

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

REGULAR SESSION
THURSDAY, APRIL 15, 2010

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in regular session Thursday, January 21, 2009, with nine members present: Holland, Commissioner At-Large First District; Mendez, Commissioner At-Large Second District; Barnes, Commissioner First District; Murguia, Commissioner Third District; Mitchell, Commissioner Fourth District; Kane, Commissioner Fifth District; Pettey, Commissioner Sixth District; Ellison, Commissioner Eighth District; and Reardon, Mayor/CEO presiding. Miller, Commissioner Second District; and Cooley, Commissioner Seventh District; were absent. The following officials were also in attendance: Doug Bach, Deputy County Administrator; Jody Boeding, Interim Chief Counsel; Carol Godsil, Deputy Unified Government Clerk; Gordon Criswell, Assistant County Administrator; Gary Ortiz, Assistant County Administrator; and Captain Greg Lawson, Sergeant-at-Arms.

MAYOR REARDON called the meeting to order.

ROLL CALL: Pettey, Ellison, Holland, Mendez, Barnes, Murguia, Mitchell, Kane, Reardon.

INVOCATION was given by Pastor George Kemper, Chaplaincy Program, KU PD.

THE AGENDA for April 15, 2010, was presented. **Mayor Reardon** asked if there were any revisions to the agenda. **Carol Godsil, Deputy Unified Government Clerk**, said under the Administrator's Agenda, we have a new item which is an Ordinance levying a three-eighths of one percent citywide retailers' sales tax beginning July 1 2010, and terminating 10 years after its commencement, with the proceeds to be used for the purposes of financing public safety and neighborhood infrastructure.

MAYOR'S AGENDA

ITEM NO. 1 – 100068...RESOLUTION

Synopsis: Amending the previously adopted commission meeting schedule by changing two meeting dates in 2010 and ratifying the cancellation of the April 1, 2010 commission meeting.

Mayor Reardon stated the two meetings we are changing are ones that come up against a holiday or a holiday week. We still meet the minimum required meetings. Those meetings just allow and accommodate for vacation and holiday schedules and also can provide a better flow of meetings with respect of furlough days taken around those dates.

Action: **RESOLUTION NO. R-21-10**, “A resolution amending Resolution No. R-58-09 by changing certain meeting dates of the Unified Government Commissioners for the year 2010; ratifying cancellation of the meeting of April 1, 2010; and repealing those portions of Resolution No. R-58-09 which conflict with this Resolution.” **Commissioner Ellison made a motion, seconded by Commissioner Mendez, to adopt the resolution.** Roll call was taken and there were eight “Ayes,” Pettey, Ellison, Holland, Mendez, Barnes, Murguia, Mitchell, Kane.

CONSENT AGENDA

Mayor Reardon asked if there were any set-asides on the Consent Agenda. **Commissioner Murguia** set aside Item No. 1 on the Consent Agenda. **Commissioner Barnes** set aside Item No. 2 on the Consent Agenda. **Commissioner Pettey made a motion, seconded by Commissioner Ellison, to approve the Consent Agenda with the exception of the sit-aside items.** Roll call was taken and there were eight “Ayes,” Pettey, Ellison, Holland, Mendez, Barnes, Murguia, Mitchell, Kane.

ITEM NO. 1 – 100040...GRANT

Synopsis: Request acceptance of American Recovery and Reinvestment Act (ARRA) funding through the Kansas Department of Health and Environment (KDHE) in the amount of \$13,385 to support the addition or retention of personnel for the delivery of immunization

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services related to adolescent catch-up immunization campaigns for the 2010-2011 school year, submitted by Joe Connor, Health Department Director. No matching funds required. On March 15, 2010, the Administration and Human Services Standing Committee chaired by Commissioner Cooley, voted unanimously to approve and forward to full commission.

