

**MERRIAM CITY COUNCIL MINUTES
CITY HALL
9001 WEST 62ND STREET
FEBRUARY 13, 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

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

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

Joyce Slamin, 10000 Hocker Dr. addressed the council regarding RVs and RV Parking. Ms. Slamin has a neighbor who lives on a corner and parks an RV in his driveway. In addition, he has a truck and trailer that he parks in the street just past the corner. Ms. Slamin commented that while it does not appear that he is doing anything that is against the code, it does appear that parking the trailer in the street is dangerous. She was curious when the codes on RV parking changed. She feels that Merriam should not allow parking RVs at your residence at all as we don't live in an RV community.

Mayor Sissom commented that staff will look into the situation and get back in touch with her.

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 23, 2017.
2. Consider approval of an interlocal agreement with the City of Merriam, Johnson County and Overland Park for Antioch Road mill and overlay from 47th St. to 54th Terrace.
3. Consider approval of the purchase of two dump trucks.
4. Consider ratification of budget adjustments for Court, City Council, and Visitors Bureau.
5. Consider approval of a professional services agreement with BHC Rhodes for design services of CMP Rehab/Replacement Owen Heights (47th Street/Eby Street to Antioch Road).

COUNCILMEMBER MOORE MOVED THAT THE COUNCIL APPROVE CONSENT AGENDA ITEMS 1-5. COUNCILMEMBER FRISBY SECONDED AND THE MOTION WAS UNANIMOUSLY APPROVED.

V. MAYOR'S REPORT

1. City Service Awards.

Mayor Sissom presented the following City Service Awards:

25 years

Gerry Eikhoff - Police Department

20 Years

Todd Allen - Police Department

Mark Fauser - Public Works

15 years

Chris Brokaw - Police Department

Carl Forbes - Public Works
Frank Hildago - Public Works

10 Years

Halen Covell - Public Works
Lisa Naughton - Parks and Recreation
James Browning, Jr. - Police Department

5 Years

Al Frisby - City Council
Todd Veeman - Public Works
Shellie Hardisty - Parks and Recreation

Mayor Sissom commented that beginning next year the City Service Awards will be presented on a quarterly basis rather than an annual basis.

2. Year in Review video.

Staff played the 2016 Year in review video.

3. Consider approval of the appointment of Meredith Hauck as Assistant City Administrator.

COUNCILMEMBER HANDS MOVED THAT THE COUNCIL CONFIRM THE APPOINTMENT OF MEREDITH HAUCK AS ASSISTANT CITY ADMINISTRATOR. COUNCILMEMBER PAPE SECONDED AND THE MOTION WAS UNANIMOUSLY APPROVED.

VI. COUNCIL ITEMS

A. Finance and Administration

1. Consider approval of real estate purchase for property located at and near 6120 Slater.

City Administrator Chris Engel presented the background for this item.

As a general practice, city staff is always looking for opportunities to appropriately expand the city's park inventory. Staff generally looks to areas in the city underserved by existing parkland. However, staff is also receptive to available property that is immediately adjacent to existing parkland as an opportunity to increase existing park size.

In 2016 two parcels located immediately next to Vavra Park became available as the result of a replat and sale to a new business, Options Services, Inc. located at 8910 W. 62nd Terrace. The two properties of interest are to the south and southeast of Vavra Park and can be identified as 6120 Slater Street and a remnant property with no address situated directly south and southwest of 6120 Slater Street. These properties would add an additional one acre to the park.

City staff, with City Council direction, expressed interest in those remaining available properties and began the process of negotiating a potential sale price. After negotiations between the city and the seller, a sale price of \$300,000 plus realtor commission has been agreed upon by both parties.

Funding for the purchase of these properties would come from CIP General Projects Contingency.

COUNCILMEMBER HUPP MOVED THAT THE COUNCIL APPROVE A REAL ESTATE PURCHASE FOR PROPERTY LOCATED AT AND NEAR 6120 SLATER IN THE AMOUNT OF \$318,000 PLUS CLOSING COSTS; AND AUTHORIZE THE CITY ADMINISTRATOR TO SIGN THE CONTRACT AND ALL RELATED CLOSING DOCUMENTS. COUNCILMEMBER HANDS SECONDED AND THE MOTION WAS UNANIMOUSLY APPROVED.

