

**NEIGHBORHOOD AND COMMUNITY DEVELOPMENT
STANDING COMMITTEE MINUTES
Monday, September 14, 2015**

The meeting of the Neighborhood and Community Development Standing Committee was held on Monday, September 14, 2015, at 5:00 p.m., in the 5th Floor Conference Room of the Municipal Office Building. The following members were present: Commissioner Walker, Chairman; Commissioners Walters, McKiernan, and Townsend. Commissioner Murguia was absent. The following officials were also in attendance: Gordon Criswell, Assistant County Administrator; Joe Connor, Assistant County Administrator; Melissa Mundt, Assistant County Administrator; Ken Moore, Interim Chief Legal Counsel; and Chris Slaughter, Land Bank Manager.

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

Chairman Walker asked if there were any additions or corrections to the agenda. **Gordon Criswell, Assistant County Administrator**, stated there is a blue sheet. **Joe Connor, Assistant County Administrator**, stated there is an addition for the Public's Agenda for tonight. **Chairman Walker** stated the agenda shows that we do have a Public Agenda with the appearance of Mary Theus.

Approval of standing committee minutes from July 6, 2015. **On motion of Commissioner Walters, seconded by Commissioner Townsend, the minutes were approved.** Motion carried unanimously.

Committee Agenda:

ITEM NO. 1 – 150258...COMMUNICATION: LAND BANK APPLICATIONS

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

Chris Slaughter, Land Bank Manager, said we have quite a number of items on the agenda and a good timeframe to get this done so that will be our goal for tonight. First off, we have some transfers into the Land Bank. I'd like to point out a few. The bottom 25 are just what you guys have seen in the last couple of months, additional UG properties that are tax delinquent that we are moving over to the Land Bank. I can take any questions on those. **Commissioner Walker** asked where is this one at that you're showing. **Mr. Slaughter** said this one here, if you guys will allow me, I'll do a small little presentation.

Transfers to Land Bank

*907 Ann Ave. from KCK Police Dept.

(Land Bank has group interested in the property for demo and rebuild.)

*Indicates property has an improvement.

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907 Ann Ave – Westside Family Church

Wyandotte County Land Bank

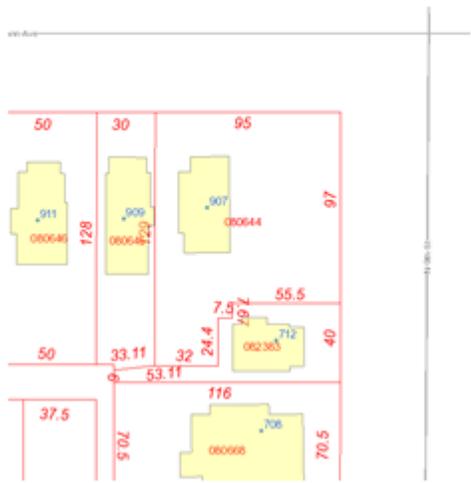
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1050620901016001000 05/22/2013

Mr. Slaughter said we've been approached by the Westside Family Church about wanting to obtain this property.

907 Ann Ave – Lot Dimensions



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There you can see just a map on the actual location. It's at 9th & Ann.

Condition of House



Some conditions, pictures of the house. Myself, Charles Brockman of Economic Development, went up and journeyed around the property. Mr. Brockman was brave enough to go inside the property.

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Condition of House



There is some more conditions on the outside. This property hasn't really been maintained in some time. These are actually two pictures. One is of the side of the front porch. You can see some of the crumbling effects going there.

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Condition of House



Condition of House



Another side of the house, this is actually the east side of the house. Right over there is how everybody got inside. This is one of the unboarded areas. The front of the house had recently just been reboarded up.

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Condition of House



Again, some more of the damage to the property through neglect of nobody being in there. Again, there's the cellar down the basement as you can see that the structure is open. Various windows are open.

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Condition of House



Mr. Brockman did get one picture inside of the deterioration and the conditions of the property.

907 Ann Ave - History

- Currently Appraised at \$ 43,490.00
- Condition of property showed signs of neglect
- Property owes over \$ 8,000.00 in back taxes
 - Has almost \$ 1,200.00 in assessments for trash/weeds
- Property was forfeited pursuant to a drug prosecution

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A little history of it. It is currently about \$43,500 dollars. Obviously, we've seen some of the neglect.

The property is owed over \$8,000 in back taxes. Of that \$1,200 is assessments for weeds, trash.

The property came into the Police Department's hands through a drug forfeiture.

Project Scope

- Findings after a staff walk-through & review:
 - Property boarded, with exception of 1st floor window
 - Roof in need of replacement
 - Possible foundation & structural issues
 - Porch supports deteriorating
 - Interior walls needing complete replacement
 - Moisture damage throughout property
- Estimated repairs: \$ 66,000.00

Again, just to recap, the property has been boarded, the roof just basically needed to be replaced, foundation issues, structural issues, porch issues that are deteriorating. This house is in pretty rough shape. Estimated repairs through our staff valuation is \$66,000 which far more exceeds the appraised value of the property.

907 Ann Ave - Offer

- Westside Family Church also inspected property
- Cost to repair is more than property value
- Two options presented:
 - Purchase property for minimum and demo
 - UG demo property and Church will pay for demo
 - Both options will include an additional amount to be forwarded to Police Department/DA assistance programs

Again, we were approached by Westside Family Church. They were also there the same day. They had some people go in at their own risk and do an assessment of the property. It's going to cost more to repair it as is. The recommendation or the thought process generally comes to is this property needs to be demoed. It needs to come down.

