

**ADMINISTRATION AND HUMAN SERVICES
STANDING COMMITTEE MINUTES
Monday, May 18, 2015**

The meeting of the Administration and Human Services Standing Committee was held on Monday, May 18, 2015, at 6:28 p.m., in the 5th Floor Conference Room of the Municipal Office Building. The following members were present: Commissioner Markley, Chairman; Commissioners Bynum, Johnson, Kane and Philbrook. The following officials were also in attendance: Gordon Criswell, Assistant County Administrator; Joe Connor, Interim Assistant County Administrator; Terry Brecheisen, Health Department Director; Rob Richardson, Director of Urban Planning & Land Use; Matt May, Emergency Management Director; Bridgette Cobbins, UG Clerk; Commissioner Murguia; Jody Boeding, Chief Legal Counsel; Ken Moore, Deputy Chief Counsel; and Misty Brown, Senior Attorney.

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

Approval of standing committee minutes from February 17 and March 16, 2015. **On motion of Commissioner Kane, seconded by Commissioner Philbrook, the minutes were approved.** Motion carried unanimously.

Chairman Markley said we do have a blue sheet item for this agenda as well. It will be added as agenda Item #8.

Committee Agenda:

Item No. 1 – 150100...REQUEST: HEALTH DEPARTMENT PROJECT

Synopsis: Request to subcontract with the Community Health Council who is partnering with KDHE (through a CDC grant) on a project to prevent obesity, diabetes, heart disease and stroke, submitted by Terry Brecheisen, Health Department Director.

Terry Brecheisen, Health Department Director, said this is a \$42,000 grant for the first year. It does not cost the Unified Government anything. There is no match involved and we will be working with the Community Health Council on their ambitious program that they've got going. We will be providing a couple of objectives for them and we'll be working on those, particularly work site wellness programs and then also doing a parks audit to help the signage for the walking trails and the other activities that are available in the park. The second, third and fourth year, we'll be getting 60% of the \$42,000 to continue working in these—particularly in these two areas.

Action: **Commissioner Kane made a motion, seconded by Commissioner Philbrook, to approve and forward to full commission.** Roll call was taken and there were five "Ayes," Philbrook, Kane, Johnson, Bynum, Markley.

Item No. 2 – 150076...AMENDMENT: FOOD TRUCKS

Synopsis: Authorize staff to move forward to amend the zoning code to allow short-term food trucks based on administrative review, requested by various commissioners and submitted by Rob Richardson, Director of Urban Planning & Land Use.

Rob Richardson, Director of Urban Planning & Land Use, said we've had request from various folks around the community to make ready use of food trucks in the community. Our ordinances were really established to deal with street vendors and not food trucks in their current iteration where that's a specialized kind of high-end market. It's not the trucks that we used to see in front of General Motors, the silver trucks that sold sandwiches out of the back. This is a different animal. Folks in Fairfax, Argentine, Downtown Shareholders and others have talked about using food trucks for different purposes, potentially even a daily food truck location in Fairfax. We need to amend our code and this would allow me to work with my staff and move this forward to Planning Commission.

I will say related to this amendment and several others tonight, I'm going to take these on over the next year. We won't be doing them all in the next month or so, but I wanted to do all the authorizations at one time so that we could start working on those throughout the year when we have time.

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Commissioner Kane said back when I was single, those food trucks were quite handy at General Motors. Do we need a motion? **Commissioner Philbrook** said, no, no, no. So you think this is a really great idea and you're kind of liking some of this? I've heard some good feedback but I'm just asking you. **Mr. Richardson** said I think it is a good part of our community. It adds interest and variety to the community. They're not cheap. I mean you know, we've had some and lunch is \$10. I was kind of surprised the first time I went to one. I was expecting something a little less costly. When they've had them downtown, there's been quite a line.

Action: **Commissioner Kane made a motion, seconded by Commissioner Philbrook, to approve and forward to full commission.** Roll call was taken and there were five "Ayes," Philbrook, Kane, Johnson, Bynum, Markley.

Item No. 3 – 150078... AMENDMENT: LIMITATIONS ON NEW "DOLLAR" STORES

Synopsis: Authorize staff to move forward to amend the zoning code to require a special use permit or other limitations on new "dollar" stores, requested by Mayor Holland and submitted by Rob Richardson, Director of Urban Planning & Land Use.

Rob Richardson, Director of Urban Planning & Land Use, said I think we're all aware of the significant increase in the dollar stores we've had in the community. In some respects it's nice. They've built nice new buildings. In some respects some folks think that they present other issues to our community, and we want to look at those and potentially limit the number of those within the community and how they're defined. There are some issues with this and how they're defined and what we will use to define those so that it really only affects the low-end of the retailers because it's kind of a general retail establishment. It's not really a grocery store, it's not—and I think there are some issues that we'll have as we move forward. Authorization will allow us to move forward and develop an ordinance and present it to Planning Commission and then move it forward to you all.

Commissioner Kane said before I make a motion, I agree with you 100%. They need to clean their act up from one end of town to the other. You know you drive by the one on 18th Street, I

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drive by every day and once in a great while it looks nice. So I think what you're asking for is for your program to have teeth to fix the problem. **Mr. Richardson** said they definitely have landscape maintenance, a trash pickup issue and a general conditions issue within our community. They are not a good example for other retailers, and it is difficult to support them as they move forward for their applications when they don't keep their existing properties up to code.

Commissioner Philbrook said well, I'm guessing that another reason for not wanting to have them is because they have a tendency to be in areas where people don't have a chance to get healthy foods, they just have the chance to get this kind of prepackaged stuff and that's not really doing our community justice, I don't believe. I've heard that too.

Action: **Commissioner Kane made a motion, seconded by Commissioner Philbrook, for staff to make the proper recommendations to fix the issues that some of those places have.**

Commissioner Johnson said I just wanted to know are we going to bring some uniformity. Is the motivation to bring uniformity to those establishments in terms of the limitations or the things that you might be pitching to move forward? **Mr. Richardson** said I think that one is just the sheer volume of them. We've approved several of them recently. There's a couple of more that are still under construction, notably the old Ball's Store at 45th or 47th & Parallel. They've all been fraught with issues when they were in the Planning & Zoning district and they actually had a public hearing. Some of them have not been and they just kind of happened because they meet the code and they can do that.

As we're in the middle of this process, there are *Wall Street Journal* articles about one company trying to buy the other and then what happens to the—do they keep all the stores or do we have a bunch of vacant stores? How does that impact our community? We're having them build—the new stores are being built to our commercial design guidelines so if they do go away, somebody else would be proud to be in that building. It's not the old metal building with the sign stuck on the front of it. They're nice buildings. If we needed medical services and a doctor

wanted to move in, the new Dollar General and Family Dollar stores especially are very nice, high quality stores that could be used for other purposes.

Commissioner Johnson said my challenge with that—I think we should move forward with this. I agree with the motion, it's that they are providing a service that other retailers have avoided doing in the urban core. Though they're not the best, they are providing something, particularly for persons that don't have the ability to have transportation to get to where they are wanting to go. I hope it's not too stringent, but I do believe that we need to clean up, that they need to be cleaned and uniformed in terms of how we move forward.

Commissioner Bynum said I just want to echo Commissioner Johnson. There's a brand new one at 81st & Leavenworth Rd. that I did not want to see. I didn't like that they were tearing down my hamburger stand. I didn't think we needed another Family Dollar, but I've been there 12 times since they've open. I agree that they are providing a service. If the intent of the change here is to sort of place limitations, I can agree with that; but I do think they are providing a retail opportunity where others have not and serving a segment of our population that still has a real need to shop in these kinds of places. **Mr. Richardson** said there won't be a ban. There might be portions of the community that wouldn't get anymore.

Commissioner Johnson said this is going to move—is this going to be detailed in terms of when it moves forward to the full commission. **Mr. Richardson** said yes, sir. We'll prepare an ordinance that details how we would address them, how they're defined, and what the limitations would be and how we would calculate those limitations. It could be a pure number in an area; it could be a distance. There are a lot of ways to do that and we haven't done the research on how we would do that yet; but when it comes forward, it will be a fully detailed ordinance amendment within the zoning code.

Roll call was taken on the motion and there were five "Ayes," Philbrook, Kane, Johnson, Bynum, Markley.

Chairman Markley said we'll see how you balance all of those interests.

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Item No. 4 – 150104... AMENDMENT: AUTOMOTIVE LAND USES

Synopsis: Authorize staff to move a code amendment to the Planning Commission to require a special use permit for the following automotive related uses not associated with a new car dealer, submitted by Rob Richardson, Director of Urban Planning & Land Use.

1. Used car sales
2. Used tire sales or tire services
3. Auto mechanics
4. Auto body repairs

Rob Richardson, Director of Urban Planning & Land Use, said this began with a request from Commissioner Walker concerning used car sales. Used car dealers tend to pick a low-end potentially commercial site. Maybe it's an old residence on a primary thoroughfare and opens a used car shop without regard to the neighbors. I also felt like there were other issues where we have other uses that we have the same concerns with including used tire sales, tire service, some auto mechanic locations, and auto body repair. When these are not associated with a new car dealer when they generally have an up-to-date facility and meet the manufacturer standards for how they run and operate their facility, it would be good for those to be done by special use permits so that the Board of Commissioners could review those and make sure that they're appropriate for the location that's being selected in the community.

Action: **Commissioner Johnson made a motion, seconded by Commissioner Kane, to approve and forward to full commission.**

Chairman Markley said that was your first motion wasn't it, congratulations. **Commissioner Kane** said in Topeka they would clap for you.

