be doing is acquiring approximately 300 acres of land, partially from the Henry family and partially from the Unified Government. We will be developing an amateur sports resort out at this location.

One of the things about the former Schlitterbahn is this has always been a wonderful site. It's always had great access, great visibility, a ton of potential, and we're excited to redevelop the site and kind of bring out that full potential. We're excited about the fact that not only kind of the Homefield Project, that I'll describe in much more detail to you here is going to be part of Phase 1, but we also have a number of other retailers, hoteliers, attractions that are going to be part of that first phase as well. So, we're excited with the momentum that we've been able to create around this site even in the midst of COVID.

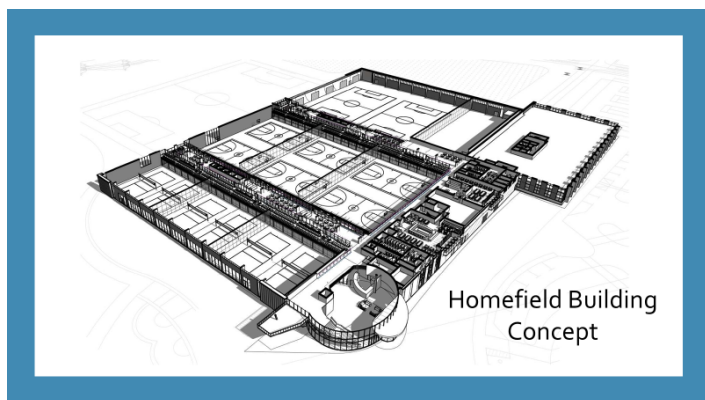
Homefield, to take a step back and tell you about that a little bit. For those of you that may not be familiar with me, I've been involved in sports for about 20 years. I was most recently the CEO of Sporting Kansas City. I'm still an owner in Sporting Kansas City so, I've done a number of different projects out here in this area. If you look at kind of the sports landscape today, youth sports represents about a \$20B industry in this country. It has a faster growth rate than any of the

professional sports leagues in the country. Projections would suggest that it should be a \$50B industry within the next five years.

Any of us that have kids and have spent time in a lot of these facilities around the country, it's an industry that in spite of its size is typically done in very pedestrian kind of mom-and-pop facilities. For those of us that are guests, or waiting for our son, or daughter to have practice and most of the time you wind up sitting in your car or spending time on your phone just hoping that the time passes.

What we're trying to do at Homefield is completely kind of contemporize the amateur sports market, the youths' sports market. The analogy that I can give you is, if any of you have ever been to a Top Golf before. What Top Golf basically did is they took a \$10 bucket of balls at the driving range, they put it in a beautiful building with great data capture, good technology, quality food and beverage and a high level of entertainment and have turned that now into a multi-billion dollar kind of global franchise. We believe that we can do the very same thing with Homefield around amateur sports.

As you look at the site plan, if you see the figure with the No. 1 on it, that's the primary Homefield building. That's a building that will be at least 150,000 sq. ft.



Inside of it, it will have hard courts that will be utilized for volleyball and basketball. It will have turf that will be utilized for soccer, 7v7 football. We also will have baseball amenities on this site for both baseball and softball. Then kind of the 7th course sport that we'll work on is esports. For those of you that may not be familiar with eports, it's a very, very fast-growing segment of our industry and it's something that we believe is very complimentary to what we're doing out here on this site. Not only did it drive kind of daily visits, but also tournament visits as well.

November 5, 2020

The intention for Homefield is that we're kind of a multi-sport proposition for kids where this isn't just about elite athletes, this is for any athlete, but we will provide kind of an athletic development experience that will allow every athlete to be the best athlete they can be. We're not doing anything new or groundbreaking here. What we're basically doing is kind of upgrading and contemporizing kind of youth sports industry and we feel like this building will be something that will have a very strong ability to do that.

If you look at this building, it'll be busy Monday through—Sunday through Saturday, basically, with tournaments, leagues, game play. We believe that we should have somewhere in the neighborhood of about a million visitors a year that'll visit this complex. Many of which will be from our metropolitan area, but many from which will be coming from all around the surrounding areas. We think this is a really sticky and a very, very nice catalyst for what we're doing.



The second major component of the Homefield group is what we call a crystal lagoon. The crystal lagoon that we'll be building out on this site will be somewhere in the neighborhood to six to seven acres in size. They build these things all over California, Texas, Florida, many of them overseas, but really never one that's been built in the Midwest. What this is, it's a man-made lagoon that has a liner on the bottom that we basically will populate with all sorts of water sports, beach bars, wedding pavilions, we'll be creating a really nice beach for the hotel that we will be developing out here. Then all sorts of water sports, whether it's kayaking, paddle boarding, ziplining, cliff diving, all different sorts of things that we think will make this a really, really vibrant area.

Having visited a couple of these now, these are really cool. So, you can see kind of white sand beaches and a lot of views that you just wouldn't expect to see in the middle of Kansas.

We're really excited about this and again, we feel like this is another tourist destination that will be incredibly sticky and will drive a lot of visitation out of this site.



The third piece of kind of the Homefield group is really the baseball complex. We're excited about this baseball complex and some of the partners that we have coming on board with us because what we're really trying to do with this is not only drive kind of league play and tournament play, but this will be a very technologically advanced baseball center that will have the capability to do broadcasting, it'll have the capability to do all the different analytics and things that are becoming really important in the game of baseball from both a game play and development standpoint.

The three of these components, we think, have a ton of synergy with one another. We think our ability to design great weekends for a family where they can come in and play in a tournament and visit the water park and obviously do all the things that are so wonderful within Village West already and really create a great stay out of it. I think when we think of kind of a COVID world on a go forward basis, we're very bullish on what sports tourism looks like on a go forward basis because we believe that it's a trip that a family is going to prioritize; the trip for their son, or daughter to come in. What our concept will be is that not only are they here for the tournament, but we get them to stick around for a couple of days to do the other things that we have in the area. So, we feel really good about all of this.

Basically, assuming that we pass this evening, we'll start demolition really in earnest. We'll start demolition before the end of the year. In our development agreement, I believe it says that we will have this completed by, I think, it's October of '22. Our goal is really, we'd like to grand open this on July 4th weekend of 2022 and that's what we're pushing kind of all our project plans to try to flex a week and accommodate that.

This isn't something that we're going to pass and then sit around. We have the financing in place. We have the will. We've got the design. We've got the vision. It's something that we'd like to get going on pretty quickly and bring it to the community as quickly as we can.

Ms. Carttar said as you can all see, this is a really exciting concept. It goes far beyond just the couple of aspects that Robb discussed and there's additional kind of longer-term plans for some additional retail, hotels, even some multi-family in this area. To discuss a little more of the kind of nitty-gritty, I'm going to turn it over to Todd LaSala to go over some of the development agreement kind of terms.

Homefield Development Agreement Terms

- Developer is HFS KCK, LLC -- a new single purpose entity who will buy out SVV (Schlitterbahn) and step into SVV's shoes on the Development Agreement we're amending now
- Developer will demolish the Schlitterbahn Waterpark and build the \$90M Homefield Project, which is:
 - The Homefield Building: a \$60M, 150,000 s.f. multi-sport building
 - Homefield Outdoor: a \$15M multi-sport venue for outdoor sports
 - Homefield Baseball: a \$15M baseball complex with 5 outdoor, lighted turf fields

Todd LaSala, Stinson, said I'm your outside counsel on this project. I'm also the author of the very detailed executive summary that you have in your packet. Some might even argue that it is overly detailed, but it's a very complicated project. Tonight, I hope to hit it from a pretty high level and, of course, if you have questions about anything that you read, or saw, or hear tonight, we're more than happy to answer those questions.

The developer team, you just heard from Mr. Heineman at Homefield. Importantly, this document, the document that is your development agreement tonight that you'll be considering, is an assignment assumption, amendment and a restatement of the existing document; the development agreement you currently have with Schlitterbahn. In a very real way, Homefield is stepping into the shoes of Schlitterbahn. They are buying the land that Schlitterbahn still owns, including the closed water park. They are assuming and we're now amending the Schlitterbahn development agreement and it will become the Homefield development agreement so, they're really stepping into Schlitterbahn's shoes.

This is probably also a good place to really articulate maybe the objectives of our team as we negotiated this deal with Homefield. They are probably three-fold. Number one, is to solve

the problem that is Schlitterbahn. You all know the history there but number one, we're trying to solve that problem. Number two, we're trying to bring a great destination to the site in place of it. And number three, we're trying to shore up some existing bonds that we issued in connection with the Schlitterbahn project in 2015.

Tonight, you'll probably hear me talk more about that third objective and that probably overemphasizes the point. I have to talk about it more tonight because it's more complex than the other two objectives, which are at least equally important to solving for those 2015 bonds and making them secure.

I won't hit this much harder than Robb did because he really did a great job, better than I could of, of explaining what the Homefield project is and the three components. What I do have on this slide here that's meaningful is that the estimated cost of those three components, \$60M for the building, 15 for Homefield outdoor, and 15 for Homefield baseball, adds up to a project cost for Homefield of about \$90M.

I can rift without that. Hopefully, we'll get to the next slide at some point, but in the meantime what I will tell you is that the time—

Homefield Development Agreement Terms

Timing

- Developer will commence construction on all 3 components by July 1, 2021
- Developer will complete construction of Homefield Baseball by September 1, 2022
- Developer will complete construction of Homefield Building and Homefield Outdoor by October 1, 2022

The UG will sell about 71.5 acres of UG land to Developer for \$3M -- money to be used to repay 2015 STAR Bonds

oh, there it is. The timing, Robb touched on this a minute ago; they have an aggressive schedule. You heard Robb say a minute ago, they'd like to have everything open by July of '22. Contractually, this is what they're committed to. There are targets and then there are contractual obligations. Appropriately, there's some cushion in the contractual obligations. They have to commence by summer of '21. Robb intends to do that much faster. Then the completion dates for Homefield baseball, September 1st of '22 and completion of the building, the largest part, by October 1st of '22.

In addition to the land that Homefield is purchasing from Schlitterbahn, they also intend to buy about 71.5 acres of land owned by the UG right now for approximately \$3M. A lot of that site is west, is what we formally referred to as the spear property. That was land that was purchased

with STAR bonds originally. So, we have agreements in place already with the Department of Commerce about what would happen if and when we ever sold that land. The Department of Commerce has been a great partner on this project. The agreement for that \$3M that we will receive in exchange for that ground is that that money will be pledged to repay existing, outstanding STAR bonds that we issued in connection with the Schlitterbahn project in 2015.

Homefield Development Agreement Terms

STAR Bond Financing - \$130M of new STAR Bonds to be paid with revenues from Project Areas 2B, 3 & 5

- First Issuance: \$75M; Developer has "private capital" requirements for \$75M of private money to maintain 50/50 ratio
- Second Issuance: \$55M; Developer has higher "private capital requirements" for additional \$118.5M to \$125M of additional private investment (a 60/40 ratio)
- Menards Sales Tax Revenue Sharing
 - Until June 30, 2021 -- NO access to Menards revenues to pay new STAR Bonds
 - July 1, 2021 through life of bonds -- 100% of UG portion of Menards revenues
 - State: July 1, 2021 until the later of (a) July 1, 2022, or (b) completion and opening of Homefield -- 25% to pay new STAR Bonds; 75% to pay 2015B bonds
 - State: After (a) July 1, 2022, or (b) completion and opening of Homefield -- 75% to pay new STAR Bonds; 25% to pay 2018 bonds
 - State: Thereafter, Developer can go from 75% to 80% of Menards revenues if their Projects generate at least \$40M in new retail sales (with \$20M in Project Area 2A)

This is, there's a lot of words on this slide. This is where we really start to articulate the financing. I keep talking about 2015 bonds. Previously, in connection with Schlitterbahn, we issued about \$72M of bonds primarily and then a subordinate series that was another 12. Those bonds were used in connection with the water park and a bunch of infrastructures that's out there that enabled the site. A bunch of that infrastructure will be used in connection with this project as well, but the water park will largely be demolished.

The financing for Homefield is approximately \$130M of new STAR bonds that will be paid for with sales tax revenues generated from Project Areas 2b, 3 and 5. It's contemplated to occur within two different STAR bond issues. The first issuance would be about \$75M of new STAR bonds. In connection with that, we're requiring at least \$75M of private money to come into the deal as well. As we said a minute ago, the Homefield project is a \$90M project so, \$75M of which would be paid for with STAR bonds. There's an additional \$15M of private money that will come into the deal at that point as well.

In addition to that, the developer has plans to attract new retail to the site and other great things that will come to the site, including some multi-family, but it's important to note that really the first phase of this, the first issuance of STAR bonds, is ultimately \$75M of STAR bonds, but it's financing \$150M of new investment on the site, and there's a 50/50 ratio between the public dollars and private dollars.

Subsequent to that, and after the completion of Homefield's, there's a possibility for additional STAR bonds, another \$55M of additional STAR bonds. However, with this second issuance, the private capital requirements are higher than 50/50. Ultimately, we're looking for about \$115.5M to \$125M of private investment in connection with that second issuance. It would ultimately yield a 60/40 of private to public ratio; 60 private capital, 40 of public.

There are also a lot of details about sharing the Menards' revenue. Part of what's unique about this project is that there is an existing sales tax revenue stream out there right now that helps kickstart the project. The Menards home improvement store out there in Project Area 3 is already open and generating revenue so, there were detailed negotiations about how we share that revenue with the developer and the new bonds that they wish to issue here. So, what this articulates and shows for you is that from now until June 30, 2021, there will be no access for the developer of the new bonds to the Menards' revenue. All of that money will be retained by the two municipal partners, the state and the UG.

Commencing on July 1, 2021, and really throughout the life of the bonds, the UG will have to put 100% of its sales tax component in and pledge that to the new STAR bonds. Everything that follows is about sharing the state component of sales taxes from the Menards' revenues. From July 1st until the later of July 1, 2022, we're opening up Homefield. We're going to share that revenue stream. 25% would be available to the new STAR bonds, 75% would be pledged to repay the 2015-B Bonds that were issued in connection with Schlitterbahn. That's important because it really helps to secure those bonds and make sure that they don't default. That is a subordinate series of bonds that is backed by a GO pledge. So, very important to make sure that those bonds remain stable.

After that, after July 1 of '22, or the completion of Homefield, that ratio really flips. At that point, 25% of the Menards' revenue is available to pay the 2015-B Bonds that I was just talking about, that subordinate series, and 75% becomes available from the new STAR bonds issued in connection with Homefield.

Finally, there is the opportunity for the developer to earn an additional 5%, taking their portion of the Menards' state sales tax revenue to 80% if and when they deliver development that yields at least \$40M of new retail sales out there, including \$20M in Project Area 2A.

Homefield Development Agreement Terms

Other Incentives

- Community Improvement Districts: Terminate existing 2% sales tax CID on Project Area 1; one or more new sales tax CIDs to come back to Commission for approval – No bonds
- IRBs: Abatement of sales tax on construction materials; A "certainty IRB" with a PILOT payment equal to 100% of the estimated property tax (PILOT schedule on Exhibit 18) for the Homefield core project. Open to an application for the 100% PILOT on the multi-family in the future.
** Additional development will pay 100% property tax as assessed.*

There're some other incentives on the table as well. First, community improvement districts (CIDs). There is currently an existing CID out there that is really around Project Area 1, which is where the water park is located currently. There's a 2% sales tax, CID, on Project Area 1 right now. The idea here is that we're likely to—that will come back before you and we'll ask you to terminate that CID ultimately. That's because the developer will come back and ask for one or more additional community improvement districts out there on the site. You'll consider the terms and conditions for each of those CIDs as and when they come to you, but the development agreement really makes it clear that in each of those cases, we're going to do those on a pay-as-you-go basis only, without issuing additional bonds in connection with the community improvement districts.

Also, industrial revenue bonds. We're going to do a couple of things with industrial revenue bonds on this project. One, for the Homefield project, we'll issue IRBs in order to make sure that the sales tax on construction materials is exempt and that they don't pay sales tax on construction materials in connection with the Homefield project. We do that with a lot of projects.

Additionally, for Homefield, we're going to issue IRBs in a way really to try to create certainty about what the property taxes will look like in connection with Homefield. We're going to agree to a schedule for 10 years about what the property taxes will be for Homefield. Starting in year one, it will be \$370M and it will escalate year-by-year for 10 years to \$404K, almost \$405K. What we're really doing there for Homefield, is we're locking in the property tax value for this very unique asset for 10 years. At the end of the 10 years, the property comes back on the rolls and whatever it is, it is. Both the developer and the UG like the idea of certainty about Homefield for 10 years.

We would also plan to do something similar with the first apartment complex that the developer intends to build on the site, but we're asking them to submit an IRB application and

come back to you with a similar schedule about the property taxes for the apartments at a later date. Importantly, everything else, Katherine, at the end of this presentation, is going to tell you about the property tax value of this entire thing. It's important to realize that Homefield is going to pay property taxes, it's just based on that schedule and everything else is going to pay property taxes at full value as well.

Homefield Development Agreement Terms

Donations/Investments

- Developer will cause the \$375,000 owed by SVV in arrears
- Developer will not continue Donations
- But in lieu of Donations, Developer will make \$3.75M in investments in downtown core and urban areas within 3 years

Donations and investments. You may recall—I mentioned earlier that this is really a replacement of the Schlitterbahn development agreement. You may recall that in Schlitterbahn, part of their agreement included donations that were to be made every year for community purposes. Over the last couple of years, Schlitterbahn has failed to make those payments. So, they're in arrears; they're behind to the tune of \$375,000 that's owed to us over the last couple of years. We've defaulted them, we've asked for it, but we haven't been able to get it from them.

One thing that this developer agrees to do is to go get that from Schlitterbahn and make sure that that money is available and paid to the UG in connection with their closing on the land. In addition to that, this developer is not going to continue the donation program as a part of this development agreement. This one will be its own unique deal. In lieu of donations, the developer will commit to make \$3.75M in investments in our downtown core and historically urban areas within three years after we sign this. They intend to do that, hopefully, as catalytic investments in important projects in the downtown core.

Homefield Development Agreement Terms

LBE/MBE/WBE

- Construction: LBE - 18%; MBE - 15%; WBE -- 7%
 - \$130 million captured by LBE/MBE/WBE firms during construction
- Prof. Services: LBE - 18%; MBE - 13%; WBE -- 8%
- Penalty: 4% reduction in STAR Bonds

This slide shows your LBE/MBE/WBE goals that the developer is agreeing to. These goals are very consistent with what we've been doing in other projects in the UG for both construction and professional services. This slide also shows the penalty that the developer is willing to agree to if they were to fail to use best efforts to meet these goals. They stand to lose a 4% reduction in the STAR bonds. Given the amount of STAR bonds that we've talked about here, it's a pretty significant penalty.

Homefield Development Agreement Terms

Community Benefits

- Active dues-paying membership in Chamber and WYEDC
- HQ in Wyandotte County
- 20% discount on admissions for WYCO residents
- Agreement with local school districts
- 500 tickets annually for Parks and Recreation
- Out of Town Tournaments and required promotion of WYCO hotels
- \$3 million direct land payment to paydown existing STAR bonds

Community benefits. Many of our development agreements on STAR bond projects like this ask the developer to do some things to contribute to the community in addition to what they're already doing. Number one, they've got to be active dues paying members in our Chamber and YEDC.

Secondly, the developer is committing to maintain its headquarters, its administrative headquarters in Wyandotte County, but also offering a 20% discount on admissions to residents of Wyandotte County. They're going to use best efforts to make an agreement with local school districts so that the students in our local school districts can come and use the facility in off-peak hours for training and other recreational activities. They're willing to contribute 500 tickets annually for free to our Parks & Recreation Department. They're going to use all efforts they can

to try and attract out-of-town tournaments and direct the participants in those out-of-town tournaments to local Wyandotte County hotels. All of this is in addition to the investments they're going to make in downtown, I just talked about, and \$3M of direct land payment that's going to help pay down those existing STAR bonds.

I think that's it for me for now. Happy to answer any questions later.

Homefield Development

Economic Impact

- \$400+ million of total development
 - \$130 million captured by LBE/MBE/WBE firms during construction
- \$150+ million of development in Phase I (core Homefield development)
- 3,052 direct and indirect construction-phase jobs.
- 1,251 direct and indirect on-going operational-phase jobs.

Ms. Carttar said thank you, Todd. I'm going to go into just a little bit more—Todd just did a great job of going through kind of the contractually obligated community benefits that are really spelled out within the development agreement. I'm going to go over some kind of higher-level numbers just to kind of fill out the kind of scene for you all.

As we've discussed, while Homefield itself is about a \$90M project, we're looking at over \$400M when you take into account the additional private developments that will be attracted and that Robb and his team are going out and getting to come to this location. This includes a couple of hotels, multi-family, additional destination retail, potentially some more auto dealerships and the like. With that, there is the potential for over \$130M of that with the LBE/MBE/WBE requirements within the development agreement for that to be captured during construction, which is a really great big number.

Additionally, during construction, we're looking at over 3,000 jobs, then an on-going bases, kind of operational phase jobs of about 1,200.

Homefield Development

Economic Impact

- 2.79 million annual visitors
- 1.35 million annual out-of-state visitors spending a total of \$309 million:
 - \$108 million to \$124 million of which will be captured by the District;
 - The remaining \$185 million to \$201 million will be captured off-site by businesses throughout the Kansas City MSA;
 - Kansas is estimated to capture \$123 million to \$133 million of these “outside” annual expenditures;
 - Wyandotte County is estimated to capture \$63 million to \$68 million of the same.

Additionally, Robb mentioned that there’d be certainly over a million annual visitors to the Homefield core project itself, but in addition to that, we feel like there will be many of these other aspects that will actually drive additional visitors. So, in the feasibility study that was done, we’re looking at actually just about 2.8 million annual visitors, which is a great big number to be adding to the Legends in that area. Of those 2.8 million visitors, about 1.3 are estimated to be actually from out of state. So, when you have an out of state, especially if you have someone from over a hundred miles away, you’re also looking at hotel nights, meals, etcetera. So that really does add up to a really great chunk of money, some of which will certainly be spent at Homefield and the surrounding retail. Then, you know, you can kind of see here as it breaks out, so within the district, within the MSA then also kind of Kansas and Wyandotte County. Certainly, looking to have some pretty great benefits to this attraction.

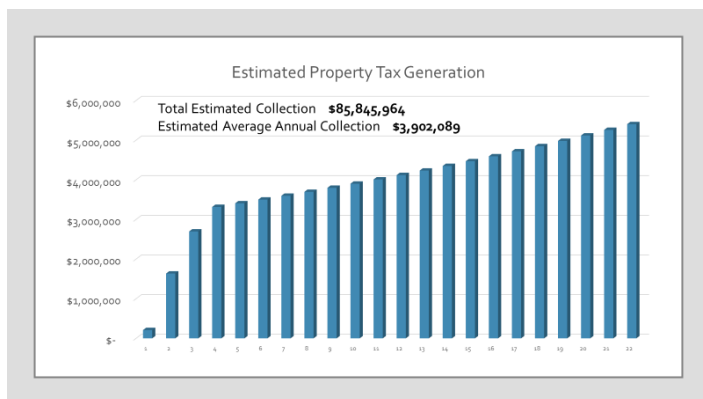
Homefield Development

Economic Impact

- Average total property tax revenue at buildout is \$3.9 million annually
- Sales tax revenue at buildout (Dedicated Sales Tax Fund & EMS Fund) for Homefield Core project is \$150,000 annually

In terms of kind of average total property tax revenue, at total buildout, as Todd mentioned, there will be Homefield has—if you can look at Exhibit 18, there is the PILOT schedule. They go from paying about \$370,000 to about \$405,000 over the course of 10 years. But, in addition to that, everyone else and everything else that is built, will also be paying full property tax. Looking at an average of about \$3.9M annually in property tax and I’ll break that down here a little further in a second.

Additionally, with sales tax, while the kind of base sales tax for state and UG will kind of go into this kind of part of the STAR bond mechanism, the dedicated sales tax funds and the EMS sales tax funds, those are never kind of abated. Those always come back to the Unified Government. We have for just the core, again, just the core Homefield project, that's just those two sales taxes, additional sales tax looking at about \$150,000 annually.



Finally, just getting into a little more detail with the estimated property tax generation, I do want to focus on that first word, “estimated.” This is something that we are anticipating so, this takes into account the idea of a couple of hotels, multi-family, two auto dealerships, and then a few different destination retail locations, all of which we think are very likely. Here’s the great thing, this could actually be low, depending on some of the things that Robb and his team are able to bring to this location. Kind of really the sky’s the limit when we’re looking at this.

What this takes into account, if you can see how it increases over those first few years, so this takes into account the building of Homefield and then kind of the couple of years, as we’re anticipating some of those other things I mentioned coming on line. So, kind of over the course of the STAR bonds kind of life, so we’re looking at, this is 22 years because you’re looking at the two issuances, but you’re looking at a total of \$85.8M in property tax, which is a pretty nice number.

Public Hearing/
Resolution/
Ordinance:
Homefield
Project Plans &
Amended
Development
Agreement

An ordinance approving the redevelopment project plans for the Village East STAR Bond District and a resolution to approve the Amended Development Agreement for the Homefield project.

With that, I will turn it over, I think, to the Mayor if there are any questions and then also the public hearing.

Mayor Alvey said thank you, Katherine. Thank you, Robb. Thank you everyone for your presentation. Now, questions and comments from the Commission. **Commissioner Kane** asked, don't you have to have the public hearing first? **Mayor Alvey** said you are correct, Commissioner Kane. Thank you so much.

Mayor Alvey opened the public hearing and asked if there is anyone who would like to speak in favor of this item. If so, please state your name and city of residency for the record. You will be given up to three minutes to state your comments. (There were none.) Madam Clerk, have we have anyone ready to speak? **Ms. Cobbins** said no one submitted a request to the Clerk's Office to speak. **Mayor Alvey** asked, Rocki, we have anybody? **Ms. Mayes** said there is nobody in the attendees' list with their hands up, Mayor.

Mayor Alvey asked, is there anyone present who would like to speak in opposition to this item? **Ms. Mayes** said there is nobody with their hand up, Mayor. **Mayor Alvey** said thank you.

Mayor Alvey said having done that, we will now close the public hearing.

Commissioner Ramirez said thank you, Katherine, and everybody and the developer for your presentation. It's a very exciting project. I think it'll do very well. I just have a couple of questions. My first one is for Emerick. Yes, I see that he is on the line. Emerick, the donation component, is that the Casino grant money that Schlitterbahn was giving to the UG? **Emerick**

Cross, Assistant County Administrator, said Katherine's shaking her head so I'm assuming yes. **Ms. Carttar** said yes. It was about roughly \$150,000 a year. It went up over time. That has the past many years has gone to the Casino Grant Fund. **Commissioner Ramirez** asked, how much was that, did you say? **Ms. Carttar** said it was approximately \$150,000 a year.

Doug Bach, County Administrator, said let me clarify. Commissioner, there's an amount—they're back paying \$375,000 to make up what was defaulted on or that was not made. That'll be an amount that'll be paid into that here in the near future that'll be in the what was the Schlitterbahn/Casino Grant Fund.

Commissioner Ramirez asked with this new development, there will no longer be their portion of the donation, correct? **Ms. Carttar** said correct. We'll get the back funding, that \$375,000 will go to that Casino Fund, but then moving forward, they have offered to instead focus a development, a \$3.75M into downtown and urban core development.

Commissioner Ramirez said that is my—this leads into my next question. I'll come back to my first one. But, with that 3.75 and I know this said downtown and urban areas, who is going to choose where that investment goes and who's going to choose which urban areas that investment goes to? **Ms. Carttar** said so, the way that—Todd, you can answer if you'd like. **Mr. LaSala** said additionally, as Katherine was about to say, the developer is going to choose. The developer is initially going to make proposals and make deals to invest in certain projects in that area. The UG will have approval rights over those investments through the County Administrator's Office. That's what the document calls for.

Commissioner Ramirez said like I said in the beginning, I think this is an amazing project. It's going to do very well for our county, especially everything that we've been through this year. I'm only—the only thing I'm hesitant about is the no longer—the donation that we're no longer going to be getting because the Casino Grant Fund is something that we, as commissioners, we're able to allot money to organizations and business who are doing a lot for our community. I understand that the developer is going to be paying back their arrears of \$375,000, but that's only a onetime thing. After that, it's less money now that we're going to be allocating to organizations and businesses who are doing great things for our community. That's the only thing I'm very hesitant about.

I hope that in the future with these, this 3.75 investment that we get some input from the Commission and who has—these are the districts in our areas that we represent, so I hope that we

get a chance to voice where we believe that investment goes. But, again, it's an amazing project. I'm just hesitant about that one point of the donation, but I do support this project and I hope that we continue just to keep in mind of our community. I thank you for the presentation.

Mr. Heineman asked, can I respond to that really quickly? One thing I do want you to know is with this \$3.75M, our expectation is that this will be a collaborative process. That this won't just be us going out and finding different things that we'd like to invest in, but also, hopefully, it's a two-way street where we do have you coming to us and saying, hey, there's a project, or there's a piece of ground or there's an opportunity that we'd like you to consider. You obviously know your community far better than we so, our expectation would be that we would have a dialogue around how this happens. To let you know, the Mayor and I spoke about this earlier today on a couple of projects that he has an interest in. That's how we see this going on a go forward basis. So, I appreciate your comments for sure, but we would expect this to be a very collaborative piece of this piece of our partnership.

Commissioner Townsend said, Mayor, thank you but I see that Commissioner Kane has had his hand up so if you don't mind, I would defer to him and then if you could come back to me, I'd appreciate it, thank you.

Mayor Alvey asked, Commissioner Kane, do you not have the participant? **Commissioner Kane** said it does not show it. **Mayor Alvey** asked, it does not show it down at the bottom, the participants? **Commissioner Kane** said I'm telling you. **Mayor Alvey** asked it doesn't show it. **Commissioner Kane** said well, it's showing it now. **Mayor Alvey** said if you put your—hover over participants, it will come up and you'll see your name. If you scroll down then you can hit that. See that little thing that says raise hand? **Commissioner Kane** said okay **Mayor Alvey** said please, go right ahead.

Commissioner Kane said first of all, I do not, I absolutely do not like the idea that the Administrator would tell us where the money goes. We're elected; he's not. That would be his pet projects and not ours. I think that that money should come back that all of us commissioners and the Mayor would say, all right, here is a really good project; let's go there. But, if you give it to him, you don't know where it's going. So, I would not like that.

You made a comment, Todd, about best efforts with the MBE/WBE/LBE. You've been really good about that in the past. I'm going to watch that extremely hard. One of the things that I want you guys to do is, you're saying it's 3,052 construction jobs. What I would like you to do, and I can't force you to do it because I can't force you to pay prevailing wage, but would like you to reach out to the local union contractors and give them the opportunity to bid on some of these projects. The Amazon project, they were only given four items that they could bid on and in almost every single, I don't want to say almost, probably 70% of those people were from out of state.

This project is in Wyandotte County. We have a boat load of union contractors, a boat load of union workers in Wyandotte County, it was built by the unions and I think that you guys need to use as many local contractors, as well as many local union contractors, for this project. I wish it was under different wording, the way it used to be, but I think that's something important for the community that we live here. We want to work here. We don't want our members out in Arkansas, Oklahoma, and Texas because the talent is here. I'd like to use as many of those talented people as possible.

Commissioner Townsend said I know this is the public hearing phase of this. I also see that we have a separate vote on the development agreement and that is where I have concern about the specific language. Since Commissioner Ramirez already went there, I'm continuing in that lane. If you recall, I believe it was maybe the very last Economic Development Standing Committee meeting I participated in, in August, or even the first one in September and talked to Mr. Heineman about the accessibility of what sounds like sports, activities planned to people outside of the western end of the county. Because I was very concerned that people on the Northeast end would be able to come in and be able to afford to participate in those attractions. And, it's my recollection, you said that would occur, but more specifically, it is the language of the development agreement itself.

I pre-supposed that the 375,000 that the developer was going to seek, would go to the Casino Grant Funds. But I'm more concerned about how this \$3.75M of investment money will actually come to the Unified Government and how and who would determine the projects and particularly where it's going to be used. I would not, as someone who has not seen the level of development in the Northeast end since I've been on, see that money go away somehow. Without some commitment to projects specifically in that end, not just downtown. So, a couple of questions

because this language is written does not say who's going to bring these development projects, or what role as I, as a commissioner, and my fellow commissioners have in approving them.

What happens if there are no developments agreed, or projects in downtown, or to use the language in the agreement, historically urban areas? Now, some say that's not likely, but if I go back even three years from today, I'm trying to think of what development in historically urban areas has been brought forward, and what would happen to that money? Is the developer going to deliver \$3.75M to the UG coffers and then let us, as commissioners, decide what happens? So, there's a lot of questions. I just want to get those out and hear what you have to say about that.

Mr. Bach said maybe I'll jump in first. As the developer approached us for this request to put it in the language of approved by the, or reasonably approved by the County Administrator. That term reasonably is there that we wouldn't just be arbitrary in looking at them. We would look at the request and give them careful consideration for the impact and what they would do in the community.

As it rests back with me, and I'd let Robb comment to that if he wants to, but it's really in a sense that they were trying to (inaudible) to be fairly nimble. They committed to a three-year timeframe to turnaround here so they wouldn't be able to submit projects, go through them and work them. I think the hope was that we would meet, as a Unified Government, kind of look at what kind of criteria we were looking for. You would give me that direction as I'm able to work with them as we do in development areas, such as this one and Homefield, and have a good feel of a lot of the parameters. So, as you see this project brought forth to you tonight, the deal points that are out there, they are structured around what's building Homefield. Pretty straight forward. I think they're very consistent with the direction that's been given to me by this governing body in coordination with the state of Kansas.

To the same token, we could do the same thing in looking in the urban areas to say, hey, this is our focus area. This is where we want it to be. This is the approval level we want to have to come back as a governing body. To me, and as you know, you give me the authority to spend up to \$50,000 that's not called out really in the budget without coming back for other approval. In this case, \$3.75M, I think there could be different parameters set around this.

I don't know that Robb and his team are looking to spend it all in one chunk. I think there's the opportunity that this could be in several different areas. I guess it could be one big project if they came in with something like that and that would be fairly significant if they were to do

something like that in one area. I think there's a lot of opportunity for us to take this and work it and work it now, I think, amongst ourselves as we say, okay, here's the direction, parameters that you set out to me, as the Administrator, to say when they come in with a project, you need to have these kinds of discussions with them and make sure you guide them in this direction. That way, when you see it back to the governing body, we'd have a pretty good shape of being close to where we want to be. Just like we are with, about every other development that comes into the community.

Robb, did you want to add anything about your thoughts on that? **Mr. Heineman** said yes. I appreciate that. The one thing that I would say is, I hope you'd take some comfort in the fact that we've done a couple of transactions together at this point. Obviously, the Homefield project that we're working on is very large and it's a project that we're going to be doing everything we can to make sure that we live up to the standards that you want it to be. Doing these different development deals it takes time.

My only hesitation around kind of—we've committed that we'll invest \$3.75M and we'll get that to work within three years. I'm not really hung up in any way around how you make your approval around what we're doing. I guess all I would stress and suggest is that we may need to be nimble if we commutatively come up with an idea to try to get that through your approval process, just to make sure that we can meet our timeline and threshold of investing \$3.75M in three years.

It's hard to do these development deals. None of them take six months. They all take two years. This is just something that we want to make sure that we live up to our end of the bargain here and make sure we've got an efficient way to go about doing that.

Commissioner Townsend said I appreciate that information. I guess what still bothers me is the language of the development agreement. I have less concern about the project itself, which is the subject of the public hearing. But the language, particularly on page 4 and 5, it still leads open by law who presents these projects, like I said, the timeframe. As you say, it takes time to do these development deals. I'd almost be more comfortable with knowing that we were going to get 3.75 within three years and leave it to the Commission and our Economic Development Department to go in the downtown area and historic areas and come up with plans and that would take the burden off of you with having to come forward with a project.

So, that's the concern I have with this language. I would be inclined to want to see the resolution, but I am not at all comfortable with the current language of the development agreement. I think that ought to be nailed down to address these issues and not be left open to interpretation later.

Thank you for your presentation and this project, but that's kind of where I am on this.

Mayor Alvey said, Commissioner Townsend, I think what is in play here is, that what we're looking for are, like we did find with Mr. Lanier, is someone who is willing to commit in our downtown at a significant level, and when they do come in and invest, that they are actually going to profit from it. The developer would commit to invest \$3.75M but to do it in projects that would profit so that it would encourage others to invest as well because if it is revenue neutral, it does not do anything for the bottom line. No one else is going to want to come in and do the same thing.

The way I would envision this, the discussion about the process by which the Commission is engaged in the development approval of the development project really is for us to decide, I think, over the next couple of months. That was the discussion that Mr. Heineman had today. It would seem to me knowing that this would come into play, it would be a good opportunity for us to—what it causes us to focus in on are what are our priorities in strategic catalytic investment in the areas basically east of 635.

Commissioner Kane said first of all, Todd and Robb, I want your project. I want it bad because we need a place for our kids to go play and to be entertained, and I think this is a good idea. My whole hiccup here is that the expectation that the County Administrator will be reasonable in these project evaluation approvals. Mayor, are we going to be involved and where it goes up front? I don't want to be on the tail end of it; I want to be on the front end; the middle and the tail end to see where it's going. I'm sure, and I agree, that everybody wants to make money, but I do not like the idea of Doug being the one in control of it. He's not the elected body; we are. I'd like to know your opinion on that.

Mayor Alvey said that was my point that, I think, what we have to decide over the next couple of months is that, again, the County Administrator cannot and would not do something without a sense of the governing body that this is how we ought to do this. That's why the discussion among the governing body about what are those catalytic investments, where they need

to go, what could be done that would allow the developer to come in say, I think I've got a good project. I think this is going to be catalytic and game changing for this particular area. We can deploy the money there. I think that that's really what we're looking at. I think that's going to be resolved by the Commission over the next couple of months; that process.

Commissioner Kane asked, why does it say County Administrator and not the Commission? **Mayor Alvey** said I'm going to speak to this, but I think what that means is so, as Robb is, the developer would come forward to be able to say to the—come to the County Administrator, hey, I'm looking at this kind of project. What is your sense? The County Administrator's responsibility would be to say, well based upon the direction that has been given me by the County Commission, this is something that would be within the parameters. They meet the criteria that the Commission has established. That's my understanding so, Doug, you can correct me if I'm wrong.

Mr. Bach said, Mayor, I think you're pretty good about how you've explained that. I don't know or, Todd, maybe you have—do you have a different explanation to that as to the way that was put out in the document?

Mr. LaSala said no, Doug, not really. As Robb said, they're trying to be nimble. They are investments. The big idea here is that they would pick those things and come to us for approval. I think the idea was that they were looking for you to have parameters and some direction probably about the types of catalytic things that we would approve versus those we would not approve. I think the developer is hoping not to come to Commission with each and every project that they want to invest in; partner with somebody to put their money in. I think it gives them more flexibility, more freedom, and as Robb says, allow them to move faster if that direction has been given to a point person within the Unified Government and they can go and seek approval of these deals from the County Administrator's Office versus the Commission.

Mayor Alvey said I think there's one other thing I want to mention here. I think if we view this \$3.75M as a fund transfer to the Unified Government to be disposed of as we think, that's not what this is. **Mr. Bach** said it's not. **Mayor Alvey** said this is simply a commitment to bring \$3.75M in investment and the developer wants to be able, again, to discover those projects, where those places are that would be catalytic where, again, they would be profitable based upon the parameters that the Commission would set and they would simply bring those to the County Administrator to say well, does this fit what the Commission has told you. That would be my

understanding of how that would work; but, again, the criteria for that is still to be established by the governing body.