We have two options that we're currently in discussions with Westside. The first one would be is they would purchase the property obviously at a reduced discount. They would demo it and then eventually they would redevelop it. The other thing that they've asked us to look into is if we demo it and then they would reimburse us the cost of the demo and then both options would also include an additional amount that we would forward to the Police Department and the District Attorney for the programs that they have. That's one of the requests that the District Attorney and the Police Department had in getting this property to the Land Bank. They just didn't want it donated for free. If there were some proceeds, they'd like to see it go through their programs. That's the presentation on that property.

Again, it's part of the 28 properties that we're asking to transfer into the Land Bank.

Commissioner McKiernan said and transferring it into the Land Bank would just give you the authority to continue negotiations and ultimately transfer the property hopefully. **Mr. Slaughter**

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said correct. They are extremely interested in the property. I think really the point we're coming down to, and we're leaning more towards getting it into the Land Bank's possession and work with the demo coordinator, have it demolished and then have that bill have the church reimburse it. Come up with a figure that's going to probably exceed that and then the additional proceeds that are left over from the demo would then go to the police department and the DA Assistance Program. We'll probably come up with a nice round number based on some demo estimates that again, we'll work with the demo coordinator on that. In fact, I think they just demoed the property next to it to the east 909 Ann. Erin felt that would probably be a very similar price of estimate at least what the demo would run. Once it comes to the Land Bank then we would continue negotiations and then eventually bring this back as a Land Bank application.

Chairman Walker said I have a couple of questions. What is the approximate cost of demolition for a house of that nature. **Mr. Slaughter** said the property next door the estimates I received was anywhere from about \$7,800 to about \$13,000. Let's say it's going to be probably anywhere from about \$7,500 to \$10,000.

Chairman Walker said you know this is just a general statement for the Commission. We have not in any way strategically looked at how we do demolition. I have reason to believe that the way we do them could be made more cost effective by awarding all contracts to one or two vendors to do all of our work. Designate a methodology for compensation and reduce the price per unit that we're paying because they are going to get a sizeable number. I think it's something we need to look at because we have a number, as you well know of properties like this sit like this for too long before we get to them in the normal demolition process unless they pose an immediate hazard to health and welfare of the neighbors or someone. If I lived next door to a home in that condition, I would be wanting it down immediately. We're slow. I think we need to critically look at how we bid out these things and decide whether we can get more bang for the bucks that we are willing to allocate by picking say two and you just rotate them. This one's yours, this one's yours, this one's yours, and it's so much per unit and other factors that would come in. Of course, there's environmental remediation if they have asbestos or various things and so forth. We're spending a lot of money. Anywhere we can save \$2,000 or \$3,000, I mean it adds up and it's another house that can come down where we need to have it come down.

I'm going to ask for staff assistance in looking at this as a proposal and if no objection from this committee, I'm assuming this committee would be willing to take a look at that.

Also, I want to make you aware that I have spoken today to the County Administrator about a property at 1014 Tenny. This house is a particular problem in the neighborhood. It is a neighborhood that could go either way in my opinion. There are some very well maintained and kept houses that are adversely affected by this house. It attracts vagrants. It's full of possums and raccoons and I've been told snakes, I've not seen the snakes. I have seen a possum and a raccoon. There was a tree growing up right through the house. That has been cut down by somebody. I would like to look at the status of that. If that is eligible for foreclosure, see what we can do to get it on and in the Land Bank and on the demolition list. The neighbors in that area are very unhappy about that house. I think it's legitimate.

Commissioner McKiernan said well, I think you've broken this particular property out. These first three, I believe, you're breaking each of those out individually, right. **Mr. Slaughter** said we can do it however you want. I can give you some more information on the next two. These are properties that you'll later see on the application part of the agenda tonight. We figured there's no sense getting approved as an application and then asking you to move it to the Land Bank. We just thought we'd bring the horse before the cart.

Chairman Walker asked how does the Commission wish to proceed. Take each one individual. **Commissioner Walters** said all together is fine with me. **Commissioner Walker** asked does anyone have questions about either of those other two properties.

220 S. 21st St. from Board of County Commissioners
(Land Bank has application for this property and others in this area for future development.)

2401 Pacific Ave. from city of Kansas City, KS
(Land Bank has application for this property and others in this area for future development.)

2116 S. 11th Pl. from city of Kansas City, KS

350 S. 13th St. from city of Kansas City, KS

1734 S. 16th St. from city of Kansas City, KS

1740 S. 16th St. from city of Kansas City, KS

2814 N. 21st St. from city of Kansas City, KS

1400 S. 24th St. from city of Kansas City, KS

930 S. 26th St. from city of Kansas City, KS

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2809 N. 26th St. from city of Kansas City, KS
 1324 S. 28th St. from city of Kansas City, KS
 1401 N. 30th St. from city of Kansas City, KS
 2014 N. 38th St. from city of Kansas City, KS
 2500 N. 10th St. from Unified Government of WyCo/KCK
 2059 N. 12th St. from Unified Government of WyCo/KCK
 2073 N. 13th St. from Unified Government of WyCo/KCK
 2071 N. 13th St. from Unified Government of WyCo/KCK
 1924 N. 15th St. from Unified Government of WyCo/KCK
 3031 N. 18th St. from Unified Government of WyCo/KCK
 3037 N. 18th St. from Unified Government of WyCo/KCK
 2624 N. 21st St. from Unified Government of WyCo/KCK
 2704 N. 22nd St. from Unified Government of WyCo/KCK
 3507 N. 27th St. from Unified Government of WyCo/KCK
 3440 N. 27th St. from Unified Government of WyCo/KCK
 3246 N. 31st St. from Unified Government of WyCo/KCK
 3224 N. 33rd St. from Unified Government of WyCo/KCK
 2922 N. 38th St. from Unified Government of WyCo/KCK
 (Per the December 2014 NCD Standing Committee presentation, properties controlled by the UG that are delinquent will be transferred to the Land Bank to have delinquent property taxes abated.) This is the first batch to go through this process.

