STATE OF KANSAS)
WYANDOTTE COUNTY)) SS SPECIAL MEETING, THURSDAY, AUGUST 5, 2021
CITY OF KANSAS CITY, KS)

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in a Special Commission Meeting, Thursday, August 5, 2021, with eleven members present. Bynum, Commissioner At-Large First District; Burroughs, Commissioner At-Large Second District; Townsend, Commissioner First District; McKiernan, Commissioner Second District; Ramirez, Commissioner Third District; Johnson, Commissioner Fourth District; Kane, Commissioner Fifth District; Markley, Commissioner Sixth District; Walters, Commissioner Seventh District; Philbrook, Commissioner Eighth District; and Alvey, Mayor/CEO presiding. The following officials were also in attendance: Doug Bach, County Administrator; Alan Howze, Assistant County Administrator; Brett Deichler, Interim Unified Government Clerk; Juliann VanLiew, Director of the Health Department; Dr. Allen Greiner, Local Health Officer; Dr. Erin Corriveau; Deputy Health Officer; Elizabeth Groenweghe, Chief Epidemiologist; Wilba Miller, Director of Community Development; Kathleen VonAchen, Chief Financial Officer; Debbie Jonscher, Deputy Chief Financial Officer; and Ashley Hand, Director of Strategic Communication; Alley Porter, Commission Liaison; Patrick Waters, Deputy Chief Counsel; and James Bain, Assistant Counsel; Monica Sparks, UG Clerk's Office.

MAYOR ALVEY said before we begin, I want to address the public that may be on-site. If you're interested in addressing the Commission on the Public Hearing Agenda regarding the Community Development 2021 Annual Action Plan, you must sign up to speak. If you've not yet signed up on your way in and wish to address the Commission on the public hearing, please go to the front table and sign up. When the item is up for discussion, the Clerk will call the names in order according to the sign up sheet. When you come to the podium, please state your name and city of residence for the record. You'll be given up to three minutes on the Community Development Block Grant issue to state your comments. The Clerk will announce when you have one minute remaining to allow you time to conclude your comments.

If you are here to speak in regards to the proposed Public Health Order, again, you will need to sign up as you come in. We are anticipating a lot of people, so we are limiting remarks to

one minute. Please have your remarks prepared so that we can accommodate everyone that would like to speak.

We do have two potentially very lengthy items this evening to address.

MAYOR ALVEY said before I call the meeting to order, I want to announce that due to COVID-19, we have some staff attending on-site, remotely via Zoom or by phone. All participants joining by phone should mute their phones when not speaking to avoid background noise. During the meeting, please make sure that you announce yourself by name and title every time you speak so the public that is observing knows who is speaking. This is critical given the number of remote participants in his current guidance from the Kansas Attorney General.

Due to COVID-19 requirements, the public is allowed to participate by Zoom or submit comments by email prior to the meeting. Those comments are included in the record of the meeting. The public does also have an opportunity to provide brief comments from the lobby of the Municipal Office Building.

MAYOR ALVEY called the meeting to order.

MAYOR ALVEY said I would ask the Clerk to announce the meeting and call the roll.

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

NOTICE OF SPECIAL COMMISSION MEETING of the Unified Government of Wyandotte County/Kansas City, Kansas, to be held Thursday, August 5, 2021, at 7:00 p.m. in the fifth floor conference room of the Municipal Office Building regarding continuation of a public hearing regarding the Community Development 2021 Annual Action Plan and to consider a resolution adopting a Local Health Order.

The public will be able to view the meeting in person in the lobby area of City Hall or virtually via a Zoom webinar.

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

Mayor Alvey said this evening our invocation is being given by Commissioner Harold Johnson of Faith Deliverance Church of God in Christ.

Mayor Alvey asked, are there any revisions to tonight's special meeting? **Brett Deichler, Interim Unified Government Clerk,** said, Mayor, a blue sheet was issued modifying the Local Health Order adding schools to the list of places where face masks would be required. I should also note that the original agenda order has been modified this evening where the Local Health Order item will be discussed first followed by the continuation of the public hearing on the Community Development 2021 Annual Action Plan.

ADMINISTRATOR'S AGENDA

Item No. 1 – 21977…RESOLUTION MODIFYING A LOCAL HEALTH ORDER

Synopsis: A resolution adopting a modified Local Health Order (LHO), adding schools to the list of places where face masks would be required. Since the Governor's State of Emergency expired on June 15, 2021, the Health Officer now has the ability to issue LHO's that cover schools. The Health Officer has requested to add schools due to the amount of community spread that may occur at these locations and the increased risk of the COVID-19 Delta Variant to school-aged children, submitted by James Bain, Legal Counsel.

Mayor Alvey said just to be clear, the reason the order was changed was to allow Dr. Steven Stites from the University of Kansas Medical Center to join us this evening. The Commission may have noticed that we received an email from the Greater Kansas City Chamber of Commerce which had requested that we would postpone our public hearing and potential vote until after tomorrow morning when the Chief Medical Officer's in the Kansas City region will do a presentation to the elected officials and agencies across the metro area describing the current condition of

hospitalizations, staffing, and the demand on hospital services throughout the region. I did not think it was prudent for us to delay any longer.

We, again, last Thursday, we did not bring this to a vote. It was for our discussion and for consideration over the week, but felt it necessary to bring this item tonight, so we're going to continue with that. At the same time it's necessary for us to hear the data and the evidence from Dr. Stites. Dr. Stites has a very busy schedule. We included him this evening and he'll be one of the first presenters from the Health Department.

At this point, I will pass it on to Juliann VanLiew, Director of our Public Health Department.

Juliann VanLiew, Director of the Public Health Department said thank you for having us back this evening and for picking up this very important and timely topic. I also have with me this evening our Health Officer Dr. Allen Greiner, our Deputy Health Officer Dr. Erin Corriveau, and our Chief Epidemiologist Elizabeth Groenweghe. As the Mayor mentioned, we're going to go ahead and kickoff with a presentation by Dr. Steve Stites.

Dr. Steven Stites, Chief Medical Officer, University of Kansas Medical Center, said thank you for allowing me to speak before you this evening and thank you all for all that you do. To be clear, I am not an elected official and you all have a hard job to do and I think have done a great job throughout this pandemic. I'm a doctor and, actually, I think it's even more appropriate to say I'm a star trek nerd and the words of Dr. McCoy, darn it team, I'm a doctor, not a physicist or epidemiologist or a something, but I am a very concerned Chief Medical Officer. Tomorrow morning at 9:00 a.m. I will be joining every Chief Medical Officer in Kansas City representing

every hospital system including not only the University of Kansas, but also HCA, St. Luke's, Liberty, North Kansas City, Lawrence Memorial Hospital, Olathe, Advent Shawnee Mission, Truman and others.

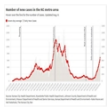
We have one message that we'll be giving tomorrow and that message is that the Delta Variant is new and different and very bad and we are overwhelmed and we need your help. We are frightened. We are frightened at the future and we are frightened by where we are as a collective health care community at this time and we are frightened because today we are struggling to take care of our own patients both those with and those without COVID.

In the next series of slides, I want to walk you through what is scaring us and ask for your support in helping us adopt public health measures throughout our community that have already bent the curve and we know can again bend the curve.

1,115

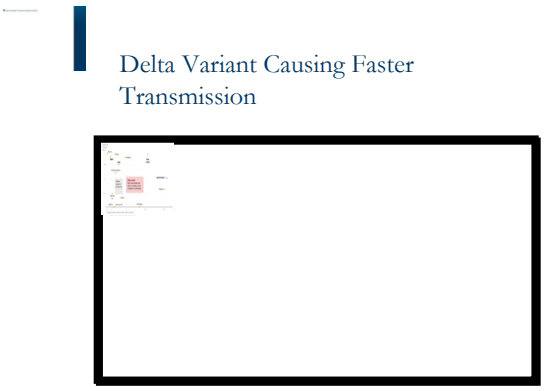
New positive cases in the Kansas City Area on Aug. 4

Two days ago, this number appeared in the *Kansas City Star*, 1,115 newly positive cases of COVID-19 in our metropolitan area. That was the highest number since January 9th. What should concern us even more is that on January 9th we didn't have home testing. You couldn't go to Walgreen's or CVS and pick up a test and just take it home and do it, so by any estimate, this number is undervaluing the full number of positive patients. In addition, we know that our own workforce of 12,500 has seen a rapid rise in our population of patients who are out with COVID or are being tested for COVID and today, I believe, that number was over 100 and that is with a vaccination rate of 75%. So, we're concerned about that rapid rise and we're concerned about the next slide too.



This slide represents the 7-day average of new cases in the Kansas City metropolitan area and there are a couple of points I want to make sure we all look at. Back at the beginning when we were talking about the newly described SARS-CoV-2 and COVID-19 there was a shutdown and we reopened society because it wasn't so bad here in the Midwest, we weren't New York, and then we kind of went up a little bit in the summer and then things calmed down. Then it went up a lot late last fall. November 4th of last year, we held a similar conference to the one we're doing tomorrow. At that time the rolling 7-day average was around 600. When we do our conference tomorrow, it will be closer to 680 or 690.

Restrictions went into place including masking and things got much better in this city, but now we're at a point where the Delta Variant, which was first described in our area back in April and May, is now 90-95% of the types tested. What we know is that the Delta Variant which started in spring—well, this particular epicenter, started more towards Springfield has spread rapidly.

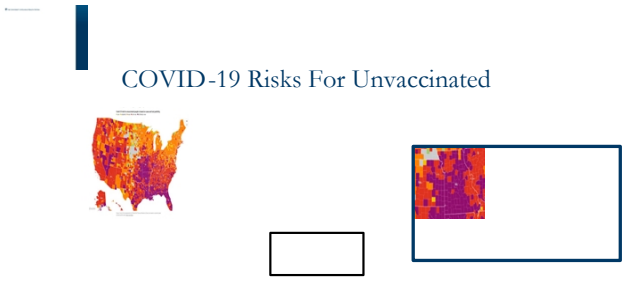


We know that one of the problems with this, and this is a slide that was presented to the CDC last week and which led to the CDC's decision to suggest that all people wear masks inside whether they are vaccinated or unvaccinated.

A couple things to think about on this slide, first of all, it's the R-naught value. Remember, an R-naught value is how much—how many people if I have COVID-19 with the Delta Variant, I am likely to give to others in my routine daily living. That's true and we have the seasonal flu up here. We had a flu pandemic, we have SARS, Ebola, Bird flu, again, this is a slide from the CDC's presentation.

The number of people that each person could infect with others for the original version of the coronavirus was postulated to be between two and four. In Provincetown, Massachusetts, tip of Cape Cod, in June they had two cases of COVID-19. In July they had 1,000. The difference, they think, was around July 4th when because of celebrations and a rainstorm, people celebrated inside and that was when the Delta Variant came to Provincetown and there was rapid spread. Based on the data from that work, it is postulated that five to ten people or five to nine people can be infected by each individual with COVID-19 who have the Delta Variant. That's just as contagious as Chickenpox.

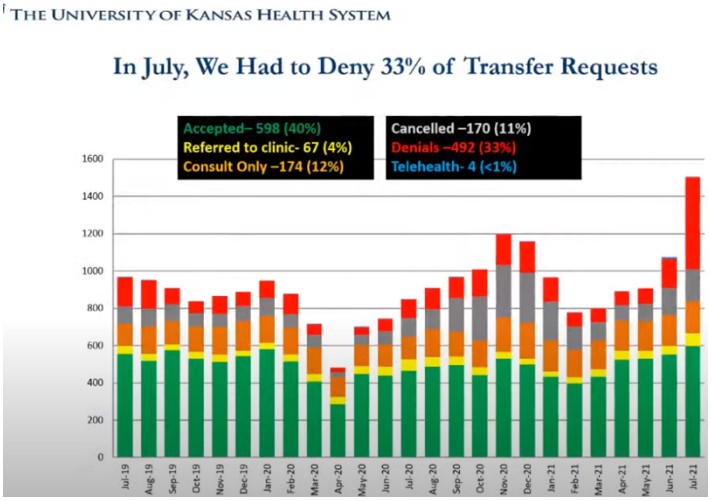
So, those of us who are pulmonary critical care guys, like myself, I've grown up around Cystic Fibrosis and taken care of patients with infectious disease all my life. We have never encountered a respiratory disease that was as contagious as Chickenpox and is as deadly which is what the left axis says, the fatality rate as the Delta Variant. We are in much more trouble now than we were then being late last fall.



This is a slide from the *New York Times*. It's based on data from Johns Hopkins and others that looks at the risk for the unvaccinated. What you don't want to be is a deep purple which we're sort of surrounded by and if you follow this slide of the *New York Times* of this map, what you would see is it's—which was a small number, a small cluster, in South Central Missouri around Springfield largely due to a large number of unvaccinated, the arrival of the Delta Variant has spread up into eastern Kansas throughout Missouri, northern Arkansas, northeastern Oklahoma and right up to our doorstep and, yes, here in Kansas City and, yes, in Wyandotte County.

These are the individuals who are at the highest risks developing COVID-19.