Commissioner Philbrook said I'm glad you made the last statement, Mayor, about the fact that we would not be accepting that \$3.75M into our coffers that that was—those were funds that Robb Heineman and his group would be investing in different things and then part of the projects that come forward would be presented to us with that part of the deal, as far as the investment. Am I understanding that, Todd? Is that right? I see your head shaking.

Mr. LaSala said yes, that's exactly right. It's not a pile of money that he would hand to us. It's investments that he would make. **Commissioner Philbrook** said that he sees that he could make money off of and that would be profitable to the community, obviously, or it wouldn't be profitable to him. **Mr. LaSala** said that's correct.

Commissioner Philbrook said the only problem, the pushback, I think, you're mostly going to get from the Commission is the fact that the Commission does not like to relinquish control over where and how that money is distributed. Even though we don't have it in our coffers, Robb. Do you understand what I mean, Mr. Heineman? It's not anti-the fact that you know what the heck you're doing, it's just that we're elected officials and the folks that elect us expect us to do what we feel is the best for them and in certain districts.

So, Mayor, I think, if there's some way you can get your, and let's call it your group, you and Doug Bach together, to create this team that's going to put the guidelines in place for what we believe the Commission would like to do. I think that would help a lot and take a lot of pressure off of the fact that you, Doug, would be unilaterally making the decision to move forward, if you see what I'm saying, because otherwise, otherwise, there's just a lot of people that would not be happy with that concept. Not meaning you would do anything wrong, just you know how things are sometimes. So, that's all I have to say.

Mayor Alvey said, Commissioner Philbrook, I think that's a good point; another point of clarification. It is also not money given to the County Administrator to disperse. That's not what this is. This is the developer coming forward, willing to commit \$3.75M in catalytic investments in the older parts of our town that would be within the parameters set by the Commission but administered on our behalf by the County Administrator.

Mr. Bach said I was just going to add a little bit to what you said, Mayor. I think the objective here for me and our team as we were going into this was as their team expressed they would like to do something more impactful that leverages even more money coming into it and really the donation aspect was something that was not as appealing to them. We have the Casino Grant. They wanted to kind of make their own mark to it. So, it was where can you come forward into areas of our community that are a little bit more risky when you put your investment. So, we really appreciate you coming forward and doing the investment out in the western part of our community that's making an impact. You're going to make a great project out there. You've done that. You've shown your ability. Take that same ability and put it into our urban areas and commit some money, and Robb committed to an aggressive timeline to do this, to bring it forward to show. That was our team's directive in trying to get this done.

I think from my perspective as County Administrator, I don't go out and decide where I spend \$3.75M. When they requested this kind of language, clearly, for me, that's a directive I have under working for you all. You direct where we go. We go through and approve a \$394M budget, set parameters, directions to where all that's going. You give me the direction on how that's done. So, when we come to something like this, this is about a development area, about this time for us to establish some criteria you'd want to have and how much approval you want to have coming back to it before I would move on it. That would be entirely up to you as we go through and set this.

My commitment back to Robb is, we'll work on it and get this done so we'll have it in place so when he comes in or we throw a potential development project at him, he's able to evaluate it, do an analysis of it, come back to us and say, okay, this is what I want to move forward on, or he comes in with his own ideas because that's something I would also highly encourage you to. This man is a big idea guy. He looks at different areas, just things that can work. This forces him to look into our urban areas at some challenging environments where his focus really hasn't been before. By putting this into language in the agreement, now he's required to do that.

Commissioner Townsend said I'm having the same problem, I think, Commissioner Kane had a minute ago. Again, the fact that troubles me that everything we're talking about now is not the way this contract reads. So, I think we need the time to go back and solidify on paper the discussion that we're having now. Also, some of the issues raised by Commissioner Philbrook, leads me to

ask the question, what if no acceptable development agreements come through in three years? If this \$3.75M is not going to be just deposited in the Wyandotte County coffers for development, what happens?

Mr. LaSala said on that subject, if they fail to meet this commitment, they risk being in default. Default for them out there is a really big deal on the other project, right? Now, they're not personally guaranteeing the bonds or anything, but they would be at risk for the CID money we're talking about. They're at risk on the PILOT for the Homefield project. They're at risk, frankly, for issuing additional bonds. They need those additional bonds in that second series to get all of the private money they're looking for on Homefield. So, there would be literally millions that they—they would risk millions of dollars over not meeting this commitment. So, it's—no, they wouldn't write you a check for 375. They're far more at risk if they default on our agreement.

Commissioner Townsend said well, I appreciate that, Counselor. I want to see the project be successful, but on the other side of the coin, I'm responsible to constituents who are going to look and see what happened in the last three years that benefited directly District One or other districts to the eastern end of the county and to say that its improbable that something may not develop is not really improbable as we just all looked at the past three years. I want to see this successful, but, again, everything we're talking about tonight is not what this document says.

Also, I'd like to see—we talk about economic development. The longer I'm on this panel or this Commission, I realize part of that is infrastructure development. I've got people, constituents in Fairfax struggling just to get culverts done and streets so, maybe this isn't the limitation we want to put solely on the use of this money.

I've said a lot. I appreciate your willingness to continue to invest in Wyandotte County, but that's kind of where I am on this with the language here. What we're talking about tonight, that's not actually on paper. Counsel, you can understand that.

Mr. LaSala said I certainly do. I guess I would also say to you, Robb will say this too, they're on a schedule; they're on a timeframe. They have a strong desire to get out there and start demoing this thing and moving. As you know, with a project of this scale, there's a lot going on behind the scenes to try to enable this thing and they're spending millions of dollars to get the thing off the ground. So, I would tell you, instead of delaying the project over this, not that it's not a big thing, it's very important to us. If the issue is parameters and giving the County Administrator proper direction or whatever, I suspect that the developer would much rather have

us agree to add a few words about establishing parameters and a date for that or whatever versus pushing the entire project off and making it at risk over this issue.

Mr. Heineman said I would completely agree with what you're saying there. I mean, we have the land under control out there. We have to purchase this land in the next couple of weeks. If we don't, we risk losing the land, which means losing the project.

This 3.75M, I would just say to you, again, I've been your partner out here for a long time on several other things. I'm very interested in trying to find some creative ways to do things in downtown and in the urban areas. I think we've got a list of ideas that we're already considering. I'm very open to listening to any ideas that any or all of you have, but I certainly don't want kind of the tail wagging the dog around that piece because we've got to get going on this project out at Schlitterbahn or we risk losing it. So, I would just say, we will do the right things on the 3.75M. You have my word on that.

Commissioner Townsend said well, one last question. Where, I guess, in the midst of the public hearing still so, I need guidance on this that we need—is this correct that we'd vote separately on that resolution and then address the redevelopment agreement? **Ms. Carttar** said that's correct. There are two different votes. So, there's a vote for the ordinance approving the project plan and then a vote approving the resolution for the amended development agreement. **Mr. LaSala** said that's right. **Mayor Alvey** said, however, to be clear, Todd, we have to have approval on both for the project to move forward, correct? **Mr. LaSala** said that is correct.

Mayor Alvey said, Commissioner Townsend, I just want to say that the purpose of this, over and over, I've been saying, I've been hearing it from others, it's one thing to have development happen out west. The issue is, we can every Amazon, we can every URBN Outfitters, we can have all of these big developments and depending upon where they land, they benefit that school district, that entity. But what we want to do is push development to our downtown. There's so much need there. We've got to be strategic and targeted because it will be incremental. You get one thing started and then it can take off. So, I think what we're really at, this is an excellent opportunity. We have a commitment from this developer who is putting money out west. He's going to commit a \$3.75M to catalytic investments in our urban areas which, again, those parameters—I commit to you that we are going to engage the Commission in setting the parameters, that we deliver to the

County Administrator to say, this is the set of criteria you use to evaluate any project that would come from the developer. That's going to happen.

Commissioner Ramirez said I'm going to preface, like I said, I do support this project. I'm going to vote for it. It's something we need but I'm going to say that the one part of this project and the agreement, I did mention earlier, is this investment portion. I would like to see the donation component come back because that is money that is given to many, many organizations to fight every year for these Casino Grant funds. These are the organizations that make change and programs and activities and needed services for our constituents. Now, without that donation component, it's even less money now that organizations are going to be fighting for.

I ask if this continues and we're not going to have the donation component, then I really ask that us, as a Commission, that we find another source to make up that loss in funds because I'm always for my community, and especially for the organizations who are fighting for our community. I understand we need development, but we always have profit in front of us, but let's not forget what that profit is really going to, and that's to our constituents, our people, and our communities. So, I really hope that in the future that we can find something to make up that loss of that donation that we're losing.

Commissioner Johnson said, Katherine and Doug, before we ever got to standing committee, it seems to me that you all brought this concept for Homefield to us by way of 3 ons. Is that just my imagination or did that happen? **Ms. Carttar** said yes, that happened. **Commissioner Johnson** said so, you just didn't throw this project on us. We knew about it before it got to standing committee and we had the opportunity to weigh-in as it relates to whether or not we wanted to see or whether we liked it or not or whatever the case may be. So, after you gotten the go ahead from us, then we moved on to standings and things of that nature which brings us to this point right here tonight.

I knew once I saw that 3.75M that that was going to cause a lot of discussion. This is a project of epic proportion. While I understand there's a lot of discussion about east versus west, and I don't know in my own imagination, I don't think there's anybody that wants to see more development on the east side of Wyandotte County than Harold Johnson. I do appreciate the fact that, Robb, you saw within yourself to be able to offer this 3.75. Somebody said well, it's a small

portion; well, it is, but it's an investment, nonetheless. So, I appreciate the fact that that is offered up.

This is my expectation, Katherine and Doug. As it relates to any projects that will happen either in downtown and/or in any other of the urban areas of Wyandotte County, that we will go through the same process. That you would bring us in on 3 ons and you would give us the sense of what you're thinking before we ever get to the point of public discussion, that you might bring it to us and say, Robb is thinking this, or as a project or these as projects. And, of course, it would be—it would not be fair for me to not just say, yes, I want to double down and see something happen in Northeast Wyandotte County. I think I'm obligated to say that every time I get a chance to say something about investment in the eastern side of Wyandotte County. I certainly want to see it in the Northeast section of Wyandotte County.

But, my expectation would be that you all would bring us whatever project or projects, I suspect there might be more than one, but even if it's a catalytic project such as the Mayor has suggested to us, that we would have an opportunity to weigh-in on it before we ever got to the point of making any decisions publicly and on the record. So, that's what my expectations would be. It would be that something on the order that we've been doing all along, and that we would not be okey-doke, so to speak. I don't know if that's a word that can go into the record, but we certainly wouldn't want to be okey-doke on a project, but that we would have plenty of time to be able to weigh-in and offer our input and suggestions on that before we ever got to the point of making decisions.

Commissioner Bynum said I have a question for Mr. Heineman and that is just simply, is it within the realm of possibility that with the 3.75M commitment that you might find yourself looking at another project in the historically urban areas that's already in the works and come alongside as a place where you might step in and add investment? Is that in your mind at all? **Mr. Heineman** said absolutely. Yes. **Commissioner Bynum** said that's what I thought all along. That's what makes sense to me. 75M in any sort of bricks and mortar project is not going to build a building, but it certainly could come alongside an existing project and substantially benefit it such as the historic YMCA building that's currently under renovation by another developer, or any number of projects downtown that are currently underway.

Commissioner Bynum said with respect to the Casino Grant Fund, we've got a good handful or more of new development projects coming to Wyandotte County, which is a wonderful thing. We could extract a commitment to the Casino Grant Fund from any of them if we were willing to make the ask. So, I'm not terribly disturbed by a transfer of—that was Schlitterbahn's decision to contribute to that Casino Grant Fund. Not every developer does that as you can clearly see since there were only two contributors to the fund. So, I put that back on us. We can be more proactive with any and all developments coming into our community to gently ask that they also contribute to these projects that are non-profits do that that grant fund does support. With regard to your investment, it seems to me that you can come stand alongside any number of urban activities that are taking place right now.

Mr. Heineman said I agree with that. I think those are definitely a segment of the opportunities that we should be analyzing around all of those.

Commissioner Walters said I may repeat some things here, but as long as I've been on the Commission, we have been talking about trying to entice development to the eastern half of the county. Here we have someone who has volunteered to put over \$3M of their money to work in our neighborhoods and we can't think of it as our money, it's his money that he is committing to invest in the parts of the city that we have been longing for a private investment to happen. It's not inconceivable to me that this development agreement might have said that he would do the investment without any approval of the city or review by the city. I think that's generous that he is allowing us to review it, but it also says that we have to be reasonable. We can't unreasonably reject a development because it's not what we have in mind. We have to be reasonable.

I'm kind of thinking about something that happened before I was on the Commission, and Robb Heineman might be very aware of this. The soccer team development agreement required them to build two soccer fields in the eastern half of the city subject to the approval of the location by the Commission and the Commission could never approve the locations and the soccer fields never got built.

So, I think it is challenging to think of a 10 or 11-person commission being decision-makers. I think we should rely on the expertise of the developer. It's great that he has asked or he has agreed to have some development approval by the public body. That's great. But in some

cases, we may need to stand aside a little bit and get out of the way so that we don't become an imposition to the process.

Commissioner Kane said we did have on 3s, Commissioner Johnson, but there was no language about Doug would be the one in charge. I've done a lot of contracts before, union contracts, and if we don't straighten that out, they can always come back and say well, you agreed to this. So, all I'd like to do is add something there where the County Administrator and the Commissioners will be the ones that evaluate the projects. I'm all for this project, but I'm not all for having Doug be the only one in charge of what's going on. I haven't had a lot of luck in that particular department, and I don't look for things to change and I think the commissioners should really know what's going on. I agree that we need to do as much as we can on both the Northeast and the Southeast as possible.

Commissioners Burroughs said, Todd, Doug, and Committee, when we had the meeting Monday evening, this point came forward. I can't tell you how pleased I am that people have read the contract and we're having this discussion. There's been a few things that were discussed this evening. The Casino Grant money disbursement is one that I wasn't familiar with and how it was structured, having not been on the Commission at the time. Maybe a little bit of understanding as to how that disbursement occurred in the past and moving forward it will be less money because there's no additional dollars going in. So, with that statement, I do have a couple of questions, Mayor, and maybe to help clarify what we're trying to do here.

The \$375,000 of one-time money, will that go into the Casino Grant formula to be disbursed to the sitting commissioners at this time? Will it be a one lump sum influx of additional revenue or will it be over three years for the 375,000 to be put into the fund and we'll do it over a three-year cycle to disburse those additional \$375,000? **Ms. Carttar** said we will receive the funding in one lump sum; however, it would be up to you how you would like to disburse that as part of the Casino Grant funding. **Mayor Alvey** said I'll just speak for Commissioner Bynum. She suggested, and I think this is wise, that we would not disburse that all in one year, that it would be given and disbursed more evenly because you don't want to put—kind of put a lot of money out there, disburse it all at once, and then non-for-profits depend on that level of funding from one

year to the next. So, the idea would be to put it into the fund but disburse it over multiple years. But, that's for us to decide. That has not been decided.

Commissioner Burroughs said I think that's important, Mayor, that we talk about that disbursement because I believe the 3.75M—and I do agree with the comments that were made by members of the committee. I had expressed early Monday evening that I anticipated this subject matter coming into play. The old saying is it's not—it's how we move forward and, Robb, you are a proven product, a proven developer in our community. You have a very state-of-the-art facility in our community so, you are a proven developer. It's not our intent to have the developer appear before the Economic Development Committee. I don't want to have to cause any more burden, as a commissioner, on those that want to invest in our community than we absolutely are required to do. I think in all fairness to you, you have other things to do with your time besides sitting in front of an Economic Development Committee explaining to us every little detail of a contract. I would hope that's where staff can give us the guidance necessary to make decisions on projects as they move forward.

The 3.75M would be a catalyst. You said that you have had discussions with the Mayor and Doug. Is there an example of a project possibly or something that without disclosing confidential information, can maybe an example for the community to hear tonight might be a benefit to us on the committee?

Mayor Alvey said, Robb, you can state what you're looking for. What we talked about is, I go back to what Commissioner Walters mentioned last year over the budget time that we need—and we've talked about this—we need to have a strategy. Commissioner McKiernan said it as well. We have 4,000 Land Bank properties that need infill housing. We've got to repopulate our downtown. We've got to provide people who will shop in our downtown who have an opportunity to work in our downtown; so, the opportunity to bring more housing that would be beautiful and affordable and generate additional revenues and additional growth to our downtown.

A long-term solution to what had happened because of redlining. Whether its multi-family, whether its single family, whether its opportunities for 55 and older, a wide mix variety of housing and people of demographics who, again, could find a place downtown in a walkable, beautiful downtown with amenities. The kind of things that happen through Prairie-Fire, is happening through Prairie-Fire and through Willie Lanier's project. Those are the kinds of things. But, again,

in my opinion, we have to talk about this, I think. But, again, this is the criteria. What are we really looking for? We've got to really set those parameters.

Mr. Heineman said I'd just say from my perspective, I think the types of projects that we have background in and are probably most interesting to us would be housing projects, it would be hospitality, it would be recreation, entertainment. I don't have a specific project that I can point to but I also, to Commissioner Bynum's point, I do believe that us plugging gaps in existing projects could be a really effective way to use this capital. But, again, until we start digging in, I can't tell you anything specifically, but I just know, I know what we know. I do think it's going to be more in kind of the housing, entertainment, recreation, hospitality categories is where our brain probably tends to wonder.

Commissioner Burroughs said I appreciate that, Robb. I wasn't trying to have you disclose a development that anyone was working on. I was just trying to give an example maybe to some of us that have concerns about how the contract was written.

I think what we're flirting with here, Mayor, is some uncertainty in reference to the authority of the Economic Development group versus the Administrator's responsibility. It may be a grey area, and Todd and Doug and I had a conversation about it. I do appreciate the challenge of trying to change the language in the agreement we discussed earlier, Todd and Doug, to what we have presented to us this evening. I do appreciate that, but the fact that it's raising so much concern, I, too, don't want to see it slow down the project. We've had four or five days to come forward with an alternative bit of language that may allow the 3.75M, the threshold of additional dollars of an investment, once presented and approved, once presented by the Administrator to the Unified Government or the Economic Development Committee for approval so that we are still a part of the process spelled out by the language.

I think that's what I'm beginning to hear some of the concerns is the Commission doesn't look to be involved in that appropriation of dollars. Even though it's not an appropriation of dollars, Mayor, but I will share with you that it is dollars that will be utilized, that are coming into our "General Budget" or however you're going to run it through to get it into the project. So, that's my only concern that I'm hearing from others. The old saying, trust. I believe the trust is there. If it's not, then we at least need to verify.

I know, as a commissioner, I don't want to be held responsible if a development doesn't percolate to the top and be the cream that everybody thought it would be. I want nothing more

than investors to come into our community and be very successful and very pleased to have done business in our community, but at the same time, if it's not, we're the ones that are responsible for that. I would just like to have an opportunity to have that say as I believe other commissioners have stated this evening. So, that's where I'm at, Mayor and my fellow commissioners, committee members. Thank you for at least bringing the issue forward.

I do want to commend the aggressive, the very aggressive agenda you put together, Mr. Heineman, on the development. I really appreciate that. I think the community will be pleased to see the demolition and the reinvestment in that area. The reputation of that area will be reinvented with the new investment that you're putting in, and I believe our community should be very thankful for that.

Mr. Heineman said thank you very much. We're excited to get started.

Mayor Alvey said, Todd, if you would again. Again, I want to be clear. This is not money that is going to be appropriated in anyway by the governing body. This is a developer who says I am going to invest at least \$3.75M into the urban core within the next three years, and will find projects that he believes are going to be profitable that will be catalytic and a base and any other parameters that the Commission will set and that the County Administrator would administer based upon the input from the County Commission. So, again, this is not money we would appropriate. If Mr. Heineman does a project and it fails, that's on him because it's his money that he's putting in. It is his money putting in here. This is not UG money. It is not—we're not appropriating any money here. It's his money. He's going to find investments, I believe, that will play out.

Mr. LaSala said that's right. His money, his risk, his reward and he puts it directly into those projects. It does not flow through the Unified Government in anyway. That's correct.

Commissioner Johnson said first of all, gee, I wish I would have had a say on those inner soccer fields. I know exactly a place where I want one to go, but that's neither here nor there. We'll move on. So, Todd, how long is it going to take to get these tweaks to the language? I do think I hear from my colleagues that they want some modification to the language. Is that something that's doable? Can we do that on pretty quick order?

Mr. LaSala said I think we can do it tonight. I think with proper direction, you can require us to amend the agreement to say that the County Administrator has to approve things in

accordance with parameters you give him. You can say the County Administrator can approve it without coming to ED&F or to full Commission. I would suggest we could make it relatively simple and we could approve the document tonight with your direction about what that amendment would look like.

Commissioner Johnson said well, let's get her done.

Commissioner McKiernan said, Mayor, that was exactly what I was going to ask. Is it possible that we can move to—because one of the things that I want us to remember is, that this project in addition to this additional investment, this project is going to start paying property tax dollars as soon as it comes vertical out of the ground. Those are property tax dollars that are going to go into our General Fund that can then be used for the provision of services across the entirety of the county. I don't want to forget the fact that there is a direct contribution to the General Fund that will come as soon as this gets built.

So, my question, and I guess, Todd, I'll address this to you is, could we make a motion to approve this deal with the stipulation that language, for example, that the County Administrator in or with the approval of the Commission, could authorize the investment of those funds? Could it be as simple as that?

Mr. LaSala said it could, yes.

Commissioner Kane said second.

Commissioner Burroughs said I'm not laughing at the proposal. I'm just kind of chuckling that we could have gotten there two hours ago. We've had five days to get this done and here we are at 40 minutes into this discussion and we're just doing a little wordsmithing on the fly. It is refreshing to see that we, as commissioners, have not become divided on issues here. We're really talking about the investment in our community with a developer that wants to invest in our community. We just want to make sure that we're as transparent as we can be and that we're going to get the best bang for the buck not only for Mr. Heineman, but for our community collectively. That's what I'm smiling about. This has been, to me, a very worthwhile discussion. Now, let's wordsmith it and get it on so we can get Mr. Robb Heineman out there with a shovel in his hand and break some ground.

Commissioner Ramirez said this is just a clarification question and I think this may be for Legal. Is that motion for this ordinance for the project plan or should that be for the actual resolution of the amended development agreement?

Mr. LaSala said you're exactly right. What you'll vote on first is the project plans. When the development agreement comes up, that resolution, you would vote for an amendment to that resolution on the subsequent item. That's correct.

Commissioner Ramirez said okay. Thank you. I was getting a little confused at first.

Mayor Alvey said all right. Let's move forward. I'd entertain a motion to approve the STAR bond district redevelopment project plan.

Action: **ORDINANCE NO. O-99-20**, "An ordinance approving the STAR Bond Project Plan for Project Area 2B, STAR Bond Project Plan for Project Area 3 and STAR Bond Project Plan for Project Area 5, all within the expanded STAR Bond District commonly known as Village East in the city of Kansas City, Kansas."
Commissioner Ramirez made a motion, seconded by Commissioner Walters, to approve the ordinance. Roll call was taken on the motion and there were ten "Ayes," Ramirez, Johnson, Kane, Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan.

STANDING COMMITTEES' AGENDA

ITEM NO. 1 – 20494...RESOLUTION: AMENDED DEVELOPMENT AGREEMENT FOR HOMEFIELD PROJECT

Synopsis: A resolution adopting assignment, assumption and amended and restated development agreement for the Homefield Project, submitted by Katherine Carttar, Director of Economic Development. This item was scheduled to appear before the Economic Development and Finance Standing Committee, chaired by Commissioner Burroughs, on November 2, 2020. It was requested, and approved by the Mayor, to fast track this item to the November 5, 2020 full commission meeting.

Mayor Alvey said this item was presented last Monday to Economic Development and Finance Standing Committee. Are there any comments or questions from the Commission?

Commissioner Townsend said, Mayor, I'm still unclear about the timeframe on this 3.75M. What happens if there is no development that has come to a consensus by this group within three years?

Todd LaSala, Stinson, said it is the answer I gave earlier. This developer risks being in default. We have been, frankly, we have a fight about whether we prevented the developer from making those investments.

Commissioner Townsend said okay. Thank you, Counselor.

Commissioner Townsend said the other thing I just wanted to mention, I hate that as many times as there have been discussions about this project that I believe is worthwhile, we get to a situation at the last minute where we're in a hurry to make changes. I think Commissioner Johnson is right. We've had on 3s and various other meetings about this, but this is what gives me pause. We do have another commission meeting on the 19th. I would be more comfortable seeing these changes; make sure it says what we want it to say because this is going to be a long-term project so, those were the only comments that I had this time.

Mayor Alvey said this was fast tracked to tonight's meeting for Commission consideration. I'll ask Commissioner Burroughs, who chaired the committee, to make any comments.

Commissioner Burroughs said, Mayor, the Committee is very supportive of the project, as is obvious from the discussion this evening. A number of the issues have been raised. I think it's a good investment into the community in an area that needs to be redeveloped. I do want to thank our developer for giving consideration to, again, partnering with Wyandotte County.

Commissioner Burroughs said, Mayor, the issue in reference to the question about the County Administrator, might I offer a proposal that if you want to wordsmith it that we may where it says presented to the UG for consideration to meet this investment requirement, that the County Administrator will be reasonable on this point, evaluating, and approval. Developer agrees these investments must be made, that we put in right after approval, approval by the Commission, and

maybe that will address some of the concerns that have been raised. I know that we'll have—at that way it's a joint partnership. It's spelled out in the contract that it will both be the Administrator and the Commission. That's an easy enough fix if that's okay with Legal.

You see where I'm talking about it, Todd? **Mayor Alvey** said I would have to say I disagree with that approach. The purpose of this was to allow a developer who wants to commit his own money into our downtown, to find those projects that would be workable, and that we would establish the parameters that would be applied by the County Administrator that allows this thing to move forward directly and completely with the consent of the govern prior. I really don't like that approach. I don't think we have any other experience where we have a developer come in and say, we're going to approve this development or not approve that development. I'm not even sure if that's legal. We can approve development agreements. We can approve incentive packages, but a development itself, we don't have that authority, do we, Legal?

Mr. LaSala said no. You couldn't stop Mr. Heineman from making those investments. He can still make them. It's a question of whether it would count toward this 3.75 or not. But, Mayor, I hear you. I think there are two or three—well, let me just offer, I think there are two or three possibilities about what you could do with this language. One is, really what Commissioner Burroughs said but it's the County Administrator and the Commission effectively meaning, he had to come back to Commission for each and every one of these and it's a public decision.

Secondly, you could say approve by the County Administrator in accordance with parameters set by the Commission. Or third, the County Administrator could approve in consultation with the Commission, meaning the County Administrator would have to have on 3s and work through the group so that you all saw them, but it's not a formal approval, it's something short of that. Those are, I think, three choices, potentially that you could consider.

Mayor Alvey said, well, I think that second option or the third option is really how we normally would handle this. To Commissioner Johnson's point, there are on 3s. There's an opportunity always to vent these through the Commission and then would not move forward with this project if the Commission, during on 3s, had not said hey, this is a good project; move forward. I would recommend that we adopt the language of the second option.

Mr. LaSala asked, parameters versus consideration? **Mayor Alvey** said yes. I think parameters, criteria govern how those investments—the kind of investments we're looking for.

Commissioner Philbrook asked so, David, can you move—can you make a motion as the Mayor? **Mayor Alvey** said I believe I can. **Commissioner Philbrook** said well, okay then. I'll second it.

Commissioner Burroughs said, Mayor, I think that's satisfactory. I was just trying to find a level of agreement and move this thing forward that puts to rest some of the concerns that have been raised here. It's really not so much concern as it was questions. We have a right to do that as a Commission and this discussion has allowed us to do that. And I would hope, Mayor, that you don't see this as trying to micromanage or take the authority away from Doug, we have a responsibility also. If you would give that strong consideration in our discussion tonight.

Mayor Alvey said no, Commissioner, please do not imply that I somehow think that this is a way for you to rest control from the County Administrator, not from you. I do believe that we need to follow the processes that we already have in place because that is transparent and it's consistent. As I said before, the process does include on 3s, that this is how we would establish parameters that would guide this.

Commissioner Kane said I was doing pretty good until, Mayor, you got on there and started talking. You have one vote just like we do. We've been trying to work this out. You, obviously, had an opportunity to talk about this more. It's frustrating when you come over the top and we're trying, as commissioners, to represent each and every one of our districts. We all want this project, but there has to be some language where we can go back to our constituents and say, yes, but it's a simple wording issue that very few commissioners liked. That's all we're trying to do is put some language in there so they can't come back to the Administrator and say, you agreed to it because it was all in writing. Well, we're going to agree it because now it's all in writing. So, coming over the top, it's frustrating for me and that's what you did.

Mayor Alvey said I apologize that, Commissioner, but at the beginning of the discussion, it was an implication that somehow, from you, that the County Administrator would somehow do something that would not be appropriate for the districts. So, I offered language and offered a motion. I would entertain, roll call, please

Commissioner Kane said hang on a second. I've been here 15 years and I've had a whole hell of a lot less respect out of the 9th floor than I have prior to. So, yes, there's an issue there, Mayor.

Mayor Alvey said thank you, Commissioner. Roll call, please.

Action: **RESOLUTION NO. R-79-20**, “A resolution adopting assignment, assumption and amended and restated development agreement (Homefield Project), to include the second option as stated above regarding a change in language (County Administrator in accordance with parameters set by the Commission).” **Mayor Alvey made a motion, seconded by Commissioner Philbrook, to adopt the resolution with stipulations of which County Administrator could approve in consultation with the Commission.** Roll call was taken on the motion and there were nine “Ayes,” Ramirez, Johnson, Kane, Markley, Walters, Philbrook, Bynum, Burroughs, McKiernan; and one “No,” Townsend.

Mr. Heineman said thank you for the support. I’m very excited about this. We’re going to do a great project for you out at the former Schlitterbahn and we’ll do a bunch of great things with the 3.75M in the urban area. So, thank you so much. Appreciate it. **Mayor Alvey** said thank you.

ITEM NO. 2 – 20454...ORDINANCE: SALE OF TOBACCO PRODUCTS TO ANY PERSON UNDER 21

Synopsis: An ordinance relating to the sale of tobacco products to those under 21 years of age, submitted by Juliann VanLiew, Director of Health Department. On October 26, 2020, the Administration and Human Services Standing Committee, chaired by Commissioner Markley, voted 4:1 to approve and forward to full commission.

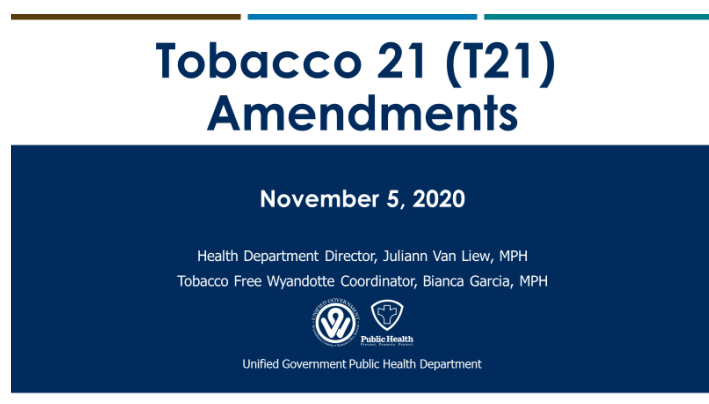
Mayor Alvey said this item was presented to the Administration and Human Services Standing Committee on October 26 and received a 4 to 1 vote for approval. I’d ask Commissioner Markley, who chaired the committee, if she’d like to make any comments.

Commissioner Markley said you may recall that in the past, we had already raised the legal age for purchasing cigarettes to 21. This is really an edit to that ordinance. That ordinance allowed for the prosecution of the individual who purchased the product. It has been the learning curve, I think, of our Health Department—I think Juliann is on here if individuals have questions,

particularly if they didn't sit on our standing committee meeting—that those prosecutions of individuals have not been useful in preventing people from becoming addicted to tobacco products. This change to the ordinance would make it so that the individual who purchases the product is not the one who is subject to prosecution. The person who sells the product to the person who's underage, however, will still be subject to prosecution.

The age isn't actually changing but the manner in which it's enforced is changing. This does not come to us unanimously, and Commissioner Kane can certainly express his concern which I think is related to the age issue. Not necessarily to speak for him and not necessarily to the change in this ordinance, but he would like it to be 18 all around. Commissioner Kane, you can surely address that further.

Mayor Alvey said yes, we will first of all go to—ask staff to provide details of the ordinance.



Juliann VanLiew, Director of Health Department, asked would you like us to give the whole presentation. We're be happy to. Great, we'll go ahead. We only have four slides this evening so we'll go quickly.

As Commissioner Markley said, we're coming before you not to make any radical changes to the intent or application of T21, but to make a modification in who would be required to pay the fine when they are out of alignment with the ordinance.

T21 Ordinance

- Passed on November 19, 2015
- Why?
 - 95% of smokers start before 21
 - A delay in smoking initiation can mean prevention of life-long tobacco use
- Wyandotte was out front on this, but now after several years of T21 implementation there are improvements to make to our ordinance



So, as she mentioned, we passed this several years ago, just about five years ago exactly. We did so because the vast majority of smoking in our country starts before the age of 21. So, by delaying smoking initiation, we can actually prevent lifelong tobacco addiction.

Wyandotte was out front on this, as the Commissioner mentioned. But now, after several years of implementation, we know that there is a little bit of a better way to do this. Many, many jurisdictions throughout the country have learned from this and we are going to explain some details here. I'm going to announce Bianca Garcia, our Tobacco Coordinator. Please, go ahead.

Model Policy

- PUP- Purchase, Use and Possession by underage persons
- Model policy suggests removal of PUP language from T21 ordinances
- PUP Laws:
 - Inappropriately Shift the Blame from the tobacco industry/retailers to users
 - Are not an effective approach to reducing youth tobacco use
 - Deter cessation

Source: Campaign for Tobacco Free Kids 2018



Bianca Garcia, Tobacco Coordinator, said so, yes. We have learned quite a few things since the passage of this ordinance five years ago. Specifically, around purchase use and possession by underaged persons. What we've learned from these last years is that model policy suggests removal of this language from tobacco 21 ordinances, mainly because it really puts the punishment on the underaged users and appropriately shifts the blame from the tobacco industry or the retailers to the users. Along with that, it's not an effective approach to reduce youth tobacco use and it also can deter cessation.

T21 Amendments

- Removal of Purchase, Use and Possession (PUP) language from our T21 ordinance
- Violation on tobacco retailer vs. cashier
- No punishment on the user



Those are some of the things that we've learned and for that reason, we are proposing this amendment to remove the purchase use and possession language from our Tobacco 21 Ordinance. Really putting that violation on the tobacco retailer versus the cashier because we know that's not an equitable approach. Often times, these cashiers are making minimum wage and can't afford to pay that violation and then again, no punishment on the user. Those are the changes to the Tobacco 21 Ordinance we have proposed.

Cessation Resources

- Kansas Youth Cessation Quitline- MyLifeMyQuit
- Tobacco Cessation work with Vibrant Clinic



**Free, confidential help
to quit vaping and other
tobacco for youth
under 18**

**Text or Call 855.891.9989
mylifemyquit.com**



Along with that, we know that a better approach would be offering more cessation resources. One of which being there is a new youth specific quit line that the Kansas State offers called My Life My Quit. So, this is something we've been actively promoting in the schools using our prevention group from Schlagle to really share this information with their peers. Then we also work with Vibrant Clinic to really implement this in their workflow practices, so that's something that we're offering currently and really trying to offer that resource to those who may be addicted.

That is all we have. Are there any questions?

Commissioner Kane said we didn't pass it. When I say we, I didn't pass it. I think if you're 18 years old and you can serve our country and you can die for our country, then we shouldn't tell you what you want to do with tobacco. I didn't support it in the past. I know that our Health Department is doing what they think is right except when you're 18, you can die for our country.

If you want to smoke—my mom died of smoke related cancer, but I don't want to dictate, we've been using that word a lot lately, I don't want to dictate to folks that they can or they cannot chew tobacco, smoke tobacco, or whatever they want to do with tobacco. It's frustrating that we reach out and say we're going to do this and it didn't work the last time with the wording. I don't believe it's going to work this time so, therefore; I am going to oppose this.

Mayor Alvey asked, any other comments or questions from the Commission? Seeing none, I'd entertain a motion.

Action: **ORDINANCE NO. O-100-20**, "An ordinance adopting Sec. 17-8 relating to the sale of tobacco products to those under 21 years of age in the City of Kansas City, Kansas, and repealing Sec. 11-204." **Commissioner Markley made a motion, seconded by Commissioner Ramirez, to approve the ordinance.** Roll call was taken on the motion and there were nine "Ayes," Ramirez, Johnson, Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan; and one "No," Kane.

ADMINISTRATOR'S AGENDA

ITEM NO. 1 – 20501...RESOLUTION: ASSIGNMENT OF ACKNOWLEDGEMENT AND ASSUMPTION AGREEMENT RE. SPIRA CARE BUILDING

Synopsis: A resolution approving an assignment of acknowledgement and assumption agreement with SC Investors KCK and Neucon, LLC, for the Spira Care building at 9700 Troup Avenue, submitted by Katherine Carttar, Director of Economic Development.

Doug Bach, County Administrator, said this is an item similar to one you've seen many times before on properties out in an area that was previously under an assignment assumption. In this case like the Schlitterbahn group when the property sold, or selling to move it under them, it then

just makes the new owner follow all the rules that are in the current assignment assumption that's in that other agreement. This is with Spira Care or the Spira Care facility. It's with the SC Investors group. I would recommend for approval. If you'd like additional information, we can have Katherine and the attorneys go into it.

Action: **RESOLUTION NO. R-80-20**, "A resolution authorizing the UG to enter into the assignment of acknowledgment and assumption agreement pertaining to medical treatment and office facility at 9800 Troup Avenue." **Commissioner Philbrook made a motion, seconded by Commissioner Markley, to adopt the resolution.** Roll call was taken on the motion and there were ten "Ayes," Ramirez, Johnson, Kane, Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan.

ITEM NO. 2 – 20502...ORDINANCE: REMOVE LAND FROM STAR BOND DISTRICT (TALLADEGA ROAD)

Synopsis: An ordinance removing certain property from the STAR bond project district within Prairie-Delaware Redevelopment Project Area A (Talladega Road), contingent upon certain events, submitted by Katherine Carttar, Director of Economic Development.

Doug Bach, County Administrator, said Mayor, this item comes directly to you in relationship to the URBN Outfitters Project. When that project was initially worked through with the Speedway, they had evaluated approximately 60 acres that they were going to be removing and selling to the developer for the URBN Outfitters project. As it advanced and they finished their final surveys, they determined they needed a little more than 6 acres to add to that.

So, we need to remove this from the STAR bond district as well. It really just, it's all in coordination with that that pulls that money out of the STAR bond district and makes it taxable property right away with coming into that in coordination with that deal.

Ms. Carttar can present additional information if you would like, but I would recommend we approve this as you have already vetted through that project and advanced it.

Action: **ORDINANCE NO. O-101-20**, "An ordinance making findings and removing certain property from the Star Bond Project District within the City of Kansas City,

Kansas (Prairie-Delaware Redevelopment Project Area A), contingent upon certain events.” **Commissioner Philbrook made a motion, seconded by Commissioner Ramirez, to approve the ordinance.** Roll call was taken on the motion and there were ten “Ayes,” Ramirez, Johnson, Kane, Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan.

