#### GOVERNING BODY WORKSHOP AGENDA ROELAND PARK

Roeland Park City Hall 4600 W 51st Street, Roeland Park, KS 66205 Monday, December 7, 2020 6:00 PM

- Mike Kelly, Mayor
- Trisha Brauer,
   Council Member
- Benjamin
   Dickens, Council
   Member
- Jan Faidley, Council Member
- Jennifer Hill, Council Member

- Jim Kelly, Council Member
- Tom Madigan, Council Member
- Claudia McCormack, Council Member
- Michael Rebne,
   Council Member

- Keith Moody, City Administrator
- Jennifer Jones-Lacy, Asst. Admin.
- Kelley Nielsen, City Clerk
- John Morris, Police Chief
- Donnie Scharff, Public Works Director

Admin	Finance	Safety	Public Works
Brauer	McCormack	Rebne	Kelly
Hill	Madigan	Faidley	Dickens

#### I. APPROVAL OF MINUTES

- A. November 2, 2020
- B. November 16, 2020

#### **II. DISCUSSION ITEMS:**

- 1. Court Fine Task Group Presentation
- 2. Update on Neighbors Helping Neighbors, Compost Bin Rebate and Property Tax Rebate Programs

#### **III. NON-ACTION ITEMS:**

#### IV. ADJOURN

Welcome to this meeting of the Committee of the Whole of Roeland Park.

#### Below are the Procedural Rules of the Committee

The governing body encourages citizen participation in local governance processes. To that end, and in compliance with the Kansas Open meetings Act (KSA 45-215), you are invited to participate in this meeting. The following rules have been established to facilitate the transaction of business during the meeting. Please take a moment to review these rules before the meeting begins.

- A. Audience Decorum. Members of the audience shall not engage in disorderly or boisterous conduct, including but not limited to; the utterance of loud, obnoxious, threatening, or abusive language; clapping; cheering; whistling; stomping; or any other acts that disrupt, impede, or otherwise render the orderly conduct of the Committee of the Whole meeting unfeasible. Any member(s) of the audience engaging in such conduct shall, at the discretion of the City Council President (Chair) or a majority of the Council Members, be declared out of order and shall be subject to reprimand and/or removal from that meeting. Please turn all cellular telephones and other noise-making devices off or to "silent mode" before the meeting begins.
- B. Public Comment Request to Speak Form. The request form's purpose is to have a record for the City Clerk. Members of the public may address the Committee of the Whole during Public Comments and/or before consideration of any agenda item; however, no person shall address the Committee of the Whole without first being recognized by the Chair or Committee Chair. Any person wishing to speak at the beginning of an agenda topic, shall first complete a Request to Speak form and submit this form to the City Clerk before discussion begins on that topic.
- C. **Purpose.** The purpose of addressing the Committee of the Whole is to communicate formally with the governing body with a question or comment regarding matters that are on the Committee's agenda.
- D. Speaker Decorum. Each person addressing the Committee of the Whole, shall do so in an orderly, respectful, dignified manner and shall not engage in conduct or language that disturbs, or otherwise impedes the orderly conduct of the committee meeting. Any person, who so disrupts the meeting shall, at the discretion of the City Council President (Chair) or a majority of the Council Members, be declared out of order and shall be subject to reprimand and/or be subject to removal from that meeting.
- E. **Time Limit.** In the interest of fairness to other persons wishing to speak and to other individuals or groups having business before the Committee of the Whole, each speaker shall limit comments to two minutes per agenda item. If a large number of people wish to speak, this time may be shortened by the Chair so that the number of persons wishing to speak may be accommodated within the time available.
- F. **Speak Only Once Per Agenda Item.** Second opportunities for the public to speak on the same issue will not be permitted unless mandated by state or local law. No speaker will be allowed to yield part or all of his/her time to another, and no speaker will be credited with time requested but not used by another.

- G. Addressing the Committee of the Whole. Comment and testimony are to be directed to the Chair. Dialogue between and inquiries from citizens and individual Committee Members, members of staff, or the seated audience is not permitted. Only one speaker shall have the floor at one time. Before addressing Committee speakers shall state their full name, address and/or resident/non-resident group affiliation, if any, before delivering any remarks.
- H. Agendas and minutes can be accessed at www.roelandpark.org or by contacting the City Clerk

The governing body welcomes your participation and appreciates your cooperation. If you would like additional information about the Committee of the Whole or its proceedings, please contact the City Clerk at (913) 722.2600.

**Item Number:** APPROVAL OF MINUTES-I.-A.

Committee 12/7/2020

**Meeting Date:** 



## City of Roeland Park Action Item Summary

Date:	
Submitted By:	
Committee/Departmen	nt:
Title:	November 2, 2020
Item Type:	
Recommendation:	
Minutes to be added	l.
Details:	
	How does item relate to Strategic Plan?
	Flow does item relate to Strategic Flam:
	How does item benefit Community for all Ages?
ATTACHMENTS:	
Description	Туре
□ November 2, 2020	Cover Memo

#### GOVERNING BODY WORKSHOP MINUTES Roeland Park City Hall 4600 W 51st Street, Roeland Park, KS 66205 Monday, November 2, 2020, 6:00 P.M.

 Mike Kelly, Mayor o Jennifer Hill, Council Member Keith Moody, City Administrator o Jim Kelly, Council Member Jennifer Jones-Lacy, Asst. Admin. o Trisha Brauer, Council Member o Benjamin Dickens, Council Member o Tom Madigan, Council Member Kelley Nielsen, City Clerk o Jan Faidley, Council Member Claudia McCormack, Council Member o John Morris, Police Chief Michael Rebne, Council Member Donnie Scharff, Public Works Director Admin **Finance** Safety **Public Works** Brauer McCormack Rebne Kelly Hill Madigan Faidley Dickens

(Governing Body Workshop Called to Order at 7:14 p.m.)

#### **ROLL CALL**

CMBR Hill called the meeting to order. All Governing Body members were present.

#### **MODIFICATION OF AGENDA**

There were no modifications to the agenda.

#### I. MINUTES

1. October 19, 2020

The minutes were approved as submitted.

#### II. DISCUSSION ITEMS

1. Discuss Draft Ordinance on Protecting Public Safety and Community Resources Act

#### **Public Comment:**

**Marty Spencer** (5116 Rosewood Dr) Ms. Spencer said she has worked in a government-funded migrant program that provided meals, daycare, and educational opportunities for migrant children. The service was provided in a safe environment. Fifty years later, she looks forward to experiencing that same feeling in Roeland Park. She said the Safe and Welcoming Committee would like their request to regulate or stipulate when ICE would intervene in any situation as they want all residents to feel safe in their community.

**Stephanie Iser** (5714 Cedar) Ms. Iser has helped organize the Safe and Welcoming ordinance. She began when she found City staff could assist federal immigration authorities in enforcement activities without it being required by law. She has worked with immigrant community groups and organized a petition that has been signed by hundreds of residents. They want an ordinance that would make the City safer for all residents regardless of immigration status.

**Michele Morick** (5245 Reinhardt Dr) Ms. Morick stated she grew up with many diverse ethnic groups and appreciates what they bring to the culture of a community. She urged the Governing Body to support the Safe and Welcoming ordinance and to not cooperate with ICE for immigration enforcement unless a judicial warrant is provided.

**Emma Green** (5444 Linden) Ms. Green spoke on behalf of herself and Jaime Perales Puchalt. They joined Safe and Welcoming Roeland Park because they both work with the local immigrant community and have witnessed ICE's policies. They decided to fight for their undocumented neighbors. She said this ordinance is needed and now is the time to do it.

**Carrie Paulette** (5105 Ash) Ms. Paulette expressed her support for the Safe and Welcoming Roeland Park ordinance. She moved to Roeland Park because it was a place that welcomed and cared for its diverse community. She said that no human is illegal and did not want cooperation with ICE without a judicial warrant.

**Valerie** from El Centro read a statement from Maria who is supportive of the Safe and Welcoming Roeland Park ordinance. She said she is thankful for the work police officers do in her community and feels safe but is fearful because of her status.

**Karen Grotewohl** (5049 Parish) Ms. Grotewohl said she is very much in support of this ordinance and there is need to make people feel welcome here. She appreciates all the work that everyone has done on this ordinance.

**Angela Fitzpatrick** (5245 Reinhardt) Sr. Fitzpatrick spoke of every person being members of the One Body of Christ. She said all parts of the body are different and a diverse community is a whole community. She wants Roeland Park to see and accept diversity as a good and healthy thing. She said that Roeland Park can be a safe and welcoming community and be a model city that safeguards freedom and democracy.

**Tyler French** (5208 Delmar) Mr. French spoke in support of the Safe and Welcoming ordinance they have been working on for more than a year. He said that immigrants either live in or visit Roeland Park and they must take a stand against racism. He said Section 2, Points 1 and 4 of the proposed ordinance state that Roeland Park PD shall provide assistance to ICE unless a threat to public safety is known and said this is a big loophole. He would like for them to strike that and rely on its own definition in Section 2.6 that allows Roeland Park PD to respond to calls for help from ICE when there is some clear or imminent danger.

**Chris Wasinger** (3824 W. 52nd St.) Mr. Wasinger, a Navy veteran, stated there have been many people who were highly motivated to immigrate and seek asylum in the United States. He believes it is prudent to show empathy to their neighbors. He supports the Safe and Welcoming ordinance that Roeland Park is proposing especially when requiring a judicial warrant be provided by ICE.

CMBR Hill thanked everyone for their hard work and dedication on the ordinance and that it is much appreciated. She thanked those who have shared their stories and have been brave enough to come forward to express them.

