

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

REGULAR SESSION  
NOVEMBER 18, 2021

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in regular session Thursday, November 18, 2021, with nine members present via Zoom: 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; Markley, Commissioner Sixth District; Philbrook, Commissioner Eighth District; and Alvey, Mayor/CEO presiding. Kane, Commissioner Fifth District; and Walters, Commissioner Seventh District; were absent. The following officials were also in attendance: Doug Bach, County Administrator; Alan Howze and Melissa Sieben, Assistant County Administrator's; Misty Brown, Chief Counsel; Wendy Green, Assistant Counsel; Susan Alig, Senior Counsel; Patrick Waters, Deputy Chief Counsel; James Bain, Assistant Counsel; Wilba Miller, Director of Community Development; Katherine Carttar, Director of Economic Development; Juliann VanLiew, Director of Health Department; Dr. Erin Corriveau, Deputy Local Health Officer; Dr. Allen Greiner, Local Health Officer; Carol Godsil, Deputy Unified Government Clerk, and Ashley Hand, Director of Strategic Communication.

**Mayor Alvey** said before I call the meeting to order, I want to announce that due to COVID, we have individuals attending remotely. All participants joining by the phone should mute their phones and not speak to avoid background noise.

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

Due to COVID-19 requirements, the public are allowed to participate by Zoom or submit comments by email prior to the meeting. Those comments are included in the record of the meeting. The public also has the opportunity to provide brief comments from the lobby of the Municipal Office Building. I'd ask the Clerk to please call the meeting to order and call roll.

**Roll call:** Markley, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Alvey.

**Mayor Alvey** said our invocation is being given by Commissioner Harold Johnson of the Faith Deliverance Church of God in Christ.

**Mayor Alvey** said Clerk any revisions to tonight's agenda? **Carol Godsil, Deputy UG Clerk**, said yes, we have one revision, Item 7 has been added under the Administrator's Agenda. It is a Memorandum of Agreement with the Fraternal Order of Police Lodge 40. That is the only revision for tonight.

**Mayor Alvey** said our first order of business concerning the agenda. Does any member of the Commission or the County Administrator wish to set aside any item of the consent agenda? If an item is not set aside, all items on the consent agenda will be voted on by one vote. I see Commissioner Bynum had your hand up.

**Commissioner Bynum** said I'd like to set aside Item 1 from the consent agenda, the communications submitting the proposed 2022 holiday schedule.

**Action:** **Commissioner McKiernan made a motion, seconded by Commissioner Ramirez, to approve the remaining items as submitted.** Roll call was taken and there were eight "Ayes," Markley, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson.

## **CONSENT AGENDA**

### **MAYOR'S AGENDA**

#### **Item 1 – 211097...COMMUNICATION: PROPOSED 2022 HOLIDAY SCHEDULE**

**Synopsis:** A communication submitting a proposed 2022 holiday schedule, submitted by Brett Deichler, Unified Government Clerk.

**Commissioner Bynum** said we've had a communication from a constituent asking us to consider Juneteenth as a Unified Government holiday, given that it has become a federal holiday. I think that is an appropriate discussion to have. What I'm not aware of is, are the number of Unified

Government holidays set by some HR policy? How much is it to consider adding another holiday and would need we more discussion? Which is why I asked to pull the item because I'm afraid that a request like that might get lost in the shuffle if we agree to adopt our holidays as submitted. I don't want to lose sight of the need to have a conversation about adding Juneteenth. I'm not sure what the direction to go is. I think I need some guidance from staff.

**Mayor Alvey** said Doug, I'm wondering if—I think we could approve the remaining schedule and we could always amend that, correct? And that would give you an opportunity to come back to us with a presentation on December 2<sup>nd</sup> perhaps?

**Doug Bach, County Administrator**, said the holiday schedule and the calling out of how you set days is at the discretion of the governing body. To set those holidays is totally within your control, and we could come back for a presentation. The cost for a holiday is approximately \$450K.

**Mayor Alvey** said Commissioner Bynum would that suffice to table this or asked them to bring it back on December 2<sup>nd</sup> as a specific set-aside item?

**Commissioner Bynum** said yes, I would appreciate that very much.

**Mr. Bach** said may I ask what would you like us to come forward with for a presentation?

**Mayor Alvey** said I think I'd be asking for cost, where those costs are located and what those centers are. How would we defray those costs, what would be the difference in the level of service we might provide, or not provide? What the surrounding communities are doing? What the State of Kansas is doing regarding this? A rounder understanding of a presentation about all the ramifications of making that choice. **Mr. Bach** said we'll do that.

**Commissioner Ramirez** said I want to thank Commissioner Bynum for pulling this off the consent agenda and having and opening the conversation. I, 100% support it. I think we should do it. I know that there are costs involved, but in the email that was sent we are the second-most

diverse county in this country. We need to continue celebrating that and that is making Juneteenth a UG holiday. Again, thank you Commissioner Bynum for bringing this forward. I support it 100%, and I look forward for this coming before us in the future.

**Commissioner Burroughs** said I too, appreciate having an opportunity to discuss this as a holiday. In the recent Kansas Election Hall, I heard over and over again that the community would like to see action taken to make election day a holiday. That would be for the general, I would hope that we have a chance to have that discussion as well. Whether it be a local decision or State decision, people are asking that we make election day a holiday, so that they can engage themselves in the process of the election.

**Mayor Alvey** said that moves us then to the public hearing agenda.

**Commissioner Markley** said, Mayor, are we going to go ahead and vote on the remaining schedule or are we just going to vote on the whole thing? **Mayor Alvey** said thank you, yes.

**Action:** **Commissioner Markley made a motion, seconded by Commissioner Philbrook to vote on the schedule as proposed knowing that we will have some discussion in a future meeting about item brought forward by Commissioner Bynum.** Roll call was taken and there were eight “Ayes,” Markley, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson.

## **Item No. 2 – 211168...PLAT: NOVAK ADDITION**

**Synopsis:** Plat of Novak Addition, located 9535 State Avenue, being developed by Rusty Roberts, submitted by Brent Thompson, County Surveyor; and Troy Shaw, County Engineer.

**Action:** **Commissioner McKiernan made a motion, seconded by Commissioner Ramirez, to approve and authorizing the Mayor to sign the plat.** Roll call was taken and there were eight “Ayes,” Markley, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson.

**Item No. 3 – 211181...PLAT: HOMEFIELD CAMPING WORLD**

**Synopsis:** Plat of Homefield Camping World, located at 1201 N. 98th St., being developed by HFS KCK, LLC, submitted by Brent Thompson, County Surveyor; and Troy Shaw, County Engineer.

**Action:** Commissioner McKiernan made a motion, seconded by Commissioner Ramirez, to approve and authorizing the Mayor to sign the plat. Roll call was taken and there were eight “Ayes,” Markley, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson.

**Item No. 4 – 211182...PLAT: SCHLITTERBAHN VACATION VILLAGE FIFTH PLAT**

**Synopsis:** Plat of Schlitterbahn Vacation Village Fifth Plat, located at 99th St. and Parallel Parkway, being developed by HFS KCK, LLC, submitted by Brent Thompson, County Surveyor; and Troy Shaw, County Engineer.

**Action:** Commissioner McKiernan made a motion, seconded by Commissioner Ramirez, to approve and authorizing the Mayor to sign the plat. Roll call was taken and there were eight “Ayes,” Markley, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson.

**Item No. 5 - MINUTES**

**Synopsis:** Minutes from regular session of September 9, 2021; special meeting from October 26, 2021; and special session from November 4, 2021.

**Action:** Commissioner McKiernan made a motion, seconded by Commissioner Ramirez, to approve. Roll call was taken and there were eight “Ayes,” Markley, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson.

**Item No. 6 - WEEKLY BUSINESS MATERIAL**

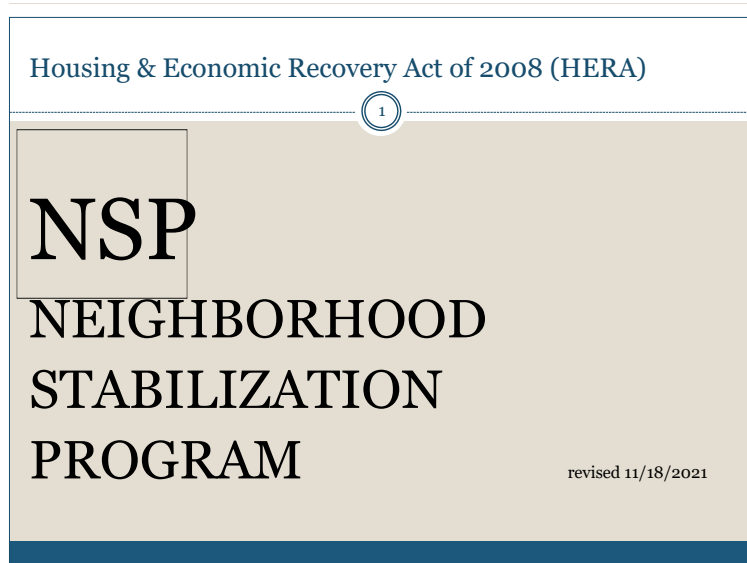
**Synopsis:** Weekly business material dated November 4 and 10, 2021.

