



Public Works and Safety Committee
Standing Committee Meeting Agenda
Monday, October 24, 2022
5:00 PM

Location: HYBRD

We invite you to view the meeting in person in the 5th Floor Conference Room, Suite 515, Municipal Building, 701 N. 7th Street, Kansas City, Kansas, or virtually via a Zoom webinar.

Join from a PC, Mac, iPad, iPhone or Android device:

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<https://us02web.zoom.us/j/83723915708?pwd=aGg3SDYvcVpueTg2R0xTMUNLVRlRlQT09>

Passcode: 727151

Description: Public Works & Safety/Administration & Human Services Standing Committee

Or One tap mobile:

+16694449171,83723915708# US

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Or join by phone:

Dial (for higher quality, dial a number based on your current location):

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Webinar ID: 837 2391 5708

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<u>Name</u>	<u>Absent</u>
Commissioner Melissa Bynum, Chair	☐
Commissioner Christian Ramirez	☐
Commissioner Harold Johnson	☐
Commissioner Angela Markley	☐
Commissioner Mike Kane	☐
Tom Groneman, BPU Board Member	☐

I. Call to Order/Roll Call

II. Revisions to October 24, 2022 Agenda

III. Approval of Standing Committee minutes for August 22, 2022

IV. Public Agenda

Item No. 1 - APPEARANCE: CHRISTEN FORNAL-HIGBEE

Synopsis: Appearance by Christen Fornal-Higbee to discuss that the KCK Animal Services is full. Strays are not being picked up because there is no place to house them.

Tracking #: 211885

V. Committee Agenda

Item No. 1 - ORDINANCE: ORDINANCE AMENDING CHAPTER 7 (ANIMAL REGULATIONS) OF THE CODE OF ORDINANCES

Synopsis: Requesting approval for amendments to Chapter 7 of the Animal ordinances: Sections 7-2 (Penalty), 7-79 (Cruelty and Neglect of Animals), 7-216 (Dangerous Animals), 7-217 (Vicious Animals), and adding new Section 7-82 regarding a Reckless Pet Owner declaration and violation, submitted by Casey Meyer, Senior Counsel, and Ashley Scott, Director of Animal Services.

Tracking #: 212028

Item No. 2 - PRESENTATION: PUBLIC WORKS STRATEGIC PLAN

Synopsis: The Public Works team will provide an update on the strategic plan, submitted by Jeff Fisher, Executive Director of Public Works.

For information only.

Tracking #: 212013

VI. Adjourn

**PUBLIC WORKS AND SAFETY
STANDING COMMITTEE MINUTES
Monday, August 22, 2022**

The meeting of the Public Work and Safety Standing Committee was held on Monday, August 22, 2022, at 5:01 p.m. The following members were present: Commissioner Bynum, Chairman; Commissioners Ramirez, Markley, Johnson, Kane, and BPU Board Member Groneman. The following officials were also in attendance: Brett Deichler, Interim County Administrator; Bridgette Cobbins, Assistant County Administrator; Monica Sparks, Acting UG Clerk; Kathleen VonAchen, Chief Financial Officer; Wilba Miller, Director of Community Development; Misty Brown, Chief Counsel; Alley Porter, Commission Liaison; Ashley Hand, Director of Strategic Communication; Jeff Fisher, Executive Director of Public Works; Jeff Miles, Interim Fleet Services Manager; Brittanie MacDonald, Clerk's Office; Joseph Hall, Safety Training Officer for Public Works; Irvin Jackson, Operations General Superintendent of Public Transportation; Lance Lavender, Safety Officer of Public Works; Schad Hampton, Operations Supervisor of Parks & Rec; Turina Lopez, Fleet Division; and Randy Hand, Fleet Division.

Chairman Bynum said before I call the meeting to order I want to announce that due to COVID-19, some committee members, staff, and the public are attending remotely via Zoom as well as on-site.

All participants joining by phone should mute their phones when they're not speaking to avoid background noise. During the meeting, please make sure you announce yourself by name and title when you speak so the public that is observing knows who is speaking. This is critical given the number of remote participants and it's also current guidance from our Kansas Attorney General.

The public is allowed to participate by Zoom or submit comments by email prior to the meeting and those comments will be included in the record of the meeting. The public can also indicate their intent to provide remote public comment by contacting the Clerk's Office by 5:00 p.m. on the Thursday prior to the meeting. The public will also have an opportunity to provide brief comments tonight either by telephone or Zoom from the lobby of the Municipal Office building.

Chairman Bynum called the meeting of the Public Works and Safety Standing Committee to order. Roll call was taken and all members were present as shown above.

Chairman Bynum said we do not have any revisions on our agenda tonight and our first order of business is minutes from March 28.

Approval of standing committee minutes from March 28, 2022. **On the motion of Commissioner Kane, seconded by Commissioner Ramirez, the minutes were approved as submitted.** Roll call was taken and there were six “Ayes,” Groneman, Kane, Markley, Johnson, Ramirez, Bynum.

Committee Agenda

Item No. 1 – 211883...PRESENTATION: ENTRY-LEVEL DRIVER TRAINING

Synopsis: The Federal Motor Carrier Safety Administration added additional training requirements while obtaining a Commercial Driver’s License. This additional training affects the Unified Government financially, along with the recruitment of new employees and retention of current employees, submitted by Jeff Fisher, Executive Director of Public Works.

Chairman Bynum said we have one item on the agenda tonight. We have a presentation on entry-level driver training, and I think we have Jeff Miles here, our Fleet Manager. Are you the main presenter? I was wondering if anybody else was able to show up. This is a presentation by our Public Works Department and it's regarding additional training requirements when folks are trying to obtain a commercial driver's license. Mr. Miles, thanks for being here, and if you wouldn't mind, go ahead and introduce your team and we'll turn it over to you.

Jeff Miles, Interim Fleet Manager for Public Works, said when we go through the presentation each of them was going to tell their name and the division they are at. We have many divisions and departments here tonight. We've got a slide per committee member that's very educational, we're really proud of this opportunity. I'm excited for this presentation. This is a great example of utilizing the talent from within our organization to unify a valuable need and save unbudgeted costs. A Commercial Driver's License, CDL, is required by law for drivers in Streets, Transit, Parks, Water Pollution Control, and Fleet. These essential workers help clear the roads of snow

and ice for public safety to do their jobs. They clean sewers to protect the environment. They transport community members, and they repair and maintain our infrastructure that all city departments rely on.



