

**PUBLIC WORKS AND SAFETY
STANDING COMMITTEE MINUTES
Monday, September 25, 2023**

The meeting of the Public Works and Safety Standing Committee was held on Monday, September 25, 2023, at 5:00 p.m. The following members were present: Commissioner Markley, Acting Chairman; Commissioners Ramirez, Johnson, Kane, and BPU Board Member Groneman. Commissioner Davis attended on behalf of Commissioner Bynum, who was absent. The following officials were also in attendance: Laura Cromwell, Fiscal Manager, Police Department; Angelina Maxville, Administrative Manager, Sheriff's Office; Jeff Miles, Public Works, Water Pollution Control; Tiffany Butler, FOG Coordinator; Scott Craig, Environmental Compliance Manager; and Monica L Sparks, Deputy UG Clerk.

Acting Chairman Markley said before I call the meeting to order, I want to announce that some committee members, staff, and the public are attending remotely via Zoom as well as on-site. All participants joining by phone should mute their phones when not speaking to avoid background noise. During the meeting, please make sure that you announce yourself by name and title every time you speak so the public that is observing knows who is speaking. When speaking, be sure to speak directly into a microphone so that all comments are heard and the recording of the meeting is accurate. This is critical given the number of remote participants and is the current guidance from the Kansas Attorney General.

The public is allowed to participate by Zoom or submit comments by email prior to the meeting. Those comments will be included in the record of this meeting. The public may also indicate their intent to provide remote public comments by contacting the Clerk's Office by 5:00 p.m. the Thursday before the meeting. The public also will have an opportunity to provide brief comments either by telephone or via Zoom from the 5th Floor Conference Room of the Municipal Office building.

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

Acting Chairman Markley said there are no revisions to the agenda this evening and there are no minutes to approve.

COMMITTEE AGENDA

Item No. 1 – 212712...GRANT: FY24 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT

Synopsis: Approval to apply for funding under the FY 24 Edward Byrne Memorial Justice Assistance Grant Program jointly by the Kansas City Kansas Police Department and the Wyandotte County Sheriff's Office, submitted by Laura Cromwell, Kansas City, Kansas Police Department. No matching funds are required.

Laura Cromwell, Fiscal Manager, Police Department, said we, along with the Sheriff's Office, are requesting approval to apply for the Fiscal Year 2024 Edward Byrne Memorial Justice Assistance Grant overseen by the Kansas Governor's Grants Program and the Kansas Criminal Justice Coordinating Council at the state level. The state has been allocated \$2.2 million for fiscal year '24 and they are seeking pass through entities to award portions of this funding, making this a competitive grant process. Funds will be provided to units of local government or organizations supporting a unit of local government to address crime and improve public safety. The project period for this award will extend from October 1, 2023 through September 30, 2024. If awarded, these projects would be funded at 100% as there is no match requirement from the UG. Only one application can be submitted per unit of local government, so the Police Department and the Sheriff's Office will be submitting a joint application as we've done in previous years.

The Police Department will be requesting funding to support fentanyl education programs and enforcement efforts. Specific budget items include educational pamphlets, Facebook video ads, Narcan, and covert cameras. The total cost for the PD portion will be \$17,644. Now I'll turn it over to the Administrative Manager for the Sheriff's Office to discuss their objectives for this grant project.

Angelina Maxville, Administrative Manager, Sheriff's Office, said the Sheriff's Office will be requesting funding to purchase new and replacement cameras and server equipment for the

Courthouse and the Court Services building. The funding will allow us to update and replace outdated and inoperable cameras and the server system, which will improve the safety and security of employees, the public, and inmates within the Courthouse complex. The total cost for the Sheriff's Office portion will be \$152,806.

Acting Chairman Markley said thank you, are there any questions from the committee?

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

Acting Chairman Markley said I have a motion and a second. Clerk, are there any public comments received or is anyone online interested in making a comment? **Monica L. Sparks, Deputy UG Clerk**, said no comments received, no hands raised. **Acting Chairman Markley** said anyone here in the room here to make comment on this item? Alright, roll call on the motion.

