

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

**PLANNING & ZONING SESSION &
REGULAR SESSION
THURSDAY, JANUARY 29, 2015**

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in regular session Thursday, January 29, 2015, with seven members present: Vacant, Commissioner At-Large First District; Walker, Commissioner At-Large Second District; Townsend, Commissioner First District; McKiernan, Commissioner Second District; Murguia, Commissioner Third District; Markley, Commissioner Sixth District; Walters, Commissioner Seventh District; and Mayor Holland, Mayor/CEO, presiding. Commissioners Maddox, Kane, and Philbrook were absent. The following officials were also in attendance: Doug Bach, County Administrator; Jody Boeding, Chief Counsel; Carol Godsil, Deputy Unified Government Clerk; Joe Connor; Interim Assistant County Administrator; Gordon Criswell, Assistant County Administrator; Byron Toy, Planner; Jamie Ferris, Planner; Janet Parker, Administrative Assistant; and Major Rodney Smith, Sergeant-At-Arms.

MAYOR HOLLAND called the meeting to order.

ROLL CALL: Murguia, Markley, Walters, Walker, Townsend, McKiernan, Holland.

INVOCATION was given by Reverend Michael May, St. Luke's Lutheran Church.

Mayor Holland asked if there were any revisions to the agenda. **Carol Godsil, Deputy UG Clerk**, stated a blue sheet has been distributed. Under the Non-Planning Consent Agenda, there are three ordinances. The one ordinance amending Sections to Chapter 27 has been revised.

Ms. Godsil asked if members of the Commission wished to disclose any contact with proponents or opponents on any item on the Planning & Zoning Agenda. **Commissioner McKiernan** disclosed contact with proponents of #SP-2014-74.

Mayor Holland asked does any member of the Commission or anyone in attendance tonight wish to set-aside any item on the Planning and Zoning Consent Agenda. If an item is not set aside, all items will be voted on in a single vote following the recommendation of the Planning Commission.

Action: Commissioner McKiernan made a motion, seconded by Commissioner Markley, to approve the Consent Agenda. Roll call was taken and there were six “Ayes,” Murguia, Markley, Walters, Walker, Townsend, McKiernan.

PLANNING AND ZONING CONSENT AGENDA

SPECIAL USE PERMIT APPLICATIONS

ITEM NO. 1 – 100195...SPECIAL USE PERMIT APPLICATION #SP-2014-66 – FRANK LAVENDER

SYNOPSIS: Renewal of a special use permit (#SP-2012-23) for a dirt and rock fill at 3924 North 49th Drive. This is a renewal of a special use permit to add about 9,190 cubic yards to a 44 acre site at 3924 North 49th Drive. About 9 acres would be disturbed. The disturbed area is narrow, near 49th Drive and widens as the access road extends about a half mile to a future home site overlooking the Missouri River. The Planning Commission voted 8 to 0 to recommend approval of Special Use Permit Application #SP-2014-66, subject to:

This application has come before Planning Commission multiple times over the last ten years. Staff supports the approval of this application, subject to all prior stipulations laid out in prior staff reports (listed below) as well as with the stipulation that this is the last two year period for which it will be approved.

Previous Urban Planning and Land Use Comments

- A. Portions of this property are located in a flood area. To ensure that fill is not occurring in this area, staff is requesting that the applicant add zone A to the proposed grading plan.
- B. A phased removal plan creates at least two specific fill areas with the first being largely completed prior to proceeding to the second. This reduces the amount of bare material exposed to water, wind and visibility. Permission would be necessary to move from one phase to the next.
- C. Approval for no more than two years.
- D. The following operational conditions:
 - 1. Hours being limited to 7:00 am to 5:30 pm
 - 2. Meeting the commitment set out on the submitted plans

3. A water truck should be readily available and utilized at any time dust could be a problem.
4. The access to this property being paved as necessary so that tracking can be minimized.
5. The petitioners agreeing to remedy, repair or clean up any damage to adjacent property owners occasioned by the washing of silt or other erosion.
6. Adherence to erosion control and storm drainage requirements must be met with conformance to Appendix J of the 2003 International Building Code.