ITEM NO. 3 – 20503...RESOLUTION: MANAGEMENT AGREEMENT WITH MAX FUN ENTERTAINMENT, LLC

Synopsis: A resolution approving a management agreement with Max Fun Entertainment, LLC, for management of the baseball stadium in Village West, submitted by Emerick Cross, Assistant County Administrator.

Doug Bach, County Administrator, said this last one is really a continuation for discussion we had about a year ago, when we were approached by Mr. Brandmeyer about taking over ownership of the T-Bone’s baseball team and move forward with that. We received approval from the Commission to go forward in our terms to negotiate and finalize an agreement with Mr. Brandmeyer. We were working through that process when COVID came about and it really changed everything in terms of baseball and how we’re doing it.

Over the course of really the last six, seven months, we’ve been trying to figure out a way to advance this to come forward. I believe we have put together a two-part agreement which we’d like to present to you tonight. I will present Emerick Cross, Assistant County Administrator, who’s been on point working this to present this deal. Mr. Brandmeyer’s also here with his team tonight to discuss their side of it.



Max Fun Entertainment LLC Management Agreements

COMMISSION PRESENTATION

NOVEMBER 5, 2020

Emerick Cross, Assistant County Administrator, said tonight we'd like to talk a little baseball et. al. We have the Max Fun Entertainment group on the video call with us.

Recap & COVID Implications

Late October 2019, Commission approved initial terms to accept Management Agreement with Max Fun Entertainment, LLC.

Negotiated final terms through March 2020. COVID strikes- upends market and negotiations. No baseball in 2020.

UG & Max Fun come together on terms through very difficult existing market conditions and future unknown circumstances.

Tonight, we are proposing two management agreements. A 1-year 2021 agreement and a long-term 10-year agreement.

We have a two-part presentation tonight. What I would like to do is go over the major tenants and the major deal points of a one-year agreement and a ten-year agreement. After that, I would like to turn the presentation over to Mr. Mark Brandmeyer and his team and let them go over their presentation and then we would stand for questions and answers, if that's okay with you, Mayor?

With that being said, let's go ahead and get started. I'd like to do a little recap and talk about some COVID implications regarding the management agreement. As Doug stated, last October, the Commission gave us initial terms to go ahead with Max Fun Entertainment and work through the deal points over the winter. We did negotiate some final terms and we're ready to go about March 2020 to get an agreement done and then COVID struck. Everybody knows on this call what COVID did, not only upending the market and our negotiations, but it affected almost everything in our daily lives.

With that being said, as you all know, we didn't have any baseball here in Kansas City, Kansas, in Wyandotte County in 2020. So, with that being said, we got back with Max Fun

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Entertainment, LLC, and we worked together on terms through some very difficult existing market conditions and certainly unknown circumstances. I know we're not over with COVID and we don't know how long it's been here, but we both, our organizations are planning to play baseball in 2021 and beyond. So, tonight, with that being said, we're proposing a couple of management agreements. We got a one-year agreement for 2021 and a long-term agreement that'll be a 10-year agreement.

Why A Management Agreement?

The UG has a \$20 million stadium asset that is sitting dark & unused.

Our stadium is located in the most premier location in the region!

Long-term management agreement will provide stability and enhance one of the most robust shopping and entertainment areas in the Midwest.

The proposed year-round sports and entertainment venue will only attract more tourism and visitors to our community in the future. This agreement should greatly impact indirect and direct sales taxes to our community.

In 2017, the direct and indirect economic impact was over \$4 million.

Mr. Brandmeyer and his Max Fun team stuck with the UG.

Now, why do we need a management agreement? I think probably one of the most pressing things for us is that we, as the UG, we have a \$20M stadium asset that's sitting out there in Village West and it's dark and it's unused. Another bad thing about this is it's a beautiful stadium. It's probably still state-of-the-art, in our opinion. It needs a little love and care, but we can take care of that.

The other thing is that stadium's located in probably the most premier location in our region as everybody know. We have a lot of activity out there and a lot of people visiting. We think that a long-term management agreement will provide stability and enhance one of the most robust shopping and entertainment areas in the Midwest. If this management agreement, the one-year and the ten-year go through, this will provide long-term stability in a form of up to 21 years of having a tenant in our apartment, or our stadium and that's a very secure feeling for us to have.

They're proposing a year-round sports and entertainment venue out there; not just baseball. It's going to be a sports and entertainment venue. I'd like to talk more about that, but I don't want to steal Mr. Brandmeyer's thunder because it's really cool out at the stadium and that will attract more tourism and visitors to our community in the future.

We believe this agreement; these two agreements would greatly impact the direct and indirect sales to our community out there. We got a lot of people shopping out there already. It would only enhance that. As a matter of fact, in 2007, those impacts were over \$4M at that time.

I can't imagine after people being pinned up at home with COVID and dealing with that over an extended period of time, when this gets over, I think a lot of people, including myself, are going to be ready for some baseball. Ready to get out and socialize and ready to get out and enjoy our community's probably one of our greatest assets.

Another thing that I'd like to point out at this time is that throughout COVID, throughout a worldwide pandemic, Mr. Brandmeyer and his Max Fun team stuck it out with the UG and also we stuck it out with him. We worked to get these two agreements penciled out and ready to go for the Commission.

2021: "The Bridge Over COVID" Year

With future unknowns from COVID (restricted attendance, inability to secure sponsorships, pre-season ticket sales, etc.) we propose 1-year terms of:

Compliance with Health Orders and League COVID testing are mandatory.

Stadium improvements and Maintenance: UG commits to spend \$250,000/year on capital improvements & maintenance. Initial funds drawn from \$1,000,000 restricted STAR bond reserve account.

Additional improvements and amenities to come from Max Fun to make the stadium a year-round venue for sports and entertainment.

With that being said, for 2021, it's going to be tough because we're still going to have COVID around. So, I'm proposing this slide to be called the bridge over COVID year. The bridge over trouble water year, if you will.

We're going to have a lot of unknowns from COVID next year. Some experts think it may go deep into the year. I hope not, but with COVID restrictions, and we know that's going to happen, we're looking at things like restricted attendance and trying to deal through that. We're looking at the Brandmeyer team's abilities to secure sponsorships with these COVID unknowns. It's tough to get people to go out and have sponsorships and hang banners out at your stadium when you don't know how many games you're going to have and how many people in the stands are going to be allowed.

Another thing that we usually, the Brandmeyer team tries to do over the winter months is the pre-season tickets sales packages and all the tickets that are sold for the season. It's really tough with these unknowns, but with that being said, we worked out a proposed one-year term as follows.

The first thing that's always most important is safety first and the Brandmeyer team recognizes that and so does the Unified Government, certainly. We'll make sure that everything is in compliance with all the health orders and the lead COVID testing that is mandatory. Safety first on both of our teams is paramount, and we will make sure that both of those things are followed.

The next major tenant I'd like to go over is the improvements and the maintenance at the stadium out there. It's our stadium. It's a \$20M asset. It's a beautiful stadium. We're committing to take care of it. We're committing to take care of it in the amount of \$250,000 a year that we want to make on capital improvements and regular maintenance.

As you know, we have the STAR bond reserve account that's restricted and only allowed for capital at the stadium. The initial funds will be drawn from this million-dollar account. Now, additional improvements and amenities are to come from Max Fun to make the stadium that year-round venue for sports and entertainment that we'll talk about. Like I said earlier, I'll save that thunder for the Brandmeyer team and Max Fun.

2021: The "Bridge Over COVID" Year cont.

Utilities & Taxes: Max Fun pays 1/2 utility costs from May 1 to December 31st. If COVID restricted attendance is < 50%, Max Fun pay's percentage equal to occupancy limit percentage...i.e. 20% occupancy limit = 20% of utilities. The UG will pay parking lot taxes while the stadium is tax exempt.

Max Fun to pay UG 5% of net proceeds for special events.

Max Fun to pay \$.50 cents per ticket to Parks & Recreation "TURF" fund, capped at \$20,000 in 2021 and 2022. Max fun will pay a total of \$1.00 per ticket for all tickets sold over 200,000...i.e. 250,000 tickets sold = \$50,000 payable to the UG.

Stadium remains a community asset. Available for High School games, UG Parks and Recreation events, community events, and fundraisers as well.

Continuing on with our bridge over COVID year. Let's get to the utilities and the taxes. Utilities and taxes, Max Fun, we've agreed and worked out with them that they're going to pay half the utility cost from May 1 to December 31. Now that's eight months out of the year. Now if COVID attendance is restricted to less than 50%, Max Fun has agreed to pay the percentage equal to the occupancy limit percentage. So, this means if they have 20% allowed to attend games, they will pay for 20% of the utilities. Now this first year in 2021, the UG will pay the parking lot taxes but as everybody knows that stadium is tax-exempt.

The next point to go over is that Max Fun's agreeing to pay 5% of net proceeds for the special events they plan to have out at the stadium. I've been talking to with Mr. Matt Perry and

Mark McKee, as well as Mr. Brandmeyer, and they intend to have several varieties of special events out there. Once again, that's some thunder that you'll hear later on and I think you'll like.

They've also agreed to continue our Parks and Rec's TURF Fund. I know that's very important to the Commission. That \$0.50 per ticket that's going to go to that Parks and Rec TURF Fund pays for things like our playground. We use it partly for the inclusive playground out at the park out west. So those are very important funds and we're going to keep that fund going.

Now the first two years of '21 and '22, we're capping it at \$20,000, but after that, it'll have no cap. Also, Max Fun Entertainment, LLC, will pay a total of \$1 per ticket for all tickets sold over 200,000 in a season. If they sell 250,000 tickets, as an example, \$50,000 of that money will go payable to the UG.

Another important thing I would like us to all remember is that stadium is a community asset. That's our stadium. It will remain that way. The stadium can be used for high school games, for Parks and Rec's events and Park and Rec's programming, special events, community events, and fundraisers as well. It's our stadium and we intend to keep it that way and work well with the Brandmeyer team.

2022 Unrestricted Play & Long-term 10-year Management Agreement Terms

Unrestricted play assumes no COVID restrictions. Start 10-year Management Agreement.

If Max Fun spends \$ 2,000,000 in capital improvements within the first 5-years, they will have the option to renew for two additional 5-year terms after 10-years.

Max Fun to take over 100% of utilities January 1, 2022. UG & Max Fun work together to reduce costs through exploration of LED installation and/or possible re-metering.

Max Fun required to obtain a \$100,000 letter of credit to cover the utility payment after the first year of operations.

Max Fun to pay their share of property lot tax starting January 1, 2022 of ~ \$ 56,000.

Let's move on after that 2020 year and hopefully we get through COVID to a 2022 unrestricted play, long-term management agreement deal. Now here, a stricted play, unrestricted play assumes that there's no COVID restrictions and that's when we'll start this ten-year management agreement. We're shooting for January 1, 2022.

So, when we start that, if Max Fun spends \$2M in capital improvements within the first five years out at the stadium in the grounds, they'll have an option to renew for an additional two five-year terms after the first ten years. This can be up to a 20-year deal for us after the initial one-year first deal.

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For utilities, Max Fun on January 1, 2022, will take over 100% of the utility cost. Now, we're not going to just there. The UG and Max Fun are going to work together to try to reduce cost at the stadium through the exploration of things like LED, which is very important for facilities like this and stadiums like this. We're not only going to look at changing the LED installation in the outfield, we'll also look at LED installation in the concession stand area and suites, in the locker rooms, in the outfield facilities, anywhere we can to help us with utility costs. Everybody likes to save money. We will also look at the possibility of re-metering if that helps us out there as well.

In addition to this, Max Fun will be required to obtain a \$100,000 letter a of credit to cover the utility payments after the first year of operations. After starting with the ten-year deal, Max Fun will pay their share of the parking lot tax in perpetuity of the deal, the agreements, from January 22 on in the amount of about \$56,000.

MAX FUN ENTERTAINMENT,LLC

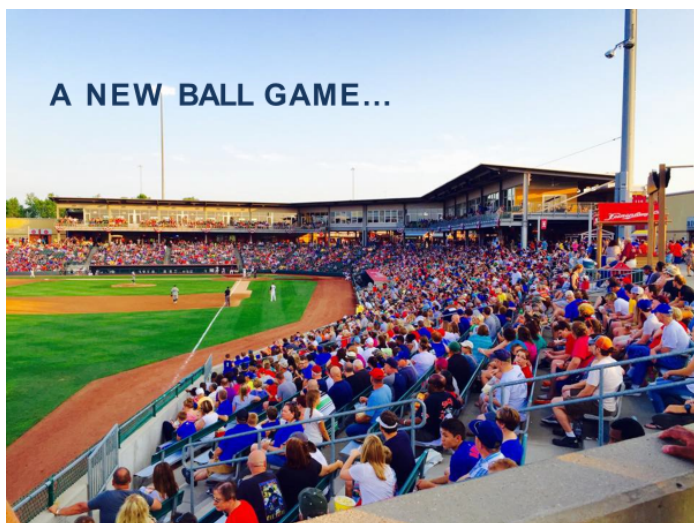
This concludes the major tenets and deal points for our 1-year and 10-year agreements proposal.

Turn over the 2nd half of the presentation to Mr. Mark Brandmeyer, Mr. Mark McKee, and Mr. Jay Hinrichs.



These are the major tenants of the one-year deal and the ten-year deal agreement of proposals. At this time, I would like to turn it over for the second half of the presentation to Mr. Mark Brandmeyer and his team, which includes Mr. Mark McKee and Mr. Jay Hinrichs.

Jay Hinrichs, Max Fun Entertainment, LLC, said I appreciate all the council people and the support you've given us through this very trying time.



As I've been accused of before, I couldn't pick a worse time to buy a minor league baseball team. It's exciting that we're hoping to move past this. Every time I think that I got this COVID thing predicted and what's going to happen, it's kind of proven me wrong. So, I appreciate everybody bearing with us for this 2021 season as we're trying to figure out a path forward.

As you guys know, there's no guarantee. There's no guarantee that we going to have a season, there's no guarantee that we're not going to be restricted, but we're optimistic that we're going to be able to play baseball in 2021. So, we're excited about that, but we're really looking at the long term with the team and our partnership with Wyandotte County.



One of the exciting things that's happened is our recent affiliation with Major League Baseball. So, now we are a partner league with Major League Baseball.

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In the past, we were considered an independent league team and our affiliation with Major League is going to allow us to partner with—in our marketing and with both the local team, which would be the Royals, who a lot of you guys know. They did play baseball out there this summer. So, we were able to put together a deal where they went out and were able to play out there over the summer. The stadium did not go unused, but we're really looking forward to executing our own team there in the following, in 2021.

I am going to turn it over to Mark McKee and he's going to talk about some of the exciting things and changes that we have going on at the stadium over the next ten years.

Mark McKee, Max Fun Entertainment, LLC, said I'm going to run through these slides relatively quickly then we could answer any questions. Some of this vision that I'm going to share, some of you have seen before. We've expanded the vision a little bit.



The objective really, have two points to our strategy and this is really to turn the park, the ballpark into a year-round sports and entertainment destination. Where we have 50 baseball games and hope to have 100 to 150 additional events throughout the course of the year, including more baseball and sports events, other non-baseball events, and also to drive the stadium rentals.

Secondly, we are planning on re-launching the baseball team. We're excited that we will rebrand the team and announce the new name the first part of December. We've also put together a lot of new seating and ticket package options.



Also, important to us is that we are a part of the community. We have a purpose-driven mission. One is to drive community engagement, create a non-profit foundation that will enrich the lives of youth through sports. So, we've got a lot of initiatives that we're working on to that end. As Emerick said, to be a hub for community events, graduations, and so on. We're also putting together a diversity and inclusion program that we'll be announcing that will include our front office, our coaches, player personnel, gameday staff, and an internship program.



A quick snapshot of the stadium. You can see that we've got a lot of different plans that will phase in over the next couple of years.

NEW FAN ZONES

- THE BONE YARD** (Left Field)

Featuring The Container Bar, Family Tail Gate Tent, Big Rig's Burger + Brew, THE DRINK, Left Field Party Plaza and The Bleacher Bunch


- CRAFT BEER PARK** (Right Field)

Featuring The Craft Bar, Party Terrace & Deck, The Little Stage, and The Pavilion


- BUCK O'NEIL PLAZA** (Main Entrance)

Featuring The Home Plate Bar, Team Shop, The KC BBQ Project, Pyramid Pizza, Concourse Suites, and Local Yocals



We're including new fan zones where we'll do a left field area called the bone yard with shipping containers, an entertainment area for groups, a craft beer park, and an area at the entrance that we're going to call the Buck O'Neil Plaza and pay tribute to the Negro League Baseball Museum and the teams that they supported.

17 REMODELED SUITES

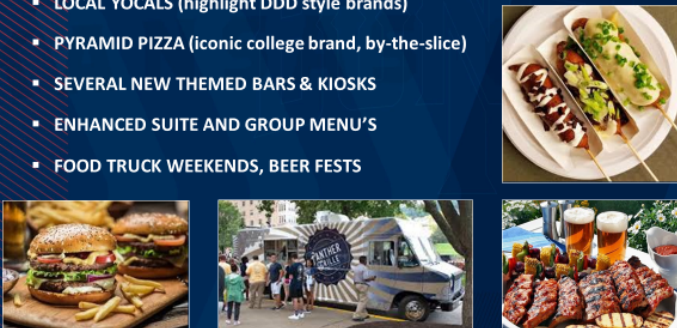
- All suites enhanced with all new décor, luxury furniture, outdoor padded seats, 60" HD TV monitors.
- New "FOUNDER'S CLUB" with large bar and lounge furniture opened for sponsors & premium seat holders.
- Suites can be combined to accommodate up to 200 Guests.
- Total Buy-Out of all suites will accommodate 500 Guests.




We're remodeling the suites. We're going to take some of the air suites and enlarge them into larger areas that can accommodate more people.

CURATED FOOD + BEVERAGE

- KANSAS CITY BBQ PROJECT (Rotate Local BBQ Favorites)
- COMEDIAN ROB RIGGLE BURGER + BREW CONCEPT
- LOCAL VOCALS (highlight DDD style brands)
- PYRAMID PIZZA (iconic college brand, by-the-slice)
- SEVERAL NEW THEMED BARS & KIOSKS
- ENHANCED SUITE AND GROUP MENU'S
- FOOD TRUCK WEEKENDS, BEER FESTS



We're going to curate food and beverage from local Kansas City restaurants. We're going to be creating new concepts as well as working with a concept that we've developed called the Kansas City Barbeque projects where we will rotate in local barbeque restaurants from around the area. We're excited about that.

FUN GAME DAY PROMOTIONS



A lot of the work that we had put in before COVID hit was into putting together promotions, game day promotions and events. A lot of the work was done and then we had to put it all on hold. So, we're excited to get those underway when the season begins.

NEW GROUP SALES OPTIONS

- Large variety of new, “buzzworthy” group choices
- Very affordable price points for all types of groups

There's a snapshot down there of a couch from a Top Golf to give you an example of some of the neat group areas that we're going to be creating to enhance the concourse space at the stadium.

MEMORABLE FAN ENGAGEMENT

- NEW T-BONES ENTERTAINMENT TEAM
- DOOR-TO-DOOR GUEST TOUCH POINTS
- FULL-ON PROGRAMMING & PROMOS
- MORE TO SEE, DO, EXPERIENCE FOR ALL AGES

We are going to introduce what we call an entertainment team. One of our league partners in St. Paul has done this very successfully. We will curate a dozen community actors that will take on personalities and entertain the guests during the games.



Special events.

SPORTS PROGRAMMING

There is great potential in creating signature events that can grow an audience year after year. Our venue has the parking, amenities, infrastructure and capacity to handle events up to 20,000+ people on a single day. Some of the events currently under development include:

SHOWCASES, HIGH SCHOOL GAMES & TOURNAMENTS We will host many baseball tournaments, player recruitment showcases, and all-star games. We have a much sought-after venue for these types of events.	CELEBRITY GAMES We can host all types of celebrity and charity sports events. We were expecting 7,000+ fans for the Tyrann Mathieu Celebrity Kickball Tournament when it was cancelled due to the coronavirus.	RIVALRY GAMES We will host several college rivalry and alumni type events. These draw great attendance and become excellent recurring events that grow in attendance each year.	RENTALS Our ballpark is available for outside organizations to rent. Corporate picnics, charity events, baseball events. The KC Royals are renting our ballpark for player development this summer.

So, this gets back to all of the non-baseball type events and including going out and curating high school events, tournaments, showcases. We had the Tyrann Mathieu Celebrity Kickball Tournament lined up and then unfortunately COVID prevented that from happening. Rivalry games, rentals, as we said, the Royals used the stadium for a month this summer.

EVENTS & FESTIVALS

There is great potential in creating signature events that can grow an audience year after year. Our venue has the parking, amenities, infrastructure and capacity to handle events up to 20,000+ people on a single day. Some of the events currently under development include:



TINSEL TOWN
A Holly Jolly Good Time.
A six-week winter festival featuring a tubing hill, ice-skating rink, kids snow park, Frosty's pop-up Christmas Bar and Santa Suites for company Christmas parties at night and kids tubing parties during the day.



GUZZLE GAMES
A 2-day salute to backyard games and adult libations. Teams and individuals compete in corn hole, bocce, shuffleboard, beer pong, etc. while mixing with a like-minded millennial and Gen Z crowd. Live music, crazy social media friendly exhibitions to top it all off.



FOOD & WINE
Imbibe in a curation of local restaurants and food trucks plus wine, beer and spirit vendors sampling their best brands. Listen to live music acts on several stages. Local charities will be tied to the event and money raised for their causes.



SPEED SHOW
A 2-day celebration of cars, motorcycles and the moto-lifestyle. Featuring multiple car and bike shows, flat-track racing, charity motorcycle ride-in, live music and plenty of great BBQ, bourbon and beer.

OTHER EVENTS UNDER DEVELOPMENT: Fiesta KC (Hispanic C of C - 30,000 guests), Village Wine Fest, Barktoberfest, Fight Nights, EDM & Alternative Music Festival, Country Music Fest, Frisbee-Disc Event, Movie Nights, Professional Fast-Pitch Exhibition Weekend, Cross-Fit Games

Other types of festivals that are specialized. We met with a large RV dealer about doing a large RV and outdoor sports show, food and wine events. Other signature type of events that we will repeat every year and a winter festival that I'll talk about it in just a moment.

OUTDOOR CONCERTS

Our venue has the amenities, parking, infrastructure and capacity to handle small and large concerts (up to 14,000 guests): We are working with national and regional concert promoters and are vetting the possibility of building a permanent stage near center field.




We Know How to Throw a Party!

We've had several meetings now with concert promoters, independent, large ones. We plan on doing a number of music events throughout the year as well.



We are going to introduce a six-week winter festival that we call Tinsel Town that will provide ice skating, tubing hills, snow play area for kids, hot chocolate, all the things that would go along with a six-week holiday festival. We're very excited about that. Again, if COVID allows us to, that would happen this next winter.

100% CHANCE OF SNOW (and fun!)

TINSEL TOWN

SOCIAL GAMES

WE WILL HAVE GAMES THROUGHOUT THE BALL PARK FOR OUR GUESTS TO PLAY.

- "Social Games" are exploding at all type of locations where people gather.
- Offers human element missing today.
- Guests stay longer and spend more money in hospitality/bar settings

November 5, 2020

Creating lots of social game type areas throughout the park



including a nine-hole miniature golf course. Rob Riggle, one of the local comedians and actors involved with our organization, also the host of ABC's TV show called Holey Moley, which is a miniature golf show. The idea is to kick off a nine-hole golf course throughout wrapped around our facility.



Future development would include a pickle ball and yard game venue that would be year-round, out in the center field area. We've been talking and working on this. This would be something that would happen in year two or year three.

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That kind of sums up the vision for what we have. That's the championship that the ball team did two years ago. We're pretty excited about that. With that, unless you have anything else to add, we'll just open it...**Mr. Hinrichs** said we'll open it up for questions.

Commissioner Bynum said I love your presentation, I love your creativity, everything that you have concocted around this ballfield. I just need you to know that when you put the Pyramid Pizza up on the food list, you pretty much had me at that point. **Mr. Hinrichs** said glad to hear that. **Commissioner Bynum** said everything that you brought forward so thank you so much for staying with us through this. I'm with you, I'm confident that we will get through it and this certainly gives us something to look forward to. So, thanks again. **Mr. Hinrichs** said yes, thank you for your continued support. **Mr. McKee** said we'll bring the honey bear for the Pyramid Pizza for you, okay. **Commissioner Bynum** said excellent, thank you.

Commissioner Philbrook said your enthusiasm for this is just out of the park to get an old commissioner that's been dealing with a lot of sick patients, I would tell you that you are a Godsend. Thank you for all that enthusiasm and excitement because it really does help bring us something to look forward to. So, thank you for that.

Mayor Alvey said thank you so much. Again, this is a tremendous project. It's light years ahead of where we were. So, I would entertain a motion to approve the management agreement with Max Fun.

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Commissioner Townsend said I did have a couple of questions. Here again, I'm having problems with the hand raising also. If I could proceed at this time with that? **Mayor Alvey** said yes, Commissioner Townsend.

Commissioner Townsend said, Mr. McKee and Mr. Hinrichs, wonderful presentation. Also, Mr. Cross, as one of my commissioners already said, a lot of enthusiasm and a lot to look forward to. A couple of questions and comments.

One, I appreciate the nod to Mr. Buck O'Neil, incorporating the Royals and the Negro League history by acknowledging his stance, someone who I knew and my parents and uncles knew, so I appreciate that.

Number two, you mentioned rebranding of the team. Does this mean that you're going to kill Sizzler? **Mr. McKee** said we'll have a special place for Sizzler, always. **Commissioner Townsend** said that sounds like he's going to the slaughterhouse to me. **Mr. Hinrichs** said no. **Commissioner Townsend** said I thought he was great, a great representative for the team so I will be saddened by, take that bull by the horns and Sizzler's no longer with us.

On a more serious note, I am concerned about the utilities part of this. Our past history with the team and the utilities and the UG taking a bath on that aspect of it gives me concern. I understand why you'd want to go for that but that gives me some concern with this because the truth of the matter is that our constituents aren't getting that kind of break on their utilities. When they see the presentation, the great presentation you just made, I can imagine them saying, well they got enough stuff there to pay the utilities, I can't even come to the ballpark because I'm trying to pay mine. That is a concern.

Mr. Hinrichs said, Gale, keep in mind that the reduced utilities is only during the COVID period. After the COVID period, we pay 100% of the utilities. **Commissioner Townsend** said oh, I'm very aware, but it's that possibility that it could be less than the 100%. That is the problem. The language is very clear, but that's why I'm bringing that up because I know when this was brought to us, I was very concerned and said one year for that and that's it, as far as my constituents are concerned. So, I understand that. This is a problem for that. Aside from the demise of Sizzler but thank you, again, for hanging with us.

Mr. Hinrichs said well, obviously, the way we make money is you have to be able to play baseball in front of fans. We don't make any broadcast revenue. Really, it's ticket sales and group

sales that really fund the enterprise and so when you limit that, you really limit our ability to be in business period. Yes, I mean there's just, there's no other way to do it.

Commissioner Townsend said well, I understand your bottom line, considerations and again, I know that there will be constituents who are saying, well, I can't even afford a ticket because I'm not getting a reduction on my BPU bill. That's the dilemma. Again, thank you not withstanding for continuing your vision to rebrand the stadium and the team, Sizzler notwithstanding, so thank you.

Mayor Alvey said I'll entertain a motion for approval.

Action: **RESOLUTION NO. R-81-20**, "A resolution authorizing the Unified Government to enter into a one-year and ten-year management agreement with Max Fun Entertainment, LLC, for management of the baseball stadium Village West."
Commissioner Walters made a motion, seconded by Commissioner Ramirez, to adopt the resolution. Roll call was taken on the motion and there were eight "Ayes," Ramirez, Johnson, Markley, Walters, Philbrook, Bynum, Burroughs, McKiernan; and two "Nos," Kane, Townsend.

MAYOR ALVEY

ADJOURNED THE MEETING AT 9:31 P.M.

November 5, 2020

Bridgette D. Cobbins
 Unified Government Clerk

mbb/cg

November 5, 2020

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

SPECIAL SESSION, THURSDAY, MARCH 4, 2021

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in Special Session, Thursday, March 4, 2021, with ten members present online. Bynum, Commissioner At-Large First District; Burroughs, Commissioner At-Large Second District; McKiernan, Commissioner Second District; Ramirez, Commissioner Third District, (arrived at 4:04 p.m.); Johnson, Commissioner Fourth District; Kane, Commissioner Fifth District; Markley, Commissioner Sixth District, (arrived at 4:45 p.m.); Walters, Commissioner Seventh District; Philbrook, Commissioner Eighth District; and Alvey, Mayor/CEO presiding. Townsend, Commissioner First District; was absent. The following officials were also in attendance: Doug Bach, County Administrator; Bridgette Cobbins, Interim Assistant County Administrator; Brett Deichler, Interim Unified Government Clerk; Angela Lawson, Deputy Chief Counsel; Kathleen VonAchen, Chief Financial Officer; and Rocki Mayes, Program Supervisor in County Administrator's Office.

MAYOR ALVEY said before I call the meeting to order, I want to announce that due to COVID-19, individuals are attending remotely. All participants joining by phone should mute their phones when not speaking to avoid background noise. During the meeting, please make sure that you announce yourself by name and title every time you speak so that the public participating knows who is speaking. This is critical given the number of remote participants in his current guidance from the Kansas Attorney General.

MAYOR ALVEY called the meeting to order.

ROLL CALL: Walters, Philbrook, Bynum, Burroughs, McKiernan, Johnson, Kane, Alvey.

NOTICE OF SPECIAL SESSION of the Unified Government of Wyandotte County/Kansas City, Kansas, to be held Thursday, March 4, 2021, at 4:00 p.m. by way of Zoom regarding Budget Strategic Planning.

Due to COVID-19 the public will be able to observe or listen to the meeting live on YouTube or UGTV or through Zoom.

CONSENT TO MEETING of the governing body of Wyandotte County/Kansas City, Kansas, accepting service of the foregoing notice, waiving all and any irregularities in such service and in such notice, and consent and agree that we, the governing body, shall meet at the time and place therein specified and for the purpose therein stated.

Mayor Alvey said tonight we go through a Budget Strategic Planning process. I'll turn it over to Mr. Bach at this time.

Doug Bach, County Administrator, said this is the time of the year where we get together and we talk about our strategic financial planning as we look forward to our 2022 Budget process. This is done so the commissioners can weigh in early regarding the direction of our 2022 Budget. I seek to get policy direction from you all as I go back to my department heads and give them direction as they shape their budgets and formulate really just what they're looking for from operational purposes for the coming year based on what we start looking at for anticipated revenue that's coming in.

As you're well aware, we're virtual this year but this is a big change for us in trying to move through a process like this. If I knew the weather was going to be like this, we would have scheduled it over at the Rose Garden, a nice social distance open planning session, to get around. It's gorgeous outside today, so thank you all for being here with us as we go through this indoors.

We have with us this evening Sheila Shockey of Shockey Associates. She has helped us work through the agenda that we're formulating. She is going to help facilitate our process this evening. We think, also being virtual, Sheila has been through this with some other elected body's too, so she has some good methodologies to help us work through this process.

Looking at our agenda tonight, we're going to go through the goals and initiatives that we have in place. There were some thoughts that Sheila put out there for you all to think about a little bit as you look at those and then we're going to do something a little bit different because as we talk about our goals that we have in place, we've never really prioritized and then when we built things like our priority-based budgeting, we rank all our goals the same. We thought we

would give that a little bit more emphasis and think about. Is there some of those that we want to give as a higher rank than others, go through and put priorities and strategies to these as we look at also the long-term focus of our goals and visions and where we're going to go with that in the future.

After we get done with that, we're going to take a little bit of a perspective on our financial picture. Kathleen has a short presentation to get in there, but our intent is not to spend a whole lot of time digging into exactly where we are. We have a perspective of what we're looking at but then we will move back into getting into what we see what is the value of a mill and kind of how that factors into some of these priorities as we go through and line this up.

That's kind of a general overview of what we're doing. I do have staff members available but in keeping with our normal retreat style format, they're not part of the panelist. As you said, Mayor, they didn't get promoted tonight. They all get to sit back and listen but if we have questions for them, they're available to us to ask questions and participate as needed to go through and help you move along by keeping information in front of you as you need.

I'm looking forward to the engagement and at this point I'm going to recognize Sheila Shockey and she is going to move us through from this page.

Sheila Shockey, Shockey Consulting, said we have been doing some of our retreats for the past several months by video and we do have some tips for that as well. Again, Mayor Alvey already said, if you can keep your microphone on mute, it would be great. If you go ahead and all the commissioners and Mayor go ahead and come on camera, that would be helpful. I will call on people to speak but if there is a pause and you want to jump in, feel free to do that. We want our conversation here to be fairly informal.

We also want to just keep in mind that we are trying to work today to set priorities. I will be listening to document that, share a lot of that information on the screen, so if I'm not getting something right, please let me know that you would like me to revise that because we will be using that in future conversations. That will be helpful today as well as we want to make sure we get the right information written down. We want this to be an energetic and fun conversation about the future of your community. We have a few homework exercises that we're going to start with.

Does anybody have any questions before we get started or any feedback they want to share before we get started?

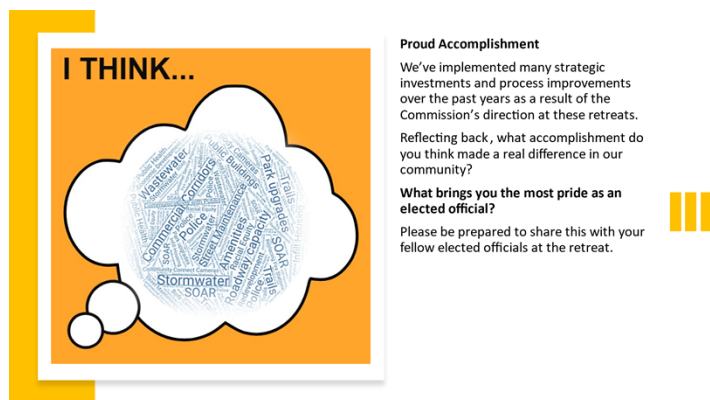
Board of Commissioners Workshop Agenda March 4, 2021 4 p.m. – 8 p.m.		
Purpose Identify strategic investment and budget priorities for 2022. Discuss a long-term priorities and strategic approach to meet goals and objectives including financial resiliency.		
4:00 PM	Call to Order	Mayor Alvey
4:10 PM	Welcome and Overview	Doug Bach, County Administrator
4:20 PM	Goals & Initiatives Progress	Mayor & Commission
<i>Review the materials attached and share one initiative that you are proud of with the other elected officials.</i>		
4:50 PM	Goal Prioritization	Shella Shockey, Shockey Consulting
<i>Review the materials attached. Prior to the meeting, prioritize the goals with 1 – most important; 2 – second most important; 3. Third most important. Write down three reasons why you set these priorities to share with the group.</i>		
5:20 PM	Priorities & Strategies	Shella Shockey, Shockey Consulting
Long-term focus on Goals & Vision		
5:45 PM	Break	All
6:15 PM	Financial Picture	Kathleen VonAchen, Chief Financial Officer
6:30 PM	1 Mill = Opportunities & Trade Offs	Shella Shockey
7:15 PM	Wrap-up/Next Steps	Doug Bach
8:00 PM	Adjourn	



First of all, I'll give you a brief overview of our agenda today. This is a 4-hour retreat, and we are going to really focus in on, as Doug said, we're going to prioritize the goals and focus on some of the initiatives that you are most proud of that have happened since you have been serving in office. Then, we are going to go into more of the long-term focus and really think about beyond 2022 what is a good approach for long-term financial resiliency as well as thinking about what moves us closer to our vision and our mission in the community. Then, we are going to take a short break and when we come back Kathleen will be talking to us about the financial picture, and we will give you a little bit of a snapshot there. We will then kind of follow that process with thinking about the value of that one mill in property tax and thinking about some of the services that you would like to see more emphasis in in 2022 and how that really brings us to our vision, our long-term vision for the community.

Kind of the whole purpose of today is to just go through a series of discussions, talking about advantages and disadvantages of various approaches to set the stage for budgeting for next year, but also kind of the long-term strategy for the organization.

Does anybody have any questions before we get started? If you see me looking to the side, it's because I have you on a couple different screens so I don't miss out on someone who is raising their hand or wants to speak. If you want to raise your hand, that is great but just clear your voice or try to jump in if I don't see you because sometimes I can't see every single person. If you think I'm ignoring you, I'm probably not, and just haven't seen you on the group. Any questions or thoughts from anybody in the group before we get started?



I did ask for a bit of a homework assignment for everyone and we will kind of go around the table and talk about a proud accomplishment that you had over the past years of service. You may be new to the Commission, and if you are, maybe think about something that inspired you to run for office and really feel like you want to kind of continue on with that emphasis. So, reflecting back. We're going to go around in a circle, and I hope everybody has theirs written down. I'm going to give you a few minutes to just kind of think, if you haven't had a chance to do that homework but reflecting back what accomplishments do you think has made a real difference in the community and what brings you the most pride as an elected official. We're going to share that information with each other. I'm going to give you just a minute to jot down at least one or two things that you want to share with your fellow commissioners and then we will build on that success when we start our next exercise.

We're going to go ahead and start sharing our thoughts around the horn here and I'm going to start with Commissioner Philbrook.

Commissioner Philbrook said one of things that I'm most proud of actually began right after (inaudible) 2013 and that is the Leavenworth Road project that has been going on for years. It's not over yet and we're still working on it. A perfect example of major infrastructure work and something that's going to last us for years. It's very exciting to have been part of getting that rolling, getting us working on it and to just think about the number of people that have had to come together to make this work. It's just amazing.

The other part of that is, I'm so proud of my community because they all came together with the elected and with administration and everybody that has done the boots on the ground work to tell them what they really wanted. They actually came to the forefront, worked with us, told us

what they wanted and that's really what I think about when I think about community and the UG working together to accomplish a lot. That altogether is what I'm definitely happy about and I can also write in there the proud part because I am just so full of pride for the community that came forward. The fact that our community does come forward and will work on projects, to get it out that will help the whole community. So, that is what is going on with me.

Commissioner Walters said one of the projects that I think I take pride in is the Juvenile Detention Facility, not a glamorous project and not something that a lot of constituents probably think of every day, but I think it's something that was long overdue and former Commission's did not accomplish it or take it seriously or feel like it was something that they needed to worry about, I guess. I can only assume that.

As far as a process I take pride in, our decision to reverse the policy that it precluded Land Bank from buying or obtaining parcels that had structures on it, I think was important and is part of the SOAR project that I think will pay great dividends.

Ms. Shockey said so, the Land Bank policy reversal to now allow the purchase of the properties if it has a building on it. **Commissioner Walters** said yes.

Commissioner Johnson said I think first and foremost, working together with Commissioner Bynum and Commissioner Townsend to put together the Northeast Area Master Plan which serves as our guide for the development of an area of Wyandotte County that for decades has been disinvested in and it right now is starting to pay dividends. We're seeing organizations such as Groundworks NRG that have taken that and used it as their overarching map for partnership between us and our local NRA in the northeast area. To see construction going on in northeast is something that hadn't really happened in many years and now we see finally the construction of the Boulevard Lofts which I talked about and talked about and talked about and finally we see a 4-story 38 unit loft and two six-plexes being built there at the corner of 8th & Washington Blvd.

To see the school district reinvesting in our area, building a new middle school and to see Donnelly College knowing that they needed to move or to expand and after researching where they ought to go and deciding to stay right in the fourth district and building a new facility. All of those things are serving to be things that I am very proud of that were things that just hadn't been

done. That Northeast Master Plan now serves as a model where we completed the Central Area Master Plan and now they're working on the Armourdale Master Plan and all of those were basically inspired by the amount of community input that came about as part of the Northeast Area Master Plan.