Grant Mayfield, one of the co-founders of Safe and Welcoming Roeland Park, made his presentation to the Governing Body. He said the organization is dedicated to protecting immigrants and making the City a place for all people and communities. Mr. Mayfield provided the background on the group's formation and summarized the hours and work they have put in. He said the group has worked diligently in the

community. Over 200 residents of the City have signed the petition for a Safe and Welcoming Roeland Park.

Catalina Velarde, Board Chair of El Centro, and Chair of the Overland Park Police Department's Independent Citizen Advisory Board, as well as a commission member in the Governor's Commission on Racial Equity and Justice, addressed the Governing Body. She has been working with the Safe and Welcoming group and shared her thoughts on an ordinance which should prohibit racial profiling and safeguard against seemingly neutral actions that may have a disproportionate effect on minorities and immigrants. Ms. Velarde reviewed scenarios of what happens to an immigrant if detained for an incident such as a traffic stop.

City Attorney Mauer provided an explanation as to what went into drafting the ordinance. The proposed ordinance has been vetted by staff at City Hall, Municipal Judge Torline, and City Prosecutor Gilham. This ordinance can be adhered to legally so that everyone in the community feels safe, welcome, and receives services and it has nothing to do with their immigration status. He said that most concerns seem to focus on the Police Department, and they have tried to address that. He said there has also been mention of loopholes. He said after 25-30 years of municipal law practice that you cannot ever draft an ordinance that is loophole free as you cannot provide for every scenario. He said there is uniform agreement on how they want to be - a safe and welcoming community, even better than it is now. He provided scenarios in which the police department may need to help ICE but said the ordinance as drafted is their best effort at this point.

Mayor Kelly said it is remarkable to be a part of this meeting and this is what they hoped for when they ran for office. He said this is a community issue, representative of the spirit of the community and straight from the community. He said he is impressed with the work that has gone into this and is thankful for the dedication of the people to their community. He then spoke of his own personal sentiments when he moved into Roeland Park.

The Governing Body addressed individual sections of the proposed ordinance.

#### **SECTION 1 - FINANCES AND CITY SERVICES**

CMBR Faidley asked for clarification of identification in Section 1(F). Attorney Mauer said they do not require a photo ID at the City and City Clerk Nielsen concurred.

CMBR Hill asked what would happen in court where they are required to have an ID. Mr. Mauer said for a traffic stop, they would have to pay the citation. The issue is not having a photo ID, but the bigger issue is they were driving without a license and would have to pay the fine for that. Police Chief Morris confirmed that if someone were stopped who does not have a driver's license, they are issued a citation. The judge offers them an opportunity to come to court to provide proof they had a driver's license and/or they are given an opportunity to get a license to reduce the fine or have it dismissed. They do not require individuals to bring identification to court. When they are stopped, they do try to get as much information from them as they can, address, date of birth, telephone, so they can be properly processed through municipal court.

CMBR Hill asked if it is possible for an undocumented person to obtain a driver's license. Police Chief Morris said he is not familiar with that process for a state driver's license.

#### **SECTION 2 - DEPARTMENT PRACTICES**

CMBR Kelly asked why they used the word "normally" and suggested they use the language of "we shall not provide." Mr. Mauer said if they are going to have "unless a specific threat," it seemed to be consistent grammatically. CMBR Kelly said he would like to see the word "normally" removed.

CMBR Rebne asked if a specific threat to public safety is known, are they then enforcing criminal law and no longer enforcing immigrant law. Mr. Mauer said they spent a lot of time trying to decide what a threat to public safety would be.

Police Chief Morris said they must look at the common practices of what they have had. He said it is important to have something like this, but they have not assisted with ICE in the last 20 years when he has been with the City except on one occasion and it is just not something that is normally done. They as a city do not hold detainers on people and that would be handled at the county level.

CMBR Rebne said they have dedicated the time to this issue because they cannot predict how ICE will operate. He said for him Paragraph 6 encompasses what 1 and 4 would say in that they have the enforcement of city, state, and federal laws. They also have in keep the peace and public safety. He questioned why they need Paragraphs 1 and 4 since that information exists elsewhere in the ordinance. Mr. Mauer responded that Paragraph 6 was drafted to limit the Roeland Park PD responding to requests for assistance from ICE. Paragraphs 1 and 4 are provisions that go to emergency situations. Most of what they are trying to allow is to respond to an emergency that they see as a danger to their community.

CMBR Kelly said in Paragraph 6 that nothing herein shall preclude the Police Department from participating in coordinated law enforcement actions. He asked does this pertain to strictly Roeland Park or where they can work with law enforcement outside the City. Mr. Mauer said his belief was it was for within the City of Roeland Park. Police Chief Morris concurred that they are not going outside the City limits to assist on any immigration enforcement unless it is a specific criminal threat to Roeland Park.

CMBR Rebne said if one of their police officers responds to a situation to keep the peace, then that is a different purpose than enforcing immigration law. If it is a different purpose than enforcing immigration law, then that makes Number 1 irrelevant. He also added in response to Mr. Mauer's example of an immigrant working at the school that schools are considered as safe zones when children are present.

CMBR Faidley said she knows of an instance where a parent who had come to pick up a child at school and was stopped by ICE, which was an extremely traumatic incident for the student who was affected by that. She said she is not sure about the safe zone at schools and did not know if that was true.

Mayor Kelly said this is a difficult topic and all kinds of hypotheticals can be created of what might happen. That being the case, he trusts the judgment of their professionals. He said Police Chief Morris and City Attorney Mauer and their teams have done a fantastic job. He said this language is a great starting point knowing the sentiment behind the ordinance and what they want from their Police Department who continues to provide great service.

CMBR Rebne wanted to have probation officers included in the Roeland Park Municipal Court section. Mr. Mauer said he does not have an issue including that and they do not normally have probation officers in their courts. CMBR Rebne referred to Section (B)(5) and asked if they could add that upon request from

ICE the city prosecutor or court staff would respond by not providing information. Mr. Mauer said he would check with Mr. Gilham and did not see a problem as they will not transfer.

CMBR Faidley asked for clarification on not requiring identification for transactions and is that the case when applying for licenses, permits, registrations. She also asked about the language translation services. City Clerk Nielsen said they do not require IDs for payments for things such as animal and business licenses and building permits. She said they have not needed translations services, but if they did, she work with Chief Morris.

CMBR Kelly asked for clarification on the difference between an administrative and a judicial warrant. An administrative warrant is how ICE starts their process and does not require probable cause. Section 6 is where the City addresses that they will not respond to those types of warrants.

Ms. Velarde said that ICE can print out their own warrants and they are not required to be shown to a judge.

CMBR Rebne said the scenario he is concerned about is the victim in a domestic violence situation being afraid to call the police because of what might happen in terms of immigration. He feels the ordinance, as written, does not provide assurance that it would keep him safe if he called the police and the situation becomes such that it is not clear who the aggressor is and then status becomes an issue. Mr. Mauer said he did not know how they could make the ordinance address this. He cited Section 2(A)(3), the RPD is to ensure that anyone who requests assistance gets assistance and feels safe to seek the help. They are not going to limit any response or support based upon immigration status. Police Chief Morris said there is a mandatory arrest on domestic violence if there is probable cause to believe that a crime has been committed. Those types of charges go through the county.

CMBR Hill asked Mr. Mauer to make the changes they have noted and to check with Prosecutor Gilman on the others.

CMBR Faidley felt it might be beneficial to work on it again. She does not want to be in a position that feels that they have rushed this through.

CMBR Madigan said they have been talking about what they believe should be in the ordinance to make undocumented people feel safe and welcome. He would like them to have the Safe and Welcoming Committee who has been going out and speaking to those people and those that would be affected by the ordinance to let them know how they feel about it, so he believes they should Workshop this again for their feedback.

Mayor Kelly feels feedback is something they want but doesn't believe they need an additional Workshop, and the next appropriate step is New Business on a Council agenda.

Mr. Mayfield said they been in contact all along with immigrants, families, and organizations that work with them most closely. They have been in conversation with these people and they believe that this ordinance would be very impactful right now.

There was majority agreement to move this forward to a future Council meeting after looking for additional feedback.

#### 2. Discuss Crosswalk Improvements at Buena Vista and Catalina

Janelle Clayton, City traffic engineer, said she looked at various alternatives at the area of Buena Vista and Catalina. She reviewed the data collected, the speed counts, number of vehicles in the area, the direction they were traveling, and the various collection methods they utilized. She also provided information on pedestrian count they did one day. Following their data collection and observation, they looked at the existing signage noting that it is not a good way to draw attention to the location and they recognized the area needs improvements. Staff does recommend a standard crosswalk sign. They also recommend the movable ones that can be put in the roadway and used in conjunction with standard signing. There is also an option of a flashing beacon that can be activated by a push button, but they are not typically seen in a residential area. Ms. Clayton also reviewed the City's traffic calming policy. Using that criteria, the score does meet traffic calming qualifications. She also recommended working on education and enforcement parts force first to see if they get more compliancy in the area. Since there is going to be a new crosswalk, she recommended standard signage along Buena Vista as too much signing has negative effect.

CMBR Faidley asked if no parking zones have been marked on both sides of the Buena Vista crosswalk. Public Works Director Scharff said there is no parking allowed on the entire west side of Buena Vista, but they have not incorporated any changes on the east side yet.

Staff recommends restricting parking near the crosswalk. CMBR Hill felt a sign in the middle of the street would do a lot to slow down the traffic.