Public Works Comments

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

Previous Public Works Comments

- A. Items that require plan revision or additional documentation before engineering can recommend approval:
 - 1) Provide statement describing what work has been accomplished since previous special permit was issued.
 - 2) Parcel is located within floodplain. Site plan shall include the floodplain designation, FIRM map panel and date.
 - 3) No work is allowed within the floodplain without review and UG approval. Work within the floodplain may require permits from State of Kansas DWR.
- B. Items that are conditions of approval (stipulations):
 - 1) Access to Leavenworth Road via North 49th Drive is prohibited. Access from site shall be North 49th Drive north to Dickinson Road, west to Nearman Drive and south on North 55th Street to Leavenworth Road.
 - 2) Land disturbance permit is required.
- C. Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:
 - 1) Roads not constructed to UG standards will not be accepted for public maintenance.
 - 2) Drainage study per UG criteria is required to evaluate culvert sizing.

- 3) Separate review of erosion control plans will be required for the land disturbance permit. Plans shall include twice a year seeding of disturbed areas (to match fall & spring planting seasons). Preliminary plans submitted indicate that a sediment trap should be considered for use on this site.

Action: Commissioner McKiernan made a motion, seconded by Commissioner Markley, to approve Special Use Permit Application #SP-2014-66 for two years, subject to the stipulations. Roll call was taken and there were six “Ayes,” Murguia, Markley, Walters, Walker, Townsend, McKiernan.

ITEM NO. 2 – 130211...SPECIAL USE PERMIT APPLICATION #SP-2014-74 – MICHAEL R. JOHNSON

SYNOPSIS: Renewal of a special use permit (#SP-2013-2) for an event hall in conjunction with a specialty dress shop and office space/storage at 735 Minnesota Avenue. The applicants are requesting a renewal of the special use permit (#SP-2013-2) that allows them to operate an event hall in addition to a specialty dress shop and office space at 733 Minnesota. The Planning Commission voted 8 to 0 to recommend approval of Special Use Permit Application #SP-2014-74, subject to:

Urban Planning and Land Use Comments

Questions for the applicant:

1. Why are you requesting the changes to your stipulations, including an extension of hours to 1:00 am and the removal of the guest list requirement?

Applicant Response: The reason for requesting changing the event conclusion time to 1:00 am is because several other event centers close at 1:00 am. Because of the current 12:00 event time, it adversely affects our ability to compete equally with other event centers, which close at 1:00 am. We have lost many events as a result of the 12:00 midnight conclusion time. We would like a more flexible guest list requirement which would allow us to choose more practical use of the guest list.

Staff feels that the time limit imposed is reasonable and should remain at 12:00 midnight. Because there has been no security issues that staff is aware of, we feel that the guest list policy can be relaxed and applied only to events over 75 people.

2. Have there been any problems associated with events held at the center? If so, please detail.

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Applicant Response: No, there have not been any problems associated with this event center.

All prior stipulations remain, with an amendment to the guest list policy, as stated above. Staff recommends approval for two years, in accordance with the following stipulations

Prior stipulations

- 1) Complete fulfillment of their business plan as mandated by first set of stipulations.
- 2) Events larger than 250 people shall have a pre-determined number of security officers in the building, greater than two.
- 3) All doors shall remain closed during an event.
- 4) All events shall conclude by midnight, 12:00 am
- 5) A guest list shall be created for each event events over 75 guests. Guests who do not appear on the list are not admitted entrance.
- 6) No gambling.
- 7) No music over 65 DBA before 6:00 pm
- 8) An understanding by the applicant that simply shoving a troubled situation out the door is not acceptable. They need to control and detain until on-duty officers arrive and take control of any situation.
- 9) A complete copy of the business plan is up-to-date and on file in the Unified Government Urban Planning and Land Use Office
- 10) Completion of the appendixes of I (signage which will be handled by permit), L (staffing plan – needs to be completed and reviewed with Director Richardson and the Downtown Shareholders) and S (safety grant documentation provided to Director Richardson).
- 11) All alcohol will be provided by the facility or one of its approved caterers. Catering list must be up-to-date and on file in the Planning Department.
- 12) Security as outlined on page 23 of their plan.
- 13) In addition to that security, one non-security adult chaperon for every twenty-five children for events focused on youth under 18 years old (provided by the client).
- 14) Verify all parking agreements.