Mayor, I'm going to try to get some brownie points. It's been real fun for me also to work with the Mayor as part of the Police & Community Task Force. That's been a real learning experience and I appreciate the opportunity of doing that. I'm learning a lot about Safe & Welcoming as it relates to our undocumented population and things of that nature. I've been involved in a lot of different things and I'm just going to put a period there. I could go on and on, but a lot of things are going on.

Commissioner McKiernan said there's a couple of things that I think we can take collective pride in accomplishing. First, collectively we created the beginning structure of SOAR. I think this is important because it has established a collective focus on blight reduction and on improving living conditions in all of our neighborhoods for all of our residents, so I appreciate how we have collectively focused on this and we are evolving the mechanics of how we actually carry it out.

The second thing, I have to be honest, I don't remember what we've called the position, but I appreciate that Mr. Bach created the position that Rob Richardson is in now who is our Customer Success Liaison. I think that's really important because one of the important focuses that we need to continue sharpening is our focus on customer service and making sure that we are partners with all of the people in our community who can make the community stronger. So, I really think that was a great accomplishment for us to create that position and put someone in the—give someone the responsibility of making sure we facilitate processes especially for all of our business customers in the county.

Commissioner Bynum said I have a little list going. I'm really proud that in my first three years of working with the Commission we did three straight years of no levy reduction that I think totaled six mills and I loved being a part of that. I'm really proud to have participated with Commissioner Johnson and Townsend on the Northeast Area Master Plan. Commissioner Philbrook mentioned the Leavenworth Road Reconstruction project, I second that, an excellent project.

I, as Commissioner McKiernan mentioned, I'm proud of SOAR and all of those efforts. I'm proud of all the work we've done in our parks including the Parks Master Plan that sort of kicked it all off. I'm really proud of all of our technical work that's been done, the mapping and the technology work. I think that was a really smart move on our part, Mr. Bach's part, to sort of bring in someone to lead all those efforts.

I can't give back the mic without saying how proud I am of our Health Department. This last year has shown their value beyond anything I think we could have ever comprehended, so lots and lots of things to be proud of.

Commissioner Ramirez said I'm new to the Commission, but the first answer will be two, it will be two-parted. The first part, you know, you mentioned reason for running. I ran because our community has come a long way, but we have so much more to go, and I wanted to be a part of that. I'm very happy and proud to be here for that. Also, Commissioner McKiernan brought it up, I wasn't part of that at all, but I was following our SOAR program. I'm proud of that because it's an amazing program that shows a multi-faceted cross-departmental approach to getting down to the root causes of what is in our community and building it up. I'm very proud of that.

What I'm proud of as an elected official is no matter what life throws at our community, we are resilient. We push and fight through it and so I'm very proud of that.

Commissioner Kane said I think the first thing I would like to say is I am blessed to have one of the most involved districts. They are not shy, they are very outspoken, they like answers and they can help guide, not myself, but the Commission. I'm the longest standing commissioner and I was there when we got the opportunity to pick the casino that fit best for the community. I thought that was an awesome pick. It's worked extremely well.

Another thing, the renovation at 78th Street with the new mall out there, that was one of the very first projects we worked on. It's turned out fantastic.

Also, the much needed fire station out west, we got that done. The widening of the roads even at 78th Street and just like what Commissioner Philbrook said, that involvement that she started heads out west, so I look forward to that.

The most important one that I've done is when they named the community center after my mom out in Piper. **Ms. Shockey** said that's nice, awesome.

Ms. Shockey said, Commissioner Burroughs, can you chat? It looks like you're at the State House. **Commissioner Burroughs** said I am, and I apologize. We're getting ready to go into final action here on our votes for the day.

I would just have to echo some of the comments that have been made by my fellow colleagues. I'm really pleased that we have the committed and qualified personnel throughout the entire governmental process at the UG. There's a lot of times—there's still a lot of criticism at times, but I would state they are some of the best. I've really enjoyed getting an opportunity to get to know many of them and have much respect for the professionalism and the qualifications they possess.

I also believe I take great pride in having the opportunity to review all of the legislative—or all the post audits that are presented and I would ask my commissioners that when I do bring questions forward in reference to budgeting, they're not just my questions, they are issues that have been identified through the post audit and I feel as a member of the post audit to bring that forward and communicate that with not only the commissioners, but with staff and the Administrator.

I'm also pleased that we've gone to the budgeting process that we're going to be utilizing to ensure that we look at those things that are important and mandated by law and by ordinance and/or by statute to ensure that we do those first. That is our core responsibility. Anything and everything above that is what I would say is an opportunity for us to govern.

The tremendous amount of economic development interest in Wyandotte County is something that we can all take great pride in and I'm also very excited that we formed a partnership with the Powell Center, not only for our public safety officials but also for the kids of the community. It helps them learn and respect one another and a controlled environment that is conducive to them building long-term relationships.

Mayor Alvey said everybody has touched on so many things and I think that just demonstrates several things. If you look, for instance, at the amount of economic development that has occurred in the county and is occurring in the city, it shows there is confidence in Wyandotte County that people see the opportunities to invest in our community, to bring jobs, to bring new revenues to really broaden our tax base. That is a good sign for us and that's happening all across the community. We need more development, obviously, in our older parts of town, but we do have

staff that is working diligently to try and crack that nut of infill housing as sustainable neighborhoods. It has built upon the SOAR efforts that began several years ago that we really have to improve the appearance of our neighborhoods, code enforcement, graffiti removal, litter abatement; all those things are so important because when people come to our community they need to see a community that is proud and takes care of itself.

I'm proud as well the way we're able to be resilient and to look at our problems in a straightforward manner. So, just again, looking at where we are financially and saying that we're willing to make the hard decisions necessary to put the investments that are going to continue to grow this community as a place we can be more proud and will improve quality of life and continue to attract residents and businesses. I'm proud of the efforts of so many people that are just committed day in and day out and show that through their hard work.

Ms. Shockey said, Doug, how about you. Do you want to share any of your thoughts on what the Commission has accomplished over the past years or so? **Mr. Bach** said I have been around quite a few years I guess and seen through it and a lot of these weave into a lot of the comments that the commissioners made, and I think one of them was brought up about development. Years ago we couldn't get a developer to talk to us in our community and now we have developers interested in doing projects across our whole community. That's such an important thing. It's been one that has taken years to move from a focused interest when they started in the western area, but that has really led to the opportunities to see some of the things that were identified by commissioners today. Now we have projects from east to west, you know, down in the southeast corner moving in an area with Midtown projects so it's the interest that is there throughout our community now versus none to being very isolated to what it was.

I'm also going to note that I think we've had the opportunity because of, I think, a progressive government that we have here that shows good leadership from our elected to have been able to attract in great talent to work for the Unified Government and put in play our—we've had a lot of programs that we're doing. If we didn't show that kind of progressive government in what we were doing in a challenging environment because we're not one that I can attract from a high-pay scale, it's people looking at things to where they think they could really make a difference and improve and know that there is going to be support from an elected body to help them do that.

So, that's been, I think, a really big step for us that has made a lot of moves over the last years going forward.

Ms. Shockey asked, does anyone else want to share one. Did I get everyone from the group that is here today?

Commissioner Johnson said I'll jump in and I forgot this. Commissioner Kane mentioned naming the community center out there and I want to talk about the fact that we did rename the JFK Center after Mrs. Beatrice Lee who was a real stalwart in the northeast community and she since has gone to be with the Lord, but she really was a real stalwart in the northeast area, and we were able to name that community center after her and I really appreciate that.

Also, the fact that we were able to do a couple of community summits for District 4. The last one was a virtual summit, something that had never been done before and I was really appreciative of that and the help that I got from staff, particularly Allie Porter, who is one of those talented persons that Doug has hired on. Anyway, I just wanted to put those out there.

Ms. Shockey said tell me again what Ms. Beatrice last name was. **Commissioner Johnson** said Lee.

Ms. Shockey asked, anyone else have anything they want to share in terms of accomplishments. (There were none). Let's talk a little bit about some of the things I heard in terms of kind of themes for those accomplishments. I heard a lot of we and we worked together, and we talked a lot about all areas of the community and doing some advanced planning and thinking forward to the results long-term and whatnot. Other kind of key factors do you think in terms of success in the past that you want to continue on with in the future.

Commissioner Bynum said I think it might be worth noting that our departments are talking together and working together and coordinating. I think that has been really critical to a lot of our successes. **Ms. Shockey** said so you would like to continue to see your staff collaboration moving forward. Other thoughts in terms of kind of just general approaches that you think worked in the past well and you want to see that in the future?

Mayor Alvey said one of the things I would like to highlight is, and we just hired a new person in communication, but I think we have a great story to tell in Wyandotte County. What we've been saying today, unfortunately, we don't get much media coverage unless it tends to be negative but the resiliency of the community, the commitment to improve quality of life, willingness to take on the hard tasks; all these things we've been talking about really are great stories and we need to tell that story so that other people will wake up and see that this is a quality place and it's getting better. And you can become a part of this and make it even better.

Commissioner Johnson said continuing to build our financial capacity both as it relates to our reserve balances, as it relates to our commitment to do everything we can to not have to raise taxes and to try to navigate that path is not an easy one, but this Commission has done a good job. I want to see that continue and I want to see us continue to build up our credit rating and all of our financial indices so that we will be able to be a benefit to our taxpayers.

Commissioner Philbrook said something that has been woven through all of this conversation and hasn't really been explicitly said yet and that is the diversity of our community. We are so diverse that we have the opportunity to be much more balanced than other communities because we have so many people involved that have diverse education, diverse experience, diverse skin color. That makes for, in my opinion, the opportunity for a much more balanced community, so that's why we're (inaudible) use it even more to come forward with our ideas and how we have that more resilient and happy and safe community to be part of. If you'll notice, most all of these communities, the little stars in our crowd around the different areas, are the communities that have done better is because a lot of the people have come together in those communities and worked hard like the northeast in little areas, the Leavenworth Road little areas and Turner in small areas. We have community and there is no question that community is our strong suit and I think we just need to use it more and more.

Commissioner Johnson said I wish I could have hit a like button for that. We don't have a like button. **Ms. Shockey** said for reactions put your thumbs up, but maybe do a little smile or something there to give people encouragement. That would be great.

Other kind of general themes you would like to see moving forward when you reflect back on your accomplishments over the past years?

Mayor Alvey asked, would you repeat the question. **Ms. Shockey** said just kind of any other kind of general—we would like to continue with this approach moving forward because it has worked so well and it kind of describes a lot of the reasons we’ve been successful in the past.

Mayor Alvey said, again, I think it’s just a matter of let’s keep using data. We need to let what has come forward to us and look at it, not try to avoid it, just let it speak to us. Then, as we see things as they are, I think it will move us in the right direction and we will be able to see what the priorities need to be, what our strategic investments ought to be and then also it will help tell the story to our community.

Ms. Shockey asked, anyone else have anything on the accomplishments before we go to the next agenda item. As you can see, I’m taking down your notes and information here on our shared screen. Later on today we will be talking through some of that information to make sure that we’re keeping track of the things that helped us do well in the past and taking that approach forward in the future as we set priorities and think about the future.

Goal Prioritization

To prepare for the retreat, place a number 1 by the most important goal, 2 by the second most important goal and 3 by the third most important goal. (The goals are on the first row below)

#	GOAL	REDEVELOPMENT, RENOVATION, AND REPAIRING EXISTING HOUSING	IMPROVING PUBLIC SAFETY AND SECURITY	IMPROVING COMMUNITY HEALTH AND WELL-BEING	IMPROVING COMMUNITY ECONOMIC OPPORTUNITIES	IMPROVING COMMUNITY ENVIRONMENT	IMPROVING COMMUNITY CULTURE
1	Redevelopment, renovation, and repairing existing housing	Provides and supports well-planned, quality development and redevelopment	Offers protection, defense for the community's safety, and defense for the community's health and well-being	Provides and supports defense for the community's safety, and defense for the community's health and well-being	Offers efficient, affordable, and responsive services	Provides a series of community goals and supports a diverse population	Provides for proper maintenance of existing infrastructure
2	Redevelopment of the community by ensuring smart and abundant housing as a sustainable resource	Increases workforce readiness and supports for regional and national employment goals that meet the unique needs of the community	Provides proper, priority safety, and security response to emergencies	Collaboratively provides for the basic physical, mental, emotional, and social well-being of a small, generation community	Through strategic marketing and communication, offers and supports the community and its residents, visitors, business, and other stakeholders	Supports neighbors and businesses coming together for the good of the community	Improves the cycle of development, management, and maintenance of the community's infrastructure
3	Reduce number of the delinquent properties	Offers efficient, affordable, and responsive public services to support economic development	Focuses on proactive prevention, intervention, and evaluation	Provides accessible, well-maintained parks, trails, and open spaces, as well as a variety of quality recreational opportunities that provide an active and healthy lifestyle	Increases transparency and accountability with the public through open data sharing	Supports and provides community events, neighborhood gatherings, and culturally enriching opportunities that connect the community	Provides for ongoing management of capital improvements – asset management
	Improve the safety and quality of housing stock in the community	Develops and maintains a safe, convenient, and efficient public transportation system that is accessible to all residents, visitors, and businesses	Builds an informed, engaged, and resilient community that shares the responsibility for its safety and well-being	Establishes a community that helps determine the future, security, national, and developmental needs of the community	Establishes a training and cooperation network that helps determine the future, security, national, and developmental needs of the community	Establishes and maintains citizens about economic, regional, national, and other available opportunities	Provides the community with parks, recreational opportunities, and amenities that are accessible to all residents, visitors, and businesses
	Efficient property maintenance costs	Attracts and retains employees to the area and provides residents and visitors with a high quality of life	Provides and maintains public safety services	Increases access to healthy foods in the community	Applies innovative approaches to deliver high-quality services and services to the community	Builds collaborative efforts to work between neighborhoods resulting in neighbors coming together for the good of the community	Plans for and provides proper design and construction of new infrastructure and public spaces and private development
	Maintenance of existing infrastructure – sidewalks, curbs, and signs	Manages growth through well-planned development that provides community and economic opportunities and sustainable community building	Connects the neighbors to each other and provides a safe environment that allows for growth and development	Increases the visibility and identity of the community and its residents			Develops and maintains well-designed, safe, and sustainable public spaces and private development
	Maintain vacant lots	Supports the development of local commercial public spaces	Creates an environment where residents feel safe and secure in their homes, neighborhoods, and public spaces				Ensures compliance with all federal and state regulations related to environmental and water use

The next item I want to talk about here is goal prioritization. You set these goals quite a while back. I was going to look up today, I forgot to do that, what year we worked together to set these goals, but it has been a while and many of you were involved in it and then we did kind of another update or review. The staff has done an excellent job of working together with you to try to fill in

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a better description of what some of these goals are and what they mean in terms of programs and services and then an emphasis on infrastructure was added the past few years as one of the goal statements. Kind of going across the top, we've got reduce blight, increase economic prosperity of the community and the opportunity for our residents, increasing safety and the perception of safety, improving community health, improving customer service and communications, increasing community cohesion, and then, of course, improving infrastructure.

As we think about these goals a lot of them are very interconnected. You know reducing blight and improving the economic prosperity of your community can also improve safety and health and vice-versa. Also improving infrastructure really is a part of getting citizens to also participate in making their properties well-maintained and reducing blight in your community. It's really hard and we've never done this before. I kind of tried to prioritize them for the next years to come and what I want to do is just have you go through and think about 1, 2 and 3. What's the number one priority for you moving forward, what's the number two and then number three and then we're going to share those results and as you share your results tell us a little bit about why you selected them in that order, that there's certain advantages and disadvantages that you see to pursuing those actions as goals.

Let's go ahead and get started with Commissioner Bynum. Tell us what your thought process is in terms of goals 1, 2 and 3 for these items up here.

Commissioner Bynum said community health is goal number one. Obviously, moved to the top of my list due to the pandemic. Economic prosperity is my second choice and, frankly, number three I'm kind of tied between blight reduction and infrastructure. **Ms. Shockey** said blight was number 3 or infrastructure. Do you want to make a decision? Should we go back and forth, what do you think? **Commissioner Bynum** said I'm sure others will say infrastructure, so I'll say blight. **Ms. Shockey** said I like that for getting some different—playing the games here. We've got to figure out how to get your numbers up. The middle one that you said was the economic prosperity. Maybe just talk a little bit about why you selected those and what your thought process in terms of connection of those items are.

Commissioner Bynum said I personally think economic prosperity and community health are tied together pretty tightly and I've kind of been of the mindset that increasing economic prosperity goes a long way to increasing community health due to the fact that it definitely helps

people get access to health care. Again, because of the challenges put directly in front of us due to the pandemic, community health has taken the first place spot.

Ms. Shockey said you had mentioned earlier that you were really proud of the way that all came about and how the public Health Department performed during—is still performing during the pandemic. What are some of the things that you would like to see them continue doing moving forward that you want to see some additional emphasis? **Commissioner Bynum** said I think our public Health Department knows what to do. I think it's a matter of those of us in leadership providing them the resources that they require. **Ms. Shockey** said great.

Commissioner Johnson said all of these are good, all of these are necessary, not just good but necessary. I would go with increasing economic prosperity as one. I'm going to go with improving infrastructure because Commission Bynum chose not to as number two and I'm going to go with increase safety and the perception of safety as number three.

Ms. Shockey asked, anything in particular that you would like to see emphasized in those areas over the next year. **Commissioner Johnson** said I think we have to continue to leverage the successes that we have had economically out west to help build up our eastern side of Wyandotte County, the older side of Wyandotte County, thereby building up the quality of life the Mayor speaks about. We have to build up the net worth of all of our constituents and we do that by providing jobs, job training first of all, jobs that are above minimum wage. We have to continue to prepare Wyandotte Countians for the jobs that are here in Wyandotte County. We don't have to send them out. Persons are coming in. I'll keep standing on this soapbox until I get blue in the face if that's possible. Persons are coming from outside of Wyandotte County into Wyandotte County getting some of the top paying jobs that the state of Kansas has to offer and then traveling back out and spending sales tax, property tax monies in other communities while Wyandotte Countians are driving to those same outer counties for lower paying jobs and our median income level is at one of the lowest in the state of Kansas. We've got to continue to bridge that gap no matter how long and how arduous it takes. That's just going to be one of my pet peeves until I'm no longer on the Commission, so that's one.

Ms. Shockey said welcome Commissioner Markley. We are prioritizing the goals that have been set in the past and so if you want to take a second to be prepared to think about 1, 2, and 3, your

priorities and then give us a little bit about the connection there or what you would like to see emphasized.

Commissioner Walters said number one I have increase economic prosperity. I choose that one as number one because it touches so many elements of our community. It affects people's health, it affects educational opportunities, it affects so many things and if we can tackle that and move the needle on that, it would be great. At the lack of prosperity in our county is one of the things that is holding us back, so I like the fact that we've had economic development, jobs, and the various things that Doug Bach talked about earlier. Our county is more competitive, and people are seeing an opportunity here, hopefully, that will translate into jobs for our residents. I also include in this category of lowering the tax rate which would increase economic prosperity for all of our residents. If we can eliminate some of the things that are driving our mill levy so high, I think that would be a great benefit.

Number two is blight and I put that there only because we have blight all over our county and one blighted property affects all the adjacent ones as we've talked about so many times. If we could continue to make progress on eliminating that, I think it will have a great impact on property values, on quality of life and a lot of the things we experience day by day.

The third is increase safety and the perception of safety. I think as you get outside of our county we have a reputation of not being a safe county. Maybe it's a perception thing, maybe it's a real thing, but whichever category it falls into, that's a priority for me.

Commissioner Philbrook said I was listening and taking notes and all of that, so here we go. For me communicating because all these other things can't happen well without great communication. There are a lot of times that we do things in the Unified Government or anybody in our government as well as the Commission and they are working hard behind (inaudible) because they're not engaged because they don't know what we're doing, and they can't be part of it. If (inaudible) not only within government, but communication with our folks and the government to be able to accomplish all these lofty goals we're trying to accomplish for our community, so communication is the key for that, for health and safety and everything.

The second one is infrastructure. Those are probably the things we hear most about. Our streets and if there are problems with a sewer backing up or stormwater backing up. You know,

people look at that and say am I safe in my community, can I drive down that street, do I have to buy a new tire or wheel because I hit a big pothole because I can't drive down the street, is it safe. Infrastructure—we can't take care of our community if we don't really address the complicated infrastructure issues that we have. That also lets us take pride in our community when we look good, and we show we're taking care of folks. It also helps with people's health because they're not so stressed out. They don't worry about things as much.

The third thing is the health of our community and the downside, of course, is that our Health Department came forward with guns a blazing because they jumped right in and they helped take care of us with this COVID issue and we couldn't ask for a better response and I'm so proud to be part of that. I do believe that our Health Department plays a big role also in helping with employment and education and all these other things because they are aware that without people having good jobs, it is hard to keep their families healthy and cared for. That's my three.

Commissioner Markley said I apologize. I had Continuing Ed all afternoon, so it's been a long haul in front of the computer this afternoon since lunchtime, but I'm glad I got here in time for this activity. My three probably won't be shocking to any of you. My three I think are actually really under the same umbrella so I would say number one, reduce blight but under that umbrella I think comes improving the infrastructure and improving the perception of safety. I think those three are all related. I think we've seen that those three are related throughout the SOAR process. I set them as one, two, three, but I think those are all part of the same set of issues that we are trying to address through our blight reduction strategy, and I think it's critical that we continue to try to address those. **Ms. Shockey** said so you're going to go infrastructure two and safety number three. **Commissioner Markley** said right.

Commissioner Ramirez said for me I put to improve infrastructure as my number one because our infrastructure is vital to our economic and social development of the county and I think we need to make sure that is taken care of and that is developed and improved.

For my second, I put reduce blight because that is a very important issue among our constituents. That's something they are very concerned with. You know, reducing our blight and making sure our community looks beautiful and it's the best it can be.

My third, I was jumping between improved community health and increase economic prosperity, but I would put it more so on community health because in my mind these three that I picked go hand in hand because once we can improve our infrastructure and reduce our blight we can improve our community health, but also at the same time increase our economic prosperity. That's why I put infrastructure as number one because we need roads, we need sidewalks, curbs, we need a wastewater system and sewer system to make our community operate. Those are my prioritization of our goals.

Mayor Alvey said I think it's interesting in this conversation I've listened to everyone and I think we would all say every one of these is a priority. The exercise is really about how do we see that they relate to one another and we do see that they all relate, and I would go, if I'm going to prioritize, I would say infrastructure. This is the bones by which we attract residents and businesses. If you've got good infrastructure, then it's worth my while to build a house or a business here. Obviously, going right along that is reducing blight because the existing housing stock and commercial stock—and if someone wants to build a business here or wants to come in and live in our community but they drive through neighborhoods and they see litter and they see graffiti and they see housing that is falling apart, that is not an encouragement. If we can do these things, then it's going to bring economic development.

To Commissioner Walter's point, that we have to continue to broaden the tax base and it's happening across the county and the city. To me it's really how do we relate each of these. The health will come with it I believe, but we really need to build wealth among our residents.

Back to Commissioner Johnson's point, yes, you can make great wages here but if you don't live here it's not directly benefitting our community as much. KCK has always been an immigrant community. We need to make sure this generation of immigrants, their next generation builds houses here close to their parents and grandparents and so on rather than moving out. **Ms. Shockey** said so you want to put that on economic prosperity number three.

Commissioner Kane said short-term but it's very, very important, shots for all of Wyandotte County. I know that we're doing it by zip code and when I asked about it the other day why would you do that, they said well we're going to do this and 66109 has had more shots than anybody but 66109 has all of the public safety, school teachers, sheriff's, police, so I think we need to push

calling the Governor's office, call the Pope, call whoever we've got to call to get as many shots and share them with as many people as possible. That might not be in the three but right now that's the most important thing to me.

Another thing that we're doing is I don't think we do a really good job going into the high schools and junior high's recruiting people to work for the city for the public safety jobs and also working with the community college because you can go to the community college and learn a craft and go into skilled trades and not everyone is going to college. Some of those jobs pay more than the folks with college degrees so we need to tap that resource and we need to hire more people that live in Wyandotte County and stop pulling people from other communities to come here because when you don't know the community, if you don't know what it looked like 10-20 years ago, it's completely different now than it was then. We have to do a better job of attracting our kids to these good jobs that we have.

Another thing, and I'm glad that we got this Restart Wyandotte County Communication, I think that's fantastic, and everybody said go to the computer. You cannot believe how many people including my wife when she gets home she will not—she works on two of them at work, she's not going to turn it on. Several people don't have them, so we need to continue this type of communication, so everyone understands because when they tell you to call 311, 311 works sometimes and it doesn't other times, so it's frustrating to people.

You all know what this last one is going to be, a park out west.

Commissioner Burroughs said first and foremost I think one of the couple of things that we need is our public safety and citizen relationship building. I believe that's extremely important, and it addresses some of the questions and comments that have been made by those speaking earlier in reference to the image we have. I really believe we need to work on enhancement of our public image, not only within the communities but specifically around the metropolitan area, if not the state. I think that begins, honestly, with us as commissioners, so I would like to throw out that we need to work on our Commission synergy. I sense at times that we are more divided than we are united. Our votes may show that we're united, but I think at times that we don't have enough communication, I would say, maybe forthright honest communication with everyone collectively. This has been a unique time. COVID hasn't allowed us to get together like it has in other opportune times but it plays into our boardsmanship and how we run our committees, it plays into how we

treat our fellow commissioners as well as our staff and it develops the Administrator and Commission relationships. So, if that synergy is there and it's visible, then I believe it goes a long way to addressing some of the aspirations we have as individuals to enhance our community image.

The other one is I'm absolutely about lowering our taxes and our debt. I would like to see a responsive, stable budget process that allows us to provide the services that we are mandated and obligated to provide the community, but I would like to see us do it in a responsible manner that is respectful of their tax dollars.

Commissioner McKiernan said I thought maybe you had intuited that my top three are Commissioner's Philbrook's top three. I'm going to say that my number one is improve customer service and communication. At our core we are a customer service organization. I think if we can improve our communication and increase the community understanding of our shared challenges, then I think we can recruit our citizens and our business people as partners in creating shared progress. If we can improve our engagement of and our support of our citizens, our customers, then I think that actually will go a long way to helping us accomplish all of our other goals, so I have that as our number one.

Number two, I have improve our infrastructure. Our infrastructure is failing, and I do agree with Commissioner Philbrook that solid infrastructure is the key to a quality residential life and its key to economic success of our business partners, so I'm going to put that as number two.

Number three, and after this year, it really could be number one, but I'll slot it number three, improve community health. I think that especially after this year we recognize more than ever that the health of a population has a powerful influence on both the social and economic accomplishments and successes of that population. I think sometimes we tend to overlook the fact that improving community health is so much more than personal health behaviors and access to clinical care and so we need to focus on the broad picture of community health and if we can embrace that, then I think it will help us again accomplish our other goals like improved economic progress.

Ms. Shockey said it looks like really, you know, again this is a really hard exercise to do because all of these things are important. Probably at the base of most of this discussion is you have to have your community onboard and together. You don't want community cohesion to feel left out

but maybe that's something as you talked about in your accomplishments that you're kind of there in terms of your community works together and partnerships are built and that sort of thing.

It looks to me like there's kind of a split really between reducing blight and improving infrastructure and so what I would like to do now is talk a little bit about maybe how the two of those are connected and what you see in terms of importance there for 2022. What do you think is needed in terms of emphasis for improving infrastructure and reducing blight? I'm going to move these dots out of the way so you can see the items that are underneath it because I think those are kind of helpful ways to think about the different elements that are within those goals.

Mayor Alvey said if I may, I would just like to comment. You know if we have all these priorities—we put together these priorities and I think we all decided these are all priorities that need to be carried forward and it wouldn't obviously believe that community cohesion is important but it's really about how all these things work together. I just wanted to put that little caveat in there. **Ms. Shockey** said for sure. I know the initial discussions when they were developed was just really kind of we have a graphic that shows it's really a wheel. Those things all work together as a wheel.

If we focus in on the two areas, really reducing blight and improving infrastructure, I want each one of you to take a look there and write down the one you think is the most important really to focus on in the next year or so and then tell me what you think the long-term ramifications of that focus would be. So, the question really is, which one do you think is the most important to focus on next year, 2022, of these items that are listed here and then what do you think in terms of the long-term ramifications if you don't kind of emphasis—that emphasis there. Let's focus on the two columns of blight reduction and improving infrastructure.

We're going to start with Commissioner Johnson and why don't you tell me in the two columns you have listed here improving infrastructure and reducing blight, where do you think the emphasis should be in 2022 and what are the consequences of not increasing kind of the focus in that area long-term.

Commissioner Johnson said reducing the number of tax delinquent properties I think is key and we are already seeing the ramifications of having properties that are not on the tax base. So, I think as it relates to my whole point of economic prosperity, and I would say also economic

dignity, that we've got to continue to work towards reducing the number of tax delinquent properties. Again, this is with all deference to the fact that we are still in pandemic. We're coming out of pandemic, economically times are hard for people and in communities like ours it is reflected the most. I would still say that we've got to continue to do what we've already done and that is to reduce those numbers significantly.

As it relates to improving infrastructure, I haven't had a chance to really look at that. **Ms. Shockey** said we can come back to that. It sounds like the consequence there if you don't really kind of deal with the delinquent taxes, you don't have resources to do the rest of the things here as well.

Ms. Shockey said how about Commissioner McKiernan. What do you think in terms of these two columns, the items underneath the areas of emphasis for 2022 and what are the trade-offs of not taking that approach?

Commissioner McKiernan asked, do you want me to pick one of the subheadings or just between the two. **Ms. Shockey** said subheadings. What do you think is most important to work on in 2022 and if you don't put your emphasis there, what's the consequence? **Commissioner McKiernan** said I think between the two, as much as I am an advocate of SOAR, as much as I think that blight reduction is essential, I really do think we should focus on our infrastructure. Let's lead by example. We'll clean up our stuff, everybody else cleans up their stuff.

Ms. Shockey said so kind of proper maintenance of the infrastructure, that's kind of what you're thinking? **Commissioner McKiernan** said yes, the ongoing maintenance. I mean making sure that streets, curbs, sidewalks, alley's, sewers are all in good shape and functional. I mean Public Works has effectively told us if we don't pay improved attention to our infrastructure, if we take streets, we'll have a system of gravel roads in 10 years and that's certainly not going to help reduce blight if our own infrastructure is becoming frayed and decayed, so I think that's where we should put our emphasis.

Ms. Shockey said Commissioner Walters, what do you think? Subheadings under here, areas of emphasis for 2022 and long-term consequences of not taking that action.

Commissioner Walters said I guess I see it a little differently than my good friend Brian. If I'm just trying to choose between blight and infrastructure, I see reducing blight going first because, in my mind, that would give us the economic opportunity to address infrastructure. On the other hand, if we go in and approve roads and improve curbs and improve storm sewers, does that automatically reduce blight? I don't know that it does. From my standpoint, I would have to vote for reducing blight as the thing we should do immediately.

Ms. Shockey asked, any of those sub-areas that you would like to see more emphasis put in—I know SOAR kind of emphasizes all of those things, but any that you would like to see that's most important long-term that you would like to see some additional emphasis on. **Commissioner Walters** said I think the low-hanging fruit is trying to take care of abandoned buildings and vacant buildings. I think that would be the thing that we could continue to improve on immediately.

Mayor Alvey said I would say that—I don't know how you choose between one or the other, they have to go hand-in-hand, but I think if our infrastructure fails, it's as if the city itself is blighted. That communicates to homeowners, businesses, and investors that if I build my house here or buy a house here or if I build a business here, I'm not going to be able to be sure that the stormwater is going to be taken care of or if the roads are going to be taken care of. I think if I had to choose, I would go with infrastructure. Again, it's like the house, if you don't take care of your roof, I'm going to get a leak and it's going to cause other damage so I can't buy a new lamp as long as my roof is in bad shape. I think the bottom line, what really will generate growth, it's going to be the infrastructure investment.

Commissioner Johnson said I just want to get clarification. I thought you wanted us to pick a subtopic under both infrastructure and reducing blight. I thought you wanted us to pick one from each. **Ms. Shockey** said I'm asking people to select at least one so if somebody has one they want to add to another one, that's true. I've put a good follow on here, it's going to—I was going to ask Mayor Alvey. So, proper maintenance of infrastructure that's kind of what your emphasis area you think, kind of that basic keep the house well maintained. **Mayor Alvey** said yes. I just draw the analogy if my engine oil light is on, I've got to take care of the oil, otherwise it won't make any difference if I put a new stereo in it. **Ms. Shockey** said, or you could just put a piece of tape over that light like I do and crank your stereo up, but then your car breaks down.

Commissioner Philbrook said I do hear people complaining about codes. Codes on blight, that sort of thing, but when I stop to look at—my imagination goes wild on this because—about infrastructure. I think about everything we do as the city, the UG, to keep our streets safe, help provide the safest community we can, and you know with our infrastructure if we don't have a good infrastructure, then for instance, like a couple other people, why would I buy in that neighborhood if the road looks like heck and the curbs are falling apart and the guy two doors down, his sewer backs up all the time.

The other side of that, the flip side of that is, I really do love what our SOAR community has been doing and everybody in our community working with SOAR. It's kind of all in one for me. I have trouble breaking them out because it is all community and one of it emphasizes more on the individual with SOAR and infrastructure emphasizes more with the UG and our responsibilities to our community. I think it's just two sides of the coin.

Commissioner Markley said I look down our blight list here and although clearly we're not done with anything on this list. I feel we made progress in a lot of areas so redevelopment, renovation; we're doing that through the Opportunity Knocks program. Revitalization in abandoned buildings, we've made progress in our demolition list, huge progress and then again Opportunity Knocks influences that one. Reducing the number of tax delinquent properties, we're obviously doing more tax sales and sending out more notices and collecting more taxes as a result, so we're making progress there.

We could do some work on improving the variety and quality of the housing stock, but Opportunity Knocks, I guess, does address that as well. We've made some changes in the Codes Department that although there are still issues there, I think, are improving the way we're operating. Maintenance of vacant lots; we have funded additional crews to deal with vacant lots. I'm not touching solid waste. We all know where that situation stands but I think the maintenance of infrastructure is an area we have failed to address through the SOAR program, so I feel like that's listed here under our reduce blight. We haven't had the funds to do anything with infrastructure. We haven't placed that as a priority.

Again, none of these are checked off or finished like we never have to worry about them again, but I feel as that is the area of blight reduction that we have not been handling and so then I look over at the other end of our chart here on improve infrastructure. I'm like that's it, that's

the priority and it's a priority that is also lumped under that reduce blight column, but I think it's something we have to address both to our blight reduction goals and as its own separate goal. I do think there's a lot of things listed under improving infrastructure here, but I think we have to start with maintenance, and I think we need new infrastructure in a lot of places. We have infrastructure needs all over our community, but I think at the very least, we have to begin with how do we maintain the infrastructure that we have and that discussion of do we continue to maintain the same set of infrastructure or are there changes that need to be made in what we're maintaining. That's how I see it.

Commissioner Bynum said I'm with Commissioner Markley. I'm choosing under reduce blight, maintenance of existing infrastructures, sidewalks, curbs, and alley's and etc.

Commissioner Ramirez said I think Commissioner Markley said it perfectly. We made strides and progress to reduce blight, but infrastructure is something that since I've been on the Commission I've noticed we know it's there, but we've kind of put it in somewhat of a backburner, but not really on the backburner. We know we all had the same special session, I believe, last week on the state of our infrastructure and it's not good and we have to take those steps forward or, as Jeff Fisher said, we're years from—a couple years—several years from now we're not going to be good. All of these goals that we have on this paper aren't going to matter if we don't have the infrastructure to support it.

I think to provide for proper maintenance of existing infrastructure and for new infrastructure as well is what we need to prioritize.

Commissioner Kane said when you go towards the tail end, pretty much a lot of it is said, but I want to piggyback on a couple of them. One, tax collection. We hired a group a couple years ago and they did a really good job, and we need to continue to do that. The blight reduction, you know, in my mind you need to fix what's up on top to beautify it and then work on the bottom so you can attract more people which would help pay for the infrastructure that's below the streets and the curbs and stuff like that.

You could take either one of these or mold them together and try to do it right. This year with the pandemic and everything, I think the blight reduction and the tax collection is low-lying

fruit and I'm sure we all ought to improve infrastructure, but we've got to work with what we've got and adjust to that.

Ms. Shockey said, Commissioner Johnson, what do you think about what you heard and kind of reflect back and anything else you want to add on infrastructure.

Commissioner Johnson said I think you know, again, what we're dealing with, with regards to these two, I think, in some regards is the chicken and the egg in trying to identify which one is which. My personal opinion is that you have to figure out ways to continue to bring in revenues to be able to afford to improve infrastructure.

I like what we talk about here, the integrated management of capital improvements – asset management. I think that's what Jeff is trying to do and what Doug is trying to do, what we're trying to get accomplished in our Public Works Department to make sure that we understand that there are multiple aspects to our infrastructure and how they impact one versus the other which also includes our networks and our internet capacities across Wyandotte County. I think that is something we have invested in and we want to continue to invest in to make sure that all departments are moving strategically forward in a way that when we do something that affects, for instance, sewers that we think about how that impacts our sidewalks and vice-versa as we are digging up ground for laying cable, how that impacts other areas of our infrastructure. So, again, I think just in making that investment, that goes back to the whole communication piece to make sure that we're talking amongst ourselves and thinking on the same sheet of music as it relates to how we move forward with regards to our overall infrastructure demands which are far greater than what our budgets allow for right now.

Ms. Shockey asked, anyone else have anything to add on these sub areas? **Mr. Bach** said you haven't called on Commissioner Burroughs yet. **Ms. Shockey** said I'm sorry I keep missing you Commissioner Burroughs.

Commissioner Burroughs said that's okay. I'm all about the code enforcement. I would like to see—I know we've made improvements, but I truly believe that if we had a code enforcement with some real teeth and investment in it, the value of our community would get in itself would become

a value because there is a humanistic side of that, has value in it when people take pride in not only their home, but their neighborhood, but their community as a whole.

I do like under the infrastructure the life cycling to provide and maintain at a strategic cost so that we don't have to continue to invest and then reinvest and then reinvest again. When we have to reinvest over and over we don't have a chance to continue to move our community forward. All we're doing is maintaining. I like the proposal that I had stated earlier on when we talked about infrastructure and building for the Unified Government is that we set-aside dollars to maintain those buildings and it be included in the additional costs because one way or the other it is going to cost us down the road. If we've seen anything demonstrated over the years, it is we do not maintain well. I believe there is a way to look at asset management. I truly believe that a stronger code enforcement, more active code enforcement strategically earmarked to help enhance communities and neighborhoods brings that humanistic commitment for ownership in our community and into the asset management of our infrastructure.

Ms. Shockey said how about you, Doug, anything you want to ask or follow-up question or any thoughts about the conversation here? **Mr. Bach** said I would say, I mean from my perspective, what I'm hearing is right in line with what I would have probably ranked as top priorities. It would have been the infrastructure and the reduce blight as my one and two as they've fallen into it. We're the only ones that are going to improve the infrastructure. If we don't do it, no one else is and when I hear the comments about when you make things look better, it rubs off on other people, I agree with that. If we're not doing a good job taking care of our streets or our buildings, it doesn't make people think they should necessarily do that which I think is a direct thing over to the blight side of the equation. So, maintaining the infrastructure, from my perspective, is one of the number one things.

It seems like I continue to hear from the elected when we talk about different issues going on in the community and it's what you hear from the community when they're talking about things that we should be doing.

