



From City Council meeting . . . to Business Council MEMBERS ONLY

Prepared by Rich Groves, Executive Director
North Kansas City Business Council
February 21, 2023

Note: As a reminder, the notes below represent topics that, in my judgement, might be of interest to the business community. It does not include everything that was on the agenda.

Work Session/Special Meeting – 6:00 p.m.

**Eating and Alcohol Consumption on Sidewalks, Public Streets, and City Properties –
Regulatory Amendments**

A thorough and well-organized presentation was given by Community Development Director Xue Wood with assistance from Deputy City Administrator Kim Nakahodo. This discussion by the City Council will be of interest to any business that may want to have sidewalk service to customers for either or both food and liquor.

Because of the recent significant investment in the downtown streetscape project the proposed rules and insurance requirements will be more restrictive and the fees more expensive.

City Council representatives shared varying opinions about the fees that should be charged vs the economic benefit to the downtown economy by allowing businesses to expand their service area outside. There was also discussion about charging the same fee regardless of whether there are only a few spaces for customers vs more spaces.

City staff will take recommendations from City Council for a proposed set of ordinances at a later City Council meeting.

You can see the proposed fees and restrictions below.

Note: Any business that expects to offer outside dining should carefully examine this information and provide feedback to City staff and/or City Council. I will advise you when a future City Council meeting agenda will present the recommended ordinances for approval. That would enable you to be prepared to offer “Comments from the Public” at the beginning of that meeting.

Contents – Title 4 - ALCOHOLIC BEVERAGES

4.30	<ul style="list-style-type: none">• Sidewalk• Public Street• City Properties - Outdoor
4.30.010	<ul style="list-style-type: none">• Purpose and intent
4.30.020	<ul style="list-style-type: none">• Requirements to obtain alcohol consumption license
4.30.030	<ul style="list-style-type: none">• License required
4.30.040	<ul style="list-style-type: none">• Information required for application
4.30.060	<ul style="list-style-type: none">• Fees for dining/alcohol consumption license• Fees for dining only license
4.30.070	<ul style="list-style-type: none">• License terms and conditions• Regulations
4.30.080	
4.30.085	<ul style="list-style-type: none">• Temporary parklet license

NORTH

Section 4.30.010, Section 4.30.020, and Section 4.30.030

Before:

- Only covers sidewalk eating/drinking establishments.
- Requires sidewalk dining/drinking license.
- Intend to advance the public purposes of stimulating economic activity and providing amenities in NKC.
- In the nature of a revocable license.

After:

- Expand to sidewalks, public streets, and outdoor city properties **within Downtown Area** (defined by 2016 Master Plan).
- Sidewalk dining/drinking is directly attached to restaurants/bars.
- Public street dining/drinking is focusing on special events which requires closing certain portions of streets.
- City property dining/drinking is limited to outdoor areas, such as city owned parking lots, green spaces, etc.
- Requires a short-term conditional use permit approved by City Council before issuance of any license.
- The license remains to be revocable.

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Section 4.30.040, Application for license.

Before:

- Name of the applicant and address, dining/drinking location.
- Dimensions of the layout of proposed furnishings in relation to street furniture.
- Agreement to construct separating materials to control access per approval by Community Development Department.
- Expansion of liquor license approved by the State.
- Consent of all owners directly abutting the dining/drinking area.
- General liability insurance - \$500,000.
- License fee established by NKC.

Section 4.30.040, Application for license.

After:

- For sidewalk dining/drinking, specify street furniture that include grates, bike racks, benches, etc. For public street or city property dining/drinking, such street furniture is not required in the layout.
- Control access - Especially for street and city property dining/drinking, allow barriers to be considered as a separating material upon approval.
- General liability insurance - \$1,000,000 for sidewalk; \$2,000,000 for street/city property.

Section 4.30.060, Fees.

Before:

- \$100 for sidewalk drinking or dining/drinking; \$10 for sidewalk dining only.

After:

- Expand to sidewalks, public streets, and outdoor city properties.
- \$250 for drinking or dining/drinking; \$50 for dining only.

Section 4.30.070, License terms and conditions.

Before:

- Licenses are valid only through October 31 of a given year.
- A new license needs to be obtained for each year.
- The license can't be transferred.
- The license shall be displayed in a conspicuous place on the premises.

