



**COMMUNITY DEVELOPMENT AND /PUBLIC WORKS
COMMITTEE MEETING
COUNCIL CHAMBERS
April 21, 2008**

The Community Development/Public Works Committee of the Merriam City Council met on Monday, April 21, 2008 at 7:00 p.m. Councilmembers present included: Chair Gayle Stephens, Councilmember Christine Evans Hands, Councilmember Chad Rowe and Councilmember John Crabtree. Staff present included: Stephanie Dawkins, Interim City Administrator; Bryan Dyer, Community Development Director; Randy Carroll, Public Works Director, Beth Linn, Neighborhood Services Manager and Judy Devereay, Recording Secretary.

Public Items

Chair Stephens stated that she had two requests to stop burning or limiting the times of the year for burning and there was someone in her neighborhood that burns garbage at night and in the future she would call the Fire Department.

Councilmember Crabtree said he thought it would be a big mistake to ban burning on all levels. He added that perhaps burning could be limited to organic, i.e. leaves, grass and limit the time periods with a month in the fall and a month in the spring.

Stephanie Dawkins, Interim City Administrator, commented that the Fire Department should be involved in any discussion regarding burning and staff could put this item before the Finance Committee if the Councilmembers so desired.

Councilmember Rowe stated that he obtains a burn permit, calls to authorize burning, then burns in a barrel. He added that the ordinance was already restrictive enough and until mandated, the City should enforce the current regulations.

Councilmember Crabtree said that in Ward II, it is not the materials that are burned, it is the smoke.

Ms. Dawkins said she would let the Fire Chief know about the concerns of the Councilmembers so the Fire Department could be more diligent in making sure residents are more compliant.

1. CIP Monthly Update

Beth Linn, Neighborhood Services Manager, presented the CIP monthly update. She said the Notice to Proceed for Residential Streets Group I Street and Drainage Improvements with Miles Excavating, Inc. will be issued May 5, 2008 and construction is anticipated to be substantially complete by early August with the exception of sod. She added that there was a really good turnout at the public meeting with a lot of good questions and good information for the residents so they felt more informed.

Ms. Linn said the Notice to Proceed for the 61st Street and Drainage Improvement Project would be issued on June 1, 2008 with construction anticipated to be substantially complete, with the exception of sod, by August 1, 2008.

Ms. Linn said one item not on the monthly update was that George Butler Associates, consultant for the Shawnee Mission Parkway Bridge at Mastin, is ready to take core samples on Tuesday and Wednesday at the Shawnee Mission Parkway Bridge. She noted that the southern lane of eastbound Shawnee Mission Parkway will be closed between 9:00 a.m. – 4:00 p.m. Tuesday and Wednesday.

2. Discussion regarding 2009 Community Development Block Grant (CDBG) Application.

Beth Linn, Neighborhood Services Manager, provided the background on this item stating that previously, the City of Merriam has been allocated federal funds through the Johnson County Community Development Block Grant program and that funding has been used for street reconstruction projects that included Goodman north of Johnson Drive in 2003; Mastin Street from 53rd to 55th Street in 2005; and Farley Street from 53rd to 55th Street in 2007.

Ms. Linn said that Johnson County is now accepting applications for 2009. The City of Merriam can apply to receive up to \$200,000 in CDBG funding from Johnson County. However, Ms. Linn noted that due to decreased funding for the entire program, it is anticipated that the maximum grant allocated will be approximately \$110,000.

Ms. Linn said that with the CDBG funding, the City has typically done street projects, but with those coming to a close in the areas that are qualified, there are no street projects scheduled in those areas in 2009. She said staff is looking for direction from committee on what type of funding request to submit for the 2009 application process.

Ms. Linn provided streetlight maps and sidewalk maps for the Councilmembers in case either of those type of projects are ones they may want to look at. She said that previously there had been some discussions at committee meetings and work sessions regarding the sidewalk plan. She also provided a copy of the petition request for additional streetlights for the 49th Street area and that area is CDBG eligible. Ms. Linn asked the committee for their interest.

Chair Stephens asked Randy Carroll, Public Works Director, how far \$110,000 would go for streetlights. Mr. Carroll replied it costs approximately \$1,500 for each streetlight.

Chair Stephens noted that residents in Ward 3 on 70th Terrace are complaining about the drainage problem and the previous City Engineer had estimated approximately \$500,000 to repair it. She said there are sidewalks and driveways going across it and she had to weigh how dangerous this was and wanted this considered as well as streetlights and sidewalks.

Councilmember Rowe commented that in his opinion, residents concerns should be addressed first and second request would be for staff to look at priorities where monies could be utilized to help the City's budget.

Ms. Linn commented that as one of resident concerns she, Randy Carroll and Kristine Leathers could look at the 70th Terrace box and get some costs and extent of damage.