Public Works Comments

- A. Items that require plan revision or additional documentation before engineering can recommend approval: None
- B. Items that are conditions of approval (stipulations): None

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

Action: Commissioner McKiernan made a motion, seconded by Commissioner Markley, to approve Special Use Permit Application #SP-2014-74 for two years, subject to the stipulations. Roll call was taken and there were six "Ayes," Murguia, Markley, Walters, Walker, Townsend, McKiernan.

ITEM NO. 3 – 150006...SPECIAL USE PERMIT PETITION #SP-2015-1 – RHONDA HALL-SMITH WITH DIMPLES & DIAPERS

SYNOPSIS: Special use permit for a day care center at 3202 West Barker Circle. The Planning Commission voted 8 to 0 to recommend approval of Special Use Permit Application #SP-2015-1, subject to:

Urban Planning & Land Use Comments

1. Please provide your business plan including hours of operation and how many children you will be providing care for.
2. Please explain how you plan to keep noise down as to not bother neighbors nearby.
3. How do you plan to insure parking and traffic is not an issue when parents are dropping off and picking up their children?

Staff feels that a daycare is an appropriate use within a residential neighborhood. Because this is a new business, staff feels that a trial period for this operation is justified to ensure that there are no issues with regard to noise, traffic, or parking.

Staff recommends approval with the following stipulations

1. Children playing outside must be supervised at all times as to avoid any potential nuisance to neighbors.
2. Parents drop off and pick up parking must be limited to the applicant's driveway and parking in front of the house.
3. Approval for one year.

Action: Commissioner McKiernan made a motion, seconded by Commissioner Markley, to approve Special Use Permit Application #SP-2015-1 for one

years. Roll call was taken and there were six “Ayes,” Murguia, Markley, Walters, Walker, Townsend, McKiernan.

MISCELLANEOUS – ORDINANCES

ITEM NO 1 – 140403....ORDINANCE

SYNOPSIS: An ordinance rezoning property at 5430 State Avenue (#3081) from C-1 Limited Business District to R-1 Single Family District.

Action: **ORDINANCE NO. O-2-15**, “An ordinance rezoning property hereinafter described located at approximately 5430 State Avenue in Kansas City, Kansas, by changing the same from its present zoning of C-1 Limited Business District to R-1 Single Family District.” **Commissioner McKiernan made a motion, seconded by Commissioner Markley, to approve the ordinance.** Roll call was taken and there were six “Ayes,” Murguia, Markley, Walters, Walker, Townsend, McKiernan.

ITEM NO. 2 – 140050... ORDINANCE

Synopsis: An ordinance rezoning property at 4458 State Line Road (#3064) from C-1 Limited Business District to TND Traditional Neighborhood Design District.

ACTION: **ORDINANCE NO. O-3-15**, “An ordinance rezoning property hereinafter described located at approximately 4458 State Line Road in Kansas City, Kansas, by changing the same from its present zoning of C-1 Limited Business District to TND Traditional Neighborhood Design District.” **Commissioner McKiernan made a motion, seconded by Commissioner Markley, to approve the ordinance.** Roll call was taken and there were six “Ayes,” Murguia, Markley, Walters, Walker, Townsend, McKiernan.

ITEM NO. 3 – 070585...ORDINANCE

Synopsis: An ordinance rezoning property at 81 North Mill Street (#3069) from R-1(B) Single Family District to TND Traditional Neighborhood Design District, T-5 Urban Center.

ACTION: **ORDINANCE NO. O-4-15**, “An ordinance rezoning property hereinafter described located at approximately 81 North Mill Street in Kansas City, Kansas, by changing the same from its present zoning of R-1(B) Single Family District to TND Traditional Neighborhood Design District, T-5 Urban Center.” **Commissioner McKiernan made a motion, seconded by Commissioner Markley, to approve the ordinance.** Roll call was taken and there were six “Ayes,” Murguia, Markley, Walters, Walker, Townsend, McKiernan.

