

OVERLAND PARK CITY COUNCIL MEETING

July 21, 2025

Mayor Curt Skoog called the Overland Park City Council meeting to order at 7:30 p.m., in the City Council Chambers. The following members were present, constituting a quorum:

Council President Holly Grummert; Mr. Jim Kite; Mr. Logan Heley; Mr. Chris Newlin; Mrs. Melissa Cheatham; Mr. Gregg Riess; Mr. Scott Mosher; Mrs. Inas Younis; Mr. Richard Borlaza; and Mr. Drew Mitrisin. Mr. Sam Passer and Mr. Jeff Cox were absent (excused).

Also present were: Mrs. Lori Curtis Luther, City Manager; Mrs. Kristy Stallings, Deputy City Manager; Mrs. Kate Gunja, Assistant City Manager; Mr. Bryan Dehner, Assistant City Manager; Mr. Michael Koss, City Attorney; Mr. Steve Horner, Senior Assistant City Attorney; Ms. Doreen Jokerst, Chief of Police; Mrs. Lorraine Basalo, Director of Public Works; Mr. Alan Long, Fire Chief; Mrs. Leslie Karr, Director of Planning and Development Services; Mr. Tony Sage, Chief Information Officer; Mr. Bryan Toben, Director of Parks and Recreation; Ms. Meg Ralph, Director of Strategic Communications; Mr. Jim Brown, Code Administrator; Mrs. Danica Trexler, IT Support Specialist; and Ms. Cindy Terrell, Recording Secretary. Approximately 20 people from the public were in attendance.

PLEDGE OF ALLEGIANCE

Mayor Curt Skoog led the Council in the Pledge of Allegiance.

OPEN PUBLIC COMMENT PERIOD

Mayor Skoog opened the public comment period and asked that the speakers state their name and address for the record. The Mayor announced each speaker would have three (3) minutes to speak. Speakers must conduct themselves in a civil and respectful manner.

Mrs. Kristi Uenishi, resident, 8403 West 150th Street, thanked the Council for their attention to the matter pertaining to the former Incred-A-Bowl site. The only changes made to the property by the property owner are for the worse. It is no longer a structurally sound building and has become a hazard. They finally removed the monument sign. When they demolished it, the surrounding curb was destroyed. She watched the demolition and relayed that they took it down with sledgehammers and a jack hammer. The property is atrocious and she is happy the City is finally doing something about it. It renews her faith in the City.

Hearing nothing further, Mayor Skoog closed the public hearing at 7:33 p.m.

MAYOR CURT SKOOG

Mayor Skoog reported that he attended two celebrations last week related to the City's history. A 20-year time capsule reveal was held on Sunday, July 13, 2025, at South Lake Park, and there was a great neighborhood turnout. The Arts and Recreation

Foundation of Overland Park (ARFOP) just celebrated their 30-year anniversary. One of the original founders, Ms. Georgia Erickson, was in attendance. A proclamation was presented declaring Arts and Recreation Foundation in Overland Park Day. ARFOP has done so much for the City's quality of life and has raised over \$20 million in private contributions since its inception.

NEW APPOINTMENT TO THE LEGACY OF GREENERY COMMITTEE

Michael Calvillo – Term 4-4-2024 to 4-4-2026

Council President Holly Grummert move to approve the new appointment of Michael Calvillo to the Legacy of Greenery Committee for the term 4-4-2024 to 4-4-2026. The motion was seconded by Mr. Logan Heley and carried by a vote of 10 to 0.

COUNCIL PRESIDENT HOLLY GRUMMERT

Council President Grummert reported on the 2nd annual celebration of the Repair Cafe, which took place at Tomahawk Ridge Community Center. Nearly 70 people came out to have their items repaired, which included clothing, tools, bicycles, and electronics. Many people donated clothing and bicycles, which will be given to the Johnson County Christmas Bureau for families in need at the holidays. The City was recently awarded a Best Place to Rent by WalletHub; a Top Midsize City for Grads by CoworkingCafe; and a Best City to Raise a Family by WalletHub. On Friday, July 25, 2025, the Target Store, located at 119th Street and Blue Valley Parkway, will hold a Fill-A-Cruiser event, where the Overland Park Police Department will collect school supplies for students in the Shawnee Mission and Blue Valley school districts. People can help by donating school supplies from Target. All donations will be distributed at National Night Out on August 5, 2025.

