

**CITY OF NORTH KANSAS CITY, MISSOURI
REGULAR COUNCIL MEETING AND MOTION
TO CLOSE PART OF THE MEETING**

AMENDED

December 7, 2021

7:00 p.m.

*Items in red have been amended.

- 1. Call to order**
- 2. Roll Call**
- 3. Pledge of Allegiance**
- 4. Approval of Agenda**
- 5. Comments from the Public**
(Please limit comments to five minutes)

Consent Agenda

All matters listed within the Consent Agenda have been distributed to each member of the City Council for reading and study, are considered to be routine, and will be enacted by one motion of the council with no separate discussion. If separate discussion is desired on any item by any member of the City Council or by any member of the audience who has spoken during *Comments From the Public*, that item will be removed from the Consent Agenda and placed on the Regular Agenda.

- 6. Approval of Work Session Minutes of November 16, 2021** 
- 7. Approval of Regular Council Meeting Minutes of November 16, 2021** 
- 8. Appointment of Bri Burrows to the Tim C. Crummett Family Charitable Fund Committee** 
- 9. Reappointment of Kyle Miles to the Industrial Development Authority Board** 

Regular Items

10. **Actuarial Report on the Police and Fire Pension Fund**



The 2021 actuarial report for the North Kansas City Police Officers and Firefighters Pension Fund (the Fund) has been completed. A summary of the report is attached. The report was completed by the firm of McCloud and Associates and Traci Christian of that company will make a presentation to the Council detailing some of the pertinent information in the report. The continuing sound fiscal management of the Fund has helped to place the Fund on a solid financial footing. As a result, there is no need for the City to provide any additional contributions in the current fiscal year.

11. **23rd & Swift Amended and Restated Development Agreement {Bill No. 7629 (Ordinance No. 9426)}**



The City and Star Acquisitions & Development, LLC ("Star") entered into a Development Agreement on August 4, 2020, related to the 6-acre site located at the northwest corner of E. 23rd Avenue and Swift Street. Star closed on the purchase of the project site on January 14, 2021, and has been working to complete the predevelopment process and begin construction. The First Amended and Restated Development Agreement provides for the updated construction schedule and adds Star's development entity, Star Propco, as a party to the Development Agreement. The apartment project (the "Project") will be not less than 290 units and the amendments do not change any of the major business terms of the original Development Agreement. The major change to the Development Agreement is the delay in commencing construction on the Project, as requested by Star in the Development Schedule updated as of November 18, 2021. Star now intends to close its construction loan in March 2022 and begin construction in March or April of 2022. The Schedule of PILOT payments in the Development Agreement (Exhibit B) has been adjusted to reflect the change in the construction schedule.

12. **23rd & Swift Chapter 100 Plan and Bond Documents {Bill No. 7630 (Ordinance No. 9427)}**



Pursuant to the Development Agreement previously approved by City Council, the City agreed to issue Chapter 100 Bonds to provide tax abatement for the Project. The Chapter 100 plan will allow the Applicant to purchase construction materials without paying sales tax on such purchases and will provide tax abatement for approximately 18 years; during the first three years of the abatement period Star will make a payment in lieu of taxes (PILOT) payment based on construction progress. After construction is complete Star will make a \$300,000 annual payment

in lieu of taxes (PILOT) as shown in Exhibit B to the Development Agreement. The City will receive 100% of the PILOT payments as the beneficiary of the Tax Increment Financing (TIF) District until the TIF Plan is retired in 2032. PILOT payments received between 2033 and 2038 will be shared proportionately among the appropriate taxing jurisdictions. Star expects to commence work on the Project in March or April of 2022 and complete construction in June or July of 2024.

13. Renewal of Service Contract with KCATA for Calendar Year 2022 – Fixed Route and Flex Service {Bill No. 7651 Ordinance No. 9447}



Before Council is a renewal of the contract between the KCATA and the City for bus service (fixed-route through the city and flex service [point-to-point]) within North Kansas City.) This contract reflects the City Council's direction to adjust the Flex Service hours to 6 a.m. to 6 p.m. and to reinstitute the \$0.25 fare for Flex Service. Aside from the Flex Service adjustments, the contract is virtually the same as previous contracts. Staff recommends approval of the service contract for the period January 1 to December 31, 2022.

14. Emergency Cold-Weather Overnight Sheltering Services Memorandum of Understanding with Northland Assistance Center (Resolution No. 21-090)



Emergency Managers of the regional Houseless Cold-Weather Sheltering workgroup are responsible for preparing overflow protocols for their jurisdictions as needed when extreme weather or other emergencies increase the demand for services. City facilities serve as warming shelters during normal daytime hours; however, the City does not have properly trained staff, staff capacity, nor a suitable or safe facility to operate an overnight shelter. Northland Assistance Center (NAC) possesses the qualifications, capacity, and ability to administer an emergency cold-weather overnight sheltering program for individuals utilizing their relationships with area hotels. The City's Emergency Manager and NAC's Executive Director Rita Pearce have developed a protocol that should emergency responders identify an individual in need of overnight sheltering services that cannot be accommodated by an area registered shelter, NAC will coordinate with local hotels to provide that individual with a room for the night. Before the Council is a Memorandum of Understanding and an accompanying Budget Amendment for the emergency cold-weather overnight sheltering program.

