

**PUBLIC WORKS AND SAFETY
STANDING COMMITTEE MINUTES
Monday, July 26, 2021**

The meeting of the Public Works and Safety Standing Committee was held on Monday, July 26, 2021, at 5:00 p.m., via Zoom or on-site. The following members were present: Commissioner Bynum, Chairman; Commissioners Markley, Ramirez, Kane, Philbrook, and BPU Board Member Tom Groneman. The following officials were also in attendance: Emerick Cross, Assistant County Administrator; Susan Alig, Senior Attorney; Brent Smith, Fire Department; James Bain, Assistant Counsel; Laura Cromwell, Fiscal Officer, Police Department; Jennifer Stewart, Director of Animal Services; Bridgette Cobbins, Interim Assistant County Administrator; Kathleen VonAchen, Chief Financial Officer; Kris Finger, Public Works; and Brent Smith, Police Department.

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

During the meeting, make sure you announce yourself by name and title when you speak so the public knows who is speaking. This is critical given the number of remote participants and it's current guidance from the Kansas Attorney General.

The public is allowed to participate by Zoom or submit comments by email prior to the meeting and those comments will be included in the record of the meeting. The public may also indicate their intent to provide remote public comment by contacting the Clerk's Office by 5:00 pm the Thursday before the meeting. The public will also have an opportunity to provide brief comments either by phone or Zoom in the lobby of our Municipal Office Building.

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

Chairman Bynum said we have no revisions on our agenda.

Approval of standing committee minutes from April 26, 2020. **On motion of Commissioner Kane, seconded by Commissioner Ramirez, the minutes were approved.** Roll call was taken and there were six “Ayes,” Groneman, Philbrook, Kane, Ramirez, Markley, Bynum.

Committee Agenda:

Item No. 1 – 21927...RESOLUTION: DONATION OF OBSOLETE FIRE DEPARTMENT EQUIPMENT

Synopsis: A resolution authorizing the donation of obsolete Fire Department equipment, valued at \$350, from the Unified Government to the City of Lewis, Kansas Volunteer Fire Department, submitted by Susan Alig, Senior Attorney.

Susan Alig, Senior Attorney, said this is the Fire Department’s item. Is someone from the Fire Department here? **Chairman Bynum** said I could not see anyone. **Ms. Alig** said I can summarize for the commission. These are some items that our Fire Department no longer needs and, as you can see, the value is not huge. We’re talking about a \$60 gas-powered fan, a quickie saw for \$100, and a \$200 hydraulic extraction set that the city of Lewis would find useful.

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

Commissioner Markley said I will mention, Commissioners, it does look like there’s Fire representation in the attendee panel should there be questions, but I am ready to second.

Commissioner Philbrook said before we go any further, I just want to say that I did not get that information. I got it, as far as Item No. 1, but I didn’t get the information about it. So, even though everybody seems okay with it, if you guys could send me that so I can actually see that, not that I’m going to do anything about it, but I want to learn about what we’re doing. I just missed that piece of information in my packet. Thanks.

Chairman Bynum said, I’ll ask the Clerk if any comments came in from the public on the item. **Ms. Kimble** said no comments from the public.

July 26, 2021

Roll call was taken on the motion and there were six “Ayes,” Groneman, Philbrook, Kane, Ramirez, Markley, Bynum.

Item No. 2 – 21933...RESOLUTION: 2021 SANITARY SEWER STREAM CROSSING REPAIRS (CMIP 6320)

Synopsis: A resolution declaring that this project is a necessary and valid improvement and authorizing a survey of lands for said project, submitted by James Bain, Assistant Counsel. This project is to repair and cover exposed sanitary pipes in low water stream crossings located at 2955 N. 62nd St. (site 1); 2318 N. 51st St. (site 2); 617 N. 57th St. (site 3); 41 N. 61st (site 4); 6544 State Ave. (site 5); 8205 Riverview Ave. (site 6); and 8320 Ruby Ave. (site 7).

