

**PUBLIC WORKS AND SAFETY
STANDING COMMITTEE MINUTES
Monday, March 22, 2021**

The meeting of the Public Works and Safety Standing Committee was held on Monday, March 22, 2021, at 5:00 p.m., via Zoom or on-site. The following members were present: Commissioner Bynum, Chairman; Commissioners Markley, Ramirez, Kane, and Philbrook. BPU Board Member Tom Groneman was absent. The following officials were also in attendance: Doug Bach, County Administrator; Melissa Sieben, Emerick Cross and Alan Howze, Assistant County Administrators; Bridgette Cobbins, Interim Assistant County Administrator; Kathleen VonAchen, Chief Financial Officer; Misty Brown, Deputy Chief Counsel; Rocki Mayes, Executive Assistant to County Administrator; James Bain, Assistant Counsel; Michael Vivian, Acting Deputy Police Chief; Angel Obert, Assistant Director of Parks and Recreation; and Michael Vivian, Acting Deputy Police Chief.

Chairman Bynum said before I call the meeting to order, I need to announce that due to COVID-19, some committee members, staff, and public are attending remotely by Zoom and some are on-site. All participants that are joining by phone should mute their phones when not speaking to avoid background noise.

During the meeting, committee members, please make sure you announce yourself by name and title when you speak so that the public observing knows who is speaking. This is critical given the number of remote participants we have. It's also guidance from our Kansas Attorney General.

Also, due to COVID-19 requirements, in-person public comment has been suspended unless otherwise required by law. The public is allowed to participate by Zoom and submit comments by email prior to our meeting and those are included in the recording of our meetings.

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

Chairman Bynum said we don't have any revisions on our agenda tonight.

Approval of standing committee minutes from December 14, 2020. **On motion of Commissioner Markley, seconded by Commissioner Ramirez, the minutes were approved.** Roll call was taken and there were six “Ayes,” Philbrook, Kane, Ramirez, Markley, Bynum.

Chairman Bynum said we do have three items on our Public Works and Safety Committee Agenda this evening.

Committee Agenda:

Item No. 1 – 21721...GRANT: FY21 IMPROVING CRIMINAL JUSTICE RESPONSES TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING GRANT PROGRAM

Synopsis: The Police Department is seeking approval to apply for a FY21 US Department of Justice/Office on Violence Against Women grant in the amount of \$500,000, submitted by Michael Vivian, Acting Deputy Police Chief. No match required.

Chairman Bynum said the first one is a grant with our Police Department through the US Department of Justice. Do I see Deputy Chief Vivian, is that correct? **Michael Vivian, Acting Deputy Police Chief**, said yes. **Chairman Bynum** said to lay out this grant for us and I will turn it over to you, sir.

Michael Vivian, Actions Deputy Police Chief, said this grant that we'd like to apply for, it's through the Office of Violence Against Women. It's a \$500,000 grant, although it could double to a million dollars. There's no match to it. What we'd like to do with the award is create a rapid response teams to all sexual assaults that occur in our city. One of the things that we're trying to implement is trauma informed care and trauma informed interviewing of our sexual assault victims. The best practice right now is to have a team that responds immediately.

We're looking to train 50 officers so that we'll have plenty of officers out in the field that will respond initially, but then the team of detectives and CSI personnel that are trained with this additional trauma informed care. There's three steps to it. They go through all three steps of training and create this team that will, you know, it'll comprise of social service people and somebody from the District Attorney's office. It doesn't matter what time of day it happens. If it

happens at 2:00 in the morning, the team will be called out in the middle of the night, and they'll respond.

The basic premise behind it is just to start the trauma informed care at the earliest stage of a victim meeting with law enforcement because we have many victims that are hesitant to speak with police and speak with law enforcement. Sometimes it's an uncomfortable setting that we have as far as our patrol cars and it's kind of a sterile environment.

There's a lot of equipment that will need to be purchased with these funds to get that team up and running. We don't need to add any personnel to it, it's really just the inception of getting the teams started with the equipment and resources that they need.

