Public Works and Safety Committee
Standing Committee Meeting Agenda
Tuesday, January 20, 2015
5:00 PM

Location:
Municipal Office Building
701 N 7th Street
Kansas City, Kansas 66101
5th Floor Conference Room (Suite 515)

Name
Commissioner Mike Kane, Chair
Commissioner Hal Walker
Commissioner Tarence Maddox
Commissioner Angela Markley
Commissioner Jane Philbrook
Jeff Bryant - BPU

1. Call to Order/Roll Call

II. Approval of standing committee minutes from October 13 and November 17, 2014

III. Committee Agenda

Item No. 1 - COMMUNICATION: RAMP CLOSURE EB TO I-70

Synopsis:
Communication regarding the need to close both ramps from I-635 that lead to eastbound I-70 due to KDOT replacing the I-70 bridge deck over Kaw Drive, which is immediately east of the I-635 interchange, submitted by Bill Heatherman, County Engineer.

For information only.
Tracking #: 140402
Item No. 2 - VIDEO: WASTEWATER SYSTEMS VIDEO - OVERFLOW CONTROL

Synopsis:
The UG will be making major investments in our wastewater system to meet the demands of the EPA Consent Decree. At the same time, these investments will help us address long-standing maintenance and capacity issues within our system, submitted by Bill Heatherman, County Engineer. A video has been developed to help inform and educate our citizens about this program and the need for the investment.
Tracking #: 150010

Item No. 3 - GRANT: STORMWATER QUALITY EDUCATION PROGRAM

Synopsis:
Stormwater Quality Education Grant Program is a requirement of the UG's Stormwater Management Plan and the EPA Consent Order. The grant would be implemented in 2015 with an annual budget of $30,000 funded from the Stormwater Utility Fund, submitted by Sarah Fjell, Engineering.
Tracking #: 150007

Item No. 4 - COMMUNICATION: SOLID WASTE PLANNING COMMITTEE

Synopsis:
It is required by the Kansas Department of Health and Environment (KDHE) that each county has a Solid Waste Planning Committee. It is also required by KDHE that the Solid Waste Master Plan be reviewed on an annual basis by the Committee and be approved by the Board of County Commissioners, submitted by Tim Nick, Public Works.
Tracking #: 150012

Item No. 5 - OVERVIEW: COMPLETE STREETS

Synopsis:
Overview of complete streets, presented by Rob Richardson, Director of Urban Land Use and Development.
Tracking #: 110073
Item No. 6 - COMMUNICATION: DESIGN/BUILD FACILITY

Synopsis:
Approved as part of the 2015 CMIP Budget was a project to construct a facility that would house Fire Maintenance and Supply, and the Water Pollution Control (WPC) Sewer Maintenance Construction, Sewer Maintenance Operations & Maintenance, WPC Records and Mapping, and Pump Station Operations and Maintenance. These two operational groups would share a pre-existing UG owned site, but not share the same structure, submitted by Mike Tobin, Interim Director of Public Works.

For information and discussion
Tracking #: 150013

Item No. 7 - COMMUNICATION: FEES FOR NEW RESIDENTIAL HOME CONSTRUCTION

Synopsis:
Continued discussion of the assessment of Unified Government fees for new residential home construction, submitted by Gordon Criswell, Assistant County Administrator. The waiver of these fees ended on December 31, 2014.

Tracking #: 150014

IV. MEASURABLE GOALS

Item No. 1 - MEASURABLE GOALS

Synopsis:
- Public Works

Tracking #: 120155

V. Adjourn
The meeting of the Public Works and Safety Standing Committee was held on Monday, October 13, 2014, at 5:00 p.m., in the 5th Floor Conference Room of the Municipal Office Building. The following members were present: Commissioner Kane, Chairman; Commissioners Walker, Markley, Maddox, and Philbrook; and BPU Board Member Jeff Bryant. The following officials were also in attendance: Joe Connor, Interim Assistant County Administrator; Jody Boeding, Chief Legal Counsel; Gordon Criswell, Assistant County Administrator; Bill Heatherman, County Engineer; Mike Tobin, Interim Public Works Director; Debbie Jonscher, Deputy Finance Director; Shawn Berry, Technology; John Paul Jones, Fire Chief; Ken Moore, Deputy Chief Counsel; and Wayne Moody, Deputy County Engineer.

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

Approval of standing committee minutes for August 25, 2014. On motion of Commissioner Philbrook, seconded by Commissioner Maddox, the minutes were approved. Motion carried unanimously.

Commissioner Walker left the meeting at 5:03 p.m.

Committee Agenda

Item No. 1 – 140319…RESOLUTIONS: SURVEY OF LAND FOR VARIOUS PROJECTS

Synopsis: Resolutions declaring the following projects to be necessary and valid improvements, and authorizing a survey and description of land to be acquired for the projects, submitted by Bill Heatherman, County Engineer.

- Upper Connor Creek Sewer Extension, CMIP 6122
- Turkey Creek, Missouri Interceptor Project, CMIP 5005
- Leavenworth Road, intersections of 55th and 72nd Street, CMIP 3109
- Merriam Lane, County Line Road to 24th Street, CMIP 1052
- Oak Grove Road, 53rd Street to 55th Street, CMIP 1174
Bill Heatherman, County Engineer, stated this is a fairly ordinary action on all major Capital Improvement Projects that we will be taking right-of-way or easements from. This is a beginning step. It gives us the authority to proceed down this path. These are all projects that are proceeding ahead and I can answer any questions on individual projects if you have any.

**Action:** Commissioner Markley made a motion to approve, seconded by Commissioner Philbrook. Roll call was taken and there were five “Ayes,” Bryant, Philbrook, Markley, Maddox, Kane.

Item No. 2 – 140317…RESOLUTION: STAFF AUTHORIZATION RE. STATE SRF

**Synopsis:** Resolution authorizing Michael Tobin to act on behalf of the UG in connection with the Kansas Department of Health and Environment (KDHE) revolving loan fund (SRF) to aid in the implementation of an Integrated Overflow Control Program to address combined and separate sanitary sewer overflows, submitted by Mike Tobin, Interim Director of Public Works.

Mike Tobin, Interim Director of Public Works, stated this is also routine business. With the retirement of Bob Roddy, Public Works Director, and my appointment as the Interim Director this simply will allow me to sign the documents to send to them.

**Action:** Commissioner Markley made a motion to approve, seconded by Commissioner Philbrook. Roll call was taken and there were five “Ayes,” Bryant, Philbrook, Markley, Maddox, Kane.
Outcomes

**Item No. 1 - 110073…OVERVIEW: COMPLETE STREETS**

**Synopsis:** Overview of complete streets, presented by Rob Richardson, Director of Urban Land Use and Development. For information only.

**Bill Heatherman, County Engineer,** stated I believe this was intended for Rob to give. I know he is at Planning Commission or Board of Zoning. I don’t if he’s in between floors.

**Commissioner Philbrook** stated this should be with Mike for CMIP.

**Commissioner Walker** returned to the meeting at 5:06 p.m.

**Action:** Rob was not present. Item was not discussed.

**ITEM NO. 2 – 140332…PRESENTATION: CMIP UPDATES**

**Synopsis:** Review of current CMIP and information regarding future budgeting, presented by Mike Tobin, Interim Director of Public Works.

**Mike Tobin, Interim Director of Public Works,** stated we’re here tonight to give you really just a discussion and information on the CMIP in the out years. As you know, when you approved the budget this past year the CMIP is a long-range instrument that you guys have to move projects through the system. We’re wrapping up 2014 and 2015 is pretty planned out, but this is to talk about 2016, 2017, 2018, and 2019. With your strategic planning session coming up, basically what we’re doing here with the handout that we gave you, Bill just gave you right now, that will be good information for you to have to move forward. Having said that I’m going to turn it over to Bill to run through the power point. Debbie is also here, the Deputy Finance Director, to answer any finance questions.
Bill Heatherman, County Engineer, stated we’re all clear on were talking about the CMIP what we want. This is the fun part of the job showing the pictures at the end of the project. The challenge is to get them done and get them paid for. When we worked through the CMIP with
you all this last year and in every year we have a lot of questions both about individual projects but also just the context, what our goals are, how we’re doing, and also when can we add more projects and see more things get done.

Some major considerations that came up in the CMIP this year, and Debbie can speak to these in more detail, we’re standing at about $69.5M for 2016 through 2019 for street, bridge, and facility type projects. If you average that out, that would be about $17.3M a year and our target based on bond considerations and other things has been to try to keep that below $15M a year. This is part of the challenge that we are here to discuss tonight. Many of the projects already in the 2016 and 2017 CMIP are ones that we began work on. Resources have been committed to at least engineering and generally once we start we like to be like the train that keeps on moving. Our projects once they begin we treat them as a pretty high commitment to carry them through but now is the time to start planning for additions in 2018, 2019, and beyond. As you saw in those numbers, it’s not like were sitting on big amount of slabs to add additions to, but every year is an opportunity for this commission to reflect on the priorities and reflect on the timing of what has been submitted.
This is just a little graphic of where those numbers stand and, Debbie, I didn’t know if you wanted to say a little about the finance part of this.

**Debbie Jonscher, Deputy Finance Director**, stated we just put this graph together to kind of show where the current CMIP is in relation to our target. The last three pages in your packet are a portion of CMIP documents and these numbers match up, these are the total for the city debt projects which would actually be on the second to the last page of your document. This kind of show where we’re sitting 2016 through 2019 and as Bill said when we went through the budget process our target was around $13 to $15M but we’re trying to stay underneath that $15M target. This kind of shows you going into those future years where we are and what modifications we might need if we want to maintain that target.
Mr. Heatherman stated one question that comes up is how projects have been prioritized in the past. Staff generally does bring a recommendation forward and then through the various meetings and workshops we have in the spring those get tightened. The common themes from both staff and commission in the past to guide us are we preserve our core maintenance funding so the Street Overlay Program which you are going to hear more about tonight, many of those other core maintenance functions, a lot of our capital projects are really major rehabs. A lot of times when you see a project listed that’s a tear out and replace type effort. We’re trying to preserve our core maintenance.

The second is we’re trying to leverage other people’s money any time and everywhere we get the opportunity. We comply with the law, we do the federal mandates like it or not. Those intrude themselves between Item 1 and Item 3 and certainly in the last five years between the ADA requirements and all of our EPA requirements that’s become a factor that is no light matter to try to keep that second line item satisfied. Then we jump to the federal grants and leverage funds and try to make the best of those that we can. Certainly, we don’t pursue a project only because we could get a grant for it. We always stick with projects that we, the city, do want and that meet the needs of our constituents but then that being said we try to leverage and try to look for folks to help us with those projects.
Then selecting neighborhood enhancements that are going to be fully funded by us and I think you’ll see in every year the CMIP we do manage to keep a small amount, but a steady amount, going towards those kinds of projects. That’s been the philosophy that’s guided us. If there’s different weights or different priorities that comes out each year, but that’s generally how we’ve approached it.

Then just a couple of special notes; the bars you saw were for the debt. I would say that we’re probably 90% to 95% debt funding these kind of major capital. We don’t have the big pay as you go or cash source that we’re putting towards the large capital projects, at least not at this type. We do have Special Street and Highway Fund which is a dwindling resource. You all hear about the gas tax and how the gas tax is not keeping up with inflation and then how cars get more efficient, we are actually collecting less dollars per mile traveled. That’s all coming down the pike and it restricts what we get at the end and to put in the Special Street and Highway Fund.

We also have the sales tax that was adopted in 2010. There are cash resources but if you look in our budget a lot of those go to very routine maintenance. The kind of things that aren’t even appropriate to consider debt for in first place.
The western Fire Station at $4M is in there. That’s part of the reason why the spike in 2016. **Chairman Kane** asked can you be more specific on which one it is. I believe it’s 8, at 123rd & Leavenworth Rd. **Mr. Heatherman** stated I believe, Mr. Chairman, that was the last one that we heard about. I didn’t know that it was more specific than that. **Chairman Kane** stated I think we need to be specific. That’s a pole barn, been a pole barn. When they annexed the place they told the folks out west that they were building a fire station. They haven’t built them a fire station. I think it’s time to do something about it. **Mr. Heatherman** stated well also I think that project will be part of the fire study that’s being conducted and probably will come out of that. I don’t know how serious the actual funding was for 2016. Sometimes those out years have been used as place holders for projects. That’s up to you guys anyway.

**Commissioner Philbrook** asked what other western fire stations were you - **Chairman Kane** stated there are others. There’s the one on State Avenue, 94th & State. You’ve got the ones down there in Edwardsville which we don’t have yet. There is also one at 80 something & Leavenworth that used to be a volunteer station way back in the day. There are a couple out west.

**Chief John Paul Jones** stated when that was put in the budget it was put in as an additional new station, not as a replacement, for the western area fire station and that was to address the issue of response times out in the Piper area. When we initially put that in, I think it was originally scheduled showed up 2015 was pushed out to 2016. The reason it doesn’t say a replacement for Number 8 is because we looked at the situation as a standard of cover issue. We addressed the response time issue in western Wyandotte County as far as that area. We considered it an additional fire station to the number that we have now.

**Commissioner Walker** asked, Chief, do you know when the fire station in the Highland Crest area, I forget the number of it, the year built. **Chief Jones** stated I believe if you’re talking about 16 – well the Highland Crest area is 51st & Matney, I believe that station was actually a township fire station. It was built in the 1950’s. **Commissioner Walker** stated just so the record’s clear. That whole area was annexed in 1966 and we, too, we’re promised a new fire station for which we’re still waiting. We have one on 55th Street. I don’t know what size of truck you have in there but there’s not room for more than one. There are plenty of places where we need fire stations. **Chief Jones** stated I’d have to agree with that. We have multiple township fire stations that were
annexed; one of them being in the Piper area. **Commissioner Walker** stated I understand and it is a pole barn. **Chief Jones** stated for clarification when that was put in the budget it wasn’t to replace 8s, it would be in addition to 8s. **Chairman Kane** stated that would be great. I think Mr. Tobin’s right too. Once we get the study back we’ll have a better grasp on where the other would need to go but I appreciate that.

**Commissioner Walker** asked, Chief, are you saying if we build a new one out west, you’ll maintain the pole barn as a fire station. **Chief Jones** stated I would say this that it’s a complex problem in that station needs absolutely to be replaced because it is essentially a pole barn. To build a new fire station there would not address our response time issue that we have. I think the first order would maybe be to build a new fire station and then come back and build a new 8s in addition to that. **Commissioner Walker** stated thank you Chief.

**Mr. Heatherman** stated the only last comment on this slide was the recession is ending at least as far as construction pricing goes. We’re seeing that all this summer and fall and the bids for both ourselves and KDOT. We were able to continue squeezing a lot in over the last five or six years when we had projects to put forward. I’m afraid that when you see me in March I’m going to be giving you some probably revised estimates on some things based on what we’re seeing. That’s just another consideration and with that we would be open to any questions you may have.