CITY MANAGER LORI CURTIS LUTHER

TASK ORDER NO. 5 TO CONSTRUCTION MANAGER AGREEMENT – McCown Gordon Construction, LLC, for structural concrete for Clock Tower Landing, in the amount of \$14,116,720.

Assistant City Manager Kate Gunja presented Task Order No. 5 to the Construction Manager Agreement with McCown Gordon Construction, LLC, for structural concrete for Clock Tower Landing, in the amount of \$14,116,720. This task order includes the final deliverables for completion of the Clock Tower Landing. It includes site work, site finishes, canopy structures, site lighting, the entry gate feature, landscaping, building envelope, and finishes for the pavilion. The estimated project completion date remains May 2026 and is on track. The total project budget of \$33.92 million remains on track as well. She noted that staff found a scrivener's error at the top of the second page of Task Order No. 5. It was noted that the contract sum following Task Order No. 4 was \$14,253,823, but the actual amount approved was \$14,253,829. She asked that amount be noted in the motion. Members of the project team were available to answer questions. Staff was recommending approval, as presented.

Mayor Skoog shared that Evergy is in the process of transitioning from aboveground powerlines to underground powerlines. All of the downtown businesses will be affected

and will need to change over their powerlines in the middle of the night. That will be a challenging coordination of effort.

Mrs. Grummert said these were the last finishing touches to move forward with construction. She asked if the change order included any major changes in the design elements. Mrs. Gunja replied that it does not include any major design changes. Staff updated the images from what was presented in July 2024, to what is currently shown on the City's website.

Mrs. Grummert moved to approve Task Order No. 5 to Construction Manager Agreement with McCown Gordon Construction, LLC, and noted the contract sum approved following Task Order No. 4 was \$14,253,829 and the new contract sum is \$28,370,549. The motion was seconded by Mr. Heley and carried by a vote of 10 to 0.

CONSENT AGENDA

COMMUNITY DEVELOPMENT – Committee Report:

SECOND AMENDMENT TO AGREEMENT – Scheels All Sports, Inc., regarding the naming rights of the SCHEELS Overland Park Soccer Complex, for a 10-year period of time, in the amount of \$1,250,000 (\$125,000 per year), beginning August 1, 2025; and an additional 10-year renewal.

COMMUNITY DEVELOPMENT – Staff Report:

RESOLUTION NO. 5053 – Setting a hearing for October 6, 2025, pursuant to K.S.A. 12-1752 and Municipal Code Section 7.25.110; concerning the unsafe and dangerous structure located at 8500 West 151st Street.

PUBLIC SAFETY – Committee Report:

SECOND AMENDMENT TO AGREEMENT – All City Management Services, Inc., to increase wages and renew school crossing guard services through December 31, 2027.

PUBLIC WORKS – Staff Report:

ORDINANCE NO. CON-3488 – An ordinance authorizing and providing for the acquisition of lands or interest therein by condemnation for the Switzer Road Improvement Project from 167th Street to 179th Street Project No. TH-2539).

FINANCE, ADMINISTRATION AND ECONOMIC DEVELOPMENT – Committee Report:

2025 MUNICIPAL COURT JUDGES COMPENSATION – Increasing the Judges' compensation by 4.55 percent, effective September 1, 2025.

MUNICIPAL ADDENDUM TO PCA COOPERATIVE PURCHASING CONTRACT NO. PCA-OD-414-24 – Q4, Industries, LLC, for custodial supplies, equipment, and related items, in the amount of \$975,000.

AUTHORIZATION TO PURCHASE RUGGED LAPTOPS, TABLETS AND MOUNTS, AND APPROVAL OF PARTICIPATING ADENDUM – Dell Marketing, L.P., using the State of Kansas Participating Addendum State Contract No. 55221 to the National Association of State Procurement Officers ValuePoint Cooperative Purchasing Agreement, in the amount of \$524,008.36.