Public Works Transit, Parks & Rec *Entry Level Driver Training*

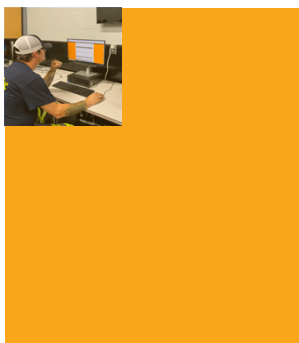
August 25, 2022

When the 2022 UG budget was constructed and approved, none of us had any idea that the federal government would implement a new and expensive driver training program to obtain a CDL. As residents and employees, we know you commissioners have a difficult job balancing the budget. I'm confident after this presentation, you'll trust we're doing everything we can at this level to stretch the budget dollar even further. Adding the financial benefit to all of Wyandotte County we've offered this new program to the teams at the city of Bonner springs, the city of Edwardsville, as well as BPU, which has designed their own internal driving program. I'm honored to hand off the floor to this all-star committee that has a combined 125 years of UG experience.



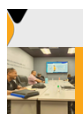
CDL Changes in 2022

- Beginning Feb. 7, 2022, all new drivers are required to follow updated DOT FMCSA rules.
- All drivers require classroom and behind the wheel training.
- Classroom or online training can be used.
- Closed course BTW (Behind the Wheel) training required.
- New computer tracking website FMCSA TPR.



August 22, 2022

Joseph Hall, Safety Training Officer for Water Pollution Control, said we kind of wanted to start off by giving you kind of a background of how we brought this committee together and some of the rule changes that forced us to do this. Beginning February 7, 2022, all new drivers were required to follow updated Department Of Transportation Federal Motor Carrier Safety Administration rules (DOT FMCSA). That is a rule-making committee for the Department Of Transportation that has its own committee that promotes rule changes, advisory roles, etc. What they came up with was that all new drivers that get trained after that date are going to have to have a classroom and behind-the-wheel training section that they have to comply with. We could do the classroom, it could also be computer-based training for that section. The second section was a closed course behind the wheel training, and this required, like I said, a closed area off of public roads for us to be able to train our drivers. They also instituted a new computer tracking website they called the Trainer Provider Registry and that's basically a website where we can upload our employees trainings, and then they're able to look at it to make sure that we've completed all the sections that they put in. To explain more of that, I'll pass off to Irvine.



Driver Training Committee

- ELDT Committee was formed comprising several agencies, Fleet, Water Pollution Control, Transit, Parks & Rec
- Meet and observed other cities program compliance
- CBT JJ Keller was selected for classroom portion
- 4th & Minnesota Site chosen for BTW training

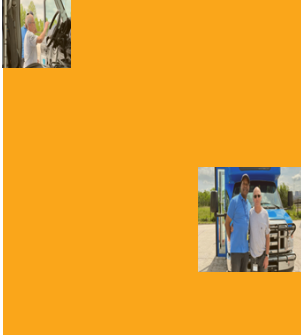
Irvin Jackson, Operations General Superintendent of Public Transportation, said in the fall of 2021, a committee was formed with the following departments; Fleet Maintenance, Parks and Rec, Public Works, Water Pollution, and the UG Public Transportation. We meet every Tuesday and Thursday. We've also met with the city of Olathe to see how their training program operated. Out of that, our committee came up with our own program and we set up a training course at 4th & Minnesota. That's where we do our behind-the-wheel training. As a committee, we believe that we're the only municipality in the metro area, one of the metro municipalities in the area to take

on this challenge by doing the in-house training. With that being said, I'll pass this on to Lance Lavender.



Cost & Time Savings

- External CDL Training Approx \$5800 per person
- 30-45 days lost for training
- Expected cost increases
- 5 employees projected cost \$29,000

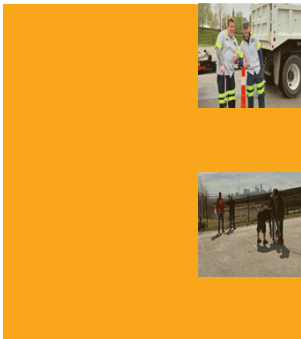


Lance Lavender, Club Supporting Liaison for Emergency Management and Public Works Safety Officer, said I have the privilege of telling you about some of the costs and time savings this great committee did for the Unified Government. External training was approximately \$5,800 per training. Lost time of work from the employees for 30 to 45 days for outstanding outside training. We expect the cost increases because of the high demand for this training, in fact, it did. We're having five employees go to this outside training, it will cost us \$29,000 dollars. I'll pass it over to Ms. Lopez, who will tell you more about the cost of time savings.



Cost & Time Savings

- Internal CDL Program
- JJ Keller training \$149 per person
- One-week average training on site
- In house Classroom & BTW training
- Total program savings to date: \$20,357



Turina Lopez, Fleet Division, said our committee's goal was to design a program that will provide an efficient and cost-effective training tool that will make our drivers more efficient, safer for themselves and for the public. We have succeeded that by designing our own UG CDL Driving Training Program that saves money and is an excellent recruitment and retention tool. Internally we'll spend only \$149 dollars for each driver, versus the \$5,800 that is the cost charged in the

outside program. We provide on-site classroom education and behind-the-wheel training in the actual vehicle. They will be performing their services in our community. The driver's trainer is a seasoned veteran who will work within the department once they graduate. Our program has already saved \$20,357 dollars to date. This unbudgeted cost would have taken further services away from our community. I will now pass it on to sure shot.