CMBR Rebne asked for clarification on whether they were putting no parking on the east side. Public Works Director Scharff said there would be a need to go through their standard process as far as restricting parking. Depending on Council's direction, they would restrict parking based on the traffic engineer's recommendation. City Administrator Moody said the City establishes a no parking area by ordinance. It would require a description in the ordinance to establish no parking on the east side within so many feet of the crosswalk. Then they can install the no parking signs. Ms. Clayton said she didn't feel a flashing pedestrian sign would be effective as many people did not cross the intersection in the crosswalk.

Mayor Kelly asked how many intersections there were between the school and this intersection they are discussing. He thought a raised crosswalk would work as a calming measure. He also would like to wait until they are finished with the work on Roe Boulevard to ensure that the counts are accurate and not a reflection of avoiding construction.

CMBR Faidley said avoiding parking on the east side around the crosswalk is something they should do from a visibility and safety standpoint and noted the story CMBR Rebne submitted of someone walking out between cars and not being seen.

There was majority agreement to limit the parking near the crosswalk.

CMBR Rebne said residents all along Buena Vista have told him they needed traffic calming measures before the Roe construction even began.

CMBR Madigan said they need to see what the traffic pattern is after Roe is complete, but he does not have any problem with traffic calming measures. He did say the immediate need is to limit the parking.

CMBR Hill asked if it is possible to get the sign in the middle of the road as an initial measure. Ms. Clayton said they are an inexpensive measure, and it is a good place to start. There was majority agreement from the Governing Body to move forward with this.

CMBR Faidley said they must do an ordinance with the parking on the east side and did not believe they should put the sign in the middle of the street until they figure that out. Ms. Clayton said they could proceed with the signs before the parking is restricted. Vehicles should be yielding to people in the sidewalk regardless if there is parking on the street, so they don't have to wait for the parking restriction.

CMBR Madigan said a permanent in-street pedestrian sign can be a problem for snowplows.

CMBR Kelly asked if they could erect temporary no parking signs until they pass an ordinance for permanent signs. Police Chief Morris said he is authorized to place temporary no parking signs and Public Works can install them on his authority.

There was agreement for temporary no parking signs on the east side of Buena Vista, an in-street pedestrian crossing sign, and to move forward with making the no parking permanent. Police Chief Morris said he will work with Public Works Director Scharff immediately.

#### 3. Selection of Preferred Entryway Sign Design

Kristina Ziegler from Dimensional Innovations has been working on the entryway concepts. Also on the call were Spencer Farley and Greg Drummond. Ms. Ziegler said the concepts show renderings of materiality and colors which can be interchanged with the other concepts. Mr. Drummond said they have three concepts for each of the three entryways to the City. He presented the renderings on his PowerPoint presentation.

CMBR Faidley asked what direction was given to Dimensional Innovations for their work. City Administrator Moody said they were given Vireo's concepts, the design boards from the Roe visioning process, the artwork for Commerce Bank and the art piece for the Sunflower Medical building.

CMBR Faidley wanted more information before deciding.

CMBR Madigan favored option 1 but was not a fan of the blue or red lights. City Administrator Moody said the lights are an option and the colors can be changed on special occasions.

After further discussion of preferences, there was majority agreement on design Option 3 with internal lighting and native plants surrounding the sign.

#### **III. NON-ACTION ITEMS:**

There were no items discussed.

#### IV. ADJOURN

**MOTION:** MAYOR KELLY MOVED AND CMBR DICKENS SECONDED TO ADJOURN. (THE MOTION CARRIED 8-0).

(Roeland Park Governing Body Workshop adjourned at 9:50 p.m.)

**Item Number:** APPROVAL OF MINUTES-I.-B.

Committee 12/7/2020

**Meeting Date:** 



## City of Roeland Park Action Item Summary

Date: Submitte Committe Title: Item Typ	ee/Department:	ovember 16, 2020	
Recom	mendation:		
Details:			
	Но	ow does item relate to	Strategic Plan?
	How d	oes item benefit Com	nmunity for all Ages?
Des	HMENTS: scription mber 16, 2020		Type Cover Memo

#### GOVERNING BODY WORKSHOP MINUTES Roeland Park City Hall 4600 W 51st Street, Roeland Park, KS 66205 Monday, November 16, 2020, 6:00 P.M.

0	Mike Kelly, Mayor		o Jennifer Hill, Council Member	<ul> <li>Keith Moody, City Administrator</li> </ul>
0	Trisha Brauer, Council Mem	nber	<ul> <li>Jim Kelly, Council Member</li> </ul>	<ul> <li>Jennifer Jones-Lacy, Asst. Admin.</li> </ul>
0	Benjamin Dickens, Council	Member	o Tom Madigan, Council Member	<ul> <li>Kelley Nielsen, City Clerk</li> </ul>
0	Jan Faidley, Council Membe	er	o Claudia McCormack, Council Member	<ul> <li>John Morris, Police Chief</li> </ul>
			<ul> <li>Michael Rebne, Council Member</li> </ul>	o Donnie Scharff, Public Works Director
	Admin	Finance	Safety	Public Works
	Brauer	McCorma	ack Rebne	Kelly
	Hill	Madigan	Faidley	Dickens

(Governing Body Workshop Called to Order at 7:07 p.m.)

#### **ROLL CALL**

CMBR Hill called the meeting to order. CMBR Kelly was absent.

#### **MODIFICATION OF AGENDA**

There were no modifications to the agenda.

#### I. MINUTES

1. November 2, 2020

The minutes will be approved at the next meeting to allow more time for review.

#### II. DISCUSSION ITEMS

#### 1. Presentation by Johnson County Mental Health Co Responder

Jan Melby, LPC, and Jessica Murphy, LMSW, co-responders from Johnson County Mental Health Center each made presentations on the co-responder program.

Ms. Murphy is the supervisor of the program. She reviewed the information that was provided in the packet. The program began in 2011 with a grant that provided services throughout Johnson County. Their main goal is to keep those with mental health issues out of the prison system. They also connect those individuals to appropriate resources to avoid further 911 calls. They also work with suicide prevention and intervention.

Ms. Melby is the co-responder for Roeland Park. She spoke of her daily activities in the program. She responds to calls that she receives directly from officers but also listens to radio traffic and can self-dispatch to a scene if she believes she can be of assistance. While on scene she can immediately do assessments and safety planning to avoid going to the ER or prison. After an incident, she follows up with a lot of people. Another aspect of the program is they do outreach to those left behind by suicide. They also work with the police officers to have them meet and follow-up with those they encounter after the

crisis situation has passed which has been a positive experience for the officers as well as those who have encountered law enforcement to be able visit in a non-emergency type situation.

CMBR Rebne asked how they could better support them to be as proactive as possible. Ms. Murphy said that advertising is important and making their service known that they are available.

CMBR Hill said their PIO could push more information out. Ms. Murphy also recommended an interview with Ms. Melby as a focus piece would be helpful.

Ms. Jones-Lacy said she will put more information out in the newsletter on the co-responder program.

#### 2. Review City Hall Interior ADA Compliance Plans - SFS Architects

City Administrator Moody said that Kelly Stindt with SFS Architects has been working on the ADA issues found during City Hall renovation that was done in 2012. The group of projects shown represents the items yet to be addressed along with parking improvements scheduled to be completed in 2021.

Ms. Stindt reviewed the plans that were attached in the packet noting a lot of the items pertained to fixtures, doorway, and restroom clearances. Most of the work will be on the third floor. The renovations will make it more accessible focusing on movement of fixtures, door openings, the private shower used by the Police Department, restroom, and breakroom as well as drinking fountain modifications on the first floor.

City Administrator Moody said the plans reflect that the sink is an add-alternate for the breakroom.

CMBR Faidley asked what is on the third floor other than storage. City Administrator Moody said there is a break room with a kitchen, two refrigerators, and a dining table. The Police Department's records/evidence storage is also up there. The entrance into Scenic Road, their tenant, is also on the third floor. There is also a vacant space they want to lease out and two restrooms.

CMBR Madigan felt that the lectern a microphone in the Council Chamber should be addressed for accessibility. City Administrator Moody said the whole building has been assessed for ADA compliance. Ms. Stindt said the goal of ADA compliance is to have items that are universally acceptable, but in cases where they are not accommodations can be made for a person even if it's in a different location. City Administrator Moody also added that there are other places in the Chamber room that someone can present from other than at the lectern. CMBR Madigan also mentioned the door going into the Council Chamber closes rather quickly and would not allow for a disabled individual to make it through in time. Ms. Stindt said that having the door closing is not out of compliance with ADA, but the timing and force of the door can be verified to see if it needs adjustment.

There was agreement to move forward with the modifications.

#### 3. Review Revised Plans for Preferred Entryway Signs with DI

Spencer Farley and Greg Drummond from Dimensional Innovations were on hand to present graphics of the entryway designs following the discussion of the Governing Body at their last Workshop.

After review of the designs, there was majority consensus for the face lit option.

CMBR Faidley said she wanted to see different options on the concrete. CMBR Hill said she was not impressed with concrete and did not believe residents would want to see that as they generally opt for a more earth-friendly product.

Mayor Kelly said he was glad to see they were incorporating some of the planting recommendations made by Vireo.

There was some discussion about the greenery and plantings surrounding the signs. CMBR Hill said people liked the greenery behind the signs depicted in earlier drawings. Mr. Farley spoke with the City's landscape architect about what they could put there but there were concerns of high maintenance and growth into the sign as well as dying off in the winter.

There was agreement to keep the brass lettering.