James Bain, Assistant Counsel, said this is a resolution which declares the project necessary and valid and authorizes a survey of land for the acquisition of property. There’s five sites that are impacted and in those sites, the sanitary sewer is repaired and covered in low water areas. I know we have some folks from Public Works on—I think there was a map submitted as well—and they can talk about the project. I don’t know who’s covering for Public Works.

Kris Finger, Public Works/Water Pollution Control, said I’m covering. **Chairman Bynum** said why don’t you go ahead and explain just a little bit. I feel like it’s pretty standard, but I think it’s best if the committee members and the public understand the best we can. **Mr. Finger** said this project, like James said, is a sanitary sewer stream crossing repairs which basically means wherever our sanitary sewer which runs into low spots along those streams, the way it crosses sometimes it can get undermined or get other issues that can come up that could affect its ability to continue conveyance. This is just simply us taking the means to move forward and repairing those before they fail and discharge into the creeks.

Chairman Bynum asked, so what we’re authorizing tonight is the survey. **Mr. Finger** said yeah. We need to acquire some easements so that we can access into the back by these creeks and do the work that we need to around these sewers, which includes some temporary easements outside of the permanent easements the sewers sit in.

Chairman Bynum asked, questions from our committee members? Did we hear anything from the public on the item? **Ms. Kimble** said the Clerk's Office received no communication. **Chairman Bynum** said if there are no other comments or questions, I would take a motion on the item.

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

Item No. 3 – 21934...RESOLUTION: PUBLIC SANITARY SEWER EXTENSION -7424 TAUROMEE AVE. GRINDER PUMP (CMIP 6001)

Synopsis: A resolution declaring that this project is a necessary and valid improvement and authorizing a survey of lands for said project, submitted by James Bain, Assistant Counsel. This project will eliminate the grinder pump.

James Bain, Assistant Counsel, said this is on private property, a private sewer at 7424 Tauromee Avenue. Mr. Finger, were you presenting on this one as well? **Mr. Finger** said I can. So, right now, we have an instance where code isn't met where the sewer service for these three separate properties that are all tied into a four-plex of a single building. The three services run through the other properties, through the other building that they're connected to, to discharge it into what is currently a private low-pressure sewer system. Our goal is to remediate these code violations, get everyone on their own sewer system so that the downstream people can't cause backups to the upstream system and at the same time, hopefully, provide these people with a gravity sewer.

Chairman Bynum said, so in this case, it sounds like we're correcting a wrong from probably many, many years ago, basically. **Mr. Finger** said, correct. **Chairman Bynum** said (inaudible) keeping everyone in line with code and getting everyone on their own sewer. **Mr. Finger** said that is correct.

Chairman Bynum asked, anyone have any questions or comments on this item? I will say, it sounds like a good thing. Anything from the public, Madam Clerk? **Ms. Kimble** said the Clerk's Office received no communication. If there is nothing from the committee, I will ask for a motion.

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

Item No. 4 – 21935...RESOLUTION: PUMP STATION 6 IMPROVEMENTS AND EFFLUENT FLOW HOLDING BASIN (CMIP 6001)

Synopsis: A resolution declaring that this project is a necessary and valid improvement and authorizing a survey of lands for said project, submitted by James Bain, Assistant Counsel. The location of the project is 8260 Kaw Dr.

Kris Finger, Public Works, said this one is Pump Station 6 located on Kansas Avenue. It's our major pump station that all the gravity flow from say Legend's and everywhere up north. That all drains down to Pump Station 6 and gets pumped into our Treatment Plant #20, off of South 88th St.

Ultimately, what we're looking to do here is have surveyors 1) look into some property questions we have about the ownership of the pump station property that currently sits on whether it's in the easement and we need to actually acquire property and 2) looking for effluent flow holding basin location in the near area. That effluent flow holding basin is a stormwater detention solely of sorts. It helps detain high flows from wet weather events where stormwater may in one way or another get into the system and cause an increased flow that the plant can't take. If the pump station can't take it, it will get bypassed to this effluent flow holding basin.