**BPU Board Member Bryant** asked, Mr. Heatherman, in the slide about the projects being prioritized number one, to preserve the core maintenance. Are there any monies that have been moved out of that bucket that would be possibly found to be put back in there and move into other project areas or especially like the grind and overlay or anything. It seems to me the grind and overlay took a hit a year or so ago. Some of the monies were moved out of it. **Mr. Heatherman** stated I think if you look over a long period, some years the Overlay Program is richer than others. I think this last budget cycle was very difficult and just in order to keep other key programs we had to reduce it compared to the year before. The entire CMIP for streets and bridges is a bit of a balancing act every year. I would say that we seem to be continuing to put a high priority on the grind and overlay. I believe that is a very positive thing. **BPU Board Member Bryant** stated I would agree. Our city streets are the arterial of our city. **Mr. Heatherman** stated also, Commissioner, to address part of your question; in the mini recession
we had back in the 1990’s at that time, part of the gas tax money was moved to cover operational expenses instead of being totally capital and that trend has continued. We’ve never really reversed that and went back to the Special County Street and Highway Fund becoming all Capital. **BPU Board Member Bryant** stated thank you.

**Commissioner Markley** stated my questions is one that I’ve repeated before since I’ve been here. We know that we have to plan very far out and since the commission as a whole has started looking at CMIP several years out I think the sentiment has improved, but I think there’s still a question on the commission as to how to make sure that these larger scale projects are on the list. In the past the response that I’ve been given has sort of been well we’re aware of the problems and the list is sort of in our head. Again, I would appeal to Public Works staff to find a way, not externally not necessarily put on the website, but to be able to internally track the things that commissioners are saying they would like to have that long-term list because if you’re talking and saying we need to be planning for 2018 and 2019, that’s not something we’re seeing on the CMIP list that we’re getting today. We’re seeing a few years out but not necessarily that far out. If commissioners are thinking in 2019 I want to see a project taking off, it’s too late really for them to start that process now or it’s getting too late as you have planning and engineering and things like that that need to happen. I think commissioners want to be partners in helping decide which projects are a priority but because we plan so far out we really need your help to start thinking about those things and to start that list of projects and to make sure that we’re all on the same page before we pass the point of no return and we’re not able to move forward with a project that we think is a priority.

**Commissioner Philbrook** stated I just want to second that. I know we said that when we were talking about this the last time. Requesting that those things that were put on the list that they not get dropped and lost because there was no official list. We’re asking for an official list please.

**Action:** No action taken. For information only.
Item No. 3 – 140333… PRESENTATION: NSRP MILL AND OVERLAY PROJECT UPDATE

Synopsis: Status report on 2014 Neighborhood Street Repair Projects (NSRP) mill and overlay, presented by Bill Heatherman, County Engineer. For information only.
Bill Heatherman, County Engineer, stated so keeping to the spirit of the little bit of information each month, keep the dialogue going; last month we spoke with you about several recently completed projects and this month we’re emphasizing the 2014 NSRP Program. I’ve got a couple of folks from our staff here that I’d like to stand and be recognized. Wayne Moody, who is our Deputy County Engineer and Brandon Grover, Engineering Technician, who is handling our street maintenance and working with Wayne. We have about 1,400 miles of roadway and depending on the year and the funding, 30 to 40 miles is a good target for us. Average cost of a mile of NSRP is anywhere from $80,000 to $140,000. The real big difference rural roads we can do a lot more for the money. When you get in town we need to do more milling to keep the street elevations the same. On a rural road we can actually put that extra thickness on top and the ADA wheelchair ramp mandate puts a lug on the program so we’re in areas with lots of sidewalks so we have some additional costs. We find that the public starts thinking the road is ready for mill and overlay about 15 years after the last time we touched it. Our actual engineering target would be 20 to 25 years. If you do the math on the slide at the top, you’ll see that even that is a hope for a goal not an actual funding level. You are going to hear about streets needing a mill and overlay.
long before we’re going to be able to probably schedule them up compared to all the other streets and that’s just the reality we all face.

Overlay of S. 35th Street.

Here is a picture of some work that’s outgoing. South 35th Street, the overlay in progress.
Overlaying of Oakland Avenue between 8th St. and 9th St.

Oakland Avenue between 8th & 9th Street and you can kind of see when we’re in town things are a little tighter. The work is a little bit more constrained.

Road Surface Milling of N. 62nd St.
North 62\textsuperscript{nd} Street. This is actually the milling operation. We come through and get the road all nice and rough and uneven so people know that we’re coming through. We do use those millings. That’s an actual valued resource that makes good surfacing material so it doesn’t go to waste.

**Completed Overlay of N. 77\textsuperscript{th} Terr.**

Here is a picture of a completed North 77\textsuperscript{th} Terrace.
Completed Overlay of S. 20th St.

Another completed street project on South 20th Street.

Completed Overlay of 9th St. and Everett Ave.

Another completed project at 9th & Everett.
We get a lot of questions well how do we pick out sites. I would say we have a rule of three. We get input from personal observations, Commissioners, citizen requests, and our Public Works crews. We rank it based on actual street condition and need. We go out and do a look over of them all, traffic volume, the overall net worth condition and need as well as the input that we get when we do our annual briefings with you and the observations and the things that you’re hearing. Then we select based on a systematic approach the net work and the funds available.
2014 NSRP Areas

- Location of a 2014 NSRP Project

2014 Program Progress

- 100% of ADA ramps have been installed at required sites.
- 96% of sites have been milled.
- 55% of sites have been overlayed to date.
- Anticipated 98% total completion this year with minor work to carry over to Spring of 2015.
- Over 2,000 residences with improved street conditions funded by the 2014 NSRP this year alone.
2014 Program Progress

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- 96% of sites have been milled.
- 55% of sites have been overlayed to date.
- Anticipated 98% total completion this year with minor work to carry over to Spring of 2015.
- Over 2,000 residences with improved street conditions funded by the 2014 NSRP this year alone.

This is just a picture of where the 2014 sites are. Good distribution through the county. Right now we have nearly all of our ADA ramps installed. 96% of our sites have been milled and about 55% of our sites have been overlayed to date. It is usually the fall when we actually see the majority of our work take place. I know it’s long anticipated. We would anticipate about 98% of our work that was scheduled for 2014 will be done in 2014. There are always a handful of sites that due to utility delays are other practicalities that emerge that we go ahead and carry over and don’t actually do until the spring following.

We would estimate that there are about 2,000 residences where we have passed by or will pass by this year with mill and overlay project. We do notice. We put parking notices up on the block that we are going to be mill and overlay and we also have our contractor put out door hangers shortly before and with that I’d take any questions that you all may have.

**Action:** No action taken. Information only.
Item No. 4 – 120155...UPDATE: NOTICE OF NEED FOR A FIRE STUDY

Synopsis: Status report on the Notice of Need for a fire study, presented by Joe Connor, Interim Assistant County Administrator. For information only.

Joe Connor, Interim Assistant County Administrator, stated this is a very brief update. There have been bids solicited for the Fire Study and a selection committee has been selected and we are in the process of scheduling the review process by the committee. That will consist of going over the applications and determining which ones you want to interview and then interviewing. There is a little bit of a process left before we actually pick someone. It’s underway and we actually have some documents in hand.

Chairman Kane asked can we have a timeline. Mr. Connor stated we’re depending on the consultants to tell us what their timeline is and it will be part of our evaluation. We didn’t set that for them. They are going to tell us.

Action: No action

Chairman Kane adjourned the meeting at 5:26 p.m.
The meeting of the Public Works and Safety Standing Committee was held on Monday, November 17, 2014, at 5:00 p.m., in the 5th Floor Conference Room of the Municipal Office Building. The following members were present: Commissioner Kane, Chairman; Commissioners Walker, Maddox, Markley, and Philbrook; and BPU Board Member Jeff Bryant. The following officials were also in attendance: Gordon Criswell, Assistant County Administrator; Jody Boeding, Chief Counsel; Emerick Cross, Commission Liaison, Bill Heatherman, County Engineer.

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

Approval of standing committee minutes from September 15, 2014. On motion of Commissioner Philbrook, seconded by Commissioner Maddox, the minutes were approved. Motion carried unanimously.

Committee Agenda:

**Item No. 1 – 140378…TEN RESOLUTIONS: AUTHORIZE VARIOUS CMIP PROJECTS**

**Synopsis:** Ten resolutions declaring the following projects to be necessary and valid improvements, and authorizing a survey of land for said projects, submitted by Bill Heatherman, County Engineer.

- 29th & Ohio Storm Sewer, CMIP 5040
- Minnesota Avenue, 7th to 8th St., CMIP 1610
- White Oaks Capacity 82nd & Haskell, CMIP 5043
- 12th/10th St. Bikeway, CMIP 1222
- Central Avenue & 18th St. Intersection, CMIP 1223
- Leavenworth Road, 63rd to 38th St., CMIP 1224
- Route 107 Bus Stop and Station Upgrades, CMIP 1225
- Safe Routes to School, Group D, CMIP 3334
- Safe Routes to School, Group E, CMIP 3335
- Westheight Benefit District, CMIP 1221
Bill Heatherman, County Engineer, said this is a fairly routine item associated with all large capital projects. Among other things it acknowledges the project and gives us authority to move forward with the surveys knowing the property will be acquired. You’re used to seeing these periodically through the year. In discussions with law we decided that since the financing had gone through with these projects last month that it really made for just to bring these forward as a batch. I can stand for any questions that you may have.

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

Item No. 2 – 140375...REDESIGN: KAW POINT CONNECTOR TRAIL
Synopsis: Request approval of staff’s action plan for an alternate design of the Kaw Point Connector Trail, submitted by Bill Heatherman, County Engineer. The redesign would allow the project to go forward at a cost that would be in line with the original KDOT grant and UG funding.

Bill Heatherman, County Engineer, said I have Frank Weatherford with TranSystems with me today, the engineer for this project. As many of you know we have been working on a connection from downtown to Kaw Point Park. We have a federal KDOT grant to cover the cost and we went to bids this last October. For those of you that recall the project, we had envisioned coming off of the current trailhead, coming up by the EPA field office adjusting the jersey barriers on the ramp of the Fairfax/Minnesota Viaduct and then a freestanding ramp that would take you basically semi-circular down underneath the existing bridge over the floodwall and into the park. We opened bids in October and due to the difficult working conditions under the existing bridge and other surprises, we were way off budget; so much so we had to advise KDOT to reject the bids and we would begin working on an alternative. The biggest surprise was this ramp underneath the bridge. A combination of the foundation conditions working underneath that bridge and just general cost increases since we did the initial estimate.
We have over the last thirty days been looking at an alternative. We think we have come up with an option that preserves much of what we had originally planned. If you see on this overall exhibit, this is the EPA lab building; this is the intersection with Minnesota Avenue and this is the viaduct that comes across. All that part in green is what we originally designed. This is where that ramp would have originally been.

We’re proposing simply to continue to the north, extend the jersey barriers protections into the traffic lane and provide an on grade crossing so pedestrians can cross the one lane of traffic that leads to the on ramp to I-70. From that point we would actually just stay on the ground and come around the little hill slope, come underneath the bridge on the ground. We’ve been talking with the Bartlett Grain Elevator folks. We have a meeting scheduled. We’ve been covering this question with a number of people that have a say so in all of this. We think this alternate design would work and would eliminate the most expensive particular item.

We just bring this to your attention tonight because this has been an important project. We’ve put a lot of effort into it. I know you all have had interest in it. We wanted to share both the difficulty we ran into and the solutions that we’re coming up with. I’ll ask for any questions and if you wish to give us comment or endorsement as we move forward. We hope to be able to rebid this in the spring.

November 17, 2014
Action: Commissioner Philbrook made a motion, seconded by Commissioner Maddox, to approve. Roll call was taken and there were six “Ayes,” Bryant, Philbrook, Markley, Maddox, Walker, Kane.

Item No. 3 – 140376…PROPOSED AMENDMENTS: ANIMAL CODE
Synopsis: Proposed amendments to the Animal Code related to increasing the maximum number of animals, removing the Pit Bull prohibition, adopting a Trap Neuter and Release (TNR) policy, along with other changes, submitted by Jenny Myers, Legal. The proposed changes were recommended by the Animal control Oversight Committee.

Chairman Kane said I’m going to turn this over to Jenny Myers and at the same time I will let Commissioner Jane Philbrook run a portion of this. Before we get started though I would like to share a little bit of information; we had approximately thirty-six emails for mostly the Pit Bull Ban. There were five against but only one of those was local.

Jenny Myers, Assistant Counsel, said I’m here with Katie Barnett and we’re here to present the proposed changes to the animal code. All the proposed changes were sent to you with redline version of the ordinances and were included in your packet. I’m going to turn it over to Katie Barnett to give you a little bit of history of how we got here and how we formed this animal committee and the proposed changes that we made.

Katie Barnett, Attorney for Professionals for a Humane and Safe Kansas City, said thank you so much for having me. We were here in March of 2014. You all heard some of the concerns and you were presented with some proposed changes which this committee formed the Animal Oversight Committee to study those proposed changes and to try and address the concerns of the residents. The goal is a safer more humane Kansas City, KS/Wyandotte County. Before you tonight you have the proposed ordinance changes drafted by the Animal Oversight Committee. This is the first step in the entire animal control initiative. What the committee decided was that we needed training for Animal Control. We need policy and budget changes at Animal Control and we also needed to consider public education as part of this package to achieve a safer more humane Kansas City. Here are a few of the stakeholders. I know you guys have seen this list before but this is a reminder who has been involved in this since the summer of
2013, basically. Liveable Neighborhoods, Animal Control, Police Department, Health Department, Healthy Communities Wyandotte, The Humane Society of Greater Kansas City, Legal, and Municipal Prosecutor. We also had people come to visit the Oversight Committee from Public Works, Rental Licensing Division, County Administrator’s Office and we had a representative from Mayor Holland’s office.

Again, the idea is proposed ordinance changes which you all are considering tonight. That’s the first step. We also discussed policy changes, training for Animal Control officers. We need to consider the budget for Animal Control, the staffing concerns that we brought up last time as Animal Control is highly understaffed for a city this size according to national recommendations by the National Animal Control Association and instituting some online and fee payments to ease the process and generate a little bit more revenue for the city.

Again, public education, Healthy Communities Wyandotte has been working on grants. A lot of these next steps that you see here are somewhat dependent on the ordinance proposal being passed through your committee and going on to the Board of Commissioners. Once the ordinance changes are passed we can start instituting the rest of these changes.

Community Outreach by the Humane Society of Greater Kansas City and Unleashed Pet Rescue and, again, education in schools and community centers on dog safety. This is just a reminder that there is a high dissatisfaction with Animal Control in general. That’s kind of why we got to where we are today. The stakeholder concerns that were addressed both in the community survey and in my meetings and in our Animal Oversight Committee are listed there and you can see them incorporated in the proposed changes.

