

AGENDA

Raymore City Council Work Session
City Hall – 100 Municipal Circle
Monday, April 1, 2019

7:00 p.m.

- A.** Overview - Amazon Delivery Vehicles
Staff will be giving the City Council the results of their research into unmarked Amazon delivery vehicles.
- B.** Overview - Shoveling Snow in Private Driveways
During this past winter, two Council members approached staff about the possibility of a city sponsored program to shovel private driveways for senior citizens. Staff will be reporting out on their research into this.
- C.** Aging Mastery Program
Monique Lewis will be presenting to the City Council regarding the Aging Mastery Program.

EXECUTIVE SESSION (CLOSED MEETING)

The Raymore City Council may enter an executive session before or during this meeting, if such action is approved by a majority of Council present, with a quorum, to discuss:

- Litigation matters as authorized by § 610.021 (1),
- Real Estate acquisition matters as authorized by § 610.021 (2),
- Personnel matters as authorized by § 610.021 (3),
- Other matters as authorized by § 610.021 (4-21) as may be applicable.

Any person requiring special accommodation (i.e., qualified interpreter, large print, hearing assistance) in order to attend this meeting, please notify this office at (816) 331-0488 no later than forty eight (48) hours prior to the scheduled commencement of the meeting. Hearing aids are available for this meeting for the hearing impaired. Inquire with the City Clerk, who sits immediately left of the podium as one faces the dais.

To: Mayor and City Council
From: Jim Feuerborn, City Manager
Re: Unmarked Amazon Delivery Vehicles

March 21, 2019

The City Council requested that staff look into the issue of unmarked Amazon delivery vehicles and the citizen concerns about security relative to these. Staff's approach to research took two directions. First was to contact other cities to find out if this was a problem and if so, what steps if any were being taken to solve the problem. Second was to contact Amazon directly to find out if they had plans to mark their vehicles in the future.

I) Contact with other cities

Utilizing the Missouri city managers listserv we put out a question as to whether other cities were having this same issue brought to them and if they had taken any steps regarding it.

No one responded that they had any reports or concerns brought to them regarding unmarked vehicles, either Amazon or any other delivery vehicle.

Two cities reported unrelated problems. One smaller city indicated that the "truck transfers" from the larger Amazon trucks to a private contractors marked Amazon delivery vehicle were being done in that individuals front yard and the neighbors were complaining. A second city manager reported that their only problem was that Amazon drivers ignore traffic rules and are constantly parking in the middle of the road and "just hitting their flashers".

II) Contact with Amazon

Assistant City Manager Mike Ekey contacted Amazon directly regarding this issue. Please see his write up below.

Following a conversation with Amazon's regional marketing manager, here are the key take-aways when it comes to marking their delivery vehicles:

Before the holiday season, Amazon invested several million to expand what it called its "light delivery" vehicles. In short, Amazon purchased 20,000 Mercedes Sprinter Vans. See link below.

https://www.logisticsmgmt.com/article/amazon_significantly_ups_order_for_delivery_vehicles_through_deal_with_mercedes

These are the smaller SUV or PT Cruiser-looking vehicles that make deliveries directly from the Lenexa warehouse that may not be on a main route that can be accessed by a larger truck.

These vehicles were quickly put into service before they could all be wrapped in the Amazon branding/logo. This may account for why some vehicles were making deliveries but were not identified before or during the holidays.

All Amazon fleet vehicles are now marked with either a vehicle wrap or a side-vehicle magnet with the Amazon Logo. The only instance where the vehicle is not marked is in the rare instance of a fleet vehicle breaking down and a rental is called in to help finish deliveries. This is a practice used by UPS, FedEx and other delivery operations.

According to their marketing manager, their goal is to use their vehicles as a form of advertising and so they insist on all contractors and partners to brand their delivery vehicles with the Amazon logo.

Conclusion

In summary, it appears that Amazon is taking steps to assure that their entire fleet is identified. Anecdotally--the deliveries being made to city hall over the last several months have all been in marked vans.



Staff would also note that Amazon was not the only delivery group that struggled to have marked vehicles during the holiday season. Both UPS and USPS made deliveries in unmarked and sometimes private vehicles. USPS indicates that as they change their traditional fleet out with the new van type vehicle there will still be occasions when rented, unmarked vehicles will be used. They also indicate that private vehicles will continue to be used on "rural routes".

To: Jim Feuerborn, City Manager
From: Mike Ekey, Assistant City Manager
Re: Snow Shoveling on Private Property

March 22, 2019

Following the recent snow storms and winter weather, staff began investigating the feasibility of developing a program that would assist residents in shoveling snow from private property (driveways and sidewalks).

