Neighborhood and Community Development Committee
Standing Committee Meeting Agenda
Monday, February 02, 2015
5:00 PM

Location:
Municipal Office Building
701 N 7th Street
Kansas City, Kansas 66101
5th Floor Conference Room (Suite 515)

Name | Absent
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Commissioner Brian McKiernan, Chair | ☐
Commissioner Gayle Townsend | ☐
Commissioner Tarence Maddox, Co-Chair | ☐
Commissioner Ann Brandau-Murguia | ☐
Commissioner James Walters | ☐

I . **Call to Order / Roll Call**

II . **Approval of standing committee minutes from December 1, 2014.**

III . **Committee Agenda**

Item No. 1 - **ORDINANCE: CODE ENFORCEMENT CITATIONS & PENALTIES**

**Synopsis:**
An ordinance relating to the creation of a code enforcement administrative fine process, submitted by Wayne Wilson, NRC/Code Enforcement.

*On January 5, 2015, the standing committee discussed this item and voted unanimously to hold consideration until February 2, 2015.*

**Tracking #: 140418**
Item No. 2 -  COMMUNICATION: LAND BANK APPLICATIONS

Synopsis:
Communication requesting consideration of the following applications, submitted by Chris Slaughter, Land Bank Manager. The Land Bank Advisory Board has recommended approval of the applications.

Transfer to Land Bank
1615 N. 51st St. from Board of County Commissioners
(Ester Reed, 1610 N. 51st St., is applying for 1605 & 1611 N. 51st St. from the Land Bank and would like this property also. She wants to continue with the upkeep of the property and keep illegal dumping from continuing in her neighborhood.)

Applications
614 Vale St. - Cristina Marie Acosta, yard extension
613 Melville St. - Cristina Marie Acosta, yard extension
617 Melville St. - Cristina Marie Acosta, yard extension
1605 N. 51st St. - Ester Reed, property maintenance
1611 N. 51st St. - Ester Reed, property maintenance
1615 N. 51st St. - Ester Reed, property maintenance
1310 N. 8th St. - Derek Wong, yard extension

Tracking #: 150018

Item No. 3 -  PRESENTATION: 2014 LAND BANK CONVEYANCE REPORT

Synopsis:
Presentation of the 2014 Wyandotte County Land Bank Conveyance Report, by Chris Slaughter, Land Bank Manager. Data will also be presented that reflects the conveyance activity of the Land Bank from 2009 to present.

For information only.
Tracking #: 150017

Item No. 4 - REQUEST: 6TH STREET NEIGHBORHOOD REZONING

Synopsis:
Request staff be directed to rezone property on 6th Street, Tauromee to Splitlog, from C-3 Commercial District to either C-D (Central Business District) or TND (Traditional Neighborhood Design), submitted by Rob Richardson, Director of Urban Planning and Land Use. The current zoning presents some issues that are not conducive to nearby residential uses.

Information forthcoming.
Tracking #: 150024

IV. Adjourn
The meeting of the Neighborhood and Community Development Standing Committee was held on Monday, December 1, 2014, at 5:04 p.m., in the 5th Floor Conference Room of the Municipal Office Building. The following members were present: Commissioner McKiernan, Chairman; Commissioners Townsend, Murguia and Walters*. The following officials were also in attendance: Jody Boeding, Chief Legal Counsel; Gordon Criswell, Assistant County Administrator; Joe Connor, Interim Assistant County Administrator; Ken Moore, Deputy Chief Counsel; Emerick Cross, Commission Liaison; Colin Welch, Legal; Debby Graber; Neighborhood Resource Center; Marlon Goff and Charles Brockman, Economic Development; and Chris Slaughter, Land Bank Manager.

Chairman McKiernan called the meeting to order. Roll call was taken and members were present as shown above.

Chairman McKiernan stated something that I have not let the Clerk’s Office know about yet is that Commissioner Philbrook will be sitting in tonight taking our one, has been vacant spot on both the Neighborhood and Community Development and the Economic Development and Finance. I was charged with finding a person to fill that seat for our remaining meetings this year and next year. I have done that and I’ll get that list to the Clerk’s Office as soon as I can. Commissioner Philbrook is taking the vacant spot this evening.

*Roll call: Philbrook.

Approval of standing committee minutes from September 29, 2014. On motion of Commissioner Walters, seconded by Commissioner Townsend, the minutes were approved. Motion carried unanimously.
Committee Agenda:

**Item No. 1 – 140384...DISTRIBUTION: 2015 SPECIAL DRUG AND ALCOHOL TAX FUNDS**

**Synopsis:** Recommendation of the Alcohol and Drug Fund Advisory Committee to disburse 2015 Special Drug and Alcohol Tax funds to the following agencies, submitted by Angie Masloski, Public Safety Business Office.

- Mirror, Inc. - $51,048
- Associated Youth Services - $127,536
- Friends of Yates - $70,916

**Angie Masloski, Public Safety Business Office,** stated I wanted to come in front of you. The Advisory Board has made a recommendation to you for the 2015 Drug and Alcohol Advisory Board Fund. This year we had four applicants. The first one was the Alcohol Safety Action Project which requested $22,397 and the Advisory Board recommended funding them at zero. Mirror, Inc. requested $65,446 and the Advisory Board is recommending funding them at $51,048, which is 78% of what they requested. Associated Youth Services requested $153,658 and the Advisory Board is recommending $127,536, which is 83% of what they requested. Friends of Yates had requested $96,135 and the recommendation is to fund them at $70,916, which is 73% of what they requested.

We had about $88,000 over what was available in requests so each program was not able to be funded at 100%.

**Chairman McKiernan** said many thanks to the committee because I know that your committee is always very diligent and very thoughtful in reviewing all of the applications and making those final allocation decisions.

**Commissioner Townsend** stated I, too, would like to commend the committee for the work that it does. A couple of questions. What was the total amount of money available for distribution and was it distributed or allocated at 100%? What was the reason, just out of curiosity, that the fourth entity was not funded? **Ms. Masloski** stated the total amount that was available to spend was $250,000. Of that amount, $249,500 was set for distribution. That left $500. The reason for that $500 is there are two meetings a year, which are all day, and I believe that we need to

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provide food for the volunteers that come in, your advisors, so that’s where the $500 goes to is for the two meetings to help pay for their food, drinks and snacks throughout the day. The total amount of agency requests was $337,636 so we awarded $249,500.

Were you asking why the Alcohol Safety Action Project was not funded? Commissioner Townsend stated yes. Ms. Masloski stated earlier this year, the Advisory Board got together and rewrote the Request for Proposal. On the proposal there are allocations. Each Advisory Board member can give a certain amount of points to each agency. The amounts awarded, there are 800 points available. Alcohol Safety Action Project only received 213 points where Mirror, Inc. received 703, Associated Youth Services received 723, and Friends of Yates received 643, so we used the point scale to allocate the funds based on bringing in new ideas, the quality of the proposal, previous history and as you may remember, Alcohol Safety Action Project was not funded last year as well in 2014. Commissioner Townsend stated I couldn’t remember if that was the one or not. Ms. Masloski stated yes ma’am.

Commissioner Townsend asked is there any limitation or restriction on entities reapplying from one year to the next. Ms. Masloski stated no. There are no restrictions.

Action: Commissioner Philbrook made a motion, seconded by Commissioner Townsend, to approve. Roll call was taken and there were five “Ayes,” Walters, Murguia, Townsend, McKiernan, Philbrook.

Item No. 2 – 140389…ORDINANCE: REPEAL LANDLORD TRAINING PROGRAM

Synopsis: An ordinance repealing Section 19-237(9) relating to residential rental dwellings and the regulating of the issuance of rental dwelling licenses, submitted by Colin Welsh, Legal. The governing body approved a Landlord Training Program in February 2014; however, the Neighborhood Resource Center (NRC) is now pursuing a noncompulsory, free, online video seminar for landlord training.

Chairman McKiernan stated this is further discussion about the concept of mandatory landlord training being included in our rental licensing ordinance. We have with us tonight Debby Graber of Rental Licensing and Colin Welsh of Legal. Really, I’m going to pretty much present tonight because they are both here pretty much at my request. I want to give everybody some background on what led us up to tonight.
I think that all of us would agree that clean and safe neighborhoods are critical to growing our cities whether it’s the older urban city in the east or the newer suburban city in the west, no one can argue that living next to a bad property, whether it’s rental or otherwise, is a bad deal. In that spirit, last year our staff suggested that we could emulate a program that’s been put in place by some other cities that have implemented and established a mandatory training program for anyone who chooses to be a landlord; anyone who chooses to rent property in their city. However, at that point in time, I asked our staff to come up with an ordinance amendment that would amend our rental licensing ordinance to include mandatory training for anyone who chooses to rent property in our city. We did that. We, as a commission, approved that. It’s been about seven or eight months ago now.

Then we’ve had some additional discussions about the timing of that and how it would be implemented, if it would be mandatory, if you could test out of it, if there would be a grandfather clause. As I thought and thought a lot more about this and as I had more discussions on this, I began to think that maybe a mandatory program was not something that we should automatically put into place and I’ll give you some of my rationale for that.

I actually went and took a landlord training program. I’ve got my certificate right here in my portfolio that says I’ve been through landlord training. I will say that at the end of that 8 hour day, I do think that landlord training is very beneficial for anyone who chooses to rent property because I learned a lot of things that would help me protect myself if I were going to rent property.

I began to question whether or not we should make it mandatory on everyone who chooses to rent property, and I’ll give you a couple of things that went through my mind. First of all, Colonel Ziegler went and gave us some statistics on crime stats and 23% of police calls for services in 2012 and 2013 were at rental properties. Will nationwide, about 35% of dwellings is rental and I think it’s a little bit higher than that here in Kansas City, KS. So if 35% of the properties are rental but only 23% of calls for services are at those properties, I began to wonder do we need a mandatory program.

During the training program that I went through, the codes officer who did the codes section of that training program said that less than 25% of the code violations in this particular city occurred at rental properties. Again, if 35% are rental properties but only 25% of the code violations or less than 25% occur at those properties, I began to think, I began to wonder. So after giving it a lot of thought, I’m not convinced that implementing a program of mandatory

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training for those who choose to rent property is going to get us to our goal of clean and safe neighborhoods.

I believe that we should instead direct our staff resources to aggressively and effectively enforce the rules and regulations and laws and ordinances that are already on our books. If there’s a code violation at a particular address, fix it. If there’s crime at a particular address, stop it. I believe that instead of policing a mandatory training program, we should direct our staff resources to aggressively and effectively enforcing those rules and regulations that already exist. I believe that we should consider partnering with those property owners, landlords or otherwise who choose to follow the rules and do it right. I further believe that we should lower the boom on those property owners, landlords or otherwise who are not following the rules and doing it wrong. I believe that we should lower the boom so hard that they do one of two things. They either do it right or choose to leave our community.

Having said all of that and having gone through that whole process, I suggested to our staff that we reconsider putting the mandatory landlord training in our rental licensing ordinance and they are here tonight with language that would do just that, that would take it out and instead, we would offer—the staff had suggested that we offer landlord education information and videos on our website like we currently do. In our latest website revision, we put up some tenant education and tenant education videos and information and they suggested that we put up similar resources for landlords.

They didn’t suggest, but I’m suggesting that we do consider it mandatory for anyone who demonstrates by their actions or inactions that they are either incapable or unwilling to play by the rules already established in our community for things like property maintenance and crime at properties, etc. Our staff has drafted language that would remove the mandatory training from our rental license ordinance. They have brought that revision before us tonight for our consideration.

I do know that there are some people here tonight who have asked if they can give us some of their perspectives on this issue. We’re going to definitely invite that, but our request for action tonight is whether or not we implement or accept the revision and the language or whether or not we take it and consider it further because based on our original timeline, we’re now beyond the time when that timeline would have worked. No matter what, we’re going to have to have an ordinance revision whether it’s just to reset the date for mandatory training, whether it’s

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to modify the mandatory training in some fashion, we’re going to have to have an ordinance amendment at this point in time.

Tonight, we’re bringing forward further discussion of reconsideration of the mandatory training or maintaining the mandatory training and reconsideration of the dates of implementation, so that’s basically what’s before us tonight.

I have been contacted by a couple of people that said that they would like to address the standing committee on this issue tonight. What I would ask is that anyone who wants to give us their perspective would step over to the podium over here. I’d ask that you just give your name and your address for the record. I’d further ask—if we could either form a line down the aisle or at least have somebody standing at the head of the aisle as the on-deck speaker next. We do ask that in standing committee when we get public comment, we do ask that people limit those comments to three minutes. I would make a further request of those people who are here tonight that when you make your comment, either way, that you give as many specifics of maybe problems to be addressed or why those problems may not need to be addressed as possible; not specific names, not specific addresses, but specific circumstances. I think that would be really helpful in helping us frame our further discussion.

Nick Tomasic, Vice President of Strawberry Hill Neighborhood Association, stated we have a number of our members here and we definitely oppose any revision of the ordinance as it now stands. The problem that we have here is not homeowners. The problem is rental property and it’s been a problem for years. Why do people move to a city? They want to live in a city that is livable, that’s crime-free, and where the people have some recourse if there’s some problem in their area.

For too many years what was happening here are the people fled Wyandotte County and they left their homes here. They either sold them or just left them and they were taken up by people who became landlords and they rented these properties out to anybody. There was no recourse for the people that stayed here. What the government told us for too many years was that if you’re living here, you just have to live with the problem. That’s not our problem, that’s your problem.

Commissioner, it’s not just the number of crimes that occur on property or the number of code violations, there’s just—if somebody owns property, they’re going to keep it up. If they don’t own property when its rental, then you’ve got problems there.

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What has happened is we formed the neighborhood associations under Carol Marinovich when she was the Mayor. We got these formed throughout the area. The purpose of these was to ensure that all of the neighborhoods would become livable. We’ve gone a long way to get to that point.

A few years later, we noticed there were problems with rental property. We started receiving a lot of complaints from people who were renting that they weren’t being treated by their landlords that were being cheated and that they were living in slum areas. We started looking into that and we pushed—all of the organizations pushed and we got that landlord registration law passed and this was a good step.

Then what we found out is that there wasn’t one landlord that ever came to our meeting or came to me and I’ve lived here for 82 years. I still live down the hill here. There wasn’t one landlord ever offered to help us out with any problem, not any at all. As I said, once you’ve got that registration in effect, it was working pretty good but then we found out through complaints—and you’ll see right down at 7th & Northrup there’s a sign, “lease to purchase.” They started this scam. The landlords started this scam.

Commissioner Murguia made a motion, seconded by Commissioner Philbrook, to extend Mr. Tomasic’s time for three additional minutes. Motion carried unanimously.

Mr. Tomasic said we found out that they started this scam. What was really bad about it was that the city officials had a flier that they passed out and told the landlords the way to get around this rental licensing was to call it a lease with option to purchase. There was a flier furnished by the city. You know about that because we presented that to you already once. Chairman McKiernan said yes, sir.

Mr. Tomasic said I think that’s one big problem. There wasn’t one landlord that came in and said hey, this isn’t right and we, as landlords, shouldn’t be doing this. They did not police themselves. Why should we ever believe that they’re going to police themselves now if it’s going to be a voluntary organization? What they’re doing now is coming in and saying we’re here to help you. As I said, they’ve never come to help us at any time in the past. I just got a couple of more comments.
As was commented earlier, we’ve got two cities here in Wyandotte County. We’ve got the old city and we’ve got the new city out there. You don’t have problems out there in the new city yet, but they’re coming, they’ll be there.

We’re here in the older city with the older homes and that’s what the landlords are looking for. What is their interest? Not to help me, not to help you, and not to help the older residents; they’re out for money, whatever they can get. What I’m saying, look at the history. We’ve come too far to go back now. This is regression here to even do away with this. To think that they’re going to watch a video at home someday and say I got the training, look at all those old schools that are going bankrupt now, the video schools where you can get your training. What I’m saying is getting more code enforcement officers, push the city to hire more and get them out, that’s what you need and actively pursue the landlords and pursue everybody that’s not keeping their property up.

Commissioner Townsend stated I’d like to address Mr. Tomasic just for quick—just for clarity then. You are in favor of having landlords undergo this mandatory testing. Is that correct? Mr. Tomasic stated yes, definitely.

Tim Ryan, President of the Strawberry Hill Neighborhood Association, stated I’m also not in favor of repealing the mandatory training. I think it’s very important to hold someone accountable for these sorts of things. Considering us, the citizens, we’re held accountable every day and every week. If we get one of those letters on our door, in two weeks, we’d have to have that fixed or taken care of. I feel like with the landlords, sometimes that doesn’t always come though as easily, or as clearly or as viable. It might be two weeks that they have to get something taken care of, but it ends up being two months or two years or twenty years, who knows. Sometimes those homes go undesirable for decades and then what does it do, it deteriorates the rest of the block.

Absent landlords still don’t take care of their property if they’re not able to get those notices. Definitely having the code enforcement follow-up and make a stronger plea to get those things taken care of would be a big push for this. I definitely think that having the training would get those landlords on board and understand and educated to the point where they know they need to be more proactive in their management of their properties. I feel like a lot of the times it’s really just absentee or unmanaged properties that we deal with.

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As a homeowner and a resident, I have to manage my property and I have to manage my job and I have to manage my personal life but these guys, I don’t know where they’re at. I don’t know what they’re managing. We’re the ones at the neighborhood level that are being held accountable to take care of that. We have to take care of our house. Why don’t they have to take care of that one or why shouldn’t they sell it if they can’t? That’s my opinion and I think a lot of us here at our neighborhood feel the same way.

