

**MERRIAM CITY COUNCIL MINUTES  
CITY HALL  
9001 WEST 62<sup>ND</sup> STREET  
January 23, 2017  
7:00 P.M.**

**I. CALL TO ORDER - PLEDGE OF ALLEGIANCE**

Mayor Ken Sissom called the meeting to order at 7:00 pm.

**II. ROLL CALL**

Al Frisby  
Scott Diebold  
Chris Evans Hands  
Nancy Hupp  
Cheryl Moore  
Bob Pape  
Robert Weems

Staff present: Chris Engel, City Administrator; Mike Daniels, Police Chief; Anna Slocum, Parks and Recreation Director; Cindy Ehart, Finance Director; Kevin Bruemmer, Public Works Director; Nicole Proulx Aiken, City Attorney; and Juli Pinnick, City Clerk.

**III. PUBLIC ITEMS**

Members of the public are encouraged to use this time to make comments about matters that do not appear on the agenda. Comments about items on the regular agenda will be taken as each item is considered. ***Please note: individuals making Public Comments will be limited to 5 minutes.***

**IV. CONSENT AGENDA**

All items listed under the heading are considered to be routine by the City Council and may be enacted by one motion. There will be no separate discussion of these items unless a Councilmember or citizen so requests, in which case that item will be removed from the Consent Agenda and considered separately.

1. Consider approval of the minutes of the City Council meeting held January 9, 2017.
2. Consider approval of the purchase of four park signs with installation and eight park rule signs.
3. Consider approval of the purchase of a Telescopic aerial truck for Public Works.

**COUNCILMEMBER HANDS MOVED THAT THE COUNCIL APPROVE CONSENT AGENDA ITEMS 1-3. COUNCILMEMBER FRISBY SECONDED AND THE MOTION WAS UNANIMOUSLY APPROVED.**

**V. MAYOR'S REPORT**

1. Stuart Little- Legislative Update.

Stuart Little provided a legislative update for the 2017 Legislative Session.

**VI. PLANNING COMMISSION**

1. Consider acceptance of easements dedicated by the Final Plat for 6445 Carter Ave.(PA16-000002).

Community Development Director Bryan Dyer provided the background for this item.

The applicant and property owner, Shawnee Mission School District represented by Tyler Clubb, Asst. Director of Facilities, proposes to plat the subject properties in order to facilitate the construction of a new warehouse/office building for the school district. This facility will consolidate two existing maintenance operations facilities the school district currently utilizes. These facilities are presently located outside of Merriam.

Since 1962, the American Cast Iron Pipe Company's warehouse and offices occupied the property. The company stored larger cast iron pipes outside the building and supplied piping via a railroad spur for distribution to clients. American Cast Iron Pipe Company discontinued use of the property in approximately 2015. In the spring of 2016, the school district purchased the property (Tract 1) from American Cast Iron Pipe. In order to gain access to a sanitary sewer main, the school district has contracted to purchase a portion of the property (Tract 2) to the north from SBA Towers II, LLC.

The subject properties are zoned I-1 (Light Industrial) District and the applicant has requested approval of a final plat so that required sanitary sewers necessary for the new construction will be on one (1) lot. The plat dedicates a five (5) and seven and a half (7.5) foot utility easement along the sides and rear of the subject property, as indicated on the plat. Southern Star requested an easement for a high-pressure gas line along the west property line of both tracts. The remaining easements shown on the plat are existing.

**COUNCILMEMBER MOORE MOVED THAT THE COUNCIL ACCEPT THE DEDICATION OF EASEMENTS SHOWN ON THE CARTER INDUSTRIAL FINAL PLAT (PF16-000002). COUNCILMEMBER WEEMS SECONDED AND THE MOTION WAS UNANIMOUSLY APPROVED.**

**VII. COUNCIL ITEMS**

**A. Finance and Administration**

1. Consider approval of the purchase of a Stalker message/speed detection trailer.

Police Chief Mike Daniels provided the background for this item.

The 2017 budget included the purchase of a message/speed detection trailer. We have conducted our research and would like to purchase a Stalker MC360 Message Trailer. This trailer will be able to serve several purposes for the city. The sign board is capable of flashing messages, detecting speed and gathering data on the speed and direction of traffic. The current sign/speed detection trailer was purchased in 2003.

The Stalker MC360 has a 3' x 6' message board is battery operated with amber LED characters legible up to 850 ft. It's on-board dedicated computer has a full-size keyboard that makes programing easier, and has 250 text, 60 graphics and 20 arrow board display messages preprogrammed, plus the ability to add 100 user-created messages that can be programmed and stored for easy use. The traffic data statistics package will help us with our efforts to reduce traffic accidents by allowing us to evaluate violation patterns.

