Public Works and Safety Committee
Standing Committee Meeting Agenda
Monday, June 22, 2015
5:00 PM

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

Name                      Absent
Commissioner Melissa Bynum, Chair  
Commissioner Harold Johnson  
Commissioner Mike Kane  
Commissioner Angela Markley  
Commissioner Jane Philbrook  
Jeff Bryant - BPU  

I .  Call to Order / Roll Call

II .  Committee Agenda

Item No. 1 -  RESOLUTION: 2600 N. 131ST ST. SHORT SPAN BRIDGE REPLACEMENT

Synopsis:
A resolution declaring the necessity and authorizing a survey of land to be acquired for the 2600 N. 131st St. Short Span Bridge Replacement Project (CMIP 5303), submitted by John Menkhus, Engineering.
Tracking #: 150161

Item No. 2 -  DISCUSSION: STORMWATER IMPROVEMENT POLICY

Synopsis:
Discussion regarding the process to evaluate and approve stormwater projects, submitted by Bill Heatherman, County Engineer. An example of such is the area of S. 52nd & Douglas.
For information only.
Tracking #: 150157

Item No. 3 - PRESENTATION/ORDINANCE: PARADES AND MARATHONS

Synopsis:
Communication from Gordon Criswell, Assistant County Administrator, regarding parades and marathons.

- Presentation by the Police Department on several proposed race routes and staffing
- Proposed ordinance changes governing parades and marathons

Tracking #: 150162

III. Adjourn
Item No. 3 - PRESENTATION/ORDINANCE: PARADES AND MARATHONS

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Communication from Gordon Criswell, Assistant County Administrator, regarding parades and marathons.

- Presentation by the Police Department on several proposed race routes and staffing
- Proposed ordinance changes governing parades and marathons

Tracking #: 150162

III. Adjourn
**Staff Request for Commission Action**

**Tracking No. 150161**

- Revised
- On Going

**Type:** Standard  
**Committee:** Public Works and Safety Committee

**Date of Standing Committee Action:** 6/22/2015

(If none, please explain):

**Proposed for the following Full Commission Meeting Date:** 7/9/2015

**Confirmed Date:** 7/9/2015

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

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<td>John Menkhus</td>
<td>5400</td>
<td><a href="mailto:jmenkhus@wycokck.org">jmenkhus@wycokck.org</a></td>
<td></td>
<td>Engineering</td>
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**Item Description:**

**Project Name:** 2600 N. 131st St. Span Bridge Replacement – CMIP #5303

This Resolution declares that this project is a necessary and valid improvement project. This Resolution directs the Chief Counsel to cause a survey and description of such parcels to be undertaken and prepared by a licensed land surveyor or a professional engineer to identify and describe the property to be acquired for this project, and to submit an Ordinance authorizing the exercise of eminent domain and to undertake all other necessary actions to complete the acquisition of such parcels.

**Action Requested:**

To adopt the Resolution.

**Publication Required**

**Publication Date:** 7/2/2015

**Budget Impact: (if applicable)**

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

---

**File Attachment**

**File Attachment**
RESOLUTION NO. ____________________

A RESOLUTION declaring the necessity and authorizing a survey and descriptions of lands necessary to be condemned for the construction, maintenance, operation, use and repair of the 2600 N. 131st St. Short Span Bridge Replacement (CMIP 5303), all in Wyandotte County, Kansas.

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

SECTION 1. It is hereby found and determined necessary that certain lands be condemned for public use providing for land necessary for construction, maintenance, operation, use and repair of the 2600 N. 131st St. Short Span Bridge Replacement (CMIP 5303). This project will replace an existing failed 5’ x 5’ x 25’ (estimated) short span structure no. 325 (2600 N 131st St) with a 66” circular concrete pipe 60’-80’ long. Structure is being widened to eliminate guardrail, accommodate a future wider roadway and for drainage reasons. This project is all in Wyandotte County, Kansas.

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

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

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

THIS _______ DAY OF ____________________, 2015.