AUTHORIZATION TO PURCHASE AND APPROVAL OF AGREEMENT – Yellow Dog Networks, Inc., using Omnia cooperative purchasing agreement No. 01-154, for the purchase of Fortinet Enterprise Agreement Services for a five-year term, in the amount of \$2,667,317.

FINANCE, ADMINISTRATION AND ECONOMIC DEVELOPMENT – Staff Report:

COUNCIL MINUTES – May 5, 2025.

EXPENDITURE ORDINANCE NO. 6B – Outlining the expenditures from the General Operating Fund and the Capital Projects Fund for June 20 through July 3, 2025.

Mayor Skoog presented the Consent Agenda and asked the Council if they wanted to remove any items for separate discussion.

Mr. Chris Newlin asked to remove Consent Agenda Item No. 6, Ordinance No. CON-3488. He will abstain from the vote, as this item pertains to his neighborhood, and his wife serves as the homeowner's association (HOA) president.

Mayor Skoog requested to remove Consent Agenda Item No. 4 for separate discussion.

Mrs. Grummert moved to approve the Consent Agenda, except item Nos. 4 and 6. The motion was seconded by Mr. Newlin and carried by a roll-call vote of 10 to 0.

Code Administrator Jim Brown addressed Consent Agenda Item No. 4, Resolution No. 5053, setting a hearing for an unsafe and dangerous structure located at 8500 West 151st Street. Upon inspection, it was discovered that structural modifications involving 130-foot steel trusses were made near the center of the building without the benefit and oversight of a permit, or any structural engineer involvement. The property owner cut 27 feet off the end of the trusses and left the top cord. They installed narrower manufactured trusses and a site-manufactured beam, along with new columns to hold up the beam. Padding was not installed underneath the new columns, which creates an unsafe condition at the building center. Staff was requesting that a structural engineer design a repair. Staff received an application for that work and entered it into the system this morning, but have yet to issue a permit for the repairs.

Mr. Brown presented photographs of the trusses, pointing out where the beam was cut and another installed. He noted the beam welds where it was spliced together. The columns sit directly on the floor slab. There is no padding. One column was not relevant since it will just hold up a marble decorative column. He noted where the depth was for the original trusses. They were cut shorter and they made their own for the replacement. They basically created a higher ceiling, without any structural engineered oversight, or any engineering inspections on the welds or anything else. He

submitted two (2) requests. One, that they hire a structural engineer, which they have done. And, that they have a special inspector involved to inspect the repair.

Mayor Skoog asked if the property owner obtained a permit to perform that work. Mr. Brown answered no. He does not know when the work was done, as City inspectors only noticed it when they were onsite performing a different inspection. Mr. Skoog said a permit was issued for tenant finishing and the building remodel, but shortening the beam was not included in that issuance. Mr. Brown said that was correct. A permit was issued for a bocce ball center, but that is on hold until the subject repair is complete. Given the circumstances, construction workers should not be onsite with the risk of the ceiling coming down due to lack of engineering. If a fire were to occur before this issue is addressed, firefighters should be advised to not walk near the center of the roof. Staff notified the Overland Park Fire Department, as well as the other fire departments in the extended community about the situation, in case they respond to a fire at this location or are called to assist.

Mr. Brown said staff took the steps they believe necessary to properly get the repair done. Resolution No. 5053 would set a hearing for October 6, 2025, to confirm that the repair has been done. If not, the Council can then take action on the unsafe condition that has been created.

Mayor Skoog explained that this resolution was designed to make sure situations that the City believes dangerous are made safe. The hope is always that unsafe and dangerous situations are resolved sooner than the hearing date set in the resolution, but those dates are set for a reason to allow staff sufficient time to work with the applicant, or the building owner, to resolve the issue.

Director of Planning and Development Services Leslie Karr noted that Section No. 4 of the resolution allows for the code official to cancel the hearing if the repair is made. If the Council requests a status report of the building in October, that section can be struck from the resolution at the time of motion.