Chairman McKiernan stated once again, to frame the discussion, we are taking comment now from people who either would be in favor of keeping the mandatory training or transitioning it out.

Carol Diehl, Second Vice-President of Strawberry Hill Neighborhood Association, said recently resigned; retired I guess. As old as I am, I’m retired now. This is a problem that’s been ongoing now. I can’t even tell you how many years. I was president for 17 and it was going on before then.

Commissioner McKiernan, you were talking about this 25% and this 28%. That doesn’t always apply to everyone’s neighborhood and you realize that. You know that. Chairman McKiernan said yes, ma’am.

Ms. Diehl said on Strawberry Hill, I have 25 houses at least or probably more that I can point out that are trouble, troublemaking houses. By troublemaking houses, I’m saying they’re owned by misguided landlords or as we like to call them down there, slumlords. They put in undesirable people. I mean by undesirable people, I mean people that fight out in the middle of the street at 1:00 in the morning three or four nights a week and the police have to be called or they’re urinating in their front yard or they’re urinating in the street or they’re leaving trash thrown all over everywhere and guess who gets to clean it up. Hum, it must be me. It must be somebody in our association or one of their neighbors that has to clean this mess up.

It’s the same thing with the slumlords. It’s up to us to clean up their mess if you do not pass this that its mandatory. I know and you really and truthfully know the good landlords don’t need it. They can be grandfathered in. The new upcoming ones, these new people that are moving in, the newer ones that don’t know the rules, don’t want to know the rules, they just want the money, they need to go through this training and this training needs to include very highly the city ordinances. They need to know from the git-go you can’t do this. It shouldn’t have to be

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me or Tim or Nick or somebody or Nicki that has to go knock on their door and say hey, you’ve got to clean this yard up or have to call codes or have to call the police. If they know the rules, then be held accountable for not following the rules. Please keep this mandatory. I’m begging you to keep this mandatory. I think it would be a good clue or a good idea or something to have the landlord training or landlord committee go along with it. They would complement each other. The good guys would show the bad guys how to do it.

Nick Tomasic, III, stated I understand your points about the statistics and your job with your staff to try to maximize code enforcement which she mentioned about not having them spend time grading exams more or less. I totally understand that.

The point I want to make is going back to the history of how this whole thing got started, I think you remember, Commissioner McKiernan, we had some problem homes that through one summer I did research and I discovered that they were all owned by a UG funded non-profit that is now defunct. That was so frustrating to think that they had the code problems and the problems with the people residing in those places that they couldn’t be addressed, but then on top of it, that the government was supporting that non-profit.

This is the point I want to make to you. This is when it all changed for me. When I realized that there’s immigrants as tenants in our rentals in Wyandotte County that are scared to go to the authorities if their sinks don’t work or their showers don’t work, they will not go to the authorities because of different fears and then also children that are in these places. These single-family homes that have four mailboxes on them and I think to myself what if there was a fire. It terrifies me right now and that’s what got this thing really where I was adamant about it where we started having serious discussions.

I felt like progress was being made when you told me about this exam and it would be mandatory because of the number of out-of-state landlords we have. Now I feel a little disheartened. I just want to say that one point again about the people that cannot protect themselves and about children. That’s really what should be considered in all of the discussions about this.

Marcia Rupp, 2816 N. 46th St., stated I am a neighborhood watch leader and have been for about 15, 20 years. I just can’t begin to tell you what I’ve been though in my neighborhood with landlords. I don’t belong to Livable Neighborhoods. I did it on my own. I had to step on some

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feet and to get away from that and try to do it on my own. I did finally come to an agreement with the landlords that they understand that if they don’t do what they’re told, what is the law or codes, they get turned in. That’s the only way you can have a decent neighborhood and crime-free is to clean it up. It’s really true that if you clean it up, you’re not going to have any crime, I know.

I’m telling you—I gave you guys a compliment on this in front of a full commission that I thought this was a done deal. Well I’m taking that back and I’m giving it back to you and I’m going to let you work on that compliment. It shouldn’t be pleasing the landlords who most of them live in Johnson County and Missouri. It should be pleasing the homeowners here, the taxpayers here, the neighborhood watch leaders that work hard here for free, cleaning up Wyandotte County. Those should be the ones that you’re rewarding. Those should be the ones that you’re helping.

I spend a lot of time with the commission here on going to meetings, being there with you guys. You’re like my family. I can tell you this and I’m being truthful with you, I have never seen you guys finish anything together, nothing. We’re paying a sales tax on police and fire and they’re short. They’re going to be even shorter this month. You need to finish something and this is a good start right here. This is good for the county. We need to clean it up. We need to bring in good businesses and more residence and the only way you do that is to clean it up to get rid of the crime.

Cindy Myers, Secretary of the Strawberry Hill Neighborhood Association, stated, Commissioner McKiernan, thank you for taking the exam for the landlords. I have not taken it. I don’t know what it says but I am in favor of having a mandatory exam. I think the more difficult we make it for someone to become a landlord, the higher quality person we’re going to get. We’re going to get someone who is very determined to be a landlord, not someone who just decides well, I’m going to buy this house for $10,000 and turn it into a rental.

I was under the impression that not only we’re we having this mandatory landlord training, but that we we’re also still enforcing all of the codes. I thought we were doing both of those things. I know I’ve called codes on my neighbors many, many times and they’re still violating a lot of the codes. I am hoping that this landlord training is going to help weed out some of the bad landlords so I’m definitely in favor of keeping the mandatory training.

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Ross Stuart, 620 Sandusky, stated I’m also going to echo pretty much everything that everybody has said from Strawberry Hill up to this point. I was also a little bit perplexed on the whole price for the peace of mind we we’re talking about earlier. I don’t know how much it cost for the county to actually do this testing or to do the class, or if the county even provides the class or if it’s a third-party. If it’s paid by the county, does the landlord have to pay anything? I understand it could last eight hours. Does it generate any funds? I have a hard time understanding whether or not this is a significant loss of money or if that’s just only in chasing the landlords to get the class done, or what is the repercussion of not doing the class.

So sitting back and listening to what the explanation was before, I have a hard time understanding well, is there an individual that’s an administrative assistant that all they do all year is just call these landlords and say hey, have you finished the class yet, Phil? Where you at? You need to come do it or we’re going to take your property from you or whatever it is. If that’s really what’s tying up between having zoning enforcement get done, and I’ve done zoning enforcement cases here in the courthouse here for clients and you guys do a lot of them. There are a lot of zoning complaints. I’ve had a lot of people call me and I don’t even practice up here that much. I practice mostly in Johnson County.

I’m struggling with the concept of we could do more if we don’t make these people take this class. That’s kind of how I felt the explanation was. Having a better trained landlord, is there a downside to that? Sitting down here, I Googled what communities actually does this. Portland does it, Chicago does it, Milwaukee does it and the list just kept going. They’ve required it since the ‘90s I believe, most of them have. Unless there’s a detriment from doing this, if landlords aren’t buying property here, if you’ve gotten complaints from landlords saying I don’t want to buy property in KCK and fix it up because I have to take an eight hour class, that might be worth consideration but otherwise, has any landlords complained? Has anybody detrimentally suffered from having to take that class? Have you lost out on some sort of investment in the community? If not, who’s really hurt in this? They know a little bit more about the law. They learned hopefully about Section 8, different rights tenants have. Kansas Landlord Tenant Handbook hopefully would be given out; all the better. I’m in favor of it as are most people from my community.

Elizabeth Piotrowski stated I live in District 7 and we have slumlords out there along with the chickens and the horses. In a 14 block stretch on Kansas Avenue where I live out there, we have
had three meth labs, two wholesale Mexican pot warehouses, an apartment complex called crack head gardens, and at least a dozen retail drug establishments that fuel the burglaries in our neighborhood. I’ve been burglarized four times when I’m at work in the last ten years since UG took over the county out there. It’s not just a downtown problem; everybody suffers. I don’t see where there is a conflict between having strong code enforcement and landlord registration. It’s not an either or. They work together very well.

Last month, the codes officer showed up for the first time in my neighborhood for a drug house. He got out of his car and talked to people walking their dogs and raking their leaves. I have never seen a UG official in District 7 do that ever. He got that house to at least get the broken-down cars off the yard and cleaned up the junk. It’s still a drug house. It’s not just a downtown problem.

The other thing is, I’m a scientist. I know the use and misuse of statistics. Your problem with 25% and 35% is more likely a problem of underreporting because people don’t get a response from their government. That’s what the problem is out in my district. Nobody answers when we call. We don’t see anybody from the UG.

I also happen to work for a county health department in another state. My specialty was data minding. Like I said, I’m a scientist. They borrowed me for two or three months to do some data minding on slumlords in that county. I went through business licenses, tax records, relatives of relatives, tracked down names to find out who actually owned these problem properties. Most of them were hidden in real estate trusts or management companies and things like that and I found out that most of our most serious problems in that county, the ones that were like public health hazards, infectious disease, not just crime and drugs, we’re owned by doctors, lawyers, government employees, and some government officials. When I found out that the boss in my department owned the worst trailer park in the county, I just started sending out my resume.

I think you have an underreporting problem. Someone is protecting these slumlords. It wouldn’t be such a big problem if they didn’t have protection. There’s lots of money in crummy rentals and that money can buy protection. I’m sorry.

Ed Jaskinia stated I’m a slumlord apparently because I manage property. People, we are not all slumlords. 94% of the people are good people that are landlords; 94%. What we’re talking about doing here is penalizing 94% of the people for the actions of 6%. The interesting statistics
that I want to bring up is when all this started in 1988 when we first did the landlord registry where you had to have an in-city person to take your mail if you lived in Edwardsville and you owned property here, the statistics then were 2% to 3% of the landlords were bad, now it’s 6%. We’ve also had landlord courts since the early ‘90s. We’ve created a special court at night just to deal with landlord problems. That didn’t solve the problem. Then you got Rental Licensing. It was going to solve all the problems. It hasn’t happened. The fact of the matter is, the bad landlords are going to beat the system every single time the same way that bad city council people are going to beat the system every single time and bad police officers are going to beat the system every single time. When you have bad people in a group, they beat the system. Do you penalize everybody else in the process? No.

Commissioner McKiernan, I thank you for going with me to Topeka for that landlord training course. For those that don’t know, I invited him to come with me because I wanted to see what it was like. It was very educational and I liked it, and I will take this voluntary course as well. The fact of the matter is though, the bad landlords are not going to take it and if they do take the mandatory course, they’re not going to pay attention to it. They don’t give a damn. Real blunt, they don’t care. So we’ve got to address that issue and not penalize the people that are good people.

Rental Licensing kept a number of good landlords from coming into this city. For those that don’t know, the only reason you have landlords in your community is because nobody else will buy that property. Landlords don’t go in and pay full price for a piece of property. They buy the distressed properties that nobody else will buy. You’re either going to have abandoned properties or you’re going to have rental property. I don’t know which one you prefer, but I’d rather have people bringing tax money into the community.

Mr. Tomasic, you said that landlords rent out to just anybody. Well, there’s a thing called the Fair Housing Law. We can’t discriminate on race, creed, color, sexual orientation, and many number of other things. They have to meet certain criteria. I can’t pick and choose just at random who I want in the neighborhood. I may not like their looks or whatever, but if they meet the criteria, I have to rent to them.

You said that no landlord has ever offered to help. I’ve got news for you; in 1992 I went to Code Enforcement with a landlord to landlord court. He asked us to come and represent him in landlord court because the city was picking on him. By the time I got through with that man, he didn’t want to be a landlord anymore because I ripped him to shreds because he was a bad

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landlord and I told him that. I worked out a negotiated settlement with him and Code Enforcement at the time.

I’ve also been in Topeka here recently helping them on a guy that’s a bad landlord. We’ve had other people doing the same thing so please don’t say that nobody is offering to help because we are. If you start off adversarial, no, it’s not going to happen. If you come to somebody and say can you help with me with, yea, sometimes we can help, sometimes we can’t. But if it’s adversarial, it won’t work.

Landlords ignore code violations Mr. Ryan said that. Guess what, I’ve got a neighbor that’s a property owner that I’d love to get rid of. Been there 20 years, got cats all over the place, dogs, got his grey waterline running through my front yard. I can’t seem to get that beat and he’s a homeowner. Training would educate, it will educate but it won’t make them do anything.

Ms. Diehl, as I like to call them slumlords, we are not all slumlords. I’m sorry, we’re just not. …. Inaudible... Mr. Jaskina said I know, but 94% of the people out there are good landlords. Based on your own statistics in this city, 6%. Ms. Diehl stated not on Strawberry Hill. Mr. Jaskinia stated that may be but Strawberry Hill—we’ve got to address the problems where they are, not address—if you go after the other 94%, you’re not accomplishing anything. It’s just real simple.

Tenants are scared, yea. I’ve got landlords that are scared too; scared of the tenants. Sometimes we can’t get the police to help us with the tenants, sometimes we can. It just depends on the situation. I’ve learned that you never back down from the tenants period, no matter how scared they may be. Some of them are pretty scary though. You’ve learned that. We all need to start working together instead of working against each other.

Landlords and neighborhood groups have been at war since 1988 that I can remember and that’s stupid. We need to start working together on this stuff and try to make things right. The mandatory part of it is not working together, it’s just not. I think it’s a good program like Topeka’s got would be beneficial to us. I think that in Code Enforcement if a landlord is a repeat offender or if a property owner is a repeat offender, make them go to this training. It’s not going to accomplish anything, but make them do it. Punish the people that need to be punished. Again, I’m not against the landlord school on a voluntary basis.

**Commissioner Murguia made a motion, seconded by Commissioner Philbrook, to give Mr. Jaskina three more minutes.** Motion carried unanimously.
Mr. Jaskina said the concept of—Ms. Diehl said, Mr. Jaskina, I hate to interrupt this. You seem to be applying most of this language to me. Mr. Jaskina said no, I’m not. No, I’m not. Chairman McKiernan said, Mr. Jaskina, if you could just direct your comments this direction, that would be great. Mr. Jaskina said okay. I’m sorry. I’m sorry, I thought I mentioned several people by name. I’m not addressing anybody in particular; I’m addressing the situation they’ve brought up. I also said Mr. Tomasic and several others.

I’m glad that the city wants to do something because most property owners, be they landlords or homeowners, want good, clean property. It does me no good as a landlord to have property sitting next to a bad piece of property. In the same way it takes down your values, it takes down my value. I can’t bring in good tenants to an area that’s got bad tenants in it, it just doesn’t happen. We all need to start working together. We need to stop putting band-aids on these problems like the landlord registry and the landlord court and Rental Licensing, all of which have been touted as to it’s going to solve the problem and none of which have, in fact, it seems to be worse.

We need to start working out more innovative ways to make this work and the way to do this is to start building coalition between neighborhood groups, landlords and build some communication. I think that’s the way to do it. If you continue to put owners’ laws into place that affect the good landlords, they’re going to quit coming and then all that’s going to have left is bad landlords or abandoned properties. One of the biggest problems this city’s got is abandoned properties. As I’ve shown many times in the past to many city council meetings, some of the worst properties in the past that have existed have been city-owned properties and county-owned properties.

Some cities have gone actually in reverse as the city to our west that is reducing the amount of codes that they have, some of which I don’t even agree with. I don’t want to get into specifics, but we need to start working together and doing mandatory stuff like this is just going to hurt instead of help. I agree with the concept, but let’s make it voluntary unless it’s a repeat offender. I’m sorry if I offended anybody by calling you by name, but that wasn’t my intent.

Chairman McKiernan stated at this point, I think there are a tremendous number of issues that have been brought up. There are issues of renters and landlords, there are issues of contract for deed, there are issues of drugs and crime, there are issues of codes violations, and there are issues
of teaming up between landlords associations and neighborhood groups. I certainly don’t want to belabor this any longer than it needs to be. I might suggest at this time since even if we were to implement it as originally intended, we would need a new timetable. We’d need an ordinance amendment for that. I’d like to suggest that we bring some of this collaboration together in the short-term and that I engage some of my fellow standing committee members to have another discussion to see if there is a solution, a compromise solution that would be mutually acceptable and agreeable that we believe would be the best solution to address all of the problems that we have.

Commissioner Murguia stated, Commissioner McKiernan, I’d be glad to volunteer to help you with that if you’re looking for a volunteer. I do have a couple of questions though. Can I address these to staff? Chairman McKiernan said yes, ma’am. Commissioner Murguia said if you know the answer. I’m not sure you do.

I haven’t really been very involved in this landlord training piece. I’ve heard about it from constituents and from other people. I understood that this all started at the Livable Neighborhood level originally and then there was sort of a task force, maybe a housing task force put together and that task force came up with this concept. Is that true or am I confused? Debby Graber, Neighborhood Resource Center, stated no, that’s correct. Commissioner Murguia asked this task force that came up with the idea, was that a small subset of the Livable Neighborhoods group. Chairman McKiernan stated it was open to all NBRs, all neighborhood groups, UG staff and at the point that the landlord training was considered, there were many landlords who were invited to be a part of that larger group and consider this and discuss it. In hindsight, the group wasn’t big enough, the reach wasn’t broad enough, the input wasn’t complete enough for us to get where we’ve gotten to today and that’s why I would suggest that we gather broader input before making a final decision on this. Commissioner Murguia stated okay. That’s good.