Commissioner Murguia said I have been spending a lot of time with a large group of churches east of I-635 that are interested in working with our school district to get our kids immunized appropriately to go to school. If you are not aware, according to their statistics, there is over 600 children who are not appropriately immunized in the USD 500 school system. I'm not sure about this, but according to State or Federal law, technically they are not supposed to be in school if they are not immunized appropriately. Our school district has taken a position that they are going to allow them to go to school and for good reasons. The concern is that we have to get these immunizations done on these children and these churches are transporting people back and forth and raising money for vaccinations for these children. I also think by law that our Health Department is obligated to provide those immunizations at no charge. Currently, these churches have very little money on their own, are having to raise money to pay for these immunizations plus transport these kids back and forth. I would like to see our Health Department coordinate better with our local Public Schools to be able to get these kids the immunizations that they need in order to be in school without violating the law.

Doug Bach, Deputy County Administrator, said I will make sure that we convey that over to Mr. Connor in the Health Department and maybe we can bring back some ways that we can better coordinate with the school districts going forward and share that with the commission.

Commissioner Murguia said I have already spoken with two doctors at KU Medical Center and both of them have access to immunizations and the actual vaccination and qualified professional staff to administer those vaccinations and they are also willing to help. I understand that it is a cost to our county and they are willing to partner with us to make that happen. With the new immunization requirements by the Federal Government, a larger number of kids are not immunized than normal.

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Commissioner Barnes said Mayor my question was originally for this item, but I will make the motion to approve Item No. 2. Would someone give me the definition of Varicella Allocation?

Mr. Bach said unless another staff member can help me, I am going to have to get back to you on that.

Commissioner Pettey said I saw the letter from the churches and I think it's great that they want to work with our Health Department and provide immunization. I do think that our Health Department works with a number of organizations, including the school district to have opportunities before school starts to provide immunization. Although, in some cases it is free and it is not the responsibility of our Health Department to provide free immunization for every student. It would cost all of us a lot more then it cost right now. There is a great event in August where immunization is provided as well as free backpacks and a variety of other services that's held at the Armory and is coordinated by a lot of the not-for-profit organizations in our community. I have had an opportunity to work with them through the Women's Chamber and thousands of children are serviced there. All of our school districts actually do go a long way to allow students to stay in school as far as until April even without their completed immunizations. Sometimes it becomes the individual parent responsibility even when so many opportunities are provided that they don't take advantage of them.

Action: **Commissioner Pettey made a motion, seconded by Commissioner Ellison, to approve.** Roll call was taken and there were eight "Ayes," Pettey, Ellison, Holland, Mendez, Barnes, Murguia, Mitchell, Kane.

ITEM NO. 2 – 100059...ORDINANCE

Synopsis: Authorizing the issuance of not to exceed \$7,000,000 aggregate principal amount of Healthcare Revenue Refunding Bonds (Wyandot Center for Community Behavioral Healthcare, Inc. Project), Series 2010, submitted by George Brajkovic, Property Management. The bonds will be used to finance and refinance their facilities located at 757 Armstrong, 1620 S. 37th St., 7840 Washington, and 1301 N. 47th St. Wyandotte Center has submitted a \$1,000 application fee to the UG. The projected cost of issuance is \$28,000. On March 29, 2010, the Economic

Development and Finance Standing Committee, chaired by Commissioner Mendez, voted unanimously to approve and forward to full commission.

Action: **ORDINANCE NO. O-20-10**, “An ordinance authorizing the issuance by the Unified Government of Wyandotte County/Kansas City, Kansas of not to exceed \$7,000,000 aggregate principal amount of Healthcare Revenue Refunding Bonds (Wyandot Center for Community Behavioral Healthcare, Inc. Project), Series 2010, to provide funds to acquire, construct and equip a project for Wyandot Center for Community Behavioral Healthcare, Inc., and authorizing and approving certain documents and actions in connection with the issuance of said bonds.” **Commissioner Barnes made a motion, seconded by Commissioner Ellison, to approve the ordinance.** Roll call was taken and there were eight “Ayes,” Pettey, Ellison, Holland, Mendez, Barnes, Murguia, Mitchell, Kane.

