



UPDATED AGENDA

Public Works and Safety Committee
Standing Committee Meeting Agenda
Monday, January 22, 2024
5:00 PM

Location: Hybrid

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

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/83015043271>

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<u>Name</u>	<u>Absent</u>
Commissioner Tom Burroughs, Chair	☐
Commissioner Mike Kane	☐
Commissioner Chuck Stites	☐
Commissioner Bill Burns	☐
Commissioner Phil Lopez	☐
Rose Henry, BPU Board Member	☐

I. Call to Order/Roll Call

Revisions to January 22, 2024 Agenda

II.

**ADDING NEW ITEM #1 TO COMMITTEE AGENDA – RESOLUTION:
AUTOMATIC/MUTUAL AID AGREEMENT FOR FIRE AND OTHER
EMERGENCIES**

III.

Approval of standing committee minutes from December 12, 2022.

IV.

Committee Agenda

**Item No. 1 - RESOLUTION: AUTOMATIC/MUTUAL AID AGREEMENT FOR FIRE
AND OTHER EMERGENCIES**

Synopsis: Approval of a resolution authorizing the Automatic/Mutual Aid Agreement with Kansas City, Kansas Fire Department, Edwardsville, and Bonner Springs Fire Departments to provide proper fire and emergency services to all of the Unified Government, submitted by Dennis Rubin, Fire Chief.

It is requested that this item be fast-tracked to the January 25, 2024, full commission meeting.

Tracking #: 212900

- **Automatic Mutual Aid Agreement – Bonner Springs and Edwardsville KS
(Added per agenda update)**
- **Resolution for Automatic and Mutual Aid between UG, Edwardsville, and
Bonner Springs**

Item No. 2 - RESOLUTION: CONSENT DECREE REQUIRED PROJECTS

Synopsis: Approval of a resolution declaring the necessity and authorizing a survey and description of lands to be acquired by the right and power of eminent domain for the location, laying out, reconstruction, expansion, repair, maintenance, operation, and use of sewer and stormwater projects for eight projects identified generally in the 2013 EPA Consent Decree and the 2020 Stormwater Seven Basin Deficiency Study, submitted by Jeff Fisher, Executive Director of Public Works.

It is requested that this item be fast-tracked to the January 25, 2024 full commission meeting.

Tracking #: 212851

Item No. 3 - RESOLUTION: STORMWATER PROGRAM PROJECTS

Synopsis: Approval of a resolution declaring the necessity and authorizing a survey and description of lands to be acquired by the right and power of eminent domain for the location, laying out, reconstruction, expansion, repair, maintenance, operation, and use of sewer and stormwater projects for six projects identified generally in the 2020 Stormwater Seven Basin Deficiency Study, submitted by Jeff Fisher, Executive Director of Public Works.

It is requested that this item be fast-tracked to the January 25, 2024 full commission meeting.

Tracking #: 212852

Item No. 4 - RESOLUTION: ARMOURDALE PROCTER & GAMBLE TRAILHEAD

Synopsis: Approval of a resolution declaring the necessity and authorizing a survey and descriptions of lands to be acquired by the right and power of eminent domain for the location, laying-out, reconstruction, expansion, repair, maintenance, operation, and use of the Levee Trail Armourdale Procter & Gamble Trailhead Project (KDOT Project No. 105 N-0779-01) in Kansas City, Wyandotte County, Kansas, submitted by Jeff Fisher, Executive Director of Public Works.

Tracking #: 212959

Item No. 5 - RESOLUTION: JAMES STREET TRAILHEAD

Synopsis: Approval of a resolution declaring the necessity and authorizing a survey and descriptions of lands to be acquired by the right and power of eminent domain for the location, laying-out, reconstruction, expansion, repair, maintenance, operation, and use of the Levee Trail Central Industrial District N. James Street Trailhead Project (KDOT Project No. 105 N-0781-01) in Kansas City, Wyandotte County, Kansas, submitted by Jeff Fisher, Executive Director of Public Works.

Tracking #: 212960

V. Public Agenda

VI. Adjourn

**AGENDA UPDATE
PUBLIC WORKS & SAFETY
STANDING COMMITTEE MEETING
MONDAY, JANUARY 22, 2024**

IV. COMMITTEE AGENDA

ADDING ITEM AND DOCUMENT TO THE ITEM

Item No. 1 – RESOLUTION: AUTOMATIC/MUTUAL AID AGREEMENT FOR FIRE AND OTHER EMERGENCIES

Synopsis: Approval of a resolution authorizing the automatic/mutual agreement with Kansas City, Kansas Fire Department, Edwardsville, and Bonner Springs Fire Departments to provide proper fire and emergency services to all of the Unified Government, submitted by Dennis Rubin, Fire Chief.

It is requested that this item be fast-tracked to the January 25, 2024, full commission meeting.

Tracking #: 212900

- **Automatic Mutual Aid Agreement – Bonner Springs and Edwardsville KS (Added per Agenda Update)**
- **Resolution for Automatic and Mutual Aid between UG, Edwardsville, and Bonner Springs**

**PUBLIC WORKS AND SAFETY
STANDING COMMITTEE MINUTES
Monday, December 12, 2022**

The meeting of the Public Work and Safety Standing Committee was held on Monday, December 12, 2022, at 6:03 p.m., in the fifth floor conference room of the Municipal Office Building. The following members were present: Commissioner Bynum, Chairman; Commissioners Ramirez, Markley, Johnson, Kane. BPU Board Member Groneman was absent. The following officials were also in attendance: Bridgette Cobbins, Assistant County Administrator; Monica L. Sparks, Deputy UG Clerk; Casey Meyer, Senior Counsel; Jeff Fisher, Executive Director of Public Works; George Sims, Deputy Chief for the Police Department; Renee Ramirez, Director of Human Resources; Gina Nick, Public Safety Recruiter for Human Resources; Joe Barnes, Project Manager for Water Pollution Control; Laura Landis, Unified Government Architect; Vincent Billaci, Street Division Manager; Andrew Mendibles, Operations Superintendent with Water Pollution Control; Diana Jimenez, Office Manager in Public Works; and Dave Reno, Public Works Community Engagement Officer.

Chairman Bynum said before I call the meeting to order I want to announce that due to some committee members, staff, and the public are attending remotely via Zoom as well as on-site. All participants joining remotely 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 or from our fifth floor conference room here tonight.

Chairman Bynum said I will now call our meeting of the Public Works and Safety Standing Committee to order and ask the Clerk to please call the roll. Roll call was taken and all members were present as shown above.

Chairman Bynum said we do not have any revisions on our meeting agenda tonight.

APPROVAL OF STANDING COMMITTEE MINUTES

There were no Standing Committee minutes to be approved.

IV. Committee Agenda

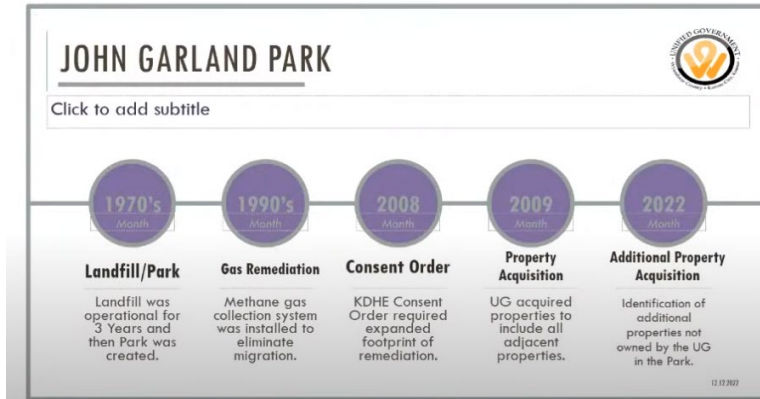
Item No. 1 – 212125...RESOLUTION: GARLAND PARK IMPROVEMENT PROJECT

Synopsis: A resolution declaring this project is to be acquired by all lawful means for public use for improvements to Garland Park, submitted by Joe Barnes, Water Pollution Control Department and James Bain, Assistant Counsel.

Chairman Bynum said I have Jeff Fisher, Director of Public Works, available and I believe you have a handout on this item and we also have Legal ready to discuss this with us as well. I will hand this over to you, Jeff, and you can hand it off.

Jeff Fisher, Executive Director of Public Works, said I have one of our outstanding Project Managers, Joe Barnes, with us tonight. He's leading us through the property acquisition working with Legal. I'm going to let him run with this and then help field questions.

Joe Barnes, Project Manager for Water Pollution Control, said this is to move forward with the resolution of survey, which is the first step in any kind of condemnation. We hope to not get to that point, but that is a procedure that we need to implement right now.



I thought it would be helpful to kind of go through the history of John Garland Park and then that should deem this project necessary for the approval of the condemnation. In the 70's the EPA, MARC, and the Unified Government got into agreement to build a demonstration landfill and it was operational for approximately three years and then it was capped and filled and then it was turned into a park in the mid 70's. Until the 90's it operated as a park and then in the 90's methane gasses produced underneath or in landfills. So, gas remediation system was installed at the park and that was operational and it continues to be operational.

In 2008, KDHE presented the Unified Government with a Consent Order requiring that gas remediation be expanded. The footprint be expanded from its current location to include a buffer zone so the gas did not migrate onto other properties. So, when that Consent Order was placed on the UG in 2009, the UG went through the process of condemnation to acquire all of the properties surrounding John Garland Park and the buffer area per KDHE's Consent Order. Then, through managing the John Garland Park and the gas remediation system, it was identified that four parcels were not owned by the Unified Government. So, to stay in line with the Consent Order and the stipulations, the Unified Government has to own all those properties inside of that buffer area so that brings us to the next slide.



As you can see on the map, the John Garland Park is the green area. All properties to the east of the roadway are owned by the UG except for the four that are highlighted in red and so we're currently actively negotiating with the two property owners that own those parcels so they've been valued and we're actively negotiating with them. We're just asking that you guys approve the resolution to survey and then if needed, we'll go and get the ordinance passed to do condemnation, but we're hoping not to do that. We're continuing to have dialogue with those property owners and we're using Tim Orrick to help us with those negotiations.

With that, that concludes and Jeff and I are open to any kind of questions.

Commissioner Ramirez said, Legal, stop me if I go too far, but how are negotiations going? **Mr. Barnes** said currently they're going. We've got one property owner that I think they may feel that we valued it too low. The property was valued at under \$500. The other one, the other property, the three parcels was valued under \$5,000. We continue to meet with them, or Tim continues to meet with them, and we've been in negotiations for the last couple weeks, so I expect another couple weeks of back and forth and then maybe some revisions based on the dialogue that those prices need to increase and consider the legal costs that we incur to go through the condemnation and what it's going to cost to actually go out and survey and do formal appraisals. So, we'll take all that into consideration when we're making our final offer.

Commissioner Ramirez said thank you for that. I hope we don't, as you said, I hope we don't get to condemnation. I hope that we're able to negotiate and have a good faith conversation with the property owners and have a good handshake and move forward. I will just say with the community, it's not because we want to, it's because we are following a Consent Order from the Kansas Department of Health & Environment. It's something that needs to happen. It's not because we're a big government coming in and trying to take people's property, it's we have to.

It's an order that's been given to us and we have to follow it, so I just wanted to make sure that was out there in the community that we're not just trying to take it from them and we're not trying to. We hope we don't get to that point, but thank you for what you've done, you know, Legal, and all the negotiations. Thank you for all of that. I think Commissioner Johnson and I shared a moment, how did they fill a landfill and then put a park on it, so we were like what, so it took us aback. Thank you for all you're doing for this and I wish you good luck in the rest of the negotiations.

Commissioner Johnson said I assume, Jeff, that Commissioner Townsend has had a chance to weigh in on this already or is aware of this since this is in her district. I know it's been the cause of a lot of discussion on her end. **Mr. Fisher** said I don't recall if she has. I will call tomorrow. **Commissioner Johnson** said I would probably encourage that. At what point—what has to happen before we would know that would cause us to have to—what's the word that you all—condemn this property? I mean at what point will we know that this is something that has to happen. What set of variables have to happen for us to know that this is something—that this is a pace that we have to go?

Casey Meyer, Senior Counsel, said if we can't reach a resolution with the property owners, then if you guys pass the resolution, then we would—the resolution orders Chief Counsel to draft an ordinance, which the ordinance would go in front of the full commission and at that point we would use all legal and necessary means to condemn the property which would include using eminent domain if we needed to. **Commissioner Johnson** said but we're just talking about those properties that are east of the park, correct? **Ms. Meyer** said just the parcels if we couldn't work something out with those property owners, correct. **Commissioner Johnson** said okay.

Chairman Bynum asked, are there other comments or questions from our committee? I don't see any. Were there any questions or comments received by the Clerk? **Monica Sparks, Deputy Unified Clerk**, said none were received. **Chairman Bynum** asked, anyone online from the public wishing to address the item? **Ms. Sparks** said no hands raised. **Chairman Bynum** asked, anyone here in person? With that, I will entertain a motion which would be a resolution declaring the parcels to be acquired for public use for improvements. That would be the resolution that we would be voting on tonight. Is there a motion to that effect?

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

Item No. 2 – 212179...RESOLUTION: AUTHORIZING A MEMORANDUM OF UNDERSTANDING BETWEEN USD 500, THE UG, AND KCKPD TO ADMINISTER A 911 CALL-TAKER TRAINING PROGRAM

Synopsis: Approval of the resolution authorizing an MOU between USD 500, the Unified Government, and KCKPD to administer a 911 Call Taker Training Program, submitted by Casey Meyer, Senior Counsel; Karl Oakman, Chief of Police KCKPD; and Renee Ramirez, Director of Human Resources. This item has been requested to be fast-tracked to the December 15, 2022, full commission meeting.

Chairman Bynum said we have some folks moving forward to tell us about this project. Casey Meyer, are you going to kick this presentation off? **Casey Meyer, Senior Counsel**, said yes Commissioner. My comments will be brief. I’m just going to outline the details of the MOU and then I’m going to pass it off to Renee Ramirez from HR and Deputy Chief to explain some more details and answer questions. I’m going to highlight some of the main terms of the agreement. This is for now. It’s just between the Unified Government and USD 500 and they’ll go into an explanation of that.

The term length for now is going to be through July 31, 2023 and that correlates with the end of the school year. We can terminate, either party can terminate the agreement at any time for any reason as long as they give 60 days' prior notice. The plan though is to, if this works out for both parties and both parties want to continue to extend the agreement, we can do that with written amendment.

Additionally, this is going to be—these are going to be paid positions for the students that are able to participate and I included an incorrect number. They’re not going to be paid \$16 an hour, it’s actually \$15.03 an hour. That was an error on my part in the PowerPoint and although it will be a goal of the program to hopefully be able to train these students so that they can be

interested in for the employment with the Unified Government, it will not guarantee further employment.

I think as far as the MOU goes, that's all I have and I'm going to pass it off to Ms. Ramirez.



Renee Ramirez, Director of Human Resources, said just a little history on how we actually started this process. Late in March of 2022, UG, HR and the Sheriff's Office were discussing ways to fill gaps in employment with the Sheriff's Office because we had a lot of vacancies in the Deputy classification. As we were looking at trying to fill those gaps we had one goal in mind and that was to develop a way to enhance our partnership with USD 500 and our existing school districts within Wyandotte County.

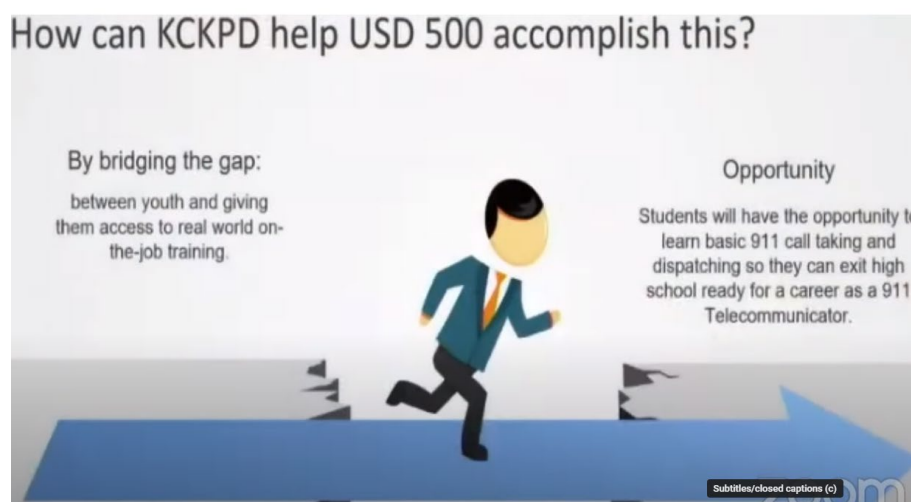
Our purpose was, we wanted to engage seniors at the high school level and engage them and educate them on the careers that we actually have here at the Unified Government right here in Wyandotte County. We did develop that program and we do have in place now a similar agreement with the Wyandotte County Sheriff's Office and USD 500. Today we currently have two students from USD 500 who are going to be coming to the Unified Government in January and will spend a semester with us as a Cadet Correctional Specialist going through the program for the Sheriff's Office. So, having that in mind and having that template available to us and knowing the challenges that we've had in our Communications Unit, I had a discussion with Chief Oakman to see if he had an interest in developing a similar program for the 911 Call-Takers and, hence, he was excited to have that program.

Again, this is a partnership that we wanted to start to engage the youth of our community and to maybe spike that interest in careers that we have here at the Unified Government and with this program they would be here a semester with us and graduate, being recognized at graduation, that they did participate in our program here and basically award them some kind of cord that they

could wear around the neck signifying that they completed the requirements of either one of our programs. This is a program that we wanted to pilot with USD 500 and hope to expand it to other school districts within Wyandotte County. With that, I'll turn it over to the Colonel.

George Sims, Deputy Chief for the Police Department, said I have a brief slideshow. I know some of it is redundant, but I would like to step through it real quickly with you all.

As Ms. Ramirez pointed out, we started this conversation earlier this year. We became interested in partnering with local high schools for a Work Study Program. We began this process with USD 500. They were already on a pathway to agreement with the Sheriff's Department for their program and we thought it would be a good opportunity for us to partner and pilot as well. That's inclusion of high school and secondary school, obviously, I use the quote that they are going to be prepared for college careers in a global society at every level of performance that is on track and on time for success.



