



**COMMUNITY DEVELOPMENT AND /PUBLIC WORKS
COMMITTEE MEETING
COUNCIL CHAMBERS
October 20, 2008**

The Community Development/Public Works Committee of the Merriam City Council met on Monday, October 20, 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: Phil Lammers, City Administrator; Bryan Dyer, Community Development Director; Randy Carroll, Public Works Director; Jon Deeg, Public Works; Beth Linn, Neighborhood Services Manager and Judy Devereay, Recording Secretary.

Public Items

With no public items, Chair Stephens said she had one issue that she would address after Randy Carroll's items.

1. Congratulations to Public Works on their success at the APWA Snow & Equipment Rodeo

Chair Stephens congratulated Public Works on their success at the APWA Snow & Equipment Rodeo. Randy Carroll, Public Works Director, gave a brief history of the competition noting that Jon Deeg participated in three of the events this year and had won first place three times over the years.

Jon Deeg, Public Works, said that he enjoyed the competition and participating in the event each year and provided a short description of the equipment he used in the events. The councilmembers congratulated Mr. Deeg on his numerous awards.

2. Results of big item trash pickup

Randy Carroll, Public Works Director, stated that the cleanup was lighter than in previous years. Mr. Carroll suggested that in the future, the City might consider one cleanup in the spring rather than two cleanups per year. He said this year, the city averaged 3 each 40 yard dumpsters per day and in previous years they averaged 8 each 40 yard dumpsters per day. Councilmember Rowe asked about the total cost of the cleanup with Mr. Carroll answering that in previous years it was approximately \$25,000 but this year was much lighter.

3. Winter snow removal outlook/forecast – salt supplies

Randy Carroll, Public Works Director, provided a handout on the Monthly and Seasonal Snowfall for Kansas City, Missouri with data taken from the US Army Signal Corps since 1888. He said the average snowfall was 13" to 20". Regarding the salt supplies, Mr. Carroll

said he has used the same vendor since he was first employed by the city and has never run out of salt when other surrounding cities had. Mr. Carroll added that Merriam purchases salt for less than other cities in the metro area because of the long relationship with the vendor.

Chair Stephens asked about interruption to utilities due to poorly marked utility lines and wanted to know if there was a way to recoup the cost to the City for maintaining the safety of the residents. Mr. Carroll stated that all utility companies have to be affiliated with the Kansas One Call and any time a person makes a call to the Kansas One Call for utility markings they charge the City \$1.10. Anytime there is a locate for the same utility it is \$10.00 and that is what the City pays to get locates and this is contracted out. Mr. Carroll noted this is a very cheap price and the City is locked in to a very good price. He said the question came up if the City could charge back to Kansas One Call and the locate company to pay for the costs of city services and the answer is no. He said when the locate company goes out and marks for a line and the line is there and the locate shows it is not there, the locate company has to pay for whatever damage is done.

Councilmember Hands asked if anyone regulated the locate and utility companies. Beth Linn responded they were regulated by KCC, a state organization.

4. CIP Monthly Update

Beth Linn, Neighborhood Services Manager, presented the CIP monthly update stating that construction is wrapping up on 61st Street and Residential Streets Group I. The contractor is finishing up some punch list items and the final numbers for sod.

5. Consider acceptance of the Eby Street and Quaker Creek Improvements and authorize final payment to Holland Corporation

Beth Linn, Neighborhood Services Manager, provided the background for this item stating that the City Council approved a contract with Holland Corporation to complete Eby Street and Quaker Creek Improvements related to the Merriam Village Development on April 23, 2007. The contract included construction of Eby Street; installation of a new traffic signal at Eby Street and Johnson Drive; widening of Johnson Drive and the I-35 off-ramp; and construction of a Reinforced Concrete Box (RCB) connecting to the existing RCB at approximately Grandview Street and Johnson Drive.

On April 28, 2008, Ms. Linn said that the City Council approved Change Order #1 which included \$28,893.20 to complete the parking lot north of the police station and \$44,945.67 for miscellaneous improvements adjacent to the project, including additional mill and overlay at Johnson Drive and Eby; removal and replacement of curb along Slater; and sidewalk improvements along Johnson Drive.

Ms. Linn said that on June 23, 2008 City Council approved Change Order #2 for \$11,931.30 for installation of a small retaining wall needed to protect the geogrid support system for the large retaining wall west of the police station. This small retaining wall allowed for the installation of additional parking spots along the west side of the police parking lot.

