



**COMMUNITY DEVELOPMENT AND /PUBLIC WORKS
COMMITTEE MEETING
COUNCIL CHAMBERS
October 15, 2007**

The Community Development/Public Works Committee of the Merriam City Council met on Monday, October 15, 2007 at 7:00 p.m. Councilmembers present included: Chair Gayle Stephens, Councilmember Christine Evans Hands and Councilmember Chad Rowe. Councilmember John Crabtree was not present. Staff present included: Quinn Bennion, City Administrator; Scott Crain, City Engineer; Beth Linn, Neighborhood Services Manager; Dennis Enslinger, Community Development Director; and Judy Devere, Recording Secretary.

Public Items

Chair Stephens and councilmembers expressed their appreciation to Scott Crain for his years of service and dedication to the City of Merriam as City Engineer and wished him well in his new position.

1. CIP Monthly Update

Scott Crain, City Engineer, provided the following highlights on the monthly CIP update.

- Johnson Drive Rail Crossing – The work is completed and the crossing is in much better condition than when it was previously repaired approximately two and one-half years ago and in his opinion the crossing as good as reasonably possible considering the grade changes next to the crossing.
- Waterfall Park – Work has begun to install a new entrance into the park and a portion of the parking lot identified in the master plan. Trail extensions to access the parking and waterfall areas are also occurring. In the spring, removal of the gravel/rock roadway will occur and fill material will be imported to allow for the planting of grass.
- Vernon Place Streets – Warranty walk occurred on October 8, 2007. All warranty items are anticipated to be complete by the end of the month.

- Merriam Hills Streets - Warranty walk occurred on October 8, 2007. All warranty items are anticipated to be complete by the end of the month.
- 61st Street – Bid Opening date has been removed from the Active Projects List due to uncertainties related to the easement acquisition process. Notice to Proceed and Projected Substantial Completion dates have been adjusted to coincide with a summer construction since this is adjacent to Merriam Elementary.
- Residential Streets Group I – Bid Opening date has been removed from the Active Projects List due to uncertainties related to the easement acquisition process. Notice to Proceed and Projected Substantial Completion dates have been adjusted to provide a more uniform workload for CIP construction staff and to require sod placement to occur in the fall. This project will be bid concurrently with the 61st Street project with the intention of awarding both projects to the same bidder in an effort to maximize the “economy of scale” benefits.

2. Consider approval of a Professional Services Agreement with Affinis Corporation for the Residential Street Group II project (2009 construction)

Scott Crain, City Engineer, provided the background for this item stating that the Residential Streets Group II is programmed in the 2008-2012 Capital Improvement Plan for design in 2008 and construction in 2009. This project includes the conversion of several ditch section streets to curb and gutter streets with improved storm drainage. Sidewalk is envisioned on one side of the street. Public Works would install new residential street lighting.

Mr. Crain said that staff has completed a Request for Proposal and consultant interview process in order to select the best qualified design consultant for recommendation to the City Council. He said staff has previously sought concurrence from Council to hire Affinis Corporation for the design services associated with this project.

Mr. Crain stated that a Professional Services Agreement (PSA) has been prepared that includes a scaled back Citizen Involvement Program compared to recent years as well as an aggressive communication effort with utilities. He added that the Agreement is being reviewed by the City Attorney and is available for review at the City Clerk’s office.

COUNCILMEMBER ROWE MOVED TO FORWARD A RECOMMENDATION TO THE FULL CITY COUNCIL TO APPROVE THE PROFESSIONAL SERVICES AGREEMENT WITH AFFINIS CORPORATION IN THE AMOUNT OF \$177,000 FOR THE DESIGN SERVICES ASSOCIATED WITH THE RESIDENTIAL STREETS GROUP II AND PLACE ON THE CONSENT AGENDA. THE MOTION WAS UNANIMOUSLY APPROVED.

3. Consider concurrence with the selection committee recommendation to secure George Butler Associates to provide design services for the Shawnee Mission Parkway Bridge over Turkey Creek Tributary (2010 construction)

Mr. Crain said that in August 2007, the City of Merriam solicited proposals from qualified professional engineers interested in performing design services for the city. He said the city received five proposals and are available for review by appointment with the City Engineer.

Mr. Crain stated that the selection committee short-listed consultants based on their proposals. He noted this resulted in a process where four consultants were ranked independently on a variety of criteria related to the project. The selection committee consisted of Elliot Lahn, Management Intern; Cindy Ehart, Interim Finance Director; Joe Chick, CIP Inspector; and Scott Crain, City Engineer.