Then the second component of that is the OVW. One of the strongest things that we can do is solve the crime and hold the offender accountable. With the digital forensics, with cell phones approaching one terabyte of information, that's an unbelievable amount of information for our detectives to sort through. With the equipment that they have now, they pretty much have to do it manually. It'll download, but then it's scrolling through photos. There is equipment out there, a program out there that we can hook up five terabytes of data to this program. What would take hours and hours of scrolling through photos and videos looking for somebody in a red shirt, we can type in red shirt and its populating photos of people in red shirts from the data on the phones.

Those transformative technologies are out there, obviously it's not cheap. So, that's where the grant comes in. But that's just kind of the grant in a nutshell, is just trying to in a way just say that we're wanting to treat our victims, as best we can and give them the most comfortable situation that we can help them with. Obvious, it's a terrible time for them. That's what we're looking to do with this grant. Anybody has any questions, I'm certainly here.

Chairman Bynum said, Deputy Vivian, I have a couple of questions and I see Commissioner Philbrook with her hand up, so we'll go to her also. The estimated timeframe for when you think the grant might be awarded?

Deputy Vivian said the grant will be awarded by the end of October of this year. **Chairman Bynum** said excellent. Then, how long? What would be the grant period? **Deputy Vivian** said four years. **Chairman Bynum** said oh, fantastic. So, what is the, is there a match required, a local match? **Deputy Vivian** said no, none.

Chairman Bynum asked, what is the circumstance under which there's a possibility of almost doubling the award amount? **Deputy Vivian** said it's just a request that we need to make. We just have to provide the data on why we feel that we're worthy of receiving the additional 500,000. They have the, the OVW has the discretion to award that amount. I think we can do that with the data that we have on the number of crimes and the information that we get as far as being—we're kind of a hub for America. We have the I-70 corridor and the I-35 corridor. A big portion of the sexual assault that will come with this is due to human trafficking. We're looking at having a human trafficking team in conjunction that will also do the sexual assaults that occur in our city but also be the only team in Kansas; the only department in Kansas that has investigators dedicated solely to human trafficking and sexual assaults that go along with that. That's kind of the route that we're going.

Chairman Bynum said that's fantastic.

Chairman Bynum said just one final quick question from me. Do you have the data collection models in place now to know within a year's time of the grant award that it's having an impact on solving the crimes? **Deputy Vivian** said yeah, we have our alarms, our Law Enforcement Remote Management System. That's how we'll track it. I will tell you that OVW says the first year we'll be training. We'll be doing 12 months of training to get everybody up to speed on the trauma informed care. We probably won't see results actually until probably the end of year two. **Chairman Bynum** said okay, thank you very much.

Commissioner Philbrook said to follow up on Commissioner Bynum's question. Is additional software that we're going to get—I was reading on this, is this what allows the folks to stay up-to-date on what's happening with their—our progress with their case and everybody can stay up-to-date so they know it's not getting lost in the shuffle? **Deputy Vivian** said yeah, that's part of it. That will be our online portal for our victims through our department website. **Commissioner Philbrook** said okay. **Deputy Vivian** said they'll be able to log in from the comfort of their own home at the time of their choosing and see where the investigation is with their case.

Sometimes we have trouble once we start talking to a victim and working up a case. They'll become hesitant to stay in touch with us for probably a multitude of reasons. This is another way that we can engage with them and let them know that we're still out there. Checking in with us

through the portal. If you're not comfortable talking to us, maybe we can do it through direct messaging and those types of things. Yes, that is a component of it.

Commissioner Philbrook said some of the new software that we're getting to be able to do this, did I hear you right that we're going to be getting some more software to be able to do some of this? **Deputy Vivian** said that's what we're hoping for, yes. **Commissioner Philbrook** said okay. So that software, once we get it, is it ours or is it a yearly payout to keep that software in place? What's going on with that? **Deputy Vivian** said yeah, so there is a licensing fee with it, which renews annually. That's built into the grant, at least for the four years. It gets us to the four-year mark and then at that point, we'll kind of have to see where we go.

Commissioner Philbrook said well, so somebody's got to pay for it in four years so I'm just—some time, sir, if you would kind of give us an idea of how much it cost per year. Not that we wouldn't pay it, but to kind of give us an idea after that, okay? **Deputy Vivian** said absolutely. **Commissioner Philbrook** said thank you. I'd appreciate it. **Chairman Bynum** said thank you, Commissioner.