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

Applications
 290 S. 10th St. - Foutch Brothers, LLC, redevelopment

Mr. Slaughter said we have quite a few applications. I’ll give you some information. We’ll go through a couple. Some of these will be in little groups. At the end you can do how you want, break them up, do them all as one group. The first one I want to talk about is 290 S. 10th St.

Old Whittier School - 290 S 10th St
Wyandotte County Land Bank



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Mr. Slaughter said this is the Old Whittier School. We thought right now would be a good time to kind of recap the process of how we got ahold of this property.

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PILOT program process



This is part of the PILOT program that we talked about the last couple of months where we have delinquent property out there that we're identifying hopefully for redevelopment. Requests were made to the Delinquent Real Estate Department to put them in upcoming tax sales. Roughly around that same time the Land Bank and the Economic Development Department will start to have preliminary negotiations, discussions, with either the group that has identified that property for us or maybe some that we will feel would be good fits for that property. If the property is in the tax sale and no one bids, then the Land Bank will submit a bid actually to the UG but eventually it comes to the Land Bank. We then get it, we then finalize the agreement, we bring it before you kind of like we're doing right now and then we finalize it through the board approval and execute and transfer the property.

290 S 10th St



Again, there is an aerial. The shaded is the property in question. I will note that this is the new Whittier School so we do have something that hopefully will benefit from having the new school and the various families that it serves.

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290 S 10th St - History

- Currently Appraised at \$ 124,180.00
- Property sits on almost 2 acres & has 86,000+ sf, with grassy area about 0.75 acre
- Property was in and out of tax sale(s) since 2009
- Property obtained through Land Bank from Tax Sale 332 in November 2014
- Minimum bid was at \$ 37,829.39
- Property had a fire in December 2014
- Condition of property showed signs of neglect, striping & fire damage

Again, some history. It is currently appraised at \$124,000. The property sits on almost two acres. We have this large area tract here that's just really a big grassy lot. It's all one property. That is actually about 0.75 an acre. It was in and out of tax sales since 2009. Last November sale, we made the decision to go ahead and grab it. Nobody bid on it. The taxes were pretty high. As you can see the minimum bid was almost \$38,000. We had a fire once we took possession of it. Other than the fire damage there was already signs of neglect. Utility stripping, copper stripping, you name it, it's been stripped.

Condition of Building



Here's some pictures before we did. As you can see, there's still some remnants of the school.

Condition of Building



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Condition of Building



Some of the immediate fire damage. The fire was pretty much on the south side of the building.

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290 S 10th St - Offer

- Land Bank received 3 proposals
- Land Bank/Economic Development interviewed 2 companies
- Selected Foutch Brothers, LLC
- Purchase offer: \$10.00
- Timeline:
 - Phase I – demo/cleanup 6 months
 - construction phase 12 months
 - South side play ground will be turned into green space
 - Phase II – potential plans in grassy area
- Applicant will present to Economic Development/Finance Standing Committee with a development plan

We went out and asked for some proposals, we received three. We interviewed two of the companies. One of the proposals was to put a charter school there and we just didn't feel that was the best suited end result for this building so we went ahead and interviewed the other two companies. In that, we selected Foutch Brothers and primarily we had two very strong proposals. The biggest difference between the two was the other group was relying very heavily on LITECH and with the possible schedule delay and also the consideration that there was no LITECH awarded in Wyandotte County we just felt that it was enough of a risk that we just felt wasn't the right course of action. Their offer is \$10 cash. If awarded and transferred they feel in Phase I, the first six months, will be clean up and any additional demo on in interior. The construction phase is going to be 12 months. They do plan on taking the south side playground, and it will turned into a green space.

Then Phase II potential plans in the grassy area that is something that was also discussed, possible additional new property, new structures there that would assist what they're trying to do. They are proposing market rate housing. Again, they feel very strongly that with the school there and the success they had with Horace Mann, which they had mentioned as a good example to base on. They feel very confident in what they can do with this property.

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If approved here, then eventually it will be brought back through the EDF Standing Committee, hopefully at next month meeting or the month after that with a development plan.

Projected Repairs/Cost

Item Description	Est. Cost (rounded)
SITE COSTS	\$ 101,000.00
LANDSCAPING	\$ 90,000.00
CONCRETE WORK	\$ 43,000.00
DEBRIS REMOVAL	\$ 29,000.00
CARPENTRY	\$ 173,000.00
EXTERIOR WORK	\$ 86,000.00
DOORS/WINDOWS	\$ 101,000.00
INTERIOR WORK	\$ 159,000.00
FINISHINGS	\$ 37,000.00
SECURITY/FIRE PREVENTION	\$ 44,000.00
HVAC	\$ 354,000.00
CONTINGENCY/MISCELLANEOUS	\$ 231,000.00
Estimated Repairs	\$1,450,000.00

Here is just a breakdown of some of their anticipated cost and repairs. As you can see, it's quite extensive.

Important Dates

Presenting to Commission for Approval:

- Neighborhood & Community Development Standing Committee – 09/14/15
- Full Commission – 10/01/15
- Economic Development & Finance Standing Committee – 10/12/15
- Full Commission – 10/29/15

Again, it's presented tonight to this committee. We would bring it October 1 for full Commission or the Board of Trustees for final approval. Then good faith effort would be to get it back here at EDF next month on the 12th and the 29th for final approval. I'll take any questions on that property.

