

OVERLAND PARK CITY COUNCIL MEETING

March 24, 2025

Mayor Curt Skoog called the Overland Park City Council meeting to order at 7:31 p.m. The following members were present, constituting a quorum:

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

Also present were: Mrs. Lori Curtis Luther, City Manager; Mrs. Kristy Stallings, Deputy City Manager; Mr. Jack Messer; Assistant City Manager; Mrs. Kate Gunja, Assistant City Manager; Mr. Bryan Dehner, Assistant City Manager; Ms. Doreen Jokerst, Police Chief; Mr. Alan Long, Fire Chief; Mrs. Lorraine Basalo, Public Works Director; Mrs. Leslie Karr, Planning and Development Services Director; Mr. Michael Koss, City Attorney; Mr. Trevor Stiles, Senior Assistant City Attorney; Ms. Erin Ollig, Strategic Planning Manager; Mr. Mark Barksdale, IT Support Specialist; and Ms. Jesica Pierce, Recording Secretary. Approximately 18 people were in attendance.

PLEDGE OF ALLEGIANCE

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

OPEN PUBLIC COMMENT PERIOD

Mayor Curt Skoog opened the public comment period.

Kristi Uenishi, 8403 W. 150th St, stated this has become a municipal matter, though she would like to note she will be back in a couple of months to ask the Council to revoke the Special Use Permit on this property. On September 9, 2024, she had discussed this property and wished that it looked better. She had asked the Council to approve a time limit and they did so, providing the property owner 180 days. It has now been 196 days and it has become worse. In the past six months, the property owner removed the brick off the awning and it looks terrible, there is a 40-foot gravel pile behind the building along with debris, and there was facing that was illegally stored that has now been removed from the property. This facing was meant to be installed onto the building to improve its appearance. The property owner recently was required to obtain a special use permit to build signage and rather than obtaining this permit, they spray painted the sign black. The current municipal criminal charges include illegal exterior storage, no permit obtained for a fence construction, and construction without a permit. According to the limited public information, the property owner has disregarded the approved designs and permit requirements, failing many inspections with disregard as to how this should be handled. She would like something positive to happen with these properties. The grass is growing now and last year, the construction debris was spread across the field, which inhibited mowing, and the grass had to be cut with a weed-eater.

There is a new story about another building this person owns in Kansas City, Missouri. This property was turned into a protected site so the property owner could

not blight it. The news story read, the rapid decline of this structure demonstrates the use of demolition by neglect as a strategy to work around local laws. She noted this person is doing the same thing in Overland Park. She wished to update the Council on this matter and noted she sent councilmembers an email.

PUBLIC HEARING

FEDERAL FISCAL YEAR 2024 CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER) – Outlining the use of Community Development Block Grant (CDBG) funds during FFY2024.

RESOLUTION NO. 5020 – Approving the City’s Federal Fiscal Year (FFY) 2024 Community Development Block Grant (CDGB) Consolidated Annual Performance Evaluation Report (CAPER) and its submission to the Department of Housing and Urban Development (HUD).

Strategic Planning Manager Erin Ollig stated this period is to gather public comment on the Consolidated Annual Performance and Evaluation Report (CAPER) for the City’s Federal Fiscal Year 2024 Community Development Block Grant (CDBG) Program. This CAPER is an annual performance report that the City must submit to the U.S. Department of Housing and Urban Development (HUD) and it outlines how the City used CDBG funds for a program year, which is January 1, through December 31, 2024. During 2024, the City’s CDBG program dispersed more than \$765,000 that funded public services such as emergency utility and rental assistance for 372 Overland Park residents, 23 minor home repair program projects, 9 home weatherization projects, 5 neighborhood improvement projects, which were funding improvements in neighborhood parks, 3 accessible group home renovations, and program administration. As part of the CDBG citizen participation plan, the City must publish this report for people to review and provide comment on, and to hold this public hearing to receive final public comment before the City Council takes action. The report was made available on the City website and as a hard copy at City Hall for anyone interested in reviewing the report. The City did not receive any public comments during the public comment period, which was February 26, to March 14. She noted that at the request of HUD staff, they had to make a minor change to table CR-20 in the report, which was a technicality on how they were counting affordable housing units, though the City made the correction in the report that is now available. If this is approved, staff will submit the final report to HUD by the end of March. Tonight, there are two actions for the City Council; one action is to conduct a public hearing to gather final public comments, and the other action is to consider approving Resolution No. 5020, which approves the CAPER document and its submission to HUD.