Roll call was taken on the motion and there were five "Ayes," Philbrook, Kane, Johnson, Bynum, Markley.

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Item No. 5 – 150103...AMENDMENT: FLOODPLAIN

Synopsis: Request an amendment to the floodplain ordinance to change the dates of the UG's approved flood maps in order to maintain eligibility for disaster relief, submitted by Rob Richardson, Director of Urban Planning & Land Use.

Rob Richardson, Director of Urban Planning & Land Use, said every time that FEMA updates one of our flood maps now, they require that our ordinance be updated to include the specific date of that map and when it was adopted. This is a routine item for action to comply with FEMA regulations so that we could receive FEMA funding should we need it.

Commissioner Philbrook asked will this give you automatic capability to do this once you get it passed or do you have to ask for this every time. **Mr. Richardson** said the way that FEMA operates, we have to ask for this every time.

Action: **Commissioner Philbrook made a motion, seconded by Commissioner Bynum, to approve and forward to full commission.** Roll call was taken and there were five "Ayes," Philbrook, Kane, Johnson, Bynum, Markley.

Item No. 6 – 150106...AMENDMENT: RESIDENTIAL ACCESSORY USES

Synopsis: Request an amendment to the allowed residential accessory ordinance due to issues arising from activities within the Hanover Heights neighborhood, submitted by Rob Richardson, Director of Urban Planning & Land Use.

Rob Richardson, Director of Urban Planning & Land Use, said we dealt with this—the location with this arose in the historic preservation ordinance a few months ago related to folks adding on to their properties and what really is an allowed accessory use to the home. The home is the primary use on the piece of property and then a detached garage, storage shed, a pool or something like that, a pool house could be an accessory structure or an accessory use. Having domestic animals would be an accessory use and things like that.

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DIVISION 7 – Accessory Uses

Sec. 27-607. - Generally.

(a)

Buildings and structures may be erected and land may be used for purposes which are clearly subordinate and incidental to, and customarily and commonly associated with the main permitted use of the premises. Such accessory buildings and uses shall be so constructed, maintained and conducted as to not produce noise, vibration, concussion, dust, dirt, fly ash, odor, noxious gases, heat or glare which is injurious, damaging, unhealthful or disturbing to adjacent property or the users thereof and shall be on the premises of the main use. The determination of the eligibility of a proposed use as an accessory use shall be made by the planning staff.

(b)

No private walk or drive serving a district C-1 to M-3 inclusive shall pass through or be located in a residential or agricultural district.

Sec. 27-609. - Districts R-1, R-1(B), R-2, R-2(B).

In the R-1, R-1(B), R-2 and R-2(B) districts, accessory uses are as follows:

(1)

Home occupations. Customary home occupations may be allowed subject to the issuance of a home occupation permit by the planning division. The following conditions and restrictions shall apply to such customary home occupations:

a.

No exterior advertising or signs will be erected and no outside display or activity that depicts other than residential activity will be allowed. Advertising shall not include any address, but only a telephone number.

b.

Only members of the immediate family residing on the premises will participate in the home occupation on the premises.

c.

No machinery or equipment will be used that will interfere with radio or television reception on nearby property.

d.

No heavy equipment, trucks of greater than 10,000 pounds GVWR or other objects that are not typically residential in character will be stored on the premises.

e.

No sales of merchandise will be conducted on the premises, and

no service will be rendered that will require customer presence except on an irregular and incidental basis, but babysitting is excluded from the standard.

f.

No inventory or storage, other than samples, is maintained on the premises.

Home occupations that do not meet the criteria of this subsection shall be permitted only by special use permit but must meet accessory use requirements regarding storage of equipment, material, or vehicles.

(2)

Accessory buildings (garages, carports, tool sheds, etc.). For any dwelling unit there may be permitted a detached accessory building. Such building shall not be located less than 60 feet from the front lot line or in the front yard, less than two feet from any alley, nor closer than three feet to any side or rear property line. In the case of corner lots, a detached accessory building shall not be within 20 feet of the side street. The total area of such detached accessory building shall not exceed 1,000 square feet or cover more than 30 percent of the required rear yard. In any residential district on lots or tracts of less than three acres, the following conditions shall apply to any detached accessory building of greater than 120 square feet in floor area:

a.

The exterior wall materials shall be limited to customary residential finish materials. These specifically include: horizontal clapboard siding of all materials; wood and plywood siding; stone and brick, both actual and artificial, and textured finishes such as stucco and stucco board which visually cover the underlying material regardless of the underlying material. These specifically exclude preformed, corrugated or ribbed metal, fiberglass or plastic sheets or panels. Also, excluded as an exterior material are standard concrete masonry units. Exception: Metal can be used for the walls of the unit provided they have a factory applied and painted finish closely matching the color of the primary structure. Also, excluded as an exterior material are standard concrete masonry units except when the walls of the building are painted the exact color of the primary structure.

b.

The exterior roofing materials for roofs sloped more than two in 12 shall be shingles or tiles and not metal, fiberglass or plastic sheets. Exception: If using a metal roof the color must be a factory applied and painted finish that closely matches the roof color of the primary structure or the color of the primary structure

itself if the roof and walls of the accessory structure are to be the same color.

(3)

Animals. Horses, ponies, cows, chickens, or other customary animals may be kept in accordance with the requirements of the public health department, except that on a lot or tract of less than five acres in size, a special use permit shall be required. If so approved, accessory barns or stables are permitted under the standards for accessory buildings.

(4)

Hobby activity. A hobby activity may be operated as an accessory use by the occupant of the premises purely for personal enjoyment, amusement or recreation, provided that the articles produced or constructed are not sold either on or off the premises.

(5)

Additional uses. Such additional accessory uses as private swimming pools, television and radio antennae or dishes, wind power generators, solar collectors, flagpoles, play equipment, and tool sheds are permitted under the following conditions:

a.

Swimming pools, television and radio antennae or dishes greater than two feet in diameter, wind power generators, and tool sheds are not permitted in the front yard or in required side yards. b. Solar collectors shall not extend more than three feet above the highest point of the roof.

c.

Television dishes shall not exceed 12 feet in diameter or more than 15 feet above grade.

d.

No accessory use shall exceed 60 feet in height.

e.

Any accessory use which exceeds ten feet in height shall be located a distance inside the property line at least equal to onethird its height, except that any wind power generator shall be set back a distance no less than its height.

(6)

Storage of equipment, material or vehicle. Only motor passenger cars, other operable domestic equipment, material or vehicles, or a truck of 10,000 pounds GVWR or less shall be kept, parked or stored for more than 48 hours in any 30-day period in a residential area. Only a single one of each of the following may be stored: truck other than customary

vans or pickup trucks, camping trailer, hauling trailer, boat, or recreational vehicle. The parking of vehicles or equipment shall not occur on lawn areas, or other locations that tend to visually downgrade the property and neighborhood. Parking shall be limited to areas that have an improved surface and such areas shall generally be located in close relationship to the garage or an otherwise vehicle-oriented section of the premises or be located in the rear yard, so that the lawn areas upon which the living section of the dwelling faces can be attractively maintained with grass, trees and shrubs. Use of any yard area for commercial or any non-residential or ongoing non-resident parking purposes is prohibited.

DIVISION 1. GENERALLY

Sec. 27-340. Definitions.

~~Accessory use means a use of building or land that is customarily incidental to and located on the same lot or premises as the main use of the premises.~~

Accessory use, accessory structure means a use of land or structure which is subordinate to and serves a principal use or structure, is subordinate in area, extent and purpose to the principal use or structure served, contributes to the comfort, convenience or necessity of occupants of the principal use or structure served and is located on the same lot or lots, under the same ownership and in the same zoning district as the principal use or structure.

Parking Lot, Commercial means a paved area or structure intended or used for the off-street parking of operable motor vehicles on a temporary basis, other than accessory to a principal use.

CURRENT APPLICABLE CODE SECTIONS

NEW ADDED VERBIAGE

You have before you the actual proposed ordinance in this case where we amended the definitions slightly and then the items are highlighted in yellow. What can be stored at a residential location.

Really, speaking to the nature of it, it's a residential use. It's not a commercial use that can be part of that residential structure. With your approval, we would move this to Planning Commission for a public hearing and then back to you all to consider the Planning Commission recommendation and any other public testimony that would come before you.

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

Item No. 7 – 150105... UPDATE: BILLBOARD REMOVAL

Synopsis: Update on urban billboard removal following passage of the ordinance allowing digital billboards, presented by Rob Richardson, Director of Urban Planning & Land Use.

Rob Richardson, Director of Urban Planning & Land Use, said as you’re aware, we modified our sign code to allow for digital billboards recently and we’ve had our first 6 applications. One of the key criteria of that was if a company was going to install a new digital billboard, they would have to remove existing billboard space to allow that. With those 6 new digital billboard applications, we have identified 60 signs that will be removed by the 2 companies that have applied for the 6 permits. **Commissioner Kane** asked how many. **Mr. Richardson** said 60. **Commissioner Philbrook** said there are a lot of small ones. **Mr. Richardson** said yes, there are a lot of the urban small boards. There are some of the interstate boards that are going to come down, 3 of those, but most of them are urban boards. I have listings of all those if you all are interested in the actual specifics of that.

Commissioner Philbrook said yes, well, I’ll ask you about one. One about 5300, 5400 State Ave. right next to what was a Dollar General or whatever that is on the north side. **Mr. Richardson** said 5300 State Ave., east and west, they’re 6 x 12 boards. Those are both coming down.