ITEM NO. 3 – 100060...RESOLUTION

Synopsis: Providing for substitute improvements to be financed with proceeds of the UG General Obligation Improvement Bonds, Series 2008-C, submitted by Debbie Jonscher, Finance. Total on Series 2008-C for substitute improvements is \$570,740.50. This reallocation is consistent with the CMIP and results in reduction of future debt expenses. On March 29, 2010, the Economic Development and Finance Standing Committee, chaired by Commissioner Mendez, voted unanimously to approve and forward to full commission.

Reductions

\$ 73,668.95	Parking Lot B Demolition
\$174,012.99	22 nd Street Bridge Removal
\$100,860.32	77 th St., Parallel to Leavenworth
\$ 14,650.52	Kaw Point Continuous Emissions Monitoring System
\$ 36,033.33	Kaw Point Incinerator
\$171,514.39	Rainbow Blvd., 38 th to Adams Street

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Increase in Emergency Street Repairs

\$135,000.00 Lower Holiday Drive between S. 65th St. and Inland Drive
\$ 85,000.00 Oak Grove Road at 65th Street
\$300,000.00 Washington Blvd. at 14th Street
\$ 50,740.50 Minnesota Avenue east of 10th St.

Action: **RESOLUTION NO. R-22-10**, “A resolution providing for substitute improvements to be financed with proceeds of the Unified Government of Wyandotte County/Kansas City, Kansas General Obligation Improvement Bonds, Series 2008-C.” **Commissioner Pettey made a motion, seconded by Commissioner Mendez, to adopt the resolution.** Roll call was taken and there were eight “Ayes,” Pettey, Ellison, Holland, Mendez, Barnes, Murguia, Mitchell, Kane.

ITEM NO. 4 – 100061...RESOLUTION

Synopsis: Providing for substitute improvements to be financed with proceeds of UG General Obligation Improvement Bonds, Series 2009-A, submitted by Debbie Jonscher, Finance. Total on Series 2009-A for substitute improvements is \$1,306,407.50. This reallocation is consistent with the CMIP and results in reduction of future debt expenses. On March 29, 2010, the Economic Development and Finance Standing Committee, chaired by Commissioner Mendez, voted unanimously to approve and forward to full commission.

Reduction

\$1,306,407.50 Mission Cliffs II-Area B

Reallocation to the following projects

\$ 532,510.00 Mission Cliffs II-Project Area A
\$ 523,897.50 E. Bldg. Chiller Replacement/Cooling Tower
\$ 250,000.00 E. Bldg. Electrical Service Distribution

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Action: **RESOLUTION NO. R-23-10**, “A resolution providing for substitute improvements to be financed with proceeds of the Unified Government of Wyandotte County/Kansas City, Kansas General Obligation Improvement Bonds, Series 2009-A.” **Commissioner Pettey made a motion, seconded by Commissioner Mendez, to adopt the resolution.** Roll call was taken and there were eight “Ayes,” Pettey, Ellison, Holland, Mendez, Barnes, Murguia, Mitchell, Kane.

ITEM NO. 5 – 100063...RESOLUTION

Synopsis: Providing for the reallocation of \$1,006,050.50 in project costs financed with proceeds of the UG General Obligation Improvement Bonds, Series 2008-A, submitted by Debbie Jonscher, Finance. The reallocation of funds is consistent with the CMIP and does not impact future debt expenses. On March 29, 2010, the Economic Development and Finance Standing Committee, chaired by Commissioner Mendez, voted unanimously to approve and forward to full commission.

Reductions to the following projects: 10th St. Resurfacing, Central-Washington; 18th St., Quindaro to K-5; 38th St. Rehab, Minnesota-Ford; 78th & Washington; 85th & Parallel Traffic Signal Installation; Berry Rd. west of 65th; Gibbs Road Rehab; I-635 N Sewer Relocate; James Street Bridge Rehab; Kaw Point Electrical Switchgear Repair; Kaw Point Sludge Removal; Piper Area Right of Way; State Ave., 78th-98th; and Victory Drive 7 Parallel Parkway. Increases to the following projects: Heathwood Center Rec. Grant and Treatment Plant 14.