Mayor Curt Skoog opened the public hearing period for the Federal Fiscal Year 2024 Consolidated Annual Performance and Evaluation Report (CAPER), outlining the use of Community Development Block Grant funds during Federal Fiscal Year 2024.

With no comments being made, Mayor Skoog closed the public hearing.

Ms. Holly Grummert moved to adopt Resolution No. 5020. Mr. Logan Heley seconded the motion, which passed by a vote of 11 to 0.

CONSIDER ESTABLISHMENT OF A TAX INCREMENT FINANCING REDEVELOPMENT DISTRICT – 8036 Metcalf Redevelopment Project, on the southwest corner of Metcalf Avenue and West 80th Street.

ORDINANCE NO. RD-3482 – Making findings and establishing a Redevelopment District on the southwest corner of Metcalf and West 80th Street, pursuant to K.S.A. 12-1770 et seq., as amended (8036 Metcalf TIF Project).

Assistant City Manager Jack Messer stated this is to consider the establishment of a Tax Increment Financing (TIF) Redevelopment District. This item has been before the Council in the past. The request includes other tools as well, but this is reserved for the discussion of the TIF district. The purpose tonight is to hold a public hearing and if the Council decides to take action to establish the district, these are the actions that primarily occur as part of it. The district being discussed is at 8036 Metcalf at the corner of Metcalf and 80th Street and it involves the UMB Bank that was built in 1956, which is a contiguous vacant site. The eligible area is through the TIF act. This is mixed-use project that has been through a variety of actions to include the Planning Commission and City Council. The Finance, Administration, and Economic Development (FAED) Committee has considered the strategic investment request. The date for this public hearing was February 3. This is a two-step process. The action tonight would only establish the district and there are no projects or financing plans being approved. Following the public hearing, staff will continue to negotiate a development agreement, final feasibility and a financial analysis will occur. Before a financing project comes before the Council, the applicant would have to prepare a project plan and bring it to the Council. Possible actions include opening and holding the public hearing, and then to consider action on the ordinance, which makes findings and establishes the district. He noted the applicant and his counsel are present for any questions that may arise.

Mayor Skoog opened the public hearing for consideration of a tax increment financing redevelopment district at 8036 Metcalf.

With no comments being made, Mayor Skoog closed the public hearing.

Mrs. Holly Grummert asked if there is a timeline for this after the public hearing and negotiations are completed. Mr. Brenner Holland, Hunt Midwest, stated there was discussion at the Finance, Administration, and Economic Development Committee meeting about beginning after the World Cup and Farmers' Market, and beginning of 2027. Ms. Grummert clarified this would start after the World Cup. Mr. Holland stated yes.

Ms. Grummert moved to approve Ordinance No. RD-3482. The motion was seconded by Mr. Heley.

Mr. Heley stated this is an exciting project in downtown Overland Park and he is excited to have over 200 units of housing coming to key parts of the City in the Metcalf corridor in a strategic investment area. He has been in touch with the applicant about ensuring that the redevelopment agreement is aligned with the City's sustainability and housing goals, and they have had good conversations, which he looks forward to continuing as they head towards the project planning and renegotiation of the redevelopment agreement. He thanked the applicant for continuing to invest in downtown Overland Park.

Mayor Skoog stated it is always important to remind the public of why they consider tax increment financing. This is because the project cannot happen without it and it is up to the Council to decide if this project meets the purposes of any City plan along the corridor. The City website includes information about Tax Increment Financing, and residents can find a report that was recently done that shows the impressive economic results of the incentives that they have provided and the projects that they have done TIF on. They have delivered projects that meet the community's planning processes and have moved towards implementing the community's vision. TIF is to make up the difference that the private sector is not able to fill, and in this case, it is because it is a smaller site where, unlike south Overland Park that has plenty of area for a parking lot, this will have a parking structure underneath it, and will have a combination of parking spots not only for the building's visitors, but also will have shared parking for the general public. This is primarily where the TIF dollars will go, as well as to utility work and other expenses related to delivering this project that could not be done without the City's assistance. It is important to know how the City does TIFs; the City does not write a check to the developer at the beginning of the project but rather, the developer has to earn a reimbursement for their work. They have qualifying expenses that are submitted to the City and verified, and once those expenses are verified, then as property tax increment is created over the life of the TIF, they earn the ability to get reimbursed for those expenses over the life of the TIF. More information about TIFs can be found through opkansas.org in the report the City conducted on the economic return on the projects they have done so far.

