I. Call to Order / Roll Call

II. Approval of standing committee minutes from November 13, 2012.

III. Committee Agenda

Item No. 1 - REPORT: EDWARDSVILLE SEWER SERVICES

Synopsis:
Report by Bob Roddy, Public Works Director, regarding the status of the interlocal agreement with Edwardsville regarding sewer services. The purpose of the report is to share information and get input and direction from the standing committee.

No official action required.
Tracking #: 120296
Item No. 2 - 3 RESOLUTIONS: AUTHORIZING CERTAIN CMIPs

Synopsis:
Requesting approval of the following resolutions, submitted by Debbie Jonscher, Finance. The projects are consistent with the CMIP.

- 2012 Emergency Bridge Repair Annual Program, CMIP 942-0112
- 2012 Concrete Street Repair Annual Program, CMIP 941-0312
- 2012 Guardrail Replacement Annual Program, CMIP 941-0512

*It is requested that this item be fast tracked to the December 20, 2012 full commission meeting.*
Tracking #: 120338

Item No. 3 - REPORT: JOHN GARLAND PARK

Synopsis:
Report by Mike Tobin, Public Works, regarding the John Garland Park reuse plan.

*For information only.*
Tracking #: 120339

IV. Goals and Objectives

Item No. 1 - GOALS AND OBJECTIVES

Synopsis:
Presentation of a draft tracking tool to help commissioners and staff track the status of various goals and objectives identified as a result of last year's strategic planning initiative, submitted by Gary Ortiz, Assistant County Administrator.
Tracking #: 120316
V. Public Agenda

Item No. 1 - APPEARANCE: SHANNON CLARKE RE. EMERGENCY VEHICLE STATUS

Synopsis:
Shannon Clark, Constable Patrol, LLC, requesting his business be granted emergency vehicle status.
Tracking #: 120345

Item No. 2 - APPEARANCE: TRESA MCALHANEY RE. OPEN CARRY BAN

Synopsis:
Appearance of Tresa McAlhaney to speak on behalf of the Libertarian Party on the matter of the open carry ban and its interests compromising one's request for a home-based gun sales business.
Tracking #: 120344

VI. Adjourn
The meeting of the Public Works and Safety Standing Committee was held on Tuesday, November 13, 2012, at 5:00 p.m., in the 6th Floor Human Resources Training Room of the Municipal Office Building. The following members were present: Commissioner Mendez, Chairman; Commissioners Ellison, McKiernan for Commissioner Cooley, Murguia, and BPU Board Member Jeff Bryant for Colombel. Commissioners Cooley and Markley, and BPU Board Member Colombel were absent.

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

Approval of standing committee minutes for October 15, 2012. On motion of Commissioner Ellison, seconded by Commissioner Murguia, the minutes were approved. Motion carried unanimously.

Committee Agenda:

Item No. 1 – 120295… Communication requesting approval of the review and recommendations of the Solid Waste Planning Committee, submitted by Mike Tobin, Public Works. The Kansas Department of Health and Environment (KDHE) requires that the Solid Waste Plan be reviewed on an annual basis by the committee and approved by the Board of County Commissioners.

Mike Tobin, Deputy Public Works Director, stated we have to have approval for KDHE once a year so this does have to go to the full Commission.

Jody Boeding, Chief Counsel, stated so this committee recommends whether it should be approved or not so I think you should vote.
Action: **Commissioner Ellison made a motion, seconded by Commissioner Murguia, to approve.** Roll call was taken and there were five “Ayes,” Bryant, Ellison, McKiernan, Murguia, Mendez.

Goals & Objectives

Item No. 1 – 120155… The Unified Government Commission conducted a strategic planning process resulting in specific goals and objectives adopted by the commission on May 17, 2012. Commission has directed that the goals and objectives appear monthly on respective standing committee agendas to assure follow-up and action toward implementation.

a. Infrastructure. Improve and finance infrastructure to comply with federal regulations, encourage private investment, and build community.

b. Environment. Ensure natural resources are protected to the maximum extent possible; opportunities for additional natural areas are pursued; and the park system is enhanced.

c. Public Safety. Provide the public's safety through best practices with results in lower crime rate, safer dwellings and businesses, and efficient court services.

d. Multimodal Transportation. Create a transportation system that moves people to where they want to go including work, services, and amenities.

e. Graffiti

**Commissioner Murguia** stated in regards to the infrastructure there are goals and objectives but I believe under that is also public safety and we have a graffiti issue. We have officers here tonight and our attorney, Delia York. Commissioner Markley and I have been working on some updates to the graffiti ordinance that already exists. There are no major changes. It’s just some changes that are getting to empower some of our officers to do a better job at enforcing our existing graffiti ordinance.

November 13, 2012
**Delia York, Deputy Chief Counsel**, stated here are four brief ways that we can modify the ordinance to probably empower some stricter enforcement. The first amendment would include requiring retailers to lock down spray paint or alternatively to keep the spray paint within their site distance so in one way it prevents thief and in another way it allows them to monitor the juveniles that might be coming to look at the spray paint. Obviously, they have to present photo ID before they can purchase it.

The second thing would be a strict prohibition on possession of graffiti implements. The ordinance already makes it unlawful to be in possession of graffiti implements which includes a number of things, spray paints, thick markers, anything that you could actually print graffiti with. For juveniles during the nighttime hours, which is 9:00 P.M. to 6:00 A.M. in the morning we would like to be able to remove the hourly probation to include anytime of the day. We believe that we have a rational basis for that. Graffiti does create a number of other problems in our community.