Chairman Walker asked do you anticipate the developer seeking any other incentives from the Unified Government besides the free building and land. **Mr. Slaughter** said I'd like to ask Caleb with Foutch to come up.

Caleb Buland, Foutch Brothers, said we would seek at the minimum tax abatement. There is a large gap on the project because of the fire damage. We've looked at it. We believe there is over \$100,000 to do abatement and demolition on the project. Even if the city were to choose to abandon the property, demolish it, and level it; not exactly the sustainable approach. The city would still be on the hook for a six figure price tag there. We will bring a significant amount of equity to the project. 45% of it we will finance with Historic Tax Credits which would be private equity into the project and then we would use a mortgage. We'll max both of those things out. The difference for us is that if there is still additional equity passed the 45% of the

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project value because of all the abatement and existing damage, then that's when we'll present it and say because of this we can't pencil and we'll ask for the tax abatement and we'll show you all that in real numbers.

Chairman Walker said I wanted to be clear for the record and each commissioner can speak as they choose. By approving this tonight, we have a sequence of steps that get tagged in it. Apparently, there has been some confusion on the part of some that if you approve something in an early step, somehow you're committed to the project. I'm not committed to this project or any project until I see the final deal. Right now, I'm probably going to vote yes tonight to move it along and reserve the right at each and every step to vote no. No one should construe that as a switch of position until the final deal is written and we have an opportunity to review it. It doesn't mean yes until that point and time. **Mr. Buland** said for us, at this phase, this is typical. We want to make sure we bring a strong enough deal to final approval that both of us are very excited about it and the neighborhood's on board. Before we can have neighborhood meetings, get the input and do all the diligence, this is the best proposal that we can give you, it's an honest proposal and we're going to try to enhance it with all of these meetings and process that we already have in place. **Chairman Walker** said yeah, I would rather see the school survive and be market rate apartments or residents then be torn down and uncertain future. Again, the devil is always in the details. We will decide here soon what to do on this step tonight.

Commissioner McKiernan said, Chris, the application tonight is to acquire from Land Bank. **Mr. Slaughter** said we are seeking approval to take it to the Board of Trustees to approve the sale from the Land Bank to Foutch. That doesn't necessarily mean that we have to transfer right after approval. We can make that contingent upon a development plan. **Commissioner McKiernan** said well, having dealt with this property for many years this would be the absolute best outcome. As it sits today is the absolute worst outcome because with it's vacant nature it's a haven for mischief and it is an eyesore in the neighborhood. It is a danger to the neighborhood. I'd like to see us move forward somewhere from where it is now and gaining control of that property through the tax sale was our way to facilitate that process whether it be to demo or whether it be hopefully to renovation and occupancy. If we can approve the transfer contingent on plan approval.

Chairman Walker said I'm assuming from the steps that are laid out that is at some point; optimistically at the end of October, we're going to either approve it or not with all of the pieces in place. Right now we don't have any of the pieces in place other than the first step. As a first step I'm fine with this. We'll see what the deal points turn out to be at the end.

Commissioner McKiernan said do you want to break this up separately or include this with the other applications. **Mr. Slaughter** said it's how you want to do it. Let me just go through the rest of the list and if issues or comments come up we can deal with those.

Mr. Slaughter said we have the three applications from Jeffery Hollinshed. He lives at 1972. He also owns 1960. We have an application at 600 N. 49th. We have two applications at 824 and 826 Greeley. 319 Richmond. We have four requests from Dean Zagortz, 220 S. 21st which was one of the transfers, 224. S. 21st, 2533 Pacific, and 2401 Pacific, was also one of the transfers. William Johnson, Jr., 4105 Sortor. We have five applications for Trinity AME Church and they are various from 4th & Cleveland, 4th & Greeley, and 4th & Quindaro. We have four properties around the 1900 block of N. 4th & N. Thompson from a Reginald Hollinshed.

Commissioner Townsend said I would like to request, a move is appropriate, that the five properties which Trinity AME Church is seeking to obtain from the Land Bank be set-aside from the vote on this evening's agenda and be revisited next month at the next regularly scheduled meeting of this committee. Reason for that request is that parties are here today and they are continuing to talk about opposing views of what this request means to the neighborhood and the churches plans. I would prefer to give those groups and individuals time over the next month to continue to talk and whether or not they are able to come to agreement with the application and their comfort level with it, then this committee can move on it one way or the other. I would request that those five properties be withdrawn from the application and voting process tonight.

Chairman Walker said I suppose that would be a motion to table those until the next meeting.

Action: **Commissioner Townsend made a motion to table those five properties over until the next meeting, seconded by Commissioner Walters.** Motion carried unanimously.

1962 N. Thompson St. - Jeffrey Hollinshed, yard extension
 1964 N. Thompson St. - Jeffrey Hollinshed, yard extension
 1966 N. Thompson St. - Jeffrey Hollinshed, yard extension
 600 N. 49th St. - Winfred Anderson, lot improvement
 824 Greeley Ave. - Lakisha Anderson, lot maintenance
 826 Greeley Ave. - LaKisha Anderson, lot maintenance
 319 Richmond Ave. - Michael Carson, yard extension
 220 S. 21st St. - Dean Zagortz, development
 224 S. 21st St. - Dean Zagortz, development
 2533 Pacific Ave. - Dean Zagortz, development
 2401 Pacific Ave. - Dean Zagortz, development
 4105 Sortor Dr. -William Johnson, Jr., yard extension
 407 Cleveland Ave. - Trinity AME Church, development
 415 Greeley Ave. - Trinity AME Church, development
 419 Greeley Ave. - Trinity AME Church, development
 416 Quindaro Blvd. - Trinity AME Church, development
 428 Quindaro Blvd. - Trinity AME Church, development
 1944 N. 4th St. - Reginald Hollinshed, lot improvement
 1937 N. Thompson St. - Reginald Hollinshed, lot improvement
 1959 N. Thompson St. - Reginald Hollinshed, lot improvement
 1963 N. Thompson St. - Reginald Hollinshed, lot improvement

Action: **Commissioner Townsend made a motion, seconded by Commissioner McKiernan, to approve the rest of the transfers.** Roll call was taken and there were four “Ayes.” Walters, McKiernan, Townsend, Walker.

