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October 1, 2008

PLANNING & ZONING COMMITTEE HEARING
CITY COUNCIL OF KANSAS CITY, MISSOURI
October 1, 2008, at 1:30 PM, Council Chambers, Floor 26
Re: Botts Ordinance #080913

Dear Mayor Funkhouser and Members of the City Council:

I am Henry M. Stoever, a licensed attorney since September, 1980, 28 years ago, practicing at 1101 E. 47th Street, 1101 E. Emanuel Cleaver II Blvd., KCMO 64110, since January, 1981. I have appeared in State and Federal Courts in Missouri & Kansas.

In regard to Chapter 80, ZONING, Part 80-20, Definitions, there are a total of 133 definitions. One sees that 17 of these definitions pertain to the Adult Sex Industry, i.e. Adult Business, Adult Cabaret, Adult Media, Adult Motion Picture Theater, Bathhouse, Book Store, Massage Shop, Modeling Studio, Motion Picture Arcade Booth & Establishment, Private Club, Sadomasochistic Practices, Sex Shop, Sexually-Oriented Toys or Novelties, Specified Anatomical Areas, Specified Sexual Activities, Video Store.

Not one (1) definition pertains to Making Parts For Weapons Of Mass Destruction, or the Environmental Consequences of such Production. WE HAVE A BOMB FACTORY AT 95TH & BANNISTER ROAD, AND YOU ARE ASKED TO APPROVE THE MOVING OF THE BOMB FACTORY TO BOTTS ROAD & HIGHWAY 150 WITH TAX INCENTIVES OF \$40. MILLION FROM THE CITY OF KANSAS CITY, MO.

Dr. Albert Schweitzer in his 1952 Nobel Peace lecture warned "how war dehumanizes us. We become guilty of acts of inhumanity which makes one shutter. We have learned to tolerate the facts of war, that people are killed en masse, that whole cities and their inhabitants are annihilated by the atomic bomb, that people are turned into living torches by incendiary bombs. When we resign ourselves to this fate, we are guilty of inhumanity."

We must realize that nuclear war has no place in our society. Dr. Henry Kissinger, Secretary of State under Nixon, George Schultz, Secretary of State under Reagan, William Perry, Secretary of Defense under Clinton, and Sam Nunn, head of Armed

Services Committee all have declared in writing, Jan. 2007 Wall Street Journal and Jan. 2008 Wall Street Journal articles that ALL NUCLEAR WEAPONS MUST BE ELIMINATED. Why? Fear that terrorists gain control of fissile materials and that nuclear weapons would do irreversible consequences to our civilization and environment.

The BASIC QUESTION IS: HOW DO THESE LAND-USE AND PLANNING ISSUES SQUARE WITH OUR RELIGIOUS, ETHICAL AND MORAL BELIEFS, AS WELL AS OUR BUSINESS PRACTICES AND GOALS FOR THIS CITY?

THE ANSWER IS FOUND IN The Kansas City Code, Chapter 80, Section 30, which speaks of the Purpose of Zoning, "This Chapter shall be held to be general rules and regulations for the promotion of health, safety, morals or the general welfare of the community; ... to secure safety from fire, panic and other danger; ... and other public requirements."

1. If we look at promotion of health, nuclear weapons are a destructive force, which the world is seeking to be rid of. The current Kansas City Plant has had: volatile organic compounds dumped; toxic chemicals have been released; massive amounts of waste products, some of which are hazardous toxic wastes; PCBs released into water; waste lagoons and underground tank farms have been closed; the site has been transitioned to the National Nuclear Security Administration's Long Term Stewardship Program, with an annual budget of \$1.8 to \$2.8 millions dollars. YET, THE OLD SITE WILL REQUIRE \$287. MILLION DOLLARS FOR CLEAN-UP. THIS PROPOSED NEW KC PLANT DOES NOT ADDRESS THE CLEAN UP COSTS OF THE OLD SITE. WHEN THIS QUESTION IS RAISED, GSA AND OTHERS SAY IT WILL BE DEALT WITH DOWN THE ROAD IN OTHER WAYS, BUT WE HAVE NO COMMITMENT FOR LARGE SUMS OF MONEY FOR CLEAN-UP. WHEN ASKED, GSA SAYS IT WILL SEEK TO SELL THE OLD PLANT OR AS A LAST MEASURE, MAKE IT AVAILABLE FOR THE HOMELESS. THAT IS NOT A SOLUTION. THAT IS A PUT OFF.
2. Promotion of Safety: Nuclear Weapons do not provide security, for unless all nuclear weapons and fissile materials are eliminated, more nation states and rouge groups will seek them. Nuclear weapons are not safe to use, for their indiscriminate destruction of civilians in mass numbers, destruction of the environment, etc.
3. Promotion of Morals: Production, development, deployment and threatened use of nuclear weapons are all immoral. One does not have to a Christian, a Jew, a Muslim, a Buddhist, etc. to realize that terrible destruction of nuclear weapons. I urge all persons who call themselves "Pro-Life" to say NO to nuclear weapons.
4. Promotion of the General Welfare of the Community: How does a bomb factory promote our welfare? How does contamination promote our welfare? How does being part of the killing machinery promote our welfare?