Chair Stephens suggested that staff look at how many streetlights could be done north of the 55th Street area and the area covered by the petition request and also the 70th Terrace drainage problem.

Ms. Linn said staff would bring this item back to committee in May with staff review of options and go to Council in May as well.

3. Update on Contract Mowing Services.

Beth Linn, Neighborhood Services Manager, said that with Judy's help, staff went out to bid for contract mowing services. The Community Development Department uses a contract mowing service to mow grass and weeds on property where the owner has grass and/or weeds in excess of 10 inches. She said this service plus an administrative fee is charged back to the property owner. If the property owner does not pay within 30 days, the fee is sent to Johnson County Records and Tax Administration to be added to the property tax.

Ms. Linn stated that the current mowing service contractor is retiring therefore, staff solicited bids for mowing services for 2008. The bid notice was published in the Legal Record and sent by regular mail to possible mowing contractors. The City received one bid from Scotco Lawn & Landscape. She said that Judy phoned his references and received good recommendations.

4. Update on Home Renovation Workshop.

Beth Linn, Neighborhood Services Manager, said that she wanted to thank Councilmember Hands for joining staff at the workshop. Councilmember Hands signed up for electronics recycling and they persuaded her to help with the Home Renovation Workshop. Ms. Linn said Merriam co-sponsored with the City of Mission, City of Overland Park, and City of Prairie Village for the Home Renovation Workshop and had great success handing out 72 bags for Merriam which is good for the first year and Overland Park handed out 470 bags. She said there were free

classes and information for driveway replacement, remodeling your home, tiling, doing the bathroom, kitchen, lawn and landscaping. There were booths where persons could pick up information and door prizes. Councilmember Hands noted that the event was well attended.

5. Consider approval of change order #2 for Phase II Merriam Pointe.

Beth Linn, Neighborhood Services Manager, said that the City Council approved Change Order #1 for additional street lighting along 67th Street as part of the Merriam Pointe project.

Ms. Linn said that before he left, Joe Chick and Randy Carroll had identified some areas adjacent to Merriam Pointe that he thought were in poor condition. Mr. Chick said he thought the City had an opportunity, while the contractor was already mobilized in the area, to take advantage of those services. She said included in the packet was a map of those areas highlighted along 67th Street showing the proposed additional mill and overlay.

COUNCILMEMBER CRABTREE MOVED TO FORWARD A RECOMMENDATION TO THE FULL CITY COUNCIL TO APPROVE CHANGE ORDER #2-PHASE II MERRIAM POINTE WITH THE HOLLAND CORPORATION IN THE AMOUNT OF \$20,822 FOR ADDITIONAL MILL AND OVERLAY ALONG 67TH STREET AND PLACE ON THE CONSENT AGENDA. FUNDING SOURCE IS MERRIAM POINTE GO BOND PROCEEDS. THE MOTION WAS UNANIMOUSLY APPROVED.

6. Consider approval of change order #1 for Merriam Village.

Beth Linn, Neighborhood Services Manager, said that when the parking lot behind the police station was constructed, staff was unable to finish the western edge of the parking lot until after the retaining walls for the Merriam Village project were built. In addition, she said that it was anticipated that staff would request a bid to lay the final lift of asphalt at the same time that the final lift of asphalt was placed on Eby Street. This would allow there to be no seam between the parking lot and street. Since the wall adjacent to the police station is finished, the parking lot can be completed. Ms. Linn said that Holland Corporation has submitted a bid for \$28,893.20 to complete the parking lot and funding would be by the I-35 Redevelopment Fund Municipal Complex Enhancement Project.

In addition, Ms. Linn stated it has come to staff's attention that several areas outside, but adjacent to, the project area need improvement. The suggested additional work is:

- Mill and Overlay of the Johnson Drive and Eby Intersection – This intersection has had extensive saw cut and work done, in order to fix the water problem underneath the roadway. Staff recommends a mill and overlay of that intersection.
- Removal and replacement of curb along Slater from 60th Terrace to the Aquatic Center – The curb along Slater from 60th Terrace to the Aquatic

Center is in poor condition. This curb is not included in the curb replacement in the Merriam Village project. Staff recommends the curb be removed and replaced.

- Sidewalk improvements along Johnson Drive – The project does not include sidewalk for the entire length of Johnson Drive to Slater. This would complete the sidewalk from the east edge of the project to the Papa John's building on Johnson Drive.

Ms. Linn said that Holland Corporation has submitted a bid to complete the improvements listed above for \$44,945.67. Staff feels this is the most economical and efficient method to complete these improvements because Holland already has crews and equipment in the area. Proceeds from Merriam Village bond issue will be used to fund the additional improvements listed above, except for the police station parking lot.