The motion passed by a roll-call vote of 11 to 0.

MAYOR CURT SKOOG

Mayor Skoog stated last Thursday, many City Council members joined him for Iftar, which is the breaking of the fast of Ramadan in the Muslim religion. They had a great turnout at the Matt Ross Community Center. This event was held by the Dialogue Institute, which is focused on building bridges and awareness across the community of different beliefs and backgrounds. It is a joy to participate in events that build bridges across our diverse community. He thanked the Councilmembers who joined him for that event.

The Farmer's Market opens April 16, and this year it is at the Matt Ross Community Center parking lot as the City rebuilds the former site, which is now called Clock Tower Landing.

PROCLAMATION – Proclaiming March 27, 2025, as Tuskegee Airmen Commemorative Day in Overland Park.

Mr. Gregg Riess stated prior to World War 2, African Americans had very limited roles in the defense of the United States and none in military aviation. The rapid expansion of aircraft production during World War 2 created a greater need for military pilots. Public outcry from Civil Rights groups and black professional organizations encouraged by the United States War Department to extend all military members the opportunity to fly airplanes. The United States War Department Civilian Pilot Training Program (CPTP) authorized colleges and universities to train students in order to increase the number of civilian pilots and thereby increase the nation's military preparedness. Alabama's Tuskegee Institute was one of six black colleges and universities chosen to participate in CPTP, and was later selected to offer advanced

training, and finally became the sole site for the segregated military flight training. March 22, 1941 is significant to the Tuskegee Airmen, as it is the fourth Thursday of the month of the 99th Pursuit Squadron, the nation's first all-black pursuit squadron, was activated into the United States Army Air Corp. Mayor Curt Skoog proclaimed March 27, 2025, as Tuskegee Airman Commemorative Day in Overland Park and urged all residents to honor and learn more about the enduring legacy of the Tuskegee Airmen.

Mayor Skoog introduced Omar Rodgers to receive the proclamation. Mr. Omar Rodgers stated he would like to thank the Mayor, City Council, and Overland Park, because they have been a friend of the Tuskegee Airmen for many years. For the past 26 years they have held their scholarship luncheon at the Marriott hotel on Metcalf. This is a time they honor those who made it possible for people like himself to do the things he did while he was in the military. Those who went through the hardships of World War 2 made a pathway for him to step on their shoulders so that he had a career he could enjoy. The things they endured as well as the accomplishments they made led them to become career soldiers. There was not a United States Airforce in World War 2 but rather, there was only the United States Army Air Corp. The Airforce would not come to be until 1947, so the Tuskegee Airmen were not named during World War 2 and were named many years later after the press called them that. During the war they were called the 99th Pursuit Squadron. He thanked the City for what they have done for them, for recognizing them, and for continuing to do so.

Mayor Skoog thanked Mr. Rodgers for his service.

PROCLAMATION – Proclamation March 31 through April 8, 2025, as SevenDays of Kindness in Overland Park.

Ms. Inas Younis stated Seven Day of Kindness provides opportunities encouraging all people to participate in activities that promote and practice kindness. This begins Monday, March 31, and will feature a Cultivate Kindness breakfast on Wednesday, April 2, a celebration of youth and announcement of the fifth annual Ripple of Kindness Award Recipients, the activities will continue through Tuesday, April 8. SevenDays of Kindness continues its daily themes of love, discover, others, connect, you, go, and onward, as we bring people from walks of life together to overcome hate with acts of kindness. The memories of three wonderful and unique people, Reat Griffin Underwood, Dr. William Lewis Corporon, and Terry LaManno, will be honored through kindness and understanding. SevenDays of Kindness expands its acts of compassion, acceptance, and understanding to those who gather. Mayor Skoog, proclaimed March 31, through April 8, 2025, as SevenDays of Kindness in Overland Park, and urged all residents to engage in acts of kindness throughout the week and remember the events of April 13, 2014, not only for the losses of that day, but also for the significance of the powerful and enduring vow to overcome hate with kindness.

Mayor Skoog stated Overland Park is part of Strong Cities, and he has the pleasure of visiting Germany last year to discuss fighting hate across the world and how local governments can make an impact. He discussed this program and Overland Park's role.