Action: **RESOLUTION NO. R-24-10**, “A resolution providing for the reallocation of project costs financed with proceeds of the Unified Government of Wyandotte County/Kansas City, Kansas General Obligation Improvement Bonds, Series 2008-A.” **Commissioner Pettey made a motion, seconded by Commissioner Mendez, to adopt the resolution.** Roll call was taken and there were eight “Ayes,” Pettey, Ellison, Holland, Mendez, Barnes, Murguia, Mitchell, Kane.

ITEM NO. 6 – 100067...RESOLUTION

Synopsis: Supporting Section 42 tax credits for CHWC, Community Housing of Wyandotte County, Inc., for the Cottages at Bethany located at 72-76 N. 12th and 1118-1122 Riverview, submitted by Charles Brockman, Economic. The \$4,956,740 project includes the construction of 22 independent living senior cottages. On March 29, 2010, the Economic Development and Finance Standing Committee, chaired by Commissioner Mendez, voted unanimously to approve and forward to full commission.

Action: **RESOLUTION NO. R-25-10**, “A resolution that the Commission of the Unified Government of Wyandotte County/Kansas City, Kansas supports the application to the Kansas Department of Commerce and Housing for Section 42 tax credit for Cottages at Bethany to be located at 72-76 N. 12th and 1118-1122 Riverview.” **Commissioner Pettey made a motion, seconded by Commissioner Mendez, to adopt the resolution.** Roll call was taken and there were eight “Ayes,” Pettey, Ellison, Holland, Mendez, Barnes, Murguia, Mitchell, Kane.

ITEM NO. 7 – 970013...APPOINTMENTS

Synopsis: Appointments to Boards and Commissions:

Matt Palcher to Rental License Board, 4/15/10 – 10/1/13, submitted by Commissioner Miller

Charles Van Middlesworth to Landmarks Commission, 4/15/10 – 10/1/11, submitted by Commissioner Miller

Tammy Wake to Wyandotte County Library Board, 4/15/10 – 10/1/11, submitted by Commissioner Mendez

Ron Wortman to Board of Zoning Appeals, 4/15/10 – 12/16/10, submitted by Commissioner Miller

Action: **Commissioner Pettey made a motion, seconded by Commissioner Mendez, to approve.** Roll call was taken and there were eight “Ayes,” Pettey, Ellison, Holland, Mendez, Barnes, Murguia, Mitchell, Kane.

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ITEM NO. 8 – 970128...CHANGE REQUESTS

Synopsis: Tax roll corrections-personal property, System Control Nos.:

2010001980 – GNB Tec/Exide Corporation (2006)

2010001881 – Earp Meat Co. (2009)

2010002076 – Garda CL Southwest Inc. (2009)

Tax roll corrections – real estate, System Control Nos:

2010002134 – Parcel 246900 (2007)

2010002122 – Parcel 263436 (2007)

2010002135 – Parcel 246900 (2008)

2010001955 – Parcel 251703 (2008)

2010002123 – Parcel 263436 (2008)

2010001902 – Parcel 285901(2008)

2010001903 – Parcel 285902 (2008)

2010001904 – Parcel 285911 (2008)

2010001905 – Parcel 285906 (2008)

2010001932 – Parcel 922002 (2008)

2010001953 – Parcel 900603 (2008)

2010001955 – Parcel 251703 (2008)

2010001933 – Parcel 922002 (2009)

2010001937 – Parcel 400701 (2009)

2010001938 – Parcel 140900 (2009)

2010001939 – Parcel 920326 (2009)

2010002071 – Parcel 900603 (2009)

Action: **Commissioner Pettey made a motion, seconded by Commissioner Mendez, to approve.** Roll call was taken and there were eight “Ayes,” Pettey, Ellison, Holland, Mendez, Barnes, Murguia, Mitchell, Kane.