The next slide also tells us something important and that's the new hospitalizations. When we started our push about how overwhelmed health systems were late last fall, we did it at a time when the rolling 7-day average is lower than it is today. There's been a 33% change in increase just since last week and you can see it's getting up to the same realm as it was when we were so concerned and health systems were saying we're overwhelmed and that's what we're here to tell you today.



Here's an example of that being overwhelmed. Not only are we at our capacity, and some hospitals are not—they staff as best they can, but they don't have enough staff. At KU, we staff every bed and then we staff our alternate areas, so we have patients staying in the dialysis unit or the endoscopy unit overnight waiting on a hospital bed. This morning we had staffed all those areas and we had 25 patients in the emergency room waiting on a hospital bed with no bed to give them.

We have had a record number of phone calls for transfers into KU in the month of July and we had our highest number of denials, almost 500 people come to us. That pains us so much because we know those are people who need us, but we can't take care of them and this is both COVID and non-COVID. The real loss here is that when we are overwhelmed as a health care system, and all hospitals are feeling the same way folks, this isn't just KU. If you're on the call tomorrow, you'll hear every Chief Medical Officer is going to give you the same message. We need your help. We cannot take care of time-sensitive diagnosis. If you have a heart attack or stroke, you may have to wait in the hallway while we try to find you a bed. It may take us 10 or 15 minutes. You don't want to wait 10 or 15 minutes when you're having a heart attack or a stroke because we need to get to you.

We're in trouble because we have such a high number of COVID positive patients. Last fall when we rang the alarm bell, we had about 260 patients that had COVID positive in what we call the core six hospitals. The core six hospitals are the ones that have been on our Chief Medical Officer call the entire time and that includes Liberty, North Kansas City, Truman, KU, St. Luke's, Advent, and Olathe. Yesterday we had 367 patients. We had far more than we had before and we've waited and waited thinking that vaccination was going to be the way to prevent this, but the

reality is that we have a population that is 50% unvaccinated and we have a Delta Variant that can infect six to eight people with each person. We have to do something to try and help us preventing to stop from being overwhelmed because our caseload is approaching as high as it was last November. I call this—you've heard Christmas in October, well this is November in August.

How do you help that? The CDC and others have put data out there that says, look, even with the Delta Variant, masking changes the outcome. We've met the curve before, we know how to bend the curve again. We need to get everybody vaccinated. One of the questions people ask is, well why is the vaccine not preventing disease transmission, it's because the Delta Variant is a little different and what we know is that individuals who are infected with the Delta Variant and have been vaccinated have almost as much virus in their airway as those who have not been vaccinated. Now, the reality is, the effectiveness of the vaccine probably is still there, it's just not 95% as far as infecting someone else or getting infected yourself if you're vaccinated.

What the vaccinations do help us with is death and ICU and severe hospitalizations. So, about 10% of the patients at KU today are vaccinated, but that means 90% are unvaccinated. If we have a metropolitan area of 2.4 million, we have 1.2 million people that have not been vaccinated, they are really high risk for COVID-19. Even if you've been vaccinated, you could be hospitalized and 10% of our patients are. We've had four vaccinated deaths at KU. Now, each of those people are so darn ill, I'm not surprised that they died, but it's to say that we all have to be concerned about the Delta Variant and we have to take care of each other and we know what will work because we've seen it work before and we also know from other data that masking even helps with the Delta Variant.

W n We Do?

This gets us back to that Swiss cheese model. Everything we do helps us prevent disease and my plea with all of you today is to say that we are at a different time in this pandemic and nobody is happy about that. We're trying to talk to our staff and keep their heads up. You want to talk about a group of people that are tired of the pandemic, come meet our frontline nursing staff that are taking care of the COVID patients every day. They're exhausted and here we're back at the same place we were last fall, but we can beat that and we can bend that curve. We can keep our city safe and we can continue to take care of heart attacks, strokes and cancer and we continue to try to bring patients in from other places who need our critical care abilities and our coronary and tertiary care abilities throughout our city, but we can't do that unless we take care of each other and we know how to do that. Get vaccinated, that will reduce our hospitalizations, but the thing that will bend the curve most immediately is to mask.

QUESTIONS?

I am happy to answer any questions. The picture I want to paint to you is not one of shear desperation. It's one of terrific significant concern and to get your help to get our population masked so that we can make sure we have the capacity in your hospitals, which are currently out of beds, to take care of people whether they have COVID-19 or any other diagnosis and especially

if they have a time-sensitive diagnosis that shouldn't be waiting. We're trying to prevent outpatients from coming in as best we can. We are on the precipice of canceling elective surgeries again, but here's a struggle at least at KU, we took all those elective surgeries and we put them in our same day surgery center, so when we say elective surgeries today we'll be cancelling patients who have lung cancer and they're going to have to wait longer. We have patients who need a heart bypass surgery, we're going to have to make them wait longer, so people that we're making wait longer are not the simple cases. We've got those at a surgical center down the street or out at Indian Creek. The ones we have are the people who need surgeries soon. They really shouldn't be waiting, but we're out of beds, our staff is tired, our city is sick and our community is sick and we need your help. I'm happy to answer any questions.

Mayor Alvey asked, any questions from the Commission.

Commissioner Walters said could you look into your crystal ball a little bit for us and tell us if everybody masked and we would slow the spread of the infection, would at the end of the day the same number of people ultimately get infected or do you think that it would just be spread out over further timeline or do you think it will actually reduce the number of infections? **Dr. Stites** said I'm going to say the answer to that question is yes, but the pivot point will be vaccination. I think that masking both reduces and spreads out infection. It's a great question by the way. Masking can also reduce infections if people will go and get vaccinated because it gives you the time to protect yourself and get vaccinated, and if we can get more people vaccinated—and we are seeing a slight uptick in vaccinations, so I like that.

We believe that the FDA will be approving the Pfizer vaccine, you know, but the reports that are being leaked coming out of the FDA is a September 1 date and Moderna sometime thereafter. I think once you've got an approved vaccine, I think it will help and in my patients—I was speaking to a person today, one patient, she said you know I think I'm really scared. I think it's time to get vaccinated and I said hallelujah, let's do that, so she got vaccinated today. I think that people are beginning to shift a little on the public perception of vaccination. That's my impression and I would say that masking blunts the curve, prevents your hospitals from being overwhelmed, which helps us take care of everyone, not just the COVID patients, but then it allows us to have more time to find more effective therapies and convince more people to become

vaccinated and then you won't be hospitalized. Even if you get sick, vaccination is still 95-99% protected against severe hospitalization and death even with the Delta Variant.

I think the evidence is that we will do both of those things. We'll flatten the curve and we'll prevent the curve.

Mayor Alvey said, Dr. Stites, could you speak to, and I know this will be part of the presentation tomorrow, from Children's Mercy, the trend of the Delta Variant through the young population, our young people who cannot get vaccinated yet? **Dr. Stites** said you bet I can and thank you for asking that question, Mayor. Actually I had some notes about that and I didn't get to them. Here's what Children's is going to tell us. Last week they've got two things they are battling. They're battling RSV, actually three, and Parainfluenza and COVID-19. This is distinctly different. The average age for all of us has dropped, now part of that is because of nursing home patients have been vaccinated, so we're not getting nursing home patients in, so again, the vaccination prevents severe illness and death, but they are having a lot more COVID-19 patients with the Delta Variant.

So, last week they had 259 people test positive for whereas our children test positive for RSV and they had 269 patients who tested positive for COVID-19. That's both inpatient and outpatient. They have 12 patients in the hospital with COVID-19 and that includes children in the pediatric intensive care unit and the neonatal intensive care unit. Some of those have underlying medical conditions, but they will show tomorrow that they also have previously healthy children going to the ICU with COVID-19 with the Delta Variant. So, it's worse. It is worse and it comes at a time when RSV is also in an outbreak in our community three months early as is parainfluenza.

Just to add to that, we haven't even seen the influenza season this year, so I think we were—you now, influenza was hardly on the radar last year and I think that was largely due to the health precautions and to masking. I think this year if we're not masked going into this season with RSV and parainfluenza and COVID-19, then we will really be in trouble and influenza season is about six weeks away.

Commissioner Burroughs said, Dr. Stites, we appreciate you sharing that information. I think it's very important that we hear from our medical community. The question that I have is not only in reference to the masks, the social distancing wasn't mentioned in your testimony, but as many of us are aware, in our community we are seeing major events scheduled that will have hundreds,

possibly thousands of people in attendance. Even though some of them will be outdoors, they won't be maintaining 6 ft. distance that is being suggested by some. How do we address those issues? Are we looking at possibly, again, going into eliminating any crowds over a certain amount and starting to look at possibly shuttering businesses that, I guess, over occupancy or at occupancy that can't provide those safety barriers?

Dr. Stites said that's a great question. I feel fortunate. You guys have Dr. Allen Greiner and Dr. Corriveau to help with that too and Juliann, here's what I would say. I sure hope not. You know I'm a big Chiefs fan. I miss Arrowhead Stadium like there's no tomorrow. I love watching number 15 out there and so I want to go back to the Chiefs games this year and I want—I have tickets to get to my first Royals game next week. I think the combination of masking and vaccination offers us hope that we don't have to do shutdown, but if we wait too long to do masking and we have how many people with critical diagnosis in the emergency room in the hallway right now, if we don't get our community masked, things will get worse and then I'm afraid we'll be forced to take other measures. What I'm hoping for is that with masking and vaccination, we can avoid the next step. I don't know if we can, but I know if we don't mask, I can promise you we won't be able to avoid that step at least from a Chief Medical Officer perspective in trying to take care of patients. I am hopeful that in that Swiss cheese model, because vaccination works so darn well, that if we get people masked, people respond to the FDA and say that's a good thing, that drug is approved and we continue to work with communities and get people vaccinated, I think we're going to see more and more vaccine requirements out there from different groups. I'm just hoping that vaccination and masks will avoid the shutdown we had to do in the past, but I don't know.

My crystal ball is really foggy and cracked. As my wife will tell you and as some of my ICU friends will tell you, when I try to predict where we're at on palliative care measures, so I think I'm probably not the most qualified person in the world, even in the room, to make that prediction or on this Zoom call, but I'm hoping that with masking and vaccination, we can avoid it.

Commissioner Burroughs said thank you for that answer. I guess the question I would have is, as contagious as this Delta Variant is projected to be and is, my concern and I think concern of many, is that masks alone may not be enough. I go back to my original question, if we're going to mandate masks within closed facilities, even among those that have been vaccinated, why is

being outside and not social distanced any different? **Dr. Stites** said, again, I think it's a great question. I don't have a good answer. I'll just come back to it and try to approach it perhaps differently. I think being outside and being distanced is always better. From a Chief Medical Officers standpoint, is that the perfect answer, you bet it is, but I don't have your job and so you guys are weighing other factors and businesses and economics and jobs and, you know, we've got to keep people alive in a lot of ways. I actually do believe that masking coupled with vaccination, if we get people masked right away, I think if we can get folks masked, I think there is a reasonable chance that masking, even as transmissible as the Delta virus is, will really help us.

If you remember, and hopefully, you guys don't get bothered having to watch that morning medical update we've been doing, and we're going to redo the video just so we get a little more modern, but if you remember if anybody watched, we did that freezer video last year where Dana Hawkinson, I call him Doc Hawk, Hawk and I went into the freezer and then there's that breath cloud you have and that breath cloud, without a mask, it goes freaking everywhere. But you put a mask on and just a cloth mask or a surgical mask, but surgical masks are really better, the ones you can buy at the drugstore, those are better than cloth masks especially with the COVID or with the Delta Variant I think, but you put one of those masks on and your breath cloud is just shut down. I'm encouraged that will help us now. Is that good enough for a crowded bar with people drinking and having their mask half on and half off, yeah I don't know, that's going to be tough, but I think we're going to know really fast.

In a perfect world, what I would say, we should socially distance and not have crowded indoor rooms, I'm a CMO, of course, I'm going to say that's a perfect world, but I don't have the same perspective that you all have. What I know is that at least in Scotland and some other areas, and even in Provincetown, there is some signal in there that masking plus vaccination will keep us safe. That's what I'm going to push right now. I don't think it's a perfect answer, but the perfect answer, oh wait, I don't think there is a perfect answer right now and I think that's why we're struggling so darn much.

Mayor Alvey said, Dr. Stites, when this began I think last year, March, April, when the shutdown occurred it was, again, the threat of overwhelming the health system and the care that could be provided, not just the people who might contract COVID, but everyone else, so that's back where we are again. Moving forward, it would seem to me, that what is going to be the regulating factor

on any kind of mitigation measures is going to continue to be whether our health providers can maintain services at the level we need and expect with the help of everyone. The notion or the thought, you're not asking us to be able to eradicate the virus because that doesn't really seem to be on the horizon for anyone. That's because of the nature of the virus, the way it mutates that as long as there are pockets anywhere in the world where there is unvaccinated people, where a mutation that resists the vaccination, there are going to continue to be mutations which will continue to be a threat. So, no one here is proposing that we're going to be trying to eradicate the virus, but what's going to regulate and bring additional mitigation measures is going to be whether we have capacity in our health systems. Would that be an accurate description?

