



UPDATE
Public Works and Safety Committee
Committee Meeting Agenda
Monday, October 21, 2019
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

☐

Tom Groneman, BPU Board Member

☐

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

II. **Revisions to October 21, 2019 Agenda**

Item No. 3 – Presentation: CMIP 2020 Projects & Major Capital Criteria

- Memorandum from Jeff Fisher
- Capital Asset & Equipment Investment & Management Policy
- Capital Criteria

III. **Approval of standing committee minutes from August 26, 2019.**

IV. **Committee Agenda**

Item No. 1 - RESOLUTION: DONATION OF A 2005 SEAGRAVE FIRE APPARATUS

Synopsis: A resolution authorizing the donation of a 2005 Seagrave fire apparatus, which is obsolete, to The Village of Birmingham, Missouri Fire Department, submitted by Michael Callahan, Fire Chief.

Tracking #: 19983

Item No. 2 - PRESENTATION: LOW-PRESSURE SEWER PROGRAM

Synopsis: Presentation on the Unified Government's Low-Pressure Sewer Program,

submitted by Jeff Fisher, Executive Director of Public Works.

For information only.

Tracking #: 19985

Item No. 3 - PRESENTATION: CMIP 2020 PROJECTS & MAJOR CAPITAL CRITERIA

Synopsis: Presentation on CMIP 2020 projects and major capital criteria, submitted by Jeff Fisher, Executive Director of Public Works.

For information only.

Tracking #: 19986

V. Public Agenda

Item No. 1 - APPEARANCE: ROBERT WING

Synopsis: Appearance of Robert Wing regarding health and safety issues - KCK Fire Department.

This appearance was removed from the September 23, 2019 meeting and moved to October 21st, at the request of Mr. Wing.

Tracking #: 19961

Item No. 2 - APPEARANCE: TSCHER MANCK

Synopsis: Appearance of Tscher Manck regarding:

- Lack of law enforcement
- Lack of officers & firefighters
- Lack of diversity of officers & firefighters in the Northeast area

Tracking #: 19982

VI. Adjourn

**AGENDA UPDATE
PUBLIC WORKS & SAFETY
STANDING COMMITTEE MEETING
MONDAY, OCTOBER 21, 2019**

IV. COMMITTEE AGENDA

ADDITIONAL INFORMATION

**ITEM NO. 3 – 19986...PRESENTATION: CMIP 2020 PROJECTS & MAJOR
CAPITAL CRITERIA**

Synopsis: Additional information provided:

- Memorandum from Jeff Fisher
- Capital Asset & Equipment Investment & Management Policy
- Capital Criteria



PUBLIC WORKS

ONE MCDOWELL PLAZA

701 NORTH 7TH STREET, KANSAS CITY, KANSAS 66101

(913) 573-5400

****Memorandum****

TO
FROM
DATE
RE
ATTACHMENTS

Mayor, Commission, County Administrator
Jeff Fisher, Public Works
October 16, 2019
CMIP Project Selection Process
CIP Financial Policy (redlined), proposed CMIP Project Scoring Matrix

For the October 21 Public Works Standing Committee meeting, staff has prepared a redlined version of the existing financial policy and a project scoring matrix for discussion. There will also be a PowerPoint presentation on Monday.

The desired outcome from the discussions this fall is an objective, wholistic system for ranking projects and including them into the future CMIP – a system that includes factors important to the Commission and Planning Commission.

The key objectives from the discussion Monday are the following:

- 1) Gain an understanding of what each member of the committee believes are the appropriate criteria for selecting projects. There are suggested criteria in the attached documents
- 2) Utilize an online survey tool that each Commissioner can assign what they believe are the most appropriate weights for each criterion. The weights will be instrumental in the scores for each project that will be utilized to rank projects and place them into the CMIP each year.

The next step is for staff to have a similar discussion with the Planning Commission in November, and then with the feedback received from both bodies, present a final recommended process to the full Commission in December. Staff will test the protocol on the list of projects in the out-years of the existing CMIP and the “unfunded projects.”

It is important to note that the list of projects to score and rank will consist of Parks, Streets, and Buildings. The process will not be evaluating wastewater or stormwater projects already outlined in ongoing community engagement and negotiations with other agencies. Those projects, however, will be accounted for in the process of leveraging projects against other needs/projects to optimize the performance of all.

Staff very much wishes to have an engaging discussion and incorporate your thoughts and desires into this process. After a full cycle of CMIP and Budget, Public Works believes some evaluation by staff and Commission will be important to determine if modifications are warranted.



Unified Government of Wyandotte County
and Kansas City, Kansas

Commission Resolution:

R-35-18

Adopted: 07/26/2018

Capital Asset and Equipment Investment and Management Policy

I. Authority:

The Mayor and the Board of Commissioners are responsible for legislation, policy formulation, and overall direction setting of the government. This includes the approval of financial policies which establish and direct the operations of Unified Government (UG). The County Administrator is responsible for carrying out the policy directives of the UG Board of Commissioners and managing the day-to-day operations of the executive departments, including the Finance Department. This policy shall be administered on behalf of the County Administrator by the Chief Financial Officer and the Budget Director.

II. Purpose:

Capital assets and equipment have a major impact on the ability of the Unified Government to deliver services, economic vitality and overall quality of life for Wyandotte County and Kansas City, Kansas stakeholders. The purpose of this policy is to provide guidelines to complete a comprehensive process that allocates limited resources in capital investment and improved management decisions.

III. Applicability and Scope:

This policy shall apply to all funds under the budgetary and fiscal control of the Mayor and the Board of Commissioners.

IV. Policy:

A. Roles and Process of the CMIP - The Finance Department is responsible for coordinating the CMIP process and compiling the CMIP document. Other key roles include:

1. CMIP - Each year, Unified Government staff shall develop a five-year long-range CMIP that describes and prioritizes the capital projects the Unified Government intends to undertake.
2. Review of Capital Project Proposals – The Finance Department will coordinate a financial capital project review process within the annual budget calendar.
 - a. Full Consideration of Operating and Maintenance Costs - Adequate resources should be identified to operate and maintain existing assets as well as proposed expanded assets before funding is allocated to any new Capital Project.

3. Stakeholder Participation - The Unified Government shall provide meaningful opportunities for stakeholders to provide input into the CMIP development before the plan is adopted.
4. UG Commission Responsibilities - (link to plans) All projects submitted for consideration of inclusion within the CMIP, with minor and occasional exceptions, should be based, when possible, on investments called for by master plans and/or capital assets needs assessments that have been formally reviewed and adopted by the UG Board of Commissioners. Operating and maintenance cost estimates will be reflected in departmental operating plans.
5. Approval of the CMIP - The Board of Commissioners shall review and approve the CMIP. Amendments to the CMIP shall be considered and adopted by the Board of Commissioners at regular meetings except for specific adjustments when limited authority is delegated to the County Administrator, Chief Financial Officer, and the Budget Director, as prescribed within the Operating and Capital Budget Policy.

B. CMIP Project Selection - An objective set of criteria will be used to assess and evaluate project proposals. Major road construction, buildings and parks projects will be evaluated using a weighted matrix of the following criteria. The weighting of these criteria will be set with guidance from the UG Board of Commissioners and Planning Commission. Although specific criteria may be updated from time to time, the following concepts are core principles to be considered in the development of such criteria:

1. Long-Term Forecasts - Long-term forecasts should be prepared to better understand resources available for capital spending and to assess operational impacts and eventual maintenance replacement costs.
2. Revenue Generation or Economic Development Advantages – Projects should be given priority that demonstrate the potential to have a positive return on investment, either through expected increases in assessed valuation or other economic values that could generate future additional revenues.
3. Impact on Other Projects - Projects should not be considered in isolation. One project's impact on others should be recognized and costs shared between projects where appropriate. Project coordination will be properly sequenced both internally and alongside external stakeholders operating in Wyandotte County/Kansas City, Ks.
4. Allow for Funding of Preliminary Activities - For some projects it may be wise to fund only preliminary engineering/planning before committing to funding the whole project. However, even these expenditures can be considerable. Therefore, these preliminary engineering/planning should also be evaluated, analyzed and prioritized appropriately.
5. Full Lifecycle Costing - Cost analysis of a proposed project should encompass the entire life of the asset, from planning and acquisition to disposal.