Mr. Skoog asked Mr. Brown to relay any other property code issues at this property. Mr. Brown said the subject concern and violation required the involvement of nearly every division in the Planning and Development Services Department. The Building Safety group took the lead. In particular, Building Safety Team Supervisor Victor Finch, so not to overwhelm the building owner or applicant and when possible, work through an issue with one person/contact. This violation is being processed through the court system and staff began the abatement process. As of today, materials, gravel piles, pallets, and steel structures remain stored on the property on the north side of the building; erosion and sediment control measures remain outstanding; soil areas continue to lack vegetation; the front entry canopy remains in disrepair; brick columns and ceilings require repair; the dead trees and fallen light poles need to be removed and replaced; the existing parking lot lacks curbs and need repair; and the striping, signage, Americans with Disabilities Act (ADA) signage, curb ramps, access aisles, perimeter sidewalks, and trash enclosures need to be addressed.

Mr. Skoog said this project is brought to his attention on a regular basis. It takes time to enforce City ordinances and go through the court system. He asked for patience, as staff works their way through the issues to ensure the final results fit community expectation.

Mr. Scott Mosher felt there was a deeper issue in this particular circumstance. He asked if the City would be reimbursed for the staff time expended up to this point, along with all of the shoddy workmanship. It is one thing to catch them in an impermissible act, but if they had not been caught, the building would have just sat there in unsafe and dangerous condition. There needs to be ramifications, or the City should take some type of legal action to address this activity. Mr. Brown responded that per resolution, if the City catches anyone working without a permit, the permit fee is doubled. In the event they need to abate, the City can recoup the money. There is no way to bill the property owner for the staff time exhausted for that type of work. Mr. Mosher said people need to have knowledge of the City standards. He asked what would possess someone to do this type of work without City approval. Mr. Brown said that is a question for the building owner. Mr. Mosher asked if the Council would get another opportunity to speak to the building owner. Mayor Skoog replied not today, but possibly at the October 6, 2025, hearing. Mr. Mosher said there are many unanswered questions and staff has spent a significant amount of time working on this issue. He wants to protect the citizens of Overland Park and encouraged staff to continue their due diligence.

Mrs. Inas Younis asked what needs to happen between today and the October 6, 2025, hearing, in terms of ensuring the safety of anyone who might enter that building, break into it, or respond to a fire. Mr. Brown responded that he posted at the structure that section of the building cannot be occupied until the repairs have been made. The applicant's other projects are on hold, so other than the construction workers who are allowed to enter the building to work on the repair, no one else is allowed onsite to perform any work. His assumption is that the property owner will begin to work on the designed structural repair, which was prepared by the structural engineer they engaged.

Mrs. Grummert moved to approve Resolution No. 5053, setting a hearing for October 6, 2025, and direct staff to provide a progress report on the project status. Mr. Newlin seconded the motion.

Mr. Drew Mitrisin asked what actions are allowed by the Governing Body after the October 6, 2025, hearing. Mr. Brown explained that at that time, the Council will know if the building has been repaired, direct staff to hire the repairs be made, or direct staff to hire someone to tear it down.

Mrs. Melissa Cheatham offered a friendly amendment.

Mrs. Cheatham moved to strike Section No. 4 from Resolution No. 5053. Mr. Mosher seconded the motion.

Mayor Skoog asked if Mrs. Grummert's motion was to receive back a report.

Director of Planning and Development Services Leslie Karr said the motion on the table included a request for a progress report of the project at the October 6, 2025, hearing. Mr. Skoog felt that was included in the motion. Mrs. Cheatham said she would leave her motion, as stated.

Senior Assistant City Attorney Steve Horner said his understanding of the motion was that Resolution No. 5053 would be adopted as proposed, but if the hearing is cancelled by the building official, staff would still need to present a report to the

Council. There is a distinction to Mrs. Cheatham's suggestion to delete Section No. 4, in which case the hearing, regardless, would still be held on October 6, 2025.

Mrs. Cheatham said she would prefer to hold the hearing. Mr. Mosher concurred with Mrs. Cheatham. Mr. Skoog said that was a friendly amendment to the motion on the table. He asked if Mrs. Grummert would agree to the friendly amendment.

Mrs. Grummert asked that the Council receive a status report on October 6, 2025, even if the building department cancels the hearing.

