

CITY OF NORTH KANSAS CITY, MISSOURI SPECIAL CITY COUNCIL MEETING

**December 29, 2020
6:00 p.m.**

As a precautionary measure during the Covid-19 Pandemic, this meeting will be held virtually, Mayor, City Council members and City staff joining the meeting through an on-line platform.

No public comment will be taken at this meeting. Any member of the public wishing to view this meeting may use this link: <https://us02web.zoom.us/j/82460000594>, or join by telephone by calling (312) 626-6799 and using Webinar ID: 824 6000 0594

AGENDA

- 1. Call to Order**
- 2. Roll Call**
- 3. Side Letter Agreement with 18TH & Swift, LLC–Extension of Infrastructure Commencement Date to January 31, 2021 [Resolution No. 20-079]**

Based upon 18th & Swift, LLC's desire to deliver a high-quality project within the City's downtown business district and needing additional time to accomplish this objective, 18th & Swift, LLC has requested that the City extend the deadline for commencement of construction of the infrastructure work as such term is generally referred to in the Restated Agreement from December 28, 2020, to January 31, 2021 pursuant to the terms of this Side Letter Agreement. By the City granting the extension of the deadline to commence infrastructure construction work on the Project to January 31, 2021, 18th & Swift, LLC will not need immediate possession of the existing Parking Lot on the Project site and, therefore, is willing to grant to the City a new Temporary License Agreement. Staff recommends approval of the side letter agreement.

4. **Temporary License Agreement with 18th & Swift, LLC [Bill No. 7570—Ordinance No. 9367)]**

The City currently has a temporary license agreement with 18th & Swift, LLC for the parking lot generally located immediately south of 18th Avenue, east of Clay and west of Swift (the "Parking Lot"), which expires on December 29, 2020. Inasmuch as the developer of the Parking Lot property is not ready to commence construction of the infrastructure on the property yet, the developer has indicated a willingness to allow the City and its citizens, businesses, employees, guests, patrons, customers, visitors, and agents to continue to use the parking lot for public parking purposes. There is no cost for use of the property, though the City must provide appropriate insurance and indemnification in case of an accident while the Parking Lot is being used under a new temporary license agreement. Before the City Council for consideration is a new temporary license agreement beginning December 30, 2020. Either party may terminate the temporary license agreement by giving 2 days written notice to the other party. Staff recommends approval of the new temporary license agreement.

5. **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.

**Minutes of the North Kansas City, Missouri Special City Council Meeting of
December 29, 2020**

The City Council met in special session on Tuesday, December 29, 2020, via an on-line platform at 6:00 p.m. As a precautionary measure during the Covid-19 Pandemic, this meeting was held virtually, with the Mayor, City Council members and City staff joining the meeting through an on-line platform.

The following were present:

Mayor: Don Stielow
Councilmembers: Bryant DeLong
Anthony Saper
Jesse Smith
Lisa Tull - Absent
Zachary Clevenger
Rick Stewart
Amie Clarke
Tom Farr

Staff Present: Eric Berlin, City Administrator
Kim Nakahodo, Assistant City Administrator
Kevin Freeman, Police Chief
Dave Hargis, Fire Chief
Sara Copeland, Community Development Director
Pat Hawver, Public Works Director
Casey Campbell, HR Manager
Tom Barzee, City Counselor
Nick Hawkins, Finance Manager
Crystal Doss, City Clerk

Mayor Stielow called the meeting to order at 6:00 p.m.

The roll was called. The following councilmembers were present: Rick Stewart, Amie Clarke, Tom Farr, Bryant DeLong, Anthony Saper, Jesse Smith, and Zachary Clevenger. Councilmember Lisa Tull was absent.