Dr. Stites said I think it is and can I answer your question, the last question. Juliann, can you go back to slide 8? I was sitting here looking at it and I should have thought of this before, there's one before that that's on my presentation, go to that slide, the masking slide. Okay, look at that slide. I'm going to come to yours, Mayor, but I want to get back to that point about masking versus distancing. This is masking and this is projected by public health experts from the CDC and other groups. You can see where we are in late July, August or August 21; if we get masks on, look at how fast we think the curve will drop. That's going to protect us. That will protect our public health systems. We think masking and vaccination will have that affect. So now, I think we can get through this like that.

Now to your point, Mayor, at KU we've decided we're going to have one COVID unit and one ICU full of COVID patients and we see that as the foreseeable future. Some days, last March, in fairness, we got down to two patients folks. We had two patients with COVID in our hospital. Today we have 30 times that number and the difference is—and by the way, we have one, a lower COVID since this is in Kansas City which is odd, but it's mostly because we haven't been able to keep our transfer center open to business. I think that we aren't masking or distancing—and/or distancing will not cure COVID. Vaccination offers us the best way out of this crisis and I think we should all feel very fortunate that the vaccines, especially the mRNA vaccines can pivot so rapidly and can be reconfigured so rapidly that we can probably handle just about any variant.

In the meantime, the bigger struggle is we've got to get those vaccines into arms because, you know, right now they're expiring on our shelves and that's terrible. I think it is here to stay. I think, or to me as a Chief Medical Officer, we will be prepared to manage a number of COVID

patients in the future and we plan for that. What we can't do and what we struggle with is when our COVID patient numbers get really high at the same time as our overall census is really high because people still are sick with stuff that's not called COVID. It's hard to believe that because that's all you read about, but the truth is, there's a lot of other disease out there and we have to try to take care of our entire community and the way we do that is by offering a hospital bed, offering what we think is some of the best care in the world, but everything deteriorates when you've got patients sitting on gurney's in the hallways, which is where we are today.

Commissioner Johnson said, Dr. Stites, thank you for all that you do. Dr. Greiner, Dr. Corriveau, you all are in many regards, in my eyes, I see you as heroes just like I look at our fire and our police. You all run to destruction. You all run to disease and for that I want to tell you thank you as a survivor of COVID not having—blessed not to have to have suffered enough to have gone to the hospital. I do know how serious this is. The concern that I have is that it seems to me that we are continuing to deal with so many layers, one of which is, it seems to me, there continues to be different variants that kind of become evident to us and it seems to be a never-ending cycle. So, when we consider mask orders for a certain period of time, that does not put us out of harms way. Is there any way that you can look into your crystal ball and be able to say that if we are to reach our goals in terms of masking, in terms of vaccinations more importantly, when will the madness end, if that's a question that I might ask?

Dr. Stites said that's a great question. First of all, let me say that I think with Juliann and with Dr. Corriveau and Dr. Greiner, you guys are blessed in Wyandotte County. I've worked with a lot of public health officials around this state and in Missouri and I think you guys have two of the best, so hat's off to them and they are probably much better equipped to answer that question than I am. I don't know when the mass is going to end and that may drive me mad because I think you're right.

The variant—more variants arise, or as more mutations arise, the more it reproduces in our airways and the way it produces in our airways is we keep getting sick with it and the way we keep getting sick with it is that we don't get vaccinated or we don't wear a mask. So, it becomes a self-fulfilling prophecy. Interrupt that chain, the variants begin to drive down and what we have to do is drive that R-naught back down below one and keep it there long enough that the virus essentially goes away. That's how pandemics end. It has to be—you know, it's infected so many

people or killed so many people or done so much disease and destruction it doesn't have any host to turn to. Vaccination tries to take away the number of hosts and one of the struggles we know is that having COVID-19 originally may not protect you against the Delta Variant because it's pretty different, but vaccination works.

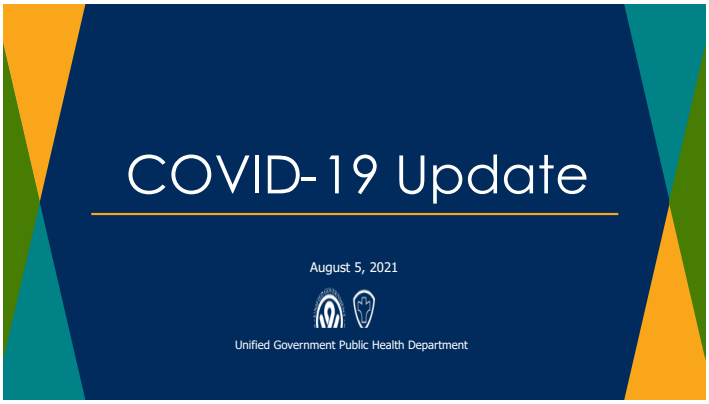
If we can keep people vaccinated and we can keep them safe, we think we can end the pandemic, but unfortunately, getting 50% of the population vaccinated or 35%, as it's so in Missouri, 10 or 13%, that's like you just don't have anybody vaccinated. The way out of this pandemic is vaccination and the public health measures that we know work.

If you watched our MU in the morning, as we always say, those measures of infection control, they follow you wherever you go and they keep you safe and that's how we end a pandemic. We end the pandemic with great public health and vaccination.

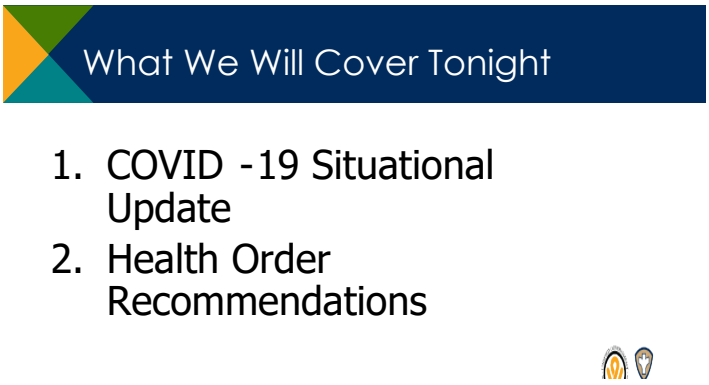
Commissioner Johnson said so there is no quick fix to this. **Dr. Stites** said no sir, there is not a quick fix. **Commissioner Johnson** said I understand and it drives us all mad. **Dr. Stites** said it does. **Commissioner Johnson** said it really does, but we're going to have to have a shift in our mindset as a public that there is no 30-day, there's no 45-day, there's no 60-day remedy to this. We're going to have to ride this out for the long haul and to the extent that it infringes upon some of our privileges and rights and whatnot. I think the right to live, the right to live a quality life health-wise seems to me to be something that should help to motivate us one way or the other.

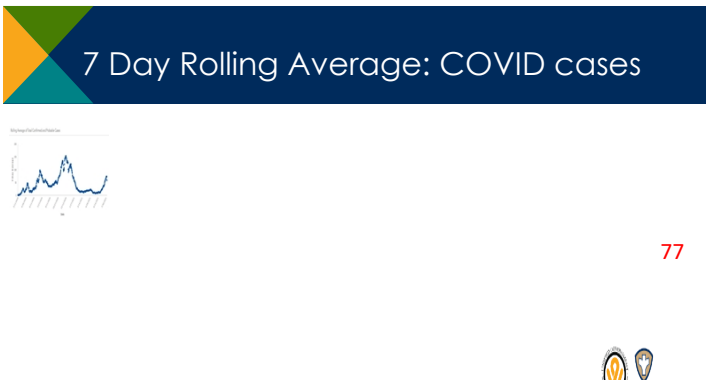
Mayor Alvey said thank you, Dr. Stites. We'll now turn it back to Juliann VanLiew.

Ms. VanLiew said thank you so much Dr. Stites for that presentation. I think that's very helpful for folks.



We're not going to spend a tremendous amount of time rehashing what Dr. Stites walked us through.





We wanted to just provide a few local numbers here and a little bit of a reminder from our legal team and Dr. Greiner before we turn it all back to you, Commission, to have a conversation. So, a little bit more locally, Dr. Stites mentioned kind of the metro numbers. Again, in Wyandotte County we're seeing the exact same thing, so our numbers of average cases per day are up to 77.

That's up from about 10 cases a day six or eight weeks ago and that's up where we were last January unfortunately. In the last week alone, 512 Wyandotte County residents have become sick with COVID-19 and three of them have passed away unfortunately. That's just in the week since we last met to discuss this topic.

Vaccine Data Summary

- Majority of Wyandotte residents remain unvaccinated
- Our data includes residents vaccinated anywhere in the state of Kansas
  - It does not include data from those vaccinated out of state (including Missouri) or administered federally (i.e. VA)

	Number	Percent
Wyandotte Residents with at least One Dose	70,074	42.4%
Wyandotte Residents with Completed Vaccine Series	59,345	35.9%

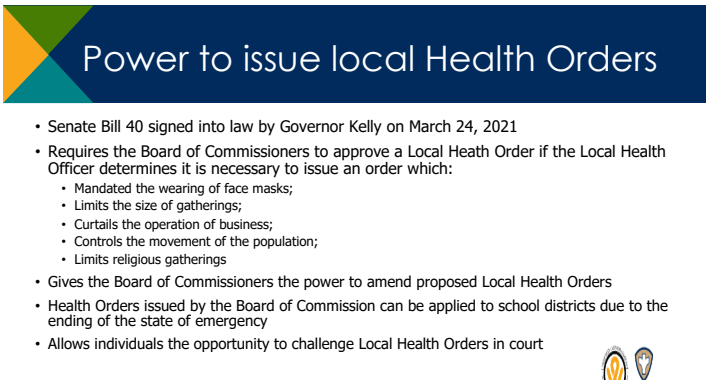
Again, the reason this spread is happening or at least part of the reason beyond the fact that Delta is here, is the fact that our vaccination rates remain low. We continue to make slow progress, but only 42% of us have at least one dose and only 35, just short of 36% of us, are fully vaccinated against COVID-19.

Surrounding Area Mask Mandates

Jurisdiction	Mask mandate	Effective dates
Kansas City, MO	Indoors in public spaces (including schools)	8/2/21- 8/28/21
Jackson County, MO	Indoors in public spaces (including schools)	8/9/21 – 9/7/21
Johnson County, KS	In school settings (Kindergarten – 6th grade)	8/9/21 – 5/31/22
Leavenworth, KS	None	N/A

I know there's going to be some questions this evening about what surrounding jurisdictions have done and are doing around mask mandates. We wanted to make sure that everybody has that information. Kansas City, MO last week put an indoor mask mandate in place in public spaces that applies to their schools. Jackson County is doing the same thing, effective on Monday. Masks required indoors in public spaces including within their schools. Just earlier today, the Johnson County Board of Commission met to discuss mask mandates and what they ended up passing was

the requirement for mask wearing in school setting for Kindergarten through 6th grade really targeting that age group of kiddo's who do not have the opportunity to become vaccinated because they are younger than age 12. Leavenworth, KS, we do not believe is having a discussion around mask mandates at this time. So, that's where most of our local jurisdictions are on this particular subject.



I'm going to pass it over to our legal team for one quick reminder on where the power to issue local health orders lie today.

James Bain, Assistant Counsel, said this slide kind of reminds us of the big game changer when it came to local health orders. There was a time you'll remember where the Local Health Officer could make orders without any approval from the Commission and then it changed last summer after the Legislative Special Session where the Commissions could amend health orders and you've done that a couple of times. Now, we have the passage of Senate Bill 40, Board of Commissioner approval is required under certain categories of orders and one of those being face masks.

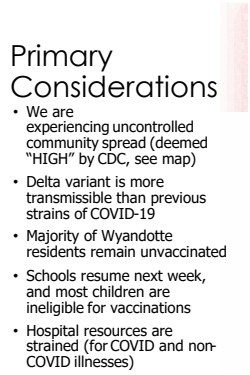
The other kind of game changer in SB 40 was during a state of emergency, statewide Declaration of Emergency by the Governor, the ability to make these orders in schools was left exclusively to schools only during the time of the Declaration of Emergency. The Kansas Declaration of Emergency has ended and so that power is now back to being concurrent the way it was a year ago, that both school boards can make health orders themselves and Local Health Officer and County Commissions can make those same orders on schools. So, it's a concurrent power that both organizations have.

The final big change from Senate Bill 40 was that it allowed citizens to challenge the local health orders. Our charge was to make orders—or the courts charge will be to make sure the health orders are the most narrow to achieve health goals.

Ms. VanLiew said I think what we as a Health Department want to make sure everyone understands is that the fact that the power again lies with the Board of Commissioners in concert with the Health Officer to apply these orders to schools means that we have put that in the order that is in front of you this evening. It would be our recommendation that schools be included in this order especially because there are so many kiddo's who, again, cannot have access to the vaccine by virtue of their age.

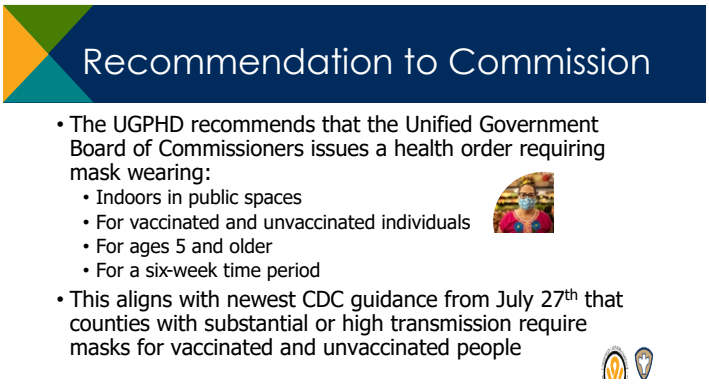
Just a couple of slides left here for us.

