



Public Works and Safety Committee
Standing Committee Meeting Agenda
Monday, November 13, 2017
5:00 PM

Location:

Municipal Office Building
701 N 7th Street
Kansas City, Kansas 66101
5th Floor Conference Room (Suite 515)

Name

Absent

Commissioner Melissa Bynum, Chair

☐

Commissioner Harold Johnson

☐

Commissioner Mike Kane

☐

Commissioner Angela Markley

☐

Commissioner Jane Philbrook

☐

Jeff Bryant, BPU Member

☐

I. **Call to Order/Roll Call**

II. **Revisions to November 13, 2017 Agenda**

III. **Approval of standing committee minutes from September 25, 2017.**

IV. **Measurable Goals**

V. **Committee Agenda**

Item No. 1 - RESOLUTION: NORTH 31ST & KIMBALL SANITARY STREAM CROSSING IMPROVEMENT

Synopsis: A resolution declaring the necessity and authorizing a survey and description of lands necessary for the North 31st & Kimball Sanitary Stream Crossing Improvements Project (CMIP #6301), submitted by Ryan Haga, Assistant Counsel.

Tracking #: 171378

Item No. 2 - RESOLUTION: INLAND & HOLLIDAY DRIVE SEWER MAIN EXTENSION

Synopsis: A resolution declaring the necessity and authorizing a survey and description of lands necessary for the Inland & Holliday Drive Sewer Main Extension Project (CMIP #6301), submitted by Ryan Haga, Assistant Counsel.

Tracking #: 171379

Item No. 3 - PRESENTATION: MAJOR INFRASTRUCTURE PROJECTS 2019-2022

Synopsis: A summary of the major infrastructure projects that will begin design, construction or continue construction in 2019 - 2022, submitted by Jeff Fisher, Executive Director of Public Works.

For information only.

Tracking #: 171384

VI. Public Agenda

VII. Adjourn

**PUBLIC WORKS AND SAFETY
STANDING COMMITTEE MINUTES
Monday, September 25, 2017**

The meeting of the Public Works and Safety Standing Committee was held on Monday, September 25, 2017, at 5:00 p.m., in the 5th Floor Conference Room of the Municipal Office Building. The following members were present: Commissioner Bynum, Chairman; Commissioners Philbrook, Markley, Kane, Johnson; and Jeff Bryant, BPU Board Member. The following officials were also in attendance: Gordon Criswell, Melissa Sieben and Joe Connor, Assistant County Administrators; Angela Lawson, Deputy Chief Counsel; Ryan Haga, Assistant Counsel; Phil Lockman, Director of Community Corrections; and John Droppelmann, Fire Marshall.

Chairman Bynum called the meeting to order. Roll call was taken and all members were present as shown above.

Approval of standing committee minutes for July 24, 2017. **On motion of Commissioner Kane, seconded by BPU Board Member Bryant, the minutes were approved.** Motion carried unanimously.

Committee Agenda:

Item No. 1 – 171293... GRANT: 2017 KDOC JUVENILE SERVICES REINVESTMENT GRANT

Synopsis: This is a new grant opportunity through the Kansas Department of Corrections for youth services, submitted by Phil Lockman, Community Corrections.

Phil Lockman, Director of Community Corrections, said we've had some pretty dynamic shifts in the State of Kansas when it comes to Juvenile Corrections with implementation of juvenile justice reform a few years ago, but even before then numbers have been changing drastically. Just as a reference point, an example would be, in 2011 we admitted 67 youths to the Juvenile Correctional facilities. That's basically, for a lack of a better term, the state prisons for adolescents. Last year we sent 22. Right now we have a population there of about 31 and we've

averaged 71 for years. They have been coming down since about '11 when we started the Juvenile Detention Alternatives Initiative and some other dynamic changes going on in Kansas.

Another example is the Youth Emplacement. In Case Management in 2011 we had about 241 kids that were in state custody. They were in group homes and other places excluding the Juvenile Correctional facilities. Last year we had 51 kids admitted to Case Management and right now we have only—we fluctuate between zero and two youths in group homes where that number seven years ago was over 160.

The end result is that the State of Kansas saves a lot of money on those placements. Back in '11 and '12 they were expending anywhere from \$18M to \$24M a year for those placements paying for those kids. Now that we've made changes and we're working hard locally and across the state to bring down the number of kids that go into placement unnecessarily, some of them I might say, that money has been freed up so they issued a grant proposal out to the counties. They distributed it based on what we already get for our juvenile justice dollars and for us, for Wyandotte County, that total came up to \$375,503.00. They are calling it an RFP, but it's basically a grant process to use those dollars locally and a lot of restrictions though. We can't do a lot of things that we really should be doing; prevention dollars, we can't use it for emergency placements in emergency shelters, foster care; some of those things because we still have kids that don't have a place to live due to no fault of their own. **Commissioner Philbrook** asked what can we use it for then. **Mr. Lockman** said pretty much programming to reduce the kids that go into placement. **Commissioner Philbrook** said but it's mostly programming. **Mr. Lockman** said yes. It has to be evidence based programming and staff and that and so we had a real short turnaround on this and then they extended it, but they also changed the terms of it and so we've been kind of hitting a moving target.

Right now what we put into it in working with District Court, the Sheriff's Office, Court Services and Community Corrections—the main thing on this is that this has to be used solely for kids in our system. It can't be used for prevention or anything so that really restricts the use of it to a great extent.