#### 4. Cost Recovery Policy Discussion for Parks and Recreation Fees

Tony Nichols, Parks and Rec Superintendent, reviewed the philosophy, pricing strategies, pricing policy guidelines, cost of service, methods for setting prices and a discount policy to be able to give all residents an opportunity to participate in their programs. He would recommend that any fees being waived would be brought before the City Council for their approval. The fee schedule would also be reviewed annually and submitted to the Governing Body for approval.

CMBR Faidley said she hopes to avoid them believing they must justify their programs by their ability to pay for themselves as they want to make them available for all residents regardless of income or ability to pay. CMBR Hill said she completely agrees with that.

CMBR Madigan said they need to investigate instances where Mr. Nichols could approve certain items and not have to come before Council for approval.

City Administrator Moody said it is a good idea for the Council to take formal action on the policy. They will still be faced with adjusting fees on an annual basis. He added that by having the policy approved by the Council, it gives affirmation to the work of the aquatics and parks committees.

Mayor Kelly said when staff is asking for a resolution of support of the way funds are used, he thinks is appropriate.

There was agreement to move this forward to New Business.

#### **III. NON-ACTION ITEMS:**

There were no items discussed.

#### IV. ADJOURN

**MOTION:** CMBR MADIGAN MOVED AND MAYOR KELLY SECONDED TO ADJOURN. (THE MOTION CARRIED 8-0).

(Roeland Park Governing Body Workshop adjourned at 8:28 p.m.)			
Page   4	Governing Body Workshop	Minutes – November 16, 2	2020

Item Number: DISCUSSION ITEMS- II.-1.

Committee 12/7/2020

**Meeting Date:** 



#### **City of Roeland Park**

Action Item Summary

Date: 12/3/2020

Submitted By: Judge Karen Torline

Committee/Department: Court Fine Task Group

Title: Court Fine Task Group Presentation

Item Type: Presentation

#### Recommendation:

Judge Torline will review the attached presentation which provides an overview of the key information covered by the Task Group. Also attached is the proposed fine schedule developed by Judge Torline. The Judge has the authority to set the fine schedule for traffic offenses (per section 8-2118(d) and 12-4305 of Kansas Statutes). The schedule she has developed takes into consideration the feedback from the Task Group.

#### **Details:**

See attached presentation.

A comparison of the current and proposed fine schedules along with the number of citations issued in 2019 for each type of offense is also attached.

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

#### Financial Impact

Amount of Request: Not applicable.			
Budgeted Item?	Budgeted Amount: N/A		
Line Item Code/Description:			

#### Additional Information

The task group was formed to work on the following 2021 Objective:

Reduce Non-State Mandated Fines and Court Fees by 25% for 2021

Justification: Alexandra Natapoff concludes in her book Punishment without Crime: How Our Massive Misdemeanor System Traps the Innocent and Makes America More Unequal That "state and local governments have created machines of injustice that undermine the most important functions of criminal law by corroding the processes meant to provide equal justice. That same machinery effectively extracts a punitive tax through the criminal system from the people who can least afford it." Around 80% of the US criminal system is composed of misdemeanor offenses, in addition, the fines and fees can often lead to incarceration for those who are too poor to pay them. Roeland Park has the benefit of a fair and equitable judge whose hands are often tied by state statute and mandatory minimums on specific convictions. However, we have the power, as a municipality, to appropriately distinguish and "punish" different distinctions of crimes and punishments. Jonathan Blanks details the following in his review of Natapoffs book that "offenses within the community can be described by one of two Latin phrases: malum in se ("wrong in itself") or malum prohibitum (roughly "wrong because it's prohibited"). These are not legal distinctions, but they are useful in describing how we think about crime and other wrongdoing. Malum in se refers to offenses that are self-evidently wrong. They violate basic rights or morals and include assault, robbery, rape, and murder. Malum prohibitum offenses are those acts that have been deemed wrong but are not always morally blameworthy" such as jaywalking or running a stop sign.

This Objective hopes to reduce the financial benefit that our city has incurred for the malum prohibitum offenses that have been institutionally enforced as a rather of habit and law rather than of logic and fairness. The current fines and fees structure implemented by most municipalities and jurisdictions constitutes a regressive taxation that disproportionately harms lower income individuals over higher income individuals. A low-income individual barely able to make rent and bills are hit much harder by a \$50 - \$150 ticket than a middle-class individual with some savings available. It has been recommended that "local courts should be funded by general government revenues, fees should be waived for indigent litigants..." Lorri Montgomery, Top National State Court Leadership Associations Launch National Task Force on Fines, Fees and Bail Practices. Also, "Municipal courts should not be deemed revenue generators for cities" – as recommended by the National Center for State Courts.

Roeland Park can demonstrate that the revenue historically generated through these fines and fees, over time, can be absorbed and more just and equitable means of taxation can accommodate these changes. With this proposed Objective, Roeland Park can be part of the solution to these state and national systemic flaws that is within our power until larger reform measures can be instituted.

Cost Estimate: A 25% reduction in city-controlled fines (Account 101.4410) and court costs (Account 101.4415) would result in an estimated \$76,000 fiscal impact for a year. One mill in the property tax rate generates roughly \$90,000 in annual revenue. The fiscal impact estimates are estimated high. It's difficult to parse out how much of the fines and court cost revenues are state mandated with the Jayhawk Court Software. In addition, traffic related tickets are the only offenses with state mandated minimums. Every other fine is imposed by the judge within a prescribed range

taking into consideration previous offenses, financial situation of the defendant, and severity prior to setting a fine. As such, there is no concrete way to determine what the fiscal impact will be for offenses subject to a fine range.

Completion Date: December 31, 2023

Responsible Party: City Council, Municipal Judge

Submitted By: Claudia McCormack

#### **ATTACHMENTS:**

	Description	Type
D	Court Fine Task Group Presentation	Cover Memo
D	Proposed Fine Schedule	Cover Memo
D	Current Fine Schedule	Cover Memo
D	Comparison of Current and Proposed Fine Schedule	Cover Memo

## Overview of Fines and Fees

## Karen Torline Municipal Court Judge

Mandatory fees

Mandatory fines

Minimum fines

Required fees

Discretionary fees

Current steps taken to address financial issues with our defendants

Fine schedule



## Mandatory fees

➤ State fees: \$23.50 for ALL violations other than parking or non-moving traffic. K.S.A. 12-4116 and 12-4117.

➤ State fees: \$1.00 for every non-moving violation. Excludes parking.

► Community Corrections fees: \$250 of every DUI conviction goes to the state. K.S.A. 8-1567

## Mandatory fines

- Court has no authority to modify these fines, or allow them to be suspended or done by community service.
- ► Seat belt: \$30. \$20 goes to the state. K.S.A. 8-2504
- ► DUI: K.S.A. 8-1567
  - First offense: Minimum mandatory fine of \$750. (\$250 goes to the state)
  - Second offense: Minimum mandatory fine of \$1250. (\$250 goes to the state).

### Minimum fines:

- ► K.S.A. 8-2118: all fines double in construction zones, and speeding violations double in school zones
- ► K.S.A. 8-262: Driving While Suspended
  - ▶1st and 2nd conviction: \$100
  - ▶3<sup>rd</sup> conviction: \$1500 minimum IF suspended for refusal of breath test, NPI, causing death with a vehicle or DWH.

► K.S.A. 40-3104: No proof of insurance

▶1st conviction: \$300

▶2<sup>nd</sup> conviction is \$800

## Other required fees

- ▶ \$122 reinstatement fee (currently per CHARGE) by statute.
  - ▶ Applies if FTA on a suspendable offense. Def receives notice of the FTA and a new date. If FTA again, DL gets suspended. Once the case is resolved and paid in full, they may be reinstated following the payment of a \$122 reinstatement fee.
  - ▶ \$100 fee by statute, and \$22 fee by Supreme Court order. K.S.A. 8-2110
  - ▶ Pending legislative bill to make this fee per CASE rather than the current per CHARGE.
  - ▶ 2019 law allows for these fees to be waived if defendant can show hardship

## Discretionary Fees

- ► Jail fees: \$50 per day cost to the city, billed to each city for each defendant
- ► Work Release: \$35 per day cost to the city, billed to each city for their defendant
- ► Public Defender: \$100 per case. Cost to city is \$150 per docket
- ► Warrant fee: \$50 if recalled, \$100 if served
- Late fee: \$5, K.S.A. 8-2110

## K.S.A. 8-2118(d)

► Requires the municipal judge to establish a schedule of fines for an ordinance traffic infraction.

## May also include other offenses in fine schedule

- Must be set within minimums and maximums allowable
- Certain offenses are precluded by statute from being included on the fine schedule, such as reckless driving, DUI, Driving While Suspended, Fleeing and Eluding a LEO, and hit and run variations.