Ms. Mindy Corporon stated she is the co-founder of SevenDays of Kindness and eleven years seems like a lifetime though it seems like yesterday. She cannot thank Overland Park enough. Councilmembers have given them permits for walks, let them block

streets, helped them engage the police, and have been involved with everything they do. She noted the SevenDay youth leaders will be attending an Iftar tomorrow evening. Keith Kennedy was on their board, who was a Tuskegee Airman. We are connected as humans. Their program offers a Kindness Youth Leadership team who are freshmen through seniors in high school and they are amazing. They initially planned to help the students learn how to offer and influence kindness, though they are often a platform for students who do kind actions on their own. There is always room for kindness and making a choice to be kind, which is what they promote. She thanked the City for helping them. Residents can find their organization at sevendays.org for resources such as bookmarks, stickers, and kindness cards.

Mayor Skoog asked if they will be hosting the walk this year. Ms. Corporon stated no, they would encourage residents to find seven days in a row to be kind and though it seems easy, it is difficult. There are resources on their website to help them do so and remind them that once they are kind for seven days in a row, they can do it repeatedly. The breakfast is their largest fundraiser and while the walk was wonderful and got people together, they did not feel it exemplifies their mission. They felt it was better to spend time on the youth.

COUNCIL PRESIDENT HOLLY GRUMMERT

Ms. Holly Grummert stated they are sending the spring Overview newsletter to residents mailboxes soon and there are key features such as opportunities to recycle this spring, keeping your home safe while traveling, and reserving a park shelter online for summer gatherings at the City's 84 parks. The Deanna Rose Children's Farmstead opens April 1, at 9:00 a.m. She encouraged residents to plan their activities accordingly for the summer.

REPORT FROM THE COMMITTEE-OF-THE-WHOLE MEETING HELD ON MONDAY, MARCH 24, 2025

2026-2030 FIVE-YEAR FINANCIAL PLAN, CAPITAL IMPROVEMENTS PROGRAM, AND MAINTENANCE PROGRAM

Ms. Grummert moved that the City Council approve the 2026-2030 Five Year Fiscal Financial Plan, Capital Improvements Program, and Maintenance Program, as presented for public hearing purposes, and to schedule a public hearing on the Capital Improvements Program to be held at the April 7, 2025, Planning Commission meeting, schedule a public hearing on the 2026-2030 Five Year Fiscal Financial Plan, Capital Improvements Program, and Maintenance Program to be held at the April 21, 2025, City Council meeting, and schedule City Council adoption of the 2026-2030 Five Year Fiscal Financial Plan, Capital Improvements Program, and Maintenance Program, for budget planning purposes for the April 21, 2025, City Council meeting following the public hearing. The motion was seconded by Mr. Chris Newlin.

Mr. Heley stated he would like to explain his vote to stay consistent with the Committee-of-the-Whole meeting held earlier this evening and would summarize his comments. While he strongly supports the Metcalf pedestrian trail project's overall goals, he cannot support the 2026-2030 Capital Improvements Program recommendation tonight due to serious concerns regarding the projects inadequate mitigation of mature tree removal. He hopes to continue conversations with City staff to find a solution to allow the City to move forward with the vital Metcalf pedestrian

trail project, while also honoring the importance of mature trees and street trees within the community.

Ms. Melissa Cheatham stated at the Committee-of-the-Whole meeting, they also discussed the timing and source of funds for the Bluejacket pool demolition. She asked City Manager Lori Curtis Luther to confirm the demolition cost will be \$150,000 paid for out of operating contingency and not out of the Capital budget. City Manager Lori Curtis Luther stated that is the estimated cost and the source is operating contingency. Ms. Cheatham stated there was a discussion as to whether to delay the demolition until after the conclusion of the PlaybookOP plan and there was not support for that, though she appreciates everyone in the community who weighed in.

The motion passed by a roll-call vote of 10 to 1, with Mr. Heley voting nay.

CITY MANAGER LORI CURTIS LUTHER

City Manager Lori Curtis Luther stated she has the honor of publicly announcing that Overland Park recently ranked in the top five happiest cities out of 180 cities in America according to Wallet Hub. Overland Park is an exceptional place to live, work, and play, and she believes that they also recognized the Council's commitment to maintain a high quality of life. She congratulated the City.

CHANGE ORDER NO. 3 TO CONTRUCTION MANAGER AGREEMENT –

McCownGordon Construction, LLC, for structural concrete for Clock Tower Landing, in the amount of \$4,480,234.