Donations to Land Bank

5634 Roswell Ave. from Wells Fargo REO Community Development Program
 814 R Tenny Ave. from Robert Barnes
 3120 N. 47th Ter. from Tracey Fearon
 813 Minnesota Ave. from Pleasant Green Baptist Church
 1830 S. 10th St. from Maria Cruz

Mr. Slaughter said we have some donations that we want to discuss. I have one last presentation for you. A while back we discussed the Wells Fargo Donation Program and you

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guys graciously gave us permission to go after it. Here is one that we will benefit from in the long run. Again, we're at 57th & Roswell. It does dead end down here.

5634 Roswell Ave - Wells Fargo Donation
Wyandotte County Land Bank



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There is the property. Another thing to note, it doesn't show so much here, there is a creek bed that pretty much runs right through here. It's something to consider.

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5634 Roswell Ave – Lot Dimensions



Condition of House



Some conditions of the property. Again, I'd like to thank Mr. Brockman for assisting me on this. I stayed at more than arm lengths distance from this property. Some of the conditions as you can see it's just in rough shape.

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Condition of House



Condition of House



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Condition of House



Mr. Brockman was brave enough again to venture inside.

Condition of House



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Condition of House



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5634 Roswell Ave - History

- Currently Appraised at \$ 45,390.00
- Condition of property showed signs of neglect
- Property was donated as part of the Wells Fargo REO Community Development program

A little bit of history. It's currently appraised a little bit over \$45,000. Obviously, there are signs of neglect. It was part of the Wells Fargo Community Development Program.

Project Scope

- Findings after a staff walk-through & review:
 - Roofing materials is covered with tarps in areas and appears to have collapsed
 - Interior rough collapse in several rooms
 - Interior and exterior walls need replaced/repared
 - Water damage throughout
 - Mechanical & Electrical System needs replaced/repared
 - Possible ACM tile throughout
- Estimated repairs: \$ 58,000.00

To sum this up real quickly, again, I don't know how it's still standing. It won't take much to probably know this property down. Estimated repairs \$58,000 which far exceeds the appraised value of the property.

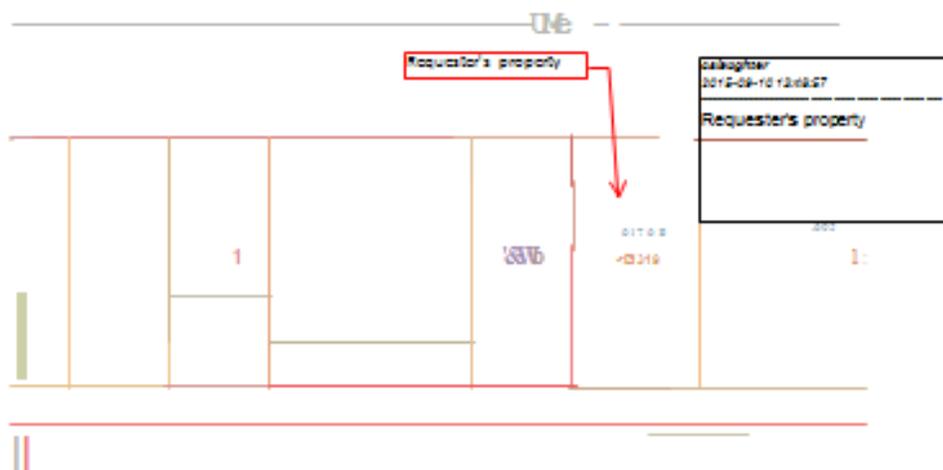
5634 Roswell Ave – Next Steps

- Wells Fargo has also included \$10,000.00 with the property
- Land Bank plans on working with our Demo Coordinator to have demolished
- Land Bank will then target property to neighbors for yard expansion (*property has creek bed running through it making it tough to redevelop*)

Wells Fargo has also included with this property donation a \$10,000 check that we plan on using to demo the property. We will work with the demo coordinator to have this property demolished.

Again, this kind of goes back to the creek bed. I don't foresee us pursuing someone to build another property on this. We've already had an expression when we were looking at the property from one of the neighbors that if it was torn down, they would be interested in having it as a side lot. That's probably what we'll target initially to dispose of the property out of the Land Bank.

Again, any questions on that property or any of the others.



<http://maps.nycoakok.org/Geocontext/Essentials/REST/ITempFiles/Export.png?guid=63ed5af...> 9/10/15

Mr. Slaughter said there was supposed to be a Mr. Barnes here for 814R Tenny. That's a property that was purchased out of the Land Bank back in 2010. It's this property right here. It is landlocked. Mr. Barnes does also own 814 Tenny. Again, this is 814R. His initial request in buying it was to put a garden, that type of stuff. He has been getting issues from our code

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enforcement about the upkeep of it. I was hoping he would be here tonight to give you a little bit more perspective from his point of view.

Chairman Walker asked is it two adjoining neighbors or one of them is interested in the property. **Mr. Slaughter** said no, this picture presents that the owner of this property also owns this sliver. **Chairman Walker** said he wants to donate that sliver to us. **Mr. Slaughter** said he wants to donate the landlocked property in back.