ITEM NO. 4 – 140135...ORDINANCE

SYNOPSIS: An ordinance rezoning property at 240 South 65th Street (#3073) from MP-2 Planned General Industrial District to MP-2 Planned General Industrial District.

Action: **ORDINANCE NO. O-5-15**, “An ordinance rezoning property hereinafter described located at approximately 240 South 65th Street in Kansas City, Kansas, by changing the same from its present zoning of MP-2 Planned General Industrial District to MP-2 Planned General Industrial District.” **Commissioner McKiernan made a motion, seconded by Commissioner Markley, to approve the ordinance.** Roll call was taken and there were six “Ayes,” Murguia, Markley, Walters, Walker, Townsend, McKiernan.

ITEM NO. 5 – 140345...ORDINANCE

SYNOPSIS: An ordinance rezoning property at 2933 South 47th Street (#3078) from A-G Agriculture and C-1 Limited Business Districts to CP-1 Planned Limited Business District.

Action: **ORDINANCE NO. O-6-15**, “An ordinance rezoning property hereinafter described located at approximately 2933 South 47th Street in Kansas City, Kansas, by changing the same from its present zoning of A-G Agriculture and C-1 Limited Business Districts to CP-1 Planned Limited Business District.” **Commissioner McKiernan made a motion, seconded by Commissioner**

Markley, to approve the ordinance. Roll call was taken and there were six “Ayes,” Murguia, Markley, Walters, Walker, Townsend, McKiernan.

ITEM NO. 6 – 140408...ORDINANCE

SYNOPSIS: An ordinance vacating utility easements at 10621 Parallel Parkway (#U/E- 2014-7).

Action: **ORDINANCE NO. O-7-15,** “An ordinance vacating a 15 foot wide Sanitary sewer easement located at approximately 10621 Parallel Parkway, Kansas City, Kansas.” **Commissioner McKiernan made a motion, seconded by Commissioner Markley, to approve the ordinance.** Roll call was taken and there were six “Ayes,” Murguia, Markley, Walters, Walker, Townsend, McKiernan.

PLANNING AND ZONING NON-CONSENT AGENDA

No items of business.

NON-PLANNING CONSENT AGENDA

Mayor Holland asked if there were any set-asides on the Non-Planning Consent Agenda. There were none.

ITEM NO. 1 – 140419...ORDINANCE

SYNOPSIS: An ordinance relating to Chapter 7 Animals, submitted by Jenny Myers, Legal. On January 8, 2015, the commission voted unanimously to approve the proposed amendments to the animal code to increase the maximum number of animals, adopting Trap, Neuter and Release (TNR), along with other changes. This ordinance captures all the amendments as discussed and approved.

Mayor Holland stated this is in the culmination of the animal ordinance that was voted on in a previous meeting. It is the ordinance in its official form.

Action: **ORDINANCE NO. O-8-15**, “An ordinance relating to Chapter 7 Animals, amending Sections 7-1, 7-2, 7-3, 7-13, 7-46, 7-48, 7-50, 7-51, 7-78, 7-79, 7-80, 7-107, 7-108, 7-212, 7-265, and 7-267 of the Unified Government code, adding new sections to be numbered 7-215, 7-216, and 7-217, and repealing original Sections 7-1, 7-2, 7-3, 7-5, 7-13, 7-16, 7-17, 7-18, 7-19, 7-20, 7-46, 7-48, 7-50, 7-51, 7-78, 7-79, 7-80, 7-107, 7-108, 7-109, 7-212, 7-215, 7-216, 7-217, 7-265, 7-267, and Article VI, Division 3 and Division 4.” **Commissioner McKiernan made a motion, seconded by Commissioner Markley, to approve the ordinance.** Roll call was taken and there were six “Ayes,” Murguia, Markley, Walters, Walker, Townsend, McKiernan.

NON-PLANNING AGENDA

ITEM NO. 1 – 140125, 140298, 140299...ORDINANCES: DIGITAL OUTDOOR ADVERTISING

SYNOPSIS: Three ordinances relating to digital outdoor advertising, submitted by Patrick Waters, Legal. On December 18, 2014, the commission voted unanimously to hold this item over until January 29, 2015.

