



**COMMUNITY DEVELOPMENT AND /PUBLIC WORKS  
COMMITTEE MEETING  
COUNCIL CHAMBERS  
May 12, 2008**

---

The Community Development/Public Works Committee of the Merriam City Council met on Monday, May 12, 2008 at 7:30 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, Susan Hayden, Director of Parks and Recreation; Beth Linn, Neighborhood Services Manager and Judy Devereay, Recording Secretary.

**Public Items**

None

**1. CIP Monthly Update**

Beth Linn, Neighborhood Services Manager, presented the CIP monthly update noting that construction had started on Street Group I and was progressing at a quick pace.

**2. Consider Approval of Submission of 2009 Community Development Block Grant (CDBG) Application to Johnson County.**

Beth Linn, Neighborhood Services Manager, provided the background on this item stating that after discussion at April's Community Development/Public Works Committee meeting, staff researched two options for projects.

Ms. Linn said that Option I was the 70<sup>th</sup> Terrace Drainage and after review by staff and the City Engineer, it was recommended that the entire box be replaced including the adjacent driveway approaches and possibly the inlet at the intersection of 70<sup>th</sup> Terrace and Grandview. The preliminary cost estimates for this construction is approximately \$800,000 - \$1,000,000. Providing photographs on the overhead, Ms. Linn pointed out the poor condition of the box with at least two sections of the lid shifting and several of the driveways adjacent to the box settling. Ms. Linn noted that this project is currently listed in the Unprogrammed Drainage Projects in the 2008-2012 Capital Improvement Program.

Ms. Linn provided comments on Option 2, streetlights at 48<sup>th</sup> and Wedd. She said a petition for additional street lighting in the neighborhood of 49<sup>th</sup> and Perry Lane had been submitted. Public Works would install the new residential street lights and the cost estimate for this project would be approximately \$65,000. Randy Carroll, Public Works Director, noted that if we included the boring cost, the estimate would be closer to the \$110,000 anticipated grant allowance.

Ms. Linn stated that staff feels that the 70<sup>th</sup> Terrace Drainage project is the greatest need. However, without funding identified for the city's portion of the construction and with the cost of construction anticipated at least at \$800,000, staff would not recommend submitting the CDBG application for this project. She said based on the cost estimates, staff would recommend the street lighting project for the 2009 application process.

Councilmembers requested that the 70<sup>th</sup> Terrace Drainage project and the 51<sup>st</sup> Street project be added to the CIP budget for City Council to review in July.

**COUNCILMEMBER ROWE MOVED TO FORWARD A RECOMMENDATION TO THE FULL CITY COUNCIL TO APPROVE THE SUBMISSION OF 2009 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) APPLICATION TO JOHNSON COUNTY IN THE AMOUNT OF \$200,000 TO COVER STREET LIGHTS IN TRACT 522 BLOCK GROUP 3. THE MOTION WAS UNANIMOUSLY APPROVED.**

**3. Update on Hiring of a Firm to do CIP Inspections.**

Beth Linn, Neighborhood Services Manager, said that the City received two proposals, neither from engineering firms currently working for the City. Interviews would be conducted tomorrow afternoon.

**4. Discussion Regarding Flower Baskets in Downtown Merriam.**

Randy Carroll, Public Works Director, said that the Public Works Department would continue what was done last year which was 122 hanging baskets on Merriam Drive, Kessler and Johnson Drive. He said they planned to extend this by placing 24 baskets from Antioch to 50<sup>th</sup> Terrace at the request of business owners on the north end of Downtown Merriam. Public Works crews would continue to water and fertilize the baskets.

Mr. Carroll noted that there was a water leak at 53<sup>rd</sup> and Farley that turned out to be a natural spring similar to the one on Johnson Drive. On April 23<sup>rd</sup>, Water One and Sanitary Sewer were called out to look at the leak. Miles Excavating was called to repair the leak. Because this was an emergency, he discussed this with the Interim City Administrator, and they decided to move forward. The cost of the repair was \$17,500.

On Johnson Drive at Mastin, Mr. Carroll said that there was a water leak that had blown out about 70 feet of the street and Water One crews were working on that.

## **5. Discussion Regarding Playground Equipment Schedule.**

Susan Hayden, Director of Parks and Recreation, said that Councilmember Stephens had requested information regarding playground equipment listed for replacement in 2009 on the Major Equipment Replacement Schedule. The schedule shows the Campbell Park swing set and Brown Park playground structure on the list for replacement. Staff was requested to provide information on the age of the equipment and the actual use at each park.

Ms. Hayden indicated the City does not statistically track park equipment usage or park visitation. However, by staff observation they could state with some certainty that Campbell Park is the least visited park and Chatlain Park the most used park. She noted that Brown Park usage had increased within the past year due to improvements made as a result of the new master plan with on street parking next to the playground.