# Steps taken in Roeland Park Municipal Court to address indigency issues

- Bond modifications
- Court appointed attorney
- Community Service
- Suspended fines
- Time to pay
  - Small monthly payments
  - Lengthy continuances for payment
  - ► Pay online available

### **COVID-19 Concerns**

- ► Employment losses
- ► Housing losses
- More needs to fulfill at home
  - ► Kids eating every meal at home
  - ► Kids needing more technology at home
  - ► More dependents moving home

More than 25 mph over speed limit is mandatory court appearance

zone are double the fine, per statute

#### \*SPEEDING FINES\*

#### MILES OVER

6	\$100.00
7	102.00
8	104.00
9	106.00
10	125.00
11	130.00
12	135.00
13	140.00
14	145.00
15	155.00
16	160.00
17	165.00
18	170.00
19	175.00
20	180.00
21	185.00
22	190.00
23	195.00
24	200.00
25	225.00

Moving violations are highlighted

STO SECTION	VIOLATION	FINE
12	Disobeying traffic control device	120.00
13	Violating traffic control signal	120.00
14	Violating pedestrian control signals	120.00
15	Violating flashing traffic signals	120.00
16	Violating lane-control signal	120.00
17	Unauthorized sign; signal. Making or device	50.00
30.2	Refusal to submit to preliminary breath test	250.00
32	Unsafe speed for prevailing conditions	120.00
34	Impeding normal traffic by slow speed	50.00
35	Speeding on motor-driven cycle	120.00
38	Driving on right side of roadway	120.00
39	Failure to keep right to pass oncoming vehicle	50.00
40	Improper passing; increasing speeding while passing	50.00
41	Improper passing on the right	120.00
42	Passing on left with insufficient clearance	120.00
43	Driving on left side when curve, grade, intersection, railroad	120.00
	Crossing, or obstructed view	
44	Driving on the left in non-passing zone	120.00
45	Driving wrong direction one-way road	120.00
46	Improper driving on laned roadway	120.00
47	Following to close	120.00
48	Improper crossover on divided highway	120.00
49	Improper tum or approach	50.00
50	Left, Right and u-turn at intersections	50.00
51	Improper "U" turn	50.00
53	Unsafe starting of stopped vehicle	120.00
54	Unsafe turning or stopping, failure to give proper signal	120.00
	using tum Signal unlawfully	
55	Improper method of giving notice of intention to tum	120.00
56	Improper hand signal	50.00
57	Failure to yield right of way at uncontrolled intersection	120.00

Proposed Fine Schedule: 12-3-20

TO SECTION	VIOLATION	FINI
58	Failure to yield to approaching vehicle when turning left	120.0
59	Failure to yield at stop or yield sign	120.0
60	Failure to yield from private road or driveway	120.0
61	Failure to yield to emergency vehicles	120.0
62	Failure to yield to pedestrian or vehicle working on roadway	120.0
	and/or failure to comply with restrictions in road construction zone	
63	Disobeying pedestrian traffic control device	50.0
64	Failure to yield to pedestrian in cross walk; pedestrian suddenly entering	120.
-	roadway; passing vehicle stopped for pedestrian at crosswalk	
64.1	Disobeying school crossing guard	50.
65	Improper pedestrian crossing	50,
66	Failure to exercise due care in regard to pedestrian	100.
67	Improper pedestrian movement in crosswalk	50.
68		50.
	Improper use of roadway by pedestrian	
69	Soliciting ride or business on roadway	100.
70	Driving through safety zone	120.
71	Failure to yield to pedestrian on sidewalk	120.
72	Failure of pedestrian to yield to emergency vehicle	120.
73	Failure to yield to blind pedestrian	120.
75	Pedestrian Disobeying bridge or railroad signal	50.
76	Failure to stop or obey railroad crossing signal	120.
77	Failure to stop at railroad crossing stop sign	120
78	Certain hazardous vehicles failure to stop at railroad crossing	120
79	Improper moving of heavy equipment at railroad crossing	120
80	Vehicle emerging from alley; private roadway building or driveway signals	50.
81	Improper passing of school bus; improper use	100.
82	Improper passing of church or day care bus; improper use of signals	100
83	Improper stopping, standing or parking on the roadway	100
85	Parking, standing or stopping in prohibited area	40
86	Improper Parking	40
87	Handicapped parking	100
87.1	Handicapped parking Handicapped parking (Any person utilizing handicap device issued to another person,	300.
87.1		300.
00	person, an agency or business)	40
89	Stall parking	40
90	Blocking traffic; Narrow street, stopping	40
91	Parking on narrow street: Signs	40
92	Parking in Alley	40
93	Parking disabled or other vehicles	40
94	Parking adjacent to schools; Signs	40
95	Stopping or parking in congested or hazardous areas	40
96	Parking prohibited in designated places	40
97	Limited time parking zones	40
98	Commercial and delivery vehicles; loading and unloading; blocking Traffic;	40.
	removal of vehicle; duty of police officer	
103	Using headphones in vehicles	50
107	Unattended vehicle; Ignition, Keys & Brakes	100
108	Driving with view or driving mechanism obstructed	120
109	Coasting	50
110	Following fire apparatus too closely	120
111	Driving over fire hose	50
112	Putting grass etc on highway	50
113	Driving into intersection, crosswalk, or crossing without sufficient	100
110	Space on other side	100
114	Improper operation of snowmobile on highway	100
114.1	Unlawful operation of showmobile on highway  Unlawful operation of all-terrain vehicle	50
	Unlawful operation of an-terrain venicle  Unlawful operation of micro utility tuck	
114.2		50
114.3 116	Unlawful operation of low speed vehicle  Driving on sidewalk	50. 120.

Proposed Fine Schedule: 12-3-20

117	Improper backing	120.00
118	Drive through private property to avoid device	120.00
122	Street barriers	120.00
123	Unsafe opening of vehicle door	50.00
124	Riding in house Trailers	100.00
126.2	Texting while driving	100.00
127	Parental responsibility of child riding on bicycle	100.00
129	Not riding on bicycle seat; too many persons on bicycle	50.00
130	Cling to other vehicle	100.00

STO SECTION	VIOLATION	FINE
131	Improper riding bicycle on roadway	100.00
132	Carrying articles on bicycles; one hand on handlebars	50.00
133	Improper bicycle lamps, brakes or reflectors	50.00
138	Improper operations of motorcycles; seats; passenger bundle	100.00
139	Improper operations of motorcycles on laned roadway	100.00
140	Motorcycle clinging to another vehicle	100.00
141	Improper motorcycle handlebars or passenger equipment	100.00
142	Motorcycle helmet and eye protections requirements	100.00
143	Equipment offenses that are not misdemeanors	100.00
144	When Lighted Lamps Required; Visibility	50.00
146	Defective headlamps	40.00
147	Defective tail lamps	40.00
148	Defective reflector	40.00
149	Improper Stop Lamp or Tum Signal	40.00
151	Improper lighting equipment on certain vehicles	40.00
152	Improper lamp color on certain vehicles	40.00
153	Improper mounting of reflectors and lamps on certain vehicles	40.00
154	Improper visibility of reflectors and lamps on certain vehicles	40.00
156	No lamp or flag on projecting load	40.00
157	Improper lamps on parked vehicle	40.00
158	Improper lamps and equipment on implements of husbandry road machinery,	40.00
	or animal drawn vehicles	
159	Unlawful use of spot, fog or auxiliary lamp	100.00
160	Improper lamps or lights on emergency vehicle	100.00
161	Improper stop or tum signal	40.00
162	Improper vehicular hazard warning lamp	40.00
163	Unauthorized additional lighting equipment	100.00
164	Improper multiple beam lights	100.00
165	Use of multiple-beam road lighting equipment	120.00
166	Improper single beam head lights	100.00
167	Improper speed with alternate lighting	100.00
168	Improper number of driving lamps	100.00
169	Unauthoried lights and signals	100.00
170	Improper school bus lighting equipment and warning devices	100.00
171	Unauthorized lights and devises on church or day care bus	100.00
172	Improper lights on highway construction or maintenance vehicles	100.00
173	Defective brakes	100.00
174	Defective or improper uses of horn or warning devise	40.00
175	Defective muffler	40.00
176	Defective mirror	40.00
177	Defective wipers; obstructed windshield or windows	40.00
178	Improper tires	40.00
178.1	Improper wide-based single tires	40.00
182	Child Restraint	60.00
182.1a	Seat belt 14-17 years old (anywhere in vehicle)	60.00
182 b	Seat belt 18 years or older (front seat only)	30.00
182.2	Unlawful riding on vehicle; persons under age 14	100.00

Proposed Fine Schedule: 12-3-20

183	Defective motorcycle head lamps	40.00
184	Defective motorcycle tail lamps	40.00
185	Defective motorcycle reflector	40.00
186	Defective motorcycle stop lamps and turn signals	40.00
187	Multiple-beam Road-lighting equipment of motor driven cycle	40.00
188	Improper road lighting equipment on motor driven cycles	40.00
189	Defective motorcycle or motor driven brakes	40.00
190	Improper performance ability of brakes	40.00
191	Improper horn, muffler, mirrors, tires on motor driven cycle	40.00

		FINE
193	NO driver's license in possession	50.00
198	Illegal Tag (altered, switched, etc)	145.00
	Expired tags (more than yr)	145.00
	Expired tags (less than yr)	100.00
198.1	Display of License Place	100.00

\$23.50 state fees are added to every m	oving violation
\$1.00 state fee is added to all non-mov	ving violations
Date	Judge Karen Torline

### ROELAND PARK MUNICIPAL COURT FINE SCHEDULE

Effective Date 8-29-17

\*Over 25 is 10- x total number of miles over the speed limit.