Mr. Crain stated that based on the quality based proposal process, the selection committee is recommending that Council concur with recognizing George Butler Associates (GBA) as the consultant of choice for the Shawnee Mission Parkway Bridge over Turkey Creek Tributary project. He added that GBA has significant expertise with bridge rehabilitation and design as well as traffic concerns that may be present on this project. Mr. Crain noted that GBA also has experience working with KDOT's Bureau of Local Projects and this project would involve KDOT participation since the City was successful securing \$1,200,000 of their funds through a MARC grant process in 2005. He said the selection committee is confident that GBA has the staff and expertise to meet the city's needs on this project.

Mr. Crain said that staff intends to bring forward a detailed Professional Services Agreement with GBA for consideration by full Council in October or November.

COUNCILMEMBER HANDS MOVED TO CONCUR WITH THE RECOMMENDATION OF THE SELECTION COMMITTEE TO RECOGNIZE GEORGE BUTLER ASSOCIATES AS THE CONSULTANT OF CHOICE TO PERFORM PROFESSIONAL SERVICES ASSOCIATED WITH THE SHAWNEE MISSION PARKWAY BRIDGE OVER TURKEY CREEK PROJECT AND PLACE ON THE CONSENT AGENDA. THE MOTION WAS UNANIMOUSLY APPROVED.

4. Presentation of the Mastin Street and Johnson Drive Traffic Signal Warrant Analysis

Mr. Crain said that in July 2007, staff negotiated a contract with Affinis Corporation to analyze the intersection of Mastin Street and Johnson Drive to determine if a traffic signal is warranted at this location. He noted that staff was concerned that the additional pedestrian and vehicular traffic utilizing this location to serve the expanded boundaries for the Merriam Elementary School may result in the need for increased traffic control to allow the intersection to function effectively.

Mr. Crain stated that pedestrian and vehicular counts were secured in September of this year, after school was in session and Affinis has finalized the study. He added that the Executive Summary was attached for consideration.

At this time, Mr. Crain said that staff intends to implement all of the “Short term, low-cost improvements” identified in the report. He said that staff concurs with the recommendation to remove the pedestrian signal west of the intersection and said however, short of receiving that specific direction from committee; staff intended to modify the signal to flash yellow and add signage to identify the location as a school crossing.

Quinn Bennion, City Administrator, asked if any of the councilmembers or others present if they had received comments or concerns regarding the school crossing. They indicated they had not. Councilmember Hands inquired if the City was within its rights to trim the landscaping in the right-of way or on private property with Mr. Crain replying it was if the landscaping was a safety factor and in the clear vision triangle or to notify the property owner.

COUNCILMEMBER ROWE MOVED TO DIRECT STAFF TO IMPLEMENT ALL OF THE “SHORT TERM, LOW-COST IMPROVEMENTS” IDENTIFIED IN THE REPORT INCLUDING SHORT OF REMOVAL OF THE PEDESTRIAN SIGNAL WEST OF THE INTERSECTION AND CHANGE TO A FLASHING YELLOW LIGHT AND PLACE ON THE CONSENT AGENDA. THE MOTION WAS UNANIMOUSLY APPROVED.

5. Consider a request by NSP Architecture for additional services fees associated with the Merriam Aquatic Center Upgrades

Mr. Crain provided the background for this item stating that in August 2006, the City of Merriam entered into an Agreement with NSP Architecture for design, bid document preparation, and construction administration services of the buffer feature, deck expansion and fence upgrade at the Merriam Aquatic Center. At the time of the Agreement, Mr. Crain said it was anticipated that all construction activities would be complete prior to constructing the buffer feature. He said that delays beyond the control of the City have postponed installation of the buffer feature until at least spring of 2008.

In the spring of 2007, Mr. Crain said that staff believed it was necessary to split the project into phases to allow construction of the pool deck expansion and fence upgrades prior to the 2007 pool season. He added this also provided the ability to construct the buffer feature in the fall, although further delays prohibited this from occurring. Mr. Crain said the costs incurred by NSP to phase the project as well as those associated with the drawn out timeframe, including increases in salary, overhead, etc., are legitimate expenses that the City must recognize as Additional Services. NSP has documented their additional expenses and are requesting the City compensate them for these efforts. Mr. Crain commented that as per the Agreement already in place, the City is required to pay for these additional services in accordance with the Consultant’s hourly billing rate.