· Update/discussion

Doug Bach, County Administrator, stated the Commission will remember that last month we had a fair amount of discussion and presentation regarding the billboard ordinance proposed changes to be made to it. We were left with some directives to go forth and try and determine ways to setup an ordinance that put us in a better position probably from a community standpoint of taking care of some of the older billboards in our town as far as eliminating them as we moved into the new frontier of allowing the new digital billboards to come forth.

Discussions on this continue to progress clear up through today which we believe that’s why a blue sheet is submitted. I believe this sets out a form that is agreeable to the current ones that own the major share of the billboards within the community today. They’re represented here as well. Some of the changes that are in the blue sheet that differ from the document that went out on Monday really pertained to those that are owned by CBS and worked with that ratio

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moving it to two and a half to one. We believe the new ratios that are set out between the agreements if all new billboards are brought forth in the community that can be from the digital perspective according to this, we would probably eliminate somewhere around close to 85 of the older ones in the city.

I can turn this to Patrick Waters if he has any additional comments or details you'd like to make on this. **Patrick Waters, Legal**, stated I believe you summed it up pretty well. I'm happy to answer any questions if Commissioners have questions about the exact details.

Mayor Holland stated I want to thank you for your work on this. Because these are revised from the proposal we had before, there will be opportunity for public comment. Anyone who would like to speak in favor of this ordinance is welcome to come forward to the microphone at this time. No one came forward.

Mayor Holland stated anyone who would like to speak in opposition is welcomed to come forward at this time. Are you coming in favor?

Mary Jo Shaney, White Goss Law Firm, 4510 Belleview, Suite 300, Kansas City, MO, stated mostly in favor. I am here on behalf of and with my client, the Lamar Company, one of the billboard companies. Mr. Fessler is joined by his colleague Liz Hamm. Mr. Fessler wanted to address one item with you all. I wanted to say before he gets up I wanted to thank the Commissioners, Mayor, and your staff and in particular, we had the chance to work with Mr. Waters on this. It was a very cooperative and positive experience so I wanted to let you know that. That's all I have to say. Mr. Fessler is really the expert.

Bob Fessler, Lamar Advertising, stated we operate at 7108 E. 48th Terr., Kansas City, MO. I'm the Midwest Territory Manager for Lamar. We were charged when we left here at the last meeting to get together with our competitors and find a reasonable solution to achieve what we felt the Commissioners wanted which was to eliminate some of the signs in the inner-city, some of the areas that they were concerned about signage and I felt until 5:30 tonight that we had achieved that. CBS/Outfront came to our office and we met and we reached an agreement where we said they asked if we would accept one and a half to one on our larger signs and they would participate a two to one and we were fine with that. That was the only thing we really discussed. It was just simply what was the ratio going to be per company.

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Everything was fine and then our corporate attorneys realized yesterday that when we looked at the signs - we were asked by Patrick to provide a list of potential signs that we might take down. Upon doing that, we realized that three of our signs are conforming which means that if I take them down, somebody else could build them because they are conforming under today's rules and regulations. We asked the question, how do we deal with that. If we're trying to eliminate signs you certainly don't want more going back up. I certainly don't want to take a sign down that somebody else can rebuild.

We sent some language that was tweaked. We felt today that was taken care of and then at 5:30 I got a text from Ms. Shaney that the cap on the number of digitals within Wyandotte County that we had reached an agreement that each company would have a cap of five had raised to seven. We have some very real concerns with that from a lot of perspectives. If you look across the landscape of Kansas City part of my duties not only cover part of Illinois, Kansas and Missouri, I'm the immediate past president of the Missouri Outdoor Advertising Association. I'm very sensitive to communities and the last eight years of what we've gone through in Kansas City, Missouri, with people that don't like billboards, they don't like the way billboards look, they don't like a lot of things. Did I say that political correct? I have concerns that if you look at the counties that currently have digital billboards, there is no county out of the five major metropolitan counties that has more than six.