Finally, we just wanted to say that there are measurable results to these changes. This isn’t just one and done let’s pass this ordinance and hope everything goes okay. We need to continue to measure the income, the money that’s coming in and the time and resources that are being spent. Also, study the increase licensing and see really what we’ve done and if it’s affective. Should the proposed changes pass, I’m requesting the Oversight Committee continues to meet to continue to work on what we’ve been discussing, including animal control, training, policy changes at Animal Control and humane education for the community.

We had some changes in Article 5 which was a large animal ordinance. Those changes we decided were best studied by a different committee, comprised of some different stakeholders since they do involve livestock. Tonight we’re here to answer questions you have. We’ve been
working on this for over a year and a half. We’re absolutely open to questions. If this passes, it’s just the first step.

Commissioner Philbrook said basically we’re talking about cats and dogs right now, not any other animals. Ms. Barnett said companion animals. Commissioner Philbrook said and companion animals, which limits to a very few. We’re not talking about rabbits, chickens, horses, and pigs or any of that. We’re just talking about cats and dogs right now. Would you like to present anything?

Ms. Myers said there are a lot of proposed changes in here. Some of them are just cleaning up the ordinances, not really significant changes but I think the Trap Neuter and Release is one of the significant changes. If anyone has questions to what that is or what we intend to do with that or any of the proposed changes, we’ll be happy to address those. Commissioner Philbrook said I would like for the committee to ask some questions. Chairman Kane asked are we talking about—explain the trap/neuter that part of it. Ms. Myers said I’m going to let Katie do that. Ms. Barnett said sure. Currently in the city if someone has a complaint about a cat the city will go and pick up an outdoor cat. The cat could be just an outdoor family cat and be owned by someone or it could be part of a cat colony. A few of Liveable Neighborhoods have been trapping, neutering and returning those cats to their colony to reduce the community cat population and that is something that’s proven to work, not only in that small Liveable Neighborhoods neighborhood but also in several different cities nationwide. The goal again is to reduce the community cats, cats that don’t belong to anyone, cats that are feral, cats that are unsocialized to people and cannot be adopted out should they be seized and impounded.

BPU Board Member Bryant said within reasonable budget considerations, would this be easier to enforce than the current regulations. Ms. Barnett asked this ordinance as a whole or the trap-neuter-return. BPU Board Member Bryant said the ordinance as a whole, all the changes that are asked for. Ms. Barnett said yes, and there are also no budgetary impact whatsoever with this ordinance change. The policy changes and staffing changes would come later and those might have a budgetary impact but this does not expend any taxpayer dollars. BPU Board Member Bryant said and secondly, would this ultimately reduce the number of stray animals in Kansas City. Ms. Barnett said that’s the goal, yes. Commissioner Markley said I have just a couple
of questions. Some I think were kind of answered up here but I just want to sort of bring them up because I had questions about them. A lot of people who emailed asked about online fee payments. It looks like that’s not part of an ordinance change but it’s part of your future plans, is that correct? Ms. Barnett said that’s correct. Commissioner Markley said I think that would be fabulous personally but I just wanted to make sure everybody understood that that was in the future plans, just wasn’t an ordinance change. Another question that someone asked me and you kind of just addressed this but they asked are we going to pay to trap-neuter-release cats. I said I think it’s more that it would be legal for other people to do that, not that we’re going to spend money on it. Is that the case also? Ms. Barnett said that’s correct. That would not be a run by Animal Control whatsoever. It would be run by private not-profits that would do the trap-neuter-and release. Commissioner Markley said the last question that I had repeatedly was really about what we’re calling nuisance dogs under this new draft. Talk a little bit about the change to having a nuisance dog policy language in there versus how we’ve been doing it in the past. BPU Board Member Bryant said breed specific. Commissioner Markley said not even just the breed specific. I mean people talk about the barking dogs and how do they deal with that and those sorts of things. Just talk a little bit about what that language means and how it applies, just sort of summarize for me. Ms. Barnett said sure. I think that’s a really great question because I’m sure that that’s the highest number of complaints that Animal Control receives. The nuisance animal incorporates several ordinance violations that were kind of scattered throughout and put them all together. Barking dogs, the proposed section is section 7-215, excessive noise, property damage by an animal, an animal constantly running at large and an animal putting a person in fear, also animal injury and animal on animal violence.

This just gives your nuisance animal ordinance some teeth that says you are a habitual violator. If you have a barking dog more than three times, then your dog will be labeled a nuisance animal and will be regulated as such. The violations are in here, which means they’ll pay a higher fine for each individual nuisance claim, penalties increase. The label of a nuisance animal requires that the animal is kept under control and in public that it’s muzzled. That’s also something that we’ve have been considering.

Those animals that have not bitten, a lot of people say there is always a one free bite rule. That means the animal gets to bite someone and then you know if it’s its dangerous or not. We’re trying to preempt that with this nuisance animal language. We’re saying we, in the veterinary community, animal trainers and behaviorists know best what kind of behaviors
animals exhibit before they become dangerous or when they’re being neglected, not cared for and not supervised adequately. That’s what this nuisance change does. It’s kind of preemptive. It addresses those changes before something really bad happens.

Commissioner Philbrook said do you want to say something about—go ahead and talk about dangerous and vicious, you might as well. Ms. Barnett said sure. I know most of you—the single vector issue that people have been speaking about is repealing the breed specific language and instituting dangerous and vicious animals. What currently is in your ordinance was a non-family bite violation and it was pretty vague and it was if an animal bit someone then it was subject to keeping regulations like restraint. Now, if an animal bites someone but does not cause serious harm, the person must keep the animal according to, and you’ll see here a list and is found guilty of course and all of this goes through due process and everyone gets their day in court if they choose; leash and muzzle, appropriate confinement, insurance, muzzling, identification with Animal Control. These animals are registered with Animal Control so they can keep an eye on people who have these kinds of dogs who have bitten someone or killed another domestic animal dog or cat.

Also, under vicious animal, that’s an animal that’s caused serious bodily harm to someone or death. Those animals would be euthanized or removed from the city. There’s no tolerance for that kind of behavior out of animals these days.

Chairman Kane said, Jenny, is this three different things we’re talking about or are we lumping this all together. Ms. Myers said tonight we are discussing all the proposed changes that are in here. Chairman Kane said one of the proposed changes is to raise the amount of animals for each person. It’s two now right. Ms. Myers said the maximum number which is under 7-212 is the maximum number. The Animal Control Oversight Committee has recommended taking it from two dogs or four cats to three dogs or three cats. There is an increase in the maximum number. Chairman Kane said if we vote on this, we can change some stuff that we do and we don’t like as we’re voting, correct? Commissioner Walker said yes we can. Commissioner Philbrook said we can do any kind of amendment we want to but I’m going to suggest that we actually listen to what everybody has to say before we do that. There’s no motion yet. I have the right to ask questions. I’m going to ask questions. Commissioner Philbrook said no, no. I’m just asking. I’m just making a statement because there’s a lot of time spent by a lot of people
putting a lot of effort into this, with a lot of knowledge. I think we have a tendency sometimes to not listen to all of those recommendations. I’d like to see that we do that first before we make comment.

Commissioner Walker said I got a question. In reading this, I’m trying to recall, I couldn’t find the connection. A bite injury, a dog comes up and bites me, that’s only considered a dangerous dog unless there’s some kind of disfigurement, great bodily injury or death. Of course that’s going to leave open what constitutes great bodily injury. That does not appear to be defined with any meaning. My point is, on one of these and I think it’s down here on 765. Is that right? It says if I’m on the real property of the owner or the keeper of the animal and I get bit, that’s not considered a dangerous animal. I don’t like that provision you know. Unless the property is posted no trespassing or do not enter; there’s no prohibition on a citizen to walk up your sidewalk, knock on your front door or perhaps delivering something you’ve ordered. If I’m reading this right, if your dog bites me then he’s not a dangerous dog. He does get a free bite.

Ms. Barnett said those animals would not be considered dangerous under the city code but that wouldn’t prevent that person from filing an insurance claim or any kind of civil claim against that person. It’s just what the city is going to label that animal. Commissioner Walker said so what happens to the person that has a dog at large, presumably in his front yard, you go up to the door and you get bit. We have no recourse through the criminal court or through any enforcement action under this ordinance. Ms. Barnett said well, I don’t know if that animal would be considered at large since it’s on the property of the owner. Commissioner Walker said well I’m troubled by that. Ms. Barnett said okay. Commissioner Walker said a mailman walks on your property every day and if he gets bit by a dog, there’s no recourse for him other than through the civil courts which of course is not going to happen. What they’ll do is stop delivering your mail probably with the dog. I think that’s a problem. I don’t think you get a free bite. Ms. Barnett said if we change that to—if you will look on the vicious animal section where it leaves an exception while the person is committing a criminal offense. Is that a little bit tighter exception whereas you’re regular invitees or your mailman, utility people, coming up to the home who aren’t committing a crime? Commissioner Walker said or just a visitor. Most people don’t have fences around their front yard with signs that say no trespassing. Some kid is coming over to visit your kid and gets bit, this says notwithstanding the definition of dangerous animal above; no animal may be declared dangerous if any injury or damages sustained by a person or animal at
such time as that was on the real property of the owner or keeper of the animal. **Ms. Barnett** said I think we’re open to changing that to something a little bit—**Commissioner Walker** said I think that has to be a little tighter than that because—**Ms. Barnett** said how about someone committing a criminal offense. **Commissioner Walker** said the whole trade off here in this ordinance and to be clear I’m very supportive of it. We’re taking the focus off the dog and putting the responsibility on the owner. In this particular case the way this reads, the owner is not responsible if the dog bites anybody. Even if it’s a small bite or you know, come on, the owner has to bear the responsibility. It’s not a big deal. It has nothing to do with the big issue on the plate in this particular ordinance. I don’t think the animal being on the owner’s property—if you’re going to let your dog out and your dog bites somebody, then you got to pay the price for it. **Ms. Barnett** said I think we would consider changing it to if someone was committing a criminal offence. The converse of that situation is where your animal is lawfully in your front yard or backyard and someone, a child trespasses because they think the dog is cute and the animal bites. Well, it’s not necessarily the dog’s fault that the child wandered onto the property; so we need to think of that situation. I think that’s sort of what we were thinking in addition to the current language on non-family bite violations. Sorry.

**BPU Board Member Bryant** said I would ask that you also consider the idea that utility personnel coming to the home to notify that they’re going to be working and that they need the animal put up. They have to get to the door to be able to make a notification. **Ms. Barnett** said I think we would be fine with changing it to mirror what the exception is for a vicious animal, which is someone committing a criminal offense on your property. Would that be agreeable? **Commissioner Walker** said yes. I think so. I mean the way I’m reading this; again, there are a lot of changes in this thing. Maybe I haven’t connected it all correctly together. As long as he’s doing it on his own property, he’s not a dangerous animal. How many times does an animal get away with a small bite before he becomes a vicious animal? Do you have a number? What if this animal strikes? It goes after the mailman every day. I use the mailman because I can’t think of anybody else who is routinely on your property. There ought to be some point of which a dog that has bitten someone who is on the property becomes dangerous or vicious even if there is no great bodily disfigurement. A dog has the propensity to bite people. A small dog may not be able to do as much damage as some of the larger breeds but still, you don’t get free bites just
because you’re on your own property. We have to have a way to enforce that. There are dogs that will chase people every time they come on the property.

**Commissioner Philbrook** asked can I ask you a question real quick. How would you like to see them present that? She made a couple of suggestions. **Commissioner Walker** said well, I mean certainly not committing a criminal act and it’s not trespassing again just because you walk on somebody’s property. **Commissioner Philbrook** asked can she make a suggestion and see if you agree with it, with the change. **Commissioner Walker** said yes. She did make it. **Commissioner Philbrook** asked did you agree with that change. **Commissioner Walker** said I don’t think it gets all of it. It’s better. **Commissioner Philbrook** asked what else do you want to see. **Commissioner Walker** said I think you need a number of bites not resulting in disfigurement that converts that dog then into a vicious dog subject to vicious dog penalties. We are getting back to the one bite rule. **Ms. Barnett** said okay, yes. Essentially failure to comply, if your animal has bitten someone and been declared a dangerous animal, it is subject to all those restrictions. If the animal bites again or is out, if it is not micro chipped, all of the list of penalties. Failure to comply is a separate offense and then it’s subject to immediate seizure and impoundment. Also upon conviction the court shall order the relocation of the license of such animal and the immediate removal of the animal from the city. Basically you wrap in the vicious animal penalty, which is euthanasia or removal from the city into if someone does have an animal that has bitten someone, been deemed a dangerous animal and is not complying with those provisions. So there’s one bite. **Commissioner Walker** said again, I made my observation. It’s a lot to try to wrap together. I know you guys have worked hard on it. It’s got to come up again in front of the full commission. **Commissioner Philbrook** said well, I’m going to suggest that we beat it to death before we even bother bringing it to the full commission. I think we should have it right before we bring it to the full commission.

**Commissioner Maddox** said I want to know more about the trap-neuter-release. Can you help me to understand what that looks like? **Ms. Barnett** said I can sure try. I’ll give you an example. If someone has some cats on their property that they don’t own but has become a colony of cats, they’re feral. It’s not like she can touch them or take them to the vet. Those aren’t her cats. They just seem to be in her area, traditionally because she may have left some food out or something. Currently, the Animal Control will go and seize and impound those cats.
They really can’t do anything about that because the animals aren’t social to anyone. They’ll impound them and likely euthanize them.

The problem with that is if you have say a colony of seven cats and you seize five of them, you’ve opened up the colony for more cats to join. Once you seize, impound and euthanize those cats more cats join the colony. It keeps it open for adding more cats. It’s a very unique issue that I’ve learned about in the last few years. Effectively, seizing and impounding those cats actually doesn’t reduce the community cat population at all. It actually keeps it growing. If you trap them, neuter them and return them you stop the animal from reproducing, you keep the colony close to seven cats until they all die off and then you get rid of some of that nuisance behavior and you have vaccinated cats in your community. Commissioner Maddox said okay and thank you. I’ll do some more research on that as we move. Yes I tried it. I couldn’t understand it. It was so much different information on it. I kind of got lost in it. One more question. One of the proposed things coming forward in this ordinance is to maybe increase the amount of animals that one owner can have. I’d like to know what is being done by Animal Control to enhance the way we attack this issue that we have with stray animals already. The fact that we want to allow people to have more animals what are we doing now. It’s a large number of stray animals that are already roaming the community. Captain Michelle Angell, Animal Control, said I’m not sure that increasing the maximum is the same thing as attacking a stray. I think they are two separate things. What we are seeing more and more through these economic times is that you’ll have combined households. Lots of elderly parents are moving in with their adult children and vice versa. Typically they have a couple of animals of their own, grandma moves in, she has an animal then we’ve got a situation where they are over the limit. We go out there and write citations and then they start the process for the special use permit, which then is on your docket to approve the special use permit.

What we’re trying to do is we looked at other cities that are around us who are relatively low. We tried to not go up drastically just increase slightly so we can try to accommodate those types of situations. As far as the stray population goes, what we’re trying to do is make our ordinances easy to enforce so that we can, not necessarily the stray, but the owner that let their dogs just roam free we’ve got first, second and third offenses.

