



Full Commission Meeting Agenda

Thursday, September 14, 2017
7:00 PM

Location:

Municipal Office Building
701 N 7th Street, Lobby
Kansas City, Kansas 66101
Commission Chambers

Name

Absent

Mayor Mark Holland

☐

Commissioner At-Large Dist. 1 – Melissa Bynum

☐

Commissioner At-Large Dist. 2 – Hal Walker

☐

Commissioner Gayle E. Townsend

☐

Commissioner Brian McKiernan

☐

Commissioner Ann Brandau-Murguia

☐

Commissioner Harold Johnson

☐

Commissioner Mike Kane

☐

Commissioner Angela Markley

☐

Commissioner James Walters

☐

Commissioner Jane Philbrook

☐

SERGEANT-AT-ARMS: CAPTAIN RODNEY SMITH

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. INVOCATION GIVEN BY REVEREND ARTRELL HARRIS, ROSWELL CHURCH OF CHRIST**
- IV. PLEDGE OF ALLEGIANCE**
- V. REVISIONS TO SEPTEMBER 14, 2017 AGENDA**
- VI. MAYOR'S AGENDA**
- VII. CONSENT AGENDA**
(Anyone wishing to speak about a particular item on the Consent Agenda must

notify the Mayor when he asks if there are any “set-asides” on the Consent Agenda. Your item will then be discussed and voted on separately. All remaining items on the Consent Agenda are viewed as a single group and voted on with one vote.)

Item No. 1 - RESOLUTION: DONATING AN OBSOLETE SHERIFF'S DEPARTMENT VEHICLE

Synopsis: A resolution conveying and assigning a Wyandotte County Sheriff's Department obsolete 2007 Dodge Charger to the Kansas City, Kansas Community College, submitted by Grant Williams, Assistant Counsel.

*On August 28, 2017, the **Public Works and Safety Standing Committee**, chaired by Commissioner Bynum, voted unanimously to approve and forward to full commission.*

Tracking #: 171239

Item No. 2 - ORDINANCE: BICYCLE LAMP, AMEND SECTION 35-694

Synopsis: An ordinance amending Section 35-694, Lamps and other equipment on bicycles, submitted by Casey Meyer, Assistant Counsel. The amendment to the code is required to comply with state law.

*On August 28, 2017, the **Public Works and Safety Standing Committee**, chaired by Commissioner Bynum, voted unanimously to approve and forward to full commission.*

Tracking #: 171245

Item No. 3 - ORDINANCE: AMENDING OFFENSES IN THE MUNICIPAL CODE

Synopsis: An ordinance relating to Chapter 22 Miscellaneous Offenses and Provisions, amending Sections 22-41, 22-290, 22-317, and 22-352, submitted by Casey Meyer, Assistant Counsel. The amendments to the code are required to comply with state law.

*On August 28, 2017, the **Public Works and Safety Standing Committee**, chaired by Commissioner Bynum, voted unanimously to approve and forward to full commission.*

Tracking #: 171246

Item No. 4 - RESOLUTION: BPU WATER DISTRIBUTION (SOUTH BETHANY-MUNCIE SITE IMPROVEMENT)

Synopsis: A resolution declaring the necessity and authorizing a survey and descriptions of lands necessary for the Board of Public Utilities Water Distribution Improvement Project for its Muncie site, submitted by Ryan Haga, Assistant Counsel.

*On August 28, 2017, the **Public Works and Safety Standing Committee**, chaired by Commissioner Bynum, voted unanimously to approve and forward to full commission.*

Tracking #: 171250

Item No. 5 - REQUEST: ENHANCED PARATRANSIT

Synopsis: Request implementation of a new pilot service designed to provide a lower cost mobility option for able-bodied individuals, age 16-64, who aren't eligible for existing services, don't have private transportation or reasonable access to fixed route public transportation, submitted by Justus Welker, Transportation Director. Cost would be determined by the length of the trip, which would be less expensive than traditional ride-hailing services.

*On August 28, 2017, the **Administration and Human Services Standing Committee**, chaired by Commissioner Markley, voted unanimously to approve and forward to full commission.*

Tracking #: 171237

Item No. 6 - NOMINATION: BOARDS AND COMMISSIONS

Synopsis: Nomination for Boards & Commissions:

Ty Collins Jr. for the UG Park Board, 9/14/17 - 3/31/20, submitted by Commissioner Markley

Tracking #: 171290

Item No. 7 - MINUTES

Synopsis: Minutes from regular session of August 17, 2017.

Tracking #: MINUTES

Item No. 8 - WEEKLY BUSINESS MATERIAL

Synopsis: Weekly business material dated August 31 and September 7, 2017.

Tracking #: WEEKLY BUSINESS MATERIAL

- VIII. PUBLIC HEARING AGENDA**
- IX. STANDING COMMITTEES' AGENDA**
- X. ADMINISTRATOR'S AGENDA**
- XI. COMMISSIONERS' AGENDA**
- XII. LAND BANK BOARD OF TRUSTEES' AGENDA**
- XIII. PUBLIC ANNOUNCEMENTS**
- XIV. ADJOURN**



Staff Request for Commission Action

Tracking No. 171239

Full Commission Meeting Date: 9/14/17

Committee: Public Works & Safety

Date of Standing Committee Action: 8/28/17
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(If none, please explain):

Publication Required: No

<u>Date:</u> 08/28/2017	<u>Contact Name:</u> Grant Williams	<u>Contact Phone:</u> x5077	<u>Contact Email:</u> gwilliams@wycokck.org	<u>Department/Division:</u> Legal
<u>Item Description:</u> Authorizing the Wyandotte County Sheriff Department to donate an obsolete 2007 Dodge Charger Sheriff's vehicle to Kansas City, Kansas Community College for training purposes.				
<u>Action Requested:</u> To adopt the resolution and forward to the full commission.				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u> Reso for Sheriff's Vehicle				

RESOLUTION NO. _____

WHEREAS, the Unified Government of Wyandotte County/Kansas City, Kansas is the present owner of a 2007 Dodge Charger Sheriff's vehicle; and

WHEREAS, the 2007 Dodge Charger Sheriff's vehicle has become obsolete for the purposes of the Wyandotte County Sheriff Department; and

WHEREAS, the 2007 Dodge Charger Sheriff's vehicle is still serviceable, and Kansas City, Kansas Community College needs one Sheriff's vehicle for its training purposes; and

WHEREAS, the City of Kansas City, Kansas wishes to donate said Sheriff's vehicle, in accordance with K.S.A. 12-101; and

WHEREAS, Kevin Steele, the Law Enforcement Coordinator for Kansas City, Kansas Community College has given his permission KCKCC to accept the 2007 Dodge Charger Sheriff's vehicle as a gift from the Wyandotte County Sheriff Department.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS:

That the City of Kansas City, Kansas does hereby give, convey and assign to the Kansas City, Kansas Community College the above described 2007 Dodge Charger Sheriff's vehicle to have and hold the same absolutely.

**ADOPTED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS,
THIS ____ DAY OF AUGUST, 2017.**

Mark Holland, Mayor/CEO

ATTEST:

Unified Government Clerk

APPROVED AS TO FORM:

Grant Williams
Assistant Counsel



Staff Request for Commission Action

Tracking No. 171245

Full Commission Meeting Date: 9/14/17

Committee: Public Works & Safety

Date of Standing Committee Action: 8/28/17

(If none, please explain):

Publication Required: Yes 09/21/2017

<u>Date:</u> 08/28/2017	<u>Contact Name:</u> Casey Meyer	<u>Contact Phone:</u> x2851	<u>Contact Email:</u> cmeyer@wycokck.org	<u>Department/Division:</u> Legal
<u>Item Description:</u> The Kansas Legislature amended state statutes during the 2017 session. The attached Bicycle Lamp Traffic ordinance amends Section 35-694 - Lamps and other equipment on bicycles, in the Municipal Code to reflect the changes in state statutes.				
<u>Action Requested:</u> To approve the ordinance.				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u> Bicycle Lamp Traffic Ord.redline, Bicycle Lamp Traffic Ord.Final				

(Published _____)

ORDINANCE NO. _____

AN ORDINANCE relating to Chapter 35 Traffic, amending Section 35-694 of the Code of Ordinances for the Unified Government of Wyandotte County/Kansas City, Kansas.

WHEREAS, the Kansas Legislature passed House Bill No. 2170 which changes the times a bicycle in use has to utilize a lamp, and

WHEREAS, an amendment to the Code of the Unified Government of Wyandotte County/ Kansas City, Kansas is required to comply with state law.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS:

Section 1. That Section 35-694 of the Code of the Unified Government of Wyandotte County/Kansas City, Kansas, be and is hereby amended to read as follows:

Sec. 35-694. - Lamps and other equipment on bicycles.

- o (a) Every bicycle, when in use ~~at nighttime, between sunset and sunrise~~ shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least 500 feet to the front and ~~with either: (1) a red reflector on the rear of a type approved by the secretary which shall be visible from all distances from 100 feet to 600 feet to the rear when directly in front of lawful lower beams of head lamps on a motor vehicle-; (2) A a lamp on the rear that shall emit emitting a red light visible from a distance of 500 feet to the rear-; may be used in addition to the red reflector- or (3) the operator of such bicycle shall be wearing a device that emits a red or amber light that shall be visible from a distance of 500 feet to the rear.~~

Comment [SM1]: To come into compliance with state statute.