Assistant City Manager Kate Gunja stated this includes the structural concrete, retaining walls, slab on grate, structural steel, and timbers for the pavilion. The package also includes funding for the project's special inspections and owner contingency. The concrete work is anticipated to begin in May, followed by the vertical construction beginning in July. There are ongoing construction updates and communications with the Downtown Business Improvement District, and more recently there has been direct contact with businesses and property owners directly adjacent to the project that the work is impacting. The last Capital Improvements Program construction update was part of the Downtown Overland Park Partnership (DOPP) annual meeting that was held on February 27. The next in-person update will be held in April or May. They are working to hold these in-person updates every two months. The estimated project completion date remains May 2026 and staff recommends approval of Change Order No. 3 to the agreement with McCownGordon Construction, LLC, in the amount of \$4,480,234. A McCownGordon representative is present to assist in answering questions.

Mayor Skoog stated the language concerning change orders may confuse some residents. He asked if this is within the original budget that was approved. Ms. Gunja stated yes. This is the regular, anticipated process for this project.

Ms. Grummet moved to approve Change Order No. 3 to the construction manager agreement with McCownGordon Construction, LLC, in the amount of \$4,480,234. The motion was seconded by Mr. Heley.

Ms. Cheatham stated if they could come up with a different wording rather than change order to characterize it, it would be helpful for the City. The wording sounds

like something is going different than planned. This is the execution of the next phase of work in this plan. If it is legally permissible to call it something other than a change order, that would be clarifying.

The motion passed by a vote of 11 to 0.

Mayor Skoog encouraged residents to see the new design drawings for Clock Tower Landing by visiting opkansas.org and searching for Clock Tower Landing.

Mrs. Gunja noted for the Council, the Farmers' Market opening date is Saturday, April 19. Wednesday hours will begin later in the season.

CONSENT AGENDA:

COMMUNITY DEVELOPMENT – COMMITTEE REPORT

BID TABULATION – Kansas Land Management, LLC, for 2025-2026 Park Mowing, in an amount not to exceed \$371,856.

BID TABULATION – Supreme Green Landworks, LLC, for 2025-2026 Median Mowing, in an amount not to exceed \$432,000.

BID TABULATION – Rejecting the bid for the 95th Street Sustainable Medians project.

COMMUNITY DEVELOPMENT – STAFF REPORT

AGREEMENT – DebrisTech, LLC, to provide contract debris monitoring services during disasters. Costs will only occur at time of execution based on a set fee schedule.

RESOLUTION NO. 5034 – Setting a public hearing for March 2, 2026, pursuant to K.S.A 12-1752 and Overland Park Municipal Code Section 7.25.110; concerning the unsafe and dangerous situation structure at 9536 Horton.

PUBLIC SAFETY – COMMITTEE REPORT

INTERLOCAL AGREEMENT – Board of County Commissioners of Johnson County, by and through the Johnson County Mental Health Center, for co-responder services for a four-year period, with a one year renewal option.

ORDINANCE NO. TC-3481 – Relating to express toll lanes on U.S. 69 and prohibiting the crossing of a double white line marking such express toll lane.

PUBLIC WORKS – STAFF REPORT

RESOLUTION NO. 5032 – Declaring the intention of the Governing Body to construct the Police Training Facility; authorizing the issuance of general obligation bonds to pay the costs thereof.

FINANCE, ADMINISTRATION, AND ECONOMIC DEVELOPMENT – STAFF REPORT

COUNCIL MINUTES – November 18, and December 16, 2024.

CONFIRMATION OF INVESTMENTS

EXPENDITURE ORDINANCE NO. 2B – Outlining the expenditures from the General Operating Fund and the Capital Projects Fund for February 14 through February 27, 2025.

EXPENDITURE ORDINANCE NO. 2B – Outlining the expenditures from the General Operating Fund and the Capital Projects Fund for February 28 through March 13, 2025.

FOURTH AMENDMENT TO CONVENTION CENTER OPERATING AGREEMENT – Global Spectrum, LP, d/b/a Oak View Group.

EIGHTH AMENDMENT TO CONVENTION CENTER FOOD SERVICES MANAGEMENT AGREEMENT – Aramark Sports and Entertainment Services, LLC.

Mrs. Grummert moved to approve the Consent Agenda. The motion was seconded by Mr. Heley, which passed by a roll-call vote of 11 to 0.

REGULAR AGENDA:

COMMUNITY DEVELOPMENT – Committee Report:

Logan Heley, Chair

No report.