Example: 30 miles over = 10 x 30 = \$300 - Speeding in a SCHOOL ZONE and

CONSTRUCTION ZONE is DOUBLE THE FINE (per State Statute)\*
Hi-lited charges are Moving Violations

\*SPEEDING FINES\*

#### MILES OVER

55

56

57

6	\$100.00
7	102.00
8	104.00
9	106.00
10	125.00
11	130.00
12	135.00
13	140.00
14	145.00
15	155.00
16	160.00
17	165.00
18	170.00
19	175.00
20	180.00
21	185.00
22	190.00
23	195.00
24	200.00
25	225.00

23	175.00		
24	200.00		
25	225.00		
STO SECTION		VIOLATION	FINE
12		Disobeying traffic control device	120.00
13		Violating traffic control signal	120.00
14		Violating pedestrian control signals	120.00
15		Violating flashing traffic signals	120.00
16		Violating lane-control signal	120.00
17		Unauthorized sign; signal. Making or device	100.00
30.2		Refusal to submit to preliminary breath test	250.00
32		Unsafe speed for prevailing conditions	120.00
34		Impeding normal traffic by slow speed	120.00
35		Speeding on motor-driven cycle	120.00
38		Driving on left side of roadway	120.00
39		Failure to keep right to pass oncoming vehicle	120.00
40		Improper passing; increasing speeding while passing	120.00
41		Improper passing on the right	120.00
42		Passing on left with insufficient clearance	120.00
43		Driving on left side when curve, grade, intersection, railroad	120.00
		Crossing, or obstructed view	
44		Driving on the left in non-passing zone	120.00
45		Driving wrong direction one-way road	120.00
46		Improper driving on laned roadway	120.00
47		Following to close	120.00
48		Improper crossover on divided highway	120.00
49		Improper tum or approach	120.00
51		Improper "U" turn	120.00
53		Unsafe starting of stopped vehicle	120.00
54		Unsafe turning or stopping, failure to give proper signal	120.00
		using tum Signal unlawfully	

STO SECTION		VIOLATION	FINE
	58	Failure to yield to approaching vehicle when turning left	120.00

Improper method of giving notice of intention to tum

Failure to yield right of way at uncontrolled intersection

Improper hand signal

120.00

125.00

120.00

## ROELAND PARK MUNICIPAL COURT FINE SCHEDULE

Effective Date 8-29-17

59	Failure to yield at stop or yield sign	120.00
60	Failure to yield from private road or driveway	120.00
61	Failure to yield to emergency vehicles	120.00
62	Failure to yield to pedestrian or vehicle working on roadway	120.00
	and/or failure to comply with restrictions in road construction zone	
63	Disobeying pedestrian traffic control device	120.00
64	Failure to yield to pedestrian in cross walk; pedestrian suddenly entering	120.00
	roadway; passing vehicle stopped for pedestrian at crosswalk	
64.1	Disobeying school crossing guard	120.00
65	Improper pedestrian crossing	100.00
66	Failure to exercise due care in regard to pedestrian	100.00
67	Improper pedestrian movement in crosswalk	100.00
68	Improper use of roadway by pedestrian	100.00
69	Soliciting ride or business on roadway	100.00
70	Driving through safety zone	120.00
71	Failure to yield to pedestrian on sidewalk	120.00
72	Failure of pedestrian to yield to emergency vehicle	120.00
73	Failure to yield to blind pedestrian	120.00
75	Pedestrian Disobeying bridge or railroad signal	120.00
76	Failure to stop or obey railroad crossing signal	120.00
77	Failure to stop at railroad crossing stop sign	120.00
78	Certain hazardous vehicles failure to stop at railroad crossing	120.00
79	Improper moving of heavy equipment at railroad crossing	120.00
80	Vehicle emerging from alley; private roadway building or driveway signals	120.00
81	Improper passing of school bus; improper use	100.00
82	Improper passing of school bus, improper use of signals	100.00
83	Improper stopping, standing or parking on the roadway	100.00
85	Parking, standing or stopping in prohibited area	60.00
86	Improper Parking	60.00
87	Handicapped parking	200.00
87.1	Handicapped parking (Any person utilizing handicap device issued to another person,	300.00
07.1		300.00
98	person, an agency or business)  Commercial and delivery vehicles; loading and unloading; blocking Traffic;	60.00
76	removal of vehicle; duty of police officer	00.00
107	Unattended vehicle; Ignition, Keys & Brakes	100.00
	Driving with view or driving mechanism obstructed	120.00
108		
109	Coasting	120.00
110	Following fire apparatus too closely	120.00
111	Driving over fire hose	100.00
112	Putting grass etc on highway	100.00
113	Driving into intersection, crosswalk, or crossing without sufficient	100.00
111	Space on other side	100.0
114	Improper operation of snowmobile on highway	100.00
114.1	Unlawful operation of all-terrain vehicle	100.00
114.2	Unlawful operation of micro utility tuck	100.00
114.3	Unlawful operation of low speed vehicle	100.00
116	Driving on sidewalk	120.00
117	Improper backing	120.00
123	Unsafe opening of vehicle door	100.0
124	Riding in house Trailers	100.0
126.2	Texting while driving	100.00
127	Parental responsibility of child riding on bicycle	100.00
129	Not riding on bicycle seat; too many persons on bicycle	100.00
130	Cling to other vehicle	100.00

STO SECTION	VIOLATION	FINE
131	Improper riding bicycle on roadway	100.00
132	Carrying articles on bicycles; one hand on handlebars	100.00
133	Improper bicycle lamps, brakes or reflectors	100.00

#### ROELAND PARK MUNICIPAL COURT FINE SCHEDULE

Effective Date 8-29-17

192	NO Driver's license Expired/None	MA
191	Improper horn, muffler, mirrors, tires on motor driven cycle	100.0
190	Improper performance ability of brakes	100.0
189	Defective motorcycle or motor driven brakes	100.0
188	Improper road lighting equipment on motor driven cycles	100.0
187	Multiple-beam Road-lighting equipment of motor driven cycle	100.0
186	Defective motorcycle stop lamps and turn signals	100.0
185	Defective motorcycle reflector	100.0
184	Defective motorcycle tail lamps	100.0
183	Defective motorcycle head lamps	100.0
182.2	Unlawful riding on vehicle; persons under age 14	100.0
182 b	Seat belt 18 years or older (front seat only)	30.0
182.1a	Seat belt 14-17 years old (anywhere in vehicle)	60.0
182	Child Restraint	60.0
178.1	Improper wide-based single tires	100.0
178	Improper tires	
	Defective wipers; obstructed windshield or windows	100.0
176		100.0
176	Defective mirror	100.0
175	Defective or improper uses of norm or warming devise  Defective muffler	100.0
174	Defective or improper uses of horn or warning devise	100.0
173	Defective brakes	100.0
172	Improper lights on highway construction or maintenance vehicles	100.0
171	Unauthorized lights and devises on church or day care bus	100.0
170	Improper school bus lighting equipment and warning devices	100.0
169	Unauthoried lights and signals	100.0
168	Improper speed with alternate righting Improper number of driving lamps	100.0
167	Improper speed with alternate lighting	100.0
166	Improper single beam head lights	100.0
165	Use of multiple-beam road lighting equipment	120.0
164	Improper multiple beam lights	100.0
163	Unauthorized additional lighting equipment	100.0
162	Improper vehicular hazard warning lamp	100.0
161	Improper stop or turn signal	100.0
160	Improper lamps or lights on emergency vehicle	100.0
159	Unlawful use of spot, fog or auxiliary lamp	100.0
150	or animal drawn vehicles	100.0
158	Improper lamps and equipment on implements of husbandry road machinery,	100.0
157	Improper lamps on parked vehicle	100.0
156	No lamp or flag on projecting load	100.0
154	Improper visibility of reflectors and lamps on certain vehicles	100.0
153	Improper mounting of reflectors and lamps on certain vehicles	100.0
152	Improper lamp color on certain vehicles	100.0
151	Improper lighting equipment on certain vehicles	100.0
149	Improper Stop Lamp or Tum Signal	100.0
148	Defective reflector	100.0
147	Defective tail lamps	100.0
146	Defective headlamps	100.0
144	When Lighted Lamps Required; Visibility	100.0
143	Equipment offenses that are not misdemeanors	100.0
142	Motorcycle helmet and eye protections requirements	100.0
141	Improper motorcycle handlebars or passenger equipment	100.0
140	Motorcycle clinging to another vehicle	100.0
139	Improper operations of motorcycles, seats, passenger bundle  Improper operations of motorcycles on laned roadway	100.0
138	Improper operations of motorcycles; seats; passenger bundle	100.0

STO SECTION	VIOLATION	FINE
193	NO driver's license in possession	120.00
195	Driving In Violation of Restrictions	MA
198	Illegal Tag (altered, switched, etc)	145.00
	Expired tags (more than yr)	145.00

## ROELAND PARK MUNICIPAL COURT FINE SCHEDULE

Effective Date 8-29-17

		Expired tags (less than yr)	100.00
200	NO Mo	otor Vehicle Liability Insurance	MA

\$50.00 Court Cost for Mandatory appearance \$23.50 state fees are added to every moving violation \$1.00 state fee is added to all non-moving violations