In looking for another City to model such a program, staff found that only Olathe, Kansas, offers this service to its residents. In Olathe, staff members (specifically the Parks & Recreation Department) volunteer their time and coordinate with other volunteer residents to shovel the driveways and walkways of residents over the age of 65 or who have a disability preventing them from shoveling.

Part of the reason Olathe initiated this program is that all residents are required by City Code to have sidewalks and adjacent walkways cleared of snow and ice following a winter weather event.

As staff researched Olathe's program, staff recognized two major hurdles that we would need to overcome before bringing a similar program to Raymore: staffing and liability

I) Staffing

To meet the needs of our residents and request of the City Council, we would need to identify staff who are willing and able to volunteer to shovel private property during a snow event. Currently, half of our entire workforce is involved in some way in the basic winter weather response plan. This includes staff from Public Works Operations, Public Works Engineering, Buildings & Grounds, Parks & Recreation and Communications.

The success of our snow removal from City streets and facilities is due entirely to the effort put in by each of those departments working together to ensure every building and road is treated within 24-48 hours of the end of a snow/ice storm.

Identifying staff in Raymore who are not already involved could prove to be a steeper hurdle than what a City like Olathe has to overcome.

II) Liability

In consultation with the City's liability insurance provider, Midwest Public Risk, we have found that having staff volunteer to shovel or treat private property comes with a number of risks that could expose the City to issues in property damage and worker's compensation.

Whether a staff member volunteers or does the work as a paid employee, we would be required to cover them under our regular worker's compensation program. MPR can provide this additional coverage and it would need to be included in our next billing cycle.

Additionally, if the City were to coordinate the efforts of resident volunteers that have no connection to the City, we still could be liable if they were to injure themselves while volunteering. MPR has provided a sample waiver that could be used to alleviate that liability, but it does not completely eliminate it.

Finally, by coordinating (either through staff or the public) this effort, the City would also be liable for any unintentional damage done to private property or injury that might occur on private property that had been treated by someone through our snow shovel program.

MPR's advice is that we find a way to shift the liability from the City to a third party.

Recommendation if Council Wishes to Proceed

If Council wishes to pursue this idea, staff is recommending that we establish a program that would use a third-party, private contractor to coordinate and shovel snow from private property. This individual would be given a list of addresses that had applied and qualified for the program (depending on the specifications set by Council) through the City.

It would be up to the contractor if they wanted to use volunteers or paid staff. The contractor, like all other City vendors, would be required to have property/liability insurance and worker's compensation insurance. The contractor would be paid through donations made through the Raymore Community Foundation.

This model would allow anyone to donate and support the program — including staff and residents — and would shift the burden of staffing and liability to the contractor.



Midwest Public Risk
19400 East Valley View Parkway
Independence, MO 64055

Mike,

I would like to recap our conversation regarding the City of Raymore potentially starting up a volunteer program to shovel driveways for those in your community who need assistance in doing so. We discussed both current employees and members of the community who want to volunteer.

Employees are already accounted for with MPR, however volunteers are not and that is something that needs to be addressed for liability and workers' compensation purposes. In short, are volunteers covered? Yes, they are. However, there are steps that the City needs to take to ensure that this liability is addressed.

I have included a copy our Risk Advisory about minimizing the risks of a volunteer program. The advisory covers everything that we have discussed. Per our conversation we do not discourage volunteers, but our members need to be aware that there are a lot of risk associated with having them. Having a good policy, training, and waivers of liability in place are essential to protect the Pool. I would also encourage our members to transfer risk if possible.

Please see the attached files and please let me know if you have any further questions going forward.

Aaron Ambrose
Risk Management Director
Midwest Public Risk
816-292-7536

CITY OF {NAME OF CITY}, MISSOURI

RELEASE

The undersigned is or may be a participant in the event sponsored by the City of {Name of City}, Missouri (“City”), pertaining to {describe event} (“Event” or “Event Participant”, as the case may be). The undersigned hereby fully assumes the risk of any injury or loss that the undersigned may sustain that is in any way connected with being an Event Participant. The undersigned understands that there are risks inherent to, and directly or indirectly related to being an Event Participant. The undersigned has agreed to assume such risks and grant the release stated herein in consideration for being permitted to participate in the Event.

The undersigned releases and forever discharges the City and its agents and employees, from all claims, demands, actions and causes of actions, relating to any injury or loss which the undersigned may sustain, resulting from the **negligence** of any of the aforementioned parties or in any way connected with participation in the Event or related activities. The undersigned releases, waives, discharges, and covenants not to sue the City from all liability on account of injury to the person or property of the undersigned, **caused by the negligence of the City** while the undersigned is participating in the Event and all activities in connection with it. The undersigned does **not** release the City from liability for intentional torts and/or gross negligence.