(b) Every bicycle shall be equipped with a brake which will enable the operator to make the braked wheels skid on dry, level, clean pavement.

(c) No person shall sell a ~~new bicycle or~~ pedal for use on a bicycle, ~~that is not equipped with a reflector of a type approved by the secretary, unless such pedal is equipped with a reflector which on each pedal of such bicycle that~~ is visible from the front and rear of the bicycle to which it is attached during darkness from a distance of 200 feet, ~~and no person shall sell a new bicycle, unless it is equipped with pedals meeting the requirements of this subsection.~~

Section 2. This ordinance shall take effect and be in full force after its passage, approval, and publication in the official Unified Government newspaper.

PASSED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT
OF WYANDOTTE COUNTY/KANSAS CIYT, KANSAS

THIS _____ DAY OF _____, 2017.

Mark Holland
Mayor/CEO

ATTEST:

Unified Government Clerk

Approved as to form:

Meaghan Shultz, Assistant Counsel

(Published _____)

ORDINANCE NO. _____

AN ORDINANCE relating to Chapter 35 Traffic, amending Section 35-694 of the Code of Ordinances for the Unified Government of Wyandotte County/Kansas City, Kansas.

WHEREAS, the Kansas Legislature passed House Bill No. 2170 which changes the times a bicycle in use has to utilize a lamp, and

WHEREAS, an amendment to the Code of the Unified Government of Wyandotte County/ Kansas City, Kansas is required to comply with state law.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS:

Section 1. That Section 35-694 of the Code of the Unified Government of Wyandotte County/Kansas City, Kansas, be and is hereby amended to read as follows:

Sec. 35-694. - Lamps and other equipment on bicycles.

(a) Every bicycle, when in use between sunset and sunrise shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least 500 feet to the front and either: (1) a red reflector on the rear which shall be visible from all distances from 100 feet to 600 feet to the rear when directly in front of lawful lower beams of head lamps on a motor vehicle; (2) a lamp on the rear that shall emit a red light visible from a distance of 500 feet to the rear; or (3) the operator of such bicycle shall be wearing a device that emits a red or amber light that shall be visible from a distance of 500 feet to the rear.

(b) Every bicycle shall be equipped with a brake which will enable the operator to make the braked wheels skid on dry, level, clean pavement.

(c) No person shall sell a pedal for use on a bicycle, unless such pedal is equipped with a reflector which is visible from the front and rear of the bicycle to which it is attached during darkness from a distance of 200 feet, and no person shall sell a new bicycle, unless it is equipped with pedals meeting the requirements of this subsection.

Section 2. This ordinance shall take effect and be in full force after its passage, approval, and publication in the official Unified Government newspaper.

PASSED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT
OF WYANDOTTE COUNTY/KANSAS CIYT, KANSAS

THIS _____ DAY OF _____, 2017.

Mark Holland
Mayor/CEO

ATTEST:

Unified Government Clerk

Approved as to form:

Meaghan E. Shultz, Assistant Counsel



Staff Request for Commission Action

Tracking No. 171246

Full Commission Meeting Date: 9/15/17

Committee: Public Works & Safety

Date of Standing Committee Action: 8/28/17

(If none, please explain):

Publication Required: Yes 09/21/2017

<u>Date:</u> 08/28/2017	<u>Contact Name:</u> Casey Meyer	<u>Contact Phone:</u> x2851	<u>Contact Email:</u> cmeyer@wycokck.org	<u>Department/Division:</u> Legal
<u>Item Description:</u> The Kansas Legislature amended state statutes during the 2017 session. The attached Offense ordinance amends the following sections in the Municipal Code to reflect the changes in state statutes: Section 22-41 - Domestic Battery, Section 22-290 - Narcotics and other drugs, Section 22-317 - Possession, use of simulated controlled substances, drug paraphernalia prohibited, and Section 22-352 - Violation of Protective Order.				
<u>Action Requested:</u> To approve the ordinance.				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u> offense ord. red line version, Offense Ord. Final				

Published _____

ORDINANCE NO. _____

An ordinance relating to Chapter 22 Miscellaneous Offenses and Provisions, amending Sections 22-41, 22-290, 22-317, and 22-352 and repealing Sections 22-41, 22-290, 22-317, and 22-352 of the Code of Ordinances for the Unified Government of Wyandotte County/Kansas City, Kansas.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS:

Section 1. That Chapter 22 Miscellaneous Offenses and Provisions, Sections 22-41, 22-290, 22-317, and 22-352, of the Code of Ordinances for the Unified Government of Wyandotte County/Kansas City, Kansas, be amended to read as follows:

ARTICLE II. – OFFENSES AGAINST PERSONS

Sec. 22-41. – Domestic Battery.

(a) Domestic battery ~~means~~is:

(1)

Knowingly or recklessly causing bodily harm ~~by-to~~ a person with whom the offender is involved or has been involved in a dating relationship or a family or household member ~~against a family or household member~~; or

(2)

Knowingly causing physical contact with a person with whom the offender is involved or has been involved in a dating relationship or a family or household member ~~by a family or household member~~ when done in a rude, insulting, or angry manner.

Family or household member means person 18 years of age or older who are spouses, former spouses, parents or step-parents and children or step-children, and persons who are presently residing together or who have resided together in the past, and persons who have a child in common, regardless of whether they have been married, or who have lived together at any time. The term "family" or "household member" also includes a man and a woman, if the woman is pregnant and the man is alleged to be the father, regardless of whether they have been married or lived together at any time.

*In the presence of a child*Dating relationship means in the physical presence of the child or knowing that a child is present and may see or hear an act of domestic battery a social relationship of a romantic nature. In addition to any other factors the court deems relevant, the

trier of fact may consider the following when making a determination of whether a relationship exists or existed: Nature of the relationship, length of time the relationship exists or existed, frequency of interaction between the parties and time since the termination of the relationship, if applicable.

(b)

Violations; penalties.

(1)

Upon a first conviction of a violation of domestic battery, a person shall be guilty of a class B violation and sentenced to not less than 48 consecutive hours nor more than six months' imprisonment and fined not less than \$200.00 ~~or nor~~ more than \$500.00, or, in the court's discretion, the court may enter an order which requires the person offender to undergo a domestic violence offender assessment conducted by a certified batterer intervention program and follow all recommendations made by such program ~~enroll in and successfully complete a domestic violence prevention program, or any combination of such penalties. As a condition of any grant of probation, suspension of sentence, or parole or of any other release, the person shall be required to enter into and complete a treatment program for domestic violence prevention.~~

(2)

If, within five years immediately preceding commission of the crime, an person offender is was convicted of a violation of domestic battery a second time, such personthe offender shall be guilty of a class A violation. ~~and sentenced~~

(3)

~~A person convicted of committing a battery under circumstances which constitute a domestic battery, when that battery was committed in the presence of a child, shall be guilty of a class A violation.~~

(4)

~~A person convicted of domestic battery pursuant to subsections (b)(2) and (b)(3) of this section shall be sentenced to not less than 90 days nor more than one year's imprisonment and fined not less than \$500.00 nor more than \$1,000.00. The five days' imprisonment mandated by this subsection may be served in a work release program only after such offender has served 48 consecutive hours imprisonment, provided such work release program requires such offender to return to confinement at the end of each day in the work release program. or, in the court's discretion, the court may enter an order which requires the person to enroll in and successfully complete a domestic violence prevention program or any combination of such penalties. The person convicted of domestic battery pursuant to subsections (b)(2) and (b)(3) of this section offender must shall serve at least five consecutive days' imprisonment before the person-offender is granted probation, suspension, or reduction of sentence or parole or is otherwise released. As a condition of any grant of probation, suspension of sentence or parole or of any other release, the person-offender shall be required to enter into and complete a treatment program for domestic violence prevention undergo a domestic violence offender assessment conducted by a certified batterer intervention program and~~

follow all recommendations made by such program, unless otherwise ordered by the court; and

~~or such other order as the court may deem appropriate. The five days' imprisonment mandated by this subsection may be served in a work release program only after such person has served 48 consecutive hours' imprisonment, provided such work release program requires such person to return to confinement at the end of each day in the work release program.~~

(53)

For the purpose of determining whether a conviction is a first or second conviction in sentencing under this section:

aa.

Conviction includes being convicted of a violation of this section or entering into a diversion or deferred judgment agreement in lieu of further criminal proceedings on a complaint alleging a violation of this section;

b.

Conviction includes being convicted of a violation of a law of this state, another state, an ordinance of any city, or a resolution of any county which prohibits the acts that this section prohibits, or entering into a diversion or deferred judgment agreement in lieu of further criminal proceedings in a case alleging a violation of such law, ordinance or resolution;

c.

Only convictions occurring in the immediately preceding five years, including prior to the effective date of the ordinance from which this section is derived shall be taken into account, but the court may consider other prior convictions in determining the sentence to be imposed within the limits provided for the first or second offender, whichever is applicable; and

d.

It is irrelevant whether an offense occurred before or after conviction for a previous offense.

e.

A person may enter into a diversion agreement in lieu of further criminal proceedings for a violation of K.S.A. 21-3412a, this section or an ordinance of any city or resolution of any county which prohibits the acts that this section prohibits only twice during any five-year period.

State Law reference – Similar provisions, K.S.A. 21-5414.