Commissioner McKiernan said this is a wild property because if you look, it appears that there are two alleys there or shown as easements or alleys or something. They really don't exist. That's all vegetation in there. This truly is a parcel that sits, and I wish we had the whole block view of this, it sits geographically dead center in a block with property lines surrounding it on all sides. I have no idea how it was ever done that way. **Mr. Slaughter** said actually I apologize for the picture. If you look at these parcels here how their running east to west it literally continues above here where the top part of the block here just continues over. This is just one large square property.

Commissioner Walters asked what do you foresee the future to be for this parcel? **Mr. Slaughter** said I foresee it being in the Land Bank for a long time. **Commissioner Walters** asked why do you think the Land Bank would want such a property. **Mr. Slaughter** said Mr. Barnes, again, I wish he was really here to state his case, wasn't going to accept me telling him that we probably wouldn't take it back. This had to be brought before the board whether it was approved or denied. I think that is the only way we are really going to resolve this.

Commissioner McKiernan said this is one where I'm not sure he thought it all the way through when he acquired the property and now is coming to the realization. I think Mr. Slaughter is right. I think this will be in the Land Bank until the end of time unless some other property owner around it suddenly has the desire to acquire it and then maintain it.

Chairman Walker asked does it have access to utilities on that landlocked piece of property. **Mr. Slaughter** said I don't believe so but I'm not sure. **Chairman Walker** said when you say

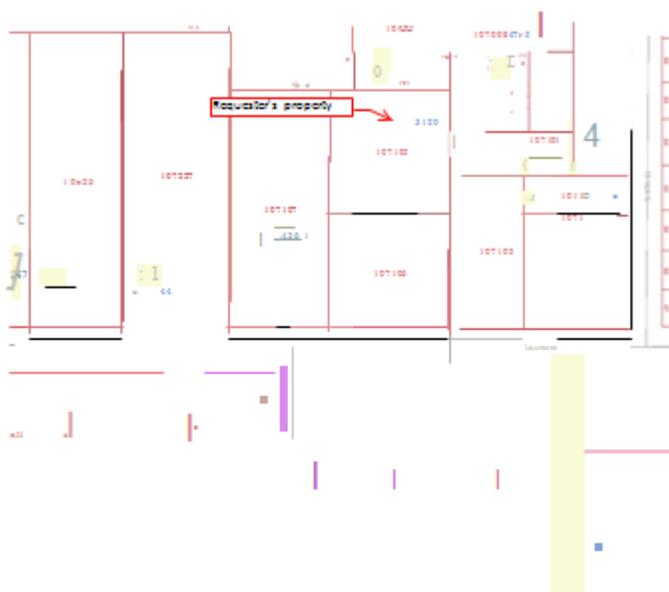
landlocked, is there access to it from any point other than going through the narrow strip in the center? **Mr. Slaughter** said it's my belief that, and that's part of why he owns this property here, that would really be the only bit of access to the property especially if you were trying to get a large mower or cutter back there to cut it down. **Chairman Walker** asked is it flat or hilly? **Mr. Slaughter** said I would say there is some slope to it. It's not a flat piece of property. **Commissioner McKiernan** said it slopes a bit from north to south. **Chairman Walker** said you know I'm always looking at these pieces of property like this and thinking you know, if there were enough people in the community adjoining it, how that could be a shared community garden. As you say there really is no other purpose unless you own one of the strips in front of it, but apart from that I'm really not sure what you would do with that land. **Commissioner McKiernan** said all of those other parcels abut it but aren't technically it. **Mr. Slaughter** said again, you can see the one strip that he has in between the two properties here and then this is pretty much it up there. **Commissioner McKiernan** said and you can see that there is a rough alley that runs north and south from Ohio to Tenny, but that alley kind of disappears once you get north of this particular property. When you get to those north facing houses there really isn't an alley there. The question is are we inclined to accept the donation back to the Land Bank.

Commissioner Townsend asked how long has it been out of the Land Bank and if we don't accept it back? What is the current status? I heard you say Mr. Slaughter that Mr. Barnes had some calls from the code enforcement. Has he been cited? **Mr. Slaughter** said I believe so and I believe he has gone before the court. **Commissioner Townsend** asked at this point do we know if he actually has been fined or? **Mr. Slaughter** said that I do not. He did request his application from 2010 which I forwarded to him. I'm assuming he's still making or getting ready to prepare his case before the court. **Commissioner Townsend** said so he's had it since 2010. **Mr. Slaughter** said yes. He does own other property in that neighborhood. I think Mr. Barnes intentions are the best, but he applied for a garden, he came back and told me he was trying to create a natural habitat for animals. I wish he was here to defend himself. This wouldn't be the first property landlocked surrounded by a bunch of houses that the Land Bank owns. We would do our best efforts to try to keep it better maintained.

Commissioner Walker said I would say when we do that it creates an expectation in the immediate neighborhood that if we own it, somehow we need to maintain it. The question is do we want to add this, I think the Mayor said 6,000 lots, does he not? **Commissioner McKiernan** said we've got about two of those officially in the Land Bank but another four that could be if we were to simply acquire them. **Chairman Walker** said clearly if I lived behind it or on either side of it I guess, I would want the owner to maintain it. Either come in there and burn it off or bulldoze it or whatever was required. **Commissioner McKiernan** said I think the bigger policy question here is if somebody wants to donate a piece of property because they can't maintain it or because they owe back taxes on it or they want to donate it for some reason, do we take the donation knowing that it comes with a price tag for us in terms of maintaining it in our inventory and maintaining as part of our inventory. **Commissioner Townsend** said well, to that point, here's what I would like to see happen because the point that Commissioner/Chairman Walker has made tonight and Commissioner McKiernan make sense. I would like to hear directly from Mr. Barnes what happened. What is creating the inability for him to maintain it or do whatever it was that he thought he could do five years ago when he purchased it. What I don't like about the situation on that side of it, even though he has it if he's not maintaining it, that's no different than if we take it back. It's just about burdenship. I would like to hear directly from him what problems he's having with it and why. If he keeps it, it sounds like he may be consistently before the court because of code violations so it's still not being maintained. I would like to see this one moved to the next regularly scheduled meeting and have Mr. Barnes come and explain to us what his difficulties are.