Ms. Shockey said I think this is really a good kind of indication here of what your budget process is like every year. It's not just about departments and how the resources get allocated, but really you're focused on these areas in your goals. There are these subheadings underneath that, so if

you want to invest more in one area, there's oftentimes a trade-off that you need to realize and identify.

I'm going to leave this up here for a few minutes and the last thing on this part of it I want you to take a look at all of the items that are subheadings under the major goal headings and where would you like to spend less effort in the next year. What items in terms of these that you think, you know, we don't need to probably put as much resources in and then tell me what you think the long-term consequences or benefits of that approach would be, so this is going to be a lot harder probably than picking the one you want to spend more money in. Let's take a few minutes to think about that.

Everyone who is participating, you can play at home with this game and decide which one that you might think and share it with your coworkers. You're probably going to have to go through this process during the budget.

We're trying to kind of think about the trade-offs here in terms of we emphasize one area more than the other, what are some of the long-term consequences. We'll start up here in the right-hand corner this time with Commissioner Walters.

Commissioner Walters said I'm sorry. Am I supposed to find one in each of these categories?

Ms. Shockey said just one. Just pick one that you think—**Commissioner Walters** said oh, just one category. **Ms. Shockey** said if you have more though, you can share more. **Commissioner Walters** said one of the things that I noticed in the increase safety and perception of safety category, builds an informed, engaged, and educated community that shares in the responsibility for its safety and well-being. I'm not even sure I know what that means, so that's the one I would pick in that particular column. **Ms. Shockey** said I don't know for certain, but Doug, do you want to address this, but it's probably like kind of your Neighborhood Watch and kind of Community Policing approaches where you're partnering with community organizations and individuals to help prevent crime, that kind of thing.

Mr. Bach said it kind of crosses over to that area making sure that people understand what the efforts are in law enforcement, I think, is what was intended here. So, it's those outreach efforts we have when we talk about what are the activities of the police coming into a certain area, why we do things the way we do, and then making sure people understand that kind of relationship

and then their feedback back to us about how they think we should be engaging in the neighborhoods or businesses.

Ms. Shockey said thoughts about that Commissioner Walters. **Commissioner Walters** said I think that's important and if we could leverage public safety by having an engaged public, I think that's good. I just didn't quite key in on having the residents being responsible for their own safety, I guess, is kind of the way I was reading that. That didn't sit well with me.

I don't see another one that I want to pick on as something that we should de-emphasize.

Commissioner Ramirez said the line is very, very tough. I wouldn't per se say we not focus—**Ms. Shockey** said I think he is frozen. Is anyone else getting that sense? Here he comes back. **Commissioner Ramirez** said I would say not so much that we not focus on it, but maybe look at other community organizations and leverage them to help with it to foster the community that helps families meet the health, security, nutritional, and developmental needs of their children. We have many community organizations out there that do these types of things every single day and so maybe as a local government reaching out to them and leveraging resources and working together so that it's not all on us, a local government, to fulfill these needs. It's more of let's work together and leverage resources on both our sides. That would be mine. Like I said, this one was very tough. **Ms. Shockey** said sure, all important things for our strong, vibrant community.

Commissioner Bynum said I'm not really able to pick one to say take it off the plate by virtue of the hard work we face, something is going to fall to the bottom. I don't want to start by placing it there. I guess I'm not objecting to your request, but we all know that something is going to get short-shifted. **Ms. Shockey** said right. So maybe the better word would be de-emphasize or not as many resources go this year to a certain area to kind of help strengthen those other areas. **Commissioner Bynum** said I think that's a fact that that will happen. I think we've identified some priorities which means that through the budget work some of the others are going to fall to the bottom. I can't say which of these to not prioritize. I'm just not able.

Commissioner Burroughs said I'm looking at the economic development and some of my concerns have been that—and it's really kind of listed here, I think we're awful generous in the incentives we offer to developers and businesses that only want to bring substandard projects to

Wyandotte County rather than be less than what I would consider first-class amenities but have an opportunity to utilize the Unified Government incentive packages. So, I would have to say—I'm trying to find the one that absolutely ties to that, but I really don't see it except for maybe manage growth through well-planned development. Maybe that's it because it's one thing to create jobs, it's another thing to create jobs that provide a stable workforce and a sustainable economy for our community.

I just don't believe you throw incentives at businesses that want to pay little, right at minimum wage, or a wage that does not support what we as a community deserve. That's quality housing, additional infrastructure needs, and I really believe at times we may be shortchanging ourselves because no sooner do those incentives go away, they're re-incentivized again somewhere else, and I just think we're very generous in our incentives. So, I would say under economic development, manage growth through well-planned development.

Commissioner Markley said, obviously, all of these are important and that's why this is a tough question, but honestly, I think Sheila already helped us answer this question because there is one column here that got no dots and that's not because—nobody wants to say it out loud because it's an area that's so dear to all of our hearts, but the reality is when we laid out our priorities here, community cohesion got no dots and it's not because it isn't a priority. If it weren't a priority, it wouldn't be laid out on this chart at all, but when we're facing infrastructure needs that we're facing, it wasn't the highest priority. As far as I'm concerned we already answered the question by putting no dots in that column and that's the area that is going to get less budget money this year in order to make the infrastructure happen.

Commissioner Philbrook said thank you Commissioner Markley. Yes, you're right, a lot of us didn't want to say that. There is going to be a lot of community interest in the changes that we propose in taking care of infrastructure, so things will fall by the wayside and in place because of the stress of doing this.

Something I do want to mention and that has been going on, that maybe the UG doesn't have to put as much money behind, but we have emphasized it through our CHIP Program and the community college and the high schools and all of them working together to enforce workforce readiness. That's the second one under the economic prosperity part. Not that we de-emphasize

it, but that we talk about it, but we let the people that are already working on this do their job and they are doing a wonderful job. **Commissioner Markley** said I have to say I do always love Jane's emphasis on spending other people's money. **Commissioner Philbrook** said there are federal funds, state funds, all kind of funds to help with this and we have the colleges. Donnelly and community college and all of our schools trying to figure out how to do this best, so I think we could watch and emphasize with our communications but let them do their job.

Ms. Shockey said, Commissioner Philbrook, you were also talking earlier today about the pride and the accomplishments of coming together and that cohesion of the community around the infrastructure projects, so maybe these areas are a little bit more an approach to how you do business rather than specific dollars associated with it. **Commissioner Philbrook** said right. **Ms. Shockey** said it is kind of a trade-off there. There always need to be somebody that's responsible for making things happen. **Commissioner Philbrook** said we already have people making things happen that are included (inaudible). I'm not suggesting we take money away from them.

Ms. Shockey said what I was thinking was several people talked about kind of putting in place the person that is working with businesses and then communication, so you're kind of already working in that area so maybe that's less emphasis because you've already established— **Commissioner Philbrook** said I would say they've been working on this and they are going full steam ahead on these avenues and have been for over four or five years and it's just better and better and they've learned how to work together. So, this is really a strong group of people and we have our diversity folks in the community also emphasizing this and involved so we have a strong build around that.

Ms. Shockey said, Commissioner Kane, how about you. We're asking to tell us one of these items you would de-emphasize to have more resources available for the other items.

Commissioner Kane said is it okay if I say I don't want to eliminate any of them? **Ms. Shockey** said you're right in line with everyone there. So, emphasize, how about that as the question. **Commissioner Kane** said say that question again please. **Ms. Shockey** said what would say, well maybe we've already got that, maybe we don't need to put an emphasis on it. We don't have to put as much effort into that because we need to put more effort into infrastructure or blight reduction. **Commissioner Kane** said everything on that list was put there for a reason and I

wouldn't want to take any of them off and I wouldn't want to devalue any of them because somebody put them on the list because it was important. As I scroll across there, I don't see anything that I would want to say boom, I think we should take that off.

Mayor Alvey said I agree with Commissioner Kane. These are all important and I think what's important about the discussion is really how do we see all of these things work together because when we looked at these and crafted these and put those together, we really talked about how all these things are part of a fabric and it was part of a wheel. The real issue is going to come when we have to choose specific programs that we're going to fund or not fund if we decide to fund up more infrastructure, if we decide to fund up more blight reduction. There is only so much money and we're going to have to make the choices. That's going to be the hard place to toggle on this.

Ms. Shockey said for sure. This is just a warm-up for after our financial presentation.

Ms. Shockey said, Commissioner Johnson, what do you think? What is your observation about this and thoughts about kind of the trade-offs between emphasizing one or two areas over all the rest or that you would want to de-emphasize a bit?

Commissioner Johnson said I don't want to pick.

Ms. Shockey said the purpose of that conversation really worked well because it is really hard to pick all these things that, as the Mayor said, is very much a fabric. **Commissioner Johnson** said I would say anything that starts with the word foster, move it down. **Ms. Shockey** said okay, I'm with you. **Commissioner Johnson** said budgetwise it doesn't cost us anything. **Ms. Shockey** said that's actually a word banned from our office. You can't foster anything unless it's a child. You've got to do it or not do it.

Ms. Shockey said, Doug, anything you want to say before we go to our break? **Mr. Bach** asked, did you hear from Commissioner McKiernan on this. **Ms. Shockey** said did I miss him again? **Commissioner McKiernan** said you did but I was going to wait. **Ms. Shockey** said go ahead. I'm going to get a list because you guys keep moving. What are your thoughts on this?

Commissioner McKiernan said I think I'm just going to echo what Commissioner Markley has already said. I think we have collectively identified by lack of votes in the increase community cohesion column that is the place where we collectively are going to put less emphasis but let's not think about it that way. Let's think about it this way. My vision is if we can accomplish our objectives in all of these other columns, increasing community cohesion comes as a by-product of it. **Ms. Shockey** said you are getting some thumbs up on that one.

Ms. Shockey asked, Doug, anything else you have. **Mr. Bach** said I think that having collectively what you hear the comments and why it's so difficult to go through and figure out where we're going in prioritizing the budget. We put a lot of time into these charts. We come back to it. Over years they maintain out there as priorities and that's why we don't really have things up here that are just ready to throw away, but as we also balance that against to where we're trying to be with our costs, our mill rate, and such like that, figuring out the priority where we need to be and what we can't do or what we should put less money on.

I agree, the thoughts on community cohesion didn't get the priority unfortunately. Infrastructure, if I take a tenth of what I spend on infrastructure toward community cohesion you go a long ways so it's not one for one. It's good to see these are not equally balanced. They're also not one for one in actual costs that makes it happen so you can throw a little bit of money at some areas and it makes a big impact and others take a lot of money to make a small impact. It's a challenging situation to go through.

Ms. Shockey said I believe now we'll take a short break and we'll come back. People can grab something to eat if they would like. We will have Kathleen come back. We'll come back at 6:15 p.m. and she will give us a little bit of a financial overview and then we'll go back into a little bit about some prioritization and strategies for doing that. Then, we will have a good long discussion about trade-offs looking for a realistic cost base. Items, as Doug said, not everything cost the same but we equalize that in terms of one mill. We're going to call that the one mill exercise. We shall have everyone back at 6:15 p.m.

Commissioner Markley said just to confirm, do you want us to sign-off and click the link again because it's on YouTube or do you want us—do you have an answer to that? **Mr. Bach** said I

think you can just hold your picture. If you want to just take off your camera and turn your mute on, you'll be fine if you want to leave the sign-on.

Break until 6:15 p.m.

Ms. Shockey said Kathleen is going to give us the update on finances and then we'll have a conversation about that.

Kathleen VonAchen, Chief Financial Officer, said I want to start off before I start showing the PowerPoint and thank all of you for the hard work you did last year in passing that budget during a very difficult financial time with COVID. You rose to the challenge and all the departments did as well. We're just so pleased by the response we got from the departments when we cut their budgets. It just worked out terrific. Luckily, my sales tax estimates were wrong. None of us really knew what was going to happen but they came in much better than I anticipated and so that really helped our financial picture which is the subject today for the next 15 minutes.

Monday night we did the packet for next Thursday. In it you will find the fourth quarter budget, the actual update for the fourth quarter of 2020 and in there you're going to have more detail. An explanation of what occurred over the entire course of the year with our revenues and with our expenditures, not only for our three General Funds, but all of the other 25 or so funds that we manage as part of the Unified Government. Look for that in your packet and take a close look at it.

As you know, we have a public budget hearing scheduled for March 11th. We have the first budget hearing next Thursday and then the first budget workshop where I'm going to discuss the revenue estimates for 2020 takes place on May 6th so look forward to that.

Now we're going to head into the slides that I prepared.

Financial Picture

2021-2022 Commission Strategic Budget Session

Kathleen VonAchen, CFO

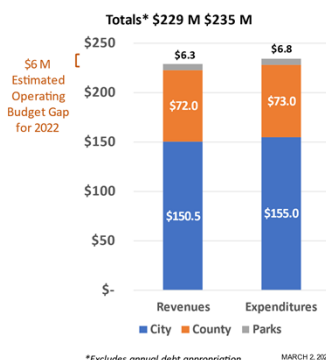
March 4, 2021



I've been asked to talk with you a little bit, for about 15 minutes, and I'm going to stick to it about the budget strategic session. What I've done is basically looked at the entire financial picture from an operating and expenditure side.

General Fund 2022 Operations Context for the Discussion

- Revenue increases assume resumption of pre-COVID economic activity
- Expenditures continues status quo with no service delivery changes and with modest inflationary increases

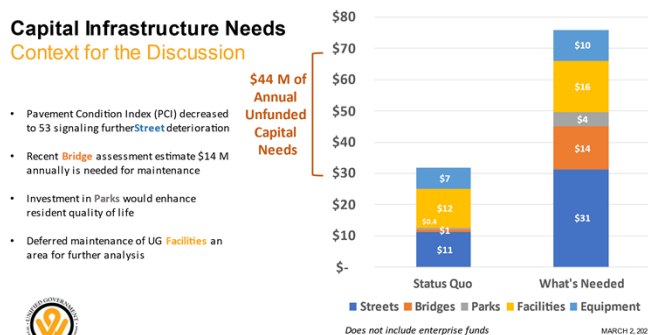


The General Fund in 2022 Operations, this is the preliminary estimate of how I think we're going to end the General Fund entering into the 2022 which starts on January 1, 2022. As you know the General Fund has three funds, City, County and Parks. They are listed here. The City is in blue and the county is in Orange and Parks is in gray. I should have made parks in green, so sorry about that. As you can see the General Fund is much larger and what we are anticipating, given the current economic climate, is that revenues are going to resume to the pre-COVID economic activities level. Given that estimate we are anticipating to collect in the City General Fund \$229M. On the expenditure side, we are assuming the current status quo will continue with no service delivery changes and only a very modest inflationary increase in various categories including personnel. The reason we do kind of moderate status quo is just to gauge where we sit. The total of those three funds totals \$236M.

March 4, 2021

You know we also attempt to have a balanced budget where the revenues and expenditures match each other. Sometimes we have to use resources from our Reserves to get there. This estimate, as I'm showing you right now, shows that there is a gap between the operating revenues and the operating expenditures of about \$6M. This, of course, is before any departmental submissions or any requests from departments. The whole department budget kickoff starts in another two weeks from now and the departments will be submitting their requests over the course of the next six weeks. Of course, there are always more needs than there are resources, so I expect given the department requests this \$6M number may increase and we will have to make some tough decisions about how to balance this budget.

For simplicity's sake, I didn't go into all the other funds we have because those are Special Revenue Funds and we do our best to bring all those expenditures within the revenue limits that we have.



On the Capital Infrastructure Needs, we've had several meetings on this. Public Works has provided you with a lot of information on the capital needs of this organization. Given that information, they have included in their request the additional resource needs as part of all of the money data-driven assessments that they've conducted over the past two years. As a result, the status quo right now spends roughly \$33M a year on capital and this does not include sewer or storm or the Enterprise Fund. It's pretty much just the City and the County and the Dedicated Sales Tax.

This is the breakout of how much we spend in these areas. Right now, roughly \$11M for streets. We spend about \$400K—no, a million dollars on bridges, \$400K a year on parks, about

\$4M on facilities and about \$7M on equipment. Over here, this is what the needs are based on the data-driven assessments that have been conducted recently.

As we mentioned, the Payment Condition Index or the CPI has decreased over the past two years to 53 which signals that there needs to be further—that we’re experiencing further street deterioration. A recent bridge assessment estimated that there is a need for \$14M per year in order to keep up with the maintenance of our many bridges.

Several years ago, there was a Park Master Plan that identified what kind of funding would be required to maintain all of our parks and we’re certainly enhancing our parks quality of life. Lastly, there are deferred maintenance fees in our UG facilities that need further analysis.

Capital Infrastructure Needs Context for the Discussion



Buildings / Facility
Space Assessment



Street
De-Commissioning



Bridge
Closure



Park Lands
Re-Assignment



MARCH 2, 2021

Given that \$45M annual unfunded capital needs gap, we think it’s a daunting number and so we probably need to step back and take a look at our current inventory and see how much of it do we actually proceed with. Should we be doing facilities and space assessments to determine, especially with all the remote working, whether there is a need for all the buildings that we’re currently maintaining.

The same with streets. Are there streets out there that we can decommission and let go. Are there various bridges that are underutilized and can be closed and do our many parks and parklands serve the best needs—you know, best serves the needs of our residents or is there some consolidation that would be more appropriate. Those are lots of tough questions and the things we hope to explore in the coming budget season.



One other thing that I am very much always talking about is priority-based budgeting and this is an initiative that a couple of commissioners asked for over five or six years ago and we have been working little by little on getting that up and running. We have made lots of progress in the past few months. Just as a reminder, last year, last January, we did an overview of the priority-based budgeting with you and from that meeting we concluded that we were to achieve an objective by 2024 to identify \$15M in our current budget that we can reallocate either to new programs or to reallocate for other activity. For instance, street maintenance. In order to identify the \$15M, we concluded that we could free-up a million dollars by examining how we source our current services and \$2.5M through different efficiencies, \$10M in service level reductions or changes, and then \$1.5M in additional fee or other revenues. Those are some targets that we are keeping in mind and doing our best to achieve and so we've already started with a lot of projects that are going to achieve those efficiencies over the past year.

In addition to that, over the past six weeks or so, we have conducted three different workshops with our staff across all the departments. Over 120 people attended these workshops and from those workshops, they're called PBB insight workshops, and what we've done is we've identified a whole slew of insights from the many people that worked collaboratively in groups to identify areas where we can either be more efficient or can look into other ideas for revenue enhancement. It's all culminating next Wednesday when each group will be within the workshop group of 120 people. We will be presenting each group's ideas to Doug and we will be making note of them and doing an inventory of all the possible things we can do to help.

Definitely, PBB is going to be a part of the conversation as we enter into this year's budget season. The other thing is we're doing a multi-year phased approach to our fee revenue

adjustments in order to diminish the impact to residents and be mindful of the economic downtown and hardship that our residents faced during the COVID.

Generally speaking, PBB, you know that objective is to find at least \$15M. We've given ourselves three years to find that \$15M and we're working towards that goal and, hopefully, we'll get there sooner.

That's all I have for my brief presentation and if you have any questions, I'll be here to answer them.

Ms. Shockey asked, do we have any questions of the information that Kathleen has presented so far.

Mayor Alvey said I do have a question on some of those services free-up. What are we talking about there? Is that something, obviously, we'll look at in more detail? But just some sense, 3.3% improvement in that area? **Ms. VonAchen** asked, are you talking about what kind of expenditure increase I put in place. **Mayor Alvey** said no, the previous slide. Bring the previous slide back. **Mr. Bach** said are you talking about the PBB and what kind of ideas you've come up with on it. **Ms. VonAchen** said 5% of the total governmental expenditures. Total governmental expenditures are roughly \$300M across—includes all governmental expenditures. Everything is not enterprise and so 5% of that is about \$15M and so among all that \$300M we're trying to find \$15M and of the \$15M, 10 of it we hope to find through various efficiencies or service level reductions. Service level meaning we would reallocate those monies to other areas of higher priorities based on your direction and based on the strategic goals.

I can't tell you exactly what those are going to be because that's kind of part of the process, but we've scored all the services of the Unified Government and there's over 400 of them and we know what programs scored higher than which ones scored lower. We're probably going to be focusing on those lower priority programs.

Mayor Alvey said the specific budget cuts or reductions, or service reductions have not been identified, just the priorities have and then based upon practice elsewhere you would assume or in other places that has generated that level. **Ms. VonAchen** said yes. There are over 200 cities across the country that have done priority-based budgeting and a good 20-30% of them have identified at least 10% of expenditure reductions. We're only going for five right now.

Commissioner Bynum said I think the first slide where you showed the projected revenue and expenditure for 2022. That's the one. On this slide I know that we're talking about revenue assumes resumption of pre-COVID activity, so on the expenditure side, is the assumption that everything that's currently funded is funded? **Ms. VonAchen** said yes. **Commissioner Bynum** said so the increases would represent things like increased costs, raises, health care, is that—**Ms. VonAchen** said yes, exactly. We have included a modest percentage increase for all UG employees in the 2022 Budget. This is a reminder; we've haven't provided any salary increase in 2021 except for Sheriff and the Police Department and maybe a few other small unions. The 2022 Budget has a modest increase for personnel. It also has some inflationary increases to services and utilities. It includes a good bump in the cash-funded capital projects and equipment and that's because a lot of capital and equipment was postponed from 2021 to 2022 because we were trying to save money with COVID. We believe some of that shift will shift back as we amend the 2021 Budget. **Commissioner Bynum** said I appreciate your explanation. It's important for us to understand the baseline, the starting point that you started with and what you've included in it. **Ms. VonAchen** said that's right. Just a status quo figure, that's what it is.

Commissioner Ramirez said it says our estimated budget gap is \$6M. Now, and maybe you may not be able to answer this because it's a hypothetical. If, let's say, our estimates weren't coming in as they were, what would have that gap looked like? **Ms. VonAchen** said 2020 at least sales tax, it came in the same flat with 2019 and typically sales tax increases at least 2%, so we experienced a loss there and we expect sales tax in '21 to be slower than normal, but in 2022 my thought is that it will jump back up to around the 3 to 4% level, but still off the lower base.

In other words, the revenue estimate, I have in here for this revenue column is pretty conservative and, of course, you want it to be above conservative and, of course, we all hope for the best. If revenues don't come in according to this number and let's say, if that's your question, let's say the number comes in at \$220M, then that loss of \$9M would come from our fund balance. It's like your checking account. You have a certain amount in your checking account and you think you're going to work and get a \$2,000 paycheck at the end of the week, so you pay a bunch of bills, but then the paycheck only comes in at say \$1,800 so that difference comes right out of your checking account balance and that's basically the fund balance. That's what we talk about with fund balance or reserves.

Commissioner Ramirez said thank you for explaining that because I'm trying to show for just those that are watching, yes, a \$6M gap, but it could have been worse but we're doing good and so I'm trying to reiterate that to the people who are watching. Yes, that's a big number but it could have been bigger with what we went through last year.

I want to thank you for your department and all the other departments who worked hard and us as a governing body to make those hard decisions last year to revert money, cut some down, so thank you for all that you guys do and we have a light down the tunnel. It may take a minute to get there but we're getting there.

Commissioner Johnson said, Christian, were you talking about on a historical basis or a projected basis? I just want to make sure that you were getting the answer that you wanted. **Commissioner Ramirez** said a projected basis.

Ms. VonAchen said I would refer you to the November long-range financial forecast that I presented in November or October and that document, it's a 100-page document, that really talks about the projection, what our past and future fund balances are for all of our funds. I can send you the link to that and you can take a look at it.

Commissioner Johnson said I just want to say this. Kathleen, I think this is the right path. I see where you're going with this. I think this is something that our taxpayers have been asking for for a long time. I think this is something that we as commissioners as persons that have been running for office have kind of dabbled around but never really knew how to go about finding redundancies and areas where there could be some efficiencies and so I think the direction you're going is the right one.

I will say to my colleagues, including myself, that we need to stay open-minded, that we just need to stay open-minded as to what this might reveal. I mean the data and the data will reveal to us, I think, the areas where we can make some improvements and I've been talking about big boy/big girl decisions, I think the outcomes of your process, of your evaluation, and your analysis will lead us to those really tough decisions that will ultimately, I think, set us in the right trajectory for years going forward. I just wanted to let you know that I see where you're going.

Ms. Shockey asked, Doug, do you want to wrap it up with something. **Mr. Bach** said no. I was just going to say I don't see any other questions. Mr. Burroughs just put his hand up.

Commissioner Burroughs said I want to follow-up with Commissioner Johnson's comment. We've looked at this budget process now for a year to where we are. Kathleen, do we have a number of dollars and what we've been able to do now in the short amount of time we've worked on it? I mean we've had almost a year. I'm just kind of curious where we are with those numbers to kind of keep us on track. **Ms. VonAchen** said the goal is to achieve \$15M over the next three years. We have our wrap-up workshop with our County Administrator and 120 staff members next Wednesday where all of that will be laid out and presented. We have some preliminary estimates of all the insights that will be presented, but none of it is finalized and the priority-based budgeting process would have continued, it lost some momentum because we got hit with COVID last year and we had a lot more things to do. So, we had to set it aside for a little bit. We're bringing it back and it has a lot of momentum now.

I did want to mention that even though it did take an initial investment with the acquisition of our Human Resources and Finance Enterprise Planning software system but the projection from our business case analysis shows that once it's implemented, we will save \$5M a year in administrative costs. That's definitely going to go a long way towards achieving the \$15M target, so that's one of the many efficiencies that we're putting in place and we're actively working to implement that software and go live by the middle of next year.

Commissioner Burroughs said thank you for that and I do know that this pandemic has really put a challenge on everyone. This is something that this priority-based budgeting, I think, is very beneficial and we do know the cultural change it will cause a bit across the entire Unified Government. I was just kind of curious, even in the most trying of times, where we've been able to identify where we can see some budget shifts. I'll just wait. I appreciate your response, Kathleen.

Ms. VonAchen said as Commissioner Johnson said, what we look from you all is for you to have faith and to trust the process. It's going to be a data-driven process and sometimes it's hard to reexamine programs, but a lot of the conversation will also be about how to provide the same programs more efficiently and for less cost too. It's not just cutting programs, it's also reevaluating

how we provide programs and refocusing some of the objectives, so it's a combination of the two. It's going to take a lot of work for the departments to implement some of these programs or some of these insights. It's a big shift and we have to hear it.

Ms. Shockey asked, any other questions or reflections on what Kathleen presented. (There were none).

The next thing we're going to do is kind of go into a discussion a little bit more specific about prioritization and as Kathleen developed her presentation she shared with us some of the major categories and challenges in terms of infrastructure and some of the operating areas that there has been planning, but maybe additional emphasis might be needed to implement. Also, I took some notes from our conversation earlier, so I'm going to share my screen and kind of show you the next exercise that we're going to do.



Some of the areas, there are kind of big buckets of dollars that we want to get a sense of where you are and your thoughts on that. Our previous discussion was about reducing blight and improving infrastructure.

I have topics listed across these sticky notes here and what I want to do is just kind of walk through each of these and then we can add categories as well but thinking about some of the bigger chunkier areas where investment would be needed, particularly, starting with blight reduction. We can start there which is the goal number one. I'm going to kind of organize these by that.

So, enhancing SOAR, I want to kind of think about this in terms of long-term. What are some of the advantages and disadvantages of maybe increasing our emphasis in this area for 2022?

Let's start out with Commissioner Johnson, some of the advantages and disadvantages. You talked about the tax delinquency program. The advantage there might be to—you're going to be increasing your resources by having some emphasis there. Other thoughts on SOAR and kind of the long-term advantages and disadvantages of further emphasis in that program.

Commissioner Johnson said the words—you know, I'm somewhat of a wordsmith, but the word that kind of came through in some of our other prior discussions was beautification. We want to beautify our city and that beautification will do a lot as it relates to the perception and person's perception drive their decisions. As we continue to beautify our city, doing the best we can with the little money that we have, we have to continue to figure out ways to cobble money to do the basic things in terms of keeping our Land Bank lots cut. Not only cut but keeping them trimmed. The simple stuff, making sure all of our parks are manicured properly. Making sure we're being as aggressive as we possibly can in tearing down properties that are beyond salvageability and doing the best we can and aggressively to make sure that we're getting those other properties that are salvageable into the hands of developers so that they can flip those houses and put them back on the tax rolls. Those are the things that are at stake and if we don't do this, then we're going to continue to be stuck in this, for a lack of a better term, this matrix where we're not making any progress overall. It is imperative that we continue to move forward with SOAR because of the upward trajectory of our community economically is at stake.

Ms. Shockey asked, anybody else have anything to share kind of about some of the advantages or potential disadvantages other than it's costly, all the programs cost money.

Commissioner Markley said I do think that can be sort of the thought that we're making things pretty but there is no financial benefit. That's not the case, we've already seen income from those Opportunity Knocks properties. They're going back on the tax rolls. We're getting tax dollars off of them, we're getting increased tax income from the tax sales and from our tax collection efforts.

We know from studies throughout the country that with improvements we get improvements, so when we're improving a property that we have control over or the properties that developers are taking as part of Opportunity Knocks, they're making changes in the neighborhood. Other people then want to make improvements to their property and then

collectively that's increasing the value of those properties. I think it's a mistake to look at SOAR as just we're making things pretty, but we don't get any money back because it does result in income back to us. It might be a longer path to get there, great, it takes a little longer for us to see those impacts than if we just got a check from somebody, but I think it definitely does have a financial impact and a positive one for us.

Commissioner Kane said we have proof that SOAR works. It's taken a while to get some of our monies back, but when you see the pictures of the changes they have made, then you get the ricochet effect. They fix up that house, the guy next to them fixes up his house, the guy next to them fixes up the house, so it's absolutely something that we need to focus on and continue. If we can get bigger and better at it, then that's another advantage. This program has been very good, it works, and I would not want to not do it. In fact, I would like to do more.

Commissioner Walters said I really don't have anything to add, but I do have a question. We seem to be dwelling a lot on blight and infrastructure. Are we going to talk about the other priorities also or is that the limit of this discussion? **Ms. Shockey** said no, we can talk about other ones. **Commissioner Walters** asked, wasn't economic development kind of an important aspect to most of the commissioners or a lot of the commissioners? **Ms. Shockey** said right. Yes, we can talk about economic development. **Commissioner Walters** said I didn't mean to throw you off course. **Ms. Shockey** said you're totally fine. We kind of have some of those listed out here that we will go through. Yes, we can get on to that.

Commissioner Philbrook said I just quickly wanted to agree with what everybody else has said, but also in the vein of OPM, other people's money, that we've had people that come in and they fix (inaudible) and spend their money to do it and then we profit by having a nicer neighborhood. This really is an excellent program because we're not paying (inaudible) and then we get taxes back on these properties, so this is an excellent program.

Mayor Alvey said I would go with Commissioner Markley and Commissioner Philbrook and Commissioner Kane because if we continue to work on blight remediation, that is an economic development project, to Commissioner Walters thing, and also it will encourage infill

development. If we can show improvements to neighborhoods, then those lots that we have that we're paying to take care of become more attractive for developers and we're already starting to see that. It all works together and to Commissioner Walters point, I look at another item up here. I would like to restore Public Safety staffing. The 24 police officers we did not hire last year was a great loss, frankly, it was the most diverse class that we've had, and we need the staffing.

Commissioner Kane said I want to agree with the Mayor on that. I think we missed a golden opportunity and this ties into what I was talking about earlier, we had a really good diverse group. We just need to take it a step further and hire as many people from Wyandotte County as possible.

Commissioner Bynum said I'm so sorry. Can you reframe all of this for me? **Ms. Shockey** said I'm just kind of taking some of the bigger chunky items in terms of like programs that you have. Some of those are operational programs like Public Safety staffing and some of the cuts that you put in place last year and trying to talk through, do you want to put more money into pavement condition, do you want to put more money into hiring those back or are there other kind of trade-offs. I'm trying to outline, where do you want to spend the money whether it be an increase in the assessed valuation, roll that back and have that go to the property owner. Just trying to figure out the trade-offs policywise that will help the staff to meet their budget process if that makes sense.

So, there's implementing the Parks Master Plan. I've kind of written up the one's you guys talked about in your accomplishments. Maybe it's good for me to go through some of these first. Pavement Condition, trying to improve payment condition or street maintenance. Public Facilities Deferred Maintenance, Kathleen just spoke of that. There was discussion earlier about increasing delinquent tax delinquencies. That is kind of part of your SOAR program. Restoring Public Safety personnel. Implementing the Parks Master Plan. Investing in high-performing recruitment and retention of staff. Continuing Public Health Services, levels to pre-pandemic levels. Enhancing overall service levels in other areas and then kind of continuing with your financial strategy, returning tax assessed valuation growth to the property owner, so that's kind of rolling your mill levy back with the growth. Explore additional funding sources. Another one is the economic development. As you said, one of the things is that kind of your Corridor Program. That's kind of a redevelopment program and other economic development activities.

Just kind of trying to brainstorm again some of these bigger, chunky and get some direction in terms of policies and then we're going to kind of do some trade-offs again, kind of what we just did but with real life elements that our one mill buys this type of thing: firetrucks, police stations, that kind of thing.

Commissioner Bynum said back to Kathleen's presentation, with the 2022 revenue projection, I have to believe that projection includes the increased valuation. I'm sure it does. **Ms. Shockey** said I believe that's right. Kathleen, you're accounting for the assessed valuation going up. **Commissioner Bynum** said and that contains a \$6M budget gap. **Ms. Shockey** said so the question can be too, are there areas that we kind of tried to go through, are there areas where we want to make up that gap or are there areas that you want to invest additional resources in or do you need additional revenue sources. What are your thoughts Commissioner Bynum? You're kind of going in the direction I'm thinking. Let's talk about the overall way to address this.

Commissioner Bynum said I guess we are going to hone in on what the priorities really are because we are starting with a \$6M budget gap and so that conversation becomes which of these do we want to do less of. **Ms. Shockey** said or which do you want to do more of and less of the other. **Commissioner Bynum** said I guess I'm not trying to guide us toward that. I'm very willing to be open to other strategic ways to look at this, but I think that's where I'm struggling a little bit, frankly. For example, to have an option being return increase valuation to the property owner and we started with a slide that if we have a \$6M gap out of the gate, it seems a little difficult. **Ms. Shockey** said right, so this would be difficult because of the lack of revenue available in the gap. **Commissioner Bynum** said that is where I would love to start is mill levy reductions but, obviously, this may not be the time and I may be way ahead of the game. **Ms. Shockey** said nope, that's the conversation we're trying to have. How do we want to handle this, the gap, and then where do we want to prioritize resources? **Commissioner Bynum** said alright. I appreciate it. **Ms. Shockey** said so you're saying it would be difficult to kind of do that this year. **Commissioner Bynum** said it looks like it right this minute.

Mayor Alvey said I'm just going to follow-up with Commissioner Bynum and to Commissioner Walters. What we know is working is the blight remediation and the houses are being rehabbed. We actually have competition for the houses that come into the rehab program. There's actually a little bit of bidding war going on, that's a great sign. I think we're going to start seeing more

interest—we're already starting to see more interest in vacant lots and to bring some development at scale. So, it's one of those things where with limited resources we want to keep that engine going and how do we keep that economic development of the older part of town going and the SOAR program is helping with that and Opportunity Knocks, those kinds of things.

I know, obviously, the condition of our roads, we can't put that off much longer. I would like to see what are those things we absolutely have to do this year or they are just going to get even more expensive and take us down. But to really start thinking about what are the things we do in services that we can do in low-lying fruit that's going to generate the most return on investment. Okay, bike trails are great. Is that really going to drive investment and ultimately I would love to see more bike trails, but let's not put the money there right now. We've got to take care of the roads and I'm all for walkability and bikeability, but with limited resources what's going to generate return on investment for us.

Ms. Shockey said maybe go to Commissioner Walters. In terms of economic development we were talking kind of infill and SOAR in the existing area or the already developed areas. Are there other economic development opportunities that would benefit the community to put more emphasis on in 2022?

Commissioner Walters said one thing that occurs to me is we still have thousands of vacant lots that we own. I understand it's an infill house on a block that has a vacant lot is good. I would like us to take a more—or consider taking a more aggressive approach and do entire blocks or neighborhood redevelopments rather than individual lots. It will take us decades to get rid of thousands of vacant lots, so I would like us to at least think about doing something on a little bit grander scale and maybe it's a public/private partnership of some kind with a developer who would like to get involved in our community in a partnering type of way and build neighborhoods rather than focus solely on infill houses.

Obviously, there is tremendous redevelopment or new development going in the western part of the county. We should, you know, continue to do that, but if there are some things holding us back, we should identify those. I happen to represent a district that's adjacent to Shawnee and Shawnee is building thousands of apartments and thousands of individual houses and we're not, so why not? I don't think we can sit around here as a Board of Commissioners and figure that out.

We've got to go to the marketplace and have someone tell us why we're not having apartments built in Wyandotte County and why we're not having very many single-family homes built. It would be great to get the population of this county up in my opinion. It's essentially where it was 50 years ago. Those are some of the things that cross my mind.

Ms. Shockey asked, other thoughts on economic development, either redevelopment or new development. One of the other categories was kind of corridor reinvestment. Maybe that would spur some conversation and I'm going to go to Commissioner Burroughs.

Commissioner Burroughs said I appreciate Commissioner Walters bringing this forward. I couldn't have stated it much better than what he did. That is absolutely the truth in being bold in our development for reinventing our neighborhoods. We now have an aggressive young urban planner that is on our staff now and I would encourage us to encourage them to look at how we build our communities to enhance some of the things we talked about, walkability, streetscape, opportunities to slow traffic down so that people can have access to transportation whether it be by bike, car, or bus or whatever to enjoy those areas. We've worked hard and spent a tremendous amount of human capital and resources in these master plans and the only time we really seem to address these master plans is when we have a big development come in. But when the big developments come in, we don't continue to look at the health aspect of that and the walkability and/or the connectivity to help the public and community that encourages our small businesses to be prosperous, to encourage those that are in our apartment complexes to have the opportunity to gather in a common area.

I agree 100% with Commissioner Walters that we need to be bold in that and we have an opportunity. Many communities don't. We have a municipal utility that we should be partnering with to make that possible. I believe that we have a unique opportunity in Wyandotte County with all of the diversity and ethnicities we have, there is not a reason why we can't do something in each specific district and give those that want to come in—I'm going to go back to Commissioner Philbrook and others to talk about building our economy on other people's dollar. If we have a Northeast special area, an Armourdale special area, a Central Avenue special area, we've got the Legends; if we put our investments in pockets of our community, people will want to be led to those areas for participation whether it be homeownership, business opportunity and/or just to be

part of the community. I agree 100% and if we were going to offer economic incentives, I believe that if we looked at offering economic incentives to homeowners and/or small businessowners and/or entrepreneurs that wanted to come in and be part of those investments, that would be a great return on investment.

Commissioner McKiernan said one other thing that I think we should at least consider with economic development is, we talk about millions of dollars of economic development in our community. Those are dollars that don't come to us in our General Funds, they bring amenities, they may bring jobs, they definitely bring benefits, but every new development, and I apologize to those of you who have heard this more than once, every new development puts a stress on our infrastructure, our personnel infrastructure to provide services to that new development, and our physical infrastructure around and leading to that development. I think if there is any way that we can still get development but increase the amount of money to the General Fund that we realize from that development, then we can start chipping away at these things like infrastructure improvement that cost millions of dollars out of our General Fund to do.

I would encourage us all to think about how we structure our economic incentives and to think about ways in which we can still get the development, still get the amenities, still get the jobs, and yet still realize some income into our General Fund that we can then spend right back on the development and the area around it.

Ms. Shockey asked, does anybody else have anything before I go back to the question at hand, the \$6M gap.