____________________________________
UNIFIED GOVERNMENT CLERK

APPROVED AS TO FORM:

____________________________________
KENNETH J. MOORE
Deputy Chief Counsel
## Staff Request for Commission Action

**Tracking No. 150157**

- [ ] Revised
- [ ] On Going

**Type:** Standard  
**Committee:** Public Works and Safety Committee

**Date of Standing Committee Action:** 6/22/2015  
(If none, please explain):

### Proposed for the following Full Commission Meeting Date: 7/9/2015

- confirmed date: 7/9/2015

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

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**Item Description:**

Discussion regarding the process to evaluate and approve stormwater projects. A good example of this type of project is the S. 52nd & Douglas area stormwater project which is attached. This is an area that has experienced stormwater problems for a long period of time that has impacted the neighborhood.

**Action Requested:**

For information only

- Publication Required

### Budget Impact: (if applicable)

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

[File Attachment] [File Attachment] [File Attachment]
Stone Haven Estates Drainage
May 28, 2014

At the request of the City, Alfred Benesch was requested to review the storm drainage needs in the vicinity of 52nd and Douglas Streets in Kansas City, Kansas and make a recommendation for improvements.

Problem Description:

The property owners on the west side of 52nd Street north of Douglas have reported that excess stormwater from the properties to the west flow overland through their back yards and then through the side yards before entering 52nd Street. As this water collects and flows overland through the yards, it pools against the foundations, floods low openings, deposits debris and sediment, and damages the finished lawns and landscaping. This water then overtops 52nd Street and travels through the yards on the east side of 52nd street where it enters into an open earthen channel which carries the water away to the Northeast.

There is a new development taking place above this location along Lakewood Street, within the upstream tributary area which seems to be making the situation worse and the flooding occurrences more frequent.

A site visit was conducted and an overview was given by City staff in preparation of this report. Also homeowner’s videos of flooding during recent storm events were provided by the City and reviewed.

Recommended Solution:

It is recommend that an enclosed drainage system be extended from an outlet location mentioned in the above description to the west, rear property lines of the new homes being constructed in order to collect the excess drainage before it cascades down the terraced slopes into the properties being affected. This will entail several area inlets, a graded earthen swale and an earthen berm to direct the water to strategic locations for collection into an underground systems for conveyance under and around the problem areas.

The new system recently installed Along Lakewood Street seems to have limited ability to convey flows in excess of the base design flood and it would seem any overflows would overtop yards and flow to the same problem area. Therefore it is recommended that a connection for overflows from this system to the new rout around system is prudent.

A diagram of the recommended system enhancements is attached. Also attached is an opinion of probable cost to undertake this recommend improvement. The opinion of probable project cost is $307,300, which includes Surveying, Engineering Design and project observation and administration.
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**Total Project Cost**                        | $307,280.00 |
Wyandotte County has seen an increase in the applications for parades and marathons by various organizations across the metro area. Staffing such events has created a drain on the limited resources of many UG Departments that have to coordinate these events which vary in size and location. Staff was directed to bring back to the Standing Committee recommendations for addressing this issue. Attached is a copy of the report showing what other metro communities charge for supporting special events and proposed changes to the current Ordinance on Parades. The Police Department will present a power point presentation on several proposed race routes and their associated cost for staffing.

Action Requested:
Approve Ordinance Changes
Approve run routes proposed by the Police Department

Publication Required

Budget Impact: (if applicable)

Amount: $
Source:
☐ Included In Budget
☐ Other (explain)
ARTICLE VI. MARATHONS RUNS

DIVISION 1. GENERALLY

- Sec. 32-289. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- Advertise means the act of publicly announcing or calling public attention to a person, thing, place or event and shall include, but not be limited to, the distribution of handbills, mass mailings, the use of outdoor advertising and announcements by radio, television or newspaper.

- Chief of police means the chief of police or his designee.

- Marathon Run means any race, marathon, bikeathon, walkathon, or jogging group proceeding along a public street, sidewalk, other public right-of-way, or any other public place owned by or under the supervision or control of the unified government as determined by the chief of police, and which is sponsored by a private organization.

- Marathon Run permit or permit means a permit as required by this article.

- Traffic engineer means the traffic engineer or his designee.

- Sec. 32-290. Penalty.

Any person violating sections 32-293 or 32-329 shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than $500.00, by imprisonment in the jail for a period not to exceed six months, or by both such fine and imprisonment.