Chairman Walker said I would think that you should communicate with him that we're not going to take action on it from this committee until he does appear and explains the situation.

Acton: **Commissioner Townsend made a motion, seconded by Commissioner McKiernan, to table this until the next meeting.** Motion carried unanimously.



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Mr. Slaughter said on 3120 N. 47th, Commissioner Walker, that was the email that was sent out from the lady that lives up in Minnesota. You asked us to look into it about getting this donated so this is finally here.

Then we have 813 and 1830 that we'll both recommend as well.

Chairman Walker said there are extenuating circumstances on the 3120, you may be aware of them. Under those circumstances it would be appropriate for us to take that property.

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

Public Agenda

ITEM NO. 1 – 150260...APPEARANCE: MARY THEUS REGARDING LAND BANK

Synopsis: Appearance of Mary Theus to express her dissatisfaction with the process of trying to acquire at 1508 Quindaro Blvd. from the Land Bank.

Mary Theus, 1350 Quindaro Blvd., said I live in Kansas City, Kansas. Thank you for allowing me the opportunity to express my concerns and my disappointments on how my application, in my opinion, was mishandled. I submitted an application to the Land Bank on February 3, 2015 to purchase 1508 Quindaro for a yard expansion. It was approved by this committee on March 30, 2015 and was forwarded to the full commission and approved on April 9, 2015.

On April 10, Chris sent me an award letter stating that I have been approved for the property and I need to pay the \$150 for that lot. On June 2, I paid \$150 to the Treasurer’s Office and two days later I received an email from Chris stating that there was a problem with the property and that I needed to contact him.

I’m not sure what happened within the Unified Government between April 10 and June 6, but from a customer and an employee standpoint I did everything I am supposed to do but because someone dropped the ball, it was taken away from me. Then it was proposed that a renter and I were to split the property and now be responsible for the cost to get the property surveyed. I think that this entire process was mishandled and that I should not be the one sharing with my neighbor, who is a renter, and I am homeowner that follow all the rules that was required of me.

Now fast forward. Now all of the sudden I’ve been offered the property back. I requested to become before the Commission because the rules seem to keep changing and I need to know for certain a few things before I move forward. Number one: when did the renter submit an application to Chris or Charles based upon the timeline that someone—I guess contacted someone after I’ve been approved. Two: the reason why I wanted to purchase this property is because my neighbor was parking her car in the grass destroying it as you can see

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these pictures that I have, cars do not belong on the property growing with grass. The final question is will I be the sole owner of the property that I submitted the application for and was awarded. I do not want any issues or concerns with my neighbor. If the property is all mine, who from the Unified Government will be contacting my neighbor to let her know that it's again awarded to me since at one time she was informed that we could split the property. How can one or two people within an organization change the rules when a process has been posted online for citizens to go by. Thank you for your time.

Chairman Walker asked, Chris, do you have some answers to these questions please.

Mr. Slaughter said I will start by saying this is a very unfortunate change of events. The Land Bank for most part of it is responsible. When I was approached by Ms. Theus to purchase this property we brought it to the board to transfer just like a normal transfer. I believe it was the city of KCK property to the Land Bank. We got that approved, then we did the normal process of getting Ms. Theus's application approved. It wasn't until after it was approved, the award letter was sent, and the property had been paid for by Ms. Theus like she correctly stated, that I then learned that Mr. Brockman in Economic Development was working the property with the other property owner. I believe it's 1510. At that point, realizing that a big mistake had been made we kind of put our heads together. Mr. Brockman had been in constant contact with the owner of 1510 who I believe was the father of the person renting the property or staying at the property. We have since had conversations with him. They are no longer interested in the property. They wanted it strictly for parking, which is correct like Ms. Theus said. They have since put in a driveway on their property. Everything was done properly. It was permitted. Everything was done right. They have expressed to us that they no longer want the property. That's why we reached back out to Ms. Theus saying, okay, really right now you're the only one that wants the property and if you still want it, we'd like to make sure that you get it. I will state that upon learning that once the Land Bank did make the mistake we did go through the efforts. We had a check cut for the \$150 to reimburse her which I believe Ms. Theus has in her possession. She hasn't cashed it, but she has it.

As far as some of the other things, the property has been deeded back to the Unified Government, so moving forward if she still wants the property we would just say that she would

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go through the Economic Development property acquisition process. It's entirely different than Land Bank. She and her husband would be the sole owners of the property. If we need to reach back out to the owner of 1510 to let them know that Ms. Theus and her husband are the owners of the property, we can do that as well.

Commissioner McKiernan said first things first. We need to make sure that we have proper policy and procedure within the UG. I'm concerned that anybody but you was or that you were not informed of communication regarding a property that's in the Land Bank. It would seem to me that you should at least know about, if not be involved in, any transfer of Land Bank property. **Mr. Slaughter** said well, again, if you go back to the very beginning, the initial request this was not a Land Bank property. This was a city of Kansas City, Kansas property. Where the ball was dropped was the miscommunication between the Land Bank and the Economic Development Department. Now on the plus side of this, we have worked out procedures. This is what's help lead us to the whole property transfers that you guys have been getting. We met on the regular basis to discuss this. It was an accident. It was something that we wish we could take back but on the plus side we do feel moving forward that this probably won't happen again.

