

**RILEY COUNTY LAW ENFORCEMENT AGENCY
LAW BOARD MEETING
City Commission Meeting Room
1101 Poyntz Avenue
Manhattan, KS
March 26, 2012 12:00 p.m.
Minutes**

Members Present:

Karen McCulloh
Barry Wilkerson
Dave Lewis
Wynn Butler

Jim Sherow (left at 1:00 p.m.)
Loren Pepperd (left at 1:00 p.m.)
John Matta

Absent:

Staff Present:

Director Schoen
Captain Hooper
Captain Moldrup
Captain Nelson

Assistant Director Doehling
Captain Hegarty
Captain Fink

I. Establish Quorum: By Chairman McCulloh at 12:00 p.m.

II. Pledge of Allegiance: Led by Director Schoen

III. Consent Agenda:

A. Approve February 21, 2012 Law Board Meeting Minutes

B. County Inmate Medical, Facilities, Maintenance & Repairs Expenditures *–(Review)*

McCulloh noted two corrections to the February 21, 2012 Law Board Meeting Minutes. The first correction was to page 4, paragraph 2 which should read, "*Pepperd ~~Peppered~~ said according to the 4th Quarter & Annual 2011 Use of Force Report officer use of force has steadily declined over the last 2 years.*" The second correction was to page 7, last paragraph which should read, "*Assisted by Sandra Vidal, the water was expelled from the child's lungs and the child began breathing again.*"

Lewis moved to approve the consent agenda as amended. Pepperd seconded the motion. The motion passed 7-0.

IV. General Agenda:

C. Additions or Deletions: None.

D. Public Comment: None.

E. Telecommunication Week Proclamation: Chairman McCulloh read the National Public Safety Telecommunications Week Proclamation proclaiming that all citizens of Manhattan and Riley County observe the week of April 8th through April 14th, 2012 as National Telecommunications Week, in honor of the men and women whose diligence and professionalism keep the city, county and citizens safe. Communication Center Manager Diane Doehling, Dispatch

Supervisor Dawn Wickizer and Dispatcher Stacie Eaves accepted the proclamation on behalf of the Department.

F. Approval of General Orders:

- a) GO 2011-030 Statement of Allegations-Rights
- b) GO 2012-004 Boards and Committees

Sherow moved to approve the general orders as presented. Wilkerson seconded the motion. The motion passed 7-0.

G. Deferred Compensation Resolution: Captain Fink requested the Chair sign resolution 12-03 authorizing a deferred compensation plan for employees of the Riley County Law Enforcement Agency through ING Company. He explained that employee participation in the plan is voluntary and there are no additional costs to the Department.

Pepperd moved to authorize the Chair to sign resolution 12-03. Wilkerson seconded the motion. The motion passed 7-0.

H. Fake Patty's Day Celebration: Director Schoen provided the Board with a summary of calls for service, citations issued, and complaints received during the 2012 Fake Patty's Day Celebration compared to those received in 2010 and 2011.

Pepperd inquired about the number of parking complaints received during Fake Patty's Day compared to those received during the St. Patrick's Day celebration.

Schoen responded that such a comparison has not been completed. He is not certain how valuable the information would be given that there were quite a few more officers working during Fake Patty's Day this year, but he could certainly have the Department's Records Management Systems (RMS) Supervisor run the numbers and email them to the Board.

Pepperd asked if the Department had better success this year working with the Aggieville merchants and bar owners, or if the problems that were present in previous years seemed to persist.

Schoen stated that in some ways the event was better this year, specifically with respect to the work that was done with the Aggieville bar owners. It was the general impression among emergency service providers and bar owners that the event was better managed. The same type of activity that occurred last year also occurred this year, but the activity happened a little later and it was a little less extreme. Given the increase in police presence, and the "get after it early, get after it often" officer approach to problems during the event, the neighborhoods surrounding Aggieville appeared to be less affected than in 2011.

Lewis asked Director Schoen to briefly touch on the topic of overcrowding and Ft. Riley assistance during Fake Patty's Day.

Schoen explained that upper level enlisted and military patrol officers from Ft. Riley walked the area of Aggieville during Fake Patty's Day. When they came across military personnel who were beginning to encounter difficulties, they approached them and attempted to resolve the matter. There was some confusion regarding the pickup location for the Ft. Riley rides, which is something

that will be better communicated between RCPD and Ft. Riley in the future, but overall it went very well.