6. Predictable Project Timing and Scope - Schedule and scope estimates should be practical and achievable within the requested resources, including financial and human.
7. Population Served – An estimate of the population that would directly benefit from a project should be considered in the prioritization of project selection.
8. Capacity Needs – Using volumetric data, traffic counts, or daily visitors to evaluate the current and future needs of systems to prioritize projects that improve the overall function of network assets.
9. Community Sites – The social impact of projects near community locations should be considered in project selection.
10. Commerce – Projects that enhance the economic viability of future and existing commercial corridors should be considered during project selection.
11. Master Plans – UG master plans for zoning, transportation, trails, parks, bus routes and bike lanes should be considered in project selection.
12. Safety – The safety of the public interacting with UG infrastructure should be considered in project selection.
13. Infrastructure Condition – A combination of condition ratings, consequence of failure analysis, and likelihood of failure estimates should be considered in project selection.
- ~~6-14.~~

- C. **Balanced CMIP** - The adopted CMIP is a balanced five-year plan. This means that for the entire five-year period, resources will be equal to project expenditures in the CMIP. Expenditures in the CMIP must weigh the full costs of proposed projects in relation to funding sources. It is possible that the plan will have more expenditures than revenues in any single year, but this imbalance will be addressed through the use of interim financing as needed. However, over the life of the five-year plan all expenditures will be provided for with identified revenues. All unfunded projects will be retained on the unfunded list for further consideration in the future.
- D. **CMIP Funding Strategy** - The operating budget includes capital projects and equipment that are generally of a recurring nature and are appropriated for one year only. Changes from year to year for annual or reoccurring projects represent incremental variances in the cost of doing business. Capital projects that result in procurement or construction of major physical assets for the UG are to be aligned with the Government's financial forecast. Resources for the capital plan can come from the same resources as the operating budget, but the costlier projects are funded by bond and temporary note financing. The Unified Government has

provided financial resources for the CMIP through three primary methods: 1) various local dedicated taxes, charges for services revenues, grants, partnerships with non-profits and/or corporations, and other funding sources from external entities, 2) Pay-As-You-Go, and 3) Debt financing. These funding methods are expected to be used for future CMIPs. Guidelines are provided below to assist the Unified Government in making the choice between Pay- As-You-Go and Debt financing.

1. Factors which favor **Pay-As-You-Go** financing include circumstances where:
 - a. The project can be adequately funded from available current revenues and fund balances;
 - b. The project can be completed in an acceptable timeframe given the available revenues;
 - c. Additional Debt levels could adversely affect the Unified Government's General Obligation credit rating or repayment sources;
 - d. Costs considered pertain to the maintenance of existing assets; or
 - e. Market conditions are unstable or suggest difficulties in marketing a Debt.
2. Factors which favor long-term **Debt** financing include circumstances where:
 - a. Revenues available for Debt issues are considered sufficient and reliable so that long-term financing can be marketed with an appropriate credit rating, which can be maintained;
 - b. Credit market conditions present favorable interest rates and demand for Unified Government Debt financing;
 - c. A project is mandated by state or federal government and current revenues or fund balances are insufficient to pay project costs;
 - d. A project is immediately required to meet or relieve capacity needs and existing un-programmed cash reserves are insufficient to pay project costs;
 - e. Costs considered for Debt financing pertain to the new assets or capital projects;
 - f. The life of the project or asset financed is ten years or longer; or
 - g. Those expected to benefit from the project include generations in years to come.

- E. Vehicle and Equipment Lease Financing** - In addition, the Unified Government has relied on lease financing for various vehicle and equipment acquisitions with the lease periods ranging from three to ten years depending on the cost of the equipment and its useful life. It is the goal expressed in this policy that the UG reduce its reliance of lease financing for the acquisition and replacement of vehicles and equipment, and instead to move towards paying in cash for these items. As a result, a separate vehicle and equipment replacement internal service fund is established to ensure that adequate funds are available to purchase vehicles and equipment, to stabilize budgeting for major purchases, and to provide a systematic, UG-wide approach to procurement and disposition of the related assets. The goal is to provide sufficient cash flow for annual purchases.

At this time, this fund is not designed to equal the replacement value of the vehicle fleet and equipment of the UG. Policies and procedures detailing more specifics for the financial planning and funding of vehicle and equipment will be developed in the future.

- F. Capital Budget** - Each year the Finance Department will develop a Capital Budget which will contain the spending plan for capital projects. The first year of the adopted CMIP will be the Capital Budget for the fiscal year, in addition to the Amended Budget of the current fiscal year.

- G. Capital Project Management** - Management of capital project is essential to create the best value for Unified Government taxpayers through capital spending. Each department must actively manage their projects and major departments may provide quarterly reports on the status of each project. The following policies shall be observed in order to help ensure the best project management possible.

1. Project Management - Each department is responsible as follows:
 - a. Lead, coordinate, and plan processes that may lead to projects
 - b. Prepare the project proposal
 - c. Ensure that required phases are completed on schedule
 - d. Authorize all project expenditures
 - e. Monitor project cash flows
 - f. Ensure that all regulations and laws are observed
 - g. Periodically reporting project status
 - h. If it is a facility or infrastructure project, work through Public Works to develop a project budget and cash flow forecast for the CMIP prior to project commencement
 - i. Public Works will manage facility and infrastructure projects, with few exceptions, and expect requesting departments to continue to lead all stakeholder engagement.
2. Department directors are responsible for administering their respective CMIP projects within the financial constraints described by the CMIP budget as adopted. It is expected that line item budgets within an individual project may exceed their planned levels, but totals project costs may not be exceeded.

3. Limits on Amendments - Capital project amendments during a year shall not exceed the annually adopted budget and funding levels. Each department must manage its capital program within certain time and cost constraints.
 4. Upon completion of a capital project, any remaining appropriated funds for the project will revert to the fund balance of the funding source.
- H. Asset Condition Assessment** – Unified Government department staff may conduct a comprehensive asset inventory that projects replacement and maintenance needs for the next five years and will update this projection each year. The asset inventory will describe the current condition of the Unified Government's assets, establish standards for asset condition, account for the complete cost to maintain assets up to standard over their lifecycle, and account for risks associated with assets that are below condition standards. Unified Government departments shall have responsibility for inventorying and assessing the assets within their purview and ensuring that it reconciles with Finance Department capital asset records.
- I. Prioritization of Asset Maintenance and Replacement** - It is the Unified Government's intent to maintain its existing assets at a level that protects the initial capital investment and minimizes future maintenance and replacement costs. Based on an asset inventory and risk assessment, staff shall include recommendation for asset maintenance in the CMIP.
- J. Funding of Asset Maintenance** - This policy addresses the need to protect the Unified Government's historical investment in capital assets. It is the UG's intent to ensure that adequate resources are allocated to preserve the UG's existing infrastructure to the best of its ability before allocating resources to other capital projects.

Towards this effort, it is the policy that the Government will set aside an appropriate percentage of new project costs towards the future maintenance of new facilities and infrastructure investments.

- K. CMIP Process** - The CMIP Process is directly linked to the annual budget process, land-use planning, facility plan implementation, coordination with the state, county, and other local municipalities, and the ongoing direction of the UG leaders. The process for including a capital project or equipment request in the CMIP:
1. CMIP requests are submitted to the Finance Department through a:
 - a. Department request in response to need;
 - b. Public request identified at a public hearing or from direct contact with the department, or a
 - c. Commission request for an improvement need within a Commissioner district.
 2. Facilities and Infrastructure - Requests effecting UG facilities and infrastructure are to be submitted to and evaluated by the Public Works Department within the asset management program for viability, impacts and timing.

3. Fleet / Vehicles - Requests effecting UG vehicles and fleet are to be submitted to and evaluated by the Fleet Division, Public Works Department within the asset management program for viability, impacts and timing.
4. Information Technology and Innovation Projects - Requests related to UG information technology and innovation programs are to be submitted to and evaluated by the Department of Knowledge within the asset management program for viability, impacts and timing.
5. Administrative Review – County Administration and the requesting department review all capital projects and equipment requests submitted.
6. Planning and Zoning Commission Review – The CMIP is presented to a designated Planning and Zoning Commission regular or special meeting for capital project review and comment.
7. Unified Government Mayor and Board of Commissioner Review – Project and equipment meetings are held for Commissioners to review and comment on items that are recommended by the County Administrator.
8. Once finalized, the CMIP Project and Equipment lists are submitted to the entire UG Commission for approval as part of the annual budget process.

- L. Periodic status reports** – Reports will be presented periodically to the UG Mayor, Commissioners and staff to share project progress and identify significant issues associated with a project.

V. Quality Control and Quality Assurance:

It is the responsibility of the Budget Director to ensure the presence of procedures that provide sufficient guidance to affected Unified Government personnel to fulfill the intent of this policy.

