

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

SPECIAL SESSION, THURSDAY, JANUARY 31, 2019

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in Special Session, Thursday, January 31, 2019, with ten members present: Bynum, Commissioner At-Large First District; Burroughs, Commissioner At-Large Second District; Townsend, Commissioner First District; McKiernan, Commissioner Second District; Murguia, Commissioner Third District; Johnson, Commissioner Fourth District (via telephone); Kane, Commissioner Fifth District; Markley, Commissioner Sixth District; Philbrook, Commissioner Eighth District; and Alvey, Mayor/CEO presiding. Walters, Commissioner Seventh District; was absent. The following officials were also in attendance: Doug Bach, County Administrator; Ken Moore, Chief Legal Counsel; Bridgette Cobbins, Unified Government Clerk; Gordon Criswell, Melissa Sieben, Assistant County Administrators; Emerick Cross, Commission Liaison; Alan Howze, Knowledge Director; Misty Brown, Deputy Chief Counsel; Christal Watson, Deputy Chief of Staff in Mayor's Office; and Officer Doleshal, Sergeant-at-Arms.

MAYOR ALVEY called the meeting to order.

ROLL CALL: Townsend, McKiernan, Murguia, Johnson, Kane, Markley, Philbrook, Bynum, Burroughs, Alvey.

NOTICE OF SPECIAL SESSION of the Unified Government of Wyandotte County/Kansas City, Kansas, to be held Thursday, January 31, 2019, at 5:00 p.m. in the 5th floor conference room of the Municipal Office Building, for the Municipal Court Judge Selection.

CONSENT TO MEETING of the governing body of Wyandotte County/Kansas City, Kansas, accepting service of the foregoing notice, waiving all and any irregularities in such service and in such notice, and consent and agree that we, the governing body, shall meet at the time and place therein specified and for the purpose therein stated.

Mayor Alvey said tonight we will have three interviews for the three candidates recommended by the subcommittee for the Administrative Judge in Municipal Court. At this time, I will turn it over to Commissioner Markley, the Chair of the Subcommittee, to provide an overview and to introduce the candidates.

Commissioner Markley said our subcommittee was made up of myself, Commissioner Philbrook, Commissioner Townsend, and Commissioner Johnson was on our committee and helped us chose our interview candidates, I guess I would say, the people we interviewed, but he was ill and unable to sit in on the actual interviews. The three ladies, we held down the fort, during our interviews. We did have ten applicants. We interviewed five applicants and by ordinance we were required to bring forward three applicants for a recommendation. Those three candidates are here tonight, Judge Brajkovic, Harold Walker, and Karen Whittman are the three candidates who will present to us tonight. We have a few questions for them and we will let them do a little introduction, ask the three questions, and then, Ken, do you want to give an overview of the process from there?

Ken Moore, Chief Legal Counsel, said the objective is to narrow down to one candidate that has the support of six commissioners and then at 7:00 there will be a resolution on the agenda and that is the final and the formal action that the Commission takes to actually appoint the Administrative Judge. There are some ballots in front of you with the three candidates and we ask that you, after their interviews and any questions, that you rank those candidates in your order preference, first, second, or third. If one candidate has six first place votes, then they will be the person on the resolution for the appointment. If not, we will see how it goes from that point.

Doug Bach, County Administrator, said with that, we will bring in the first candidate.

Commissioner Markley asked, Ken, we're we going to have them introduce themselves and then dive into the questions? Is that how they have been instructed or are we going straight to the question sheet? **Mr. Moore** was inaudible. **Mr. Bach** said I think it would be good if we would call out the name of the candidates as they sit down so anyone watching would know who we have

and so they understand the format. I did tell them I anticipated we would ask questions and then be allowed time to give their presentation.

Mr. Bach said our first candidate is Judge Brajkovic. This evening the Commission will start by asking the questions and then they will give you some time to speak from there.

Commissioner Markley said I have two questions and a third question that leads into your opportunity to present to us.

1. What do you think are the greatest opportunities or challenges the court faces in the next five years and how do you hope to address them?