The provisions of this Release are severable, and the invalidity of any provision shall not affect the validity of any other provision hereof. The construction and interpretation of this agreement shall at all times and in all respects be governed by the laws of the State of Missouri, including Missouri's statutes of limitations. **The undersigned fully understands the meaning and effect of this Release and has freely agreed to be bound by its terms.**

Signature of Event Participant

Printed Name

Date



Risk Prevention Advisory

Midwest Public Risk
19400 East Valley View Parkway
Independence, MO 64055

Minimizing the Risks of Volunteers

Introduction: Volunteers are an essential resource for many public entities, making valuable contributions. Unfortunately, this service imposes liability and workers' compensation exposures which can produce dramatic results. It is extremely important that we use great care in the selection and management of volunteers. Effective planning, screening, selection and the administration of programs utilizing volunteers is essential to minimize risks.

Discussion: There are several considerations to address before selecting volunteers and during the administration of applicable programs. Of particular concern are volunteers working with minors, vulnerable adults, or when providing services that are hazardous in nature. The following considerations should be addressed before any program utilizing volunteers is implemented and then reviewed periodically to ensure effectiveness.

Can the Risk be Transferred? Risk transfer should always be pursued when looking at the exposures associated with an activity or service. Rather than taking on a risk, can another organization be found to take over a service, function or league?

Retaining the Risks: If it is determined a risk cannot be transferred, liability coverage for volunteers is available as part of your MPR coverage as described in the MPR Coverage Document. This coverage would apply in situations where immunities are exceeded or are non-applicable.

Workers' Compensation for Missouri Members: A public entity in Missouri is not legally obligated to provide workers' compensation coverage for volunteers. However, MPR makes this coverage available for our members providing certain obligations have been addressed. For a volunteer to be considered for workers' compensation coverage the volunteer's service hours must have been reported in the annual workers' compensation questionnaire, the volunteer must have been performing a service within the scope of their designated responsibilities, and the Volunteer Selection Guide (view at the end of this Advisory) should be addressed. Kansas members should consult their workers' compensation carrier for related coverage questions.

The Selection Process: If volunteers are to be used, the selection process must include the following procedures:

- Every volunteer position should have the responsibilities, expectations and qualifications outlined in a position description. This will help ensure consistency in securing the

proper candidates and can be used as a measurement tool to evaluate performance and determine accountability.

- An application must be secured as part of the screening and selection process. (A sample volunteer application and emergency volunteer service application are provided at the end of this advisory). Be sure the application for non-emergency volunteers includes language establishing that the applicant authorizes appropriate record and reference checks. Also, restrict access to all records and store them in a secure location.
- Background checks – the following sources should be considered as part of the background check process.
 - Criminal (local, state and national)
 - Motor vehicle
 - Child protective service records (as permitted)
 - Social security screening (confirms valid number and registration)
 - Credit history (an option, but often considered controversial for this purpose)
 - **Note:** A commercial search service is recommended as they typically are faster, current on legal considerations and some of the associated risk can be transferred
- The Personal Interview – the following issues should be incorporated into the interview:
 - Questions affiliated with the position description should be the focus of the process!
 - A set of questions developed in advance and used for all applicants with questions designed to identify talents, communication assets, support of the organization and level of cooperation and service
 - Multiple interviewers should be considered for sensitive positions
 - Take good notes - save interview notes and score sheets

Managing Volunteers: The frequency and degree of management involvement needs to be assessed for every volunteer position. Issues to consider include:

- Training to include safety, liability, emergency event response, medical emergencies and incident reporting procedures are essential. The more hazards, the more training. Document!
- Volunteers must be given clear goals and know what they are accountable for
- Volunteers (or their parents or guardians) must sign a waiver
- Structure your volunteer's contributions with goals and start as well as stop times. Maintain a schedule and attendance roster. Managers should continuously monitor activities
- Be sure to document and investigate any incidents or complaints against volunteers
- Supervisors should periodically evaluate a volunteer's contributions and document the results
- Volunteers should not operate dangerous equipment or be given dangerous assignments. If it is deemed necessary, any volunteer who is going to operate any piece of hazardous equipment must be qualified to do so safely. No volunteer under 18 should operate dangerous equipment including operating a motor vehicle.