Roll Call was taken and there were six "Ayes," Groneman, Kane, Davis, Johnson, Ramirez, Markley.

Item No. 2 – 212713...ORDINANCE: UPDATES TO SEWERS AND SEWAGE DISPOSAL

Synopsis: Approval of updates to Sewers and Sewage Disposal Ordinance to address Fats, Oils and Grease (FOG) Program, submitted by Jeff Miles, Director of Water Pollution Control.

Jeff Miles, Director of Water Pollution Control, said I want to introduce Tiffany Butler, she's our FOG Coordinator, our newly developed position, and Scott Craig, our Environmental Compliance Supervisor, as well. Tonight, we're coming ahead forward of you we're going to show you just a small presentation to give you kind of a status of where the FOG Program is. Part of that is updating the ordinance for ultimately a fee that goes along with those as mirrored by other communities. We did zero that out, so that's just a small ordinance change at the end with the opportunity next year to come back in front of you guys and we'll establish a fee at that point.

But for 2024 we're looking for a 0% fee to continue. The reasoning behind that is, why we zeroed that out is, our Kaw Point Modernization Project that you guys are all aware of, is not to the step where we want it to be to where we can receive grease. That's a big part of this update to our plan. This time next year we should be equipped to that. So, long and short of it, a restaurant in Kansas City, Kansas that's disposing of their grease properly, having a contractor come take that grease and dispose of it, they have nowhere in Wyandotte County right now to take it. They have to take it outside the city to do that which costs them more money for transportation fees, so we didn't feel it was appropriate at this time. This is just another step of our ongoing consent decrees for some of the obligations that we made with that. With that said, I'm going to hand it off to Tiffany.



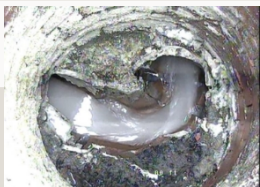
Tiffany Butler, FOG Coordinator, said today I'm here before you to advocate for the adoption of the Fats, Oils, and Grease Program and for the ordinance fee for 2025. This future fee, while sometimes met with hesitation, is a crucial step towards safeguarding our environment, maintaining the integrity of our sewer systems, and ensuring the health and well-being of our community.



First and foremost, let's address what is the FOG Program and why we find ourselves considering this fee. Fats, oils, and greases when improperly disposed of have a detrimental impact to our municipal sewer systems. They clog pipes, cause blockages, and contribute to costly and avoidable maintenance. This not only strains our budget, but also results in inconvenience and potential health hazards for our residents.

Why is it Necessary?

- Sewer Infrastructure Care
- Water Treatment Plant Efficiency





- Resource Allocation
- Environmental Compliance
- Public Health Considerations

While we say we value environmental responsibility and that we are committed to protecting our local waterways and ecosystems, these businesses that generate FOG should bear some responsibility for its proper disposal and treatment. By adopting a FOG ordinance fee, we're not just taking a proactive approach to managing this issue, but we are also sending a clear message to the food establishments and businesses in our community.




Who is Impacted?

- Restaurants
- Convenient Stores
- Schools
- Churches
- Nursing Homes
- Food Trucks
- Grocery Stores
- Hotels/Motels
- Coffee Shops/Ice Cream Shops



Furthermore, this fee can be structured in a way that encourages compliance. We can offer incentives and discounts to businesses that actively demonstrate their commitment to FOG

management. We can also allocate the revenue generated from this fee to fund education and outreach programs, inspections, and enforcement efforts, all of which will benefit our community in the long run.

How Does it Work?



On-Site Inspections Check

- Grease Removal Devices
- Outdoor Grease Recycle Bins
- Kitchen Equipment
- Best Management Practices



Municipal Oversight

- Profiling FOG Generators
- Cleaning Record Submission
- Facility Contacts
- Inspections/Notice of Violations
- Sewer Overflow Tracking



FOG Generator Compliance Resources

- Kitchen Staff Training
- Kitchen Signage
- Checklists
- Equipment

Now I understand the concerns that some may have about imposing a future fee. No one welcomes additional costs especially in challenging economic times. However, it's essential to recognize that this fee is not arbitrary. It's a tool for accountability. By implementing a fee structure, we encourage businesses to adopt best practices such as installing and maintaining FOG control equipment, training their employees, using the resources we have created for them, and adhering to reporting requirements.