Chairman Bynum asked, other comments or questions from our committee members? I don't see any. Earlier, Murrel Bland, I saw your hand raised. Did you have a public comment or question? **Murrel Bland** said no, not on this issue. **Chairman Bynum** said okay, thank you very much, appreciate that.

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

Chairman Bynum said roll call. Before I do that, I should ask the Clerk if we received any written comments from the public on this item. **Ms. Belcher** said no, we have not received any written comments.

Roll call was taken on the motion and there were five "Ayes," Philbrook, Kane, Ramirez, Markley, Bynum.

Item No. 2 – 21722...ORDINANCE: RELATING TO PARK HOURS AND RESTRICTED ACTIVITIES

Synopsis: An ordinance relating to the operating hours, hunting and firearms, camping, and digging within UG parks; amending Chapter 25, submitted by Angel Obert, Assistant Director of Parks and Recreation.

Chairman Bynum said next item is an ordinance relating to our park hours and activities. Angel, are you with us? **Angel Obert, Assistant Director of Parks and Recreation**, said yes, Commissioner, I am. Are you able to hear me? **Chairman Bynum** said I am, thank you so much. Angel Obert is an Assistant Parks Director and will walk us through this, park hours and activities item.

Angel Obert, Assistant Director of Parks & Recreation, said thank you. I've actually got James Bain, Assistant Counsel, here on the line. He's actually going to kind of explain this item and what it entails.

James Bain, Assistant Counsel, said this first parks item is an ordinance that amends just four sections of our code. The idea was to bring our code into consistency with the new regulations that we hope are passed tonight. The four sections were the section about park hours, giving the parks director the authority to set park hours.

The ordinance about digging, you'll see in the regulations, we have some changes to the digging rules, and so that needed to be reflected in the code. The third change to the code was exceptions for having archery equipment in the park; if you are traversing to and from the archery range. Finally, clarified that there are exceptions for which camping can take place, and those exemptions are outlined fully in the regulations that we hope will be passed tonight. These four code changes are just bringing our ordinances in consistency with the regulations.

Chairman Bynum asked so, Mr. Bain, I know that the next item is some of our regulations. Correct? **Mr. Bain** said yes, that's right. **Chairman Bynum** said and that we have some slides that will be presented to go along with that. So, I guess my question is truly a legal item. Should

we be seeing that item before we vote to adopt ordinance changes that involve the Parks and Rec regulations that are in the next item?

Misty Brown, Deputy Chief Counsel, said I think that's an excellent question as we go through it here. I think it would be appropriate to maybe table this discussion after we address the questions and then look at the changes to the regulations on Item 2. Assuming that passes, then we can come back here and have the ordinance match the regulation changes. I don't think there's one way that you have to do it. I think you could move to the third item if you like. It seems to make sense.

Chairman Bynum said I think that since Item 3 is a resolution that amends regulations, and some of those are codified if I'm not mistaken within this ordinance, I'd rather hear the presentation on Item 3, especially if there are public comments we need to hear and then come back and vote Item 2, as long as you don't see a reason not to do that.

Ms. Brown said no, I don't think so, Commissioner. I think that would make sense. It would be a shame to pass an ordinance changing the code to match regulations that you might not choose to change.

Chairman Bynum said okay, let's do that if we don't mind. For the moment, we will temporarily hold to the side Item 2's vote and comments and proceed to Item 3, Parks and Rec Regulations presentation. Then probably we will have our committee comments, questions and any comments from the public, vote the resolution and then return back to the ordinance.

Angel and James, go ahead and take us, and Jack if he's here to present, go ahead and take us forward to Item 3 with the slides and the regulations, and then we'll circle back around and adopt the ordinance changes. **Ms. Obert** said excellent. Sounds good. Let me pull this presentation up. Give me one second.

Chairman Bynum said and just to stop there momentarily. Mr. Bland, I see your hand. We will hear from you here as soon as we see these slides.

Item No. 3 – 21723...RESOLUTION: PARKS & RECREATION CODE OF REGULATIONS

Synopsis: A resolution amending the Unified Government's Parks and Recreation Code of Regulations, including the requirement that all new dock owners are Wyandotte County residents, submitted by Angel Obert, Assistant Director of Parks and Recreation.