We would like to see some of the fines for those offenders of possession of the implements increased. Currently, it is $100, we would like to see the fines increased to $250 for first offense and then $500 for subsequent offenses.

One more thing that we would like to see in the ordinance is increase of the reward for anyone who can provide information that leads not only to the arrest but the conviction of an offender. It is currently $100, ultimately we are recommending $250 for that reward.

There was some informational and policy discussion items. I don’t know if you would like for me to talk about those.

**Commissioner Murguia** stated so we don’t create confusion, why don’t if Commissioners currently have any questions about those recommendations let them comment about those. I will tell you that Delia and I and Commissioner Markley and several officers, not just Captain Webb, but several officers, Community Police officers from all over the city, met and talked about this on several different occasions. We also involved Municipal Court Judges as well as the District Court Administrative Judge Wayne Lampson and asked for their input and we all collectively agreed that these would be positive changes that would enable our police officers to do a better job.

**November 13, 2012**
BPU Board Member Bryant stated on the second part where it was take away the curfew and making it a 24 hour for possession, one of the things you talked about was markers, would that affect school kids carrying markers? Ms. York stated there are exceptions written in here. If you are with a guardian, school administrator, teacher, or you are performing some function legitimate, you wouldn’t be cited. BPU Board Member Bryant stated what if they were just walking home from school. I just want to make sure, if we leave it to where it’s not so open ended.

Commissioner Murguia stated one of the things that we talked about in a meeting, and we had this same discussion, is that at some point, we have to give our officers some professional discretion to make good choices. We talked about specifically, if you pull over a kid at 2:00 in the afternoon and it said “Go Ward High School” on a banner in the back of the car and spray paint that’s the school colors and their alone, you clearly know they’re not up to shanigans, that they are doing something school related most of the time. The officers are going to use their professional judgment. It’s a lot different if you have four guys in hoodies with spray paint the color of gang colors at 2:00 in the morning whose fingertips have spray paint on them. At some point, in order to be really effective as officers, there has to be a level of professional discretion. The judges seem fine with that. We talked about that at length. It was a good question.

Captain Victor Webb, Police Department, stated we have to use discretion. Whether or not a school is in close proximity or there was just a school function of some type or another or whether it’s an afterschool meeting, PTA or something of that nature, officers have to take that extra step to validate the kids story before he’s cited or taken into custody. We expect and we will request that officer makes sure those things are in place before they make that kind of decision.

Commissioner McKiernan stated I’m fine with all of it. I was telling Ann the other day I carry three things of white killz in my trunk so I can spray over graffiti that shows up on my garage door in the alley. What I heard was, correct if I’m wrong, trying to make it a litter harder to get the markers, paint, whatever, trying to make it a little easier to take it away from the kids, increasing the reward for turning somebody in. What I haven’t heard about is, what changes in

November 13, 2012
terms of processing prosecution, follow-up on people who are actually caught in the act, turned in.

Ms. York stated we did have a number of conversations with the District Attorney’s Office and, so that we are all clear, juveniles are prosecuted through the District Court by the District Attorney’s Office. We had discussions about how it would be very helpful to them to have officers do very detailed investigative reports on exactly what the kids have said when they were stopped, what witnesses may have said, what parents may have said. It’s going to require a little more work on the part of the Police Department. It might even include brandizing, it’s not typically the way they handle arrests. The reason I say that is because there is an investigator that comes into play after an arrest is made and he would sit down and take a more formal statement from an individual who is going to be charged of the crime. It isn’t necessarily so with juveniles. Juveniles are not necessarily going to be charged with crimes that rise to the level of an investigator being assigned. My point being, Patrol Division is going to have to be on point by making sure that their investigative report gives all the information necessary from the District Attorney’s to move forward with charges, not only for those that are caught in the act, but for those that are caught with graffiti implements.

Captain Webb stated I think through an element of gang related graffiti, we made the distinction of whether or not it was gang related and/or the person we caught was a gang member and taking that as part of our investigation to the judge and asking for a stiffer penalty be added to that type of graffiti.

Commissioner McKiernan stated I like all these, they’re good, but what I worry is that without stiffer penalties it’s an annoyance rather than a deterrent.

Commissioner Murguia stated Delia, correct me if I’m wrong, I think I’ve got this down now. We had a huge discussion about your comment. When we got together with officers we said what tricks do you need in your bag to go out and get these guys and make it happen. I won’t get into all those discussions. They are very candid and very open. There was a lot of frustration I sensed on the part of the officers part because they go out, they do their job, they get a guy and then from their perspective, just to give you sort of a gross example, they get let go. What we

November 13, 2012
discovered is that the District Attorney was not citing juveniles for violation of city ordinances. The only thing that would cite them with were state violations, state laws. There is no law on the state level that says you can’t possess graffiti paraphernalia if you are under 18. A large portion of the kids they were catching in the act were not being prosecuted because the most difficult part of a cop is to catch Ann Murguia, spray can in hand, spraying on the wall, in the act, at that moment. They’re great at catching them with their fingers dirty, with the cans in the car after the fact or before the fact. Having this new ordinance, and what we discovered through our conversations with the judges, Delia, and the District Attorney is that absolutely the District Attorney can prosecute for city ordinances. We have two problems. The cops were not writing them up as a violation of the city ordinance because it was, in their mind, truly a waste of time and should have been. When we asked the District Attorney Gorman why he wasn’t charging them with a city ordinance he said simply because we are more familiar with the state ordinance and frankly we weren’t clear that there was that much difference between the city and state ordinance. There was a lot of miscommunication. Now it’s cleared up, we’ve freshened up the charges so hopefully that’s better understanding. It’s just misunderstanding is why it wasn’t happening. I think it will remotivate the officers to be more proactive also. Tonight, I think, we do need the standing committee’s action on these four, we do need them to approve the increase in the fine, we do need to take to the full commission that motion. The other thing I think we just need to rundown as an FYI for these Commissioners so they know so in order to not create confusion can we make a motion to adopt these four that Delia just went over? Ms. Boeding stated yes.