ARTICLE VI. – OFFENSES AGAINST PUBLIC MORALS

Sec. 22-290. - Narcotics and other drugs.

- (a) Except as authorized by state law, it shall be unlawful for any person to manufacture, possess, have under his control, sell, prescribe, deliver, administer, dispense or compound:

- (1) Marijuana or marihuana, as defined in K.S.A. 65-4101.
 - (2) All other controlled substances, as defined within K.S.A. 65-~~4127b~~4105, K.S.A. 65-4107, K.S.A. 65-4109, K.S.A. 65-4111 and K.S.A. 65-4113.
- (b) A person convicted of violating section (a)(1) is guilty of a class B violation, unless that person has a prior conviction under any city ordinance, county resolution, or state statute for a substantially similar offense, then the person shall be guilty of a class A violation. A party person convicted under this division of violating section (a)(2) is guilty of a cClass A violation.
- State Law reference**— Similar provisions, K.S.A. 21-5706.

Sec. 22-317. - Possession, use of simulated controlled substances, drug paraphernalia prohibited.

- (a) No person shall possess, use or possess with intent to use:
- (1) Any simulated controlled substance;
 - (2) Any drug paraphernalia to use, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance in violation of the uniform controlled substances act;
 - (3) Any drug paraphernalia for the planting, propagation, growing or harvesting of less than five marijuana plants; or
 - (4) Anhydrous ammonia or pressurized ammonia in a container not approved for that chemical by the state department of agriculture.
- (b) A person convicted of violating section (a)(1) or (a)(4) is guilty of a class A violation. A person convicted of violating this section is guilty of a class A violation-section (a)(2) or (a)(3) is guilty of a class B violation.

State Law reference— Similar provisions, K.S.A. ~~61-4152~~21-5713 and K.S.A. 21-5709.

ARTICLE VII. – OFFENSES AGAINST GOVERNMENT FUNCTIONS

Sec. 22-352. - Violation of protective order.

- (a) Violation of a protective order is knowingly, or intentionally violating:
- (1) A protection from abuse order issued pursuant to K.S.A. 60-3105, 60-3106, and 60-3107, and amendments thereto;
 - (2) A protective order issued by a court or tribunal of any state or Indian tribe that is consistent with the provisions of 18 U.S.C. Section 2265, and amendments thereto;
 - (3) A restraining order issued pursuant to K.S.A. 23-3707, 38-2243, 38-2244 or 38-2255, and amendments thereto;

- (4) An order issued in this or any other state as a condition of pretrial release, diversion, probation, suspended sentence, postrelease supervision or at any other time during the criminal case that orders the person to refrain from having any direct or indirect contact with another person;
 - (5) An order issued in this or any other state as a condition of release after conviction or as a condition of a supersedeas bond pending disposition of an appeal, that orders the person to refrain from having any direct or indirect contact with another person;
 - (6) A protection from stalking or sexual assault order issued pursuant to K.S.A. 60-31a05 or 60-31a06, and amendments thereto.
- (b) As used in this section, "order" includes any order issued by a municipal or district court.
- (c) No protective order, as set forth in this section, shall be construed to prohibit an attorney, or any person acting on the attorney's behalf, who is representing a defendant in any civil or criminal proceeding from contacting the protected party for a legitimate purpose within the scope of the civil or criminal proceeding. The attorney, or person acting on the attorney's behalf, shall be identified in any such contact.
- (d) Violation of a protective order is a class A violation.

State Law reference— Similar provisions, K.S.A. 21-~~3843~~5924.

Section 3. That said original Sections 22-41, 22-290, 22-317, and 22-352 of the Code of Ordinances for the Unified Government of Wyandotte County/Kansas City, Kansas are hereby repealed.

Section 4. This ordinance shall take effect and be in full force from and after its passage, approval, and publication in the official Unified Government newspaper.

PASSED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT OF
WYANDOTTE COUNTY/KANSAS CITY, KANSAS,

THIS _____ DAY OF _____, 2017.

Mark Holland, Mayor/CEO

Attest:

Unified Government Clerk

Approved As To Form:

Unified Government Counsel

Published _____

ORDINANCE NO. _____

An ordinance relating to Chapter 22 Miscellaneous Offenses and Provisions, amending Sections 22-41, 22-290, 22-317, and 22-352 and repealing Sections 22-41, 22-290, 22-317, and 22-352 of the Code of Ordinances for the Unified Government of Wyandotte County/Kansas City, Kansas.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS:

Section 1. That Chapter 22 Miscellaneous Offenses and Provisions, Sections 22-41, 22-290, 22-317, and 22-352, of the Code of Ordinances for the Unified Government of Wyandotte County/Kansas City, Kansas, be amended to read as follows:

ARTICLE II. – OFFENSES AGAINST PERSONS

Sec. 22-41. – Domestic Battery.

(a) Domestic battery is:

(1)

Knowingly or recklessly causing bodily harm to a person with whom the offender is involved or has been involved in a dating relationship or a family or household member; or

(2)

Knowingly causing physical contact with a person with whom the offender is involved or has been involved in a dating relationship or a family or household member when done in a rude, insulting, or angry manner.

Family or household member means person 18 years of age or older who are spouses, former spouses, parents or step-parents and children or step-children, and persons who are presently residing together or who have resided together in the past, and persons who have a child in common, regardless of whether they have been married, or who have lived together at any time. The term "family" or "household member" also includes a man and a woman, if the woman is pregnant and the man is alleged to be the father, regardless of whether they have been married or lived together at any time.

Dating relationship means a social relationship of a romantic nature. In addition to any other factors the court deems relevant, the trier of fact may consider the following when making a determination of whether a relationship exists or existed: Nature of the relationship,

length of time the relationship exists or existed, frequency of interaction between the parties and time since the termination of the relationship, if applicable.

(b)

Violations; penalties.

(1)

Upon a first conviction of a violation of domestic battery, a person shall be guilty of a class B violation and sentenced to not less than 48 consecutive hours nor more than six months' imprisonment and fined not less than \$200.00 nor more than \$500.00, or, in the court's discretion, the court may enter an order which requires the offender to undergo a domestic violence offender assessment conducted by a certified batterer intervention program and follow all recommendations made by such program.

(2)

If, within five years immediately preceding commission of the crime, an offender is convicted of domestic battery a second time, the offender shall be guilty of a class A violation and sentenced to not less than 90 days nor more than one year's imprisonment and fined not less than \$500.00 nor more than \$1,000.00. The five days' imprisonment mandated by this subsection may be served in a work release program only after such offender has served 48 consecutive hours imprisonment, provided such work release program requires such offender to return to confinement at the end of each day in the work release program. The offender shall serve at least five consecutive days' imprisonment before the offender is granted probation, suspension, or reduction of sentence or parole or is otherwise released. As a condition of any grant of probation, suspension of sentence or parole or of any other release, the offender shall be required to undergo a domestic violence offender assessment conducted by a certified batterer intervention program and follow all recommendations made by such program, unless otherwise ordered by the court; and

(3)

For the purpose of determining whether a conviction is a first or second conviction in sentencing under this section:

a.

Conviction includes being convicted of a violation of this section or entering into a diversion or deferred judgment agreement in lieu of further criminal proceedings on a complaint alleging a violation of this section;

b.

Conviction includes being convicted of a violation of a law of this state, another state, an ordinance of any city, or a resolution of any county which prohibits the acts that this section prohibits, or entering into a diversion or deferred judgment agreement in lieu of further criminal proceedings in a case alleging a violation of such law, ordinance or resolution;

c.

Only convictions occurring in the immediately preceding five years, including prior to the effective date of the ordinance from which this section is derived shall be taken into account, but the court may consider other prior convictions in determining the sentence to be imposed within the limits provided for the first or second offender, whichever is applicable; and

d.

It is irrelevant whether an offense occurred before or after conviction for a previous offense.

e.

A person may enter into a diversion agreement in lieu of further criminal proceedings for a violation of K.S.A. 21-3412a, this section or an ordinance of any city or resolution of any county which prohibits the acts that this section prohibits only twice during any five-year period.

State Law reference – Similar provisions, K.S.A. 21-5414.

ARTICLE VI. – OFFENSES AGAINST PUBLIC MORALS

Sec. 22-290. - Narcotics and other drugs.

- (a) Except as authorized by state law, it shall be unlawful for any person to manufacture, possess, have under his control, sell, prescribe, deliver, administer, dispense or compound:
 - (1) Marijuana or marihuana, as defined in K.S.A. 65-4101.
 - (2) All other controlled substances, as defined within K.S.A. 65-4105, K.S.A. 65-4107, K.S.A. 65-4109, K.S.A. 65-4111 and K.S.A. 65-4113.
- (b) A person convicted of violating section (a)(1) is guilty of a class B violation, unless that person has a prior conviction under any city ordinance, county resolution, or state statute for a substantially similar offense, then the person shall be guilty of a class A violation. A person convicted of violating section (a)(2) is guilty of a class A violation.

State Law reference— Similar provisions, K.S.A. 21-5706.

Sec. 22-317. - Possession, use of simulated controlled substances, drug paraphernalia prohibited.