Mr. Horner clarified that if the Council chose the hearing to happen regardless, whether the dangerous and unsafe situation is addressed by that time, the hearing will still take place and the building official will present a report and convey if they feel the matter had been sufficiently abated. The technical distinction between the two proposals is that the hearing will go forward regardless and provide for notice as required by statute. Even if the repairs happen by the end of this week, staff will still send out the notices and the hearing will take place on October 6, 2025. If the matter is resolved, staff will still informally report the status to the Council. Mrs. Grummert asked if that would be without necessarily having to do the notification and the hearing. Mr. Horner said that was correct. Mrs. Grummert asked what happens if staff decides the hearing is not necessary. Mr. Horner explained that the building official will give his report either way. They will relay to the Council if they feel the matter has been sufficiently addressed. The property owner's agent and any interested parties, such as a building tenant for example, would then have the ability to come before the Council, at which time the Council will make their decision. Mr. Skoog asked what the Council does at that point, if the problem has been resolved. Mr. Horner said at that point, the building official would report that the matter is resolved. At that time, the decision of the Council would be that the matter had been resolved and staff would recommend to not move forward with any further action.

Mrs. Cheatham asked if there was any expectation that the property owner would attend the hearing. Mr. Horner said the Council cannot compel attendance. The property owner will receive notice of the hearing and be advised he has the opportunity to address the Council in person at that time.

Mr. Mosher preferred that the property owner attend the hearing in person. Even if he moves forward and makes the necessary repairs, he wants to give him the opportunity to address the situation in person with the Council.

Mr. Skoog said if the property owner made the necessary repairs before the October 6, 2025, hearing, there would be no Council action. If the Council chooses to request a progress report and that the applicant for the building permit attend the hearing, he suggested amending the motion and request his attendance. Mr. Brown asked for clarification. The Mayor referenced the 'applicant,' but other councilmembers referenced the 'property owner.' He asked which they would prefer attend the hearing. Mr. Skoog felt the Council would like to have the building owner attend the hearing. Mr. Brown noted that acknowledgement.

Mrs. Grummert accepted the friendly amendment to the motion, to strike Section No. 4 of Resolution No. 5053 from the original motion. Mr. Newlin seconded the agreement to the amendment. The Mayor read the amended motion into record.

Mrs. Grummert moved to approve Resolution No. 5053, setting a hearing for

October 6, 2025, direct staff to provide a progress report on the project status, and remove Section 4. Mr. Newlin seconded the motion.

Mrs. Cheatham said she will support the motion. Oddly enough, because the property owner did something unsafe, it gave cause to bring them in to appear and speak before the Council. She remains concerned that the ordinances that are in place are inadequate to deal with these types of situations. She is fortunate that she does not live near the subject property. It is not acceptable that a building owner routinely disregards the City regulations, nor is it fair that the neighbors must withstand the situation. She suggested consideration be made to modify the current ordinances to introduce additional tools to ensure this activity does not continue. If changes need to be made to State law, they may consider those ahead of the upcoming legislative program. She urged the chair of the Community Development Committee and staff to consider making any necessary changes, in the event something like this were to happen again where they continue to see routine property code violations.

Therefore, the motion made by Mrs. Grummert and seconded by Mr. Newlin carried by a roll-call vote of 10 to 0.

Mrs. Grummert moved to approve Ordinance No. CON-3488, authorizing and providing for the acquisition of lands or interest therein by condemnation for the Switzer Road Improvement Project from 167th Street to 179th Street Project No. TH-2539). Mr. Kite seconded the motion, which carried by a roll-call vote of 9 to 0 to 1, with an abstention from Mr. Newlin.

REGULAR AGENDA:

COMMUNITY DEVELOPMENT – Committee Report:

Logan Heley, Chair

Chair Heley recognized that due to flash flooding, a resident was killed in southern Overland Park today as they were enjoying the City's trail network. He expressed his condolences to the family and cautioned everyone to be careful when there is any potential for flash flooding.

COMMUNITY DEVELOPMENT – PLANNING AND DEVELOPMENT SERVICES – Staff Report:

No report.

COMMUNITY DEVELOPMENT – PARKS AND RECREATION SERVICES – Staff Report:

No report.