The items in it, and I done that little header on it, we're looking at doing some contracted Mental Health Specialist for the kids. We're finding that the amount of trauma in these kids' lives is just outrageous at times. We had a young man two months ago and in a period of about

three weeks he had close family members—one person OD and died and two people were killed in his family. Those kind of issues impact that kid and he's really not doing that bad at the time, but it sure doesn't help him going forward in his life trying to deal with a lot of that stuff and so we're looking at having a contracted mental health professional.

Also, Parent Management Training is a program that's evidence-based. We do Strengthening Families now with kids. It's more of working with parents and kids through a process to have them build a better relationship with each other. What Parent Management Training is, is the actual training of a parent in how to parent a kid especially one that has behavior disorders or emotional issues and so once again, an evidence-based program. **Commissioner Philbrook** said exactly. You don't want to put kids back in the same place they came from expecting to get a different outcome. **Mr. Lockman** said yes, and it's a tough one too because parents don't—it is not an easy sell to the parent to get them to be involved in it, but it's very worthwhile when it works out. **Commissioner Philbrook** said it will be nice to hear how many parents take you up on it. **Mr. Lockman** said yes. We're targeting in it a total of 30 families and it's pretty intensive. It would be contracted out, but it's pretty intensive; once a week for about 13 to 14 weeks but they actually meet with the kid and the parents, do role playing with the parents and then work with the parent with the kid. We're mainly targeting young youth kids on this because we're thinking at the parents level of burnout on the older kids is really going to minimize their involvement. We're targeting 10 to 15 year olds as the primary, but it also applies to siblings because all these kids usually have siblings and will have that impact.

We want to create a position, a Risk Reduction Quality Assurance Coordinator and we do various evidence based programming, aggression replacement, strengthening families, girls circle and some of these other types of programs cognitive education, but what this person is going to be doing is to make sure that we're doing it with quality and fidelity. They are going to be the ultimate trainer. They will be training people, sitting in on sessions, making sure we're doing everything we're supposed to be doing because as with all evidenced-based practices rather it's in medicine or social services, if you're not doing it right and the way it's supposed to be done every time, you're not going to have the results you need. That's one of the things we're hoping that will increase our likelihood to succeed.

The last three items, the Disproportionate Minority Contact Coordinator, the part-time mentors and the temporary youth of the rental of a facility are due to the fact that we have a Title II Grant that ends July 1st of '18. Those positions weren't included in the budget and so that will enable us to continue those positions over and working with kids as part of our Youth Services Center where we're providing a spot that's off-site and working with youth and providing all these various services, but also networking with the community providers and trying to be efficient in what we're doing.

There is a second part to the grant and that's a collaborative one and that's something that Johnson County, Miami/Lynn Bourbon, Franklin, Douglas and Wyandotte we went together on and it was once again very restrictive. The things we wanted to we really couldn't do, but what we're doing, and Johnson County will be the administrative county on it. It's a scholarship program for youth that are doing well under our supervision or ones that have recently completed supervision that we will be able to pay up to \$5,500 per each kid for money for community college, vo-tech, any kind of training program. That's going to be kind of—I'll be interested to see how that goes with the state when they see that. That's a really different way of looking at it. For us there is no cost. Johnson County would administer all those funds and it would impact about—we calculate about 10 kids a year so the Wyandotte portion of the money would be about \$55,000. **BPU Board Member Bryant** asked will it be dispersed equally between—will 10 kids be selected from Wyandotte County or up to. **Mr. Lockman** said yes and that will be up to us and we're looking at trying to set up a process that would involve Judge York, probation staff and other people. It's kind of tough sometimes to know the kids that are doing well. We know when they finish okay, but to catch up with them and things like that; so we're be using probably community resources too on people to connect with those kids. The requirement will be that the youth will have had to been under our supervision at some time.

Commissioner Philbrook said that means that our community college will be providing some of this as well as Johnson County Community College and some of the other community colleges in those different areas? **Mr. Lockman** said it's independent of any educational institution. The only thing that's really determinate is that the youth would have had to been under our supervision so 10 kids a year. Also, it could be the community college, it could be—there's not a

whole lot of union trade training I know anymore, but there used to be a lot of money on that side, so that's some things we have done in the past for kids. I know to get them trained to load docks, dock loading and that kind of stuff, so it's really pretty open.

Commissioner Kane said we sat down with the community college and offered to work with them because there is \$1,500 per kid. They could become a nurse, do EMT or whatever; but I didn't have much luck with them. We would love to have something like that happen where we could get folks that don't necessarily want to go to college or they figure out they go to college for a year or two they build up this tuition—not tuition, what's it called Joe, anyway where they owe a bunch of money—student loans where they owe a bunch of money and they figure maybe I should have just went there. We don't have enough people ready for EMT's, we don't have enough people ready to be police officers, we don't have enough people willing to even drive big wheel trucks anymore so this would be something I would love to see happen and would get involved as long as the community college wants to stay involved. **Mr. Lockman** said it's nice because it's going to be those kids that successfully complete and are still out of trouble and it could be for just to even—some of the kids I think could make a big difference to just have them take one class even if it's not in anything they know about just to get them interested, to get them hooked to say they can be successful.

Chairman Bynum said I think I'm hearing if you are successful in receiving the grant that this group of commissioners, probably all of the commissioners and specifically Commissioner Kane, would be interested in seeing how we can further partner especially on the education piece. **Mr. Lockman** said sure. You know we have occupational workforce. We call it OWDS, Occupational Workforce Development Specialist, that in adult and in juvenile sides and so I imagine they will be kind of involved in this too a little bit because that's part of what they do and connecting up to those resources.