COMMUNITY DEVELOPMENT – PLANNING AND DEVELOPMENT SERVICES – Staff Report:

No report.

COMMUNITY DEVELOPMENT – PARKS AND RECREATION – Staff Report:

No report.

PUBLIC SAFETY – Committee Report:

Melissa Cheatham, Chair

No report.

PUBLIC SAFETY – POLICE DEPARTMENT – Staff Report:

No report.

PUBLIC SAFETY – FIRE DEPARTMENT – Staff Report:

No report.

PUBLIC WORKS – Committee Report:

Jim Kite, Chair

Mr. Jim Kite stated the Public Works Committee will be meeting at City Hall on Wednesday night 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

REPORT FROM FINANCE, ADMINISTRATION, AND ECONOMIC DEVELOPMENT COMMITTEE MEETING HELD ON MONDAY, MARCH 24, 2025:

2025-2026 PROPERTY AND LIABILITY INSURANCE PROGRAM:

PROPERTY INSURANCE – Federal Insurance Company, in an amount not to exceed \$560,000 for the term of April 1, 2025, to April 1, 2026.

LIABILITY INSURANCE – Travelers Indemnity Company, in an amount not to exceed \$530,000 for the term of April 1, 2025 to April 1, 2026.

CYBER LIABILITY INSURANCE – Lloyds of London and Coalition, in an amount not to exceed \$225,000, for the term of April 1, 2025 to April 1, 2026.

FOREIGN LIABILITY INSURANCE – AIG, in an amount not to exceed \$2,500, for the term of April 1, 2025 to April 1, 2026.

Mr. Chris Newlin moved to approve the 2025-2026 Property and Liability Insurance Program for the term of April 1, 2025, to April 1, 2026, with the Federal Insurance Company in an amount not to exceed \$560,000, for property insurance; Travelers Indemnity Company, in an amount not to exceed \$530,000 for the term of April 1, 2025, to April 1, 2026, for liability insurance coverage; Lloyds of London and Coalition, in an amount not to exceed \$225,000, for the term of April 1, 2025, to April 1, 2026, for cyber liability insurance coverage; and AIG, in an amount not to exceed \$2,500, for the term of April 1, 2025, to April 1, 2026, for foreign liability insurance coverage. The motion was seconded by Mr. Sam Passer, which passed by a vote of 11 to 0.

SELECTION OF VENDOR AND APPROVAL OF AGREEMENT – Kansas Occupational Medicine Services, LLC, d/b/a Conservative Care Occupational Health, for a one-year term with the option of four one-year extensions, in the estimated amount of \$228,000 per year.

Mr. Newlin moved to approve the selection of Kansas Occupational Medicine Services, LLC, for services relating to occupational health and safety program and approval of agreement for the same. The motion was seconded by Mr. Passer, which passed by a vote of 11 to 0.

AUTHORIZATION TO NEGOTIATE THIRD AMENDMENT TO AGREEMENT – CyberForceQ, LLC, to provide managed security services, for a two-year period in an amount not to exceed \$333,724.

Mr. Newlin moved to approve and provide authorization to negotiate a third amendment to the agreement with CyberForceQ, LLC, to provide managed security services, for a two-year period in an amount not to exceed \$333,724. Mr. Passer seconded the motion, which passed by a vote of 11 to 0.

RESOLUTION NO. 5033 – Authorizing the issuance of certain checks and the use of city purchasing cards for payment of goods and services prior to approval of the expenditure ordinance and providing the procedure for the same.

Mr. Newlin moved to adopt resolution No. 5033. Mr. Passer seconded the motion, which passed by a vote of 11 to 0.

FINANCE, ADMINISTRATION AND ECONOMIC DEVELOPMENT – Staff Report:
Kristy Cannon Stallings, Deputy City Manager

No report.

ECONOMIC DEVELOPMENT PUBLIC-PRIVATE PARTNERSHIP PROJECTS – REGULAR AGENDA:

ORDINANCE NO. TDD-3483 – Terminating the Oak Park Mall Transportation Development District, pursuant to K.S.A. 12-17-140 et seq. and amendments thereto (Oak Park Mall TDD).