- (a) No person shall possess, use or possess with intent to use:
 - (1) Any simulated controlled substance;
 - (2) Any drug paraphernalia to use, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance in violation of the uniform controlled substances act;
 - (3) Any drug paraphernalia for the planting, propagation, growing or harvesting of less than five marijuana plants; or

- (4) Anhydrous ammonia or pressurized ammonia in a container not approved for that chemical by the state department of agriculture.
- (b) A person convicted of violating section (a)(1) or (a)(4) is guilty of a class A violation. A person convicted of violating section (a)(2) or (a)(3) is guilty of a class B violation.

State Law reference— Similar provisions, K.S.A. 21-5713 and K.S.A. 21-5709.

ARTICLE VII. – OFFENSES AGAINST GOVERNMENT FUNCTIONS

Sec. 22-352. - Violation of protective order.

- (a) Violation of a protective order is knowingly, or intentionally violating:
 - (1) A protection from abuse order issued pursuant to K.S.A. 60-3105, 60-3106, and 60-3107, and amendments thereto;
 - (2) A protective order issued by a court or tribunal of any state or Indian tribe that is consistent with the provisions of 18 U.S.C. Section 2265, and amendments thereto;
 - (3) A restraining order issued pursuant to K.S.A. 23-3707, 38-2243, 38-2244 or 38-2255, and amendments thereto;
 - (4) An order issued in this or any other state as a condition of pretrial release, diversion, probation, suspended sentence, postrelease supervision or at any other time during the criminal case that orders the person to refrain from having any direct or indirect contact with another person;
 - (5) An order issued in this or any other state as a condition of release after conviction or as a condition of a supersedeas bond pending disposition of an appeal, that orders the person to refrain from having any direct or indirect contact with another person;
 - (6) A protection from stalking or sexual assault order issued pursuant to K.S.A. 60-31a05 or 60-31a06, and amendments thereto.
- (b) As used in this section, "order" includes any order issued by a municipal or district court.
- (c) No protective order, as set forth in this section, shall be construed to prohibit an attorney, or any person acting on the attorney's behalf, who is representing a defendant in any civil or criminal proceeding from contacting the protected party for a legitimate purpose within the scope of the civil or criminal proceeding. The attorney, or person acting on the attorney's behalf, shall be identified in any such contact.
- (d) Violation of a protective order is a class A violation.

State Law reference— Similar provisions, K.S.A. 21-5924.

Section 3. That said original Sections 22-41, 22-290, 22-317, and 22-352 of the Code of Ordinances for the Unified Government of Wyandotte County/Kansas City, Kansas are hereby repealed.

Section 4. This ordinance shall take effect and be in full force from and after its passage, approval, and publication in the official Unified Government newspaper.

PASSED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT OF
WYANDOTTE COUNTY/KANSAS CITY, KANSAS,

THIS _____ DAY OF _____, 2017.

Mark Holland, Mayor/CEO

Attest:

Unified Government Clerk

Approved As To Form:

Unified Government Counsel



Staff Request for Commission Action

Tracking No. 171250

Full Commission Meeting Date: 9/14/17

Committee: Public Works & Safety

Date of Standing Committee Action: 8/28/17

(If none, please explain):

Publication Required: No

<u>Date:</u>	<u>Contact Name:</u>	<u>Contact Phone:</u>	<u>Contact Email:</u>	<u>Department/Division:</u>
08/28/2017	Ryan Haga	x5075	rhaga@wycokck.org	Legal

Item Description:

Kansas City Board of Public Utilities Water Distribution improvement project for its Muncie site

This Resolution declares that this project is a necessary and valid improvement project. This Resolution directs the Chief Counsel to cause a survey and description of such parcels to be undertaken and prepared by a licensed land surveyor or a professional engineer to identify and describe the property to be acquired for this project, and to submit an Ordinance authorizing the exercise of eminent domain and to undertake all other necessary actions to complete the acquisition of such parcels.

Action Requested:

To adopt the resolution.

Budget Impact: (if applicable)

Amount:

Source:

Included In Budget:

Other (explain):

Attachments List:

BPU Muncie Site Reso

(Published _____)

RESOLUTION NO. _____

A RESOLUTION

declaring the necessity and authorizing a survey and descriptions of lands necessary to be condemned or otherwise acquired for the construction, maintenance, operation, use and repair of the Kansas City Board of Public Utilities Water Distribution improvement project for its Muncie site, all in Wyandotte County, Kansas.

**BE IT RESOLVED BY THE COMMISSIONERS OF THE
UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS**

SECTION 1. It is hereby found and determined necessary that certain lands be condemned, or otherwise acquired, for public use providing for land necessary for construction, maintenance, operation, use and repair of Kansas City Board of Public Utilities Water Distribution improvement project for its Muncie site. The project will include the construction of two storage buildings, a guard house and new truck entrance for BPU's Muncie site. This project is all in Wyandotte County, Kansas.

SECTION 2. The Board of Commissioners hereby directs and authorizes its Chief Counsel to cause a survey and description of such parcels to be undertaken and filed with the Clerk of Wyandotte County/Kansas City, Kansas; to thereafter prepare and submit to the Board of Commissioners an ordinance authorizing the exercise of eminent domain with respect to such parcels; and upon approval of the same by the Board of Commissioners to initiate eminent domain proceedings in the District Court of Wyandotte County, and to undertake all other necessary actions to complete acquisition of such parcels.

SECTION 3. This resolution shall be published once in the official County, newspaper, The Wyandotte Echo.

**ADOPTED BY THE COMMISSIONERS OF THE UNIFIED GOVERNMENT
OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS**

THIS _____ DAY OF _____, 2017.

UNIFIED GOVERNMENT CLERK

APPROVED AS TO FORM:

RYAN P. HAGA
Assistant Counsel



Staff Request for Commission Action

Tracking No. 171237

Full Commission Meeting Date: 9/14/17

Committee: Administration & Human Services

Date of Standing Committee Action: 8/28/17

(If none, please explain):

Publication Required: No

<u>Date:</u> 08/28/2017	<u>Contact Name:</u> Justus Welker	<u>Contact Phone:</u> x6798	<u>Contact Email:</u> jwelker@wycokck.org	<u>Department/Division:</u> Transportation
<u>Item Description:</u> New pilot service designed to provide a lower cost mobility option for able bodied individuals who aren't eligible for existing services, don't have private transportation or reasonable access to fixed route public transportation. Trips for able bodied persons aged 16-64 would be commingled with our existing paratransit services. The cost of these trips would be determined by the length of the trip. This service would be less expensive than traditional ride-hailing services.				
<u>Action Requested:</u> Seeking approval to implement a new pilot service.				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u> Enhanced Paratranit				

ENHANCED PARATRANSIT

- New pilot service designed to provide a lower cost mobility option for able bodied individuals who aren't eligible for existing services, don't have access to private transportation or reasonable access to fixed route public transportation.
- Trips for able bodied persons aged 16-64 would be commingled with our existing paratransit services. The cost of these trips would be determined by the length of the trip. This service would be less expensive than traditional ride-hailing services.
- Individuals, who utilize this service to access the transit center or major transfer hub closest to their residence, will be given a RideKC fixed route transfer. Transfers are good for two hours on the RideKC fixed route system. An additional fare may be required when transferring to a route with higher fare.
- This new pilot service is projected to be at minimum a budget neutral initiative, as we would use already established services and routes. Any increase in mileage/ fuel should be offset by the variable passenger fare.
- While initial ridership projections are minimal, this would be an additional mobility option for those in need.
- Staff anticipates operating the pilot service for 6 months to evaluate long term viability.

Service	Age	Cost	Days/ Hours	Trip Purpose	PCA/ Guest	Scheduling	Pickup Window	Travel Time Negotiation	Will-Call Returns	Pick Up	During Your Ride	Drop off
ADA Paratransit	No Limit	\$3 per each one-way trip	Same days and hours as the fixed route service	Any	One personal care attendant may ride free. Up to 2 guests may ride with client and must pay the same fare as the client.	Trips can be scheduled 1 to 14 days in advance. Reservations must be made no later than 4:45 p.m. the day before you want to travel. <u>Same day travel requests may be accommodated.</u>	You will be given a 30-minute window in which the driver will be scheduled to arrive. Your vehicle may arrive at any time during this 30-minute window. Please be ready to go at the beginning of your pickup window to avoid any delays.	Up to 1 hour before or 1 hour after your requested travel time.	For medical trips only, you may schedule a will-call return during the reservation process. Will Call trips are not assigned to a vehicle until you call and activate the Will Call. For Will-Call returns, your vehicle will be scheduled to arrive within one (1) hour of your call.	We provide door-to-door service to the most exterior door and cannot enter residences or businesses. Please be ready and waiting near the most exterior door. If you are using a wheelchair, there must be an accessible path from your pickup point to the vehicle. Drivers are unable to assist wheelchair passengers up or down steps or along other non-accessible paths. Drivers are required to wait for passengers up to five (5) minutes after their arrival or five (5) minutes after the start of the pickup window, whichever is longer. If you are not available to board the vehicle within five (5) minutes, you may forfeit your trip.	This is a shared-ride service. You should expect to routinely share your vehicle with other customers. Seat selection is first come, first served. You may or may not be taken directly to your destination. The vehicle may deviate significantly from a direct route to your destination in order to accommodate other passengers. Be prepared to be on board the vehicle for up to one hour or more.	We provide service to the most exterior door of your destination and cannot enter residences or businesses. If you are using a wheelchair, there must be an accessible path from the vehicle to your destination. Drivers are unable to assist wheelchair passengers up or down steps or along other non-accessible paths.
Senior Paratransit	65 & Up	\$2 per each one-way trip	M-F, 7AM - 7PM	Primarily designed for medical, work and nutrition trips but may also be used for education, recreational and personal trips if service capacity exists.		Trips can be scheduled 1 to 14 days in advance. Reservations must be made no later than 4:45 p.m. the day before you want to travel. <u>Same day travel requests cannot be accommodated.</u>		Dispatchers may offer pick-up times to customers that are different from those requested. This procedure is called trip negotiation. The ability to manage trips in this manner assists us to provide better service to all of our customers.				
Enhanced Paratransit (Proposed)	16-64	*Variable based on trip length				Up to 2 guests may ride with client and must pay the same fare as the client.						