Comparisons				
Wichita	Johnson County (18 Cities)	Bonner Springs	Gardner	Manhattan
\$180 Annual permit fee	\$290 Annual permit fee	\$0 permit fee	\$300 Annual permit fee	\$25 Annual permit fee
Users with AGRD \$40/Month	\$290 GIOP fee (one time fee)	Late Fees: \$50 30 -59 days \$100 60 -89 days		Late Fees: \$100 each month late
Total \$660/Year	Total \$580 for first year	\$300 after 90 days and water may be turned off		

This slide shows some comparisons of other Kansas municipalities that have adopted a FOG program. Wichita has a \$180 annual permit fee, along with the \$40 fee for users that have a grease

removal device. For most of the cities in Johnson County, there is a \$290 annual permit fee, plus a fee to operate a grease removal device, equaling \$580 a year. Bonner Springs has chosen not to have a permit fee, however, has late fees for not turning in paperwork, and if not received after 90 days they have the option to turn the water off at the establishment. Gardner has a straight \$300 annual permit fee. Manhattan has an annual permit fee of \$25 and late fees of \$100 each month for paperwork that's not turned in.

LET'S TALK

- Mandated in Partial Consent Decree with EPA in 2013.
- Move to a fee -based program that pays for itself.
- Program will pay for staff and program materials.
- Reduction in number of grease related sewer blockages from Food Service Establishments (FSE's).



Wyandotte County was mandated by the EPA in 2013 with a partial consent decree to implement this program. Since then, the bare minimum has been done due to the lack of a FOG Coordinator until this year. With the implementation of this fee in 2025, this program will pay for itself. Furthermore, this fee can be structured in a way that encourages compliance. We can offer incentives and discounts to the businesses that actively demonstrate their commitment to FOG management. We can also allocate the revenue generated from this fee to fund education and outreach programs.



In conclusion, adopting a FOG ordinance fee is a necessary and responsible step towards protecting our environment and maintaining the functionality of our sewer systems. It's an investment in the health and well-being of our community. By doing so, we demonstrate our commitment to sustainability and responsible governance. I urge the members of this committee to consider the long-term benefits, weigh them against any short-term concerns, and ultimately, stand with us in supporting the adoption of this FOG ordinance fee. Together, we can assure a cleaner, safer and more sustainable future for our community. Thank you for your consideration.

Mr. Miles said I'll wrap it up there. Great job, Tiffany, by the way. She's very passionate about our job, she's good at it. The ordinance change is just opening that door that we can come back to this time next year. We'll benchmark this time next year with other organizations and come back in front of you for an actual fee. But for now, it's just ordinance change opening that door, and again, it lets us follow the commitments of the consent decree.

Acting Chairman Markley said I want to recap a couple of things. EPA required us to start this program, ordinance changes to start the program, no fee change this year. No fee change in 2024, but you'll be talking to us in 2024. 2025 there will be a fee. **Mr. Miles** said that's correct.

Commissioner Ramirez said to clarify for the community because saying the word fee, this is a fee that establishments will be paying, not the community, not citizens. It's restaurants, the list of establishments that you had on the slide. **Mr. Miles** said great point. Yes, that is correct, Commissioner. **Commissioner Ramirez** said I just wanted to, again, make sure that was spoken

about because I don't want them listening to this meeting and hear the word fee and thinking that's another fee that citizens are going to have to pay. The establishments themselves.

Commissioner Davis said can you all speak in just a little bit more detail about the environmental impact of the program? I think just from an educational standpoint it's very, very important for folks to realize we are trying to solve or prevent a very, very serious problem within our sewage system that if we don't get ahead of it can become very problematic for everybody in our community. Can you all speak to the environmental impact?