**Action:** Commissioner McKiernan made a motion, seconded by Commissioner Ramirez, to approve. Roll call was taken and there were eight “Ayes,” Markley, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson.

## **PUBLIC HEARING AGENDA**

**Mayor Alvey** said we’ll move to public hearing to complete the closeout of Neighborhood Stabilization Program One, I’d ask staff to make some opening remarks.

**Mr. Bach** said I’ll recognize Wilba Miller, our Director of Community Development, to offer a presentation regarding this topic.



## NSP Definition

2

- Primary purpose is to bail out mortgage lenders
- The Neighborhood Stabilization Program (NSP) provides grants to purchase vacant foreclosed homes, to rehabilitate, or redevelop and resell these homes in order to stabilize neighborhoods and stem the decline of house values of neighboring homes.
- The program is authorized under Title III of the Housing and Economic Recovery Act of 2008.

**Wilba Miller, Director of Community Development**, said the Unified Government was awarded Neighborhood Stabilization Program funds in the amount of \$3.656M from the State of Kansas, Department of Commerce on April 15, 2009. The primary purpose under the NSP program was to bail out the mortgage lenders or what I would like to consider, address the housing crisis of 2008. The NSP provides grants to purchase the vacant foreclosed properties, to rehabilitate them, redevelop and resell them in order to stabilize the neighborhoods and to stem the decline of house values of the neighboring homes. That program was authorized under the Title 3 of the Housing and Economic Recovery Act of 2008.

## Purpose: Redevelopment of Foreclosed Property – (only)

3

### Distribution

- **Appropriation**  
\$3.95 billion
- **State of Kansas...**\$20,970, 242  
\* Distribution Based on Formula for Foreclosures
- **Wyandotte County**  
\$3,656,324+

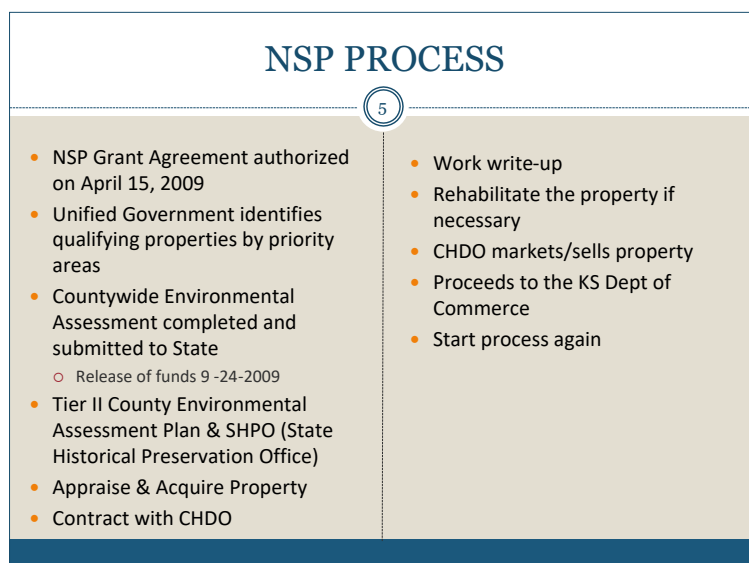
### Can be used for uses:

- Acquire and Rehab (Foreclosed Vacant Residential Property)
- Financing Mechanism to purchase rehabbed foreclosed homes
- Demolition (Blighted Foreclosed Single Family houses)
- Redevelopment (Demolished Foreclosed Property)
- Land Bank (Foreclosed Property)

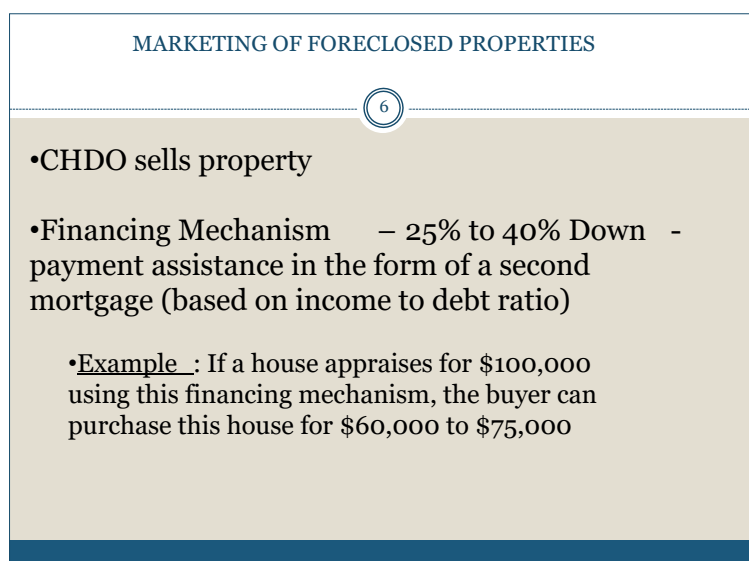
The State of Kansas received approximately \$20M which they distributed based on foreclosures within counties. Wyandotte County was lucky enough to get \$3.656M plus. We'll get into the plus a little bit later. The funds can be used to acquire and rehab the foreclosed vacant residential properties and it also can be used for a financing mechanism to purchase rehab and foreclosed homes. The demolition of blighted, foreclose single-family homes, the redevelopment of demolished foreclosed property and the Land Bank of foreclosed property.

| BASIC NSP GUIDELINES                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| 4                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |  |
| <ul style="list-style-type: none"> <li>• All funds must be spent within 4 years, or returned to the Federal Government</li> <li>• 18 months to allocate funds (Federal)</li> <li>• 9 months to commit or reallocate (State)</li> <li>• Program Income is returned to the State to be reallocated</li> <li>• Benefit to persons/families               <ul style="list-style-type: none"> <li>• Relaxed CDBG rules – up to 120% Area Median Income (AMI)</li> <li>• At least 25% must benefit 50% of AMI</li> <li>• Primary focus on housing within neighborhoods</li> </ul> </li> </ul> |  |

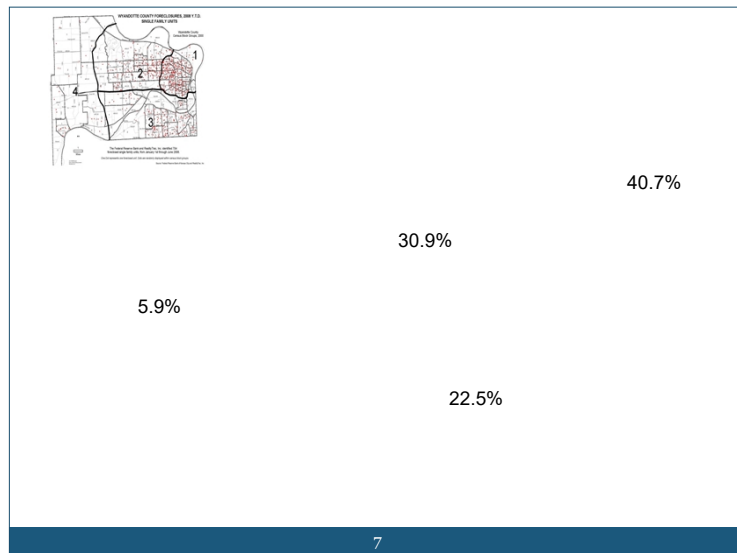
At the time, the funds all needed to be spent within four years or returned to the Federal Government. I know this has been a long time since 2008, but the Federal Government is just now getting to that “Please closeout this program.” At the time the State had 18 months to allocate the funds and nine months to commit or reallocate them. Any income derived from the program was to be returned to the State to be reallocated. The major benefit to persons and families that were involved in this program were that the relaxed CDBG rules were relaxed up to 120% of the area-medium income, which normally would only be 80% of the area-medium income. At least 25% or fourth of the funds must benefit households of 50% of area-medium income. The primary focus was housing was within neighborhoods.



