

**MERRIAM CITY COUNCIL MINUTES  
CITY HALL  
9001 WEST 62<sup>ND</sup> STREET  
JUNE 12, 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**

Staff present: Chris Engel, City Administrator; Mike Daniels, Police Chief; Anna Slocum, Parks and Recreation Director; Bryan Dyer, Community Development Director; Meredith Hauck, Assistant City Administrator; 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 May 22, 2017.
2. Consider approval of a resolution approving the 2018-2022 County Assisted Road System (CARS) applications to Johnson County.

**COUNCILMEMBER MOORE MOVED THAT THE COUNCIL APPROVE CONSENT AGENDA ITEMS 1-2. COUNCILMEMBER HANDS SECONDED AND THE MOTION WAS UNANIMOUSLY APPROVED.**

**V. MAYOR'S REPORT**

1. Proclamation - United Community Services 50<sup>th</sup> Anniversary.

Mayor Sisson read and presented United Community Services Executive Director Julie Baker the proclamation commemorating the 50<sup>th</sup> Anniversary of United Community Services.

**VI. COUNCIL ITEMS**

**A. Finance and Administration**

1. Consider approval of an ordinance amending Chapter 68 of the Code regarding seat belts. (first reading)

Police Chief Mike Daniels presented the background for this item.

The Kansas Legislature has amended the Kansas Seat Belt law by increasing the fine amount for an adult seat belt violation to \$30. There were no other changes in the law, but since they set the fine amount specifically for this violation we must change our seat belt ordinance starting July 1, 2017.

In order to be in compliance with this new law, we need to amend the Standard Traffic Ordinance (STO), which requires an amendment to Chapter 68 of the Merriam Code of Ordinances. This will allow our officers to continue writing seat belt citations after July 1 and before the new Standard Traffic Ordinances are passed later this year. A new section (Sec.68.48.1) will be added to the Merriam Code of Ordinances which will change the amount of the fine from \$10 to \$30 for a seat belt violation. No action is required tonight as this is a first reading.

2. Monthly Finance Report.

Finance Director Cindy Ehart provided the Finance Report for the month of May.

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

1. Discussion regarding the placing of the funding of a new community center on a September 2017 mail-in ballot for voter consideration.

City Administrator Chris Engel presented the background for this item.

As part of the on-going discussions and information regarding the City's recreation facilities staff is prepared to answer some questions received from the public about the public vote.

One of the questions being asked is, "When will the vote occur?" Another question has been, "What will the ballot language be?"

Mr. Engel displayed and read the following ballot language:

Shall the following be adopted?

Shall the City of Merriam, Kansas be authorized to: (1) issue general obligation bonds in a principal amount of not to exceed \$24,000,000 to pay costs to construct certain parks and recreation capital improvements, including but not limited to construction of a new facility that will be used as a community center and aquatics center (the "New Community Center"), and to pay associated financing costs; and (2) impose a one-quarter percent (0.25%) Citywide retailers' sales tax to commence on January 1, 2018, or as soon thereafter as permitted by law and terminate ten (10) years after its commencement, the proceeds of which shall be used to pay the costs of the New Community Center and debt service on general obligation bonds issued to finance the New Community Center; all pursuant to the provisions of K.S.A. 10-101 *et seq.*, K.S.A. 12-187 *et seq.*, K.S.A. 12-1301 *et seq.*, K.S.A. 12-1736 *et seq.* and K.S.A. 25-431 *et seq.*, as amended?

Staff has determined that a mail-ballot is the way to go for this decision and that the date of September 15, 2017 is the best day for that election.

While staff is not asking the council for approval of the ballot language tonight, at the next council meeting, in two weeks, council will have the opportunity to vote on the ballot language. Tonight, staff wants to share the proposed ballot language and review the process of how we arrived at this point and the public process that got us here.

Mr. Engel displayed a time line depicting all publications, public meetings, and public processes regarding the recreational facilities.

Beginning in 2014, the city began a process to determine the future of these facilities. Professional consultants were hired to study our failing systems, 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 at the IBFCC and MAC.

Due to the projected high cost (\$16-\$20M) of the repairs, a resident steering committee was formed in late 2015 to investigate the future of recreation facilities in Merriam. At the conclusion of that yearlong public process, the recommendation of those professionals and the resident stakeholders was clear – a new community center facility was the appropriate path forward. They presented a facility concept and business plan that reflects what residents said they want and was within the operational range they would be willing to pay. The facility also had the opportunity to be constructed with Merriam residents paying less than 20% of the capital investment if funded with a sales tax.

Staff has spent much of the last year comparing the two practical solutions: an extensive remodel option (\$16-\$20M) and a build-new option (\$25-\$30M). Public input and transparency has been an important part of this process from the beginning. Presentations were made at City Council meetings on a variety of relevant topics including funding options, repayment options, sales tax capacity and bonding ability. During publicly-held budget work sessions staff discussed the financial impact each facility option could have on the CIP budget and the general fund budget. All of this information was shared on the city website, posted on a facilities-specific blog, presented at several public outreach meetings, and covered in the Highlights and by the regional press.

When viewed collectively, the core issues become evident: (1) the cost of maintaining our existing facilities is untenable; (2) residents want and deserve a level of service we are unable to provide in our existing facilities; (3) the city's financial position is strong and should be for the foreseeable future; and (4) there is an obligation to maintain our community assets and provide the types of amenities that are attractive and desirable to existing and future residents.

Now, after several years of comprehensive studies, gathering public input, researching the facts and thoughtful deliberation, a decision is needed. Staff believes the most appropriate option forward is to build a new community center in Vavra Park, as recommended by the steering committee, at a projected cost of \$25-\$30 Million. The project would be funded by issuing 10-year general obligation bonds in an amount not to exceed \$24 Million to be repaid by a ¼-cent 10-year sales tax - all subject to public vote.

Staff explored feasibility of 10-year bonds vs 20-year bonds including the ability of the CIP Budget to absorb the increased bond payments and \$5 million savings with a 10-year bond. Merriam's sales tax rate would still be one of the lowest and not place Merriam at a competitive disadvantage if it was increased by ¼-cent.

The 2015 Community Survey and 2016 Recreation Survey revealed that 30% use pool; 34% community center. 83% believe it important to support a pool; 87% community center. 78% agree "*it is valuable to me to have a community recreation center*" and 79% believe "*a community recreation center boosts property values in our community.*" Over 50% on both surveys agreed "*The City of Merriam needs a new community recreation center*" with 30% indicating they were neutral or undecided.

Pursuing the remodel option and renovating existing aged facilities does not move the needle toward meeting the community's needs or its goals. Investing \$14 - \$17 Million in or near the floodplain 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 that would remain vulnerable to further age-related failures. Simply stated, after spending millions of dollars to make the necessary repairs and renovations, the current needs of Merriam residents would not be addressed and costs would not be reasonably contained.

However, this is a huge decision for the community and staff agrees with the City Council that the entire electorate deserves the opportunity to have a voice on the matter. Reoccurring theme is residents want a voice in this decision

Staff recommends a mail-in ballot and reports that JoCo Elections is already mobilizing for mail-in ballots related to the 2018 tax-lid budget for a few cities in Johnson County on Sept. 15.

Mr. Engel displayed a timeline depicting the process of the election from approval of the resolution to implementing the sales tax should the vote pass.

There was some discussion regarding the mail-in ballot process and registering voters. Mr. Engel indicated that part of the city's public education campaign will be to provide information on ballot procedures and the voter registration process, as well as deadlines for both.

The next step would be to see if the council feels compelled to direct staff to bring this resolution back before the council for a vote at the June 26th City Council meeting.

Mayor Sissom asked if the resolution required two readings.

Mr. Engel replied that resolutions do not require two readings, however, staff felt it important to bring this matter forward tonight in case there was something that council desired to be changed or there was something that needed additional information or clarification. Discussing any issues tonight would provide staff the opportunity to work through those issues in the next two weeks prior to asking council to vote on the resolution.

**COUNCILMEMBER HANDS MOVED THAT COUNCIL DIRECT STAFF TO PRESENT A RESOLUTION TO INCLUDE BALLOT LANGUAGE FOR CITY COUNCIL APPROVAL AT THE JUNE 26, 2017 CITY COUNCIL MEETING. COUNCILMEMBER HUPP SECONDED AND THE MOTION WAS UNANIMOUSLY APPROVED.**

2. CIP Update.

Public Works Director Kevin Bruemmer provided the following updates to the CIP report that was included in the City Council Agenda Packet:

Farley Ave-project is nearly complete, there is a concern with the sod on 69<sup>th</sup> and Farley which will be addressed with the contractor.

Sidewalk In-fill Project-a Public Meeting will be held on June 14<sup>th</sup> at the Community Center between 5:30 pm-6:30 pm. It will be an open house type meeting allowing folks to come in and look at the preliminary plans, ask questions and see if and how they will be impacted by the proposed sidewalks.

2017 Mill and Overlay-is nearly complete, the parking lot at Brown Park has been overlaid and the parking lot expansion at Waterfall Park is complete, which adds additional parking space there.

Demo on the Police Department began today. The budget has been re-worked and the project is under budget currently.

3. Community Development Update.

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

Aristocrat Motors has submitted a final development plan to expand the Range Rover/Jaguar building. They are planning a 7,400-sq. foot expansion of the building. They will also be constructing a 21,000-sq. foot building which will be for the Porsche showroom and service. They are removing the Range Rover demo track for this expansion.

A preliminary development plan has been submitted for the lot between Hyundai and Infinity dealerships on West Frontage Road. This area is where the large ditch is now and will be part of a TIF plan for that area. There is not a named dealership yet.

An application was also received for an Audi dealership on East Frontage Rd. The plan is to take down the Quality Inn hotel and the south portion of the office strip center in front of Worlds Gym and build the dealership there.

The house on Slater next to Vavra Park has been completely torn down. The lot has been seeded and sodded.

**VII. STAFF ITEMS**

**IX. NEW BUSINESS**

**X. EXECUTIVE SESSION**

**XI. ADJOURNMENT**

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COUNCIL, COUNCILMEMBER FRISBY MOVED TO ADJOURN AT 8:25 PM. COUNCILMEMBER HANDS SECONDED AND THE MOTION WAS UNANIMOUSLY APPROVED.**

APPROVED: June 26, 2017

Respectfully submitted,  
**Juliana Pinnick**  
Juliana Pinnick  
City Clerk

