

**PUBLIC WORKS AND SAFETY
STANDING COMMITTEE MINUTES**

Monday, August 22, 2016

The meeting of the Public Works and Safety Standing Committee was held on Monday, August 22, 2016, at 5:00 p.m., in the 5th Floor Conference Room of the Municipal Office Building. The following members were present: Commissioner Bynum, Chairman; Commissioners Johnson, Markley, Philbrook and Jeff Bryant, BPU Board Member. Commissioner Kane was absent. The following officials were also in attendance: Gordon Criswell, Melissa Mundt and Joe Connor, Assistant County Administrator's; Ryan Haga, Attorney; Susan Alig, Attorney; Matt May, Emergency Management Director; Mike Baughman, Emergency Management Program Coordinator; Mike Tobin, Interim Director of Public Works; Trenton Foglesong, Director of Water Pollution Control; Sharon Reed, Director of Procurement and Contract Compliance; Ken Moore, Chief Legal Counsel; Kathleen VonAchen; and Ron Shoemaker, Sergeant-At-Arms.

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

Chairman Bynum said we have a revision to our Public Works and Safety Agenda. We have a blue sheet that was distributed today providing additional information for measurable goals and adding a new item on the committee agenda. That is item number seven. A resolution regarding the collapse of North 33rd Terrace and I do hear Commissioner Townsend on the phone now. There are no minutes for approval this evening due to cancellation of our June 27th meeting. That takes us to Measurable goals. The first order of business, Melissa Mundt with our County Administrators Office is here to present this item.

Measurable Goals:

Item No. 1 – 16751...DISCUSSION: REVIEW OF DEPARTMENT GOALS

Synopsis: List measurable goals, submitted by the County Administrator's Office.

Melissa Mundt, Assistant County Administrator, said we sent these out today so I don't expect that you would have read them. What Gordon and Joe and myself would like to start as a conversation with you about sort of the goals we went through with the standing committee last fall and early winter. What we put across the top is the actually the Commission's goals and broke them down by the different standing committees that would see those. Ultimately, we would kind of want to look at what falls in those areas and where there are gaps, where we maybe aren't covering those strategic goals with the departmental ones that we looked at. Also, looking forward as we move to strategic planning November 5th as the date we've heard bantered about, to make sure that as staff we are helping build towards that before we get there to help have a better, more robust conversation about your work and the work that we'll be doing for you.

Commissioner Markley said the Mayor did send out an email to the commissioners asking for our input in topics for that strategic planning. So, I think also the other standing committee, I understand, the other set of standing committee's will also be taking a renewed look at their goals. It may trigger something in your mind that you send an additional agenda item to the Mayor to put on that strategic planning agenda.

Ms. Mundt said so the idea was to put together a matrix that we could look at and have the conversation by the different departmental areas about how they align with the 11 or 12 Commission priorities that were set out a couple of years ago. They have just been rolling and I think there is hope for a little deeper dive to make sure there's an alignment of where you want to move the community as commissioners.

Also, because we just did the citizens survey, the resident's survey, we're going to be bringing that back when we meet with you in September in a similar look to see how those areas on our overall scores, how those would align with some of the areas that are Commission priorities. If there are things that aren't in that then maybe that's a gap that you would want to look at when you are looking at those as we move forward through the fall. It's kind of the strategy that we are trying to employ, but we want to give you a way to look these in maybe a little different perspective and be able to kind of check mark off. We started doing that and they were like, oh maybe it would be better if the folks who are setting the priorities looked at where they were at as well. So, you have the packet of the departments that fall under this standing committee before you tonight. Joe, Gordon, any other comments?

Joe Connor, Assistant County Administrator, said as a part of the Mayor's request, we are going out for a Notice of Need for a new strategic planning consultant. In the past we have a commissioner committee of three that was a selection committee for that. Currently we have two. So if a third person would jump in there and be the selection committee, that would be fantastic. **Chairman Bynum** said, Joe, I know when that email came out last week, I think I responded. I don't remember who sent the email. **Mr. Connor** said the Mayor did, but you responded to me. **Chairman Bynum** said, I did, that's right. **Mr. Connor** said I got a response from Commissioner Philbrook and from you Commissioner Bynum. **Chairman Bynum** said so we need one more, is that right; we need one more commissioner to volunteer? **Mr. Connor** said that would be great. We don't need an answer today, but it was part of the Mayor's request for ideas and we need a third person for the selection committee. **Commissioner Philbrook** said a third commissioner or a third person? **Mr. Connor** said a third commissioner.

Chairman Bynum said, Melissa, will we look again at items next month as well? **Ms. Mundt** said yes, we will actually take this so I would take the time since you now have it to look it over and send any feedback that you have to myself, Gordon or Joe. I am not going to be in the office for a part of that time between now and then for a variety of different reasons, but certainly get those comments to us if you see them. The stuff that we worked on, this is the clean up after we met with you, so we took your comments and feedback if you had any on them and then rewrote the goals to match that. In some instances they didn't change, but now you are seeing the kind of completed product. Another step that our Finance Department is taking is actually looking at is what's in the budget. You know how we have the budget descriptions and there's some kind of targets or measures in there. They're looking at adding that in as well.

Just kind of getting that more holistic look at sort of how we're trying to drive the work of the organization and this is just the start. We didn't want to go into a deep conversation tonight other than introduce what we are trying to do. Then we meet again with you guys later in September, we'll do that more deep conversation. Certainly, Commissioner Bynum, if you would like to talk about how we facilitate that with the standing committee, I'd be happy to talk to you.

Action: For information only.

Committee Agenda:

Item No. 1 – 16742...RESOLUTION: GRANT ELEMENTART SANITARY SEWER IMPROVEMENTS

Synopsis: A resolution authorizing a survey and descriptions of lands necessary for the Grant Elementary Sanitary Sewer Improvements, CMIP 6301, submitted by Ryan Haga, Attorney, Legal Department.

Ryan Haga, Attorney, said the next three items are all basically the same thing. They are all just resolutions for authorization to take surveys of lands that may need to be condemned for three different sanitary sewer projects. **Chairman Bynum** said so why don't we take them one at a time, I think they need individual votes.

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

Item No. 2 – 16743...RESOLUTION: 26TH & GRANDVIEW EMERGENCY SANITARY SEWER REPAIRS

Synopsis: A resolution authorizing a survey and descriptions of lands necessary for the 26th & Grandview Sanitary Repairs, CMIP 6166, Submitted by Ryan Haga, Attorney, Legal Department.

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

Item No. 3 – 16744...RESOLUTION: 2016 STORM SEWER R & R PROJECT AND 2017 SANITARY SEWER IMPROVEMENTS

Synopsis: A resolution authorizing a survey and descriptions of lands necessary for the 2016

Storm Sewer R & R Project and 2017 Sanitary Sewer Improvements, CMIP 5303 & 6301, submitted by Ryan Haga, Attorney, Legal Department.

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

Item No. 4 – 16724...REVISIONS: COUNTY EMERGENCY OPERATIONS PLAN

Synopsis: Request approval of revisions to the Wyandotte County, Kansas Emergency Operations Plan, specifically the sections titled ESF 6-Mass Care, Housing & Human Services, submitted by Matt May, Emergency Management Director.

Matt May, Emergency Management Director, said I apologize for the tree that we gave you. What you have in front of you is a clean or final version copy. I also have copies that you should have gotten which has the strikeouts and the replacements. If you would like to see that, I can give that to you tonight. What we would like to ask you for is approval of these as required as this document evolves that they go to the Commission. We felt like the best process was to bring this to the standing committee all the changes every month. We are going to be meeting every month with each of the Emergency Support function groups. There are 15 of them. A couple of them get lumped together. We will bring these once a month to look at and say yep that works for us. What I would like to do then is when we have gone through the complete 15 piece cycle, which will be sometime in the spring of 2017, I'd like to bring back then to full commission the entire County Emergency Operations plan for final approval. That will include the base plan as well as the fifteen support functions and some annexes. So what you have in front of you is ESF 6, which is our Mass Care, Housing & Human Services section. It does cover a lot of changes. Most of them are terminology changes. The biggest and probably what I think are the most significant changes from the 2012 version, which is the ones currently in place, is the realignment of the coordinating agency, the primary agencies, and the support agencies, with a slightly different definition that have been used in the past.