Judge Brajkovic said technology is our number one both from an access to justice perspective for our citizens. Transparency for our citizens, but also for stakeholders how we can efficiently communicate with one another, how can we stop duplicating our work and when you duplicate work between departments, you also lead to more errors. So, technology, the use of technology, is very, very, important to us. One of the areas that we would really like to expand, based on the issues of what happened this summer, is trying to do some more trials by video so that the jail does not even need to transport over to us, you can actually do them from the jail. A lot of people think oh, you have skype. My opinion on your right to a trial is you have the right to the courtroom experience and when you're in a courtroom it's not just what the judge is doing, it's what the opposing counsel is doing. It's what your counsel is doing, it's how the judge is reacting, it's all of those things going around so that is a very specialized type software that you need if you are going to have a defendant outside of the courtroom to experience the courtroom while they're away. That is going to take some planning, it's going to take some commitment, but that would be something huge for us and really if you start looking at five to ten year planning, if you can get that organized and everybody crosses their fingers, you could actually start talking to Johnson County, to Jackson County, and see if there was a way you can coordinate if we have a prisoner in Jackson County if they have the access to it, could we just go ahead and do a trial without them having to move at all. We can communicate, file open records, so technology from that purpose for a safety standpoint would be fantastic.

Our court is a little bit behind also for access to justice when you have a basic traffic trial. We don't have any sort of monitors, anything up, so when a defendant comes in to testify—or to have their trial, you have the testimony of the defendant and you have the testimony of the police officer. Our police officers are very well versed. They know where they were, they can tell you where they were, they can tell you how they remember it, and quite frankly, they tell you when they don't, so we don't even have to get to a trial. When you're a judge you're looking at it not from the role of how you know everybody is intending to do it, you're looking at it from the role what is the defendant, the citizen feel is participating. So, it would be really nice to see some monitors so that citizens can see themselves and say oh yes, that is where I was. Now I understand you've got me here and I thought you didn't catch me until there. That's where technology plays a huge part.

The efficiency, we are trying to go entirely paperless in our docket. We've started it. Judge Ryan and Judge Roberts brought in IMDSPlus, that's our computer software, and although everyone was complaining and aches and pains with growing, it has been the single-handedly most important thing that has happened in our court for us to provide that level of service to our citizens that are coming into court by bringing all that information into one place. It also leaves lots of places for notes.

When we get mobile ticketing, it will allow them to automatically just import things and so by notes, I can make a note about a defendant so when they go see the probation officer, that probation officer already has a soft handout to say hey, he was in court, he lost his job today, his mom is really, really, sick; you can communicate. A lot of times we think about just communicating when people are being stinkers. We also communicate a lot of information so that somebody is not more traumatized by having to say the same thing over and over.

2. What type of professional relationship should Municipal Court have with the Mayor/CEO, County Administration and commissioners of this organization and how would you deal with potential conflicts between these stakeholders?

Judge Brajkovic said our department I think is one of the most interesting departments as far as if you were taking a local government class and how to learn about the aspects of local government because we are a Mayor's appointment, through the convoke of the Commission, so we work for

the Commission. We work for the Mayor's office. Now, running a court we also are mostly just working within the laws of the constitution, state laws, and city ordinances, so that's where we sit. However, our department is a Unified Government Department so our Court Administrator, our staff, those are all the County Administrator's, so when we sit there as judges—when you appoint us we try to stay very entuned with who you are as an elected body. What are your goals and objectives, what do you want to see, where do you want to go; that was extremely helpful five years ago when I can onboard because I had the opportunity through Code Enforcement, SOAR, NRC to watch you all shift to being citizen friendly, not to the point where we want to risk public safety, but you guys were tired of excessive fees, excessive fines. If I know that about you and I'm working for you, I bring that into my department and so we try to stay in touch with UMB, an arm of you all, while we are also limited by our constitution and our state laws and our city ordinances.

Now, by being county administrators we are also fiscally responsible for the goals of the County Administrator, so we also are very cognizant when he comes in and they tell us here's the goals, here's the forecast, this is what it looks like, know this, we want to see more efficiency here, this is our programming goals; so we will also implement our strategies and policies to match up with the County Administrator's so that our staff, our department, is actually running.