COUNCILMEMBER ROWE MOVED TO FORWARD A RECOMMENDATION TO THE FULL CITY COUNCIL TO APPROVE CHANGE ORDER #1 FOR MERRIAM VILLAGE FOR PARKING LOT IMPROVEMENTS AT THE POLICE STATION (\$28,893.20) AND MISCELLANEOUS IMPROVEMENTS (\$44,945.67) AND PLACE ON THE CONSENT AGENDA. FUNDING SOURCE IS MERRIAM VILLAGE GO BOND PROCEEDS AND I-35 REDEVELOPMENT FUND. THE MOTION WAS UNANIMOUSLY APPROVED.

7. Update on development projects.

Bryan Dyer, Community Development Director, stated that there was not any activity at the Timber Ridge site or the Pointe at Prairie Haven site when he drove by. He said that there was not any activity on the development side at Merriam Pointe. At Merriam Village, while Paul Graves was here, the department worked very hard to get all the permits out that were needed for the developer to deliver the pad site to the perspective tenant per the developer's contractual agreement and hope to see a parking lot going up there at any time.

Councilmember Hands asked who last contacted the railroad. Randy Carroll replied that he had. Mr. Carroll stated he has been calling the railroad for the past 35 days with no response. He noted he finally got someone yesterday because he had threatened to go to the Federal Railroad Administrator. Mr. Carroll said the railroad was supposed to get back with him today and he has not heard from them. Regarding 67th Street, Mr. Carroll said the railroad was going to send the person responsible for that an e-mail and include him on the e-mail so he would have information who that person was that the City needed to talk to but he has not received anything. Councilmember Hands said she would like to have e-mail and phone numbers so that when residents contact her, Councilmember Hupp and Councilmember Bertoncin, they could have the residents contact the railroad. Ms. Dawkins commented that when Scott Crain was here those phone numbers were provided and she added Ms. Linn heard was that by contract they technically have until July to finish 67th Street

which was news to staff and assured them there was no way possible it would go to July. She added that the City has no control over the railroad. Mr. Carroll said they tell him one thing then they never show up. He said the City is in the process of working on the Quiet Zone and are waiting on flagmen that must be provided by the railroad. Councilmember Hands rephrased her question asking what the Council could do to help get this done. Mr. Carroll replied that staff just can't get up the chain of command; we are at a standstill with Bill Thompson of the railroad. There was further discussion of how to resolve the communication issue with BSNF.

8. Update regarding Light Pollution (Continued from March meeting).

Kerry Zarda, 10103 W. 55th Street said he received the letter of April 16th regarding residential lighting concerns and commented that, in his opinion, it was staff's opinion this was resolved even though he did not think it was any better. The one improvement was that a neighbor turned a security light away from his house. He further commented that the problem started at 5517 Perry Lane that is currently vacant and the grass needs to be mowed and he picks up the trash in the yard. Chair Stephens requested that the codes officer look at the grass and maintenance issues at 5517 Perry Lane as well as the trash and debris on 56th Street cul-de-sac.

9. Update regarding 1st Suburbs Coalition (Councilmember Hands)

Councilmember Hands stated that she attended the 1st Suburbs Coalition meeting on March 28th at the Homes Show and they presented the 1st Suburbs Coalition Green Remodeling Idea Book that is a follow-up to the previous idea book.

Councilmember Hands said that it was also announced at the meeting that Community America is doing the home loan program again that Merriam participates in with the interest rate as low as 5.4%.

Councilmember Hands said a representative from the Federal Reserve Bank of Kansas City gave a presentation regarding all different areas of the city and where the most foreclosures are happening or are likely to happen during the next year. The presentation is available on the MARC website. She said the conclusions made were that the foreclosure rates are higher in the urban core of the Kansas City metro area than in the suburbs which is not true everywhere. Merriam, in her opinion, was at pretty low risk for a high volume of foreclosures but any foreclosure is going to cost the local government up to \$34,000 in inspection fees, court costs, etc.

The Neighborhood Works Group gave a presentation and they talked about a foreclosure and if you know someone is heading toward foreclosure getting them to call the 888-999-5hope earlier in the game so they can start getting the counseling to renegotiate their terms because the foreclosure is going to cost us, as individuals, because the home values will be falling.

There was discussion of the Green Initiative and what Merriam and the Council could do in Merriam as a community. Ms. Dawkins said items had appeared in E-Merriam and there is a link on the website for information but essentially right now the reality is there is not staff to do this and Councilmember Hands is on the Green Committee

and tries to do what she can do. Councilmember Hands added that she also attends Johnson County Climate Protection Committee meetings and they try to do action plans and look at funding and work with volunteer groups to make homes in a one-half block to one block energy efficient.

COUNCILMEMBER CRABTREE MOVED FOR ADJOURNMENT.

The meeting was adjourned at 8:20 p.m.

Respectfully submitted,

Judy Devere, Recording Secretary