Date	Judge Karen Torline

				2019
STO		CURRENT	PROPOSED	CITATIONS
SECTION	VIOLATION	FINE	FINES	ISSUED
12	Disobeying traffic control device	120.00	120.00	8
13	Violating traffic control signal	120.00	120.00	56
14	Violating pedestrian control signals	120.00	120.00	
15	Violating flashing traffic signals	120.00	120.00	4
16	Violating lane-control signal	120.00	120.00	
17	Unauthorized sign; signal. Making or device	100.00	50.00	
24	Accident Involving Damage to Vehicle or Other Property	MA	MA	2
26	Duty Upon Striking Unattended Vehicle or Other Property	MA	MA	2
29	Reckless Driving	MA	MA	4
30.2	Refusal to submit to preliminary breath test	250.00	250.00	
31	Flee & Elude	MA	MA	3
32	Unsafe speed for prevailing conditions	120.00	120.00	3
33	Speeding (6-25over)	100-225.00	100-225.00	660
34	Impeding normal traffic by slow speed	120.00	50.00	
35	Speeding on motor-driven cycle	120.00	120.00	
38	Driving on left side of roadway	120.00	120.00	1
39	Failure to keep right to pass oncoming vehicle	120.00	50.00	
40	Improper passing; increasing speeding while passing	120.00	50.00	
41	Improper passing on the right	120.00	120.00	
42	Passing on left with insufficient clearance	120.00	120.00	
43	Driving on left side when curve, grade, intersection, railroad crossing, obstruction	120.00	120.00	1
44	Driving on the left in non-passing zone	120.00	120.00	
45	Driving wrong direction one-way road	120.00	120.00	6
46	Improper driving on laned roadway	120.00	120.00	
47	Following too close	120.00	120.00	6
48	Improper crossover on divided highway	120.00	120.00	
49	Improper tum or approach	120.00	50.00	7
50	Obedience to Right, Left and U-Turns at Intersections	120.00	50.00	7
51	Improper "U" turn	120.00	50.00	
53	Unsafe starting of stopped vehicle	120.00	120.00	1
	Unsafe turning or stopping, failure to give proper signal, using turn signal	120.00	120.00	_
54	unlawfully	120.00	120.00	12
55	Improper method of giving notice of intention to tum	120.00	120.00	2
56	Improper hand signal	125.00	50.00	
57	Failure to yield right of way at uncontrolled intersection	120.00	120.00	
58	Failure to yield to approaching vehicle when turning left	120.00	120.00	1
59	Failure to yield at stop or yield sign	120.00	120.00	51
60	Failure to yield from private road or driveway	120.00	120.00	2
61	Failure to yield to emergency vehicles	120.00	120.00	3
	Failure to yield to pedestrian or vehicle working on roadway, fail to comply			
62	with restriction in road construction zone	120.00	120.00	
63	Disobeying pedestrian traffic control device	120.00	50.00	
64	pedestrian at X-walk	120.00	120.00	1
64.1	Disobeying school crossing guard	120.00	50.00	
65	Improper pedestrian crossing	100.00	50.00	
66	Failure to exercise due care in regard to pedestrian	100.00	100.00	
67	Improper pedestrian movement in crosswalk	100.00	50.00	
68	Improper use of roadway by pedestrian	100.00	50.00	

				2019
STO		CURRENT	PROPOSED	CITATIONS
SECTION	VIOLATION	FINE	FINES	ISSUED
69	Soliciting ride or business on roadway	100.00	100.00	
70	Driving through safety zone	120.00	120.00	
71	Failure to yield to pedestrian on sidewalk	120.00	120.00	
72	Failure of pedestrian to yield to emergency vehicle	120.00	120.00	
73	Failure to yield to blind pedestrian	120.00	120.00	
75	Pedestrian Disobeying bridge or railroad signal	120.00	50.00	
76	Failure to stop or obey railroad crossing signal	120.00	120.00	
77	Failure to stop at railroad crossing stop sign	120.00	120.00	
78	Certain hazardous vehicles failure to stop at railroad crossing	120.00	120.00	
79	Improper moving of heavy equipment at railroad crossing	120.00	120.00	
80	Vehicle emerging from alley; private roadway building or driveway signals	120.00	50.00	
81	Improper passing of school bus; improper use	100.00	100.00	1
82	Improper passing of church or day care bus; improper use of signals	100.00	100.00	
83	Improper stopping, standing or parking on the roadway	100.00	100.00	1
85	Parking, standing or stopping in prohibited area	60.00	40.00	42
86	Improper Parking	60.00	40.00	18
87	Handicapped parking	200.00	100.00	11
	Handicapped parking (Any person utilizing handicap device issued to another		200100	
87.1	person, an agency, or business	300.00	300.00	
89	Stall parking	60.00	40.00	
90	Blocking Traffic; Narrow Streets; Stopping; When	MA	40.00	1
91	Parking on narrow street: Signs	60.00	40.00	
92	Parking in Alley	60.00	40.00	
93	Parking Disabled and Other Vehicles	60.00	40.00	7
95	Stopping or Parking in Hazardous or Congested Places;Signs	60.00	40.00	3
96	Parking Prohibited at All Times in Designated Places	60.00	40.00	8
97	Limited Time Parking Zones	60.00	40.00	2
0.0	Commercial and delivery vehicles; loading and unloading; blocking Traffic; removal	50.00	40.00	
98	of vehicle; duty of officer	60.00	40.00	
103	Using headphones in vehicles		50.00	10
104	Inattentive Driving	MA	MA	13
106	Transportation of Alcoholic Beverage	MA	MA	4
107	Unattended vehicle; Ignition, Keys & Brakes	100.00	100.00	2
108	Driving with view or driving mechanism obstructed	120.00	120.00	
109	Coasting	120.00	50.00	
110	Following fire apparatus too closely	120.00	120.00	
111	Driving over fire hose	100.00	50.00	
112	Putting grass etc on highway	100.00	50.00	
113	Driving into intersection, crosswalk, or crossing without sufficient space on	100.00	100.00	
	other side	100.00	100.00	
114	Improper operation of snowmobile on highway	100.00	100.00	
114.1	Unlawful operation of all-terrain vehicle	100.00	50.00	
114.2	Unlawful operation of micro utility tuck	100.00	50.00	
114.3	Unlawful operation of low speed vehicle	100.00	50.00	
116	Driving on sidewalk	120.00	120.00	
117	Improper backing	120.00	120.00	
118	Driving Through or on Private Property to Avoid Traffic Control Devices	100.00	120.00	1
122	Street barriers	100.00	120.00	

				2019
STO		CURRENT	PROPOSED	CITATIONS
SECTION	VIOLATION	FINE	FINES	ISSUED
123	Unsafe opening of vehicle door	100.00	50.00	
124	Riding in house Trailers	100.00	100.00	
125	Driving Across Lawns, Sidewalks, Yards, Crops, Etc.	MA	MA	
126.2	Texting while driving	100.00	100.00	4
127	Parental responsibility of child riding on bicycle	100.00	100.00	
129	Not riding on bicycle seat; too many persons on bicycle	100.00	50.00	
130	Cling to other vehicle	100.00	100.00	
131	Improper riding bicycle on roadway	100.00	100.00	
132	Carrying articles on bicycles; one hand on handlebars	100.00	50.00	
133	Improper bicycle lamps, brakes or reflectors	100.00	50.00	
138	Improper operations of motorcycles; seats; passenger bundle	100.00	100.00	
139	Improper operations of motorcycles on laned roadway	100.00	100.00	
140	Motorcycle clinging to another vehicle	100.00	100.00	
141	Improper motorcycle handlebars or passenger equipment	100.00	100.00	
142	Motorcycle helmet and eye protections requirements	100.00	100.00	
143	Equipment offenses that are not misdemeanors	100.00	100.00	2
144	When Lighted Lamps Required; Visibility	100.00	50.00	26
145	Visibility Distance and Mounted Height of Lamps	UNK	UNK	2
146	Defective headlamps	100.00	40.00	52
147	Defective tail lamps	100.00	40.00	19
148	Defective reflector	100.00	40.00	
149	Improper Stop Lamp or Tum Signal	100.00	40.00	6
151	Improper lighting equipment on certain vehicles	100.00	40.00	
152	Improper lamp color on certain vehicles	100.00	40.00	
153	Improper mounting of reflectors and lamps on certain vehicles	100.00	40.00	
154	Improper visibility of reflectors and lamps on certain vehicles	100.00	40.00	
156	No lamp or flag on projecting load	100.00	40.00	
157	Improper lamps on parked vehicle	100.00	40.00	
	Improper lamps and equipment on implements of husbandry road machinery, or			
158	animal drawn vehicles	100.00	40.00	
159	Unlawful use of spot, fog or auxiliary lamp	100.00	100.00	
160	Improper lamps or lights on emergency vehicle	100.00	100.00	
161	Improper stop or tum signal	100.00	40.00	
162	Improper vehicular hazard warning lamp	100.00	40.00	
163	Unauthorized additional lighting equipment	100.00	100.00	
164	Improper multiple beam lights	100.00	100.00	5
165	Use of multiple-beam road lighting equipment	120.00	120.00	35
166	Improper single beam head lights	100.00	100.00	
167	Improper speed with alternate lighting	100.00	100.00	
168	Improper number of driving lamps	100.00	100.00	
169	Unauthorized lights and signals	100.00	100.00	1
170	Improper school bus lighting equipment and warning devices	100.00	100.00	
171	Unauthorized lights and devises on church or day care bus	100.00	100.00	
172	Improper lights on highway construction or maintenance vehicles	100.00	100.00	
173	Defective brakes	100.00	100.00	
174	Defective or improper uses of horn or warning devise	100.00	40.00	
175	Defective muffler	100.00	40.00	
176	Defective mirror	100.00	40.00	

STO SECTION	VIOLATION	CURRENT FINE	PROPOSED FINES	2019 CITATIONS ISSUED		
177	Defective wipers; obstructed windshield or windows	100.00	40.00			
178	Improper tires	100.00	40.00			
178.1	Improper wide-based single tires 100.00 40.00					
182	Child Restraint	60.00	60.00	9		
182.1a	Seat belt 14-17 years old (anywhere in vehicle)	60.00	60.00	2		
182 b	Seat belt 18 years or older (front seat only)	30.00	30.00	89		
182.2	Unlawful riding on vehicle; persons under age 14	100.00	100.00			
183	Defective motorcycle head lamps	100.00	40.00	2		
184	Defective motorcycle tail lamps	100.00	40.00	1		
185	Defective motorcycle reflector 100.00 40.00					
186	Defective motorcycle stop lamps and turn signals 100.00 40.00					
187	Multiple-beam Road-lighting equipment of motor driven cycle	40.00				
188	Improper road lighting equipment on motor driven cycles	100.00	40.00			
189	Defective motorcycle or motor driven brakes 100.00 40.00					
190	Improper performance ability of brakes	rformance ability of brakes 100.00 40.00				
191	Improper horn, muffler, mirrors, tires on motor driven cycle 100.00 40.00					
192	NO Driver's license Expired/None	MA	MA	141		
193	NO driver's license in possession	120.00	50.00	21		
194	Driving While License Cancelled/Driving While License Suspended/Driving While License Revoked MA MA					
195	Driving In Violation of Restrictions	MA	MA	3		
198	Illegal Tag (altered, switched, etc)	145.00	145.00	17		
	Expired tags (more than yr)	145.00	145.00	198		
	Expired tags (less than yr)	100.00	100.00			
198.1	pisplay of License Plate 100.00 100.00					
200	NO Motor Vehicle Liability Insurance	MA	MA	355		

Fines reflecting changes are highlighted in Green

K.S.A. 8-2504: Seat belt violation convictions have a mandatory fine of \$30. \$20 goes to the state.