**Action:** Commissioner Murguia, made a motion, seconded by Commissioner Ellison, to approve the four modifications to the existing ordinance.

Commissioner McKiernan stated where do they go? Commissioner Murguia stated to full Commission. Commissioner McKiernan stated there is an existing ordinance these would modify.

November 13, 2012
Commissioner Mendez stated your motion will modify existing law. Commissioner Murguia stated exactly. Commissioner McKiernan stated this comes as a summary and not as an action. Ms. York stated correct. We do have an ordinance. Commissioner Markley has already worked on it and then I will further work on it before the full commission.

Roll call was taken and there were five “Ayes,” Bryant, Ellison, McKiernan, Murguia, Mendez.

Commissioner Murguia stated the second piece of this is just information only. Brian we already talked a little about that so I’ll try to go through it quickly. Obviously, we just explained to you that the District Attorney is now going to prosecute for city ordinances for juveniles. They have the legal right to do that.

One of the things that you all might be interested in from an Economic Development perspective. When our current retailers are not abiding by like appropriate signage and locking up the graffiti products, when they come back in from us for redevelopment or whatever it is, they go through planning and zoning, that planning and zoning is making sure that they’re running this project or this retail store through policing so that we know if we have a history of violations with them. The biggest violators of this graffiti ordinance in our city right now are Family Dollar and Dollar General. As you know Dollar General has plans to open 300 new stores in the metropolitan area alone and so there is going to be a lot of new applications coming in. We need to make sure before we approve additional stores that they are abiding by our regulations. I am going to work with Captain Webb on that and with UG Planning and Zoning, Rob Richardson. That doesn’t take approval, that’s just a process issue. Officer Vallejo, Community Policing, is going to distribute some fliers and some posters that they are going to have made to make the community aware of the ordinance, that there is a reward for turning someone in and that you will get paid if they are convicted of that offense and just a general outline of what is a crime so people become more aware of that.

Also, when the offender is convicted we need to create more opportunities for the offender to meet their community service requirement. Right now, I don’t think you know, we have kind of a little bit of a mess with community service hours. We are trying to clear that up. Captain Webb and I think we have a suggestion that might work where we can get this graffiti painted over faster and where we can use free labor to do it in the way of misdemeanor offenders. November 13, 2012
We will work on those details and will obviously bring it back in front of you if anything comes of it so that you are aware.

**Commissioner McKiernan** stated faster than Operation Brightside? **Commissioner Murguia** stated absolutely and free where it won’t cost us anything. **Commissioner McKiernan** stated you stated there are problems with community service, is that global problems or just in terms of graffiti? **Commissioner Murguia** stated global. Community service hours, we award a lot of those in Wyandotte County in lieu of fines because people don’t have any money. We are just not getting the most out of those community service hours that we could. When you speak in terms of a commissioned budget and not having a lot of money, there is a lot of things that Captain Webb and I believe from a Community Policing perspective that we could use misdemeanor offenders to help us with some of our expenses.

**Commissioner Murguia** stated the other kind of cool thing we didn’t know that we could do, if you live in a neighborhood or represent a district that has graffiti, what I’m sure you notice, Brian, particularly on your personal garage, if you leave it typically a rival gang or a rival group of kids will come back and paint over the top of it saying something back in whatever gang language they speak. One of the things that we may have created as a strategy for the Police Department is they may be able to go out and put gang graffiti in a spot, post cameras and wait for the kids to come back and tag. We were very worried about entrapment and that being an issue but we ran it by all the judges, Delia did an amazing job looking up statute and legal liability and there is none so we’re going now not just wait to react. The cops aren’t just going to sit back and wait for some kid to go out and commit the offense, they are actually being proactive in stepping out and capturing them. It will be interesting strategy. The police can opt to use that strategy or not but it is another trick for them to use to be able to keep bad things from happening in our community. The cops did a great job and so did our judges and our District Attorney and Delia did a great job.

**Chairman Mendez** stated I want to thank the fine officers of our community for assisting with this effort. With intensified efforts from you and seeing those blue shirts out there and helping enforce these laws makes it a lot easier and helps improve and clean up our community. Thank you so much.

*November 13, 2012*
Adjourn

Chairman Mendez adjourned the meeting at 5:25 p.m.

tk
Type: Standard

Committee: Public Works and Safety Committee

Date of Standing Committee Action: 11/13/2012
(If none, please explain):

Proposed for the following Full Commission Meeting Date: 12/20/2012
Confirmed Date: 12/20/2012

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

<table>
<thead>
<tr>
<th>Date</th>
<th>Contact Name</th>
<th>Contact Phone</th>
<th>Contact Email</th>
<th>Ref</th>
<th>Department / Division</th>
</tr>
</thead>
<tbody>
<tr>
<td>11/7/2012</td>
<td>Bob Roddy</td>
<td>573-5400</td>
<td><a href="mailto:broddy@wycokck.org">broddy@wycokck.org</a></td>
<td></td>
<td>Public Works</td>
</tr>
</tbody>
</table>

Item Description:
The Public Works staff is making a report to the Standing Committee regarding the status of inter local agreement between Kansas City, Kansas and Edwardsville regarding sewer services.