These policies will be reviewed at least annually and updated on an as-needed basis.

VI. Metrics:

To be developed and managed accordingly.

VII. Definitions and Acronyms:

- A. Adopted Budget Resolution - The formal statement approved by the Board of Commissioners which shows budgeted revenues and expenditures/expenses for the upcoming fiscal year by fund.
- B. Asset Classifications - Assets will be grouped by asset type into one of the following accounts:
 1. Building
 2. Equipment
 3. Furniture & Fixtures
 4. Improvements
 5. Infrastructure
 6. Land
 7. Land Improvements
 8. Machinery
 9. Other Assets

10. Land held for resale

- C. Capital Assets - Any fixed or Intangible asset, including personal property, land, buildings, improvements other than buildings, and infrastructure. When acquiring any capital asset, additional costs required to place the asset in its intended state of operation should be added to the cost of the asset. This may include: a) Land – title search cost, attorney fees, land survey, liens assumed, taxes assumed, grading costs, building demolition, land improvements with an indefinite life, etc.; b) Buildings – attorney fees, architect fees, inspection and building permits, etc.; c) Equipment – Freight charges, installation costs, setup costs, trade-in discounts, training, etc.
- D. Capital Maintenance and Improvement Budget – Amended Budget Current Year and Year One of the Capital Improvement Plan shall be appropriated with the annual budget and accounted for within a capital project Fund(s).
- E. Capital Maintenance and Improvement Plan (CMIP) - A plan that describes the capital projects and equipment and associated funding sources the Unified Government intends to undertake in the current year plus five additional future years, including the acquisition or construction of capital facilities and assets, and the maintenance thereof. The Capital Maintenance Improvement Program (CMIP) is a long-term planning tool intended to assist management in financial forecasting that allows for prioritization, financing, coordination, and technical design of all capital assets. The CMIP is a 5-year plan of capital project improvements and equipment needs. Each year the document is updated and presented to Commission for approval. Changes may include the addition of new projects or equipment, as well as, the reprioritization or removal of other capital projects. The CMIP includes all projects funded by grants.
- F. Capital Outlay – Is construction, alteration, restoration, maintenance, improvement or equipment acquisition that does not meet the definition of a capital project, as defined in this policy.
- G. Capital Project - Any construction, alteration, restoration, or improvement of any capital asset. Capital projects are usually maintained in a capital project fund. For the purposes of the CMIP the definition of a capital project and equipment includes projects or items with a useful life of at least five years and a cost of at least \$50,000. Project improvements can include construction, reconstruction, rehabilitation or maintenance of a capital asset. Equipment needs can include replacement, upgrade or purchase of new equipment. Capital projects may require engineering support or consulting services to evaluate, design, and prepare documents. The capital program may include maintenance projects that result in new fixed assets.
- H. Debt - An obligation to pay something; financial liability.
- I. Infrastructure – Infrastructure assets are long-lived capital assets that normally can be preserved for a significantly greater number of years than most capital assets and are stationary in nature. Examples include roads, bridges, curbs, gutters, streets, drainage

systems, lighting systems, resurfacing (which specifically adds life to the asset) and similar assets that are of value only to the Unified Government.

- J. Intangible Asset – An item that will serve the government which has no physical substance in nature (such as software) that has an expected useful life longer than one year. The items are acquired through outright purchase, construction, lease purchase agreements, installment purchase contracts, tax or special assessment foreclosure, eminent domain, donations, grants or gifts.
- K. Land – This accounts for the cost of land itself and the cost of preparing land for its intended uses, such as: Purchase price, closing costs (title, attorney, recording, land survey, and appraisal fees), costs incurred in getting the land ready for its intended use (grading, filling, draining, clearing, etc.), all costs incurred up to actual excavation of a building, including demolition or removal of unwanted structures, assumption of any liens or mortgages, additional land improvements having an indefinite life (such as landscaping), and any back taxes or other obligations assumed by the purchaser.
- L. Land Improvements: This account is used for permanent (i.e., non-detachable) improvements of a depreciable nature, other than building and infrastructure assets (see above), that add value to land (e.g., fences, retaining walls). This account also is used for leasehold improvements. Examples are fences, docks and dock improvements, park lighting systems, parking lots, driveways, and retaining walls. Costs of water and sewer lines and improvements such as, but not limited to, electrical and gas lines, construction, beginning with excavation.
- M. Machinery, Equipment, Furniture & Fixtures: This accounts for tangible property of a more or less permanent nature (other than land, buildings, or improvements), which is useful in carrying out operations. Examples are office equipment, machinery, tools, trucks, cars, furniture, fixtures and furnishings and costs include purchase price, freight and handling charges, installation or assembling costs, and sales tax.
- N. Pay-as-You-Go Financing - The use of currently available cash resources to pay for capital investments. It is the alternative to Debt financing.
- O. Real Property – Land, land improvements, building, building improvements, and improvements other than buildings. Fixtures attached to land, building, and improvements other than buildings in such a way that removal would alter the intended use of the facility.
- P. Repair and Maintenance – Any addition or change to an existing asset that does not change the value or useful life of the asset.

VIII. Related Documents and References:

- A. Budget process manuals and resolutions
- B. Operating and Capital Budget Policy
- C. General Fund Operating and Economic Uncertainty/Emergency Reserves Policy

Capital Asset and Equipment Investment and Management Policy

- D. Special Revenue Funds Operating Reserve Policy
- E. Enterprise and Internal Service Funds Operating Reserves Policy
- F. Long-Term Financial Planning Policy
- G. County Administrator policies as applicable

IV. POLICY	Capital Criteria	Weighting (T: 100%)
B1, B4, B5	Costs: Design, O&M, Full Lifecycle	
B2	ROI (Return-on-Investment)	
B13	Infrastructure Condition	
B12	Safety	
B8	Capacity Needs	
B7	Population Served	
B3	Coordination: Internal/External Stakeholders	
B10	Commerce	
B9	Community Sites	
B11	Master Plans	
B6	Predictable Project Timing and Scope	
	Total Must = 100 %	

* Capital Criteria in Red is not part of current CMIP Policy

**PUBLIC WORKS AND SAFETY
STANDING COMMITTEE MINUTES
Monday, August 26, 2019**

The meeting of the Public Works and Safety Standing Committee was held on Monday, August 26, 2019, 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 BPU Board Member Groneman. The following officials were also in attendance: Gordon Criswell, Melissa Sieben, Alan Howze, and Emerick Cross, Assistant County Administrators; Misty Brown, Deputy Chief Counsel; James Bain and Casey Meyer, Assistant Counsel; Troy Shaw, County Engineer; Dave Reno, Public Works Engagement Officer; Michael York, Acting Police Chief; Steve Haulmark, Assistant Chief of Police; Laura Cromwell, Professional Fiscal Assistant in the Police Department; Jeremy Rogers, Director of Parks & Recreation; Angel Obert, Recreation Division Manager; and Officer Jay Doleshal, Sergeant-at-Arms.

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

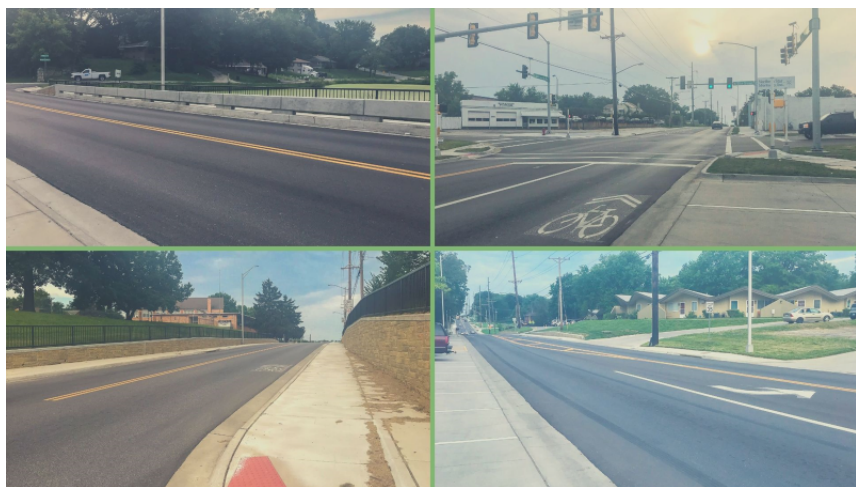
Chairman Bynum said we have a few revisions on tonight's agenda. We had a blue sheet last week that said Item No. 6 and 7 that additional information wouldn't be forthcoming and just to clear that up it just means that originally it had said more information would be and actually more information is not. We also have a new item added requesting St. Margaret's Fitness Court and we'll hear that item as No. 8.