When you talk about conflicts the way we think about conflicts are usually who can appear in front of us and who cannot. If you have some sort of legal conflict that we're worried about, we would, of course, work with the Legal Department. They represent us like they represent you. We might have a few different attorney's get there, but that is who we would talk to if there was a trial in front of us because we don't work for the County Administrator officially, we would not need necessarily conflict out of those trials. If Doug wanted to sit in my traffic docket, he could. Now I'm m thru z so that's not going to happen unless you change your last name, but that's how we view a conflict. You also have to be the conflict from the person who is actually appearing. Other people there may feel there may feel there is a conflict, so if one of the County Administrator's staff was in a car accident with somebody, the other person could feel like we had a bias toward them and we would bring the pro tem in. That's one conflict.

With the commissioners, we would definitely be conflicted out. We would bring in a pro tem just as a matter of course because it has nothing to do with our ability to look at that situation and make an unbiased decision, it's entirely based on the viewpoint of the people in the audience.

A lot of times court is the performance of justice, the performance of what the constitution provides, and so we would never appear in those trials. This is probably more complicated, but if you are in our court and you have a County Administrator staff member, we would probably need a pro tem prosecutor meaning somebody who does not—we bring in specialty that does not work through the chain of command through the County Administrator, but we're good.

Vice-Versa with the elected officials, as far as conflicts and outside of that I've never experienced any if we had anybody working outside where we were uncomfortable, then we would seek the appropriate help depending on what that is, but it's really hard to conceptualize what that would be.

3. In 5 minutes or less, tell why you would be the best candidate and should be selected for the position of Municipal Court Administrative Judge.

Judge Brajkovic said I believe I would be the best candidate because I've spent the last five years showing you what I can do. During those last five years my goal has always been procedural justice. Procedural justice is the idea that if the process is fair, the process is transparent, and people understand what is happening, that they will trust the process. The more they trust the process, the more they want to obey the law. So, procedural justice and fairness in transparency actually increases public safety. This has been something that when I interviewed five years ago, I did not know there was an actual word for this and the concept for this. This is just what it seems like the right thing to do. When you come into my house, I welcome you, I tell you where the bathroom is, I tell you what to expect, give you a voice; those are all things we try to do in court. I've spent the last five years doing that.

I have had the grace of working with Judge Ryan who has allowed me a lot of voice and I've learned how to work with consensus and you know consensus usually comes from some conflict and we have had some really great things come out of that consensus building. One of the first things we did is reduced \$50 payments. I don't want to get too much in the weeds, but these are important things that we did. You used to only be able to make payments at the window without coming to court if you had \$50 or more. What we were finding is we had a whole line of people that had \$40, well, that was a bunch of people in the basement waiting to get on the elevator, it was 2-hours of people waiting in court to pay us \$40, so we dropped that to \$20 to increase more

payments at the window. It worked. The benefit of that is if you have a payment only case meaning you are only traffic cases and you don't owe us probation, you don't owe anything else, and you missed your payment date, it's \$20 to get it out of warrant. If you don't want to go to jail because you missed your court date, you pay \$20 on your payment case and get two weeks to get back on our payment plan. That was one of the first things we did. That had a huge impact.

By dropping a lot of those bookings in jail because you give people the ability to pay \$20, less people go to jail. You give them more flexibility in a payment plan, less people go to jail. We started being able to really see a pattern of who was in jail and there were a lot of people that were in there for a lot of old traffic cases, so we started looking at that and saying hey, what about these really old—are these even collectible. These are 10 years old, they're 5 years old, are we sure the warrants were good all of the time, are we sure that these are fair to collect on and we made a decision that everything before 2011 we're going to closeout. We're just going to close them out because we don't think it meets fair debt. It drops our jail beds a little bit more. That gives us more time and says hey, why are we just moving people around, why aren't we just organizing how we can see our jail when we see them. I won't stay up here with it, but the more we began to coordinate that and the more we dropped people out of our jail, then we started saying hey, they've been in jail for 365 days on this county case, don't you think that's sufficient to take care of their city case and we closed that out. The more we closed, the smaller that gets and the perception of fairness rises because nobody is going to argue with you if you close.