Action Requested:
Submitted for approval by the Commission.

Publication Required

Budget Impact: (if applicable)

Amount: $
Source:
- Included In Budget
- Other (explain)  Policy decision. WPC should be compensated for its direct and indirect expenditures.

File Attachment
Edwardsville Interlocal Agreement

For Wastewater Treatment

History

In 1981, the City of Kansas City, Kansas (KCK) and Edwardsville signed an interlocal agreement which provides for KCK to treat wastewater from Edwardsville. In addition, the agreement stipulates details on both parties regarding the specifics. In general Edwardsville is responsible for its collection system and KCK treats the water. The Edwardsville sewer customers are billed through Board of Public Utilities (BPU) as any other sewer customer, and the revenue goes to Water Pollution Control (WPC). In addition the City of Edwardsville bill the customer about $7.00/month for administration and capital sewer debt payment. The capital debt that Edwardsville collects pays for sewer extensions in the Edwardsville area. The 30 year agreement expired in November of 2011. Since then both parties have extended the agreement by mutual consents.

Current Issues

A) Edwardsville has requested a second sewer connection near I-70 and I-435. The purpose of this connection would be to provide sewer service to about 100+ acres near 110th & I-70. The expansion would be paid and maintained by Edwardsville. The KCK sewer that they would connect to has adequate capacity. Both staff’s having reviewed the proposal and recommends that the 2nd connection be permitted. According to the Legal Dept. this is permissible under the current agreement.

B) Interlocal Agreement Renewal Negotiations

i. Edwardsville has requested that the new interlocal agreement be restructured. Currently, Edwardsville customers pay the same rate as KCK residents. However, Edwardsville is responsible for its own collection system maintenance and capital expansion. The impact of Edwardsville proposal would change the agreement as follows:
   ▪ KCK WPC would be compensated for treatment services only. These likely results in less revenue, but also fewer duties for KCK WPC. The amount would depend on negotiations and perhaps require a cost of service study.
   ▪ Edwardsville City Council will set customer charge and customers would receive one bill instead of two. The sewer bill would come from Edwardsville and not BPU.
   ▪ Edwardsville would be responsible for the customer billing instead of BPU for wastewater service.
   ▪ Depending on final agreement, more duties would transfer to Edwardsville to manage their collection system including: pretreatment of their industries, operation of the main pump station, and emergency collection repairs.

ii. In the past, KCK has offered to assume operation responsibility of the collection system. However, that proposal would be based on these assumptions;
   ▪ Previous and future capital investment would remain Edwardsville responsibility.
   ▪ WPC would be responsible for future operation and management of Edwardsville collection system. This change would make both KCK & Edwardsville the same as whom and how operation and management is provided.
   ▪ Before WPC assumed responsibility, there would be system review and Edwardsville would be responsible for major defect prior to WPC acceptance.
   ▪ Edwardsville generally has not supported this approach, because there would still be two bills to the sewer customer and capital expenses still fall to Edwardsville taxpayers versus the system as whole.
**Staff Request for Commission Action**

**Tracking No. 120338**

[☐] Revised  [☐] On Going

**Type:** Standard

**Committee:** Public Works and Safety Committee

**Date of Standing Committee Action:** 12/17/2012

(If none, please explain):

**Proposed for the following Full Commission Meeting Date:**

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

12/20/2012

<table>
<thead>
<tr>
<th>Date</th>
<th>Contact Name</th>
<th>Contact Phone</th>
<th>Contact Email</th>
<th>Ref</th>
<th>Department / Division</th>
</tr>
</thead>
<tbody>
<tr>
<td>12/10/2012</td>
<td>Debbie Jonscher</td>
<td>5247</td>
<td><a href="mailto:mschrick@wycokck.org">mschrick@wycokck.org</a></td>
<td></td>
<td>Finance</td>
</tr>
</tbody>
</table>

**Item Description:**

A resolution authorizing certain bridge improvements and providing or the manner of paying for the same in an amount not to exceed $250,000.00: 2012 Emergency Bridge Repair Annual Program (CMIP 942-0112).

A resolution authorizing certain improvements to the bridges, viaducts, streets, sidewalks, or pedestrian ways, and providing for the manner of paying for the same in an amount not to exceed $150,000.00: 2012 Concrete Street Repair Annual Program (CMIP 941-0312).

A resolution authorizing certain improvements to existing street guardrails and providing for the manner of paying for the same in an amount not to exceed $100,000: 2012 Guardrail Replacement Annual Program (CMIP 941-0512).

**Action Requested:**

Please adopt resolutions.

Please fast track this to the 12/20/12 Full Commission meeting.

[☐] Publication Required

**Budget Impact:** (if applicable)

- **Amount:** $
- **Source:**
  - [☑] Included In Budget  Consistent with the CMIP.
  - [☐] Other (explain)

[File Attachment]
RESOLUTION NO. ____________

A RESOLUTION AUTHORIZING CERTAIN BRIDGE IMPROVEMENTS AND PROVIDING FOR THE MANNER OF PAYING FOR THE SAME.