Commissioner Johnson asked are there any other sources of funding that will assist in this or will this just be the sole source of funding for these items that have been listed here. **Mr. Lockman** said besides the Title II Grant that ends July 1, 2018, the bottom three items, go off of

that grant. **Commissioner Johnson** said I guess what I'm trying to get at are these just for—these are one time or annually renewable grants for these positions particularly? **Mr. Lockman** said they are calling this—we have our regular Juvenile Block Grants and this is their reinvestment RFP process. They are looking at this going right now budgeting it for three years and now that said, are we still saving money on those placements, that's one thing. I do have some concerns with the state, at least my past experience in 30 years is, I have a pot of money and I get a new pot of money; sometimes that first pot of money goes down. That is the thing that we're going to have to be careful about. I think that all of these things are really pretty sustainable and I think they're important positions and I think we're really going to do our best to make sure that they are sustainable.

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

Item No. 2 – 171293...PRESENTATION: 2017 FIREWORKS REPORT

Synopsis: 2017 Fireworks Report, submitted by John Droppelmann, Fire Marshall.

John Droppelmann, Fire Marshall, said this is your 2017 Fireworks Summary for our Fourth of July season this past year. All of the departments submitted their information that was requested, some is more detailed than others, so if you all at the end of this have requests for more specific information for following years, I will be happy to take that down and see if we can get that for you.

2017 FIREWORKS SUMMARY

KANSAS CITY, KANSAS

BUSINESS LICENSING

- There were a total of 41 fireworks stands. There are two different fee amounts based on the size of the stand.

- For stands under 3000 square feet ----- \$1060.00
- For stands 3000 square feet or greater ----- \$1325.00

- There were 34 of the smaller stands
- There were 7 of the larger stands

- **Total License Fee amount collected** **\$45,315.00**

We had a total of 41 stands this year. That was down from 47 last year which was down from about 54 the year before. You can see they charge, Business License charges two separate fees depending on how large your stand is, 34 of the smaller ones and seven of the larger ones and the revenue generated from that was \$45,000.

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BUSINESS LICENSING (cont)

- All Stands are also required to have a \$1,000 bond (refundable), to ensure removal of stand, material, debris, signs, etc.
- 24 of the bonds were posted by cash, 17 of them were posted by surety. Our inspections found the stands had been cleared and the bonds were released.

The stands were all required to have \$1,000 bonds placed so that in case the city had to come in and clean them up or do other things to it, we held that back. All of them passed their post sales inspection so all that money was returned. That was not included in that previous figure.

WYANDOTTE COUNTY SHERIFF'S DEPARTMENT

- The Wyandotte County Sherriff's Department responded to 8 fireworks related complaints during this time period. Of these 8 complaints, Deputies filed 1 report and issued 1 warning. During this same time period officers made 1246 checks of Wyandotte County parks.

The Sheriff's Department statistics from the time that we declare which is the 29th of June through the 5th of July for calls, you can see they ran eight complaint calls. I have one report, I do not have that specific report. There were no arrests. During that time they made 1,246 passes through the city parks.

KANSAS CITY KANSAS POLICE DEPARTMENT

- The Kansas City Kansas Police Department responded to 240 fireworks related complaints from June 29 through July 5. At the time of the completion of this report the KCKPD did not have any data for these calls to determine if warning or summons were issued.

The Police Department responded to 240 complaints. I do not have any statistics on any kind of summons that were issued or warnings or things like that.

PUBLIC WORKS

- The following is a summary of time and labor incurred by the Street Department for closure of streets during the Fourth of July holiday.

Street Closures

- Delivery of barricades (64 man hours) = 1396.56
- Pickup of barricades (64 man hours) = 1418.64

Total \$2,815.20

Public Works, I did not get the total number of street closures. I think there were around 17 different areas of the city had block parties roughly. Public Works tab for their partaking in the July 4th which was \$2,800.

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PUBLIC WORKS (cont)

- There were several changes made to the block party policy that affected this year's permit numbers. The permit cost increased to \$150.00 with \$70.00 refunded on verification of street cleanup.
- Public Works issued 21 block party permits for this year, which is significantly down from previous years. All permittees completed the necessary street cleanups which did not require street sweepers for cleanup as in years past.

21 stands x \$80.00/stand = \$1,680.00

They do charge for reserving these streets. Part of that money is refunded, but in the end they took in \$1,680.00

PARKS AND RECREATION

The following is a summary of time, labor, and expenses incurred by the Parks & Recreation Department for park preparation and fireworks clean up related to the Fourth of July holiday.

- City Park had a higher than normal amount of fireworks trash. 1 trash barrel was destroyed by fire.
- There was lighter than normal fireworks trash in the rest of the parks this year.

Parks and Recreation had lower than normal problems in their parks compared to previous years, but the trash in the City Park was elevated.

PARKS AND RECREATION (cont)

• Supplies Purchased

- Trash bags (\$42.00)

Preparation and Clean up

1. Posting and removal of 'No Fireworks' signs (9hrs x 20.25 = **\$182.25**)
 2. 1 Maintenance Technician II (8hrs x 20.25 = **\$162.00**)
 3. 3 Groundskeepers I overtime (9hrs x 30.92 = **\$278.28**)
 4. 4 Pickup Trucks w/fuel (104hrs x 15.00 = **\$1560.00**)
- \$2,224.53**

There's their fee for trash bags and all their different supplies they had to use, personnel costs to cover their cost for that duration from the 29th to the 5th.