We want to help that happen with our students in Wyandotte County through a Work Study Program. As you know the department has a number of juvenile engagement programs. This is more of a juvenile employment, juvenile special study to work program that we're pretty excited to pilot this fall. This is an experience program. It's going to give them real world experience in a real career as a 911 Call-Taker.



What do they get out of it, what do we get out of it? Obviously, for them it provides a practicum, an on-the-job training opportunity for their students that will prepare them for an actual career as opposed to general education and, of course, what we get out of it, as everybody is aware, we have been working to recruit people into our Call Center and our staffing. As it stands right now, we would really stand to benefit by having the opportunity to engage with young people who are interested in a career in public service.



It's a career path. It's a challenging career path and for the right students that apply, we'd be very excited to help get them on a pathway to their career. Wyandotte County kids who would have the opportunity to jump into public service, take up the challenge, and perhaps spend a career with us at the Police Department or else wise in the government services.

Final Comments

This is a pilot program

This is our first attempt at this kind of work-study program. We believe it has great potential for the student and to the Communications Unit.

Once we work our way through the 2023 semester, we plan on reviewing lessons learned during this cycle and inviting other Wyandotte County high schools to partner with us for the January-May 2024 semester.

This prepares students for employment because it is employment

This isn't just a class, it's a job. Students are required to work assigned hours and will be paid for the work that they do at \$16.00/hr.

There is a short recruiting period

Communications personnel will work with USD 500 contacts to identify and recruit quality applicants for the Spring 2022 semester. We will also reach out through the Police Department's social media channels.
~~to do the same. We intend to host up to four work study participants this cycle.~~

As Ms. Ramirez mentioned, this is a pilot. It's our first attempt at doing a work study like this. We don't have any experience in this and we're pretty eager to take this on and learn from it so that in the spring 2024 semester we're able to branch out and engage with other high schools in Wyandotte County and invite them onboard to participate in this work study as well. This prepares the student for employment because it is employment. We're not just giving them classes and then having them participate and ride along. This is a job. They will have assigned hours, assignments, and things that they will need to do and as you've already noted on the slide, the pay is actually going to be \$15.03 an hour.

This is not a vacation. This is a challenging job that they're signing up for and it's not going to be a walk in the park, but once they have completed it, if they're able to successfully complete it, then they will have completed something that's going to have value for them and help them in their future in telecommunications or in some other similar service such as law enforcement.

We are working with a short on-ramp as far as our recruiting period. We're looking at the beginning of January as our kickoff for this program. We were looking at some worst case, so to speak, scenarios where we're going to have to make some adjustments to our timeline. If we have somebody who for an administrative reason has to start a little late in the semester, just a little late, so that we can make an accommodation and not sacrifice any value of the program and preserve all the important elements. As the attorney said, we also hope that when they conclude this, that they would be interested in having a job with us and that they're somebody that we'd be interested in inviting for a COE. That's all I have. I stand for questions.

Commissioner Ramirez said this is amazing. This is an amazing program that you know Commissioner Kane always says, we have a lot of talent here within our own community, within our borders and to get them early while they're in high school, that's important. I completely—I'm very excited for this. I hope this is something that we continue. I hope this is something that we can roll out to the other Police Departments within our community and that they're part of it.

The only question I have is, I know it's a pilot at the moment, how many do you expect on accepting? **Deputy Chief Sims** said we can accommodate up to four. I'm hoping that we can, again, within our short timeline, I hope that we can get four quality applicants. **Commissioner Ramirez** said okay. I mean four is four and it's just the beginning and it can grow later in the years, but I just thank you for this and thank you Renee for approaching Chief Oakman with it and I hope that the four stay after they're done and come work for KCKPD and work for us in our 911 Call Center. I know that's a department that we need some more people, not only in our officers, but also with our Call Center. Thank you and I'm excited to see where this goes.

Commissioner Johnson said thank you for this presentation. In addition to the four for the Police Department, Renee, do you know how many are slated to come on with the Sheriff's Department? **Ms. Ramirez** said yes. For the Sheriff's Department we actually had 10 positions, only two are coming on at this moment, this January. **Commissioner Johnson** said so that would leave us with eight more opportunities. **Ms. Ramirez** said there's eight more opportunities, but again, it's the same type of curriculum that the Police Department has because we have a set of curriculum. They're getting graded with USD 500 and this does count as a credit towards their graduation. **Commissioner Johnson** said that's great, even better. Does this go out to all of the schools within USD 500. Is that what we're looking at or are we looking at one or two schools? **Ms. Ramirez** said right now, I believe, they're pilot schools and I'm going to have to defer to my Public Safety Recruiter, Gina, but I think there's only a couple schools right now and I think they're building on that, but I'll turn it to Gina for that answer.

Gina Nick, Public Safety Recruiter for HR, said with this being a pilot program we have opened it to all USD 500 high schools and currently the two gentlemen that are moving forward for the Sheriff position, one is from Sumner and one is from Wyandotte, so our hope would be that we could get more diversity, the more we work with them, not just USD 500, but all of the school

districts once we get beyond the pilot. **Commissioner Johnson** said okay, so that includes Turner, Piper, okay. I see Mike Kane had his hand up, so let me be quick here. He and I and several others have been talking about this for a long time. We've got to get into the school systems, got to get in and not so—this is a movement in the right direction and hopefully it can be expanded even beyond Public Safety and we can partner with some of our for-profit companies that are in Wyandotte County, so with that I'm going to stop talking so we can hear the voice of the one and only, Mike Kane.

Commissioner Kane said I appreciate what you guys are doing. As Commissioner Johnson said, we've been working on this for a long time and what better people to work for us is the people that live here. You know we've got a lot of gifted kids out there that want to do this. If you walk in the Piper High School, the wall right now, it's got what do I want to be for the seniors in the future and there's several Public Safety jobs that the kids want to do, follow their moms and dads career. I absolutely think that—I'm more than happy, I'm glad you're doing it and if you can't find the kids from 500, please expand to Bonner, Turner and specifically Piper.

Chairman Bynum said a couple of questions. The 911 Dispatch, it does include—I know you referenced Emergency Medical Dispatch, but it does include Fire, right? Please help me understand. It's all the same Dispatch Center. Am I right or wrong or have we separated those? **Deputy Chief Sims** said they are two separate classifications. **Chairman Bynum** said so help me. I'm dialing 911 because my house is on fire, what happens next? **Deputy Chief Sims** said when you call 911 for any emergency, it goes to a 911 Call-Taker or who's an employee of the Police Department and if your emergency is a fire, a medical emergency, they will route you to a fire dispatcher. In the event in a medical emergency that the fire dispatcher doesn't pick up, more or less immediately, that police dispatcher will begin stepping you through the pre-arrival emergency medical protocols. **Chairman Bynum** said okay. I think I did know that. Sometimes I just have to be reminded. So, it's a medical emergency, tell me what happens when I call 911. **Deputy Chief Sims** said just that ma'am. When you—you'll speak to a police employee first who will answer the call something like 911, what's your emergency and if it's medical or fire, then they'll direct you immediately to a fire dispatcher and then the fire dispatcher, they also have emergency medical protocols that they'll try to step a caller through pre-arrival, but we're the

backup for them with regard to those protocols. **Chairman Bynum** said okay, thank you. I just want to make sure I understand and the public understands as well.

Another item in your certifications, you referenced NCIC. Can you tell us what that stands for? **Deputy Chief Sims** said that's National Crime Information Center. That is a FBI managed repository of criminal history and information including history of warrants, things of that nature. It's all confidential. It's all information that can be used exclusively by law enforcement agencies. It's very sensitive, it's very serious that when you're bringing somebody in, especially a younger person, which we hire currently anybody who's graduated from high school. As part of their education will be to understand the gravity and the sensitivity and manage the confidentiality of that type of information because they'll be exposed to it on a regular basis at the Communication Center. **Chairman Bynum** said and apparently be able to work towards some sort of certification. **Deputy Chief Sims** said yes. They will all go through a NCIC certification and learn to input, remove and relay information from the NCIC database.

Chairman Bynum said my last question is, we're referencing it as employment, so does that mean that our four students will go through regular HR hiring practices? **Ms. Ramirez** said yes ma'am. That is part of the experience that they actually go through the process of what an actual application, interview and all the processes to gain employment here at the Unified Government. **Chairman Bynum** said if there are documents that are needed for employment and they don't have them or they don't know where they are, are we able to assist? I know that this is a tight turnaround, but I'm thinking kind of more down the road maybe. If you've got someone that really is interested, but they don't have the documentation required to be employed at this time, would we maybe be willing to work with that student. Maybe they're just going to miss this round, but maybe work with them in any capacity to help them obtain what they need to be employed? I guess maybe, if we're working with seniors, maybe not. I'm just curious. **Ms. Ramirez** said I think it's important to recognize that not all students may have the experience of even applying for a job and so I think it would be incumbent upon the Human Resources Department to do the outreach and really teach students how to write a resume. What are we looking for in a resume and how do they highlight some of their skillsets that may be limited at this time for consideration and we absolutely would be working with those students and working with the counselors. **Chairman Bynum** said that's great because maybe it's not this opportunity, but maybe it's some other opportunity with us that we could be helpful with in helping them.

Chairman Bynum asked other questions or comments?

Bridgette Cobbins, Assistant County Administrator, said I would be remiss if I didn't remind the commissioners that when Chief Oakman was hired, the first 30 days he met with each one of the commissioners and this was an initiative that he had brought to each one of you all when he first started along with several other initiatives. It is impressive that as long as he was thinking of that in that vein and also the Sheriff, but I just wanted to remind the commissioners that it was a while ago, but when he met with each one of the commissioners, this was one of the initiatives that the Police Chief at that time had brought to your attention of an initiative that he wanted to implement in Kansas City, Kansas with USD 500. **Chairman Bynum** said thank you. I really appreciate that.

Chairman Bynum asked, Clerk, any comments received from the public? **Ms. Sparks** said no comments received. **Chairman Bynum** asked, are there any persons online with their hand raised to comment? **Ms. Sparks** said no hands raised. **Chairman Bynum** asked, anyone here in person that would like to comment? This is an item for action.

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

Ms. Meyer said I'm sorry to interrupt. I just want to include that I am requesting that this be fast-tracked to Thursday if approved by you all. **Chairman Bynum** said absolutely. **Commissioner Kane** said my motion includes that. I didn't tell you that. **Ms. Meyer** said oh, okay. **Commissioner Ramirez** said the second agrees.

Roll call was taken and there were five "Ayes," Kane, Markley, Johnson, Ramirez, Bynum.

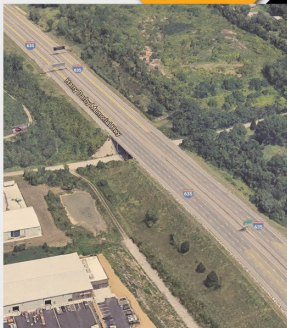
Item No. 3 – 212177...PRESENTATION: PUBLIC WORKS QUARTERLY REPORT

Synopsis: The Public Works Department will provide a quarterly update on new initiatives programs, submitted by Jeff Fisher, Executive Director of Public Works.

Troy Shaw, County Engineer, said I will try to keep this as short as possible. This is just a quick quarterly update of some of the stuff that the Public Works team has been working on for the last few months and will continue to be working on going forward.

KDOT CLOSURES

- Douglas under I-635 and unnamed street under I-70 near 4533 Orville
- Reduced street maintenance needs
- KDOT funding can be used for other intersection improvements



A couple things that very recently came to light is KDOT, just like the Unified Government, is looking at reducing assets so they can maintain their infrastructure better in the future. There's a couple bridges that they have come to us and approached about getting rid of these bridges. There may be impacts to the Unified Government, but the ones they have noted are potential candidates, they're listed up here and they have also said that if we decide to allow this and these bridges go away, they might supplement some funding our direction to benefit us as well. So, there was maybe a win-win, but very initial discussions with this, but I thought I'd bring it up real quick just to—you'll probably hear more about it in the future.



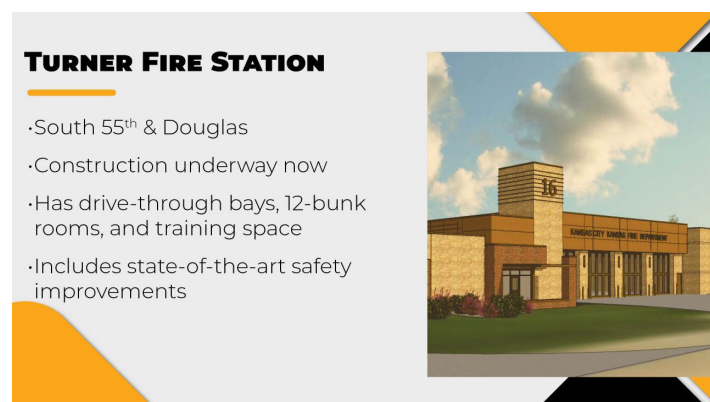
KANSAS AVENUE BRIDGE

- Grant application due in May 2023
- Seeking \$200-\$300 million in assistance with KCMO
- Bridge reconstruction
- Includes request for additional Improvements that stretch 7th street to Southwest Boulevard on KCMO side

Another bridge that you're very familiar with, the Kansas Avenue Bridge, very quick update. We've started design. We're probably about halfway done with the design for the temporary repairs. We'll be reaching out to a few contractors here at the end of the month to talk about

pricing and schedule and what they think they could do if they're available and then we're hoping to start this work in the spring of this year if we can get materials and contractors are available. That's a big if because you never know, but like I said, we'll be reaching out to them here in the next couple weeks to see if they're available and what we need for that.

On top of that, we have the grant submission that we've been working on with KCMO for this bridge and the full replacement, a \$200-\$300M project stretches a little more than the bridge is what we'll go for, but this is due in, I think, May or June next year, but we're planning on an application in the spring as well for this. We'll see where that one goes, but just another update and hopefully good luck, good news with that grant and wish us luck on that one.



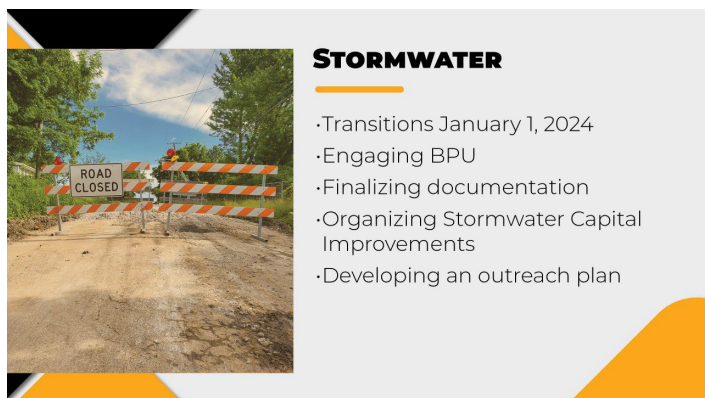
I'm going to turn it over to Laura to give a real quick update on the fire station.

Laura Landis, Unified Government Architect, said I work with the Buildings & Logistics Division. This evening it is my pleasure to present to you our new Turner, or some of us call it Pierson Park Fire Station, located on 55th Street at the intersection of Douglas. With our official groundbreaking ceremony behind us, the construction contractor is proceeding with gusto. If you happen to drive by and look onto the site, you will now see block walls going up, so we are serious about building this building.

The facility is a combination of two fire stations under one roof to better serve our community focusing on the Turner and southern Wyandotte County areas, so it is no wonder that it houses 12 bunk rooms and ample training facilities. We are also incorporating the state-of-the-art safety improvements that we look forward to share with you in further detail at perhaps another date, look forward to talking with you again.

Our construction completion date is November 2023; however, I must point out to you in today's construction environment, it is common for problems to occur in the supply chain thus causing potential delays. Currently, there is a situation that could extend the construction completion another couple of months, but it is important to know that our team consisting of the Fire Department, project architects, engineers, construction contractor, and Buildings & Logistics Division are dedicated and committed to mitigate such delays. We are in the process of doing so.

I'm here speaking to you representing John Kelly, Director of Buildings & Logistics Division, who unfortunately could not be here tonight. In closing, should you have any questions at the end of our overall presentation, I'll be happy to take notes and forward them to John on your behalf.



Mr. Shaw said we are talking about stormwater, another thing we're all very familiar with. Last month we adjusted the rate structure and we'll be implementing that rate structure in 2024, January 1, which means we have a lot of work to do next year; coordination with BPU, outreach to the public. I can list a lot of things, but we we've already started that work right now and we'll be continuing on through next year and be ready January 1, 2024 with hopefully as few problems as possible.

Chairman Bynum asked, Troy, do you want us to hold questions? We can hold questions to the end. **Mr. Shaw** said that's fine. I'll turn it over to Diana Jimenez to talk about our culture in Public Works.



Diana Jimenez, Office Manager in Public Works, said in Public Works we've created a culture of continuous improvement and what that means is that we don't settle for status quo. In the next few slides we'll talk about some of the improvements that we've made in the last several months.



SOLID WASTE UPDATES

- Program Supervisor & Coordinator positions filled
- Current team will help new hires transition over the next few months
- Service has improved, but many challenges remain

In Solid Waste we've made some improvements, but we still have many challenges. We have selected candidates to fill the vacancies right now and they are currently in the hiring process. Myself, Jeff Miles, and a few others from the team will work closely with them in the next few months. We'll introduce them at the next standing committee as well. I am excited to say that the new Program Supervisor has management experience with one of the biggest waste haulers in the United States.



OPERATIONAL CHANGES

- Broke the county into six focus areas
- Focus areas put greater emphasis on preventative maintenance
- Allows team members to get more hands-on with a smaller service area
- Allows teams the freedom to plan their day, which increases pride and ownership

Andrew Mendibles, Operations Superintendent with Water Pollution Control, said I want to talk about some of the culture changes. We have increased ownership and pride within Water Pollution by shifting gears from corrective maintenance to preventative maintenance. We're going to be proactive rather than reactive. The idea of trying to manage and maintain 78 pump stations and 5 treatment facilities can be daunting. By focusing a team's responsibilities to a more organized and small scale, it allows the teams to become more aware of the day-to-day conditions, recognize unusual sounds and vibrations. This gives them the ability to not only plan their day, but also their work week.