Commissioner Murguia said the other question is, if this mandatory training was in effect and a landlord did not participate in the mandatory training, how would you catch them. How do you catch violators? Ms. Graber asked are you speaking of landlords in general or in this particular instance. Commissioner Murguia stated no. In this particular incident, if—I’ll use myself, if I’m a landlord, I’m not, but I will say if I was a landlord, what if I was a landlord but chose not
to go through the training, how are you going to know whether I’ve gone through training or not. **Ms. Graber** stated well, to begin with, the way that it was set up is they would have to be licensed through Rental Licensing. If they are licensed through Rental Licensing, they would need to take the mandatory training. **Commissioner Murguia** asked is every landlord in Wyandotte County licensed. **Ms. Graber** stated probably not. **Commissioner Murguia** asked how do we police that. **Ms. Graber** stated through different internet sites, newspapers, church bulletins, complaints, a variety of things that we look at. **Commissioner Murguia** stated so in essence you could be a landlord in Wyandotte County and not have a license and therefore not go through training if you don’t get caught. **Ms. Graber** stated yes, ma’am.

**Commissioner Murguia** asked do you have any idea how many people are landlords that are not licensed. **Ms. Graber** stated I have no way of knowing how many landlords that aren’t licensed that should be licensed. **Commissioner Murguia** asked what do you think. **Ms. Graber** said if I knew they were not licensed, I would go after them. **Commissioner Murguia** stated you’ve worked in that department for a long time so you should have an idea of the number of people, kind of. Don’t you kind of have a number of how many people you catch on an annual basis? **Ms. Graber** stated we find new landlords daily. **Commissioner Murguia** asked that are not licensed. **Ms. Graber** stated right. We generally will get between 20 and 30 new applications a month. **Commissioner Murguia** stated I’m not even talking about applying; how often do you get—**Ms. Graber** stated but those are the ones that we have gone after, not just made application, but we’ve caught them.

**Commissioner Murguia** stated so we have a lot of landlord violators, a lot of people that aren’t following—currently we have a lot of landlords that are not—**Ms. Graber** stated I wouldn’t say a lot. **Commissioner Murguia** stated 20 to 30 applications a day. **Ms. Graber** stated well, you’re looking at 7,000 buildings that are licensed in this city and when I started this program, it was 2,000. When I started this program, we had 12,000 units and we now have 18,000, so I wouldn’t say a lot. **Commissioner Murguia** stated but we have 20 to 30 landlords a day that we’re discovering that don’t have a license. **Ms. Graber** stated not a day, a month. **Commissioner Murguia** stated still though, that’s almost one a day somebody’s turning up that is a landlord that doesn’t have a license. **Ms. Graber** stated someone that has just began to be a landlord, someone that has inherited a piece of property, someone that has bought property in our community and decided to be a landlord, even builders out west that have built property and can’t turn that property will rent it.
Commissioner Murguia stated so you said when you started, you implied that the situation was getting better because at the time you started there wasn’t a lot of people licensed, there were only 7,000 and now there are, did you say, 18,000. Ms. Graber stated no, there were in units, there were approximately 12,000 units when we started this in ‘96. We now have almost 18,000 units. Commissioner Murguia asked those are licensed—Ms. Graber stated units, not licensed. Commissioner Murguia asked those are units that are licensed. Ms. Graber stated right. You could have one building that has twelve units in it. The building is licensed. Commissioner Murguia stated right, but you’ve grown from 12,000 licensed units to 18,000 licensed units. Ms. Graber stated correct. Commissioner Murguia asked you think that that’s because of enforcement. Ms. Graber stated it’s because of enforcement, yes. Commissioner Murguia asked you don’t think that’s because we just have an increase in rental units in Wyandotte County. Ms. Graber stated not necessarily. That’s part of it, yes. We’ve had new builds. We’ve had, as I said, in the west, new properties have been built that have not been sold. Commissioner Murguia asked do you know where the bulk of those licenses were pulled from. Ms. Graber stated I don’t know that right now. I would have to go back and research that.

Commissioner Murguia stated okay so back to my original question which was if I own property and I chose not to license it and then you catch me, what happens to me. Ms. Graber stated you would be given a notification that you needed to license your property. You would be basically informed that this is what you needed to do. Hopefully, you would get the application, pay the fee, get the property scheduled. If that doesn’t happen, then we would take you to court. Commissioner Murguia asked what happens to me then. Colin Welch, Legal, stated typically that court gives them some impieties for going through and getting the license. They’ll get the license. Right now we’re discussing exactly how we would like to penalize them at that point. History has always been that we’re looking for people to comply, not to penalize them. We have gone easier on them once they’ve come to court and said okay I’ve got my license now. We have dismissed cases once they’ve gotten that license; however, at this point, we’re discussing going ahead and fining them because it took that effort to get them to that point.

Commissioner Murguia stated okay so just play along with me for a minute. I just want to walk through the whole thing. So we go to court. I still don’t get a license. What happens to me? Can you take my property away from me, ever? Mr. Welch stated no. If somebody does not comply and they’re coming to court then we’re going to—no, we’re not taking away property

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through the Municipal Court. **Commissioner Murguia** asked there’s not even a possible—from what I—let me ask it as a question. Is there any way in the state of Kansas you can take my property away from me other than eminent domain for lack of a rental license? **Mr. Welch** stated there would have to be ancillary issues I would think. I don’t believe that we could take it just for not having a landlord license. **Commissioner Murguia** asked have we ever done that. Has the Unified Government ever taken anybody’s property away from them for code violations or rental licensing? **Mr. Welch** stated my history does not go back very far but none that I’m aware of.

**Commissioner Murguia** stated for me, the bottom line is that if you don’t get a rental license in Wyandotte County, in all likelihood, the worst thing that could happen to you is you will pay a fine. What is the cost of that fine? **Mr. Welch** stated it’s a scale up to $2,500. I guess, Debby, you could speak of an Order to Vacate. That could come out of that process. That’s my understanding. Right? **Commissioner Murguia** asked and how often do we implement an Order to Vacate. **Ms. Graber** stated it depends on the circumstances. We’ve done two apartment buildings in the past month of a notice to vacate. **Commissioner Murguia** asked in a year, how many Orders to Vacate do we give in a year in Wyandotte County. **Ms. Graber** stated sorry, I don’t have that number, ma’am. I would have to go back and look on our computer. **Commissioner Murguia** asked would you say though—could you guess. Like is it greater than 10? **Ms. Graber** stated I’m sure it’s greater than 10.

**Commissioner Philbrook** stated I’m very frustrated as a human being in this county right now. It almost sounds like we have no power to deal with the folks that are taking advantage of folks living here and getting paid rent and not taking care of their properties. Now this is coming from somebody who grew up doing rental property. I’m very acquainted with processes and so on. I’m also feeling very frustrated with the fact that we, as the city, are pretty hamstring. It doesn’t sound like we can do a whole heck of a lot to get rid of these bad folks. Do you have suggestions on what needs to be changed, no seriously? You work with it day in/day out. What things need to be changed that unhamstring our Codes and our Legal Department in dealing with these kinds of folks? **Ms. Graber** stated I think you have to realize that you’re dealing with two issues. You have a rental property that is collecting rent. There are tenants. You also have contract for deeds. Contract for deeds are not rental property. **Commissioner Philbrook** stated my Dad used to do contract for deeds so I’m acquainted with that. Contract for deed is only as
good as the contract and has the people to sign it and that’s on both ends of that. **Ms. Graber** said correct.

**Commissioner Philbrook** said my question is still do we need or can we change those contract for deed requirements in our county. Seriously. Is that a stupid question? **Ms. Graber** stated no. **Commissioner Philbrook** stated I understand that but it does affect our communities. I just really want to know what the heck we can do up here to help you with this. That’s my question. **Ms. Graber** stated Code Enforcement has been—I mean contract for deeds has been the vain of my existence since the beginning of time because that was the way that landlords, bad landlords got out from underneath this program. We couldn’t go and regulate them. We couldn’t go in and check to be sure that things within that property were up to code.

Someone in the audience asked what about regular ones. **Ms. Graber** said regular licensing, regular rental property is on a rotating basis depending on the number of units.

**Chairman McKiernan** stated given the fact that that’s a whole other overlay, Commissioner Murguia, I appreciate your volunteering to help. Last time we had this discussion you had said that you really didn’t think we should pursue the training program but if the rest of us voted for it, you would too. I think it’s time we fall back. It’s time that we get a broader group of voices at the table and start to unbundle a lot of these issues, contract for deed, from drugs, from crime, from codes violations, from do we even have the ability to—anyway, there are a lot of inner-related issues here and I think it’s time that we had one more broader discussion with more voices and I appreciate your volunteering. I would move that we table this for further action. Have another conversation and bring it back.

**Commissioner Townsend** stated just a few comments. First of all, I’d like to know exactly where we are right now with this mandatory testing. Have we already passed the ordinance months ago that made that law of the county, law of the land? **Chairman McKiernan** stated we have. **Commissioner Townsend** stated and so the original proposal tonight was to move forward with that. **Chairman McKiernan** stated no. The original proposal tonight was to rescind that and update the ordinance so that it is no longer a broad, mandatory training program. **Commissioner Townsend** asked so the ordinance as written in our packet tonight excluded the previous requirements passed by us. **Chairman McKiernan** stated that is correct. **Commissioner Townsend** stated okay. I just wanted to make sure about that. **Chairman**

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McKiernan stated so that’s why I suggested whether than take that action that we see if there is a compromise solution that hits all of the highpoints that have been brought up here tonight.

Commissioner Townsend stated from my recollection, help me, when we have the mandatory training, was that yearly for all landlords because I remember you asked about that. Chairman Mc Kiernan stated no, it’s going to be a one-time only. Commissioner Townsend stated one-time only. Was there a grandfather provision for that? Chairman Mc Kiernan stated that was a concept that had come up was consider that anyone who had been in it for a certain period of time and had not been on the radar in terms of code violations or crime on their property or other things, would then be given effectively a grandfather and this would apply to those who are getting into it new, as was referenced here, or those who had some record of violations in the past as being part of our Rental License database. That certainly, I think, could be part of the ultimate solution if we choose to do that.

Commissioner Townsend stated my recollection was that I was in favor of some type of training, but I think from listening to the members of the Strawberry Hill organization and a lot of residents, one of the things that’s clear even with this in place, you’re still going to have problems that need to be addressed through Code Enforcement and those things. It’s not going to be the panacea that I think everybody believes and maybe we need to look at giving more boom as Commissioner Mc Kiernan mentioned to helping Code Enforcement whatever those needs are. It might be a budgetary issue because even with the training being mandatory, those people who are not going to respect your property and their own, there’s still going to be problems. It would be good to review this one more time and see what other solutions long-term may help you and other homeowners and neighbors that have the same problems.

The other point that I clearly hear Commissioner Murguia addressing is one of enforcement. Even if we continue to have this as a mandatory issue, what happens to those people who do not abide by that? How much resources are going to be expended trying to catch those people so to speak, and then once they are caught, then what’s the penalty and how is that going to help good neighbors and good homeowners? It would be worth looking at it one time to come up with some kind of solution that is going to be long-term, not sure what that is.

Commissioner Murguia stated, Commissioner Mc Kiernan, I agree with you so I would second your motion. Commissioner Murguia said I just want to make some closing comments. I think most of you know I live in an urban neighborhood also. I live in Argentine. All of the

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comments made by the community people here tonight are near and dear to my heart. I started
off in community work by just participating in my neighborhood association. I can tell you no
one’s more tired of picking up other people’s trash than I am. I am sick and tired of being woke
up in the middle of the night over disruptions going on by people that are renting property and
don’t care about the neighborhood or only there for whatever their agenda is, drug dealing or
whatever. We’ve made some significant progress in District 3 where it’s not so much like that
anymore. I think it’s very neat and clean and we have very little community disruptions.

This remains my concern here at the Unified Government. It’s been my concern for the
seven and a half years I’ve been up here is what this government does not do well is to enforce
its own regulations that they currently have well at all. What it’s going to take is repeated,
consistent and steady enforcement of our code violations and things like rental licensing in order
to get those kinds of issues under control.

To clarify, Commissioner McKiernan is exactly right. It wasn’t that I was opposed to
what was being proposed. I’m with Commissioner Townsend. I don’t think it’s going to get you
all where you want to go. I don’t think it’s going to create the neighborhood that you want to
see. I think the problem is no matter what rule you make, if there isn’t consistent and steady
enforcement, your neighborhood is going to look exactly as it does right now. It’s not going to
be any different.

I made a big deal about this during strategic planning. I’ve asked all my commissioners
to get onboard with me. We’ve got to take a harder look at code enforcement and how we’re
doing business. I’ll give just one example because it really bugs me and everyone ignores me. I
bring this up every time I get the chance and I’m going to bring it up until somebody does
something about it.

Right now, if you live in Strawberry Hill and your code enforcement officer gets sick or
just goes on maternity leave or whatever, let’s say maternity leave and they’re out for twelve
weeks, Strawberry Hill does not have a code enforcement officer. That means nothing is
happening. Nothing. No enforcement is being done whatsoever.

I’ve made multiple suggestions to the commission during multiple different meetings that
we look at a different option like part-time code enforcement officers where management has
more flexibility in making sure that those neighborhoods are staffed. Who staffs them is less
important. What’s more important is that they’re staffed and that enforcement is taking place.
That’s me from my soapbox tonight.

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I’m more than happy to work on this. I’d be glad to offer any assistance to Commissioner McKiernan and whomever else, but I also—I just want to make it very public, I’m really not interested in working on a committee that’s not going to look at solutions that are really going to be impactful and not into making rules…Chairman McKiernan stated the whole purpose here is to unbundle all of the various and interconnected issues of contract for deed, of rental, of code violation, of crime, and see what we can do specifically in each of those areas.

Action: Commissioner McKiernan made a motion, seconded by Commissioner Murguia, to table this tonight and take back for a final round of discussion, broader discussion with even more input than we’ve had here tonight.

Commissioner Philbrook stated well thanks for letting me be part of your group tonight. There are a lot of problems. It’s like you touch one thing and another domino hits. It just keeps going and going and to make a decision tonight I think would be jumping the gun. I agree with everybody else here. To get our codes enforced means, oh I don’t know, let me guess, more money to have more people to make sure that all of that is getting done. That means the number of inspectors that are out there, and I know they’re out there because I hear from plenty of my constituents let me know that they’re there or not. Either they’re too much or they’re not enough. That’s always the complaint. It’s never an in-between thing. That’s the way it is.

Do our codes need to be changed? Do we need to look at how we change these codes so it works better for us so we’re not chasing our tail? I know there are a lot of communities that are changing how they’re doing their code.

Education. I’m 100% for education, of course, because, oh, I don’t know, I had to get a lot of it myself. You never can know too much but I wish I could say that being educated for a person who has rental property would make them a good person, but now we’re dealing into people personality and making them change their stripes, that’s a whole different ballgame. They can know, but do, that’s a whole different thing. I’m kind of really wavering on that. I know I voted for it before and I don’t have any problems with education. I like people to have to have education. I don’t think it would hurt them at all to have to go learn it. If I had property still, so what, so I spend eight hours and learn what I’m really supposed to be dong. That’s fine. I don’t think it’s going to make a hill of beans as to whether the bad guys start doing what they

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need to. I think the only way the bad guys are going to start doing what they need to is if they have to pay the price and it hurts them instead of letting them make money.

Roll call was taken on the motion and there were five “Ayes,” Walters, Murguia, Townsend, McKiernan, Philbrook.

Chairman McKiernan stated thank you. I will take responsibility for convening the broader discussion so anyone who is here tonight who would like to be part of that broad discussion, please make sure to contact me. I know you all have my email address. Please do and I will make sure that we get many more people than are even here tonight engaged in this discussion so that we have as a broad of representation of this community as we possibly can to come to the best possible solution.

Item No. 3 – 140390...COMMUNICATION: LAND BANK APPLICATIONS

Synopsis: Communication requesting consideration of the following applications, submitted by Chris Slaughter, Land Bank Manager. The Land Bank Advisory Board has recommended approval of the applications.

642 Orville Ave. - Adam Wittmer for yard extension
1027 Richmond Ave. - L G Barcus & Sons, Inc. for commercial use
1029 Richmond Ave. - L G Barcus & Sons, Inc. for commercial use
420 R N. 32nd St. - James Colber, Jr. for yard extension
2213 N. 12th St. - Verlinda Yates for parking and play area for children
310 S. Valley St. - Maria Sifuentes for yard extension
2041 N. 4th St. - Pearl Washington for yard extension
1361 Kimball Ave. - Charles Mills for yard extension
1363 Kimball Ave. - Charles Mills for yard extension
2742 Tennyson - Willie Walters for yard extension
940 Kansas Ave. - Richard Sanchez for yard extension
849 Splitlog Ave. - Greater Pentecostal Temple for parking
853 Splitlog Ave. - Greater Pentecostal Temple for parking
317 N. 9th St. - Greater Pentecostal Temple for parking
319 N. 9th St. - Greater Pentecostal Temple for parking

Action: Commissioner Murguia made a motion, seconded by Commissioner Philbrook, to approve. Roll call was taken and there were five “Ayes,” Walters, Murguia, Townsend, McKiernan, Philbrook.