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ITEM NO. 9 – MINUTES

Synopsis: Minutes from regular sessions of February 4, February 25, March 4, March 18, and March 25, 2010; and special session of March 25, 2010.

Action: **Commissioner Pettey made a motion, seconded by Commissioner Mendez, to approve.** Roll call was taken and there were eight “Ayes,” Pettey, Ellison, Holland, Mendez, Barnes, Murguia, Mitchell, Kane.

ITEM NO. 10 – WEEKLY BUSINESS

Synopsis: Weekly business material dated March 18, March 25, April 1, and April 8, 2010.

Action: **Commissioner Pettey made a motion, seconded by Commissioner Mendez, to receive and file and authorize fund transfers.** Roll call was taken and there were eight “Ayes,” Pettey, Ellison, Holland, Mendez, Barnes, Murguia, Mitchell, Kane.

PUBLIC HEARING AGENDA

Not items of business

STANDING COMMITTEES’ AGENDA

No items of business

ADMINISTRATOR’S AGENDA

ITEM NO. 1 – 100079...RESOLUTION

Synopsis: Authorizing the submission of an Emergency Shelter Grant application to the State of Kansas Housing Resources Corporation, submitted by Wilba Miller, Director of Community Development. Funds will assist with the operation and/or rehabilitation activities for one local shelter and three transitional housing programs. It was requested, and received approval from the Mayor, to fast track this time sensitive item to the April 15, 2010 full commission meeting.

Wilba Miller, Director of Community Development, said I brought LaTonia Wright with me, she does an annual application process to the State of Kansas for their Emergency Shelter Grant money and she will tell you what our current application combines of.

LaTonia Wright, Community Development, said this is an application to the Kansas Housing Resources Corporation to provide assistance for operations and rehabilitation services for one of our local shelters and three transitional housing programs.

Action: **RESOLUTION NO. R-26-10,** “A resolution submitting an application to the State of Kansas Housing Resources Corporation for the State Emergency Shelter Grant and authorize Mayor/CEO and Clerk of Unified Government of Wyandotte County/Kansas City, Kansas to sign.” **Commissioner Ellison made a motion, seconded by Commissioner Mendez, to adopt the resolution.** Roll call was taken and there were eight “Ayes,” Pettey, Ellison, Holland, Mendez, Barnes, Murguia, Mitchell, Kane.

ITEM NO. 2 – 100082...RESOLUTION

Synopsis: Instituting a moratorium on processing business license applications, building permits, occupation tax statements and receipt statements, and development approval applications for retail liquor stores within the city of Kansas City, Kansas, submitted by Brandy Nichols, Legal.

Mr. Bach said over the past several months we have had a few liquor store applications that have come in and have caused some great concern within different areas of the community and their proximity to residential areas. Based on the fact that on the local level we don't have any approval of those liquor stores other than to verify that the zoning is in place. The license is issued at the state level. Issues were raised at the Standing Committee level and direction was given back to staff to look into this issue and come back with some recommendation. At this point we are recommending that a moratorium be issued on any additional liquor store permits in our community up through the end of September which will allow for staff to come back before the commission and actually recommend to the Standing Committee some alternatives that could

be considered so that the commission could then have input on any additional liquor stores that are issued in our community. A decision could be made if no action is taken by September 30, 2010, we can go back to the way we were or otherwise a new policy could be directed on this.

Action: **RESOLUTION NO. R-27-10**, “A resolution instituting a moratorium on the processing of business license applications, building permits, occupation tax statements and receipts statements and development approval applications for retail liquor stores within the city of Kansas City, Kansas, and for the timeframe specified herein.” **Commissioner Barnes made a motion, seconded by Commissioner Kane, to adopt the resolution.**

Mayor Reardon said I appreciate staff coming forward with the suggestion of a moratorium. I think we need to get smarter about how we deal with issues of liquor stores, particularly which are close to neighborhoods. I know we have some neighbors in the room tonight and I am appreciative of neighborhood interest in this issue and your willingness to interact with the government to try and make a positive change even though it will be something that happens going forward. Your voice has been one that is very important to the process up to this point.