DEPARTMENT OF AIR QUALITY

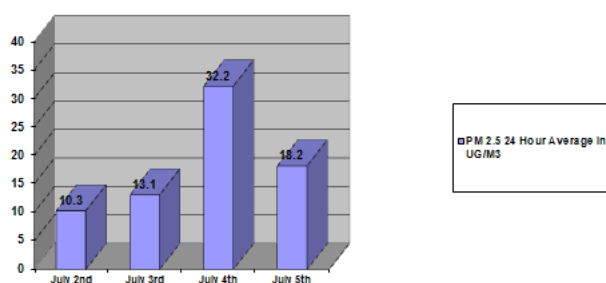
- Data recorded by our continuous fine particulate matter monitor, located at the JFK Core monitoring site (10th and State Avenue) are displayed below. These data are from automated instruments and have not been quality assured for accuracy and therefore should not be considered final. An eight hour period of fireworks activity had a single high hour reading of 147.3 mg/m³ of fine particulates. This value tracks very close to historical data, but is slightly lower than last year.

I tried to do something with Air Quality. I've only been a Fire Marshall for about two years or had access to it. A lot the numbers you'll see from air quality are a little bit difficult to understand. Of course there's always smoke in the atmosphere and that's what they're looking at particulate and things.

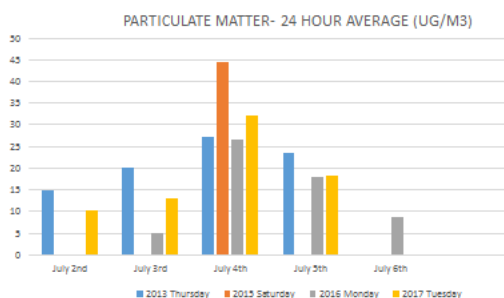
DEPARTMENT OF AIR QUALITY (cont)

- The chart below indicates the 24 hour average of the hourly data for four days around the 4th of July. The National Ambient Air Quality Standard for fine particulate matter has a 24 hour standard of 35 ug/m³. The eight hour period of high particulate matter straddling the 4th and into the morning of the 5th did elevate the 24 hour average for both days. However, the average of 32.2 ug/m³ on the 4th did not exceed the 24 hour standard. This data indicates an increased health risk to individuals exposed to the elevated particle levels during this period.

DEPARTMENT OF AIR QUALITY (cont)



DEPARTMENT OF AIR QUALITY (cont)



It's easiest to probably see from this figure you can see from July 4th the particulate matter was high of course. If you drive around downtown during that 5 to 10 o'clock period, you could hardly see through some of the streets.

The EPA dictates that there is a certain level where it becomes hazardous or a health concern to the public, but it was only for a short period of time. I was going to try and graph out the last four or five years of the EPA's monitoring, but it depends on the weather. If it's windy that day, is it not. This year was a little bit windier than I know last year. Last year you couldn't see through the streets for a while. Also, the 4th of July was on a Tuesday so typically you have less people partaking in the festivities when it's during a work week so that may have something to do with it too, but they all peak of course on July 4th.

FIRE DEPARTMENT

Listed below is the summary of calls for service related to fireworks from June 29th to July 5th as obtained from the Communications Center, Inspector's accounts, and Fire Investigations.

16 calls received for fireworks related incidents:

- 5 EMS calls:
 - 2 Hand injuries
 - 1 Eye injury
 - 2 Miscellaneous injures

This is the Fire Departments part of it. We ran 5 EMS calls, nothing too serious. Last year we had several hands and fingers missing and they were all attributed to illegal fireworks. This year none of these were from illegal fireworks.

FIRE DEPARTMENT (cont)

• 6 Rubbish fires-no monetary loss.	-
• 1 Vehicle fire with property loss of	\$2500.00
• 1 Pole fire estimated loss of	\$1000.00
• 1 Gas meter damaged by fireworks loss of	\$1200.00
• 2 Explosion Investigations.	-
11 fire suppression calls	\$4700.00

These are responses from Suppression in addition to those EMS calls, 11 of them.

FIRE DEPARTMENT (cont)

Total approximate damage to property **\$4700.00.**

(This does not include medical cost to the patients of the 5 EMS calls, either from Fire Department billing for transport or Emergency Room billing)

The estimated property loss was \$4,700 to residence or businesses. We don't have a figure from the EMS calls. We can't collect that information. I do have a slide later on that explains some of KUs of what they seen.

FIRE DEPARTMENT (cont)

Inspections activities related to fireworks (41 Fireworks stands):

- Fire Marshal hours dedicated for the initial review and corrective reviews of the fireworks stand applications—20.25 hours. (\$33.37 x 20.25 hours = **\$675.74**)
- Commercial fireworks displays (5-total), pre-permitting, and field inspections—15.5 hours. (Professional rate charge \$33.37 x 15.5 hours = **\$517.24**)
- 265.5 hours of Comp Time accrued to inspect/oversee sales and displays. (**\$9661.00**)
***these hours were minimized by the Inspectors coming in on their normal weekly working hours later in the day. As a result, the amount of time dedicated to normal daily business inspections was reduced during this time period.
- 3100 miles driven by Inspectors and Deputy. (Fed rate \$.56 x 3100 miles = **\$1736.00**)
- 5 Warnings issued for initial stand set-up issues.

FIRE DEPARTMENT (cont)

Estimated additional cost for Fire Department:

• Fire Marshal duties	\$1192.98
• Inspection duties	\$9661.00
• Prevention vehicle use	\$1736.00
subtotal	\$12,589.98

Here is how the Fire Departments costs broke down. It takes me quite a bit time to go over to approve all of these sites and recind things that don't meet code back and forth to these stand owners. We also have commercial fireworks displays that have to be checked and attended and maintain and that's the cost there.