- Sec. 32-291. Exemptions.

This article does not apply to:

1. Funeral processions or parades.
2. Activities of a governmental agency acting within the scope of its governmental authority.
3. Any bona fide athletic event or contest or educational activity that is scheduled or sponsored by the parks and recreation division.
Sec. 32-292. - Security.

For the purpose of preserving and maintaining order, there shall be on the marathon run route at all times during the hours of operation of such marathon run such numbers of sworn law enforcement officers of the police department, the sheriff's department, properly licensed security guards or other monitors as required by the chief of police. Such law enforcement officers, security guards or monitors shall be selected and paid at an agreed upon hourly rate by the operators or sponsors of the marathon and shall be approved by the chief of police.

Sec. 32-293. - Public conduct during marathons.

(a) Interference. No person shall unreasonably hamper, obstruct, impede, or interfere with any duly licensed marathon run or with any person participating or used in such run marathon.

(b) Driving through marathons runs. No driver of any vehicle, unless specifically permitted by an officer of the city police department, shall drive between the persons comprising a duly permitted marathon run when such persons are in motion and are conspicuously designated as marathon run participants.

Sec. 32-294. - Hours of conduct; removal of signs.

No marathon run shall commence earlier than 5:00 a.m. or continue beyond the hour of 10:00 p.m. of the same day. All directional or informational signs posted or erected by the sponsoring group, its agents or designees in connection with such marathon run shall be removed within 24 hours of the termination of the marathon run.

Secs. 32-295—32-321. - Reserved.

DIVISION 2. - PERMIT

Sec. 32-322. - Required.

No person shall advertise, engage in, participate in, aid, form, sponsor or start any marathon run unless a permit to conduct the same shall first have been obtained from the chief of police.

Sec. 32-323. - Application.

(a) Any person seeking the issuance of a marathon run permit shall file an application with the chief of police on forms provided by the chief of police not more than 180 days before and not less than 45 30 days before the date and time at which it is proposed to commence the marathon run, provided, however, that for good cause shown the chief of police may waive the minimum 150-day filing period and may accept an application filed within a shorter period if, after due consideration of the date, time, place, and nature of the marathon run, the anticipated number of participants, and the amount of unified government services which will be required in connection therewith, the chief of police determines that such waiver will not
present a hazard to the public safety because of the reduced amount of time available to fully process the application. The application shall be signed by the applicant under oath.

(b) The application for a permit shall contain the following information, and such other information as may reasonably be required:

1. The name, place of residence, mailing address and telephone number of the person seeking to conduct the marathonrun;

2. If the marathonrun is proposed to be conducted for, on behalf of, or by an organization, the name, address and telephone number of the headquarters of the organization and of the authorized and responsible heads of such organization;

3. If the marathonrun is proposed to be conducted for or on behalf of an organization which is authorized under the laws of any other state or is headquartered in another state, or if the sponsor or chairperson of the marathonrun is not a resident of this state, the name, address and telephone number of a person designated as resident agent within the unified government to receive service of process and legal summons and notices to appear on behalf of the organization, sponsor or person;

4. The name, place of residence, mailing address, and telephone number of the individual who will be the marathonrun chairperson and who will be responsible for the conduct of the marathonrun;

5. The date the marathonrun is to be conducted;

6. Nature of the marathonrun including the type or types of activities that will occur during its conduct;

7. The hours such marathonrun will start and terminate;

8. A description of any and all recording equipment, sound amplification equipment, banners, signs, or other attention-getting devices that will be utilized in connection with the marathonrun;

9. The approximate number of participants, not including spectators, in the marathonrun;

10. The estimated number of spectators who will be present at or near the marathonrun;

11. If the marathonrun is designed to be held by, on behalf of, or for any person other than the applicant, the applicant for such permit shall file with the chief of police a communication in writing from the person proposing to hold the marathonrun authorizing the applicant to apply for the permit;

12. The purpose of the marathonrun, if there is an avowed purpose;

13. The exact location of the marathonrun, the time at which participants will begin to arrive at the marshaling area or areas, the time at which the marathonrun will begin and the route to be traveled, including the starting point and the termination point;

14. A designation of any public facilities or equipment proposed to be utilized; and

15. Such other information as the police chief may deem necessary in order to provide for traffic control, street and property maintenance.
A statement that the applicant agrees to reimburse the city for all expenses required to hire or to bring in an off-duty police officer or public works personnel to properly control the activity.