We’ve got some software that just got approved for a purchase that will help us do a better job of tracking addresses, owners and be searchable so that we can search from now through the future. If you’ve been in trouble with Animal Control before where we don’t always
know if one Animal Control Officer goes out there, write citations and a year later another Animal Control Officer goes out there and writes citations it’s never really correlated that they had this before. This new software will allow us to track that so we can start going with the first, second and third offenses and increasing the fines. We’re hoping to—like the breed specific stuff we can get away from just going on a call because of what the dog looks like and going on calls for dog behavior; in that, hopefully will free up more time to start trapping our stray population. We did order and have more traps. We’ve been setting those out and been very successful with trapping problematic stray dogs.

**Commissioner Philbrook** said, Hal, did you want to say something else? **Commissioner Walker** said yes. I notice that throughout this ordinance there is this provision throughout, a couple of places where you like with the vicious dog, a solution to the problem is that you remove the dog. You euthanize the dog or you remove it from the city. The vicious dog is one that’s already caused death, great bodily injury, and serious harm. There is something about the idea of transferring that problem. It says out of the city. I live in Kansas City, KS but I’ll just transfer it out to Edwardsville and let Edwardsville deal with it or Bonner Springs. At the risk of, I know this is important to people involved in animal rescue, if a dog is declared vicious, why should the dog not be euthanized. You’re talking about not a dog that has just bitten somebody; you’re talking about a dog that has demonstrated the capacity to do great harm to someone, assuming there’s none of the exceptions. I don’t see what transferring the—why that’s a good solution just to take the dog to the country as we used to say. **Ms. Barnett** said exactly. **Commissioner Walker** said it doesn’t make him any less vicious in the country. What other alternatives to euthanasia are there? **Ms. Barnett** said I’ll tell you what, that came from what cities surrounding Kansas City, Kansas have when an animal—**Commissioner Walker** said so they’ll move them to Kansas City, Kansas and that way they’ve solved their problem. **Ms. Barnett** said exactly. That happens all the time. Traditionally the animal is euthanized but sometimes people, and I worked on a case where someone did that, and it was a sustain to take on a human and another animal. They said well I’ll just take it to the country where it can roam free. That was the scariest proposition. I don’t know that our committee would have a problem with euthanasia period. We just used some standard language with surrounding cities. We do want to be tough on those animals and those owners. **Commissioner Walker** said I’m not for euthanasia. We’re talking about a very small number of dogs and we’re also talking about a dog

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that has already—I don’t think the right solution, maybe you can train the dog to be better. Maybe there’s a plan that could be developed and they can you know make a vicious dog. You can’t just dump this problem on some other city or community. I can’t go for that.

Commissioner Philbrook asked how would you like to change the language. Commissioner Walker said well unless they have an alternative to euthanasia that would work, I would say euthanasia’s the only solution as harsh as that is. Commissioner Philbrook asked how does the commission feel about that, us in the standing committee. Do we have any feelings on that? Chairman Kane said I’m okay with what Commissioner Walker said. Ms. Myers said in that section that’s 7-217 it gives the discretion up to the court. It allows the judge to make the decision whether to euthanize them or move them out of the city. The judge could look to see if there are alternatives and make that determination but if you don’t want that language in that, we can also remove that and just say that the animal shall be euthanized. The court shall order the animal. Commissioner Walker said I’m raising the question because I don’t like the idea of transferring a vicious dog to some other community where that dog may do that again to somebody else. That just seems foolish. If we’ve gotten to the point where we get to that vicious determination, I’m not convinced that we should put it in Roland Park for example, send it over there.

Commissioner Philbrook said it looks like we have two things to talk about. Is there anything else that you’d like to say Captain Angell because you’ve been definitely involved in this from day one? Captain Angell asked does anyone have any questions of me specifically as far as the different ordinance changes other than what we’ve discussed. BPU Board Member Bryant said I don’t know if this is so much as a question as if we go through with this process and the subsequent processes that will go through changing budgets and adding people, have we set goals? Number one, do we know a rough estimate of how many strays we have in our city. Do we have goals on what percentage we plan to reduce or how we would reduce? At the end of spending this money and doing all this extra work, how will we know we were successful? Captain Angell said I think it goes back to the slide that Katie had on the stuff we can do. If we’ve got increased licensing and we know where the dogs are at in our city, do the online deal, and the Pit Bull ban is what’s kind of been prohibited on the online licensing. If we have that,
that would be another way. There are lots of things we look at, the number of animals that are impounded.

If we can you know reduce the number of animals that are running loose. It’s not as many, and I know everyone says stray and we do have packs of stray animals, but most of them are not strays. Most of them are owned. They go home at night for a meal at the same house at least every other day. What we’re really looking at is a way to make owners responsible for their dogs. If they are feeding them and they are letting them run free then we want to—here is your ticket number one, here’s your ticket number two, here’s your third strike and you’re out type of thing. If we’re going down the streets of KCK and we’re not seeing a dog running loose every other block, we’ll know that we’re making an impact. Commissioner Philbrook said well, you’ll also have your new information that you can get from your data that you’ll be collecting. Captain Angell said the new software once that is implemented will help us immensely with data. Right now everything is done on an EXCEL spreadsheet at Animal Control.

BPU Board Member Bryant said I would want to believe we would see an increase in revenues by more animals being licensed. Captain Angell said yes, why that’s up there. BPU Board Member Bryant said which that would help offset some of the increased cost to the program. Captain Angell said correct. Also, the software once we start implementing that we can search by name, addresses, etc. and start doing the first, second and third violation so that we can ensure the ticket written to them is the correct ticket that they need so that the court system will impose the correct fee and they’re not just getting the same fee over and over again, they actually stair stepping up. Commissioner Philbrook said we’re going to open this up to those who are against, first. We’ll give you two minutes. If you will come to the microphone, give us your name and address and give us your opinions. We appreciate that. Commissioner Maddox said I want to say this too. Can you please email this presentation so I could have it for my records?

Rev. Jimmie Banks, 4105 N. 112th St., said I’m here to speak against the Pit Bull reference in this ordinance. From a personal standpoint a few years ago, was it 2005, 2006 when a lady I’ve known a long time and she’s got a lot of relatives here tonight lived next door to a Pit Bull owner. She had complained on numerous occasions and on her fatal day this Pit Bull jumped the fence and killed her in her yard. When you look at the data and the genetic predisposition of Pit Bulls
to attack, to bite, to hold and to shake until death, I think there needs to be some reasonable exception from any other dog.

Data collected from 2005 to 2012 indicates there have been 251 dog related deaths in the United States. Pit Bulls accounted for 60% of them. I don’t see how you can present any data that would suggest that they not be held apart as an exception to any rule that you make about dogs and the possibility of them turning violent and even killing someone. Banning Pit Bulls one of the sites says saves live and protects the innocent because these dogs attack without provocation, without warning. Most of their victims are elderly or young people, people that don’t have the ability to avoid and evade.

**Beverly McKinney, 2960 N. 34th St.,** said I’ve lived there 30 years. I have two concerns here and I’m going to wrap it up in two seconds here. I know you all are amending the city ordinance and so forth. My thing is be it a dangerous dog versus a vicious dog. The way you identify a vicious dog is a dog biting someone. It could be a little Chihuahua that bites someone and is quote a vicious dog, opposed to a Pit Bull that may not be able to damage someone; nevertheless you have three city ordinances right now on the books that concern Pit Bulls. 7-219, that concerns the Pit Bulls, that’s when you and the Animal Control gives that one out. The other Pit Bull ordinance that deals with Pit Bulls is ordinance 141. That is the one the Clerk’s Office is dealing with on Pit Bulls. 7-130 is for Pit Bulls. I went to the director of Animal Control and was given 7-219 concerning Pit Bulls. I went to the City Clerk’s Office and they gave me 7-130 concerning Pit Bulls so I don’t know which ordinance applies. My second question is on the Pit Bull thing as far as registering a dog that does not belong to you, the non-resident ordinance that we have on the books. You have two of those on the books. Who registers the dog, the non-owner, do you have a visitation? Is there a statute that says a non-owner of a dog can have a visiting dog on their premises without having it registered? I don’t understand that particular ordinance as far a non-resident dog.

**Dennis McConnell, 6954 S. 88th St., Lincoln, NE,** said I won’t hold you long. I’m the son of the lady that was referenced earlier, Jimmie Mae McConnell. I have concerns with consideration of removal of the prohibition of the Pit Bulls. One question I have is there was an ordinance; it was created for some reason. Obviously, there was some concern. There are other cities throughout the United States that also have ordinances restricting, if you will, Pit Bulls in certain
communities. There is a reason for that. Pit Bulls are the type of breed where unfortunately unlike other dogs or other breeds, once they begin to attack the person involved may have a pretty good chance of survival. With a Pit Bull that is not the case. I’m a witness to that. That is not the case. Reconsideration should be made. I’m not sure why it even came up but there was a reason that it was put in place in the beginning and I feel it should remain intact.

**Rev. Mack McConnell, Pastor of Third Missionary Baptist Church, Kansas City, KS,** said I too am standing against the repealing of this particular ordinance because we had a personal loss. This particular dog is one, as it’s already been stated, has already damaged and to take this law off of the books so people can keep dogs in their backyards and so forth and so on that will attack other citizens is just unthinkable. I’m standing and there’s a large group of us here tonight. We’re standing saying don’t do this. Please, don’t do this. Reconsider this. Do not repeal this particular ordinance. Let it stay as it is.

**Commissioner Philbrook** asked can we see people stand that are against. **Chairman Kane** said if there are people some people that don’t want to speak and want to stand that against the ordinance. **Commissioner Philbrook** said we have tons of people standing on the right side.

**Approximately 28 people stood that were not in favor.**

**Ella Haynes, 2440 N. 37th St.,** said I personally had an experience with a Pit Bull. One Thanksgiving my family and I had gathered to have Thanksgiving dinner and the children were out playing and they were yelling and screaming and we just thought why are they making so much noise but there was a Pit Bull who had come across the street and had entered the yard of my niece. He attached himself to this child and we looked and she was screaming. All the kids were running and screaming. We came out with brooms and everything else we could find. The Pit Bull would not release himself from that child, drug the child in the house and my son at the time was like twelve years old was the only male there because the other guys hadn’t gotten there. The only way that we could get that Pit Bull off of that child was he grabbed the dog by the collar in the back of his neck and kind of choked him like. We opened the bathroom door and threw him in the bathroom. When the Animal Control got there, they got the dog, took him out
and put him in that truck. That dog was so vicious until the whole truck was just shaking back and forth, back and forth. I too agree that they should be banned.

Ms. McKinney asked can I ask a question. Chairman Kane said you already spoke, correct. Ms. McKinney said I just want to ask one question. Chairman Kane said you already spoke, correct? Ms. McKinney said I just want to know who determines the breed of the dog. Chairman Kane said we’re going to answer some questions at the end of this. Now, what we’ll do is have those that are for the changes come forward. Commissioner Philbrook said who would like to speak.

Jennifer Brown, 1817 S. Mill Terrace, asked does anybody know where Pit Bull’s originated from. They were nanny dogs from England. They were nanny dogs for kids. That’s where they originated from. It’s the owner that makes the dog, not the dog. You have to be—(loud clapping)—Chairman Kane said whoa, wait. Here’s what we’re not going to do. We’re not going to clap, we’re not going to cheer and we’re not going to do anything. We are here for a very serious subject. We will maintain order and please I know this is a very emotional subject but we need to keep this meeting intact. Ms. Brown said my children are seventeen and fifteen years old. My children have been raised with Pit Bulls. They have not bit or been vicious or any acts of any kinds of violence towards my children or anybody else. It’s always been said that if your dog doesn’t like somebody, you shouldn’t like somebody; therefore, if they’re vicious or something towards somebody they’re obviously feeling something from that person.

Pit Bulls are just like any other dog. They should be treated or created equally, regardless. A Chihuahua can come after you just as fast a freaking Pit Bull can. It’s the owner that makes the dog, not the dog.

David Hurrelbrink, 4015 N. 111th St., said I stand to speak to you not only as a private citizen but as chairman of the Planning & Zoning Commission. I would speak in favor of your portion of this ordinance that would remove the special use permit from our Planning & Zoning agenda. There have many months when we have had as many as five cases in front of us regarding additional dogs and special use permit. I would speak to you and say that is not an efficient use of our time.

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Ashley Folsom, 1812 N. 39th, said I am speaking in approval of the proposed changes. First of all the stray cats, the trap-neuter-release has shown promise in other cities. We do have a lot of stray cats and that would begin to help the population of stray cats be reduced in Kansas City, Kansas. Raising the limit of animals that someone can have would be great. There are a lot of responsible dog owners in Kansas City, KS who are limited to only two dogs and they could provide homes for some of the dogs in our shelter. A lot of the cities surrounding us have a higher number of dogs/cats that people can have and that seems to work well. Also in regards to lifting the breed restriction, the Center for Disease Control (CDC) has stated that really having breed specific ordinances raises a lot of issues, fatal attacks represent a small proportion of dog bite injuries. Really it’s more efficient to have other alternatives and not have breed specific ordinances because any type of dog could cause a dangerous attack or a harmful attack. The CDC is encouraging something other than other than a breed specific ordinance which I think if you really look through the changes that are proposed that’s addressed. I just wanted to say it’s a good idea.

Lisa McKenzie, 2940 N. 81st St., said I’m a KCK resident and I support the changes to the ordinances.

Cheryl Buelle, said thank you for all the hard work on the taskforce. I really sincerely appreciate it. I am in favor of the entire Animal Control proposal as written and I want to see Animal Control have an opportunity to be able to do their job and attack and go after dangerous dog owners that are causing the issues. I’m going to tell you about one little short story. This is why I’m not in favor of a Pit Bull ban.

This dog Nico was held in our city shelter for over nine months. The resources it took, the taxpayer dollars, the police that were involved and Animal Control that were involved, this is just one of many stories of a dog that was confiscated because he looked like something. He was on Craig’s List, an advertisement, the owners was trying to find a new home. He was too much dog for them. The police came along with Animal Control to take a dog that had a home, which had his shots that was not running at large, had not threatened anybody, not bit anybody and we held him in the city shelter.

DNA test were ran. The city had to feed him, house him and over $3,000 of taxpayer’s money was spent housing this dog. There are many, many cases like this. We started going to
court to fight for our dogs because they kept getting picked up and identified by neighbors that were scared, thinking he’s got short hair, he’s got a boxy head, and he must be one of those vicious Pit Bulls.

I do not want to see our Animal Control resources, and our tax dollars, wasted on this kind of legislation or policy because it’s ineffective. There’s lots of data out there. There’s twenty years worth of data and I’m sure the task force went through all of that that support breed bans do not work. The people that own dogs that have homes notoriously get picked up by this. I support this. A vote yes means you stand for public safety. Commissioner Walker asked was your point that that is not a Pit Bull. Ms. Buelle said yes, he was DNA tested. He was a mixed mutt, he was not a Pit Bull. He was 125th American Staffordshire Terrier. We wasted that much money and resources on this dog. There are a ton of cases like that in this city where people were—where their dogs were taken and then they went to court and that was a real waste of time and money when we could have been attacking the issue at hand which is dangerous dogs and those owners that are causing the problem.