Angel Obert, Assistant Director of Parks & Recreation, what we have before you tonight is the Parks and Recreation Code of Regulations. This is something that we've been working on for a little over a year, James and I were talking about this. It's been a team effort. We've been working closely with Legal, James and his team, and Jack and our team as well. Really, what we identified as we really needed to update our Code of Regulations just to make sure that we were consistent with surrounding area rules and regulations and also that ours were up-to-date within our Parks and Recreation facilities.

BACKGROUND

- Pursuant to the authority provided in Charter Ordinance No. CO -05-08 and Charter Resolution No. CR-01-08 of the Unified Government and K.S.A. 19 -2803a of the Kansas Statutes Annotated, the Board of Commissioners is empowered to adopt rules and regulations pertaining to the use and enjoyment of park property upon the recommendation of the Board of Park Commissioners.
- On December 9, 2020, the Board of Park Commissioners voted 8 -0 to recommend approval of the UG Parks and Recreation Code of Regulations amendments.
- On January 25, 2021, the Public Works and Safety Standing Committee voted 6 -0 to restrict future rental agreements of Wyandotte County Lake boat dock slips to Wyandotte County residents only. Non-residents that currently have dock slips are allowed to retain their rental agreements, but the fees associated the rental agreements will increase by \$225 in 2021.

I'm actually going to hand this slide over to James. He can provide a little bit more background on where we are and what we're doing here.

James Bain, Assistant Counsel, said so commissioners voted the Kansas Statute 19-2803a, gives the power to write and approve rules and regulations of park operations to the Board of County Commissioners. In our charter ordinances, we also add in the step that the rules and regulations

need to go through the Parks Board and then the Commission will have the power to adopt those recommendations, the Parks Board, or reject those recommendations. Complying with that charter ordinance, these regulations were taken to the Parks Board on December 9th. The Parks Board voted 8 to 0 to recommend approval of the regulations that you have before you tonight.

SUMMARY OF PROPOSED CHANGES: DOCK SLIPS

Require all renters of Wyandotte County Lake boat dock slips be residents of Wyandotte County.

Current nonresident holders of boat slips will be allowed to continue to rent dock slips at an increased price. The waitlist would include only Wyandotte County residents.



Ms. Obert said thanks, James. The next few slides we'll just walk you through. I just wanted to highlight basically some of the larger changes that were being made to the Code of Regulations. The first one that we have here is the dock slips. We did take this before Standing Committee on January 25th. Then, after a larger conversation, we were advised to kind of package this into the Code of Regulations and take it through for approval within our Code of Regulations. At that time we did get a vote. It was a 6-0 vote to restrict future rental agreement of Wyandotte County Lake boat dock slips to Wyandotte County residents only.

Also, at that time, non-residents that currently have dock slips, they were allowed to retain their rental agreement, but fees will increase by 25% in 2022. That is something that we have added in the Code of Regulations and those are the main highlights for this policy.

SUMMARY OF PROPOSED CHANGES: E-BIKES

The proposed regulation mirrors those used in Kansas State Parks which sets standards for where e-bikes can be driven and maximum speeds.

Section 2.6.4 - e-Bikes.

(a) The following definitions apply to this section.

Electric bike or e-bike means a bike with two or three wheels, fully operable pedals, and an electric motor not to exceed 750 watts of power.

i. *Class 1* means an e-bike equipped with a motor that provides assistance only while pedaling. Motorized power ceases when the e-bike reaches 20 MPH.

ii. *Class 2* means an e-bike equipped with a motor that provides assistance with or without pedaling. Motorized power ceases when the e-bike reaches 20 MPH.

iii. *Class 3* means an e-bike equipped with a motor that provides assistance with or without pedaling. Motorized power ceases when the e-bike reaches 28 MPH.

(b) Class 1 and 2 e-bikes are allowed on roadways and designated bike lanes as well as on multi-use trails and other areas that are open to non-motorized biking with the exception of horse trails.

i. No person shall operate a Class 3 e-bike on multi-use trails or other areas open to non-motorized biking.

(c) Class 3 e-bikes are only allowed on roadways and designated bike lanes.



Next, we have e-bikes. E-bikes is kind of a new recreation and sport that's been taking place. Before we went through these ordinances, we didn't have one, so it's pretty new. This policy is—the proposed regulation mirrors those used in Kansas State Parks, which sets standards for where e-bikes can be driven and maximum speeds.