Approval of standing committee minutes from June 17, 2019. **On motion of Commissioner Kane, seconded by Commissioner Johnson, the minutes were approved.** Motion carried unanimously.

Committee Agenda:

Item No. 1 – 19905...RESOLUTION: LEAVENWORTH ROAD, 78TH TO 63RD STREET IMPROVEMENTS

Synopsis: A resolution authorizing a survey of lands for the Leavenworth Road, 78th to 63rd Street improvements, submitted by James Bain, Assistant Counsel. (KDOT Project No. 105 N-0640-01).

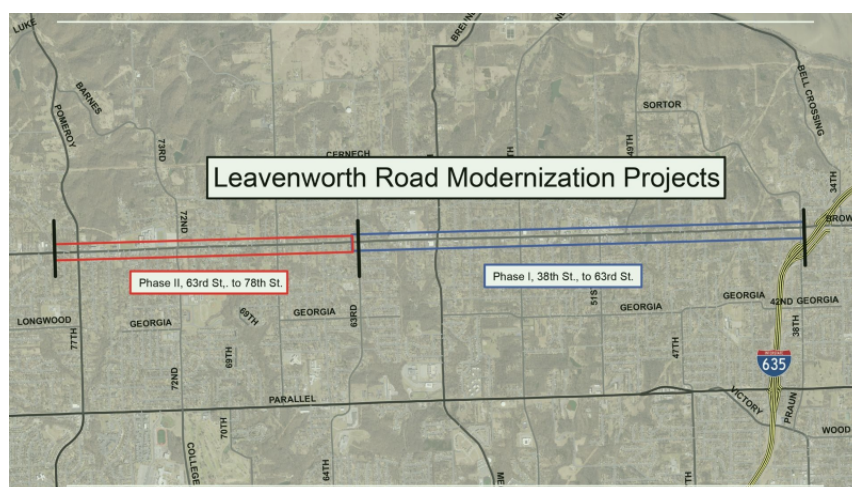


Troy Shaw, County Engineer, said I'll give you a very quick update on the progress of the project so far. Here are a couple of pictures of Phase I. This is what Phase II will look like when it's done as well. Phase I is wrapping up right now. We've got a couple punch list item things left to go to repair.

August 26, 2019



We're starting the relocation of utilities right now. We're also currently in the process of acquiring right-of-way easements. That should go through the beginning of next year and then in September we're set for a bid opening with KDOT and then construction is ongoing until 2022, another long one and, hopefully, we'll be able to speed up the construction like we did on Phase I. That's the goal but this is the KDOT schedule and that's what we follow until we know differently.



Commissioner Philbrook said 63rd Street, that intersection is what you're going to redo and will be part of it because not everything is—**Mr. Shaw** said yes. We will tie in to where we stopped on Phase I and we'll go to just short of 78th Street. **Commissioner Philbrook** said but you haven't really finished the sidewalks up to 63rd yet. They stop short. **Mr. Shaw** said correct. Yes, the intersection of 63rd—**Commissioner Philbrook** said about 200 feet or something. **Mr. Shaw** said yes, I think that's right. It will tie into that, correct. It won't leave a gap. **Commissioner**

Philbrook said well, you know, we're going to get asked. **Mr. Shaw** said there won't be a gap. **Commissioner Philbrook** said thank you. **Mr. Shaw** said no problem.

ACQUISITIONS		
LEAVENWORTH ROAD MODERNIZATION		
Right of Way and Easement Acquisitions		
	Phase 1 63rd to 38th Street	Phase 2 78th to 63rd Street
Total Number of Impacted Properties	166	120
Number of Right of Way Acquisitions	40	12
Number of Permanent Utility Easement Acquisitions	5	59
Number of Other Permanent Easement Acquisitions	77	13
Number of Temporary Construction Easement Acquisitions	145	91

NOTE: An additional 12 easements for Phase 2 (11 temporary and 1 permanent) may be needed for potential storm sewer improvements along 64th Terrace.

That's just a quick—blue is Phase I that's getting finished right now. Red is the Phase II portion of what we're doing, and I just have a quick note as to we're here for the survey resolution. This is kind of a snapshot of where we're at on Phase II and then what happened on Phase I. That's what we're looking for. I think currently we have a little over half of the properties that we need. It's just easements, mainly for retaining walls, also utilities and a little bit of right-of-way. That's all I have unless you have questions about the presentation and if not, James can go for it.

Chairman Bynum said I have one question. I think it's a temporary easement at 77th. Have you all been out and visited with the two business owners, Studio 7 and MeMa's? **Mr. Shaw** said I'll have to check. **Commissioner Philbrook** said because they have a very poor amount of area to park cars. If you dig into that too far, there's not going to be room to back a car out. **Mr. Shaw** said I'm sure we've talked to them. I haven't personally. We have a right-away agent and our project manager that probably has, but I will check on that. **Dave Reno, Public Works Engagement Officer**, said we have. Yes. We have talked the them and we'll keep it up as this progresses. **Commissioner Philbrook** said thank you. I appreciate that.

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

August 26, 2019

Item No. 2 – 19906...POLICY: SIDEWALK & CURB REHAB INCENTIVE PROGRAM

Synopsis: Recommend approval of the updated Sidewalk & Curb Replacement Incentive Program, submitted by Jeff Fisher, Executive Director of Public Works.

Chairman Bynum said it's a change to the program, is it not? **Dave Reno, Public Works Engagement Officer**, said it's a policy update. **Chairman Bynum** said policy update and it will have a vote. **Mr. Reno** said correct. We are requesting action on an existing policy. It's the Sidewalk Replacement & Repair Policy and we've made just a few updates. I'm going to run through those real quick.

The first is that the reimbursements previously could go to the homeowner, contractor or to the tenant. Now, reimbursements will go directly to the contractor.

The second update is that the reimbursement rate used to be listed in the policy. We've moved that out because it restricts our ability to reimburse contractors in appropriate amounts. This allows the county engineer to base the reimbursement rate on whatever the current market rate is.

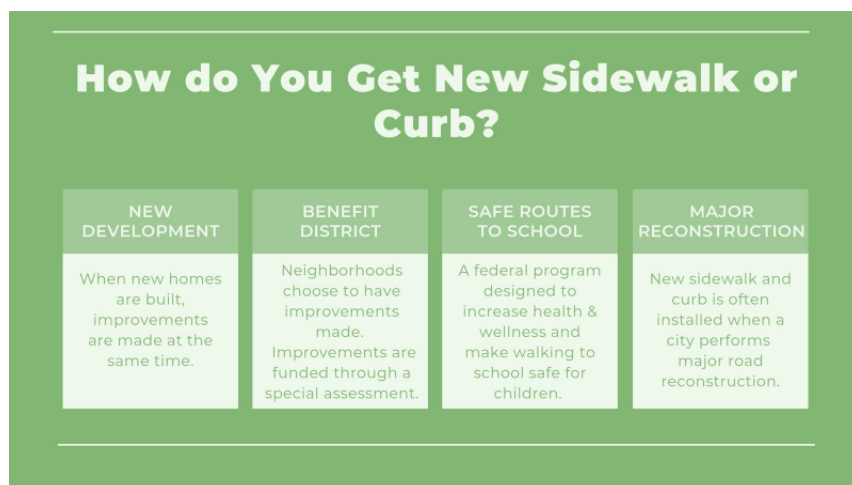
The third update is that we just removed a bunch of unnecessary fluff language that sort of made it difficult to read. Hopefully, this update will make it easier for residents who are interested in participating in the program or taking advantage of the program to understand exactly what it's about.

Then we added some requirements for contractors to be licensed with the Unified Government. In the past, anybody could do. We'd rather that you know folks had some quality control with the contractors and then updated the visual appearance of the actual application material. It just was on old letterhead and had been scanned 5,000 times. It was looking kind of nasty, so we updated that and made it a little bit easier for folks to track progress on Public Works' site.

Finally, we removed the allowance for commercial property. There used to be an allowance for commercial properties to take advantage of this program. They could do up to 12,000 square feet. We decided that really, this is more about neighborhoods improving neighborhoods, and we just focused all of those resources over to the residential side.

You should have received it in your packet. If you didn't and you'd like to see it, I've got copies here for you; communications and outreach plan which is, if approved, what we're going

to do within the first 30 days to let people know that it's changed and also you should take advantage of this because it's a great way to get 50% off of the cost of your sidewalk replacement.