We signed a grant agreement on April 15, 2009. We identified properties by the priority areas; I will be showing you a map that shows that. We completed a county-wide environmental assessment and submitted it to the State. We started appraising and acquiring property. We contracted with our CHDO organizations – we had three at the time. CHWC which at the time was Community Housing of Wyandotte County, City Vision Ministries and Mount Carmel Redevelopment. They completed work write-ups, they rehabbed property if necessary; they market and sold the property, and they did receive a developer's fee for doing so. All proceeds went to the State, Kansas Department of Commerce and then we started the process again.



When they sold the property to the households, the financing mechanism was 25-40% of the down payment assistance was allowed in the form of a second mortgage and it was based on the household income to debt ratio. For example, if the house appraised for \$100K, using this financing mechanism, the buyer could have purchased that house for \$60K to \$75K.



This is the map that the Federal Reserve gave us back in 2008 and it shows single-family foreclosed properties from January 1<sup>st</sup> through June 1<sup>st</sup>, 2008, all the red dots. They did not give us addresses; that is private information, we had to go into each area and try to determine vacant foreclosed properties. We used Livable Neighborhoods, we used, at the time, commissioners that knew of anybody in the public that knew of foreclosed property. The area was divided up into these four categories:

## NSP Unit By Area

as of November 18, 2021

9

|                 |                                                              | Purchased |
|-----------------|--------------------------------------------------------------|-----------|
| Priority Area 1 | I-70 to Mo. River<br>West to I -635                          | 20        |
| Priority Area 2 | I-635 West to I -<br>435; I -70 to River                     | 21        |
| Priority Area 3 | State Line East to I -<br>435; I -70 South to<br>County Line | 10        |
| Priority Area 4 | I-435 to County<br>Line; KS River<br>North County Line       | 1         |
|                 |                                                              | 52        |

- Area 1 – I-70 to Missouri River, west of I-635.
- Area 2 – I-635W to I-435 and I-70 to the river.
- Area 3 – State Line east to I-435. I-70 South to County Line.
- Area 4 – I-435 to County Line and Kansas River to the north County Line.

As you can see Areas 1, 2 and 3 had the most foreclosed properties at that time.

## U.G. Acquisition Selection Factors

8

- House is bank owned and meets foreclosure criteria
- Environmental Compliance:
  - lead based paint, asbestos, noise, sanitary system, blight, etc.
- Desirable location and marketability of house
- Adequate timeframe for acquisition, rehab and resale
- Amenities:
  - basement, garage, off street parking
- Adequate energy efficiency of house
- Property maintenance is manageable by homeowner

The acquisition selection factors for those properties that we did acquire, the house had to be bank-owned and met foreclosure criteria. It had to be within environmental compliance, no lead-based paint, asbestos, noise, sanitary system, blight, etc. We hoped that it was a desirable location, and

we could market the house. We had an adequate timeframe for acquisition rehab and resale. The amenities were basements, garages, and off-street parking that we looked for, and we tried to make adequate energy efficiency of the house, and that the property maintenance would be manageable by the homeowner. When we talk about energy efficiency, we try to do as well as you could on rehabbing the house, but also with appliances that were provided.

| NSP Unit By Area        |                                                              |           |
|-------------------------|--------------------------------------------------------------|-----------|
| as of November 18, 2021 |                                                              |           |
|                         |                                                              | Purchased |
| Priority Area 1         | I-70 to Mo. River<br>West to I -635                          | 20        |
| Priority Area 2         | I-635 West to I -<br>435; I -70 to River                     | 21        |
| Priority Area 3         | State Line East to I -<br>435; I -70 South to<br>County Line | 10        |
| Priority Area 4         | I-435 to County<br>Line; KS River<br>North County Line       | 1         |
|                         |                                                              | 52        |

You can see Area 1, we purchased 20 properties. Area 2, 21 properties. Area 3, 10 properties and Area 4, 1 property, for a total of 52 homes.

| NSP Notes                                                                                                                                                                                                                                                                                                                                                                                                      |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li>• First in the State of Kansas to spend NSP funds</li> <li>• Awarded an additional 3 allocations of \$1M</li> <li>• Acquired 52 foreclosed units; 3 were demolished with 2 used as green space; 1 new construction</li> <li>• Total of 49 properties acquired, rehabbed, resold for program</li> <li>• Met and exceeded 25% set aside for &lt;50% LMA income</li> </ul> |

We were the first in the State of Kansas to spend part of our NSP funds. We were awarded an additional three allocations of a million dollars each for a total of six million dollars. We acquired 52 foreclosed units, three were demolished, with two being used as green space, and one of those being used for new construction, using home funds by Habitat for Humanity. We had a total of 49 vacant properties that were acquired, rehabbed, and resold for the program. And we met and exceeded our 25% set-aside for 50% low-mod income. It's interesting to note that there were 16 properties that went through a lease purchase with CHWC, for sale as opposed to a first-mortgage lender, and of these 49 properties, only nine have resold since the program.

| NSP Unit Summary        |             |            |
|-------------------------|-------------|------------|
| as of November 18, 2021 |             |            |
| 11                      |             |            |
| Type of Unit            | Expended    | Percentage |
| Households < 50%        | \$2,708,896 | 41%        |
| Households < 120%       | \$3,511,967 | 53%        |
| Administration (7% cap) | \$ 355,855  | 6%         |
| TOTAL                   | \$6,576,718 | 1          |

This is the type of unit income level in what was expended in the percentage. We had to spend at least 25% at 50% or below, and you see we made it at 41%. One hundred and 20% or below, we made 53%. We had an admin cap of 7%, but we only spent 6%. We spent a total of \$6,576,718. That is the end of my presentation. What I'm requesting is that we hold a public hearing and authorize the mayor to sign closeout documents to submit to the State.

**Mayor Alvey** said I will now open the public hearing. Clerk, have you received any notification from the public who wish to express their comments regarding this item? **Ms. Godsil** said no comments were received.

**Mayor Alvey** said is there anyone on Zoom or on phone-in that would like to make a comment? Please raise your hand and be recognized. **Ms. Godsil** said, I see no hands raised.

**Mayor Alvey** said I don't see anyone in the lobby. I will now close the public hearing and any further questions or comments from the Commission?

**Commissioner Philbrook** said Wilba, thanks very much for making sure that things went in the right direction on that, and it is pretty good percentages of the properties remaining and original grouping of folks. Do you know anything about the property that resold? Did they make a good profit on it or what happened with those?

**Ms. Miller** said they were not allowed to make a profit on it, so-to-speak. They had to pay off the second mortgage and we submitted those funds to the State of Kansas. We do feel like it was a successful program because even with nine people reselling their houses, they're not vacant and foreclosed and deteriorating and now they're people that are maintaining them and paying their taxes.

**Commissioner Philbrook** said in other words the people that bought them got a good deal to because they got that price - the better price, and that's pretty doggone good. Thank you, Wilba.

**Mr. Bach** said, Mayor, at this time we'd ask for a motion for approval to allow you to move forward to sign off on this program.

**Action:** **Commissioner Markley made a motion, seconded by Commissioner Philbrook, to approve and authorize the program.** Roll call was taken and there were eight "Ayes," Markley, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson.

## **STANDING COMMITTEES' AGENDA**

No items of business

**Mayor Alvey** said this takes us to the Administrator's Agenda.

### **ADMINISTRATOR'S AGENDA**

#### **Item No. 1 – 211174...RESOLUTION: ASSIGNMENT AND ASSUMPTION OF VILLAGE WEST APARTMENTS IRB DOCUMENTS**

**Synopsis:** A resolution authorizing the Assignment and Assumption of Village West Apartments (11024 Delaware Parkway) industrial revenue bond documents from JVM Village West Apartments, LLC, to Avanti Residential Village West, LLC, submitted by Katherine Carttar, Director of Economic Development.

**Doug Bach, County Administrator,** said we have several IRBs on the agenda which we're moving forward with. Most of these, and I believe all of these, are anticipated with the original development deal. Moved them forward to tonight. I would like to recognize our Director of Economic Development, Katherine Carttar to make brief presentation regarding each item. I think a couple of them can be joined together but let her make that presentation as we move through this.

**Katherine Carttar, Director of Economic Development,** said this first item is a resolution to approve an assignment and an assumption agreement for the Village West Apartments. This is very similar to what you've seen in the past, basically the property is selling to a new owner. The property is the first apartment complex that is out there at Village West at 110<sup>th</sup>, centered between Parallel Parkway and Delaware Parkway. The person that they are selling to wants to transfer the ownership to a group called Avanti Residential. They are the current owner of the second phase just next door. They clearly really like the area and I think are finding this a good community to be in business in and the high-quality product that NorthPoint built. There's a couple more years left on the IRB, so what this assignment and assumption would do is just to ensure that they are making sure that they are doing everything that is required of the owner contractually in that development agreement.