2. Consider approval of the sale of surplus city property generally located at 7000 W. Frontage Rd.

City Administrator Chris Engel presented the background for this item.

Richard Webb is the owner of Infiniti of Kansas City located at 6960 West Frontage Road in Merriam, Kansas. Mr. Webb also owns the majority of property located immediately to the south of Infiniti of Kansas City generally identified as "Tract B" that includes the Quail Creek drainage channel.

The City of Merriam owns two parcels of surplus land totaling 0.90 acres located immediately east of Tract B between Mr. Webb's property and West Frontage Road generally identified as 7000 West Frontage Road. Exactly how the city came to own either property is unclear other than it was street frontage property with drainage / creek access that remained after the replat and sale of the Lucent Technology and KDOT right-of-way property 12 years ago.

Regardless, the city property is too small to develop on its own and has no value to the city beyond access to the drainage / creek channel.

Mr. Webb appeared before the City Council on March 14, 2016 to indicate interest in purchasing the two surplus parcels of city land adjacent to his, and the City Council authorized staff to negotiate an agreeable and appropriate price for that purchase. Staff has negotiated a sale price of \$10,000 for the two pieces of surplus city property located adjacent to Mr. Webb's. In addition to negotiating an appropriate price with Mr. Webb, staff also negotiated a permanent drainage easement to allow for continued access to the creek and/or any drainage structure should it become channelized as part of a development.

COUNCILMEMBER HANDS MOVED THAT THE GOVERNING BODY APPROVE THE SALE OF SURPLUS CITY OWNED PROPERTY GENERALLY LOCATED AT 7000 W. FRONTAGE RD. FOR \$10,000; AUTHORIZE THE MAYOR TO SIGN THE SALES CONTRACT, AND AUTHORIZE THE CITY ADMINISTRATOR TO SIGN ALL RELATED CLOSING DOCUMENTS. COUNCILMEMBER MOORE SECONDED AND THE MOTION WAS UNANIMOUSLY APPROVED.

3. Monthly Finance Report.

Finance Director Cindy Ehart presented the Finance Report for the month of January.

B. Community Development/Public Works/CIP

1. CIP Update.

Public Works Director Kevin Bruemmer presented the following CIP Updates:

Farley Ave. Project has installed fencing on the two residential properties along the road. The final asphalt layer will be completed once the asphalt plants get up and running in the spring.

Residential Street Group V project will be advertised for bid early next week.

Owen Heights Corrugated Metal Pipe (CMP) Repair Project will need to have some re-alignment of easements prior to the beginning of work. As the design engineer has been working through the design phase it was discovered that some of the existing pipes are not in the dedicated easements. The easements will need to be adjusted and re-recorded so that the pipes will

actually be located within the dedicated easements. It only affects 4 or 5 properties.

Sidewalk Infill Program design engineer is getting started on the design of the initial phase of the project.

VII. STAFF ITEMS

1. Discussion on possible recreational facilities solutions.

City Administrator Chris Engel provided the background for this item.

The heart of the Irene B. French Community Center (IBFCC) is more than 100 years old. The original stone building was Johnson County's first K-12 school, then home to a variety of other public institutions. Over the years the original building was either added onto or modified on multiple occasions. In the late 1980s the city purchased the vacant building and made further additions and modifications to create the current community center. Now, 25 years later, the multiple additions and modifications, as well as floods and systems failures, have taken their toll and become very expensive to maintain. The IBFCC's roof leaks and its basement floods creating hidden mold issues; the temperature is either too hot or too cold; each shift in wind direction is accompanied by a different sewer odor; original ceiling tiles intermittently fall through the existing ceiling tiles; and concrete and mortar crumbles. The city has done everything it can to keep the building in service. However, the facility is at the end of its useful life.