PUBLIC SAFETY – Committee Report:

Melissa Cheatham, Chair

Chair Cheatham announced that National Night Out will take place on Tuesday, August 5, 2025, 5:00 p.m. to 7:00 p.m. Everyone is welcome. The two locations for the event are Sapling Grove Park and Windham Hill Park, which will be hosted by the Overland Park Police Department. There will be hot dogs, chips, snow cones, a

backpack giveaway, school supply giveaway, photo booth, a police canine demonstration, water balloon toss, and much more.

PUBLIC SAFETY – POLICE DEPARTMENT – Staff Report:

No report.

PUBLIC SAFETY – FIRE DEPARTMENT – Staff Report:

No report.

PUBLIC WORKS – Committee Report:

Jim Kite, Chair

The Public Works Committee will hold their monthly meeting at City Hall, Monday, July 23, 2025, at 7:00 p.m., in Conference Room No. 1.

PUBLIC WORKS – Staff Report:

No report.

FINANCE, ADMINISTRATION AND ECONOMIC DEVELOPMENT – Committee Report:

Chris Newlin, Chair

CHARTER ORDINANCE NO. 106 – Exempting the City of Overland Park from K.S.A. 13-1024a, 13-1024b, 13-1024c, and K.S.A. 12-1737, relating to the acquisition and improvement of public facilities and property, and the payment thereof.

Chair Newlin presented Charter Ordinance No. 106, exempting the City of Overland Park from K.S.A. 13-1024a, 13-1024b, 13-1024c, and K.S.A. 12-1737, relating to the acquisition and improvement of public facilities and property, and the payment thereof, which allows the City to remove itself from a State ordinance held against cities with populations greater than 200,000. Earlier this year, the City of Overland Park was certified by the Secretary of State as having approximately 204,000 residents. K.S.A. 13-1024c requires that anytime the City issues bonds within one (1) year over \$200,000, a city election is required of the people. This statute was approved in 1959, which was before home rule authority. For public clarity, the City would spend \$450,000 on the election just to bond \$200,000. Mr. Newlin relayed that Charter Ordinance No. 106 received unanimous approval by the Finance, Administration and Economic Development Committee last week. The ordinance will also allow the City to charter out of other provisions.

City Attorney Michael Koss clarified that the statute does not authorize anything above \$200,000, regardless of election. That is merely a result of the statute age. When the City issues bonds, they are pursuant to ordinance and not by outdated State law.

Mr. Newlin moved to approve Charter Ordinance No. 106, exempting the City of Overland Park from K.S.A. 13-1024a, 13-1024b, 13-1024c, and K.S.A. 12-1737, relating to the acquisition and improvement of public facilities and property, and the

payment thereof. Mrs. Grummert seconded the motion, which carried by a roll-call vote of 11 to 0, including a vote from Mayor Skoog.

FINANCE, ADMINISTRATION AND ECONOMIC DEVELOPMENT – Staff Report:

No report.

ECONOMIC DEVELOPMENT PUBLIC-PRIVATE PARTNERSHIP PROJECTS – Regular Agenda:

THIRD AMENDMENT TO GROUND LEASE AGREEMENT –U.S. Bank National Association, leasing of the right-of-way located adjacent to 12800 Foster for parking improvements.

Deputy City Manager Kristy Stallings presented a Third Amendment to Ground Lease Agreement with U.S. Bank National Association, leasing of right-of-way located adjacent to 12800 Foster for parking improvements. This third amendment is an agreement that was originally entered into by the City in 2010, for the benefit of the US Bank. US Bank constructed parking improvements on right-of-way adjacent to the location where they intended to operate 12800 Foster. They have elected to vacate that building at the end of the term of their current lease, November 30, 2025. The ground lease provides that the City may require them to remove those improvements from its right-of-way, upon the termination of their office lease. Staff notified US Bank of that requirement. US Bank requested additional time to accomplish that, as their lease expires, essentially, at the beginning of the winter. The Finance, Administration and Economic Development (FAED) Committee reviewed this item at their meeting on July 16, 2025, and entered a unanimous vote for approval.

Mr. Newlin moved to approve the Third Amendment to Ground Lease Agreement with U.S. Bank National Association, leasing of the right-of-way located adjacent to 12800 Foster for parking improvements. The motion was seconded by Mrs. Grummert.