Chairman Markley asked, Rob, do you think you can provide that by email to the commissioners, particularly I think Commissioner Walker would be interested. **Commissioner Philbrook** said all of us. **Mr. Richardson** said I’ll prepare this in a memo format with all the boards.

There are 3 signs at least that are already down. There were signs at 7th & Central, 18th & Minnesota and 635 & Speaker that are already down. The 7th & Central and 18th & Minnesota were two that had the eye of particular commissioners and so the sign companies targeted those first and they’re down already. The one at 635 & Speaker Rd., that lease was up so they went ahead and took it down; the lease expiration.

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They have 60 days to remove these signs from the date of the permits. These 60 signs should be down by mid-July. Hopefully, our community will look better because a lot of those have maintenance issues.

Commissioner Johnson asked are those signs generating any income for those businesses, do you know that own those that are torn down. **Mr. Richardson** said I think that the 14 x 48s on the interstate that Lamar is taking down, I would say certainly generate some amount of income for them. A lot of the urban boards if you look at them, they're not-for-profit folks that are on those that probably—they're doing that and receiving some kind of tax break for their donation of that space. **Commissioner Philbrook** said or a very small business. **Mr. Richardson** said right. They're not lucrative especially compared to the tens of thousands or hundreds of thousands of dollars that a digital billboard would generate.

Action: For information only.

Item No. 8 – 150133... GRANT: DOWNTOWN SHAREHOLDERS

Synopsis: Request the UG to apply for a grant from the Kansas Historic Society to conduct a historic resources inventory of Downtown KCK and designate Downtown Shareholders as the administrative agent (third party designee), submitted by Rob Richardson, Director of Urban Planning & Land Use.

Rob Richardson, Director of Urban Planning & Land Use, said Downtown Shareholders applied for a historic resource survey which will allow them to survey our downtown community—basically from their service area which is Washington to Armstrong, 18th to 3rd basically; it varies from that a little bit but you get the general idea there—for historic resources that could be rehabilitated or reused with historic tax credits from the state and federal government or that might need a further designation for protection of that resource if it was important to the community.

They were awarded this grant; however, there was a condition that the city—and the city is a certified local government from the state of Kansas for historic preservation purposes—that we would be the grant requestor. That raised a little bit of concern for me because these are highly

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intensive administrative grants to manage. We had done one for Strawberry Hill two years ago, I believe, and it was really disturbing the amount of administrative time that we had to put into that grant. I asked Strawberry Hill not to apply for another one until I was fully staffed and we had the ability to do that. Downtown Shareholders assured me that I wouldn't be involved in that but the state changed their mind.

The state did; however, come up with a new provision that allows us to designate them as our contractor and then state will contract directly with them and get us out of the administrative responsibilities for that. I'm all for that and I will suggest that Strawberry Hill pursue a similar and anybody else that wants to do one of these pursue a similar strategy. It's great information to have now. There's no cost to us, there's no staff time for us. We will participate as needed through Downtown Shareholders. I think it's a great opportunity for them and a way to find more funding for some of our downtown buildings.

Action: **Commissioner Johnson made a motion, seconded by Commissioner Bynum, to approve and forward to full commission.** Roll call was taken and there were five "Ayes," Philbrook, Kane, Johnson, Bynum, Markley.

Measurable Goals:

Item No. 1 – 150075...PRESENTATION: URBAN PLANNING & LAND USE DEPARTMENT

Synopsis: Presentation of measurable goals for the Urban Planning & Land Use Department, by Rob Richardson, Director of Planning & Land Use.

Rob Richardson, Director of Planning & Land Use, said I have three major goals this year that all deal with customer service. I'd like to go through those, review each of those with you, and talk about how each of those will be measured. The first goal is to help small businesses succeed in the development process. I'm sure that most of you have heard that it's hard to get through the Planning & Zoning process. It's a complicated process, even for those of us that work in it every day. I mean, we get questions on a weekly basis that we can't just answer off the top of our head. It takes research and reading the code and talking to legal staff. We want to

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make sure that our small businesses that don't have the resources to hire their own attorneys to make sure that they get through the process efficiently so that they can do that.

We want them to know how to achieve their desired result even if the question that they ask isn't the right question. A lot of times they'll ask us a question and it's not necessarily the right question that they need to ask so we need to get them to ask the right question or tell them the right question to ask and then answer that for them. Sometimes we need to advise them that they ought to seek a development representative because the process might be more complexed than they could handle on their own. Sometimes they ask, sometimes they don't.

Make the DRC available and aware of small business issues. The Development Review Committee works with a lot of things that are even outside of the regular Planning & Zoning process, whether it be Public Works and Engineering, Fire Department, BPU or the Building Inspections. Trey Maevers in my office will be full-time this week. He's been part-time as he finished graduate school in Planning but he'll be full-time starting this week. He coordinates that process so we'll be working through the DRC.

As we start to do this, I think we're going to identify gaps in our abilities as a government to help small business and identification of those will be important so we can identify solutions for those in the future. One of those that we think there might be and it wouldn't necessarily be specifically only to the development process, but the city previously sent an ombudsman that would help folks and kind of be there, not necessarily like an attorney for them but at least help them to understand the process and would know the process enough to know that they were getting a fair shake and could help them a little bit in that process. To do this—well, let me talk about measurability, all of them later.

The second goal is to identify and address customer complaints quickly. Sometimes I found that a customer might have a complaint but I don't hear about it until it's just at the boiling point. Sometimes that's my fault; sometimes it's my staff or somebody else's staff. At least we want to identify those quickly. When complaints are communicated to me, I'll speak to that person directly and that's kind of current procedure. If I get a complaint, I don't just hand it back to my staff typically. I typically speak to the person and understand the issue, but I'd like to work that back to the employee. If there was an issue that developed between an applicant or citizen and the employee that—we need the employees all to have a good rapport with those folks and have

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the chance to rebuild that if they have had a misstep. I think that helps us in the future that they know the employee can work through the issue and be successful in the long-term.

Some issues don't get resolved very easily. Some of them because of a code issue, some of it we aren't perfect in any way, shape, or form. Sometimes there's something out of our control. When we get to that point with the issues, then I would involve the County Administrator's Office in addressing that concern.

We continue to have our customer service survey that's on all of our communications and voicemail. It's not very well utilized and we're having ten to eleven hits a month on that, which isn't very many considering we probably have a thousand; we have thousands of contacts a month, many with the same person but between phone, email and people walking in, we touch a lot of folks every month.

The third goal is to become more customer friendly by making greater use of our electronic resources and capacity. There are three items under this. One is to implement a program that would have a web portal for entrepreneurs to be able to locate sites for future businesses if funding is available. I've recommended that we go through a request for proposal process on that because six or eight months ago, it looked like it was just one company doing that and now there are several so I think our pricing—we might get more for less if we do the RFP process.

The second item would be to make full use of an electronic submission review processes. One thing I think we need to do in that is to have our folks that are our regular customers in the development community come in and talk about how they use that process in the electronics submission. I've had pretty good feedback on getting rid of the paper. We've gone from ten or eleven paper copies to one and eventually we'll get rid of that one once we figure out the electronic signatures and how to get the electronic approved copy into the field, but we've had good review with that process with that. We've had a little bit of issue coordinating how we get those files because they're huge. I think we've resolved that, but I have a meeting with those folks to discuss their thoughts on that.

We still need to allow online electronic payment and that's a greater Unified Government issue, I believe, we're going to be working on. I can have the whole electronic application and everything be electronic but I can't take their payment electronically. They still have to send a check or come in to do that.

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I would like to automate the submission process so that when they actually fill out our paper application, which I know many of you have seen, that they would do that online and it would automatically update our database for the application because now I get that application and I have to have somebody type that in. So they've paid somebody to type it in, now I'm going to pay somebody to type it in and data entry has its issues. Every time somebody touches a key, there's a percentage chance it'll be wrong. Having that all automatically populate will make my staff more efficient, especially in the administrative end where I have one person who's within ten hours of their max if they can get in comp time and I don't have any overtime payment budget and they get lots of vacation every year. It's one of my areas that I really look for efficiencies and I think that would help that.

Also, once we work through all this, work with the folks we meet with regularly on our customers and improving the process, I work with the PIO to talk a little bit about a marketing plan so people know what we've done because we've done a lot of good work. We haven't talked about it much recently on our—**Commissioner Philbrook** asked what's a PIO. **Mr. Richardson** said Public Information Officer, Edwin. **Commissioner Philbrook** said thank you.

Mr. Richardson said on goal three, we can meet with the folks and figure out what tweaks we need to make but the other items are funding dependent. You'll see funding request one way or another on those items because that goal has a significant funding portion to it.

How do we measure those? Goal one, working with small businesses and goal two, to some degree, we're going to be doing tracking, setting baselines and looking for measurable improvements with those. When it's the first time we've done it, I don't really know where all of our specific faults in areas that we could improve in. It may not be an area that was bad but we could still make improvements. We'll be doing base lining for a few months and I'll be working with the Administrator's Office to work on improvement plans and upgrades in our systems to help those processes.

I think beyond that, we will be on goal three-implementation of one of the electronic resources to develop a better web pool. One of them is an available set—there's a web pool that says basically what would you like to do in our city. So if they want to open a new restaurant, it would say okay, here are all the zoning categories where a restaurant is available. Then it would add here is all the for sale, for lease properties and Land Bank properties within that zoning

district that might be available to you for this business. Here's the actual terms of the zoning code, the contacts, the real estate agent that you would call and talk to help facilitate that and answer some of those basic upfront questions that we can't answer.