Chairman Bynum said excellent. Questions from the committee? Were there any comments from the public on the item? **Ms. Kimble** said the Clerk's Office didn't receive any communication. **Chairman Bynum** said I would entertain motion.

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

Commissioner Philbrook said when—we on the last one, that is taking complete acquisition of parcels, eminent domain, that sort of thing. Do you have to come back before us again when you're finishing up on this or is this just now you get to go ahead? **Mr. Bain** said we do have to come back before the court action can be filed. This is two-fold. In order for a court action to be filed, the Commission has to determine that the project is necessary and approve the survey. **Commissioner Philbrook** said, well, I just wanted to make sure because including myself, sometimes I'm not exactly sure what the process is. I appreciate your thoroughness. Thank you, Mr. Bain.

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

Item No. 5 – 2193...GRANT: FY21 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM - FEDERAL

Synopsis: The Police Department is seeking approval to apply for and accept the FY21 Edward Byrne Memorial Justice Assistance Grant in the amount of \$100,030 to purchase an EOD bomb suit, equipment for special operations & narcotics units, and mobile fingerprint scanners, submitted by Laura Cromwell, Police Department. The performance period for this grant will extend through September 30, 2024. No match required.

Laura Cromwell, Fiscal Officer, Police Department, said we are requesting approval to apply for and accept the Federal FY21 Edward Byrne Memorial Justice Assistance Grant. This particular grant is considered both an entitlement grant and a formula grant. We're entitled to this funding through this grant program because we are 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 violent crimes statistics here in KCK. So, this year, our allocated amount is \$100,030. The PD would like to use this money to purchase the following items: a new EOD Bomb Suit to replace an expired one, new and replacement equipment items for special operations

in our Narcotics Support Team, as well as mobile fingerprint scanners for use both in the field by CSI and Operations.

Once awarded, the PD would have until September 30, 2024, to spend down the grant funds. These projects would all be 100% federally funded with no match requirement from the UG.

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

Chairman Bynum said we have a motion and a second. Do we have any other comments or questions from our committee? Any comments from the public? **Ms. Kimble** said no communication was received from the Clerk's Office.

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

Item No. 6 – 21937...GRANT: FY22 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM – STATE

Synopsis: The Police Department and Sheriff's Office are requesting approval to apply for funding through the FY22 Federal Edward Byrne Memorial Justice Assistance Grant (JAG) in the amount of \$347,673 to support Police Department officer training and crisis intervention training, and to purchase 91 tasers, submitted by Laura Cromwell, Police Department. The performance period for this grant will extend from October 1, 2021, through September 30, 2022. No match required.

Laura Cromwell, Fiscal Officer, Police Department, said a second grant we're requesting approval is for the FY22 Edward Byrne Memorial Justice Assistance Grant. This one is overseen by the Kansas Governor's Grants Program and the Kansas Criminal Justice Coordinating Council. The state has been allocated \$2.15M through the Edward Byrne Program for FY22. They're seeking pass-through entities to award portions of this funding. This one, as opposed to the previous one, this one will be a competitive grant process. All units of local government are

eligible to apply, and the Police Department and the Sheriff's Office are going to submit a joint application. The Police Department is going to be requesting funding to support and expand our officer wellness training efforts as well as provide more suitable training with respect to crisis intervention. Our hope is that these added trainings will also boost officer retention.

The Sheriff's Office will be requesting funds to purchase 91 tasers in order to outfit their entire department. They were able to purchase half of the needed tasers within their existing budget, but they're requesting JAG funding to purchase the additional half.

Collectively, our application budget at this time totals \$349,410 which is a minor adjustment from the total I originally submitted for the agenda. We made a couple of tweaks to a couple of our projects. The performance period for this grant is only one-year so it will have a project period end date of September 30, 2022. It will be 100% federally funded with no match requirement from the UG.