The comp time that's accrued from, not necessarily myself, this year I was off injured most of the time, the deputy filled in for me and the four inspectors. We try to minimize that. That could have been probably 1/3 higher but we had them come in on the work days at 4 o'clock in the afternoon or 2 o'clock. Did we save money, I don't know. We didn't get any inspections

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done during that week. Typically, we do five to seven each person a day so. It's already a battle to fight to try to maintain inspections on a yearly basis.

FIRE DEPARTMENT (cont)

- This does not include the additional costs for the Suppression and EMS unit responses (for the 16 fireworks related calls):
 - mileage
 - Fuel
 - Maintenance

The number of miles driven, these are all estimates but they're pretty close. We did have five warnings that we issued for stand problems, didn't have to issue any citations. I did have one complaint that I received about illegal sales of fireworks leading up to the fireworks season through the internet. As I looked into it, it turned out that it was not in our city. It ended up being in Shawnee. I turned the case over to them and they ended having to call in the ATF because they were storing and selling fireworks out of an apartment complex. I still have to go to court over that next month, but it was less than a half mile from the Shawnee Fire Headquarters. Thank God it didn't happen in our city.

FIRE DEPARTMENT (cont)

Estimated total cost associated with the Fire Department:

• Direct costs	\$12,589.98
• Property Damages	\$4,700.00
• Patient costs	unknown
• Vehicle wear and tear	unknown
	\$17,289.98+

There's our total cost to the Fire Department estimated. Like I said that doesn't include the wear and tear on vehicles, things like that.

If you add in the property damages there's what the Fire Department sees. This still is an EMS related cost for transporting patients and things. I don't know if we were reimbursed on those or if we just wrote it off.

COST FOR ALL UG DEPARTMENTS

Sherriff's Office	Unknown
Police Department	Unknown
Public Works	\$2,815.20
Parks and Recreation	\$2,224.53
Fire Department (inc prop damage)	
	\$22,329.71+

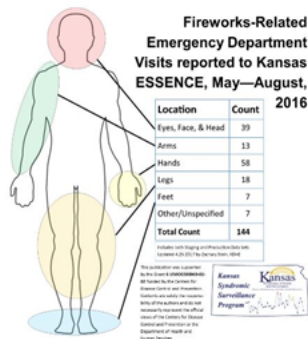
There's the total cost to the city for the services that were provided.

FEES COLLECTED BY UG

Business Licensing fees	\$45,315.00
Public Works fees	\$1,680.00
<u>Sales Taxes (2016 figures)</u>	<u>\$35,695.00</u>
	\$82,690.00
UG expenses	<u>\$17,328.71+</u>
TOTAL (estimated)	\$65,361.29 ***

Your tax revenue, I do not have this year's figures because Kansas doesn't have those yet so we go off of last year. Last year the city received about a little over \$35,000 in tax revenue from the sale of fireworks. I think it was like \$1.3M in fireworks sales and that's what Kansas City, Kansas received from that. You add that to the licensing fees and we come out budget wise about \$65,000 ahead.

FIREWORKS RELATED INJURIES IN 2016



This is the injury report from the KU Med Center. This isn't all Emergency Departments throughout the state of what they saw. 144 injuries and that's the parts of the body that is involved face, hands, is typically what we see.

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KUMED BURN UNIT REPORT

- Yearly the Burn Unit sees 300 to 400 patients (all burn types).
- The Burn Unit treated 15 fireworks injury patients from 1:30pm on Friday (6/30) through 10:00am Wednesday (7/5).
 - Ages ranged from 17 months to 60 years old.
 - Most serious burn was 40% burn of total body surface area.
 - No loss of fingers compared to 5 in 2016.

KU saw 15 patients. Some of them could have been the ones that we saw duplicates by and you can see it ranged in age from 17 months to 60 years old. They had one very serious burn. No loss of body parts though. Last year I think we had three almost complete hands lost last year in our city. Two of those I think were sent to the burn unit. I believe a day in the burn unit is around \$30,000 or \$40,000.

NFPA

The National Fire Protection Association urges people not to use consumer fireworks because they are too dangerous.

LEAVE IT TO THE PROFESSIONALS

The Chief would like me mention that even though we see some profit out of it that the NFPA and International Association of Fire Chiefs still discourage fireworks sales and use of consumer grade stuff. They would rather see the professionals handle it.

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Commissioner Markley said at the beginning you mentioned if there's any other information that we'd like to have, I don't know if this is possible or not, but one thing that I hear every year—I work in Johnson County and I sit around all these Johnson County folks and every year they come in after the 4th of July talk about all the people that were doing fireworks around their houses and clearly they're not legal in Johnson County, but it's happening anyway. I'd be interested to see and I don't know if Johnson County tracks it because it's not supposed to be happening, but I'd be interested to see their call levels and their injury levels where they are illegal, but clearly happening versus ours. Again, I don't if it's possible, but if you know folks in Johnson County and they have any kind of figures, I think it would be interesting because one thing that we're always talking about as we analyze this if we make them illegal that doesn't actually mean they go away. We know that. We just don't know at what level they still exist. **Mr. Droppelmann** said I'm sure they would appreciate it if we would stop selling them here, but they're going to get them from Missouri or Douglas or wherever. They're going to go where they're at.