**Commissioner Bynum** said I just had a question Katherine that I think you may have just confirmed, but I don't know if 11024 Delaware is phase 1 or phase 2, but both of those complexes have a PILOT on them, a Payment In Lieu of Taxes, and I wanted to confirm that the PILOT remains in place. I believe you said the terms of our development agreement would not be changing with the assignment and assumption. If you could just confirm.

**Ms. Carttar** said correct, yes. Yes, that is accurate. The term will not be changing, both are a 10-year term and I want to say, but I believe there is one or two years left on the one that we are discussing tonight. This will ensure that they finish-out paying that last PILOT, the last year or two of PILOT payments that was previously agreed upon and then once that IRB is terminated then they will be paying full property taxes.

**Mayor Alvey** said I'd entertain a motion.

**Action:** **RESOLUTION NO. R-83-21**, "A resolution consenting to the delivery of an assignment and assumption of lease agreements, related bond documents, performance agreement and development agreement in connection with the \$34,000,000 aggregate principal amount of taxable industrial revenue bonds (Village West Apartments, LLC Project), Series 2014." **Commissioner Bynum made a motion, seconded by Commissioner Philbrook, to adopt the resolution.** Roll call was taken and there were eight "Ayes," Markley, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson.

**Item No. 2 – 211175...ORDINANCE: ISSUE IRBS FOR ECOVYST CATALYST TECHNOLOGIES LLC PROJECT, SERIES 2021A**

**Synopsis:** An ordinance authorizing the Unified Government to issue taxable industrial revenue bonds in an amount not to exceed \$3,200,000 (Ecovyst Catalyst Technologies LLC Project at 1700 Kansas Avenue), Series 2021A, following the resolution of intent approved by Commission in 2018, submitted by Katherine Carttar, Director of Economic Development.

**Item No. 3 – 211177...ORDINANCE: ISSUE IRBS FOR ECOVYST CATALYST TECHNOLOGIES LLC PROJECT, SERIES 2021B**

**Synopsis:** An ordinance authorizing the Unified Government to issue taxable industrial revenue bonds in an amount not to exceed \$6,000,000 (Ecovyst Catalyst Technologies LLC Project at 1700 Kansas Avenue), Series 2021B, following the resolution of intent approved by Commission in 2019, submitted by Katherine Carttar, Director of Economic Development.

**Mayor Alvey** said we now go to Ecovyst Catalyst Technologies, industrial revenue bonds. These are 2020A and 2020B bonds. We will vote on these separately, but we could hear the items together.

**Doug Bach, County Administrator**, said this is a long-standing company in our community that has been here for years as PQ, who has now changed their name. They continue to grow and expand as a company in our community and have come forward to request these bonds. Ms. Carttar, would you make the additional comments regarding the intent of their growth?

**Katherine Carttar, Director of Economic Development**, said I think what we're seeing tonight is a really great example of what industrial revenue bonds can do. The first two items here that we will be talking about with PQ, as Mr. Bach mentioned, this is a company that has been in KCK at 1700 Kansas Avenue for over 100 years and has continued to expand and has used the industrial revenue bonds as a tool to do that. Then, the next item that we will be looking at is a project that is new and out of the ground and how that was able to be live. I think this is a great example of how we can continue to assist in the investments in large businesses in our communities and this was a Resolution of Intent that was approved for these bonds and the total project is a hundred million dollars, which was approved November 21, 2019. These are the first two projects of that hundred million to be approved. The first is \$3.2M and the second is a \$6M project. Now that those have been completed, they will issue the bonds and their payment in lieu of taxes will kick in for the next 10 years. We would anticipate another couple projects next year around this time as well.

**Mr. Bach** said Mayor I would additionally add that many times in competition for the expansion of PQ or what is now Ecovyst, we're competing against foreign countries, a lot of it in the Norwegian areas, so it's keeping these jobs and growth in the United States.

**Mayor Alvey** said I'd entertain a motion for Series 2021A bonds.

**Action:**       **ORDINANCE NO. O-145-21**, "An ordinance authorizing the Unified Government of Wyandotte County/Kansas City, Kansas, to issue taxable industrial revenue bonds (Ecovyst Catalyst Technologies LLC Project) Series 2021A, in a principal amount not to exceed \$3,200,000, for the purpose of providing funds to pay the cost of acquiring, improving, construction, installing and equipping structures, improvements and fixtures; authorizing the Unified Government to enter into certain documents and the taking of other actions in connection with the issuance of said bonds." **Commissioner McKiernan made a motion, seconded by Commissioner Burroughs, to approve the ordinance.** Roll call was taken and there were eight "Ayes," Markley, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson.

**Mayor Alvey** said motion for Series 2021B bonds.

**Action:**       **ORDINANCE NO. O-146-21**, "An ordinance authorizing the Unified Government of Wyandotte County/Kansas City, Kansas, to issue taxable industrial revenue bonds (Ecovyst Catalyst Technologies LLC Project) Series 2021B, in a principal amount not to exceed \$6,000,000, for the purpose of providing funds to pay the cost of acquiring, improving, construction, installing and equipping structures, improvements and fixtures; authorizing the Unified Government to enter into certain documents and the taking of other actions in connection with the issuance of said bonds." **Commissioner Burroughs made a motion, seconded by Commissioner McKiernan, to approve the ordinance.** Roll call was taken

and there were eight “Ayes,” Markley, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson.

**Mayor Alvey** said we now go to Items 4 and 5, NorthPoint Turner, Industrial Revenue Bonds. Four and 5 together, but separate votes.

**Item No. 4 – 211178---ORDINANCE: ISSUE IRBS FOR NP TURNER INDUSTRIAL-BUILDING 2 PROJECT, SERIES 2021**

**Synopsis:** An ordinance authorizing the Unified Government to issue taxable industrial revenue bonds in an amount not to exceed \$29,000,000 (NP Turner Industrial - Building 2 Project at 6825 Orville Avenue), Series 2021, following a resolution of intent approved by Commission on June 20, 2019, submitted by Katherine Carttar, Director of Economic Development.

**Item No. 5 – 211179...ORDINANCE: ISSUE IRBS FOR NP TURNER INDUSTRIAL-BUILDING 3 PROJECT, SERIES 2021**

**Synopsis:** An ordinance authorizing the Unified Government to Issue taxable industrial revenue bonds in an amount not to exceed \$22,000,000 (NP Turner Industrial - Building 3 Project at 6825 Orville Avenue), Series 2021, following a resolution of intent approved by Commission on June 20, 2019, submitted by Katherine Carttar, Director of Economic Development.

**Doug Bach, County Administrator,** said these two projects are both ones that are associated with what has turned out to be a very successful project for us in a short period of time along the Turner Diagonal. One in which our commissioners worked hard to help grow this area. I know Commissioner Philbrook has invested a lot of time with the developer in this area in such as we went to make this project expand and take away a lot of unused property with what was left over from the toll gates that were in this area and then worked with the State and the Federal Government, and private sector to move these projects to where they are today. Ms. Carttar, would you like to elaborate on the IRBs we have in front of us.

**Katherine Carttar, Director of Economic Development**, said as I mentioned this is different from the last project. This is new build out of the ground and another way we are able to use industrial revenue bonds very successfully to encourage additional growth, which leads to jobs, etc. This was a Resolution of Intent that was approved June 13, 2019. The total project value is estimated at \$155M. What we are talking about tonight are building 2 and building 3 that have just been completed and now will have the bonds sold and then we'll move forward with the PILOT schedule that was previously agreed-upon. Now that buildings 1-3 are completed, they have now built over 1.3M square feet in just two years, which is four years faster than we had anticipated. What that means for us is that previously on this entire property as it was zoned agriculture, we were getting a nominal amount of money in property tax. Today, starting this coming year with all three buildings, the PILOT payments will over \$82K per year and that will continue to increase annually. Because they are four years ahead of schedule, we will see them be fully on the tax rolls four years ahead of time and that will be over \$600K annually for just these three buildings, not even counting the rest of the project. Building 2 is a \$29M project series of bonds and then building 3 is \$22M. With that, any questions?

**Commissioner Bynum** said Katherine, thank you so much for including the explanation with the item of the PILOT, because it's a huge misunderstanding in our community. I've corrected it more than one time over just the last few months that projects like this that have received an abatement are not paying taxes. I really appreciate your explanation of the PILOT. Same reason I asked the question on the item above and I think we all need to do a much better job as we have projects like this in front of us making sure that our constituents understand that these buildings and these projects are paying taxes. Thank you so much. With that I move approval for Item 4.