After:

- Sidewalk dining/drinking licenses are valid year-round.
- Street/city property dining/drinking licenses are valid only during the time approval through a short-term conditional use permit.
- For all dining/drinking, a new license needs to be obtained for each year through the same approval process, including a short-term conditional use permit.
- Applicants must possess a valid NKC business license.

Section 4.30.080, Regulations.

Before:

- Sidewalk dining/drinking not inhibit pedestrian traffic.
- Minimum 4 feet.
- Not block any alleyways/walkways or building entrance/egress.
- The passageway shall be in consistent to the entrance and as straight as possible leading directly to the street.
- Allowed furnishings – tables, chairs, umbrellas if not inhibit pedestrian traffic
- Furnishings shall not block any municipal signs or amenity, including fire hydrants and FDC.
- Provide own receptacles for trash. Areas shall be kept clean.
- No serving alcohol to drivers or passengers of vehicles. Customers must be seated.
- Can't use public utility hookups.
- All sound systems are prohibited.
- Food/drink preparation is not allowed in sidewalk dining/drinking area.
- Sidewalk dining/drinking is limited to area immediately in front of an/or on the side of the approved eating/drinking establishments.

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Section 4.30.080, Regulations.

Before:

- Sidewalk/outdoor alcohol sales/consumption is prohibited on the day of certain special public events as declared and determined by the city, i.e. Snake Saturday.
- Hours – 7 a.m. – 10 p.m.
- Everything must be removed by 10:30 p.m.
- The city retains the right to temporarily suspend a license.

Section 4.30.080, Regulations.

After:

- All sidewalk drinking license must define the area by using fixed railing, fence, or other permanently affixed barrier. The materials shall be decorative and blend with the character of the community, such as wrought iron. Wood picket, stockade or chain link is not permitted. Such separating feature shall be at minimum 3' and not exceeds 4' and provide at least 60% transparency. (*This requirement is NOT applied to public street/city property dining/drinking.)
- Allow outdoor planters to be added to the permissible furnishings – tables, chairs, umbrellas.
- Allow sound systems not exceeding 70 dB during operating hours.
- Do NOT require everything to be removed and sidewalk to be washed daily by 10:30 p.m.
- Allow the city to be reimbursed by the applicant/property owners for any cost associated with installing, replacing, repairing, or removal of such use.

Section 4.30.080, Regulations.

After:

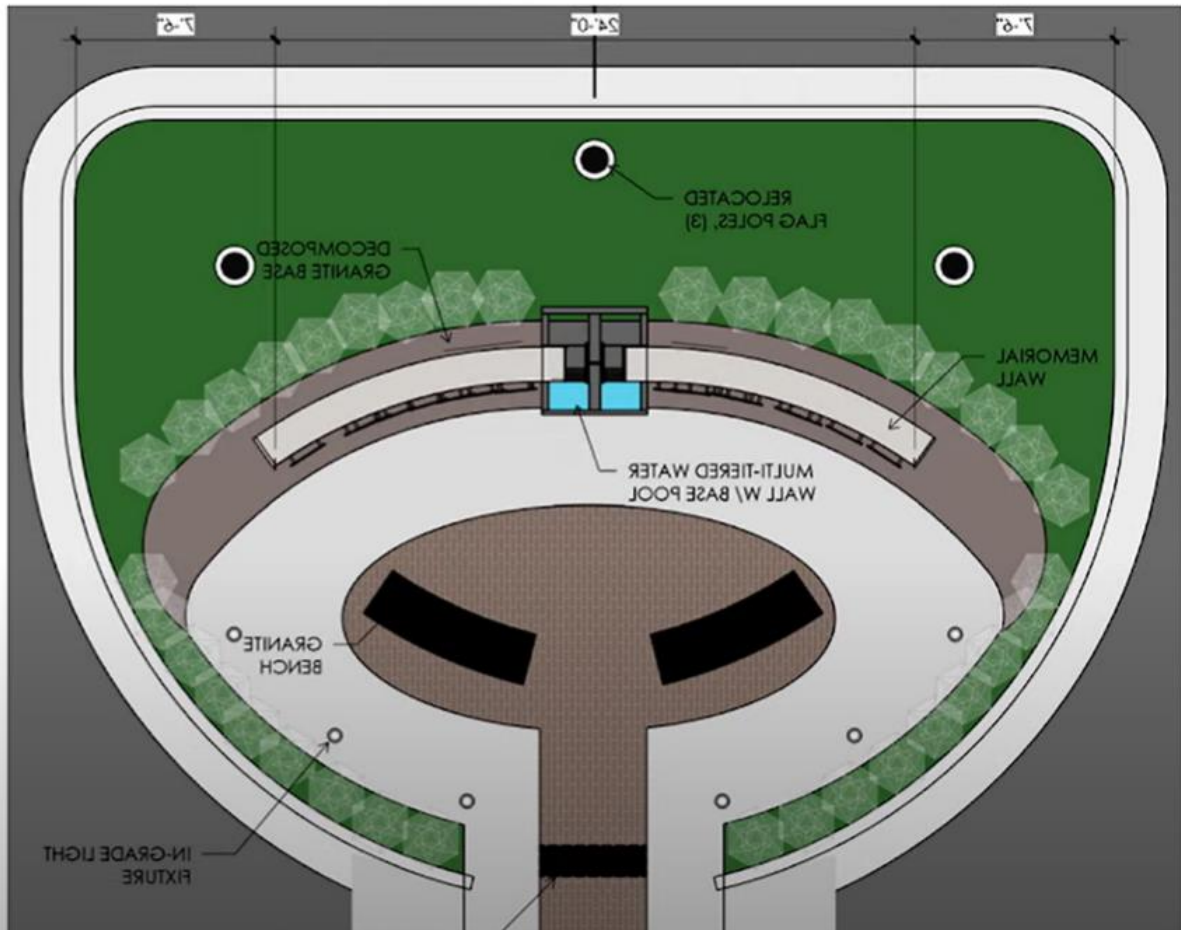
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Regular Session – 7:05 p.m.