Commissioner Kane said I have a question right here. I called the State yesterday and they said we can carve out the schools if we choose to do that and they have an elected body to do that. The schools in play would be like Bishop Ward High School, Donnelly College, the Kansas City, Kansas Community College and the Piper School District. They have elected boards to do exactly what we're going to do here a little later and my request is that we carve them out and let them make their own decisions and put it on them because they have to respond to the community like we have to respond to the community. I didn't realize we could do that until I called up there yesterday, so I don't know if I would need to make a motion for that, Mayor, or how would that work? **Mayor Alvey** said I think the health order that's been proposed does include schools, so I think a motion that you would do that, but I don't think we're at that point because we are going to take public comments.



Ms. VanLiew said, Dr. Greiner, I will hand it to you for the last two slides.

Dr. Allen Greiner, Local Health Officer, said just a couple more things. As we've looked at this and tried to bring forward our recommendations for what we feel like the Commission ought to do, we're looking closely at things like are we an area of high transmission. This is a CDC map that clearly shows our region, much like the slide Dr. Stites showed earlier, we're an extremely high area of transmission. We have over 100 new cases every seven days per 100,000 individuals in our area. That's what red means. If you're blue, you have much less, less than 10 per 100,000 people. It also means you have a percent positivity rate that's very high and ours is above 30% in terms of total number of tests and the percent that are positive. So, we've got a major concern in that high spread. We, of course, got Delta Variant and we know it's much more transmissible and it's almost 100% of what we're seeing. We know that the majority of our residents are not vaccinated and we're about to start school and we want to keep kids in schools. We know that's important. We've already seen the damage it can do to not have kids in school, but we think things like masking can have a major impact on that and we've heard so much about hospitals already.



Our recommendation, basically, is exactly the same recommendation we had last week. We feel like mask wearing in indoor spaces is extremely important at this time. That should be for both vaccinated and unvaccinated individuals. This doesn't mean we're not going to continue to push vaccinations. Of course, we will. We feel like it should be for everyone five and older like we had in previous orders and that we should go with a six-week time period given what we're seeing and, again, if you think about that curve Dr. Stites presented where we've seen how quickly it's expected, that we can move forward with a mask order in place. We think six-weeks is right for now and it aligns with the CDC guidance, it aligns with what Kansas City, MO and Jackson County have done as well.

So, that's really all we have and we'll be happy to take questions as well and hear the discussion and comments.

Mayor Alvey asked, are there any questions or comments from the Commission before we take public comment.

Commissioner Bynum said I just want to agree with Commissioner Kane on carving out specifically the school districts and the Community College which has already made their announcement about mask wearing. They are certified elected boards who have responsibility for making the best possible decisions they can for their communities and I want to echo Commissioner Kane's desire to carve out the school districts away from any health order on masking that we might take up tonight. It's my understanding that all of the leaders in these institutions have direct contact with our Health Department and the leadership and the medical

experts and understand the issue that we are facing. They should be allowed to have the responsibility to make the decisions for their constituency that they serve.

Commissioner Ramirez said I'll try to be as brief as I can. I have a friend in Johnson County, I asked if they could give data on their vaccinations. Now, this is two-weeks old, but a percentage of their total population, 67.8% have one dose, 58.1% are fully vaccinated. Johnson County is taking care of Johnson County. They're doing what they need to do and the residents of Johnson County understand what it takes and I hope that Wyandotte County, we do the same here, that we continue to do what's right. As I said the last time we had this conversation we have two choices, do what's right and protect our community or allow the politics, the politicization of this topic to dictate our policy choices as a governing body. Those are the two choices we have.

I did a survey of my district. I put it on Facebook. Only about 60 people responded. I didn't have enough time to go districtwide and actually go and knock on doors and get an actual credible amount, but out of the 60 some that responded, 92% of the people support having a mask mandate. Again, I had a small business social in my district. Every single small businessowner told me they supported it because it would help them. It wouldn't hinder their business. Our inaction would hinder their business.

I have a nephew who just beat cancer. He's immunocompromised, he goes to school. His mother, my sister, is scared because he is at-risk. I understand that these school boards have their own authority, but I'm fighting for my family. That's what I'm fighting, for my family, for my constituents and the majority of who say and have told me they support it. We have a minority that we are hearing that are loud and proud, but let's not forget the silent majority that are not here who are not sending us emails or not voicing their concerns.

I'll end here with one thing that wasn't mentioned tonight. I mentioned it last time. Juliann, this health order only asks for you to wear a mask. It doesn't restrict business hours, it does not restrict business capacity, it does not restrict business numbers in any way, shape or form. It only asks you to wear a mask, nothing else.

Two quotes, the first quote was actually from a person who emailed us today, a person who was for the mandate. This line caught me, "Freedom doesn't include selfishness." The other quote that I want to read and I don't know who the author is. It's one of my favorite quotes that I

try to live by especially in the position I am, "Whenever you know what is right, you must know the courage that it demands."

I'm not here trying to score any political points with anybody. I'm here to do what's right and what I was elected to do and that's to maintain the safety, security and prosperity for this county and my district, so I ask that you remember that. Remember that what to do is right, it takes courage to do that and every decision we make is a courageous decision. It's a good decision for our community, let's not forget who we're here for.

Commissioner Burroughs said I want to get to the fact that if we talk about our bordering community that has only mandated that the children wear masks in school, that means their businesses will not be required to do so. So, those individuals in our community that choose not to wear masks will take their economic liability to another community which is whether they're vaccinated or not impacts the economy that we are trying to address in our community. This is all a political, economical, emotional, sociological issue, and it's very difficult to separate those four issues from the true aspect of the effect of this pandemic.

I guess my comment would be that if we're going to allow the school districts to have a voice, there are commissioners sitting here this evening that represent other cities within their districts and they have an elected body, a Mayor and a City Council, that should have the same opportunity to make those decisions. So, I would ask that we give them the same authority that we're asking for with our school districts and that be Bonner Springs and Edwardsville, that they have the authority to pass or support whatever piece of policy they feel is beneficial for their city.

My concern is that when I look at a picture of Johnson County at the festival I guess they had the other day, there are hundreds of people that aren't social distanced. We don't know that they had vaccines. We don't know if they're part of the 60% that was shared in previous testimony, so we do know that if they come over here, they're going to have to wear a mask, but if our residents that choose not to get a vaccine go over there, we are still going to perpetuate this disease across county line. This disease does not stop at the county line, so I would just ask that if we're going to allow one entity the authority to mandate or to allow not having masks, that those City Council's and those Mayor's have a chance to pass their own piece of policy.

Commissioner Philbrook said yes, I believe that all of the elected officials no matter which (inaudible) they're from or which county, have a responsibility to their community. Yes, I'll say it more directly, that the decisions that they choose to make will impact on their community and so, yes, Commissioner Burroughs, I understand your comments and I don't presume to know more than they do. I do understand that comment. I pray that the other areas, Edwardsville and Bonner, will take into consideration possibly, maybe stepping up to the plate, and actually make some of those hard decisions to follow through and care for their community.

I'm not willing to make them do anything. I think that the proof is in the pudding and if they don't do what's best for the community, it will come back to bite them and that which will be sad, a sad thing.

I, myself, have had a lot of patients tell me, my patients tell me that they're happy about some of the mandates because they're scared to death for their children when their kiddo's are in school and most of the kids are having to wear masks when they go back and it's a lot of the private schools. They're having to wear masks because they don't want their kids to get sick and I would tell you there is probably well over 90% of the patients I see have had their shots, that or they're fibbing to me, one or the other. But the whole point being is that the ones that haven't had their shot we talk about it and some of them are willing to go do it and some of them are still scared.

The point I'm trying to make is that what some other folks have said and, yes, we have allowed a bunch of folks who have a right to their opinion, just like I can be loud and I have a right to mine, but I'm not going to let opinions overwhelm my education and follow what the medical profession tells me is the right choice. This is not easy and actually I think it sucks, but hey, that's just a personal opinion on that, but we're paid the bucks here to make these decisions and we're elected to make them. So, I will be more than happy to step up to the plate when it comes to a mask mandate and please, please get your inoculation.

Mayor Alvey said let's go ahead now, I know that we have some folks in the lobby who would like to speak. We're limiting one minute for the comments, so please have your comments ready to go. We have a lot of people that want to speak. We also have another hearing after this one, so let's go ahead and there will be someone in the lobby who will be limiting you to one minute. Please state your name and city of residency.

Tracy Ramey, 8919 Metropolitan, said I do apologize. I thought we were going to have two minutes, but I hope each of you read the email that I sent you earlier today. It does show the facts and figures from the Kansas Department of Health. The figures that were given from KU were actually not specified for COVID. If you please review the figures from the Kansas Department of Health in the email I sent you, it will show that COVID cases that are hospitalized are only slightly higher than the average influenza for this time of year, for the last two years. It will also show that deaths throughout the state are very minimal. There's not a spike in deaths actually, so I implore you to take it into serious consideration that Kansans are smart and savvy and free citizens and we implore you to take that into consideration that people should be allowed to do what's best for themselves and their family and they will make amazing decisions. **Ms. Sparks** said, ma'am, your time has expired.

Edwin Kelley, Kansas City, Kansas, said, Mayor, before my time begins, I have a request for information. Mayor, may I make this point of information—request for information rather before my time begins, is that alright, Mr. Mayor? It's about the agenda. **Mayor Alvey** said if you want to ask a question about the agenda, I guess. **Mr. Kelley** asked am I correct that the Item #10, the resolution to adopt the local health order has been moved up and it will be the very next item following public comment? **Mayor Alvey** said yes. **Mr. Kelley** said that's correct, okay. Also, on the agenda is the Consent Agenda. I have not found a copy of the Consent Agenda listing the items. Is that available? **Mayor Alvey** said this is a Special Meeting, there's nothing on the Consent Agenda tonight. That's the standard form. There's no items on the Consent Agenda.

We were told we had two minutes to speak each, very clearly we were told—**Mayor Alvey** said one minute. **Mr. Kelley** said so, that's half of what we were told. Many people here who were preparing were preparing for two minutes, just so you know. My time begins now. I could have saved us all about 50 minutes of the beginning of this meeting. In summary, we're not scared enough. They want you to be more scared. Everything Dr. Stites and all the medical experts gave us tonight was to tell us you're not scared enough, we need you to be more afraid. I'm not saying that flippantly, it's true. There's about 10-15% of the population who are committed believers. You don't need to sell them, they're already totaling believing the masks are magical. There's about 10-15% who—nothing you said tonight changed their mind and then the rest about 70 or so percent of the population are getting tired of this song and dance.

Let me ask you one quick question. If you were practicing tyranny, would you know it? If you are abusing us, would you—**Ms. Sparks** said, sir, your time has expired.

Lacey Langford, 6608 Woodend Ave., said I was born and raised right here in Wyandotte County. I come to you today—so very glad that you guys brought up science actually in other countries as we have a lawsuit out of Alberta that was lifted because they could not provide any evidence of COVID existing. So, why, tell me why does American science, political paid for science, differ so much from other countries? Why is that commissioners?

I would also like to address the very fact that every single report that has came out since this Delta Variant, which I would also like to put on record, there is no test for it. I have that through PolitiFact checkers that I get banned by on Facebook all the time—**Ms. Sparks** said, ma'am, your time has expired.

Mary Gerlt, 419 No. 22nd St., said I come to you tonight because after everything that we've heard tonight, I have really good news for you, commissioners. I can let you guys off the hook of this awful decision that I know is weighing on you and that you feel so guilty about, because guess what, this is actually not your role as government. You have constitution, you do not have the authority to legislate behavior upon non-violent people, so you are totally off the hook for this. Everyone is responsible for themselves, everyone is responsible for their own personal health. Commissioner Ramirez said he doesn't want to politicize this, but even by having a mandate, voting on this as elected officials, you are making this political.

Commissioner Philbrook, you said that I have a right to my opinion, but I also have a right to my body and my face, and my health. The Health Department representative, Juli, said that three died last week from COVID. How many more have died from heart attacks or diabetes, so why don't we have—**Ms. Sparks** said, ma'am, your time has expired.

Alex Sanchez said thank you Mr. Burroughs for your voice of reason. Overall death rates in 2019 compared to 2020, absolutely no change. CDC stats, 645,000 people every year die from the common cold. Furthermore, gathering—limiting gatherings of religious situations or otherwise is a violation of our constitutional rights. As far as the masks, they are only designed to protect you up to 5—a .5 microns. These viruses that we're talking about are .1 microns. Masks are

completely incapable of stopping anything. The vaccine, we know, is experimental mRNA and we also know that if you look at the statistics in Massachusetts, 74% of the people who have gotten the jab, are the ones who are getting the variant because the jab is designed specifically, and there are studies that show that the Pfizer vaccine specifically has dropped people's natural immune system by 1/6th. It's amazing—**Ms. Sparks** said, sir, your time has expired.