Mr. Mitrisin said he enjoyed attending the History Week presentation last week. He appreciated Deputy City Manager Stallings' explanation of this project. Many of these US Bank jobs will remain in Overland Park, as they are merely moving to a new location.

The motion carried by a vote of 10 to 0.

RESOLUTION NO. 5054 – Approving the execution and delivery of a Redevelopment Agreement related to an economic development project located at the southwest corner of Metcalf and West 80th Street, pursuant to K.S.A. 12-1770 et seq., as amended (8036 Metcalf TIF Project).

Mrs. Stallings presented Resolution No. 5054, approving the execution and delivery of a redevelopment agreement related to an economic development project located at the southwest corner of Metcalf and West 80th Street, pursuant to K.S.A. 12-1770 et seq., as amended, otherwise known as the 8036 Metcalf TIF Project. The Finance, Administration and Economic Development (FAED) Committee unanimously directed staff at last week's meeting to prepare this resolution for authorization. The recommendation, in addition to directing staff to prepare the resolution and recommending Council adoption, included direction to staff after adoption to work

with the developer to finalize a tax increment financing (TIF) project plan for further review by the Committee. The first step is Committee review, then work with the developer to prepare and finalize a community improvement district (CID) petition for consideration by the Council in accordance with the statutory requirements, as well as preparation of a Resolution of Intent for the issuance of economic development revenue bonds (EDRBs) for the purpose of sales tax exemption. Those are all part of the package that has been discussed by the FAED Committee over the last several months for this project. The development agreement is merely an initial step. Staff does not expect, until a future date, that the TIF project and corresponding steps will occur before the Council. This development agreement essentially establishes the parameters based on the developer proposal, as well as negotiation of the development agreement. As such, although there are other voting requirements for the other project components, adoption of this resolution to approve the development agreement requires seven (7) votes of the Council. She recognized members of the City's outside counsel, as well as other staff members, who were present to answer any questions.

Mr. Newlin moved to approve Resolution No. 5054, approving the execution and delivery of a redevelopment agreement related to an economic development project located at the southwest corner of Metcalf and West 80th Street, pursuant to K.S.A. 12-1770 et seq., as amended, otherwise known as the 8036 Metcalf TIF Project, and to direct staff, upon adoption of said resolution, to work with the developer on finalization of a tax increment plan (TIF) for further review by the Finance, Administration and Economic Development Committee; work with the developer on the finalization of a community improvement district (CID) petition, and prepare for Council consideration, a resolution scheduling a public hearing before the Governing Body for the creation of said CID; and prepare a Resolution of Intent for the issuance of economic development revenue bonds (EDRBs), in an amount not to exceed \$35,000,000 for consideration by the Governing Body, all to be brought forward at a later date. Mrs. Grummert seconded the motion.

Mr. Newlin felt this was a great project. He applauded the FAED Committee for their work, and the negotiations staff worked on with the developer through the Committee's direction. This is the first big TIF project in the City for quite some time. There were standards that needed to be met, and everyone reached a happy medium, which is what negotiations are all about. He looks forward to the project, as he at one point, might have considered it to be a blighted area in the City, but it sits today as a blank slate, which he considers to be blight, and this project will greatly help the immediate area and boost the downtown Overland Park businesses with the residents it will draw. The 48 parking spaces that will result from this project will result in a better benefit for all downtown residents and visitors.

Mayor Skoog said the feedback from citizens, and those from all over the Kansas City metropolitan area, is how downtown Overland Park has transitioned, evolved, and the amazing gathering place it has become in a relatively short period of time. The community came together for Vision Metcalf. All of downtown Overland Park rezoned to set specific standards. This project fits perfectly with the community vision that was established. He is excited that Hunt Midwest has decided to build yet another project in downtown Overland Park, and looks forward to the continued process. The motion carried by a roll-call vote of 10 to 0.

RESOLUTION NO. 5055 – Approving the execution and delivery of a Development Agreement relating to the request for issuance of economic

development revenue bonds (EDRBs) for the purpose of financing a portion of the costs and labor, construction materials, renovation, equipment, and furnishings of an existing hospital facility for the purpose of obtaining a sales tax exemption (Overland Park Regional Medical Center EDRB Project).