There was a period of time when the window of opportunity was open in Kansas City, Missouri and it was from 2003 to 2007. We went in and built six. Our competitors chose not to build any. The window got shut when they decided that they were going to stop any new digital billboards or any new billboards. We're concerned. You have three major interstates. You have 70, you 35, and you have 635. If all of these digitals are built out, you're going to have 14 digitals and 2 of those roads, the stretch of road probably doesn't exceed 5 to 7 miles. You're talking about a lot of billboards, a lot of digital billboards being placed within x amount of mileage.

This is tough for me. I operate 25 digital billboards within St. Joe, Kansas City, and then across the state we have about 125. I don't know what happened between yesterday and 5:30 tonight. I would like somebody to tell me why the cap was raised. We were not asked if we were in favor of the cap to be raised. We weren't part of that discussion. I'm saying that truthfully. If somebody wants to explain to me why they feel that's a good move, I'd be happy to listen and if it is then maybe we'll change our mind. Mayor Holland stated we will take that

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Mayor Holland asked, Mr. Waters, were you able to ensure that a new billboard could not come up in an old spot where one was taken down. **Mr. Waters** stated, yes. There is provision in 27-737(H) and actually I worked with Lamar on that language that would forbid – basically, even though the old board is taken down, we still count as if it's there for spacing requirements. A new company couldn't go in there and put a new board.

Mr. Bach stated the question about why was the cap raised really comes to the point that when we started to look at the Commission's original objective as how do we maximize the number of older billboards that are taken down. This ordinance really plays on the concept of where we go with it - the ratio of when billboards get taken down to the new billboards and the new billboards are put up. We believe that the objective being to take down more of the urban billboards by allowing two more on each one of those from the digital billboards to go in place, that we would increase that opportunity, That's where that came from.

Mayor Holland stated I want to say I am very pleased with where we are. I want to thank Hal Walker for initiating this. I'm probably one of those who could live without any billboards in our community and sleep well at night. I also know the digitals are moving forward quickly. I am not offended by them. I think they're sometimes more attractive than some of the other billboards. I also know that we have 115 billboards in our urban core, 115, and this by raising the cap too allows us to get to about 85 of them being eliminated. We can take out 80% of the blight in our community by just raising the cap not very much. For me, I'm not a big fan of billboards, but I think this is a great compromise for the companies to be able to digitize and for us to reach our objective of getting rid of the blight in our urban area. I think it's a good direction to go. Again, Mr. Walker deserves a lot of the credit for moving this forward and, of course, for Mr. Waters for working on this ordinance and for the sign companies for coming to the table to help negotiate this. I think we have a better ordinance now because of the input of the two companies and I think that's important as well.

Commissioner Walker stated I started this quite some time ago and I'm sure Mr. Waters will be glad to be done with this at least for the current time. This, as I stated, originated out of litigation a number of years ago which reached an impasse which never left me as a good idea that if digital is the wave of the future that we needed to be more open to that medium. Clearly,

billboards work or Lamar and CBS would have gone out of business a long time ago and we'd all have no billboards.

Frankly, I do have a preference. I prefer the technology billboards to the static one face or one message board. I find them more attractive and more esthetically pleasing. That's a personal opinion.

It is my belief that in years to come, although the Legends is and I'm not quite sure I'm versed in the covenants or restrictions that they have imposed upon themselves, but I do believe they're going to be more open to this type of technology and advertising. We have a casino. We have businesses that would like to be better represented on the interstates coming from all directions. I think there is going to be a bigger need for these and perhaps I'm speculating somewhat on incomplete information probably sooner than later so I think that the objective here.

I was happy at yesterday's version. I'm happy with today's version because it will largely achieve the objective. I had a feeling at the very beginning because we couldn't resolve the litigation that no matter how we did this, we weren't going to make everybody completely happy but businesses evolved. I'm sure before the interstate highway the small billboards were big moneymakers and they just got eclipsed and never removed. I could go on for a long time and you all don't want to hear that, but I am in favor of this ordinance and I have been from the beginning. I'm okay with the version that we got submitted today.

Mayor Holland stated I would like to ask if CBS would like to come forward or Outfront and make some commitments tonight. Are you prepared to do that?