WHEREAS, Article 12, Section 5 of the Constitution of the State of Kansas and Charter Ordinance No. CO-03-09 of the Unified Government of Wyandotte County/Kansas City Kansas (the “Unified Government”) authorizes the governing body of the Unified Government to make a variety of improvements as further described in CO-03-09 and to issue its general obligation bonds and/or temporary notes for the same; and

WHEREAS, on November 17, 2011, the Unified Government adopted Resolution No. R-73-11 (the “Reimbursement Resolution”) resolving that the Unified Government expected to make capital expenditures in connection with the 2012 Emergency Bridge Repair Annual Program (CMIP #0112), and intended to reimburse itself for such expenditures with the proceeds of bonds, notes, or a lease purchase agreement; and

WHEREAS, the Unified Government has determined that it is necessary to make certain bridge improvements to as more fully described herein.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, AS FOLLOWS:

Section 1. Pursuant to the above and in accordance with the Reimbursement Resolution, the Unified Government hereby finds and determines that it is necessary to make the following improvements (the “Improvements”):

Repair abutments and protect against scour for the existing Bridge #79 on 99th South of Hutton Road, including grading, excavation, concrete patch work and placement of rip-rap stabilization

Repair existing floor by removing existing deteriorated concrete decking, cleaning corroded reinforcing steel, replace reinforcing steel as needed then pouring and finishing a new concrete deck surface, as well as grouting existing cracks in the top, bottom and walls, for Bridge #162, located at 8690 State Avenue.

Repair existing headwalls for Bridge #208 at 6050 Metropolitan Avenue, including grouting of cracks in the top, bottom and walls, new concrete headwall construction, and placement of rip-rap stabilization at the upstream and downstream ends.

Removal of debris and cleaning of waterway opening for the Central Avenue bridge over the Kansas River

Section 2. For the purpose of providing funds for the Improvements, all as approved by the governing body, the Unified Government hereby authorizes the issuance of its general obligation bonds pursuant to Article 12, Section 5(a) of the Constitution of the State of Kansas and Charter Ordinance No. CO-03-09, in an amount not in excess of $250,000, plus capitalized interest and costs of issuance. Temporary Notes of the Unified Government are hereby authorized to be issued from time to time by
resolution in an amount not to exceed the amount of general obligation bonds herein authorized.

Section 3. The Unified Government expects to make capital expenditures in connection with the Improvements and intends to reimburse itself for such expenditures with the proceeds of general obligation bonds and/or temporary notes in an amount not to exceed $250,000, plus capitalized interest and costs of issuance. Any general obligation bonds and/or temporary notes issued under the authority of this Resolution may be used to reimburse expenditures made on or after the date that is 60 days before the date of adoption of the Reimbursement Resolution pursuant to U.S. Treasury Regulation §1.150-2.

Section 4. This Resolution shall take effect and be in full force from and after its passage and approval by the governing body of the Unified Government.

PASSED by the Governing Body on ___ day of ______________________, 20___ and APPROVED by the Mayor.

(SEAL)

_________________________________
Mayor/CEO

ATTEST:

_________________________________
Unified Government Clerk
RESOLUTION NO.

A RESOLUTION AUTHORIZING CERTAIN IMPROVEMENTS TO THE BRIDGES, VIADUCTS, STREETS, SIDEWALKS, OR PEDESTRIAN WAYS, AND PROVIDING FOR THE MANNER OF PAYING FOR THE SAME.

WHEREAS, Article 12, Section 5 of the Constitution of the State of Kansas and Charter Ordinance No. CO-03-09 of the Unified Government of Wyandotte County/Kansas City Kansas (the "Unified Government") authorizes the governing body of the Unified Government to make a variety of improvements as further described in CO-03-09 and to issue its general obligation bonds and/or temporary notes for the same; and

WHEREAS, on November 17, 2011, the Unified Government adopted Resolution No. R-70-11 (the "Reimbursement Resolution") resolving that the Unified Government expected to make capital expenditures in connection with the 2012 Concrete Street Repair Annual Program (CMIP #0312), and intended to reimburse itself for such expenditures with the proceeds of bonds, notes, or a lease purchase agreement; and

WHEREAS, the Unified Government has determined that it is necessary to make certain improvements to the bridges, viaducts, streets, sidewalks or pedestrian way improvements, as more fully described herein.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, AS FOLLOWS:

Section 1. Pursuant to the above and in accordance with the Reimbursement Resolution, the Unified Government hereby finds and determines that it is necessary to make the following improvements (the "Improvements"):

Additional concrete paving and restoration expenses associated with reconstruction of Parallel Avenue between 9th and 5th Streets, as well as retaining wall modifications and extensions for the same project, including excavation, grading, concrete wall construction and restoration.

Removal and replacement of concrete curb and gutter on College Parkway and State Avenue.

Concrete curb repairs on Kansas Avenue at 55th Street and on Parallel Avenue at the I-635 interchange, including curb removal, new curb and sidewalk, associated grading, street repair and traffic control.