The most important thing is your only going to see one agency now as a coordinating agency and it's going to be one of our agencies. It's not going to be a non-profit agency or someone

outside of the county government entity. The advantage of that is the coordinating agency has some administrative things to take care of for us. Most importantly is deciding who to call in during activation. That's going to be handed down to them. So, we need someone that is familiar with that but it's also someone I need to be able to call at two in the morning and say it's time to go to work. So, in the past for example, in this group it was the American Red Cross. Great group, still a primary agency, still a big partner with us in this particular element, but not somebody that I can task at two in the morning. So those are probably the most significant changes, is just this list, nobody fell off. It was just a movement around in this definition. So primary agencies are anybody that we might have sit in the room become part of that procedure in the EOC. Support agencies are typically people we go to for resources. They could be a partner player, they could be a private vendor, somebody we would go to but who we have partnered with to make sure we have resources. That's kind of how that sheet breaks out now, kind of redefined and I think in a little bit more informative way for everybody.

So what we would like to ask for tonight is approval of this segment of the plan as it stands and if you need any info or information, we're happy to do that. Again, I have strikeout copies if you want to see them.

Commissioner Johnson said you did mention American Red Cross, but will there be any budget implications in doing this at this point? **Mr. May** said none at all. This is more procedural and will hope for us to form up exactly how we are going to operate together in the future should we have an activation or an event and help us redefine our resource list so we will know who to call in for what purposes. For example, should we activate EOC, we are going to work with one of the Assistant County Administrators as the EOC Director and say who should come in. That list will then go to the coordinating agencies to actually make the call out and bring those people in. We will facilitate that; we are not expecting them to physically make the phone calls. We need help in deciding who's going to be key to be here. There are some others where we have a lot more players who vary depending on the event.

For ESF8, that is health care that has a big EMS element as well, as a big public health element and a big mental health element. Depending on the event we may need more guidance from one or the other. So we will make them the lead, if you will, but the coordinator will help make that decision. We need somebody who is really familiar with all those working parts.

In that particular example Public Health has agreed to be that coordinating agency it doesn't mean that if it's a mass casualty event that they would take over, because that is primarily an EMS response. That's how that all works out.

Commissioner Philbrook said I'm still plowing through this, going really. I am going to make an assumption, dangerous thing to do, that everything here is correct. I guess, just right out there in the open, since the people in TV land doesn't know what this big things says, so if something happens, who is the first person to act, to call in? Is it Human Services or is it you guys who then work with Human Services? **Mr. May** said your latter one is probably more likely. **Commissioner Philbrook** said I just want to know because of the way I am reading this—**Mr. May** said we are going to facilitate that, but they are still going to be that entity that knows these players the best. **Commissioner Philbrook** said they are going to coordinate what you direct. **Mr. May** said that is correct and we are going to help facilitate the actual action. If they say we need these five primary players in, we are going to maintain the data to contact them, we are going to have a mechanism to do that with, which we do. Then we are going to physically push the buttons to make that happen, but it is going to be at their guidance. **Commissioner Philbrook** said I just needed that little bit of clarification. **Mr. May** said absolutely. I completely understand.

Chairman Bynum said just two quick comments. I appreciate the clarification to the revisions as well and you have answered my question before I asked it so I appreciate that. In terms of the hierarchy, if you will, and the role of the non-profits; it is nice that our community has access to more both government and community-based help in times like this. Mr. Baughman knows that in 2003 I was cleaning up a tornado in my role at Leavenworth Road Association and there was no CERT in Wyandotte County. Johnson County sent their CERT team to us and assisted us in that effort and I think largely as a result of that we now have CERT and I think I see at least one community member, Janet Golubski, here. Thank you Janet for that. Donnie Thomas and Marsha, your CERT, fantastic! **Marcia Rupp** said I'm not real active, but I am still CERT. **Chairman Bynum** said thank you, all of you, I really do appreciate that. It means a lot and it matters a lot. I like the clarification and appreciate the updates to the plan in general.

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

Item No. 5 – 16745...DISCUSSION/CONSIDERATION: AMENDMENTS TO BLOCK PARTY PERMIT POLICY

Synopsis: Request approval of amendments to the UG’s block party permit policy to address recent public safety and logistical concerns, submitted by Susan Alig, Attorney, Legal Department.

Chairman Bynum said I believe we have Commissioner Townsend on the line to listen in. **Commissioner Townsend** said yes, I am on. **Chairman Bynum** said we’re going to cover this item in this order. Am I correct Susan? **Susan Alig, Attorney,** said yes. **Chairman Bynum** said Susan is going to begin and open up talking about our current policy and then we will have any citizen comment and then we will ask staff to present the recommended changes to the policy. Commissioner Townsend, we will probably start with you for comments after we hear from staff.

Current Policy

- Applicants have 51% of the people on their street sign a petition indicating approval of block party and turn it in to Public Works.
- Public Works brings barricades to the site.
- \$25.00 permit fee
- No criteria for approval or denial of permit

Susan Alig, Attorney, said our current policy is pretty simple. It just requires that you go on line, get the form, you read the instructions. Applicants need to 51% of the people in the area of the block party to approve it. They do that by going door-to-door getting a petition signed. They pay a \$25 permit fee. Public Works delivers barricade’s to the site to block off the portion of the street where the block party is going to happen. Public Works then comes and picks those up

after the end of the block party. Our policy does not set out any criteria for approval or denial of permits. We don't have anything in our policy about cleaning up, public safety, or anything like that. It's just a really simple basic policy.

Why change the policy?

- Public safety concerns due to 2 incidents this summer
- Logistical concerns for public works

Under that policy in 2015, we issued 123 block party permits. In 2016, so far we've issued 91. For the most part the system is working, but we have had a couple of complaints. I think we do have some citizens here who want to address those complaints which is the reason why we are here.

Mike Tobin, Interim Director of Public Works, said of the 123 block party permits in 2015 and the 91 so far this year, the majority of those permits are issued for the Fourth of July. For example, in 2015 we actually issued almost 70 block party permits for the Fourth of July weekend. That is really the only time that it's taxing on staff. For us to drop off barricades and pick up barricades at a neighborhood function when there are a couple on the weekend or two a month is no big deal. Fourth of July weekend is an event and as you know, Wyandotte County does love its fireworks. **Ms. Alig** said we have drafted a sample perspective policy to address the complaints that I'll be prepared to talk about after the public.

Chairman Bynum said, Commissioner Townsend, I think you had comments you would like to make and then any member of the audience after Commissioner Townsend speaks, if any member of the audience would like to speak to this item.

Commissioner Townsend said I have more questions and I was listening to council explain the current policy so what I have before me is the revised policy. It sounds like a lot of things in the revised policy address holes that were in the current policy. I just have some questions for clarification going down the proposed version that I am looking at. Under item number two, where they talk about the block party petition form, this current version requires 75% of the residents or businesses on the street to give approval. I think that's a good healthy number so that you have a clear majority of the residents approving this. So, I think that's a good number, but it also requires that 100% of the residents or businesses be informed. My question is, how do we verify those numbers were achieved? **Ms. Alig** said Public Works looks at the plat map of the area for the block party and they can actually count and see whether all of the addresses there have been informed. When locations are vacant or there isn't someone that the applicant can contact, Public Works counts that in favor of the block party. **Commissioner Townsend** said if someone does not respond, it's counted how? **Chairman Bynum** said if it's a vacant property it's counted in favor of. **Ms. Alig** said that's correct. **Commissioner Townsend** asked why is it counted in favor of instead of just not counted at all or neutral. Why is it counted positively? **Mr. Tobin** said that's just the old policy, that's just the way it was done Commissioner. **Chairman Bynum** said I suppose it is a neutral item because if that's a vacant property and you take it out of the mix, you could still attain 100%. **Commissioner Townsend** said I would favor that if it's vacant, they would have no count at all. If its accounted for, I understand it, but I don't don't know if that would be the best thing to favor affirmatively this going forward.