Trip Length	Base Fare
0 - 3 miles	\$3.00
3 - 6 miles	\$5.00
6 - 9 miles	\$7.00
9 - 12 miles	\$9.00
12 - 15 miles	\$11.00
15 + miles	\$11.00 + \$2 per mile



Staff Request for Commission Action

Tracking No. 171290

Full Commission Meeting Date: 9/14/17

Committee: Full Commission

Date of Standing Committee Action: NA
(If none, please explain):

Publication Required: No

<u>Date:</u> 09/05/2017	<u>Contact Name:</u> Emerick Cross	<u>Contact Phone:</u> x6784	<u>Contact Email:</u> ecross@wycokck.org	<u>Department/Division:</u> Commission Liaison
<u>Item Description:</u> Nomination for Boards & Commissions: UG Park Board, Ty Collins Jr., 9/14/17 to 3/31/20, submitted by Commissioner Markley				
<u>Action Requested:</u> Approval				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u> 				

STATE OF KANSAS)
WYANDOTTE COUNTY)) SS
CITY OF KANSAS CITY, KS)

REGULAR SESSION
THURSDAY, AUGUST 17, 2017

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in regular session Thursday, August 17, 2017, with ten members present: Bynum, Commissioner At-Large First District; Walker, Commissioner At-Large Second District; Townsend, Commissioner First District; McKiernan, Commissioner Second District; Johnson, Commissioner Fourth District; Kane, Commissioner Fifth District; Markley, Commissioner Sixth District; Walters, Commissioner Seventh District; Philbrook, Commissioner Eighth District; and Holland, Mayor/CEO, presiding. Murguia, Commissioner Third District; was absent. The following officials were also in attendance: Doug Bach, County Administrator; Gordon Criswell, Joe Connor, and Melissa Sieben, Assistant County Administrators; Logan Masenthin (CAO Intern); Ken Moore, Chief Legal Counsel; Maureen Mahoney, Assistant to the Mayor/Chief of Staff; Emerick Cross, Commission Liaison; Bridgette Cobbins, Unified Government Clerk; Chris Slaughter, Land Bank Manager; and Captain Robert Angell, Sergeant-at-Arms.

MAYOR HOLLAND called the meeting to order.

ROLL CALL: Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murguia, Holland.

INVOCATION was given by Reverend Cedric Rowan of First Baptist Church.

MAYOR'S AGENDA

ITEM NO. 1 – 171244...VOTING DELEGATES: LKM CONFERENCE

Synopsis: Designation of voting delegates for the League of Kansas Municipalities Annual Conference in Wichita, KS.

Mayor Holland said there's room for more delegates. Wichita is beautiful this time of the year so there's an opportunity. I would ask the Clerk if you would announce who the voting delegates

will be.

Bridgett Cobbins, Unified Government Clerk, said it's uncertain who the voting delegates will be. We do have three staff members that plan on attending. I believe it is Melissa Sieben, Mike Taylor and I believe Gordon Criswell. Those are the three staff that will be going.

Action: **Mayor Holland made a motion, seconded by Commissioner McKiernan, to approve the voting delegates.** Roll call was taken and there were nine "Ayes," Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan.

CONSENT AGENDA

Mayor Holland asked if anyone in the audience tonight would like to set an item aside you're welcome to do so by coming forward to the microphone. Any item not set aside will be voted on by a single vote. **A woman from the audience** asked to set-aside Item #3, minutes of regular session July 6, 2017. **Mayor Holland** said we will set the minutes aside. Let the record show that no one else is moving forward.

Action: **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve the Consent Agenda, excluding the set aside.** Roll call was taken and there were nine "Ayes," Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan.

ITEM NO. 1 – 171226... ORDINANCE: BPU/ROSEDALE ELECTRIC SUBSTATION

Synopsis: An ordinance authorizing the Chief Counsel to commence legal proceedings to acquire property required for the Board of Public Utilities' new 161kV Rosedale Electric Substation, submitted by Ryan Haga, Assistant Counsel. This condemnation action does not include any easements that may be required for transmission line.

Action: **ORDINANCE NO. O-20-17, "An Ordinance condemning land for the construction, maintenance, operation, use and repair of the Kansas City Board of**

Public Utilities new 161kV Rosedale Electric Substation.” **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve.** Roll call was taken and there were nine “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan.

ITEM NO. 2 – 171240... NOMINATIONS: BOARDS AND COMMISSIONS

Synopsis: Nominations for Boards and Commissions:

Joan Spero for the Wyandotte/Leavenworth Area Wide Advisory Council on Aging, 8/17/17 to 3/31/20, submitted by Commissioner Markley.

Denise Tomasic for the Kansas City, KS Housing Authority, 8/17/17 to 3/31/18, submitted by Commissioner Philbrook.

Action: **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve.** Roll call was taken and there were nine “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan.

ITEM NO. 3 – MINUTES

Synopsis: Minutes from regular session of July 6, 2017; and special sessions of July 13, 17, 20, and 24, 2017

Mayor Holland said I’ll ask the member in the audience who set the minutes aside to please come forward to the microphone to address why you set this item aside. **Woman from the audience** said I set July 6th to the side because I want to address the juvenile detention center. That’s why I set it to the side. The construction of it is, if I’m not mistaken, it’s talking about the construction, right and condemning buildings, right? **Mayor Holland** said my understanding is approval of the minutes are only the stating of the items; if there is a misstatement in the minutes of something that happened or didn’t happen that was not recorded properly. We don’t reopen items for discussion or for a new vote based on what’s reflected in the minutes.

I would suggest that if you think that there is something recorded in the minutes that is wrong or inaccurate then we can correct those minutes for the record. We do not take the items that were approved—the meeting that approved them has already passed. These are just the

minutes that recorded what happened. We just need to make sure the recording was correct, but we don't reopen issues for discussion based on their presence in the minutes. Does that make sense? **Woman from the audience** said yes. **Mayor Holland** asked do you have any corrections to the minutes. **Woman from the audience** said no.

Action: **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve.** Roll call was taken and there were nine "Ayes," Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan.

ITEM NO. 4 – WEEKLY BUSINESS MATERIAL

Synopsis: Weekly business material dated July 27, August 3 and 10, 2017.

Action: **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to receive and file.** Roll call was taken and there were nine "Ayes," Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan.

Mayor Holland adjourned the meeting as the Board of Commissioners and reconvened as the Land Bank Board of Trustees.

LAND BANK BOARD OF TRUSTEES' AGENDA

ITEM NO. 1 – 171233...LAND BANK BUSINESS

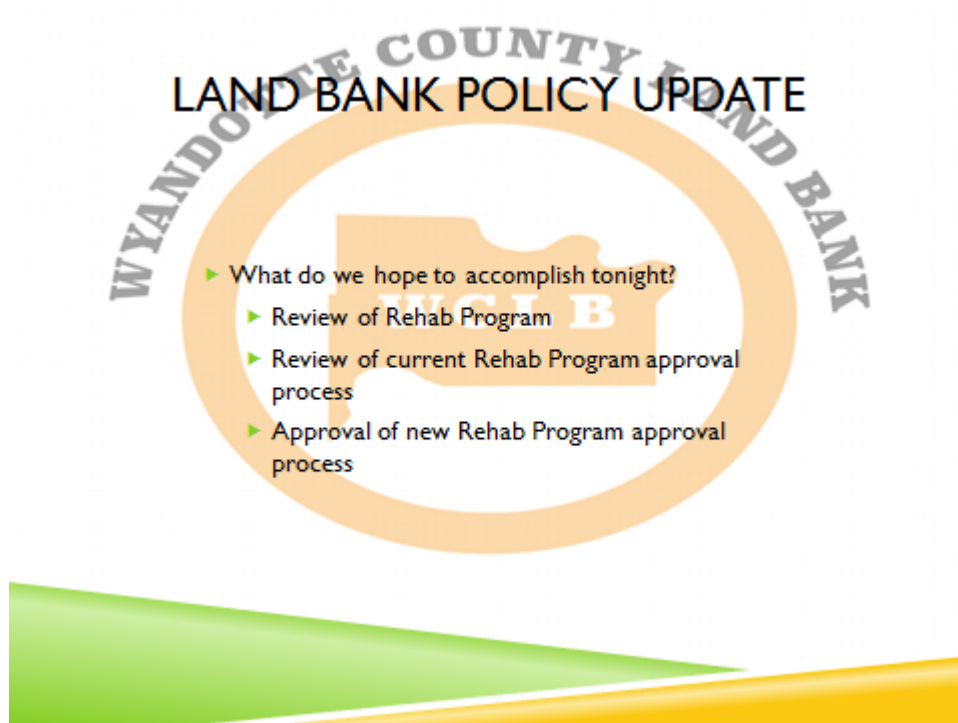
Synopsis: Request approval of the following Land Bank policy updates, submitted by Chris Slaughter, Land Bank Manager.