We said how can we do this even more. We started looking at bond forfeitures. If you miss court, you have to post a bond. If you post your first bond, it's \$100, your second is \$150, third—we were getting people posting up to \$800 to \$900 in bonds and then just not coming to court and forfeiting them and that was all going to the General Fund. That's great; however, when it just gets forfeited to the General Fund, we're not making any progress towards closing of those cases. When they go into bench warrants they're still being booked in our jail for \$85 to \$100 a night and we're not getting anywhere closer to getting them taken care of plus it's not fair to our citizens and our defendants.

Bridgette Cobbins, UG County Clerk, said you have one minute.

Judge Brajkovic said this is a good one to leave you with. What we decided to do with the bond forfeitures is if you fail to appear and you owe a victim restitution, we take that bond and we send

it to the victim and say here's your restitution. If there is no restitution owed, we say do you owe any fines and if you owe fines, we apply it to those fines first. If it closes out your case entirely, it's a win for all of us because we don't have to put you at warrant applicable and put you in jail. If it leaves you with some payment cases, hopefully, it has dropped you down because it actually takes the way we do our warrants, five to six traffic tickets, to actually get a warrant that is large enough to get your booked in jail. If you forfeit a bench warrant, hopefully, we're at least pulling off some of those traffic tickets so that you now have a Failure to Appear ticket in Municipal Court.

I could go on and on and on but thank you for your time. I appreciate it.

Mr. Bach said our next candidate is Karen Whittman. The Commission will go through and ask you a couple of questions and then they will leave your statement from there.

Commissioner Markley said I have two questions for you and then a third question that will give you an opportunity to make a statement.

1. What do you think are the greatest opportunities or challenges the court faces in the next five years and how do you hope to address them?

Karen Whittman said I think the biggest challenge is the fact that so many people owe so much money to the court they're not going to get out of it. They're not going to be able to rebound from it and I'm seeing that already over in the District Court and in a lot of other courts. A lot of the people are just in a financial situation they cannot get out of because of the crippling debt that they owe. They're not bad people, they financial just got into a place where they cannot get out of.

When I'm over at the District Court, they come to my court and they have a driving while suspended ticket. I'll ask them, do you know why you're suspended, and they will say I owe \$4,000 to some court somewhere and that's not a weird number. I mean they owe thousands of dollars.

Then I will get kind of their background. What we're they doing, how did they get themselves in this, and basically it starts with they didn't have their license because they couldn't afford to pay registration to get their license registered. Then we go to, they didn't pay the ticket so now that suspends them. They have to get to work, now they get another driving while

suspended. It's not that they're bad drivers, they're not causing a safety issue, it's just that they can't afford them. How are we going to fix it? We need some type of reform. That is the only way this is going to get fixed and there is a movement across the United States in District Courts and in Municipal Courts to fix this by doing something else because what we've been doing does not work. Nobody can get out of the problems that they're in.

How do I see myself trying to fix that is looking into various forms of reform that have worked in other jurisdictions. For example, I know in Sedgwick County they did a program in which they paired themselves with the Department of Motor Vehicles in Kansas with services to provide to these people so maybe they can get a better job. They literally had court and had people come in and visit with the Department of Motor Vehicles to figure out what they needed to do, can we help fix them, get them better skills to get a job and get back in our community and make it better. It worked. They raved about that program. They also made deals about paying off fines and costs and negotiated a settlement basically to get them out of the debt that they were in. I'm not suggesting that will work for this court, but it's something to look into.

Topeka had Amnesty Days. They've done more than one Amnesty Day. They've even got members of the community to donate money to have like basically a bucket of money for these individuals that come in that met certain criteria to help pay for them to get out of the situation that they're in. How innovative is that? You hear all the time about kick starter things on the internet to have people—people give money to a whole lot of different things. Why can't this be something that we look into?