Rachel Jefferson, 431 Greeley Ave., said first of all I want to say that I’m very sensitive to your loss. I know that nothing can bring your loved one back but I do also want to say that that was actions of one particular dog that obviously had an irresponsible human owner. These dogs are not vicious by nature. They are made vicious by people. For us as humans to penalize an animal that has been taught to be vicious is just not right. We have to penalize the owners and not the animals. They do not come out of the womb vicious. They are taught how to be vicious. They can also be taught how to be kind. I think we really need to take a look at what we are doing as human beings and not blame the dogs.

Stephanie Bell, 620 Sandusky, said I also work at the Kansas City Missouri animal shelter for KC Pet Project where I am located in a city that allows Pit Bulls to be owned as long as they are spayed and neutered. I was just coming to provide my support for all of these changes with regards with to our ordinances. I have the unique perspective of not only being a Kansas City, KS resident but also working fulltime in a position where I work with these animals every single day and I have a lot of positive experiences with them.

With regarding that, I just wanted to say that I totally agree that I think that a better use of our taxpayer dollars is going after any dog that poses a threat to any citizen of Kansas City, KS
regardless of what that dog looks like. If it’s out there in your neighborhood and it’s not safe, I don’t want it in our neighborhood either and I’m right there with you. I just think that unfortunately that goes way beyond one breed. I think that it’s ineffective to take owned pets out of their homes that don’t pose a threat.

The other thing I really wanted to say that I’m grateful for is the opportunity that we have to talk about T&R. I’m also a gigantic supporter of trap-neuter-release. Being somebody who works in animal welfare and I don’t know if you’re accepting documents but I have some written literature as far as how it works, why it’s successful and things like that. No need to submit them if you feel like you’ve already got what you need on that topic. I just want to say as someone who recently bought a home in Kansas City, KS over the summer, we have a really big kitty problem. We’ve also got it in Strawberry Hill. I know that a lot people have been kind of been moving into that part of town and I’m grateful for any animal control ordinance changes that will benefit our community. Homeownership values, things like that by not having animal problems in our neighborhood. I’m really grateful that that’s even on the table. I will hold on to these if anybody needs them—Chairman Kane said could you please give those documents to the clerk. Stephanie said yes, happily. I’ll take it offline. I won’t hold everybody hostage but if anybody wants to talk about trap-neuter-release and how to execute that in the community if that pleases the court, I’m happy to be a resource for that because I can talk to you all about it. Chairman Kane said boy, I’m telling you what, and you squeezed it all.

Darren Dilute, 7801 Webster, said the breed specific deal is very sketchy because the Pit Bull is not the only violent dog. You have Rottweiler’s and so forth. There’s no racial specific; I’m a black man, he’s a white man. You’re not basing it off of what I do because I’m black. The law is the law. If my dog does harm, I need to be accountable. If his dog does harm, he should be falling under the same statute as me. I’ve owned Pit Bulls for seventeen years. I’ve had a dog confiscated from my address years ago. That was my children’s dog from birth. I had to in turn ship it out to the country in Spring Hill, KS where I’m from where it still resides today.

It was an emotional deal because it was my family pet and whatnot. I don’t downplay the significance that the dog caused Mr. McConnell but you guys that don’t know about the Pit Bull, the lady just stated you can easily see a boxy head and assume that’s a Pit Bull dog. There are so many dogs that emulate or look alike. People are breeding the dogs and they don’t know what they’re breeding so in turn, you’re getting violent dogs, just breeding to breed and dogs are

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getting out and they are strayed and whatnot. Dogs will act off fear or what they are trained to do. A Pit Bull, if you’ve owned them you wouldn’t own another dog. That’s just what I feel. I hope that you guys honestly look at it. It’s been forever since the Pit Bull has been legal in Kansas City, KS. Bonner they are doing it now. Just look at it fairly. That all I’d ask.

Joe Juan, Lee’s Summit, MO, said I just want to share a quick story that I was actually walking my Pit Bull; he’s a family pet and was attacked by a Rottweiler. It was a year and a half ago. Any dog can be vicious. We should definitely look at doing something about those dogs, not being specific about a certain breed. Breed really has nothing to do with it. It’s about how they are raised. Another thing that I wanted to say is that earlier it was talked about if someone comes on your property and your dog bites that person that your dog will not be a dangerous dog. At that point I was a little confused there because nobody would have a dog roaming at large on their front property and if they did and the dog got away, you know it might be picked up by Animal Control and you get a ticket for it but for those responsible owners that have a dog on a leash or a dog on a tether and they’re watching that dog and someone were to approach that was unwanted and maybe even told to stay and they got bit, I feel like there should be some protection for the property owner. That’s all I have.

Kelly Knetter, 12636 Leavenworth Rd., said I am definitely in favor of the proposed changes to the ordinance. I think anything we can do to lighten the load of our Animal Control to be able to focus on the more important cruelty cases and issues that they are faced with all the time I think is important. We’re taking the right steps it sounds like tonight to make good change in our city. I’m also a photographer and I donate my services to KC Pet Project in Kansas City, Missouri. I photograph anywhere from 20-40 animals a month, probably 75% of them are Pit Bulls.

I would like to say that I have never had an issue with a Pit Bull. I am usually seeing these dogs for the first time after they have been in a kennel for five days without really any interaction because they are on a stray hold. They are overstimulated from the overcrowding in the shelter and they come out to the play yards getting fresh air for the first time. They have never been anything but loving and warm to me. Likewise, I’ve had dogs that I never thought would be aggressive towards me. I would encourage you to really think about not putting a ban on a specific breed but really rather judging that dog based on his behavior and the actions that it has committed possibly to a person.
Dr. Elizabeth Wilcox, 1108 N. 19th St., Veterinarian Great Plains SPCA, said I work almost every single day with a variety of breeds including a pretty healthy proportion of Pit Bulls. I’m not going to echo what everyone has said that they are great dogs, which they are. I just wanted to point out that these bans that prohibit Pit Bulls are also meaning that Pit Bulls are not getting the care that they need. I know of a number of people that incorrectly believe that if they bring their Pit Bull to the vet that I’m going to call the city and have it apprehended out of my clinic, not the case but it’s still preventing these animals from getting care.

Also in the unfortunate, very tragic instance of the McConnell’s, perhaps if there had been a neighbor that you know—this dog is barking in the yard all the time. Maybe if it wasn’t breed specific language, if they weren’t worried that they were going to call and get the dog hauled off and euthanized maybe they would be willing to call and say this is a nuisance dog. If that dog wasn’t left barking every day, all day in the yard and maybe instead was flagged as a nuisance animal it wouldn’t have been so ready to attack. Maybe we could have caught it earlier before such a horrible thing happened.

I know lots of people—you know I might see a dog running around and want to make a call but a lot of us I think wouldn’t take that step if we thought it would result in animal’s death. Maybe if we had kinder and non-breed specific language regarding owned and sociable animals we wouldn’t have the issues that we have. Also, trap-neuter-release I do all the time. It is very wonder and effective in reducing all those unwanted behaviors. Most of the problems come with the intact status.

Eliza Grace, 2117 Central Avenue, said I’m an animal rescuer and it’s hard to do my job with a two dog limit. I’m not asking for ten, three sounded good. I was hoping for four. I do a lot of TNR (trap-neuter-release) in my community. I’ve been doing it since 2006. At first the people in my community were very skeptical, they just weren’t into my ideas at all but they’ve seen the results of my hard work. There are no more cats in heat howling in the middle of the night, no more tomcats spraying the flowers. Most important, no more unwanted kittens in my community anymore, please say yes to the TNR. I’d love to have another Pit Bull. I haven’t had one since I moved to Kansas City, KS in 2004; great dogs.
Zoie Agnew-Svoboda said I’m a KCMO resident. I’ve owned a Pit Bull for about four years now. I love her to death. I’m a very proud owner. Currently, I’m in search for my first home to buy. I’m very limited to where I can buy. One of the speakers before said that the money that you guys are spending on holding Pit Bulls in your shelter is ridiculous but also I think you guys are preventing money from coming in. I would love to give my tax dollars to a community that supports my dog.

Christina Casa, 618 Bell Street, said I am all in favor for lifting the breed specific ban. I was maybe a little skeptical at first like all of you. I am a researcher. I love facts over hearing rumors and stories. I’ve been around the Pit Bull breed and they are not—they are just like any other dog. I’ve rescued dogs big and small since I was a kid. We’ve always opened our home to strays. I’m just asking—we need to look a lot more into it and to lift the ban because I think it would save us a lot of dollars moving to the Wyandotte community from Johnson County. I like the community a lot. I would hope that we could save money somehow in a more efficient way. I’m in favor of that.

The trap and neutering for cats, I didn’t think it was a big problem until I moved over off of Ruby where we have millions of cats. I’m actually participating trapping some cats because they keep the mice population down. I’m a gardener so that benefits me. They are not really that vicious. Some of these cats have been owned by irresponsible owners that have just let them out. I’m all in favor of that, also tighter laws on irresponsible owners.

I like to walk down Metropolitan and exercise but there are so many stray dogs and cats. A lot of these dogs are owned by people but they are irresponsible letting the dogs run at large. A lot of these dogs are not Pit Bulls, they are smaller dogs that sometimes will try to bite you or nip at you. I think mainly owner responsibility and give more money back to the community because I would love to stay here. Maybe when I purchase another home, maybe I’ll buy another home here.

Ashley Flynn, 3122 N. 56th St., said I’m kind of writing. I’m really uncomfortable with speaking. First of all I wanted to say thank you for even consider making these changes. I know there is a misconception that Pit Bulls will turn without warning. There is always a reason for a dog’s behavior regardless of its breed. As owners we need to educate ourselves and our children on how to interact with animals and recognize specific behaviors in them.
The Pit Bull used to be an American symbol. They were big. It’s really interesting to learn about their history during like World War I. They were America’s favorite breed, favorite choice for a companion dog. They are loyal service dogs, police dogs in other areas and some of our best friends.

There is no such thing as a Pit Bull problem. There are irresponsible owner problems, backyard breeder problems and a problem with ignorance to the breed. There are many myths about them that just aren’t true. They don’t have lock jaws and they are not ready to attack people and they do actually have one of the highest temperament pass rates according to the American Temperament Test Society. It was 86.8%. Making these changes won’t create dangerous dog problems but strengthen the laws to protect people from dangerous dogs of all breeds.

Ross Stewart, 620 Sandusky, said I live in Strawberry Hill. I just moved up here in June with my fiancée Stephanie who is an employed KCPP worker who is very enthusiastic about this subject. I’m going to gloss over the other points that everybody else has made. Namely, I’d just like to attack one little point. We had a housewarming party and I feel like everything went really great. It was a really good party, lots of our friends came, lots of professionals came, and I’m an attorney. A lot of my friends came that have firms in different parts of the city, Kansas City here, Kansas City, MO, Overland Park and Olathe. The loved it, never been in the area. They think it’s a really neat area. The house prices are pretty cheap, they could move up here.

The number one complaint I had was random dogs running up and down the street. I left to go to my car; I got a dog barking at me. We have four or five rotating dogs on our block. They are owned, people love them, they are taken care of and they have collars but I feel like if we’re taking this much attention and time to focus on one breed and to do one thing, that’s a lot of money. $3,000 on one dog that didn’t do anything, when I have dogs running up and down my block day and night and that’s the number one complaint I got. We love your area. There are a lot of bars here. It’s great. There are some really good Mexican restaurants. It’s great. I can buy sausage down the street from my house. I can walk down the street and buy an egg. I can’t do that where I live now. Well, yes well sorry about the dogs that barked at you when you got in your car. I seriously hope that you all are considering this because there are so many different ways these resources could be used. I’d love to have some of my friends move across the street or down the block.
David Swanson said I live in Overland Park where we also have a Pit Bull ban. It’s a pretty vague thing that’s determined by one single individual in Overland Park about whether or not a dog is a Pit Bull. The one thing that I want to say about them is banning a dog specifically does not address the issue that is at the core of this and that is whether a dog is dangerous or not. Banning this specific breed or any specific breed does about as much good as putting up a gun free zone sign. It’s not going to keep a crazy person from coming in and shooting up the place.

Gale Brown, 5017 Lathrop Ave., said I’ve been in this issue from both sides. We have a problem with stray cats. We have a colony. I have reduced that colony from twenty-eight cats down to fourteen, four of which are mine. I am still working on the other ten. We’ve been doing this at our own expense but I have been fined twice now for having cats and I have never ever had a cat trapped or even attempted to be taken from my property.

When Animal Control comes, the first thing they do is whip out the ticket book and write tickets. They count the cat and they write tickets. They have never done any trapping; they have never offered me a trap. My animals are licensed that I have as my personal pets and the other issue on the breed specific dogs; I’ve been attacked twice in my life by a dog enough to have stitches. I was attacked by a German Sheppard that knocked me to the ground and gnawed on my hip. I was attacked by a Shar Pei, which is a smaller dog and never known to bite according to the owner but it bit me on the leg and I had to have stitches.

I think the breed specific thing is a bogus issue. I think it’s a vicious dog. The owners and the vicious dogs are what we need to go after. If you have a dog that has bitten someone more than once, that dog should be taken and whatever the city says done to it should be done.

Heather Purty, Shawnee, Kansas, said I support TNR. I have personally TNR 100 cats this season alone. Forty-five of those are from KCK. It’s done out of my own money so no cost to taxpayers, just allowing them to live here and be cats. Nobody has brought up the left ear tip and how important it is to these guys so they are identified for future reference if they are ever trapped or causing issues, Animal Control knows that they are already spayed and neuter. They should be causing no trouble and they should not be trapped again, hauled away or anything like that. Commissioner Philbrook said thanks for mentioning that we hadn’t mentioned the ear tipping thing. It’s in the ordinance. Thanks for mentioning that.
Courtney Thomas, President of Great Plains SPCA, Kansas City, MO, said I just want to applaud you all for taking these changes and considering them this evening. I’d like to share that professionals such as the Centers for Disease Control, The American Bar Association, The American Veterinary Medical Association and many other professional organizations are not in support of breed specific legislation. The experts have already done the work so let’s not debate the subject any further.

Let’s let it move forward as it should, let’s focus on giving our Animal Control officers and department as well as shelters around this community the resources to do their job to protect this community from all dangerous dogs, not dogs that are a specific breed, which poses the question what is a Pit Bull. I guarantee if you ask the audience here tonight and showed them the pictures of 25 dogs, you’d have 25 different answers in many cases. Let’s focus our resources on what really matters and that’s creating a safer community as well as the TNR, it is the single most effective way to control pet overpopulation, specifically in cats. I highly support this change and hope that you’ll consider these things tonight.