Mr. Miles said absolutely, Scott, you want to take that one or—I can share the mic there. **Scott Craig, Environmental Compliance Manager**, said the big issue with grease that comes from restaurants, etc., is once it gets in the sewer it can cause a backup, which the backups can be, I guess in the worst-case scenario it could end up in someone's basement. By requiring the grease traps, interceptors, and the BMP that follow, that should reduce the amount that gets in the sewer, which should also greatly reduce the number of blockages. Then if there's a blockage, we go out, we have to clean it up, and then we charge the restaurant for that cleanup fee because it's extra. It shouldn't be in there, so we have to charge them to clean it up.

Mr. Miles said I'll expand off that as well. Not only in the lines itself, but lateral lines, main lines, pump stations, all the way through the treatment process, all the way to the treatment plants, causes kind of havoc for our entire system. Once we get done with the Kaw Point Modernization Project, we'll be able to receive that grease and turn it into a renewable energy versus disposing of it in other ways at this point.

Acting Chairman Markley said any other questions from the committee?

Commissioner Johnson said thank you for this great presentation and I'm glad that you are at least getting us the information well ahead of schedule, so great job on that. The question that I have—this is kind of in particular to what Commissioner Ramirez asked, when he made the clarification that this would not affect our residents, but rather the businesses. Do you perceive that there might be some break-even point where the businesses complain about these types of fees? I mean, in light of the stormwater fee that will soon be coming upon everyone, but also, and

more importantly, you add this to the to the mix. Do you think that brings us to a break-even point with regard to the businesses that are in Wyandotte County at large and their ability to pay?

Mr. Miles said yeah, that's another great question. I appreciate it. It actually reminded me of a point I wanted to make. Some of the brainstorming, which will come back in front of this group next year, is we are looking at options to where we will reward restaurants that take those extra steps. So, Tiffany, you want to expand on that a little bit, are you prepared to just touch on that topic?

Ms. Butler said yes, we can offer incentives to those businesses that do struggle and if they turn in their paperwork and they seem to be doing well and doing everything that they're supposed to be doing, getting their interceptor cleaned out regularly, then we can definitely look at offering incentives. **Commissioner Johnson** said will the onus be on the businesses themselves or will we, in some manner, send some communication to them that we offer this. **Ms. Butler** said oh, yes. There'll be communication to them that's offered.

Mr. Miles said and we'll do educational out outreach, as well as Tiffany visits multiple these businesses on-site and actually walks them through the process and will go over—she's doing that today. But once it gets to this permit fee point, if we decide that a year from now, we'll cross that bridge when we get there, but she'll be able to educate them along the way when she's actually at their location.

Ms. Butler said I wanted to add that we are setting up an annual meeting—we're going to hold these annually, and we're going to offer for two days six different times that the restaurants can come in and we just educate them about our requirements and best management practices. **Commissioner Johnson** said great. I think that's all we really can ask, so thank you so much.

Commissioner Davis said the only thing I would add to that, I'm sure you all have thought about this, but our community is very, very diverse. English may not be the first language spoken, particularly when we talk about our cuisines and the restaurant owners there and so I think we can make every effort to make those sessions language accessible, as well as whatever advertising or marketing on this. Very, very important, I would hate for any group that English is not the first language to be at a disadvantage because this is such a new program. If you have anything else to add to that please do, but just want to make that point. **Ms. Butler** said yes. We do have a Spanish

speaking employee that helps with translations and I'm sure she would be available. We also have a new guy on staff that speaks Hmong, so he'll be able to help us too.

Mr. Miles said that's actually a great point, Commissioner. The truck that they showed there in the last slide there, one side of the truck—that truck's out in our community every day, along with they made some placards, but on one side of the vehicle, it's in English, on the other side of the vehicle it's like a big billboard, we put it in Spanish on the other side, so we're trying to get ahead of that curve, but we'll definitely expand that and take that back to the group and make sure we're accomplishing that.

Acting Chairman Markley said Clerk, did we receive any comments from the public or is anyone online wishing to speak? **Ms. Sparks** said no comments were received, no hands are raised. **Acting Chairman Markley** said anyone here in the room for this item? I will entertain a motion.

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

Adjourn

Acting Chairman Markley said that concludes our meeting this evening, I will entertain a motion to adjourn.

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

The meeting was adjourned at 5:20 p.m.

RM