- Land Bank Policy Update
- Land Bank Rehab Property

Chris Slaughter, Land Bank Manager, said what we did is we met Monday night at the standing committee and we presented some policy recommendation changes, basically the approval process for the houses that are going through our Land Bank Rehab Program. I'll run through the presentation and then if there's any questions, please let me know or we can take questions at the end.

AUGUST 17, 2017

Also, there will be a recommendation for the Board to approve property that goes into the Rehab Program. I believe the list is in your packet tonight. There are 48 properties.



Again, what we hope to do tonight is we'll go ahead and do a quick review of the Rehab Program, the current Rehab Program approval process, and the proposed new approval process.



As you guys are all aware, we are now taking more than just vacant lots into the Land Bank. Those include houses and commercial properties. We have established a contractor pool. These are qualified rehabbers and investors that have gone through a process to get in the pool. Anybody from the public right now just couldn't come up to us and ask for a house to rehab. They would have to qualify for this pool. Those are the only ones that see the houses and have an opportunity to make an offer.

When we get those, we also board and secure those. Hopefully, some of you have noticed those in your neighborhoods. We paint the doors, we paint the windows, and we tarp the roofs. We put out offers. We have negotiations on the number one ranked offer if there is more than one. Then we turnaround and bring them to standing committee and full commission for approval.

AUGUST 17, 2017

LAND BANK REHAB PROGRAM

- 
- ▶ Rehab Program – current process
 - ▶ Offer/Negotiation
 - ▶ N/CD Standing Committee
 - ▶ Commission Meeting (Board of Trustees)
 - ▶ Closing
 - ▶ Start of Rehab
 - ▶ Challenges of current process
 - ▶ Deadlines and established meetings
 - ▶ Time frame from deadlines to meetings
 - ▶ Extra time for our property to be broken into

Again, offer/negotiation, standing committee, this meeting the Board of Commissioners. We then close, we start the rehab and then if it's successful, then we move on to the next property. The challenges that this presents are deadlines that are established and schedule of meetings. Our houses are boarded and secured before we make an offer. So the longer this draws out before we can get someone in there to rehab, the more chances someone can break into that, cause further damage and cause injury to themselves.

AUGUST 17, 2017



Here's the new process we're proposing. We will still have offers; we will still negotiate with them. Then, at that point, what we're going to do is we're going to recommend that we put the details of the offer in an agreement in a memo to the County Administrator for his approval. Now if he does approve that, then we will go ahead and move to the closing and we will start the rehab. At that time, we will then come back at the next standing committee and commission meeting and we will report on that progress so we can report and say here are the ones that have started, here are the ones that have been completed, here is some information on the before and after type stuff. We can kind of develop that as we move forward.

LAND BANK REHAB PROGRAM

- ▶ Benefits of new approval process
 - ▶ Time
 - ▶ 12 days from RFA deadline to Standing Committee
 - ▶ Average 3 – 17 days from Standing Committee to Commission meeting
 - ▶ 2 to 3 weeks of waiting time rehab could have been started

The benefits of that is, of course, time. From the deadline to submit our RFA, we have 12 days until we get to standing committee. We can average anywhere from 3 days if we fast track to 17 days to go to the commission meeting. That's 2 or 3 weeks of additional time.

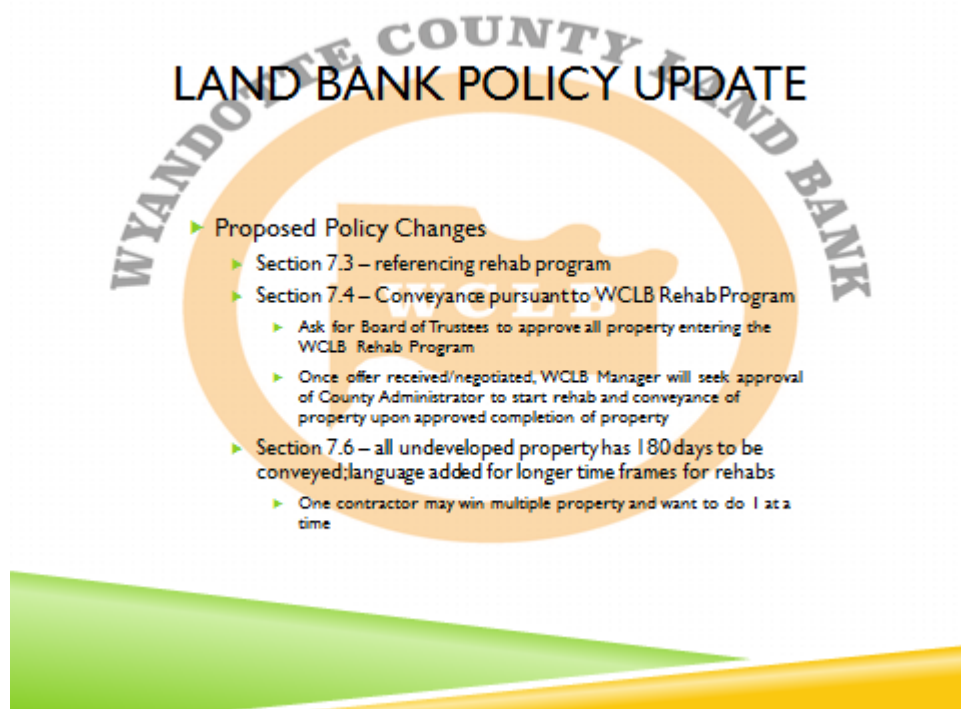
LAND BANK REHAB PROGRAM

- ▶ Benefits of current approval process (example)
 - ▶ Open House – 7 properties on August 18, 2017
 - ▶ Offer deadline – August 25, 2017
 - ▶ Deadline for September N/CD – August 30, 2017
 - ▶ N/CD – September 11, 2017
 - ▶ Commission Meeting – September 14 or 28, 2017
 - ▶ **MAX TOTAL DAYS – 41 days (almost 6 weeks)**

AUGUST 17, 2017

Just an example, we have 7 open houses tomorrow. We're going to show 7 of our houses. Hopefully we'll get some offers. We usually do a weeks' time before those deadlines are due.

The next available standing committee cycle starts on August 30. We'd have a September 11 standing committee, then either the 14th or the 28th for the commission meeting approval. So that's 41 days maximum total or almost 6 weeks of these houses sitting empty with nobody in there rehabbing. We are starting to discover rehabbers in our pool that will definitely have properties rehabbed in that 41- day period.



What is the policy update changes come out to? In Section 7.3, the policy which you also have, we are referencing the Rehab Program in there. We have asked that the Board of Trustees approve all property entering, which we will get to in a minute. Then, of course, the information authorizing the County Administrator to start that process.

We have also turned around and added language for property that's 180 days to be conveyed. An example of that would be we may get one contractor that's awarded two, three properties but what we'll probably do is say if you can't do two at a time, we'll do one and we'll kind of hold them while you're taking care of cutting the grass and keeping it secured. One hundred eighty days could go by before they actually start so we just wanted to add some language in there that kind of protected those situations.



A little bit of information right now, total number of properties 51. We have 3 under contract and 2 that are going to be under contract once we get the title work figured out and that should be hopefully relatively in the next week or two. Twenty-eight of those 51 have been boarded and secured. We're in the process of finalizing the securing of the remaining 21. Six offers we had due on the 14th, and we're currently evaluating those. Of course, we have the 7 open houses tomorrow.

In your packet, again, there are 48 properties that are from Tax Sale 336, which was last December; 337, that was in April of this year and there is one donation property that we got from Wells Fargo in that list too. Again, we are asking that the Board approve the policy update and the list of rehab property that's been submitted.

Commissioner Walker said this came before the committee and we had a longer discussion about it than anyone would have anticipated. I felt like the results came out pretty good. I think the only—I don't know that it needs to be necessarily codified or written down. Undoubtedly, at some point and sometime in the future universe, there's going to be a commissioner that's going to have a problem with one of these houses being put into the pool for resale. It would be my personal preference, although it won't affect me, that there should be a—I can imagine a house

that has some potential that perhaps administration is not aware of that the elected officials know that business entity or a church or some other organization could use this property to more advantage than it being rehabbed for housing. I would like to see where the commissioner, at least from that district, if not any commissioner had the option to request that something be pulled off that list and be brought before the Commission for other consideration.

My understanding was the commissioners will receive a periodic update of the property so it would be incumbent on the commissioner to do something about it before it goes too far down the road. It seems reasonable to me that they retain some minor element of control over the disposition of this property. If there's a bigger fish to be fried than administration has not been clued in. Am I clear on what I'm trying to say here to all of you?

Commissioner McKiernan said I completely agree with what you are saying, but I think that in our process, that would need to take place a little bit further upstream so to speak. At the time that it is, for example, going into a tax sale, so before it gets to this list, I think there's an opportunity to intervene positively in any of our standing committee meetings where we're considering it the first time. By the time the houses make it to this list, we've done our due diligence on them and notified sufficiently; and we've had an opportunity to look at the list at least once as its come to standing committee would be my understanding. I agree and I think we have the opportunity to do that I think.