The other thing is, and everybody kind of bristles at this, but night court and nobody wants night court. The only problem is, some of these people can't come to court. You want them to get money to pay. They have a job during the day. They can't come to court during the day or they will lose their job. It's a vicious cycle. Will any of these work for Wyandotte County for the Kansas City, Kansas Municipal Court? I don't know, but I do know these are things that can be looked at and maybe modified or morphed into something that uses all of these things to get us to where we want to be in this community, a safer community, a better community. If our people in our community are working and productive, then we all benefit from it, but you can't when you owe \$4,000 and \$5,000 to a court for things that you could not control even when you got into it. I'm not suggesting people that are getting DUIs or causing disturbances or hurting other people get deals or that kind of thing. That's crazy. I'm looking at only individuals that just by financial

situations, they've got problems. That's how I see it happening, but we've got to do something different than what we have been doing because it's not working and it's making our community worse.

2. What type of professional relationship should Municipal Court have with the Mayor/CEO, County Administration and commissioners of this organization and how would you deal with potential conflicts between these stakeholders?

Ms. Whittman said I believe the Municipal Court is like a business. It has to run smoothly, it has to be productive. The conversations with the Mayor or this Commission should be that; how it's running, what it's doing, and how it's doing its job. It should not be one in which commissioners or the Mayor contact to get into what is going on in Municipal Court in terms of court hearings, individual cases, and that kind of thing. I have been faced in my life, because I've dealt with traffic types of issues, people all the time calling either the judge to see if hey, can you give them a deal. I've even had my boss come in and tell me hey, this guy is going to come in and I literally told them I will do what I feel is best. My old boss at the District Attorney's Office in Shawnee County ran his campaign and his slogan was without fear or favor and I truly believed that. I was dealing with—he was elected, and he was a great boss and I learned a lot from him. He sent me an email and it was dealing with a case that I had, and it was basically something like this is what—you know, how about do this with this case. I knew he knew nothing about this case, but I knew he was really good friends with the Defense Attorney. I sat, and I looked at it for a little bit and I sent him back an email and, in the reply, I put disappointed. I said I believed in your slogan without fear or favor and I don't understand why you sent me this email and basically, he replied because I called him on it, he replied, and he said you do what you think is best in that case and I did. That was the last time I received anything from him. I feel being the Judge, it's even more of the responsibility of the court to be fair, to not listen to what's going on, but listen to the case and figure it out without any undue influence from anybody and I've never done anything like that and I call judges on it, so I don't see it happening with me.

3. In 5 minutes or less, tell why you would be the best candidate and should be selected for the position of Municipal Court Administrative Judge.

Ms. Whittman said I know that I am not from around here and I know that Wyandotte County is a big small down, but I will tell you what, I moved here and it's now my community. I have a very big interest in that this place be safe and a great place to live because I plan on hanging out here for the duration. I'm not planning on going anywhere. With that, I pay attention to what's going on. I want to know what's happening in the community. I have looked, and I know, that you all have created goals for our community and I look at those goals and I say how can the Municipal Court help facilitate and reach the goals of this Commission.

I see three things out of all of them that I know I can have a direct impact in dealing and meeting the goals of this Commission. Reducing blight, we have Code Enforcement getting the community cleaned up, looking good, and to me that partners with being safe also. When it's cleaner and the bushes are cut, and things are picked up, it's more safe period. Increase safety and perception; that to me is almost the central piece of Municipal Court.

What have I done since I've been here to try to make this community better? With District Attorney Dupree's permission, I have brought the MADD Impact Panel to this community, never had one. People that were told they had to go to MADD Impact had to go to other counties. I thought that's ridiculous. We now have two MADD Impact Panels at KCK Community College, at the Technical School, twice a year for our members, our community to go to it. It started out kind of small. I think the first one was maybe 30 or 40 people, I might be wrong on that, the last one was over 100 people. Edwardsville, Bonner Springs also are sending people and I know Judge Ryan was also sending people to it. Everybody that gets convicted for DUI in District Court goes to the MADD Impact Panel.

What else have I implemented there? When I got there, I could not believe that the court—we only did business with walk-in people at like 1 to 2 on a Tuesday and if you were wearing a bunny suit. I mean it was crazy. I'm like this is—we should be facilitating. We have to deal with people every day. They've had to park in God knows where, walk up a hill to get to the courthouse and we're telling them to come back. We are open 8 to 5 and anybody can walk in there and we deal with them. That's what I have implemented. I want to do that for this community, for this court. I want to explore all the options I talk about in Sedgwick County, Topeka, night court.