- Sec. 32-324. - Standards for issuance or denial.

(a) After review of the application and other information as may otherwise be obtained, the chief of police shall have the power to issue or deny a permit.

(b) The chief of police shall issue a permit when it appears that:

1. The conduct of the marathon run will not interrupt substantially the safe and orderly movement of other pedestrian or vehicular traffic in or contiguous to the route or location of the marathon run;
2. The conduct of the marathon run will not require the diversion of so great a number of police officers of the unified government to properly police the marathon run area and the contiguous areas as to prevent normal police protection from being furnished to other parts of the city;
3. The concentration of persons at the marathon run will not interfere unduly with proper fire and police protection of or ambulance service to areas contiguous to the marathon run area or other areas of the city;
4. The conduct of the marathon run is not reasonably likely to cause injury to persons or property or to provoke disorderly conduct as prohibited in section 22-115 or interfere with the preservation of the peace, health, safety or welfare of the public;
5. Adequate sanitation and other required health facilities as approved by the public health department are or will be made available by the applicant in or adjacent to the marathon run area;
6. The conduct of the marathon run will not result in noise at a level inappropriate for the areas surrounding the marathon run;
7. The building, structure, equipment, or location of such marathon run complies with and meets all of the health, zoning, fire, and safety requirements or standards of all of the ordinances of the unified government;
8. Proof of insurance required by this article as a prerequisite to the holding of a marathon run has been filed with the unified government;
9. The conduct of the marathon run will not be contrary to law;
10. The applicant has not had a similar marathon run permit denied for good cause within one year prior to the application unless the applicant can show material change in circumstances since such denial;
11. The applicant agrees to abide by or comply with all conditions and regulations attendant upon such marathon run permit;
12. Such marathon run will not interfere or conflict with another marathon run for which a permit has already been issued or will not interfere or conflict with another marathon run for which no permit is required by this division;
13. The applicant has not materially misrepresented any facts or information set forth in the application; and
The applicant has furnished proof that permits or permission have been obtained from the appropriate authorities if the marathonrun or disbanding locations or the marathonrun route encroach upon, occupy or traverse any area within the jurisdiction of the federal, state or local government.

(c) If the chief of police shall find that the marathonrun is to be held for any unlawful purpose or will not meet the standards described in subsection (b) of this section or will breach the peace or unnecessarily interfere with the public use of the streets and sidewalks, the chief shall deny such permit.

- **Sec. 32-325. - Indemnification and insurance.**

  (a) The applicant for a permit shall agree to indemnify and hold harmless the unified government, its servants, agents and employees, for any and all claims caused by or arising out of the activities permitted. Further, prior to the issuance of a permit, the applicant shall be required to furnish a certificate of public liability insurance and property damage insurance, including products liability coverage written by an insurance company acceptable to the unified government in the minimum amount of $500,000.00 naming the unified government, its agents, employees and representatives as additional insureds.

  (b) The chief of police may waive the requirement for insurance set out in subsection (a) of this section when the following occur:

  (1) The sponsor, promoter or organizer of the marathonrun, walkathon, bikeathon, or other organized similar event secures waivers and releases of liability to the unified government, its employees, servants and agents on forms approved by the legal department five days prior to the scheduled event; and

  (2) When the event does not necessitate the barricading, patrolling or supervision of any streets or intersections or when participants in the event will obey all traffic control devices while using the public right-of-way or when the event is to be contained entirely within a city park and does not involve the use of public streets or rights-of-way.

- **Sec. 32-326. - Notice of denial.**

  The chief of police shall act upon the application for a permit within seven calendar days after its filing. If the chief of police denies the permit, the chief shall notify the applicant in writing either by personal delivery or certified mail within such time period stating the reasons for the denial.