Ken Snyder, 3216 Barnett Ave., said I am here to speak as not only as a Kansas City, KS resident but as a Humane Education Resource Officer and Manager of Facilities Maintenance at Great Plains SPCA. What you have with the trap-neuter-return policy is something that makes the best sense that I can even think. I have a lady that’s in the audience that probably doesn’t want to even come up and speak but I’m going to relate a little bit of her story. She went so far as to take out a mortgage on her property in order to trap-neuter-return feral cats to the area trying to reduce the population.

Animal Control came out, trapped those cats that were already ear tipped, already sterilized and vaccinated because that’s part of the process, took them and they were euthanized. Years later, the problem still exists. The colony has reestablished itself, has actually grown because of other irresponsible owners allowing unsterilized cats to run free. It just makes good sense. It’s something that needs to be done and something that should have been done a long time ago.

The only thing I can say about breed specific legislation is I had a neighbor that had a Pit Bull who moved out because he would rather leave and keep his animal than he would to stay
and surrender it. I was cornered in my yard at one time by a vicious Rottweiler. I don’t see any restrictions on Rottweiler’s in Kansas City, KS.

**Hannah Beam, 10916 Kimball Ave.,** said I am definitely in favor of the TNR program. I know personally that we do have a feral cat issue in Kansas City, KS. I’ve lived in my house for five years and the feral cat colony in my neighborhood has grown. When we first moved in it was about seven to eight cats. It’s now probably up to about fourteen. I personally don’t have the money to trap them to take them in to get neutered but if there were programs available for that I would absolutely volunteer to help to do that. For me personally, yes it’s the cats in heat howling at night and seeing them on the side of the road because they’ve been hit by a car. It breaks my heart and that’s just me as an animal lover. You know, people don’t want to see that when they are driving down the street or coming to my house. They’re like there are dead cats all over the place. About the breed specific legislation, obviously I’m not going to sit here and say what everybody else has been saying. I myself have been bitten by two dogs, one a German Sheppard, one a Dalmatian. I have personal experience. A number of my friends have Pit Bulls and they are the most loving and loyal dogs. I’ve never been scared of one since. Any dog can be vicious, again it’s how they are raised, not the breed.

**Clark Richardson, Kansas City, MO,** said I just want to provide one brief antidote as well as reiterate one point made by the president of the Great Plains SPCA. For me personally, I was a Kansas resident and grew up under the understanding that Pit Bulls were dangerous. I was raised by my parents to believe this and what I learned later on once I moved to the Kansas City, Missouri area with my girlfriend and her dog Oliver, who has a blockhead, although it’d be very difficult for anyone to determine that he is a Pit Bull. I personally think he could be a Great Dane, maybe have some Staffordshire Terrier, regardless he is the most wonderful dog I’ve ever been around and is in fact—has a much better disposition than my Golden Retriever I was raised with.

What I learned was that eventually the sensationalism of the media had really made an impact on me at a young age. Any Pit Bull article, any Pit Bull attack was publicized in a much greater detail than anytime a Golden Retriever attacked a young child for instance. Now I can’t move back to Kansas because I want to stay with my girlfriend and this wonderful dog Oliver so I’m over on the Kansas City, MO side. To the point the Great Plains SPCA President made, I’m
an attorney now and she pointed out that neutral association such as the American Bar Association have already suggested that BSL is totally ineffective.

Now it’s important to note the American Bar Association is attempting to remain neutral here, whereas the majority of the statistics you will hear come from a website. It’s called www.dogbites.org. In my line of work we have to apply what’s called a Daubert with a Frye test to determine when elements should be admissible. From www.dogbites.org no court of law especially in the Federal District Court here in the district of Kansas would ever admit evidence from www.dogbites.org which was started by a woman who had personal experience with a Pit Bull attack and suffered it.

**Michelle Davis, Kansas City, MO,** said I actually live in Kansas City, MO but I was born in KCK, lived here most of my life. My entire family has lived here; my great-grandpa emigrated from Sweden. The point I think that’s gotten lost is the reason we’re here tonight is to make this city safer because the breed ban has failed. The breed ban did not save Jimmie Mae McConnell’s life. Her family has reported tonight and it was reported at the time they had called Animal Control numerous times about this dog and nothing happened. They called and they called and the dog ended up attacking her and with the changes in this ordinance I hope that the emphasis will be on addressing these problem animals before it escalates.

Once again the breed ban did not save her life. In fact it may have cost her, her life. My grandma was 86 and lived in Kansas City, KS when Jimmie Mae McConnell died and I marched out in front of this building and held a sign that said KCK Animal Control failed Jimmie Mae McConnell. It was personal to me as well because no one should have to live in fear of the dog next door to them.

**Marcia Rupp, 2816 N. 46th St.,** said I think what I’ve listened to everybody has kind of said it all. The only thing I do want to say is that if there is a dog that is out and Animal Control is closed, you can call the police. The police will come. They have those tickets. They can give the tickets as well as the police. Any dog that’s out, that’s running loose whether it’s dangerous or not shouldn’t be and the owner should be accountable so please call the police.

**Stephanie Pierce** said I used to be a Kansas City, KS resident until Animal Control euthanized my American Bulldog in mistaking that it was a Pit Bull. The neighbors were complaining that I
had a blockhead dog. They came, I showed them her registered papers, she was spayed, very friendly and an inside family dog. They confiscated her on a hot day, put her in the truck, took her to their vet and he said yes, that’s American Bulldog, it’s not a Pit Bull. Three different times I was harassed until finally they demanded that I turn my dog over, they took my dog and euthanized her. Now I live in Kansas City, MO. I work at Spay Neuter Kansas City. We work with Pit Bulls on a daily basis. The little dogs, even though they don’t do as much damage can be much more vicious. I would say lift the ban.

Zelma Sulley, 3333 N. 123rd St., said I’m about to date myself. I do think there are elements in our community who love to promote Pit Bull fighting, betting and gambling on those dogs. There have been some cases of little puppies stolen for that very purpose. I would just like to remind this group that before these things came about, Pit Bulls were very neighborly, very family type dogs. Remember the dog in Hi, I’m Buster Brown I live in a shoe, my dog Tag he lives in there too. That was a Pit Bull. The RCA victor dog was a Pit Bull. Petey of Our Game Comedy was a Pit Bull and Helen Keller’s dog was Pit Bull.

Jack Knight said I’m a city councilman for Bonner Springs, KS. I’m in favor of the Pit Bulls. I worked very well with the attorney here. She was on the taskforce with us and I speak highly of her. We had one incident where the Pit Bull got out and the neighbors reported it. That was the most loving dog that ever was. It was time we did something as a council. It was time for a change. I think you guys ought to take a serious look also like we did in Bonner. There are a lot of good dogs out there. I’m in favor of the vicious, mean and vicious, not for the breed.

Tara Surprise said I’m a former Kansas City, KS resident. I now reside in Kansas City, MO. I’m in favor of all of your changes to the ordinance and so I look forward to seeing KCK be a safe and humane community.

Angie Reitemeier, 2212 N. 75th St., said I am in support of all the changes and I just want to give a quick story about the amazing breed of Pit Bulls. I am a pre-school teacher and I’m also very involved in Animal Rescue. On Halloween, a very crazy day with small children, I took one of the shelter dogs from the shelter I work with and she happened to be a Pit Bull. She was amazing at spending the entire day with three year olds hyped up on Halloween. This dog who is...
perfect has been sitting in the shelter for almost two years because she is so restricted in where she can live.

Deborah Sweeten, 10330 Swartz, Edwardsville, KS, said thank you all very much for taking a look and considering the proposes being changed. I would suggest vote yes. I am very much in favor. It’s broad area of topics that we’ve covered tonight. Increasing the number of animals that we can have in our homes would have a positive impact on those of us who do foster and rescue. It would help us to be able to save more animals and to not be in violation of the ordinances so that we can continue to foster in our homes and be in compliance. It’s really important to us in the rescue community. That’s another reason why I’m really asking for your vote of yes of these proposed changes. Thank you again so much for your time and consideration on this important subject.

Commissioner Philbrook said I’m going to repeat again if you’re going to speak please come forward and get closer to the microphone.

Gina Mangles said I’m the one Ken was talking about, about taking the loan out on my house. I’m a true believer of trapping-neuter-releasing. It does work. I have seen that when you go in and you remove all of those cats another colony does move in pretty quickly. If we could have the support for spay, neuter and release, there are hundreds of cats out there and they just keep breeding. I am doing everything I can to get that under control but we need more help. Please, support us and let us continue. I was raised around Pits. I never had any problems. I’d climb all over them. It’s the people that are raising Pits that are the problem. When you have a vicious dog it’s usually how they were abused or beaten or how they are treated.

Nicole Coffield said I’m a former resident of Kansas City, KS, now living in Kansas City, MO. I moved out because I have a Pit Bull dog and I was reported. I had two weeks to find a place to live. I’m a responsible citizen. I work for Hallmark Cards. I’m also the victim of a dog attack so I understand this family’s concern. It’s not about the breed. It’s about the owners who have the dogs. I also want to point out it’s not about how the dogs are raised certainly, it’s how they are treated at the moment.
I have a lot of rescue dogs that were in very bad situations and I have worked for a rescue organization that I have come to encounter many, many, many, many Pit Bull dogs and have never been harmed by one. A dog that was held by her irresponsible owner in my neighborhood I had to have my arm sewn back on in surgery. I can understand both sides of the emotionality of this situation but I also know it should be an individual basis on a dog whether it’s dangerous or not.

Approximately 83 people were present in favor.

Chairman Kane said I want to thanks Commissioner Philbrook for bringing this up. It is definitely an emotional issue on both sides. It’s not something that we take lightly. If there is a vote here tonight, and we’ll know here in a little bit, if it passes it will go to the full commission and you would have the opportunity to come up and speak again.

Now, my daughter had two Pit Bulls when she was in college. I wouldn’t let her come tonight because I didn’t want her to talk and start crying about what she had to do to when she came home to Kansas City, KS to let the dogs go. In fact, she came home, was taking them to the farm and she stopped at my house to let the dogs relieve themselves and I was turned in as a commissioner to the city for having two Pit Bulls. They weren’t there three or four minutes. You could wrestle those dogs, you could chase those dogs and you can love those dogs. I too was attacked by a German Sheppard when I was a kid. That’s why I say there is emotion on both sides.

We appreciate how you have handled yourselves tonight. I do have a little bit of changes tonight. We’re talking about raising the dogs from two to three. I would just as soon leave the dogs and the cats the way they are. The reason being is we’re having trouble with the current amount of dogs that are running around. I’ve had multiple calls about we like everything except the fact that you would raise the dogs. If we’re going to pass this, I would want to leave the dog and cats the way they were. Ms. Barnett said commissioner; I think that’s something that we discussed as being something we would be willing to consider because we are changing the process of getting a special permit. A special permit is going to be easier to come by. I think the fact there is no hard and fast rule that there is an application process. There are several cities that have higher pet limits and that’s all you can have. You can’t apply for a special—Chairman Kane said for those of you out here and plus on T.V. you can get permission to get another dog.
There is a process you have to go through. This isn’t just set in stone. This is my request to make this work. Commissioner Philbrook said part of the intent of some of our changes is to take it away from the commission as a whole so we don’t have to pass all of these individual requests that it be handled by Animal Control and they collect the monies etc. We’re not looking at that. So, as far as animals, if the number of animals is a big problem and we’re going to have trouble getting it through to the full commission, you know, we got to start somewhere. I would vote against that change, although I’d much rather have one more of each but if that would be what’s going to stop us, I wouldn’t vote against it.

Commissioner Walker said my idea as a commission we go ahead and send it to the commission. We have six other people if you include the Mayor that will have comments and opinions. I will be prepared with my proposed amendments and we will amend it at that time on the floor. I’m not necessarily against what Commissioner Kane said because I think once you get to three then it’s just one more and you know there are a number of dogs in one person’s yard if that person does not maintain their yard and pick up the excrement and deal with it. I’m not sure how I feel about it. What I would like to do—we’ve got a lot of people here who have taken time out of their day to speak on this subject both pro and con. I think we need to send this forward to the full commission—Commissioner Philbrook said yes, yes, as is—Commissioner Walker said as is but certainly every commissioner and the Mayor will be made aware before the next meeting that there will be proposed amendments and I’m sure there may be other amendments from the other commissioners, maybe not. You’ve heard what my concerns are with Commissioner Kane’s. We’ll vote on those amendments separately and they’ll either be up or down at the time that they are made. Commissioner Philbrook said thank you. I appreciate that.

Action: Commissioner Walker made a motion to send the proposed amendments as is subject to future amendments as discussed here tonight, seconded by Commissioner Philbrook, to approve.

BPU Board Member Bryant said I would like to say one thing. I would hope that the approval of this and the extra work that we put will make our city safer with the pets. I’ve lived here my whole life and I’ve heard many horror stories and I’ve seen a lot of strays and I continue to see it.
Roll call was taken and there were six “Ayes,” Bryant, Markley, Maddox, Walker, Kane, Philbrook.

**Commissioner Philbrook** said thanks guys we appreciate all your help. We’ll be asking for more as this goes on.

Outcomes

**Item No. 1 – 120155…UPDATE: FIRE STUDY**

**Synopsis:** Monthly update on the fire study, presented by Joe Connor, Interim Assistant County Administrator.

**Gordon Criswell, Assistant County Administrator,** said as we are preparing to do the fire study we will be interviewing perspective firms to do the study November 25, 2014. We anticipate having the successful bidder on the contract in December.

**Item No. 2 – 110073…OVERVIEW: COMPETE STREETS**

**Synopsis:** Overview of complete streets, presented by Rob Richardson, presented by Rob Richardson, Director of Urban Land Use and Development.

**Chairman Kane** said we were going to have one other report but I told Rob Richardson to go home because I knew this would last awhile.

**Action:** Item not discussed.

**Item No. 3 – 120155…OUTCOMES: GENERAL TOPICS**

**Synopsis:** The Unified Government Commission conducted a strategic planning session on November 1, 2014, resulting in the continuation of specific goals tying them into the county-wide survey previously conducted.
• Infrastructure
• Environment
• Public Safety

**Action:** Item not discussed.

Adjourn

*Chairman Kane* adjourned the meeting at 6:44 p.m.

*tp*
Staff Request for Commission Action

Tracking No. 140402

- [ ] Revised
- [ ] On Going

Type: Standard
Committee: Public Works and Safety Committee

Date of Standing Committee Action: 12/15/2014
(If none, please explain):

Proposed for the following Full Commission Meeting Date: 11/20/2014
Confirmed Date: 11/20/2014

- [ ] Changes Recommended By Standing Committee (New Action Form required with signatures)

<table>
<thead>
<tr>
<th>Date: 11/26/2014</th>
<th>Contact Name: Bill Heatherman</th>
<th>Contact Phone: 573-5416</th>
<th>Contact Email: Bheatherman@wycokck...</th>
<th>Ref.</th>
<th>Department / Division: Public Works</th>
</tr>
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Item Description:
I-70 Bridge over Kaw Drive - Traffic Impacts During Reconstruction;
KDOT will be replacing the existing I-70 Bridge deck over Kaw Drive, which is located immediately east of the I-635 interchange. This is a complex construction project that will last nearly all of the 2015 construction season. To handle the complex traffic and construction sequencing, it is going to be necessary to close both of the ramps from I-635 that lead to east-bound I-70. Detour routing will be provided, primarily along Kansas Avenue (State Highway K-32). KDOT and UG staff will brief the Committee on the necessity of this work and the plan for communications. We greatly appreciate KDOT's continued focus on system preservation.