5. To Secure safety from fire, panic and other dangers: Nuclear weapons cause immense fires (millions of degrees of heat), cause panic, cause global dangers.
6. Other public requirements: We are so short-sighted in failing to see that our City should be spending its resources on rebuilding its infrastructure, on providing job training, on public transportation, on renewable energy sources, on decreasing the violence in our cities, on taking care of its many poor people, in providing better health care to its citizens, and the list goes on and on.

JOBS & ECONOMY:

The City of Kansas City, Mo is acting in desperation to retain 2,100 JOBS at Honeywell, which makes parts for nuclear weapons.

There is no guarantee that these jobs will continue, due to the massive national financial crisis, where the U.S. is or will be in debt to other countries to 11.3 TRILLION DOLLARS.

John McClain stated that we must get our spending under control. Our debt is out of control and is a national security issues.

Under the 1970 Nonproliferation Treaty (NPT), all countries are to build down their nuclear arsenals to where nuclear weapons are eliminated.

That means these jobs are slated for elimination.

The Budget of KCMO has a shortfall of approx. \$20 Million Dollars. I do not understand how the City of Kansas City, MO can be part of a \$40. Million Dollars tax incentive program. The City of Kansas City, Mo is being asked to contribute \$29. Million for Road and \$10. Million for Sewers. It is believed that financing of these expenses over 20 years, will cost the City of Kansas City, MO \$52. Million for this proposed project.

We are like the national government, being asked to undertake more and more Debt. This is unrealistic. In fact, I call this a Welfare Program for the Weapons Industry.

JOBS: KCMO is shortsighted in not seeing that more jobs exist and will exist in cleaning up the Old Plant at 95th & Troost, the Bannister Complex, investing in rebuilding our City, in developing and producing energy efficient products and services, in rebuilding our infrastructure -- road and bridges throughout our City, in seeking more teachers and counselors to help turn around the violence of our society, in caring for the elderly. THAT IS WHERE \$40. MILLION DOLLARS OUGHT TO GO. WE HAVE OTHER AREAS THAT ARE BLIGHTED AND UNSANITARY THAT ARE IN NEED OF REDEVELOPMENT AND REHABILITATION.

MORE STUDY AND INFORMATION IS NEEDED: The Kansas City Star's article of September 23, 2008, in the Business Section, titled "KC'S Policy Muddles Set Development Back" speaks about the EDC analysis of the planned redevelopment of

vacant Bannister Mall as having a \$49. Million benefit to the City, yet the Finance Department said the Bannister Mall project would cost the City \$41. Million." I urge the City Council and Mayor to look very carefully at the benefit and cost factors of the Botts Development Project, so that the City does not find itself stuck with an unnecessary boondoggle and cost over-runs. The Bush Administration has wanted to rush this project through without doing an Environmental Impact Statement and holding public hearings. What if the next President and Congress decide our economy does not need or cannot afford the Botts Development project? What security measures, guarantees or performance bond measures are in place if the City gets into this project and the project is halted? We must know this. A national environmental group has given the required notice to the GSA that a federal lawsuit will be filed in regard to the handling of the Botts Project. Has the GSA disclosed this to the City of Kansas City, Missouri?

I URGE MAYOR FUNKHOUSER AND THE KCMO CITY COUNCIL TO VOTE AGAINST REZONING AND AGAINST APPROVING PLANS AND FUNDING FOR A NEW BOMB FACTORY (BOTTS DEVELOPMENT), I WANT OUR OLD BOMB FACTORY AT 95TH & BANNISTER ROAD TO BE CLEANED UP IN FULL, I WANT JOBS ENVIRONMENTALLY SOUND AND JOBS FOR A PEACE-TIME ECONOMY FOR CHANGE IS ON ITS WAY.

Sincerely,

Henry M. Stoeber