Agenda Items

Proposed Memorial for Officer

North Kansas City-based architectural firm WSKF Architects volunteered to design a memorial to honor fallen officer Daniel Vasquez. This would be placed in front of City Hall where flag poles are located.



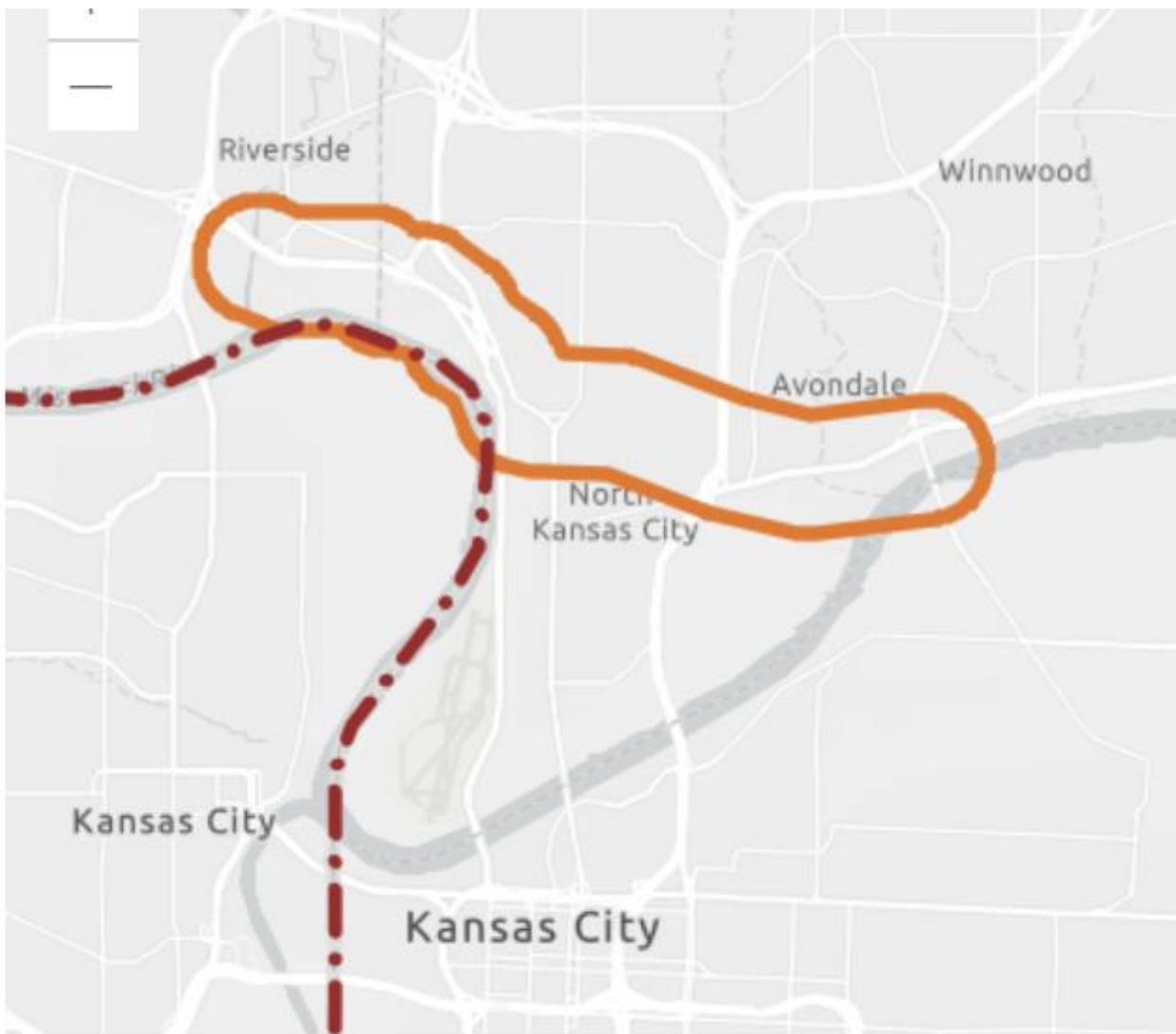
City Council was asked to approve a \$25,000 match for this project to continue to evaluate how to create a viable multi-county regional bike/ped route. The remaining amount will be covered by MARC and other communities within this area – primarily Riverside. The proposed route through North Kansas City would utilize the area of the hillside levee connecting from Riverside to Chouteau.