Commissioner Johnson said I'll just add—I was trying to be quiet. This speaks to the Mayor's point and the things that Jim has said and others, we have to build up these neighborhoods that are immediately adjacent to downtown. Without those neighborhoods being completely infilled, we will not be successful in building up our overall downtown and eastern corridor. We will not be able to take advantage of the opportunities that the rivers bring that we have not yet tapped into. We have economic vehicle called the Kaw River that we are just now starting to think about as an economic engine and so we need the eastern neighborhoods, particularly the ones that are adjacent to downtown, to be as strong as possible and that means infrastructure, that means everything that

we've talked about, all properties need to be infilled. That is the only way that we're going to see a strong downtown and be able to take advantage of the landscape that's already there. I just wanted to make sure that I add that bit of seasoning in there and now I'll be quiet.

Commissioner Walters said if I could add, I agree with you Harold and I think the advantage of going big is if you could rebuild an entire street of houses, maybe you could replace the sewer and the street while you're at it as part of that project whereas if you just build a single house, they're not going to replace the street, they are not going to replace the sewer and all that. I agree that the whole idea is to increase our economic situation so I'm not suggesting that we're doing this just for fun. **Commissioner Johnson** said I fully agree.

Ms. Shockey asked, what about this \$6M deficient. I know in the past you've talked about kind of the importance of rolling back the tax levy over the past several years. Thoughts about that in terms of, is this the right year for that?

Commissioner Walters said I guess my first question is I'm kind of inferring from some of the comments made by Kathleen that we have a fairly substantial surplus from 2020 based on having sales tax revenue greatly in excess of anticipation. Before we start talking about what we have to cut, I guess, I would like to see the full picture. What did our 2020 look like, do we have a surplus? If we have a surplus, what are we going to do with that? Do we reduce debt, do we cut the mill levy, do we just put it in our Reserves, that kind of thing? I think we've got to address that before we start figuring out any kind of \$6M gap for 2022.

Commissioner Johnson said the \$6M gap is what Kathleen is supposed to show us. She is CFO for peak sake. She can't show us that we're going to have a \$6M surplus and so we know that our goal is to meet the gap. I'm not worried about the \$6M gap right now. I know what our priorities are. I think we need to stick with our priorities. I think at the end of the day we're going to find the efficiencies. I think the priority-based budgeting is going to help us. I think we just need to let that play out. It will manifest itself as we go through the process. I don't think we need to get ourselves up in an uproar about—I think there's an opportunity. If there's not an opportunity for us to lower the mill levy, then we just hold tight for right now. I don't think we need to increase

it, but I don't think we have all of the story in. Jim brought up the point, we don't have the whole story yet to start trying to jump ahead of the wagon there.

Commissioner Kane said I agree with both of them, \$6M is a lot, but it's too early to even think about what we're going to do. This is our first budget talk and we will make adjustments to fill that gap but in our first budget meeting, I don't want to say it's ridiculous to look at it, but I don't look at my budget at home knowing I'm a little short right now. I'm going to try to plan to fill that gap and right now there's a gap, so give us a little bit of time to think about that gap and see the adjustments that we will make for that gap.

Ms. VonAchen said I just wanted to answer that question. As the report that you're going to be getting as part of the Commission packet on Monday, the fourth quarter report shows that the General Fund used \$1.7M in Reserves at the end of 2020. We ended the year with a total Reserve balance that on a percentage basis is pretty much—you know, a little smaller but pretty much level with what we came into the year with except for about \$1.7M. We're still at the 20% of the total expenditures in transfer reserve percentage which is greater than our two-month minimum target reserve. The two-month minimum target reserve is 16 or 17% and we're at 20%. As you know, this past year it was a good thing we had that reserve because you never know what's going to happen with pandemics or floods. It's good to know we have some money set-aside for emergencies. It did eat into our Reserves a little bit by \$1.7M last year, revenues minus expenditures.

Mayor Alvey said the question I have for you, Kathleen, we get these budget documents or the information next Monday, will this be sufficient for us to be able to make the kinds of determinations about where we might go with these things. I know what we're trying to do is, we're trying to give direction to the County Administrator and to the budget team to single out all of the programs and the agencies to say this is what you've got to work with, this is what the Commission—the direction the Commission has given. So, those hard choices—we don't want to come to the end of the budget process and the last week say after we've done all that work say, guess what, now we're going to do a one mill decrease or we're going to do a one mill increase, whatever it might be. We need to give the direction now so their budget efforts are well placed.

Ms. VonAchen said let me put it this way. That \$6M gap, if you do a one mill decrease, that \$6M gap will be a \$7.2M gap. **Mayor Alvey** said we understand that. The question I have is, we've been asked to prioritize what we would do, where would we cut if we've got a \$6M deficit but you're saying, in fact, we did not have a surplus from last year, we're still down \$1.7M and where we're going to be in 2022 is still down in revenue so there are cuts and we're being asked to decide where those cuts need to be. **Ms. VonAchen** said yes, that's right, we're asking for some direction on what would be palpable or items that—well, basically we're asking where are your highest priorities so that we know those are the ones that we want to protect and preserve and nourish. **Mayor Alvey** said to Commissioner Kane's point, when we get this new information on Monday, that's when we start—we can really give the direction because it seems like we're talking a little bit about generalities right now.

Commissioner Johnson asked, Kathleen, when will we get the outcome from the priority-based budgeting discussion with the different departments? **Ms. VonAchen** said we have scheduled in the beginning of May a presentation from our consultant and my budget team on the results of the priority-based budgeting process. I can tell you exactly the date if you give my two seconds. **Commissioner Johnson** said while you're looking that up, for me personally, I want that information before I make any decisions. Maybe timeline wise that's not feasible, but I sure would like to know how that report came out before I'd give any direction. That's just my own opinion.

Ms. VonAchen said with Doug's permission, I mean I would make the suggestion that we could provide information ahead of the times for you to have plenty of time to review and look at it and then the presentation that we are going to have with you would be more meaningful and needy because you would have the information to really discuss in more detail. **Commissioner Johnson** said the sooner we get that, the more I think I would be equipped to lend that information.

Commissioner Philbrook said I agree with you Harold and I'm jumping in because I had my hand up for a while, but I don't think we're paying any attention to the hands right now. **Ms. VonAchen** said that PBB meeting is May 20th, but we can get that beforehand, absolutely.

Commissioner Philbrook said, Harold, I agree with you. We need that information to know what the people that are running and doing all the work in the city see where we can hone things—on things and so we need that information, the nuts and bolts, to make the decision on—

well, to make it as part of the decision on where we're going to be going with that because if we can save several million there, we can reroute some of that to some of the other. Until we know that, I don't think we have enough information to make that an (inaudible) and tell you right now off the top of my head I don't want to change the mill levy either way. Sorry, I'll just tell you that right now.

Commissioner Johnson said come on in Tom. Nobody else is waiting until they get acknowledged. **Ms. Shockey** said I can't see anyone's hands up, so I'm not sure—are you guys putting them up with your actual hand or are you putting up your little thing? I can't see it but go ahead Commissioner Burroughs.

Commissioner Burroughs said I'm just trying to be respectful. The opportunity here to make a decision this evening goes right back to what was the questions that were asked earlier, what are those potential savings that we've had through the PBB aspect. I'm really pleased to see the Commission—you know we as commissioners are looking at the data versus just taking an attempt to direct staff on how to budget when we don't have accurate numbers. It's been very gratifying this evening to hear the commitment that each and everyone one of us have in moving our community forward. I will state this, you all are more senior than me on the Commission. You've served here for a while so I can only imagine how excited you are in reference to the projects that are moving forward and seeing some movement, some accomplishment.

I will state in the three years I've been here there's never been one budget that we've ever had a time to spend anything. It's always been that we don't have any money and here we are three months out and we're \$6M in the hole and like in every year the budget comes forward and we're putting money in Reserves. I don't know what's—you know I don't know how to phrase this, but I would really like to see more accurate data like some of you have asked this evening so that we can help guide staff in the direction we need to move. It is very difficult for me, as a commissioner, as a resident of Wyandotte County knowing how much my valuation has shot up and knowing how much my taxes have gone up that we still don't have a dime in the budget to address some of the concerns that we've had this evening.

I really do sincerely respect the request to have the PBB results in—I would like to know the amount of money that's coming forward due to valuation and I would hope that valuation is

not going to increase to cover that shortfall by a matter of having to cover that shortfall. I hope that we're being fair and equitable across the community in reference to valuations because that can really have a negative impact on how our residents feel about how we are going about our budgeting process. I would just like to say I would like that data. I think we deserve to be able to make—be prudent in how we make our decisions moving forward.

Ms. Shockey said I think we have Commissioner Ramirez—**Commissioner Markley** said wait, do I ever get to go? **Ms. Shockey** said I'm sorry. I can't see your hands up because I'm on different screens so I'll let you go first.

Commissioner Markley said I was after Commissioner Walters about 10 minutes ago but then we kind of went off in other directions. One of the squares that you had up on that chart was about deferred maintenance, but I'm going to deferred maintenance of our own facilities. Everybody on here has heard me say it before, I think we need to look at whether we need the same number of facilities. I think this COVID year has proven that we can perform a lot of our operations without as many facilities and I know I came here on the Commission from a time when I was told we couldn't register vacant properties and make them pay money which we now do. Then, we couldn't take properties with houses into the Land Bank which we now do, so I know it sounds like a super crazy idea to say the government doesn't need a bunch of buildings because cities have traditionally always had all these government facilities but I think it's something that we can do that would have minimal impact on our taxpayers. They get the same services, they just get them virtually and it could be a huge savings for us and not just a short-term savings, but a long-term savings.

If we sell off some of those buildings, we get immediate income on top of the long-term savings, so I really think it's critical that we look at it. I think we need to, if we're not already having those conversations in the background, we need to start having them because if we want to make an impact in the upcoming budget, we've got to start deciding what our facility situation might look like and what we would do with those facilities we're no longer using. I think it's an opportunity missed if we don't look at it. Obviously, there will be some people that will say I wanted to go to that building right down the street from me and now if I actually want to go to a building, I have to go downtown or I have to do it virtually. Is that an inconvenience, yes, but is

that inconvenience for some residents, how does that weigh against the huge cost savings and to me there's just no competition. So, I hope we're looking at that and I think it's a way for that long-term savings that we're looking for and just to be more efficient. You've heard it before, I just had to say it again.

Ms. Shockey said what I'm hearing is one kind of takeaway from this is the idea of trying to reduce your deferred maintenance costs either through that preventative maintenance of your streets so that you don't get your payment index low and also looking at the number of facilities you have and how you can reduce, so that can be kind of a takeaway in terms of budget direction. Do we have agreement on that? Maybe raise your physical hand because I cannot see the ones that you were raising. Yeah, there you go, so that sounds like kind of a good direction and then let's go with Commissioner Ramirez.

Commissioner Ramirez said I'm going to fall with my fellow colleagues who believe in making decisions like this without the fuller picture. It's hard for us. You know we may not be able to get the full picture, but let us get as close as we can before we start making big decisions like this. You know, this is taxpayer money and we can't—you know a lot of this is what we think or what we hope will be. Hope doesn't pay bills, hope doesn't give money. We need to do this with some percentage of certainty so that we know we're making a good decision and the best decision for our community so I think it's just we need that PBB data so that we can have this conversation again and have a real thorough conversation about what needs to change and what efficiencies we can find.

Ms. Shockey said the other kind of comment then is just to look for efficiencies through PBB to reduce costs and align in a higher level of priorities which tonight you really did set in terms of some of the waiting for the PBB a little higher goals in two areas, so that should help the PBB process.

Commissioner Johnson said the other night ED&F got a presentation from our Treasury Department. Rick Mikesic brought the point—brought up that because of COVID our in-person payments had obviously gone down but our ACH payments in terms of the way that we're

receiving payments skyrocketed and there are efficiencies in that. From a cash management perspective there were two things. One, we're seeing an increase in electronic payments coming in through Treasury. Two, they transferred to a lockbox arrangement, which again from a cash management standpoint, is going to be much more efficient in that you don't have staff handling the mail or the payments coming in. It's coming in through a bank. There are efficiencies as it relates to cost as well as it relates to getting the money, getting monies in quicker that I think are going to pay big dividends in our Treasury Department.

This is really more of a comment maybe to Kathleen and to Doug, I don't know if we have situations like that or inefficiencies like that in other areas across the UG that we could look at in the same way in terms of the way that we receive monies in. The less hands that we have touching those dollars and the more electronically those dollars come in, obviously, there are cost savings that are realized as a result of that and we get that money in faster as well.

Again, when I heard Rick say that I was just starting to think, well geez, are there other areas that we could realize the same kind of efficiencies across the UG. So, I just want to make sure that's out there because if there are, we really need to take a good look at the way that we're receiving monies in.

Ms. Shockey asked, anything else on kind of the general information that you are wanting to receive. It sounds like just kind of get the full financial picture early on. I'm hearing people say that one of the high priorities is to reduce deferred maintenance costs and try to figure out a way to maybe shed assets or be more proactive in terms of maintenance to reduce long-term costs. I'm also hearing the idea behind trying to target your resources to those higher priority goal areas through the PBB process. Other thoughts that folks are—and then looking for just general efficiencies pre-COVID and post-COVID I think is going to be completely different how everyone does business. So, other thoughts on that? Anything you have on that, Doug, that you want to kind of share or thoughts on the budget process?

Mr. Bach said sure, well I mean a lot of thoughts here coming out tonight. I mean the overall objectives tonight was really to figure out what priorities, as I said, as we go back to departments and I recognize commissioners don't want to make final decisions until you know where the final numbers are. What we do know is our year-over-year projections are ones that don't quite cover

what our projected expenditures are, so that's the kind of priority I look at. If we had year-end revenues that were excess, that would be great and we could use those toward funding up infrastructure and things like that but you have to focus those toward one-time type things, not toward the ongoing.

As Kathleen pointed out, she's put in some modest inflationary increases into building our budget and that still leaves us at a shortfall. We can wait and hold on our priorities until my departments have finished submitting everything they have and I'll go through and work on it and build things back, but having your input early on is what you've always asked for and what I've been able to get for many years. I think we're pretty good about that through the start of this, but that is really where we end up. I don't get the full picture on this until we're deep into the year, but it's not going to swing a whole bunch.

Some of the initiatives you're talking about, I mean, PBB, we'll implement some of those things. The bigger parts of those will start to impact our budget probably in '23 and '24. You know they're not things you usually come out with unless there's some sudden decision that we're going to quit doing this and then I've got to have that as a non-priority type thing to take from this and say those are things we can pull back out.

Some of the items you guys have mentioned, yeah, I've had direction out to my staff since last year to be looking at who all needs to be coming back into the building all the time. I mean, what are some changes and it's a—there is a cultural change to that because even though people have liked working from home, it's kind of a natural thing to start flowing back in and how does that change that there's some—there's some spaces. I mean I'll look at the building, the Community Corrections moved down into our new Juvenile Facility. I've wanted to move completely out of that building for some time. The largest issue I have over there is probably the big courtrooms that are in place and where do we go to because those are the biggest courtrooms in that system as to how they go, but that's an underutilized building that was costly to use beforehand and now it's even more so. If we could completely move away from something like that and that's a directive we're trying to work on to figure things like that out as well as other space.

You know, we've been doing electronic payments. We've moved to those programs a couple years ago. That was an initiative we started, we saw the stuff that came out some time ago, we went to the ability to start getting stuff on our phones. Those are things that Alan Howze was

pushing hard through our system for a while so some of these are some of the later ones that are coming into it, so we're trying to find those efficiencies all the time. I guess I'm ahead, that is always the number one thing back out to my staff, is where can we develop efficiencies, where can we work through. There can be things that come up but there's not some magic thing that's going to pull up and we're going to all at once have a solution for a whole bunch of things.

Kathleen throws out that \$5M number on our new enterprise resource system and that number scares the heck out of me because—throwing that out in advance, but I guess as Commissioner Johnson said, it's the CFO's job to be cautious about her number and if she's given me that number, then maybe we'll achieve double that, you know, to get to but that's going to be years down the road.

I just really have to understand from you all when I look at it and say—you know early on and I know we make other changes, but are we investing in the infrastructure that was a top priority or am I cutting the mill rate. If I'm cutting the mill rate, I'm not investing in infrastructure and I'm not giving employees any kind of increases. I mean I just gotta—that's what I'm going after and I have to understand those kind of things at the top of it and then we start breaking it down and we'll get down into a couple million. Remember, I start up here at working how am I dealing with \$400M and at the end we'll be negotiating and talking about how we're dealing with the last couple and you'll have all the details for the time you hit that stuff.

Commissioner Johnson asked, can I respond to you real quick. I just want to make sure I kind of get understanding. Kathleen had mentioned something about a 5% reduction that she thinks that we can use as our guide with the PBB. Did I get that understanding correctly? **Ms. VonAchen** said yes. It is 5% across all the governmental funds and all the governmental funds total about \$300M. **Commissioner Johnson** asked, what does that 5% equate to in terms of dollars. **Ms. VonAchen** said \$15M. **Commissioner Johnson** said so that's kind of where I'm kind of touching base with Doug in terms of wanting the—**Ms. VonAchen** said it's the whole governmental funds, all the governmental funds, not just General Funds. **Commissioner Johnson** said right, I understand that piece, but it still does help, you know, I think to kind of hone in on what direction we need to go.

I think that, and this is just for me and I'm not speaking for anybody else, I for one say until I know more information, I'm not going to be talking about trying to cut any more mill rates.

I can tell you that right now. Again, that's a whole other conversation for the rest of the Commission to weigh in on. As for me, I think that we need to see where we are with regards to that piece right there. I think that helps, at least, this person kind of hone in, in terms of what direction I give and then we can kind of figure out from there whether or not we are even in a position to even think about lowering a mill rate. I know there are others who feel differently about that, but I just wanted to kind of get that out in connection with what you were saying.

Commissioner Bynum said I'm going to make some statements that are kind of in the form of questions just to confirm that what I'm saying is correct. I'll start with the fact that a week ago we had a special session with Public Works where we all saw the glaring funding gap between what's needed and what's funded. I think tonight, if we haven't done anything else, we've certainly all agreed that infrastructure is a critical area and that we would like to prioritize it perhaps higher than in another area. What I got to thinking about as a result of that conversation was the valuation, and we all know that the housing market is absolutely on fire, and so we know that valuations are up and I think we even have a notion of the percentage by how much so folks are going to get their property valuations in a couple of weeks and they will see what their new valuations are and they will be higher than last year more than likely. What it had me thinking was, obviously, that results in an increase in revenue if you hold the line on the mill levy rate, but the valuation is higher, then more money is raised.

Those are the questions I had been asking with the concept in mind that we take that increase in valuation, which I will stop and reiterate is done by our County Appraiser's Office and not by us, and we dedicate that whatever that increase is, everything else holds the line and the increase in revenue that the direct result of the increase in valuation is all dedicated to the Public Works and infrastructure needs that we saw last week. Tonight we are seeing that that's a really nice idea but, no, it's not going to work that way.

I guess I would still say I'm in support of—if it can't be that simple, then I'm still certainly supportive of finding ways to maintain Public Works and infrastructure as a high priority as we move forward. Mayor, that's all I wanted to say.

Mayor Alvey said I just wanted to clarify, Commissioner Johnson, I think that when Kathleen—the 5% efficiency that's going to come through priority-based budgeting is based upon experience

of other municipalities that have used—the 200 or so municipalities that have already done that. This is projected and that's not going to be realized fully until '23 or '24. It's not going to be there this year, correct Kathleen? **Ms. VonAchen** said yes because it'll take a while to implement these efficiencies. These other cities often go for 10% actually, so it's the first—that's pretty conservative. **Mayor Alvey** said that's even better news.

I would just echo what Commissioner Bynum said. I think that when we do see a realization we want the economic growth because it generates more revenues which allows us to invest that in our community quality of life. I'm convinced when people see a return on their investments or their tax dollars, that drives more development, that drives more investment on their own. I will often tell residents well yes your valuations did go up; we've had plenty of the opposite. We've had decades of our valuations going down which meant you could not borrow money against your house in order to provide improvements which created the blight which just created that cycle of poverty. To come out of that we have to realize some gains from our increase in valuation which is determined by the market. You know it's by statute. They have to be within 10% above or below the market value. What the market is saying is we can't drive those valuations, but if we do see increases in valuation across the city, that money, I would agree with Commissioner Bynum, needs to be invested to take care of the things that we put off for so long.

Ms. Shockey asked, do we have good consensus just in terms of—I know it's a little bit hypothetical, but the idea of if the evaluation comes back or the valuation comes back higher and you can make up the gaps, you want to try to invest that in your highest priority which tonight we discussed was infrastructure whether it's neighborhoods or infrastructure for economic development or maintenance, it's kind of that's your main area that you're looking at. I'm getting some head nods. Is that—nope, I'm getting Commissioner Walters.

Commissioner Walters said I think it's too early for us to make those kinds of decisions. The way I look at it is if the evaluation is significantly more than the cost of living, then we should be thinking about a mill levy reduction. I know that people—it's funny when you get on this side of the table people don't think of a tax increase quite the same way the people who talk to me think of this tax increase. People see their taxes go up and they don't really equate it to the benefit of the county and all this just the same way we do. If somebody's property goes up 10%, that's a

10% increase in their taxes or if it's 5% and if the cost of living goes up 2%, which, you know, we should take that into account.

My starting point is if the tax revenue from property taxes exceeds the cost of living, then we need to at least think about that and to see that as a good thing because the revenue is going up is the opposite of the way that most of my constituents think of it. It's too early to either eliminate or to say anything about where the mill levy should be. We need information.

Ms. Shockey said I think what we are hearing tonight though is kind of the, not necessarily, the priority for the assessed—or the increase in the AV or that—you're not really saying that yet. It's just the direction of the group is that infrastructure and the idea of deferred maintenance and long-term costs associated with assets is something that you want to look more closely at as a way to reduce your long-term issues and that 2022 you may not realize a lot of cost savings but you want to get some more information to balance that budget and think through those options.

Commissioner Burroughs said the most difficult part is that we're so passionate about what we care about for our community individually as leaders of this community and it's that point of finding consensus. The best way to find consensus is to work collectively off of the accurate data, the latest data we have in reference to the amount of revenue we have available to address these things. I mean I want to see a strong infrastructure and a new infrastructure in our community just as much as my colleagues; however, I do know that there are other needs in the community that many of us are passionate about. I have listened intently to the wants and the needs and the wishes of the Commission and I want nothing more than to be able to provide an avenue to do that, to partner in doing that, but I truly believe the only way to do that is to work off of accurate data.

My concern, and Jim hit right on it, if we're going to continue to take the revenue that comes in from increased valuations and we still have no money to address anything, that earlier we heard there was 20% in our Reserves and we were only supposed to be a 16, then that tells me we're 4% over on the Reserves and that's not a bad thing; however, we were so conservative in our numbers and I'm pleased that we came in over those projections. I mean, we're not in dire straits here. We have been fortunate to have a staff that has collectively communicated and worked with the commissioners to set forth an action plan to allow us to pay down debt, to look how we're

going to invest in our capital improvements and address the other issues that we have as a governing body.

I guess my comment would be patience. I have to comment how excited everyone was when we put the restrooms in our parks due to the additional dollars that we got from the federal government. You know some communities would have just dismissed that as, hey, we got four new restroom facilities. We were excited about it. That tells the good will that comes from those dollars that will transfer into the community are much larger than just the fiscal impact it has. It's the investment into a park system that allows our community and the members that use those parks to see us doing something and utilizing those dollars in a manner that addressed some of the concerns we've had collectively as a body over the years in reference to our parks.

Those are just some examples but I stand ready to assist in any way that I possibly can. I would just ask that we be patient and work off accurate data when it comes to the financial aspect that we're going to be dealing with moving forward. With that, thank you for the opportunity to state what I had to say.

Commissioner Johnson said I just want to be clear; it was not just infrastructure. I wanted to make sure we were talking about blight reduction and infrastructure as the two items. Am I correct? **Ms. Shockey** said yes, that's right. **Commissioner Johnson** said it was infrastructure and blight reduction as well so we have those two items. **Ms. Shockey** said yes.

Commissioner Bynum said I just have a really technical question again for my understanding of how we get to the numbers in the first place. Going back to the valuations, the valuations that will come out are the '21 valuations and those are the ones we will use to build the '22 budget and do those valuations include buildings, houses, projects that existed on January 1 of this year? **Mr. Bach** said yes. It includes all of our property on January 1. **Commissioner Bynum** said okay, so to that, things that aren't done yet aren't included. **Mr. Bach** said correct. Anything that was—right, okay, it's a house that was half built, it's not going to get a 50% valuation. It's going to be usually far less than that and the same thing for a commercial building because unless they're complete, they're less in value. **Commissioner Bynum** said I think that's a really important component to the general understanding because we did have amazing economic production in 2020 with lots of economic growth; however, interestingly enough for the purposes of the

discussion we're having, most of those items do not factor in yet to this conversation we're having about the 2022 budget. **Mr. Bach** said you are right on there. Some of them—well, all of them are either under construction, some don't even start construction yet, they were happening through the course of the year.

The other factor that will come in, and these will be things you'll look at in the long-range type of plan, but things such as our IRBs and our TIFs, you know, those were decisions that were made a few years ago and now they're not that many years away to when they start to come back in. So when you start to tie that revenue stream to expenses, you can look at it and say do we invest more here or do we want to tie that revenue stream to mill rate reduction as you move forward. We'll be bringing that information too, but that's more of your long-range planning as you come into as opposed to—we're not seeing a huge impact for '22 yet, but they're not—in '24 we start to see some stuff coming on.

Ms. Shockey said so kind of focusing on the long-term when you're trying to make decisions on the 2022 I think is what I'm hearing people say is just—got to think about the long-term effects but have the data for 2022 at hand.

Other comments or thoughts?

Mayor Alvey said I think it's a good time to end. **Ms. Shockey** said yes we have two minutes. Do you want to close for us? **Mayor Alvey** said great work everybody. We got a lot more to do. Thank you. We'll get the data and we will move forward.

Mr. Bach said I have to say, Mayor, we have a lot of workshops. In April and May there's a lot of things coming in. There'll be a lot of times to come together. We have a lot of Thursday nights together coming up between now and then.

Ms. Shockey said thank you everyone for participating tonight. One of the hardest things is to prioritize things that are all good and things that need to be done, so you did accomplish that tonight and that will be helpful to the staff as you move forward.

**MAYOR ALVEY ADJOURNED
THE MEETING AT 7:58 p.m.**

Brett Deichler
Interim Unified Government Clerk

dt

March 4, 2021

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

SPECIAL SESSION, THURSDAY, MARCH 11, 2021

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in Special Session, Thursday, March 11, 2021, with ten members present online and in the 5th floor conference room. Bynum, Commissioner At-Large First District; Burroughs, Commissioner At-Large Second District; Townsend, Commissioner First District; Ramirez, Commissioner Third District (arrived at 5:25 p.m.); Johnson, Commissioner Fourth District; Kane, Commissioner Fifth District; Markley, Commissioner Sixth District; Walters, Commissioner Seventh District; Philbrook, Commissioner Eighth District; and Alvey, Mayor/CEO presiding. McKiernan, Commissioner Second District; was absent. The following officials were also in attendance: Doug Bach, County Administrator; Bridgette Cobbins, Interim Assistant County Administrator; Alan Howze, Assistant County Administrator; Brett Deichler, Interim Unified Government Clerk; Angela Lawson, Deputy Chief Counsel; Juliann VanLiew, Director of the Health Department; Dr. Allen Greiner, Local Health Officer; Dr. Erin Corriveau, KU Medical Center/Deputy Health Officer; and Elizabeth Groenweghe, Chief Epidemiologist.

MAYOR ALVEY said before I call the meeting to order, I want to announce that due to COVID-19, individuals are attending remotely and on-site. All participants joining by phone should mute their phones when not speaking to avoid background noise. During the meeting, please make sure that you announce yourself by name and title every time you speak so that the public participating knows who is speaking. This is critical given the number of remote participants in his current guidance from the Kansas Attorney General.

MAYOR ALVEY called the meeting to order.

ROLL CALL: Walters, Philbrook, Bynum, Burroughs, Townsend, Johnson, Kane, Markley, Alvey.

NOTICE OF SPECIAL SESSION of the Unified Government of Wyandotte County/Kansas City, Kansas, to be held Thursday, March 11, 2021, at 5:00 p.m. by way of Zoom for a COVID

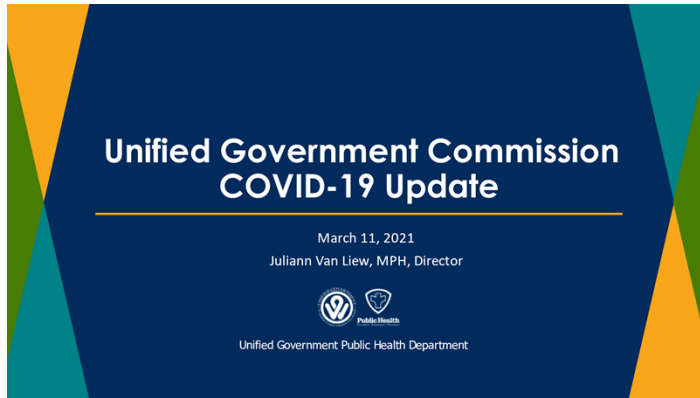
Update. Immediately following will be an Executive Session regarding labor in the 5th floor conference room.

Due to COVID-19 the public will be able to observe or listen to the meeting live on YouTube or UGTV or through Zoom.

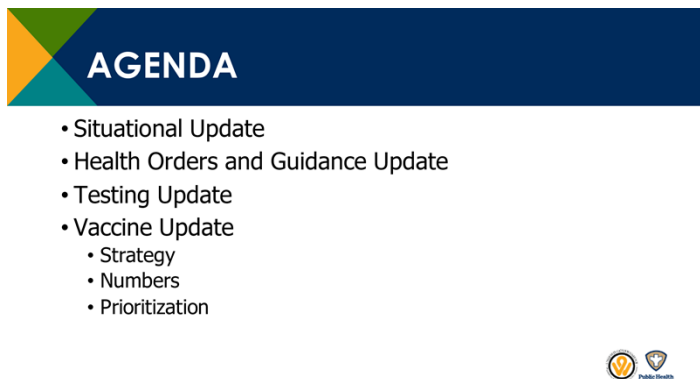
CONSENT TO MEETING of the governing body of Wyandotte County/Kansas City, Kansas, accepting service of the foregoing notice, waiving all and any irregularities in such service and in such notice, and consent and agree that we, the governing body, shall meet at the time and place therein specified and for the purpose therein stated.

Mayor Alvey said tonight we have a COVID-19 Vaccination update. I'll turn it over to Mr. Bach to introduce staff.

Doug Bach, County Administrator, said tonight we want to go through and give you an update of where we are with COVID-19 and our vaccination efforts. I will state, in starting this, there is much out there about the American Rescue Fund. This is not an update about that. We are still just getting the bill and starting to sift through the 500-600 pages worth of information that's in that bill to figure out just how that will work, how it will apply. We do know we're going to get a nice allocation that comes back to us that we can spend over, it looks like, a couple years to come into it. There are a lot of restrictions to it so we're getting a full understanding of that, so tonight is not about that. We are here to hear from our Health Department team on one of our updates as to where we are. With that, I'm going to turn this over to Juliann VanLiew and the Health Department team.



Juliann VanLiew, Director of the Health Department, said tonight with me I have Dr. Allen Greiner and Dr. Erin Corriveau, our Health Officers, as well as Elizabeth Groenweghe, our Chief Epidemiologist. We are going to go ahead and swing to Dr. Greiner for our situational update.



We are going to go ahead and swing to Dr. Greiner for our situational update.



Case Numbers

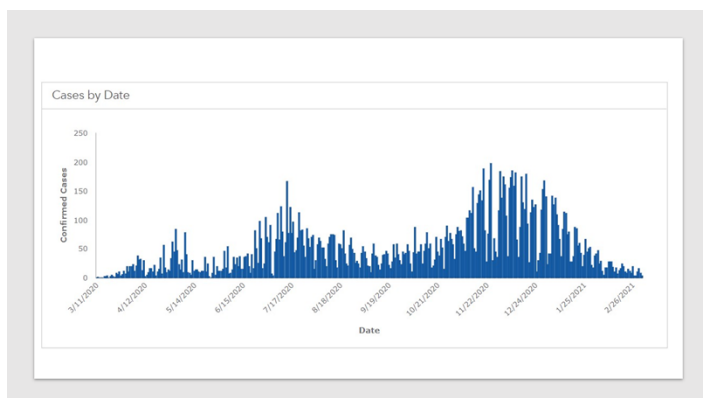
- One year ago today (March 11, 2020) first Wyandotte County COVID case and death
- Since then...
 - 17,800 confirmed cases and 1,500 probable cases
 - 278 Wyandotte County resident deaths
 - Approximately 11% of Wyandotte County residents have tested positive for COVID in the last year
- 7 Day rolling averages continue to trend down
 - ~13 cases/day
 - ~10% positivity



Dr. Allen Greiner, Local Health Officer, said we've got what I think is good news. We are seeing light at the end of the tunnel. We're going to tell you a story about that. We're all nervous that there could still be bumps and problems and we know our community is still vulnerable. As many of you know, things are really looking good. It's been a year. Maybe many of you will remember this day, a year ago, and it's been dramatic, 365 days in a roll now, ever since then. We had, you know, over 11% of the county test positive so almost 18,000 confirmed cases and probably another 1,500 that are probable cases. Of course, there has probably been a lot more that we didn't get tested out there.

I think one of the things we can be really proud of is the death number stalled. As things began to improve in terms of therapeutics as well as I think overall change in people's behavior, we really slowed that down in the last five to six months, so we've only had 278 deaths. Like I said, 11% positive approximately.

The rolling daily average is really the thing that is encouraging. We're down to 13 cases a day on a 7-day rolling average which is a number that I don't think we've seen in 10 months or so. We've gotten the positivity rate—it's dipped below 10, but just being down to 10 is really comforting and I think an important milestone to us because we were in the 20s and 30s, as you all know for months and months and months in terms of our test positivity rate. We know we have to push that down further.



The state positivity rate is down to about 3 right now, which is really great and I would like to see us get there in the coming weeks as well.

This just shows you the trajectory of the pandemic over the last year and you really get a sense of the spikes we saw and how much improvement we've seen here recently. There are people that worry a little bit about a fourth wave or a fourth spike or even a plateau that causes problems but we're going to keep fighting to push vaccine.

I think that's it for me. I'm going to turn it over to Dr. Corriveau. She's going to talk about new orders and then we will get into vaccines and other things.

Health Order Modifications

- Schools
 - Masks required
 - Allow 3 feet social distancing, elementary "pods", 4 classroom changes for middle/high schoolers
- Sports
 - Masks required if players do not test
 - Option to play/practice without mask if testing weekly and opposing team tests within 72 hours of play
- Band/Choir
 - Masks (instruments and/or people) required
 - Over 6 feet social distancing required
 - Outdoors preferred

Dr. Erin Corriveau, KU Medical Center/Deputy Health Officer, said I just want to discuss a couple changes in the health orders that have come out. Actually, today, we released a new school order. Our goal is to get more and more kids back into the classrooms so we've continued to work very hard with our superintendents and school leaderships as well as school nurses to make these changes.

We're still going to be requiring masks at all times during school. We are going to allow Middle and High Schoolers; however, in the classroom with just 3-feet of social distancing, so that is a change from the 6-feet that we have laid out in orders prior to this.

Our elementary students are allowed to sit together at the same table. That is including 4 or 5 kids at the same table. We're calling that pods and they're remaining in the same classroom, but for our Middle and High Schoolers we're allowing them to make four different class changes during the day and I think our school leadership is pretty happy with that.

In terms of sports play, not too long ago we released a fairly new sports order that gave those schools and organizations options in terms of mask wearing during sports play. One option would be to wear masks during practice and play. If the players are not regularly testing for COVID-19, we recommend that as best practice.

However, an option that we've given to schools is to test players on a weekly basis and then within 72 hours of playing a team from outside of the county. If we adhere to those testing regulations, we're allowing people to take—students and players to take masks off just during practice and play. We expect them to be masked during sidelines and in the locker rooms and such.

Band and choir we think poses a larger risk. Virus spreads and aerosol ice particles and so we're asking that masking that place even over the instruments if that is possible and over the folks who are singing as well. We think that is still important as well as keeping an extra measure of distance so we're keeping with our 6-feet of social distance there, but prior to this, we weren't recommending any band or choir happen so I think that's sort of a new modification in our orders.

Health Orders in place

- Masks
 - No plans to relax mask orders
 - Virus variants and low percentage of the population vaccinated at this time make it unsafe to unmask in public.
- Social Distancing
 - No plans to relax social distancing guidelines
 - Important to remain vigilant and avoid those outside your immediate household, especially when you do not know their vaccine status.



We don't have any plans right now to relax our mask orders. We just have a very low percentage of our county at this point and time who have been fully vaccinated, so we think that this is the best practice. Don't look for that to go away any time soon. As far as social distancing we still believe that's the best guidance especially for folks, of course, who are not in your household or people that are not in your pandemic bubble as we've been calling it up to now.



- Fully vaccinated =
 - ≥2 weeks after 2nd dose in a 2 -dose series (Pfizer or Moderna)
 - ≥2 weeks after single -dose vaccine (Johnson & Johnson)
- Fully vaccinated people can:
 - Visit with other fully vaccinated people indoors without wearing masks or physical distancing
 - Visit with unvaccinated people from a single household who are at low risk for severe COVID -19 disease indoors without wearing masks or physical distancing
 - Refrain from quarantine and testing following a known exposure if asymptomatic



I do want to point out a couple of changes that have come through the CDC recently that are important. First of all, I want to point out again the definition of someone who is fully vaccinated is two weeks past either the second dose of their Pfizer or Moderna vaccine or two weeks past their single Johnson & Johnson vaccine.

Once someone is fully vaccinated, the CDC put out a communication stating that it's okay to visit with other fully vaccinated people indoors without wearing a mask or social distancing. We want to say that, yeah, that makes sense, but still be careful. The reason is that we know that these vaccines are really effective at protecting us, you know, you from getting COVID and getting really bad symptoms from COVID, but we're still really learning a lot about how vaccines affect the spread of COVID-19. We're wondering at this point in time, and there's ongoing research that vaccinated people can still spread the virus, and so if you're going back to a household or a bubble of people who you know are not fully vaccinated, even if you are, we want to urge caution and still say, hey, mask wearing makes a lot of sense. We've got variants now circulating in our community and so we still need to take an extra measure of precaution until, I think, a larger percentage of our county and population have gotten fully vaccinated.

Now, I'm going to, I believe, swing to Elizabeth Groenweghe, our Chief Epidemiologist.



- Testing widely available in Wyandotte County
- Two vaccination sites distributing CRL saliva tests
 - Central Wyco – 78th & State (former K-Mart)
 - Western Wyco – Legends area (former Best Buy)
- Working with schools to offer expanded saliva testing
- Also continue to partner with other agencies such as Vibrant Health to offer testing



Elizabeth Groenweghe, Chief Epidemiologist, said I wanted to give a brief update on testing in Wyandotte County. One of the real successes is how widely available testing is in Wyandotte County now. I'm sure a lot of us remember at the beginning of the pandemic how difficult it was to get tested for COVID. You would have to find a place to go and there would be long waits and the turnaround time could be days or even weeks and now the testing situation in Wyandotte County is much better and testing is really very widely available for Wyandotte County residents.