Chairman Bynum said the slide, is all the other ways. **Mr. Reno** said right. This policy pertains to existing sidewalk or curb and a lot of folks have questions about how do we get new sidewalk or a new curb and right now on this slide; these are the four ways we can get new sidewalks. First, is through new development. Troy, I believe that we have a requirement for all new subdivisions. They have to put sidewalks on at least one side of the road. **Mr. Shaw** said correct. **Mr. Reno** said second, is through a benefit district and we're going to talk more about benefit districts in October but for now, that's another way folks could get new curb or sidewalk in their area.

The third is our Safe Routes to School Program; which I'm sure you've heard a lot about. This puts new sidewalk in areas where walking to school for children might be a little bit challenging or a little bit unsafe. We want to make that a little bit better for them. Then, the final way is through a major road reconstruction like the Leavenworth Road Project. **Mr. Shaw** said I will note the Safe Routes to School Program is federal dollars as well. We have to work with the schools, apply for federal grants to get that money. It's 80/20 federal dollars, 80% federal, 20% UG typically.

Commissioner Markley said I do like the fact that this simplifies the situation a little bit. I will still just express the Sidewalk Incentive Policy I guess is better than nothing, but I still think for most of our residents, they see that and they're like oh, that sounds like a lot of red tape for me to get what I want and they're thinking I probably didn't even live here when this sidewalk started to deteriorate and now, I'm getting pinned with the cost of replacement of a sidewalk. You know,

maybe I moved in last year and the sidewalk was already crumbling. It's unfortunate that we have let our infrastructure get to a state where now we are pinning the cost of that infrastructure replacement on people who had nothing to do with this deterioration. As I said, obviously, giving them the incentive is better than telling them that have to replace it and don't get an incentive, so I'm not complaining about the fact that we're giving them something, but I think for most residents they're thinking you want me to go find a contractor and then I have to go through this process and all of this to pay to replace something that I didn't do the damage to begin with.

Commissioner Philbrook said okay, definitely tell me if I'm wrong because I thought it was the responsibility of the homeowner to maintain the sidewalk. If I buy a house and the sidewalk looks like—well, it's not so good then I'm accepting that and either intend to replace it or let it continue to deteriorate. Is that correct? **Mr. Shaw** said yes, I believe by Kansas State Law the sidewalk is the responsibility of the property owner. Misty, is that, not right? **Misty Brown, Deputy Chief Counsel** said that's not entirely right. **Commissioner Philbrook** said okay, that's what I want to hear from. Talk to me.

Ms. Brown said it's not a clear-cut thing. Actually, everybody shares a piece of responsibility for the sidewalk. The part of the statute that Troy is talking about, it starts off where it says a homeowner is responsible for the sidewalk but it goes on to say if the city has a program that is out there inspecting, enforcing and writing tickets for sidewalks. Most cities don't do that so we are frequently sued on sidewalk cases and street cases. We do have an indelible duty to provide reasonably safe streets and sidewalks. There's a variety of provisions to it but it's not a clear-cut area. **Commissioner Philbrook** said okay. This is why I'm asking because I want people to understand that it is very gray and that it's a combination of his mine and ours sort of situation where we're all kind of responsible for it. So, if you have a sidewalk in front of your house, are you responsible for clearing the snow off of it in the wintertime? I know that's another one but I'm going to ask it now because now is a good time as any.

Ms. Brown said we have a memo on this because it's come up several times. I think, if you are in the commercial area that you do have a responsibility to clear the snow; however, in the act of clearing the snow if you make it worse like you shoveled the snow and then allowed it, the ice to melt, you can be sued for creating a hazard that way for not salting it, but for the average homeowner, I'd say no, there is no statutory authority saying that you have to shovel your sidewalk. **Commissioner Philbrook** said thank you. I appreciate you clearing up several things

that I get asked a lot of times. That'll be a few people I won't have to replace; you know or tell about that. I appreciate that. **Ms. Brown** said I would also add in, as Melissa reminded me, if there is a local ordinance that trumps it, you could have that duty for a homeowner but my understanding is that we do not but it's different in the commercial districts. **Commissioner Philbrook** said unless we start writing code violations for cruddy sidewalks it's all our responsibility. Is that what you're saying? **Ms. Brown** said I wouldn't say it's entirely our responsibility. Typically, in these cases, it's a combination—**Commissioner Philbrook** said it's a combination but what I'm saying if we don't demand that the sidewalks be kept up by the homeowners then it's a shared responsibility. **Ms. Brown** said and we would have to allocate funds to have a program to systematically go through, inspect and write citations for it. **Commissioner Philbrook** said sorry to put you on the spot lady but, that's what you're here for. **Ms. Brown** said that's true and I've been here long enough to research this issue a few times. **Commissioner Philbrook** said I know. Thank you so much.

Commissioner Markley said I would say typically what we see with this program is somebody who's just unhappy with their sidewalk and how it looks and they want to improve it. It's not somebody that we've given a ticket to or we've said you have to do this. People that use this program tend to be the people that are like my sidewalk looks cruddy and I have some money in my pocket and I want to fix it; which is awesome, it's great for them, but for those people that who are in a more difficult financial situation, particularly people who haven't, like I said, sort of contributed to the damage. It's a painful conversation to have with them, to say I realize that you haven't lived here very long and this sidewalk was a mess when you moved in, so you clearly weren't the one who made it a mess but not it's all your problem kind of deal. That's where I feel the heartburn.

BPU Board Member Groneman said you talk about sidewalks, what about the curbs? Kind of like if a snowplow of the city—snowplow comes down and catches the curb, knocks a chunk out of it, who's responsibility? How is that handled? Are curbs different from sidewalks? **Ms. Brown** said curbs are different from sidewalks in that you know their function is different and you would hope people aren't walking on the curbs. I will have to look into the specifics on that but I mean off the cuff, if we're saying a city went in and damaged it, I would think we would fix it ourselves

just as a matter of equity and not try to put that on the homeowner, but I will need to look into that a bit more.

Mr. Shaw said I'll add to that. Recently, I'd say in the last year or year and a half, Public Works has started repairing more curb than we have in the past. We have a dedicated concrete crew that goes out and does curb repairs throughout the city. We've also started doing curb and gutter with our pavement preservation program. We'll go into a neighborhood and replace the chunks of curb that caused damage to this upgrade of the road. We can't get everything so if it has a crack in it, we're not replacing it, but if that crack is causing damage to this upgrade, we are replacing it.

Prior to overlaying the road, the Commission gave us additional funding next year, which we appreciate to do some additional concrete work as well with curbs prior to our Mill and Overlay and Street Preservation Program as well.

BPU Board Member Groneman said I guess, if you're a homeowner, do you just wait until the city decides that the curbs are bad and they're going to come out and fix it as opposed to hiring a contractor or going to a contractor to fix it yourself. **Mr. Shaw** said yes, I mean I think that this program here gives you a couple of options. If you want it done now, we have a huge list of stuff to do but this gives us a 50/50 program so a homeowner could pay for half, we pay for half through this program and the contractor gets hired and reimbursed through that. If we're going to redo a road in someone's area, that's typically when we do it unless there's a major issue that our concrete crews go look at but yes, that's a way to get it done sooner than later.

Commissioner Philbrook said let's say I'm a do-it-yourself person and I want to put a new sidewalk in there. Do I have to get permission from you to do a new sidewalk? If I decide to do it, me and my buddy decide to do it and I'm not hiring somebody else to come in to do it, how does that scenario play out? **Mr. Shaw** said the way this policy is written now, I believe is, it will not be reimbursable unless you're a licensed contractor. Is that correct? **Commissioner Philbrook** said I don't have to. I'm not worried about reimbursement. I just want to do it. **Mr. Shaw** said you would need a right-of-way permit. **Mr. Reno** said you would just have to get the permit. **Mr. Shaw** said if the sidewalk's in the right-of-way. **Commissioner Philbrook** said that's all I want to know.

Commissioner Johnson asked what is the typical turnaround in terms of the reimbursement to the contractor once all the documents have received. **Mr. Shaw** said I would say two to three weeks would be my guess. They would submit a bill. We would do a purchase order for them to get paid. It's however long it takes to get through our payment process, which is a couple weeks typically, I think. **Commissioner Johnson** said that's important to the contractor, obviously, as to how long it would take so I would hope that—should we designate how long it should take?