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Item No. 4 – 140394…COMMUNICATION: TRANSFER LAND INTO LAND BANK

Synopsis: Communication requesting consideration of the following application, submitted by Chris Slaughter, Land Bank Manager. Transfer 610 and 620 Minnesota Ave. from the UG into the Land Bank. (Negotiating a user agreement to grant owner of 626 Minnesota Ave. exclusive use of the parking lot. The Land Bank will maintain ownership and it allows for the user to improve the parking lot and allow parking for his tenants.)

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

Commissioner Townsend asked is there a presentation. Chris Slaughter, Land Bank Manager, said we have a small presentation. Commissioner Murguia asked on the Land Bank transfers. Mr. Slaughter said yes. Do you wish to see it? Commissioner Townsend said this is Item 5. Chairman McKiernan said this is Item 4. This is a transfer into the Land Bank. We approved the transfers under Item 3. We’re now on Item 4, 610 and 620 Minnesota Avenue. Commissioner Townsend asked is the presentation—is there more than one presentation that you have about transferring properties in. Mr. Slaughter said yes. This item, we have a presentation. Chairman McKiernan stated but Item No. 6 also involves transfers. Mr. Slaughter stated yes, and I don’t have the agenda in front of me so I don’t know what numbers…Commissioner Townsend stated and maybe that’s what I had in mind. That’s what I had in mind. I didn’t have any particular other questions.

Chairman McKiernan said so the question is would you like to see the presentation on Item No. 4. Commissioner Murguia said, Chris, I would love to hear your presentation. Commissioner Philbrook said yes. Talk about our parking lot.

Mr. Slaughter stated good evening. I didn’t get a chance to say that earlier. What we have before you is through the Economic Development Department, we’ve negotiated a usage agreement to grant the owner of 626 Minnesota exclusive use of the parking lot. Per the agreement, it will be maintained and owned by the Land Bank and then there are other
components of the agreement. With information of the agreement and the presentation, I’ll turn this over to Marlon Goff with Economic Development.

Marlon Goff, Economic Development, stated as Chris referenced, the subject property here on the slide is also known as Parking Lot 7 from our UG Parking Control Division. We’ve been working for the past several months with commercial property owner just to the west of this property. Facing north here a couple of landmarks include the Kansas City Kansas Public Library, the Transit Station there at 7th & Minnesota, in this version it’s still under construction. Essentially, the parcel outlined, it’s actually two parcels outlined in red. It’s about 14,000 sq. ft. The property owner is proposing to gain control of this property to provide tenant and patron parking for his office/tenant users.
We thought we would give a quick overview of the timeline of ownership. As many of you may remember, this property once—the structure included the Sam’s Loan office. That structure was on fire and we had to take it down for demolition in 2009. This brief timeline kind of represents the status of ownership. I don’t know, Chris, if you wanted to reference that period where it shows that the Land Bank previously owned or controlled the property.

Mr. Slaughter stated part of that period, it was also controlled by the UG so it did go from the previous owners to the UG, eventually to the Land Bank, and then we eventually transferred it back to the UG because at the time, I didn’t want to be in the parking lot business and the board agreed with me on that. With the way we have this structured, I think it’s more advantageous to have it in the Land Bank and I’ll let Mr. Goff continue.
Mr. Goff stated essentially with this parking use agreement that we’ve negotiated and are proposing as part of this transfer is it, again, will allow for private investment to actually improve the parking surface. I think it’s called a parking lot, but I don’t think it would meet the standard if we were pulling permits, if this were improved as part of our annual CMIP process. This owner is willing to make the necessary capital investments to improve the parking surface. As a mechanism for him to recover his investment, he will have exclusive use, control but also maintenance of the parking lot for a five-year term and then he’ll have an opportunity for renewable one-year extensions at the discretion of the Land Bank.

As a further incentive, what we would like to do is still maintain control of the property, I think it’s function as a parking lot doesn’t represent the highest and best land use for this particular corridor of downtown, but it will essentially give him the right of first offer as part of a redevelopment project on an ongoing basis. We’d like to maintain that flexibility for future land use but it essentially captures and delivers his immediate need for parking for downtown employment. He’s already got a tenant in place scheduled to occupy the building the first of the year so we feel like this is a win-win negotiation for all parties involved.

Commissioner Philbrook said so the right of first offer option—if somebody comes to us within the next year and says hey, we really want to develop this, then that would kick that into gear right away and they would have to offer us x amount of dollars or we could sell it. Mr. Goff stated I think the term we negotiated into the agreement is we give him a 90-day lead time to

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respond to any offer. What’s important, we’re not looking to just sell the property on a speculative basis. As you correctly stated, it would have to be part of a redevelopment project that conforms with the land use for this particular district and certainly account for the parking needs of that potential end use. **Commissioner Philbrook** stated this keeps it available for that at any time with the 90-day notice. **Mr. Goff** stated correct, it does. We have some fallback. For example, if we were to entertain and ready to move forward with an offer during that five-year term, we’d reimburse this property owner on a prorated basis from the proceeds of sale from that land. He’d still…**Commissioner Philbrook** asked for the improvement that he made. **Mr. Goff** stated correct.

**Chris Kuzila, 605 Central Avenue**, asked what’s the property to the north of this piece of property. **Mr. Goff** stated the property immediately to the north…**Mr. Kuzila** said across the alley. **Mr. Goff** said across the alley, it’s a municipally-owned parking garage that’s no longer in use. **Mr. Kuzila** asked when is that going to get torn down. **Mr. Goff** stated I would say that particular parking garage property is proposed as part of a redevelopment project associated with Cross Line Towers that you also see to the north. **Mr. Kuzila** asked for the timeline. **Mr. Goff** stated I’m not the point on that project. I’m certainly willing to take your information and answer any questions regarding the status of that. **Mr. Kuzila** stated I’ll get ahold of Dr. McKiernan and we’ll get in touch.

**Chairman McKiernan** stated just to make sure that I understood the question here was on timeline. **Mr. Goff** stated the timeline on that project.

Roll call was taken on the motion and there were five “Ayes,” Walters, Murguia, Townsend, McKiernan, Townsend.

**Item No. 5 – 140391…POLICY: LAND BANK**

**Synopsis:** Review and request approval of a proposed Wyandotte County Land Bank Policy, submitted by Chris Slaughter, Land Bank Manager.

**Mr. Slaughter** stated there is no presentation. I didn’t have time to put one together but I will give you some highlights of what we’re proposing, why we’re proposing and then basically we
can open it up for discussion if that’s okay. I will start off by saying that a lot of the suggested changes are based on current best practices that are throughout the country. As I’ve mentioned before, there are plenty of other land banks throughout the country. There are a couple that may be larger and staffed larger than our current land bank, but yes, they’re out there.

One of the changes, and I guess I should reference what section we’re talking about. In Section 2, we’ve identified what kind of usage would a potential applicant be looking to do. I know that’s been a big issue with part of the discussion we had last month where there’s maybe a property that’s not necessarily a side-lot so why aren’t we selling that. We feel that this gives us a little bit more strength in that position.

We would like to point out that we feel with the Land Bank that our number one—you should be in partnership with the Unified Government. We also want to promote housing but through that, we also want to make sure that we are encouraging neighborhood revitalization, return these assets to productive tax use. We also have talked before about assembling multiple tracks of property into maybe larger ones. Who’s going to build on 25 where we can maybe take four 25s and turn them into two 50’ lots?

Then we’ve also talked before about specific long-term banking and then anything that hopefully in the future would be a financial need for the Land Bank. Currently, all proceeds from the Land Bank goes to the General Fund. As I’ve also said before in the past, if that’s something that we can look at in the future of identifying some or all of those proceeds to help fund current Land Bank programs or maybe future Land Bank programs to help take the burden off the Unified Government, that’s something we should probably look at.

As far as disposition, again, we are strengthening our position that what is the intended use of someone that’s applying for a Land Bank property and then again, who is that. We put some perimeters out in the policy that maybe give us a better position to say do you want it for some community purpose or you want to develop. Maybe it’s a current, physical structure that we’ve taken in from a tax sale. What are your plans and we don’t want to know that you just want to hold it because you want to invest in it at a later time.

We’re looking at something similar to what we just talked about with the parking lot. We have the property. Come to us with a proposal. Tell us what you want to do. Tell us how you’re going to do it. We may suggest some things along the way but in the long run, we have that productive use that’s the end result.

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We also want to know what’s the short-term/long-term impact on the neighborhood in the community. Again, as I said last month, if we want to sell these, we can sell them. I can make them available at very minimal prices and we could probably get rid of a lot of them. If we look at these as assets and we look at some areas full of assets, then we need to take it to the next step and look at the final result of those developments.

Again, I think in a priority sense, the Unified Government should be our number one partner in this. If there is a request from the Unified Government for Land Bank property, I believe they should go to the front of the list. Next after that, I believe we should look at non-profits and also for-profits or any joint venture between the two. Anybody or any group that has the means to take these assets and turn them into better assets is where we should be looking at. We also have side-lots that are always going to be a large demand for and I think we also open ourselves up to look at some creative uses of some of these properties especially a lot of the contiguous ones that may become gardens or urban green spaces.

Again, we have our ways of taking in property. After this, we’ll have a presentation about taking property in from our current government. We do get property at the tax sale. I think we worked on creating more of a strategic way to involve the tax sales and Land Bank instead of just gobbling up everything that doesn’t sell. I think we’re looking at having the end user in mind as we even look at submitting requests to put those properties in the Land Bank. We need to move them in, and move them out.

Again, we can take donations. We can outright purchase which if I don’t have funds, is kind of a moot point; but down the line, we may want to sit there and engage in just a straight private sale with a private party because maybe time is of the essence to get that property.

We’d like to talk a little bit about conduit transfers. If there are tax delinquent or highly assessed properties out there that someone or some group is willing to look at purchasing but yet the tax burden is high, maybe the property is severely under water, do we look at it and say if you agree to the demands we have, improve the property, make it productive, make it an asset to the neighborhood, then maybe we’ll be willing to abate some or all of those taxes or those assessments.

Again, land banking agreements. A lot of land banks will take in property from private parties or non-profits; help them out. Again, we’ve had great discussions on this. I believe it needs to be a partnership and there needs to be teeth in the game on their side too.

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Next I want to talk about approvals. Currently, any Land Bank application I present to you—one of the things we’re going to propose tonight is to maybe reduce that, give a little bit more executive authority to the Land Bank Manager to make some of the decisions on those. Maybe the side-lots, maybe the straight sales and then have other things that are maybe a little bit more of vast importance fall on the shoulders of the board.

Lastly, since I already mentioned about the conduit transfers, I just want to talk about really amping up the Adopt-A-Lot Program. I know we’ve had some discussions about that in the past. Commissioner Murguia, you’ve had some great points about why would we want to just—we want to sell these. We need to get them out. Quite frankly, there are some properties that nobody wants to buy. There are groups that don’t have the capacity to purchase them but they are willing to take care of them or maybe they’re already taking care of them. Working with local neighborhoods and our NBRs and identifying those groups that could sit there and want to turn around and take on those properties and help us reduce our burden of maintaining them, is something I think we need to look at.

That’s kind of the high brief of the proposed changes and I’m more than happy to listen to your comments or questions.

Chairman McKiernan stated so the request for action tonight is to approve the administrative policies and procedures update that was attached to the agenda. Correct? This is a follow-up on the presentation you gave last month. Mr. Slaughter stated I would say it’s been an ongoing process for some time. Again, we’ve had some great conversations that I think have led up to some of the decision factoring that we’ve had. What we have before you is a proposed new Land Bank policy. Again, I think the action we would ask is that if you guys approve, we would take this on to full commission I believe on the 18th for their final consideration.

Commissioner Townsend stated going back, Mr. Slaughter, to the conversation that this committee and you had about a month ago, you mentioned a change and I want to make sure that I’m understanding in this policy what we are relying on in terms of addressing one of the issues that was brought up. As I mentioned a month ago, there are requests that come in periodically within my district and possibly in districts of some of the other fellow commissioners for property to be purchased by private individuals. They may have some past familial attachment to them or they just want to improve the neighborhood. They’re not a side-lot, they’re not
necessarily community garden although a person may use them that way. Under this proposed policy, is Section 2 the only section that would allow for that type of purchase of property out of the Land Bank or is there another section we’re relying on or is this addressed at all. I was taking from your commitment that that situation is addressed in here. Mr. Slaughter stated other than saying if someone wants it, we’ll sell it to them. I think for Section 2.3 Subsection e, I think we would look at that as the revenue that would come in could be a financial resource that eventually could be towards to help offset the operational costs of the Land Bank. 

I think when we look at sales going forward, is the first thing we need to do is we need to keep identifying the strategic areas that we really want to hold these properties, these assets. All the other areas, unless there’s conversation out there with the Advisory Board or internal departments here, staff, and the Unified Government, if we have nothing on the table or we have had no interest in these areas, why continue to hold them? I think that was part of the direction and the discussion in the last months. I told you I can sell, I can sell them. Again, from past directive from the Board, it’s been why are we selling them. It’s not a side-lot. Don’t sell it, it’s not a side-lot to I think if it’s not an area that we don’t want to consider to be a hold area or maybe there’s a development attached to it, then why not sell it. If someone is willing to pay the taxes, maintain the property, that’s what we ask them to do. If it means on my end I have to do a little bit additional work on the backend and monitor that periodically within that one-year timeframe, that’s great. It reduces the inventory which I think has also been another kind of quiet direction from the Board. Again, if people want to buy it, we should be selling it as long as we don’t feel that there’s a strategic use for it in the long run.

Commissioner Townsend asked with the exception of that strategic use, is there any reason now that the constituent for example that I’ve talked about who wanted to buy a lot not contiguous with his or her property, they could do that under this. Mr. Slaughter stated yes, actually it was approved earlier tonight.

Commissioner Murguia stated, Chris, I hate to do this to you because I know you’re a staff of one. I apologize in advance. I can’t approve this until—I’d like to see a red-lined document. When staff changes policy, I need to see the original policy and then within that policy, I want to see how the new policy is different from the existing. Mr. Slaughter stated okay. Commissioner Murguia stated sorry. It shouldn’t be that hard to do since you’ve already done—you should be able to take the old document and show me that. Mr. Slaughter asked do
you want all of our versions. Commissioner Murguia stated if I’m going to give you my vote to make these changes, I need to know what I’m voting on so I need a red-line document. Mr. Slaughter stated I understand where you’re coming from. Chairman McKiernan stated what was it before as approved and what is it in its final revision form and how does the original and the final revision form differ. Commissioner Murguia stated that’s it. Mr. Slaughter said I’ve got it.

Commissioner Murguia said I just want to see—you made it all nice and neat. Don’t do that for me. I want to see the way it was and how you’re changing it. I want to see that so that can be open for discussion when I come to the meeting. I went through this agenda and I thought I missed something and then I thought maybe I misunderstood what the request was, so now that I have a better understanding—I would have called you earlier. Now that I have a better understanding, we really need to know that.

Chairman McKiernan stated so the red-line and strikeout copy showing the original as previously approved and the final iteration of revisions and how they differ. Mr. Welch stated this policy is vastly different from the previous one so you’re not going to see a lot of red-lining, you’re going to see a lot of explication as to how it’s different. Mr. Slaughter said there may be a whole block of them. Mr. Welch said there are some red lines in the current ones because there are some typos even in the one that was submitted tonight.

Action: Commissioner Murguia made a motion, seconded by Commissioner Philbrook, for staff to bring back a red-lined copy of this for consideration at our next standing committee meeting.

Mr. Slaughter asked can I expand on that. Part of our concern has been—we have the fortunate to present it tonight to you guys but yet there is half of the commission that doesn’t get that opportunity. Would you like to also have those versions presented to the other commissioners. That way once we get it to full commission, maybe it’s not new territory for everybody. I think me and Colin would be happy to sit down with the other commissioners not on this standing committee and give them a brief little presentation kind of like we did tonight for you guys. That way everybody is onboard or at least has an opportunity to ask questions because sometimes once we get to the Land Bank Board of Trustees’ Agenda, it’s usually after a long night. I’d hate to keep people longer than they would need to. It’s just a suggestion.

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Chairman McKiernan stated well, all commissioners do get the agenda packets so they would actually get the red-lined version of it, but I think sending out an email that would offer the opportunity to review and ask questions about that red-lined version would actually be good in addition to bringing it back to standing committee here next month.

Commissioner Murguia stated other commissioners are always welcomed to attend other committee meetings. I attended the animal ordinance meeting the other night even though it’s not my standing committee. Part of that burden, Chris, I appreciate what you’re saying, but part of that burden has to fall on the commissioner and their level of interest.

Commissioner Philbrook stated this commissioner wants to say thank you. I like that suggestion because I would like to be able to see that before it comes back before this committee again because I’m not a regular on this committee that way I can contact someone on this committee and actually see patients that night like I’m supposed to be. They can ask those questions for me and I can understand what’s going on so I appreciate that if you would please do that.

Roll call was taken on the motion and there were five “Ayes,” Walters, Murguia, Townsend, McKiernan, Philbrook.

Item No. 6 – 140393…PRESENTATION/RECOMMENDATION: UG CONTROLLED PROPERTIES
Synopsis: Presentation on UG controlled properties and recommending those properties be transferred into the Land Bank for strategic holding and disposition, submitted by Chris Slaughter, Land Bank Manager.

Chris Slaughter, Land Bank Manager, stated also to help answer any questions, Charles Brockman with Economic Development has joined with me today. Before we get started, just a little bit of background of how we came to this. As you probably all are aware, Land Bank has moved from the Clerk’s Office to the Economic Development office. In kind of discussions around the water cooler, a lot of things have kind of came up other than sports and stuff.