**Action:**        **ORDINANCE NO. O-147-21**, "An ordinance authorizing the Unified Government of Wyandotte County/Kansas City, Kansas, to issue taxable industrial revenue bonds (NP Turner Industrial 2, LLC – Building 2 Project), Series 2021, in a principal amount not to exceed \$29,000,000, for the purpose of providing funds to pay the cost of acquiring, purchasing, constructing, installing and equipping an industrial facility, including land, buildings, structures, improvements, fixtures,

machinery and equipment; authorizing the issuer to enter into certain documents and actions in connection with the issuance of said bonds.” **Commissioner Bynum made a motion, seconded by Commissioner Philbrook, to approve the ordinance.** Roll call was taken and there were eight “Ayes,” Markley, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson.

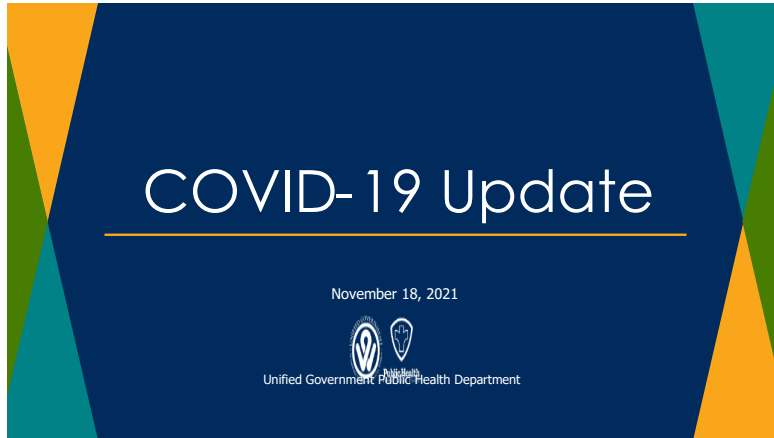
**Action:** **ORDINANCE NO. O-148-21,** “An ordinance authorizing the Unified Government of Wyandotte County/Kansas City, Kansas, to issue taxable industrial revenue bonds (NP Turner Industrial 1, LLC – Building 3 Project), Series 2021, in a principal amount not to exceed \$22,000,000, for the purpose of providing funds to pay the cost of acquiring, purchasing, constructing, installing and equipping an industrial facility, including land, buildings, structures, improvements, fixtures, machinery and equipment; authorizing the issuer to enter into certain documents and actions in connection with the issuance of said bonds.” **Commissioner Philbrook made a motion, seconded by Commissioner Bynum, to approve the ordinance.** Roll call was taken and there were eight “Ayes,” Markley, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson.

**Item No. 6 – 211183...PRESENTATION/RESOLUTION: COVID UPDATE AND AMENDMENT TO LHO 8/05/21**

**Synopsis:** COVID update and consideration of a resolution amending Local Health Order 8/05/21 to extend the mask mandate until January 6, 2022, to mitigate the spread of the Coronavirus (COVID-19) epidemic in Wyandotte County, Kansas, submitted by Juliann VanLiew, Director of Public Health.

**Doug Bach, County Administrator,** said I believe that everyone is aware as we’re moving forward at this time, the Local Health Order that we put forward on August 6 expires today. We’ve asked the Health Department to come forward this evening, offer a presentation on the current state of where we are, as this item is on your agenda for consideration to whether or not you would

like to extend it into next year or not. With that, I'm going to recognize Juliann VanLiew, our Director of the Health Department, to begin the presentation with her team.



**Juliann VanLiew, Director of Health Department**, said thank you for being here to discuss this ongoing pandemic that we continue to battle in Wyandotte County. With me this evening is our Deputy Health Officer Dr. Erin Corriveau, and our Health Officer Dr. Allen Greiner.



1. Situational Update
2. Operational Update
3. Health Order recommendations



We have a brief presentation for you tonight where we'll give you a situational update on the current COVID trends, a little bit of an update on your vaccine and testing-related operations and closeout with Dr. Greiner providing some health order recommendations. I'll go ahead and send it over to Dr. Corriveau for our situational update.

## 7 Day Rolling Average: COVID cases



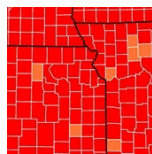
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Cases have been increasing the past ~2 weeks

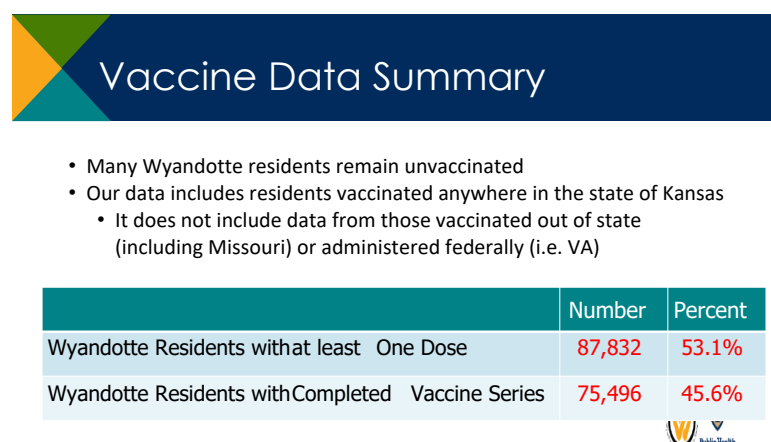


**Dr. Erin Corriveau, Deputy Local Health Officer,** said I want to start out this evening by discussing where we're at in terms of COVID cases. You can see a lot of history here if you all remember throughout the pandemic. You can see back in 2020, as we approached the holidays around this time sort of mid to late November, we really started to see an incredible rise in cases. Then we came back down again, and we can see that looking now towards the right side of the graph, that we had a huge surge with Delta and then came back down again. We've been masked right at the surge of Delta as we climbed. We got back down to about 15-18 cases a day or so on average, and unfortunately, we're starting to climb or creep back up a little bit. We're sitting at about 30 cases on average a day, just to give you a sense. We're seeing that throughout Kansas, we're starting to creep up a little after we hit a low after that big Delta surge.

Wyandotte  
continues  
to experience  
uncontrolled  
community spread  
(deemed "HIGH"  
by CDC, see map)



Just want to note that the CDC still considers our community to be a community where there's uncontrolled spread of COVID as well as our region I should say, but I think that is self-explanatory. There's a lot of red on this screen.



Just to give a vaccination update, how are we doing? Unfortunately, I hate to bring this news again this evening, it seems not that different from the last time we spoke. However, many Wyandotte County residents remain unvaccinated. You can see our numbers here in our community, of course I want to point out that we still do not have access to Missouri data or Federal facilities such as the VA or Indian Health Service. When we look here at Wyandotte County residents with at least one dose, we see the 53.1% of our community is vaccinated and completed the vaccine series at 45.6%. I'm going to turn it back over to Juliann VanLiew, our Director for an operational update.

**Ms. VanLiew** said just a little bit in terms of what we're doing on a daily basis, operationally from within the Health Department. A reminder for you, the Commission, and for the public that we continue to operate our K-Mart site out at 7836 State Avenue for both testing and vaccinations. You can see our hours here. We will be closed Thanksgiving and the day after and taking some time over Christmas as well, so that our staff can hopefully recover a bit. I want to make sure folks know that we are offering all three boosters out at the K-Mart site, and we are also offering vaccine for children as young as five years old, as well as out in community events. Our K-Mart will continue to operate with these hours through the end of the year. We are undergoing discussions in terms of what hours will look like in 2022, but we will be continuing at least some operations in quarter one of 2022.

## COVID Vaccines at UGPHD

- COVID vaccines now offered at UGPHD main building in downtown KCK
  - 619 Ann Ave
  - Monday and Tuesday mornings, by appointment only
  - Vaccines for people ages 12 and older; boosters for eligible individuals ages 18 and older
  - Call 913-573-8855 for appointments



Also, an update that we're now providing vaccines out of the Health Department site as we potentially move towards limiting hours at K-Mart, we want to make sure there are other opportunities in the community so folks can make an appointment at the Health Department and for 12 and older for a vaccine as well.