Commissioner Johnson said it's a question. **Chairman Bynum** said I think there's a process by which our treasurer cuts checks and so I'm going to assume that if invoices are submitted timely, then those checks are going to line up in our queue and be processed at the next accounts payable time. Would I be wrong about that? No. **Commissioner Johnson** said I mean it sounds good philosophically to me even policy wise, but often times these things take a lot longer than what we might be suggesting right now. **Chairman Bynum** said you would be in favor of.

Commissioner Johnson said as we're trying to codify this, I think that that's an area I've experienced that takes a long time in terms of getting that reimbursement back and maybe that's just the process of doing business with the UG, I don't know, in terms of accounts payable. I hope I'm not stepping on anyone's feet but I just think that we need to have some thought process as regard to that.

Since we're going through this process of thinking this through, you know at the end of the day and we're making it very clear that the homeowner will no longer be the one that's being reimbursed, now we have to add an element of reimbursing the contractor exclusively, they're going to want to know when should they expect it, I mean in general timeframes. You know I don't care if you—I'm not talking about in days but in terms like you were saying. If it's a particular cycle, it's cut once or twice a month.

Commissioner Philbrook said I'm thinking about this and I understand where you're coming from because I know that I used to like to get paid when I was on contract and so I do understand what you're saying, but it all depended on the company I was doing business with how I got paid. I'm going to ask maybe that you bring back information with you to let us know about how long it usually takes for people to get reimbursed through these people doing this work and if it starts looking like feet are being drug back with that report, then we can have a conversation about that.

Melissa Sieben, Assistant County Administrator, said, Commissioner, what I was just going to suggest that it would be best if we got the information on the timeline of if it's submitted by this date this is when you can anticipate reimbursement and give you actual facts because right now, you know depending on when you're hitting the cycle it may be different. Okay? **Commissioner Philbrook** said yes. **Chairman Bynum** said I would appreciate that. My suggestion would be that we vote to update the policy and we receive back later the payment schedule, if you will, so that we know what is the payment schedule and then if we've got to do something to that we can make that change. I completely understand the contractor or anyone else wanting to get paid.

Commissioner Johnson said well, it puts the problem between the homeowner and the contractor. There could be issues there. That's all I'm saying. **Mr. Shaw** said what we have mostly, just to kind of maybe ease it a little bit is the majority of the ones we do now are contractors we pay directly. That's what historically it's been. It's been contractors, homeowners or others that kind of simplified it but we have been paying contractors directly, typically, is how it's been working recently at least, just whatever helps, but that's kind of how it has been.

Chairman Bynum said to be clear what we're doing tonight is voting to update the policy that allows for the 50/50 Sharing Program on existing sidewalk and, again, I'll note these four on the slide are new curb and sidewalk programs. I'm just trying to make sure our community understand the variety of ways that we deal in sidewalks. With that, I will ask if anyone from the public wants to speak on this item and if not, I will take a motion.

There were none.

Ms. Brown asked may I just interject quickly. **Chairman Bynum** said yes. **Ms. Brown** said just as a procedural point. It looks like we've failed to put the resolution in here authorizing us to adopt the policy. What I would suggest is we'll get that in there when it goes to full commission. **Chairman Bynum** said okay. **Ms. Brown** said just so that will be included. **Commissioner Philbrook** said so you want to put this plus the resolution. Is that what you're saying? **Ms. Brown** said we could do it that way in the resolution if you guys would like. If we're paying the contractor directly, I would say the Kansas Prompt Payment Act requires us to remit payment within 30 days

on an invoice that's been approved. We could update the policy to say we would strive to pay it within 30 days of receiving all of the proper documentation. **Chairman Bynum** said okay. **Ms. Brown** said and then also a resolution would be added when this goes to full commission just so that we can find it in the future. **Commissioner Philbrook** said I suggest we move forward with what she is saying. **Chairman Bynum** said I agree.

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

Item No. 3 – 19886...ORDINANCE: PAWNBROKER AND PRECIOUS METAL DEALERS

Synopsis: An ordinance relating to precious metal dealers and pawnbrokers, amending Sections 36-24, 36-35 and 36-47, submitted by Terry Zeigler, Police Chief.

Chairman Bynum said next we have amendments to our pawnbrokers and precious metal dealer ordinance. We have Casey Meyer and Acting Chief York. How are you? Congratulations. **Michael York, Acting Police Chief**, said I appreciate that.



- ▶ Advisory committee convened July 24th and supported the following:
- ▶ Sec. 36-24
 - ▶ Holding period changed from 30 days to 10 days (consistent with State statute)
 - ▶ Added ability of PD to seize item and hold in PD property with probable cause

Casey Meyer, Assistant Counsel, said first of all I'd like to preface that an advisory committee was convened July 24th that reviewed the version that you currently have in front of you. I inadvertently uploaded a previous version to our site. The one that you have, and that I emailed you earlier, is the one that was submitted to the committee in July and that they approved or

supported and that is the one that we're asking for action on. **Chairman Bynum** said I think it was in an email earlier today. We have it. **Ms. Meyer** said I will just briefly highlight some of the changes in Section 36-24. The holding period was changed from 30 days to 10 days and that time period is consistent with state statute. We also added the ability of the Police Department to seize an item and hold it in Police Department property if we have probable cause to believe that it was a stolen item.

Pawnbrokers and Precious Metal Dealers Ordinance Amendments

- ▶ Sec. 36-25
 - ▶ Added reports of transaction will be uploaded to online system daily
 - ▶ Added requirement of security camera to record point of entry and held by business for not less than 30 days

Section 36-25, we added that the reports of transactions will be uploaded to an online system daily. It's my understanding that was already kind of already happening. We also added a requirement of a security camera to record the point of entry or the point of sale and that would be held by the business for not less than 30 days.

Pawnbrokers and Precious Metal Dealers Ordinance Amendments

- ▶ Sec. 36-47
 - ▶ Removed language requiring advisory commission to convene semi-annually

In Section 36-47, we are removing the language requiring an advisory commission to convene semi-annually. That's it.

Chairman Bynum said just back one slide. Those two items there, it sounds like there were no issues with our dealers being able to do those two items and that they're doing that now. **Ms. Meyer** said that's correct. That was brought up to them at our committee and they agreed do that and support it.

Commissioner Kane said what you're showing us is what the committee agreed to already. Is that correct? **Ms. Meyer** said that's correct.

Commissioner Philbrook said as I read through here and it was talking about identification and I'm reading through and it says state approved driver's license or other approved state identifications, but it can be waived if the pawnbroker can produce such information upon request by the Police Department. I don't know what that looks like. What does that mean? **Ms. Meyer** said that language was in the ordinance previously. That's what I didn't change. I didn't add that. That was just the thing that I had mistakenly included in a previous version. **Commissioner Philbrook** said but I don't understand what it means, I guess is what I'm saying. **Acting Chief York** said I would think what that means is that the pawnbroker knows who that person is. **Commissioner Philbrook** said personally knows. **Acting Chief York** said yes and can provide us that information for an investigation. **Commissioner Philbrook** said I want to make sure I was reading it appropriately because otherwise it's kind of like, huh. Okay, got it.

Chairman Bynum asked if there were questions or comments. There were none. Is there anyone from the audience that wants to address this item? There were none.

Commissioner Johnson said this is almost more so about day-to-day operations as it relates to the pawnbrokers and the precious metal dealers. I'm assuming that there has been some prior conversation and some of my more senior affiliates could—well, my more senior commissioners would probably know this, but do we have anything that limits the number of these types of

businesses in our community? You all have dealt with that before. **Commissioner Markley** said yes.

Chairman Bynum said there's a limit on the number of licenses allowed within the city. Do you know the answer Commissioner Kane? It's seven. **Commissioner Johnson** said as long as we have one, I'm good. **Chairman Bynum** said go ahead and come up. **Commissioner Johnson** said you're up now.

Don Budd, 4252 N. 127th, KCK, said, yes, Commissioner, there is. That was something, believe it or not, I was involved in, in 1990 and it was based on—demographics was based on three or four other things. Detective Randy Murphy was here at that time and that was something to where the city brought it to us as the pawn industry. They didn't want to get overrun with check cashing stores, with pawn shops and things like that and I think that we had five or six at the time. They didn't limit it to the ones that were there. I think that we're at seven now. **Commissioner Johnson** said because I know, I think I have my share in my district. Thank you and I appreciate that answer. **Mr. Budd** said I'd like to thank the staff, retiring Chief Zeigler and the PD for the help. It's been a year and a half process getting where we're at. We appreciate it. **Chairman Bynum** said and I'll bet you also appreciate that now you just have to meet as needed. **Mr. Budd** said yes. **Chairman Bynum** said thank you. Thank you very much.