Mayor Alvey said excuse me for one minute. We're going to suspend this until we get this corrected. We're going to hold off here because I'm trying to correct something in the process, if you would just hold on, please.

Stephanie Barton said I live in Turner. A constitutional republic protects the right of the individual. As a representative of a constitutional republic, you must govern within the existing constitution. You cannot deny the lack of representation, we the people, we feel here today and that's why we're here. We the people have a responsibility to hold you accountable, but let's take science into consideration. Let's say—masks are not intended to stop the spread of COVID. The vaccine was supposed to stop the spread of COVID, but yet you tell us we have to continue to mask our children. We demand the right to choose. We should not have to do so. If masks work, if the vaccine works, why are you so determined on denying those who disagree. We have a right to choose and you're taking away our choice. Again, you are elected officials, but you are also representatives. Listen to us. Listen to what we have to say. We are absolutely capable of making our own choices.

Daran Duffy said well, I was running for Mayor. I'm not running for Mayor anymore, so I figured I would take up another fight. The thing is, we don't need you guys telling us how to live. We've never needed it. Your job, as elected officials, were to represent us, to represent our communities and you are not doing that. The thousands of people that I've spoken with over the past few months, this was second on their highest, highest priority list, zero masks. They are tired of it. You guys do not have a right to do this. CDC is privately owned. Pharmacies are benefitting them and it's just a recommendation. It's not a mandate. You guys need to back away from it.

Lori Kovac said I'm from Wyandotte County. I've lived here almost all my life. I have grandchildren that go to the schools. At this time my youngest grandson has a speech impediment, so these masks are causing problems. **Mayor Alvey** said I'm sorry, ma'am, can you restart. We had a problem. **Ms. Kovac** said I'm from Wyandotte County. I've lived here almost all my life. I've never had to go through this. My grandchildren have to go to your schools. My youngest grandson has a speech impediment, so these masks are causing even more problems. The reason they're not being able to find out the truth about all these percentages and everything else is because of all the censoring that they have done. The government has taken away all the rights for taking the Hydroxychloroquine or the Hyperprolactinemia. So, if you guys would give that to these patients that you say—that you have in these hospitals and maybe we could have a survival rate, that would keep us from having to take these damn jabs and masks. So, if you guys want to help us, take away these masks and let us get our immune systems back up instead of trying to kill us with these damn things.

Josh Monnington said I'm a resident of Kansas City, Kansas for a little over 20 years. I appreciated what Dr. Stites said, that he said, I don't have your job. You see, science doesn't make decisions. Representatives make decisions. We choose how we respond to this virus and though it has daunted and dogged our steps, much of the problems that we have faced have come from government. Government orders have illegalized our most intimate family gatherings at Thanksgiving and Christmas. You have desecrated our sacred institution, marriage, and church services, weddings, funerals.

Commissioner Ramirez says this order asks. No, it does not ask, it demands at the cost of $500 fines and 30-days in prison. One needs to ask, if the favor, if masks are so popular, why we need an order.

Mark Monnington said I'm a resident of Wyandotte County. That was my son. I've got six other kids—five other kids at home right now. We've all had COVID. None of us died. I'm 65. We got sick, we went to the doctor, we got taken care of. I know that there are people that are dying. I know that three people died last week, but other people die. I'm an American. Okay, it was my choice. We choose to go to the doctor when we needed to. We made our own free choice. It's not your responsibility. Saying that you're asking me to wear a mask is like when the policeman

says put your hands on the steering wheel. He's going to get his gun out if I don't. You're going to fine me 500 bucks and put me 30-days in jail if I don't. That's not asking me, that's not your position. That's not your position, I didn't ever vote for you to be in that position. I'm responsible for me. I'm responsible for my family. I've been going to church without masks for this whole time and we didn't get sick from church.

Lisa Michaels said I'm from Kansas and I just want to tell you that Satan worshipers, they have to stand 6 ft. away with a face mask on. These face masks only serve to protect the anarchists that want to protest, so you can't identify them and you can't arrest them. These things are petri dishes for disease and they are terrible and there has never been one—you show me one, in all the stuff you showed us earlier, you didn't show us one example of a double-blind study showing that these masks protect us from anything. The microns are ten times as big. The holes in the masks are ten times as big as the virus itself. This is ridiculous, this is child abuse, and this is a violation of the Nuremberg rule. You are not allowed to insist that anybody take any sort of medication and you could be tried for treason, crimes against humanity.

Sandee Duffy said I'm from Kansas City, Kansas and I would like to discuss fear with you because fear is super fun. Fear releases a chemical in the brain called Cortisol. What Cortisol does, it inhibits children from learning. It incapacitates their executive function and does not allow them to learn, so essentially, by pouring this fear on these kids, what you're doing is turning them into mindless zombies. You're making it so they can't learn anything and your dumbing down one of the poorest counties. It's breaking Kansas. I can't even believe that you would have the audacity to do this and the one thing that won't fight the Cortisol is Oxytocin. Where does that come from, a smile. Hey, any parent watching, they are murdering your children's education and they are harming your future. Thanks guys.

John Burns, Kansas resident, said handcuffs do not loosen. Freedoms do not make comebacks. Our captors will never run out of strains, variants, or pretexts under which to usurp our freedoms. The fruits of our labor, our livelihood, blackmailing us at every turn to do this blind act of obedience and you can have a little bit of your freedom back as the little bit gets more and more

little every time. You've seen the boxcar loads of human skulls and wedding rings and this is how it all got started. It's for your own good. Live free or die.

Carolyn Caiharr said I just wanted to take a moment to thank Commissioner Burroughs for his consideration of letting local governments make decisions for their constituents, specifically for Edwardsville and Bonner Springs. Thank you sir for taking that time and thank you for letting us speak and for your consideration.

Broderick Crawford said I'm a lifetime resident of Kansas City, Kansas. Thank you Dr. Stites, Greiner, Corriveau and Juliann VanLiew. I am speaking in support of the mask mandate because I want to protect my family. I want to protect my family because of folks that are unvaccinated that are walking around as if they are vaccinated. We need to stop the spread. The way we stop the spread is to mask and vaccinate. Again, Broderick Crawford, in support of a mask mandate.

Andrew Mikesic said I also just wanted to speak in favor of mask mandate just to outweigh—or make sure that you guys know that there's some people in support of it. I appreciate that.

Mamie said can everybody calm down for a second. I mean everybody in the public lobby, calm down. We're going to take care of everything, what is supposed to have been taken care of, but at the same time, calm down. Can you all do that. Can I hear somebody from the public say yeah, we can do that. Alright, calm down for a minute. Let our commissioners speak. Let them take care of what they need to take care of because if we want to keep our family safe, we do have to wear masks. If we want to keep our family safe, we do have to get the shot. Calm down about that. **Ms. Sparks** said, ma'am, your time has expired.

Lucas Tillman said I just want to have a consideration for some small businesses who are still struggling to get back on their feet and if we can do an ability to if you can stay socially distanced by 6+ feet and also if available, if people have been vaccinated and proper ventilation that we, as businessowner, can recommend, but it would not be required, so that we are able to operate and try to get our feet back underneath us.

Rachel Jefferson said thank you for the opportunity to speak. I've heard a lot tonight. A lot of vitriol, a lot of misinformation, so I just wanted to speak up and say that I really appreciate you all considering this mask mandate. As someone who has known people who have died of this virus, it is extremely important that we protect the welfare of each other as we go through trying to recover from this pandemic and from this virus. We all have the right to make personal choices, but this is not one of those times where it's a freedom issue. It's an issue of do you care about your neighbor and their livelihood and their life. That's all I have to say.

Rev. Tony Carter, Pastor of Salem Baptist Church, said I certainly try to listen and understand everybody on both sides of the issue, but the fact is, we're all in this together and what affects me, affects you. So, even though we may live—we don't live on the same street, we certainly don't live in the same houses, the fact that somebody makes a choice to not be vaccinated or not to wear a mask or just ignore all of this because of their freedom, is not good enough because we're all in this together. I would like to speak out in favor of the mask mandate because I have a 10-year old granddaughter and I'm really worried. She don't have a choice about being vaccinated. I'm worried about what can happen when she goes back to school, so I speak up in favor of the mask mandate and what Dr. Greiner, Dr. Corriveau, and Juliann have suggested.

Donna Young said thank you Mayor, commissioners, and the many public health professionals who are serving the community of Wyandotte County and thank you for the opportunity to speak this evening. On behalf of the community health workers, community outreach workers, clients and staff of the Community Health Council who have been on the ground from the very beginning of this pandemic, we wanted to just express our support for the mask mandate. We are absolutely in support of this effort and we want to thank everybody that's been doing this work with us, all of our partners and the many people who are in this work every day.

Beta Clean Air Now KC, a gentleman said I lead an organization called Clean Air Now in Kansas City, Kansas that specifically started in Wyandotte County. The communities of Argentine, fence lines for industrial pollution, environmental health and inequities and we are also in support of the mask mandate. We're tired of the misinformation across the aisle, the people in the lobby. You know raising these issues that have no basis in our neighborhoods that the majority are represented

in Wyandotte that are people of color, low-income communities of color, we need our commissioners, we need our elected officials to step up and enforce the mask mandate because we need to save lives. We cannot be playing around with peoples lives and putting a time or delaying anything else out there. We need to do this. We need to get over this hump and move forward. We cannot allow misinformation to fill our elected officials, fill our local government, fill our local schools, fill anyone, so thank you.

Brett Rymer said I'm just trying to see where—where does it say that a mask will prevent a virus from entering your body. I don't see that anywhere on any of the information that's provided on the boxes of masks that come. Then, in specific to children, there are no efficacy standards on child size masks and respirators except OSHA, but they are proven microbial challenges as well as breathing difficulties that are created and exacerbated by masking children. So, requiring the children to wear a mask sets the stage for contracting any infection including COVID-19 and making the consequences of that infection much graver. In essence, a mask may very well put children at an increase risk of infection and, if so, having a far worse outcome. I am not in support of masking up our kids.

Caleb was having technical problems.

Brett Deichler, Interim County Clerk, said, Mayor, the Clerk's Office did receive two comments that we need to read as well.

The first one is from Trina Miles. It says, we as individuals know our health and health risks and are capable of deciding for ourselves how to protect ourselves. A blanket mask mandate decision does not take into consideration an individual's health. Some cannot wear masks and should not be forced. Why are we not focusing on promoting prevention by getting ourselves in better health? For example, exercise, better diet, supplements to boost our immune system, etc. This has worked for me for well over a year and I am in the group that would be considered higher risk. I have not been sick one time through all of this.

The second one comes from Annelise Wiens. I support Local Health Order as proposed on 8/5/21. Universal masking is not only necessary to protect the majority of eligible Wyandotte County residents who remain unvaccinated, but for all children under 12 who are waiting for a

vaccine to be approved for their use. Until the time everyone has access to vaccination, masking is not a personal health decision. It is a public health decision that individuals are currently making, even though it is their role and our government to make public decisions. Individuals, businesses, and school districts are deferring judgement to what you, the Board of Commissioners, require because they trust the government to serve the public's needs based on the best information available.

Mayor Alvey said we will now close the public hearing.

Ms. Sparks said, Mayor, Caleb has rejoined us online.

Caleb Grable said sorry about that. I can hear you now. I actually don't live in Wyandotte County. I live in Olathe, but I go to church in Wyandotte County and so I wanted to call in and share my opinion. The reason I stand strongly opposed to this ordinance to mandate and coerce the wearing of masks by both a threat of possible monetary loss and imprisonment is the same reason I would oppose an ordinance that mandates that masks cannot be worn. It is the right of the individual to make this choice, not the government or any governing body, to make this choice for the individual. However, the most important human right that is being threatened by the implementation and enforcement of such an ordinance is the right of each individual to worship however that individual desires without the threat of government encroachment. This is, in fact, the most basic liberty that we are endowed by our creator. Civil liberties are being encroached upon. To mandate the wearing of masks is to overlook and neglect the founding principles that our nation was founded upon. To presume that masking do not have tradeoffs and do not inhibit the ability to worship however one pleases is simple wrong and I can see this from personal experience with masks. I would implore this Commission, please do not allow this ordinance to pass for the sake of our most basic human right to worship however we please.

Trudie Hall said I'm a resident of Wyandotte County. I just wanted to speak to supporting the mask mandate and I will just speak to the Council, that you are our elected officials. This is a public health issue, a public health crisis and I think we have to consider the safety of the public. We're only asking people to mask in public places. If they don't want to wear a mask, they don't

have to go to those places, no one is forcing them to. But in consideration of the health of others, I hope that as commissioners you will think about this as a public crisis that we can address. We have the tools and we should put first and foremost the safety of our community. Thank you for allowing me to speak and thank you for your work and the work of our health care givers.

Mayor Alvey said I now close the public hearing.

Commissioner Kane said as I called the State yesterday and they talked about that we could carve out certain things and schools was one of them, but obviously, we heard a couple other good ideas which was Edwardsville and Bonner, so I would like to make a motion to carve out like Bishop Ward, Donnelly College, the Community College, the Piper School District, the catholic grade schools, the private schools, Edwardsville and Bonner since they have their own board to let them make their own decision, all the public school districts. **Commissioner Burroughs** said I will second that motion, but it's also my understanding that some of them have already made some decisions and I don't want to encroach upon that saying one way or the other, but I do agree with the motion that has been made and I will second it.