On July 28, 2008, Ms. Linn stated that the City Council approved Change Order #3 for \$48,104 for extension of the power source and water line to provide service to the irrigation system in Retaining Wall 4 and the buffer feature.

Ms. Linn said that on September 2, 2008, the City Administrator approved Change Order #4 for \$7,750 for installation of ADA accessible sidewalk ramps on the west and east side of Eby Avenue for connection of trail in Vavra Park.

Ms. Linn stated that construction is complete and the contractor has completed the punch list items and Eby Street is open to public traffic.

Councilmember Rowe asked if the total project costs were within the 5.9 million dollar budget. Ms. Linn replied that it was.

COUNCILMEMBER ROWE MOVED TO FORWARD A RECOMMENDATION TO THE FULL CITY COUNCIL FOR ACCEPTANCE OF THE EBY STREET AND QUAKER CREEK DRAINAGE IMPROVEMENTS AND AUTHORIZE FINAL PAYMENT TO HOLLAND CORPORATION AND PLACE ON THE CONSENT AGENDA. THE MOTION WAS UNANIMOUSLY APPROVED.

6. Consider approval of Professional Services Agreement with Affinis for the Design Services for Residential Streets Group III Street and Drainage Improvements

Beth Linn, Neighborhood Services Manager, stated that Residential Streets Group III includes the conversion of eight ditch section streets to curb and gutter streets with improved storm drainage. The streets included in the North Portion are 63rd Terrace (west of Craig Road); 64th Street (west of Craig Road); 65th Street (west of Craig Road); and Hardy Street (south of 65th Street). The streets included in the South Portion are 66th Terrace (west of Craig Road); Hemlock (north of 66th Terrace); Goodman (north of 66th Terrace); and Hardy Street (north of 66th Terrace). Sidewalk is envisioned on one side of the street. Public Works will install new residential street lighting.

Ms. Linn stated that in 2005, staff completed a Request for Proposal and consultant interview process in order to select the best qualified design consultant for recommendation to Council. On February 20, 2006, the Community Development/Public Works Committee concurred with staff's recommendation to hire Affinis Corporation for the design services associated with this project. Ms. Linn added that Affinis is very familiar with Merriam and has done excellent work for the city especially on residential streets.

Ms. Linn said this is very similar to what has been done in the past with two resident meetings as well as an aggressive communication effort with utilities.

COUNCILMEMBER CRABTREE MOVED TO FORWARD A RECOMMENDATION TO THE FULL CITY COUNCIL TO APPROVE THE PROFESSIONAL SERVICES AGREEMENT WITH AFFINIS CORPORATION IN THE AMOUNT OF \$220,500 FOR THE DESIGN ENGINEERING SERVICES ASSOCIATED WITH THE RESIDENTIAL STREETS GROUP III PROJECT AND PLACE ON THE CONSENT AGENDA. THE MOTION WAS UNANIMOUSLY APPROVED.

7. Update on Assistant Community Development Director position

Bryan Dyer, Community Development Director, said that the position closed on October 13th and the city received a number of very good applications that are currently being reviewed. Interviews should start in the upcoming weeks and the hope is to have an Assistant Community Development Director/Engineer on board in the near future.

8. Discussion regarding Business Development Coordinator position

Bryan Dyer, Community Development Director, stated that he and Phil Lammers, City Administrator, thought it was important to come to both committees as well as the Council, to make sure before recruitment was started for the position, that staff knows what the expectations are of the Council regarding the position.

Mr. Dyer said that the position description points out that it is a half time position and well compensated for a half time position. As noted in the memo, the individual will work with all of Merriam including the Downtown Merriam Partnership, the Chamber of Commerce and Merriam Visitors Center and all businesses in the community. Mr. Dyer pointed out that the key points this person would be for them to focus on helping the existing businesses grow. This person would be a part of Community Development and would office at City Hall.

Mr. Dyer said that the key points Mr. Lammers and he wanted to emphasize is that the person works with all the city including the Downtown Merriam Partnership, the Chamber of Commerce, Merriam Visitors Bureau and businesses throughout the entire city. He said he and Mr. Lammers are requesting feedback from the committees and council to make sure they are headed in the right direction with this position.