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

Item No. 4 – 19907...ORDINANCE: URINATING/DEFECATING UPON PUBLIC OR PRIVATE PROPERTY

Synopsis: An ordinance regarding urinating or defecating upon public or private property in open view of any person, amending Section 22-203, submitted by Terry Zeigler, Police Chief.

Casey Meyer, Assistant Counsel, said it was brought to my attention we were having some issues locally and I checked our public urination ordinance and realized that only public urination is prohibited and not defecation. I reviewed some other city ordinances and most of them have

defecating included so that is what this amendment is. It's just simply adding defecating into the ordinance.

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

Item No. 5 – 19900...RESOLUTION: COOPERATIVE JURISDICTIONAL AGREEMENT BETWEEN KCKPD AND KUPD

Synopsis: A resolution approving an amendment to an agreement between the KCK Police Department and Kansas University Police Department (KUPD) authorizing KUPD jurisdiction to patrol areas outside their traditional jurisdiction, to include the area bounded by Washington Boulevard, North 7th Street Trafficway, Barnett Avenue and North 3rd Street, submitted by Terry Zeigler, Police Chief. The original agreement was approved April 1, 1999.

Casey Meyer, Assistant Counsel, said I'm going to keep my comments brief. This is a resolution, which if passed would give the ability for us to enter into this jurisdictional agreement with KUPD. There was a preexisting agreement from 1999. The only thing that is being changed is two paragraphs, and I'm sorry that I did not highlight that in the version you got, but it would be paragraph 8 and 9; 9, is the one that establishes the jurisdictional boundaries that are not traditionally located next to the KU Health Center but now, because of the new building they have, it would extend beyond that area. I'll let Deputy Chief York and the members of the KUPD talk about that.

Michael York, Acting Police Chief, said what we're trying to accomplish is to have KU in the area with us. It's going to be pretty simple. It's 3rd Street to the east, 7th Street to the west, Washington to the north and Barnett to the south; it's a pretty small little block. They would patrol that area along with us. We would still patrol that area as well. We would handle all calls for service. We would handle all the investigations that took place in that area. It's just for us a force multiplier to have police presence in that area and that's why we are requesting for them to be in this area.

Action: Commissioner Kane made a motion, seconded by Commissioner Philbrook, to approve.

Chairman Bynum said I would just say that this is what they do at KU Hospital now. We're just adding a boundary area around their new location. It's nothing different than what they do currently at the University of Kansas Health System. Does any person from the public want to speak on this item? No one appeared.

Roll call was taken and there were six "Ayes," Groneman, Philbrook, Markley, Kane, Johnson, Bynum.

Item No. 6 – 19903...GRANT: FY19 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM

Synopsis: Request approval to apply for and accept the FY19 Edward Byrne Memorial Justice Assistance Grant (JAG) in the amount of \$98,777, submitted by Laura Cromwell, Professional Fiscal Assistant, Police Department. No match required.

Laura Cromwell, Professional Fiscal Assistant, Police Department, said here with me tonight is Major Steve Haulmark, Assistant Chief of Police. The PD received notification of the Federal FY19 Edward Byrne Memorial Justice Assistance Grant a few weeks ago and we are seeking approval to apply for and accept this award. This particular grant is considered both an entitlement grant and a formula grant.

We're entitled to funding through this grant program because we're a law enforcement agency and we have the requisite crime data. The amount of funding we are entitled to is determined by a formula that incorporates both our population and our violent crime statistics here in Kansas City, Kansas. This year our allocated amount is \$98,777. The PD would like to use this money to purchase the following items: leadership training for two command staff members through the Senior Management Institute for Police, an automated license plate reader, a new EOD bomb suit as their current suit is expired and a new and upgraded pole camera for our SOU Team as their current one was damaged during a reset fire they had at their building.

Our total request for funding for these projects is equal to the amount of the award. All of these items are over and above what's in our normal operating budget. Once awarded the PD would have until September 30, 2022 to spend down the grant funds and these projects will be 100% federally funded and there is no match requirement from the UG.

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

Item No. 7 – 19904...GRANT: FY20 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM

Synopsis: A request from the Police Department and the Sheriff's Office to apply for and accept the FY20 Edward Byrne Memorial Justice Assistance Grant (JAG), overseen by the Kansas Governor's Grants Program and the Kansas Criminal Justice Coordinating Council, submitted by Laura Cromwell, Professional Fiscal Assistant, Police Department. No match required.

Action: **Commissioner Johnson made a motion, seconded by Commissioner Kane, to approve.**

Chairman Bynum said we have a motion and a second and all I'm going to say on both of these grants is I look forward to the day that we do not have the requisite crime data. **Laura Cromwell, Professional Fiscal Assistant, Police Department,** said I will say our amount this year is less than last years, so that's a good sign. **Chairman Bynum** said right, thank you very much. **Commissioner Philbrook** asked would you just briefly state where this money is going for so people will know, the second one? **Ms. Cromwell** said yes. The fiscal year 2020 grant that we're going to apply for is a joint application with the Sheriff's Department. This one is different than the first one we talked about because the first one is a direct application with the federal government and this one, we're applying through the state of Kansas. The state of Kansas has been allocated \$2.3M. They've established priority areas and grant applications that tailor to those specific priority areas are going to be more likely to succeed in getting funded.

Two of those priority areas would be drug enforcement and then hiring and retaining qualified staff. The Police Department has put together their portion of the application to purchase

items that will enhance our drug enforcement efforts and then both the Police Department and the Sheriff's Office are going to be putting together programs for successful recruiting efforts and we're looking for that sort of thing.

I mean we have a list of things we're going to try to do. I don't know if you want to hear all of those but we've done some research. I know the Police Department has called neighboring agencies to ask what's worked for them. I know one of the things we're going to try to do is take our application process mobile.

The Sheriff's Department is just going to up their advertisements through some creative efforts. They're going to do a recruitment ad, Facebook ads, bus ads and billboards. **Commissioner Philbrook** said thank you for letting us know what it's for.

Roll call was taken and there were six "Ayes," Groneman, Philbrook, Markley, Kane, Johnson, Bynum.

Chairman Bynum said thank you for all the work you do to write those. I know those are gift.

Item No. 8 – 19913...REQUEST: ST. MARGARET'S FITNESS COURT

Synopsis: Request to construct a national fitness court at St. Margaret's Park, located at 230 S. 7th Street, submitted by Jeremy Rogers, Director of Parks & Recreation.

Jeremy Rogers, Director of Parks & Recreation, said this presentation you guys, this is the third time so I'm not going to go through it slide by slide. You guys get the gist of it but what we want to get to, you know all about the fitness court and that it goes into the healthy corridor and what we want to do is get to St. Margaret's Park. This is the recommended location from the stakeholders, the funders, the commissioner in this district has signed off on this as well as the St. Joe Watchdogs. As you know St. Margaret's Park is right down here on 7th Street at the corner of 7th & I-70.

There's a lot of new work going in there. Sporting just built the futsal court along with the basketball court. We're working with the Gaelic Football League to improve the park for their usage. There's a lot of activity going on in St. Margaret's Park. We feel that this would be a great addition to this park that we're already improving. Are there any questions? **Chairman Bynum**

said I don't believe so. I think you already mentioned that both the commissioner and the neighborhood group are happy to have this be in this park. **Mr. Rogers** said yes.

Commissioner Philbrook said the only other thing you want to make sure you say, 70% grant money. **Mr. Rogers** said yes, absolutely. **Commissioner Philbrook** said the rest is us. **Mr. Rogers** said this project is 70% grant funded. All those funders have signed off on this location if you so choose that.

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

Commissioner Philbrook said I want to congratulate you on your new position. I understand you got a promotion. **Angel Obert, Recreation Division Manager**, said thank you, Commissioner, yes.

Chairman Bynum said I would just mention there were no items for Administration and Human Services so that meeting was cancelled.