GROUPING ENGINEERING

- Combining like services for team improvement
- Engineering, Water Pollution Control, and Planning
- Reduces redundancy and increases communication
- Opportunity for cross training

Mr. Shaw said in the spirit of continuous improvement we have been looking at the structure of our organization as well and in looking at one of the things that popped out was how Engineering is structured. We historically had Engineering in two different divisions—or two different departments and three different divisions overall. Within the past few months we've restructured the Public Works, Engineering to one group and then we'll be looking at in January of next year working with the Planning Department to restructure those as well to pull them all into the same team, so that we can provide more efficient, more effective work to the public, help us cover each

other better if someone has to leave. We're hoping that really improves our efficiencies and we'll give you update on that as it moves forward and if it's successful or not.



Vincent Billaci, Street Division Manager, said more improvements. A couple years ago we started discussing and found a way that we could save some funds just simply by switching the vendor in which we get uniforms. So, we had to stall a little bit because the contract we were under didn't end until July of last year, so at that time we opted out of that contract and found new vendors to get uniforms. For the employees they are more comfortable, they still meet all the safety requirements for working in the roadways and just in the Street Division we saved over \$50K doing this switch, and that's an annual savings. Fleet also made the change and had savings and although they're not in Public Works, the Transit Department also made the switch. I will note that Water Pollution Control, by the nature of their work, they can't make the switch because they still need the laundry service. We did look into that though and with that I will turn it back to Diana.

Ms. Jimenez said lastly, but most importantly, I want to recognize and congratulate some of the team members that are retiring. We wish them the best and thank them for their contribution to our community and to the department and their names are Steve Leiker, William Horn, Jim Stimetz, Henry Hernandez, Kurt Winters, Steve Barron, Roger Stevenson, Linda Williams and Eric Yeager. **Chairman Bynum** said congratulations to all the retiring employees.

Commissioner Johnson said I did not even know that there was a bridge underneath Douglas & I-635, but I don't—that's just a thought. I guess that's why it's unnamed. For the Turner Fire Station, in light of all of the procurement challenges that we have in today's environment, do we

feel that there's enough contingency in the budget to offset things that may occur because time is money and do we think that the anticipated delays or the potential delays might also amount to more money or more cost to this project. **Ms. Landis** said, Commissioner, let me explain that we are in the early stages of this project and yes, when we have differing site conditions that we don't know about or we run into the supply chain problems, of course, sometimes it could mean more money and more time. We are working on—we have, believe me, our meetings that we have, we have bi-weekly meetings at the construction site and we brainstorm. We do everything we can to try to mitigate expense, but we do have contingency money, but we will keep you apprised as we march down the field. I know John Kelly will be informing you. **Commissioner Johnson** asked, what's the budget for this project right now? **Ms. Landis** said I will get back with you on that. I don't have the exact number. **Commissioner Johnson** said that's okay. **Ms. Landis** said I'm sorry about that.

Commissioner Johnson said stormwater, let's just move on past that. Solid Waste updates, no. Operational changes, I heard a couple of words, we're focusing on moving from something maintenance to preventive maintenance. What was the first one? **Mr. Mendibles** said corrective maintenance. **Commissioner Johnson** said corrective maintenance, that one makes sense and then you used some terms about vibrations and sounds and I wanted to know what does that mean in your terminology. **Mr. Mendibles** said in the pump stations facility we have multiple pumps. Some of them only have two, some have five. You start to develop a sense of knowing what to expect when you walk into them. By reducing the number that they have to visit for a day or per week, they get a sense of how it should sound and you can tell when something's off and if there's a vibration that's unusual, if you hear a sound that's different, it alerts you so you can help fix it and identify it rather than letting it become an emergency call-in. We have seen a reduced amount of emergency call-ins overnight after hours. **Commissioner Johnson** said so just listening to the machines for a lack of a better term. It's like listening to your car, if it starts ticking, you know you've got a problem. Okay, that's great.

Commissioner Markley said just a comment. You know I just appreciate you guys so much and how you're always striving to find ways to be better and to do things better. You don't look to us to give you those cues and to tell you how you should do your job. You just do it and you always

do amazing work, so as always, I just appreciate you and you are the bar to which we should be holding our other departments.

Commissioner Ramirez said the only question I have, which grant is it that you and KCMO are trying to go for. **Mr. Shaw** said it's the Mega Infra Grant—changed the name depending on what you're looking at, but yes, it's that one. **Commissioner Ramirez** said thank you. I ditto everything Commissioner Markley said. I thank Public Works. You all know what I think and over the years that I've been here I've said my piece and what you know, what an amazing department you are. You guys don't stop, you guys keep going and you don't let anything stop you, so thank you for that and you know Commissioner Markley said it, I hope you are a model for our other departments and I hope they see that and they take it and they run with it just as you guys have. Thank you for all that you do every day.

Chairman Bynum said I have a comment I would like to make. Commissioner Kane has brought this up on a couple of prior occasions. As we prepare for our new stormwater rate, I believe that at some point we will update that online calculator, number one, that will allow someone to go in and calculate their stormwater rate, but what Commissioner Kane has suggested on a number of occasions, and I agree with is, even a postcard mailer, multiple of them as we move toward that transition date. We passed that a month ago and it's a 13-month implementation and people are going to 100% forget. So, I just think that one or two postcard mailers to every, I guess, BPU utility account should be mailed ahead of that and maybe direct them to the calculator online so that they can see. Obviously, all of our other outreach and engagement that we do especially with Facebook and all the other tools that we use, you know, where we could link that, but as Commissioner Kane has said, not everybody is looking at social media and it's a really valuable tool, but if you have 75% of your constituency not seeing that, then we've got to find other ways, so please just keep in mind the option of the mailer.

Commissioner Kane said I was trying not to say anything, but I guess I will. That's mandatory that something goes out to the people. It's ridiculous that it doesn't. I also think that we need to get on that bridge thing right now because once that Panasonic project opens up, there won't be a whole lot of skill trades folks to be able to perform that particular work. I sure hope that fire station

gets done in the timeframe you said it would because it only took them five years to build the one out in Piper.

Commissioner Johnson said, Commissioner Bynum, I want to double down on what you said, that outreach plan as we've known from all the other times we've reached out to people, there will be a critique that suggests that we haven't reached out enough. So, I'm just saying to make sure that we do the level best that we can to try to mitigate that--critique that—I don't know that I necessarily agree with, but sometimes has been identified. You know the paper is more expensive to do, but I know that my mom's going to get that piece of paper. She's not going to get it on her phone, she's not going to get it on her PC or anything like that. She doesn't even have a PC, so that level of that outreach plan has—we need to make sure we're doing our level best and if there is something we need to do as a Commission to help in the process, then I think we need to know about that as soon as possible so that we can get in and help push because this is a big deal. We need to do our level best to make sure that we as a whole, and as a Commission, not leaving staff—leaving you out in the wind, the drive so to speak, but that we're doing our level best to make sure that our public is made aware of this thing that's coming down the pike in 2024. So, I just wanted to reiterate on that.

Chairman Bynum said I'll ask the Clerk if we had any comments received from the public on this item. **Ms. Sparks** said no comments received. **Chairman Bynum** asked, anyone on line asking to speak on the item. **Ms. Sparks** said no hands raised. **Chairman Bynum** asked, anyone here in person that would like to speak. This was information only and we so appreciate each and every one of you for everything you do every day.

Action: Information Only

Item No. 4 – 212178...UPDATE: RIGHT-OF-WAY ORDINANCE

Synopsis: Public Works staff has been asked to report on the Unified Government ordinance regarding right-of-way maintenance throughout Kansas City, Kansas, and the Unified Government's practices and procedures, submitted by Jeff Fisher, Executive Director of Public Works.

Chairman Bynum said if something were to change, would it require action by the Commission if we were changing something in this ordinance? **Ms. Meyer** said yes. **Chairman Bynum** said but tonight we're just talking, sharing information, is that right? **Mr. Fisher** said that's correct.



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TO FROM DATE RE ATTACHMENTS

Jeff Fisher, Public Works Director
Viny Billaci, Street Division Manager
October 19, 2022
Right -of -Way Mowing and/or Trimming
Right -of -Way Mowing Map

Background

As part of Public Works' (PW) commitment to continuous improvement, team members regularly review existing policies and procedures. In early 2017, teams in PW's Street Division began a review of internal mowing procedures.

During the process, it came to light that PW was mowing and trimming many areas within the right-of-way on private property, an activity that was not in line with existing city ordinances. Chapter 8, Article XII, Section 8-535 reads:

- It shall be unlawful for any property owner, representative, tenant or other person with control, occupancy or possession of real property to allow excessive growth of vegetation on any lot or parcel of land within the city or in any area between the property lines of said lot or parcel and the centerline of any adjacent street or alley, including, but not specifically limited to, sidewalks, streets, alleys, easements, rights-of-way and all other areas, public or private.
(Code 1988, § 8-575; Ord. No. 65619, § 6, 4-19-1991)

Chapter 32, Article II, Section 32-37 (c)(1) also reads:

- All persons or entities owning land adjacent to public right-of-way or easement, upon which improvements are located, are responsible for the maintenance and repair of such improvements, including but not limited to the sidewalks, driveways, culverts, ditch maintenance, driveway approach, private street, private sewer, and tree trimming.

At that time, the practice of mowing and/or trimming vegetation in the right-of-way on private property was not in line with city ordinance. In March of 2017, Public Works brought this discrepancy to the attention of the Governing Body through Standing Committee along with a recommendation that would bring operations into compliance with city code while allowing the Unified Government to continue right-of-way mowing and/or trimming on publicly-owned property via a phased approach to be fully implemented in 2019.

Best Practices

To determine best practices, Public Works reached out to several neighboring cities. Those who responded are Kansas City, MO; Roeland Park, KS; Prairie Village, KS; and Leawood, KS.

Kansas City, MO is the most comparable neighbor, as they face similar staffing challenges and have similar processes. In Kansas City, MO, internal crews mow and/or trim right-of-way on publicly-owned property, and external crews are contracted to mow and/or trim vacant lots. Staffing challenges make keeping up with mowing and/or trimming difficult.

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Roeland Park, KS; Prairie Village, KS; and Leawood, KS also only mow and/or trim on publicly-owned property. They also indicated that they do not preemptively trim trees, and should a tree fall into the street, the road is cleared and the fallen tree is placed on the property of origin.

These practices are in line with the processes currently followed by the Unified Government.

Current Practice

In the past, Public Works' Street Division mowed or trimmed the right-of-way in many areas, but the three most recent Citizen Surveys showed that street maintenance is a higher priority. To meet the expectations of residents, the Board of Commissioners worked with staff to phase out right-of-way mowing on private property in 2018, with phasing to end in 2019. County-wide notifications were sent to all residential addresses, and teams worked with property owners throughout 2018 to help with and educate them about the transition back to compliance with the existing code. Areas where tall grass and weeds cause safety concerns, particularly at intersections, are still cut by the UG regardless of ownership.

During the phase-in period, the Street Division also conducted a map-based mowing audit. The purpose of this exercise was to map areas that were (1) currently maintained by the Unified Government, (2) previously maintained by the Unified Government but not currently maintained, and (3) areas that property owners are responsible for maintaining. A copy of the resulting map is attached.

The return to compliance in 2019 allows Public Works to focus scarce resources on things like curb replacement, alleyway improvements, and increased pothole patching. Although improvements continue, the Unified Government's current mowing and trimming obligations, combined with staffing challenges and weather delays, make it difficult for teams to keep up with a regular rotation of service. Adding to the service map would result in negative outcomes in areas such as curb replacement and pothole patching.

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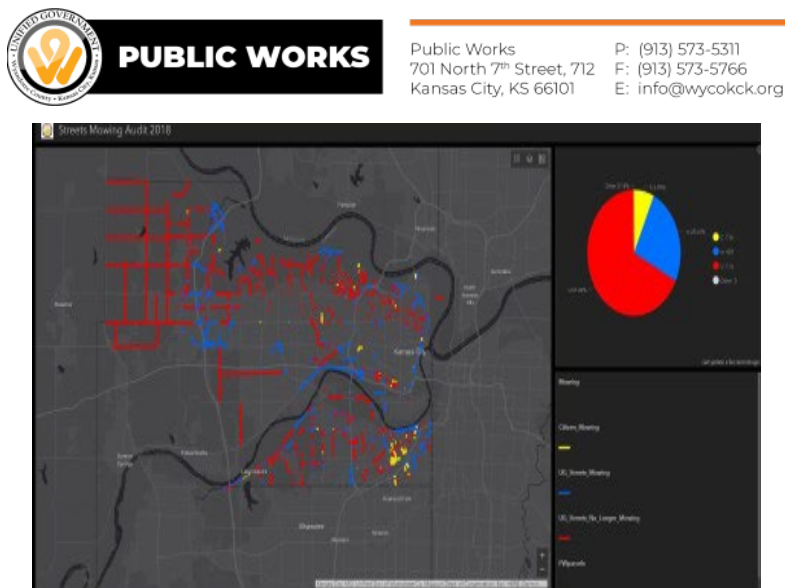
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Jeff Fisher, Executive Director of Public Works, said you might recall we had a discussion about this. I can't remember if in Standing Committee or full commission four years ago maybe, Standing, almost six years ago and sort of my assessment of what Public Works is doing. One of the things that I noticed is that we were mowing right-of-way and not systematically. We didn't really have a basis and we weren't systematic about it and didn't really have a basis for how we determined where to mow and whatnot and where not to mow. I had this same experience before I joined this team and so it's impossible to tell one property owner we can't mow when we know we're mowing a bunch of other property owners. That's the first issue and the second issue is, we all know our street maintenance is in dire need of extreme focus and so we really needed to focus those resources on street maintenance and follow the existing ordinance at the time that made property owners responsible for right-of-way maintenance. There was never a change to that ordinance through this process. We simply made adjustments in our procedures and our practices to follow ordinance. I think Mr. Billaci has a map to show you what we were mowing versus what we're not mowing now.

December 12, 2022

Vinny will probably cover this, what we still do is UG properties, some interchange areas, and then also intersections that are hard or create safety issues, so we still do that in a number of areas.



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Vincent Billaci, Street Division Manager, said as Jeff mentioned, this map shows this is kind of what we did in process when we were in the transition phase so this is from 2018. All the red lines are private property that we used to mow, the blue lines are what we currently mow, the yellow is what we used to mow that's private property and citizens at that time were mowing. So, the blue is what we're mowing today and, as Jeff mentioned, some of that is KDOT interchange stuff and UG right-of-way.

Mr. Fisher said the ordinance that the UG has is very typical. It is very typical for property owners to be responsible for mowing the right-of-way and so we're not unique in the ordinance that we have. We were fairly unique in how we were applying of what practices we were following.

Chairman Bynum said tell me again, the red is private that we used to mow, the blue is what we mow now and the yellow is what? **Mr. Billaci** said you could look at this almost as every line up there is what we used to mow before we made these changes, so everything there is what we would have been mowing. The red is identifying what we used to mow that's actually private property and then the yellow is stuff that we used to mow that when we went back and did this, the property owners were taking care of themselves. **Chairman Bynum** said yellow is what we could have been mowing, but property owners were taking care of it. **Mr. Billaci** said correct. We would have been mowing that in the past, but when we did this audit, the property owner had then taken care of, so the red was stuff that nobody was mowing at that time. Does that make sense? **Chairman Bynum** said not yet. So the red—**Mr. Billaci** said the red is private property that at the time we did this audit, nobody was mowing. **Chairman Bynum** said and when we did this audit, when was that? **Mr. Billaci** said 2018. **Chairman Bynum** said this is the 2018 audit, nobody was mowing the red. **Mr. Billaci** said correct. **Chairman Bynum** said we were mowing the red. **Mr. Billaci** said previously yes. Prior to us switching our practice to match the ordinance, we would have been mowing that. **Chairman Bynum** said then when we switched our practice, we had all this red that all of a sudden was not getting mowed. **Mr. Billaci** said correct.

Chairman Bynum said okay. Do we have an audit that shows us improvement to that? **Mr. Billaci** said we do not. **Chairman Bynum** asked, do we want to have an audit that shows improvement. I mean are we planning on trying to replicate this to see if folks are complying? **Mr. Billaci** said we can. There's a lot of codes correlation with this as well, code enforcement that went along with this whole—**Mr. Fisher** said at the time it was a switch for Code Enforcement as well and got them up to speed. That took a couple years. We transitioned out of that practice. We didn't just turn the switch off. **Chairman Bynum** said when we rolled this out I know that we notified property owners, probably more than once and I know we had a lot of people that didn't like it.

What are we doing today—I mean I think we do have more compliance. I know we don't have 100%, but I think we do have more compliance. What are we doing today to address the

homeowner who is not physically able or the piece of right-of-way that we're asking them to mow because technically they are responsible for it, but it's just not practical. Does that make sense? What's the department's action around those kinds of items? **Mr. Billaci** said we have discovered through this, since implementation, that there are several areas especially, you know, ditch lines and hillsides that a property owner couldn't reasonably be expected to mow, so we have added those to our mowing list because we have the equipment that can do so.

Chairman Bynum said I know one question that I've asked Legal primarily is, I know we talk about the right-of-way, but it's still my property, right. I mean my deed to my home outlines a legal description of my property and that legal description of my property measures all the way to some certain point. It doesn't stop at the sidewalk. Can you speak to that a little bit more? **Ms. Meyer** said right, and I know this is a little confusing because I think it varies, and so I think it would be beneficial sometime—we almost made a list of how it works. We can do that for you.

Chairman Bynum said I think it would be interesting and, again, I'm interested in educating. We know that a lot of people were very dissatisfied with our policy change around mowing even though, as we state, we were actually complying with our own ordinance, so I just think it could be helpful as we try to again communicate to the public about what we're asking for.