I also even look at the annual report, the Kansas Municipal Courts, they have to report every year to the Kansas Supreme Court. I look at the numbers, I compare numbers between

Kansas City, Kansas, Salina, Wichita; people that have similar amounts of work and some of the numbers disturb me. I don't understand some of the numbers. They don't make sense. I look at DUIs for example. About a third are dismissed almost across the board which is fine, but when there are other numbers that really don't make sense—**Ms. Cobbins** said you have one minute.

Ms. Whittman said what I am trying to say is the trouble with any business, and the court is a business, is that when you hear the saying we've always done it that way, that's a death nail to a business and also not to have an influx of new ideas to that business. Although I'm not from around here, but I live here, and I want it safe, I want to meet the goals of this Commission and to do that, to be in charge of the Municipal Court is the only way I see that I can do that. That I can implement and do what I feel is the best for this community to make it safe and I can do it with fresh eyes, I can do it with new ideas without any sense of—or concern of how it used to be.

I really appreciate your time and it's an honor to be in front of you today.

Mr. Bach said the next candidate is Harold Walker.

Commissioner Markley said I have three questions for you. The third one will lead to your opportunity to present whatever you would like to say.

1. What do you think are the greatest opportunities or challenges the court faces in the next five years and how do you hope to address them?

Harold Walker said I think one of the greatest challenges that I spoke in the screening committee of is the technological component. My impression from limited experience in other Municipal Courts is we're behind the curve technologically speaking. I think euphemism is paperless, that we need to be paperless. There is so much more that technology can provide to make the operation of Municipal Court more efficient. I think another big challenge is coming up with an effective operational and consistent, and I will use the word, code enforcement process. I know that when I was here both as an employee and on the Commission, there have been efforts made to do that, but I can tell you ad infinitum out in just out in a small area of Turner people who play the code enforcement system and calling in has done absolutely no good. I know that each of you have your areas.

I have a gentleman that owns a semi-truck, he parks it there every night after 6 and on the weekends. Guess what? We have no code enforcement being done, nobody is doing anything about it. They send out letters and maybe for a couple of weeks he will park it somewhere else, but I think code enforcement presents a great challenge to conquer. There are numerous ways that can be done, but again, it's going to require investment and allocation of dollars and people and perhaps new ways of thinking about how our code enforcement officers do their job.

2. What type of professional relationship should Municipal Court have with the Mayor/CEO, County Administration and commissioners of this organization and how would you deal with potential conflicts between these stakeholders?

Mr. Walker said your microphone I don't think is working. I think I understood the question, but if I'm not answering the correct question, please stop me. My viewpoint of that is that you create policy by adopting ordinances. You create, let's call them punitive ordinances, for violations of what should be criminal or civil violations and that's the way you express policy. As a Judge, as a court, I think you have to be arm's length. I can't be having you call me and communicate ex parte that a certain address needs to be hammered because, I think you all know that, and I don't think any of you do that, but I think it has to be arm's length.

I know that there is an annual reporting requirement that this position would do. I think we should be available to come before you in a public setting, so the public can see and answer question you have whatever the issue might be that's troubling you. I can't be involved on a case-by-case basis with anyone and I mean anyone being outside persons besides the prosecutor and the defense attorney. Now, was that the question you asked? **Commissioner Markley** said yes.

3. In 5 minutes or less, tell why you would be the best candidate and should be selected for the position of Municipal Court Administrative Judge.