Action Requested:
Informational Item Only, No Action Required

- [ ] Publication Required

Budget Impact: (if applicable)

Amount: $
Source:

- [ ] Included In Budget
- [ ] Other (explain)

File Attachment
November 24, 2014

William J. Heatherman, P.E.
County Engineer
Unified Government of Wyandotte County and Kansas City, Kansas
701 North 7th Street, Suite 712
Kansas City, Kansas 66101

RE: Repair project for the I-70 bridges over Kaw Drive

Mr. Heatherman;

We are planning a bridge repair project that will significantly affect traffic during the upcoming construction season. Both the east and west bound I-70 bridges over Kaw Drive will have the bridge decks replaced, along with other needed structural repairs. The project is estimated to be over $10 million and we feel fortunate to be able to fund it within the T-Works program. Key points affecting traffic include:

- I-70 Traffic will be reduced to two through lanes for the entire 2015 construction season.
- Both NB and SB I-635 ramps to EB I-70 will be closed during the entire project.
  - SB I-635 to EB I-70 traffic will detour to K-32 to US-69 then back to I-70 EB.
  - NB I-635 primary traffic will detour to K-32 and secondary traffic will detour to State Avenue to 38th Street to Kaw Drive then back to I-70 EB.
  - Other repair work will be done while the opportunity exists during these closures.
- During the first phase, the ramp from EB I-70 traffic to Kaw Drive will be closed. The detour will be to the 16th Street interchange and return along I-70 to Kaw Drive.
- During the second phase, the ramp from Kaw Drive to WB I-70 will be closed. The detour will be to take Kaw Drive to 57th Street and then to I-70 WB.
- Each phase is expected to take about 4 months. Phase 1 will put EB and WB I-70 traffic in the inside two lanes. Phase 2 will put EB I-70 traffic in the outside two lanes. WB traffic will have one lane in the outside I-70 WB lane and one lane in the inside lane of the I-70 collector.

We will be working with you for an informational program that should help key interests in preparing for the project. Thank you for working with us on this project.

Sincerely,

James D. Pickett, P.E.

cc: District Engineer
   Metro Engineer file
Staff Request for Commission Action

Type: Standard
Committee: Public Works and Safety Committee

Date of Standing Committee Action: 1/20/2015
(If none, please explain):

Proposed for the following Full Commission Meeting Date: Confirmed Date: 12/18/2014
12/18/2014

☐ Changes Recommended By Standing Committee (New Action Form required with signatures)

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<th>Contact Email:</th>
<th>Ref:</th>
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<tbody>
<tr>
<td>1/7/2015</td>
<td>Bill Heatherman</td>
<td>573-5400</td>
<td>Bheatherman@wycokck...</td>
<td></td>
<td>Engineering</td>
</tr>
</tbody>
</table>

Item Description:
Wastewater Systems Video – Overflow Control Program; the UG will be making major investments in our wastewater system to meet the demands of the EPA Consent Decree. At the same time, these investment will help us address long-standing maintenance and capacity issues within our system. A video has been developed to help inform and educate our citizens about this program and the need for the investment. The video is part of a Public Outreach strategy that includes Road Show presentations to interested citizen and community groups.

Action Requested:
This is for information only, no action is required. We will be showing the final proof copy of the video to the Committee. It will then go live on the UG website www.wycokck.org and be formatted for UG TV.

☐ Publication Required

Budget Impact: (if applicable)

Amount: $
Source:
☑ Included In Budget Paid for from IOCP Compliances Budget
☐ Other (explain)

File Attachment
File Attachment
File Attachment
File Attachment
Staff Request for Commission Action

Type: Standard
Committee: Public Works and Safety Committee

Date of Standing Committee Action: 1/20/2015
(If none, please explain):

Proposed for the following Full Commission Meeting Date: 2/5/2015
Confirmed Date: 2/5/2015

Changes Recommended By Standing Committee (New Action Form required with signatures)

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<tr>
<th>Date: 1/6/2015</th>
<th>Contact Name: Sarah Fjell</th>
<th>Contact Phone: x5724</th>
<th>Contact Email: <a href="mailto:sfjell@wycokck.org">sfjell@wycokck.org</a></th>
<th>Ref:</th>
<th>Department / Division: Engineering</th>
</tr>
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</table>

Item Description:
Stormwater Quality Education Grant Program is a requirement of the UG’s Stormwater Management Plan and the EPA Consent Order. The grant program would be implemented in 2015 with an annual budget of $30,000 funded from the Stormwater Utility Fund. Projects are intended to support local youth or community groups, schools, non-profits, and other eligible groups in Wyandotte County with each project eligible for up to $5000 in grant money. Grants are to be awarded on a competitive selection process based on a review of applications by a selection committee. The proposed application criteria and guidelines are attached.

This is a requirement of the Stormwater Management Plan and part of the Partial Consent Decree with the EPA

Action Requested:
Staff requests approval of the proposed grant program.

Publication Required

Budget Impact: (if applicable)

Amount: $
Source:
☑ Included In Budget
☐ Other (explain)

Currently in budget for the MS4 program. $30,000/year.
STORMWATER MANAGEMENT PLAN

Stormwater Quality Education Grant Program

Summary of Program

- Grant Program is a requirement of the UG’s Stormwater Management Plan and the EPA Consent Order.
- $30,000 annually funded from the Stormwater Utility Fund (563), with applicants qualifying to receive grants of up to $5,000 per project.
- Program was modeled after similar programs implemented by Mid-America Regional Council (MARC) and Johnson County Public Works.
- Projects to be located within and provide direct benefit to residents and businesses in Wyandotte County.
- Program is intended to support local youth or community groups, schools, not-for-profit organizations or other eligible entities.
- A streamlined application packet has been prepared which identifies program details, eligibility requirements, project guidelines, selection process and reporting requirements.
- Final report required from applicant following project completion.
- Grants are to be awarded on a competitive selection process based on review of applications by a selection committee.
- Proposed selection committee to be comprised of four individuals – one UG technical staff member (B. Heatherman), one representative from MARC, and two individuals from the community. Seeking input on make-up of committee.
- Plan to present Grant Program to Standing Committee at their January 20, 2015 meeting.
- Program details may change based on feedback from Standing Committee.
- Will use UG website and newsletters to advertise program. UG staff will also contact area schools, teachers, and non-profit organizations.
- Advertise program no later than February 15, 2015.
A. INTRODUCTION

The Unified Government of Wyandotte County/Kansas City, Kansas (UG) has established a Stormwater Quality Education Grant Program to help fund educational projects and activities related to stormwater quality. The Grant Program is funded by the UG’s Stormwater Utility Fund and is administered by the Public Works Department.

The main goal of the Grant Program is the improvement of surface water quality in Wyandotte County. To accomplish this goal, this program has been developed to provide financial assistance for programs, projects, or activities which provide public or private education related to stormwater quality. Because runoff reaches the water resources that people and wildlife depend on, it is important to maintain or improve the quality of water in our local streams and lakes.

The UG will award up to $30,000 annually, with successful applicants receiving grants of up to $5,000 per project. Grants are awarded on a competitive grant application process. Each grant application will be reviewed by a selection committee for eligibility and merit, according to the procedures and criteria set forth in the guidelines outlined in this packet. The selection committee will make recommendations to the Public Works Director for final determination of all grant applications. All approved projects will receive funding by means of an executed Grant Award Agreement between the UG and the Applicant laying out the approved project elements, eligible expenses, and terms of grant implementation.

This packet covers the information needed to complete the application, and includes the following sections:

- Eligibility Requirements
- Project Guidelines
- Project Funding
- Project Reporting
- Project Selection and Grant Award Process
- Application Form
STORMWATER QUALITY EDUCATION GRANT PROGRAM
APPLICATION FORM

APPLICATION DEADLINE: March 15, 2015

Please review the Stormwater Quality Education Grant Program Application Packet prior to filling out this application form. Please provide responses to all questions below. Provide as much detail as possible, including information the Applicant feels is pertinent and not asked below. Mail or hand deliver five (5) copies of the completed and signed form, and any supporting documentation to the address listed on Page 2.

Project Title: ________________________________________________________________

Name of Organization: _______________________________________________________

Mailing Address: _____________________________________________________________

Name of Primary Project Contact/Manager: ______________________________________
  Daytime or Cell Phone Number: _____________________________________________
  Email Address: _____________________________________________________________

Name of Secondary Project Contact: ____________________________________________
  Daytime or Cell Phone Number: _____________________________________________
  Email Address: _____________________________________________________________

Amount Requested: $__________________  Total Project Cost: $__________________

1. GROUP DESCRIPTION – Describe your group’s or organization’s purpose, history, and if it is a formal or informal organization.

2. PROJECT DESCRIPTION – Write a detailed description of the proposed project.

3. PROJECT OBJECTIVES – Write a description of how your project will address any of the Clean Stormwater Grant Program Objectives identified in the Application Packet.
4. **PROJECT LOCATION** – Explain where your project will be conducted. If necessary, attach a map to the application. If the project will be conducted outside of Wyandotte County, then describe the direct benefits provided by the project to the residents of the County.

5. **PROJECT PARTICIPANTS** – Who will participate in your project and in what capacity? What are the roles of the project manager/coordinator if you plan to involve volunteers, how will you recruit them and how many will be involved. Are there other organizations or groups you plan to work with?

6. **PUBLICITY** – Do you intend to publicize your project (i.e. using television, newspapers, newsletters, direct mailing, etc.), and if so, explain what your plan is.

7. **EVALUATION AND CONTINUATION** – How will you evaluate the success of your project? How will the project continue to on-going or long-term activities and benefits?

8. **BUDGET** – Submit a preliminary project budget following the Example listed in the Application Packet.

9. **SCHEDULE** – Attach a preliminary schedule for project implementation following the Example in the Application Packet

10. **SUPPORTING DOCUMENTATION** – Include with the application any additional information, letters of support from partners, etc.

**AUTHORIZING SIGNATURE**

I certify that all information provided in this grant application is complete and true to the best of my knowledge, and that I am duly authorized to submit this application on behalf of my organization or group.

__________________________  __________________________
Signature of Applicant          Date

__________________________
Printed Name of Applicant

__________________________
Title of Applicant

MAIL OR DELIVER FIVE (5) COPIES OF THIS FORM WITH ATTACHMENTS TO: Ms. Sarah Fjell, P.E.
Stormwater Education Grant Program Administrator, Public Works Department, 701 N. 7th Street, Kansas City, Kansas 66101
Please direct all questions to the Grant Program Administrator – Sarah Fjell, at the UG’s Public Works Department, by phone at 913-573-5700, by email at sfjell@wycokck.org, or by mail to 701 N. 7th Street, Kansas City, Kansas 66101.

B. ELIGIBILITY REQUIREMENTS

What types of programs or projects are eligible for funding under the Grant Program?

There are two general types of projects or programs eligible for the program:

- **Public Education and Outreach.** Programs designed to inform citizens, schools, and businesses about the impact of stormwater runoff on surface-water quality and actions to reduce stormwater pollution. Such programs could include, but are not limited to:
  1) Public education and outreach to encourage behavior change leading to the reduction of pollution caused by stormwater runoff, such as, but not limited to, lawn and garden care, rain gardens and rain barrels, proper disposal of household hazardous waste, pet waste, and litter;
  2) Public education and outreach for school-age children that could include the development and/or implementation of programming for watershed (drainage area) and water-quality education, water-quality monitoring, or other stormwater related issues.
  3) Public education and outreach that address issues related to human health and safety during and after flooding events (such as large levels of bacteria in surface water after a rain event).

- **Public Participation and Involvement.** Programs that encourage the participation and involvement of Wyandotte County residents and businesses to reduce polluted stormwater runoff. Such activities could include, but are not limited to:
  1) Organization and implementation of one time public participation and involvement initiatives, such as, but not limited to, community clean-ups along local streams, and lakes, community and/or school-based water festivals, construction and planting of rain gardens, rain barrel building workshops, and storm drain stenciling activities.
  2) Organization and ongoing support of citizen-based or school programs such as “stream teams” and “Adopt a stream” initiatives.

Who can apply for funding?

The UG will accept applications from schools, entities legally incorporated and/or organized as a corporation, government entities, associations, not-for-profit businesses/organizations, community groups, service or youth clubs, or student groups.

Who is not eligible for funding?
Grants will not be awarded to individuals, not-for-profit businesses/organizations, or public agencies who propose projects necessary to comply with federal, state, or local regulations. Grant funds cannot be used to develop or implement stormwater pollution prevention plans, monitoring, or other activities required by a National Pollutant Discharge Elimination System stormwater permit.

**Are there other eligibility requirements?**

- Projects or programs must be located within and provide a direct benefit or service to the residents and businesses in Wyandotte County.
- Applicant is responsible for following all safety precautions.
- The maximum allowable grant request for this program is $5,000. Grant amounts are not-to-exceed amounts.

**C. PROGRAM GUIDELINES**

If selected for funding, projects or programs must meet the following general guidelines:

- A detailed project plan and budget for all approved expenses shall be prepared and included in the Grant Award Agreement.
- Grant monies will be distributed via a reimbursement format in accordance with the terms set forth in the Grant Award Agreement.
- Any expenses not fully documented may be denied for reimbursement. The UG may conduct periodic audits of grant expenses to help ensure grant funds are being utilized appropriately and as reported.
- All projects must be completed in accordance with applicable local, state and federal law, and all required permits, agreements, permissions, approval, etc. must be obtained by the Applicant or their representatives.
- All projects must be completed per the plan outlined in the Grant Award Agreement. The Public Works Director must approve, in writing, any proposed changes to the plan once a grant is awarded.
- All projects must be completed within the time frame specified in the Grant Award Agreement. The Program Administrator must approve, in writing, any requested time extensions. Typical timelines for education projects or programs are 6 to 9 months.
- The UG reserves the right to withhold funds or revoke awards if required reporting is not filed in a timely manner or if project requirements and objectives set out in the Grant Award Agreement are not being met.

**D. PROGRAM FUNDING**

The grant program is funded at $30,000 annually. Project funding varies, but will not exceed $5,000 per project; awards may range from $2,000 to $3,000. The actual number of grants awarded will depend on the number of successful applicants and the amount of funding granted to each applicant.
What types of expenses are eligible for grant reimbursement?