Employee Training

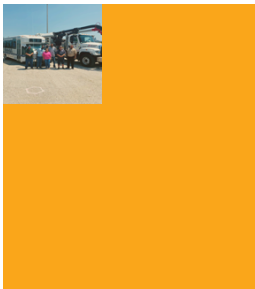
- 5 Employees were trained
- 100% pass rate for Classroom and behind the wheel training
- 3 Completed CDL License's
- Class A, B and Passenger
- 6 licenses remain for training



Schad Hampton, Operations Supervisor for Parks and Rec Department, said with our team's success, we have five employees that were trained with a 100% passing rate, in-class and behind the wheel, totaling three completed licenses. With each department that requires CDL, two employees with permits are ready to complete their final stages of the course and receive their CDLs, which consist of class A, B, and passenger. Further along, I'll pass this on to Randy Hand to conclude our last slide.

ELDT Program

- 1 Meeting DOT Requirements
- 2 Reducing costs
- 3 Minimizing Impact on operations



Randy Hand Fleet Services, said with everything this committee has shared this evening, I'd like to summarize. We have designed an internal training program that compares to the private sector,

such as Amazon, FedEx, and UPS. We created an employee recruitment and retention tool that will make it easier to find new team members and transfers from within the Unified Government. We are meeting and exceeding the new Federal Motor Vehicle Safety Standards DOT requirements. We're maximizing productivity by having team members perform city services while training. We are helping keep our roads safer with trained CDL drivers. We are saving a substantial cost today and into the future. Thank you for your time and I'll hand it back over to Jeff.

Mr. Miles said as you can tell how proud we are of this committee. They were handed something that no other cities at the time, with the exception of the city of Olathe, was doing. They did their homework, they meet, they're very diligent of what the plan that they came up with, ultimately where there's a value. I think a big point of this, as well, as a lot of you guys know, we took a poll today between all of our divisions departments for over 50 positions down right now. You add to that, this extra CDL training that would be required, we would lose new employees for an additional 45 days before they ever did anything in our community. So, one of their goals was to do the training in-house and not only are they training while they're driving, but they're learning about their job as well.

The other thing I wanted to share is, I think it's a great example of empowering the team members that we have on staff. Again, they took this opportunity, met week in and week out and really built a nice little culture and merged a lot of our division departments to a common goal and I'm extremely proud of them for that. We just wanted to thank our leaders, Jeff Fisher, Justice Walker, Angel Orbit, Jack Webb, Vince Bellachi, and especially Dave Reno for helping us with this presentation to look so professional. He couldn't make it tonight, but we got to give him a shout-out. With that being said, we'd love to answer any questions you might have.

Commissioner Kane said I just have a comment. I only worked in states for 21 years and I'm a firm believer that people listen to the people that work here. If we could do it with this, I think there's other programs we could do the exact same thing and it's a lot better. They don't have to go out of town. They don't have to pay for hotels. They don't have to do any of that extra stuff, we could do it here and learn why you're doing it. I think it's great, I think there's other projects you do the exact same thing on.

Commissioner Markley said thank you all for being here tonight and for the work that you do every day and especially for the work on this committee. It's just an amazing example of what our folks can do and, Jeff, I think you said words similar to "you stretch every dollar". You're the king of stretching our every dollar and we recognize it and we appreciate it, so thanks for all you do for us. **Mr. Miles** thank you very much.

Chairman Bynum said thank you so much and I just feel like I want to see every slide again because I want to repeat back for purposes of folks hearing this. Again, what you just brought us and what I heard was made aware of a new requirement, which was a problem potentially and you collaborated, you communicated, you innovated, and you problem solved. The entire time that you were doing that, you found a way to save a substantial amount of taxpayer money and get to the same exact result that was needed. It's impressive and I can't say it enough.

When we talk about those dollars you didn't spend so that we can spend them elsewhere you know it's just a continuation of what I hope you believe is the partnership between Public Works and our commissioners, and the work that we're doing right now to get you more dollars in your budget to address the things that our community has told us over and over and over again they want. I hope you see it the same way or are on your way to seeing it that way. It's just highly impressive and we know that employees like this are all throughout our Public Works Department, at least that's my opinion. We know that what you've brought forward here is a good representation of the really good people working every day in our Public Works Division.

Commissioner Ramirez said thank you, Jeff, to all of the departments who worked on this. I echo everything that everyone has said. It's a testimony that it can work, it can happen if departments just work together, break down those silos and work together to find those efficiencies, find those cost savings. it can work but we just have to put the work in, and I thank you for doing that. Public Works, as Commissioner Markley said, you stick to the budget you're given and you make sure that what you give, you can give the best service out. I do thank you for that, and thanks to Jeff and all of the departments who worked on this. I hope this is something that other departments see and that they can work to implement something like this within their own programs, their own services, to have that inward look. Thank you for all that you do, it does not go unnoticed.

Commissioner Johnson said, Jeff, thank you for two things that really stuck out to me. One is teamwork, and I can't say that enough. That is something that speaks dearly to me, to have your line managers here talking with us so that we know who they are. When we hear the names drop, you know, we don't necessarily able to put a face to a name. I'm just wondering are the folks back in back, those who are here, why don't you all stand up if you work for Jeff.

Mr. Miles said we have Parks, Transit, and everybody that's here to support them.

Commissioner Johnson said oh everybody, okay, let's give them a hand. I really do appreciate that, this style, because in the back of my mind I'm always thinking, what's the ask, what were you going to ask, and you did not ask. You told us where you were able to save some costs. These are the conversations that you know we're having during the budget season, and I hear our Mayor talking about cost savings and things of that nature. This right here is what we call a case study on how to do that and so, again, I applaud you, I applaud your staff. Jeff Fisher, back there, applauds your leadership as well and all the managers. You know you've done a great job and if we can I'm just going to pile on, if we can figure out how to replicate this throughout our departments, Commissioner Bynum, I think we would really find some real cost savings there. Thank you again.

Chairman Bynum said thank you very much and I will ask the clerk if anyone online or from the public has a comment to make.

Monica Sparks, Acting UG Clerk, said no comments were received, and no hands were raised.

Chairman Bynum said thank you very much. Is anyone in person here that would like to address the item? All right, information only item no vote required from us. You solved your own problems, and we appreciate all of you taking the time to come and be with us tonight. Thank you, Jeff.

Mr. Miles said thank you for trusting us.

Action: For information only.

V. Public Agenda

Item No. 1 – 211885...APPEARANCE: CHRISTEN FORNAL-HIGBEE

Synopsis: Appearance by Christen Fornal-Higbee to discuss that the KCK Animal Services is full. Strays are not being picked up because there is no place to house them.