I guess I should have the Parks Department break that down better, but that park there along County Line, that's nothing but Johnson County license plates over there on the 3rd and 4th shooting off fireworks because it's legal here, Rosedale Park. **Commissioner Markley** said Highland gets a lot of them, but I'm talking about people who live in Olathe who are saying people next door to me shot off fireworks all day and all night. That's why I'd be interested to know they're clearly seeing some level of calls from that as well despite the fact that they've made them illegal. I'd be interested to see. **Mr. Droppelmann** said I'd be happy to try and get those from Shawnee and Overland Park. **Commissioner Markley** said I know it might not be possible. It's not that big of deal, but it would just be interesting for our analysis to see what level of calls they get.

Chairman Bynum said I would be interested. Shawnee and Overland I think would be two that you could contact and then Johnson County, is that a county operation for their EMS? **Mr. Droppelman** said it's Med-Act that covers a majority of it. **Chairman Bynum** said it would be easier to get the EMS calls then calling multiple jurisdictions. She makes a good point. What are

they seeing in cities that do not allow the sale and use of fireworks? I think that would be good for our comparison.

BPU Board Member Bryant said the number that you had of the sheriff and police complaints, do you know historically is that up or down from 2016. **Mr. Droppelmann** said I probably can get you those from last year. I don't have hardly any statistics on previous years to that. I can get last years because I was a part of the discussion last year. A lot of stuff when people come and go from positions just tends to disappear in the computer system and it's hard to track, but I can go back and see if they still have them. I'll get you that. I think a lot of that from what I can tell depends on what day of the week the 4th of July is on. If it happens on a Saturday, Sunday or Friday, you're going to have a lot more use of it. One thing I did try to do this year because last year being my first year I was inspecting some of the stands and while I'm standing there some of the owners are like last year I had a lot of rain, sales are slow, but I had somebody come in and offer me \$5K for whatever is left at 9:30 on July 4th night. I thought well, okay, but I'm not good with that because if somebody backs up a U-Haul trailer or something and hauls off 6,000 pounds of fireworks and puts them in an apartment complex or house, that's trouble. The NFPA says you can't have more than 125 pounds of that in your house without a permit. You're not going to get one in this city unless it's in the correct building. I generated a large purchase form for them to fill out, but nobody returned any back. They either didn't have any large purchases this year or they failed to report any. It wasn't anything we could by law have them do. I know for a fact as I was going around the year before they were unloading the stuff because it's cheaper for them to sell it like that then it is to have them return it to the distributor.

BPU Board Member Bryant said the other thing that I would be interested in finding out is how many of the complaints were made on the 5th or later. **Mr. Droppelmann** said after that. **BPU Board Member Bryant** said because I know you hear them continue, but I'm just not sure how many of them are—how many of the complaints happen post or during. **Mr. Droppelmann** said I think I received four complaints from people throughout that next weekend through what would have been the 10th maybe that called my desk number directly. I'll try to get that for you.

Commissioner Philbrook said mine is more of a comment than a question. It's not too hard to tell where everything is being blown up so to speak and that the clouds that hangs over Wyandotte County on the 4th. If you are coming up I-35 all you have to do is look up and there we are. Whether we want to do something about that or not, I think that's going to be up what us commissioners hear back from folks on it. Yes, we do make a profit of \$65,000 this year, is that correct? **Mr. Droppelmann** said yes. **Commissioner Philbrook** said but in the big scheme of things what's \$65,000 mean. As big as our budget is \$65,000 is almost newspapers, you know what I'm saying, something we use a lot of and it wouldn't take long to get rid of. I'm not going to look at this as a profit maker, but I do want to hear out of folks if they want it or they don't want it, that's what I want to hear out of our folks out there. You hear me out there folks. Because you know me, I'm in between on this. **Mr. Droppelmann** said I am too. **Commissioner Philbrook** said I'm in-between on this because it was something that I really enjoyed as a child, but I was well managed. It's not like some kids get out there and---**Mr. Droppelmann** said I've seen two and three year olds with roman candles in their hands walking across apartment complexes and I'm not comfortable with that. **Commissioner Philbrook** said I would say their parents aren't much better. I would like to have some feedback from other folks you know to call and let their commissioner's know how they feel about it so we know where to go with this in the future.

Commissioner Johnson said the reason why we allow this right now, and I guess this is just for general discussion, is because we received from a recent survey that there's not a lot of opposition to having fireworks stands or selling fireworks in Wyandotte County. What is kind of a basis for our continuation of allowing it? **Commissioner Markley** said I think it's probably the opposite way. We've always allowed it. We have not disallowed it because our surveys have consistently shown the majority is in favor. I think it's just always sort of existed.

Chairman Bynum said I do think Commissioner Markley is correct. We do include this in our surveying we do every other year and so far to date it appears that most people who take the survey are in favor. I did have one question for you sir. The potential regulation of the large purchase, would that be something the Unified Commission could take on legislatively or is it

above us at a state level, do you know? **Mr. Droppelmann** said nobody has addressed it. I just kind of took it on my own account because of what I saw the previous year and thought I don't want that stuff next to my house in my neighbor's house much less an apartment. I tried it to see what would happen, nothing came about. It also kind of came about because I don't know if you all saw the ruling from the Kansas State Fire Marshall this year that came out in May saying that charity groups could sell this stuff kind of at will or something like that or take orders. It was a big—Fire Marshalls from all over the place started calling and saying what's this sale stuff? No, they can't sell it and they can't haul stuff off to their house. They can take pre-orders for it like Girl Scout cookies, get issued a slip, go to that fireworks stand and pick up your fireworks there. They were not allowed to like, the Scout Master load up his van full of fireworks take it to his house, church or VFW Hall and distribute it from there. It has to be done from the stand. That also came about with that large scale purchase saying let me know if this happens but nobody responded to it.