The next section under term of permit, under three, the parties must begin after 9 a.m. and end before 10 p.m. Is there a restriction on the length of time? I see the beginning and the period, but is there a restriction on it? I would think that this should not be longer than six hours. I don't think the neighbors should be inconvenienced longer than that or the public that might want access to that. That's just my thought. **Ms. Alig** said that's something we can add. **Chairman Bynum** said just to rephrase it, Commissioner, are you satisfied with no block party lasting beyond 10 p.m.? **Commissioner Townsend** said I was just about to say I think 9 p.m. is

late enough. I think a 12-hour window is long enough, nine to nine, because there is always a period of time for clean-up and all of that. I think a 12 hour period is long enough. **Chairman Bynum** said I agree that 12 hours or even 13 as per this proposal is a long time to have a block party. On the Fourth of July, it's not dark until 8:49 p.m. so I would say 9 p.m. might be pushing it for Fourth of July parties. We wait all day for it to turn dark so that we can enjoy our fireworks. I might be satisfied with a 10 p.m. and perhaps a statement of no block parties shall take place for longer than six hours, something like that.

Commissioner Townsend said now with the Fourth of July I'm looking at a policy that's going to talk about what normally happens, so even though I understand we get the bulk of our request for that and this isn't going to stop people from shooting their fireworks; we are talking about barricading access. That's what I am focusing in on, not so much trying to put the kibosh on somebody's fireworks display, but the access that is being limited for that period of time.

Now, let me go down to number 7, barricades, under item A1. We talk about the applicants must provide a \$120 security deposit and a \$30 block party fee in order to obtain barricade's for the block party. Under I, it says the remainder of deposit will be returned upon satisfactory return of the barricade's. I was confused about what we meant here by the remainder of the deposit. Let's say the barricades are returned in good order. How much money does someone get back from their security deposit? **Ms. Alig** said if they are returned in good order and they clean up they get everything back. **Commissioner Townsend** said they get the full \$120. **Ms. Alig** said I think what we were contemplating was that the \$30 block party fee would be included in that \$120. I can see that's not all that clear here. So, either people need to pay \$150 and will keep \$30 or we will keep \$30 out of the \$120. **Commissioner Townsend** said I don't have any particular concern one way or the other, other than the clarity of what we are getting at. So, I think that just needs to be reworded based on what we're seeing here; that it's not quite clear what the meaning is and what people are going to get back if they return the barricades in good order and the street is cleaned up.

That led me to my other writing that I couldn't read earlier, how it is verified that the clean-up is done in the neighborhoods? **Ms. Alig** said Public Works will be going out and checking. **Mr. Tobin** said currently, Commissioner, we go by and retrieve the barricade's and we can tell whether or not the clean-up has been done. **Commissioner Townsend** said okay. Do we have

very many people to bring them back themselves? That's what I was envisioning that people would bring them back. If we are going out and picking them up, your right, that can be seen. **Mr. Tobin** said right now we pick them all up, Commissioner. **Commissioner Townsend** said okay.

On item 8 the prohibited activity, no alcohol, no fireworks will be used in the street except for the Fourth of July. What about prohibitions on noise? Say music, the amount decibels, how can we address that? **Ms. Alig** said I think that would fall under our noise ordinance or noise complaints. I didn't include anything new in the policy. It could also fall under the general idea of law enforcement contact. **Commissioner Townsend** said well that's reasonable, we have the noise complaint.

Under number nine, the denial of permit. Under Aii the proposed block party is on an arterial street, Appendix A which you provided, I appreciate that. How can we go about amending or adding to the appendix if there are other arterial streets that based on the amount of traffic we believe no block party permit should be issued? **Ms. Alig** said I think that would be something that Public Works could look into. They are the ones that originally created the list based on traffic volume. If I can here, I would like to pull up Appendix A, adobe document.

Appendix A

RESIDENTIAL BLOCK PERMIT STREET

REJECTIONS

Leavesworth Road	N 8th St -70 to Quindaro Blvd
Quindaro Blvd,	N 8th St Central Ave to Washington Blvd
Parallel Parkway	7th St US 69-US 169
State Avenue	0th St Osage to Sunshine Rd
Wood Ave 18th St to 38th St	N 13th St Grandview to Quindaro Blvd
Victory Drive	18th St
Grandview Blvd from N. 28th St to Park Drive	N 38th St Park Dr to Wood Ave
Central Avenue	N 47th St
Minnesota Avenue	N 58th St State Ave north
Washington Blvd 5th Street to 18th Street	N 5th St Meadow Lark Lane
Kansas Avenue	N 56th St
Argentine Blvd	N 63rd St
Osage Avenue	N 68th St
Metropolitan Ave	N 67th St
Swartz Rd 42nd St to 58th St	N 72nd St
Gibbs Road	N 78th St
Steele Rd 14th St to Woodland Blvd	N 82nd St from Tausomee north
Merriam Lane	88th St Kaw Drive to Parallel Pkwy
Southwest Blvd	
County Line Road	No permits will be issued for the 1200 Block of Shawnee Ave; N 28th St between Minnesota Ave & State Ave

3rd st

Here is the Appendix A that the policy is talking about. This is the street rejection that goes with the current policy. So this has not been recently reviewed and updated.

Commissioner Townsend said how can an allowance be made to add to that list if the need arose? Say the citizen's felt that or the commissioners felt that where the proposed block party is an arterial running from one major thoroughfare to another and that blocking that off for any period of time would be a hindrance. How can that be added to this list, Appendix A? **Mr. Tobin** said, Commissioner, the County Engineer could or can at his discretion add a street or prohibit a closure of a street at any given time as well as the Police Chief and Fire Chief. However, Public Works and Engineering would take a real close look at anyone that wanted to party on a major thoroughfare. **Commissioner Townsend** said I would just like some language added to that to allow for that provision. If a commissioner or a neighborhood group wanted to make sure there

were no block parties on their street because it was an arterial; I would like to see some language added in here so that Appendix A could be amended as needed, that was the only thing.

On number four up under denial of permit, we talk about law enforcement contacts. Number one under that, applicants who have had contact with law enforcement due to violence through previous block parties will be denied. How will that be checked? **Ms. Alig** said we ask the applicants to list prior block parties that they have hosted. That'll give us a clue on how to check. It's also relatively simple to search the police database by address.

Commissioner Townsend asked do we currently keep check of any disturbances that take place during a block party for which someone is given a permit. **Ms. Alig** said I don't think I understand the question. **Commissioner Townsend** said well, let's say if an individual applies for a permit for a block party, there is a block party permit granted and during that event police are called for a disturbance there, do we keep record of that other than just the police records? Will Public Works make note of that with the permit on file? **Ms. Alig** said it would just be the police record. We're not currently keeping track of that.

Commissioner Townsend said these are the main questions that caught my eye, but I will thank you for taking the time to put forward this policy. I think it's go a long way to addressing some issues with this matter. Thank you Chairman.

Unified Government of Wyandotte County/ Kansas City, Kansas Block Party Policy

1. Purpose
 - a. Residents may request a block party permit to temporarily close one residential block to through traffic for one day for the purpose of hosting an event.
 - b. The purpose of the Unified Government's block party permit policy is to foster community engagement and connections among residents for a safer and happier community.
2. Issuance of Permit; information required
 - a. The Public Works Department may issue a permit for the temporary blocking of a street for the purpose of hosting an event. Permit applicants should submit their applications at least 20 days before the date of the event. The application form is available online and through the Unified Government Public Works Department. The following information is required:
 - i. The name and address of the applicant

- ii. The name of the street and a description of the portion to be blocked
 - iii. A description of the event to be held
 - iv. The date and the hours of the party
 - v. Whether the applicant has previously hosted or applied for a block party permit and the approximate dates of any previous permit applications
 - vi. A **Block Party Petition Form** with signatures of 75% of the residents and/or businesses on the street indicating their approval of the block party permit. 100% of the residents and/or businesses must be informed of the block party permit application before the application is turned in to Public Works.
 - vii. A signed **Block Party Application and Agreement Form**.
3. Term of permit
 - a. A block party permit is only valid for the date and hours specified.
 - b. All block parties must start after 9:00 am and end before 10:00 pm. The road must be reopened to through traffic by 10:00 pm.
 4. Removal of litter and debris
 - a. The permit applicant is responsible for removal of any litter, debris and other materials from the street that is attributable to the party.
 - b. If the permit applicant does not remove litter and debris, the Unified Government will remove it and the cost of the removal will be charged to the permit applicant.
 5. Access for emergency vehicles required
 - a. Any barricades or obstacles placed in the street for the block party must be easily moved to allow emergency and hazard vehicles to enter it in response to an emergency.
 6. Access to residences and businesses on the closed portion of the street
 - a. Access must be granted to businesses and residences on the closed portion of the street as needed.
 - b. The permit applicant is responsible for assisting as needed with moving and replacing barricades to allow people to get to businesses and residences on the closed portion of the street.
 7. Barricades
 - a. All applicants must provide a \$120.00 security deposit and a \$30.00 block party fee in order to obtain barricades for the block party.
 - i. The remainder of the deposit will be returned upon satisfactory return of the barricades in good condition and verification that the applicant has removed all decorations, trash and debris attributable to the block party event .
 - b. A permit applicant may obtain barricades to block off the street in one of two ways:
 - i. The applicant can pick up and return the barricades him or herself from UG Public Works Street Maintenance and Fleet Center, located at **5033 State Avenue, Kansas City, KS 66102**.
 1. Barricades may be picked up the Friday before the date of the event and returned the Monday following the event.
 2. To schedule barricade pick up, call **(913) 573-5400**.