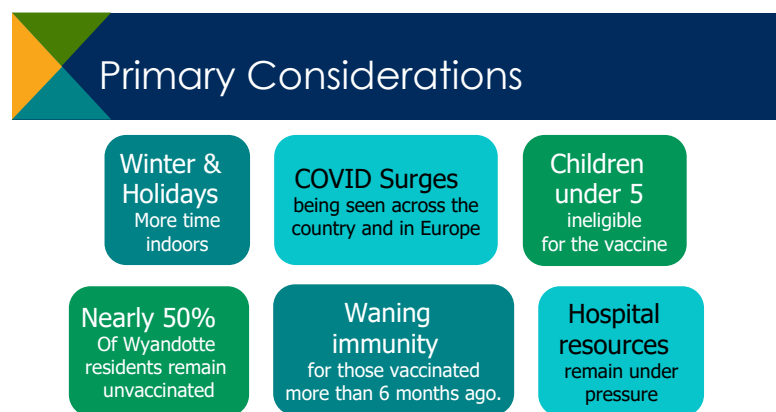
## Community-Based Response

- Mobile Vaccine Operations
  - Testing, Vaccines (Flu and Covid), and Food Drives throughout the month of November in partnership with the HETF
  - School-based events for 5–18-year old's (2 scheduled for 5–11-year-olds in the next week)
- Quarantine Housing Program
- Transportation Program
- Canvaxx
- WyCo Connect
- KDHE Testing Site at the Armory– new hours
  - 11:30 a.m.-8:00 p.m. M-F and 9-3:00 p.m. Sat. & Sun.



Lastly, I want to make sure folks know we are continuing our community-based response. Our mobile vaccine team is still going strong and conducting a lot of events, which include testing vaccines for both flu and COVID, food drives and other events in partnership with our many community partners and our Health Equity Task Force members. We will also be out at a number of schools in coming weeks, providing vaccines for the 5–11-year-old crowd and the 5-18-year-old at specific events as well. We do continue to operate our quarantine housing program. One thing that may be helpful for Commission to know is that we are getting increasing demands on that program for folks who aren't testing positive for COVID, because of the homelessness issue and the un-housed issue right now. That program is just being inundated day-in and day-out with

requests for access to it, even by people who do not have COVID systems or are not testing positive. Just something for you all to know, as we've been surprised, by the way those requests have ticked up in the last couple of weeks, given the change in the weather. We continue to operate our transportation program, providing free transportation to any of our sites for testing or vaccinations. We continue to do canvassing and education out in the community. We continue to offer community health worker services to get people connected to resources and services in our community. And we continue to partner with the State Health Department to provide an additional testing site at the Armory. So, this is a reminder for folks that these things are still ongoing and the vast majority, almost all of these will continue at least the end of quarter 2022, depending on what the winter surge looks like in terms of cases. That's all I have, over to you Dr. Greiner for our recommendations.



**Dr. Greiner, Local Health Officer,** said if we look at all this data, if we think about what happened last year and what we really learned over the course of this pandemic. We know people are going to spend more time indoors in the coming couple three months. We saw what that did last year, we know Delta is significantly more transmissible and we've seen surges happening in the U.S., already in colder places in the Rocky Mountains, certainly Colorado, they're getting hit hard and they have a higher vaccination rate than we do. This Delta variable finds the people who are unvaccinated and it's going to keep doing that this winter. That's probably why we're already seeing a slight uptick in our region. We're getting to get vaccines out to the 5-11, which is great, and they are coming to the K-Mart and that's super, but we can't still vaccinate the kids under 5, and they can pass it around as well. Our vaccination rate is low. You saw the numbers, we're still at just above 50% for that first dose. We are doing pretty good as a county, honestly. If you look at vaccine rankings for counties that combine testing, case rates and vaccination rates, I think we're 20<sup>th</sup> in the most recent one for all the 105 counties in Kansas. Johnson County has the best vaccination rate in the State. We are a vulnerable community in a lot of ways, and we worry about waning immunity, we know that people are getting re-infected who have not gotten vaccinated. They probably got COVID last year and their immunity doesn't last, we think much more that 90-day period and so we're seeing that in addition to some breakthrough cases. We know the hospital resources are going to be pressed if we end up like Colorado a month from now. We've come off a peak at the local hospitals, but we've still got quite a few in the hospitals and the hospitals are relatively full.

## Recommendation to Commission

The UGPHD recommends that the Unified Government Board of Commissioners extends the current health order requiring mask wearing:

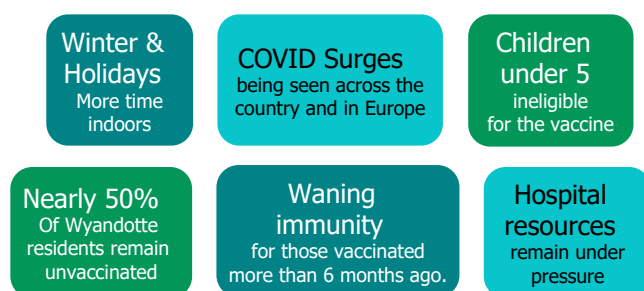
- For 7 additional weeks (until Jan. 6, 2022)
- Indoors in public spaces
- For vaccinated and unvaccinated individuals
- For ages 5 and older



Our recommendation, we feel that the science and the public health scenario and fact that we've really been leaders in the metro and across the region for this whole pandemic, we feel like we should go another seven weeks with this mask mandate. In indoor spaces we know it makes a difference, we know it makes a difference both for vaccinated and unvaccinated individuals because of the potential for breakthrough cases. We know that kids have gotten used this, so there are some schools that I think have smartened up. There's great State data now on schools that have mask mandates versus the ones that don't and the number of outbreaks in schools across the State of Kansas. Part of that's really been bolstered by the State testing program. The State put a bunch of money into the school districts to do testing over the past two months. So, that's our recommendation and we understand that you all have a lot of factors to weigh in this decision, but we think the science is pretty clear and that as leaders we should do this going forward. I think that's it for us. Happy to take questions and hear the discussion.



## Primary Considerations



**Commissioner Bynum** said I am just curious from our Health Department folks, if there is any sense from staff as to why those who aren't vaccinated are not getting vaccinated. I know that you may not be seeing those people, so you may not know the answer. Are there running themes or are we still dealing with the themes that we've heard in the past? Any new information on that front?

**Dr. Greiner** said I think it's really mixed. I think our staff see it, for example, at the K-Mart from people that come in to get tested but don't want to get vaccinated. Some of our leaders leading staff there have heard all sorts of stories. I know Dr. Corriveau, and I hear it from our patients every day. We've got people with religious beliefs; we've got people with fears and concerns about safety. We've got people that just don't want to be told what to do, honestly, and I think that in some cases mandates in different sectors around the U.S. and different industrial sectors the mandates have worked well. Take Tyson for example, nationally, that worked pretty well because the employees just said, "Well, we have to do it and it's our boss' fault." and they did it. But we do have this concern of pushing things on people and trying to keep the lines of communication open somehow. I don't know if it's anything new and I'd be, Dr. Corriveau, what are you hearing?

**Dr. Corriveau** said I agree with you Dr. Greiner. I can say that in the last couple of weeks when I've been seeing my own patients, I tell you what, the people that haven't wanted the vaccine are really digging in now and that's been especially disheartening, but I'm not hearing new issues that have popped up. I know that there are a lot of folks having difficulty trusting this vaccine and really feeling again that they don't want to be told which way to go. So, we'll just leave it there.

**Commissioner Ramirez** said as always, thank you Juliann, thank you Dr.'s Corriveau and Greiner. I was thinking about this the other day that we haven't heard from those three in a while. We were used to hearing you almost every week, it's a good sign because that means we're headed in the right direction. We're not where we want to be, but we're headed there. So, thank you for all that you've done, continue to do and all the staff. The question I have is the percentages you gave of the people who have one dose in the completed series, do those percentages include people who have had a booster?

**Ms. VanLiew** said they do not. To be in the completed series category, you'll need to have either two doses of the two-dose series or one-dose of the J&J. At this point, because boosters have been limited to specific populations, we haven't been able to change the denominator in terms of how we report that number, so the numbers you're seeing today, and that you'll continue to see on our health for a while do not factor in boosters.

**Commissioner Ramirez** said this might be very hard to answer, but has it been a steady, I should say flow of people coming in for a booster? Or has it been every once-in-awhile that someone comes in for a booster?

**Ms. VanLiew** said we have a fairly steady flow coming in for boosters. I think our site lead would estimate that somewhere between 85-90% of folks coming through the K-Mart site are indeed coming for boosters. And before we opened to the 5-11-year-olds we were down to between 115-200 doses a day. If you think about 90% those being boosters that just means how few people that are coming for first and second doses. It's obviously changed with opening to the 5-11's. We've vaccinated somewhere around 100-200 children a day since we've been open. But still, in terms of the adult, older populations that have had access for a long time, it's primarily booster folks and they are coming in at a pretty steady pace.