Concrete pavement repairs on the west leg of the State Avenue and 10th Street intersections, on Washington Street at various locations between 5th and 10th Streets, on College Parkway between State Avenue to Parallel, and on Donovan Road between Fairfax Trafficway and the railroad crossing. Such work includes saw cut and removal of curb or distressed pavement sections, subbase repair, replacement with concrete patching material, and new pavement markings, as well as traffic control during construction.
Milling of existing distressed concrete surfaces and resurfacing with asphalt mill and overlay, including utility cover adjustments, pavement marking, traffic control modifications, railroad crossing enhancements, Americans With Disabilities Act compliant street to sidewalk access, as the following locations:

- Haskell Ave, from Hallock Street to 5th Street
- Greeley Ave, from 6th Street to 5th Street
- 6th Street, from Quindaro Blvd to Greeley Ave
- Hallock St, from Greeley Ave to Haskell Ave
- Lawrence Ave, from 22nd Street west to Dead End
- 24th Street, from Lawrence Ave south to Dead End
- 23rd Street, from Barber Ave/Ct south to Dead End
- Barber Ave/Ct, from 23rd Street to 22nd Street

Levee Road and Viaduct Approach, from west of the Central Avenue Bridge over the Kansas River, Lower Deck crossing to 300 feet west of 4th street.

Closure of the existing median openings on Parallel at 100th Terrace (heading to the north) and 99th Street (heading to the south), including removal of existing pavements, construction of concrete curb, concrete or asphalt surface material in median, and associated restoration and traffic control.

Section 2. For the purpose of providing funds for the Improvements, all as approved by the governing body, the Unified Government hereby authorizes the issuance of its general obligation bonds pursuant to Article 12, Section 5(a) of the Constitution of the State of Kansas and Charter Ordinance No. CO-03-09, in an amount not in excess of $150,000, plus capitalized interest and costs of issuance. Temporary Notes of the Unified Government are hereby authorized to be issued from time to time by resolution in an amount not to exceed the amount of general obligation bonds herein authorized.

Section 3. The Unified Government expects to make capital expenditures in connection with the Improvements and intends to reimburse itself for such expenditures with the proceeds of general obligation bonds and/or temporary notes in an amount not to exceed $150,000, plus capitalized interest and costs of issuance. Any general obligation bonds and/or temporary notes issued under the authority of this Resolution may be used to reimburse expenditures made on or after the date that is 60 days before the date of adoption of the Reimbursement Resolution pursuant to U.S. Treasury Regulation §1.150-2.

Section 4. This Resolution shall take effect and be in full force from and after its passage and approval by the governing body of the Unified Government.

PASSED by the Governing Body on ___ day of ________________, 2012 and
APPROVED by the Mayor.

(SEAL)

Mayor/CEO

ATTEST:

Unified Government Clerk
RESOLUTION NO.

A RESOLUTION AUTHORIZING CERTAIN IMPROVEMENTS TO EXISTING STREET GUARDRAILS AND PROVIDING FOR THE MANNER OF PAYING FOR THE SAME.

WHEREAS, Article 12, Section 5 of the Constitution of the State of Kansas and Charter Ordinance No. CO-03-09 of the Unified Government of Wyandotte County/Kansas City Kansas (the "Unified Government") authorizes the governing body of the Unified Government to make a variety of improvements as further described in CO-03-09 and to issue its general obligation bonds and/or temporary notes for the same; and

WHEREAS, on November 17, 2011, the Unified Government adopted Resolution No. R-74-11 (the "Reimbursement Resolution") resolving that the Unified Government expected to make capital expenditures in connection with the 2012 Guardrail Replacement Annual Program (CMIP #0512), and intended to reimburse itself for such expenditures with the proceeds of bonds, notes, or a lease purchase agreement; and

WHEREAS, the Unified Government has determined that it is necessary to make improvements to existing street guardrails as more fully described herein.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, AS FOLLOWS:

Section 1. Pursuant to the above and in accordance with the Reimbursement Resolution, the Unified Government hereby finds and determines that it is necessary to make the following improvements (the "Improvements"):

Replace damaged or deteriorated guardrail and/or end sections with new guardrail and end sections, including posts, guardrail, end section and crash attenuators, associated grading, removals and traffic control, at the following locations:

Parallel Ave. at 55th St., 57th St., and 59th St.
State Ave., I-635 to Turner Diagonal
Parallel Ave., 27th to 82nd
7th St., I-35 to I-70
7th St. over Kansas River Bridge, median nose
Holliday Dr., 65th to Inland Dr., various locations
65th and Oak Grove
49th and Kaw Drive
18th St. Expressway & Steele Rd.
38th St., Minnesota Ave to Orville
7th St. Bridge over Kansas River in center of bridge
Springhorn & Ball Lane
13th & Springhorn
73rd Terr. & Parallel Pkwy
State Ave, West of Village West End
9100 Swartz
86th & Freeman
Section 2. For the purpose of providing funds for the Improvements, all as approved by the governing body, the Unified Government hereby authorizes the issuance of its general obligation bonds pursuant to Article 12, Section 5(a) of the Constitution of the State of Kansas and Charter Ordinance No. CO-03-09, in an amount not in excess of $100,000, plus capitalized interest and costs of issuance. Temporary Notes of the Unified Government are hereby authorized to be issued from time to time by resolution in an amount not to exceed the amount of general obligation bonds herein authorized.

Section 3. The Unified Government expects to make capital expenditures in connection with the Improvements and intends to reimburse itself for such expenditures with the proceeds of general obligation bonds and/or temporary notes in an amount not to exceed $100,000, plus capitalized interest and costs of issuance. Any general obligation bonds and/or temporary notes issued under the authority of this Resolution may be used to reimburse expenditures made on or after the date that is 60 days before the date of adoption of the Reimbursement Resolution pursuant to U.S. Treasury Regulation §1.150-2.

Section 4. This Resolution shall take effect and be in full force from and after its passage and approval by the governing body of the Unified Government.

PASSED by the Governing Body on ___ day of ___________________, 20___ and APPROVED by the Mayor.