It takes a lot of staff time when somebody says where can I build a restaurant? There's five hundred answers to that or more in our community. This would help them. It would provide them a better mapping resource than we have right now to allow them to look for those places within our community. Implementation of that would be a big help, I think, to our entrepreneurial and business development community.

I'll be reporting on the review meeting with our frequent customers as far as our electronic process goes. We'll probably add some other—we won't limit it to that because I want to hear from them in other ways too with how we review and what we review. Obviously, we would present those results to the County Administrator's Office and also completing a marketing plan to help folks understand what's available to them and what we've been doing that's really good to help the development community.

Chairman Markley said so I have two questions. One, am I crazy or did you go to a system where you had one person that was sort of on-call for questions in your office? Were you one of the offices that started doing that and if so, did you stick with it and what did you think of it? **Mr. Richardson** said to some degree we do that. It's not formal. Trey, with the Development Review Committee—we sent the Development Review Committee questions to him until it's assigned to a particular staff member and then they would deal with that staff member. That's a little hard to do with DRC because you don't really know which department the DRC question is going to relate to until it comes in. We've done that with Trey, otherwise, we all generally answer the questions if somebody comes in or a phone call.

When cases come in when they actually make an application, they get assigned to one person and that person tracks it through. Like on your staff reports, you'll see Trey did that, or Jamie did that, or Byron did that or I handled that case. That's where they get the one point of contact after that. We try to keep that person the same, whoever did the pre-application meeting or talked to them at the counter would follow that through. For the last two weeks, we've had somebody on vacation and we just had two of us here so that won't happen in those timeframes.

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We do try and keep people talking to one person to the greatest degree that we can. I just don't have the staff to go one person answering all the questions all the time.

Chairman Markley said that's a perfect lead into my second question which was, is part of your survey or do you ever ask how many people they had to contact before they got their question answered. I think that would give you a numerical reference to be able to figure out if you are getting people's questions answered in a timely manner or not. If they say I had to talk to six different people before I got my question answered whether it's your department or someone else's if they had to bounce around at least that would give you the idea we're clearly not getting their question answered in the way that we should or as quickly as we should. It's hard when you're dealing with customer service, it's hard sometimes to measure are we doing a good job or not doing a good job. They didn't cry on the phone; we did great so that might be one way you could start to see.

I think with small businesses in particular with your emphasis on small businesses, what they're finding is that they feel like they have to touch a dozen departments. I think it will be interesting to see what they're saying now as far as how many touches they have to have before they get a question answered versus a year from now as you guys are beginning to work on this. **Mr. Richardson** said we do ask, was your question answered correctly the first time and occasionally we'll get an interesting answer to that. No, I had to speak to three or four people or I got two different answers. We do ask that but not the way you have. I will look at our survey and you might look at our survey online as well and see if—maybe how to word that because I think the question—the last thing you said was like within departments. That makes it a broader question than just within my survey. We may need to look at—**Chairman Markley** said but I think it impacts how you guys do your customer service. If you're finding out they had to go to seven departments before they got sent to mine, that would be important for you to know even though it's a broader question than what did my department do.

When somebody gets something approved, it's gone through Planning & Zoning, they have their moment of victory, and you've finally approved it, do we send them something else after that or is that just kind of it? **Mr. Richardson** said the applicant gets a notification of the decision. **Chairman Markley** asked can we put a survey in the notification. **Mr. Richardson** said yes, we have our survey in paper format too so—**Chairman Markley** said yes, I would—

because you just said you had a hard time getting surveys back. That might be one way to get better responses if we see—you know they're kind of happy even—better results for you. They just got their approval but at least that might be—**Mr. Richardson** said even if they get denied, they get a letter. It's not just the good side of it. **Chairman Markley** said oh, well, but it might be one way to kind of emphasize that you want that survey back. If we're sending them something anyway, let's send that along. **Mr. Richardson** said it's a good idea.

Commissioner Bynum said as it relates to customer service with small businesses particularly those that may not be able to hire somebody to come represent them. It strikes me that they go out and find their building or their property and maybe even pay something and then somehow they're alerted to the fact that they need proper zoning when really that process needs to be the other way around. I don't know what if anything we can do collectively that could fit into your measurable goals in helping folks not take those steps in that order.

Mr. Richardson said I had that today. We had somebody that wanted to do live entertainment and dancing, have a bar and dancehall today and they've already looked into a facility and that requires a special use permit. That process is 70-90 days. Their reaction is never good to that. I think the thing that would help that the most is that web portal because if somebody put I want to do a bar or dancing, it would say the first thing on your list is you have to have a special use permit for this type of facility. Once you get to the zoning districts that allow that, then you have to have this too.

That's something that when they call us first, we can explain to them but nobody ever calls us first. They always have at least the location identified if not an option or have purchased the property and that makes our job even harder because then we're automatically the bad guy and we don't have a chance to wear the white hat.

Commissioner Bynum said I would just like to see the departments, all of the departments that work with small business, talking to one another. I dream of a toolkit that says did you know you need a business license, here's the number. Did you know you need proper zoning? Here's the number. Did you know you need proper zoning, here's the number. **Mr. Richardson** said I have that dream. We actually have it out very thoroughly outlined. That web portal is part of that, but it also goes to the next step of that is that okay, I have found a piece of property for sale within the zoning district that will allow that use and I can build that there. What do I do next?

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Then it takes you to Business License, it takes you to Building Inspection, it takes you to Economic Development, it takes you to WYEDC and that would actually maybe even work on the county perspective, work with Edwardsville and Bonner as well so they would have their links in there as well.

Nobody in the country has that right now. I want to be the first one to do that but it's a rather big bill to get that system put out there. A lot of web development on our end. It requires a higher level of database management than we've had in the past related to my office, which I want to do because it makes our job easier in the long run. That is something that we've been working on. Before Greg Kindle was at WYEDC, Brent and I were working on it and then the budget crisis happened and that part went away. I think all that is \$125,000 to \$150,000 for all those items to get done, to have that whole web portal from what do I want to do, to this is the economic development tool I can use, and who to contact and the calculations, fee calculators, all those things that would be in that. I think that would be very helpful for those folks especially if we had the marketing plan to go along with it so that people knew that hey, if you're going to start a business, check here first.

Commissioner Philbrook said I'm probably going to get into trouble here. It occurs to me that, of course, when you go out looking for property you talk to brokers and if that information was forthcoming from the broker in the properties they had shown, then it would probably make life a lot easier for people. I didn't know if there are any communities that actually require brokers to bring that sort of information like what the property is zoned for, all that sort of thing when they're showing it. **Mr. Richardson** said there are laws that say you can't advertise the zoning that doesn't exist already. You can't have a piece of farmland that may be commercial in five years. You can't advertise that as commercial land. That's one law that's out there but it's not strictly enforced let's say.

There's nothing like what you're describing. They would bring their contacts to us because then it's public and another realtor might be able to acquire that. **Commissioner Philbrook** said yes, that's why I said I'm probably going to have several phone calls after this suggestion. I just was trying to figure out a way to open lines of communication that made it easier for people who do want to come in and develop.

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Mr. Richardson said there are several realtors that call me regularly saying I've got this person that wants to do this. How does that really fit anywhere? I do have some of those contacts but it's not uniform across the commercial real estate community. **Commissioner Philbrook** said any suggestions. **Mr. Richardson** said I really think the portal would be good because if they got a listing, people are going to see it and they could use it themselves saying I have somebody that wants to do this. Where can I take them and what would fit? It would have our contact information on it. They might say well, I don't really understand this. How does that work? They can call us to get an answer to that before they went to show the property.

Commissioner Philbrook said so your portal is the answer—that dream world. **Mr. Richardson** said I don't want to see it as the end all/be all because it may or may not work out that way but it will at least be something that was there for people to use. That first part of the portal is not the expensive part of it I don't think. We don't have enough staff to answer all those questions all the time if we don't have some electronic resource to help answer some of those questions first.

Commissioner Johnson said, Rob, I just wanted to know if you all had experimented or talked about social media of being a means of maybe doing interim and or secondary once the portal is—once we're finally able to get that as a means of maybe pushing information or providing information to potential clients. **Mr. Richardson** said Edwin, the public information officer, is working on a Face Book page for us where we would push three items a month primarily. One of them when we get all the new applications in at the end of the month and you all get a memo that describes what all of those are. We would push that out. We would push out the Planning Commission agenda and the Board of Commissioners Agenda so that if people liked our page, they would know what's going on.

It's not a page to comment on or anything, it's just information. A lot of times contractors want to know what's coming up because they want to know who to contact to sell their wares and that's great especially for our local guys to do that. If they like our page, they'll have those contacts and know who's moving forward with applications. That's our first step.

If we had a lot of likes and a lot of people following it, that might help. I'm not sure how much. We'll kind of play that by ear and see how much interest we get. It could be a lot of effort for 10 or 12 people who would really use it versus them just calling us. I don't know. I'll

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talk to Edwin about that and—**Commissioner Johnson** said well, it's a cheaper way to do it. If, certainly, economic factors are a consideration, which they are, it might be something to have as an interim means of doing that and maybe we have a way of pushing that information out through the website or other means that say hey, go here and here's some stuff that you could—**Mr. Richardson** said the thing that has kind of kept me from moving to that is the complexity of the information and how difficult zoning can be to understand for the non-zoning user.