**Commission Ramirez** said I was curious to see what the data looked like now that we're having these boosters, so thank you for that. And now to my brief comments. I will say that I do support the recommendation to continue. My only concern, and I've heard this from many people, especially people who have reached out to me, that there are a lot of businesses who are not following the recommendations to the best of their ability as they should. That's where I'm conflicted. We can continue mandating and having the recommendation but we're still having businesses who are not fully complying with the recommendation. My question is how can we alleviate that? I know we have the mechanism; you can report of a business or a store if they're not following the recommendation, but just organically, how can we talk to our business owners and say, just hold on with us, just let it get through with us so we can get there to the end. Like I said that is my only concern and I'm sure that concern is what other commissioners have heard as well. I would like to hear your thoughts on that.

**Dr. Greiner** said I think a lot of this is sort of cultural and social norms at this point. There are places; I went to Colorado to the American Public Health Association meeting a couple of weeks ago, and my son lives out there and people, even though they have higher case rates right now, they've really got a big bump in cases in Colorado right now. The cultural is different for wearing masks out there and more buy-in there. There's no question when you're in Denver. It's sort of like in health care settings, everybody has to wear masks and they're doing it. On the airplanes, people have to do it. I think we need to realize that we're still having high transmission and we may not be able to get by and right today commissioner, but we have to keep, I think trying to say whenever we have high levels of transmission, we need to push for this social norm to change. It's sort of like getting when we got smoking indoors to change, which nobody wanted to do for a long time. It's going to take us some time, and this is going to become probably like seasonal flu, where it's always here and coming and going in terms of levels, and we've got to be able to re-mask when those levels get higher, and we're still at that level now. So, even though it seems a little futile, I guess it's kind of a question of do we want to be like one of those companies that banned indoor smoking early on and look like they were restricting peoples' freedoms, or do we want to wait till later?

**Commissioner Ramirez** said I agree with any change, it's known, especially if you want to change something at the Federal level, you do it state-by-state until the entire country follows along. I agree, and I think it's something that we continue to do, and we have that ability to control when it comes and goes. To have that ability to control, not control, but be able to get through without increasing transmission. I have a personal story; I had a nephew just last month who contracted COVID. We don't exactly know where he got it from, but we think he got it from school. It's still here and going around in our community and I'm supporting this because I want to make sure that what we do and continue to do is what's best for my community, and for all our communities. We all want to be able to see tomorrow as a community. Thank you for everything that you have done, continue to do. You guys have; I can't put words, because these last few months you've been phenomenal in your jobs, so thank you.

**Commissioner Philbrook** said my comments are multifold. What do you guys think is some numbers that we're going to have to deal with as our younger children get vaccinated? I know it's awfully early in this whole game, but how do you feel that is going to affect the overall transmission as these younger children get vaccinated?

**Ms. VanLiew** said I worry to be honest with you that not a lot of our young children are going to end up vaccinated. Our lowest rates of vaccinations are among our 20- 30- and 40-year-olds. Those are the demographics who have these young children, and so if the parents aren't getting vaccinated, the children aren't likely to get vaccinated. To be honest with you I think it's going to be quite a while before we see enough substantial uptake among the pediatric vaccines to see that actually impact the general population in terms of the spread of COVID in Wyandotte County. Doctors Greiner and Corriveau if you see it a different way, please share.

**Dr. Greiner** said I think it could have a significant impact, because I think we know that it is spreading amongst these kids. Often times, probably asymptotically. It's going to take probably months, if not a year or more, to get some significant penetration.

**Dr. Corriveau** said I'll add too that I think that when someone is vaccinated, when a child or an adult, or when anybody is vaccinated, you know it shortens the course of that illness and shortens the timeframe when they're spreading the virus. So, I do think that it would a huge difference, but I have to say that I agree with Juliann and Dr. Greiner, it's really worrisome about the numbers here of the folks who are going to get vaccinated.

**Commissioner Philbrook** said I'm sorry that it was such negative information, but I appreciate the fact that you guys are being honest in what you see is happening. Thank you so much and yes, it is a sad thing. I want to thank you Juliann and Dr. Greiner and Dr. Corriveau, you guys have been very diligent and persuasive as well as persistent in putting this information in front of us. We couldn't ask for more. I will tell you that when I was at the Kansas Association of Counties that your praises were being mentioned right and left and that they were quite impressed with you. There were a lot of people that said that they were impressed by our Commission by having the intensity and commitment to their community to actually put rules in place. That's from the whole

State, so I think everybody in Wyandotte County that have had to make these hard decisions are to be commended for their determination to care for our community. I will share with you that in my district it's been 2-1 to keep the mask mandate. I always have people that don't want to, and it's usually the businesses that have to deal with people, because they do not like having to be the bad guy telling people to put their mask on. I get some of the same comments as Christian was talking about, and that is why even have the mandate if people aren't going to follow it? One of those attitudes and I understand that, and I understand where they're coming from. But it's like telling your children that they don't have to follow your instructions to be safe because the neighbor's kid is not following instructions to be safe. I'm sorry, but I can't do that. I really do appreciate this. I believe like you do that we haven't really turned the corner yet on this, that we're going to be learning a whole lot more and I pray that we are not overturned in a manner, when I say 'overturned', I mean that our whole community is not going to be hurt because of lack of action if at some point we decide not to stay the course. Thank you, I just can't thank you enough and I will tell you also in my private practice there is only about maybe one out of 20 that complains about masks and the rest of them are going, "put your stinking mask on, it's not going to hurt you." And so, that's what I get to hear every day, so thank you Lord for that and, I just hope there's more people that will start doing that, so thanks guys.

**Commissioner McKiernan** said I'll share some of the comments that I shared with Juliann the other day, and if anybody says, oops, nope that's not right, please let me know. Intellectually, medically, I know that is exactly what needs to be done. Practically speaking, I don't think so. As I think about places where people are going to gather then this is going to be a rather fatalistic assessment, I have to tell you. But as I think about places where people are to gather over the winter, private homes come out to me to be one of the places that will probably have the most frequent gathering of people. By virtue of their being private, our mandate doesn't extend inside those walls and even if it did, we have no capacity to enforce it there. A second place where I think that a lot of people are going to gather over the holidays is bars and restaurants. Our mandate currently says wear your mask in, take it off when you're eating and drinking, and wear it out. Out of a 60-minute stay, that could only be a very few minutes. A third place where I think a large number of people are now gathering and will continue to gather over the holidays and then in the

spring are schools. We have seeded our oversight or our ability to mandate masks in schools to the various school districts for the most part. I don't see us getting that ability back.

As you all know many people who are vaccinated are very frustrated and they believe I've done my part, when is everybody else going to step up and do theirs? There's nothing we can do about that, but that is an attitude that drives many people to go, "I'm done with this." As you very well know, Dr. Greiner and Dr. Corriveau, you both pointed this out; there is a large 'you ain't the boss of me' attitude out there, and a lot of people who are unvaccinated do not believe that they should be mandated to wear a mask simply because they don't want to. And they don't! And that's why we find places of businesses where everybody appears to be ignoring it because frankly, I betcha half of the area, is outright ignoring it. Just because there's no mandate doesn't mean; I certainly would encourage people to continue to wear a mask. Anyone who is vulnerable, or anyone who wishes to do so can continue to wear a mask in any setting they choose, and my point of view right now is I think that's where we've come to where we have to appeal to the people's better intellect and let them make their decision. One thing that I did find interesting, and I pointed this out to Juliann the other day; when I looked at the cases per one hundred thousand data from COVID Act now, I assume that was CDC data, I don't know. But in the fourth wave in the late summer, early fall, fourth wave that we had, our case rate per hundred thousand was substantially higher than Johnson County's. We had a mandate at that time, did they? If not, I'm not sure that data would support the efficacy of having a mandate. Anyway, I apologize for being rather fatalistic but I'm hearing from a lot of 'you ain't the boss of me'.' So, thank you.

**Mayor Alvey** said Doctors Greiner and Corriveau, could you go back to that slide that showed the per positivity rate. That one, yes. Can you correlate the dips in the cases, the rolling average with the imposition of the mask mandate, the most recent one? Can you just go and show when we had an increase, and we brought a mitigation measure and then we saw a decrease in the cases? Then we relaxed and saw an increase, another mitigation measure, and it dropped again. Can you show that?