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Occasionally we talk about delinquent property owned by the government. We decided to look into this and see what are we really talking about. We realized with the Land Bank in its exempt status, there might be a benefit to move some or all of these properties into the Land Bank and that’s kind of what we have brought here before you today. Again, it’s a strategic look at something that we could do. This is just for discussion. I think what we’re going to really just ask is if you think this is a good idea and possibly to move forward with it. With that we’ll get started.

I will add also that Charles—we did this together. I don’t want you to think that I hogged it all. The types of properties we’re talking about tonight are the ones in the name of the Unified Government, Board of County Commissioners, and the city of Kansas City, Kansas. This has nothing to do with any property in the name of the Wyandotte County Land Bank. The problem, again, is currently the inventory we had was over 2,100 properties in any of those three entities names. Some of those have delinquent amounts and the total of that is pretty high. Also, to make it exempt, there’s the whole BOTA process and the applications that go along with that and the costs and the fees to go along with that too. We do feel that if that’s the direction we need to go, that does bring up some other issues.

Our main objective is we have delinquent property out there in our name and it accumulates every year so we feel we need to stop the bleeding. We feel that, again, maybe the solution is to transfer this into the Land Bank, clean up those tax issues, and keep them in an exempt status if that’s truly what is the best for that property. Again, what we’re going to ask after we get done with this is if you think this is a good enough idea to move forward and for us to kind of continue on this process.
WYANDOTTE COUNTY LAND BANK

Acquisition & Disposition Discussion
Neighborhood & Community
Development Standing Committee
November 3, 2014

LAND BANK PROPERTY ACQUISITIONS

Land Bank can receive real property through:

- Purchasing
- Tax Sales
- Transfers from local Governments
- Transfers/Negotiated deals from banks & mortgage holders
- Donations
LAND BANK DISPOSITION

Land Bank disposition strategies:
- Side-Lot Sales
- Property Sales with Conditions
- Development
- Lease of Property

SIDE-LOT SALES

The most frequent sale for Land Bank

• How to be more efficient
  - Adjacent Property Letter
  - Liveable Neighborhoods & Neighborhood Leaders
  - Brochures
  - Website
  - Word of Mouth
PROPERTY SALES W/CONDITIONS

What to do with Land Bank property that is does not sell for a Side-Lot?
• Adjacent neighbors are not eligible
• Adjacent property does not have an improvement
• Out-of-town/state applicants
• Speculators

Different scenarios need different options!
DEVELOPMENT

Land Bank can be an important tool to entice both Commercial & Residential development

- Offer land at a discount or for free
- Partner with Economic & Community Development offices
- Website improvements for better visibility

LEASE OF PROPERTY

- Adopt-A-Lot
  - Agreement for residents/organizations to encourage community-based greening & gardening
  - Year to year agreements
- Lease-A-Lot
  - Agreement for residents/organizations to encourage long term community-based greening & gardening
  - 2 – 5 year term
This here indicates kind of really the nitty-gritty. Again, I’ve broken it out into properties that have existing improvements on it, the empty vacant lots, and the ones that are classified as right-of-way. As you can see, the total number is 2,107 properties. Out of those properties, we have 480 that have an existing tax delinquency which is over $1.6M.

**Commissioner Murguia** stated, Chris, not to interrupt the flow of your presentation, but I’m not catching the type of properties. There are 480 delinquent properties that delinquent by the tax sale eligible standard or are these just 480 tax delinquent properties? **Mr. Slaughter** stated 480 tax delinquent properties. **Commissioner Murguia** asked whether it be one year or…**Mr. Slaughter** said one year or multiple that just happened to be under those three entities names.

Again, we’ve also put some pros and cons together of why we would like to see this move forward is there is the exempt status of the Land Bank. We feel like having the Land Bank a part of Economic Development now, it can be a further economic tool by having those properties being tax-exempted or at least having a zero tax burden. The current process that Charles deals with is anywhere from a two, three or four month process. The Land Bank process can be as short as 30 or 45 days.
Some of the cons. We’re going to have to go through all of these properties and make sure that the legal descriptions are correct. Some of this might be park property that there may be restrictions that keep us from moving it out of the city’s name or the Unified Government’s name. There is of course staff time. That’s always one of my favorite cons to point out. The whole abstracting part of this is another thing. There are experts out there that can do this and we may have to look at those types of experts to assist us. I know a little bit, Charles knows a little bit but we have other things on our plates too. I believe with that, we can open it up to questions or comments.

Commissioner Philbrook asked on the abstracting, are you talking about making sure that it’s a clear title and that sort of thing. Is that what you’re referring to? Mr. Slaughter stated correct, yes.

Commissioner Walters asked you wouldn’t want to move park land or right-of-way land into the Land Bank would you. Mr. Slaughter stated if it doesn’t need to be in the Land Bank, no, we wouldn’t want to move it. We have talked and I may ask if Colin is still here—that is a question we have asked about the right-of-way. I believe we’re still in good standing with keeping it right-of-way and still being in the Land Bank but, Colin, maybe you want to address.

Commissioner Murguia stated, Colin, not to interrupt you. I’m sorry; maybe I’m slow on this. I have no idea what land you’re talking about. You’re saying its land that’s in our name that’s tax delinquent. How do we have tax delinquent land? What are you talking about? Chairman McKiernan said that was the very question I asked. I don’t know what it is. Mr. Slaughter stated, again, part of that is going to have to come through the research back into these properties. An example might be a building burns down and it gets turned into a parking lot and the Unified Government takes possession of it and maybe they don’t get an exempt status so taxes start accruing on it. Commissioner Murguia asked how do you take ownership of it. How does the Unified Government take ownership of a piece of property just because it burned down? Mr. Slaughter stated maybe the former owners deed it to them. Maybe there’s an agreement in place. Maybe it comes from a tax sale. There are multiple ways that it could be given to the Unified Government, the old Board of Commissioners, city of Kansas City, Kansas,
which has to go back to pre-consolidation. Commissioner Murguia stated but wait. There are a whole lot of factors there. Slow down.

This is what I don’t understand. If it goes through tax sale, it would be Land Bank property. Mr. Slaughter stated it may be tax sale is the wrong way to use it. Again, if it stays in the Land Bank, it’s tax-exempt. You’re correct. We’ve transferred property from the Land Bank to the Unified Government before and if the Unified Government doesn’t get it exempt from taxes, it will start to accrue taxes. If they don’t pay the taxes, the taxes will accumulate.

Chairman McKiernan stated what I first started taking a look at—and I saw a couple of these, a piece of property and it said Board of Commissioners. I said what’s that? What’s the Board of Commissioners? The Board of Commissioners owes themselves this money. Why is that on the books like that? Can that be cleaned up? I think that’s part of what Mr. Slaughter is bringing here is a suggestion on how to rectify some of those problems. Is that correct? Mr. Slaughter stated correct. The Land Bank serves a purpose and that’s to hold property and a tax-exempt status is one of the purposes until we can make it a productive, tax producing property. Again, the question comes, do we want to continue to have government-owned property that is delinquent or do we want to look at possibly moving it to the Land Bank, let the Land Bank hold it in that exempt status and not have this issue anymore or this burden.

Commissioner Murguia stated it sounds to me like this is just an administrative issue that needs to be cleaned up because we’re never going to pay ourselves taxes. Mr. Slaughter asked is your question more why is it here being presented tonight. Commissioner Murguia stated does it take commission action in order for you to…Mr. Slaughter stated it takes Land Bank of Trustees’ approval to put property in the Land Bank, yes. We’re not asking for all this to be moved into tonight, we’re just trying to get your thoughts and feedback on if we feel this is a good enough endeavor to keep pursuing.

Commissioner Philbrook stated so since we’re the Land Bank Board of Trustees, you want us to give you the opportunity to take property that the city owes itself taxes on and move it into the Land Bank then that nullifies the taxes. Is this want I’m understanding? Mr. Slaughter stated through the Land Bank, we have the authority to abate the taxes.

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Commissioner Philbrook stated so you abate the taxes so then when we get ready to try to sell that or develop it, we don’t move that on to whoever is wanting to buy the property. If we still had it as the UG or the commission or whoever’s name you had on it that we’re accruing taxes or still have taxes, we would have to ask those folks who’s buying the property to pay those taxes. Is that what you’re saying? Mr. Slaughter stated that may be something asked through a development deal, yes. I don’t know how many would say sure or how many would walk away from the property.

Commissioner Philbrook stated in other words as our head honcho says, you’re trying to clean up the property so we can take care of them, move them on and get some taxes paid eventually. Mr. Slaughter stated I believe a property with zero taxes on it is maybe a little bit more attractive to a developer than something that has existing taxes or maybe other issues involving...

Commissioner Philbrook stated the other issue as you were saying, it takes several months to get it through that process if you haven’t already done it. Mr. Slaughter stated the several month period would be the Economic Development Department’s procurement disposition strategy. Commissioner Philbrook stated it takes longer to get the property through to a no tax status due if it’s not already in the Land Bank is what I’m saying. In other words, cleaning it up so it’s more of a delay if you don’t already have it. Mr. Slaughter stated transferring it to the Land Bank and cleaning it up will probably be the easy part of this from a procedural standpoint. Commissioner Philbrook asked and you said it takes about a month usually. Mr. Slaughter stated sure. Commissioner Philbrook stated otherwise it would take longer.

Mr. Slaughter stated I will add that some of this property is very strategic and very highly valued. There is still going to be identification of those properties that are still going to have economic involvement, Economic Development Department’s involvement in it. It’s just not going to be I’m selling a side-lot and it just turns out to be the property out there at 99th & Leavenworth Road. No, that’s not going to happen nor am I going to sell this big old structure that I have across the street that’s called the courthouse. No, because that’s not going to happen.

There will be safeguards in place but really I think the underlying issue is you have tax delinquent property. Do you want to keep it in that? Do you want to go through the process to get it cleaned up through BOTA or do we want to go through the process of identifying the ones, transferring them to the Land Bank and let the Land Bank hold them in exempt status.

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Commissioner Philbrook said tell me a little bit about the right-of-way properties that you’ve put into this that you’re talking about. Are you talking about taking some of the right-of-way properties? Mr. Slaughter stated a great example would be all of the work that was done on 78th Street from the highway to State Avenue. Some of that had to be deemed as right-of-way and was replatted or Public Works had to do some things. Well, unless you go through the process to file to get it exempt, it’s going to accumulate taxes. It’s not a tax-exempt—just because it’s right-of-way doesn’t make it tax-exempt.

Commissioner Philbrook stated I have a real pointed question because there is a big hunk of property right next to mine right on the corner of State Avenue and Turner Diagonal that was deeded I believe to the city from the state. That’s a big bunch of unused property. Is that something that we have in the right-of-way area or has that been put into the Land Bank? Mr. Slaughter stated I’d have to look into it and identify it. Commissioner Philbrook stated I know, but you understand what I’m saying—big pieces like that that we could develop eventually and utilize. Mr. Slaughter stated as long as there’s no deed restrictions that would prohibit it. Commissioner Philbrook said I understand.

Commissioner Murguia asked are you just looking for direction today, Chris, on how to handle this. Mr. Slaughter stated we’re just asking if you think this is worthy for us to continue to start identifying the property and then eventually we would come back with a list and say here are properties we’ve identified that we’d like to start moving into the Land Bank. Commissioner Murguia stated I would tell you I have no problem with you making any administrative clean-ups where we would owe ourselves taxes. Anything silly like that—whatever it takes to resolve that. We have a whole legal team. Fix that however it needs to be fixed and make it normal where we’re not accumulating taxes on land we’re never going to pay. However you want to do that—

What I do care about though is that once that’s all complied into one big pile, which is where it should be, that before you go selling that, I do like the process. I do want you to sell it, but I think it takes you just a few minutes to bring that in front of us and let us review it. As you’ve seen many times, you don’t even sometimes get a chance to speak when you bring land transfers in front of us. In fact, most times that’s the way it goes but I do think it’s important to at least
run it by the commissioners because as you’ve said, some of the land might be more valuable than others. **Mr. Slaughter** stated we could present it however you like but ultimately I think it would have to come to the standing committee and then the full commission as the Board of Trustees too for final approval. **Commissioner Murguia** stated yeah, I think that’s fine. I’m just saying that’s my two cents on it that administrative clean-up great. I’m very supportive of that. The backside of that would be I do want to see though when we transfer land out of the Land Bank, and I don’t care if you give me a list of five pages during one meeting, I can go through that before I come to this meeting but I do want to see that transfer. **Mr. Slaughter** said sure and as we submit these usually a couple weeks or at least ten days before, hopefully that’s plenty of ample time. Again, you can always email me or call me with any questions.

**Commissioner McKiernan** asked any other comments or questions for Mr. Slaughter.

**Chris Kuzila** said my question is the $1,600,000 only owed to the Unified Government or are there other additional taxes owed to the other five taxing entities in the county? **Mr. Slaughter** said all the research we’ve done so far has just given us a grand total per property so that is something we could look to identify but I don’t want to assume so it’s probably a safe bet to say there may be other entities that are part of this pie.

**Commissioner Townsend** said this was the presentation I wanted to make sure we didn’t bypass earlier but I think I’ve had most of my questions answered but my understanding of this is that on the sheet that showed a total of 480 delinquent properties, all of those properties are held by either the Board of Commissioners, city of Kansas City, Kansas or the Unified Government. Is that correct? **Mr. Slaughter** said that’s correct. **Commissioner Townsend** said so plan or your request for direction is to start working on that number to clean up the paper taxes like you said we owe ourselves. **Mr. Slaughter** said we had staff discussion today and I believe the number we would probably initially go after would be three 366 vacant, I don’t know how to say that because I misspelled it, that would be the group we would go after first. **Commissioner Townsend** said but it would be the delinquent property. **Mr. Slaughter** said yes and like I said we’re still in the process, we’re trying to identify what these properties are. Some of these are going to have significant use for the Unified Government that we definitely need to make sure if it comes to the Land Bank, if it’s allowed to come to the Land Bank, that there are safeguards in

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place to make sure that this never gets sold or what type of actions will be in place to sell these properties if we need to and stuff like that. We’re working on it. **Commissioner Townsend** said if you can get these currently delinquent properties to the Land Bank that would stop the clock on the accrual taxes and sanitize them so to speak. **Mr. Slaughter** said right and I wouldn’t have to receive the phone calls anymore from the Treasury Department about here comes another tote of tax statements for you to go through. **Commissioner Townsend** said and the only option to sanitize or eradicate these accruing taxes on these properties would be what, to go through the voter process. **Mr. Slaughter** said yes. **Commissioner Townsend** asked how long does that take on average. **Mr. Slaughter** said I’m actually going to let Charles talk a little bit more about that. **Mr. Brockman** said actually, commissioner, I don’t know that and so I will find that out for you, the process.

**Chairman McKiernan** said it sounds as if the direction that we’re giving to Mr. Slaughter is yes, move forward with exactly how this would work, what it would look like, the details and bring a proposal or a Request for Action back to us at some future committee meeting. Is that correct? **Commissioner Murguia** said yes and I would just add, Chris, I don’t see any reason in splitting these out. If we’re going to do this administrative clean-up, just take the 480 clean-up the taxes on them, we’re not going to pay ourselves whether it’s a building or a vacant lot or a right-of-way; I don’t really care what it is. There are 480 pieces of ground whether they have a structure on them or not and I don’t really care that has this ridiculous assessment on it. Just clean it up. I don’t know why we would say we’re going to do the 366 vacant first. Is there a reason to do that? Why would we do that? **Mr. Slaughter** said I think we need to go through them just to make sure that there is nothing in the deeds that would—if moving it to the Land Bank prohibits some of the restrictions out there or, again, the main thing I could think of would be like a park, a piece of park land. **Commissioner Murguia** said but you could have that same issue with a property with improvements or right-of-way so what does it matter, just resolve them, 480.

**Jody Boeding, Chief Legal Counsel**, said I think at some point this is going to have to come before the Board of Trustees of the Land Bank or it’s actually going to have to come to the Board of Commissioners to convey the property to the Land Bank so I think breaking it down into pieces because he’s probably going to have to bring batches of them to you. **Commissioner Murguia** asked why. **Ms. Boeding** said because I think he can’t—he is going to have to look at

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all of them and to see which ones can be conveyed. If there are deed restrictions on them or if they were dedicated as park property and can’t be conveyed; he’s going to have to abstract all the properties and find out which ones can and he can either bring them to you in batches or he can wait until it’s all done which will be a long process and then bring you whole bunch. Commissioner Murguia asked could you find out instead of you doing that Chris, how much it would cost to hire an abstractor to do 480 of those and just get it over with. Mr. Slaughter said I could look into that. Commissioner Murguia said you’re a staff of one and I want to defend you on that so it’s 480 parcels. I think your time could be better spent getting rid of the lots out of the Land Bank that you could sell and make us money so while you’re making us money I would like to know how much it would cost to hire an abstractor to clean up those 480 parcels. Mr. Slaughter said I will get you that.

Chairman McKiernan said I think we have given direction. Thank you for the presentation and we will look forward to an update from you.

Outcomes:

Item No. 1 – 140324…UPDATE: TRANSIT OPERATIONS
Synopsis: Update and information regarding Transit operations and opportunities, by Commissioner McKiernan and Justus Welker, Interim Director of Transportation.
Justus Welker, Interim Director of Transportation, said thank you for the opportunity to provide a brief update on the UG Transit Operations. Our transit services are unique in the fact that we provide transportation for our aging services in addition to your traditional transit services.