Commissioner Kane asked, can you pull the map up please? **Chairman Bynum** asked, are you able to see it. It's on the screen now. It's a little hard to read. **Commissioner Kane** said okay, look at those red lines. That affected my area more than any other area out there, so yes, they've—when I've called them they've come out there and done it, but there are multiple hills that are dangerous to do especially on 123rd Street and a couple of other places. Look at all the sidelines out west of 435 and this goes back to there are a lot of people that are unable to do that. There are a lot of people that don't want to put their own life on the line, like Mr. Billaci said, because they have the equipment and they don't. Like I said, I've never have liked this. They do go out there once I complain, but this isn't something that has ever been good for me and I didn't like it then and I still don't like it.

Chairman Bynum asked any other questions or comments. This is an update. Clerk, did we receive any comments online? **Ms. Sparks** said no comments received. **Chairman Bynum** asked, anyone in person that wants to speak to it?

LaVert Murray said members of the standing committee, staff, I'm not from the Mayor's Office tonight, but maybe I am, but I am representing as an elected member of that board that governs the Normandy West Homeowners Association. I received several calls from neighbors who own property within Normandy West and if you're familiar with Normandy West, you would know better that it has essentially two points of ingress/egress, but mostly from 78th Street between Parallel and State. On Parallel there is the Wendy's and the strip shopping center there at 78th. If you're family with that area and I tried to pull up the Dotte's map to show you that area, but could not. There are property owners within Normandy West whose property lines are south of Parallel, but behind their homes, behind their fences, to the north is a creek and then you have a sidewalk and then you have Parallel Parkway. We received calls from the neighbors who were visited by our codes officers who advised them that they had just a few days to cut trees and mow grass on Parallel Parkway or they would be in court on a certain date.

Initially they were planning to come and protest before the Unified Government Commission and I think they may have called you Commissioner Bynum and Commissioner Kane, but they agreed in order to avoid going to court, they hired a contractor because they could not get through their fence over the creek and to Parallel Parkway to cut the trees and mow the right-of-way. They hired a contractor to do that just to avoid having to go to court and it's been noted by the staff today or tonight that there are certain areas that are inaccessible and certainly this is one of them and I will guarantee I checked there—**Ms. Sparks** said one minute remaining—**Mr. Murray** said their property lines did not extend over to Parallel, but you know within that right-of-way they were the closest property to it. So, somewhere along the way, this needs to be addressed and I heard them say if the area is inaccessible, maybe the city will continue to take care of that, but this was never articulated to those neighbors. In fact, we would have asked them to come tonight but we knew this item was for information only, but when they can come and influence your managing this matter, they will be here.

Chairman Bynum said I know exactly what you referenced and it's interesting that what you discovered in the research is that in those cases—and it's probably three to four property owners in that area—**Mr. Murray** said that's correct. **Chairman Bynum** said at the most. **Mr. Murray** said not at the most. There were four that received notices and they combined their resources and hired a contractor. **Chairman Bynum** said so those four hired the contractor to take care of that

area. **Mr. Murray** said right. **Chairman Bynum** said it's just interesting to note that in their case, their legal description of their deed did not extend their property to Parallel, that's interesting because that makes it almost kind of like a no man's land little strip of who does own that, us I guess maybe. I don't know and I'm not looking for an answer and I'm not expecting you to know that, but that's an interesting dilemma. **Mr. Murray** said it showed to be in the right-of-way, but of course for them to—and they did not have a gate on the north side of their fence, so they couldn't even get through, so that they could cross the creek and then get onto Parallel Parkway. They had to go back up to Walker several blocks to come around to the back of it.

Chairman Bynum said yeah, I totally—to me, that one might be unique, but I completely understand what you're describing. I've been in some of those backyards that would eventually lead over to the sidewalk on Parallel, but you're not suggesting that your Homeowners Association necessarily had to hire the contractor. It was those individuals that took it upon themselves to do that. Would that be right? **Mr. Murray** said that is correct and that's why they called me because we use our Homeowner Association resources to maintain our common area. That certainly is not within our common area. **Chairman Bynum** said okay, very interesting. I mean I would think myself that stretch of Parallel would be an area that should be kept clear.

I guess the downside is there might be other little stretches of other roads. I know back in the summer I identified a stretch of State Avenue similar. Unfortunately, that stretch that I identified on State has a bus stop and so I felt so bad because basically weeds are this tall and here's this poor gentleman standing waiting for the bus and you know he's basically standing in the weeds. Anyway, I imagine we're going to find others that are similar to that because of the fact that what's nearby isn't really accessible by the property owners.

Thanks for coming forward to tell us about it. I appreciate it.

Mr. Fisher said in response to that, this has been done several times since the change. If we get a citizen or commissioner call-in and let us know about these cases, we'll evaluate it. Mr. Billaci tells me there's a guardrail through much of this area which the UG should be maintaining, so we'll look into that. It would be odd to have a piece of property that's not owned by a property owner, so I'm sure it's a map thing, but we'll look into that as well. **Chairman Bynum** said I appreciate that and the one that I was describing on State I think also had a guardrail.

Dave, it might have been you that I sent that—I don't know. I'm sure you remember every single email—**Dave Reno, Public Works**, said I remember every email you send me. They mean a lot, I'm just kidding. I do recall this one. I keep confusing that with a different bus stop issue involved with children on Leavenworth I think. **Chairman Bynum** said it was right around 55th & State, but anyway, I think there's a guardrail in that location as well.

Chairman Bynum asked any other questions, comments on this item? Anyone else online? Okay, that was information only.

Action: Information Only

Adjourn:

Commissioner Ramirez made a motion, seconded by Commissioner Markley, to adjourn.

Roll call was taken and there were five "Ayes," Kane, Markley, Johnson, Ramirez, Bynum.

Chairman Bynum adjourned the meeting at 7:19 p.m.

dt



Report to
Administration & Human Services

#212900

MEETING DATE	PRESENTER	DEPARTMENT
January 22, 2024	Dennis Rubin, Fire Chief	Fire Department
AGENDA ITEM #IV.4.		
RESOLUTION: AUTOMATIC/MUTUAL AID AGREEMENT FOR FIRE AND OTHER EMERGENCIES		
BACKGROUND		
The Fire Department recommends that the UG enters into an automatic/mutual agreement with Edwardsville and Bonner Springs Fire Departments to provide proper fire and emergency services to all of the Unified Government, submitted by Dennis Rubin, Fire Chief. <i>It is requested that this item be fast-tracked to the January 25, 2024, full commission meeting.</i>		
RECOMMENDATION		
Approve Fast Track Approve and fast-track to 1.25.24 Commission meeting		
BUDGET IMPACTS / FINANCIAL CONSIDERATIONS		
Cost neutral, no additional cost		
IT/POLICY CONSIDERATIONS		
This policy will expand the current mutual aid to add automatic aid when and where necessary.		
PROCUREMENT CONSIDERATIONS		
None applicable		
LEGAL CONSIDERATIONS		
Resolution attached		
ATTACHMENTS		
Resolution for Automatic and Mutual Aid between UG, Edwardsville, and Bonner Springs		

Approved by Mayor and Administrator to add to agenda:

Jynone January 1-12-24

David Johnston, County Administrator

Dated:

DAJ 1/12/2024

**AUTOMATIC AND MUTUAL AID AGREEMENT
FOR FIRE PROTECTION AND OTHER EMERGENCY SERVICES**

THIS AGREEMENT is made and entered into this 1st day of January, 2024, by and between the Kansas City, Kansas Fire Department (KCKFD), Bonner Springs, Kansas Department of Fire - EMS (Bonner Springs), and the Edwardsville, Kansas Fire Department (Edwardsville), through their duly authorized Mayor, County Administrator, City Manager, or Board of Directors to provide automatic aid assistance for fires and other types of emergency incidents as described under the terms of this Agreement.

WITNESSETH:

WHEREAS, agreements for automatic aid assistance in fire protection and response to other emergencies have existed between specific municipalities and governmental jurisdictions; and;

WHEREAS, the participating cities seek to provide the most efficient, safe, and effective fire-rescue-emergency medical services to their communities and;

WHEREAS, the Participants are committed to demonstrating public equity through the reasonable commitment and distribution of resources within their jurisdiction to ensure that no participant unfairly benefits at the expense of the other participants, and;

WHEREAS, it is the desire of the Participants joining in this Agreement to continue and improve the nature and coordination of emergency assistance to incidents that threaten loss of life or property within the geographic boundaries of their respective jurisdictions; and

WHEREAS, it is further the determination of each of the parties hereto that the decision to enter into this Automatic and Mutual Aid Agreement constitutes a fundamental governmental policy of the parties hereto which is automatic in nature, and includes the determination of the proper use of the resources available with respect to the providing of governmental services and the utilization of existing resources of each of the parties hereto, including the use of equipment and personnel; and

WHEREAS, it is the desire of these municipalities and governmental jurisdictions to initiate

and/or renew an "Automatic and Mutual Aid Agreement" for fire department services.

NOW, THEREFORE, IT IS AGREED:

General Provisions

1. The parties hereto acknowledge that this Agreement is being entered into pursuant to K.S.A. 12-111, and amendments thereto, to offer Fire Protection Services beyond each city's respective city limits. WHEREAS, the Parties are authorized to enter into an agreement for such services by the power vested in cities by Article 12, Section 5 of the Kansas Constitution and by K.S.A. 12-2908.
2. It is recognized that the interests herein are mutual. This Agreement is entered into for the common good of the general public of the parties and for strictly governmental purposes.
3. Without waiving an immunity provided under the Kansas Tort Claims Act, and to the extent permitted by law, the Parties shall enjoy immunity from liability in the process of providing aid under this agreement. Nothing in the Agreement should be construed to in any way limit immunities available to the parties.
4. In the event that any individual performing duties subject to this Agreement shall be cited as a defendant party to any state or federal civil lawsuit, arising out of his or her official acts while performing duties pursuant to the terms of this Agreement, such individual shall be entitled to the same benefits that he or she would be entitled to receive had such civil action arisen out of an official act within the scope of his or her duties as a member of the department where regularly employed and occurred within the jurisdiction of the governmental entity where regularly employed. The benefits described in this paragraph shall be supplied by the party where the individual is regularly employed. However, in situations where the other party may be liable, in whole or in part, for the payment of damages, then the other party may intervene in such cause of action to protect its interests.
5. No term or provision of this Agreement is intended to, or shall, create any rights in any person, firm, corporation or other entity not a party hereto, and no such person or entity shall have any cause of action hereunder.
6. Nothing in this Agreement shall limit the ability of any or all of the parties from agreeing to participate in more specific contracts for services, mutual aid assistance, or automatic response; nor shall this prohibit any party from providing emergency assistance to any other jurisdictions which is not a participant in this Agreement.
7. The parties may elect to amend or specify additional provisions by adding a mutually agreed upon written addendum to this Agreement.
8. The Chiefs of the respective Fire and EMS services shall administer this Agreement. The authority to make operational changes within any member department shall remain solely with the Chief of that department.

9. This Agreement shall be governed by, enforced and construed in accordance with the laws of the State of Kansas.

10. All agreements, covenants and clauses contained herein are severable, and in the event any of them shall be deemed or held to be unconstitutional, invalid, or unenforceable, the remainder of this Agreement shall be interpreted as if such unconstitutional, invalid or unenforceable agreements, clauses and covenants were not contained herein.

11. This Agreement shall encourage the development of cooperative procedures and protocols, including but not limited to communications, coordination, training, health, and safety, station coverage by request, and other activities that will enhance the ability of the fire departments to fulfill their mission. All three Chiefs shall cooperate to ensure organizational interoperability to improve efficiency, effectiveness, and the safety of the public, and all firefighters and EMS personnel employed by the parties.

12. No term or provision in this Agreement is intended to create a partnership, joint venture, or agency arrangement between any of the parties.

13. All Edwardsville equipment used in carrying out this Agreement shall remain equipment owned by Edwardsville and shall not be deemed equipment owned by Bonner Springs or KCKFD under any circumstances. All Bonner Springs equipment used in carrying out this Agreement shall remain equipment owned by Bonner Springs and shall not be deemed equipment owned by Edwardsville or KCKFD under any circumstances. All KCKFD equipment used in carrying out this Agreement shall remain equipment owned by KCKFD and shall not be deemed equipment owned by Edwardsville or Bonner Springs.

14. All parties to this Agreement shall be under no obligation to reimburse any other party for costs incurred pursuant to this Agreement. Personnel who are assigned, designated or ordered by their governing body to perform duties, pursuant to this Agreement, shall receive the same salary, pension, and all other compensation and rights for the performance of such duties, including injury or death benefits, and Worker's Compensation benefits, as though the service had been rendered within the limits of the entity where he or she is regularly employed. Moreover, all medical expenses, wage and disability payments, pension payments, damage to equipment and clothing, and expenses of travel, food, and lodging shall be paid by the entity in which the employee in question is regularly employed. However, any expenses recoverable from third parties and responsible parties shall be equitably distributed among Aiding Units. Nothing herein shall operate to bar any recovery of funds from any state or federal agency under any existing state and federal laws.

15. All Edwardsville employees acting under this Agreement shall remain employees of Edwardsville for all purposes and shall not be deemed employees of Bonner Springs or KCKFD under any circumstances. All Bonner Springs employees acting under this Agreement shall remain employees of Bonner Springs for all purposes and shall not be deemed employees of Edwardsville or KCKFD under any circumstances. All KCKFD employees acting under this Agreement shall remain employees of KCKFD for all purposes and shall not be deemed

employees of Edwardsville or Bonner Springs.

16. The parties recognize that it is the responsibility of each participating party to ensure that their employees are notified in accordance with the provisions of Workers Compensation Law, specifically, K-WC 40-A or any amendment thereto, and that all such notices as required to be posted by law.

17. All participants will use standard Incident Command Systems (ICS) procedures.

18. To ensure compatibility of equipment, participants shall maintain a mutually agreed upon inventory of equipment (based upon minimum NFPA standards), including hoses, couplings, pump capacity, communications equipment, and will maintain the minimum standard amount of equipment on each type of apparatus (as recommended by NFPA Standards).

19. To ensure proper coordination of firefighting and EMS procedures, dispatching and communications between the Fire and EMS departments, the Departments agree to joint training exercises at least semiannually. The training exercises will be coordinated and observed by the respective department training chiefs.

20. Participants shall utilize a standardized apparatus numbering system and standardized terminology for apparatus and fire stations.

21. System participants recognize the importance of service delivery and personnel safety issues. The minimum daily staffing level for engines and ladders shall be three members.

22. To ensure safety, all participants agree that their standard operating procedures and command procedures shall be reviewed every other year and be shared, upon request with all other agencies.

23. This Automatic and Mutual Aid Agreement shall commence upon approval by each agency's governing body, under K.S.A. 12-2908, and shall continue in force until terminated by formal act of the parties to this Agreement. If one party wishes to terminate this Agreement, a sixty-day notice in writing of intention to terminate shall be given to all parties involved.

24. This Automatic and Mutual Aid Agreement shall be reviewed by all parties every year or as deemed necessary by any involved agency. Unless otherwise specified in writing, this Agreement will automatically renew on the first day of January of each year.

25. It is recognized that Wyandotte County does not provide Fire and/or Emergency Medical Services. As part of this agreement, the City of Bonner Springs agrees to provide the primary fire and emergency medical services to the unincorporated area of Wyandotte County, known as Loring, subject to the terms and conditions of this Agreement.

Automatic Aid

27. The parties agree to dispatch their respective assigned fire department units on an automatic basis as indicated in Appendix A. The Computer Aided Dispatch and Automatic Vehicle Locator system will automatically determine the closest available, most appropriate unit(s) regardless of jurisdictional boundaries for all call types. Each jurisdiction agrees that such unit(s) will respond, if available to do so.

28. It is agreed that the scope of this Agreement includes automatic aid assistance in responding to calls for service as identified in Appendix A.

29. Participants in this automatic aid agreement do further agree to the following standard service criteria as the primary response system elements of this automatic aid agreement:

a. The Automatic Aid System will use a Computer Aided Dispatch system that automatically selects the closest, most appropriate unit(s) for dispatch of calls for assistance per agency (Appendix A). The CAD system shall be a centralized, totally integrated unit dispatch/status keeping system.

b. The Automatic Aid System allows the closest, most appropriate emergency response unit to an emergency to be dispatched automatically regardless of the jurisdiction where the emergency occurs or the jurisdictional affiliation of the response unit. The dispatch system utilizes Automatic Vehicle Location (AVL) equipment to discern the location of emergency response units and a computerized Geographic Information System (GIS) to discern the location of the emergency call. The AVL and GIS systems allow the dispatch system to match the closest response unit to the emergency and recommend it for dispatch within the Automatic Aid System boundaries. Each Automatic Aid system participant shall insure its fire and EMS apparatus are equipped with AVL's.

c. The automatic aid system utilizes a preplanned system of communications. Communications support for participants includes the provision of a main dispatch and multiple tactical radio frequencies, a Mobile Computer Terminal (MCT) system, a station alerting system, direct communication lines between each participating fire station and the Dispatch Center, and a paging system. These systems are in place and supported by the Dispatch Center.

d. Participants agree to the use of specialized unit resources. The assignment of a specialized unit to an incident relies on predefined response levels to specific types of

incidents, the closest specialized unit to the call, and any special call for resources made by an incident commander that is not pre-programmed in the CAD system. This includes, but is not limited to, hazardous materials support, technical rescue support, firefighter on-scene rehabilitation, command, utility, brush, and water tenders.

e. Participants agree that automatic aid is reciprocal. While automatic aid does not ensure that a community will receive the exact same amount of assistance as it gives, it does mean that all participants will provide assistance outside its jurisdictional boundaries and that the level of service delivered within the Automatic Aid System will be comparable.

Mutual Aid

30. Upon request for mutual aid assistance, the requested fire and/or EMS service will send units, equipment, personnel and other resources to any point within the requesting fire service jurisdiction; provided, however, that response is to be given only when the fire department called on for mutual aid, in the judgment of its chief, or such chief's designee, can reasonably furnish such assistance without unreasonably imperiling the safety of the citizens served by the fire and/or EMS service organization called upon for mutual aid.

31. The Parties agree not to call for mutual aid unless significant emergency circumstances exist wherein the requesting party's resources have been significantly reduced by emergency responses. The parties do not enter into this Agreement for the purpose of a reduction of staffing by any party.