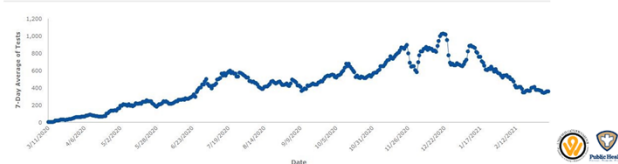
Two of our vaccination sites are distributing CRL saliva test kits now. The K-Mart location and the Best Buy location. We're also working with all of our school districts to offer expanded saliva testing in the schools, both for kids and staff that might have symptoms of COVID, as well as doing regular asymptomatic testing for students, athletes, band, and choir students to really have a better handle on COVID within our schools.

We do also continue to partner with other agencies, like Vibrant Health, to offer testing on a pop-up basis and really make sure that testing is available quickly and easily for anyone in Wyandotte County that wants to get tested.

Testing Update

- Testing numbers continue to drop significantly
- Consistent level of community testing necessary to determine community spread and mitigate transmission

7-Day Average of Tests Conducted in Wyandotte County



Unfortunately, we are starting to see in the last month or two that testing numbers in Wyandotte County continue to drop significantly. I think as people's focus shifts more towards vaccination, testing is less on people's mind, but testing is still very important and we really need to see a consistent level of community testing so that we can accurately assess how much community spread is going on in the county and put any mitigation measures into place like contact tracing and quarantine and things like that to help continue to see those COVID numbers go now.

We really are continuing to encourage people to get tested. We are incentivizing some of our testing events through food distribution and trying to make it as accessible as possible because testing is still really important at this point in the pandemic.

I'm going to turn it back over now to Juliann.

Vaccine Update

Ms. VanLiew said we will start diving now into our vaccine update.

Vaccine Strategy

- Three sites operational:
 - Central Wyco – 78th & State (former K-Mart)
 - Western Wyco – Legends area (former Best Buy)
 - Eastern Wyco – National Guard Armory
- Safety net providers
 - Swope Health
 - Vibrant Health



Just a little bit of a high level reminder of the various arms of our vaccine strategy. The first, of course, is that our three mass vaccination sites are all up and running which is fabulous. Our National Guard Armory site just launched a couple of days ago on Tuesday of this week with some great success. We have started providing weekly allocations to two of our safety net providers in Wyandotte County, Swope Health and Vibrant Health. They are working with us to vaccinate their high-risk 65 and older population and that is going well.

We do plan in coming weeks to expand the number of clinics that we're providing weekly allocations to so that this becomes more and more available in people's doctor offices as we move through this spring and summer.

Vaccine Strategy

- Pharmacies (chosen at federal level)
 - Medicine Shoppe: 6524 Parallel Pkwy
 - Hen House: 8120 Parallel Pkwy
 - Price Chopper: 7600 State Ave
- Deploy vaccination drop teams
- Homebound vaccines



Also, a reminder that there is a federal pharmacy program. These three pharmacies we've listed here on the screen: the Medicine Shoppe on Parallel, Hen House on Parallel and the Price Chopper on State. Those three were all chosen at the federal level. We want to make sure people know we at the Health Department didn't choose those locations as the pharmacies to receive the vaccine and neither did the state. They were chosen at the federal level and they are getting—it seems to be infrequent allocations so it's a little bit hit or miss on whether or not they have vaccine in stock

but we want to let folks know that is an additional option outside of the Health Department vaccine work for them to potentially go online and find appointments through those pharmacies as well.

Fourthly, we are deploying our vaccination drop teams, frequently, several days a week now. We only have one vaccination drop team. As of today we are working on building a couple of other vaccination drop teams because the demand is really high. Right now we're not able to provide that team to businesses who want it, to churches, and to a number of community partners who would love us to come on-site to do vaccines.

Our goal is to get there towards the end of the spring where we could receive a request from a community partner, get something on the calendar and get back out within a couple of weeks, but right now, that team really has to focus on our congregate care facilities. Today they spent the entire day in the jail and vaccinated over 150 folks there which, of course, is a very high-risk setting, so they have to be focused on those sites where people literally can't get to us. We are very hopeful about what that vaccination drop team project will look like in coming months.

Lastly, we have had a number of weeks of successful homebound vaccines so that's a great option for folks who are bedbound or homebound and cannot get to us for health reasons. We've had a great success with our partnership with KCK EMS so we think them for their work with us and we just really had rave reviews from people who never thought they would be able to get access to the vaccine for a really long time. I'm happy about how that project is going.

Vaccine Supply

- ~3,500 Pfizer per week right now
- Special allocations received recently:
 - Meatpacking industry: 1,200
 - On-site vaccines (J&J): 1,200



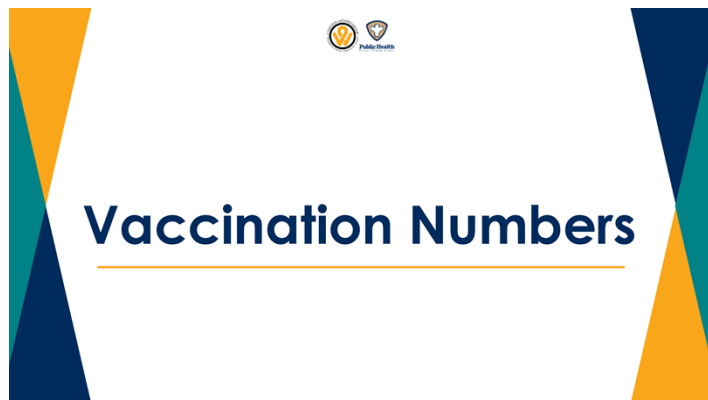
In terms of supply, we are averaging about 3,500 doses of Pfizer per week coming in from the state. I was worried that was going to be a one-time bump a couple weeks ago, but it has maintained, it has been steady for the last three weeks at this number and it's what we anticipate

receiving again next week. Having that be steady is very helpful in terms of scheduling and in terms of anticipating what the coming week will look like.

We have also received a couple of special allocations in the last couple of weeks. One is because we have a number of meatpacking folks in our community who are at a special high-risk. We have vaccinated a lot of those folks and we've also vaccinated a lot of our residents who work in meatpacking companies outside of Wyandotte County as well, so kind of a two-prong approach there. We continue to try to find these individuals, again, because of their high-risk status and a lot of those workers are within our refugee population so we are doing a number of special events for those folks and we will be doing some of our Latin population as well, again, trying to make sure those places of employment are safe for people.

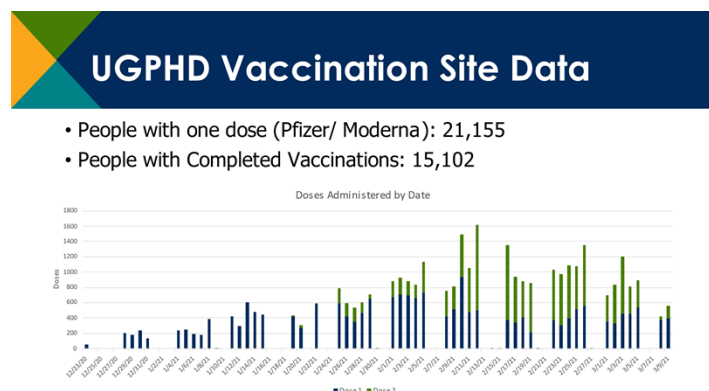
Lastly, we did receive last week an allocation of Johnson & Johnson vaccine which is fantastic. I was very surprised with how early we received an allocation of Johnson & Johnson given it was just approved the week before last. The Johnson & Johnson really makes our ability to go on-site much, much easier. For example, I mentioned today we went to the jail and did those vaccines. We don't have to go back and do a second dose because we were doing Johnson & Johnson in these sorts of locations. Those Johnson & Johnson vaccines, we want to let people know will not be available at our three mass vaccination sites because we need them to take on the road again because not going back a second time means that second day we can deploy that drop team somewhere else so it really increases the capacity of our drop team by virtue of being able to use the one dose vaccine in those locations.

We will not be receiving another batch of Johnson & Johnson next week, but we anticipate the week after next we hear that the state will be receiving a large allotment of Johnson & Johnson and we should receive a pretty decent allotment again week after next for more of our drop team sites.



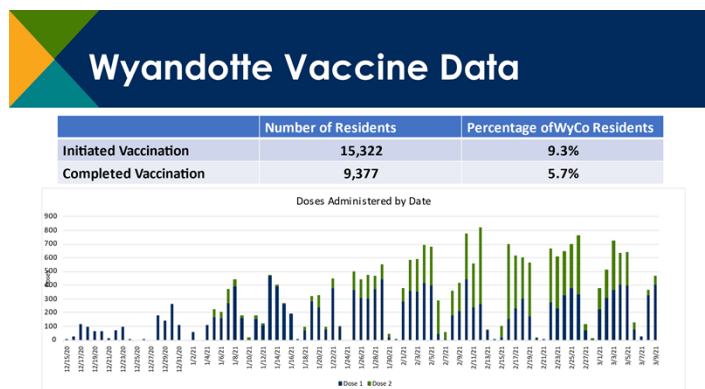
Vaccination Numbers

I'm going to pass it back to Elizabeth here for a few slides on how many folks we have vaccinated.



Ms. Groenweghe said I'm going to present to you all two distinctively different sets of data that we're tracking at the Health Department. I want to make sure people understand these are two different data sets. The first is people that have been vaccinated by the Unified Government Public Health Department at one of our vaccination sites. These people, some of them are Wyandotte County residents and then some of them are people that work in Wyandotte County. As you may recall, the earlier phases focused a lot on healthcare workers, teachers, and other essential workers that might not live in Wyandotte County but got vaccinated by the UG Public Health Department.

At our vaccination site we have administered about 21,000 first doses and about 15,000 second doses are completed vaccinations. This graph here just kind of shows the timeline of first and second doses.

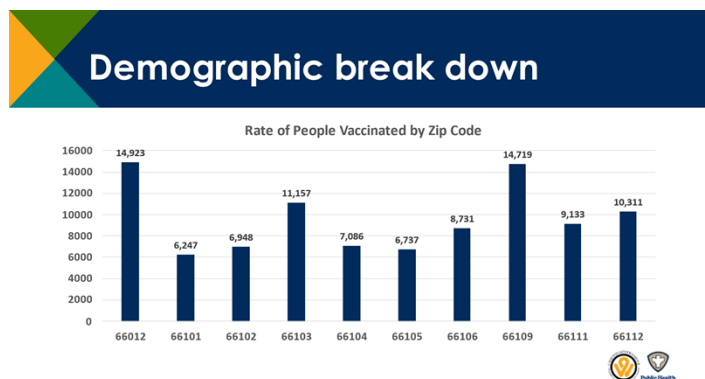


The second set of numbers is Wyandotte County residents that have been vaccinated and they may have been vaccinated by us at one of our vaccination place or they may have been vaccinated in the county where they work or at a hospital or a pharmacy or other places that are administering vaccines. These numbers are people that live in Wyandotte County, so we have about 9.3% of Wyandotte County residents that have gotten a first dose of vaccine and 5.7% of Wyandotte County residents that are considered completely vaccinated which is two doses of Pfizer or Moderna or one dose of Johnson & Johnson.

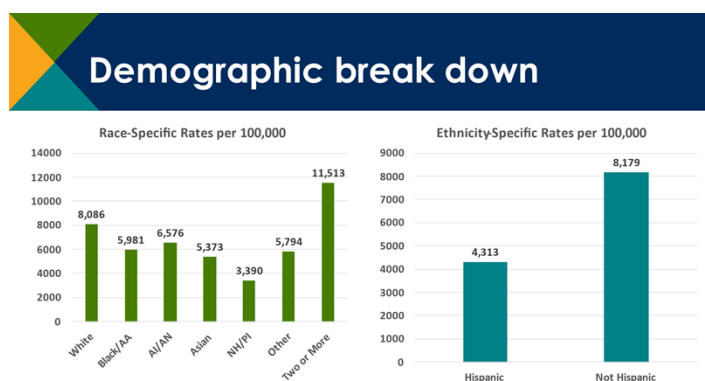
This timeline shows that we are starting to pick-up steam here with our vaccine administration in Wyandotte County. You notice that there are some dips in the chart and those are weekends and so we're hoping that we will also be expanding to operate more on weekends and continue to get more doses out to the residents of Wyandotte County.

Ms. VanLiew said I did want to jump in here, Elizabeth, and note one thing and to reassure folks that we are really honing in on our residents. As we're vaccinating, for example, our 65 and older population right now, that is exclusively offered to Wyandotte County residents. I expect to see these percentages jump substantially within the next two weeks as we really chip away at our senior population and when we move into other sectors of the economy as well, we will likely be providing those just to Wyandotte County residents rather than anyone who lives or works here because we really do need to get this into the arms of the people who live here.

Ms. Groenweghe said the next couple of slides are some demographic break downs of Wyandotte County residents that have been vaccinated.



This first graph here has a break down of rate per 100,000 by zip code and later in the presentation Juliann is going to talk a bit about our zip code prioritization and equity of vaccine distribution. As we mentioned previously, in earlier phases we vaccinated a lot of healthcare workers and teachers, so the zip codes thus far have not been as equitable as we would like, but that's going to be a focus going forward and Juliann will talk about that a bit more.



Here we have race and ethnicity break downs, rate per 100,000. Again, it's not as equitable as we would like but we are going to continue to focus on this. We've got people that are focused on outreach to certain populations within our community that may be overlooked, to make sure that everyone has access to the vaccine and that these rates are as equitable as we can.



Team Effort

- Over 500 volunteers
- 1,300 shifts each month
- Over 50,000 hours already worked



Finally, I wanted to talk a bit about our amazing volunteers. Our vaccination efforts have relied heavily on volunteers and we're very thankful for all of the volunteers that have helped with our vaccination effort. It's a huge undertaking and so we have over 500 volunteers now that are working all over the place at our vaccination sites and remotely, over 1,300 shifts each month and thus far 50,000 hours have been worked by our volunteers which is a huge effort for our community and also saving the Unified Government a lot of money by relying so heavily on our volunteers.

I'm going to be turning it back over to Juliann.



Vaccine Prioritization

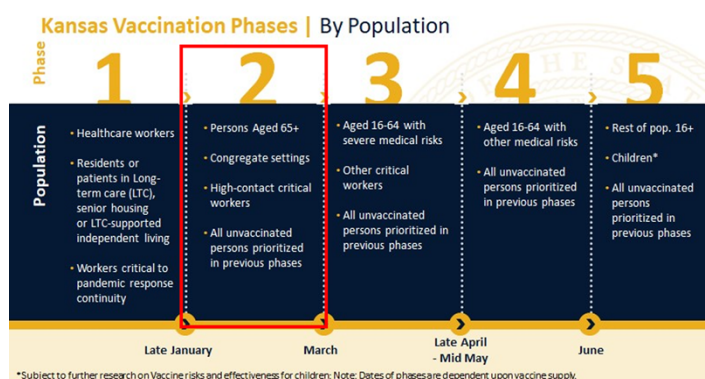
Ms. VanLiew said the last portion here we want to talk about where we are in our prioritization as we move through vaccines.

Completed Groups in Wyandotte

- Health Department
- EMS
- Health care workers
- Childcare workers
- Public Safety
- K – 12 Education
- Critical infrastructure
- 85+
- Food/restaurant/grocery workers



I'm excited that we continue to get to add to our list of "Completely groups in Wyandotte." Of course, they're never fully completed but when we say completed, we mean that anyone in these sectors of the economy that have completed our online vaccine interest form have been contacted by us and given an appointment to come in and be vaccinated. We continue to get everyday more surveys coming in and as somebody in public safety or the food or restaurant business submits a survey, we've continue to pull those and continue to prioritize those folks. There are small numbers from these sectors of our community still coming through but by and large we have conducted outreach to this entire list with some great success.



We remain in Phase 2. The state of Kansas remains in Phase 2 as a whole. The Governor made it clear in her visit to us on Tuesday that localities must remain in Phase 2 until the entire state moves into Phase 3. She estimates that around the first week of April will likely be when the state all transitions together into Phase 3. For Phase 2, as a reminder, is persons age 65 and up, congregate settings which we talked about and a select list of high-contact critical workers.

WyCo Phase 2 Prioritization

CURRENTLY ELIGIBLE

- 65+ walk-in
- Retail workers by appointment
- Congregate living
 - Detention centers
 - Assisted living for elderly or individuals with disabilities
 - Homeless and other shelters



The folks that are eligible today, everyone that I mentioned has completed on the last couple of slides are still eligible, again, we continue to vaccinate them. We're very, very excited today to begin offering walk-in availability at all three of our mass vaccination sites for anyone 65 and older who lives in any zip code in our community.

We have worked our way through our zip code prioritization as pertains to 65 and older. We scheduled everyone from that first year of zip codes, that second tier, we're just about done with that whole third tier. We did a lot of electronic scheduling earlier this week with 66109 and 012. A lot of people were able to get appointments via text and email which went very well. As we finished up that third group in terms of offering people appointments, we are now very excited to be able to provide this walk-in opportunity.

Today, as I mentioned, was the very first day that we did this. It was a little nerve-racking not knowing if it was going to be a couple people show up or a couple thousand. We estimate that we vaccinated about 400 people who just walked in today. I feel great about that at just having it gone to the news last evening, so not a lot of time for it to percolate in the community. We expect that kind of day over day we will start to see our walk-in numbers improve as the word gets out so please share this with your constituents and your community members, but again, no appointment is necessary. We do need folks to bring something that demonstrates their age so anything with a date of birth like a license or a birth certificate and something that shows they are a resident. That could be a government ID, it could also be a piece of mail with their name on it, whatever can show they meet that 65 and up threshold and that they live here.

Remaining in Phase 2

High risk workers in:

- Private Transportation (of individuals)
- Agriculture
- Aviation
- Warehouse
- Higher Education

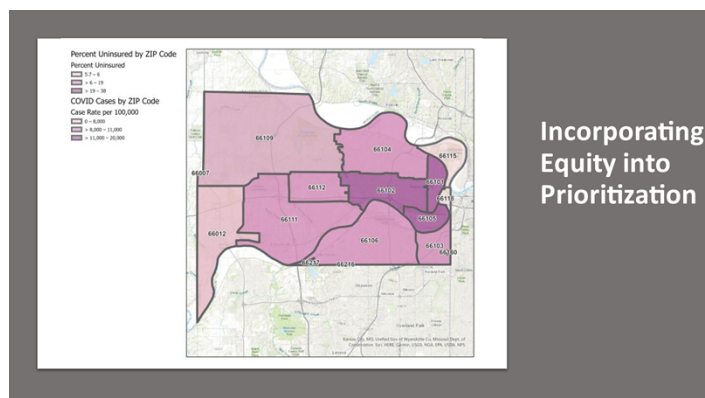
Prioritizing Wyandotte County residents for these groups



We are also moving into appointments for additional high-contact critical workers. In Phase 2 right now we're prioritizing retail workers by virtue of their necessity of being in-person and in close contact with the people they are serving, so we are actively providing those appointments as well and then I mentioned the congregate living already. So, excited about the 65 and up. Please spread the word there. We still have a few remaining groups in Phase 2 that we hope to get to earlier next week.

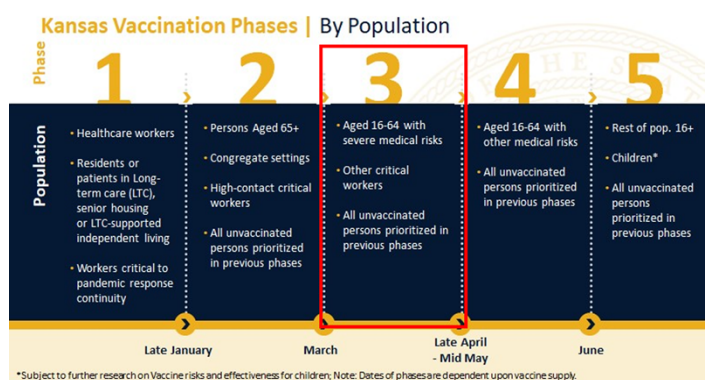
I mentioned we're working on the retail appointments. We'll be transitioning to some of these other groups very shortly here. Private transportation of individuals so these are our cab drivers and our UBER drivers. We've done most of our bus drivers but anybody that is transporting people, the sector of agriculture, aviation which includes flight attendants, stewardesses; those sort of folks, our warehouse workers which we have a number in Wyandotte County so we'll be opening up to them here in the next couple of weeks and then our higher education folks as well.

As a reminder, we will be highly prioritizing Wyandotte County residents for these groups, again, to really bumping up the percent of our folks who live here who have been vaccinated.



I do want to do just a real quick reminder in terms of our zip code prioritization. This doesn't apply when we talk about sectors of employment in the community. For example, right now as we're offering appointments to retail workers, we aren't using the zip code prioritization. We're purely reaching out based on when people submitted the form to us. As we move through our 65 and older population and eventually move into Phase 3 in April, we will be returning to this. As most of you know—we'll talk about Phase 3 here in a moment, but that's largely folks with underlying health conditions.

We will go back to prioritizing based on zip code, and again, that's because of the vulnerability of the folks who live in these zip codes and also because, as Elizabeth showed you earlier, we do have inequity in terms of which zip codes have received more percent of vaccines for their population than others. We're trying to really make this as equitable as possible which is difficult to do and we know that we can't make everyone happy but it is our job at the Health Department for the county to do this as equitable as possible.



As I mentioned, we are likely to transition into Phase 3 within the next few weeks, likely the first or second week of April.

Phase 3 – Estimated to begin early April

16 – 64 with **severe** medical risks

- KDHE Definition
 - Cancer
 - Chronic kidney disease
 - Chronic obstructive pulmonary disease
 - Down Syndrome
 - Heart conditions, such as cardiomyopathies
 - Immunocompromised
 - Type 2 diabetes mellitus
 - Sickle cell disease
 - Pregnant patients

Other Critical Infrastructure

In-Person Workers in:

- Social service and government workers
- Logistics/Transportation
- Information Technology
- Communications
- Housing Construction Workers
- Banks
- Critical Manufacturing



These are mostly people with severe medical risks. I put the list up here on the left-hand side. We will, of course, be abiding by KDHE definition of severe medical risks and that includes the risks listed here; cancer, COPD, chronic kidney disease, etc.

We want to make it very plain to our residents that we will not be requiring documentation of these medical conditions. In fact, we have worked with the CORE4 Health Departments and they have all made commitments—we've all made commitments to one another that across the metro the CORE4 Health Departments will not be requiring documentation for these medical risks in terms of eligibility for Phase 3. I think that's incredibly crucial for our population for whom access to health care is often a substantial burden and barrier and we are looking to reduce that all costs. This will be on the honor system and that will be tricky and a little bit difficult but we will be asking people to self-identify appropriately in terms of their own health conditions and we will be abiding by what they tell us.

Also, in Phase 3 we will move into these other sectors of critical infrastructure, people working in-person. You can see here, so we'll finish off our government workers, transportation of goods not individuals, technology, communication, construction, banks, and critical manufacturing. Phase 3 will really open up availability of vaccines for a number of folks in our community.



That is all we have this evening. As usually, we're happy to take any questions.

Mayor Alvey asked, are there any comments or questions from the Commission.

Commissioner Bynum said I've got some questions. There is a slide with a graph by zip code and it says rate of people vaccinated by zip code. I need to step back to that because I didn't catch—I don't understand what do the numbers represent? **Ms. VanLiew** said this is rate of people vaccinated by 100,000. So, if 100,000 people lived in every zip code in Wyandotte County, here's how it would shake out. Does that make sense? So, rather than just a number of people in each zip code that are vaccinated, that doesn't compare across because the size of the population of each zip code is different, so we use the rate to make it comparable. When we use rate, this is how they compare to one another. **Commissioner Bynum** said okay and it tells us what? **Ms. VanLiew** said it tells us that 66109 and 66012 have received a larger share of their population being vaccinated than the other zip codes. 66103 is inching up as well but you can see here that 66101, 102, 104 and 105 remain behind in terms of the rate of their folks that are being able to access the vaccine.

Commissioner Bynum asked, is this our own county health data or is it regardless of where they got the vaccine. **Ms. VanLiew** said regardless of where. This comes from KDHE. We finally obtained last week. Anybody who put Wyandotte County as their county of residence when they were vaccinated whether they got vaccinated in Johnson County or wherever, we are able to obtain their data and their residents, so this is everybody who lives here regardless of where they got vaccinated. **Commissioner Bynum** said thank you so much.

I have a couple of questions on the phases and the categories within them. The pharmacies that have vaccine, am I correct, they're getting their vaccine doses from the federal government? Is that right? **Ms. VanLiew** said correct. **Commissioner Bynum** said those doses are not coming through the state of Kansas like ours are. **Ms. VanLiew** said correct. **Commissioner Bynum** asked, are they required to dose according to the phases? **Ms. VanLiew** said they are. They are required to be within the phase. We really don't have a lot of way of making sure of that or any really stick, so to speak, in terms of adherence to that. I've heard that by and large they are vaccinating folks 65 and older, although I have heard there have been younger folks who have been able to get vaccinated as well. **Commissioner Bynum** said I think we hear just a whole variety of anomaly stories, you know, anecdotally in the community. I mean we hear them every single day.

The sub-categories that are in each phase, did the state create the sub-categories or did we? **Ms. VanLiew** said the state did. For example, these other folks here in Phase 2 that we'll get to when we finish most of our 65 and older, those were all chosen by the state and per the state we need to offer it to everyone that is working in these sectors of the economy before we move to Phase 3.

Commissioner Bynum said I drove by the K-Mart location this morning at about 9:15 and it looked like the parking lot was absolutely packed and I wondered—you made a comment earlier, but I was left with the notion that you would have given a lot of walk-in vaccines today, but did you say that wasn't the case? **Ms. VanLiew** said across all three sites, it was near 400, the K-Mart did about 250 walk-ins. I'm actually not disappointed in that for just having it put out to the news yesterday evening. I really feel a couple days of word of mouth and we're going to see those numbers tick up.

Commissioner Johnson said back to the numbers that Commissioner Bynum was alluding to, those numbers in 66101, 66102, they kind of give me a—I think I heard from you all that we were putting special emphasis in those particular zip codes. So, if in fact we did, why are we still seeing such low numbers in terms of vaccination or did I misunderstand that? **Ms. VanLiew** said no, you did not. It is correct. We are still seeing inequities across zip codes even though we're trying to even them out. One thing is that when we pull the vaccine interest form submissions, as we do every few days from our dataset, when you look at it in terms of percentage of people from each

community that has submitted a vaccine interest form, 66101, 2, 4 & 5 have lower percent of their community members that have submitted that form to us.

We're doing a number of things to combat that. We're hiring a small group of people who will be canvassing and going door-to-door in those zip codes in order to help people register for the vaccine on the spot and, in fact, schedule on the spot. We're also working very closely with a number of churches in those zip codes to get their congregation signed up as well. Part of it is that, you know, we've done a lot of vaccine based on place of employment and those individuals live more often than not in 66109 and 66012 but it is also a self-selection thing where we're not getting as many people coming forward from some of the zip codes saying that they want to be vaccinated. I don't believe it's because they don't want to be vaccinated. I believe it's because there is a lot going on and it's difficult for them to know what exact information they needed to listen to, how to use the online form, how to get there, how to get a ride, how to get time off work, so there are a number of factors here that are serious barriers for folks. Our aim is to get more folks out into the community doing direct face-to-face education with people to help them understand what they need to do, that 311 is an option, that transportation is an option, that all of these things are in place for them, but it's our job to get that information to them.

It is very inequitable; we're very concerned about it and we're trying to employ a number of initiatives to move the numbers in another direction.

Commissioner Johnson said I guess the same would apply in the African-American community as well. I think, and Allen, you may kind of chime in on this, there was some discussion about trying to engage those communities but having lack of resources, at least initially, is that a good understanding of where we are right now? **Ms. VanLiew** said what do you mean by engage? **Commissioner Johnson** said going directly into those communities as you were talking about, knock on doors, getting them signed up and things of that nature. **Ms. VanLiew** said yes. As I mentioned, we only have the one drop team in place. We are trying to build two more drop teams as we speak, so we are currently actually very actively looking for two leads for a drop teams, so if you know any health professionals that want to lead a drop site team in the community, we're actively looking to build up those teams. Some of the members of those teams will be employed by us or on contract and then they'll be filled in with a number of volunteers. We're working to get extra teams up as quickly as we can because that's what will allow us to come to churches, to come to community groups and bring them on-site.

Commissioner Johnson asked, are we working with the Community Health Council and other like organizations to help to facilitate this. **Ms. VanLiew** said absolutely, so we're working in partnership with the Community Health Council to bring on 13 community health workers who will—this will be their primary responsibility, to work on COVID kind of overall, but especially to push the vaccines and that by virtue of that CDBG grant that we were allowed to use those resources for that project.

Dr. Greiner said, Commissioner, if I might add and ask Ms. VanLiew to speak to the communications efforts because there are also a number of communication efforts that are directly seeking to reach out to the community members and provide that information, so Juliann, do you want to speak to that? **Ms. VanLiew** said absolutely. Some of you have probably started to see our PSAs on social media and on television. We have engaged with a number of media outlets for all sorts of things including interviews, including spots with community members who have successfully received the vaccine. We are doing direct mailers starting next week to folks in the community, really, you name it, and we're trying to do it. I think the thing we're doing most successfully is that we're starting to funnel information to community leaders in those communities that need to get it. For example, Mang Sonna who runs new Bethel Community Center, he is working with us to host a number of town halls with specific refugee population, so those sorts of things where we're getting information to people who are trusted and can get that out to the community is really the heart of it, but we're doing a ton of paid media and really high quality material as well.

Most of our materials at this point are available in Spanish at a medium. We just pushed out our 65 and up graphic for walk-in in nine different languages that we're hoping will make its way into different parts of the community, so really communication is at the heart of everything we do because if people don't have the information, they can't make the choices they want to make.

Commissioner Townsend said to the commissioners and the public, what a journey this has been in a year and I just again wanted to acknowledge all the hard work and the efforts of our Health Department, Ms. VanLiew, Dr. Greiner, Dr. Corriveau, our Epidemiologist Ms. Groenweghe, any,

and everybody who at the Health Department, any, and every volunteer, like I said, it's been a ride and we know a whole lot more than we did a year ago.

I do have particular questions based on one or two of the slides. I would like to see the slide again that had the demographic break down by race. The last bar that shows the number 11,513 and the designator beneath it is two or more, what does that mean? **Ms. VanLiew** said when someone comes to the vaccination site and they fill out our very basic paperwork which includes demographic information, they have the option of choosing two or more races. So, someone could say that they identify as both Asian and as Black or as both White and American Indian, and so that's up to their discretion how they personally identify. If someone chose two or more, it's put into that category since we don't want to assign them to two other categories.

Commissioner Townsend said the other comment I have was that you were discussing some of the barriers in the specific zip codes and why in response to Commissioner Johnson's question, the rate thing is still pretty low, those were a lot of basic concerns that hadn't been thought about as to why people in 101, 104, 102 may not be coming in in the numbers that we see in other places across the county, so I appreciate this door-to-door approach will help not only inform people about how, when and where they can get the vaccine but also directing them to assistance to removing other barriers and concerns that they may have; time off from work, transportation, all that, so those are very real barriers and it's not just that. People in certain communities just don't want the vaccine, so I applaud your efforts to deal with that on that very basic level, so those are my comments.

Ms. Groenweghe said if I could add one other thing as well, Juliann mentioned earlier we just opened our Armory location which is our eastern most location where those zip codes are going to have better access. My hope is that next week when my team analysis this data again, that we will see an increase in these zip codes now that we've got that Armory location open which will help provide better access. **Commissioner Townsend** said I hope you're right. I join in that hope.

Mayor Alvey said thank you very much. That concludes the presentation. I will now entertain a motion for executive session regarding labor.

Executive Session: 5:44 p.m.

March 11, 2021

Commissioner Markley made a motion, seconded by Commissioner Bynum, to go into Executive Session until no later than 6:50 p.m. to consult with our attorneys and to discuss confidential matters regarding the status and future direction of labor negotiations, as permitted under the Kansas Open Meetings Act; and that staff and outside counsel designated by the County Administrator be present to participate in the discussion, and that if there is no further business, that we return to open session for the full Commission meeting at 7:00 p.m. Mayor Alvey asked all in favor to say “Aye.” Motion carried.

Present for the Executive Session: Bynum, Commissioner At-Large First District; Burroughs, Commissioner At-Large Second District; Ramirez, Commissioner Third District; Johnson, Commissioner Fourth District; Kane, Commissioner Fifth District; Markley, Commissioner Sixth District; Philbrook, Commissioner Eighth District; and Mayor Alvey presiding. **Staff Present:** Doug Bach, County Administrator; Angela Lawson, Deputy Chief Counsel; Alan Howze, Assistant County Administrator; Shakeva Christian, Manager in Human Resources; Jack Andrade, First Deputy Fire Chief; Kathleen VonAchen, Chief Financial Officer; Chief Michael Callahan, Fire Department; and Ryan Denk, Outside Counsel for labor negotiations.

MAYOR ALVEY ADJOURNED

THE MEETING AT 6:45 p.m.

Brett Deichler
Interim Unified Government Clerk

dt

March 11, 2021



Unified Government Clerk's Office

Brett A. Deichler, PMP | CPM
Interim Unified Government Clerk

701 North 7th Street, Suite 323
Kansas City, Kansas 66101-3070

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Fax: 913-573-5299
<http://www.wycokck.org>

Memorandum

To: Doug Bach
County Administrator

From: Brett Deichler
Interim UG Clerk

Date: March 25, 2021

Re: Weekly Business Material

Attached is a listing of weekly business items presented to the Unified Government of Wyandotte County/Kansas City, Kansas, for informational purposes.

In addition to the listing of the items, we have indicated the action taken by the Unified Government Clerk.

tk

Attachment

Weekly Business Material for March 25, 2021

1. REPORT:

Financial report for the Self-Supporting Municipal Downtown Improvement District (SSMID) for the month of February 2021.

Action: Received and filed.

2. REPORT:

2020 audit report for Water District No. 1 of Johnson County.

Action: Received and filed.

3. COMMUNICATIONS:

Pam Kahao, Accounting Manager, regarding warrant cancellations:

<u>Warrant #</u>	<u>Reissue?</u>	<u>Date Issued</u>	<u>AMOUNT</u>	<u>FUND / ACD</u>	<u>Vendor Name/Number</u>
887799	No	3/12/2021	\$ 1,936.90	110 7681105244	Tapco Products Co #29177
				160 7604405298	
				160 760455398	
				160 7604205398	
886270	Yes	2/5/2021	\$ 150.00	110 65100035599	Oakley Jr, Frank #C1167
"	"	"	\$ 49.32	110 65100195599	"

Action: Received and filed.

4. PERSONNEL ACTION COMMUNICATION, DATED MARCH 23, 2021:

Section I - Appointments

Name	Department/Division	Eff. Date	Job Title
Caitlin R Kneemiller	DA's Office	3/18/21	Admin Supt Specialist
Adrian E Lopez	B&L	3/18/21	Fac. Maint Tech Correctional Specialist
Samuel P Sybrant	Sheriff/Detention	3/18/21	

Section II-Transfers

Name	Department/Division	Eff. Date	Former Job Title	New Job Title
Anne N Seeberger	DOTS	3/18/21	Info Sys Analyst	Info Sys Analyst
Salome J Villarreal	Appraiser	3/18/21	Appraiser	RE Appraiser

Section VIII - Other Requests

Name	Department/Division	Action Requested and Explanation
Linda G Bergman	Health	ACD code change effective 4/1/21
Amber A Freeman	Sheriff/Detention	Superan code change from KPERS to KPF effective 2/26/21
Elton M Towne	Sheriff/Detention	OC code change from 5308 to 5309 effective 3/18/21

Action: Received and filed. Copy previously forwarded to Payroll.

5. PERSONNEL ACTION COMMUNICATION, DATED MARCH 25, 2021:

No action taken.

Action: Received and filed.

6. CLAIMS FOR DAMAGES:

Bethine Werner, 2140 Lombardy Dr., through Tammy Jackson, Claim Associate, State Farm, P.O. Box 106173, Atlanta, GA, alleging damage to basement due to city line caused the back up.
Elizabeth Burney, 747 Simpson Avenue, alleging damage to vehicle due to pot hole.
Shana Rainey, 5921 Cleveland, alleging damage to vehicle due to pot hole. (2)

Action: Received and filed. Copies previously forwarded to Legal.

7. TRAVEL REQUESTS:

Mark Bundy, Police Department, travel to Albuquerque, NM, March 23 – 25, 2021, for background investigation for Police Officer applicant, Employee Training & Travel.

Dustin Dierenfeldt, Police Department, travel to Hutchinson, KS, April 11 – 16, 2021, to attend Law Enforcement Leadership Academy Supervisor School, Employee Training & Travel.

PJ Locke, COPPS (PAL), travel to Seal Beach, CA, March 26 – 29, 2021, to participate in S.W.E.L.L. training for P.A.L., no costs.

Naomie Salas and Angel Silvestre, Narcotics, travel to Spokane, WA, May 9 – 15, 2021, to attend Basic & Narcotics Investigations, Employee Training & Travel.

Action: Approved by Administrator's Office and received and filed.

8. CERTIFICATES OF INSURANCE:

City Wide Maintenance Co., Inc.; City Wide Holding Company, Inc., and Oddo Development Company Inc.
CACI Communications, LLC

Action: Referred to License.

9. BUSINESS BONDS:

Electrical Contractor's Bonds:

CGR Electric LLC
Peace Services, LLC
Westhues Electric Inc.

Mechanical/HVAC Bonds:

F & J Company dba Polar Aire Heating & Cooling Service
Wyandotte Refrigeration, Inc.

Plumber's Bond:

EW Plumbing, LLC

Septic Tank and Cess Pool Installer and Cleaner Bond:

Environmental Specialists, Inc.

Sign Hanger Bond:

Vitalsigns Unlimited, Inc.

Action: Referred to License.

10. STIPULATION:

Galvin Electric Co.

Action: Referred to License.

11. CONTINUATION CERTIFICATES:

Electrical Contractor's Bonds:

Advanced Services DS, LLC
Bryan Law dba Power Home Solar, LLC
Electric Shop Inc DBA Mr. Electric of Kansas City South
Gregory Oppold dba Eco Electric
Gerald Reinhold

HVAC Bonds:
Design Mechanical, Inc.
Steve Chontos DBA Chontos Heating & Cooling

Mechanical Contractor's Bond:
Martin Mechanical, Inc.

Plumber's Bonds:
Advanced Services DS, LLC
Plumbsmith Service LLC

Action: Referred to License.

12. CANCELLATION NOTICES:

Electrical Contractor's Bonds:
Project Group 2000, LLC
Quality Electric of Douglas County

License & Permit Bonds:
Kansas City Community Gardens, Inc.
Madden Rentals LLC
Steve Chontos DBA Chontos Heating & Cooling

Miscellaneous Bonds:
Kramer Electric LLC
Sullivan Electric LLC

Mechanical Contractor's Bond:
Mr. Plumber LLC

Action: Referred to License

13. REINSTATEMENT NOTICES:

Electrical Contractor's Bonds:
Arnaldo Electric, LLC
Steve Chontos DBA Chontos Heating & Cooling

Action: Referred to License

14. APPLICATION FOR DRINKING ESTABLISHMENT/PUBLIC VENUE:

Club 403 Enterprises LLC/Gordon A. Scholes III DBA 403 Club, 614 Reynolds Ave.

Action: Referred to License.

15. APPLICATION FOR CATERER/DRINKING ESTABLISHMENT/HOTEL:

Miriam Rivera/DBA Nereidas Club, 48 Kansas Avenue.

Action: Referred to License.

16. APPLICATION FOR PRIVATE SECURITY BUSINESS:

VendTech-SGI LLC/Curtis Lee Whitten DBA VendTech-SGI LLC, 250 N Rock Rd. #360, Wichita, KS.

Action: Referred to License.