David Hyatt, Outfront Media, 2459 Summit, Kansas City, MO, stated I'm not going to say much but I would like to thank again Commissioner Walker and Patrick for the hard work that they've put into this ordinance.

After the last meeting, I just kind of want to give you guys an update of what we have done to the existing billboards. I went out and I rode the entire, every sign that we had in the plan. We've gone out. There were 16 poster faces, actually there were 18 faces that we had went out and we scraped, we put new advertising on them, did some rehabilitation so the ones that looked poorly, they're not painted or anything, it's too cold and we had all the frigid weather at this point to do any painting to the signs but we reposted the signs. There are actually 16 poster faces already that we've converted to a new style that's called an eichoflex. It's basically

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just a little bit larger than the advertising itself. A little thin area and it has a type of advertising that is a material that is recyclable actually. It goes up there and it's no longer the paper and the glue like in the old days that go up on the boards so that's what we have on all of these. 16 of those faces of the ones that will remain up have been converted and we have other ones. All the signs that will remain up, as soon as the temperature is consistently above 50 degrees, we'll be able to go out and we'll take care of them and paint all of the rest of the urban core boards and the ones that remain up. I just really want to give you more of an update on that. Mr. Matson; here is from our Chicago office. If you have any questions for me on this as well, I'm happy to talk to you as well.

Mitch Matson, Vice President, Outfront Media, stated Administrator Bach has asked me to confirm my company's commitment with the initial construction of our initial conversion that we will remove the advertisements located at 7th & Central and 18th & Minnesota and I so hereby confirm it.

Action: **ORDINANCE NO. O-9-15**, "An ordinance permitting digital outdoor advertising signs, subject to certain regulations, in Kansas City, Kansas; amending Chapter 27, Article VIII, Sections 27- 722 through 27-739 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas." **Commissioner Walker made a motion, seconded by Commissioner Markley, to approve the ordinance.** Roll call was taken and there were six "Ayes," Murguia, Markley, Walters, Walker, Townsend, McKiernan.

Jody Boeding, Chief Counsel, stated there were two other ordinances in the original packet and the motion was just for the blue sheet one. I would ask that the last ordinance, the third ordinance, be held over one week. It's a taxing ordinance. It requires eight votes and we only have seven, six Commissioners and yourself for a total of seven. You could vote on the second to the last ordinance but I would ask the very last ordinance be held over.

Action: **ORDINANCE NO. O-10-15**, "An ordinance relating to Digital Outdoor Advertising Services, Chapter 34 Taxation, amending Section 34-31 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas." **Commissioner Markley made a motion, January 29, 2015**

seconded by Commissioner Walker, to approve the ordinance. Roll call was taken and there were six “Ayes,” Murguia, Markley, Walters, Walker, Townsend, McKiernan.

Action: **Commissioner Markley made a motion, seconded by Commissioner Walker, to hold over the third ordinance setting the occupation tax amount for digital billboards to the next Commission meeting.** Roll call was taken and there were six “Ayes,” Murguia, Markley, Walters, Walker, Townsend, McKiernan.

Mayor Holland stated I do have one announcement that I’d like to make. There was an issue that came up and I was surprised to me last week that I’d like to bring some closure to. When Commissioner Murguia came up and brought a three-page letter that she wrote about some issues that had happened at a neighborhood meeting. I was disappointed. I expressed that that night that I wasn’t called nor was my staff member called to ask about that. Apparently, several of the people on this dias were called, but not myself. I felt like that was poor process. I stated that last night. I did look into the issue and I would like to offer assurance and I have confidence that my staff member acted appropriately and that her statements were misconstrued in the meeting.

My hope is that in the future that any issues that come forward from any of the Commissioners would come in an opportunity to address them first without bringing it out publicly without seeing all of the facts. It looked to me like, Commissioner, you were looking to bully a member of my staff and I found that unprofessional and inappropriate. I consider this matter closed.

MAYOR HOLLAND ADJOURNED

THE MEETING AT 7:30 P.M.

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tk

Carol Godsil
Deputy Unified Government Clerk

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