Ms. Hayden stated that the city follows the National Playground Safety Standards for the playground installation of the equipment. She said they publish an updated code about every 5 to 8 years but in-house it has been determined that the city would try to replace the most used playground equipment about every 12 years. She said Brown Park would fall into the 12 years and Campbell Park about every 15 years and that is why it is on the schedule for 2009. She said that for Brown Park, there was \$45,000 projected for replacement of play structure and the safety surfacing and approximately \$18,000 for the Campbell Park swing set.

Ms. Hayden stated that the swing set at Campbell Park was installed in 1993 and has a 15 year life expectancy. The equipment is in good condition, but no longer meets the National Playground Safety Standards for fall zone height. She noted the top bar of the swing set is too high, it should be 8 feet and is currently 12 feet. In addition, she said the safety surfacing is pea gravel, which no longer meets the city standard. The city began using rubber safety tiles or resilient safety surfacing underneath play equipment in 1997.

Ms. Hayden said the playground equipment at Brown Park was installed in 1996 and has a 12 year life expectancy. The equipment is in good to average condition and meets the National Playground Safety Standards. The safety surfacing is pea gravel, which no longer meets the city standard.

Ms. Hayden noted that the life expectancy for the equipment is based upon frequency of use and condition of equipment. Life expectancy for equipment varies at each park depending upon its usage and repairs are made as necessary due to use and/or vandalism.

Ms. Hayden commented that the city has 4 nationally certified playground safety inspectors on staff. The playgrounds are spot-checked monthly and receive a complete hands-on inspection once a year. In the staff report, Ms. Hayden provided check lists for Brown and Campbell Parks.

There was discussion of replacing the safety surfacing and options of funding playground equipment.

Kevin Buchta asked if Quail Creek was still on the schedule for swings. Ms. Hayden replied she thought it was scheduled for 2010.

**6. Consider Approval of Revisions to Chapter 18: Nuisances of the Municipal Code.**

Bryan Dyer, Community Development Director, said that on February 2, 2008, the City Council approved a revised Chapter 18, Nuisances of the Municipal Code. The ordinance was never published. He said at that time, there was discussion of the revised article allowing any authorized officer or agent of the city on private property to inspect for possible violation of the Nuisance ordinance. There was also discussion regarding the extensive listing of noxious weeds included in the ordinance.

Mr. Dyer stated that in March, the Community Development/Public Works Committee approved to forward to the City Council a recommendation to rescind the Nuisance Ordinance approved in February based on legal and practical concerns the Committee had with the ordinance. On March 24, 2008, the City Council unanimously approved rescinding the revised Nuisance Ordinance.

Mr. Dyer stated that revisions included in the revised Nuisance Ordinance before the Committee at this meeting were:

1. Consistently designating the Community Development Director as the authority responsible for enforcement of the ordinance.
2. Clarifying the statement that authorized agent(s) or officer(s) of the City can enter any land within the City limits, *subject to constitutional limitations*, to investigate violations or for abatement pursuant to the Article.
3. Reducing the previous listing of noxious weeds to those weeds listed in Kansas State Statutes.
4. Removing exceptions for public lands.

There was discussion of the 10 inch height limit for weeds with Councilmember Rowe expressing his desire that he would like this to be addressed at a later date.

**COUNCILMEMBER CRABTREE MOVED TO FORWARD A RECOMMENDATION TO THE FULL CITY COUNCIL TO APPROVE THE REVISIONS TO CHAPTER 18: NUISANCES OF THE MUNICIPAL CODE IN THE FORM OF AN ORDINANCE. THE MOTION WAS UNANIMOUSLY APPROVED.**

**7. Update on Development Projects.**

Bryan Dyer, Community Development Director provided updates on projects at:

- 67<sup>th</sup> Street

- Pointe at Prairie Haven
- Timber Ridge
- Merriam Pointe
- Merriam Village
- Merriam Village Detention

**8. 2007 Franchise Fee Rebate Program Report – Judy Devereey.**

Judy Devereey, Community Development Administrative Assistant, reported that 80 applications were processed for the 2007 Franchise Fee Rebate Program. The program began February 1, 2008 and ended May 1, 2008. The residents that participated in the 2006 program were notified by mail and advertised in the Legal Record, e-Merriam, Merriam Highlights and word of mouth. Rebates totaled \$7,284.63 for 2007 fees compared to 75 applicants for 2006 totaling \$6,086.39.

Chair Stephens thanked Stephanie Dawkins, Interim City Administrator, for her service and support to the City Council and they appreciated all she had done during this difficult time. Ms. Dawkins is leaving to pursue a new career out of the state and Chair Stephens wished her well in her new venture.

**COUNCILMEMBER CRABTREE MOVED FOR ADJOURNMENT.**

The meeting was adjourned at 8:25 p.m.

Respectfully submitted,

Judy Devereey, Recording Secretary