Commissioner Walters asked so what action was taken by the Commission on April 9. **Mr. Slaughter** said the Land Bank Board of Trustee's approved the property which at the time was in the Land Bank to be awarded to Ms. Theus. **Commissioner Walters** said and the Commission approved that on April 9. **Mr. Slaughter** said the Commission which is also the Land Bank Board of Trustees. **Commissioner Walters** asked so why at that point is it not a done deal. **Mr. Slaughter** said because also at the same time Mr. Brockman who had no idea or knowledge on the other side that the Land Bank had done this was still negotiating with the property owner. **Commissioner Walters** said my point is he doesn't have a dog in the fight at that point, does he? **Mr. Slaughter** said but I feel from the Land Bank perspective we never really truly had the authority to transfer the property to the Land Bank in the first place.

Chairman Walker said, Mr. Slaughter, said I'm going to speak for myself. If you make a deal and you sold the property and you're unaware that somebody else inside the Unified Government

is aware perhaps this is something the Commission should adopt as a policy, everybody else has got red grapes to eat and that's just too bad. Most of these transactions since this thing has started, even long before I was on the Commission, goes smoothly and there's not hiccups. There's bound to be a hiccup once in a while but as far as I'm concerned these properties that come into the Land Bank are primarily yours and if others want to utilize those properties, they need to put you on notice by email, by formal letter, by a meeting. I'm not blaming anybody here. You tried to do the right thing and thought you were doing the right thing, but once the Commission has approved the sale of the property, it's a done deal. The authority to do that in any other way is lost. Unfortunately, that's going to hurt us from time to time.

Commissioner Townsend said I would like to echo Commissioner Walters and Commissioner Walker has already stated. I'm concerned that an action has been taken by the Commission in it's capacity as the Land Bank Board was undome, so to speak, but not really. What is the current status of this? Ms. Theus as you hear this was an error and you hear us disagreeing about the procedure. I would like to say I regret any inconvenience or problem you have encountered with this. I think you hear all of us saying pretty much that it's our belief that we take an action on Thursday night on a matter like this, that should be the end of it. My current question is, Ms. Theus, are you still interested and what is the current position with respect to this property.

Ms. Theus said I'm still interested because it's just a little strip and that's part of my yard—when they built the house that little strip was just in between us so I need to know where it starts to where I can put a fence. I'm trying to put a fence up. I don't want her to be saying that I'm parking on her property. I need to know where my property line is. I'm interested in the property because it's just a little strip.

George Brajkovic, Director of Economic Development, said I was just going to try to maybe, a point of clarity, of how this all unfolded. Charles Brockman on our staff actually started the process for the sale of this property prior to the Land Bank process being started. When all of these events kind of unfolded and we realized that there was an issue, we simultaneously started working on a process that would not allow this type of mistake to happen again. We also tried to unwind it and say what is the most fair process to the two parties that are interested in this

property. Since we started the sale according to the ordinance we have for any UG property before the Land Bank process started that we didn't think that it was fair just to dismiss that initial interest and the discussions with those folks. That's where we thought if there's a compromise to be made here, perhaps the two interested property owners would be willing to split the property itself. As Mr. Slaughter mentioned since that time, Mr. Brockman has been in contact with the owner of 1510, they've indicated and put in writing that they have no interest in pursuing this property. I think the discussion is do we transfer it back from the UG to the Land Bank and follow that previous approval for the sale to Ms. Theus or do we just negotiate the same financial deal with her and just sell it according to the ordinance that allows us to sell UG owned property. I think that's where we're at. The second party has no further interest in this. If she still has the interest, we'll work a deal out with her one way or the other.

Commissioner McKiernan said to make sure I'm clear though. This is one of those properties—We identified about nine months ago several hundred formerly city of Kansas City, Kansas, formerly Board of Commissioners properties that were kind of in a limbo state. We recommended that they all be moved into the Land Bank so that we had control of them. This is one of those and while it was still city of Kansas City, Kansas is when Mr. Brockman started and without knowledge of that Mr. Slaughter brought it through in one of those bundles that have come through to the Land Bank. **Mr. Slaughter** said or even as an individual property. We've done transitions like this way before, this just one that fell through the crack. **Commissioner McKiernan** said so we have the capacity now to make this right and to put the property back in Ms. Theus's hands. Is that correct? **Ken Moore, Interim Chief Legal Counsel**, said one thing is that they're referring to, since it is now entitled in the UG, and so our property disposition policy can be used and since I assume it's under \$75,000, it's basically an administrative process for the effected Commissioners sign off and approve it and it's done that way.

Chairman Walker said my position would be do whatever is the quickest and put it and title as Ms. Theus wants. I would just hope that and I would assume you two would be the primary people involved. If you're working on a property, Mr. Slaughter needs to know about it. If Mr. Slaughter is working on a property, you need to know about it so that anybody who objects does so at the beginning rather than after it's been to the Commission. I can't remember this

occurring before. I am sorry, Ms. Theus, on behalf of the Unified Government that you had to come up here and do this. You had no fault in this whatsoever. I would think that our position is that you transfer it the quickest way you can get it in her hands and get the title changed, we move on and hopefully everybody talks to each other some way or another about properties they're working on or they want a footnote in some way that don't sell this unless you talk to me first. I don't know. A lot of properties out there and I know occasionally things slip through but unfortunately in this one it inconvenienced a buyer. As far I'm concerned the Commission has directed it be sold and you do as fast as you can.

Chairman Walker adjourned the meeting at 5:55 p.m.

tk

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