Mrs. Stallings addressed Resolution Nos. 5055 and 5056 together, as they are connected, but require separate actions. In June 2025, the FAED Committee reviewed an application for economic development revenue bonds (EDRBs) for the purpose of a sales tax exemption for a two-phased renovation and expansion project of the Overland Park Regional Medical Center. After discussion, the Committee directed staff to prepare a Resolution of Intent, and negotiate a development agreement. In connection with that project, unlike many EDRB projects for sales tax exemption, this one is contemplated over a five-plus year period of time for completion. Staff recommended and the Committee agreed on a development agreement that is not as involved as other kinds, but to establish parameters for this project that will be done now through the end of 2030.

Mrs. Stallings explained that Resolution No. 5055 approves the delivery of the negotiated development agreement. It comes forward with a unanimous recommendation from the FAED Committee, and is recommended for approval.

Mr. Newlin moved to approve Resolution No. 5055, approving the execution and delivery of a development agreement relating to the request for issuance of economic development revenue bonds (EDRBs), for the purpose of financing a portion of the costs and labor, construction materials, renovation, and equipment and furnishings of an existing hospital facility, for the purpose of obtaining a sales tax exemption, otherwise known as the Overland Park Regional Medical Center EDRB Project. The motion was seconded by Mrs. Grummert.

Mrs. Cheatham said she will oppose the motion, as she did when it was first brought before the FAED Committee. She is very happy to have Overland Park Regional Medical Center in the community, but as she considers these types of requests, she always questions if the City really needs to offer EDRBs for projects. She asked a similar question at the Committee level and is not convinced of the case. She believes this is a long-planned project that does not require EDRBs to move forward.

Mayor Skoog relayed that there was an internal contest of the allocation of dollars for this project. He acknowledged that Mrs. Cheatham may be correct, in that the project may still come to fruition without EDRBs, but there was an internal competition of allocating internal capital to projects, and the EDRBs was key in Hunt Midwest's decision to invest in Overland Park, at least through the conversations in which he was involved.

Mr. Mitrisin said he has opined on EDRBs in the past and suggested tweaks. He understands that the FAED Committee will conduct a review of those concerns in their future discussions. At this time, there is no 'but for' clause in the EDRB policy, which will be discussed at greater length at future goal-area Committee meetings.

The motion carried by a roll-call vote of 8 to 2, with Councilmembers Cheatham and Mosher voting nay.

RESOLUTION NO. 5056 – Declaring the Intent of the City to issue Federally Taxable Private Activity Revenue Bonds, in two series in the aggregate principal amount not to exceed \$60,000,000, for the purpose of financing a portion of the costs of labor, construction materials, renovation, equipment, and furnishings of an existing hospital facility for the purpose of obtaining a sales tax exemption (Overland Park Regional Medical Center EDRB Project).

Mrs. Stallings stated that Resolution No. 5056 comes forward with a 5 to 1 vote for Council approval by the FAED Committee. The Council just approved the corresponding development agreement, and staff was recommending adoption of the Resolution of Intent, as presented.

Mr. Newlin moved to approve Resolution No. 5056, declaring the Intent of the City to issue Federally Taxable Private Activity Revenue Bonds (EDRBs) in two series in the aggregate principal amount not to exceed \$60,000,000, for the purpose of financing a portion of the costs of labor, construction materials, renovation, equipment, and furnishings of an existing hospital facility for the purpose of obtaining a sales tax exemption, otherwise known as the Overland Park Regional Medical Center EDRB Project. Mrs. Grummert seconded the motion, which carried by a roll-call vote of 8 to 2, with Councilmembers Cheatham and Mosher voting nay.

PLANNING COMMISSION – Consent Agenda:

None.

PLANNING COMMISSION – Regular Agenda:

None.

ADJOURNMENT

At 8:24 p.m., Mayor Skoog declared the meeting adjourned. Minutes transcribed by Cindy Terrell.

Curt Skoog, Mayor

ATTEST:

Elizabeth Kelley, City Clerk