Roll Call

Consideration of a Resolution a Side Letter Agreement Between the City and 18th & Swift, LLC Extending the Time to Commence Infrastructure Construction (Resolution No. 20-079). City Administrator Berlin stated that based upon 18th & Swift, LLC's desire to deliver a high-quality project within the City's downtown business district and needing additional time to accomplish this objective, 18th & Swift, LLC has

Resolution No. 20-079
– Side Letter
Agreement with 18th &
Swift, LLC – Extension
of Infrastructure

requested that the City extend the deadline for commencement of construction of the infrastructure work as such term is generally referred to in the Restated Agreement from December 28, 2020, to January 31, 2021 pursuant to the terms of this Side Letter Agreement. By the City granting the extension of the deadline to commence infrastructure construction work on the project to January 31, 2021, 18th & Swift, LLC will not need immediate possession of the existing parking lot on the Project site and, therefore, is willing to grant to the City a new Temporary License Agreement. Staff recommends approval of the side letter agreement.

Commencement Date
to January 31, 2021

Discussion ensued. C. Farr moved to approve Resolution No. 20-079, seconded by C. Smith. The roll was called and the vote was as follows: C. Stewart, yes – C. Clarke, yes – C. Farr, yes – C. DeLong, yes – C. Saper, no – C. Smith, yes, C. Tull, absent – C. Clevenger, yes. Motion carried, 6-1.

Consideration of an Ordinance Adopting and Approving a Temporary License Agreement By and Between the City of North Kansas City, Missouri, and 18th & Swift, LLC, for the Temporary Use of a Certain Parking Lot in the Possession of 18th & Swift, LLC {Bill No. 7570 (Ordinance No. 9367)}. City Administrator Berlin stated that the City currently has a temporary license agreement with 18th & Swift, LLC for the parking lot generally located immediately south of 18th Avenue, east of Clay and west of Swift (the "Parking Lot"), which expires on December 29, 2020. Inasmuch as the developer of the Parking Lot property is not ready to commence construction of the infrastructure on the property yet, the developer has indicated a willingness to allow the City and its citizens, businesses, employees, guests, patrons, customers, visitors, and agents to continue to use the parking lot for public parking purposes. There is no cost for use of the property, though the City must provide appropriate insurance and indemnification in case of an accident while the Parking Lot is being used under a new temporary license agreement. Before the City Council for consideration is a new temporary license agreement beginning December 30, 2020. Either party may terminate the temporary license agreement by giving two days written notice to the other party. Staff recommends approval of the new temporary license agreement. C. DeLong moved to place Bill No. 7570 on first reading, seconded by C. Stewart. The roll was called, and the vote was as follows: C. Stewart, yes – C. Clarke, yes – C. Farr, yes – C. DeLong, yes – C. Saper, no – C. Smith, yes, C. Tull, absent – C. Clevenger, yes. Motion carried, 6-1. Bill No. 7569 was read. C. DeLong moved that Bill No. 7570 be placed on second and

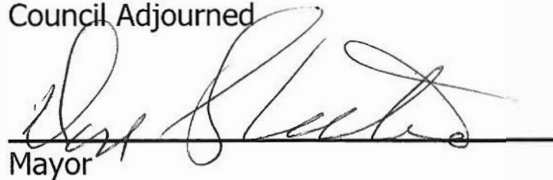
Ordinance No. 9367 –
Temporary License
Agreement with 18th &
Swift, LLC

final reading and passed as Ordinance No. 9367, seconded by C. Farr. The roll was called, and the vote was as follows: C. Stewart, yes – C. Clarke, yes – C. Farr, yes – C. DeLong, yes – C. Saper, no – C. Smith, yes – C. Tull, absent – C. Clevenger, yes. Motion carried, 6-1. Bill No. 7570 was read. Thereupon Mayor Stielow declared the motion carried and the Bill duly passed. Said Bill was then numbered 9367 was signed and approved by the Mayor and attested by the City Clerk.

C. Smith moved to adjourn at 6:07 PM, seconded by C. Farr. The roll was called, and the vote was as follows: C. Stewart, yes – C. Clarke, yes – C. Farr, yes – C. DeLong, yes – C. Saper, yes – C. Smith, yes – C. Tull, absent – C. Clevenger, yes. Motion carried, 8-0.

Adjournment

Council Adjourned



Handwritten signature of the Mayor, appearing to be "Dan Stielow", written over a horizontal line.

Mayor

Attest:



Handwritten signature of the City Clerk, appearing to be "Crystal Din", written over a horizontal line.

City Clerk

Approved this 5th Day of January 2021