Just a brief rundown of what we offer and I’m going to present a brief synopsis of each one of these. Our fixed routes are a predetermined route that originate travel of a predetermined route and then end at the location of original.
The UG owns and operates five routes long, major travel corridors in KCK. You have Central, 3rd Street, Fairfax, Leavenworth Road, Kansas Avenue and west Parallel. We also contract with the ATA to operate 5.5 additional routes in KCK. The big one is 101 State Avenue, Central Avenue provides peak service. They run three times rush hour in the morning and then twice rush hour in the afternoon. You have the Argentine, Rosedale, Quindaro and 7th Street.

Here is our system service map. It looks a bit cumbersome on the big screen but you can see all the various different colors that displays the different routes within Wyandotte County.
Our Dial-A-Ride is a service paratransit for individuals, persons with disabilities either mental or physical disability that can’t ride the normal transit route. It’s a door-to-door service anywhere in Wyandotte County and runs from 5:30 a.m. to 8:30 p.m. The fare is $3.00 each way and it is an application process. It must be certified by a health care provider.

Demand Response is a lot like Dial-A-Ride but it’s for senior citizens 60 years of age or older. It’s primarily for medical trips, dialysis, we also provide nutrition trips, grocery stores; things like that and is available Monday through Friday 8:00 a.m. to 5:30 p.m. There is a registration process and $1.00 fare each way.
Once a month we will provide senior centers the opportunity to travel within a 50 mile radius of Kansas City, Kansas. It’s a real low fare of $1.50. Reservations are required. A lot of seniors will go to Ottawa, Atchison, Louisburg; a lot of Cider Mill runs in the last month or so.

Home delivered meals is our Meals on Wheels Program. Homebound individuals 60 years or older who do not receive proper nutrition, must be homebound, they want to provide meals for them and must have the consent of a physician.
These are 2014 projections based on ridership from the last several years. You can see our total ridership. We’re looking at a little over 1.5M which is up 14% from the previous years. Our demand response is right around give or take 20,000 trips and that’s up 26%. Our Dial-A-Ride service is up 8% up to about 15,000 trips a year and our home delivered meals is up 10% and we’re looking at right over 134,000 meals delivered annually.

The last 15 months we’ve had a very successful—transit has been very successful. You can see the timeline there. We opened the 7th Street Transit Center August, 2013 and 47th Street shortly thereafter. Due to demand we went to higher capacity buses on our 101 State Avenue. June 30, 2014 we opened the 105 Rosedale route connecting Rosedale and Argentine. We provided Wi-Fi. The transit amenity had both 47th Street and 7th Street and this was a program provided through Sprint at no cost to the Unified Government. We extended service on our 116 Parallel route and expanded the route. We now operate that service into the evening until 8:35 p.m. We added an additional demand response route based on demand in October, 2014 and we also recently added automatic vehicle location. We added GPS devices on each one of our vehicles.
Here is a map that shows at any given time we might have 21 vehicles in service. This gives us a rundown of where they are, where they are located and if you can make out the stars, that is when they reach their destination. It also tells us whether or not they have the seatbelt on, if they are excessively idling, and if they are speeding obviously. We can look for harsh acceleration, harsh breaking, we can optimize the route to make sure they’re on route; there are a lot of perimeters which we can toggle back and forth.
We had existing capacity within our routes for additional enhancements. I had a meeting with Gordon and Doug this afternoon. We’re looking to expand service on our 113 route on Leavenworth Road route adding an additional evening trip as well as a route modification. We are going to additional enhancements on our 103 Fairfax route in the near future and also our 115 Kansas Avenue.

We’re looking into external vehicle advertising on all of our transit vehicles. The agencies that provide this advertising are kind of a one-stop shop. They will do the marketing, the design, installation, repairs if you have troubles, they will bill collect and then they will distribute the revenues to you at no cost to us. They said our revenue stream would probably be between $12,000 and $15,000 annually to provide transportation on the vehicles.

Big cenergy here recently is the coordination with Regional Transit Agencies and it’s called the Regional Transit Coordinating Council of which Commissioner McKiernan is the co-chair and myself I’m a member. It’s a consolidated effort for funding requests and allocations. We received $54,000 to operate extended service on our 107 to provide service to the Mission Transit Center and also received about $1M for enhanced transit stops and amenities along that route.

**Commissioner McKiernan** said I just want to make sure that everybody fully gets what he just said that we have some federal money that’s going to allow us to make amenity upgrades on the 107, the north/south route on 7th Street but we also have some funding that will allow us to extend that route from its southern terminal now which is roughly KU Med Center to the Mission
Transit Center which is roughly at Roe & Johnson Drive. That will really affectively extend the coverage of UG transit into Johnson County and give us one more connecting point between counties. That is one of the things that Regional Transit Coordinating is really trying to do right now. Justus and his group do a great job within Wyandotte County but transit within the metro is more of a challenge because you have not only UG Transit, you have Johnson County Transit, the city of Independence Transit and KCATA. What we’re trying to do on RTCC is take four individual entities that play well together and try to bring them more toward one regional authority so that branding so that fares, so that transfers, so the trip planning are more seamless as you travel between cities and between counties and between states. That is especially important if you have a physical disability and need the paratransit services right now. It is almost impossible to get there from here if you have a physical disability if you consider the metro area. They are doing a great job and I think they have accomplished quite a bit in terms of becoming a more regional transit authority.

These are some of the quick wins we’re shooting for now. We’re going to have a regional trip planner which is available now on the ATA website and we’re going to have a regional website. It is going to be unveiled tomorrow. You will be able to plug in information regionally and it will tell you how to get from anywhere in the metro to anywhere else in the metro, across all systems.
Regional Monthly Pass – In June of this year we rolled out a monthly pass. One pass is good across all systems. It makes ease of travel extremely simple.

Regional Travel Training – If you are scared to ride the bus and you’re a person with a disability, you can call a number and we will have someone come visit you; basically a one-on-one to show you exactly how to ride the bus, what you need to do, where you need to catch the bus and we will ride with you to your destination, stay with you and make sure you get back home. It just provides a class basically on how to ride the bus. Commissioner Murguia asked who is paying for that. Mr. Welker said that’s free. Commissioner Murguia said but somebody is paying for that. Mr. Welker said it’s in our contract with the ATA. Commissioner Walters said so we’re paying for that. Mr. Welker said we’re not paying for it at this time. It’s a complimentary service to Wyandotte County. Commissioner Murguia said so if I’m afraid to ride the bus someone will come to my home and talk to me about that. Mr. Welker said yes and this is only for paratransit at this time.

Regional Co-Branding as Commissioner McKiernan said we have four major players in the area. We’re going to provide a branding that designates each one of those transit entities as something you can travel in the metro area. We’re still going to keep our separate branding, our UG branding, the JO will have theirs, the Metro will have theirs; this will be a regional logo. You see that symbol you know you can hop on a bus and get from here to there.

There will be a regional map which is in progress to be developed shortly. It’s kind of like the system map, the Wyandotte County map, that will be regional for the KC metro area and we’re going to have a regional paratransit eligibility process. Right now every player does their own eligibility for paratransit. This will be a one area, one person calls one number and the criteria is the same for all transit providers. It’s just ease of use for the system.

As a brief update five minutes or less transit is in a good place in Wyandotte County and our wheels on the bus are definitely going round and round so I welcome any questions if anybody has any.

Commissioner Townsend said I appreciated that presentation. It ties right into something that I wanted to talk to someone about and this would be a great time to find out which particular entity is responsible and I heard Commissioner McKiernan talk about money so that’s good news that it’s coming. I’ve noticed that in several corridors, the 7th Street Corridor was one, Quindaro is
another and I’m sure there are others throughout District 1 and spills over to other districts that border it that there are bus stops with benches that are badly in need of repair. I’ve noticed that those areas can become trash collection areas because when you look at the bench there are no trash receptacles located there and I was also wondering about under what circumstances you can get shelters over the benches. Who would I talk to about getting improvements to those types of things done? Where is that money? Mr. Welker said you would start with me. It’s a process based on ridership. The ridership determines the level of amenity for each traffic transit stop. Commissioner Townsend said so the number of people that ride the bus dependent on whether the benches are maintained or not. Mr. Welker said no, there should be no issue with maintenance. If you give me those locations, I will get that taken care of.

Commissioner Philbrook said you say you’re going to be updating a couple of routes, when do those go into effect? Mr. Welker said Leavenworth Road will go into effect January 1st. Commissioner Philbrook said Parallel you just changed. Mr. Welker said Parallel we changed in October. Commissioner Philbrook asked can you get that information to me. Mr. Welker said sure.

Commissioner Murguia said, Justus, you do a great job. I have worked with you a lot with the new transit line between Argentine and Rosedale lately and you do really a fantastic job. I just have one question and that is to Commissioner McKiernan. Did I hear you right when you said now you’re going to be able to go into Johnson County, our bus line is going to connect with Johnson County? Chairman McKiernan said we’ve gotten the funding to move forward with that but it will not be for late 2015 I believe or early 2016 that that will get executed. Commissioner Murguia said just to throw out there and I won’t belabor the conversation, we can talk more about it later, but we share a road called County Line and we already have a bus stop on County Line. If Johnson County really wanted to connect with us, why wouldn’t they just put a bus stop on the other side of the street and I can’t imagine that would cost a lot of money. I’m a little cynical that they want to connect with us but I hope I’m pleasantly surprised.
Action: No action taken.

Adjourn

Chairman McKiernan adjourned the meeting at 7:25 p.m.

tk

December 1, 2014
Staff Request for Commission Action

Type: Standard
Committee: Neighborhood and Community Development Committee

Date of Standing Committee Action: 1/5/2015
(If none, please explain):

Proposed for the following Full Commission Meeting Date: 1/22/2015
Confirmed Date: 1/22/2015

Contact Name: Wayne Wilson
Contact Phone: 573-8646
Contact Email: wwilson@wycokck.org

Ref: NRC/Code Enforcement

Item Description:
Staff is submitting a Code Enforcement Administrative Citations and Administrative Fines ordinance for consideration of the governing body to approve and/or provide staff direction. Adoption of this process will enable Code Enforcement to penalize those individuals that hide behind Corporations and out of state owner statuses, as well as other violators. The Administrative process, in specific instances, would replace and/or support the Municipal Citation process by levying fines against those individuals that fail to comply without the burden of them being required to be summoned to court. As an Administrative Citation, the Administrative Fine if not paid, can then be imposed against the offending properties taxes as a Special Assessment and then recorded as a lien against those property taxes. This process should also make it financially unreasonable for entities to use the Unified Government’s Abatement team as their lawn care service. Additionally we are asking that the governing body consider that a percentage of the revenue collected through Administrative Fines be placed into a special fund organized through Livable Neighborhoods, or other designated agency, that could be used to assist those that truly do not have the resources, connections, or the physical ability to correct their code deficiencies by making necessary repairs to their properties.

Action Requested:
Approval

☐ Publication Required
Publication Date: 1/6/2015

Budget Impact: (if applicable)
Amount: $100,000
Source:
☐ Included In Budget
☐ Other (explain) See attached; Not currently in the budget. Budget revision would be required in advance of the mid-year amendment of the budget.
ORDINANCE NO. ______

A HOME RULE ORDINANCE OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY KANSAS, RELATING TO THE CREATION OF A CODE ENFORCEMENT ADMINISTRATIVE PENALTY PROCESS; CREATING TWELVE NEW SECTIONS.

WHEREAS, the governing body of the Unified Government of Wyandotte County/Kansas City Kansas (the “Unified Government”) has considered the needs of the City of Kansas City, Kansas (the “City”) and its ability to effectively enforce housing and property maintenance codes thus providing for the general welfare of the City and its citizens; and

WHEREAS, the Unified Government is authorized by Article 12, Section 5 of the Constitution of the State of Kansas (the “Home Rule Amendment”) to determine its local affairs and government, and provides that such power and authority granted thereby to cities shall be liberally construed for the purpose of giving to cities the largest measure of self-government; and

WHEREAS, there is no enactment of the Kansas Legislature which prohibits the Unified Government from enforcing the Code of the Unified Government of Wyandotte County/Kansas City, Kansas by way of administrative citations, for police power purposes; and

WHEREAS, the governing body of the Unified Government hereby finds that pursuant to and in furtherance of the purposes of the Home Rule Amendment, it is in the interest of the public health, safety and welfare of the City to create a code enforcement administrative penalty process, for police power purposes

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY KANSAS:

Section 1. That a new section is hereby created to read as follows:

Enforcement through administrative citation. A person who has violated any provision of Chapter eight (8) or Chapter nineteen (19) of the Unified Government Code may be issued an administrative citation and be required to pay a civil penalty in accordance with the provisions of this article.

Section 2. That a new section is hereby created to read as follows:

Amount of penalties. The following penalties may be imposed for each separate violation of a code provision:

a. $100 for a first violation;
b. $250 for a second violation within any twenty-four (24) month period; and
c. $500 for a third or subsequent violation within any twenty-four (24) month period.
Section 3. That a new section is hereby created to read as follows:

Notice of violation.
   a. The public officer shall provide notice and a reasonable time for persons with a legal interest in real property where a violation of Chapter 8 or Chapter 19 exists to remedy the violation, provided such violation does not create an immediate danger to life, health or safety.
   b. If the person fails to cure the violation within the time provided by the public officer, the officer is authorized to issue an administrative citation.
   c. Notice and opportunity to remedy a violation shall be considered given if a previous notice has been sent within the previous twenty-four (24) months.

Section 4. That a new section is hereby created to read as follows:

Issuance of administrative citation. An administrative citation shall contain the following information:
   a. The date of the violation
   b. The address or a description of the geographic location where the violation occurred.
   c. The section of the code determined to have been violated.
   d. A description of the conditions which caused the code violation.
   e. An order to bring the conditions into compliance with the code.
   f. Information concerning the penalty:
      1. The amount of the penalty the citee is to pay;
      2. The date, thirty (30) days from the issuance of the citation, by which the citee must pay the penalty; and
      3. The method of paying the penalty.
   g. Notice that the citee’s payment of the penalty does not excuse a continued or subsequent violation of the code.
   h. Notice of the citee’s entitlement to request an administrative review hearing.

Section 5. That a new section is hereby created to read as follows:

Administrative review hearing to contest administrative citation.
   a. Request for administrative review hearing. A citee or another with a legal interest in the property may contest the citation by:
      1. Submitting a request for an administrative review hearing to the public officer within twenty (20) days from the issuance of the administrative citation; and
      2. Submitting to the public officer a $25.00 advance deposit or submitting a request for an advance deposit hardship waiver.
   b. Suspension of payment of penalty. If the citee files a timely request for an administrative review hearing, the requirement to pay the penalty shall be suspended and the payment of the penalty, if any, shall be in accordance with the decision of the hearing officer.
   c. Processing request.
1. Upon the receipt of a request for review, the hearing officer shall set the matter for hearing and provide the citee at least ten (10) days’ notice of the date, time and location of the review.

2. Upon the request of the citee, the public officer shall provide copies of any documents intended to be submitted for consideration at the review.

**Section 6.** That a new section is hereby created to read as follows:

**Hearing advance deposit hardship waiver.**

a. Any person who intends to request an administrative review hearing to contest a citation and who is financially unable to make the hearing advance deposit, may file a request for an advance deposit waiver.

b. The request shall be filed with the public officer on an advance deposit hardship waiver application form, available from the public officer, within twenty (20) days of the issuance of the administrative citation.

c. The requirement to make an advance deposit shall be stayed unless and until the public officer makes a determination not to issue the advance deposit waiver.

d. The public officer may waive the requirement of an advance deposit and issue the advance deposit hardship waiver only if the requesting party submits to the public officer a sworn affidavit, together with any supporting documents or materials, demonstrating to the satisfaction of the public officer the person’s financial inability to make the deposit in advance of the hearing.

e. The public officer shall issue a written determination listing the reasons for his determination to issue or not to issue the advance deposit hardship waiver and such determination shall be provided to the advance deposit hardship waiver applicant. The written determination of the public officer shall be final.

f. If the public officer determines not to issue an advance deposit hardship waiver, the applicant shall remit the deposit to the public officer within ten (10) days of the date of the written determination or twenty (20) days from the issuance of the administrative citation, whichever is later.

**Section 7.** That a new section is hereby created to read as follows:

**Hearing officer.** The County Administrator shall designate an independent and unbiased person or persons to serve as hearing officer(s).

**Section 8.** That a new section is hereby created to read as follows:

**Administrative review hearing procedure.**

a. At the review, the public officer shall present his case in support of the contention that a violation of the Unified Government Code has occurred and that the citee is responsible.

b. At the review, the person contesting the penalty shall be given the opportunity to testify and to present evidence that a violation did not occur and/or the citee is not responsible for the violation.

c. The rules of evidence prevailing in courts of law or equity shall not be controlling.
d. If the citee requesting the review fails to appear, the hearing officer shall enter a decision upholding the citation.

Section 9. That a new section is hereby created to read as follows:

Hearing officer’s decision.

a. The hearing officer shall issue a written decision to uphold or set aside the administrative citation and shall present the reasons for the decision.
b. The public officer shall provide a copy of the hearing officer’s decision to the citee.
c. The decision of the hearing officer shall be the Unified Government’s final action on the matter and shall become final as of the date of the written decision.