Mr. Walker said I had a packet rather thick until Doug called last night, but I'll have to cut that down considerably. You know lawyers can talk ad infinitum. What are my strengths? I think number one, if you read the ordinance on what an Administrative Judge is supposed to do and what the basic qualifications for the Judge are, I think I have demonstrated as City Attorney, Chief

Counsel, and perhaps as a commissioner, that I have all those requirements. It's an overlay of my life on that position. I've tried cases in Municipal Court, I've prosecuted cases in Municipal Court, I've hired the prosecutors, I've designed ordinances for the Municipal Court, I've tried Federal and State jury trials. I'm very familiar with the courtroom setting and I'm very comfortable. I have literally made thousands of decisions, admittedly not as a Judge, but I've made thousands of decisions on a day-by-day basis on countless issues that come up in the Municipal arena. Department heads, mid-level management, Doug Bach, the Assistant Administrator's, they would always call Legal when there was a tough question to be resolved and we would try to answer it. Now, I'll admit, we didn't make everybody happy every time and I'm not going to look at anybody, but there's nine of you up there that we probably haven't made happy on occasion. I'm not afraid to make a decision. I'm not afraid to say that I have never in all my career used the power of the City Attorney's position, the County or the Chief Counsel, for personal benefit or a vendetta to get even for a political score. If I couldn't feel and justify to myself that what I was doing was right, then I didn't do it. I went some other way.

I went through the qualifications numerous times. I've looked at them. I think they are important in considering who you chose. I think that one of the most important ones is that you demonstrate leadership. I have demonstrated leadership in what I did for 25 years in leading the legal affairs of a municipality and a wholly-owned municipal utility. I think that those enhance the credibility of this court, my experience, my patient or persona in the community.

I can tell you that I will do what is necessary to uphold the professional, personal, legal integrity and honesty of this court to the fullest. I will do nothing that would compromise or reflect badly upon the court, myself, and most importantly the Commission if you make the choice.

Ms. Cobbins said you have one-minute sir.

Mr. Walker said I would like to say in conclusion then that through the time I was City Attorney I think one of the things that's going to be necessary here is someone who can analyze facts, develop a solution, implement it or at least get assistance in getting it implemented. I think I've done some creative things. Some of you may not agree they were creative, and I certainly don't want to sound like I'm taking credit for everything that the Legal Department did the 25 years I was there, I had very capable people. I made great decisions. Seven of my hires are District Court

Judges. Obviously, both Municipal Court Judges are people I hired. Others have gone on to other places. I think I have a good bead on how to determine what they are about. I hired Kenny Moore, the verdict is still out on him, but nevertheless I think I have that ability to take that and be creative. Some of you may not like it.

I'm responsible for the liquor stores being open on Sunday and I want to tell you why that's important. For 49 years, more than that, 50+ years, there was the Kansas Liquor Act and no one in this state figured out that it was subject to home rule. I got it home rule. **Ms. Cobbins** said your time is up sir.

Mr. Walker said you also got your million dollars from the casino for not building a hotel because I insisted it be put in the agreement and, of course, I thought they would build the hotel. Thank you for the opportunity.

Mayor Alvey said at this time Mr. Moore will provide voting instructions.

Kenneth Moore, Chief Legal Counsel, said there is a ballot, you all have a ballot in front of you. It lists the three candidates in alphabetical order. As Commissioner Markley said, there's no—it's a consensus selection so they're not in any particular order other than alphabetical. If you can write your rank of those candidates one through three, first names, last names, just make sure you do it, so we know who you are talking about. Then we will tabulate those votes. If we have one candidate that has six first place votes, then that will be the person that will be in the adopting resolution at the 7:00 meeting tonight. If no one receives six votes, then we will go and try to get to that point.

Mr. Bach said the objective then after that if no one is the first place, then we're taking the top two and then you would vote between those two.

Mr. Moore said if you could be sure to sign your ballots. These will be public records effective tomorrow.

Mr. Bach said, Commissioner Johnson, if you would complete your ballot and email that back in to Bridgette, your response back on that. **Commissioner Johnson** said will do.

Mr. Bach said, Mayor, at this time I would ask the Clerk to give you the results.

Ms. Cobbins said the one candidate that received six votes is Brandelyn Nichols-Brajkovic. **Mr. Bach** said with that, there's no need to narrow the poll since she received the majority of the Commission votes for first place. With that, we will put her name on a resolution and introduce that to the Commission at the 7:00 meeting for final action.

**MAYOR ALVEY ADJOURNED
THE MEETING AT 6:00 p.m.**

dt

Bridgette D. Cobbins
Unified Government Clerk

January 31, 2019