When the development attorneys and I have discussions about well, how does this really apply and we've both been doing zoning for 20years. I don't expect the folks that come in that want to open their first little shop to understand that in a lot of ways. It's difficult and it's a dilemma across the country. Nobody's found the magic bullet for that yet, but I will talk to Edwin and see where we're going to see if he thinks there's a way we can use that as well.

Action: For information only.

Item No. 2 – 150123...PRESENTATIONS: EMERGENCY MANAGEMENT, HUMAN RESOURCES, UNIFIED GOVERNMENT CLERK

Synopsis: Presentation of measurable goals for the following departments:

Emergency Management, presented by Matt May, Director of Emergency Management
 Human Resources, presented by Renee Ramirez, HR Director
 UG Clerk's Office, presented by Bridgette Cobbins, UG Clerk

Joe Connor, Assistant County Administrator, said this has been our kind of ongoing effort to have departments come to you with one or two key measurable goals for their department. In no particular order, we've got our staff out here. We'll go ahead and start with Matt from Emergency Management.



Emergency Management Customer Service Goals

Citizen Engagement

Matt May, Director of Emergency Management, said we have many, many goals downstairs in the basement. The one I'd like to share with you today that I'm looking forward to working on is our citizen engagement.

Citizen Engagement Matters

- ▶ Develops awareness of the EM programs
- ▶ Educates them on their responsibility for their own safety
- ▶ Provides them the knowledge and skills to protect themselves and their property.
- ▶ Provides them an outlet to support their fellow citizens and their community as a whole.
- ▶ Is a requirement of a Kansas Emergency Management program per state statute.

(KAR 56-2-2)

First off, why, why that one? It really does matter. It helps us engage the public to understand what—I would say a vast majority of folks don't even know what an emergency manager does. It gives us an opportunity to give them that education. It also gives us an opportunity to explain to them to circumstantly—cavalry is not going to show up right away. They have a responsibility to support themselves for a little while. We'll get whatever we can to them as quickly as we can but for their own comfort and safety, they'd probably want to do a little

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preparation. Then give them the knowledge and skills to do that with whether it's how to build a preparedness kit and so forth. Those are things that can help them survive an event in a much more comfortable way.

It provides them an outlet to support their fellow citizens and its specific what I'm trying to refer to here is our Citizens Emergency Response Teams (CERT). It's a great place for them to say hey, how can I help others. It's a very—there are roles for everybody involved there. We have some folks who are quite honestly even marginally ambulatory and yet they still have a role in it.

Likewise, in our RACES group which is our amateur radio group, they're a key piece to that. We had them out until midnight last Saturday, this past Saturday, doing weather spotting for us. That was a key piece to our having to get information about what was going on. When they tell me they see a rotating wall cloud in the sky, that means something to me and it means something to the National Weather Service but we have to educate them to get them there to do that. That takes some effort.

Last, but probably just as important, is the statutory requirement for the Emergency Management Program that we make sure that we do that. That's why we're going to work on increasing that.

Citizen Engagement Matters



Here are just a couple of quick pictures. The upper left is a Boy Scout campout that was done at Pierson Park a few months ago. That's in the upper left corner. We took out our

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communications trailer and demonstrated that to the Boy Scouts, got them interested in possibly being in some of those roles like RACES or the Radio Amateur Group.

The next one going around clockwise to the right is Andy Bailey from the National Weather Service who comes out every year and does a presentation for us on storm spotting. It always amazes me how many people turn out for that, two, three or four hundred. It's not an unusual number that people are that interested in weather and what goes on with weather. It is a key piece to our threat and rescue. People do care about it. He does a great presentation.

Below that you see in the lower right corner is a drill and exercise that we were doing inside our EOC. That we do every year. It's called the Assimilated Emergency Test and we run that through. It's one of many exercises we're doing this year. It's another place where we're increasing some activity.

The last one over in the lower left is the CERT team themselves out doing a presentation with the Night Out Against Crime I think that particular one was from, but we do those on a routine basis. Trying to get out, get some visibility to that program and, again, helps people prepare for themselves. That's the whole premise of CERT, prepare yourself first and then if you have the opportunity to support your neighbors, you can do that and that's what that program is based on.

Citizen Engagement Matters

- ▶ We traditionally have participated in 5 public presentations per year on average. **We will double that for 2015 and attempt to double that again in 2016 for a total of 20 per year.**

- ▶ So far in 2015:

- Weather Symposium March 7th
- Weather Spotter Presentation March 18th
- CERT Classes March 19th to May 13th
- 3rd District Republican Women March 28th
- Boy Scout Service Day and Campout April 11th
- Red Cross Smoke Detector Installs April 25th
- Media Spot / Weather at the Speedway May 8th

Traditionally, we've done 5 to 6 presentations a year on average. My goal for us is to double that number for this year and then double it again for next year. My intent is to get us to at least where we're doing on average 15 to 20 public interactions of some sort every year.

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So far this year what we've done in '15 is we did a weather symposium where we took several of our RACES and CERT members over to Lawrence where they do a large regional presentation. It really has gained a national scale. It's a really great presentation that they do on weather. Then that weather spotter presentation that I referred to earlier. CERT classes, we try to do two of those a year. We just finished one up so we've got several more people who are part of the CERT Program.

I did a presentation for the Third District Republican Women's Group. Just, again, any civic or organization or any of you are a member of who are interested in having a presentation about emergency response or even how do we sound sirens or any of those kinds of things, we're always willing to support that. That's what I did for them.

Boy Scouts Service Day, I already referred to in the picture. You saw that. Another place where we try to do these is in support with our partners. One of those is Red Cross and they have a great program working that goes out and does installs of smoke detectors, particularly in areas where for example the Fire Department has identified where we've had a couple of fatality fires indicating that most likely those homes don't have working smoke detectors. Our CERT teams partnered up with the Red Cross to go out and install on that particular day, that one day, we did 124 smoke detector installs in one morning before we got rained out.

Most recently, another opportunity for us is always an opportunity to speak with the media when you use that broad brush. Most recently there were concerns about weather. We had a rough weather weekend out at the Speedway and people knew that and were asking questions about that. I made sure that we had an opportunity to present what we do in preparation for that and how we're working in concert with the Speedway to make sure that venue has the best information they can have including staffing, the forward operation out there as well as staffing here at the EOC.

Chairman Markley said my husband and my uncle are both involved in CERT and I have an emergency kit in my trunk so it's an incredible program. **Mr. May** said 1 down, 147,000 to go. **Chairman Markley** said in fact, I think he's at a CERT meeting tonight.

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Commissioner Philbrook said I have something you can add to your list. Next May, the next time Kiwanis does their bike rodeo, we would like to have you out there. **Mr. May** said absolutely. Please let me do that. I'd be honored. **Commissioner Philbrook** said just send me an email and I'll send it on to our commander in that. **Mr. May** asked, Commissioner Philbrook, when is that typically. **Commissioner Philbrook** said it's usually in the middle of May on a Saturday. **Mr. May** said we'll get a calendar.

Bridgette Cobbins, Unified Government Clerk, said tonight I'd like to share a few goals with you all for the Department of Administration. Before I go over the goals, I'd like to first kind of give you an overview of what the departments or the divisions that are within my department so that you can kind of get an idea of what our day-to-day operations are.



I have down former City Clerk and former County Clerk and that's for the benefit of showing what the roles of our divisions are so you have a better understanding of what the Unified Government Clerk's Office does since consolidation.

Agendas and minutes, I think you are very familiar with that role that we do in the Clerk's Office. We prepare all the agendas and minutes for every standing and full commission meeting. We get those out to the commissioners in a timely manner and we upload that information to our website for our constituents to have available.

Birth and death certificates. Prior to 1911, the Unified Government retains any birth and death certificates for the general public. That would be for any individuals that were born in

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Wyandotte County. After July of 1911, those are now retained by the state of Kansas so those requests are forwarded to the state for that.

The Kansas Open Records Act, I am the official record-keeper for the Unified Government so any requests that comes to the Unified Government for open records requests, those come into the Clerk's Office and then they are forwarded to the respective departments for them to handle.

Under the Senior Utility Rebate Program, I'm not sure if you're familiar with that. That is a program that was approved back in 1972 and it's specific to Kansas City, KS. That rebate program gives back to our citizens. You have to be—there's a criteria for it that gives them back a portion of the utilities that they've paid on their prior year bills. It is specific to Kansas City, KS residents. You have to be 65 years of age for a particular year and the cap at that is at \$150. I do have listed the former County Clerk—oh, and with the senior utility rebates, just to give you some data, we processed over 1,100 utility rebates in the previous tax year to our senior citizens.

Former County Clerk role, we are the liaison for the 15 entities for the Wyandotte County area. That would include Kansas City, KS, Bonner Springs, Edwardsville, the four school districts: USD 500, 202, 203, and 204, the drainage districts: Wolcott, Fairfax, Kaw Valley, also Wyandotte County and also the school boards. We do receive the information from those entities and like I said, we're the liaison. We set the levies and calculate the values and send that up to the state on a yearly basis.

Real estate ownership. Any property that is transferred in Wyandotte County for a real estate property, homeownership, if you sell your property, buy a property, the County Clerk's Office transfer those on a daily basis. Once those properties are filed in the Register of Deeds Office, the very next day those properties are changed. Our goal is to protect the integrity of the tax roll and on a daily basis we are updating those files.