- Volunteers working offsite should exercise additional caution by researching destinations and utilize the buddy system
- Avoid any form of compensation (cash or gifts) to volunteers as this may alter their legal status in the event of a claim

Working with minors (under age 18) and vulnerable adults:

- Advanced screening and monitoring are required of volunteers for this service
- **There should be two or more adult volunteers present at all times!**
- Procedures must ensure minors or vulnerable adults are not left alone and they are released only to parents or other designees
- No employee or volunteers will administer medication (including over the counter medications) without written permission from a parent or guardian
- Volunteers will be prohibited from engaging in any sexually oriented conversations, from possessing any sexually oriented materials and from using language/humor that is demeaning, abusive or otherwise inappropriate
- Volunteers are never to be in any state of undress in the presence of minors or vulnerable adults. If a minor or vulnerable adult needs assistance in a dressing room, two adults (of the same gender) should be present
- No staff or volunteer will sleep in the same bed, sleeping bag or other restricted space with minors or vulnerable adults
- Touching should be age appropriate and in context to the situation. There should be no physical contact initiated by staff or volunteers when alone with a minor
- No staff or volunteer should engage in physical discipline

SAMPLE

Volunteer Application

Name: _____ Phone: _____

Street Address: _____ State: _____ Zip: _____

Alternative Phone: _____ E-Mail: _____

Emergency Contact Name: _____

Emergency Contact Phone Number(s): _____

Current Driver's License Number: _____

Provide 3 references with phone numbers:

Provide addresses of residence the past 5 years:

_____ Have you
been convicted of a criminal offense? _____ Yes _____ No. If yes, please explain:

Has your driver's license ever been revoked? _____ Yes _____ No

Do you use illegal drugs? _____ Yes _____ No

How can you help? (relevant skills and experience):

Indicate any special needs and medical concerns you have:

IF THE POSTION INVOLVES OR MAY INVOLVE MINORS OR PERSONS WITH SPECIAL NEEDS, COMPLETE THE FOLLOWING:

List experience working with youth and special needs patrons:

_____ Have you ever been charged with child neglect or abuse? Yes No

Other than the previously provided answers, is there any fact or circumstance involving you or your background, including being the victim of sexual assault as a minor that would call into question your being entrusted with the supervision, guidance and care of young people or persons with special needs?

Yes No

In consideration of participation in this event I agree to indemnify and hold harmless and release the Fill in Entity Name, it's agents and employees, from any injury that may be suffered and/or arising out of or in any way connected with participation in this volunteer service event.

Agreed: _____

Signature/Date

SAMPLE

Emergency Volunteer Service Application

For Use Following Natural, Man-Made or Public Health Emergencies

Name: _____ Phone: _____

Street Address: _____ State: _____ Zip: _____

Alternative Phone: _____ E-Mail: _____

Emergency Contact Name: _____

Emergency Contact Phone Number(s): _____

How can you help? (relevant skills and experience):

Indicate any special needs and medical concerns you have:

I recognize that participating as a volunteer in response to an emergency may involve inherent risk. In consideration of participation in this event I agree to indemnify and hold harmless and release the **Fill in Entity Name**, its agents and employees, from any injury that may be suffered and/or arising out of or in any way connected with participation in this volunteer service event.

Agreed:

Signature/Date

Volunteer Selection Guide

(Should more than one description apply, the more comprehensive option will become primary)

Volunteer Service Description	Waiver	Application	Interview	Reference Check	Background Check	Department Head Approval
Works with or near minors - Sessions will not exceed 1.5 hours - 3 months or less in duration	X	X	X	X	X	
Works with or near minors - Sessions may exceed 1.5 hours <u>and/or</u> - The program expiration exceeds 3 months	X	X	X	X	X	X
Works with or near vulnerable adults - Sessions will not exceed 1.5 hours - 3 months or less in duration	X	X	X	X	X	
Works with or near vulnerable adults - Sessions may exceed 1.5 hours <u>and/or</u> - The program expiration exceeds 3 months	X	X	X	X	X	X
Public Safety support	X	X	X	X	X	X
Provides professional skills	X	X	X	X	X	X
Provides administrative support - No authority to represent the entity - 3 months or less in duration	X	X	X	X		
Provides administrative support - Authority to represent the entity <u>and/or</u> - The program expiration exceeds 3 months	X	X	X	X	X	X
Provides physical (labor) support - No authority to represent the entity - 3 months or less in duration	X	X	X	X		
Provides physical (labor) support - Authority to represent the entity <u>and/or</u> - The program expiration exceeds 3 months	X	X	X	X		X
Hazardous equipment operator	X	X	X	X	X	X
Disaster response volunteer	X	X				

IN THE Q

Apr. 1, 2019

Bids in Progress

- 2019 Curb Project
- T. B. Hanna Ice Rink
- T. B. Hanna Site Work

Vacancies

- Maintenance Worker I
- Communications Officer
- Court Clerk-Part Time
- Code Enforcement Officer