- Eligible expenses must be project-specific and necessary for proper and complete implementation of the stormwater-related components of the project in the categories of:
  - Materials, Equipment and Supplies
  - Consulting Fees
  - Personnel
  - Other Project Specific Costs
- Project specific personnel costs and stipends (i.e. teacher training, etc.) may be eligible. Adequate documentation of all billed hours, including copies of employee timesheets, hourly payroll rates, and description of work done, will be required prior to acceptance of these types of costs.
- Indirect costs are typically not eligible. Expenses are to be broken down into specific cost items. However, for institutions of higher education and private not-for-profit organizations which rely on indirect costs for budgeting purposes, indirect costs can be utilized by may not exceed 20%.
- All approved expenses will be mutually agreed upon and detailed in the project budget in the Grant Award Agreement prior to start of the project.

What types of expenses are not eligible for grant reimbursement?

- Cost associated with work paid prior to grant award.
- Costs associated with work already required of the applicant to meet federal, state, or local requirements.
- Wages or salaries for research or manual labor
- Administrative overhead
- Personal food, refreshments and mileage
- Any permit fees required to implement the project.

Other restrictions may apply – if you have questions about eligibility of expenses, please contact the Grant Program Administrator.

E. PROJECT REPORTING

Is a project report required for this grant?

Eighty percent (80%) of the grant award will be disbursed at time of award. The remaining 20% will be distributed after receipt of supporting documentation as listed below. The UG will provide the appropriate forms and report format with the Grant Award Agreement. Within 30 days of the completion of the project elements and invoicing, a Project Narrative Report will be
required to be submitted summarizing all the project tasks and elements are completed and costs accounted for.

Each applicant is required to submit the following in both electronic and hard copy formats:

- A **Project Narrative Report** at the end of the project, which must include a project description and (at a minimum) responses to the questions below.
  a. What was learned from this project?
  b. If you could repeat the project, what would you do differently and why?
  c. Did you meet your expectations?
  d. Did you encounter any challenges or problems during your project? If so, please explain.
  e. How many people were involved or reached?
  f. Identify members of your organization who will be key participants in establishing/maintaining the project, if applicable.
  g. Identify how this project will provide ongoing value to the target audience or participants.
- **Attachments** to include, but are not limited to:
  a. A detailed report of expenses including copies of receipts.
  b. Samples of project materials, handouts, or work.
  c. Photos or video of project activities on CD/DVD.

### F. PROJECT SELECTION AND GRANT AWARD PROCESS

This grant program is competitive. Therefore, Applicants or applications not meeting the eligibility requirements will not be considered. Projects will be ranked and selected for funding through a review process administered by the UG Stormwater Grant Program Selection Committee. As one part of this review, proposed projects will be evaluated using a scoring system based upon the following criteria (100 points possible):

1) **Education about Stormwater Pollution Prevention (30 Points):**
   a) Does the project spread a message about reducing stormwater pollution?
   b) How well does the project encourage reducing stormwater pollution?
   c) Will innovative approaches to improving water quality be used?

2) **Clarity of Project Description (30 Points):**
   a) Is the project clearly described?
   b) Are the proposed tasks reasonable?
   c) Are the tasks clearly defined?
   d) Is the schedule of work/timeline complete?
   e) Does the project include an assessment plan to measure effectiveness?

3) **Budget (20 Points):**
   a) Does the project achieve its stated goals in a cost-effective manner?
   b) Could the project or activity be used again or continued in the future?

4) **Publicity/Community Outreach (20 Points):**
a) How many people will be involved or reached?
b) How will the project be publicized?

The Stormwater Grant Program Selection Committee will evaluate the applications and make recommendations for funding to the Public Works Director, or his designee, based on the extent to which:

- The proposed project meets one or more grant objectives, and the UG’s Stormwater Management Program goals (refer to Page 7 for the Stormwater Grant Project Objectives).
- The project description, tasks, anticipated results and schedule are clear and complete, and that the budget is detailed and appropriate.
- The applicant demonstrates the ability to coordinate, manage and complete the project.
- The project reaches the general public or specific groups thorough publicity, educational efforts, or participation.
- The project will result in or contribute to ongoing or long-term efforts and benefits.

The Director, or his designee, will review the grant applications, supporting information, and project scores, and the selection committee’s recommendations, and authorize applications for funding consistent with the program’s eligibility criteria. Successful applicants must sign a Grant Award Agreement which is submitted for final UG approval and execution.

G. SCHEDULE

- The application deadline is March 15, 2015.
- Awards to be announced week of March 30, 2015.
- Initial funds disbursed: First 80% by April 15, 2015.
- Projects completed by October 15, 2015.
- Final reports due by November 15, 2015, with remaining 20% grant disbursement.

H. APPLICATION PROCESS

For Fiscal Year 2015, the deadline for receipt of grant applications is March 15, 2015.
Applications must be postmarked by, or hand-delivered to the address below, by 5:00 p.m.

An application form is included with this packet. Please read the application carefully and complete the form with as much detail about your proposed project as possible. The Applicant must provide a proposed schedule and project budget (See examples on page 7). Supplemental information can be attached to the application if it is helpful in describing the project.

A name for the Project Coordinator/Leader/Manager is required. Email will be the predominant means of communication, therefore, a working email address for the contact is strongly encouraged. The application form must be signed by a duly authorized official or designee from the applying organization. Applications that are not complete may be disqualified.
Submit five (5) hard copies of the application form and supporting information to:

Ms. Sarah Fjell, P.E.
Stormwater Education Grant Program Administrator
Public Works Department
701 N. 7th Street
Kansas City, Kansas 66101

STORMWATER GRANT PROGRAM OBJECTIVES
Applicants are encouraged to propose and implement projects which meet one or more of the following stormwater quality objectives:

• **Stormwater Quality Information and Education** – Inform and educate the general public, specific members of the community, or students about: a) local water resources, supplies and sources; b) water quality and pollution prevention; and c) urban stormwater runoff (where it goes, how it becomes polluted and how citizens can help keep it clean).

• **Household Hazardous Waste Information and Education** – Inform and educate the general public, specific members of the community, or students about: a) reducing household hazardous wastes through use of alternative practices or products; and b) proper use, storage and recycling or disposal of household hazardous wastes, including but not limited to motor oil, paint wastes, and garden/lawn chemicals.

• **Business and Industry Stormwater Pollution Prevention Assistance and Education** – Inform and educate the local businesses about: a) water quality and pollution prevention; b) compliance with stormwater quality regulations; c) awareness and prevention of illicit discharges; and c) urban stormwater runoff (where it goes, how it becomes polluted and how they can help keep it clean).

• **Environmental Restoration, Enhancement and Preservation** – Study, enhance, restore or preserve the quality of wetland, riparian (creek and river bank) and lake water bodies by: a) performing stream sampling and analysis of water samples; b) removal of litter and waste; and c) planting appropriate trees and vegetation.

PROJECT SCHEDULE EXAMPLE (TBD)

PROJECT BUDGET EXAMPLE (TBD)
**Staff Request for Commission Action**

Type: Standard  
Committee: Public Works and Safety Committee

Date of Standing Committee Action: 1/20/2015  
(If none, please explain):

**Proposed for the following Full Commission Meeting Date:**  
Confirmed Date: 2/5/2015  
2/5/2015

**Changes Recommended By Standing Committee (New Action Form required with signatures)**

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<tr>
<td>1/7/2015</td>
<td>Tim Nick</td>
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<td><a href="mailto:Tnick@wycokc.org">Tnick@wycokc.org</a></td>
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<td>Public Works</td>
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**Item Description:**

It is required by the Kansas Department of Health and Environment (KDHE) that each county has a Solid Waste Planning Committee. It is also required by KDHE that the Solid Waste Master Plan be reviewed on an annual basis by the Committee and be approved by the Board of County Commissioners. The review should address any changes in the solid waste management system since the last plan review and also include the recommendations of the committee.

The attached document includes the minutes of the Solid Waste Planning Committee yearly review. The only change to the current plan was the closing of the Neighborhood Recycling Center at the end of 2013. The center was then re-opened in October of 2014 as a yard waste drop-off site.

**Action Requested:**

It is requested that the Standing Committee accept and approve the review and recommendations of the Solid Waste Planning Committee and forward to the Full Commission for approval.

- Publication Required

**Budget Impact: (if applicable)**

- Amount: $  
- Source:  
  - Included In Budget  
  - Other (explain)

[DOC010715.pdf](attachment:DOC010715.pdf)  
Adobe Acrobat 7.0  
Document  
87.1 KB
Wyandotte County Solid Waste Management Committee
November 12, 2014 Annual Meeting Minutes

Attending: Lou Braswell, Mike Clagett, Andy Harris, Mark Donahoo, Richard Mabion, Greg Talkin, Bruce Chladny, Rita Hoag, Amber McCullough, Michael Webb, Peter Yazbec, Lindsay Behgam, Jasmine Holmes, Tim Nick, Kirk Suther, and Stephanie Moore.

1. **Approval of March 21, 2013 Minutes.** Rita made a motion to accept the March 21, 2013 Minutes. Lou seconded the motion. Motion carried.

2. **Review of Solid Waste Plan.** A Power Point presentation giving an overview of the Wyandotte County Solid Waste Plan was presented. The infrastructure of the systems in place to manage solid waste were discussed such as residential trash services, curbside recycling services, drop off recycling centers, glass recycling, business recycling options, tree waste diversion, and business disposal and diversion of solid waste. In addition, there was discussion of special wastes such as household hazardous waste, electronics recycling, and prescription drug take back projects.

3. **Review of Solid Waste Infrastructure.** The Johnson County Board of Commissioners’ ban on yard waste taken to the Deffenbaugh Landfill scheduled to start on January 1, 2012 was extended to June 30, 2013 for the Unified Government, Bonner Springs, and Edwardsville. In the 2013 Kansas Legislative session House Bill No. 2074 was passed. The bill said that Johnson County did not have the authority to legislate a yard waste ban for Wyandotte County residents.

In the fall 2013, the Unified Government in cooperation with Johnson County Government and Deffenbaugh Industries implemented alternative ways for Wyandotte County residents to get rid of grass clippings, leaves, and branches. The goal of these cooperative efforts is to reduce the amount of yard waste going into the Deffenbaugh landfill. On September 3, 2013 Wyandotte County residents were able to take their residential yard waste directly to the Deffenbaugh landfill in Johnson County free of charge. In addition, beginning on October 1, 2003 the Recycling Center, 3241 Park Drive, began accepting yard waste or leaves and tree branches.

During the 2014 budget process, it was decided to close the Wyandotte County Recycling Center at 3241 Park Dr. as of December 31, 2013. The former Recycling Center, 3241 Park Dr. was converted into a Yard Waste Drop Off Site in 2014.

With the discovery of the emerald ash borer with all the dead ash trees coming in the next few years, it is going increase wood waste for the local infrastructure. These options will need to be evaluated.

4. **Review of Goals and Strategies.** As part of the Power Point presentation there was also discussion about the Solid Waste Plan’s adopted goals and strategies.

*Reduce and Reuse Strategies:*

1. Continuation of Unified Government’s Green team.
2. Encourage schools and businesses to adopt Green Team programs.
3. Continue operation of the Unified Government SWAP: Surplus with a Purpose. This program collects extra office supplies and has them available for reuse by other departments.
4. Put together a program to educate residents and businesses about waste reduction ideas.
5. Promotion of reuse facilities, e.g. thrift shops etc.
6. Development and implementation of an educational program to encourage a grass cycling program.
7. Investigate if businesses can donate food instead of disposing of it.
8. Encourage government, schools, and business procurement policies for promoting source reduction.

Recycling Strategies:

1. Continue on-going efforts to educate residents about solid waste disposal and diversion services available to them.
2. Continue and promote the curbside recycling program in Kansas City and Bonner Springs.
3. Continue to promote drop off recycling centers.
4. Continue providing containers for special events recycling.
5. Continue on-going office recycling program for the Unified Government.
6. Continue working with schools with educational materials about recycling.
7. Encourage and promote the participation of residents and businesses with the new glass recycling drop off containers of Ripple Glass.
8. Encourage the expansion of apartment and business recycling.

Composting Strategies:

1. Johnson County has implemented a ban on yard waste in the Johnson County Landfill. Programming for yard waste is being developed.
2. Development of a publicity plan to inform residents about changes in trash pickup dealing with yard waste and inform residents of changes in service, if applicable.
3. Development and implementation of an educational program about yard waste diversion strategies.
4. Encourage residents, businesses, and government to dispose of tree waste to be mulched or composted.
5. Investigate to see what type of infrastructure and/or programming is available to address food waste in the business waste stream.

5. Other. The Mid-America Regional Council Solid Waste District conducted a recycling survey in 2012-2013 which included a summary report of Wyandotte County. Our 5-year update of the Wyandotte County Solid Waste Plan is scheduled to be done next year in 2015.
Overview of complete streets
Staff Request for Commission Action

Tracking No. 150013

☐ Revised
☐ On Going

Type: Standard
Committee: Public Works and Safety Committee

Date of Standing Committee Action: 1/20/2015
(If none, please explain):

Confirmed Date: 2/19/2015

☑ Changes Recommended By Standing Committee (New Action Form required with signatures)

Proposed for the following Full Commission Meeting Date:

2/19/2015

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<td>1/7/2015</td>
<td>Mike Tobin</td>
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Item Description:

Approved as part of the 2015 CMIP Budget was a project to construct a facility that would house Fire Maintenance and Supply, and the Water Pollution Control (WPC) Sewer Maintenance Construction, Sewer Maintenance Operations & Maintenance, WPC Records and Mapping, and Pump Station Operations and Maintenance. These two operational groups would share a pre-existing U.G. owned site, but not share the same structure. Specifically, the FD structure will be designed to serve as a FD vehicle maintenance facility, as well as for storage of consumable items and safety gear. The WPC facility will serve as a day-to-day operation center, replacing the 61 Market Street facility that is currently inadequate in space and in a non-central location. As part of the design/build process, a needs and site analysis was performed by the design/build team with additional evaluation of the facility needs. It has been determined that the scope of the project should be increased in order to meet the needs of the users. Therefore, the project is on hold while we evaluate our options.

Action Requested:

Options will be presented and discussed.

☐ Publication Required

Budget Impact: (if applicable)

Amount: $
Source:
☐ Included In Budget
☐ Other (explain)

File Attachment
File Attachment
File Attachment
File Attachment
Staff Request for Commission Action

Type: Standard
Committee: Public Works and Safety Committee

Date of Standing Committee Action: 1/20/2015
(If none, please explain):

Proposed for the following Full Commission Meeting Date: Confirmed Date: 2/5/2015
2/5/2015

Changes Recommended By Standing Committee (New Action Form required with signatures)

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<td>1/8/2015</td>
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Item Description:
Continued discussion of the assessment of Unified Government fees for new residential home construction. The waiver of these fees ended on December 31, 2014. This was originally discussed at the Economic Development and Finance Committee on Monday, January 5, 2015.

Action Requested:
Consider adopting recommendation to waive the fees for 2015.

Publication Required

Budget Impact: (if applicable)

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