Homestead refund is a state funded program. The state statute requires that the County Clerk's Office provide assistance to those that are eligible for this program. The purpose of the Homestead refund is that it allows for a portion of their real estate property tax to be paid on their behalf. There is a criteria established for your age. There's an income bracket that one has to qualify for. In the previous year, the Clerk's Office processed over 600 Homestead refunds. I say that to say that there is a lot of traffic that comes into the Clerk's Office on a yearly basis and

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during the Homestead and Utility Rebate Program, it starts in January, January 2nd and the Utility Program ends on March 31st and the Homestead refund ends on April 15th.

Those are the two main functions of the former City Clerk and the former County Clerk's area. As a result of the consolidation, those offices are now under one umbrella and we're about 90% cross-trained on all the duties and responsibilities within the Clerk's Office. That's taken us about four years to get to that point.

The Records Center manages the UG records. In that department we have a staff person of one and his role is to be the key person for records for the Unified Government and that's from creation to their destruction time. We have a retention schedule that we look at to determine when those documents should be destroyed.

In our mailroom, we process the mail for the Unified Government. Last month we processed about 30,000 pieces of mail that was processed, the mail that goes through the Unified Government. We touch a lot of mail throughout the government and that's not including our interoffice mail and mail that comes from the US Post Office that are packages or from Fed Ex or other companies like that.



Customer service. This is something that I take a lot of pride in. From a department head standpoint I just don't say it; I lead by example and with my staff and we are all on the same page as it relates to customer service. It is our department goal. It's a number one goal of

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everyone in our department to make sure that we are providing very keen customer service to our internal, UG employs as well as external.

Promptness, all of our phone calls when you call the Clerk's Office, our phones will be answered before three rings start. Our standard within our department is if you call our office the first thing you will hear is Clerk's Office, this is Bridgette; Records Center, this is Paul; Mailroom, this is Gerald. It's important for me and for our staff to first identify who we are when we're speaking to someone on the phone and to give them a name. When someone calls your office, they should know who they are speaking to if they need to get back in contact with you or if they need to contact someone in the future, they'll have a name.

Another thing that we take pride in is that when we talk to persons in our office, we don't have them standing in our office for minutes before they're serviced. Once they come into our office, we have a bell that if we're not at our desk and if someone comes in, they ring the bell and immediately you'll have at least two to three people coming up to our counter to assist anyone that's internal staff and our outside constituents.

We are definitely courteous about making sure that when we do communicate with the public that we are being respectful of individuals. We're sensitive also to our public and to our internal staff in making sure that we're meeting their needs and that we're being cognitive of their time.

When emails are sent to our office, our departmental rule is that it is responded to within 24 hours. If you leave a voicemail with any of our staff, you will be contacted within 24 hours. We don't hold individuals on the phone for over a minute. If you do contact our office, you will talk to a person. You will not talk to a recording system.

Some of the things that we're looking at in this fall for upcoming surveys, since we do see a lot of people through the Homestead and Utility Rebate, we are working on a survey that we can start to implement in January of 2016 that when those individuals come into the Clerk's Office, after we've completed their rebates, we will provide them with a survey because we want to know how we're doing as a department and specifically how each individual person is communicating with them. That is something that I will be getting with my supervisors in the near future but that will be implemented January 2016.

For the mailroom, like I said, we do a lot of mail for the entire Unified Government. Each department is assigned a rotary box. I will be setting out surveys randomly into different

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rotary boxes just trying to find out if we're meeting the needs of those departments and if there's an issue or a concern that they can address that with me personally just so that I can see and to ensure that when their mail is being touched that we're getting it in and out in a timely manner.

The Records Center is a department that also serves the Unified Government as a whole. The goal with that is implementing a survey to those departments that are key users for the Records Center. Also try to find out which departments that we're not tapping into that we should be communicating with to get those records into the Records Center.

Our final item that I have before you tonight is that we're working diligently with our IT Department to get us a new agenda management system. It's really not going to impact what you see on a day-to-day basis. It will be more visible and it will be clear and it will be easy for you to follow. One of the main benefits to what we're trying to accomplish with this new agenda management system is that our goal is to have it set that it's going to be bookmarked and in sync with the video recording. In the event that someone is trying to look at the video of previous meetings, instead of fast forwarding and rewinding to listen to the entire meeting, you can go to the agenda, double click it and you can hear what was said at the meeting in real time. That's one of the things that we're really looking forward to in the near future.

With that, I'll close by saying that customer service, accuracy, and transparency are our top three priorities. We strive to fulfil the statutory duties in a prompt and effective manner by providing services that connects citizens to their government.

Commissioner Philbrook said I just want to make a comment. I'm impressed that you have such a high rate of cross-training. That is just amazing. **Ms. Cobbins** said you're welcome.

Shakeva Christian, Human Resources Manager, said we have several goals in the HR Department that we will aspire to do but we wanted to highlight one specific area that we're pretty proud of, it's our Safety and Worker's Compensation Program. We started our Safety Program in about 2013 in which we were allowed to hire two positions. Dave Wimberly is our Safety Officer who recently started with us and Dustin Swartz is our Work Comp Coordinator. We're going to basically go over some of our Safety Program initiatives as well as discuss some outcomes that are a result of our new programs.

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Safety Committees

- Executive Safety Committee
 - Define UG Safety policy to Department Safety Committees
- Department Safety Committees
 - Department policies

Dave Wimberly, Safety Officer, said one of the first things that we did was we created a couple of different safety committees. We started off with our Executive Safety Committee, which helped establish different safety policies throughout the entire UG.

We also have department safety committees which are individual safety committees within the departments made up of frontline employees who help myself and Dustin as far as being our eyes on the ground to see what is going on in the particular departments.

Policy Trainings

- Workers' Compensation and Injury Leave policy
 - Supervisors
 - Employees
- Driver Safety and Accident Reporting Policy
 - Supervisors
 - Employees
- New Employee Orientation Safety Training

The first policy that we changed was our Worker's Compensation and Injury Leave Policy. We just updated some of the language in that particular policy and then we trained our supervisors

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and employees on the changes. Then we went through and updated our Driver Safety and Accident Reporting Policy and made that more in line with DOT standards and also the insurance industry in changing some of the parameters there. Again, we also have gone through training with our supervisors on the new standards and also our employees.

The last thing that we did as far as our policy training is we created a new employee orientation safety training which we implemented back in October 2013. Through that, we've trained approximately 280 new employees with that new safety training program.

Safety Trainings

- Driver Safety
 - Appraisers Office

- Ergonomics
 - Juvenile Detention Center
 - Police Records Division

- Hazard Communications
 - Parks and Recreation
 - Justice Complex

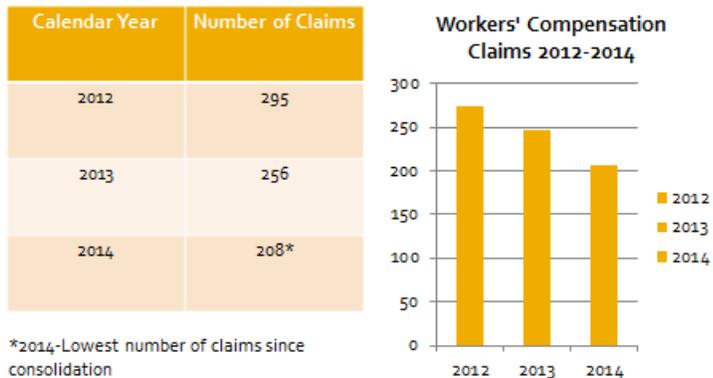
Just some other safety trainings that we have done. We've done driver safety training with our Appraiser's Office. We've gone through with our Juvenile Detention Center and also our Public Records Division and the Police Department with ergonomics training. We've also worked with our Parks & Recreation Department and also the Justice Complex on our Hazard Communications and Chemical Safety in those areas.

Current Initiatives

- Safety Manual
- Safety Incentive Program
- Light Duty Program

Currently, some of our new initiatives that we're doing right now is creating a safety manual that will include a lot more safety polices that should be implemented for all UG employees. We're working on a safety incentive program which will reward employees on bringing hazardous situations to our attention and also helping us figure out different ways to correct those hazardous situations. We're also working on a Light Duty Program. For instance, when an employee is unfortunately injured and can't return to work, we want to find them some kind of productive work within their department or within the UG so they can continue working at some form or fashion. With these current initiatives, we plan to see reductions in our worker's compensation numbers and I'll let Dustin speak to those.

Claim Numbers



Dustin Swartz, Workman's Compensation Coordinator, said since 2012, we've seen a steady decline in our worker's compensation claims. Last year, 2014, we had 208 claims which is actually the lowest number of claims we've had since we've consolidated. We have made some big, big gains there and a lot of progress.

Factors Impacting Claim Reduction

- Legislative changes to Kansas Workers' Compensation Act
- Claim management
- Claim investigations
- Accountability
- Communication
- Safety Trainings

Some of the factors that are impacting our decline in claims is in 2011, there was a change to the Kansas Worker's Compensation Act where it defines what was compensable, what's not and how many days an employee has to alert their supervisor of when they can report of having an injury. Also, we've seen a lot of aggressive claim management and claim investigations. We've enhanced our accountability and increased the communication amongst all of our stakeholders;

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so physicians, physical therapists, our employees, our supervisors as well as all the safety training that Dave aforementioned.

2015 Goal

Claim Year	Claim Goal
2015	198

- Goal-to reduce claims by at least 5%



- 2015 Goal-First time UG has been under 200 claims

Our goal for 2015 is to reduce the number of work injuries by at least 5%. We'd like to see our number at 198 or below. This will be the first time the UG has been under 200 claims.