3. Applicant should bring the Block Party Permit with him or her to pick up the barricades.
 - ii. The Public Works Department can deliver and pick up barricades for the applicant. This service costs \$50.00 and will be deducted out of the barricade security deposit. To arrange the delivery of the barricades, call (913) 573-5400.
 - c. All barricades used for block parties must conform to the most current requirements of the federal Manual on Uniform Traffic Control Devices for Type III barricades.
8. Prohibited activities
 - a. No alcoholic beverages will be consumed in the public view.
 - b. No fireworks will be used in the street.
9. Denial of Permit
 - a. The Public Works Department reserves the right to deny block party permits at its discretion for, but not limited to, the following reasons:
 - i. The applicant is not a resident of the block to be closed
 - ii. The proposed block party is on an arterial street (see Appendix A: Arterial Streets on Which Block Parties Are Prohibited)
 - iii. The proposed block party will unduly interfere with the flow of traffic due to the closure of other nearby streets or other reasons
 - iv. Previous law enforcement contact.
 1. Applicants who have had contact with law enforcement due to violence during previous block parties will be denied.
 2. Applicants who have had contact with law enforcement due to non-violent violations during previous block parties may be denied at the discretion of the Public Works Department.
 - v. An applicant has failed to comply with block party policies in previous block parties
 - vi. When a block has had more than three block parties in a calendar year, the Right of Way Manager may deny further permits in the same year in its discretion.
 - vii. The block party is not in the best interests of the community's health or safety.
 - b. Applicants whose permits are denied will be informed of the reason in writing within 10 business days of receipt of the application.
 - c. The Police Department may revoke a Block Party Permit during an event if it determines that revocation is necessary for public safety or public peace and order.
10. Liability
 - a. The permit applicant shall be liable for all losses, damages, or injuries sustained by any person, whether a participant or spectator at the block party or recreational event, whether or not said losses, damages, or injuries arise by reason of the negligence of the person, persons, or organization to whom such permit shall have been issued. The applicant shall agree to save and hold the Unified Government harmless of and from any and all obligations and liabilities

which may arise from the temporary street closing which represents the subject matter of the application.

Block Party Application and Agreement

Applicant Name:

Applicant Address:

Applicant Phone Number:

Applicant Email

Address:

Event Description:

Date of

Event:

Scheduled Hours of Event (Must be between 9:00 am and 10:00 pm):

Street to be closed (Example "Ann Avenue from 6th Street to 7th Street):

Yes, I am a resident of this block

No, I am not a resident of this block

Approximate dates of previous block party permit applications in the last 5 years:

Has law enforcement responded to any block parties that you have previously hosted?

No Yes If yes, please explain:

CERTIFICATION

I have read the Unified Government Block Party policy and I understand it. I agree to follow the requirements and conditions contained in the policy. The information that I have submitted in this application is true and accurate. I understand that if I do not follow the requirements and conditions of the Block Party Policy or if any of the information I have provided is false that my Block Party Permit will be VOID.

Signature of Applicant

Date

HOLD HARMLESS AGREEMENT

I have requested permission to hold a Block Party on the above dates in the above location. I agree to hold the UG harmless, indemnify and exculpate the UG from any and all claims, costs, liabilities, damages, expenses, suits and judgments of any nature whatsoever arising out of or in connection with the Block Party described above. I agree to comply with all applicable law. I understand that the UG retains the right to revoke the Block Party permit immediately and at any time if any member of the Police Department or other properly constituted authority determines such revocation to be in the best interest of the public safety or public peace and order, or if I or a participant or onlooker of the block party fails to comply with applicable policy and law.

Signature of Applicant

Date

Block Party Petition Form

Applicant Name:

Applicant Address:

Applicant Phone Number:

Applicant Email

Address: _____

Event Description:

Date of

Event: _____

Scheduled Hours of Event (Must be between 9:00 am and 10:00 pm):

Street to be closed (Example "Ann Avenue from 6th Street to 7th Street):

Name	Address	Phone/ Email	I am in favor of this event	I am NOT in favor of this event

No fireworks on 8-B, I guess you're going to clear that up because people do use the street to put off their fireworks. **Commissioner Markley** said exactly, they're not supposed to. **Commissioner Philbrook** said I know they're not. **Commissioner Markley** said technically they are not supposed too. **Commissioner Philbrook** said yeah I know it is but **Commissioner Markley** said so we can't really say that this policy is okay. **Commissioner Philbrook** said we do like to make things just holistic, don't we, without being specific in their uses. No, I understand there would probably have to be a change. Ill drop back off of that one, but it's going to happen anyway.

Are you going to look at the arterial streets, review that, and bring that up-to-date before you send that before us? **Mr. Tobin** said yes, Commissioner, we will and if I could go back on a statement you made just a minute ago.

Mr. Tobin said I would like to retain within the ordinance the requirement to pick up and deliver on the barricades rather than have the citizens bring it back because for \$30 they won't bring them back. In some cases like Fourth of July weekends, we have to make additional barricades sometimes. Sometimes they end up being made out of much more expensive material than it should be. So, I would rather have us do that also that addresses the inspection part because we can go back and see if they cleaned it up. **Commissioner Philbrook**, said I agree with you an 100% on that. Thank you for clarifying that.

Ken Moore, Chief Legal Counsel, said, Commissioner, if I can on the issue of arterial streets; I believe that has multiple purposes, it's defined for that. I think there is a list in the Planning Code and Zoning Code of the major thoroughfare arterial streets and so there is a laundry list contained in that. We can look at that and make sure that list is up-to-date, but I think there are multiple reasons for that list and not just this. **Commissioner Philbrook** said I understand because that has to do when we go for granting and a lot of different things when we apply for monies. I understand that I just wanted to make sure we had an up-to-date list with what we are working on.

BPU Board Member Jeff Bryant said I just want to make sure that I understand the fee's. If I am going to have a block party, I come up and I give you a \$150, \$30 of which you are going to

keep no matter what because that's just the fee to have a block party. Then \$120 of it is considered a deposit, but if the Public Works will be in charge of delivering and picking up, of that \$120, \$50 of it will be deducted so the largest amount of my deposit would be \$70 returned?

Ms. Alig said that is correct. **BPU Board Member Jeff Bryant** said and of that \$70 would be determined of the cleanliness of the site which portion, if any, would I get returned? **Ms. Alig** said and the condition of the barricades. **BPU Board Member Jeff Bryant** said and the condition of the barricades, okay, alright, pretty simple.

Commissioner Markley said so are we really charging a \$30 block party fee or are we charging a \$50 block party fee now that we are saying that Public Works will always do pick up and drop off? Wouldn't it make more sense to just say \$120 security deposit, \$50 pick-up and drop off fee or one or the other it needs to be? Either \$30 and we're not doing the \$50; or if we wanted it to be \$50 because that's what we think it cost for personnel to pick up and drop off, then it needs to be \$120 plus the \$50. I'm just trying to figure out which one of those two we are going to go with. **Chairman Bynum** said I guess I'm weighing in on that same thing. We could say its \$150 to come and apply to have a block party, \$30 of it is your permit fee, \$50 of it is your pick up and drop off of barricades and the balance of it, you could possible get back, if we are satisfied with the condition of the barricades and your location when we come get them. That being said, are we still offering, you can come get your own barricades the Friday before or we would take that out? **Mr. Tobin** said I would prefer if that would come out. **Chairman Bynum** said okay, I agree with you. I think we are all asking the same question just for more clarity around the fee.