Section 10. That a new section is hereby created to read as follows:

Judicial review. Any person aggrieved by an administrative decision of a hearing officer or the public officer on an administrative citation may file a petition for review with the District Court of Wyandotte County.

Section 11. That a new section is hereby created to read as follows:

Collection of penalties and charges. If a citee fails to pay the penalty in a timely manner, the Unified Government may collect any past due penalties and attendant costs by use of all available legal means.

Section 12. That a new section is hereby created to read as follows:

Lien procedure. Whenever the amount of any administrative penalty imposed pursuant to this section regarding real estate has not been fully satisfied in full within the longer of either thirty (30) days from the payment date as provided on the citation or thirty (30) days from the final decision of a hearing officer, the obligation shall constitute a lien upon the real property on which the violation occurred. Such lien, including, as a part thereof, allowance of costs and the necessary attorney’s fees, may be foreclosed in judicial proceedings in the manner provided or authorized by law for loans secured by liens on real property or shall be assessed as a special assessment against the lot or parcel on which the underlying violation occurred. The Unified Government Clerk shall, at the time of certifying other Unified Government taxes, certify the unpaid portion of the aforesaid penalty and costs, and the County Clerk shall extend the same on the tax rolls of the county against such lot or parcel of land.

PASSED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY KANSAS

THIS _____ DAY OF ______________________, 2015.

_________________________________
Mark Holland, Mayor/CEO

Attest:

______________________________
Bridgette Cobbins, Unified Government Clerk

Approved As To Form:

______________________________
Colin Welsh, Assistant Counsel
§1: Enforcement through administrative citation. A person who has violated any provision of Chapter 8 or Chapter 19 of the Unified Government Code may be issued an administrative citation and be required to pay a civil penalty in accordance with the provisions of this article.

§2: Amount of penalties. The following penalties may be imposed for each separate violation of a code provision:
   a. $100 for a first violation;
   b. $250 for a second violation within any twenty-four (24) month period; and
   c. $500 for a third or subsequent violation within any twenty-four (24) month period.

§3: Notice of violation.
   a. The public officer shall provide notice and a reasonable time for persons with a legal interest in real property where a violation of Chapter 8 or Chapter 19 exists to remedy the violation, provided such violation does not create an immediate danger to life, health or safety.
   b. If the person fails to cure the violation within the time provided by the public officer, the officer is authorized to issue an administrative citation.
   c. Notice and opportunity to remedy a violation shall be considered given if a previous notice has been sent within the previous twenty-four (24) months.

§4: Issuance of administrative citation.
An administrative citation shall contain the following information:
   a. The date of the violation
   b. The address or a description of the geographic location where the violation occurred.
   c. The section of the code determined to have been violated.
   d. A description of the conditions which caused the code violation.
   e. An order to bring the conditions into compliance with the code.
   f. Information concerning the penalty:
      1. The amount of the penalty the citee is to pay;
      2. The date, thirty (30) days from the issuance of the citation, by which the citee must pay the penalty; and
      3. The method of paying the penalty.
   g. Notice that the citee’s payment of the penalty does not excuse a continued or subsequent violation of the code.
   h. Notice of the citee’s entitlement to request an administrative review hearing.

§5: Administrative review hearing to contest administrative citation.
   a. Request for administrative review hearing. A citee or another with a legal interest in the property may contest the citation by:
1. Submitting a request for an administrative review hearing to the public officer within twenty (20) days from the issuance of the administrative citation; and
2. Submitting to the public officer a $25.00 advance deposit or submitting a request for an advance deposit hardship waiver.

b. Suspension of payment of penalty. If the citee files a timely request for an administrative review hearing, the requirement to pay the penalty shall be suspended and the payment of the penalty, if any, shall be in accordance with the decision of the hearing officer.

c. Processing request.
   1. Upon the receipt of a request for review, the hearing officer shall set the matter for hearing and provide the citee at least ten (10) days’ notice of the time, date, and location of the review.
   2. Upon the request of the citee, the public officer shall provide copies of any documents intended to be submitted for consideration at the review.

§6: Hearing advance deposit hardship waiver.
   a. Any person who intends to request an administrative review hearing to contest a citation and who is financially unable to make the hearing advance deposit, may file a request for an advance deposit waiver.
   b. The request shall be filed with the public officer on an advance deposit hardship waiver application form, available from the public officer, within twenty (20) days of the issuance of the administrative citation.
   c. The requirement to make an advance deposit shall be stayed unless and until the public officer makes a determination not to issue the advance deposit waiver.
   d. The public officer may waive the requirement of an advance deposit and issue the advance deposit hardship waiver only if the requesting party submits to the public officer a sworn affidavit, together with any supporting documents or materials, demonstrating to the satisfaction of the public officer the person’s actual financial inability to make the deposit in advance of the hearing.
   e. The public officer shall issue a written determination listing the reasons for his determination to issue or not to issue the advance deposit hardship waiver and such determination shall be provided to the advance deposit hardship waiver applicant. The written determination of the public officer shall be final.
   f. If the public officer determines not to issue an advance deposit hardship waiver, the person shall remit the deposit to the public officer within ten (10) days of the date of the written decision or twenty (20) days from the issuance of the administrative citation, whichever is later.

§7: Hearing officer.
The County Administrator shall designate an independent and unbiased person or persons to serve as hearing officer(s).
§8: Administrative review hearing procedure.
   a. At the review, the public officer shall present his case in support of the contention that a
      violation of this code has occurred and that the citee is responsible.
   b. At the review, the person contesting the penalty shall be given the opportunity to testify and to
      present evidence that a violation did not occur and/or the citee is not responsible for the
      violation.
   c. The rules of evidence prevailing in courts of law or equity shall not be controlling.
   d. If the citee requesting the review fails to appear, the hearing officer shall enter a decision
      upholding the citation.

§9: Hearing officer’s decision.
   a. The hearing officer shall issue a written decision to uphold or set aside the administrative
      citation and shall present the reasons for the decision.
   b. The public officer shall provide a copy of the hearing officer’s decision to the citee.
   c. The decision of the hearing officer shall be the Unified Government’s final action on the matter
      and shall become final as of the date of the written decision.

§10. Judicial review.
      Any person aggrieved by an administrative decision of a hearing officer or the public officer on an
      administrative citation may file a petition for review with the District Court of Wyandotte County.

§11: Collection of penalties and charges.
      If a citee fails to pay the penalty in a timely manner, the Unified Government may collect any past due
      penalties and attendant costs by use of all available legal means.

§12: Lien procedure.
      Whenever the amount of any administrative penalty imposed pursuant to this section regarding real
      estate has not been fully satisfied in full within the longer of either thirty (30) days from the payment
      date as provided on the citation or thirty (30) days from the final decision of a hearing officer, the
      obligation shall constitute a lien upon the real property on which the violation occurred. Such lien,
      including, as a part thereof, allowance of costs and the necessary attorney’s fees, may be foreclosed in
      judicial proceedings in the manner provided or authorized by law for loans secured by liens on real
      property or shall be assessed as a special assessment against the lot or parcel on which the underlying
      violation occurred. The unified government clerk shall, at the time of certifying other unified
      government taxes, certify the unpaid portion of the aforesaid penalty and costs, and the county clerk
      shall extend the same on the tax rolls of the county against such lot or parcel of land.
The expected front end and then ongoing financial impact for the Administrative Citation and Fine process would include the following:

1. Database Consultant assisting staff in the implementation of the process to MAUWI, with guesstimated fees around $50,000. This consultant is needed to assist the current MAUWI administrator balance other responsibilities and needs.

2. Due to the expected billing, receipt of payment, and the associated bookkeeping duties associated with the implementation of this process, a dedicated clerical support position would be needed. This support could be accomplished through the addition of a Fiscal Support Specialist position, with an estimated salary and benefits of $42,000.

3. Additionally, there would be a necessity to acquire the equipment and supplies such as the placards associated with this process. Basing our calculations on past costs and numbers of abatement placards and the equipment required to post them, we are figuring costs for the Administrative Citation and Fine method near $15,000.

4. There would also need to be a Hearing Officer, as appointed by the County Administrator, for any appeals that may be filed. If the County Administrator elects for the Hearing Officer’s responsibilities to be taken by existing UG staff, there would add no additional costs, and if elected to be outside of the existing UG staff, rates and cost would have to be determined at that time.

So, expected obligations to implement the Administrative Citation and Fine method would fall slightly over $100,000.00, with some additional cost should it be determined to proceed with an outside source to perform the Hearing Officer’s responsibilities. Please note that all cost would be a yearly reoccurring cost except for the database consultant.
Received a Compliance Letter?
Before issuing an Administrative Citation, the City can issue a Compliance Letter outlining the nature of the violation and compliance deadline.

If you receive a Compliance letter...

1. Please Do Not Panic. A Compliance Letter is a list of items that need to be corrected. Receiving a Compliance Letter is not the end of the world; it merely means your property needs some attention. A Compliance Date is the date by which you need to have the items corrected or by which you must make other arrangements with the City.

2. Please Do Not Ignore it. Ignoring a Compliance Letter will not make the violation go away. Citations and Property Abatement are the City’s method of last resort. The City wants to work with residents to resolve their maintenance issues. Unfortunately, if an Owner is unwilling to cooperate, the City is left with few options.

3. Do Read ALL of the compliance materials. Many of your questions are answered in the compliance letter materials.

4. Do Take Responsibility and ACTION. Make arrangements and begin work early enough to complete the work on time. If needed, investigate financial resources.

If you are unable to complete ALL of the required work by the Compliance Date, please call the staff person listed on the Compliance Letter for an extension to avoid further action. City staff can work with owners to resolve the violation, including, but not limited to offering reasonable extensions for compliance.
Administrative Citation Process

On March 23, 2009, the West St. Paul City Council approved the Administrative Citation Ordinance, City Code Section 121, replacing the Community Court program of Dakota County District Court as an alternative method of enforcement for City Code violations rather than relying on the criminal court system. City Code violations such as building code, zoning, licensing, and nuisance violations can be handled through the Administrative Citation process rather than through criminal court.

The Administrative Citation process provides greater flexibility to create an efficient and effective enforcement method. A violation of City Code is a misdemeanor pursuant to City Code Section 115.01. However, an Administrative Citation may be issued for City Code violations to gain compliance before the City files any criminal charges.

Administrative Penalty Fines

An Administrative Penalty Fee Schedule for Administrative Civil Citations allows the City to issue administrative penalties or fines for City Code violations. The penalty or fine amount varies from $55.00 to $2,000 depending on the type of violation. The fine amount doubles for repeat violations that occur within a 12-month time period up to a maximum of $2,000.

The Administrative Citation Ordinance and Penalty Fee Schedule are found on the Administrative Citation page on the City website at www.cityofstpaul.org.

Administrative Citation Process

The City can issue an Administrative Citation if the violation is not corrected by the compliance deadline listed in the Compliance Letter.

The City can also issue Administrative Citations without issuing a Compliance letter for the following:

- Repeat offenders,
- License, traffic or parking, animal and noise violations, and
- Obstruction of fire hydrants or fire lanes.

Please see the chart on page 2 and the following list outlining the next steps for those who receive an Administrative Citation:

- If the Citation is paid and the violation is corrected, no further action will be taken by the City.
- If the Citation is paid and the violation is not corrected, the City can issue a second Administrative Citation or a Criminal Citation.
- If the Citation is not paid and the violation is NOT corrected, the property owner will be assessed for the fine and the City can issue a second Administrative Citation or a Criminal Citation.

An owner who receives an Administrative Citation has the following options:

1. Correct the violation and pay the fine in 30 days of the date the citation is mailed or personally served. No additional citations will be issued. However, the violation must be corrected or an additional Administrative or Criminal Citation may be issued.
2. Contest the Citation in writing within 10 calendar days after the date the Citation was mailed or personally served.
3. If you do not pay the fine, correct the violation, or contest the citation, the fine will be assessed against the property or additional Administrative or Criminal citations will be issued.

If the owner fails to correct the violation or pay the fine, the City may do any of the following:

1. Assess the fine against the property,
2. Issue subsequent Administrative Citations,
3. Initiate criminal proceedings, or initiate other enforcement action authorized by law.

Contesting Administrative Citations

If you receive an Administrative Citation, the City Code violation and the Citation fine may be contested before an independent Hearing Officer who is not a City employee.

To request a hearing, you must contact the Deputy City Clerk/ Hearing Scheduler in writing within 10 calendar days after the date the citation was mailed or personally served stating that you contest the alleged violations, the amount of the penalty, or both. Mail to: City of West St. Paul, Attn: Deputy City Clerk, 1616 Humboldt Ave., West St. Paul, MN 55118.

The Hearing Scheduler will notify you of the date, time, location of your hearing and the name of the Hearing Officer. Allow at least one-half day for the hearing. Other cases may be scheduled at the same time as your hearing. Please arrive on time to the hearings. The Hearing Officer may not hear your case if you arrive late.

The Hearings will be held at the Office of Administrative Hearings, Administrative Law Division, 600 Robert Street North, St. Paul, MN 55101.

Maps, parking, hearing date, time and other information will be included in the Notice of Hearing packet.

At the hearing, the Hearing Officer has the authority to do any of the following:

1. Make a finding that a violation has occurred,
2. Reduce, stay or waive an administrative civil penalty or fine,
3. Require compliance with the City Code within a specified timeframe,
4. Make a finding that no violation has occurred and dismiss the Administrative Citation.

After the hearing, you will receive a signed Copy of Order outlining the Hearing Officer's decision. If the Hearing Officer orders an Administrative Penalty fee, it must be paid within 30 days of the Hearing Officer's order.

If the Administrative Penalty fine is not paid, the City may assess the penalty against the property pursuant to Minnesota Statutes Chapter 429. If the hearing officer finds that no violation occurred, then the City may not proceed with criminal prosecution for the same act or conduct.

If the Hearing Officer upholds the violation, you will be ordered to pay $100 toward the cost of the hearing. If you fail to appear at the hearing, the Administrative Citation shall be sustained.

Fine Payment Information

Please pay the Administrative Penalty fine by check or by cash. Payment must be made within 30 days of the date the citation is mailed or personally served. The citation fine will be assessed against the property if not paid.

Checks are made payable to the City of West St. Paul. INCLUDE A COPY OF THE CITATION WITH THE PAYMENT. Mail to: City of West St. Paul, Attn: Admin Citation, 1616 Humboldt Ave., West St. Paul, MN 55118.

Any check that is returned due to "Non Sufficient Funds" or "Unrecorded Funds" will be charged a $30.00 NSF fee. The NSF fee and the check reimbursement must be paid in cash or money order within 5 business days of notice. Failure to pay will result in additional fines and/or criminal charges.

More Information

For more information on the Citation or the fine issued, please contact the City Staff listed on the Citation form.

To contest the Citation or fine and request a hearing, please contact Deputy City Clerk/Hearing Scheduler in writing within 10 calendar days after the date the citation was mailed or personally served. Mail to: City of West St. Paul, Attn: Deputy City Clerk, 1616 Humboldt Ave., West St. Paul, MN 55118.

For more information on the Administrative Citation page on the City website at www.cityofstpaul.org.

City of West St. Paul
1616 Humboldt Avenue
West St. Paul, MN 55118
651-552-4100 Municipal Center
651-552-4190 Fax
Staff Request for Commission Action

Tracking No. 150018

Type: Standard
Committee: Neighborhood and Community Development Committee

Date of Standing Committee Action: 2/2/2015
(If none, please explain):

Proposed for the following Full Commission Meeting Date: 2/26/2015
Confirmed Date: 2/26/2015

Changes Recommended By Standing Committee (New Action Form required with signatures)

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<th>Contact Phone</th>
<th>Contact Email</th>
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<tr>
<td>1/20/2015</td>
<td>Chris Slaughter</td>
<td>8977</td>
<td><a href="mailto:cslaughter@wycokck.org">cslaughter@wycokck.org</a></td>
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Item Description:
The Land Bank Manager respectfully requests that the Neighborhood & Community Development Committee review the proposed packets and forward them to the Land Bank Board of Trustees for final consideration.

Item (1) - Transfers to Land Bank
Item (2) - Applications (7)

Action Requested:
The Land Bank Manager respectfully requests that the Neighborhood & Community Development Committee approve the above requests and forward them to the Land Bank Board of Trustees for final approval.

Publication Required

Budget Impact: (if applicable)

Amount: $
Source:

- Included In Budget  Land bank revenues are projected in the budget.
- Other (explain)

File Attachment

File Attachment
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<th>APPLICANT</th>
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<th>LOT SIZE</th>
<th>ADVISORY BOARD RECOMMENDATIONS</th>
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<td>614 Vale St</td>
<td>Yard Extension</td>
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<td>X 110</td>
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<td>613 Melville St</td>
<td>Yard Extension</td>
<td>50</td>
<td>X 110</td>
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<td>1605 N 51st St</td>
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<td>60</td>
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<tr>
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<td>1610 N 51st St</td>
<td>1615 N 51st St</td>
<td>Property Maintenance</td>
<td>60</td>
<td>X 150</td>
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<td>Derek Wong</td>
<td>1312 N 8th St</td>
<td>1310 N 8th St</td>
<td>Yard Extension</td>
<td>44</td>
<td>X 160</td>
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INTENTIONALLY
Section 1: Personal Information.