I've kind of taken a snapshot of what you'll see in our Code of Regulations. The big items here to make note of is that the policy does classify three different classes of e-bikes. You see this picture here, an e-bike. There's really two options. One provides assistance only while pedaling and then there's another option where you can control the bike with or without pedaling.

This policy really breaks it down to your miles per hour. There are e-bikes that go 20 miles per hour. Then the Class 3, some of those e-bikes will reach 28 miles per hour. You'll note in the policy that a big thing to note here is the Class 3 e-bikes are only allowed on roadways and designed bike lanes. That's something new that we'll be adding to the Code of Regulations.

SUMMARY OF PROPOSED CHANGES: DRONE

Drone operators will be limited to flying at Wyandotte County Park after acquiring a permit from UG Parks and Rec and showing proof of insurance.

Section 2.3.11 – Aviation.

a. The following definitions apply to this section:

1. Unmanned aircraft: any aircraft that is not operated from within the aircraft.
2. Remote means: by via remote control, performing process of flying via remote control, or using a machine designed for flight to fly via remote control.

b. In order to lawfully operate an unmanned aircraft vehicle, all unmanned aircraft vehicle operators must:

1. Obtain a Flying Permit issued by UG Parks and Rec.
2. Show proof of liability insurance in the amount of \$2.5 million prior to receiving the permit.



Next, we have drones. This was also something that we did not have and, of course, technology is always evolving. This was something that James also pointed out and identified that we should definitely encompass in our Code of Regulations. Drone operators will be limited to flying only at Wyandotte County Park, after acquiring a permit from UG Parks and Recreation and then also showing proof of insurance.

We did previously have a small aviation policy, but it didn't really require like the proof of insurance, and then also obtaining that permit. So that's another change that you can look for within our Code of Regulations.

SUMMARY OF PROPOSED CHANGES: METAL DETECTORS

Restricts use of metal detectors unless a permit is obtained. Prohibits digging within designated areas such as soccer or baseball fields, the archery range, near structures, or in areas with irrigation.

Section 2.2.8 - Digging & Use of Metal Detectors.

- (a) No person shall dig or use a metal detector without a permit obtained through UG Parks and Rec.
- (b) Digging and metal detection is strictly prohibited on soccer fields, baseball/softball fields, historical sites, golf courses, archery ranges, equestrian, within 50 yards of an existing structure in any area with irrigation, and within the designated unimpaired aircraft flying area.
- (c) Digging instruments are limited to ice picks, screwdrivers, or other probes not exceeding six inches in width and eight inches in length.
- (d) No person shall dig a hole exceeding six inches in depth.
- (e) All ground moved must be replaced to its previous condition.



Next, we have metal detecting. This was in there, but we just kind of updated the language in here. We thought it was really important. After reviewing other metro areas, we wanted to require a permit for digging. As you'll see, that will restrict the use of metal detectors, unless a permit is obtained. It will prohibit digging within designated areas such as soccer or baseball fields, archery range, near certain structures or in areas with irrigation. Obviously, the permit is to just make us aware of where this digging might be taking place. That way we're not allowing digging to be taking place and interfering with our irrigation, or hitting any sort of water lines, or whatever have you.

SUMMARY OF PROPOSED CHANGES: PARK SECURITY

- Specifically allows the Wyandotte County Sheriff the ability to close parks in the event of an emergency.

Section 2.1.1: Park Hours.

Except as outlined below no person shall enter or remain within the boundaries of any Wyandotte County park at any time other than the posted hours of operation for that park.

- (a) All park patrons shall be out of the park by midnight. Anyone still in the park after midnight will be presumed to be trespassing.
 - (1) Exceptions for on-duty UG Parks and Recreation employees and law enforcement.
- (a) The Wyandotte County Sheriff for designee may close any park in an emergency situation where the health and safety of park patrons is in peril. Park closures due to inclement weather must be approved by the Parks Director.
- (b) Boating: Wyandotte County Lake opens at 6:00 A.M. and closes at midnight from March 1 - October 15. Wyandotte County Lake opens at 7:00 A.M. and closes at midnight from October 16-April 30.
- (c) Sledding: Sledding is only permitted from the time the park opens to 1/2 hour after sunset.