Commissioner Walker said well, if everyone is satisfied with that, I have to tell you when you get 400 or 500 pieces of property on a tax sale notice, my eyes glaze over. I don't always have—my more youthful comrades up here may be able to pinpoint in their minds that certain address of a particular piece of property. I can't do that; I'm sorry.

Mayor Holland said I think one of the ways that would be beneficial is when that tax sale list comes, and I think it's increasingly less burdensome to make this request, could it include a map of where those are. The way we do GIS mapping now, it should be. If there is a list of those properties, we should be able to get a map as well then every commissioner could look at the map instead of just the list of properties which would be easier because you can kind of keep your eye out for the location.

Commissioner Walker said I am satisfied if my colleagues here are satisfied that there is an opportunity for them to not be precluded from perhaps, I keep thinking of a church, but it could be anybody. It could be a business, it could be a church, it could be a non-profit and that is

a key piece of property for what they have planned for the future. The commissioner knows about it because there's been discussion with him but it hasn't trickled down to administration. I just don't want to get so far down the road that we can't stop it. That was the whole point. If everyone's satisfied with the tax sale, then I'm okay with it. **Mayor Holland** said I personally appreciate your thinking of the churches, Commissioner. **Commissioner Walker** said I do think of the churches often.

Commissioner Bynum said I appreciate the policy changes and it strikes me that anytime we can streamline a government process, then that's progress so that's appreciated.

I have just a couple of really simple questions. This policy change and update, did it go to the Land Bank Advisory Committee for their review and discussion? **Mr. Slaughter** said no. Really the Advisory Board currently, they're just reviewing really just an application for a yard extension or property acquisition. Maybe if somebody is wanting some property for a new build or something like that. They are aware of the Rehab Program, but we haven't really included them in this. **Commissioner Bynum** said we might want to consider a conversation with them, at least, to make sure everyone involved in Land Bank is on the same page with the processes that we're adopting.

The second question is, in the policy itself, it speaks to, I think, 180 days to register the deed in the Register of Deeds Office. The question is, is there a process in place between your department and the Register of Deeds Office that's making sure that happens? **Mr. Slaughter** said that's me. **Commissioner Bynum** said I was afraid you were going to say that. Is there a hammer if it doesn't happen? What's the penalty if it doesn't happen? **Mr. Slaughter** said if we couldn't get one of these houses conveyed in 180 days? **Commissioner Bynum** said if I take the house and I don't file my deed with the Register of Deeds? **Mr. Slaughter** said, Commissioner, the way the program works is the property stays in the Land Bank's name throughout the rehab. The agreement that we sign with the rehabber is filed, in essence, like a contract for deed. When everything has been satisfied from the rehab standpoint, from the Land Bank's position, our inspectors or anybody else that needs to be involved, then we will deed ourselves off the property. We also ask them before they start the rehab to sign a quick claim deed from them deeding themselves or basically the agreement off if we get to the point where they have to walk away from the project or maybe they have. Instead of us chasing them down, we already have that on file.

We feel we put the precautionary steps in there to make sure that nobody is going to take advantage of conveying something when it shouldn't be. We tell everybody that comes and registers that we want to be your partner during this process. We may not be swinging the hammer and pulling down walls with you, but we're looking to make them successful because we want them to come back and do some more property for us.

Commissioner Philbrook said thank you very much for all that hard work and streamlining and for everybody else's questions. I do agree with Commissioner Walker that it would be nice to know far enough ahead so if there is something special going on with a piece of property. Thank you, Mayor, for suggesting the map, a map I could use. I love maps. It's a lot easier. Since I know we're going to be doing that, great ideas.

Mayor Holland said I want to thank everyone for working on this as well. This is part of our SOAR initiative to stabilize, occupy, and revitalize initiative. It's really not just tearing down properties but getting properties that can be saved back onto the tax rolls and rehabbed. This is something that we've talked about for a long time and we're trying to bring it to scale. This is a big step forward with the SOAR initiative and this is why we're investing \$1.7M of STAR bond money into this SOAR initiative because it's directly benefiting rehabbing properties. To have 51 in the pipeline is very exciting.

The other piece is how do people who would like to get into the contractor pool get in? **Mr. Slaughter** said the easiest way is to contact our office. We do have on our website, there is a link. There's been some issues that hopefully we'll get that link fixed. The easiest way is they can contact us. They can come by our office. We have them printed out and we can email them to them. Of course, once the website is up, they'll have the ability to do it all on the website. **Mayor Holland** said they contact Chris Slaughter. **Mr. Slaughter** said Chris Slaughter or the Land Bank/Economic Development Office at 573-5730. **Mayor Holland** said 573-5730. We'll that's the best phone number in the agency, that's easy to remember. **Mr. Slaughter** said it took me a while to memorize it but, yes, I got it. **Mayor Holland** said nice work, nice work. Thank you very much for your work on this. There's been a lot of effort to get to this point, so thank you and bringing it to scale is our next challenge.

Action: **Commissioner McKiernan made a motion, seconded by Commissioner Johnson, to approve.** Roll call was taken and there were nine “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan.

Mayor Holland said I’ve been asked by Commissioners Bynum and Townsend just to recognize a moment of silence if you would join together. Obviously, this new terrorist attack in Spain and the loss of police officers: one in Clinton, MO, and two recently in Charlottesville. The whole situation in Charlottesville has our whole nation struggling. We just ask for a prayer for hate groups to change their hearts and also the loss of young people in our own community. There’s just a lot of grief in our nation, our world, and in our community right now. If we would just join together in a moment of silence just to show our unity. I think our unity is often expressed best without words. Let us pray.

MAYOR HOLLAND
ADJOURNED THE MEETING AT 7:24 P.M.
August 17, 2017

mbb

Bridgette D. Cobbins
Unified Government Clerk

AUGUST 17, 2017



Unified Government Clerk's Office

Bridgette D. Cobbins

Unified Government Clerk

701 North 7th Street, Suite 323
Kansas City, Kansas 66101-3070

Phone: 913-573-5260
Fax: 913-573-5299
<http://www.wycokck.org>

Memorandum

To: Doug Bach
County Administrator

From: Bridgette Cobbins
UG Clerk

Date: August 31, 2017

Re: Weekly Business Material

Attached is a listing of weekly business items presented to the Unified Government of Wyandotte County/Kansas City, Kansas, for informational purposes.

In addition to the listing of the items, we have indicated the action taken by the Unified Government Clerk.

tpl

Attachment

Weekly Business Material for August 31, 2017

1. CONTRACT DOCUMENT:

She Digs It, LLC for Treatment Plant No. 20 Site Improvements, Project ID 6033, \$105,433,00.

Action: Received and filed.

2. COMMUNICATION:

Bridgette Cobbins, UG Clerk, listing bids received August 30, 2017, for Project ID #0217, 0417 - 2017 NSRP #2.

Action: Received and filed. Copies previously forwarded to County Administrator, Emma Scovil, Legislative Auditor and Public Works.

3. COMMUNICATION:

Richard Mikesic, Accounting Manager, regarding warrant cancellations:

Warrant #	Issue Date	Amount	Fund	Reason	Vendor	Reissue Date
817125	6/23/2017	\$1,124.60	160	Wrong Vendor	Wilburn, C	9/1/2017

Action: Received and filed.

4. PERSONNEL ACTION COMMUNICATION, DATED AUGUST 29, 2017:

Section I - Appointments

Name	Department/Division	Eff. Date	Job Title
Carmela Derritt	DA's Office	8/24/17	Admin Supt Spec
Kevin M Wright	PW/Street	8/24/17	Equipment Operator I

Section IV - Leaves of Absence

Name	Department/Division	Lv. Beg	Lv. Ends	Leave/Pay
Daniel R Everhart	Sheriff/Detention	9/3/17	10/2/17	unpaid
Jami R Garcia	Fire/Comm	8/18/17	9/16/17	unpaid

Section V - Increases per Memorandum of Understanding

Name	Department/Division	Eff. Date	Job Title
Stanley E Bartley	NRC/Inspection	8/23/17	Bldg Inspector I
Bret Charboneau	NRC/Inspection	9/9/17	Bldg Inspector I
Eric M Haines	Sheriff/Admin	4/21/16	Deputy

Section VII - Reclassification

Name	Department/Division	Eff. Date	Former Job Title	New Job Title
Mary M Pollock	Sheriff	9/7/17	Program Coordinator	Program Supervisor

Section VIII - Other Requests

Name	Department/Division	Action Requested and Explanation
Kristen Czugala	Police	ACD code change effective 9/21/17
Maritza Gordillo	Police	ACD code change effective 9/21/17
David Hopkins	Police	ACD code change effective 8/31/17
Steven Kopp	Police	ACD code change effective 8/31/17
Michael D Kroening	Sheriff/Detention	ACD code change effective 8/24/17
Wesley Lundgren	Police	ACD code change effective 8/31/17
Wendy Medina	Police	ACD code change effective 9/21/17
Markaela Moore	Police	ACD code change effective 9/21/17
Charles F Patrick	Sheriff/Detention	ACD code change effective 8/24/17
Joshua Robinson	Urban Planning	Employee status change from type 7 to type 5 and rg/stp effective 8/24/17
Jeffery A Tayler	Sheriff/Detention	ACD code change effective 8/24/17

Action: Received and filed. Copy previously forwarded to Payroll.