Phil Lammers, City Administrator, said this position was presented at the Finance Committee as well as this Community Development/Public Works Committee and he wanted to take it to the full City Council to make sure everyone is on the same page regarding this position and when it moved forward there were no misunderstandings. He said he would be willing to talk to the Downtown Merriam Partnership board and explain what the City Council wanted to do regarding this position and they are still a part of what this individual would do but would be working with them and not necessarily for them.

Chair Stephens asked if the person could make a report every six months similar to the Visitor's Bureau report. Mr. Dyer replied that person could make six months reports of activities.

Kevin Buchta, 7203 Grandview, Mayoral Appointment on the board of Downtown Merriam Partnership, said that he liked Mr. Lammer's idea about updating the Downtown Merriam Partnership when the Council is redefining the criteria that everyone is on board and not blindsided or surprised by the outcome.

9. Update on development projects

Bryan Dyer, Community Development Director, reported on the following developments:

- Merriam Village
Eby Street is through and opened up. Retail buildings 1 and 1A are still under construction. DDR is also looking to get a Transportation Development District for the site with the exception of the Circuit City site.
- Merriam Pointe
The building permit applications for the two hotels are still in review and comments have been sent to the architects so the projects are moving forward. Weeds were scheduled to be mowed.
- Timber Ridge
No recent activity with the recent downturn in the economy

- Pointe at Prairie Haven
Property was mowed again
- Shawnee Mission Medical Center
Medical Office Building and expansion are moving forward. Councilmember Hands noted that she, Councilmember Hupp and a group of the neighbors went on a tour of the hospital facility and it was an amazing tour with all the new space and equipment.

10. MARC Transportation Outlook 2040 – Community Discussion

Bryan Dyer, Community Development Director, said MARC is holding community discussions regarding the region's long-range transportation plan. The nearest meeting to Merriam is at Sylvester Powell, Jr. Community Center in Mission on Thursday, October 23, 2008 at 6:00 p.m. He added that staff has been involved with the transportation plan.

11. Discussion regarding recommendation of improvements of transportation routes for the Transportation Cooperation Council / Johnson County "Regional" Transportation project list

Councilmember Chad Rowe said that at the last meeting of the Transportation Cooperation Council (TCC) meeting, the representatives were given a list of projects to be used as a starting point for the development of the Johnson County "regional transportation projects" list and asked that cities suggest projects they might like added to the list. Councilmember Rowe provided the councilmembers and staff with a copy of the project list that covered most major routes and noted he had highlighted the I-35 63rd St. north to I-635 for reconstruction and capacity improvements and asked if there were other recommendations. He said the only other one he would suggest would be Shawnee Mission Parkway but this is simply a wish list and there were more projects than available funding. Ms. Linn suggested any bridges in Merriam that carried commuter traffic. There was further discussion of bridges on I-35 with Councilmember Rowe noting that those should be specifically identified.

Mr. Dyer said that staff made the comment that the City of Merriam needs help with maintenance of the bridges and at the KDOT meeting, staff was there and presented to the secretary exactly that comment: that the City of Merriam needs to take care of what they have which is a number of bridges along I-35 in a town of it's size that the city does not have the physical or the capability with engineers, etc. to keep that going. He said staff's suggestion would be to make a comment that "yes, we see the list but the City of Merriam needs help and can not taking away from keeping and maintenance of the existing infrastructure to do new projects". Mr. Dyer added that staff would write the comments for Councilmember Rowe to submit to the TCC.

12. Sign Code regarding massage therapy

Chair Stephens stated that at the Finance Committee meeting, a new massage therapy ordinance was discussed and she questioned Mr. Dyer if signage could be stronger regulated for massage therapy. She asked Mr. Dyer to elaborate on signage. Mr. Dyer said the important thing with signs is a phrase that has been coined by the Supreme Court as "content neutral". Sign regulations have to be "content neutral". You can regulate for size, color but has to be content neutral and has to be consistent so all signs in the C-2 zoning district have to be treated in the same manner. He added that is not to say that signs can be vulgar or offensive. Mr. Dyer provided a section from the proposed ordinance for massage therapy

regarding advertising that says you can not have vulgar or offensive signage which is great because it is clearly defined and stated and if a sign goes up that is inappropriate, the City has the ability to address that. Mr. Dyer said that when the City adopts new massage therapy regulations, the legitimate businesses would remain in Merriam with the new regulations taking care of the undesirables.

COUNCILMEMBER CRABTREE MOVED FOR ADJOURNMENT.

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

Respectfully submitted,

Judy Devereey, Recording Secretary