Chairman Bynum said I guess kind of further on that question, at some point I'm going to guess that fireworks sales are wholesale. **Mr. Droppelmann** said yes. **Chairman Bynum** said and at the stand level that's really considered retail so there's a threshold I'm guessing that's crossed between when it goes from being a retail to a wholesale sale. I guess I'm going to ask Legal to look into these the issues unless you have that information for us now. **Angela Lawson, Deputy Chief Counsel**, said I don't have it, but we can certainly look into it and see if that's something that an ordinance could cure. **Chairman Bynum** said to just regulate, thank you. Anything else from this body, because I want to make sure if there is anyone from the audience that would like to come forward and address the issue, what I'm going to ask is that you come to the podium there and that we need for you to please tell us your name and your city.

The following appeared:

Dorothy Bender, 2024 S. Boeke, said I would like to see fireworks outlawed because we have neighbors that shoot fireworks days before they are legal. Also, they shoot commercial fireworks. The fireworks are so loud even with my windows shut, my TV has a sound bar, I still can't hear my TV. The fireworks go up in the air very high. There were three or four fireworks that landed in our driveway and yard that still had fire on them. I want the fireworks outlawed

because I am afraid the fireworks will catch our house on fire like the house in Kansas City, Missouri this year. The lady that answered the Police Department phone number about 6:00 PM on July 4th, she just laughed at me and said she wasn't going to tell anybody that I even called. I said I'm going to sue the city of Kansas City, Kansas.

So then about 10:00 PM I called again the Police Department, the 596-3000 number, to tell them about the fireworks, they were going way up high in the air. I was just scared that they were going to come down on top of our house and catch our house on fire. The police must have got there. It quit, the fireworks quit about 10:30 that same night. The next day I called Internal Affairs to see if the Police Department really did come out and they did. At this one house there were about ten cars there and they were having a party with these fireworks, but it was awful. I was just really afraid because I was afraid these fireworks were going to catch our house on fire. **Mr. Bender** said I want to say that on our front porch it was so powerful that these fireworks shook our foundation. **Ms. Bender** said this is my husband Gary Bender. I hope the city does something about it. **Mr. Bender** said we're not the only ones on our block that called the police. There were a few other ones also.

Chairman Bynum said, Mr. and Mrs. Bender, I want to thank you for your comments. I will tell you tonight's presentation is an information only item, but I am grateful for you to come forward and tell us of your concerns. I would certainly believe that there are others who are not present tonight that share concerns that are similar to yours. I did speak with you on the telephone shortly after the 4th of July, but I appreciate that you took the time to come tonight.

Patrick Soptic said I wasn't prepared to talk tonight. I just came up here to kind of listen to you guys. I own Pyro Joe's Fireworks. I'm a retail fireworks operator. I just kind of wanted to get the gist of what this was about. I just got an email about it late. We do our best and we comply with the Fire Marshalls rules and regulations. I don't believe—I know we haven't had any violations. I don't know if he has that on file or anything like that. My concern is, it's just like you guys have brought up, no matter what fireworks are going to be in the city. I'm wondering if you guys take the big scheme of things how many police calls you're going to have, how many fire calls you're going to have, how many calls are going to be because now all fireworks are

banned. Riverside is still hot. I think Wyandotte County was the first one that banned bottle rockets, which at the time or any rocket form whatsoever which is more likely, I guess by study, to come back down and cause house fires or cause fires period. I believe Wyandotte started that first. We have people coming in all the time we want bottle rockets, can we get bottle rockets, no, you have to go to Riverside. Well, now, finally Riverside banned that probably within the last two to three years so they still sell stick rockets, they don't sell bottle rockets from my understanding. Now, I think they have to go further and further out to search that out. In that aspect we complied with all that. Everything that we're told, sky lanterns, voluntarily the Fire Marshall came around and said hey we don't want those around, we take them off our shelves, not a problem. You've got a flame that's floating in the air and you don't know where in the heck it's going to drop down so I agree with that. They look cool, but it's a hazard so we voluntarily took those off. I don't know if this year, did they ban those this year? **A man** said they were banned a few years ago. **Mr. Soptic** said it was voluntary when it first came up and we pulled them off our shelves. Everybody that I know complies with all that and we do what we can to ensure this is what we do during that season to ensure our livelihood and we pass out our flyers for the safety of the youth, this, that, and the other, just like any other commodity out there if it's abused, it's going to be done wrong. We can't control the mom, the pop, or the dummies out there; excuse my terminology, that doesn't want to follow common practices, that's my concern. You ban it, they are going to go elsewhere and buy it. Riverside is right in our backdoor. Liberty, Missouri is very hot in fireworks right now, Lone Jack is hot, and Kearney is. Anywhere you go, they're going to be there. We hear gunshots around the clock in Wyandotte County. People aren't afraid to fire off their firearms in Wyandotte County. People aren't afraid to go get their alcohol, their narcotics, whatever else. What's going to stop them from picking up fireworks? You're going to ban it, you're going to have twice the amount if not ten times the amount of police calls. I just don't see people stopping it. That's just my opinion of it.

The large purchase, I had four stands this year. I believe I had three last year and so we've been doing this since 2002. Personally we have never had anybody coming in hey, we're going to buy it for \$5K, clean your shelves. We have two commercial buildings down on N. James St. I'm not going to cut my own throat to give you all my fireworks at a discount. It's not feasible. Most of us that have been around long enough, we're not going to do that. We have

proper storage. We fill out a form that describes how much weight we have, where it's stored, the location of the building, where if there would ever be an issue at that facility we should be registered with the Fire Marshall so they would know for their safety this building has this in there, kind of like a caution. Anybody that I know I've never heard of that. I'm sure there are some smaller operators that have street stands that just don't have nowhere to store it and maybe at the end of the season and they're happy to offload it. I don't know of anybody that does that.