(SEAL)

__________________________
Mayor/CEO

ATTEST:

__________________________
Unified Government Clerk
### Staff Request for Commission Action

**Tracking No. 120339**

- Revised
- On Going

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

**Date of Standing Committee Action:** 12/17/2012  
(If none, please explain):

**Proposed for the following Full Commission Meeting Date:** 12/20/2012  
**Confirmed Date:** 12/20/2012

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

<table>
<thead>
<tr>
<th>Date</th>
<th>Contact Name:</th>
<th>Contact Phone:</th>
<th>Contact Email:</th>
<th>Ref:</th>
<th>Department / Division:</th>
</tr>
</thead>
<tbody>
<tr>
<td>12/11/2012</td>
<td>Mike Tobin</td>
<td>573-5747</td>
<td><a href="mailto:mtobin@wycokck.org">mtobin@wycokck.org</a></td>
<td></td>
<td>Public Works</td>
</tr>
</tbody>
</table>

**Item Description:**

As discussed with the Commission during the budget process, the John Garland Park reuse plan is attached to this document. This project is a result of a reuse plan sponsored by the EPA with neighborhood input to regain use of the park. The plan has been approved by the KDHE and is a low impact plan designed to not disturb the surface integrity of the former landfill. The details of the plan are included in the attachment, but basically the plan improves the aesthetics of the park to the point where it will become user friendly.

**Action Requested:**

This report is simply to update the committee on the status of the reuse plan that was discussed during the budget. There is no action required at this time.

- Publication Required

**Budget Impact:** (if applicable)

- Amount: $

  - Source:
    - Included In Budget
    - Other (explain) Information only

---

- File Attachment
  - File Attachment
  - File Attachment
MEMORANDUM

TO: Standing Committee

FROM: Michael P. Tobin, Deputy Director, Public Works Department

DATE: December 10, 2012

SUBJECT: John Garland Park Reuse Plan

John Garland Park has long been the subject of much discussion in the northeast community. The demonstration station landfill was converted to a neighborhood park after it ceased operations in 1974. Due to circumstances beyond anyone’s control, the park had several environmental events that led to it being closed to the public.

However, the monitoring and maintenance required by law have continued to this day. The Unified Government has met or exceeded all the requirements of the KDHE in keeping the surrounding neighborhood safe. There have never been any serious environmental issues with John Garland Park. This continued park maintenance, adjacent residential development and a Brownfield Grant sparked a reuse study by the EPA. The EPA conducted neighborhood hearings that solicited local input. A revised plan developed from the study is attached to this report.

Basically, the plan designates sites for various recreational activities that do not disturb the surface cover of the facility. This allows citizens use while preserving the integrity of the top cover of the fill which meets EPA and KDHE guidelines.

Please note the following listing of programs, costs, and time schedules:

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
<th>Schedule</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fence</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Replacement and repair of existing fence with installation of new gates and safety bollards</td>
<td>$60,000</td>
<td>Started</td>
</tr>
<tr>
<td>Item</td>
<td>Cost</td>
<td>Schedule</td>
</tr>
<tr>
<td>------------------------------</td>
<td>----------</td>
<td>-----------------</td>
</tr>
<tr>
<td>Parking Lot</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Asphalt multi-car lot</td>
<td>$25,000</td>
<td>2013 Summer</td>
</tr>
<tr>
<td>Shelter House</td>
<td></td>
<td></td>
</tr>
<tr>
<td>On-site shelter repairs</td>
<td>$2,000</td>
<td>2012</td>
</tr>
<tr>
<td>Trail-Throughout Park</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Installation of 5' wide aggragate walking path</td>
<td>$20,000</td>
<td>2013 Summer/Fall</td>
</tr>
<tr>
<td>Sport Fields</td>
<td>$10,000</td>
<td>To be determined</td>
</tr>
<tr>
<td>Baseball Field</td>
<td>Estimate</td>
<td></td>
</tr>
<tr>
<td>Soccer Field</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total project cost</strong></td>
<td>$117,000</td>
<td></td>
</tr>
</tbody>
</table>

Additionally, please note that this is a phased schedule which will be funded in both 2012 and 2013 out of the John Garland Park Maintenance Fund. This will allow the construction to stay within budgeted funds. Also, the locations of the areas to be constructed are approximate due to site constraints and final approval from KDHE.

This information is provided to both keep you informed and to solicit comments. So, please address any requests or comments for staff to review.
Godsil, Carol

Subject: RE: Request to Approach

Constable Patrol, LLC.
10940 Parallel Pkwy.
Suite "K" #230
Kansas City, KS 66109

Visit us on our Facebook page!

Request for approval - Emergency Vehicle Status for small business.

Constable Patrol, LLC is a small business based in Wyandotte County. I am desiring to be the first private protection agency in Wyandotte County / Kansas City metro area that has been granted this permission.

Constable Patrol, LLC is responsible for a many clients in the Wyandotte County and Johnson County area, one of which is an affluent homes association patrol which requires monitoring of swimming pools, etc. The Officers of Constable Patrol are going to have AED's equipped in their vehicles, and will be CPR and First Aid trained.
In addition to this equipment, the vehicles will be equipped with industrial sized fire suppression devices (fire extinguishers).

Essentially put, Constable Patrol is a first responder for this affluent homes association community. Having emergency vehicle status for my agency is the first step in a series of business moves that are slated to aide and assist local governments in time of crisis or disaster. As such, I am asking permission to approach the Wyandotte County Board of Commissioners to be in compliance with the state law which affords me the opportunity.