Then lastly, on the park security, this was already in the Code of Regulations, but we thought it was important to add language that gave the Wyandotte County Sheriff's Department the ability to close parks in the event of an emergency. A good example of this, and it's something that we've been working with them in years past, we just thought it was necessary to have written in the Code of Regulations. For example, say we have inclement weather and Wyandotte County Lake roads can get pretty bad at times. The Sheriff's Department in the past has made that call to close down the lake for however long it takes our crews to be able to get out there and safely clean and shovel

off the snow on the roads to make it safe for the public. This one really isn't anything new that we've been doing. We just thought it would be good to have that language added to this policy in the Code of Regulations.



QUESTIONS/COMMENTS

With that being said, like James said, these were just some of the more major additions and changes that were made to the overall Code of Regulations. So tonight, we are looking for a vote to approve these updated changes.

Chairman Bynum said okay. Thank you very much. Are there comments or questions from our committee members? **Commissioner Ramirez** said thank you, Commissioner. Thank you, Angel, James and Jack for the presentation and for all the hard work on this. You may, Angel, you may have answered this, but for more clarification for me, when it pertains to digging, what would we allow a permit for? Like, what specific purposes would we allow that to happen in one of the parks?

Ms. Obert asked, are you saying like to what extent because, technically, like, and, Jack, you can jump in here too, but digging and metal detecting, it's more so, using the metal detector within our parks. The digging instruments, as you can see here under Section 2.2.8, kind of identifies what those are limited to: ice picks, screwdrivers, that are other probes not exceeding six inches in width and eight inches in length. **Commissioner Ramirez** said okay, okay. I did miss that, so sorry about that. **Ms. Obert** said no worries.

Commissioner Ramirez said I was just curious of like what events would someone want to dig, and so I should have kept on reading, so thank you. **Ms. Obert** said not a request we get often so I don't know if Jack's had any of those, but I don't know that I've heard of any since I've been here. The metal detecting, we do get. **Jack Webb, Deputy Director of Parks & Recreation,**

said we've had several metal detector people digging on our soccer fields so, this is a big reason why that's put in there. **Chairman Bynum** said I see; that's helpful. **Commissioner Ramirez** said thank you for that.

Chairman Bynum said all right. Anyone else on the committee have a comment or question? If not. **Commissioner Kane** said why don't we open it to the public first and then we can talk. **Chairman Bynum** said absolutely. We can go to Mr. Murrel Bland. I see your hand up. Are you able to unmute and speak with us? **Murrel Bland** said I don't know why that keeps coming up. I apologize. Probably because I don't know what I'm doing. **Chairman Bynum** said that's okay. You're in good company. **Chairman Bynum** asked, so you don't have a comment on this item? **Mr. Bland** said no. **Chairman Bynum** said okay, thank you very much.

Commissioner Kane said well, first of all, I was at the lake opening day. The staff was phenomenal. The Sheriff's Department did a really good job. Everything went really well, and I know you guys worked your tail off for that so we much appreciate that. Especially with this added language in there, that'll make things easier for everyone.

Action: **Commissioner Kane made a motion, seconded by Commissioner Ramirez, to approve.** Roll call was taken on the motion and there were five "Ayes," Philbrook, Kane, Ramirez, Markley, Bynum.

Item No. 2 – 21722...ORDINANCE: RELATING TO PARK HOURS AND RESTRICTED ACTIVITIES

Synopsis: An ordinance relating to the operating hours, hunting and firearms, camping, and digging within UG parks; amending Chapter 25, submitted by Angel Obert, Assistant Director of Parks and Recreation.

Chairman Bynum said now we'll swing back to Item 2, the ordinance. If there's any other comments or questions on the ordinance changes.

Action: **Commissioner Kane made a motion, seconded by Commissioner Markley, to approve.** Roll call was taken on the motion and there were five “Ayes,” Philbrook, Kane, Ramirez, Markley, Bynum.

Chairman Bynum said thank you all very much for all the work you put into that. I really appreciate it. That is the end of our Public Works and Safety Standing Committee meeting. I thank you for being here.

Adjourn:

Chairman Bynum adjourned the meeting at 5:33 p.m.

mbb