If you go to 7-A or 7-B, the return of the deposit portion of the money is at the discretion of the UG Public Works employee period. There is another section below where you state something is at the discretion of the UG Public Works and I would just ask that you add that there so that you don't have a lot of animosity about how much of the deposit is going to come back to the taxpayer.

Commissioner Johnson said 7-B and then you are going to modify the statement that says a permit applicant may obtain barricades in one of two ways, so to speak. **Ms. Alig** said yes.

Commissioner Johnson said then strike item B-1 and B-11. **Chairman Bynum** said that sounds correct.

Commissioner Johnson said I concur with the fact the we make sure that the verbiage with regards to the fees is clear because I was a little confused as well.

Board Member Bryant said the total cost will be \$80 which out of the \$150 leaves \$70 as a possible return. Would that be enough to cover any potential clean up? Because that would be the largest amount that you be able to get without trying to convince someone to give you more money on the spot. So, then the question comes down to if it is \$50 for pick-up and delivery, which to me I think is a very reasonable fee; for the time, trouble and cost and \$30 for administrative fees just to have a permit. The \$70 that's left, I'm just concerned, especially the fourth of July if that's when a lot of them are, what are the odds that you are going to come to an area and end up spending \$150 - \$200 on clean-up and only recouped the \$70. **Mr. Tobin** said on the non-Fourth of July block parties the clean-up is really never an issue. It would be very rare to have a problem with that. On the Fourth of July ones, it depends on the size of the party. Some of them are a nightmare and some of them clean right up or are cleaned up and they are no problem. If you were going to charge a good number for that, you charge \$2000 for the permit and that way you would make sure that they cleaned up. If we had to put a crew in there to clean the whole block of fireworks with some of the conditions we get them in there, you can run a bill that high very easily and price the citizenry out of their Fourth of July celebration.

BPU Board Member Bryant said I understand that, but I also look at the facts that are you just leaving yourself open for the cost. Is somebody going to look at that and say, \$70 it cheaper to have you guys clean it for 70 instead of me? I know in our neighborhood where I live we have block parties and we don't close the streets. We do it in the yards instead of out in the streets. Then the clean-up is definitely on you because you have to clean up your own yard. That would be only saying to make sure you set a high enough threshold on the cost that it inspires the person to do the work so they will get their money back.

Commissioner Philbrook said I'm glad you brought that up. That brings another question to mind. Are you thinking possibly that the fee's that we get for the permits for folks selling the fireworks is covering some of this, is this somewhere in the back of your mind? I'm just trying to figure out where that money coming from or where you think it's coming from for all that clean-

up? **Mr. Tobin** said loaded as that question is, Commissioner, the amount of money for the Fourth of July sales of firework permits, Public Works is not involved in other than the clean-up. I guess that would be a better way to capture it. That way it wouldn't be on the citizenry. If you increase the fee to sell them enough, the franchise fee as it is, that might be a much more fair way to do that. **Commissioner Philbrook** said just trying to cover our bases instead of ending up in a hole on something, that's all.

Commissioner Markley said I think the idea through is that the parties that he said are not a problem, those fees are covering the parties where there is a huge problem where we're using the cross over between the good citizens to help pay for part of the bad citizens, which isn't so nice for the good citizens, but I don't want to charge the good citizens \$2000 either as a security deposit and make them come up with that when we know that they are not the ones that causes the problems.

I'm fine with the fee as we discussed, charging because I think it is the right number where our neighborhood group or an individual can potentially come up with that security deposit. Then I think the parties that don't have problems and whatever we decide the fee is, that's the money that we will use as a department to recoup the loses for the ones we do have to clean up after.

Gordon Criswell, Assistant County Administrator, said I was just thinking for the people that we have to go in and clean up after, it seems we could keep a record of that and prohibit them from making application the following year. **Chairman Bynum**, said I think that's covered in this policy.

I have one question pertaining to Commissioner Townsend's comment and that is in item three; the time, is there agreement on this standing committee to say no longer than. She had suggested a six hour duration. Is there agreement here to ask them to change that, no? **Commissioner Philbrook** said not for me. **Chairman Bynum** said the committee members here are stating satisfaction with a 9 a.m., no later than 10 p.m. finish. So we are not asking for a change on that?

Commissioner Johnson said I do have a question. When you say the road must be open by 10

p.m., the block party must end before 10 p.m., does that mean it particularly on the Fourth of July that there will be no more popping of fireworks at 10 p.m.? **Chairman Bynum** said I think it's a matter of discretion. You can shoot your fireworks up until the legal end which I think is 11 p.m. actually, per the fireworks ordinance, but you can't be doing it at your block party with the roads closed.

Ms. Alig said you need to move the barricades aside so the traffic can get through.

BPU Board Member Bryant said this is kind of a dovetail on what Gordon was saying about if an applicant in the past has not cleaned up and not complied so we can be prohibited in the future, I'm taking it that he is probably looking at under A5 where an applicant has failed to comply with block party policies and previous block parties. It doesn't really specify that excessive clean up, if we could add verbiage that specifies that as one specific reason why they could be denied in the future.

Chairman Bynum said we did this a little bit backwards as to the way we said we would do it. Nonetheless, if there is any member of the audience that would like to speak to this issue, you are welcome to come to the podium, state your name and address for the record and you will be given up to three minutes.

Commissioner Townsend said, Madam Chairman, before you go to the audience or I guess somebody can be making their way. I could not quite hear all of the discussion about the time period. I just want to make it clear that the way this is currently written someone can have a block party that begins at 9 a.m. and ends at 10 p.m. I believe that is entirely too long. So, that's where my request for the time limitation, I don't care when they start or when it's over, but no one event should last longer than six hours. I think that's entirely long enough. **Chairman Bynum** said I will say, Commissioner, that the members of the committee were satisfied with item 3-B as it reads 9 a.m. as the earliest start time and 10 p.m. as the end time, just so you understand. **Commissioner Townsend** said I wish them well on no complaints with that when we have a block party that lasts that long.

Marcia Rupp, 2816 N. 46th St., said I love what you have all done here. The law is that you

can't shoot fireworks in the street at all so that an ordinance and I love that ordinance. The street is for the motorist. I did want to mention about one more street being closed. The street I'm talking about is 46th St. The next through street that goes from Leavenworth Road clear through to State Ave. is 38th St. The next street west that goes all the way through from Leavenworth Road to State Avenue is 55th. So, 46th St., 45th St., when you come off of Leavenworth Rd. all you have to do, it's very hilly, almost like it's a roller coaster is when you come to the top of the hill at Roswell you just make a little right and you are right on 46th St. When you go to 46th St. at the end of it is Georgia, you make a little right and you're on 47th it takes you all the way to State Ave. and what's on your east is 635.

That is one of the busiest streets and 47th St. is already blocked. Georgia is already blocked and what gets you there and all those streets, 45th Ter., 45th St., next to us and on down towards the east are dead ends. The people that come from Leavenworth Rd., that is there exit to get to Parallel and State Ave. It is so busy. We have had police chases on that street. We've had fire trucks, it's on BPU as one of the medical streets. We have a lot of older people that live on that street that are down for medical. It's just so busy and I am so afraid anything like that, we have already had an incident I can't talk about it, it is going further to court. Also, I do want to mention to Mr. Criswell that that flash drive has got to be saved because it's going to court, okay, for you guys to take care of that.

Chairman Bynum said what you described the 46th to 47th and Georgia, we will ask the engineer to look at that to see if it can and should be added. I understand what you're saying.