Schoen said with respect to the matter of overcrowding, RCPD officers accompanied Manhattan Fire Department (MFD) personnel into the establishments; however, MFD was in charge of issuing citations for those who were noncompliant with the city ordinance. According to MFD, there were a number of bars in Aggieville that took the necessary steps to avoid and/or resolve overcrowding issues within their establishment. There were a couple of bars that had to be told a few times to reduce the number of patrons inside. Overall, the method in which the ordinance was enforced was clearly more successful than the actions that were taken, or not taken in previous years.

I. 2011 Year End Budget Update: Director Schoen reported that the Department will return \$400,802.53 in carryover for 2011 which may be used to offset the 2013 budget.

J. Per Capita Officer Comparison: With the permission of the Board, Director Schoen addressed the per capita officer comparison prior to engaging in the 2013 RCPD budget discussion. Provided as part of the packet was a per capita officer ratio comparison between RCPD and other jurisdictions. The jurisdictions selected for comparison include those that were a part of the Department's 2008 salary survey, as well as cities in the state of Kansas not included in the survey and having a population in excess of 20,000. The results of the comparison show that while RCPD is not at the bottom of the list in terms of its per capita officer ratio, RCPD is in the bottom third, ranking 18th of 25 jurisdictions listed. Schoen said in his opinion, ratios of 1.5 through 1.8 officers per 1,000 are fairly typical. The Department's ratio of 1.462 is below normal.

McCulloh opened for questions from the Board and received none.

K. 2013 RCPD Budget Development: Discussion continued regarding the 2013 RCPD budget.

Butler explained that at the last meeting he was interested in obtaining a dollar value for what the added assessment and new building projects brought in. Butler said according to his calculations and the memo provided by Assistant City Manager Lauren Palmer, if the Board decides to maintain a flat mil levy for 2013 the City will have \$500,000 that can be added to the RCPD budget.

Palmer clarified that the figure addressed by Butler is strictly the property tax portion of the City's contribution to RCPD. There is a beginning cash balance, and there are delinquencies and motor vehicle taxes that come in and are on top of that amount. It would not be accurate to say that an additional 20% on top of \$500,000 would be the County's portion because that is not indicative of 80% of RCPD's budget.

Butler said that he does not want to spend more money than what is available. He would like to see government manage their budget similar to how a citizen manages their personal checkbook. While he understands that the County does not have concrete numbers at this time, he feels they can obtain a fairly close estimate.

Matta concurred with Butler.

McCulloh stated that the County will not receive fixed numbers until May, and valuation information will not be released until June. The County has to enter into the budget cycle knowing that they are going to see an increase in valuation, and decide what level of police service and public safety they want to support.

Butler said he would be in favor of a COLA for RCPD employees as long as the checkbook supports it. The question must be asked "What can we afford?" If you do not have the money to pay for it then the decision need to be made whether you want to charge it. Government tends to do that a lot. They tend to go to the taxpayer and increase the mil levy. Butler said he is suggesting that government get away from that.

Schoen noted that if the Board were to cut the additional personnel and COLA from the budget drafts, the reduction would amount to \$453,000. To reach the \$500,000 goal as suggested by some members of the Board, the Department would need to make further cuts to the budget. It would essentially equate to a reduction of 1 police officer from the current force.

Schoen said typically the Board offers suggestions regarding other items they feel the Department should take into consideration and include in additional budget drafts. He asked if it would be the preference of the Board to schedule another Special Law Board Meeting to continue budget discussions.

The Board was in agreement that a Special Law Board Meeting was needed. No additional budget drafts were requested.

L. Executive Session: At 1:00 p.m. Wilkerson moved to go into executive session for the purpose of discussing attorney client privilege and non-elected personnel matters not to exceed 10 minutes. Lewis seconded the motion. The motion passed 5-0.

At 1:10 p.m. Lewis moved to return from executive session. Matta seconded the motion. The motion passed 5-0.

M. Director's Contract: No action was taken.

N. Affirmation or Revocation of Discipline: Lewis moved to affirm the Director's disciplinary actions. Matta seconded the motion. The motion passed 5-0.

O. Adjournment: Matta moved to adjourn the meeting. Lewis seconded the motion. The motion passed 5-0. The March 26, 2012 Law Board Meeting adjourned at 1:11p.m.