Adjourn:

Chairman Bynum adjourned the meeting at 5:43 p.m.

tpl



Staff Request for Commission Action

Tracking No. 19983

Full Commission Meeting Date: 10/31/19

Committee: Public Works & Safety

Date of Standing Committee Action: 10/21/19

(If none, please explain):

Publication Required: No

<u>Date:</u> 10/8/2019	<u>Contact Name:</u> Michael Callahan	<u>Contact Phone:</u> x5951	<u>Contact Email:</u> chiefcallahan@kckfd.org	<u>Department/Division:</u> Fire Department
<u>Item Description:</u> A resolution authorizing the donation of a 2005 Seagrave Fire Apparatus to The Village of Birmingham, Missouri Fire Department.				
<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> RESOLUTION AUTHORIZING DONATION				

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE DONATION OF EQUIPMENT FROM
THE KANSAS CITY, KANSAS FIRE DEPARTMENT TO THE VILLAGE OF
BIRMINGHAM, MISSOURI**

WHEREAS, the Unified Government of Wyandotte County/Kansas City, Kansas is the present owner of one 2005 Seagrave fire apparatus, VIN 1F9FD28T55CST2062, which is currently in the possession of the Kansas City, Kansas Fire Department; and

WHEREAS, the Seagrave fire apparatus has become obsolete for the purposes of the Kansas City, Kansas Fire Department and is scheduled to be decommissioned; and

WHEREAS, the Seagrave fire apparatus has a value of \$5,000; and

WHEREAS, the Equipment is still usable, and another governmental organization has need for them; and

WHEREAS, specifically, The Village of Birmingham Fire Department; and

WHEREAS, the Unified Government wishes to donate the Equipment to the above-referenced governmental organization in accordance with K.S.A. 12-101, and in recognition of the public purpose such donation will serve.

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

- 1. Donation of Seagrave Fire Apparatus.** That the Unified Government does hereby authorize the Chief of the Kansas City, Kansas Fire Department and the County Administrator's Office to establish a procedure for the donation of the 2005 Seagrave Fire Apparatus, VIN 1F9FD28T55CST2062, to The Village of Birmingham, Missouri, on behalf of the Unified Government, and that the Chief of the Kansas City, Kansas Fire Department and the County Administrator are hereby authorized to enter into agreements and take any action required and necessary to implement and satisfy the intent of this Resolution.
- 2. Effective Date.** This Resolution shall take effect and be in full force immediately after its adoption by the Governing Body of the Unified Government.

**ADOPTED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED
GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS,
THIS OCTOBER 31, 2019.**

ATTEST:

Unified Government Clerk



Staff Request for Commission Action

Tracking No. 19985

Full Commission Meeting Date: NA

Committee: Public Works & Safety

Date of Standing Committee Action: 10/21/19

(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>
10/9/2019	Jeff Fisher	x5415	jfisher@wycokck.org	Public Works

Item Description:

This is a presentation on the Unified Government's low pressure sewer program. The program's background, details, challenges and options on how the program could work in the future. Staff is seeking direction on the program and its operation moving forward.

Action Requested:

For information only.

Budget Impact: (if applicable)

Amount:

Source:

Included In Budget:

Other (explain):

Attachments List:



Staff Request for Commission Action

Tracking No. 19986

Full Commission Meeting Date: NA

Committee: Public Works & Safety

Date of Standing Committee Action: 10/21/19

(If none, please explain):

Publication Required: No

<u>Date:</u> 10/9/2019	<u>Contact Name:</u> Jeff Fisher	<u>Contact Phone:</u> x5415	<u>Contact Email:</u> jfisher@wycokck.org	<u>Department/Division:</u> Public Works
<u>Item Description:</u> Public Works staff will cover the approved 2020 CMIP projects and Major Capital Criteria. Staff will present and seek feedback on proposed enhancements to criteria used to select CMIP projects.				
<u>Action Requested:</u>				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u>				

19961



Unified Government Clerk's Office

Bridgette D. Cobbins
Unified Government Clerk

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

FILED
SEP 09 2019
UNIFIED GOVERNMENT CLERK

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

REQUEST TO APPEAR FORM

Requestor will be given 5 minutes to speak to committee

Standing Committee: Public Works & Safety

Name: Robert Wing
First Last

Address: 4222 Pebble Beach Dr
Street

Kansas City KS 66109
City State Zip

Phone Number:

E-mail address:

Brief description of topic to be discussed:

Health and safety issues - Kansas City Kansas Fire Department

Robert S Wing
Signature

Godsil, Carol

From: Robert S. Wing
Sent: Monday, September 16, 2019 1:16 PM
To: Godsil, Carol
Subject: RE: Request to Appear Before Standing Committee

Ms. Godsil,

Due to a scheduling conflict I will not be able to appear before the standing committee on September 23, 2019. I would like to request that my appearance before the Public Works & Safety Committee be rescheduled to the October 21, 2019 meeting.

Thank you.

Robert S. Wing, President
Kansas State Council of Fire Fighters
Business Manager/Recording Secretary
International Association of Fire Fighters Local 64
7540 Leavenworth Road
PO Box 6243
Kansas City, KS 66106



From: Godsil, Carol <cgodsil@wycokck.org>
Sent: Thursday, September 12, 2019 11:46 AM
To:
Subject: Request to Appear Before Standing Committee

Your request to appear before a standing committee regarding health and safety issues – KCKFD, has been approved. See attachment for specifics.

In order to serve you better, we would appreciate your feedback by taking our brief [Customer Service Survey](#)

Carol Godsil

Deputy UG Clerk
701 N 7th St, Ste 323
Kansas City, KS 66101
913-573-5263



Unified Government Clerk's Office

Bridgette D. Cobbins

Unified Government Clerk

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

Phone: 913-573-5260

Fax: 913-573-5299

<http://www.wycokck.org>

October 10, 2019

Robert Wing
4222 Pebble Beach Dr.
Kansas City, KS 66109
Email:

Mr. Wing:

Your request to appear before a standing committee to discuss health and safety issues – KCK Fire Department, has been rescheduled from September 23, 2019, to October 21, 2019. The meeting information is as follows:

COMMITTEE: Public Works and Safety Standing Committee

DATE: Monday, October 21, 2019

TIME: 5:00 pm

LOCATION: Municipal Office Building

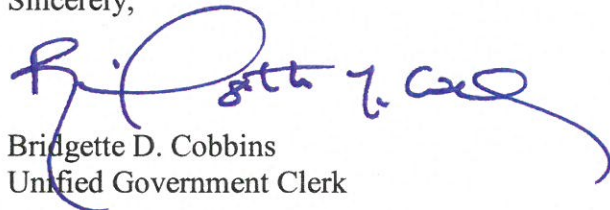
701 North 7th Street, 5th floor conference room (Suite 515)

Kansas City, KS 66101

You will be given up to five minutes to make your comments. All comments must pertain to the subject matter.

If you have any questions, do not hesitate to contact me at 573-5260.

Sincerely,



Bridgette D. Cobbins
Unified Government Clerk

c: Mike Callahan, Fire Chief
Renee Ramirez, Human Resources Director

19982



FILED *yes*

SEP 04 2019

UNIFIED GOVERNMENT CLERK

Unified Government Clerk's Office

Bridgette D. Cobbins

Unified Government Clerk

701 North 7th Street, Suite 323
Phone: 913-573-5260
Kansas City, Kansas 66101-3070
Fax: 913-573-5299

E-mail: bcobbins@wycokck.org

<http://www.wycokck.org>

REQUEST TO APPEAR FORM

Requestor will be given 5 minutes to speak to
committee

Standing Committee: Request to appear on
10/21/2019

Name: Ischer Manck

First

Last

Address: 212 North 38th Street

Street

66102 Kansas City, Kansas

City

State

Zip

Phone Number: _____

E-mail address: _____

Brief description of topic to be discussed:

we the ~~Community~~ Community would like to address our lack of enough Law enforcement, and the lack of Officers & Firefighter working in the Community that don't look like us! There is a Lack of Diversity on the North East Side when it comes to Officers & Firemen.

Signature

Manck



Unified Government Clerk's Office

Bridgette D. Cobbins

Unified Government Clerk

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

Phone: 913-573-5260

Fax: 913-573-5299

<http://www.wycokck.org>

October 10, 2019

Tscher Manck
212 N. 38th St.
Kansas City, KS 66102
Email:

Ms. Manck:

Your request to appear before a standing committee regarding lack of: law enforcement, officers & firefighters, and diversity of officers & firefighters in the Northeast area, has been approved for the following standing committee:

COMMITTEE: Public Works and Safety Standing Committee

DATE: Monday, October 21, 2019

TIME: 5:00 p.m.

LOCATION: Municipal Office Building

701 North 7th Street, 5th floor conference room (Suite 515)

Kansas City, KS 66101

You will be given up to five minutes to make your comments. All comments must pertain to the subject matter.

If you have any questions, do not hesitate to contact me at 573-5260.

Sincerely,

Bridgette Cobbins
Unified Government Clerk

c: Ken Moore, Chief Legal Counsel
Mike Callahan, Fire Chief
Michael York, Interim Police Chief
Renee Ramirez, Director of Human Resources