Janet Golubski, 5349 Webster Ave., said just a couple of comments that I have. The very first one, the purpose under B, to make sure they are engaging and a connection among the residents because we've had block parties where they have had their 75% of people and yet I have checked with several of those people on the list that I saw and they had no knowledge at all. Somebody is signing their name and their address. I don't know how we can get through that and several that I've heard about were private parties; or after a funeral they've had a party that specifically did get a block party because they knew this was coming. That's not a connection with the neighborhood. That's their own private parties and others have been birthday parties where they have had a block party. That's not connection with the neighborhood. I think we need to reword

what is a block party to begin with. The other thing that I was still concerned with is the price. \$120 for the security deposit, that is given back if they pay attention and do what they are supposed to do. The \$30 block party is kept and the \$50 for returning the barricades is kept, correct? So that's \$200 they should. **Chairman Bynum** said actually the \$50 is included in the \$120. I think that needs to be clarified in that fee structure section.

Ms. Golubski said the only other thing is the noise ordinance part, I don't think we touched it; I know we started to talk about it. **Chairman Bynum** said I think what is pertinent to this policy is perhaps a reminder that we have a noise ordinance and that it needs to be adhered to as well as all other city ordinances. You know I think that we could certainly add a reminder that maybe even up at the top part of this policy that no other ordinances are not in effect. All other city ordinances are in effect, including noise and trash and litter. I think we could at least draw people's attention to that so they are aware of that.

Commissioner Johnson said the approval is required every year. The applicant has to bring a new approval every year with signatures every year? **Ms. Alig** said correct. **Commissioner Johnson** said so they do it once a year. I am just concerned about that because I am aware of some that hasn't asked me every year. I'm just wondering are we checking signatures? How are we validating every year that the applicant has gone through the proper procedures? I think this kind of dovetails on what I heard Commissioner Townsend talking about, is how do we verify information has been done properly, has been executed properly in accordance with the things we have outlined here. **Ms. Alig** said Public Works checks the plat map and looks at the names of the owners of the properties. That's as far as we go. I think in some respects we are doing this block party policy out of the goodness of our hearts and we hope that it's a fun thing for our citizens. The numbers show that we're not getting a lot of complaints given the number of block parties, but we're not doing extensive verification.

Chairman Bynum said, Commissioner, to your point; I think the current policy is only a 51%. I think what we are working on here is a really good effort to strengthen the current block party permit policy, let our community to continue to have fun, which is what we ultimately want to allow them to be able to do, but put some more parameters around it that make it safer and

stronger and have a little bit more teeth. I appreciate the work and the effort. I think we have a good set of recommendations for you, I think you have brought forward a good set of revisions to a policy and we've added a little bit to it. I would ask if there are no other comments or questions, I think we do need a motion to accept revisions or questions I guess for Legal because we've asked for revisions now.

Ms. Rupp said excuse me, Commissioner, I don't think I took my whole three minutes so can I just make another comment. In response to what I was talking about when I called several people to see if they knew about it and they weren't, maybe that could be something they could do too is make random calls to some of the people on the list. **Chairman Bynum** said that is one way they could check enforcement and that would be good.

Ms. Rupp said I was in agreement with Commissioner Townsend on the six hours. I think after that length of time there could be trouble. Like you said about the fireworks, everybody does that all day long and that can be separate. **Chairman Bynum** said a question to your point in terms of strengthening the language in the permit policy, could we not say violations of any portion of this policy or violations of any city ordinance including noise can be an immediate revocation of the permit and a closing down of the block party, it's probably in there. **Ms. Alig** said we do have a section that says the Police Department can revoke a block party permit while the block party is happening.

Chairman Bynum said so I want to make sure we have the ability to enforce the permit and any other ordinance that is on the books. **Ms. Golubskie** said one more thing that I'd like to add is at times when the sound is too loud from like they were told they could have a disk jockey or boom box; and it is just blaring and you call the police and they go there and they turn it down and then when the police leave, they turn it right back up. I would say to the people aren't following even what the police are saying, which is not following the law. They should be either closed down or either somebody sign a ticket on noise. I don't know, but something needs to be done about that because that is done quite often. **Mr. Moore** said, Commissioner, given the number of changes that you have, it's probably best that if we revise the policy then bring it back in the next standing committee. As Mr. Tobin indicated, the vast majority of these permits are issued for the Fourth

of July so we have time to do that and that way we have a better policy to act on next time.

Chairman Bynum said so we will not have a motion and we will move on.

Action: Hold over until next month.

Item No. 6 – 16749...UPDATE: RESIDENTIAL WATER & SERVICE LINE PROTECTION PROGRAM

Synopsis: Update on the Residential Water & Service Line Protection Program, submitted by Trenton Foglesong, Water Pollution Control Director.

Trenton Foglesong, Director of Water Pollution Control, said I just want to double check and make sure Monica is on the phone. We had someone call in from our service provider.

Monica Valero, Director of Account Management with Home Serve, said yes, I'm here.

Mr. Foglesong said great! Thank you for letting us come talk to you tonight to give you an update on the Service Line Warranty Program. That's been quite an effort between several departments in the Unified Government and BPU. We have been working on it for quite a while and we've made quite a bit of progress. I'm going to kind of go through this, I know you may know like me to read the slides, but because Commissioner Townsend is not here; I'm going to try to go through real quick so she can kind of follow along with what we have up here.

What is a Service Line Warranty and how can it help our citizens?

- *Homeowners are responsible for their service lines, which generally connects their home to the public sewer / water system.*
- *All pipes have a finite life, and over time they break down and can fail.*
- *When a service line fails unexpected, many homeowners find they can not afford to make the repair. Failing to fix the line can create a public nuisance and make a house "uninhabitable".*
- *A service line warranty is a voluntary program that provides homeowners with an affordable, planned payment option to help pay for maintenance and/or repair of their service line when needed.*

As you know probably, our homeowners are responsible for their service lines. That's the sewer lines and the water service lines that go from the public infrastructure to their houses. All pipes have a finite life so over time they start to breakdown and degrade.

Why did UG and BPU get involved?

- *Expensive repairs and consequences are a concern for our community.*
- *Ensure Warranty provider fully understands our needs and provides responsive service to our residents.*
- *Leverage best rate (economy of scale) for our residents.*
- *Ensure contractors working on our system (public or private) are providing quality workmanship and protecting our public infrastructure.*
- *Educate our community about their ownership and responsibilities for sewer/water service maintenance and repair.*

When a service line fails unexpectedly it's very costly to fix it. When that happens some of our residents have a hard time finding a way to pay for it and fix it. So, if they don't fix it, it becomes a public nuisance and can lead to a house being inhabitable. So, a Service Line Warranty is a volunteered program that allows these homeowners an opportunity to have an affordable plan payment option that would help them pay for the maintenance and or repair of their service line when that situation arises.

Now, these warranty programs are out there. You might get them directly mailed to you from several different companies. So the reason why the UG and BPU partnered on an effort to lead this charge and select a preferred vendor, at your direction of course; is because we are also concerned about the expense of these repairs and how they affect our community. We want to make sure a selected warranty provider really understood what our needs were for our community. We thought by selecting one we could leverage a better rate for our ratepayers and give them a better rate within the economy scale. We want to make sure that we have oversight and could ensure that all the contractors working on our system, on the public side and the private side as well, were doing quality work. Also, help minimize the disruption and help protect our infrastructure. Then it's also an opportunity that we can further the education of our ratepayers about what their ownership and maintenance responsibilities are on their service lines.

Advertisement and Selection Overview

9/01/2015 Request for Proposal published.

9/24/2015 Proposals received (two firms) and distributed.

12/08/2015 Presentations by respondents.

02/26/2016 Notice of Award to HomeServe.

06/08/2016 Contract Finalized.

09/28/2016 Anticipated "Go Live" date for websites / banners / mailings.

So, a quick recap, we went out for a RFP last September and we had presentations last December. We went through some final clarifications, we provided notice to award at the end of February. A few months later we were able to get a contract finalized with them. I just want to point out I think that some people thought this was taking a lot of time. I just want point out that due to the diligence of the whole team and the Legal Department, the contract negotiation only took a matter of months where in other jurisdictions it has taken a year or longer. So, that was a win. At this point, we are looking at some time next month to go live. I am going to turn over the presentation at this time to Monica Valero and she is the Director of Account Management with HomeServe. HomeServe was the respondent that we selected to partner with on this program.