Chairman Markley said I know this is close to Commissioner Kane's heart. **Commissioner Kane** said well, if you only trained two groups in ergonomics, that's not very good. You know, what I see here, I see a lot of supervisors, supervisors, supervisors. I don't see anything about basic employees, union involvement. This isn't a one-sided program. **Mr. Wimberly** said that is correct. **Commissioner Kane** said and it wasn't intended to be a one-sided program. It was intended—because I brought this on. It was intended for all the unions to let them know what was going on. All those numbers look good. I hope we're not brow beating our employees. **Mr. Wimberly** said no we're not and we have done additional ergonomics training with some departments. Those are just two of the major departments that we've done training.

Commissioner Kane said I don't know why we would reward anybody for not doing something unsafe. Safety is not a rewardable issue in my mind. **Mr. Wimberly** said correct. The idea is to award someone for bringing up a new idea for safety, not actually rewarding bad behaviors.

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Commissioner Kane said we had an incident happen right down the street the other day when the gas pipe broke or whatever. I've asked for information about that from Doug and I've yet to get a satisfactory answer. I realize that you guys are to focus on our employees. Well, our employees were in that building that day and our employees were at risk and we should—I don't have the report I want yet and I'm going to get that report one way or the other.

We need to talk to the contractor because there are multiple things they're required to do and you know this in your training that what caused the incident, who caused the incident, how they repaired it, and what they're going to do to prevent the incident from happening again. I know your focus is employees, but we had a whole bunch of folks that were forced to leave their offices and nobody went around and told any of them anything except get out.

I think we, as the Unified Government, failed miserably last week and I'm not just blaming you guys. This is near and dear to my heart because I've had to tell somebody that their family member is not going home the same way they came to the plant. Until you've been in that boat and it sucks. We've had to do that with our police officers, our firemen and a bunch of other folks. I'm telling you that this safety thing, in my mind, is something that needs to be on top and it's also not cheap.

Don't take this as me getting onto you. I'm pretty mad because I didn't get what I wanted from Doug. It's important that when we have an incident out there, especially as close to this place where most of our workers are at, it's very frustrating for me not to get a response other than I got a two page thing who did it and that doesn't work for me. I'm not going to quit until I get an answer. For you three administrators, you're going to want to tell Doug this because I don't play when it comes to safety. What happened over at the Plaza can happen here and that's my example. I promise you if that happens to our people, I will help the family members that didn't make it home sue the city.

Commissioner Bynum said with regard to part of what you bring up, because I also work a block away from this building and was on the Avenue the day of the gas leak and the evacuations, my question at that time was my building was not notified period. I just kind of go sauntering back into my office. This is not the first time I've had the question. To me, it's an emergency management question. It's only one piece of what you are describing. For me and my background working at the Red Cross, the evacuation piece is an emergency management

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communications plan. I've often wondered what is that plan particularly as it relates to downtown KCK because that happens to be where I work. Not to take away from the other pieces of what you bring up, but just to focus in on that piece. I'm not sure how much of that is work comp and how much of it is part of an emergency communications plan.

Commissioner Kane said well, that's part of it. We didn't communicate very well to the folks. In fact, I was walking on my route when I see everybody out and then I'm standing there and people are just nonchalantly walking around. They left their buildings because everybody else left and they weren't notified. Then when you get somebody who knows your background, hey, safety guy, what do you think about this. All the lawsuits that are being settled over in Missouri because they didn't evaluate that building and they had the smell.

For me not to get the answers—because the answers are simple. The guy made a mistake. What was the corrective action? The answer I got was a subcontractor. I don't care if it was a subcontractor or not. They're still doing work for us so we're still responsible. That's why I get frustrated. We need to do a better job the next time an incident happens like that, that we notify the surrounding facilities, not just our folks but everybody else. Hey, we got an issue and you need to get out and we need to go back and make sure they're out and when it's time to go back in, we go back and tell them to go back in.

Commissioner Johnson said I just have one question. I wanted to know what—I see you have the goal of less than 200 claims. What tangible criteria do you all utilize to come up with that 5% goal for the number of claims? **Mr. Swartz** said we utilize just basically the standard that's out there, a 5% reduction. **Commissioner Johnson** asked that's an industry standard. **Commissioner Kane** said yes, it is and it's wherever you go.

I was just laughing at him. You asked that question because I turned to him and said it's the standard. They come up with that as a goal. Sometimes it's attainable and sometimes it's not, but that's clear across the board, which is a good one because it gives you something to reach for.

There has been improvement and we've seen that. What happens sometimes, especially since these guys have been at it for a little while, you'll see the numbers drop down and then they'll go stagnate for a while because then they've got to go do the new programs, the new stuff that's come and then it doesn't make the 5% once they learn the new stuff then it increases.

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Commissioner Johnson said okay, well at least that answers the question. **Commissioner Kane** said I've only did it for 21 years.

Action: For information only.

Public Agenda:

Item No. 1 – 150089...APPEARANCE: MURRAY ANDERSON

Synopsis: Appearance of Murray Anderson requesting consideration be given to amend the UG Charter to allow citizens the opportunity to present any subject matter before a public forum and/or standing committee.

Murray Anderson, I reside in Rosedale in Kansas City, KS. I've been a member of Wyandotte County for about 60 years. The purpose of me wanting to speak with the committee is that my concern is regarding the Mayor/CEO position and the authority of the commissioner to represent a citizen's interest if that citizen has a conflicting view or issue that is not in lockstep with the office of Mayor/CEO.

I had a recent experience in 2011 whereas that I had put forward a question to present to the Unified Government and I was refused that opportunity. In fact, because the view was not a popular view, I was told in a letter document by the Unified Government's general council that I should cease discussing this issue with any public officials.

Now, I'm here because I value my vote. I'm also here because I respect the office of my commissioner. After I had resolved in my mind that my next step in the journey should be, in fact, to turn to my commissioner and my commissioner happens to be Commissioner Ann Murguia from the Third District. Well, I did turn to my commissioner and requested that my commissioner consider representing my interest by putting me on the agenda. My commissioner, in good character, responded in a document stating to me that she, in fact, did not have the authority to put me on the agenda. That was very disappointing. That experience said to me that the office of Mayor/CEO has the same power as a pharaoh, as a king, which means that we don't have a representative democracy.

In my view as a citizen, I believe that in democracy a citizen should not be censored no matter what the nature of the discussion may be; no matter how difficult the issue may be. I

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believe also that in a representative government that a citizen should have the capacity and the ability and the opportunity to turn to their duly elected official, their commissioner of their district, and request that their commissioner step forward and put an issue before the appropriate forum under all circumstances. My only interest here today is to request that the commissioners consider the fact that they should be enabled to represent the interest of any of their constituents under any circumstances in the appropriate forum.

I voted for the unification of the Unified Government in 1997 because I believed that it would usher in an era of financial and economic inclusion and fairness in our community, and eliminate the experiences that particularly the minority community has in terms of its participation within major economic development and financial issues. I did not vote for the Unified Government to structure an office of Mayor/CEO that had the same power as a king or in fact as a pharaoh.

Action: For information only.

Item No. 2 – 150124...APPEARANCE: COMMISSIONER ANN MURGUIA

Synopsis: Appearance of Commissioner Ann Murguia and several doctors recommending amendments to the smoking ordinance to prohibit the use of electronic cigarettes in designated places.

Commissioner Ann Murguia said thank you, Chairwoman Markley, and my fellow commissioners for allowing me to come to present today. I bring with me our university collaborators from the University of Kansas Medical Center. Before they give a very short presentation, I'd like to introduce them. Dr. Kim Kimminau, PhD, is an Associate Professor in the Department of Family Medicine at the University of Kansas Medical Center and the Director of the Center for Community Health Improvement. She also serves as the Research Director for the National Research Network at the American Academy of Family Physicians. She has a masters and a PhD in Biomedical Anthropology from Ohio State University. Her research interest includes oral health, cancer prevention, and community health. She is especially passionate about translating research into healthcare practice and informing policy to improve health.

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Robin Liston is a Project Director in the Department of Preventative Medicine and Public Health at the University of Kansas Medical Center. She has a Masters of Public Health from KUMC and her professional interest also reflect a commitment to community engagement to improve health and health policy.

Dr. Kim Kimminau, PhD, said thank you for a chance to talk with you about an issue I really don't think I'm going to need much to provide to you. The opportunity to talk tonight is great but I will tell you that as a commission and as a Unified Government, you've already shown such incredible leadership with respect to electronic cigarettes. I don't think you have far to go for being able to take advantage of a toolkit that Commissioner Murguia has now shared with you that we're providing to municipalities across the state.

Fact vs. Hype: Health Benefits?

Claims about the health benefits of e-cigarettes are not supported by the current scientific evidence.

- Marketed as healthier alternative to conventional cigarettes and as a way for helping smokers cut back or quit smoking cigarettes.
- Kansas adult tobacco smokers who also use e-cigarettes reported they **are less likely to stop** using traditional cigarettes compared to smokers that did not use e-cigarettes.

I'm going to just share some information we know. Do we know if there are health benefits to using electronic cigarettes? The answer is no. We don't know. The claims about it are not supported yet from any current scientific evidence so I'm here to say that we have not been able to study this or prove that it helps smokers quit. In fact, adult smokers who use these devices basically have a harder time quitting right now. They're less likely to stop using traditional cigarettes.

Fact vs. Hype: Health Hazards?

What we know:

1. Nicotine is addictive and liquid nicotine can be toxic.
2. Containers can be tampered with which means any powder or liquid can be added and "vaped".
3. E-cigarettes contain chemicals we know are harmful.
4. The short- and long-term health effects of exposure to e-cigarette vapor is currently not understood.