COUNCILMEMBER HANDS MOVED TO ACCEPT THE CONSULTANTS, NSP, REQUEST FOR ADDITIONAL SERVICES IN AN AMOUNT NOT TO EXCEED \$12,700. ADDITIONAL SERVICES TO BE DOCUMENTED AND BILLED PER THE HOURLY RATE SCHEDULE AS REFERENCED IN THE AUGUST 21, 2006 CONTRACT AND PLACE ON THE CONSENT AGENDA. THE MOTION WAS UNANIMOUSLY APPROVED.

6. Consider approval of a Resolution in Support of the Mayors Climate Protection Agreement and the Cities for Climate Protection Campaign

Dennis Enslinger, Community Development Director, stated that this item was at the request of the Mayors of Mission, Kansas and Gladstone, Missouri to look at adopting a resolution supporting the Mayors Climate Protection Agreement that talks about how the city might participate in reducing greenhouse gasses and outlines those policies. He said there is a signing of the U.S. Mayors Climate Protection Agreement scheduled on November 2nd at Rockhurst University. Mr. Enslinger said that MARC had somewhat initiated this and Mission has played a large roll in the initiative and comes from First Suburbs Coalition in terms of support. He said the resolution was attached and would be reviewed by Legal Counsel noting it was a standard resolution outlining some of the steps the city might take to look at policies to reduce greenhouse gas emissions related to city activities.

Councilmember Hands said she had been attending a group called the Johnson County Climate Protection Committee. She added it was actually being run by the Prairie Village Environmental Committee but it has now expanded with representatives from Mission, Leawood, Fairway, and Johnson County. Councilmember Hands said the committee has been talking about this since it was presented by the City of Mission and how important it would be for all the Mayors to sign the Resolution.

There was discussion of what staff might implement regarding types of campaigns and follow up. Mr. Bennion noted this was an encouragement as far as a resolution, not necessarily a requirement. He indicated items on the handout and said the city could look at that and strive toward those goals but was not required. Mr. Enslinger noted it was gang recognition to the whole issue of carbon dioxide and greenhouse warming adding the city already does a lot with the reforestation projects and that the majority of the lights are fluorescent.

Mr. Enslinger noted this could be featured in the e-Merriam and Highlights and trying to get residents to be more cognizant of what they are doing and increasing recycling. He said this could be incorporated into the Neighborhood Services activities to encourage residents. Councilmember Rowe suggested an energy saving idea each month in the e-Merriam or newsletter and educating the residents regarding energy savings. Chair Stephens asked if there should be a committee formed and said perhaps getting Merriam businesses involved by offering incentives to get residents involved. Councilmember Rowe commented that the DMP businesses could be involved.

COUNCILMEMBER HANDS MOVED TO FORWARD TO THE FULL COUNCIL A RECOMMENDATION FOR THE MAYOR TO SIGN THE MAYORS SUSTAINABILITY IN CLIMATE PROTECTION RESOLUTION ON NOVEMBER 2ND AT ROCKHURST UNIVERSITY. THE MOTION WAS UNANIMOUSLY APPROVED.

COUNCILMEMBER HANDS MOVED TO FORWARD TO THE FULL COUNCIL TO INVESTIGATE WAYS TO COMMUNICATE TO RESIDENTS THE CITY COUNCIL'S CONCERNS AND OPPORTUNITIES TO HELP GREEN UP MERRIAM. THE MOTION WAS UNANIMOUSLY APPROVED.

7. Update regarding development projects

Mr. Enslinger provided updates to the council members on the following projects:

- Country Hill Motors
- Pointe at Prairie Haven
- Timber Ridge
- Merriam Pointe
- Merriam Village
- South Park Comprehensive Plan with Mr. Crain providing additional information regarding the town square concept

Mr. Bennion said the City Engineer position was now vacant as of Friday, October 12th and provided an update regarding options for the City Engineer position and the CIP program. Discussion followed regarding the position and program.

8. Discussion regarding exempting certain provisions from the 2003 Property Maintenance Code (related to exterior dead bolt locks)

Chair Stephens removed this item from the agenda stating that she was working with staff and the resident to get the issue resolved.

COUNCILMEMBER HANDS MOVED FOR ADJOURNMENT.

The meeting was adjourned at 8:15 p.m.

Respectfully submitted,

Judy Devere, Recording Secretary