**Dr. Greiner** said Mayor, I think it's kind of tough with our data alone to show that. But as anybody who's ever taken a statistic class knows these things are often multi-factorial and that the equations

get complicated because when you throw in six variables that predict an outcome like cases, it's not simple. For example, I think there is national data that shows that when we came off the winter peak last winter and vaccines were kicking in and started to make a difference, a lot of the United States had a bump in the spring. We didn't have it here in Wyandotte County. I think it's very clear that that bump, for example, was probably related to the relaxation of mandates and ordinances in the U.S. Commissioner McKiernan, your point is well taken, but I think the vaccine rate in Johnson County is so much significantly higher than ours, that the idea that them being somehow not affected by their lack of mask mandate versus ours, it's impossible to know which one of the factors is pulling the most important role. I think when you look at the school data, for example, in Kansas over the last two or three months, if you look at some national and international data, Mayor I don't think there is any question that you can find good data to show you that there are correlations when you have different bumps occurring and when you have changes in some of these things. I realize that people think government overreaches a thing and yada, yada, yada, but I think at least our team are proud of leading the metro, we proud of some of the stuff that Commissioner Philbrook was talking about and that's kind of what we're wanting to hang our hat on is that we think we have a good way of judging all these variables and I don't know, Dr. Corriveau, if you have more please jump in,

**Mayor Alvey** said I'm going to also address, the question of with the mask mandate people are not abiding by it. We had complaints about two of our largest retailers in the county that people were not masking up where in fact we did investigate and find that the compliance was relatively high. So, a lot of this, the story is people are frustrated because some are not, because in the main; none of these measures are 100%. I love that image of layers of Swiss cheese, and they're holes in the Swiss cheese, and you keep layer on one slice and another slice and another slice of social distancing and layer on masking and you layer on vaccines, and you layer on not being exposed for extended periods of time, it adds up. All we're trying to do is get to a higher probability that we will neither get the virus nor give the virus. At the same time, I do the debate has centered consistently from the beginning about personal responsibility and personal freedom and I believe it is absolutely right, each one of us has personal freedom and personal responsibility and that personal freedom ought to be centered on 'I will neither get the virus, nor give the virus. I will do

whatever I can not to get and not to give it.' If people would take it seriously, we would not have this uncontrolled community spread.

**Commissioner Townsend** said we've said it before, we'll say it again, this has certainly not been a war, it's been a battle for a long time, not just a skirmish. I can appreciate that at different times we all may be suffering from mask fatigue; however, mask fatigue is not one of the protocols that our medical professionals have said will help us get beyond this pandemic/epidemic. And so, it's vaccinations plus the use of masks that have been proven to protect community. I can appreciate the fatigue, but we got to get to the point, hopefully where we're beyond this, so vaccinations plus the use of masks have been proven to be two effective weapons. Commissioner Ramirez, sorry to hear about your relative, I think what you raised, and several other commissioners raised about constituents and others in the public not wearing these as they should even though we've had this mask mandate goes back to maybe we need to go back to education and enforcement. Not to be heavy-handed, but to remind people that in certain venues if we have a mask mandate this is what is required for the safety of all. Because even those who gather in private homes eventually leave those private spaces and go about out into the public. With that I would move that we accept this resolution as presented.

**Action: Commissioner Townsend made a motion, seconded by Commissioner Johnson, to accept the resolution as presented.**

**Commissioner Burroughs** said I appreciate the discussion and there has been much concern about the mandate in of itself. We put into place a compliance measure, a hefty fine and we took a lot of hits for it, and it still has had very little impact. We have been incentivized, we have spent a tremendous amount of time, energy, and resources of dollars within our community. We have the Health Department and our colleagues in the Health Department have reached out to every branch of our community possible to ensure that the vaccine is available. We have educated and we have come to a point where once again we are the last county to make this decision. It's not only just a health issue, but it has become a political and economic issue, a psychological issue and this is an issue from much concern. In my travels through the community, I would say it's fairly equally

divided. But outside of our community, when I run into others, they point at Wyandotte County as not being a healthy county. Because we still have a masked mandate in place which pains me and concerns me. So, I believe that most of those that have been vaccinated continue to wear their mask and take precautions and those that don't that need to comply will wear it under their nose, under their chin and say they still have a mask on but are not complying. I'm not ashamed or afraid to wear my mask in public, I probably wear it more than I should in other places, but I believe it's time to let this mask mandate expire and move forward and take action this evening to rescind the ordinance and have that consistency across the metropolitan region.

**Commissioner Markley** said I actually have questions about the motion. When we created the current mandate that is in effect today, we exempted Bonner Springs and Edwardsville and the school district, so I guess I'm looking for clarification on the motion-makers as to what and who that motion includes.

**Misty Brown, Chief Counsel**, said Commissioner Markley, just to offer a little bit of clarification, the resolution that staff prepared was amendment of the original health order that did have those exemptions. If the motion was to approve the resolution that was submitted, the same exemptions would apply to Bonner Springs, Edwardsville, and the school districts, this would just apply to the city limits of Kansas City, Kansas. I see Commissioner Townsend's hand is up, she might have intended something else by her motion.

**Commissioner Townsend** said no, I wanted to assure you I did not. That was the understanding I had when I made the motion that it was identical with exemptions that Commissioner Markley raised. That was my understanding.

**Action:**        **RESOLUTION NO. R-84-21**, "A resolution amending LHO 8/05/21."  
**Commissioner Townsend made a motion, seconded by Commissioner Johnson, to adopt the resolution.** Roll call was taken and there were six "Ayes," Markley, Philbrook, Townsend, Ramirez, Johnson Alvey; and three "no," Bynum, Burroughs, McKiernan.

**ITEM NO. 7 – 211194...RESOLUTION: MEMORANDUM OF AGREEMENT WITH FRATERNAL ORDER OF POLICE, LODGE NO. 40**

**Synopsis:** A resolution authorizing the County Administrator to sign a Memorandum of Agreement between the Unified Government and the Fraternal Order of Police, Lodge No. 40, for the period January 1, 2022, through December 31, 2024, submitted by Susan Alig, Senior Attorney.

**Doug Bach, County Administrator**, said fortunately, we were able to continue our positive negotiations that we're having with many of our different labor unions. This is one with the Sheriff's Union, which is FOP 40. This contract went forward with them for ratification, and they did approve it. Therefore, we blue-sheeted on the agenda for your consideration this evening. It's consistent with the direction offered by the Commission in our last executive session regarding labor where we discussed the deputies, and I would recommend approval.

**Action:**       **RESOLUTION NO. R-85-21.**   “A resolution authorizing the County Administrator to execute the Memorandum of Understanding between the Unified Government of Wyandotte County, Kansas City/Kansas, and the Fraternal Order of Police Lodge 40, effective January 1, 2022, through December 31, 2024.”  
**Commissioner McKiernan made a motion, seconded by Commissioner Markley, to adopt the resolution.** Roll call was taken and there were eight “Ayes,” Markley, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson.

**Mayor Alvey** said that concludes the regular meeting and we are adjourned in that capacity. Now call us back, what is the Land bank Board of Trustees'. Does any member of Commission or County Administrator which to set aside any item on the Land Bank Consent Agenda?

**COMMISSIONERS' AGENDA**

**LAND BANK BOARD OF TRUSTEES' CONSENT AGENDA**

**Item No. 1 – 211120...LAND BANK OPTION APPLICATIONS**

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

New Construction - Single Family Homes – 6 Homes

1. Alonzo Burton – 2 Homes  
2610 N. Hallock St. – 292404  
2702 N. Hallock St. – 292405
2. Alonzo Burton – 1 Home  
720 Stewart Ave. – 111551
3. Kallie McLaughlin – 1 Home  
3015 N. Baltimore St. – 210012  
3020 N. Baltimore St. – 210015
4. Vincent Galicia – 1 Home  
2806 Merriam Ln. – 149911
5. Janet Smith – 1 Home  
3116 S. 36th St. – 079673  
3124 S. 36th St. – 079672

On November 8, 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.

**Action:** Commissioner McKiernan made a motion, seconded by Commissioner Townsend, to approve as submitted. Roll call was taken and there were eight “Ayes,” Markley, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson.

**Item No. 2 – 211118...LAND BANK PROPERTY TRANSFER**

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

Yard extension

1. Jaime Ruiz  
819 S. Valley St. - 068214

On November 8, 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.

**Action:** Commissioner McKiernan made a motion, seconded by Commissioner Townsend, to approve as submitted. Roll call was taken and there were eight “Ayes,” Markley, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson.

**MAYOR ALVEY  
ADJOURNED THE MEETING AT 8:19 P.M.  
NOVEMBER 18, 2021**

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Brett A. Deichler, PMP/CPM  
Unified Government Clerk

am

**November 18, 2021**