Commissioner Mike Kane has instructed me to contact you to schedule the necessary meeting, etc. I greatly appreciate your help and assistance in this matter Ms. Cobbins.

Respectfully yours,

S.P. Clarke
Owner
Constable Patrol, LLC.
visit our website at: www.constablepatrol.com

NOTICE-CONFIDENTIAL: This message and any attached files, in their entirety, are intended for the use of the individual and/or entity referenced above and may contain information that is privileged, confidential, and/or exempt from disclosure by applicable law or court order. If the reader of this message is not the intended recipient, please notify the sender via the most expedient means available (contact information precedes this notice.) You are hereby notified that any dissemination, distribution, or copying of this message is strictly prohibited. If you received this message in error, please delete it immediately. To be removed from this list, send an e-mail to the address below. Please leave the subject and message body blank. The reception or correspondence with this email address does not guarantee services,
contractual obligation, or offers of employment. For concerns, comments, questions, or suggestions please contact us at 913-626-0288.

-------- Original Message --------
Subject: RE: Request to Approach
From: "Cobbins, Bridgette D" <bcobbins@wycokck.org>
Date: Fri, November 09, 2012 2:51 pm
To: "sclarke@constablepatrol.com" <sclarke@constablepatrol.com>

S.P Clark,

If you could provide detailed information as to what you would like to talk to the Commissioners about, an email request will work. The date of the meeting will depend upon the topic that you would like to discuss with the Commissioners. If you need direction, please feel free to give me a call at 913-573-8039. Otherwise, if you send me a detail cause for going before the Commission, I will submit your request at our next Agenda Review for the Mayor to determine which standing committee you should appear before.

Have a great day!

Bridgette

From: sclarke@constablepatrol.com [mailto:sclarke@constablepatrol.com]
Sent: Thursday, November 08, 2012 5:56 PM
To: Cobbins, Bridgette D
Subject: Request to Approach

Constable Patrol, LLC.
10940 Parallel Pkwy.
Suite "K" #230
Kansas City, KS 66109

Visit us on our Facebook page!

Dear Ms. Cobbins,

Ma'am my name is Shannon Clarke and I am the owner of Constable Patrol, LLC which is located here in Wyandotte County, Kansas. I have been in contact with Wyandotte County Commissioner Mike Kane who advised me to contact you to schedule a time where I may present the Board of Commissioners a request for my business to be granted emergency vehicle status.
I am somewhat new at this process, so I apologize if some of my terminology is lacking or missing. Please feel free to email me at this address with whatever information I can further provide, assist, and or when the meeting is scheduled. Thank you in advance.

Respectfully yours,

S.P. Clarke
Owner
Constable Patrol, LLC.
visit our website at: www.constablepatrol.com

NOTICE-CONFIDENTIAL: This message and any attached files, in their entirety, are intended for the use of the individual and/or entity referenced above and may contain information that is privileged, confidential, and/or exempt from disclosure by applicable law or court order. If the reader of this message is not the intended recipient, please notify the sender via the most expedient means available (contact information precedes this notice.) You are hereby notified that any dissemination, distribution, or copying of this message is strictly prohibited. If you received this message in error, please delete it immediately. To be removed from this list, send an e-mail to the address below. Please leave the subject and message body blank. The reception or correspondence with this email address does not guarantee services, contractual obligation, or offers of employment. For concerns, comments, questions, or suggestions please contact us at 913-626-0288.
December 13, 2012

Shannon Clarke  
Constable Patrol, LLC  
sclarke@constablepatrol.com

Mr. Clarke:

This is to confirm that your request to appear before a standing committee of the Unified Government to discuss your business being granted emergency vehicle status has been approved to be heard by:

COMMITTEE: Public Works and Safety Standing Committee  
DATE: Monday, December 17, 2012  
TIME: 5:00 p.m.  
LOCATION: Municipal Office Building  
701 North 7th Street, 6th floor training room (Suite 614)  
Kansas City, KS 66101

You will be given five minutes to present your views. All comments made must pertain to the subject matter.

If you have any questions, do not hesitate to contact me at 573-5263.

Sincerely,

Carol Godsil  
Deputy UG Clerk

c: Rick Armstrong, Police Chief
Hello,

I attended the commissioner's meeting last Thursday night and tried to speak on behalf of the Libertarian Party on the matter of the open carry ban and its interests compromising that gentleman's request for a home based gun sales business...and blanked, was shut down by the mayor, told to schedule for another day to speak to the group? I request such a meeting or designation on a meeting's agenda, please.

Thank you,
Tresa McAlhaney
Wyandotte County Chair, LPKS
December 13, 2012

Tresa McAlhaney
Wyadotte County Chair, LPKS
tresamcalhaney@gmail.com

Ms. McAlhaney:

This is to confirm that your request to appear before a standing committee of the Unified Government to discuss the open carry ban and its interests compromising one’s request for a home-based gun sales business has been approved to be heard by:

COMMITTEE: Public Works and Safety Standing Committee
DATE: Monday, December 17, 2012
TIME: 5:00 p.m.
LOCATION: Municipal Office Building
701 North 7th Street, 6th floor training room (Suite 614)
Kansas City, KS 66101

You will be given five minutes to present your views. All comments made must pertain to the subject matter.

If you have any questions, do not hesitate to contact me at 573-5263.

Sincerely,

Carol Godsil
Deputy UG Clerk

c: Rick Armstrong, Police Chief