Summary of Selected Program for Wyandotte County - HomeServe

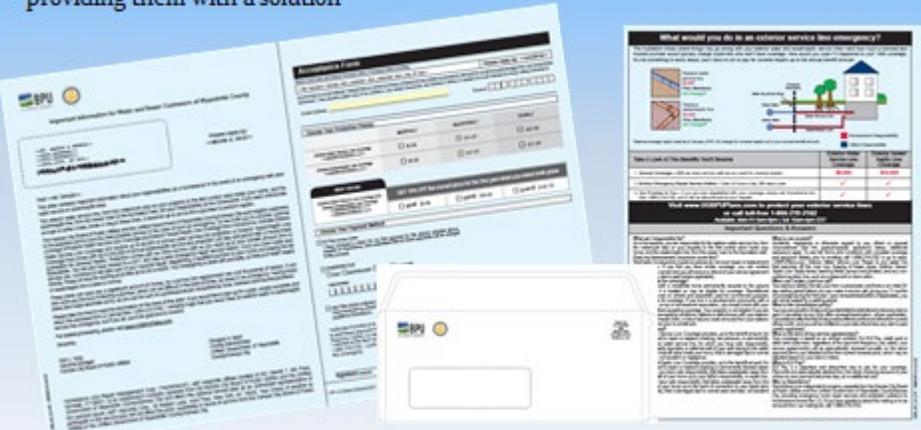
Program Selected	Monthly Cost	Annual Cost	Deductible	Coverage
Sewer Service	\$ 5.99	\$ 71.88	\$ 0	\$ 10,000 maximum (Unlimited Service Calls)
Water Service	\$ 3.99	\$ 47.88	\$ 0	\$ 8,000 maximum (Unlimited Service Calls)
Both (Sewer and Water)*	\$ 8.98 *	\$ 107.76*	\$ 0	See above

*10% discount if enrolled in both Sewer and Water service programs.

Monica Valero, Director of Account Management with HomeServe, said the grid represents the rates that we will be offering to your customers. So, for \$5.99 a month for the sewer line, this will include repair/replacement of the sewer line from the main to external wall of the home. Then for \$3.99 a month for the water service line it will cover the cost of covered repairs to repair or replace the lines from the property boundary or external wall of your wall casings to the water meter or main shut off valve inside the home. For the launch mailing we anticipate and what we will be moving forward with, we are going to offer customers both the water and the sewer product in one mailing. For any customer that opts into signing up for both coverages we will honor a 10% discount. The prices and the coverage amounts per year are reflected in the grid above.

Summary of HomeServe Program for Wyandotte County

HomeServe's Direct mail pieces are geared towards educating homeowners while providing them with a solution



- > The 1st mailing will be a choice and include water and sewer service line
- > This mailing is tentatively scheduled to mail out to customers on 9/28; in homes approx. 10/5
 - HomeServe mailings are spaced 8 weeks apart; the next mailings will fall in the following months:
 - o November, January, March, May & July

As we move on the next slide is an example of the direct mail piece that we anticipate sending to customers of the BPU and UG. These creators are just examples as we are still going through process with the team to route them for approval. This is our traditional mail piece. It is very informational, it introduces the relationship between HomeServe, the UG, and BPU and offers a solution to customers who want to enroll in this coverage. Again, we make it very clear to all customers that this is an optional service and that they don't have to enroll if they don't think that it is something right for them.

Summary of HomeServe Program for Wyandotte County

Communicating the launch of the HomeServe program with UG/BPU is a key part of the integration process. The aim is to communicate the relationship publicly and within each organization.

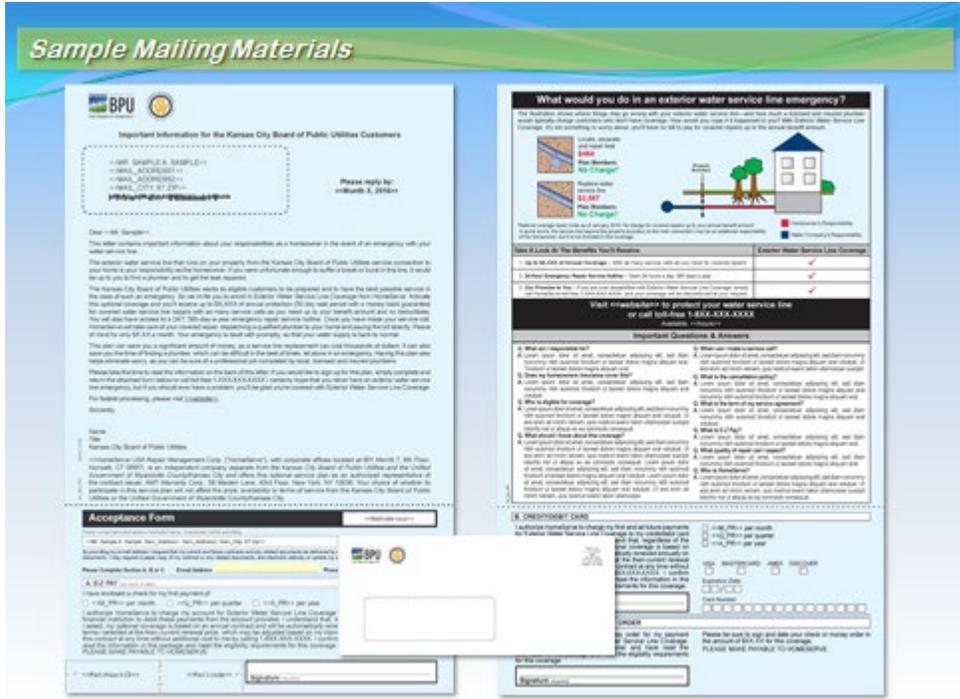
Community Outreach
A letter from UG/BPU to local politicians, community leaders and other stakeholders advising them about the new program. As required this can be supplemented by face to face meetings or personal phone calls. A list of key stakeholders will need to be assembled. HomeServe can provide a draft letter for this purpose. This should be completed prior to launch.

Press Release
A press release distributed jointly by UG/BPU and HomeServe to the primary local media contacts via UG/BPU's normal channels, to the state newswire by HomeServe and posted to the UG/BPU website. The release will include information on the problem homeowner's face with regard to water lines, the new program from UG/BPU, information on HomeServe, and any relevant data. HomeServe can provide a draft release.

Newsletter
Employee Communication
A brief article designed as an employee communication, in a newsletter or email format to highlight the new program being rolled out to customers and background for employees. This will enable them to address questions from customers, friends and neighbors. HomeServe can provide a draft of this communication for UG/BPU's use.

HomeServe will work with the UG/BPU to promote the program prior to launch

The first mailing we're looking to do is tentatively scheduled for September 28th. What that means is if it is mailed out September 28th to customers, they should expect to receive them in homes about a week later, around October 5 and then from there we typically space out the mailings eight weeks apart. So, if we keep through the September campaign, we will have another mailing in November, January, March, May and then July. Again, every two months we are sending out an offer to customers informing them of the coverage that's available to them.



In addition to the direct mail campaign that we will send to customers and before we launch, we think it is very important that we communicate to all of your constituents and to employees of the BPU and the UG to make sure that everybody is aware of the program and the launch details so should you have any questions you know where to direct them too. So we will work with both of you to create and develop a community outreach. This will include a press release as well as internal documents to all employees. Again, to make sure that everybody fully understands the program. So, if you were to get any questions in regards to the program, that we are providing you with the telephone numbers of our call center at HomeServe for whom to direct those calls too. The biggest thing we want to make sure is that were doing all the heavy lifting and that we are managing the full aspect of the program. So the involvement of the UG and BPU is simply to review creatix to ensure that anything that has your branding on there is okay by you and then we will take it from there. We do all of the printing, the production and the call center aspects of the program.

Chairman Bynum said we can't over emphasize that it is an optional program. I think number one, making sure that it is known that it is optional is just at the utmost importance. I would like to congratulate our BPU Board Member Bryant for your efforts on this as well. It's nice to have

this partnership, I do love the program. You're probably going to answer these questions and I'm going to toss them out there. How are the fees collected? On the BPU bill? **Ms. Valero** said no. They are going to be off the bill so we will offer customers three different methods of which they can pay. They can pay via Easy Pay, direct deposit or credit card or one-time check and we do all the billing. **Chairman Bynum** said I kind of like that because it keeps it separate from them thinking it is a mandatory charge on their bill.