32. The authority in charge of the responding unit shall be the sole judge of how much assistance can be furnished under the circumstances of each particular case. It is agreed that the parties shall not be liable in any way to the other, or to its inhabitants, or to any other person, firm or corporation for any failure to give requested assistance.

33. Any dispatch of equipment and personnel pursuant to this Agreement is subject to the following conditions:

a. Any request for mutual aid shall include a statement of the significant emergency circumstances and the requested resources and shall specify the location for response.

b. The Departments agree to operate and coordinate in response to the emergency incident within the organizational framework of the National Incident Management System (NIMS).

c. A responding department shall be released by the department that requested mutual aid when, in the judgment of the incident commander, the services of the responding department are no longer required.

d. Each party owes its primary allegiance and fire services to its own citizens. Therefore, a responding party's units and resources may be recalled by its fire chief, or such chief's designee, if, in that officer's opinion, a significant need exists for the responding party to render services within its own jurisdiction.

IN WITNESS WHEREOF, this Agreement is executed on the year and date first above written.

SIGNATURE PAGE TO FOLLOW

THE CITY OF EDWARDSVILLE, KANSAS

By: _____

NAME, City Manager

Timothy "Tim" Whitham, Fire Chief

Attest: _____

Chantal Frierson, City Clerk

THE CITY OF BONNER SPRINGS, KANSAS

By: _____

Sean Pederson, City Manager

Tim Richards, Chief of Department of Fire-EMS

Attest: _____

Christina Brake, City Clerk

THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY AND KANSAS CITY, KANSAS

By: _____

David Johnston, County Administrator

Dennis L. Rubin, Interim Fire Chief

Attest: _____

Monica Sparks, Acting Unified Government Clerk

Appendix A

Bonner Springs requests of Edwardsville

- Continuation of long-standing automatic aid and mutual aid agreement as approved by both governing bodies

Bonner Springs requests Automatic Aid from KCKFD

- Respond with One Battalion Chief, one Safety Officer, and three heavy apparatus (at least one being an aerial apparatus) on building fires. For this Agreement, a building fire will be defined as any residential structure fire larger than a duplex and any building larger than a detached garage or outbuilding.
- Any upgraded working fires to the second alarm will receive an alarm assignment of One Battalion Chief, one Safety Officer, five heavy apparatus (at least two being an aerial apparatus), two medical units (one at least an ALS unit) on all identified target hazards identified in the CAD system or upgraded working fire to the third alarm level.
- Respond one ALS resource on the following call types if closest:
 - Cardiac Arrest
 - Stroke
 - Serious Trauma
- Respond, if closest, on all MVAs with extrication

Edwardsville requests of Bonner Springs

- Continuation of long-standing automatic aid and mutual aid agreement as approved by both governing bodies

Edwardsville requests of KCKFD

- Respond with One Battalion Chief, one Safety Officer, and three heavy apparatus (at least one being an aerial apparatus) on building fires. For this Agreement, a building fire will be defined as any residential structure fire larger than a duplex and any building larger than a detached garage or outbuilding.
- All identified Target Hazards placed in the CAD system, or upgraded working fires to the third alarm level will receive a alarm assignment of One Battalion Chief, one Safety Officer, five heavy apparatus (at least two being an aerial apparatus), two medical units (one at least an ALS unit) on all identified target hazards identified in the CAD system or upgraded working fire to the third alarm level.
- Respond one ALS resource on the following call types if closest:
 - Cardiac Arrest
 - Stroke
 - Serious Trauma
- Respond, if closest, on all MVAs with extrication

KCKFD requests of Bonner Springs

Respond to all fire and medical alarms when closer than the similar type of resource from KCKFD not to exceed one pumping apparatus and one medic unit.

KCKFD requests of Edwardsville

Respond to all fire and medical alarms when closer than the similar type of resource from KCKFD not to exceed one pumping apparatus and one medic unit.

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE APPROVAL OF AN AUTOMATIC AND MUTUAL AID AGREEMENT FOR FIRE PROTECTION AND OTHER EMERGENCY SERVICES BETWEEN THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY AND KANSAS CITY, KANSAS AND THE CITIES OF EDWARDSVILLE AND BONNER SPRINGS.

WHEREAS, pursuant to K.S.A. 12-2908, the Unified Government of Wyandotte County and Kansas City, Kansas, the City of Edwardsville, Kansas and the City of Bonner Springs, Kansas (collectively, “the cities”) have determined that the interests and welfare of the public will best be served by an Automatic and Mutual Aid Agreement for Fire Protection and Other Emergency Services; and

WHEREAS, agreements for automatic and mutual aid in fire protection and response to other emergencies have existed between specific municipalities and governmental jurisdictions; and

WHEREAS, the cities seek to provide the most efficient, safe, and effective fire-rescue-emergency medical services to their communities; and

WHEREAS, the cities are committed to demonstrating public equity through the reasonable commitment and distribution of resources within their jurisdiction to ensure that no participant unfairly benefits at the expense of the other participants; and

WHEREAS, it is the desire of the cities to continue and improve the nature and coordination of emergency assistance to incidents that threaten loss of life or property within the geographic boundaries of their respective jurisdictions; and

WHEREAS, it is further the determination of each of the cities that the decision to enter into this Automatic and Mutual Aid Agreement constitutes a fundamental governmental policy of the cities which is automatic in nature, and includes the determination of the proper use of the resources available with respect to the providing of governmental services and the utilization of existing resources of each of the cities, including the use of equipment and personnel; and

WHEREAS, the cities have reached and prepared an Agreement describing the responsibilities of the cities concerning Automatic and Mutual Aid;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY AND KANSAS CITY, KANSAS that the Unified Government is hereby authorized to enter into said Agreement by signature of the County Administrator, who is hereby authorized to take any action required and necessary to implement and satisfy the intent of said Agreement.

THIS RESOLUTION IS ADOPTED by the Governing Body of the Unified Government of Wyandotte County and Kansas City, Kansas this ____ day of _____, 2024.

UNIFIED GOVERNMENT OF WYANDOTTE
COUNTY AND KANSAS CITY, KANSAS

By: _____
Tyrone Garner, Mayor/CEO

ATTEST:

Unified Government Clerk



Report to

212851

MEETING DATE	PRESENTER	DEPARTMENT
December 29, 2024	Jeff Fisher, Exec. Dir. of Public Works	Public Works
AGENDA ITEM #		
RESOLUTION: CONSENT DECREE REQUIRED PROJECTS		
BACKGROUND		
• Consent Decree Program has mandated measures for water quality through sewer separation and combined sewer system overflow reduction • Stormwater Program in conjunction with the consent decree identifies overflow reduction support projects • Water Infrastructure Finance and Innovation Act (WIFIA) is an opportunity to fund the projects with a low interest long term loan • ARPA funding was awarded to support the Consent Decree requirements. • There are 8 projects total. Consent Decree Required: CSO 14, CSO 15 & 81, CSO 16, CSO 17, CSO 19 Phase 2, CSO 44, CSO 55, 8th St Park		
RECOMMENDATION		
Approve • Recommendation by the Public Works standing committee to approve the resolutions for approval by the commission.		
BUDGET IMPACTS / FINANCIAL CONSIDERATIONS		
• These projects are funded by the Stormwater and the Sanitary Sewer Enterprise Funds.		
IT/POLICY CONSIDERATIONS		
• No policy considerations for this item.		
PROCUREMENT CONSIDERATIONS		
• Procurement of Consent Decree and WIFIA Program will follow the UG policies and requirements.		
LEGAL CONSIDERATIONS		
Reviewed by Legal		

ATTACHMENTS

Consent Decree Required Projects Resolution, 2023_11_07 Consent Decree Required Projects Exhibits

Approved by Mayor and Administrator to add to agenda:

Synone Harvey 1-12-24

David Johnston, County Administrator

Dated:



1/12/2024

(Published _____)

RESOLUTION NO. _____

A RESOLUTION declaring the necessity and authorizing a survey and descriptions of lands to be acquired by the right and power of eminent domain for the location, laying-out, reconstruction, expansion, repair, maintenance, operation and use of sewer and stormwater projects.

WHEREAS, the Board of Commissioners after study and review has determined as follows, to wit:

THAT there are eight projects (known as the 8th Street Park Green Infrastructure and Sewer Separation, CSO 14 Sewer Separation, CSO 15 and CSO 81 Sewer Separation, CSO 16 Sewer Separation, CSO 17 Sewer Separation, CSO 19 Sewer Separation Phase 2, CSO 44 Overflow Reduction, and CSO 55 Sewer Separation) for sewer separation and water quality and capacity that have been funded by WIFIA/SRF/ARPA funds;

THAT the locations of these projects are identified generally in the 2013 EPA Consent Decree and the 2020 Stormwater Seven Basin Deficiency Study;

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

SECTION 1. It is hereby found and determined necessary that certain lands or interests in lands be acquired by all lawful means, including by exercise of the right and power of eminent domain, for public use for location, laying-out, reconstruction, expansion, repair, maintenance, operation and use of the aforementioned combined sewer and stormwater projects.

SECTION 2. The Board of Commissioners hereby directs and authorizes its Chief Counsel to cause a survey and description of such parcels to be undertaken and filed with the Clerk of Wyandotte County/Kansas City, Kansas; to thereafter prepare and submit to the Board of Commissioners an ordinance authorizing the exercise of eminent domain with respect to such parcels; and upon approval of the same by the Board of Commissioners to initiate eminent domain proceedings in the District Court of Wyandotte County, and to undertake all other necessary actions to complete acquisition of such parcels.

SECTION 3. This resolution shall be published once in the official County newspaper, The Wyandotte Echo.

**APPROVED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF THE
UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY,
KANSAS THIS _____ DAY OF _____, 2023.**

Tyrone Garner
Mayor/CEO

Attest:

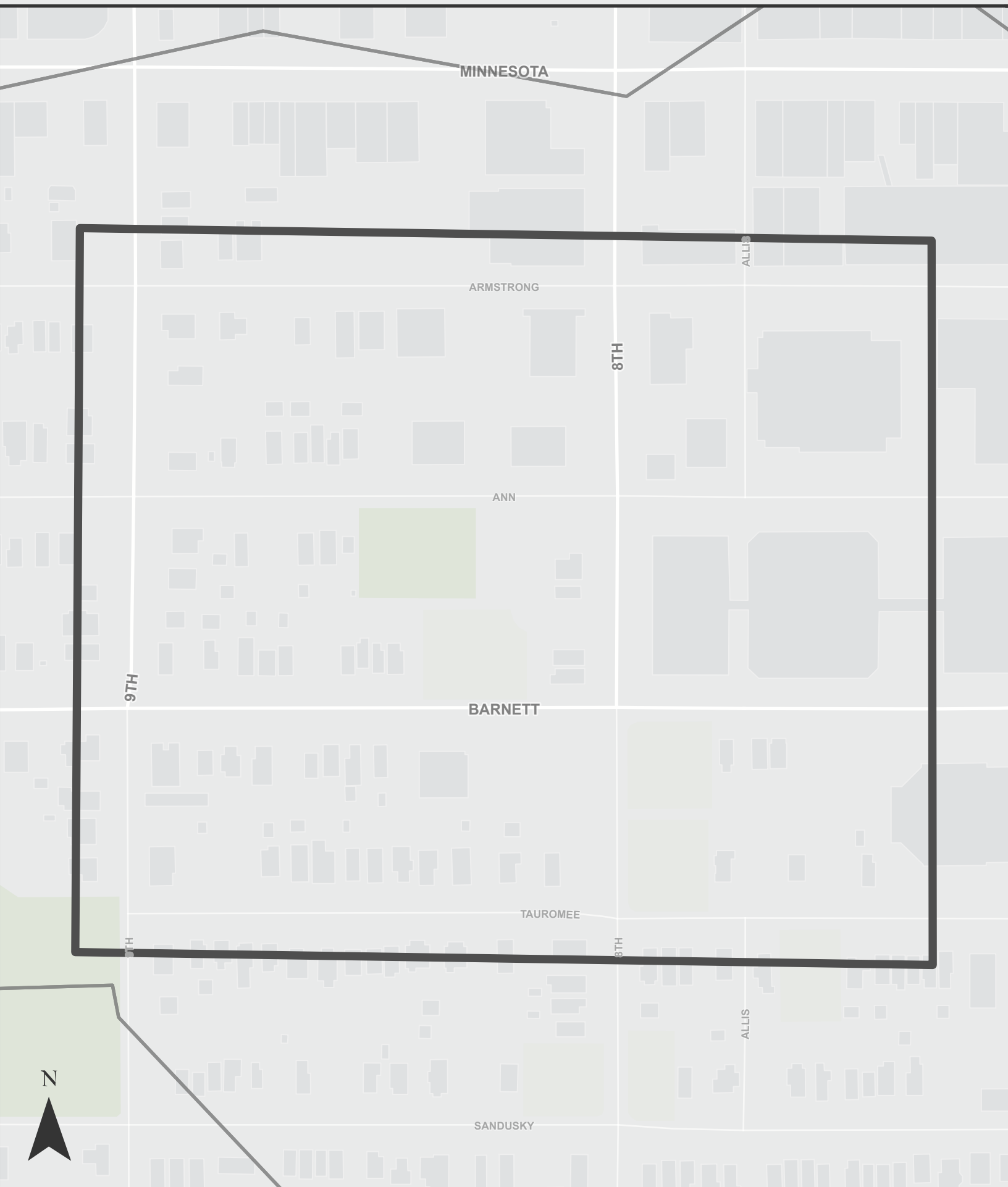
Monica Sparks
Unified Government Clerk

Approved as to form:

Angela Lawson
Interim-Chief Counsel

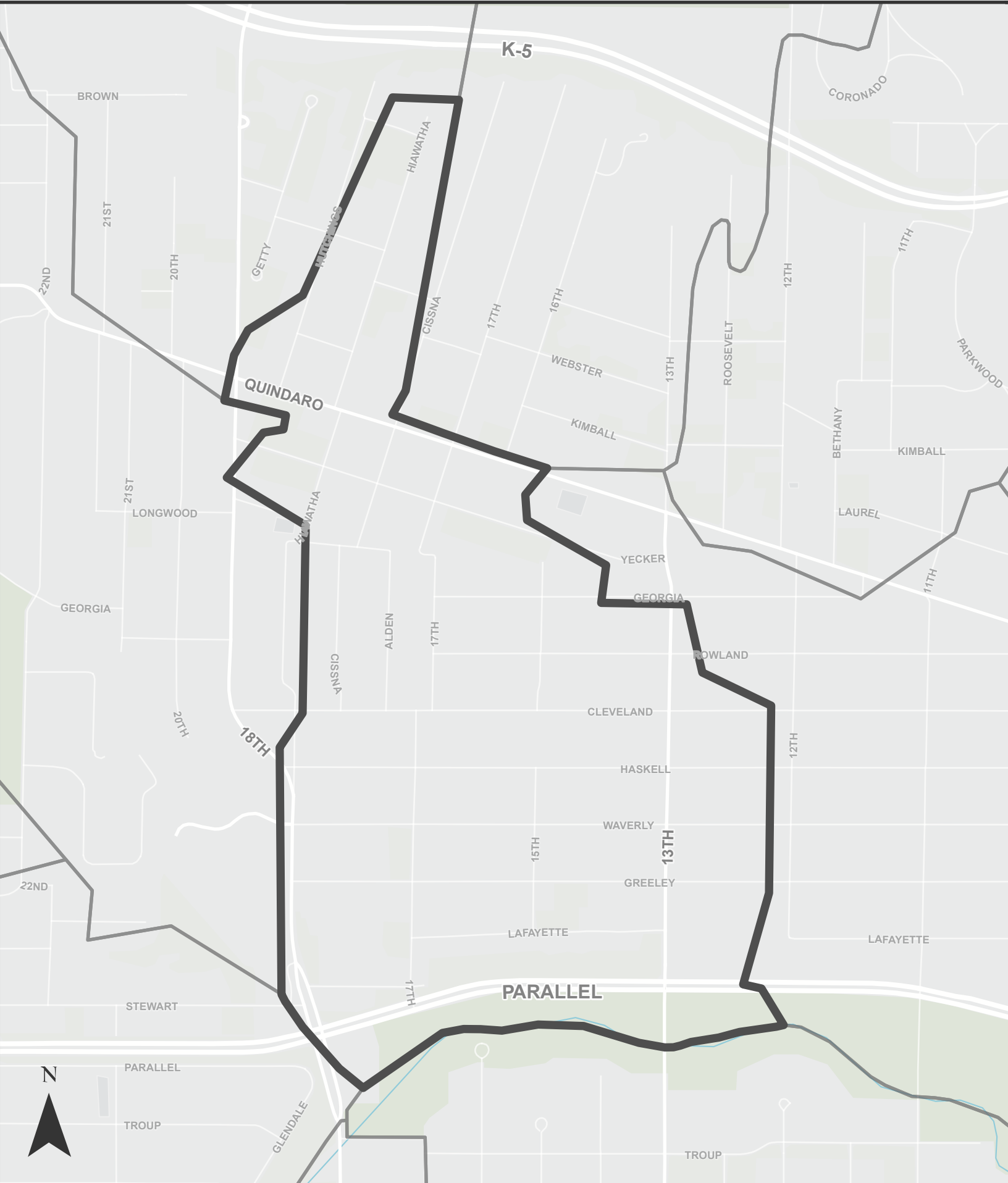


8th Street Park Green Infrastructure and Sewer Separation



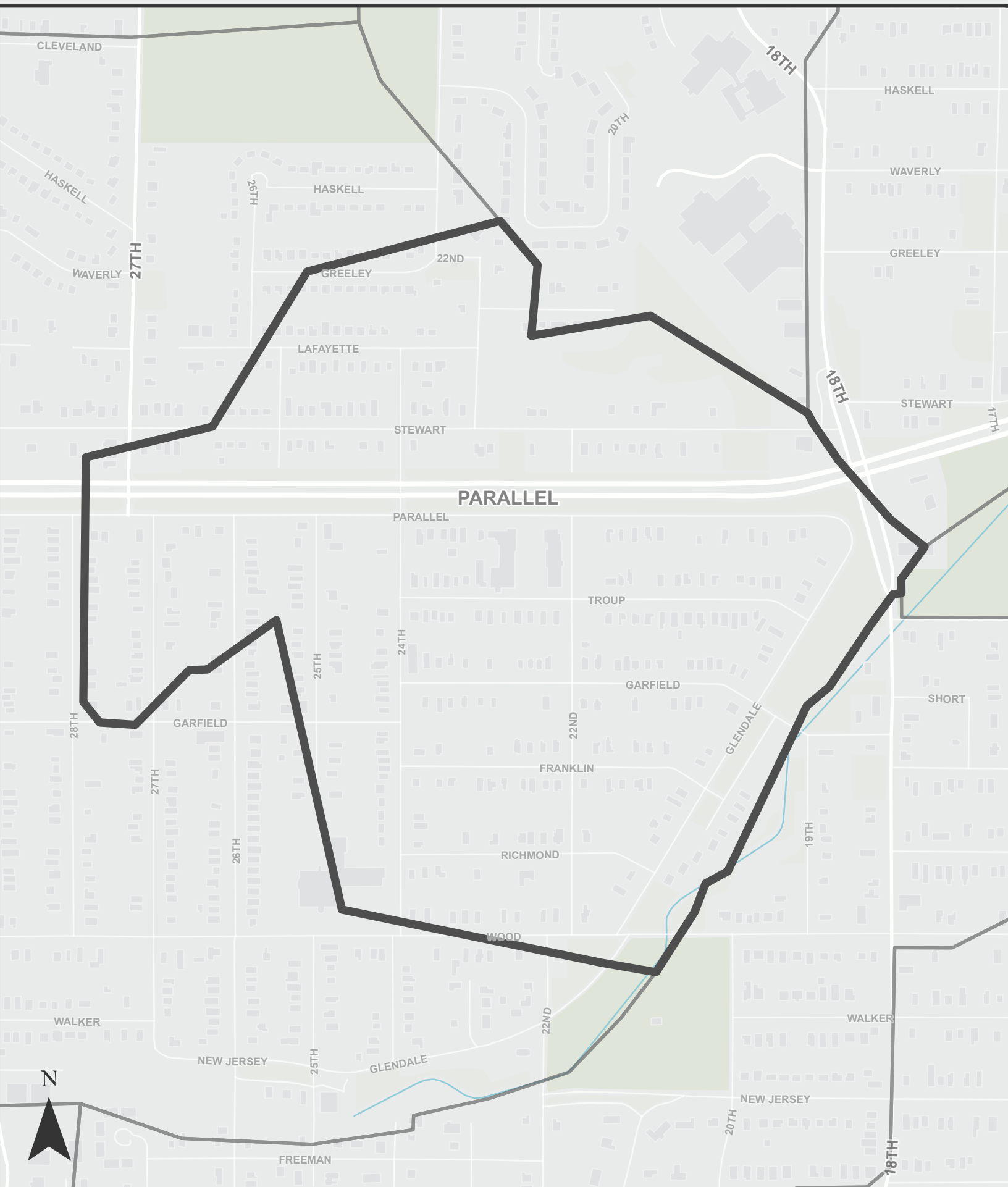


CSO 14 Sewer Separation



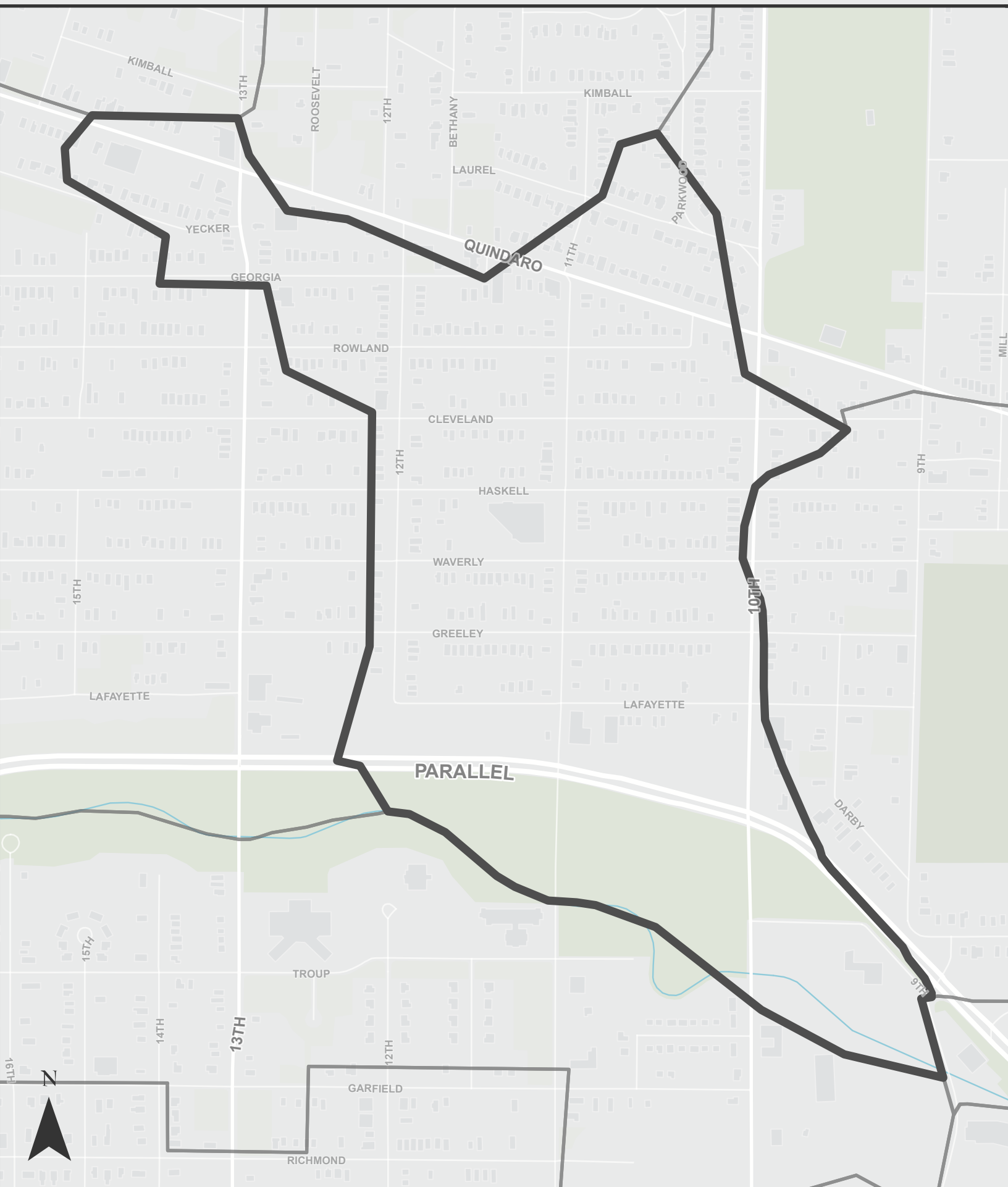


CSO 15 and CSO 81 Sewer Separation



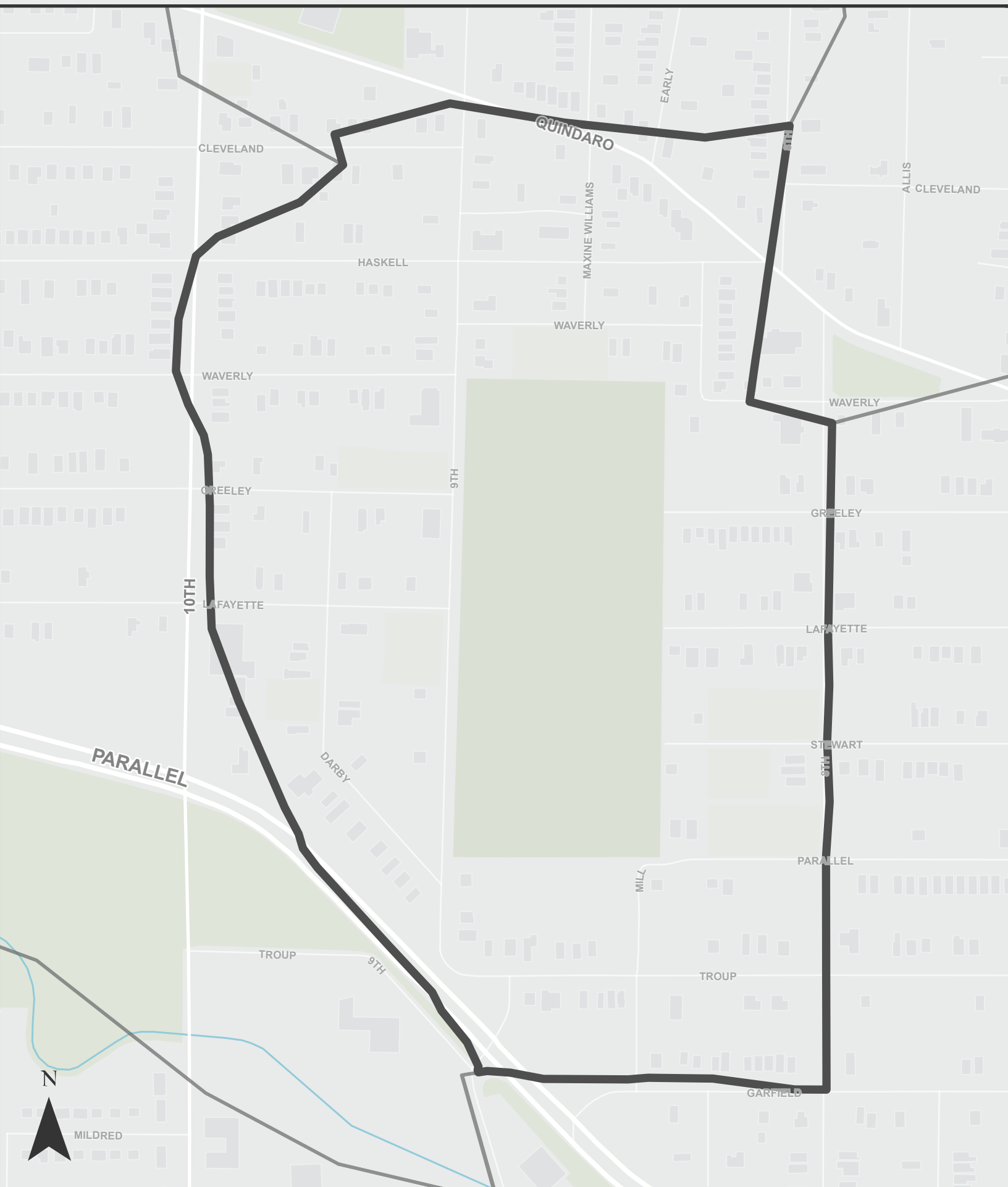


CSO 16 Sewer Separation



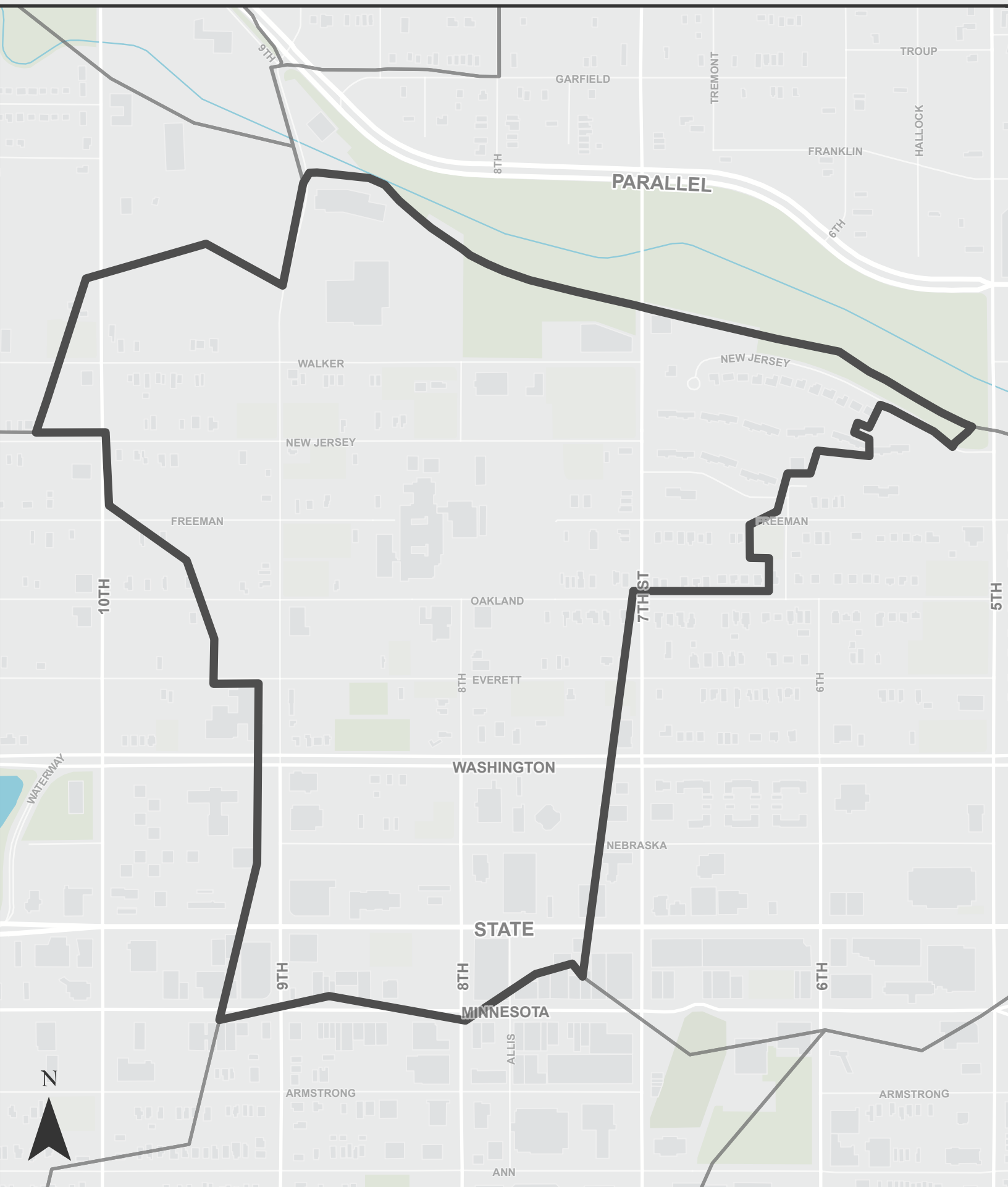


CSO 17 Sewer Separation



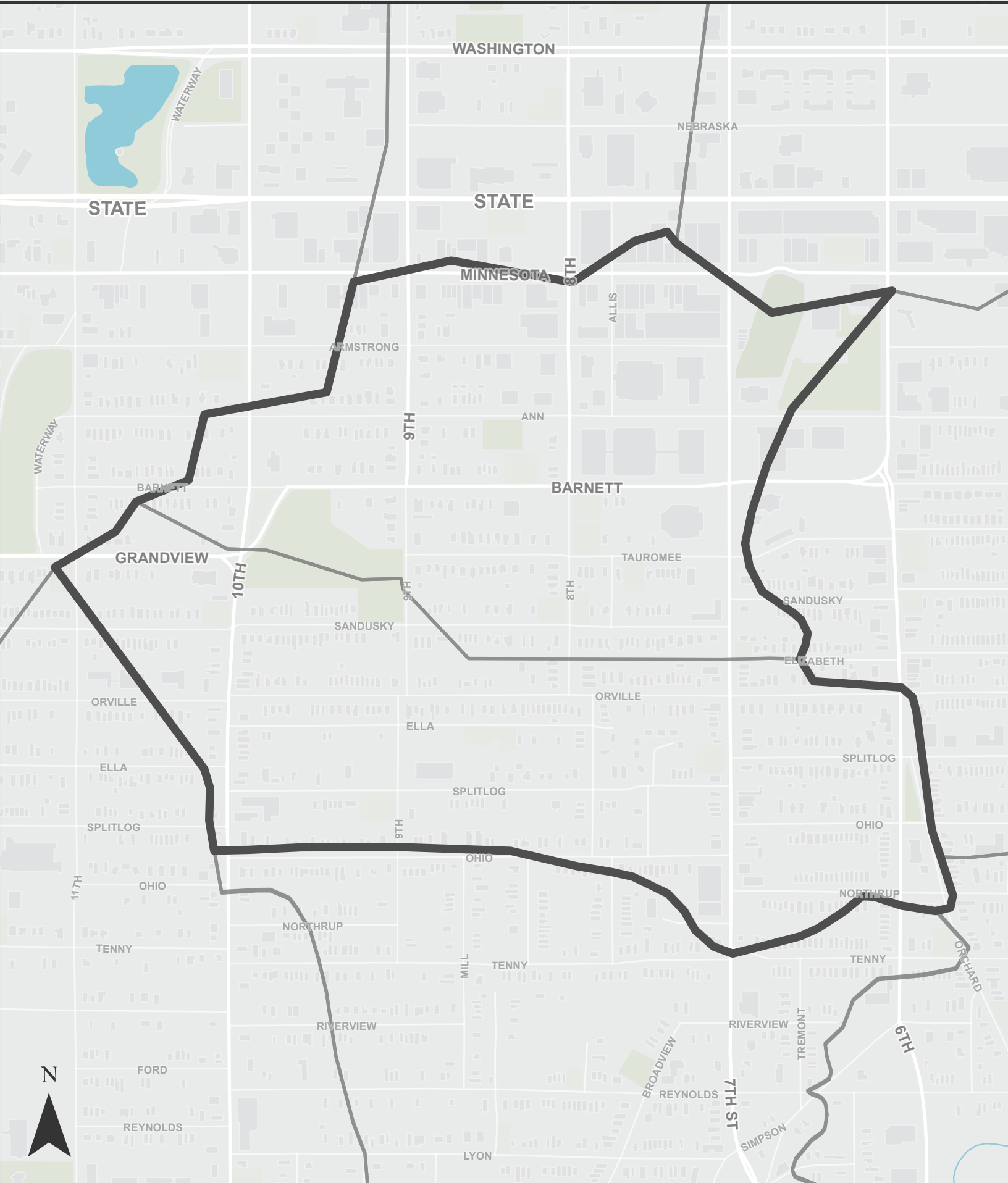


CSO 19 Sewer Separation (Phase 2)