Upcoming Meetings

- 04-03-2019 - Chief Jan Zimmerman - Metropolitan Chiefs and Sheriffs
- 04-09-2019 - Police Chaplains meeting
- 04-10-2019 - Capt. Jim Wilson & Chief Jan Zimmerman - Cass County Chiefs and Sheriff Meeting
- 05-05-06-2019 - City Clerk Jeanie Woerner - Missouri City Clerks and Finance Officers retreat
- 05-09-2019 - Supervisor Starlith McAdams & Chief Jan Zimmerman - PSAP Managers & PSAP Users Committee meetings
- 05-15-2019 - Mayor, Council, City Staff - Jt. Cities Meeting
- 05-23-2019 - City Clerk Jeanie Woerner - Missouri Municipal League Board of Directors Meeting
- 05-23-2019 - Mayor, Council, City Staff - Missouri Municipal League Westgate Division Meeting

Training Updates

- 04-02-05-2019 - Parks & Recreation Director Nathan Musteen - Agents of Change Symposium
- 04-03-2019 - Lt. Aly Abdelgawad teaching Building Resiliency: Surviving Secondary Trauma
- 04-03-2019 - Deputy City Clerk Erica Hill - KU Public Management Center - Emerging Leaders Academy
- 04-03-04-2019 - MULES Conversion training for dispatchers
- 04-04-2019 - Lt. Aly Abdelgawad Building Resiliency: Surviving Secondary Trauma
- 04-08-09-2019 - Capt. Jim Wilson and Lt. Aly Abdelgawad - FBI National Incident Based Reporting System training
- 04-08-09-2019 - MULES Conversion training for dispatchers
- 04-09-10-2019 - Finance Director Elisa Williams - KU Public Manager Certification
- 04-10-12-19 - Finance Director Elisa Williams, Accountant Alexa Williams - Government Finance Officers Missouri State Conference
- 04-10-04-11-19 - Assistant City Manager Mike Ekey, Human Resources Manager Shawn Aulgur - Midwest Public Risk Member Rep. Certification.
- 04-11-2019 - Lt. Aly Abdelgawad teaching Building Resiliency: Surviving Secondary Trauma
- 04-13-16-19 - Development Services Director Jim Cadoret, Associate Planner David Gress, and Planning Commissioner Kelly Fizer - American Planning Association National Conference
- 04-16-2019 - Lt. Aly Abdelgawad teaching Building Resiliency: Surviving Secondary Trauma
- 04-17-2019 - Deputy City Clerk Erica Hill - KU Public Management Center - Emerging Leaders Academy
- 04-18-2019 - Lt. Aly Abdelgawad teaching Building Resiliency: Surviving Secondary Trauma
- 04-23-26-2019 - Lt. Aly Abdelgawad - Spring FBINAA retrainer
- 04-29-05-03-2019 - Sgt. David Billings & Officer Zach - Basic Crisis Intervention Team training
- 05-01-2019 - Deputy City Clerk Erica Hill - KU Public Management Center - Emerging Leaders Academy
- 05-03-19 - Human Resources Manager - GKC-IPMA-HR Spring Conference
- 05-06-07-2019 - Officer Nate Rogers - Remington 870 Shotgun Armorer Course
- 05-14-15-19 - Finance Director Elisa Williams - KU Public Manager Certification
- 05-15-2019 - Deputy City Clerk Erica Hill - KU Public Management Center - Emerging Leaders Academy
- 06-07-2019 - Officer Jesse Walkingstick - Traffic Stops and Vehicle Searches training

- 06-01-05-2019 - Human Resources Manager Shawn Aulgur - Regional IPMA-HR Conference
- 06-22-26-2019 - Human Resources Manager - Shawn Aulgur - National SHRM Conference.
- 07-11-2019 - Officer Nate Rogers - Drugged Driving 101 training

Upcoming Community Events

- 04-06-2019 - Touch A Truck: Recreation Park @ 9:00am
- 04-21-2019 - Annual Easter Festival: Memorial Park @ 10:00am
- 04-27-2019 - Vaccination Clinic - Foxwood Springs

Major Public Works Projects

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Major Parks & Recreation Projects

- Hawk Ridge Park Improvements
- TB Hanna Station Improvements (Design)
- Recreation Park Trail - Bridge Replacement
- Park House Demolition
- Recreation Park Ballfield Lights - Fields 1 & 2
- Recreation Park Pond Rehabilitation

Other

- 04-08-2019 - National Telecommunicators Week