Action: **RESOLUTION NO. R-47-21,** "A resolution amending proposed LHO 8/05/21." **Commissioner Kane made a motion, seconded by Commissioner Burroughs, to adopt the resolution as proposed with the amendment to carve out Bishop Ward, Donnelly College, the Community College, the Piper School District, the catholic grade schools, the private schools, Edwardsville and Bonner, all the public school districts.**

Commissioner Ramirez said I'm just going to state real quickly since in the lobby my comments and my name was brought up. I stand by what I said. If this vote is what gets me unelected in two years, I will stand by that vote until that day because I said, when I ran for this office, that I would operate with honestly and integrity and part of my integrity is protecting this county. My honesty, I have been honest since I have been on this board and you all know that I will continue to push and fight until I have nothing left. I was almost discouraged in fighting tonight and that's a

disservice to my district when I get discouraged because then they no longer have a voice on this board. Again, choices, what's right or allow politics to play in this.

Commissioner Philbrook said I have a question real quick of our lawyers. In the past we had determined that, if I remember correctly, that we were not supposed to be able to rule over churches, what churches do within their walls. Is that still true or did that change or what happened? **Patrick Waters, Deputy Chief Counsel,** said the Supreme Court has upheld certain restrictions within churches where some states got in trouble when they started treating churches differently than other entities and other businesses and that's where the Supreme Court struck down some restrictions when they were not treated the same as others. **Commissioner Philbrook** said so, under this, all entities are treated the same; therefore, churches are not out of the realm of our decision. **Mr. Waters** said correct. **Commissioner Philbrook** said okay. I just wanted to make sure that I understood and that other folks understand.

Commissioner Bynum said I think I might be making things more complex than they are, so I apologize for that. I support the motion. Senate Bill 40 has specifically carved out authorities of school boards. **Mr. Waters** said when they were under the State of Emergency, they had soul jurisdiction. **Commissioner Bynum** said so, there is nothing in current state law that keeps us from the multiple carve outs we've made a motion and a second for then. We can carve out the cities of Bonner and Edwardsville? **Mr. Waters** said that's correct. You have complete discretion to approve, deny, or modify the Health Officer's Order. **Commissioner Bynum** said okay.

Commissioner Townsend said I had a question about the motion. Commissioner Kane mentioned, is it Ward, as opposed to some of the other entities names that had their own boards, explain to me how that would be. **Commissioner Kane** was inaudible due to mic not being on. **Commissioner Townsend** said okay, I didn't know, that's why I was asking. **Commissioner Kane** was inaudible—all the schools that I know of have their own school board. **Commissioner Townsend** said who can make decisions for them, okay. **Commissioner Kane** said my wife is on the Board at Christ the King (was inaudible). **Commissioner Townsend** said thank you for that because I didn't understand. I do feel though that when we carve out these exceptions, we weaken in some ways the effectiveness of what can be achieved countywide. What we heard tonight from

the medical professionals was based on what was going on countywide. The numbers quoted were countywide and we all are free as citizens of the United States to go from city to city, county to county, so I am disturbed or still considering what this means if we start to carve out these exceptions not knowing what those entities may do.

I'm concerned about the overall effectiveness. I looked at one of these graphs presented tonight. It might have been one of Dr. Stites graphs, and it showed where back around April we were seeing decreased incidents of positivity rates were going down, but COVID had gone nowhere and we missed the opportunity back in April to extend it. Who knows what may have happened with these rates now had we just extended it for a little bit longer, but now these numbers are up. It was interesting to hear that just as we last considered whether or not to move forward with the mask a week ago, that Dr. Stites said we're up 32.89% in the number of COVID cases.

I would prefer to see us have some mask mandate than none at all, but I am concerned that if we carve out, we may not be as effective with what we can do and that's what our medical professionals have said, that using the mask will increase the effectiveness of what we can do against this disease.

Mayor Alvey said, Mr. Bach, you need a clarification from Legal. **Mr. Bach** said, Patrick, I just want to clarify or get your legal opinion back to the governing body. If we were to move forward with those carve outs, is it better for us to do so and make this as an ordinance for the city of Kansas City, Kansas versus doing it as a county with all the carve outs of the other cities? **Mr. Waters** said the benefit of doing it as an ordinance is that we would not be subject to the expedited judicial review provisions of SB 40. Now, we don't have an ordinance prepared, so we would have to come back and bring that ordinance and it would take some time, but a city can pass an ordinance through its Home Rule powers that covers everything that the motion covered. Now, someone could still probably find a way to challenge it through some type of injunction, so we wouldn't be completely immune from a challenge, but it wouldn't fall under the fast track review that's been so controversial under SB 40. That would be the one benefit, but we would have to go back and draft that ordinance. **Mr. Bach** said I would not be in favor of not making a final decision tonight.

Commissioner Philbrook said as usually, I have the question of what if. So, what if we go with what is suggested tonight and the amendment to the original and we do that and then we find out

that it doesn't accomplish what we need to, let's say, in two or three weeks and things are still, you know. Can we come back to the table and make it more encompassing? That's my question. You know, are we stuck here with this decision tonight or are we capable of amending again if we feel and find out that our carve outs are a problem? **Mr. Waters** said you can always come back with a modified health order. **Commissioner Philbrook** said okay. I just want to make sure that people understand that and that we understand it.

Commissioner McKiernan said I do appreciate all of the comments that were made tonight. I appreciate the input. For those of you who in Wyandotte County who are already vaccinated, I thank you. It, frankly, stinks that we're all facing potential new restrictions, but I thank you for doing your part and for investing in your own health and the health of our community.

For those of you who have not yet been vaccinated because there was some sort of a barrier that prevented you from getting that shot, please let us know what barrier you faced. We are committed to knocking down barriers and getting the vaccine to anyone and everyone who wants it. For those of you who have not been vaccinated because you don't believe in it or you don't think this is a real virus or that it won't affect you, I know there is nothing that I can say that will convince you otherwise. So, I'm just going to do what I think is the right thing to do for the health and wellbeing of the people of Wyandotte County.

I am a scientist and educator by background and for my entire career I have done my best to be driven by data. I believe the current data are clear that our health care system is getting overloaded to the point that if I have a medical emergency tomorrow or next week, I may not receive the timely and potentially lifesaving medical treatment that I need to survive. I believe this data are clearly making my decision for me and I strongly encourage the jurisdictions who we have left out tonight to consider this data and to consider the health of your respective constituents as you make or don't make your individual decisions.

Mayor Alvey said I would just like to comment that, you know, throughout this pandemic we have always—every time that we have given this virus oxygen, it has flared up and so that's exactly where we are again. We have a new variant which is five times as transmissible as the original. If you look at area—or jurisdictions that had mask mandates and compared the business activity of those jurisdictions with neighboring jurisdictions that did not have mandates, there was only a

slight difference in business activity because what is driving business activity or inactivity, for that matter, is the perception of individuals that it is safe or not safe to go out in public and to do certain things we're used to doing.

The mask mandate simply for us is a way to signal and to enforce that everyone needs to be there. In most cases people have adapted to the mask and have found that, in fact, and we have the data, demonstrates time and again that the mask does work. So, I support a mask mandate. I believe it is necessary. We have to protect our citizens, especially those who cannot protect themselves.

The question of whether this is constitutional, you know, I think we need to go back to the preamble of the constitution which simply states, we the people of the United States, in order to form a more perfect union, ensure domestic tranquility, provide for the common defense, promote the general welfare and obtain for ourselves and our posterity the blessings of liberty to hereby ordain and establish these United States of America. To promote the general welfare and the fundamental principle of our constitution. So, let's keep that in mind.

This was never intended and no Commission here, no person on this Commission ever did this in order to take away anybody's rights. It was always reaching for a vision of what we could be if we would take care of one another and prevent the spread of the virus. We have to remember who our enemy here is, it is not one another, it is the virus itself. The virus is going to do what the virus does. We need to pay attention to it, find out how it moves, how we can get out in front of it and do those things so this no longer oppresses us. The virus is doing this to us. We are not doing this to one another.

Commissioner Johnson said just for clarification, Kansas City, MO has an indoor mandate in public spaces and Jackson County, MO has an indoor in public spaces and we are considering just something specific to Kansas City, Kansas, but not Wyandotte County, Kansas. I will say that I share the same concern that Commissioner Townsend shares in terms of how this potential ordinance is weakened by ignoring the others that have their own governing bodies. However, I think in the interest of time, we need to move forward with it, but I will say that as a Pastor who has gone beyond the science and had the sobering responsibility of burying persons, performing funeral services for persons who have died from and succumbed from COVID-19, there is nothing

more sobering than having to do something like that. So, I am certainly in support, if I haven't said it, of the mask mandate.

I would like for it to be countywide, but I will do the best I can to try to consider what's being set before us tonight.

Commissioner Townsend said just a point of clarification from what Commissioner Johnson said. I'm understanding that this is still a countywide, but we have carved out—or the proposal is to carve out exceptions to that. Is that correct? **Mr. Waters** said I think the motion has essentially made it citywide.

Commissioner Philbrook asked, what about Loring? Loring is not a city, it's part of the county. I'm just saying guys, clarification. **Mr. Waters** said I will ask the maker of the motion, Commissioner Kane. **Commissioner Kane** was inaudible due to mic not being on. **Commissioner Philbrook** said no, that's county. I guess really the question is that really it's still kind of county because Loring is part of the county, right? **Mr. Waters** said I guess I would ask for a clarification on what's the intent. (Inaudible)—**Commissioner Philbrook** said no. **Mayor Alvey** said so it is not, basically, Patrick, what you had said, would have been that Loring is not incorporated, it's still under the county, it is still a county ordinance with carve outs so this will cover Loring. **Mr. Waters** said yes. **Commissioner Philbrook** said just making sure.

Mayor Alvey said we have a motion and a second, roll call.

Roll call was taken on the motion and there were eight "Ayes," McKiernan, Kane, Markley, Walters, Philbrook, Bynum, Burroughs, Townsend and two "no's," Ramirez, Johnson.

PUBLIC HEARING AGENDA

Item No. 2 – 21942…CONTINUATION OF PUBLIC HEARING/RESOLUTION: COMMUNITY DEVELOPMENT 2021 ANNUAL ACTION PLAN

Synopsis: Continuation of a public hearing to consider approval of the 2021-2022 Annual Action Plan to be submitted to HUD, submitted by Wilba Miller, Director of Community Development.

Mayor Alvey said I will ask Mr. Bach to make some opening remarks.

Commissioner Kane said we don't want to talk about some of the other issues that cropped up from that. **Mayor Alvey** said no. We passed the ordinance. We're going to move on to the next item.

Doug Bach, County Administrator, said last week we started a community public hearing regarding the Community Development Grant—or Community Development funds. The Commission took the action to table that item and bring it back this week to a special session. Tonight I have asked Ms. Miller to come forward and make just a couple of brief comments regarding a few thing regarding this process and then we will open it up to public comment.

2021 Annual Action Plan Summary	Subtotal	Total
CDBG Acquisition/Rehab/Reconstruction		
Emergency Home Repair Program	$600,000	
Project Delivery	$524,908	$1,124,908
CDBG NRSA Public Facilities and Improvements		
Parks, Curbs, Sidewalks, Infrastructure, Facilities	$570,000	$570,000
CDBG Public Facilities and Improvements		
Parks, Curbs, Sidewalks, Infrastructure, Facilities	$33,770	$33,770
CDBG Public Services		
Livable Neighborhoods	$20,000	
Willa Gill Multi -Service Center	$148,000	$168,000
CDBG Program Administration		
Administration	$455,726	
Fair Housing	$10,000	$465,726
HOME Investment Partnership Program		
CHIP Loan Program	$223,123	
CHDO Set Aside (Rehab/New Construction)	$380,000	
New Construction/Rehab	$190,000	
HOME Administration	$89,236	$882,359
Emergency Solutions Grants (ESG)		
ESG Program Activities	$181,818	
ESG Administration	$14,742	$196,560
Grand Total		$3,441,323

Wilba Miller, Director of Community Development, said for persons that weren't here the Unified Government of Wyandotte County receives an annual allocation of Entitlements Funds from HUD for the following programs: Community Development Block Grant Program, the HOME Investment Partnership Program, and Emergency Solutions Grant Program.

To receive these funds, we must submit an Annual Action Plan to HUD which consolidates all of them into a single application and includes a description of the projects and activities expected to be undertaking using these grant funds and any expected program income. The plan also includes actions that the UG expects to take during the program year to pursue strategies described in our 2015 Five-Year Plan.

The UG must hold two public hearings to inform the community about the plan, the plan process, and to obtain community input. The first public hearing was held on March 12, 2021, prior to developing the plan. The Community Development Department made a presentation to the Administration & Human Services Standing Committee on May 24th of this year. The

presentation included a description of the draft of our 2021 Budget which included these three grant programs. This meeting was held on Zoom and broadcasted live on UGTV and the UG's official YouTube channel. There were no public comments received at that meeting. From that meeting, the Standing Committee voted unanimously to approve the draft Consolidated Plan and forward it to the full Commission to set a public hearing date of July 29, 2021, and that was completed on June 10 at the full Commission meeting. The draft plan was published on June 10, 2021, and citizens were given 30 days to comment.