Are there health hazards; the other side of this coin? The answer is yes. Nicotine is the addictive substance in tobacco. That's what's in the vapor, the aerosol that is used for electronic cigarettes.

These containers can be tampered with. The FDA has not approved or regulated these things so anything can go in the vials that go into these battery charged or non-battery charged devices. You can put in, think about it, you could put in anything: hash oils, ground up other drugs, and there's no containment.

The other side of that is because you can't contain them, it means that they can break or be accessed. Most of the increased poison control centers are because children are getting into these fruit and berry flavored, chocolate flavored labeled devices that go into the electronic cigarettes and it's extremely toxic. Even touching it with the skin will cause a toxic reaction, particularly for small children. We know that they're harmful. There may be benefits but that's yet to be proved.

Indoor Clean Air Act & E-Cigarettes

- E-cigarettes are **not** covered by the Kansas Indoor Clean Air Act
- E-cigarettes are **not** covered by most city ordinances
 - Smoking regulations usually depend on **specific definitions of smoking and/or tobacco**
 - Unified Government/Wyandotte County currently restricts use of e-cigarettes in county-owned vehicles and in county facilities

E-cigarettes are not covered by the Kansas Indoor Clear Air Act and that leaves municipalities and counties like Wyandotte exposed for a number of issues. They're not covered by most city ordinances because smoking and tobacco have been really at the forefront of regulation. Electronic cigarettes are neither smoking nor tobacco so because of that, they fall out of the jurisdiction of your current regulations on tobacco and smoking. Does that make sense? You don't smoke these things, you vape them, they're aerosol, they're not actually a burn smoking product and they don't come from tobacco. You can have chemically produced nicotine never saw a tobacco plant. In both cases, they sort of fall through the cracks of current smoking requirements.

Municipal & County Ordinances

Recommendation:

Modify current statute by revising definitions for smoking and/or tobacco products so that e-cigarettes are included

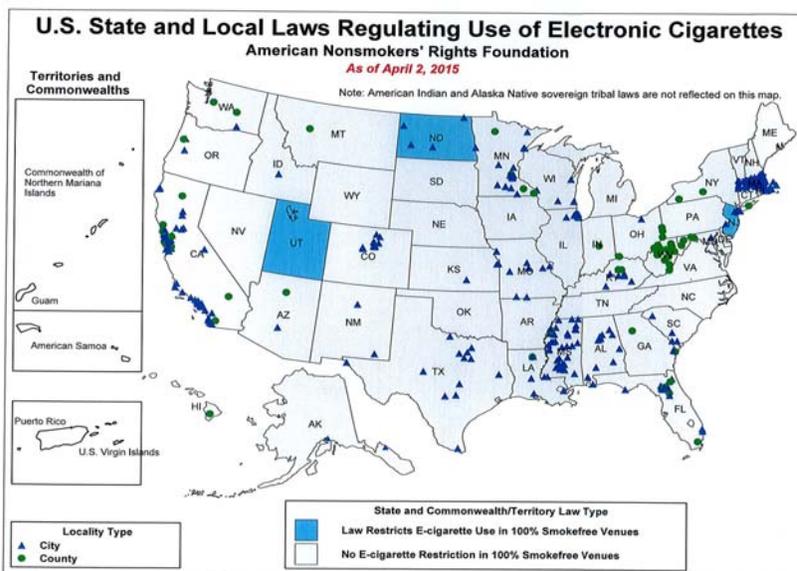
Solution:

Toolkit provides legally sound language and definitions to accomplish this protection

The Unified Government has already taken great steps for including electronic cigarettes in your Human Resource policies and just about 11 months ago; almost a year now, you acted on this and showed pretty bold leadership. We'd like to encourage you to do the same thing again by modifying current statute and revising the definitions of smoking and tobacco so that these products don't fall through the cracks for the entire county.

The toolkit you have in front of us provides legally sound guidance. We had the School of Law at KU provide a full study nationwide of laws that had been put in place to protect the population's health. So you'll see specific language in the toolkit that we offer to work with your legal counsel and we think is advisable for local law. I also wanted to say I know I'm running out of my five minutes. **Commissioner Philbrook** said no you're fine. **Dr. Kimminau** said I'm hearing you. **Commissioner Philbrook** said at least you're organized.

Dr. Kimminau said as I said, it's to modify your current policy. The coverage would be comparable to what you currently have with tobacco products. No more so restrictive, no lesser restrictive.



You'll see a map that I think really speaks quite a bit. We're not endorsing the American Non-Smokers Rights Foundation. I'm just showing you this because I love maps and I think they tell a lot. There are three blue triangles on your map in the state of Kansas. They don't know Kansas very well; it's a little off kilter. These are three cities that have already taken control of electronic cigarettes and put it into city statutes and law. They are McPherson, Overland Park

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and Olathe. It sort of looks like it's Kansas City, MO, or Kansas City but it needs to go a little west. Those three cities have enacted ordinances.

The Unified Government/Wyandotte County would be the first countywide entity in the state of Kansas and as you can see, in pretty much the entire midwest to take this step to provide population health and public health protection from electronic cigarettes and you are almost there.

I invite you to ask questions. We have a frequently asked questions section. You can see we have guidance for city and municipal law that we offer to provide support to your legal counsel and we're here to answer any of your questions or fill in any additional information.

Chairman Markley said I see that Misty from Legal is lingering here and wondering if some work has been done on this already and if she'd like to give us an idea of what it would take for our ordinance to fit into this folder.

Misty Brown, Senior Attorney, said I would start by saying that when we drafted the smoking ordinance, we included electronic cigarettes at that time in it by having a bid in there about a device that was heated so that they would be prohibited. Technology has changed so now there's a way to have e-cigarettes that are not heated. In order to make it very clear in our ordinance, it would just take some minor tweaks.

I've looked at the information provided by KU. It was very helpful and put together a draft ordinance that would effectively make it very clear that all e-cigarettes would be banned per our ordinance. While I was at it, went ahead and did some tweaks to it so that we would be better in compliance with state law, just a few very minor things that we needed to clean up and never got to. This is something that's—I have it ready to go whenever the commission wants it.

Commissioner Murguia said, Commissioner Markley, what we would ask is for you to take action tonight is that originally when I submitted this request to be heard by all of you, we didn't ask for action because we know our legal team is very busy and we had no idea that they would be so ambitious that they would be finished with the work by the time we came to all of you. Just for efficiency purposes and to eliminate long nights like you've had tonight, we would like to ask if you all would just move it to the full commission. At that time, Misty would be more

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than happy to present the ordinance changes, which it would be a public requirement. We can collectively, as a full commission, vote on it at that time.

Commissioner Kane asked but if it's unanimous, it would be on the Consent Agenda wouldn't it. **Jody Boeding, Chief Legal Counsel**, said I'm sorry. It would not be able to be on the Consent Agenda because you have to have a written ordinance before you and I think since it's not—you don't have that written ordinance before you—that we would treat it as a new ordinance coming before the full commission and just not make it on the Consent Agenda. **Chairman Markley** said so it can go to full commission from here. It just would have to be separate from Consent Agenda because we'd have to have that new ordinance in our packet. **Ms. Boeding** said I believe that's the case.

Commissioner Bynum said I just have one question. The language that you've provided and that you've worked on, it feels like these things change almost on a daily basis. Are we as current and comprehensive as we can possibly be or I guess if things change in a year, we can just go back and just amend again. **Ms. Brown** said I think we've made it very inclusive. I have spent some time going over it and wrapping my head around every possible scenario. I thought I did it before. I had no idea that we could inhale anything without heat but I think we've got it covered. **Commissioner Bynum** said I think that's the part that amazes me so much and I just watched this documentary on PBS about e-cigarettes and vaping and I was astounded. I had no idea. That's what I'm thinking about is people are so ingenious with techniques that they come up with. That's all I wanted to know. **Ms. Brown** said I think my concern when I first read it was being overly broad, that would prohibit things that are not potentially harmful to everyone else, but I think we found the right match of keeping it so that we're protecting the public health but not infringing on civil liberties.

Joe Connor, Assistant County Administrator, said I just want to make one clarification. I think Kim was asking for a countywide ordinance. I don't think that what Misty has prepared is countywide. **Commissioner Kane** said I don't think we can. **Mr. Connor** said it's a citywide ordinance for the city of Kansas City, KS. I just want to make sure—I know that's what you asked. **Dr. Kimminau** said you are pretty much the county so—**Commissioner Philbrook** said we are the county. **Mr. Connor** said well, we don't take the other cities for granted. I'm just the

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first to make that clear. **Ms. Boeding** said we can't tell them what to do. **Commissioner Kane** said that's my question. What we do here, they have to be their own: Edwardsville and Bonner would have to make their own ordinance. Correct? **Dr. Kimminau** said and we'd be happy to go before them as well to provide this information. **Ms. Boeding** said they have their sovereign bodies, selected bodies and we don't—**Dr. Kimminau** said it will be a blue triangle. It won't be a green circle but I'm still moving towards the green circle.

Commissioner Philbrook said well, with all that being said then I would suggest that we move forward to the most area we can cover; which would be the city part and you bring it before the commission. **Chairman Markley** asked is that a motion? **Commissioner Philbrook** said yes.

Action: **Commissioner Philbrook made a motion, seconded by Commissioner Bynum, to approve and forward to full commission.** Roll call was taken and there were five "Ayes," Philbrook, Kane, Johnson, Bynum, Markley.

Adjourn

Chairman Markley adjourned the meeting at 8:01 p.m.

tpl

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