1. Applicant's Name: Cristina Marie Acosta
   Spouse (if applicable): ________________________________

2. Name of Corporation (if applicable): ________________________________

3. Street Address: 618 Vale St., 66103

4. City, State, Zip: Kansas City, KS, 66103

5. Home Phone #: (913) 200-0943 Work Phone #: (913) 459-4953

6. E Mail Address: pratcutiesoccerchick@yahoo.com

7. List Properties you own in Wyandotte County: 154836 - Parcel ID

8. Do you (or your spouse) have any Code Enforcement violations? Yes_ No X

9. Are you (or your spouse) delinquent on any licenses or taxes in Wyandotte County? Yes_ No X

Section 2: Proposed Land Bank Purchase.

1. Address(s) of Property: 614 Vale St.
   - Vacant Land
   - Structure

2. Proposed Use of Property:
   - Parking. (Must comply with UG regulations) Go to section 4.
   - Rehabilitation of existing structure. Requires building permit. Go to section 3.
   - Other: Clean up debris, trash and clean
Section 1: Personal Information.

1. Applicant's Name: **Cristina Marie Acosta**
   Spouse (if applicable): 

2. Name of Corporation (if applicable): 

3. Street Address: **613 Vale St., 66103**

4. City, State, Zip: **Kansas City, KS, 66103**

5. Home Phone #: **913) 202-0093**, Work Phone #: **913) 957-4953**

6. E Mail Address: **pratcute.soccerchik@yahoo.com**

7. List Properties you own in Wyandotte County: **154836 - Parcel ID**

8. Do you (or your spouse) have any Code Enforcement violations? Yes _ X_ No __ 

9. Are you (or your spouse) delinquent on any licenses or taxes in Wyandotte County? Yes _ X_ No __

Section 2: Proposed Land Bank Purchase.

1. Address(s) of Property: **613, Melville St.**
   - Vacant Land
   - Structure

2. Proposed Use of Property:
   - Parking. (Must comply with UG regulations) Go to section 4.
   - Rehabilitation of existing structure. Requires building permit. Go to section 3.
   - Other: **Clean up debris, trash and clean**
Section 1: Personal Information.

1. Applicant's Name: **Cristina Marie Acosta**
   Spouse (if applicable): ________________________________

2. Name of Corporation (if applicable) ________________________________

3. Street Address: **618 Vale St., 66103**

4. City, State, Zip: **Kansas City, KS, 66103**

5. Home Phone #: **913)302-0993** Work Phone #: **913)957-4953**

6. E Mail Address: **praticute@soccerchick@yahoo.com**

7. List Properties you own in Wyandotte County: **1548 36e - Parcel ID**

8. Do you (or your spouse) have any Code Enforcement violations? Yes ______ No X

9. Are you (or your spouse) delinquent on any licenses or taxes in Wyandotte County? Yes ______ No X

Section 2: Proposed Land Bank Purchase.

1. Address(s) of Property: **617 Melville St.**
   • Vacant Land
   • Structure

2. Proposed Use of Property:
   • Yard Extension. Go to section 4.
   • Parking. (Must comply with UG regulations) Go to section 4.
   • Garage. Requires building permit. Go to section 4.
   • Home Addition. Requires building permit. Go to section 3.
   • New Home Construction. Requires building permit. Go to section 3.
   • Commercial Construction. Requires building permit. Go to section 3.
   • Rehabilitation of existing structure. Requires building permit. Go to section 3.
   • Other: **Clean up debris, trash and clean**
Section 3: Construction Project Information.

1. Does the project comply with current zoning? Yes__ No__
   (Call Planning & Zoning at 913-573-5750)

2. Type of Ownership: Individual___ Corporation___ Nonprofit: ___
   Other: __________________________________________

3. **Must** attach a letter of credit or pre-approval letter from your bank.

4. **Must** attach drawings for your proposed project.

5. Proposed use of property:
   o Home Ownership.
   o Rental Home.
   o Business/Commercial Use.
   o Apartments.
   o Other, Specify: __________________________________________

6. Will you seek Tax Increment Financing or other public tax exemptions? ______

7. Will you seek Neighborhood Revitalization Tax Rebates? ______

8. Starting Project Date: ________________ Completion Date: ________________

   Comments: __________________________________________
   __________________________________________
   __________________________________________

Section 4: Additional Comments & Terms of Proposal.

Have cleared lot but would like to continue to maintain properties & beautify the area.

Incomplete applications will not be considered and will be returned to the sender.
As the applicant I attest that the information in this proposal is accurate. I attest that I have read the Unified Government’s Land Bank policy and agree to the terms and conditions of it. I understand that the Unified Government reserves the rights to reject any proposal without cause.

[Signature]
Applicant’s Signature

Cristina Acosta 1/5/15
Print Your Name Date

Return Completed Application to: Attn: Land Bank Manager, Chris Slaughter
701 N. 7th St, Suite 421, KC, KS 66101
Fax 913-573-5745 Phone 913-573-8977
Unified Government Land Bank Application

Section 1: Personal Information.

1. Applicant's Name: 
   - Estate Reeder
   - Gregory Jordan
   - Spouse (if applicable):

2. Name of Corporation (if applicable):

3. Street Address: 
   - 1610 N 51st

4. City, State, Zip: 
   - Kansas City, KS 66102

5. Home Phone #: 913-287-6092
   - Work Phone #: 913-638-8082

6. E Mail Address: 
   - reede15@kcc.rr.com

7. List Properties you own in Wyandotte County: 
   - 1610 N 51st
   - 1600 N 51st
   - 5113 N 51st

8. Do you (or your spouse) have any Code Enforcement violations? Yes ___ No X

9. Are you (or your spouse) delinquent on any licenses or taxes in Wyandotte County? Yes ___ No X

Section 2: Proposed Land Bank Purchase.

1. Address(s) of Property: 
   - 1605, 1611, 1615 N 51st
   - Vacant Land
   - Structure

2. Proposed Use of Property:
   - Parking. (Must comply with UG regulations) Go to section 4.
   - Rehabilitation of existing structure. Requires building permit. Go to section 3.
   - Other: Keep lots cleaned off and grass cut.

   - X
Section 3: Construction Project Information.

1. Does the project comply with current zoning? Yes__ No__ (Call Planning & Zoning at 913-573-5750)

2. Type of Ownership: Individual___ Corporation___ Nonprofit: ___
   Other: ____________________________________________________________

3. Must attach a letter of credit or pre-approval letter from your bank.

4. Must attach drawings for your proposed project.

5. Proposed use of property:
   - Home Ownership.
   - Rental Home.
   - Business/Commercial Use.
   - Apartments.
   - Other, Specify: ________________________________________________

1. Will you seek Tax Increment Financing or other public tax exemptions? ______

2. Will you seek Neighborhood Revitalization Tax Rebates? ______

3. Starting Project Date: ________________ Completion Date: ________________ Comments: ___________________________________________________________

Section 4: Additional Comments & Terms of Proposal.

Incomplete applications will not be considered and will be returned to the sender.
As the applicant I attest that the information in this proposal is accurate. I attest that I have read the Unified Government’s Land Bank policy and agree to the terms and conditions of it. I understand that the Unified Government reserves the rights to reject any proposal without cause.

[Signature] [Print Your Name] [Date]

Return Completed Application to: Land Bank, 2nd Floor, 710 N. 7th, KCK 66101
Fax 913-321-0237 Phone 913-573-8977
Attn: Land Bank Manager, Chris Slaughter
Section 1: Personal Information.

1. Applicant’s Name: Derek Wong
   Spouse (if applicable):

2. Name of Corporation (if applicable)

3. Street Address: 1312 N 8th St

4. City, State, Zip: Kansas City, KS, 66101

5. Home Phone #: 816-746-9433  Work Phone #: 816-286-9670

6. E Mail Address: d7wong_d@gmail.com

7. List Properties you own in Wyandotte County: Same

8. Do you (or your spouse) have any Code Enforcement violations? Yes No X

9. Are you (or your spouse) delinquent on any licenses or taxes in Wyandotte County? Yes No X

Section 2: Proposed Land Bank Purchase.

1. Address(s) of Property 1310 N 8th St
   x Vacant Land
   o Structure

2. Proposed Use of Property:
   x Yard Extension. Go to section 4.
   o Parking. (Must comply with UG regulations) Go to section 4.
   o Garage. Requires building permit. Go to section 4.
   o Home Addition. Requires building permit. Go to section 3.
   o Commercial Construction. Requires building permit. Go to section 3.
   o Rehabilitation of existing structure. Requires building permit. Go to section 3.
   o Other: ________________________________
Section 3: Construction Project Information.

1. Does the project comply with current zoning? Yes__ No__
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2. Type of Ownership: Individual___ Corporation___ Nonprofit: ___
   Other: ____________________________

3. **Must** attach a letter of credit or pre-approval letter from your bank.

4. **Must** attach drawings for your proposed project.

5. Proposed use of property:
   - Home Ownership.
   - Rental Home.
   - Business/Commercial Use.
   - Apartments.
   - Other, Specify: ____________________________

6. Will you seek Tax Increment Financing or other public tax exemptions? ______

7. Will you seek Neighborhood Revitalization Tax Rebates? ______

8. Starting Project Date: _______________ Completion Date: _______________

   Comments: __________________________________________________________
   __________________________________________________________
   __________________________________________________________

Section 4: Additional Comments & Terms of Proposal.

_______________________________________________________________________
_______________________________________________________________________
_______________________________________________________________________

Incomplete applications will not be considered and will be returned to the sender.
As the applicant I attest that the information in this proposal is accurate. I attest that I
have read the Unified Government’s Land Bank policy and agree to the terms and
conditions of it. I understand that the Unified Government reserves the rights to reject
any proposal without cause.

[Signature] Derek Wong 7/18/14
Applicant’s Signature Print Your Name Date

Return Completed Application to: Attn: Land Bank Manager, Chris Slaughter
701 N. 7th St, Suite 421, KC, KS 66101
Fax 913-573-5745 Phone 913-573-8977
<table>
<thead>
<tr>
<th>Owner</th>
<th>Property Address</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Board of County</td>
<td>1615 N 51st St</td>
<td>Ester Reed, 1610 N 51st St, is applying for 1605 &amp; 1611 N 51st St from the Land Bank and would like this property also. She wants to continue with the upkeep of the property and keep illegal dumping from continuing in her neighborhood.</td>
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</tbody>
</table>
**Staff Request for Commission Action**

**Tracking No. 150017**

- **Revised**
- **On Going**

**Type:** Standard  
**Committee:** Neighborhood and Community Development Committee

**Date of Standing Committee Action:** 2/2/2015  
(If none, please explain):

**Proposed for the following Full Commission Meeting Date:** 2/26/2015

**Confirmed Date:** 2/26/2015

**Changes Recommended By Standing Committee (New Action Form required with signatures)**

<table>
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<th>Date</th>
<th>Contact Name</th>
<th>Contact Phone</th>
<th>Contact Email</th>
<th>Ref.</th>
<th>Department / Division</th>
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<td>1/20/2015</td>
<td>Chris Slaughter</td>
<td>8977</td>
<td><a href="mailto:cslaughter@wycokck.org">cslaughter@wycokck.org</a></td>
<td></td>
<td>Administration/Land Bank</td>
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</table>

**Item Description:**
The WCLB Manager will present the 2014 Wyandotte County Land Bank Conveyance Report. Per K. S. A. 19-26, 105; “The Land Bank office shall make an annual report to the Land Bank Board of Trustees…” of properties that were conveyed during the previous calendar year.

Also, the Land Bank Manager will present some data that reflects the conveyance activity of the Wyandotte County Land Bank from 2009 to the present.

**Action Requested:**
For discussion only, NO ACTION REQUIRED

**Publication Required**

**Budget Impact:** (if applicable)

- **Amount:** $  
- **Source:**
  - Included In Budget  
  - Other (explain)

**File Attachment**
UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS

2014
WYANDOTTE COUNTY LAND BANK
Conveyance Report

Submitted by:
Chris Slaughter, Land Bank Manager
### Conveyance Details

<table>
<thead>
<tr>
<th>Conveyance Date</th>
<th>Owner(s)</th>
<th>Property Address</th>
<th>Parcel #</th>
<th>Proposed Use</th>
<th>Payment</th>
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<td>Luvenia Lewis</td>
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<td>Jose Rodriguez</td>
<td>1129 Haskell Ave</td>
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<tr>
<td>04/16/14</td>
<td>Somali Bantu Tribe of Kansas</td>
<td>1618 N 2nd St</td>
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<td>CHWC, Inc.</td>
<td>846 Ohio Ave</td>
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<td>$0.00</td>
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<tr>
<td>04/30/14</td>
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<td>928 Ohio Ave</td>
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<td>05/09/14</td>
<td>Gloria Oliver</td>
<td>907 Osage Ave</td>
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</tr>
<tr>
<td>05/12/14</td>
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<td>039010</td>
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<td>Commercial</td>
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<td>828 N 25th St</td>
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<td>06/30/14</td>
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<td>07/08/14</td>
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<td>07/28/14</td>
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<td>07/28/14</td>
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<td>07/30/14</td>
<td>Penny Hickman</td>
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<td>07/30/14</td>
<td>William Davis</td>
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<td>08/11/14</td>
<td>Ismael Lopez</td>
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<td>08/13/14</td>
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<td>Robert Easterwood</td>
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<td>07/30/14</td>
<td>Tommy Smith</td>
<td>1504 Cleveland Ave</td>
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</tbody>
</table>

*Per K.S.A. 19-26,105 “The Land Bank office shall make an annual report to the Land Bank Board of Trustees on or before January 31st of each year” of properties that were conveyed during the previous calendar year. Below is a list of properties that were sold out of the Land Bank during 2014. Chris Slaughter, Wyandotte County Land Bank Manager*
<table>
<thead>
<tr>
<th>Date</th>
<th>Name</th>
<th>Address</th>
<th>Zip</th>
<th>Property Type</th>
<th>Fee</th>
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<tbody>
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<td>Charlotte Demming</td>
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<td>08/18/14</td>
<td>Charles Cummings</td>
<td>1601 N 22nd St</td>
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<tr>
<td>09/04/14</td>
<td>Oscar Morales</td>
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<td>072356</td>
<td>Yard Extension</td>
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<tr>
<td>09/15/14</td>
<td>Maria Lourdes Flores</td>
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<td>166715</td>
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<tr>
<td>09/18/14</td>
<td>Alvin Bradford</td>
<td>2425 Oak Ave</td>
<td>124107</td>
<td>Yard Extension</td>
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<tr>
<td>09/18/14</td>
<td>Adriana Padilla</td>
<td>4959 Elmwood Ave</td>
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<tr>
<td>09/25/14</td>
<td>Donnis Beadleston</td>
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<td>10/03/14</td>
<td>Gary Cook</td>
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<td>10/10/14</td>
<td>Glenn Bennett</td>
<td>1968 N 26th St</td>
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<td>10/14/14</td>
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<td>10/20/14</td>
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<td>11/03/14</td>
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<td>11/05/14</td>
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<td>David Lemmon</td>
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<td>Rachel Jefferson</td>
<td>433 Greeley Ave</td>
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**TOTALS FOR 2014**

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<th>Properties Conveyed (Returning to the Tax Roll)</th>
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<td># Properties Conveyed to CDC's &amp; Neighborhood Groups at no charge</td>
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<tr>
<td>Total Properties Conveyed</td>
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<td>Total Amount of Revenue generated from Land Bank properties in 2014</td>
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<tr>
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<td>2011</td>
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<td>2013</td>
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<td>74.219%</td>
<td>25.781%</td>
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Total Property Tax Revenue Produced (2009 - present) * $129,775.08

* some properties have been combined w/existing improved properties (Yard Extensions) and do not reflect in this figure.
**Staff Request for Commission Action**

**Tracking No. 150024**

- Revised
- On Going

**Type:** Standard

**Committee:** Neighborhood and Community Development Committee

**Date of Standing Committee Action:** 2/2/2015

(If none, please explain):

**Proposed for the following Full Commission Meeting Date:**

- **Confirmed Date:** 2/26/2015

- **2/26/2015**

**Changes Recommended By Standing Committee (New Action Form required with signatures)**

<table>
<thead>
<tr>
<th>Date</th>
<th>Contact Name</th>
<th>Contact Phone</th>
<th>Contact Email</th>
<th>Ref</th>
<th>Department / Division</th>
</tr>
</thead>
<tbody>
<tr>
<td>1/23/2015</td>
<td>Rob Richardson</td>
<td>573-5774</td>
<td><a href="mailto:rrichardson@wycokck.org">rrichardson@wycokck.org</a></td>
<td>cg</td>
<td>Urban Planning</td>
</tr>
</tbody>
</table>

**Item Description:**

Re: 6th Street Neighborhood Rezoning

Kansas Statutes provide that 3 entities may apply for a zoning change. Those entities are the property owner, the Board of Commissioners and the Planning Commission. An area on 6th Street, from Tauromee to Splitlog, is zoned C-3 Commercial District. This district presents some issues for the neighborhood including some of the more intense commercial uses that are not conducive to nearby residential uses and parking requirements that are more stringent that need be in a walkable neighborhood. The neighborhood group, working with Commissioner McKiernan, has requested the C-3 areas be rezoned from C-3 to either C-D (Central Business District) or TND (Traditional Neighborhood Design). We believe the change of zone will facilitate new development in the area. A legal description and exhibit of the area to be rezoned will follow.

**Action Requested:**

Direct staff to initiate the change of zone process as described.

**Publication Required**

**Budget Impact: (if applicable)**

- **Amount:** $

- **Source:**
  - Included In Budget
  - Other (explain)

**File Attachment**