Chairman Bynum said we have two public comment appearances on our agenda tonight. The first appearance is by Christen Fornal-Higbee, I hope I'm saying that correctly. Is Ms. Higbee present in person or online?

Monica Sparks, Acting UG Clerk, said she's not online.

Chairman Bynum said I don't see her stepping forward to the microphone either.

Monica Spark, Acting UG Clerk, said Commissioner, we contacted her she never confirmed.

Chairman Bynum said so I would just ask that we contact her again and allow her time in September, if she is available for that date.

Item No. 2 – 211886...APPEARANCE: VERONICA MCNEILL

Synopsis: Appearance by Veronica McNeill to discuss Police/Fire/Sheriff/Public Safety.

Chairman Bynum said we had a second item this evening that Mr. Bruce Draper is going to speak to discuss police, fire, sheriff, and public safety. Reverend Draper, if you would state your name and city of residency and you have up to three minutes for your comments.

Pastor Bruce Draper said I actually live in Shawnee, but I have been a Pastor here for a long time. I am representing Churches United. One of our two proposals that we are making to the Unified Government this year, Churches United For Justice is a Wyandotte faith-based ecumenical cause made up of 18 plus congregations of various faiths and still growing. I come before you today as one of nearly 600 members who are anxious for positive change in Wyandotte County. Group Violence Intervention, GVI, previously known as Operation Ceasefire, is a proven crime

reduction strategy that has been recognized by the Department Of Justice and replicated in over 30 cities. When followed through with fidelity, it has proven to reduce violent crime in cities by as much as 60%. GVI reduces homicide and gun violence, it minimizes the harm to communities by replacing incarceration with deterrence. It fosters stronger relationships between law enforcement and the people they serve. We believe that the National Network on Safe Communities, an NSC, has found a viable solution in that of GVI. The strategy for the change has three main components. One, community members delivering a credible message over violence. Two, law enforcement notifying violent groups of the consequences for groups if violent behavior continues. Three, support and outreach providers extending genuine help for those that wish to receive their services.

Ms. Sparks said one minute remaining.

Pastor Draper said in 2018 there were 35 homicides, in 2019 there were 39 here, in 2020 there were 58, in 2021 there were 51 and currently in 2022, we are sitting at 27. I think maybe there are a couple more. How many more will it take until we can agree to break the status quo? The first step is to hire the National Network on Safe Communities to conduct a thorough problem analysis of assets and group violence in Wyandotte County. That's a \$100,000 service, the NNSC has stated that Wyandotte qualifies for grants that would cover nearly 95% of this expense. Many times you and I have found it, even professionally, we can miss some key points when it comes to listening to our constituents. As you've mentioned in experience from this year's budget process, you know the value of outside independence vision and expertise and that's what we're proposing here. With this, we're presenting our solution as a united community of voices. **Ms. Sparks** said your time has expired.

Chairman Bynum asked could I have a motion to extend?

Pastor Draper said I have a sentence and a half; I'm racing. **Chairman Bynum** said go for it.

Pastor Draper said with this we are presenting our solution as a unified community of voices to see a detailed analysis of crime to truly understand where we can provide our services and lift up our marginalized communities. We want to know for certain how group violence has plagued our communities.

Chairman Bynum said thank you for taking the time to come and be with us and for the commitment you've made to the congregations and to the community. I appreciate it. I know it won't be the last time we see you. Thank you that concludes our Public Works and Safety meeting tonight. BPU Board Member Groneman, as always thank you very much for your service to the committee, you're dismissed and the rest of us get to stay.

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

Chairman Bynum said we are adjourned.

Adjourn

Meeting was adjourned at 5:25 p.m.

bm



Staff Request for Commission Action

Tracking No. 211885

Full Commission Meeting Date:

Committee: Public Works & Safety

Date of Standing Committee Action: 8/22/22
(If none, please explain):

Publication Required: No

<u>Date:</u> 10/12/2022	<u>Contact Name:</u> Monica Sparks	<u>Contact Phone:</u> x4122	<u>Contact Email:</u> msparks@wycokck.org	<u>Department/Division:</u> UG Clerk
<u>Item Description:</u> Appearance by Christen Fornal-Higbee to discuss that the KCK Animal Services is full. Strays are not being picked up because there is no place to house them.				
<u>Action Requested:</u>				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u>				



Staff Request for Commission Action

Tracking No. 212028

Full Commission Meeting Date:

Committee: Public Works & Safety

Date of Standing Committee Action: 10/24/22
(If none, please explain):

Publication Required: No

<u>Date:</u> 10/12/2022	<u>Contact Name:</u> Casey Meyer	<u>Contact Phone:</u> x2851	<u>Contact Email:</u> cmeyer@wycokck.org	<u>Department/Division:</u> Legal
<u>Item Description:</u> Requesting approval for amendments to Chapter 7 of the Animal ordinances: Sections 7-2 (Penalty), 7-79 (Cruelty and Neglect of Animals), 7-216 (Dangerous Animals), 7-217 (Vicious Animals), and adding new Section 7-82 regarding a Reckless Pet Owner declaration and violation, submitted by Casey Meyer, Senior Counsel, and Ashley Scott, Director of Animal Services.				
<u>Action Requested:</u> To approve the ordinance.				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u> Amended Chapter 7 - Animal Ordinances Redline 2022				

Published _____

ORDINANCE NO. _____

An ordinance relating to Chapter 7 – Animals - amending Article I, Section 7-2 – Penalty; Article III, Section 7-79 – Cruelty and Neglect of Animals; Article VI, Sections 7-216 – Dangerous Animals; 7-217 – Vicious Animals; and adding a new Section 7-82 in Article III – Reckless Pet Owner Declaration and Violation, of the Code of Ordinances for the Unified Government of Wyandotte County/Kansas City, Kansas.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS:

Section 1. That Chapter 7 - Animals, amending Sections 7-2 – Penalty; 7-79 – Cruelty and Neglect of Animals; 7-216 – Dangerous Animals; 7-217 – Vicious Animals; and adding a new Section 7-82 in Article III – Reckless Pet Owner Declaration and Violation of the Code of Ordinances for the Unified Government of Wyandotte County/Kansas City, Kansas, to read as follows:

Sec. 7-2. Penalty.