This is not the same as the previously discussed MARC project to study a bike/ped trail along the levee close to the Missouri River.

Approved, 7-1. City Councilman Wes Graves expressed dissatisfaction about multiple studies for bicycle routes.

4. NKC's Obligations. NKC agrees to the following:

- a. To fund its portion of the PSP program's required local match of \$25,000.00 with a one-time within payment 30 days upon receipt of invoice by MARC for the local match;
- b. That any change order or request for additional services must be submitted through MARC to the contracted consultant. If the resulting change order or request for additional services requires additional funding, payment shall be the responsibility of the City of North Kansas City if it is the entity requesting additional services;
- c. To provide a project manager and coordinate the consultant team;
- d. To participate in the PSP program management and provide MARC all required technical assistance, data and any other necessary information needed to successfully manage and comply with federal requirements regarding the PSP project;
- e. Agree to include designated MARC project liaison in study advisory committee; and
- f. To provide a selection committee to review consultant vendor proposals, interview prospective consultant vendors, and make final selection of vendor.
- g. To review, provide comments and approve final consultant scope of work.



Proposed Pay Increases for Mayor and City Council Members

This topic was discussed at a recent City Council work session. Increases would not apply to current Mayor and City Council members. It will go into effect after each of the incumbents have either ceased to be involved or have been re-elected. The salary for a City Council representative will rise from \$300 to \$500 per month. For the Mayor the change will go from \$600 to \$1,100. The recommended changes were inspired by a recent salary study of all municipal employees, including the Governing Body.

After lengthy discussion the proposed increase for City Council members was not approved. The increase for the Mayor was approved, following multiple comments of praise about the dedication and time spent on this job by the current Mayor.

Rights-of-Way Agreement -- Kansas Fiber Network, LLC

Approval was given for an additional fiber optic network to be installed in and through North Kansas City.

Staff Comments

Kim Nakahodo announced that the new Executive Director of the North Kansas City YMCA is Andrea Toney.

City Council Comments

City Council representative Amie Clarke expressed harsh criticism of City Council representative Wes Graves based on some very disagreeable past discussions. Wes Graves responded that he did not recall the discussions in the same manner.

The full agenda for this meeting with links to critical documents is available on the City's website www.nkc.org under the heading of Agendas and Minutes. As always, additional details about City Council agenda topics are often available as attachments on the City's website www.nkc.org and later as <https://www.youtube.com/watch?v=Z-6WpmTG2Ss> part of the approved minutes.