The complaints, I'm sure they're going to be there regardless with or without them.

Chairman Bynum said thank you very much. I appreciate that you took time to be here. I believe your point is if we ban the fireworks, then we'll still have the calls and no revenue. **Mr. Soptic** said correct, we're in Wyandotte County. It is what it is. You drive downtown, it's downtown Beirut. It is what it is. I don't see it stopping. I've got properties down here off of 9th & Orville, it's there. We live over in Turner, it's there. It doesn't matter where. I don't know if you would call it patriotic. People just like fireworks. There's always going to be somebody that's going to bend the rules, break the rules and cause problems, but I don't think as a whole it's that. I think the greater is for the support of them at least in my opinion. Of course, you guys have your statistics and that's what you get paid to do so. I'm going to support myself though.

Chairman Bynum asked if anyone else in the audience that would like to speak to this item. If not I will remind you it's an information item only. We appreciate you, Mr. Droppelmann, bringing the data. If you get the opportunity, there's no deadline on it, but if you have the opportunity to give us those Johnson County comparisons just at anytime, even by email is fine. We do appreciate it.

Mr. Soptic said we do have just like he described a lot of Johnson County buyers. We had a stand—we target that County Line Road area because we know that money is going to come in. I had a stand on 55th & Inland. You would be surprised at how many people from Lake Quivira, the elite spot, where we're not supposed to have nothing; you can't go over 20 miles an hour through that little entrance there. We've got tons of people coming from there. We had a stand on 22nd & Merriam Lane and tons of Johnson County people. If you have Johnson County

coming to Wyandotte to do it, you're going to have Wyandotte going wherever they need to get their fireworks.

Chairman Bynum said again, we appreciate your time and the data that you've brought forward to us. We will probably again include this in yet our next round of surveying and we will see where that information takes us.

Item No. 3 – 171294...RESOLUTION: BRIDGE NO. 66 OVER TURKEY CREEK PROJECT

Synopsis: A resolution declaring this project, Bridge No. 66 Over Turkey Creek Project, is a necessary and valid improvement project, submitted by Ryan Haga, Attorney/Legal Department.

Ryan Haga, Assistant Counsel, said this is your basic survey resolution authorizing any potential condemnation action that may be required for the restoration of Bridge No. 66 Project.

Action: **Commissioner Markley made a motion, seconded by Commissioner Philbrook, to approve.** Roll call was taken and there were six "Ayes, Bryant, Philbrook, Markley, Kane, Johnson, Bynum.

Adjourn

Chairman Bynum adjourned the meeting at 5:40 p.m.

tk



Staff Request for Commission Action

Tracking No. 171378

Full Commission Meeting Date: 11/30/17

Committee: Public Works & Safety

Date of Standing Committee Action: 11/13/17

(If none, please explain):

Publication Required: No

<u>Date:</u> 10/20/2017	<u>Contact Name:</u> Ryan Haga	<u>Contact Phone:</u> x5075	<u>Contact Email:</u> rhaga@wycokck.org	<u>Department/Division:</u> Legal
<u>Item Description:</u> Project Name: 31st & Kimball Sanitary Stream Crossing Improvements Project – CMIP #6301 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.				
<u>Action Requested:</u> To adopt the resolution.				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u> Reso.31st Kimball St				

(Published _____)

RESOLUTION NO. _____

A RESOLUTION declaring the necessity and authorizing a survey and descriptions of lands necessary to be condemned for the construction, maintenance, operation, and also tree clearing and access for rehab and repair of the sanitary sewer infrastructure North 31st – 34th South of Kimball, CMIP 6301, 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 for public use providing for land necessary for construction, maintenance, operation, and also tree clearing and access for rehab and repair of the sanitary sewer infrastructure North 31st – 34th South of Kimball, CMIP 6301. 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. 171379

Full Commission Meeting Date: 11/30/17

Committee: Public Works & Safety

Date of Standing Committee Action: 11/13/17

(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>
10/20/2017	Ryan Haga	x5075	rhaga@wycokck.org	Legal

Item Description:

Project Name: Inland & Holliday Drive Sewer Main Extension Project – CMIP #6301

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:

Reso.Inland & Holliday Drive

(Published _____)

RESOLUTION NO. _____

A RESOLUTION declaring the necessity and authorizing a survey and descriptions of lands necessary to be condemned for the maintenance, operation, and construction of new sanitary sewer main extension at Inland & Holliday Drive, CMIP 6301, 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 for public use providing for land necessary for maintenance, operation, and construction of new sanitary sewer main extension at Inland & Holliday Drive, CMIP 6301. 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. 171384

Full Commission Meeting Date: N/A

Committee: Public Works & Safety

Date of Standing Committee Action: 11/13/17

(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>
10/24/2017	Jeff Fisher	x5415	jfisher@wycokck.org	Public Works

Item Description:

Staff will present a summary of the major infrastructure projects that will begin design, construction or continue construction in 2019 - 2022. Discussion will include streets, bridges, sidewalks, sewer, stormwater, and facility improvements.

This is the second of the two-part series of presentations to discuss the Public Works CMIP projects. The first presentation was given in October of 2017 for projects that are going to be in design or construction during the 2018 year.

Handouts will be provided at the meeting.

Action Requested:

No action required. For information only.

Budget Impact: (if applicable)

Amount:

Source:

Included In Budget:

Other (explain):

Attachments List: