

**MERRIAM CITY COUNCIL
MINUTES**

**CITY HALL
9000 W. 62ND TERRACE**

**February 26, 2007
7:00 P.M.**

I. CALL TO ORDER - PLEDGE OF ALLEGIANCE

Mayor Carl Wilkes called the meeting to order at 7:00 p.m.

II. ROLL CALL

Mayor Carl Wilkes

Bryan Burks

John Crabtree

Shawn McConnell

Chris Evans Hands

Nancy Hupp

Dan Leap

Gayle Stephens

Chad Rowe (via telephone link up)

Staff Present

Quinn Bennion, City Administrator; Stephanie Dawkins, Assistant City Administrator; Michelle Daise, City Attorney; Bill Lietzke, Police Chief; Dennis Enslinger, Community Development Director; Maureen Rogers, Finance Director; Scott Crain, City Engineer; Jerry Montgomery, Fire Chief; Beth Linn, Project Manager; and Juli Pinnick, Deputy City Clerk.

III. 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.

A. Council items:

1. Approval of the minutes of the regular City Council meeting held January 22, 2007.

2. Approval of interdepartmental budget adjustment regarding janitorial services.
3. Approval of a construction contract with Air Cleaning Technologies, Inc. in the amount of \$34,075 for the purchase and installation of a vehicle exhaust system.
4. Approval of the purchase of three (3) Ford Crown Victoria Police Interceptor vehicles, one (1) Ford Crown Victoria street appearance police vehicle, and one (1) Chevrolet Impala police package vehicle.
5. Approval of the Home Improvement Loan Partnership with Mission Bank.
6. Approval of a letter of support for the First Suburbs Coalition Loan Program.
7. Approval of a resolution acknowledging review and approval of the 2008-2012 County Assisted Road System (CARS) application.
8. Approval of a relocation agreement with WaterOne related to 67th Street Public Improvements.

COUNCILMEMBER HUPP MOVED THAT THE COUNCIL APPROVE THE CONSENT AGENDA ITEMS 1-8. THE MOTION WAS UNANIMOUSLY APPROVED.

IV. 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.

V. MAYOR'S REPORT

1. Fire Department's 2006 Annual Report.

Fire Chief Jerry Montgomery presented the 2006 Annual Report. Highlights of 2006 included 1,624 calls for service; response time average of 4:40; 4,640 training hours for firefighters; and \$25 million in property saved.

Lt. Rick Mosher provided an update on training conducted in 2006 and goals for training and development for 2007. City Emergency Operations exercises, National Incident Management System training and continued CERT training prepared the department for emergency management incidents. Training

activities with other agencies has helped to train firefighters in many areas while keeping the cost of training low.

EMS Director Ben Grimsley provided an update regarding EMS services provided by the Fire Department in 2006 including the appointment of two EMS training officers within the department. The training officers have been able to obtain specialized training for department staff at low or no cost.

Additional highlights of 2006 included a new initiative for illegal fireworks enforcement which resulted in no fires or injuries related to illegal fireworks use. A donation of a thermal imaging camera from Shawnee Mission Medical center and receipt of a Firefighters Assistance grant for improvement to the station vehicle exhaust system helped the Fire Department improve service and efficiency in 2006.

2. Update on the South Park Subarea Plan design charrette process.

Community Development Director Dennis Enslinger presented the council with the preliminary design charrette schedule. The public meeting process will begin on March 7, 2007. This meeting will be held at the South Park School library. Other meetings held at the Merriam Community Center will be open to the public from 9:00 a.m. to 9:00 p.m. on March 8, 2007. The four day process will end on March 10, 2007 with a final presentation. Concept drawings for the site will be available for viewing as well a representative from 180 Degrees Design Studio will be available during the entire process to accept public input and answer questions.

VI. PLANNING COMMISSION (No February Meeting)

VII. COUNCIL ITEMS

A. Work Session

B. Finance and Administration Committee

C. Community Development/Public Works Committee

1. Consider approval of a contract with D.E.C./Decksapces, Inc. for construction of the Merriam Aquatic Center Buffer Feature - Phase I in the amount of \$89,500.00 and authorize the Mayor to execute the contract.

COUNCILMEMBER STEPHENS MOVED THAT THE COUNCIL APPROVE A CONTRACT WITH D.E.C./DECKSCAPES, INC. FOR CONSTRUCTION OF THE MERRIAM AQUATIC CENTER BUFFER FEATURE-PHASE I IN THE AMOUNT OF \$89,500.00 AND

AUTHORIZE THE MAYOR TO EXECUTE THE CONTRACT. THE MOTION WAS APPROVED. COUNCILMEMBER LEAP VOTED NAY.

2. Consider approval of a contract with Tom Burge Fence & Iron, Inc. for construction of the Merriam Aquatic Center Buffer Feature - Phase II in the amount of \$46,950.00 and authorize the Mayor to execute the contract.

COUNCILMEMBER STEPHENS MOVED THAT THE COUNCIL APPROVE A CONTRACT WITH TOM BURGE FENCE & IRON, INC. FOR CONSTRUCTION OF THE MERRIAM AQUATIC CENTER PHASE II IN THE AMOUNT OF \$46,950.00 AND AUTHORIZE THE MAYOR TO EXECUTE THE CONTRACT. THE MOTION WAS APPROVED. COUNCILMEMBER LEAP VOTED NAY.

3. Consider approval of a contract with Miles Excavating, Inc. for construction of the Lowell Road/55th Terrace Street and Drainage Improvements in the amount of \$1,074,506.70 with 80 days for completion and authorize the Mayor to execute the contract.

COUNCILMEMBER STEPHENS MOVED THAT THE COUNCIL APPROVE A CONTRACT WITH MILES EXCAVATING, INC. FOR CONSTRUCTION OF THE LOWELL ROAD/55TH TERRACE STREET AND DRAINAGE IMPROVEMENTS IN THE AMOUNT OF \$1,074,506.70 WITH 80 DAYS FOR COMPLETION AND AUTHORIZE THE MAYOR TO EXECUTE THE CONTRACT. THE MOTION WAS UNANIMOUSLY APPROVED.

4. Consider approval of park name recommendation.

COUNCILMEMBER STEPHENS MOVED THAT THE COUNCIL APPROVE WATERFALL PARK AS THE OFFICIAL PARK NAME FOR THE PARK LOCATED AT 52ND AND MERRIAM DRIVE, AND APPROVE NAMING THE SPORTS FIELD AT WATERFALL PARK IN HONOR OF JULIUS MCFARLIN. THE MOTION WAS UNANIMOUSLY APPROVED.

VII. STAFF ITEMS

1. Direct staff to take into consideration the proposed policy changes regarding detention waivers when reviewing submitted stormwater management plans. (The City Council will be considering policy changes at the March 26, 2007 meeting).

COUNCILMEMBER BURKS MOVED THAT THE COUNCIL DIRECT STAFF TO TAKE INTO CONSIDERATION THE PROPOSED POLICY CHANGES REGARDING DETENTION WAIVERS WHEN REVIEWING SUBMITTED STORMWATER MANAGEMENT PLANS. THE MOTION WAS UNANIMOUSLY APPROVED.

2. Update on Legislative Session.

Finance Director Maureen Rogers provided information regarding Senate Concurrent Resolution (SCR) 1602. This resolution, if passed would result in an election by Kansas voters for a constitutional amendment. The amendment would prohibit valuation increases for tax purposes on single-family residential property owned by residents age 65 and older.

The amendment, as written, would impact the tax revenue of all taxing entities with a property tax mill levy. To estimate the impact of the decrease in property tax, staff estimated the loss of revenue as if the tax policy was in place from 1997-2007, a ten-year period. The growing annual revenues losses add up to approximately \$640,000 over the ten-year period.

The resolution is being called a tax cut when it reality it is more of a tax shift which could erode the city's tax base and shift the tax to working families and/or businesses. The information was provided to Council as an update with no recommendation for action.

3. Consider approval of drainage easement conveyance for Lot 12, Merriam Pointe Subdivision related to the Shawnee Mission Hyundai Development on Lot 13 of Merriam Pointe Subdivision.

Community Development Director Dennis Enslinger provided the background for this item. When the Preliminary Plan for Merriam Pointe was approved it included two lots (12 and 13) for use as car dealerships. As the design for the Hyundai dealership was developed it was anticipated that both lots 12 and 13 would be developed as part of the final plan. However, the developer of the property determined that only lot 13 would be developed at this stage of the development. Because the drainage for lot 13 must cross lot 12 to reach Tract B (drainage tract) of the Merriam Pointe Subdivision drainage easement needs to be recorded to secure proper flow of drainage.

COUNCILMEMBER HANDS MOVED THAT THE COUNCIL APPROVE DRAINAGE EASEMENT CONVEYANCE FOR LOT 12, MERRIAM POINTE SUBDIVISION RELATED TO THE SHAWNEE MISSION HYUNDAI DEVELOPMENT ON LOT 13 OF MERRIAM POINTE SUBDIVISION. THE MOTION WAS UNANIMOUSLY APPROVED.

VIII. OLD BUSINESS

IX. NEW BUSINESS

1. Consider approval of an amendment to the Governing Body Rules of Procedure.

COUNCILMEMBER MCCONNELL MOVED THAT THE COUNCIL APPROVE THE AMENDMENT TO THE GOVERNING BODY RULES OF PROCEEDURE RELATING TO ROLL CALL VOTES. THE MOTION WAS APPROVED. COUNCILMEMBER LEAP VOTED NAY.

XI. EXECUTIVE SESSION

XII. ADJOURNMENT

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COUNCIL COUNCILMEMBER HUPP MOVED TO ADJOURN AT 8:00 P.M. COUNCILMEMBER HANDS SECONDED AND THE MOTION WAS UNANIMOUSLY APPROVED.

Respectfully submitted,

Juli Pinnick
Deputy City Clerk