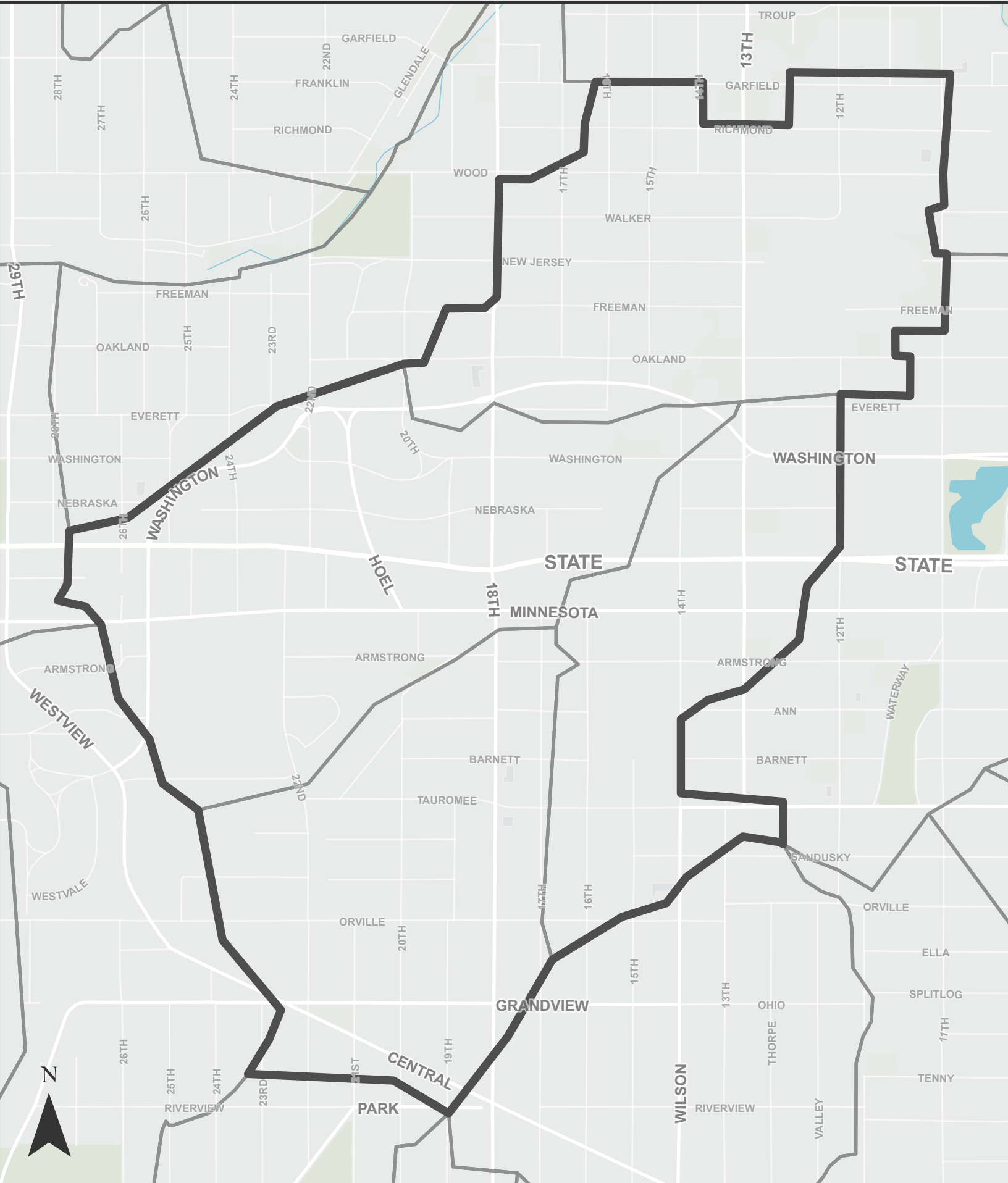


CSO 44 Overflow Reduction





CSO 55 Sewer Separation





Report to

#212852

MEETING DATE	PRESENTER	DEPARTMENT
December 29, 2024	Jeff Fisher, Exec. Dir. of Public Works	Public Works
AGENDA ITEM #		
RESOLUTION: STORMWATER PROGRAM PROJECTS		
BACKGROUND		
• Consent Decree Program has mandated measures for water quality through sewer separation and combined sewer system overflow reduction • Stormwater Program in conjunction with the consent decree identifies overflow reduction support projects • Water Infrastructure Finance and Innovation Act (WIFIA) is an opportunity to fund the projects with a low interest long term loan • ARPA funding was awarded to support the Consent Decree requirements. • There are 6 projects total. Consent Decree Required: WIFIA Stormwater Program: ARGE-1, JERS-1, MUNC-1, Clifton Park, Wyandotte High/Lombardy Dr, Waterway Corridor		
RECOMMENDATION		
Approve • Recommendation by the Public Works standing committee to approve the resolutions for approval by commission.		
BUDGET IMPACTS / FINANCIAL CONSIDERATIONS		
• These projects are funded by the Stormwater and the Sanitary Sewer Enterprise Funds.		
IT/POLICY CONSIDERATIONS		
• No policy considerations for this item.		
PROCUREMENT CONSIDERATIONS		
• Procurement of Consent Decree and WIFIA Program will follow the UG policies and requirements.		
LEGAL CONSIDERATIONS		

Legal will be reviewing and approving the resolutions to be considered by the standing committee and taken to full commission for authorization

ATTACHMENTS

Stormwater Program Projects Resolution, 2023_11_07 Stormwater Program Projects Resolution Exhibits

Approved by Mayor and Administrator to add to agenda:

Sybil Murray 1-12-24

David Johnston, County Administrator

Dated:

David Johnston

1/12/2024

(Published _____)

RESOLUTION NO. _____

A RESOLUTION declaring the necessity and authorizing a survey and descriptions of lands to be acquired by the right and power of eminent domain for the location, laying-out, reconstruction, expansion, repair, maintenance, operation and use of sewer and stormwater projects.

WHEREAS, the Board of Commissioners after study and review has determined as follows, to wit:

THAT there are six projects (known as Argentine Basin Stormwater Improvements (ARGE-1), Census Tract 422 Clifton Park, Jersey Creek Basin Stormwater Improvements (JERS-1), Muncie Creek Stormwater Basin Improvements (MUNC-1), Waterway Corridor, and Wyandotte High/Lombardy Drive) for sewer separation and water quality and capacity that have been funded by WIFIA/SRF/ARPA funds;

THAT the locations of these projects are identified generally in the 2020 Stormwater Seven Basin Deficiency Study;

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

SECTION 1. It is hereby found and determined necessary that certain lands or interests in lands be acquired by all lawful means, including by exercise of the right and power of eminent domain, for public use for location, laying-out, reconstruction, expansion, repair, maintenance, operation and use of the aforementioned sewer and stormwater projects.

SECTION 2. The Board of Commissioners hereby directs and authorizes its Chief Counsel to cause a survey and description of such parcels to be undertaken and filed with the Clerk of Wyandotte County/Kansas City, Kansas; to thereafter prepare and submit to the Board of Commissioners an ordinance authorizing the exercise of eminent domain with respect to such parcels; and upon approval of the same by the Board of Commissioners to initiate eminent domain proceedings in the District Court of Wyandotte County, and to undertake all other necessary actions to complete acquisition of such parcels.

SECTION 3. This resolution shall be published once in the official County newspaper, The Wyandotte Echo.

**APPROVED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF THE
UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY,
KANSAS THIS _____ DAY OF _____, 2023.**

Tyrone Garner
Mayor/CEO

Attest:

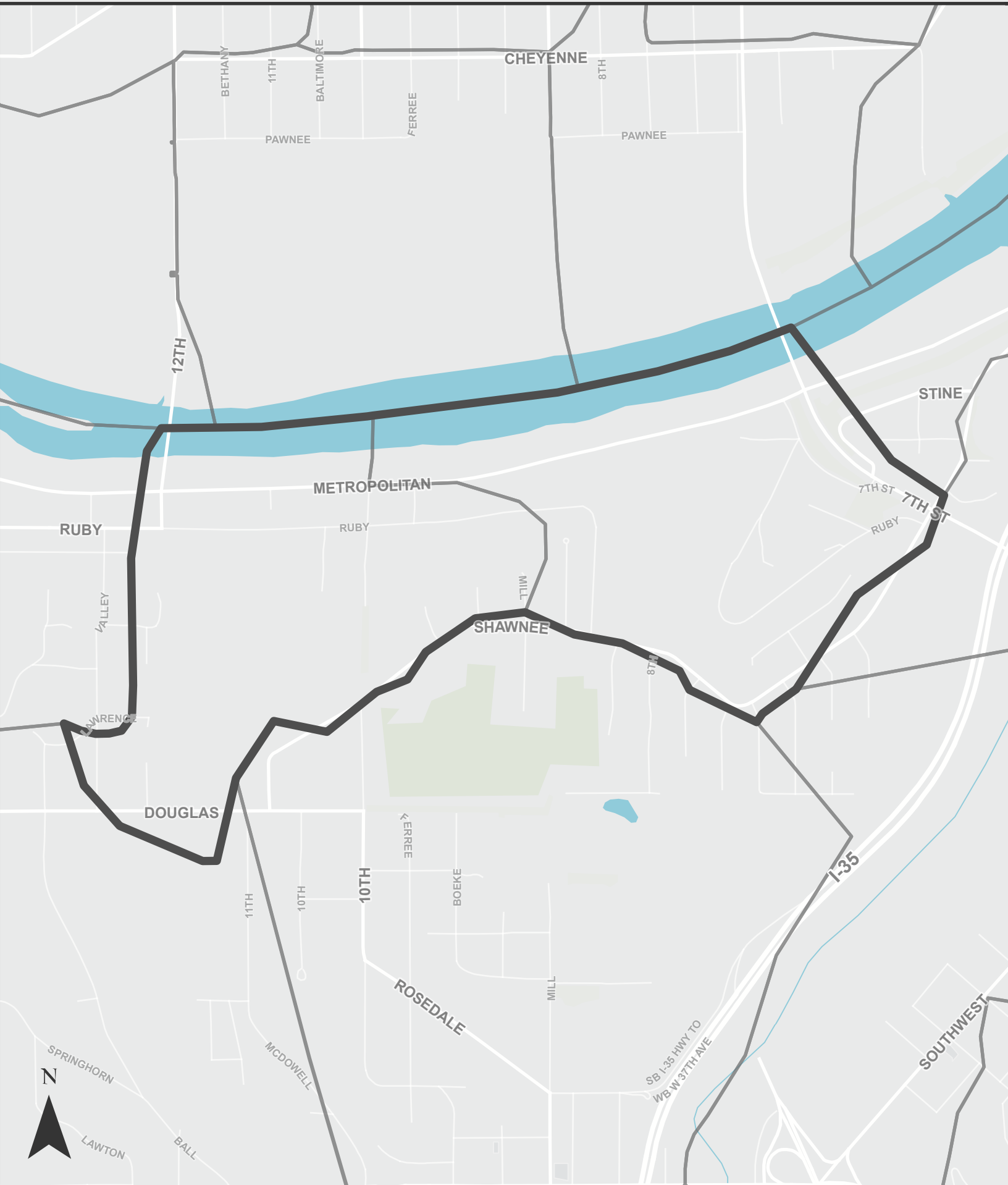
Monica Sparks
Unified Government Clerk

Approved as to form:

Angela Lawson
Interim-Chief Counsel

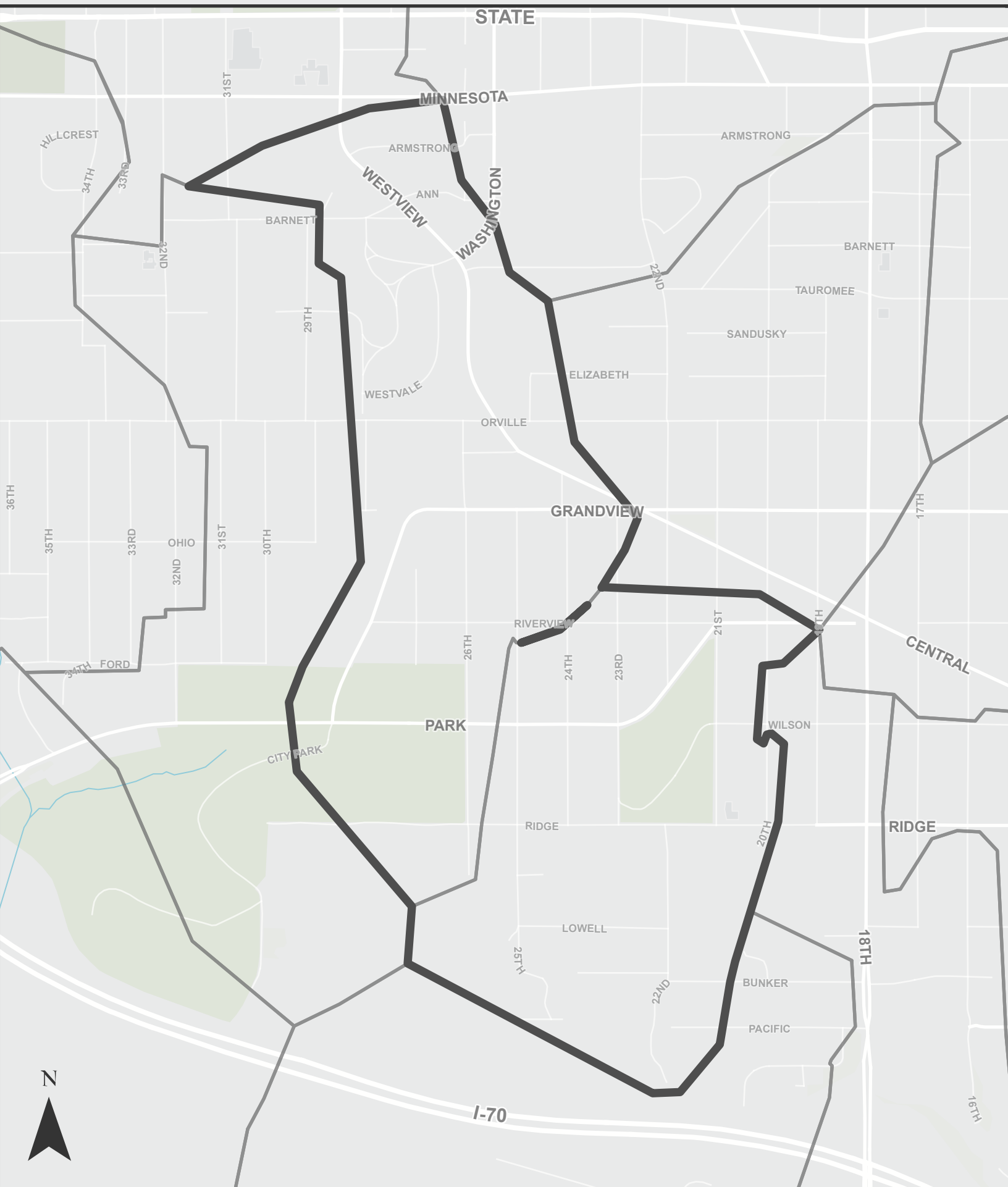


Argentine Basin Stormwater Improvements (ARGE-1)





Census Tract 422 Clifton Park



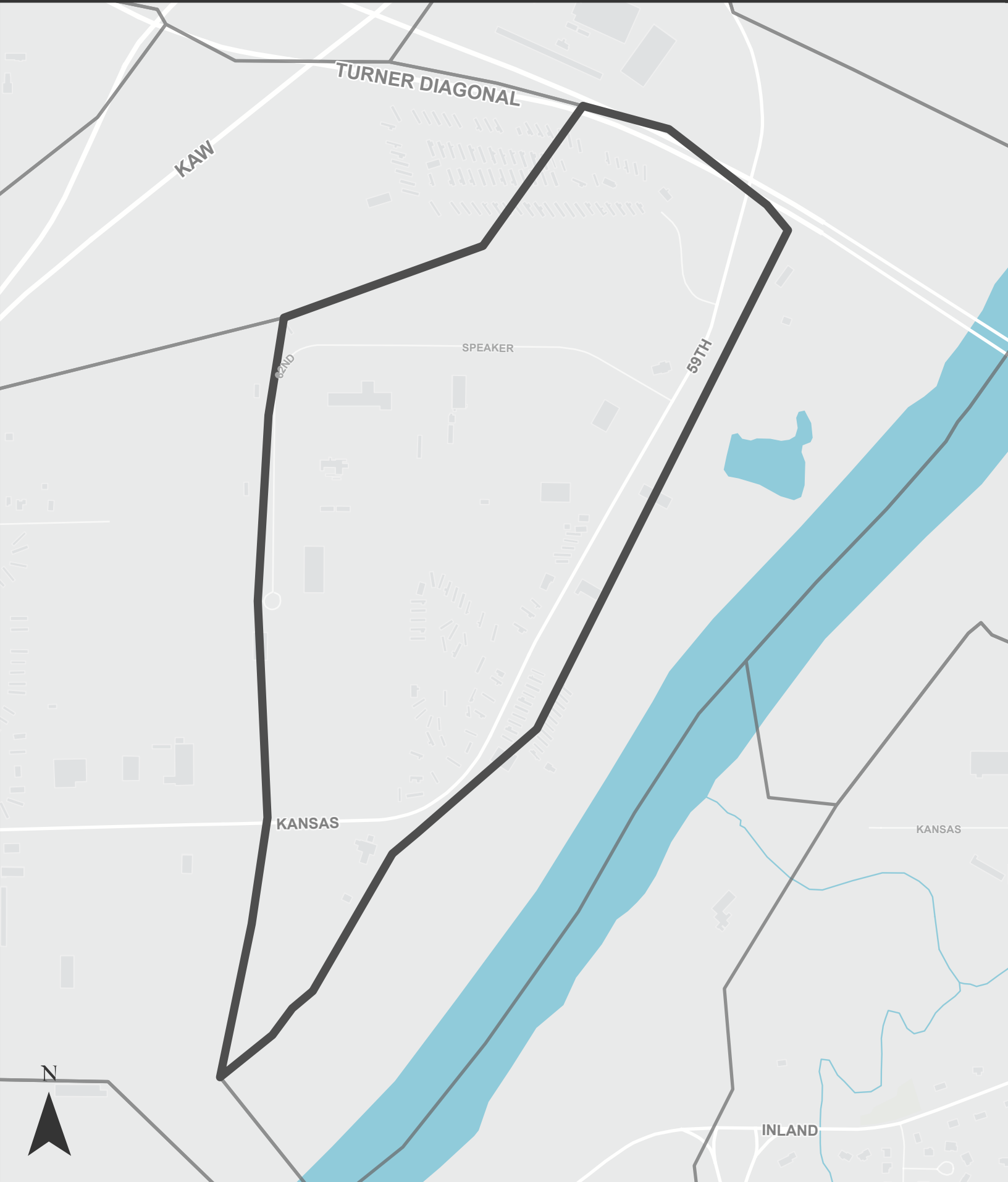


Jersey Creek Basin Stormwater Improvements (JERS-1)