Item Number: DISCUSSION ITEMS- II.-2.

Committee 12/7/2020

**Meeting Date:** 



#### **City of Roeland Park**

**Action Item Summary** 

Date: 12/7/2020

Submitted By: Wade Holtkamp

Committee/Department: Neighborhood Services

Title: Update on Neighbors Helping Neighbors, Compost Bin Rebate

and Property Tax Rebate Programs

Item Type: Discussion

	C						

For informational purposes only.

#### **Details:**

The attached presentation provides a review of the City's grant programs managed by Neighborhood Services - the Property Tax Rebate program, Neighbors Helping Neighbors and the Compost Bin Rebate program.

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

#### Financial Impact

Amount of Request: N/A				
Budgeted Item?	Budgeted Amount:			
Line Item Code/Description: Various				

Additional Information

#### ATTACHMENTS:

Description Type

□ Presentation Cover Memo

# Review of Grant Programs

For 2020 – Neighborhood Services



# Grant Programs for Neighborhood Services in 2020







NEIGHBORS HELPING NEIGHBORS



**COMPOST BIN REBATE** 

## Promotion



Earn money by diverting food waste with the Compost Bin Rebate Program!

Two online composting workshops will be held on 7/29 and 8/4 to help residents get comfortable with the process. Those who attend a workshop will be eligible for a rebate of up to \$75 to purchase or build their own home compost bin. Those who do not attend are eligible for

For more information and to sign up for a workshop, please visit https://bit.ly/2W0xPEZ

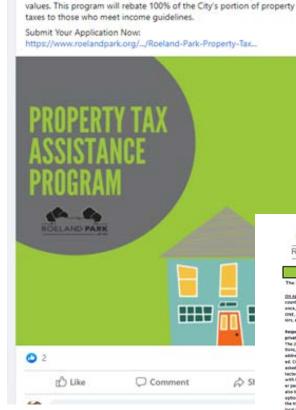












The Property Tax Assistance Program applications close on May 221

The Governing Body adopted the the program designed to alleviate

some of the burden of home ownership in the face of rising property

City of Roeland Park, KS

\*RP May 20 - 3





February-March 2020

The 2020 Census is coming and everyone counts!

On April 1, 2020, our nation will conduct its once-a-decade head count. The goal is to count every person living in the United States hospitals, and much, more. For example, according to Johnson once, only once, and in the right place. This count includes EVERY-ONE, citizens and immigrants alike, from new born babies to sen-

#### Responding to the 2020 Census is quick, easy, private, and important.

The 2020 Centus survey is just ten back ques-tions, such as the number of people living at an address, their age, race, and how they are related. Citizenship status is NOT one of the question asked. The privacy of all Census responses is pro tected by law, and answers will never be shared with law enforcement, ICE, landlords, or any other parties. Responding to the 2020 Census will also be quicker and easier than ever with a new option to fill out the Census online, in addition to

the traditional paper forms, over the phone, or in person with a local Census Taker. For more information on these and other topics, be sure to check out 2020centus gov.

impacted by Census data. According to the Fansas Governor's.

Office, Census data brought about 56 hillion to Kansas in 2016. sione—that's about 25% of our yearly state budget

\$11.5 million to Johnson County's hirthways in 2018. Census data also determines how many representatives each state sends to the U.S. House of Regresentatives, and also impacts our voice in local, state, and national elections. Census rec ords additionally provide a link to our past, while ur responses will help future generation

gencies, provide healthcare and nutrition assistance for senio

citizens and young children, repair roads, improve schools and

County (countmeinioco.org), Census data brought \$50.6 millions

Johnson County public x-12 schools in the 2017-18 school year.

Count Me In JoCo
Everyone counts by the 2000 Census ing—it is the largest peacetime operation con-

ducted by the U.S. Government, and will create over 500,000 tem porary jobs across the country! The Census requires years of plan ning and the support of thousands of people just like you. A huge way you can help is just to let your friends and neighbors know Your community is counting on you.

that the 2020 Centus is coming, and that we have jobs. Centus is there a local program or project you care about? Odds are, it is: Takers earn \$17/hour in Johnson County while working flexible. part-time hours during spring and early summer 2020, helping apply online at https://2020census.gov/lobs.

#### Your Code Enforcement Quandaries Answered!

Do you ever wonder what the City's regulations are on property code maintenance? You're not alone. Many of our residents struggle to understand what is and is not allowable in Roeland Park when it comes to the exterior maintenance of a resident's home. For example, did you know that yo need a permit to place a dumpater or dumpater bag in your driveway? Did you know that your trees must be trimmed at least eight feet above a public sidewalk? The Neighborhood Services Departme hopes to address all of this and more at two neighborhood public meetings in 2020. Meet Code En-



ent Officer wade Holtkamp and learn more about City codes, what they are and how you can keep our City beautiful. But first, we want your feed ics you want to learn more about, please let us know we can build that into our precentation. Email wade a itkamp@roelandpark.org and there your thoughts. first apportunity to learn more will be at the Commu rum on February 24th at the Roeland Fark Con

Want to shape future growth of Roe land Park? Now is your chance!

et us know what's mportant to you by taking our Comp dan survey at www.surveymonke pmovingforward

telp us build a etter Roeland Park

# Property Tax Rebate Program





Funded at \$7,500 in 2020; increased to \$15,000 in 2021



Rebates 100% of the cityportion of property taxes for those who qualify (HUD Guidelines).



Initially set an application deadline of May 22nd, extended the deadline to the end of the year.

Property Tax Rebate Program (cont) 16 applications were funded for a total of \$7,533.

Committee selected by the Council reviewed the applications and consisted of Judy Orth (Community Foundation), Corey Gregory (US Bank), Matt Heitmann (Edward Jones), and Councilmembers Jan Faidley and Jim Kelly

# Neighbors Helping Neighbors





Funded at \$10,000 in 2020.



Provided a maximum of \$2k for those meeting Tier 1 income requirements, \$1k for Tier 2 and \$500 for Tier 3 (HUD Guidelines).



Provided assistance to nine homeowners at a total investment of \$9,375 spent or pledged for 2020.



Assistance included window wood rot repair, new gutters, tree removal, garage door replacement.

# Donated electrical meter can repair with line burial!









# Free tree removal job upgrade! Union Brothers





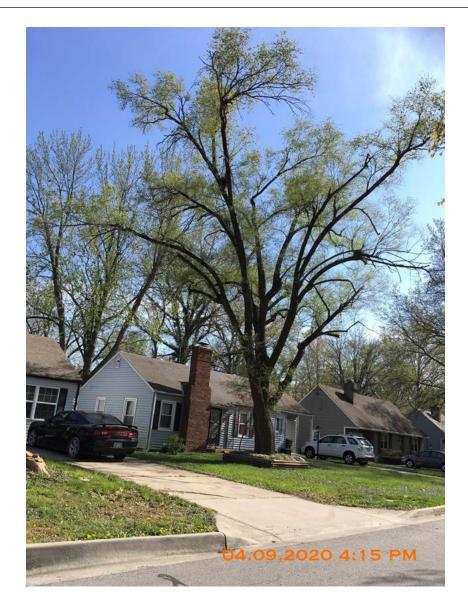






## **Dying Elm tree**

Before After





## **Broken garage door**

Before After





### Dead tree limb that fell, foreclosed property

Before After





# Compost Bin Rebate Program





\$500 budgeted for rebates; \$1,500 budgeted in 2021.



Provided two instructional workshops offered by JOCO K State Research Extension Office.



Recipients can get up to a \$75 rebate for those attending a workshop and up to a \$40 for those who do not.



30 attended the online virtual workshops. Issued rebates to 12 applicants; \$940 in rebates issued in 2020

## zoom

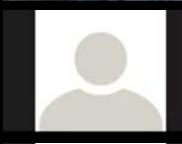
## Active or Passive Composting

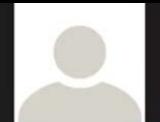
- □ Active / Hot (2-6 months)
  - Monitor temperature
  - □ Turn pile when it cools
  - Manage moisture (keep like a damp sponge)
- □ Passive / Cold (6-12 months)
  - Build and let it decompose
  - Let Mother Nature do her thing













## Planned Updates for 2021





Continue to promote the program through social media and newsletter. Start collecting applications earlier in the year due to demand.



Plan to provide a "preferred vendor" list to help residents get a discounted rate for Neighbors Helping Neighbors program.



Updated income requirements for Property Tax & Neighbors Helping Neighbors to align with latest HUD guidance.