5. CLAIMS FOR DAMAGES:

Wendell Hall, Jr., 1555 Balzar Avenue Apt 111, Las Vegas, NV, alleging injury to a minor due to being hit by a Kansas City, Kansas patrol car while on duty.

Pov Huns, 5440 County Line Rd., KCK, alleging damages due to city pumps not working causing damage to the home, air conditioning unit, cars and several personal items on June 27, August 5, August 22 and August 27, 2017. (Four claims were submitted.)

Leticia Macias, 1101 S. 39th, KCK, alleging losing everything due to city pumps not working. (Two claims were submitted.)

Elizabeth Magaña (Zamora), 1101 S. 38th St., KCK, alleging damage to property due to city pumps not working properly causing flooding to the house, garage, basement, fence, air conditioning unit and cars. (Claims 3 and 4.)

Timothy White, 333 S. Walker St., Olathe, KS, alleging damages due to city pumps not working causing damages to the air conditioning unit, cars, several personal items and rental property located at 1106 S. 38th St. on July 27, August 6, August 22 and August 27, 2017.

Action: Received and filed. Copies previously forwarded to Legal.

6. SUMMONSES:

University of Kansas Hospital Authority vs. Board of County Commissioners of the Unified Government, et al., Case No. 17-CV-622.

Joe Vanbibber vs. the Unified Government of Wyandotte County/Kansas City, Kansas, et al., Case No. 17-CV-714.

Action: Received and filed. Copy previously forwarded to Legal Department.

7. TRAVEL REQUESTS:

Michelle Angell, Communications, travel to Nashville, TN, September 18 – 22, 2017, to attend the Metropolitan Nashville Police Department – Captain Assessment Center. No cost.

Nicholas M. Carvan, Fire Department, travel to Johnston, IA, October 1 – 6, 2017, to attend the Advanced Tactical Operations Course.

Crystal Doran, PHS/Clinical Services, travel to Branson, MO, September 13 – 15, 2017, to attend Breast Patient Navigator Certification, FP Fees.

Dustin Dungan, Police/Operations, travel to various locations in KS, September 19, 2017 – May 19, 2018, to attend training one day a month, SLETF Employee Training & Travel.

Mark Dupree, WYCO District Attorney's Office, travel to Minneapolis, MN, September 5, 2017, to attend a videotaping with WMBA Star Maya Moore and Jerry Stackhouse for the Player's Tribune, Employee Training & Travel.

Rahnald Gorman, Department of Technical Services, travel to Orlando, FL, September 26 – 28, 2017, to attend Microsoft Ignite Conference, Rahnald Gorman.

Brandon Farrell, Fire Department, travel to Clinton and Lowry City, MO, August 12, 2017, to attend L.O.D.D Funeral, Employee Training & Travel.

Rahnald Gorman, Department of Technical Services, travel to Orlando, FL, September 26 – 28, 2017, to attend Microsoft Ignite Conference, Rahnald Gorman.

Daniel Jackson and Robert Rome, Sheriff/Detention, travel to Hutchinson, KS, October 15 – 20, 2017, to attend the LELA Supervisory Training, Employee Training & Travel.

J. Renee Ramirez and Donna Segura, Human Resources/Knowledge Department, travel to Atlantic City, NJ, November 13 – 17, 2017, to attend the Harris/Cayenta Customer Training Conference, Employee Training & Travel.

Angelina Sanchez-Vinson, Health/PHS/HFW, travel to Omaha, NE, August 13 – 18, 2017, to attend the Healthy Families America ISHV/FSW Leadership Conference, MIECHV.

Action: Approved by County Administrator's Office and received and filed.

8. APPLICATIONS FOR CMB LICENSE (PKG):

My Store III/Terri Hadley DBA Speed Stop, 9801 Parallel Pkwy.
PK Brothers LLC/Kumar Monger DBA One Stop N Shop, 901 Minnesota Ave.

Action: Referred to License.

9. APPLICATION FOR DRINKING ESTABLISHMENT:

ASC Holdings/Kelly Hale DBA Americrown at Kansas Speedway, 400 Speedway Blvd.

Action: Referred to License.

10. APPLICATION FOR CATERER/DRINKING ESTABLISHMENT/HOTEL:

Steve Beaumont/Bill Hutton DBA Chateau Avalon Hotel, 701 Village West Pkwy

Action: Referred to License.

11. APPLICATIONS FOR CMB TEMPORARY LICENSE:

LAO Buddhist Association of Olathe/Sanith Souvanh for a temporary permit not to exceed September 8 – 10, 2017, from 10 a.m. to 12 p.m.

Linda Kolenda/Christ the King Parrish Ice Cream Social for a temporary permit not to exceed September 26, 2017, from 5 p.m. to 10 p.m.

Action: Referred to License.

12. APPLICATIONS FOR PRIVATE SECURITY BUSINESS:

MVM, Inc./Michael Haynes DBA MVM, Inc., 44620 Guilford Dr. #150, Ashburn, VA.
Simmons Security & Protection Services, Inc./John Turner DBA Simmons Security & Protection Services, 726 Minnesota Ave.
David Kearney III/David Kearney III DBA DIII Security, 1424 E Stagecoach Dr., Olathe, KS.

Action: Referred to License.



Unified Government Clerk's Office

Bridgette D. Cobbins

Unified Government Clerk

701 North 7th Street, Suite 323
Kansas City, Kansas 66101-3070

Phone: 913-573-5260
Fax: 913-573-5299
<http://www.wycokck.org>

Memorandum

To: Doug Bach
County Administrator

From: Bridgette Cobbins
UG Clerk

Date: September 7, 2017

Re: Weekly Business Material

Attached is a listing of weekly business items presented to the Unified Government of Wyandotte County/Kansas City, Kansas, for informational purposes.

In addition to the listing of the items, we have indicated the action taken by the Unified Government Clerk.

mbb

Attachment

Weekly Business Material for September 7, 2017

1. COMMUNICATION:

Richard Mikesic, Accounting Manager, regarding warrant cancellations:

Warrant #	Issue Date	Amount	Fund	Reason	Vendor	Reissue Date
815673	6/9/2017	\$ 390.00	113	Lost Warrant	Young	9/8/2017
817201	6/30/2017	\$ 800.00	160	Stale Dated	Zipf-Zigler	9/8/2017
817577	7/7/2017	\$ 290.00	113	Lost Warrant	Young	9/8/2017
817884	7/7/2017	\$ 14.87	790	Stale Dated	Ojeda	9/8/2017

Action: Received and filed.

2. PERSONNEL ACTION COMMUNICATION, DATED SEPTEMBER 5, 2017:

Section I - Appointments

Name	Department/Division	Eff. Date	Job Title
Mario Babic	District Court	8/22/17	Records Clerk II
Natalie I Brady	Appraiser	9/7/17	Admin Supt Asst
Austin M Kochsmeier	PW/WPC	9/7/17	General Maint Worker
Margaret K Lansdown	Police	9/7/17	Office Asst III
Betsy L Pike	PW/WPC	9/7/17	Engineering Tech II
Ian K Scott	Parks/Rec	9/7/17	Park Maint Tech I

Section II - Transfer

Name	Department/Division	Eff. Date	Former Job Title	New Job Title
Joseph S Anthony	Parks/Rec	9/7/17	Groundskeeper I	Groundskeeper II

Action: Received and filed. Copy previously forwarded to Payroll.

3. PERSONNEL ACTION COMMUNICATION, DATED SEPTEMBER 7, 2017:

Section V - Increases per Memorandum of Understanding

Name	Department/Division	Eff. Date	Job Title
Michael P Callahan	PW/WPC	8/4/17	Sewer Maint Worker I
Nykita Sullivan-Slater	Finance/Treasury	8/19/17	Fiscal Supt Assistant
Lorena Vega	Finance/Treasury	8/19/17	Fiscal Supt Specialist

Section VII - Reclassification

Name	Department/Division	Eff. Date	Former Job Title	New Job Title
Kristen L Love	Parks/Rec	9/7/17	Admin Supt Specialist	Professional Asst

Action: Received and filed. Copy previously forwarded to Payroll.

4. CLAIMS FOR DAMAGES:

Milton Snoddy #171635, Wyandotte County Detention Center, 710 North 7th St., alleging personal property in his bag was damaged while in possession by the jail.

San Juanita Schneider, 1120 S. 38th St., alleging personal and property damages due to flooding July 27, August 5, 22 and 27, 2017.

Sheila Hayes, 2209 N. 114th St., alleging personal and property damages from a city mower driver running over an electrical box on the ground.

Victor Garcia, 4402 N. 122nd Ter., alleging damage to vehicles due to rut between the street and driveway from a snowplow truck.

Action: Received and filed. Copies previously forwarded to Legal.

5. TRAVEL REQUESTS:

Bruce Andersen, Air Quality, travel to Seattle, WA, September 24 – 27, 2017, to attend the 2017 National Association of Clean Air Agencies Fall Membership Meeting, Federal Air Pollution Program.

Jim McDaniel, Environmental Health, travel to Dover, DE, October 21 – 25, 2017, to attend the 2017 On-Site Wastewater Mega Conference, GF-EH.

Action: Approved by County Administrator's Office and received and filed.