- (a) Any person violating any provision of this chapter shall be deemed guilty of a misdemeanor and, upon conviction of any such violation, shall, unless another specific penalty or specific penalty range be provided by another subsection of this section, be punished by a fine of not less than \$50.00 nor more than \$1,000.00, by imprisonment in the county jail for a term not to exceed 180 days, or by both such fine and imprisonment.
- (b) Any person violating any of the provisions of sections 7-14, 7-212, 7-218, 7-261, 7-266, or 7-267 shall, upon conviction and after the court, subsequent to such conviction, has examined any prior conviction record to determine if the person has previously been convicted of the same offense, be sentenced by the court according to the following schedule of fines with reference to initial or subsequent violation of the particular section:
 - (1) First offense, \$50.00.
 - (2) Second offense, \$100.00.
 - (3) Third offense, \$150.00.
 - (4) Fourth or any subsequent offense, \$600.00.
- (c) Any person violating any of the provisions of section 7-79 shall, upon conviction and after the court, subsequent to such conviction, has examined any prior conviction record to determine if the person has previously been convicted of the same offense, be sentenced by the court according to the following schedule of fines with references to initial or subsequent violation of the particular section:

-
- (1) First offense, \$300.00.
 - (2) Second offense, \$800.00.
 - (3) Third offense, \$1,000.00.
 - (4) After the first or any subsequent offense, the court may, in its discretion, revoke the license for the animal(s), or remove the animal as provided by section 7-78.
- (d) Any person violating any of the provisions of section 7-106 shall, upon conviction, be punished by a fine of not less than \$350.00 nor more than \$500.00, by imprisonment in the county jail for a term not to exceed 180 days, or by both such fine and imprisonment.
- (e) Any person violating any of the provisions of section 7-7, 7-157-213, 7-214, or 7-215, of this chapter shall, upon conviction, and after the court, subsequent to such conviction, has examined any prior conviction record to determine if the person has previously been convicted of the same offense, be sentenced by the court according to the following schedule of fines with reference to initial or subsequent violation of the particular section:
- (1) First offense, \$100.00.
 - (2) Second offense, \$200.00.
 - (3) Third offense, \$500.00.
 - (4) Fourth offense, or a conviction of subsection 7-215(f)(5), the court may, in its discretion, impose a fine, revoke license for the animal(s), and/or order the director of animal control to remove the animal from the residence to the unified government shelter for disposition as provided by this chapter.
- (f) Any person violating section 7-216 shall, upon conviction, be punished by a fine of not less than \$500.00 nor more than \$1,000.00, by imprisonment in the county jail for a term not to exceed 180 days, or by both such fine and imprisonment. The court may, in its discretion, revoke the license for the animal(s), or refuse to return the animal(s) back to the owner, keeper, or harborer. In addition to the foregoing penalties, any person who violates this article shall pay all expenses, including shelter, food, handling, and veterinary care necessitated by the enforcement of this article.
- (g) Any person violating section 7-217 shall, upon conviction, be punished by a fine of not less than \$500.00 nor more than \$1,000.00, by imprisonment in the county jail for a term not to exceed 180 days, or by both such fine and imprisonment. Violation of section 7-217 shall constitute a misdemeanor. Upon conviction of keeping a ~~dangerous~~-vicious animal, the municipal court judge may order restitution be paid to the victim up to the maximum amount allowed by law. The owner of a vicious animal shall pay all costs associated with impoundment, removal, or euthanasia of said animal. The owner shall pay any other associated costs incurred.
- (h) Each day's violation of or failure, refusal or neglect to comply with any provision of this chapter shall constitute a separate and distinct offense.
- (i) Court costs shall be imposed as authorized by ordinance.

(Code 1988, § 7-2; Ord. No. O-22-03, § 1, 6-5-2003; Ord. No. O-45-05, § 1, 6-2-2005; Ord. No. O-8-15, § 1, 1-29-2015)

Cross reference(s)—Court costs, § 23-13.

Sec. 7-79. Cruelty to and neglect of animals.

- (a) It is unlawful for any person to intentionally kill, maim, disfigure, torture, beat with a stick, chain, club or other object, mutilate, burn or scald with any substance, or overdrive any animal, except that reasonable force may be employed to drive off vicious or trespassing animals.
- (b) It is unlawful for any person to drive or work any animal cruelly.
- (c) It is unlawful for any person to fail, refuse or neglect to provide any animal in his charge or custody, as owner or otherwise, with adequate care, food, health care, shelter, and water.
- (d) It is unlawful for any owner or keeper to abandon any animal. For purpose of this section, "to abandon" means for the owner or keeper to leave an animal without demonstrated or apparent intent to recover or resume custody or to leave an animal for more than 12 hours without providing for adequate food, water and shelter for the duration of the absence.
- (e) It is unlawful for any person by any means to make accessible to any animal, with the intent to cause harm or death, any substance which has in any manner been treated or prepared with a harmful or poisonous substance. It is not the intent of this section to prohibit the use of poisonous substances for the control of vermin that pose a threat to the public health.
- (f) It is unlawful for any person to carry any animal or cause any animal to be carried in or upon any vehicle in a dangerous or careless manner.
- (g) *Legislative findings.* It is the purpose of this section to promote the health and safety of the residents of the city and protect dogs from neglect by reducing the number of improperly tethered dogs. The unified government recognizes that dogs that are continuously and improperly tethered have an increased potential to be poorly socialized, act aggressively toward humans, and be neglected by their owner. In order to better protect the safety of its citizens and the welfare of the animal, restraint by tethering must meet certain standards.
- (h) Tethered animals must not:
 - (1) Be tethered unattended to any utility pole, parking meter, building, structure, fence, sign, tree, shrub, bench or other object on public property or on private property without the prior permission of the person or agency in charge thereof, and no pet animal shall be tethered within ten feet of, or in such a manner as to permit it to intrude upon, neighboring property, a public sidewalk or street;
 - (2) Be tethered directly with chains or other tethers, restraints or implements without the proper use of a collar, harness or other device designed for tethering;
 - (3) Be tethered with a chain, leash, rope or tether that is shorter than ten feet in length;
 - (4) Be tethered with a chain, leash, rope, collaring device, tether, or any assembly or attachments thereto that due to weight, inhibit the free movement of the animal within the area tethered;
 - (5) Tether ~~a dog~~any animal in such a manner as to cause injury, strangulation, or entanglement of the dog on fences, trees, posts or other man-made or natural obstacles.
- (i) It is unlawful for any person to have, keep or harbor any animal that is infected with any dangerous or incurable and/or painfully crippling condition except as hereinafter provided. A municipal court judge may order a person convicted under this section to turn the animal involved over to the animal control division. If, in the opinion of a licensed veterinarian, the animal appears to be