The summary of that draft plan was published in the *Wyandotte Echo*, the *KC Hispanic News, Dos Mundos,* Livable Neighborhood newsletter, and the UG E-News Source newsletter. Publication was submitted to the *Kaw* and the *Globe*, but both outlets were not responsive to the request. Public comment period began on June 11th and ran until midnight on July 13th. No written comments were received regarding the draft 2021 Annual Action Plan.

The second public hearing was held on July 29th along with tonight's continuation of that hearing which will fulfill the second public hearing requirement. Formal notice was published regarding the second Annual Action Plan public hearing in the *Echo, Dos Mundos,* and *KC Hispanic News*. Notice was submitted again to the *Globe* and the *Kaw*, but they did not respond to our request. Notice was published in the Livable Neighborhood virtual newsletter on two occasions. Notice was published in the UG E-Newsletter on two occasions. A Facebook event was published on the UG's official Facebook page and the public hearing was informally advertised by Community Development during various community meetings and with partner organizations. Tonight's meeting was determined on the July 29th public hearing notice with notices posted on the UG website under events on page 1 of the website and on the UG Clerk's page. Finally, the notice was published in the UG E-Newsletter that went out earlier this week.

The 2021 Plan Budget is summarized by the slide that you can see and is shown by grant programs and activities. The Community Development Grant was $2,362,404.00. The HOME Grant was $882,359.00 and the Emergency Solutions Grant was $196,560.00 for a grand total of $3,441,323.00. In addition, we're also including $470K of 2015 Grant funds that require programming to meet deadlines. The funds were originally slated for housing activities in District 1 and 6, but will be reprogrammed to public facility improvements in District 1 and 6. These activities can include construction/reconstruction, not maintenance, of infrastructures such as parks, recreation, and community facilities, curb/sidewalks, and street improvements. The plan

must be submitted to HUD 45 days prior to the fiscal year that starts October 1 which means submission can be no later than August 15, 2021. Failure to do so will automatically result in a loss of funds.

A resolution calling for the adoption of the 2021 Annual Action Plan and attachments is being presented for Commission approval following the public hearing.

Mayor Alvey said I will now open the public hearing. Before we take public comments, I will ask the Clerk to read the statement governing the public hearing.

Brett Deichler, Interim UG Clerk, said we would like to welcome all present to the public meeting of the Unified Government of Wyandotte County and Kansas City, Kansas regarding the Community Development 2021-2022 Annual Action Plan. We appreciate the attendance of everyone here this evening and we recognize the importance of your views. We would; however, remind you that there are three individuals signed up to speak this evening. Each person will be allowed three minutes to speak. Should you reach the two-minute mark, I will announce that you have one minute remaining which should allow you time to wrap up your comments. Once you're recognized, please state your name and city for the record. We would also appreciate your efforts to be considerate to all during their comments. We also ask anyone with a cell phone to please turn them off or switch to non-audio.

Tanece Tyler said I am the Executive Director for Northeast Economic Corporation in KCK. My comment tonight, I want to thank you for spending time on letting us know how you notified us about the block grant. I believe the communication of what we were requesting last meeting, once again, was not clear. We understood the block grant, but what the grievance was is that we were given information on how to join and give input not only on this grant, but also on the Recovery Plan. We wanted to make sure everyone's voice was heard even on the Recovery Plan and I think this special meeting did not do it justice being that we spent two hours on the mask mandate that we did not know was going to be a part of this meeting.

While the Community Block Grant, I personally, do not have an issue with what's being proposed and that wasn't the grievance that was brought forth from me last session. It was more around the communication of how one can join and it wasn't available. So, I wanted to put that

out there that although you gave information on how information for the block grant originally was asked for input, I think we need to do a better job at getting the word out better to more in the community.

Now, I've extended my offer to the Mayor. I have not received a call back from you yet, Mayor, so this is my public cry to you to please give me a call and then I also sent an email to a Wilba Miller and I think she copied your communications person and I have not heard from anyone. We do need to have a better job of communicating with the public so that they don't feel left out and that's all I have to say tonight.

Mayor Alvey said, yes, and Tanece, to be clear, what you sent to me was sent on to our communications which is her responsibility to deal with that. That is not what I would do, but I would support any efforts that you would bring forward.

Ms. Tyler said absolutely, but I've contacted you about something else, but we can—now, you know I've been looking for you, so I'll try you on Monday. **Mayor Alvey** said alright, I've got you.

Dustin Hare, Co-Founder of WyCo Mutual Aid, said when the UG was soliciting community feedback regarding the 2021 Budget, I submitted a request for permanent water stations and sanitization facilities at the bus stop at 7th & Minnesota. This is a priority that has been communicated to me by several people who frequent that location. Tonight, I'm here to request that CDBG funds earmarked for public facilities and improvements be used for that purpose.

Throughout this summer WyCo Mutual Aid has been delivering bottles of water to both commuters and unsheltered folks on a daily basis, a task that is necessary to keep people from getting sick and dehydrated during the summer heat. These are resources that are donated by the community. Providing water stations would free up these funds to be used in more productive ways and would also cut down on plastic waste that otherwise won't break down for about 450 years.

Last night we convened six unsheltered community members to talk about their experience with the Criminal Justice System. A lot of valuable information was shared regarding the experience with court and policing, but the conversation consistently veered to the need for bathrooms. This is a top priority for people in Wyandotte County who are experiencing homelessness and it has also been identified as a need by commuters who also spend 30 minutes

to an hour waiting at the bus stop. As it stands right now people are forced to use the bathroom outdoors in public in an area where people are congregating. This is not only dehumanizing, but it's extremely unsanitary and it can lead to the criminalization of people who just need to pee.

I don't know the exact cost of these amenities, but it seems like they would be relatively inexpensive to install, probably in the ballpark of $10-$20K. I'm hoping that CDBG funds earmarked for public facilities and improvements can be used for this purpose.

Carolyn Wyatt, 359 Troup Ave., said I talked the other day, but what I want to say is that the allocations need to be divided between District 1 and District 6. I'm not sure how much money it is, but we would like to divide it in half. Edgerton Park has a tin roof and the roof is leaking, rocks are falling, it needs new play equipment, a baby swing, and adult swings. Parkwood Park needs either a new pool or upgrades on the pool. It needs new equipment and a shelter. Boston Daniels Park needs an upgrade on it. The Northeast Master Plan, there should be a grocery store within that, a full-line grocery store. **Mayor Alvey** said, Ms. Wyatt, you cut out, we're not hearing anything more. Okay, let's go ahead and go to the next.

Broderick Crawford, Kansas City, KS., NBC Community Development Corp., said thank you all for your patience tonight and getting through all of these issues. I will echo both, Tanece Tyler, again my concern that I expressed last week was how we are intentionally engaging communities that aren't on the normal media sources, so folks who may not have broadband, folks who may not read the multiple newspapers that was quoted. The fact that the two African American newspapers, it was said they didn't respond, but I think if I needed to get something in the *Kaw* and the *Globe*, I could do so. So, I'm just saying, we need to be more intentional, less about what's easy for us or easy for staff and what we need to do for the community.

I will also echo the sentiments of Dustin. There is too much unhoused in our community and we need to do more. We need to do more and we have the ability to do so. Do we have the wherewithal to do what's right. In the previous conversation, when you're in a position it is difficult, but it is your obligation to do what's right, not what's nice and what's right is to take care of all Wyandotte County residents and not just those that are fortunate or those that have the niceties that others have. It is our obligation and I'm in this with you. It is our obligation to take

care of all, not just a selected few. Thank you for your time and thank you for all that each of you do in this community.

Elnora Jefferson said over the years CDBG has been used in various ways in low and moderate census tracts. Demolition of homes is one. A 10 to 20-year or more review of the data will prove that a great number occurred in northeast KCK. Today there is movement to repopulate the northeast neighborhoods with brick and mortar. Investors and housing developers at home and particularly from outside Wyandotte County are biting at the bit for an opportunity to make money by developing residential homes and complexes on virtually friendly land. Yes, those citizens have stayed as old-time investors of sweat, equity, paid taxes, faithful voting, the recipients of years of unfilled promises are intentionally excluded from a much earned opportunity to have a say in their neighborhoods. The irony is that this is not the developers, but the neighborhood people who are the seminal sources of what quality of life means, what it looks like, what it feels like in a place where they live, work, play and worship.

In your allocation of CDBG funds, please allocate money to support the northeast neighborhoods, compilation of their quality of life plan because this is your real source blueprint. If you give the neighborhoods a chance to be valued for what they know and for what they can and want to contribute, you'll be surprised at the tax base that you will grow and how the county's overall cumulative health will rise because the fundamental underbelly of development would be overlayed with ground up and inside out, neighborhood value in the neighborhoods where the people choose to stay and they chose to stay to live, work, play, and worship.

Rachel Jefferson said may I ask a point of clarification? **Mayor Alvey** said sure. **Ms. Jefferson** said the slide that we saw, was that also for the Recovery Funds as well as the Annual Allocation? **Mayor Alvey** said no, it was not. **Ms. Jefferson** said I want to echo what I heard from the other public comments today. I agree that there needs to be greater transparency and openness around communication and I think there are many—first of all, I want to say I think staff is well intentioned in putting out their communication and I think that there are also many willing and able community organizations who will help to spread the word of these public hearings. So, I would ask the Commission to consider for the next Annual Allocation working with those

community organizations to get the word out on the ground, boots on the ground, about how these dollars are spent.

I would also like to see how the dollars for the Recovery Funds were decided because, as I understand, all the public notices that were listed before, and there were a great deal, where in regards to the Annual Allocation Plan I would be interested to know what type of outward communication was provided towards the Recovery Plan.

I would like to second that there needs to be dollars put into parks and facilities. Edgerton Park is a great park that Ms. Wyatt has spent a lot of time and dedication to. I want to second Dustin Hare's comments about providing for the lessor of us. I want to second that we need neighborhood plans, especially as we look at the increased infill development that's coming into the northeast area of KCK. I also want to second that there needs to be dollars put into a grocery store in the northeast KCK area as we know this has been a long sought after need. I guess those would be my seconds.

Then, I would also ask that we could get more information about the communication process, the public hearing process for the Recovery Funds that the Community Development Department received and how those were decided upon. Finally, in summation, I would like to say that—**Ms. Sparks** said, ma'am, you have one minute—**Ms. Jefferson** said we could consider adopting a public participatory budget process in the future where a community can have a say directly in how these dollars are spent and I think that would add greater transparency to this whole process and prevent some of the frustration that we see coming from the community in terms of not feeling like they are included in this decision-making. Again, I thank you all for your time and what you do for the community because I know that it is not an easy job.

Melvin Williams said I'm at the 43rd & Leavenworth Road area. I agree with Rachel and Carolyn. Parks and Rec is where we need it at. Swimming pool, of course, updated and upgrade and we're all saying the same thing, we would like a grocery store in the northeast area, you know, we need it. We're a food desert. A couple other things, I think we should have more programs to help the seniors out because a lot of their kids have moved out-of-town so we could help them fight the fines and fees that go along with not being able to upkeep their property as far as cutting the grass and cutting vacant lots within the northeast area because they are often left out. So, that's where

I want to see it go, Parks & Rec's, the swimming pool, hopefully a grocery store one day, helping our seniors, and helping maintain vacant lots around the area.

Ms. Sparks said we have no other hands raised and no one in the public lobby.

Mayor Alvey said could we ask if Carolyn Wyatt is still on if she would like to finish because she did get cut off. Is she still showing as a participant attendee? **Ms. Sparks** said, Ms. Wyatt, you have been promoted. **Mayor Alvey** said, Carolyn, if you're still there, you got cut off, we would like to have you finish.

Carolyn Wyatt said I'm still here. **Mayor Alvey** said you got cut off, so let's go ahead and give you an opportunity to finish what you needed to say. **Ms. Wyatt** said I appreciate it. The last thing I was talking about was the Beatrice Lee Community Center. The bathrooms are not ADA certified, persons in wheelchairs cannot go to the bathroom or if their handicapped, the ramp in the front of the building has cracks in it, it's unsafe. The city has ADA money, maybe the county don't, but the city has ADA money so why not use that money for the safety of the people that are coming to the center. I did say something about Boston Daniels, I think, I said something about that. I think that's all. I just wanted to get that in. I appreciate it very much.

Ms. Sparks said we have another speaker, Beta Clean Air.

Roberto said I'm with the organization Cleaner Now in Kansas City. You know we as an Environmental Justice Organization in Wyandotte, I echo the concerns of others in this hearing today. Rachel and Broderick and others have concerns about greater public participation and the way the process is, you know, to make sure the community is involved all the way and where this money is allocated. Specifically, I want to talk about the American Rescue Plan, where that money—how it's going to be utilized locally. We have a lot of concerns, not just my organization, but a lot of other organizations on here today, concerns of how that money is going to be utilized and we really want to make sure that this money makes it to the right places, not just to the few wealthier parts of Wyandotte County. I want to make sure that it's destined for the environmental justice communities that have been suffering for so long.