15. Emergency Cold Weather Overnight Sheltering Services Budget Amendment (Resolution No. 21-089)



Emergency Managers of the regional Houseless Cold-Weather Sheltering workgroup are responsible for preparing overflow protocols for their jurisdictions as needed when extreme weather or other emergencies increase the demand for services. City facilities serve as warming shelters during normal daytime hours; however, the City does not have properly trained staff, staff capacity, nor a suitable or safe facility to operate an overnight shelter. Northland Assistance Center (NAC) possesses the qualifications, capacity, and ability to administer an emergency cold-weather overnight sheltering program for individuals utilizing their relationships with area hotels. The City's Emergency Manager and NAC's Executive Director Rita Pearce have developed a protocol that should emergency responders identify an individual in need of overnight sheltering services that cannot be accommodated by an area registered shelter, NAC will coordinate with local hotels to provide that individual with a room for the night. Before the Council is a Memorandum of Understanding and an accompanying Budget Amendment for the emergency cold-weather overnight sheltering program.

16. Emergency Public Health Order Extension {Bill No. 7654 (Ordinance No. 9450)}



Councilmember Smith has requested that an extension of Mayor DeLong's Emergency Public Health Order No. 21-005 be placed on the City Council Agenda so that the Council may vote to extend the Order from 12:01 a.m. on December 18, 2021, until January 15, 2022, at 12:01 a.m. unless rescinded, extended, modified or amended pursuant to applicable law. Ordinance No. 9450 and Order No. 21-006 have been prepared for the City Council's consideration.

17. Sign Ordinance Amendments {Bill No. 7652 (Ordinance No. 9448)}



The City's sign regulations are contained in Chapter 15.44 of the Municipal Code. Similar to the Zoning Ordinance, the sign ordinance divides the City into Sign Districts and establishes requirements for each sign type allowed in each sign district. The purpose of the sign ordinance is to preserve the character of the City, enhance the visual quality of the community, ensure safety, provide for effective communication by businesses, minimize adverse effects of signs, and limit sign clutter. Sign trends and designs are constantly changing, and when staff is aware of issues related to the sign ordinance, staff drafts amendments to the ordinance for consideration by the Council. The proposed amendment to the boundaries of the General Business District would also affect the property at 105 E. 18th Avenue. The change would not result in any substantive changes to the regulations concerning signs for that property, as the regulations for the two districts are substantially similar.

18. Snake Saturday Agreement (Resolution No. 21-088)



The City has previously entered into written contracts with Northland Festivals for the Snake Saturday Parade and related activities. The attached agreement is very similar to the pre-COVID contracts between the City and Northland Festivals for these services, with a few minor changes. J.D. Green of Northland Festivals will be in attendance to answer any questions.

19. WSP Contract Amendment (Armour Road) Engineering Services for Armour Road Complete Street Project – Second Professional Services Agreement (Resolution No. 21-087)



As discussed with the City Council at the September 21, 2021 work session, the remaining work planned for the Armour Road Complete Street has been consolidated into one project that is anticipated to be bid in Spring 2022. These improvements include green conflict zone markings, Fayette right turn lane, left turn signal for eastbound Armour at Iron, bump-out islands at Gentry and Knox, and a mid-block crossing between Macon and Ozark, as well as a mill and overlay for the Armour Road pavement that will be a cooperative project between the City and the NKC Special Road District. While the engineering work for some of these improvements has been completed, the bump-out islands, mid-block crossing, and mill and overlay require additional engineering work to complete construction plans for bidding. This work has been delayed by the fact that the previous professional services agreement with WSP expired earlier this year. The City must enter into a new agreement with WSP for the project engineers to begin work. The contract before the Council is similar to the previous agreement and includes the tasks currently needed to put the remaining improvements out to bid.

20. Approving Accounts Due and Payable by the City through December 3, 2021. {Bill No. 7653 (Ordinance No. 9449)}.



21. Staff Comments

- Upcoming City Items of Note
- NKC Hospital COVID-19 Reports



22. Councilmember Comments

23. Mayor's Comments

Posted this 3rd day of December 2021 at 5:00 p.m.

- 24. Consideration of a Request to Hold and Recess Into an Executive Session, as Requested by the City Counselor, to be Held on this Date, on a Potential Litigation Matter Pursuant to Missouri Revised Statutes §610.021(1)**
- 25. Consideration of a Request to Hold and Recess Into an Executive Session, as Requested by the City Counselor, to be Held on this Date, on a Potential Litigation Matter Pursuant to Missouri Revised Statutes §610.021(1)**
- 26. Consideration of a Request to Hold and Recess Into an Executive Session, as Requested by the City Counselor, to be Held on this Date, on a Real Estate Matter Pursuant to Missouri Revised Statutes §610.021(2)**
- 27. Consideration of a Request to Hold and Recess Into an Executive Session, as Requested by the Interim City Administrator, to be Held on this Date, on a Personnel Matter Pursuant to Missouri Revised Statutes §610.021(3)**
- 28. Adjournment**

Copies of ordinances referred to above are available for inspection prior to the meeting in the office of the City Clerk. Note: Meetings of the City Council are being broadcast live and recorded.