diseased or disabled beyond recovery for any useful purpose, the animal may be humanely euthanized. This section shall not be construed to include veterinary hospitals or animals under active veterinary care.

- (j) It is unlawful for any person to cause, instigate, stage, train or torment any animal for or permit any fight between any animal and another animal or human.
- (k) It is unlawful for any person to attend or solicit attendance at or be an umpire, judge, or other official at a fight staged between any animal and another animal or human.
- (l) It is unlawful for any person to give or to offer to give a live animal as a prize, a business inducement, or any other form of gratuity, except purebred livestock given away as a part of a farm youth organization program.
- (m) It is unlawful for any person to use as a toy or for display or decorative purposes, to sell or offer for sale, to expose for sale, to subject to any form of mistreatment or careless handling, or to dye any newly hatched fowl or newly born rabbit.
- (n) It is unlawful for any person to confine calves, sheep or hogs by tying their legs, except during a properly licensed rodeo, or in any way confine them in closed boxes or otherwise, or have in his possession any calves, sheep or hogs so tied or confined, or load into any freight car or into any other conveyance, for the purpose of transportation, any animal in a cruel or inhumane manner.
- (o) It is unlawful for any person to induce or encourage any animal in an animal exhibition, rodeo or circus to perform through the use of the chemical, mechanical, electrical or manual devices in a manner which will cause or is likely to cause physical injury or suffering.
- (p) It is unlawful for any person to display for sale, sell, exchange, barter, or give away any animal except in the following places:
 - (1) A commercial animal establishment having a valid business license and licensed with the state department of agriculture.
 - (2) A private kennel or cattery licensed with the state department of agriculture.
 - (3) A private residence, provided that should the residence exceed the limit of animals sold under K.S.A. 47-1701(f), that residence is licensed with the state department of agriculture.
- (q) It is unlawful for any person to intentionally use a wire, pole, stick, rope or any other object to cause an equine to lose its balance or fall for the purpose of sport or entertainment.
- (r) The provisions of this section shall not apply to:
 - (1) Normal or accepted veterinary practices;
 - (2) Bona fide experiments carried on by commonly recognized research facilities;
 - (3) Killing, attempting to kill, trapping, catching or taking of any animal in accordance with the provisions of K.S.A. 32-101 et seq. or K.S.A. 47-101 et seq.;
 - (4) Rodeo practices accepted by the Rodeo Cowboys' Association;
 - (5) The humane killing of an animal which is diseased or disabled beyond recovery for any useful purpose, or the humane killing of animals for population control by the owner thereof, by the agent of such owner residing outside of a city, by the owner thereof within a city if no animal shelter, pound or licensed veterinarian is within the city, by a licensed veterinarian at the request of the owner thereof, by any officer or

agent of an incorporated humane society, by the operator of an animal shelter or pound, by a local or state health officer, or by a licensed veterinarian five working days following the receipt of any such animal with tags identifying its owner at such society, shelter or pound;

- (6) With respect to farm animals, normal or accepted practices of animal husbandry;
 - (7) The killing of any animal by any person at any time which may be found outside the owned or rented property of the owner or custodian of such animal and which is found injuring or posing a threat to any person, farm animal or property;
 - (8) An animal control officer trained by a licensed veterinarian in the use of a tranquilizer gun, using such gun with the appropriate dosage for the size of the animal, when such animal is vicious or could not be captured after reasonable attempts using other methods; or
 - (9) Laying an equine down for medical or identification purposes.
- (s) As used in this section, the term "equine" means a horse, pony, mule, jenny, donkey or hinny.
- (t) Cruelty to animals is a Class A violation.

(Code 1988, § 7-57; Ord. No. O-22-03, § 1, 6-5-2003; Ord. No. O-8-15 , § 1, 1-29-2015)

Sec. 7-216. Dangerous animals.

- (a) It shall be unlawful for the owner of any animal to keep or maintain such animal in the city so as to constitute a dangerous animal. A dangerous animal is any animal which has done any of the following:
- (1) Caused a bite injury, other than a bite that resulted in great bodily harm, disfigurement, or death, to any person, or
 - (2) Killed another dog or cat.
- (b) A "bite injury" is any contact between an animal's mouth and teeth and the skin of a bite victim which causes visible trauma, such as a puncture wound, laceration, abrasion, ~~bruise~~ or other piercing of the skin.
- (c) Notwithstanding the definition of a dangerous animal above, no animal may be declared dangerous if any injury or damage is sustained by a person or animal who, at the time such injury or damage was sustained, was:
- (1) A member of the household; or
 - (2) Teasing, tormenting, abusing or assaulting the dog or committing or attempting to commit a crime; or
 - (3) Protecting or defending a human being within the immediate vicinity of the animal from an unjustified attack or assault.
 - (4) The provisions of this article shall not apply to a police dog being used to assist one or more law enforcement officers acting in an official capacity.
- (d) Notwithstanding the definition of a dangerous animal above, no animal may be declared dangerous based solely on size or breed, or mix of breed; or if death to a dog or cat occurred solely due to a size disparity between the animals and there was no sustained vicious attack on the dog or cat.