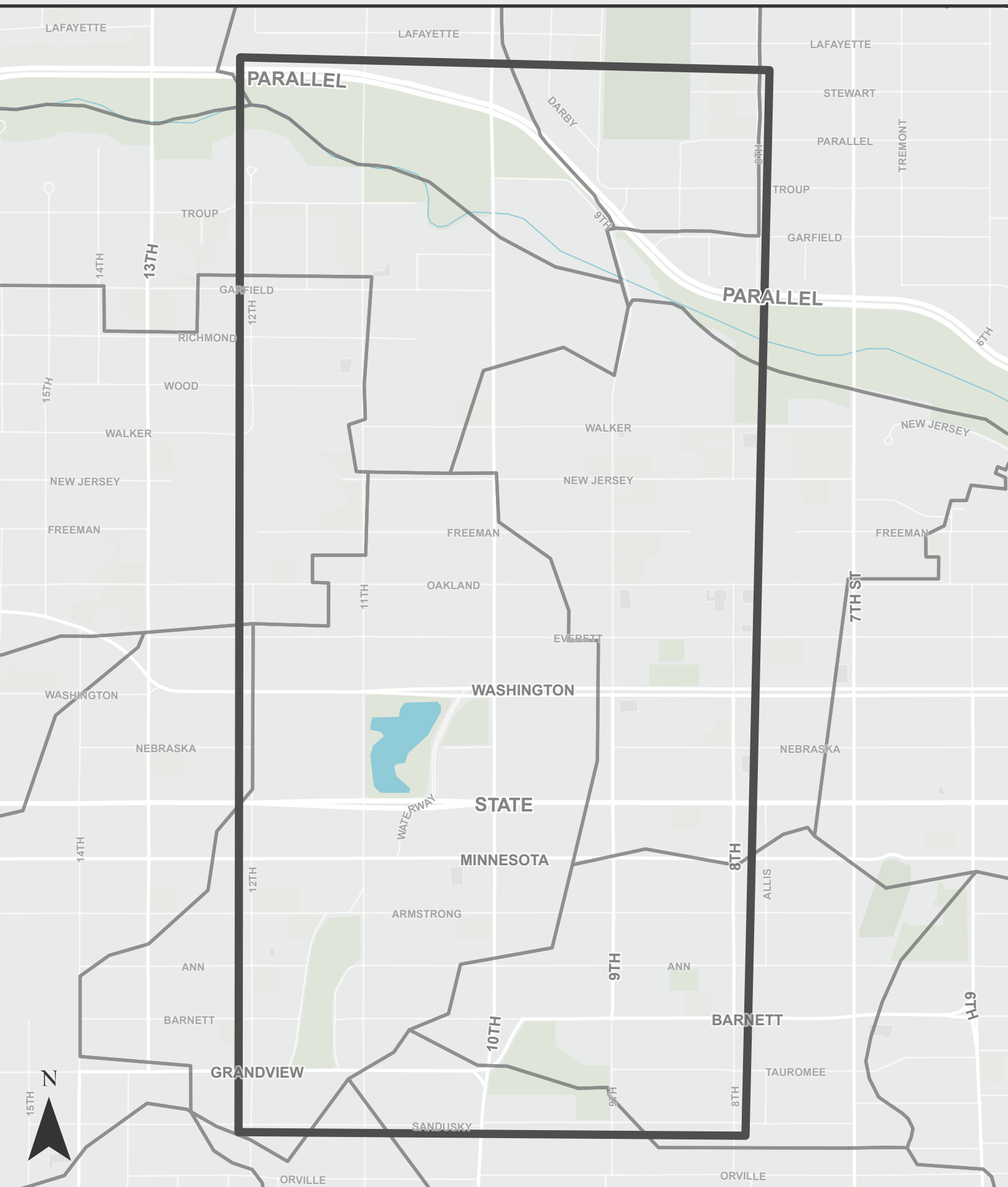


Muncie Creek Basin Stormwater Improvements (MUNC-1)



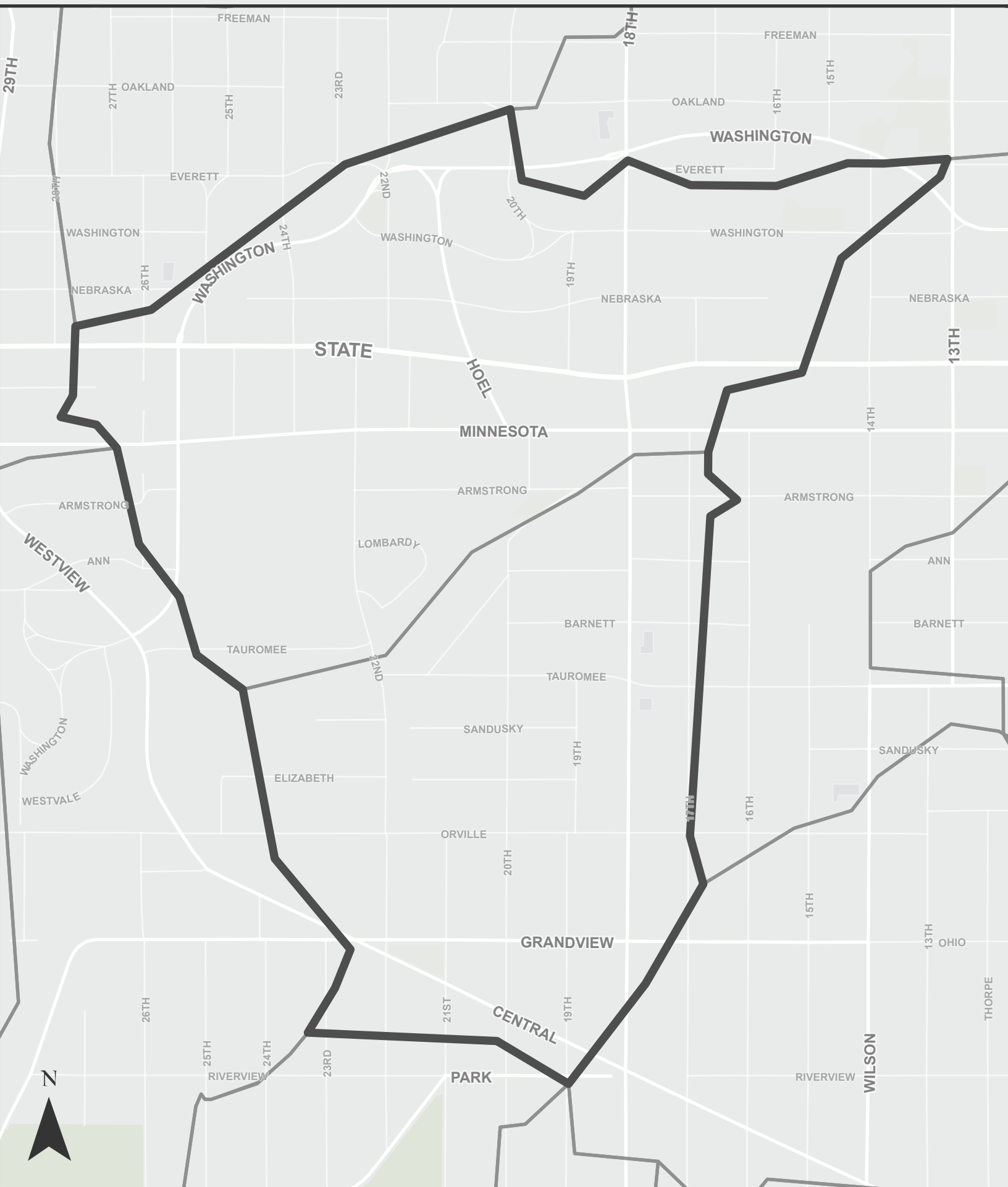


Waterway Corridor





Wyandotte High / Lombardy Drive





Report to Public Works & Safety

#212959

MEETING DATE	PRESENTER	DEPARTMENT
January 22, 2024	Jeff Fisher, Exec. Dir. of Public Works	Public Works
AGENDA ITEM #IV.1.		
RESOLUTION: ARMOURDALE PROCTER & GAMBLE TRAILHEAD		
BACKGROUND		
• This agenda item is the standard, procedural request for the Board of Commissioners to direct and authorize its Chief Counsel to cause a survey and description of such parcels to be undertaken and filed with the Clerk of Wyandotte County/Kansas City, Kansas; to thereafter prepare and submit to the Board of Commissioners an ordinance authorizing the exercise of eminent domain with respect to such parcels; and upon approval of the same by the Board of Commissioners to initiate eminent domain proceedings in the District Court of Wyandotte County, and to undertake all other necessary actions to complete acquisition of such parcels as may be necessary for the delivery of the project described below. • The project includes a trail head at Kansas Avenue near the Procter & Gamble Plant and bicycle/pedestrian amenities. This project is a component of the larger 17-mile UG Levee Trails network that is being implemented on the Kansas River levees. A location map is attached for reference. • Eighty percent of the construction and inspection costs for the project up to a maximum amount of \$800,000 will be paid by KDOT from federal funds issued through the Congestion Mitigation and Air Quality Improvement (CMAQ) Program, which was awarded to the UG by the Mid-America Regional Council. • Although design of the project will be administered by the UG as well as any necessary easement and/or right of way acquisition, construction of this project will be administered by KDOT due to the requirements of the CMAQ grant. It will therefore be bid and constructed as a separate project and not together with any of the other levee trails improvements. Upon completion of construction, however, it will be an integral component of the larger 17-mile UG Levee Trails network. • Also as a requirement of the CMAQ grant, this project must be bid in Federal Fiscal Year 2024. Prompt consideration of this resolution, therefore, is vital to the project schedule.		
RECOMMENDATION		
Approve		
A resolution declaring the necessity and authorizing a survey and descriptions of lands to be acquired by the right and power of eminent domain for the location, laying-out, reconstruction, expansion, repair, maintenance, operation and use of the Levee Trail Armourdale Procter & Gamble Trailhead Project (KDOT Project No. 105 N-0779-01) in Kansas City, Wyandotte County, Kansas.		
BUDGET IMPACTS / FINANCIAL CONSIDERATIONS		
No impact. No additional funding is being requested.		
IT/POLICY CONSIDERATIONS		

N/A

PROCUREMENT CONSIDERATIONS

N/A

LEGAL CONSIDERATIONS

- Legal will be reviewing and approving the resolution to be considered by the Standing Committee and taken to Full Commission for authorization.

ATTACHMENTS

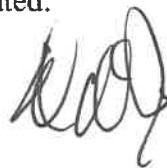
P&G Trailhead-Eminent Domain Resolution, P&G - UGMaps Aerial

Approved by Mayor and Administrator to add to agenda:

 1-12-24

David Johnston, County Administrator

Dated:

 1/12/2024

(Published _____)

RESOLUTION NO. _____

A RESOLUTION declaring the necessity and authorizing a survey and descriptions of lands to be acquired by the right and power of eminent domain for the location, laying-out, reconstruction, expansion, repair, maintenance, operation and use of the UG Levee Trail Armourdale Procter & Gamble Trailhead Project (KDOT Project No. 105 N-0779-01) in Kansas City, Wyandotte County, Kansas.

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

SECTION 1. It is hereby found and determined necessary that certain lands or interests in lands be acquired by all lawful means, including by exercise of the right and power of eminent domain, for public use for location, laying-out, reconstruction, expansion, repair, maintenance, operation and use of the UG Levee Trail Armourdale Procter & Gamble Trailhead Project (KDOT Project No. 105 N-0779-01).

SECTION 2. The Board of Commissioners hereby directs and authorizes its Chief Counsel to cause a survey and description of such parcels to be undertaken and filed with the Clerk of Wyandotte County/Kansas City, Kansas; to thereafter prepare and submit to the Board of Commissioners an ordinance authorizing the exercise of eminent domain with respect to such parcels; and upon approval of the same by the Board of Commissioners to initiate eminent domain proceedings in the District Court of Wyandotte County, and to undertake all other necessary actions to complete acquisition of such parcels.

SECTION 3. This resolution shall be published once in the official County newspaper, The Wyandotte Echo.

ADOPTED BY THE COMMISSIONERS OF THE UNIFIED GOVERNMENT OF
WYANDOTTE COUNTY/KANSAS CITY, KANSAS THIS _____ DAY OF _____
_____, 2023.

Tyrone Garner
Mayor/CEO

Attest:

Monica L. Sparks
Interim Unified Government Clerk

Approved as to form:

Angela Lawson
Interim Chief Counsel





Report to Public Works & Safety

#212960

MEETING DATE	PRESENTER	DEPARTMENT
January 22, 2024	Jeff Fisher, Exec. Dir. of Public Works	Public Works
AGENDA ITEM #IV.2.		
RESOLUTION: JAMES STREET TRAILHEAD		
BACKGROUND		
• This agenda item is the standard, procedural request for the Board of Commissioners to direct and authorize its Chief Counsel to cause a survey and description of such parcels to be undertaken and filed with the Clerk of Wyandotte County/Kansas City, Kansas; to thereafter prepare and submit to the Board of Commissioners an ordinance authorizing the exercise of eminent domain with respect to such parcels; and upon approval of the same by the Board of Commissioners to initiate eminent domain proceedings in the District Court of Wyandotte County, and to undertake all other necessary actions to complete acquisition of such parcels as may be necessary for the delivery of the project described below. • The project includes a trailhead at the south end of the N. James St. bridge at the KC levee access point and bicycle/pedestrian amenities. This project is a component of the larger 17-mile UG Levee Trails network that is being implemented on the Kansas River levees. A location map is attached for reference. • Eighty percent of the construction and inspection costs for the project up to a maximum amount of \$500,000 will be paid by KDOT from federal funds issued through the Transportation Alternatives Set-Aside (TA) Program, which was awarded to the UG by the Mid-America Regional Council. • Although design of the project will be administered by the UG as well as any necessary easement and/or right of way acquisition, construction of this project will be administered by KDOT due to the requirements of the TA grant. It will therefore be bid and constructed as a separate project and not together with any of the other levee trails improvements. Upon completion of construction, however, it will be an integral component of the larger 17-mile UG Levee Trails network. • Also as a requirement of the TA grant, this project must be bid in Federal Fiscal Year 2024. Prompt consideration of this resolution, therefore, is vital to the project schedule.		
RECOMMENDATION		
Approve		
A resolution declaring the necessity and authorizing a survey and descriptions of lands to be acquired by the right and power of eminent domain for the location, laying-out, reconstruction, expansion, repair, maintenance, operation and use of the Levee Trail Central Industrial District N. James Street Trailhead Project (KDOT Project No. 105 N-0781-01) in Kansas City, Wyandotte County, Kansas.		
BUDGET IMPACTS / FINANCIAL CONSIDERATIONS		
• No impact. No additional funding is being requested.		

IT/POLICY CONSIDERATIONS

N/A

PROCUREMENT CONSIDERATIONS

N/A

LEGAL CONSIDERATIONS

- Legal will be reviewing and approving the resolution to be considered by the Standing Committee and taken to Full Commission for authorization.

ATTACHMENTS

James Street Trailhead-Eminent Domain Resolution, James St. Trailhead - Project Location Map

Approved by Mayor and Administrator to add to agenda.

David Johnston 1-12-24

David Johnston, County Administrator

Dated:

David Johnston 1/12/2024

(Published _____)

RESOLUTION NO. _____

A RESOLUTION declaring the necessity and authorizing a survey and descriptions of lands to be acquired by the right and power of eminent domain for the location, laying-out, reconstruction, expansion, repair, maintenance, operation and use of the Levee Trail Central Industrial District N. James Street Trailhead Project (KDOT Project No. 105 N-0781-01) in Kansas City, Wyandotte County, Kansas.

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

SECTION 1. It is hereby found and determined necessary that certain lands or interests in lands be acquired by all lawful means, including by exercise of the right and power of eminent domain, for public use for location, laying-out, reconstruction, expansion, repair, maintenance, operation and use of the Levee Trail Central Industrial District N. James Street Trailhead Project (Project No. 105 N-0781-01).

SECTION 2. The Board of Commissioners hereby directs and authorizes its Chief Counsel to cause a survey and description of such parcels to be undertaken and filed with the Clerk of Wyandotte County/Kansas City, Kansas; to thereafter prepare and submit to the Board of Commissioners an ordinance authorizing the exercise of eminent domain with respect to such parcels; and upon approval of the same by the Board of Commissioners to initiate eminent domain proceedings in the District Court of Wyandotte County, and to undertake all other necessary actions to complete acquisition of such parcels.

SECTION 3. This resolution shall be published once in the official County newspaper, The Wyandotte Echo.

ADOPTED BY THE COMMISSIONERS OF THE UNIFIED GOVERNMENT OF
WYANDOTTE COUNTY/KANSAS CITY, KANSAS THIS _____ DAY OF _____
_____, 2023.

Tyrone Garner
Mayor/CEO

Attest:

Monica L. Sparks
Interim Unified Government Clerk

Approved as to form:

Angela Lawson
Interim Chief Counsel