Similarly, the Merriam Aquatic Center (MAC) also faces serious age-related issues. The filter house and pool basins are more than 30 years old and the bathhouse older than 55 years old. Neither the IBFCC or MAC provide adequate access to people with disabilities and neither is fully compliant with modern life-safety or building codes. In short, the IBFCC and MAC require prompt attention and the city cannot continue the current practice of making expensive, unplanned repairs as they arise.

To that end, beginning in 2014 the city began engaging professional consultants to provide comprehensive assessments to determine what it would require to continue operating these facilities, specifically in the areas of mechanical, electrical, plumbing, accessibility, safety, and engineering. Findings of these studies provided detailed scenarios for addressing these issues and clearly determined that extensive, costly repairs are necessary.

Due to the high cost of those solutions, a resident steering committee was formed in late 2015 to investigate the future of recreation facilities in

Merriam. As part of that year-long process there were multiple opportunities to solicit public feedback and design a concept around what residents said they want, including amenities residents indicate they would value most in a new facility. At the conclusion of that process the professional consultants presented a facility concept and business plan consistent with information gathered during extensive public engagement activities.

Now, after several years of comprehensive studies, gathering public input, and thoughtful deliberation, the city is confronted with three possible solutions: an option that addresses minimal issues and repairs, an extensive remodel option, and a build-new option. However, as staff considers these solutions and long-term budget implications, it becomes clear the first option is no longer viable and staff would like to eliminate it from future consideration.

Over the past year, as city staff worked with the public to determine an appropriate path forward, it has become very clear that our existing facilities do not meet the community's current needs. Pursuing an option that only addresses the bare minimum issues, for an estimated combined cost of \$4 - \$6 million is not forward-thinking, and does not move the needle toward meeting the community's needs. By simply addressing our failing systems, the city would not resolve the deficiencies in our ability to offer meaningful programs or the inefficiencies of operating a community center in a 100-year-old school.

Simply stated, after spending millions of dollars the current needs of Merriam residents would not be addressed as there would be few noticeable improvements. Not to mention we would continue to operate within building spaces that are still between 30 – 100 years old and remain vulnerable to further age-related failures down the road. Staff remains committed to facilitating a public discussion about the future of city recreation facilities. Eliminating an option from consideration that is simply a short-term fix clarifies a commitment to ensuring that current and future residents will continue to enjoy the safe, inclusive, high-quality experiences they expect and deserve from Merriam's recreation facilities.

COUNCILMEMBER PAPE MOVED THAT CITY STAFF FOCUS FUTURE DISCUSSION ON EITHER REMODELING THE EXISTING POOL AND COMMUNITY CENTER OR BUILDING A NEW COMMUNITY CENTER. COUNCILMEMBER MOORE SECONDED AND THE MOTION WAS UNANIMOUSLY APPROVED.

City Administrator Chris Engel commented that staff is looking at hosting a joint Parks and Recreation Steering Committee and City Council meeting on Tuesday April 25th to discuss these options. This will give staff the opportunity to engage the public about the future of the facilities. Turkey

Creek Festival in May and Flags 4 Freedom in July will provide additional opportunities for public outreach on the facilities options. During the upcoming budget work sessions, the “build new” option will be discussed as part of the CIP, and the “re-build” option will be discussed as part of the operating budget. The “re-build” option will not only affect expenses but also revenues as the Community Center would be shut down during a re-build and those revenue streams would be lost during that re-build period.

Police Chief Mike Daniels commented that the Stalker Speed detection trailer approved by council was in the City Hall parking lot flashing a message for council.

In addition, he informed the Council that there would be extra enforcement along Shawnee Mission Parkway in the coming months. The Police will be focusing on speeders and distracted drivers including folks on cell phones while driving.

IX. NEW BUSINESS

X. EXECUTIVE SESSION

XI. ADJOURNMENT

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE CITY COUNCIL, COUNCILMEMBER HANDS MOVED TO ADJOURN AT 8:15 PM. COUNCILMEMBER HUPP SECONDED AND THE MOTION WAS UNANIMOUSLY APPROVED.

APPROVED: February 27, 2017

Respectfully submitted,

Juliana Pinnick

Juliana Pinnick

City Clerk