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- (e) Any dangerous animal which is in the custody of an animal control officer and which in the judgment of the director of animal control or municipal court judge, would constitute a menace to the health, safety or welfare of the public if released from custody, may be held pending a hearing on any charges or complaints filed in the municipal court to determine the disposition thereof. If not so determined, the animal may, after having been held pursuant to section 7-108, be returned to its owner, keeper, or harbinger until final determination is made by the municipal court as to whether a violation of this section has occurred. If returned pending the final disposition of the case, the animal must be kept securely confined and must be muzzled while in public until final determination is made as to whether a violation of this section occurred.
- (f) Any violation of this section shall be punishable pursuant to the provisions of subsection 7-2(f). Upon conviction, the court may order that the animal be humanely euthanized and direct the director of animal control, or his or her designee, to ensure that the order is enforced.
- (g) Upon conviction of keeping a dangerous animal, the municipal court judge may order restitution be paid to the victim of the violation of subsection (a).
- (h) Upon conviction of keeping a dangerous animal, and the animal returning to its owner, the animal shall be kept subject to the following standards:
- (1) *Leash and muzzle.* No person shall permit a dangerous animal to go outside its kennel or pen unless such dog is securely leashed with a leash no longer than four feet in length. No person shall permit a dangerous animal to be kept on a chain, rope or other type of leash outside its kennel or pen unless a person is in physical control of the leash. Such dogs may not be leashed to inanimate object such as trees, posts, buildings, etc. In addition, all dangerous animals on a leash outside the animal's kennel must be muzzled by a muzzling device sufficient to prevent such animal from biting persons or other animals.
 - (2) *Confinement.* All dangerous animals shall be securely confined indoors or in a securely enclosed and locked pen or kennel when not indoors, except when leashed and muzzled as above provided. Such pen, kennel or structure must have secure sides and a secure top attached to the sides. All structures used to confine dangerous animals must be locked with a key or structure. Such structure must have a secure bottom or floor attached to the sides of the pen or the sides of the pen must be embedded in the ground no less than two feet. All structures erected to house dangerous animals must comply with all zoning and building regulations of the city. All such structures must be adequately lighted and ventilated and kept in a clean and sanitary condition, and must not be the primary enclosure for keeping of the animal. Animal control Officers shall have the authority to monitor and inspect the keeping of all dangerous animals.
 - (3) *Confinement indoors.* No dangerous animal may be kept on a porch, patio or in a part of a house or structure that would allow the animal to exit such building on its own volition. In addition, no such animal may be kept in a house or structure when screen doors are the only obstacle preventing the animal from exiting the structure.
 - (4) *Signs.* All owners, keepers or harborers of dangerous animals within the city shall within ten days of conviction, display in a prominent place on their premises a signs easily readable by the public using the words "Beware of Dog" or "Beware of Dangerous Animal", whichever is applicable.
 - (5) *Insurance.* All owners, keepers or harborers of dangerous animals must within ten days of conviction provide proof to the director of animal control of public liability

insurance in a single incident amount of \$~~1,000,000~~500,000.00 for bodily injury to or death of any person or persons or for damage to property owned by any persons which may result from the ownership, keeping or maintenance of such animal. The insurance policy will provide that no cancellation of the policy will be made unless ten days written notice is first given to the director of animal control.

- (6) *Identification photographs.* All owners, keepers or harborers of dangerous animals must within ten days of conviction provide to the animal control two color photographs of the registered animal clearly showing the color and approximate size of the animal.
- (7) *Microchip.* All owners, keepers or harborers of dangerous animals must within ten days of conviction microchip the animal and provide microchip information to the animal control to register the animal as dangerous.
- (8) *Spaying/neutering.* All owners, keepers or harborers of dangerous animals must within ten days of conviction spay or neuter the animal and provide proof of sterilization to the director of animal control.
- (9) *Sale or transfer of ownership prohibited.* Sale—No person shall sell, barter or in any other way dispose of a dangerous animal registered with the city to any person within the city unless the recipient person resides permanently in the same household and on the same premises as the registered owner of such animal; provided that the registered owner of a dangerous animal may sell or otherwise dispose of a registered dog or the offspring or such dog to persons who do not reside within the city.
- (10) *Failure to comply.* It shall be unlawful for the owner, keeper or harborer of an animal deemed by the municipal court to be a dangerous animal to fail to comply with the keeping requirements and conditions set forth in this article. Any animal found to be the subject of a violation of this article shall be subject to immediate seizure and impoundment. In addition, failure to comply with the provisions of this article is deemed a separate offense. Upon conviction, the court shall order the revocation of the license of such animal resulting in the immediate removal of the animal from the city.

(Ord. No. O-8-15 , §§ 2, 3, 1-29-2015)

Editor's note(s)—Ord. No. O-8-15 , §§ 2 and 3, adopted Jan. 29, 2015, repealed and reenacted § 7-216, as herein set out. The former § 7-216 pertained to disposition of vicious dogs, and derived from the Code of 1988, § 7-127, and Ord. No. O-22-03, § 1, adopted June 5, 2003.

Sec. 7-217. Vicious animals.

It shall be unlawful to keep, possess, or harbor a vicious animal within the city limits. A vicious animal means any animal which has caused great bodily harm, disfigurement, or death to any person.

(a) A vicious animal does not include an animal that has caused great bodily harm to any person while a person was committing a criminal offense on the property of the owner, keeper, or harbinger of the animal. The provisions of this article shall not apply to a police dog being used to assist one or more law enforcement officers acting in an official capacity.

(b) Upon conviction, the court shall order that the animal be removed from the city or humanely euthanized and direct the director of animal control to ensure that the order is enforced. Upon an order of removal, the owner, keeper or harbinger of the animal shall remove it within fourteen days of the order. ~~or humanely euthanized, and direct the director of animal control to ensure that the order is enforced.~~

(c) If the court orders removal per subsection (b), the owner shall provide proof of removal to the Municipal Court clerk through an affidavit with the address at which the animal will reside, no later than five business days after the fourteen day removal period.

(d) Failure to comply. It shall be unlawful for the owner, keeper or harbinger of an animal ordered removed from the city per subsection (b) to fail to comply with the provisions of this section. In addition, failure to comply with the provisions of (b) or (c) is deemed a separate offense. Any animal found to be the subject of a violation of (b) shall be subject to immediate seizure and impoundment. Upon conviction of a violation of subsection (b), the court shall order that the animal be humanely euthanized. If an appeal is timely filed, the Municipal Court shall suspend the euthanasia order pending the final determination of the court in which the appeal is under review.