Roll call was taken and there were eight “Ayes,” Pettey, Ellison, Holland, Mendez, Barnes, Murguia, Mitchell, Kane.

ITEM NO. 3 – 100084...ORDINANCE

Synopsis: Levying three-eighths of one percent citywide retailers’ sales tax beginning July 1, 2010, and terminating 10 years after its commencement, with the proceeds to be used for the purposes of financing public safety and neighborhood infrastructure. This proposition was put before the voters at a special election on April 13, 2010, and at such election, a majority of voters of Kansas City, Kansas, voted in favor of the question.

Action: **ORDINANCE NO. O-21-10**, “An Ordinance levying a three-eighths of one percent (.375) citywide retailer’ sales tax beginning July 1, 2010, and terminating ten years after its commencement, with the proceeds to be used for the purposes

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of financing public safety and neighborhood infrastructure, including the construction, repair, and maintenance of roads, curbs, and sidewalks.” **Commissioner Pettey made a motion, seconded by Commissioner Kane, to approve.** Roll call was taken and there were eight “Ayes,” Pettey, Ellison, Holland, Mendez, Barnes, Murguia, Mitchell, Kane.

COMMISSIONERS' AGENDA

No items of business

LAND BANK BOARD OF TRUSTEES' AGENDA

ITEM NO. 1 – 100062...COMMUNICATION

Synopsis: Requesting consideration of the following applications and other items, submitted by Chris Slaughter, Land Bank Manager. The Land Bank Advisory Board has recommended approval of the applications. On March 29, 2010, the Neighborhood and Community Development Standing Committee, chaired by Commissioner Mendez, voted unanimously to approve and forward to the full commission.

Buildable applications:

634 N. 62nd Terr. – Kenique Smith for garden

256 N. 32nd St. – Karlean Kramer for a garden

2919 W. 44th St. – Michael Milks for a garden

1017 Everett Ave. – William Weaver for lot improvements

3911 Ford Ave. – Frank Piper for lot improvements

331 & 333 S. 9th St. – Ramon Sandoval for lot improvements

1223 Rowland Ave. – Rosalind Clardy for yard expansion

3003 N. 33rd St. – Kathleen Isabell for yard expansion

Action: **Commissioner Pettey made a motion, seconded by Commissioner Barnes, to approve.** Roll call was taken and there were eight “Ayes,” Pettey, Ellison, Holland, Mendez, Barnes, Murguia, Mitchell, Kane.

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Proposed changes to the Land Bank Policy

Mr. Slaughter said we have some proposed changes to the Land Bank Policy. They were outlined in your packet.

Action: **Commissioner Pettey made a motion, seconded by Commissioner Mendez, to approve.** Roll call was taken and there were eight “Ayes,” Pettey, Ellison, Holland, Mendez, Barnes, Murguia, Mitchell, Kane.

Development Area Hold Status Update

Mr. Slaughter said we currently have, with the cooperation of Community Development, some development areas that the Land Bank places the parcels in those areas on hold. We let the developer have the right of first refusal on those. Currently, it’s been suggested by Wilba Miller, Community Development Director, to add three to that list. They are currently not on a hold status and we would ask that they be put on a hold status, which are the Prescott area, Strawberry Hill area, and Turtle Hill area.

Action: **Commissioner Barnes made a motion, seconded by Commissioner Ellison, to approve.** Roll call was taken and there were eight “Ayes,” Pettey, Ellison, Holland, Mendez, Barnes, Murguia, Mitchell, Kane.

MAYOR REARDON

ADJOURNED THE MEETING AT 7:25 P.M.

April 15, 2010

Bridgette Cobbins
Interim Unified Government Clerk

slm

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