17. APPLICATION FOR MASSAGE THERAPIST BUSINESS LICENSE:

Lauren Smith DBA The Massage Studio at Prairie View Luxury Apartments, 11200 Delaware Pkwy.

Action: Referred to License.

18. APPLICATION FOR MASSAGE THERAPIST LICENSE:

LaShunna Talley DB/with Chateau Avalon, 701 Village West Pkwy

Action: Referred to License.



Unified Government Clerk's Office

Brett A. Deichler, PMP | CPM
Interim Unified Government Clerk

701 North 7th Street, Suite 323
Kansas City, Kansas 66101-3070

Phone: 913-573-5260
Fax: 913-573-5299
<http://www.wycokck.org>

Memorandum

To: Doug Bach
County Administrator

From: Brett Deichler
Interim UG Clerk

Date: April 1, 2021

Re: Weekly Business Material

Attached is a listing of weekly business items presented to the Unified Government of Wyandotte County/Kansas City, Kansas, for informational purposes.

In addition to the listing of the items, we have indicated the action taken by the Unified Government Clerk.

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Attachment

Weekly Business Material for April 1, 2021

1. PROTEST PETITION:

Against Change of Zone Petition COZ2021-003 from R-1 Single Family District to A-G Agriculture District for agricultural purposes at 3505 North 83rd Street, submitted by Jeffrey J. Gardner.

Action: Received and filed. Original referred to Planning and Urban Design.

2. COMMUNICATION:

Brett Deichler, Interim UG Clerk, submitting bids received March 31, 2021, for Project ID: 1094 – Quiet Zone Improvements, Swingster Road to 98th Street.

Action: Received and filed. Copies previously referred to County Administrator, Public Works, and Legislative Auditor.

3. COMMUNICATIONS:

Pam Kahao, Accounting Manager, regarding warrant cancellations:

Warrant #	Reissue?	Date Issued	AMOUNT	FUND / ACD	Vendor Name	Reason for void (dropdown)
887373	Y	2/26/2021	\$ 150.00	110/65100035599	Criss, Charlann #C1456	Lost warrant
			\$ 102.72	110/65100195599	Criss, Charlann #C1456	
			\$ 252.72			
886848	yes	2/19/2021	\$ 2,222.67	791/981500155871	Chie, Tam T	Other (Explain)
883484	Yes	11/20/2020	\$ 129.14	19000025269	Ruby-Watson, Evans	Lost warrant

Action: Received and filed.

4. PERSONNEL ACTION COMMUNICATION, DATED MARCH 30, 2021:

Section I - Appointments

Name	Department/Division	Eff. Date	Job Title
Cristal Crews	Police/Comm	4/1/21	Public Safety Dispatcher
Caroline M Ford	Sheriff/Juv	4/1/21	Juv Care Worker I
Vamesshia L Perry	Comm Corr	4/1/21	ISO
Samantha J Ramirez	Election	4/1/21	Admin Supt Specialist

Section II-Transfers

Name	Department/Division	Eff. Date	Former Job Title	New Job Title
Monica M Kennedy	Police	4/1/21	ISO	Prof Progs Asst
Marco Leal-	Parks/Rec	3/4/21	Groundskeeper I	Groundskeeper II

Herrera

Joseph G Vella Parks/Rec 3/18/21 Horticulturalist II Horticulturalist IV

Section III - Separations

Name	Department/Division	Eff. Date	Job Title
Melissa R Bazert	NRC	3/19/21	Admin Supt Spec
Robert J Beery II	Sheriff/Admin	2/1/21	Deputy
William W Erwin	Sheriff/Detention	3/16/21	Deputy
Amber R Johnson	Comm Corr	3/30/21	ISO
Sabrina H Muller	HR	3/31/21	HR Analyst
Maria C Reyes	Police	3/31/21	Prof Progs Asst
Zachary C Stoner	Sheriff/Detention	3/22/21	Deputy

Section IV - Leaves of Absence

Name	Department/Division	Lv. Beg	Lv. Ends	Leave/Pay
Bret J Charboneau	NRC	3/31/21	4/29/21	unpaid
Keri L Christian	Fire	4/6/21	4/28/21	unpaid

Section VIII - Other Requests

Name	Department/Division	Action Requested and Explanation
Janell C Friesen	Health	ACD code change effective 3/18/21
Nicole R Garner	Health	ACD code change effective 3/18/21
Dennis J Vallejo	Police	Amend PAC 3/2/21 to reflect change in vacation effective 3/11/21

Action: Received and filed. Copy previously forwarded to Payroll.

5. PERSONNEL ACTION COMMUNICATION, DATED APRIL 1, 2021:

No action taken.

Action: Received and filed.

6. CLAIM FOR DAMAGES:

Hanna Hochstetler, 4419 Booth St., KCK, alleging automobile damages caused by garbage truck.

Action: Received and filed. Copy previously forwarded to Legal.

7. TRAVEL REQUESTS:

Adriane Ferrer and Carlos Navarro, DEA TFO, travel to Spokane, WA, May 9 – 15, 2021, to attend Basic and Intermediate Undercover Techniques and Survival Course, Employee Training and Travel.

Kevin Fithian and Joseph Yarsulik, Police Department, travel to Las Vegas, NV, July 18 – 24, 2021, to attend LEVI lvl 1: Forensic Video Analysis & the Law training course, Employee Training and Travel.

Mark Heath, Fire Department, travel to Phoenix, AZ, August 8 – 13, 2021, to attend EMS Leadership Conference covering the most recent topics in EMS, Employee Training and Travel.

Richard Harris, VCTF/Narcotics, travel to Columbia, IL, August 22 – 27, 2021, to attend PPCT Instructor Trainer Course, Employee Training and Travel.

Cameron Morgan, Police Department, travel to Franklin, TN, October 17 – 23, 2021, to attend LEVA Digital Multimedia Evidence Training Symposium, Employee Training and Travel.

Daniel Soptic, Sheriff's Office, travel to Orlando, FL, July 6 – 9, 2021, to attend FBINA Conference, Employee Training and Travel.

Action: Approved by Administrator's Office and received and filed.

8. APPLICATION FOR DRINKING ESTABLISHMENT/PUBLIC VENUE:

Blake Lostal D/B/A Colonial Club, 322 N. 6th St.

Action: Referred to License.



Staff Request for Commission Action

Tracking No. 21677

Full Commission Meeting Date: 4/8/21

Committee: Economic Development & Finance

Date of Standing Committee Action: 3/1/21

(If none, please explain):

Publication Required: No

<u>Date:</u>	<u>Contact Name:</u>	<u>Contact Phone:</u>	<u>Contact Email:</u>	<u>Department/Division:</u>
3/31/2021	Katherine Carttar	x5176	kcarttar@wycokck.org	Economic Development

Item Description:

Resolution authorizing an Option Purchase Agreement for 546 N. 130th St. Bonner Springs, KS to River Bend Land Co. - PV LLC for the building of a multi-family project.

Changes made since Standing Committee approval:

1. One year Term instead of two.
2. Purchase price increased to \$525,000
3. UG will consider any information they provide about extreme site work costs but no guarantee of price reduction.

Action Requested:

Approval and move to FC

Budget Impact: (if applicable)

Amount:

Source:

Included In Budget:

Other (explain):

Attachments List:

Resolution Authorizing Option Agreement - 546 N. 130th Bonner Springs KS, 20210324141918972

RESOLUTION NO. R-_____

A RESOLUTION AUTHORIZING THE EXECUTION OF AN OPTION PURCHASE AGREEMENT FOR 546 N. 130TH ST., BONNER SPRINGS, KANSAS TO RIVER BEND LAND CO. – PV LLC.

WHEREAS, the Unified Government of Wyandotte County/Kansas City, Kansas (“Unified Government”) is the legal owner of that certain real estate, commonly known as 546 N. 130TH St., Bonner Springs, Kansas, Parcel 959700 (the “Property”); and

WHEREAS, it is the policy of the Unified Government that it should dispose of surplus real property in a manner that will provide the best and highest return to the government and its taxpayers; and

WHEREAS, the Unified Government has adopted procedures for the disposal of real property as authorized and provided for in K.S.A. 19-211(b) and as authorized by the Unified Government’s home rule power; and

WHEREAS, River Bend Land Co. – PV LLC (“River Bend”) desires to enter into an Option Contract for Real Estate Purchase Agreement (the “Agreement”) with respect to the Property, subject to receiving certain planning and zoning approvals from the Bonner Springs City Council; and

WHEREAS, the timely redevelopment of the Property is in the best interests of the parties and the health, safety, and welfare of the Unified Government’s residents.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/ KANSAS CITY, KANSAS:

Section 1. That the Unified Government Board of Commissioners hereby approves entering into an Agreement with River Bend which would provide them with an option to purchase the Property, in substantially the form attached as Exhibit A hereto.

Section 2. That the County Administrator is hereby authorized to negotiate the terms and conditions of such Agreement in the name of the Unified Government of Wyandotte County/Kansas City, Kansas, the deed and such other documents, and that the County Administrator and any other Unified Government officials are authorized to take all other necessary actions, including executing any necessary certificates and other instruments as may be necessary or desirable to carry out and comply with the intent of this Resolution and to take any further action necessary to effectuate the intent of this Resolution.

**ADOPTED BY THE BOARD OF COMMISSIONERS OF WYANDOTTE
COUNTY/KANSAS CITY, KANSAS, THIS _____ DAY OF _____, 2021.**

David Alvey, Mayor/CEO

Attest:

Unified Government Clerk

OPTION CONTRACT FOR REAL ESTATE PURCHASE AGREEMENT

THIS OPTION CONTRACT FOR REAL ESTATE PURCHASE AGREEMENT (the "Agreement"), made and entered into as of the Effective Date by and between **River Bend Land Co. – PV LLC**, a Kansas limited liability company ("Buyer"), and **Unified Government of Wyandotte County/Kansas City, Kansas**, a municipal corporation ("Seller")(collectively the "Parties")..

WITNESSETH:

WHEREAS, Seller, as the successor-in-interest of the Board of County Commissioners of Wyandotte County Kansas, is the legal owner of that certain real estate, commonly known as 546 N. 130th St., Bonner Springs, Kansas, Parcel 959700, legally described and shown on Exhibit A attached hereto and incorporated herein by reference (collectively referred to as the "Property"); and

WHEREAS, it is the policy of Seller that it should dispose of surplus real property in a manner that will provide the best and highest return to the government and its taxpayers; and

WHEREAS, Seller has adopted procedures for the disposal of real property as authorized and provided for in K.S.A. 19-211(b) and as authorized by Seller's home rule power; and

WHEREAS, Buyer desires to purchase, and Seller desires to provide an option to Buyer to purchase the Property upon the terms and conditions hereinafter set forth; and

WHEREAS, the parties acknowledge and agree that the timely redevelopment of the Property is of utmost concern and importance and is in the best interests of the parties and the health, safety, and welfare of Seller's residents.

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained, and other good and valuable consideration, the adequacy, sufficiency and receipt of which are hereby acknowledged, the parties hereto, hereby agree as follows:

Section 1 – Definitions

- 1.1 (a) "Closing Date" shall mean the last day of the Closing Period or such other date during the Closing Period selected by Purchaser;
- (b) "Closing Period" shall mean one (1) year after the Effective Date, or as extended by mutual agreement of the parties.
- (c) "Effective Date" shall mean the date that the Agreement is executed by the Seller;
- (d) "Due Diligence/Option Period" shall mean one (1) year after the Effective Date, or as extended by mutual agreement of the parties.

Section 2 - Property

2.1 Seller agrees to provide an option to purchase to Buyer, upon the terms, conditions and provisions hereinafter set forth, (i) the Property, together with all improvements thereon and all appurtenances, rights, permits, privileges, licenses, easements and rights of way incident thereto, and (ii) to the extent assignable, all right, title and interest of Seller in any plans, building permits, surveys and certificates of occupancy relating to the Property, and all licenses, permits and warranties relating to the ownership, occupancy and operation thereof (the "Personalty"). Consideration for all of the above items shall be included as the Purchase Price.

Section 3 - Purchase Price

3.1 (a) The Purchase Price for the Property shall be Five Hundred Twenty Five Thousand Dollars and zero cents (\$525,000.00)(the "Purchase Price") and shall be paid in full on the Closing Date. The parties agree that payment of the Purchase Price is adequate consideration for the purchase of the Property.

(b) In the event that Buyer discovers site conditions during its Due Diligence inspections that would require extensive and costly site preparation work that exceeds the industry standard, Seller agrees to meet with Buyer to review this information and consider these costs in any request by Buyer for a reduction to the Purchase Price. Seller makes no warranties that it will in fact reduce the Purchase Price based upon potential site preparation costs. Any such reduction to the Purchase Price shall be in the sole discretion of Seller and shall not be approved except by written amendment to this Agreement.

Section 4 - Due Diligence/Option Period

4.1 For a period of one (1) year from execution of this Contract (the "**Due Diligence/Option Period**"), Sellers agrees to provide Buyer with the exclusive option to purchase, upon completion of the terms, conditions and provisions hereinafter set forth in Section 11, (i) the Property, together with all improvements thereon and all appurtenances, rights, permits, privileges, licenses, easements and rights of way incident thereto, and (ii) to the extent assignable, all right, title and interest of Sellers in any plans, building permits, surveys and certificates of occupancy relating to the Property, and all licenses, permits and warranties relating to the ownership, occupancy and operation thereof (the "Personalty"). Consideration for all of the above items shall be included as the Purchase Price.

Section 5 - Buyer's Right to Inspect the Property

5.1 Buyer and its authorized representatives shall have the right, during the Due Diligence/Option Period, to enter upon the Property to make test borings, drainage tests, surveys, engineering and architectural studies, to perform site inspections of any improvements including structural, HVAC, roof, electrical, plumbing, mechanical, and parking plan, and for other purposes commensurate with ascertaining the suitability of the Property for Buyer's purposes. Such test and studies may be invasive, and Buyer agrees to return the Property to its previous condition should this transaction fail to close.

5.2 Buyer acknowledges that Buyer is responsible for all due diligence in connection with the Property, that on the Closing Date Buyer shall accept the Property in its current "as is" condition, and the Seller shall have no liability to Buyer for any matters discovered or which could have been discovered by Buyer in performing its due diligence.

5.3 To the extent such documents are not already in the possession of Buyer, within thirty (30) days of the Effective Date, Seller shall deliver to Buyer copies of any and all agreements, contracts, plans, building permits, surveys, certificates of occupancy, licenses, and permits relating to the ownership, occupancy and operation of the Property, to the extent Seller is a party thereto and Seller is in possession or control thereof.

5.4 Seller hereby advises Buyer that Seller has not received any notice or communication of any possible violation of any environmental law with respect to the Property, and Seller neither knows of nor suspects any such violation. Seller further agrees to provide to Buyer any environmental surveys or related documents in their possession or to which they have access, within thirty (30) days of the Effective Date of this Agreement.

5.5 If at any time during the Due Diligence/Option Period, prior to the Closing Date, Buyer has determined in its sole discretion that the condition of the Property is unacceptable, Buyer may cancel this Agreement by a written notice to Seller and neither party shall have any further rights or obligations to the other. Buyer shall be entitled to a refund of the Earnest Money if written notice is received by Seller prior to the end of the Inspection Period.

Section 6 – Closing Date

6.1 The Closing Date shall be no later than one (1) year after the Effective Date of this Agreement, unless extended by mutual agreement of the parties.

Section 7 - Title to Property

7.1 At Buyer's option and cost, Buyer may order an ALTA form title commitment from Escrow Agent (the "Title Commitment"), and may arrange to have an existing survey updated or a new survey prepared (the "Survey"). At any time prior to the Closing Date, Buyer may provide written objections to Seller regarding matters shown on the Title Commitment or the Survey.

7.2 Within ten (10) days of such written objections, Seller shall respond in writing as to whether such objections will be cured by the Closing Date. If Seller does not cure the objections or commit to do so by Closing, Buyer may either waive the objections not cured and proceed to Closing or Buyer may cancel this Agreement within three (3) days of Seller's written response by a written notice to Seller and neither party shall have further rights or obligations to the other. Any title encumbrances or exceptions which are set forth in the Title Commitment and the Survey, and to which Buyer does not object or waives any objection shall be deemed to be permitted exceptions to the status of Seller's title (the "Permitted Exceptions").

7.3 Seller shall convey the Property to Buyer by quitclaim deed (the "Deed") and subject to the Permitted Exceptions and Seller's right to repurchase (as set forth in Sections 7.2 and 11.3).

Section 8 - Taxes and Assessments

8.1 To the extent applicable, Buyer shall be responsible for all real estate taxes and assessments, both general and special, after the Closing Date.

Section 9 - Escrow Agent and Escrow Instructions

9.1 A copy of this Agreement shall be deposited by Seller into escrow with such title company as Seller may choose in its complete discretion (the "Escrow Agent") within fourteen (14) days of the Effective Date. All other funds and documents required hereunder shall be deposited with the Escrow Agent on or before the Closing Date. A copy of this Agreement shall serve as escrow instructions, subject to receipt by Escrow Agent of further written instructions by either party.

Section 10 - Closing and Escrow Charges; Closing Documents

10.1 At such time as the Escrow Agent (i) has in its possession all funds representing the balance of the Purchase Price due hereunder, (ii) has in its possession all executed documents required hereunder in recordable form, where applicable, including all documents necessary to satisfy and discharge delinquent taxes, judgments, mortgages, liens and assessments against the Property, (iii) is committed to issuing an ALTA owner's title insurance policy insuring fee simple title in Buyer subject only to the Permitted Exceptions (the "Owner's Policy"), and (iv) has received written authorization from Buyer and Seller, or their respective authorized parties, it shall file the Deed for record transferring title to Buyer and shall issue the Owner's Policy to the Buyer as hereinabove provided. The Escrow Agent shall deliver to Buyer the recorded Deed and the Owner's Policy.

10.2 Each party shall bear its own legal costs and expenses. All other costs of Closing shall be borne by Buyer, including but not limited to, (i) real estate taxes due but not delinquent; (ii) closing costs and escrow fees; (iii) the cost of recording the Deed; (iv) the cost of the Owner's Policy; (v) the cost of any Survey; and (vi) any costs of the title examination and Title Commitment.

10.3 At Closing, in addition to the Deed, Seller shall deliver (i) a seller's affidavit in the form required by the Title Company, (ii) a bill of sale conveying any Personalty to Buyer, (iii) an affidavit confirming that Seller is neither a "foreign person" nor a "foreign corporation" (as those terms are defined in Section 1445 of the Internal Revenue Code of 1986, as amended), (iv) a closing statement, reflecting the adjustments contemplated hereunder, and (v) all such other documents and instruments as may reasonably be required by Buyer and/or Escrow Agent to close the sale in accordance with this Agreement. At Closing, Buyer shall deliver (i) a closing statement, reflecting the adjustments contemplated hereunder, and (ii) all such other documents and instruments as may reasonably be required by Seller and/or Escrow Agent to close the sale in accordance with this Agreement.

Section 11 – Conditions Pertaining to the Development Site

11.1 Buyer and Seller agree that the following conditions must be met by Buyer no later than one (1) year after the Effective Date of this Agreement, or else Buyer shall have no right to exercise its option to purchase the Property and Seller shall have no obligation to sell the Property to Buyer, and

- a. Buyer must submit development plans for a first-class multi-family residential development project on the Development Site to the Planning Department of the City of Bonner Springs, Kansas (the "Development Plans").
- b. The Development Plans and any other entitlements (including but not limited to a change of zone, special use permit, or master plan amendment) required for development of the Property must be approved by the City of Bonner Springs City Council.

11.2 After completion of the conditions set forth in Section 11.1, Buyer shall provide written notice to Seller prior to the end of the Due Diligence/Option Period stating Buyer's intent to exercise the option and providing all necessary documentation evidencing Buyer's completion of the conditions set forth in Section 11.1.

Section 12 - Representations and Warranties of Seller

12.1 Seller represents and warrants to Buyer as follows:

- (i) Organization. Seller is a municipality organized under the laws of the State of Kansas.
- (ii) Authority. The execution, delivery and performance by Seller of this Agreement are within such party's powers and have been duly authorized by all necessary action of such party.

(iii) No Conflicts. Neither the execution and delivery of this Agreement, nor the consummation of any of the transaction herein or therein contemplated, nor compliance with the terms and provisions hereof or thereof, will contravene the ordinances, rules, regulations of Seller or the laws of the State of Kansas, or to any judgment, decree, license, order, or permit applicable to Seller, or will conflict or be inconsistent with, or will result in any breach of any of the terms of these covenants, conditions or provisions of any indenture, mortgage, deed of trust, agreement or other instrument to which the Seller is a party, by which the Unified Government or any of its assets is bound, or by which Seller or any of its assets is subject.

(iv) No Consent. No consent, authorization, approval, order or other action by, and no notice to or filing with, any court of Government Authority or regulatory body or third party is required for the due execution and delivery by the Seller of this Agreement. No consent, authorization, approval, order or other action by, and no notice to or filing with, any court or Government Authority or regulatory body or third party is required for the performance by the Seller of this Agreement or the consummation of the transactions contemplated hereby.

(v) Valid and Binding Obligation. This Agreement is the legal, valid and binding obligation of Seller, enforceable against the Seller in accordance with its terms, except as may be limited by bankruptcy, reorganization, insolvency, receivership, fraudulent conveyance, moratorium or other similar laws relating to or affecting creditors' rights generally and the enforcement thereof, and subject to general principles of law and equity and the availability of specific legal and equitable remedies, including but not limited to the remedy of specific performance or similar relief, and the discretion of the court (regardless of whether enforcement is sought in equity or at law), and subject to standards of commercial reasonableness.

Section 13 - Representations and Warranties of Buyer

13.1 Buyer represents and warrants to the Unified Government as follows:

(i) Organization. Buyer is a corporation duly formed and validly existing under the laws of the State of Kansas. Buyer is duly authorized to conduct business in each other jurisdiction in which the nature of its properties or activities requires such authorization. Buyer shall: (1) preserve and keep in full force and effect its corporate or other separate legal existence, and (2) remain qualified to do business and conduct its affairs in the State and each jurisdiction where the nature of its properties or activities requires such authorization.

(ii) Authority. The execution, delivery and performance by Buyer of this Agreement are within such party's powers and have been duly authorized by all necessary action of such party.

(iii) No Conflicts. Neither the execution and delivery of this Agreement, nor the consummation of any of the transactions herein or therein contemplated, nor compliance

with the terms and provisions hereof or thereof, will contravene the organizational documents of Buyer or any provision of law, statute, rule or regulation to which Buyer is subject, or to any judgment, decree, license, order or permit applicable to Buyer, or will conflict or be inconsistent with, or will result in any breach of any of the terms of the covenants, conditions or provisions of any indenture, mortgage, deed of trust, agreement or other instrument to which Buyer is a party, by which Buyer or any of its assets is bound, or to which the Buyer or any of its assets is subject.

(iv) No Consents. No consent, authorization, approval, order or other action by, and no notice or filing with, any court or Government Authority or regulatory body or third party is required for the due execution and delivery by Buyer of this Agreement.

(v) Valid and Binding Obligation. This Agreement is the legal, valid and binding obligation of Buyer enforceable against Buyer in accordance with its terms, except as may be limited by bankruptcy, reorganization, insolvency, receivership, fraudulent conveyance, moratorium or other similar laws relating to or affecting creditors' rights generally and the enforcement thereof, and subject to general principles of law and equity and the availability of specific legal and equitable remedies, including but not limited to the remedy of specific performance or similar relief, and the discretion of the court (regardless of whether enforcement is sought in equity or at law), and subject to standards of commercial reasonableness.

Section 14 – Indemnity and Responsibility

14.1 Buyer agrees to accept the Property in its current condition and further agrees to indemnify, defend and hold Seller harmless from all claims, loss, injury or damage arising on the Property during the inspection process and at any time after the Closing Date.

Section 15 – Reservations, Easements and Access

15.1 Buyer agrees that any purchase of the Property will be subject to and include any such existing easements and access rights as required by Seller for those purposes.

Section 16 - Notices

16.1 All notices required or desired to be given hereunder shall be in writing and all such notices and other written documents required or desired to be given hereunder shall be deemed duly served and delivered for all purposes if (i) delivered by nationally recognized overnight delivery service; (ii) facsimile (with follow up within one (1) business day by United States Mail); or (iii) delivered in person, in each case if addressed to the parties set forth below:

To Seller:

The Unified Government Clerk
The Unified Government of Wyandotte County/Kansas City, Kansas
701 N. 7th Street, Room 323
Kansas City, Kansas 66101

with a copy to:

Economic Development Director
Unified Government of Wyandotte County/Kansas City, Kansas
701 N. 7th St.
Kansas City, KS 66101

And to Buyer at:

Alex Howe
River Bend Land Co. – PV LLC
5601 Norwood
Fairway, KS 66205

Any party may change the address to which notices are to be addressed by giving the other parties notice in the manner set forth above.

Section 17 - Casualty; Condemnation

17.1 If prior to the Closing Date the Property or any part thereof is damaged or destroyed by fire or by any other cause, this Agreement shall become null and void at Buyer's option, and upon delivery to Seller of written notice of an election by Buyer to treat this Agreement as null and void delivered by Buyer within ten (10) days of its knowledge of the casualty, this Agreement shall terminate and neither party shall have any further rights or obligations hereunder. If Buyer elects to proceed and to consummate the purchase despite said damage or destruction, Seller will assign to Buyer its interest in and to any insurance policies and proceeds thereof payable as a result of such damage or destruction, less such portion thereof as shall first be reimbursed to Seller for the costs of any restoration work incurred by Seller prior to Closing.

Section 18 – Default

18.1 Default Provisions. Buyer shall be in default under this Agreement if:

(a) Buyer fails to make any of the payments of money required by the terms of this Agreement, and Buyer fails to cure or remedy the same within thirty (30) days of written notice of such failure from Seller;

(b) Buyer fails in a material manner to keep or perform any covenant or obligation herein contained on Buyer's part to be kept or performed, and Buyer fails to remedy the same

within thirty (30) days after Buyer's receipt of written notice specifying such failure and that Seller considers such failure to be material and requesting that it be remedied; provided, however, that if any event of default shall be such that it cannot reasonably be corrected within such period, it shall not constitute an event of default if corrective action is instituted by Buyer within such period and diligently pursued until the default is corrected; or

(c) Buyer shall file a voluntary petition under any bankruptcy law or an involuntary petition under any bankruptcy law is filed against Buyer in a court having jurisdiction and said petition is not dismissed within sixty (60) days; or Buyer generally is not paying its debts as such debts become due; or Buyer makes an assignment for the benefit of its creditors; or a custodian, trustee or receiver is appointed or retained to take charge of and manage any substantial part of the assets of Buyer and such appointment is not dismissed within sixty (60) days;

(d) Buyer breaches its representations and warranties set forth in this Agreement and Buyer fails to remedy the same within thirty (30) days after Buyer's receipt of written notice from Seller specifying such failure and requesting that it be remedied; provided, however, that if any event of default shall be such that it cannot reasonably be corrected within such period, it shall not constitute an event of default if corrective action is instituted by Buyer within such period and diligently pursued until the default is corrected.

(e) In the event of any default, Seller may take such actions, or pursue such remedies, as exist hereunder, or at law or in equity, and Buyer covenants to pay and indemnify Seller against all reasonable costs and charges, including reasonable attorneys' fees, lawfully and reasonably incurred by or on behalf of Seller in connection with the enforcement of such actions or remedies. Without limiting the generality of the foregoing, and in addition to and not to the exclusion of any other rights or remedies of Seller hereunder, in the event of such default which occurs prior to Closing which is not cured within the applicable cure period, the Seller may terminate this Agreement. Buyer agrees that it shall have no other claim or action against Seller as a result of such termination of the Agreement.

18.2 Rights and Remedies. The rights and remedies reserved by Seller hereunder and those provide by law or equity shall be construed as cumulative and continuing rights, no one of which shall be exhausted by the exercise of any one or more of such rights or remedies on any one or more occasions. If a default by Buyer occurs under this Agreement and is continuing and is not cured within the applicable cure period, Seller may take whatever action at law or in equity as may appear necessary or desirable to enforce performance and observance by Buyer of any provision of this Agreement. Seller shall be entitled to specific performance and injunctive or other equitable relief for any breach or threatened breach of any of the provisions of this Agreement, notwithstanding the availability of an adequate remedy at law, and each party hereby waives the right to raise such defense in any proceeding in equity. Failure of Seller to enforce any such rights shall not be deemed a waiver thereof.

18.3 Default by Seller. Seller shall be in default under this Agreement if:

(a) Seller fails to make any of the payments of money required by the terms of this Agreement, and Seller fails to cure or remedy the same within thirty (30) days of written notice of such failure from Buyer;

(b) Seller fails in a material manner to keep or perform any covenant or obligation herein contained on Seller's part to be kept or performed, and Seller fails to remedy the same within thirty (30) days after Seller's receipt of written notice specifying such failure and that Buyer considers such failure to be material and requesting that it be remedied; provided, however, that if any event of default shall be such that it cannot reasonably be corrected within such period, it shall not constitute an event of default if corrective action is instituted by Seller within such period and diligently pursued until the default is corrected; or

(c) Seller breaches its representations and warranties set forth in this Agreement and Seller fails to remedy the same within thirty (30) days after Seller's receipt of written notice from Buyer specifying such failure and requesting that it be remedied; provided, however, that if any event of default shall be such that it cannot reasonably be corrected within such period, it shall not constitute an event of default if corrective action is instituted by the Seller within such period and diligently pursued until the default is corrected.

(d) In the event of any default, Buyer may take such actions, or pursue such remedies, as exist hereunder, or at law or in equity. Without limiting the generality of the foregoing, and in addition to and not to the exclusion of any other rights or remedies of the Seller hereunder, in the event of such default which is not cured within the applicable cure period, Buyer may terminate this Agreement.

18.4 Rights and Remedies. The rights and remedies reserved by Buyer hereunder and those provide by law or equity shall be construed as cumulative and continuing rights, no one of which shall be exhausted by the exercise of any one or more of such rights or remedies on any one or more occasions. If a default by Seller occurs under this Agreement and is continuing and is not cured within the applicable cure period, Buyer may take whatever action at law or in equity as may appear necessary or desirable to enforce performance and observance by Seller of any provision of this Agreement. Buyer shall be entitled to specific performance and injunctive or other equitable relief for any breach or threatened breach of any of the provisions of this Agreement, notwithstanding the availability of an adequate remedy at law, and each party hereby waives the right to raise such defense in any proceeding in equity. Failure of Buyer to enforce any such rights shall not be deemed a waiver thereof.

Section 19 -- Miscellaneous

19.1 Assignment. Seller shall not assign its rights and interests hereunder without the express written approval of Seller.

19.2 Cash Basis Law. This Agreement is subject to the Kansas Cash Basis Law, K.S.A. 10-1101 et seq. and amendments thereto. This Agreement shall be construed and interpreted so as to ensure that Seller shall at all times stay in conformity with such laws and, as a condition of this Agreement, Seller reserves the right to unilaterally terminate this Agreement if the Agreement is deemed to violate the terms of such law. Seller is obligated only to make payments under the

Agreement as may lawfully be made from: (a) funds budgeted and appropriated for that purpose during the Seller's current budget year; or (b) funds made available from any lawfully operated revenue producing source.

19.3 Entire Agreement. This Agreement, together with all the Exhibits attached hereto and incorporated by reference herein, constitutes the entire undertaking between the parties hereto, and supersedes any and all prior agreements, arrangements and understandings between the parties. This Agreement shall not be modified or amended unless such amendment is set forth in writing and executed by both Seller and Buyer.

19.4 Force Majeure. In the event either party hereto shall be delayed or hindered in or prevented from the performance of any act required under this Agreement by reason of acts of God, strikes, lockouts, failure of power or other insufficient utility service, riots, insurrection, any lawsuit seeking to restrain, enjoin, challenge or delay construction, failure of Seller to make timely approvals with regard to the Improvements (if applicable), war, terrorism or other reason of a like nature not the fault of the party delayed in performing work or doing acts required under the terms of this Agreement, then performance of such act shall be excused for the period of the delay, and the period for the performance of any such act shall be extended for a period equivalent to the period of such delay. The provisions of this Section shall not be applicable to delays resulting from the inability of a party to obtain financing or to proceed with its obligations under this Agreement because of a lack of funds.

19.5 Run with the Land. This Agreement shall be binding on and inure to the benefit of the parties hereto and their respective heirs, successors and assigns and shall run with the land.

19.6 Provisions Surviving Closing. The provisions of Sections 11 and Sections 15 and Sections 17 through 19 shall survive Closing.

19.7 Counterparts. This Agreement may be executed in counterparts, which together shall constitute the agreement of the Parties.

19.8 Authority. By executing this Agreement the signatory represents that they possess the required authority of their respective party.

19.9 Execution of Counterparts. This Agreement may be executed simultaneously in two or more counterparts, each of which shall be deemed to be an original, but all of which together shall constitute one and the same instrument.

19.10 Invalidity of Any Provisions. If for any reason any provision hereof shall be determined to be invalid or unenforceable, the validity and effect of the other provisions hereof shall not be affected thereby.

[Signature page follows.]

IN WITNESS WHEREOF, the parties hereto have executed these presents as of the Effective Date.

**THE UNIFIED GOVERNMENT OF WYANDOTTE
COUNTY/KANSAS CITY, KANSAS**

By: _____
Douglas G. Bach
County Administrator

Date: _____

ACKNOWLEDGMENT

STATE OF KANSAS)
) SS.
COUNTY OF WYANDOTTE)

On this ____ day of _____, 2021, before me personally appeared Douglas G. Bach, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same in his capacity as County Administrator of the Unified Government of Wyandotte County/Kansas City, Kansas.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written.

Notary Public

My term expires:

River Bend Land Co. – PV LLC

By: Al Howe

Date: 3/23/21

STATE OF Kansas)
) SS.
COUNTY OF Johnson)

On this 23rd day of March, 2021, before me personally appeared Al Howe to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same in his capacity as Manager of River Bend Land Co., LLC.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written.

Thomas J. Allen
Notary Public

My term expires: 08/2023

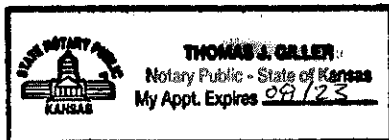


EXHIBIT A

Property Legal Description

SEC-08 TWP-11 RNG-23, S8, T11, R23, ACRES 15.220000, TR 181B
23 20A LS 3.51AC TURNPIKE CONTG 16.49AC LS 1 55AC NOW
CONTG 16.49 AC



Staff Request for Commission Action

Tracking No. 21771

Full Commission Meeting Date: 4/8/21

Committee: Full Commission

Date of Standing Committee Action: NA
(If none, please explain):

Publication Required: No

<u>Date:</u> 4/5/2021	<u>Contact Name:</u> Doug Bach	<u>Contact Phone:</u> x5027	<u>Contact Email:</u> dbach@wycokck.org	<u>Department/Division:</u> Administrator's Office
<u>Item Description:</u> A resolution authorizing execution of a Memorandum of Understanding (MOU) between the Unified Government and the Service Employees International Union (SEIU) Local #1.				
<u>Action Requested:</u> Adopt the resolution				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u>				



Staff Request for Commission Action

Tracking No. 21727

Full Commission Meeting Date: 4/8/2021

Committee: Neighborhood & Community Development

Date of Standing Committee Action: 3/29/2021

(If none, please explain):

Publication Required: No

<u>Date:</u> 4/1/2021	<u>Contact Name:</u> Jud Knapp	<u>Contact Phone:</u> x5472	<u>Contact Email:</u> jknapp@wycokck.org	<u>Department/Division:</u> Economic Development
<u>Item Description:</u> The Land Bank Manager respectfully request that the neighborhood and community development committee review the proposed item and forward it to the Land Bank Board of Trustees for final consideration, Submitted by Jud Knapp, Interim Land Bank Manager 24 Single Family Homes 1 Row Houses 1 Home Addition				
<u>Action Requested:</u> Approve and forward to Land Bank Board of Trustees				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u> NCD Memo Land Bank Options 03.29.21 FC				



Wyandotte County Land Bank
Economic Development Department
Jud Knapp, Interim Manager

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

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

M E M O R A N D U M

TO: Neighborhood & Community Development Standing Committee
FROM: Jud Knapp, Interim Land Bank Manager
DATE: April 1, 2021
SUBJECT: Option applications for consideration

The following **option application(s)** are being presented at the 04/8/2021 meeting:

New Construction - 24 Single Family Homes

CHWC - Rivers Edge East Subdivision

- Phase 1 - 6 Homes - 2021
 - 3036 N Getty St – 293023
 - 3030 N Getty St – 293024
 - 3022 N Getty St – 293025
 - 3016 N Getty St – 293026
 - 1726 Roswell Ave – 293027
 - 2940 N Getty St - 293000
- Phase 2 - 6 Homes - 2022
 - 2938 N Getty St – 293001
 - 2938 N Getty St - 293002
 - 2938 N Getty St - 293004
 - 2938 N Getty St - 293006
 - 2938 N Getty St - 293011
 - 2938 N Getty St - 293012
- Phase 3 - 6 Homes - 2023
 - 3027 N Getty St - 293014
 - 3021 N Getty St - 293013
 - 3033 N Getty St - 293015
 - 3039 N Getty St - 293016
 - 3045 N Getty St – 293017
 - 3031 N 18th St - 293030

Kristi Smith High - 1 Home

- 202 Stewart Ave - 094565
- 204 Stewart Ave - 094566
- 206 Stewart Ave - 094567

Karan Gupta - 2 Homes

- 844 Tauromee Ave - 090403
- 848 Tauromee Ave - 090402

Maribel Cortez – 1 Home

- 3517 N 47th St - 913921

Habitat for Humanity - 3008 N 30th St – 099328

- This application was delayed two months due to its distance from the Quindaro Townsite.

New Construction – Home Addition

Victor Alfonso Laozano

- 3052 N 31st St – 099280
- *Staff Advisory concerns – can build addition on lot, Habitat is building in the area*

New Construction – Row Houses – Requested 3 Land Bank lots

Luminary Transformations - 8 Units

- 1026 Oakland Ave - 087650
- 1030 Oakland Ave - 080190
- 1038 Oakland Ave - 080189
- *Staff Advisory concerns – Row houses will require rezoning to R-3*
- *Advisory Board – Strugglers Hills Neighborhood group has reviewed the application, and no objections to the project.*



Staff Request for Commission Action

Tracking No. 21728

Full Commission Meeting Date: 4/08/2021

Committee: Neighborhood & Community Development

Date of Standing Committee Action: 3/29/2021

(If none, please explain):

Publication Required: No

<u>Date:</u> 4/1/2021	<u>Contact Name:</u> Jud Knapp	<u>Contact Phone:</u> x5472	<u>Contact Email:</u> jknapp@wycokck.org	<u>Department/Division:</u> Economic Development
<u>Item Description:</u> The Land Bank Manager respectfully request that the Neighborhood and Community Development Committee review the proposed item and forward it to the Land Bank Board of Trustees for final consideration, Submitted by Jud Knapp, Interim Land Bank Manager 1 yard extension request				
<u>Action Requested:</u> Approve and forward to Land Bank Board of Trustees				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u> NCD Memo Land Bank Property Transfers 03.29.21				



Wyandotte County Land Bank
Economic Development Department
Jud Knapp, Interim Manager

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

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

M E M O R A N D U M

TO: Neighborhood & Community Development Standing Committee
FROM: Jud Knapp, Interim Land Bank Manager
DATE: March 17, 2021
SUBJECT: Option applications for consideration

The following **property transfers application(s)** are being presented at the 03/29/2021 meeting:

Yard Extension – Cassandra Bitterman

- 627 Shawnee Rd – 155110
 - Lot is unbuildable by the Land Bank policy
 - Frontage - 12 Feet