(Ord. No. O-8-15 , §§ 2, 3, 1-29-2015)

Editor's note(s)—Ord. No. O-8-15 , §§ 2 and 3, adopted Jan. 29, 2015, repealed and reenacted § 7-217, as herein set out. The former § 7-217 pertained to vicious dogs, determination, notice and hearing, confinement and destruction, and derived from the Code of 1988, § 7-128, and Ord. No. O-22-03, § 1, adopted June 5, 2003.

Sec. 7-82. Reckless Pet Owner; Declaration; Violation

(a) Upon a fourth conviction of any violation of Chapter 7 within a 36-month time period, the convicted person shall be deemed a Reckless Pet Owner. Upon the fourth conviction, the Municipal Court may issue a notification of the declaration of Reckless Pet Owner to the person with the following:

(1) Name and address of the person subject to the declaration, and;

(2) Description, violation, and convictions that lead to the declaration, and;

(3) Name and description of all pets subject to the effects of the declaration, and;

(4) Instructions on appealing the declaration to District Court.

(b) Violation. Once declared a Reckless Pet Owner, a person shall not own, keep, possess, or harbor any additional animals for a period of five (5) full years from the date of the declaration. No Reckless Pet Owner will be allowed to own, keep or possess an animal deemed dangerous by the Municipal Court. If convicted of possessing a dangerous animal or any additional animal after being declared a Reckless Pet Owner, that violation constitutes a separate and distinct offense subject to the penalty provisions of Section 7-2.

Section 2. That said original Sections 7-2 – Penalty; 7-79 – Cruelty and Neglect of Animals; 7-216 – Dangerous Animals; 7-217 – Vicious Animals of the Code of Ordinances for the Unified Government of Wyandotte County/Kansas City, Kansas is hereby repealed.

Section 3. This ordinance shall take effect and be in full force from and after the passage, approval, and publication in the official Unified Government newspaper.

PASSED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT OF
WYANDOTTE COUNTY/KANSAS CITY, KANSAS,

THIS _____ DAY OF _____, 2022.

Tyrone Garner/Mayor CEO

Attest:

Unified Government Clerk

Approved As To Form:

Unified Government Counsel



Staff Request for Commission Action

Tracking No. 212013

Full Commission Meeting Date: N/A

Committee: Public Works & Safety

Date of Standing Committee Action:

(If none, please explain): Information Only

Publication Required: No

<u>Date:</u> 10/04/2022	<u>Contact Name:</u> Jeff Fisher	<u>Contact Phone:</u> x5415	<u>Contact Email:</u> jfisher@wycokck.org	<u>Department/Division:</u> Public Works
<u>Item Description:</u> The Public Works team will provide an update on the strategic plan, submitted by Jeff Fisher, Executive Director of Public Works. <i>For information only.</i>				
<u>Action Requested:</u> N/A				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u> Strategic-Plan-Public-Works-2022-2024				



PUBLIC WORKS

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Public Works Strategic Plan, 2022-2024

Philosophy and Expectations

It is always exciting to reimagine our future here in Public Works. This new Strategic Plan is a product of several thoughtful discussions among team members that represent various perspectives from all levels of the department.

This Plan is the third edition in six years and is meant to be an enduring guide toward the highest impact outcomes possible for this department and the community it serves. We believe developing leadership at all levels and team culture are the most important priorities. With a high level of success in each comes great outcomes for the individuals on the team and great outcomes for the community.

The Public Works Department comprises over 300 teammates, and it is essential to act in concert and with a great attitude toward our work. This Plan will be the foundation for how we operate and meet the challenges we face now and into the future. It will guide how we set our division and individual goals for the foreseeable future.

The values and outcomes do not represent all that we live by or pursue but are the most important right now. We are by no means perfect; we have much work to do in several areas, but we have developed into a strong team with momentum we want to continue to build on. We have also heard the many discussions amongst the elected body over recent months and attempted in this plan to recognize those discussions within the "values" and "outcomes"; those that public works can affect. The team understands it has an important role in economic vitality and community welfare, particularly regarding the condition of public infrastructure.

This team very much wants to play a role in helping this organization and community be a community of choice with a bright, sustainable future for all. We appreciate our role and understand we must be the best we can be.

Jeff Fisher
Public Works
WE CAN & WE MUST

Vision

We build leadership at all levels

Motto

We can and we must

Mission

Promote great culture, act boldly, and provide sustainable infrastructure that protects and enhances our community

Values

Positive culture – we do our business of delivering essential and vital services to our community with energy, selflessness, and seamless teamwork.

1. Commit to leadership development at all levels
2. Lead positive change and continually improve
3. Diversity of thought creates better decisions
4. Hire for attitude and train for skills
5. Leave everything better than when we found it

Great customer service – take great care to treat all customers with a high level of professionalism, respect, and empathy, and to be prudent & honest stewards of public funds.

1. Be active listeners
2. Be empathetic
3. See customer requests as opportunities
4. Close the customer service loop
5. Respond to all customers within 24 hours

Smart investment – utilize verified data and information to optimize public and private funds to strategically do the community's work and make objective recommendations to the elected and appointed officials.

1. Invest in team members' growth
2. Be data-driven
3. Prioritize what we can be great at
4. Return on investment drives decisions
5. Seek opportunities to reduce and right-size

Outcomes

We measure success with outcomes and the difference we make. Goals, strategies, and outputs must be consistent with our values, and we must create goals that bring us closer to these outcomes:

1. **Trust in Public Works** – Conduct business in a transparent manner, with great foresight & preparation, and provide excellent internal and external customer service, as well as effective public communications to promote public awareness.
2. **Sustainable systems for delivering public services** – Evaluate all business systems, create best practices, document best practices through policies and procedures, reduce bureaucracy and streamline processes to promote economic vitality.
3. **Culture of excellence** – Commit to leadership development at all levels; team members have a selfless, supportive, mission-oriented attitude; highly disciplined thought and action create an environment of accountability, quality work, reliability, achievement, trust, safety, and pride.