**COUNCILMEMBER MOORE MOVED THAT THE COUNCIL APPROVE THE PURCHASE OF A STALKER MC360 MESSAGE TRAILER IN THE AMOUNT OF \$14,997. COUNCILMEMBER HUPP SECONDED AND THE MOTION WAS UNANIMOUSLY APPROVED.**

2. Consider approval of the 2017 Legislative Agenda.

City Administrator Chris Engel provided the background for this item.

The proposed 2017 Legislative Agenda was discussed at the January 9, 2017 City Council meeting. This agenda continues the tradition of establishing a joint agenda with other Johnson County cities and the Johnson County Commissioners to better assert our collective hopes and desires for the upcoming session. Sales Tax Reduction on Food (new item) – this item was requested by City Council at the January 9<sup>th</sup> Council meeting

**COUNCILMEMBER PAPE MOVED THAT THE COUNCIL APPROVE THE 2017 LEGISLATIVE AGENDA. COUNCILMEMBER FRISBY SECONDED AND THE MOTION WAS UNANIMOUSLY APPROVED.**

**B. Community Development/Public Works/CIP**

1. Consider approval of the City of Merriam's application to the Johnson County Stormwater Management Program (JCSMP) for \$5,000 in funding for the installation of Stormwater Best Management Practices (BMPs) by individual landowners and businesses.

Community Development Director Bryan Dyer provided the background for this item.

Included in the Agenda Packet was the City of Merriam's application to JCSMP for \$5,000 in funding for the installation of BMPs by individual landowners and businesses. This is a cost share program funded by the county and implemented by local municipalities.

Landowners or businesses have the opportunity to apply for funds to share in the cost of the installation of BMPs. The list of eligible BMPs and cost share amount staff is recommending for Merriam's program includes:

Rain Gardens 50% match up to \$1,000  
 Rain Barrels 50% match up to \$75  
 Native Tree Plantings 50% match up to \$150  
 Native Plantings 50% match up to \$1,000

Landowners or businesses will apply to Community Development. Staff will review the Application form and, if necessary, visit the location of the proposed BMP installation. Following staff's approval of the application, the landowner will install the BMP and submit the Reimbursement form to staff. Community Development staff will then review the BMP installation and supporting documentation. Then, if appropriate, the city will reimburse the landowner. The city will then request reimbursement for those funds from the county on a monthly basis. The property owner is required to maintain the BMP for three (3) years, after which time city staff will inspect the BMP. In addition to the two (2) application forms, information on BMP installation will be included on the city's website and placed in City Hall.

Johnson County will provide funds for the cost share portion of the program. City of Merriam will provide the staffing and supplies (forms, information, and website creation) for the program.

**COUNCILMEMBER HUPP MOVED THAT THE COUNCIL APPROVE AN APPLICATION TO JOHNSON COUNTY STORMWATER MANAGEMENT PROGRAM FOR \$5,000 IN FUNDING FOR THE INSTALLATION OF BMP'S BY INDIVIDUAL LANDOWNERS AND BUSINESSES. COUNCILMEMBER HANDS SECONDED AND THE MOTION WAS UNANIMOUSLY APPROVED.**

2. Community Development Update.

Community Development Director Bryan Dyer provided the following Community Development updates:

Merriam Luxury Imports has withdrawn their TIF application. While there is still interest in developing the site, the applicant was unable to secure an end-user. They could reapply at any time.

The Planning Commission is working through a number of code revisions. It appears that these changes may be approved at their February meeting and will then forward on for council approval.

Pegah's Restaurant is moving into the old IHOP location and plans to open in early February.

**VIII. STAFF ITEMS**

City Administrator Chris Engel announced that long time Merriam resident Myra Jenks passed away. Staff will forward visitation information to council.

The Assistant City Administrator search is going well. It is anticipated that the Mayor will come forward with a recommendation for appointment in February.

**IX. NEW BUSINESS**

**X. EXECUTIVE SESSION**

**COUNCILMEMBER HANDS MOVED THAT THE COUNCIL RECESS INTO EXECUTIVE SESSION PURSUANT TO THE KANSAS OPEN MEETINGS ACT EXCEPTION FOR PRELIMINARY DISCUSSIONS RELATING TO THE ACQUISITION OF REAL PROPERTY. PRESENT WILL BE THE GOVERNING BODY, CITY ADMINISTRATOR AND CITY ATTORNEY. THE MEETING WILL RECONVENE IN THE COUNCIL CHAMBERS AT 8:10 PM. COUNCILMEMBER HUPP SECONDED AND THE MOTION WAS UNANIMOUSLY APPROVED.**

*The meeting reconvened at 8:10 pm.*

**XI. ADJOURNMENT**

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COUNCIL, COUNCILMEMBER HANDS MOVED TO ADJOURN AT 8:11 PM. COUNCILMEMBER WEEMS SECONDED AND THE MOTION WAS UNANIMOUSLY APPROVED.**

APPROVED: February 13, 2017

Respectfully submitted,

*Juliana Pinnick*

Juliana Pinnick  
City Clerk