Commissioner Ramirez said I believe you said it, Laura, but I want to clarify for my brain. The final number, the \$347,000, that's the Police and Sheriff combined together, correct? **Ms. Cromwell** said yes. We can only apply one time on behalf of the Unified Government, so they will only accept one application. We have a joint proposal so part of our project will be Police Department projects and the other part of the budget will be Sheriff. Collectively, our entire application budget would be \$349,410. That's different from what I had submitted previously a couple of weeks ago by a couple of thousand dollars. But yes, that's the total budget for our application.

Chairman Bynum asked, Laura, could you step back to the CIT portion. Is it the Sheriff or Police side? **Ms. Cromwell** said the Police Department is doing a focus on officer wellness as well as crisis intervention, so we are requesting funding for additional training for both wellness and CIT classes. The Sheriff's Office, their only request is money for tasers.

Chairman Bynum asked, any other questions for Laura Cromwell? Is there any comment from the public on the item? **Ms. Kimble** said the Clerk's Office received no communication.

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

Item No. 7 – 21938...ORDINANCE: AMENDMENTS TO CHAPTER 7 ANIMALS

Synopsis: An ordinance amending Sec. 7-170 Permit.; Sec. 7-175 Small animals and fowl in pens.; and Sec. 7-215 Nuisance animals, submitted by Jennifer Stewart, Animal Services.

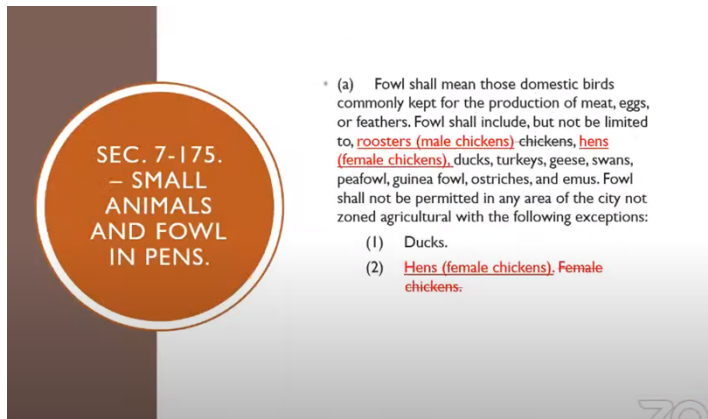
(b) Application for the permit shall be made to the office of director of animal control on forms furnished by the office. Such application shall state the name of the person so desiring to keep such animals or fowl and maintain pens therefore within the city, the location of the premises where the same are to be kept and maintained, the kind of animals and fowl to be kept and maintained, and any other information that the office may desire. Such application shall be signed by the applicant and shall bear the date that the application is made. No permit will be granted unless the request conforms with the zoning ordinances of the city. The initial permit fee and annual renewal fees shall be set by the county administrator.

(c) A permit issued under this section shall be renewed once every two years, annually without charge. Such permit shall not be transferable from one person to another or from one premises to another. This permit provision shall not be applicable to birds, less than five in number, kept in the residence as pets, such as canaries, parakeets, parrots, finches and doves.