Deputy City Manager Kristy Stallings stated this ordinance would authorize the termination of the Oak Park Mall Transportation Development District. This CID one-half-of-a-cent sales tax secured transportation development district revenue bonds that were issued in 2010, which were scheduled to be paid off on April 1, 2032. In 2022, the City Council authorized the refunding of those bonds, and the refunded bonds will be fully redeemed on April 1, 2025. The passage of the ordinance will terminate the Oak Park Mall TDD sales tax, and will discontinue the tax effect July 1, 2025.

Ms. Grummert moved that the City Council pass Ordinance No. TDD-3483. The motion was seconded by Mr. Newlin.

Mr. Heley asked because the end date is an estimate, it seems there is a chance that there may be more revenue collected than necessary, and what happens to the excess. Ms. Stallings stated that is correct, and the TDD Act provides for the sales tax to be used for any other governmental purpose that the City Council deems appropriate. There will not be a final number or recommendation on how to approach it or what to do with the funds. The City will retain it until the decision is made. Mr. Heley asked if there is any previous experience with this. Ms. Stallings stated Oak Park Mall Transportation Development District is one of the few projects for which the City Council issued revenue bonds, which is not part of the normal policy and practice. There is not much experience with this because they have not issued bonds before the date that was originally contemplated. There are no past experiences to refer to.

Ms. Cheatham asked what the impact will be on shoppers at the mall. Ms. Stallings stated the current TDD sales tax is a half cent, and effective July 1 that sales tax would no longer be assessed on sales at the mall. Ms. Cheatham asked it would be impactful if the mall paid it off early, such as if the mall did better than expected. She asked if it is correct that the cost-benefit calculation done when this was enacted may conclude that it generated more sales than expected, and the long-term benefits will be seen sooner than expected. Ms. Stallings stated it is less linear, and the way the bonds are structured has a large impact. The bonds are structured in a way that allowed for repayment of the bonds in an accelerated manner than the conservative approach in how they were structured to enable paying more off earlier, which put the City in a position to have a favorable interest rate environment and use a debt service reserve fund to further lower the debt when there was an option to refund. As originally contemplated, the sales performance at the mall performed as expected and the structure of the bond issue enabled the City to receive the payments more quickly, thereby saving interest costs and eliminating the TDD sales tax. She added the Oak Park Mall owner, CBL Properties, who invested in and purchased the mall in the mid-2000s, made a significant effort and investment in upgrading through transportation improvements, as well as other improvements at the mall, that has served the City well. This is a challenging environment for shopping malls and Oak Park Mall is still a viable and important sales tax producer and gathering space in the City.

The motion passed by a roll-call vote of 11 to 0.

ORDINANCE NO. B-3484 – Authorizing the City to issue Federally Taxable Private Activity Bonds, Series 2025, in the principal amount not to exceed \$1,445,850 for the purpose of financing a portion of the costs of labor, construction materials, equipment, and furnishings of a commercial facility and authorizing the execution of certain documents in connection with the issuance of the Bonds (Stone Manor EDRB Project).

TRUST INDENTURE – Security Bank of Kansas City.

BASE LEASE AGREEMENT - Between Stone Manor, LLC, and the City.

LEASE AGREEMENT - Between the City and Stone Manor, LLC.

BOND PURCHASE AGREEMENT – Stone Manor, LLC.

Mrs. Kristy Stallings, stated this ordinance would authorize the issuance of economic development revenue bonds for the Stone Manor Economic Development Revenue Bond (EDRB) Project for the building also known as the Strang Car Barn. A resolution of intent was passed by the City Council last fall and renovations to that property are nearing completion and issuance of the bonds perfects that process that began last fall.

Mayor Curt Skoog stated it is exciting to see the progress.

Mrs. Holly Grummert moved to pass Ordinance No. B-3484, authorizing the City to issue Federally Taxable Private Activity Bonds, Series 2025, in the principal amount not to exceed \$1,445,850 for the purpose of financing a portion of the costs of labor, construction materials, equipment, and furnishings of a commercial facility and authorizing the execution of certain documents in connection with the issuance of the

Bonds (Stone Manor EDRB Project), which was seconded by Mr. Newlin and passed by a roll-call vote of 11 to 0.

RECOMMENDATIONS FROM THE PLANNING COMMISSION:

PLANNING COMMISSION - REGULAR AGENDA:

No report.

OLD BUSINESS:

No report.

NEW BUSINESS:

No report.

ADJOURNMENT

At 8:22 p.m., Mayor Skoog declared the meeting adjourned. Minutes transcribed by Jessica Pierce.

Curt Skoog, Mayor

ATTEST:

Elizabeth Kelley, City Clerk