- **Sec. 32-327. - Alternate permit.**

  The chief of police in denying an application for a permit may authorize the conduct of the marathonrun on a date, at a time, over a route or in a location different from that named by the applicant. An applicant desiring to accept an alternate permit shall, within five days after notice of the action of the chief of police, file a written notice of acceptance with the chief of police. An alternate permit shall conform to the requirements of and shall have the effect of a permit.
• Sec. 32-328. - Conditions contained in permit; closing of streets.

Any permit may contain conditions reasonably calculated to reduce or minimize dangers and hazards to vehicular or pedestrian traffic and the public health, safety and welfare, including, but not limited to, changes in time, location, duration or number of participants. For the purposes of public safety and welfare, the traffic engineer may, if necessary, or order the temporary closing of streets or temporarily prohibit parking during the marathon and shall with the advice of the chief of police direct the posting of proper warning signs. It shall be unlawful for any person to park or leave unattended any vehicle in violation of posted signs.

• Sec. 32-329. - Duties of permittee.

(a) A permittee shall comply with all permit directions and conditions and with all applicable laws and ordinances.
(b) The chairperson or other person heading or leading such marathon shall carry the permit during the conduct of the marathon and shall display the permit upon request by proper officers, agents or employees of the unified government.
(c) The chairperson or other person shall monitor the marathon and be available at all times during the marathon for the chief of police.
(d) It shall be unlawful for any person in charge of or responsible for the conduct of a duly licensed marathon knowingly to fail to comply with any condition of the permit.

• Sec. 32-330. - Revocation.

The chief of police shall have the authority to revoke a permit instantly upon violation of any one or more of the conditions or standards for issuance as set forth in section 32-324(b).

• Sec. 32-331. - Appeal from denial or revocation.

(a) Any person aggrieved by the denial or revocation of a permit shall have the right to appeal to the county administrator. The appeal shall be taken within ten days after the notice of denial or revocation and shall be filed in writing with the unified government clerk.
(b) Within 30 days after filing of the appeal, the county administrator shall consider the appeal. Written notice of the time and place the county administrator will consider the appeal shall be mailed to the person who filed the appeal at least ten days before the date set for hearing unless the aggrieved person shall waive notice in writing.
(c) In any appeal, the county administrator shall consider the application, the record of the case submitted by the chief of police and other pertinent information presented. The standard for review of such an appeal shall be whether the denial or revocation was arbitrary and capricious and without reasonable supporting evidence. The decision of the county administrator shall be final.
(d) The county administrator shall within three days after the decision notify the aggrieved person in writing of the decision.

- Secs. 32-332—32-350. - Reserved.
Gordon, I have gathered various Special Event Permits for your review. Copies are attached and a brief summary is located in the table below. If you need further analysis, please let me know.

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| Lawrence      | City Hall                  | 60-Days Prior | Insurance, Property Owner, Notification, Map & Diagram | Bus Re-Routes, Meter Bags, Signs | Commission Approval, Building, Police, Public Works, Fire, Recreation, Transit | Pay estimated costs to all departments involved. |

| Lenexa        | Community Development      | 30-40 Days Prior | Insurance, Property Owner, Notification, Map & Diagram | None | Police Approval | None-paid. |

| Olathe        | City Clerk                 | 30-Days Prior   | Insurance, Property Owner, Notification, Descriptions, Certificates | None | City Manager, Police, Fire, Code Enforcement | Pay estimated cost of city services. |

| Prairie Village | Police Department        | 2-Weeks Prior   | Incident, Event, Signs & Structures, Map & Diagram | None | Chief, Enforcement | None-paid. |

<p>| Tonganoxie    | City Hall                  | 20-Days Prior   | Insurance, Property Owner, Notification, Clean-Up | Police Escort, Security, Traffic, Control, First Aid, Barricades | Police, Street, Engineer, Parks &amp; Rec | None-paid. |</p>
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<td>Equipment</td>
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<tr>
<td>Wichita</td>
<td>Division of Arts &amp; Cultural Services</td>
<td>15 Days Prior</td>
<td>Insurance, Site Plan, Security Plan</td>
<td>Not Stated</td>
</tr>
</tbody>
</table>

Thanks,

Rico B Aguayo
County Administrator’s Office | Intern | ☏️ (913) 573 - 5017