I also wanted to add that we recently were working on—along with Armourdale on their general plan. We recently submitted a report of the environmental justice concerns. I know that we always think about economic growth and economic prosperity, but we also need to think about the health of our constituency, our residents in the community. I would like to submit that letter also that report to the—here as well for the record and I'll submit it. I'll email it because I think it gives the context, not just of what's happening in Armourdale, but in Argentine, Turner, and northeast, so a lot of different places that look similar. I want to make sure that the organizations on this holiday including our (inaudible) now are part of those decisions when you decide where the money is going to go for the Rescue Plan.

I can tell you right off just knowing that sidewalks is something that is needed in a lot of these communities, there are a lot of safety issues that need to be addressed, there is truck traffic in these communities that's tearing up the streets and not just tearing up the streets but impacting people's health with air pollution. As you know, these trucks are destined to drive to these vulnerable communities. They use these highways as if it was their warehouse. I mean, who is paying for this. I hope you guys aren't footing the bill for this because they're using those roads for their benefit. **Ms. Sparks** said, sir, you have one minute.

Roberto said I just wanted to add that we hope that the process moving forward in how money is allocated that there is possibly a way to create a committee of organizations that can inform and help inform and share that information out. Like Rachel said, maybe there's a monetary budget for public participation to help in that process because we really need to make sure that we meet our community members, where they are, where they live at the hours that they're available. Our community members are struggling to survive right now. They're struggling to stay afloat through this pandemic with energy, insecurity, housing insecurity, and we need to meet them where they are and I don't think the traditional social media and stuff is doing that right now.

Mamie Springs said I was just wondering, could some of the money be used as far as Black-owned businesses on the Quindaro area? That's all.

Mayor Alvey asked, Wilba, can you answer that question?

Ms. Miller said we do have the ability to do economic development activities. There are a lot of strings attached to them. I don't know all the specifics right now as we're speaking here today, but if we wanted to set-aside money, we could look at the economic development feasibility. Unfortunately, with HUD, you know sometimes they have to ensure that the small business hire so many people for every so many dollars that they receive whether it's a grant or a loan, but that is something that we could look at.

We're getting ready to start our 5-Year Plan. After we adopt this plan tonight, we're getting ready to go into the plan process and we're taking notes about how the public needs, you know, feel to be a part of that and that's something that we could probably address during that time.

Ms. Springs said okay, thank you. I just know there are a lot of businesses on Quindaro that could benefit from this money as well that are Black-owned businesses down that area.

Ms. Sparks said we have no other members of the public requesting to speak.

Mr. Deichler said, Mayor, we do have two letters that need to be read that were submitted to the Clerk's Office.

Brenda Shivers submitted a letter stating that program funds need to be used in Districts 1 and 6. The Beatrice Lee Community Center, the restrooms upstairs and downstairs need to be made accessible. I am suggesting that each restroom be accessed by a professional organization, such as the Whole Person, prior to the change, then based on the recommendations of the organization be converted.

Free summer day camps in the neighborhood parks and community centers. The city has charged at one time as much as $40 a week per child to participate. This fee prevented a number of children in the northeast community from participating. I believe such a well-run program will benefit our youth. I would recommend the overseer of summer youth camps be qualified and developed with staff, the same curriculum for all parks.

I would like to see these reprogram funds spent in District 1 or District 6, again, unlike federal funds, such as the Opportunity Zone designated for the low-income areas and spent

elsewhere. Although the Department of Economic Development assigned to oversee the funds was aware of a ready project in the northeast, they chose to go elsewhere.

The American Rescue Recovery Plan Act, President Biden last Thursday said he would like to see local governments offer a $100 bonus to persons getting the vaccination. Since Wyandotte County is ranked the lowest getting vaccinated in the metro, I would like to see these CD funds utilized with some of the UG's ARPA funds to implement Biden's recommendation.

Tayler Wash submitted a letter stating I am writing as a concerned citizen of Wyandotte County in regards to the Community Development Block Grant. I would like to share my input about how the CDBG funds should be allocated. From what I can parse from the Action Plan, there are a lot of great ideas included already. Your goals and outcomes seem to align with what I've heard from the community. However, the programs that are listed don't seem to be effective methods for truly meeting those goals.

The final project is the most disappointing aspect of the Action Plan. Our children don't have parks or trails or functioning community centers. Our neighborhoods don't have useable sidewalks and our streets are crumbling. Our historical sites and parks are not well maintained. All of these things play an important role in the death of a community's vitality. I understand that the deadline for this plan is rapidly approaching. I hope that you can make it a priority to reconfigure this plan so that it truly reflects the needs of the people.

I'd also address the importance of citizen participation in this process. It seems as though you intended to reach the community, but what was your true impact? Did you receive any feedback from the attempts that you made? Did the feedback reflect a proportionate percentage of all of the people in your community? Could you have done more to ensure that everyone had a chance to share their perspective? Did you do everything that you could to help the people of your community recognize the importance of their involvement in this process?

These are the questions that I hope you can reflect on and consider in your future attempts to hear the voice of the people. For Wyandotte, Tayler Wash.

Mayor Alvey closed the public hearing. Do any members of the Commission have any questions or comments?

Commissioner Bynum said I have a lot of questions. First of all, Wilba, if you could put—or whoever is controlling the slides, if we could see the slide again that had the breakout. I'm going to say my thoughts and ask my questions and then let you answer and, hopefully, the commissioners chime-in with your thoughts.

So, your reference number one, this money is from the federal government and has lots and lots and lots of rules attached to it and so many rules that it's really, really hard for us to discern and probably even harder for the public. Part of what you're being shown here is some of the allowable expense categories, if you will, allowed by HUD for these Community Development Block Grant dollars. You can see that, for example, parks, curbs, sidewalks, infrastructure; we have put that into the specific NRSA category because those things are allowed.

I think we are in our final year of allocating that money into a specific targeted area of Wyandotte County which exists mostly, I think, within District 4. So, again, these breakdowns that you see are the allowable areas for expenditure of these HUD dollars. These are not bad places to put this money. You know, Willa Gill, for example, does an enormous service for our community here in Wyandotte County. The Emergency Solutions, this funding does assist with our homeless population, so these are great places. The Emergency HOME Repair Program is phenomenal.

I like the notion of a public participatory committee in future years of this and Ms. Miller alluded to the fact that we're going to begin our new 5-Year Plan. That's a perfect time to bring in a wider cross-section of our community and have a deeper conversation, but we're all going to have to start with, sort of a primer, on what HUD allows money to be spent on. So, I heard a lot of great, great ideas all worthy tonight and now we need Ms. Miller to tell us which of those might qualify, if you will.

Wilba, I need help because I don't understand yet, you're speaking of the reallocation of dollars that need to be spent in District 1 and 6 and I think it's because there were projects or programs in prior years dedicated for those two areas that somehow did not come to fruition and I just need you to help me understand. Lastly, so—and confirm for us that because those projects were allocated in those two districts, that's where those funds are going to go, those funds are going to stay in those two districts.

The last thing I'm going to say is, Elnora Jefferson asked for support for the northeast neighborhoods quality of life plan and I need more information. Are you referring to a LISC

quality of life plan. Is there some other quality of life plan program that, Elnora, your neighborhoods are seeking to undertake, what is the dollar amount of such a program, so I just need more information on that and with that I will turn it back to you Mayor or Wilba to answer the questions.

Ms. Miller said the categories that you see here in the bold are actually HUD approved activities. The things under them are actually projects that are part of our budget this year. When you talk about park improvements or economic development activities or grocery stores, only Community Development funds can be used for that. We received, I'm trying to look at the amount, a little over $2M, $2.3M and we are in the fifth year of our NRSA, the Park Drive NRSA. Yes, we did have an issue with reprogramming some funds. Both activities, one for District 1 and District 6, both did some activities and successfully completed some, but there was a deadline on how long they could use those funds. In order to meet deadlines, we had to close those out and then we reopened them back for those two districts to be able to use them and it seemed that parks, curbs and sidewalks was a much more cleaner and neater way to spend the funds quickly because, as you recall, we were under a timeline to spend our money.

Every year on August 2nd they look at our timeliness of our spending and, as you know, last year because of the shutdown and COVID and staff not being able to go into people's houses, we were slow. So, what we're trying to do is get back into things and get things going again.

HOME Investment Partnership Programs can only be used for housing related activities and Emergency Solutions Grants can only be used for homeless activities. These are just the Annual Plan. The American Recovery Act or any COVID funds were not a part of this Annual Plan.

Commissioner Bynum said my only remaining question is, again, the District 1 and 6 money is the $570K? **Ms. Miller** said no. It is actually $470K of prior years money, so it's not showing on this budget. The $570K is Park Drive last year NRSA and the $33,770, I'm trying to remember now, I don't have staff with me who put together the budget, is another project that needed to be finished within the next year. **Commissioner Bynum** said the $470K—**Ms. Miller** said it was actually 2015 funds and it can't go into the Action Plan budget like this is reflecting. **Commissioner Bynum** asked, are the District 1 and 6 commissioners going to be working with you for expenditures? **Ms. Miller** said they have already started with me. **Commissioner Bynum**

said they've already done that, okay, and we're doing curbs, sidewalks, infrastructure things? **Ms. Miller** said we haven't settled on some things. We've been talking about park improvements right now. **Commissioner Bynum** said okay, no problem. I think I've spent enough time.

Commissioner Townsend said that's a good slide to leave up and I thank Commissioner Bynum for her intro and to all of the persons who expressed concerns and needs about how and where to spend this money. For clarity sake, what you've got up there is the Action Plan for money that has already been committed or not for going forward? **Ms. Miller** said this is the application that we're going to be submitting to HUD, if you approve it tonight, and then they will typically send back a grant agreement if they are in agreement and the Mayor signs it. Then we will be able to start our process as far as developing contracts, doing the environmental work we need to do, and this money is generally in the budget by the time—like if we were in the normal process, these funds would show up on your 2022 Budget because by the time we apply, HUD reviews, offers us the grant agreement and we go through all of that, it's usually the first of the next year or late December before we get the ability to actually spend these funds. But, meanwhile, we're still spending older funds.

Commissioner Townsend said with regard, for example, there was any number of callouts for improvements to parks. What you've got there is part of park improvements in the last year of this 5-Year Plan that's already been committed. **Ms. Miller** said right.

Commissioner Townsend said I will say that some of the things that were called out tonight like Edgerton and Parkwood, that will be—and I've asked for that to be looked at with budget funds from ARPA money, so this would not be the only opportunity to have that discussion. With regard to the swimming pool you see here, we've got a grand total of $3.4M and this—**Ms. Miller** said remember, only $2.3 can be used for those kind of activities. **Commissioner Townsend** said right, but I'm just saying in total that's what you've got. My point is this, I think with the swimming pool that would be the thing that I would ask staff to come back to us at another time in a special session to talk about, let's say, what an aquatic center say like in Bonner Springs looks like. We have no idea at this point what an upgrade would look like or something that the community would like to see with a revitalization or a new pool, so I think while that's a good ask, that's not this. I would bet that a whole new aquatic center would be $3.4M at least or a good part of that and that's why I brought that number up.

The other thing and I think one of the last commenters brought this up about participation. We started this back in March. I am all for participation and how we could do a better job and how we have done or can do a better job for this next cycle. So, for instance, the next cycle would be again in March, February, it is very difficult and we've gone through this any number of times with the main budget. You know if you're participating early and I get what some of the callers were saying is how we're communicating that. I think that's one of the most important things we can address about how to get that out so community participants can come forward earlier in the process and participate.

One thing I had a question about something that I think it was Mr. Hare asked about, the water stations. That type of expense would come out of or be closely associated with the Emergency Solutions Grant type of spending, is that correct or Homeless—**Ms. Miller** said I don't think we can do physical improvements with Homeless dollars. That's more direct rapid rehousing, prevention. I can't even think of them now. There's like four. Active Case Management, Street Outreach, we can't actually do, as far as I know, any capital improvements with those funds. **Commissioner Townsend** said so, if not here, then that might be something suitable for broader discussion with ARPA funds or the budget discussion. Would that be correct? **Ms. Miller** said yes.

Mayor Alvey said I would entertain a motion.

Action: **RESOLUTION NO. R-46-21,** "A resolution that Mayor/Chief Executive Officer of the Unified Government of Wyandotte County/Kansas City, Kansas is hereby authorized and directed to execute in the name of the Unified Government the 2021-2022 Annual Action Plan which includes the Community Development Block Grant Program, the HOME Investment Partnership Program, and the Emergency Solutions Grant Program along with Certifications for Entitlement Grantees by the City of Kansas City, Kansas to the U.S. Department of Housing and Urban Development and to implement the 2021-2022 Annual Action Plan upon approval." **Commissioner Burroughs made a motion, seconded by Commissioner Townsend, to adopt the resolution.** Roll call was taken on the motion and there were ten "Ayes," McKiernan, Ramirez, Johnson, Kane, Markley, Walters, Philbrook, Bynum, Burroughs, Townsend.

MAYOR ALVEY ADJOURNED
THE SPECIAL MEETING AT 9:45 p.m.

_____
Brett Deichler
Interim Unified Government Clerk

dt