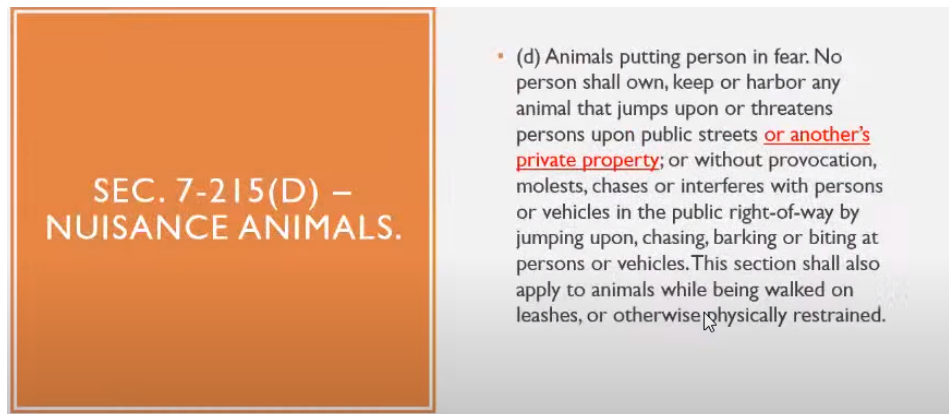
av uh let's see here

Jennifer Stewart, Director of Animal Services, said the first slide is, let's see here, the Fowl permit. Right now, there is an initial permit fee of \$10 and the renewal fee is at no cost currently. I'd like to get that changed to a \$10 renewal fee. We do have to send officers out into the field to check and to make sure that the permit holders have—are remaining in compliance and they're keeping their animals healthy. I would suggest that after the first renewal that we do a two-year renewal permit instead of every year. I think if they are in compliance the first and the second year, I think that we would be okay with making that basically a two-year permit after the first renewal. It usually takes maybe five to ten minutes. We don't send officers out specifically for a fowl permit or a recheck. We work them into the calls. I think that \$10 is a fair amount for the renewal fee. That is the first one.

Should I go through all three of them? **Chairman Bynum** said I would. Go ahead and show all of it. Thanks.



The second one is continuing with fowl. There is just wording changes on this. We have a lot of people that get confused by 7-175. What is fowl? We have a lot of roosters in our city. It was just confusing with where it says, “the following exceptions are ducks and female chickens,” so we specifically put in roosters, which are male chickens and hens, which are female chickens, just to make some clarification that only ducks and hens are allowed in the city.



The last one is Nuisance Animals, 7-215d. We just made an addition to this but included another's private property. So, how it is worded currently is if someone is walking their dog on public streets and the dog jumps on me, I can sign off on putting a person in fear citation. That does not include if the dog were to run onto my private property and maybe chase me in my yard. We would like to add, “or another's private property,” as part of the putting a person in fear ordinance. Those are the only three we have.

Chairman Bynum said I have a couple of questions on the fowl slide. I guess you have two fowl slides. We're not saying that roosters are allowed, what we are doing is clarifying that unless you

are zoned agricultural, you cannot have anything other than ducks or hens. **Ms. Stewart** said correct. **Commissioner Bynum** said we know there's a lot of roosters out there on property that is not zoned, but just to be clear, we have not changed that. We're just clarifying the language and then clarifying that unless you are zoned agricultural, you're still limited to ducks and hens. **Ms. Stewart** said correct.

Chairman Bynum said on the last one, what would happen to the person whose dog most likely put a person in fear if the person who was put in fear would sign a complaint and then what would be the next thing that would happen? **Ms. Stewart** said they would go to court in Municipal Court. If found guilty, then a fine would be assessed against the animal owner. **Chairman Bynum** asked, if that happened repeatedly, would there be a step after that? **Ms. Stewart** said I believe after four instances, in the nuisance ordinance, the animal would then become, or it could become, deemed dangerous. **Chairman Bynum** said, okay. Any other comments or questions from the committee?

Commissioner Philbrook said I want to thank you, Jennifer, for doing all that hard work because I know you're undermanned, out of the wazoo undermanned, and I don't know how you're getting accomplished what you're doing, but kudos to you and your folks. **Ms. Stewart** said thank you.

Chairman Bynum asked, did we receive any comments from the public? **Ms. Kimble** said the Clerk's Office received no communication. **Chairman Bynum** said thank you. **Chairman Bynum** said if there aren't any other comments or questions, I would take a motion.

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

Adjourn:

Chairman Bynum adjourned the meeting at 5:25 p.m.

tk