We can enroll at any time or is there an enrollment window? **Ms. Valero** said we put on all of the direct mail pieces, we do add a please reply or please respond by date and that's simply to help us staff all call center accordingly. However, if a customer falls outside that window, at any time they can call. They can enroll in or they can go on the web and enroll at any time.

Chairman Bynum said if I am in the program and I have a waterline break, I still owe some money out of my pocket, is that correct? I just want to make sure our taxpayers and ratepayers know there is still something they are going to owe. **Ms. Valero** said it varies. For example, I also manage the relationship we have with WaterOne who is kind of in your backyard. Right now if a customer has a water service line emergency and they call HomeServe, we deploy a contractor and there is no out-of-pocket to deploy the contractor on site. If the repair is within a covered repair and within the annual benefit, we will cover the full cost. Just for example, if we look at the water service line, they have a maximum coverage limit of \$8000 and what we're seeing based on claims and jobs in the WaterOne area the average job cost range from \$1500 to \$2000; on just the average and these are more of repairs and some are replacements. I've only seen one job over exceed the \$8000 annual benefit and that's because it was a very complicated job. That was two lines kind of connected and I can go on and on and on, for the most part the \$8000 maximum benefit should more than enough cover a full replacement if need be. As long as they stay within the \$8000 maximum benefit per year we will cover and the customer will have no out-of-pocket. The out-of-pocket only comes in if it goes over that \$8000.

BPU Board Member Jeff Bryant said you talk about the mailing blitz that will happen in eight week increments. If a resident was to enroll in your program, will they be taken off the mailing list so they are not getting the same mailer every eight weeks even after they have signed up. **Ms. Valero** said that is a great question. Yes, if a customer has already enrolled, they will not get

another offer. Now, for example, if a customer enrolls in just the water service line and they are now an active customer we will now mail them the sewer line offer. We will never mail a customer the same offer from which they are enrolled in. They get removed from the acquisition mail. So, no we would remove them. So, we will offer them the product that they haven't already enrolled in.

BPU Board Member Bryant asked after enrollment is there a probation period for new enrollee's prior to the coverage being in effect. **Ms. Valero** said there is a 30-day wait period.

Commissioner Philbrook said I just want to make sure that I understand. Let's say that I have a major catastrophe with my water service, and boy that can happen, because I have old stuff, coming into that old building and it cost me almost the \$8K to take care of, how long before if I have something else that pops up that maybe was not addressed in that first fiasco, will I be able to tap into this coverage again or is this for the life of the service or ownership, what's the deal?

Ms. Valero said if you've maxed out the \$8000 on that simple repair and then you find out a month later you have another issue on that same line, the first thing we'll do is resend out our contractor to see why there is another issue. If you are maxing out your coverage, it is very likely that you just got a full line replacement. If there is an additional matter that comes up after such a big job, we would be deploying our contractor to investigate what the situation is to ensure if it is on that same line. We do have a guarantee on all of our repairs for six months. So, if something is still not right, it's part of that and they will fix it. Now, if it is completely something independent; let's say it extends into the interior of your home and has nothing to do with the exterior line, that's a different situation and we look at those case-by-case. **Commissioner Philbrook** said says that again. **Ms. Valero** said if it is a completely different repair and it has nothing to do with the main line, then that's a completely different situation and then we will work on that case-by-case. **Commissioner Philbrook** said case-by-case. I guess I want to make sure what I'm understanding is, is that the \$10,000 maximum and the \$8000 maximum, what time period that covers? **Ms. Valero** said that's for the annual. **Commissioner Philbrook** said just the annual period. So I don't have to worry about things happen next year, after the year is over. **Ms. Valero** said correct, because you will renew and you will get your full benefits again. **Commissioner Philbrook** said I just wanted to make sure that I understood properly. It's kind

of like medical insurance, if you don't make sure what you are getting, you could get caught short.

BPU Board Member Bryant said will the annual benefits be effective from the calendar year or will they be effective from 12 month period starting 30 days after enrollment. **Ms. Valero** said it starts effective 30 days after you enroll. **BPU Board Member Bryant** said so you're going to have a database that will keep track and make sure that if I sign up in November and Commissioner Philbrook signs up in March, her numbers roll off every March and mine will roll off every November. **Ms. Valero** said absolutely. Our system monitors all of that because when you are coming up for your renewal anniversary we will send you documentation informing you of your upcoming renewal.

BPU Board Member Bryant said as far as renewals, is there any expectation for the price to change within the next five years? **Ms. Valero** said I can't speak for the next five years, but for the next two years for the contract, they are not. **BPU Board Member Bryant** said I'm assuming that this is a residential contract. This is a two-part question. Will this be offered to commercial or industrial resident customers and what about businesses that are ran out of a home, will they be applicable? **Ms. Valero** said that is a great question. At the moment this is solely for single residential homeowners. We're not actively marketing a product to commercial; however, I can tell you we are working on one that I am looking to test very close to your area and when we see how that performs and how that does we might look to extending it. The biggest problem that we have with commercial and why we are very careful and why we are looking to test the product is because it is very hard to know who is the owner of that property is and we only market our product and services to the homeowners.

Commissioner Johnson said so if I get both the water and sewer, is my maximum coverage \$18,000, or \$10,000? **Ms. Valero** said if you get both the water and sewer, you're going to up to \$10,000 a year for sewer and up to \$8,000 a year for the water service line, so it'll be total \$18,000.00.

Commissioner Philbrook said when you have business property and residential kind of back to

back; however, you want to say it, it becomes very complicated and so I would be more than happy to have a conversation with you around helping small business or people who have those combined issues. **Ms. Valero** said I would absolutely love to have that conversation because like I said I am literally in the midst of working with WaterOne on developing; what we are calling a like commercial product for those very types of properties.

Chairman Bynum said I appreciate all the questions and the great information. I don't know if we made it through the presentation. I think there were slides out there, no excellent.

I just have one question for our Legal staff and that is can you confirm this 30-day wait period because I think I saw some looks on your side of the table that weren't sure that was the case. **Sharon Reed, Purchasing Director**, said, Commissioner, I am going to have to go back through the contract on that. I think that everyone at the table had thought that we discussed that and negotiated the 30-day wait period away. So, I think we were a little surprised to see it again. **Chairman Bynum** said let's clarify on that. It is a good thing to clarify. I do not believe that this is an item for action. I believe it was information only and it's great information.

BPU Board Member Bryant said when you find out about the 30-day wait period or not please, please include me on the email for that and, hopefully, we'll know before we have this presentation come up at the BPU next month. I'd like to know for sure.

Mr. Fogelsong said I just want to recognize Sharon Reed and the Legal staff. It was a lot of work on their part to get this through the system and get it to where it was something we were all comfortable with.

Melissa Mundt, Assistant County Administrator, said I also want to make sure that we do thank BPU because without their information we would not be able to do this. So, this is sharing of customer database type stuff that's not always easy to do but, honestly with the work we are trying to do a SOAR; this is a critical component of helping our community be stable and be able to revitalize. I know Wilba's group, she'll be up here about fair housing moving forward, but the number of things that I've worked on here related just sewer connections; between Trenton and our staff in Community Development has been significant. This program can go a long ways to

helping people who are just trying to hang on to stay in their home, not to have an unexpected cost or expense on something they can manage more on a monthly basis which folks in those positions; that's normally where they manage is in a monthly or in a weekly position.

Action: For information only.

Item No. 7 – 16767...RESOLUTION: COLLAPSE OF N. 33RD TERRACE

Synopsis: A resolution declaring the necessity and authorizing a survey of land to be condemned due to the collapse of North 33rd Terrace (at a location in the North 3800 block), submitted by Ken Moore, Chief Counsel.

Ken Moore, Chief Legal Counsel, said the commissioners have been briefed on this before. Back in May after the heavy rains, this area North 33rd Terrace, the road washed away denying the people at the end access to their property. We have looked at various alternatives to resolve that situation. One of which is we applied for a FEMA grant that would potentially allow us to rebuild that road. That grant application was denied so essentially what we have is property owners that don't have access to their property. So this resolution, we have been working with them since May 23rd trying to reach some resolution. Another alternative, if we would have to essentially condemn this property to relocate them, this resolution allows us to start that process.

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

Chairman Bynum adjourned the meeting at 6:31 p.m.

Adjourn

mbb