



MERRIAM

Just right.

**COMMUNITY DEVELOPMENT AND /PUBLIC WORKS
COMMITTEE MEETING
COUNCIL CHAMBERS
May 11, 2009**

The Community Development/Public Works Committee of the Merriam City Council met on Monday, May 11, 2009 at 8:07 p.m. Councilmembers present included: Committee Chair Gayle Stephens, Councilmember Chad Rowe, Councilmember John Crabtree, and Councilmember Christine Evans Hands. Staff present included: Phil Lammers, City Administrator; Bryan Dyer, Community Development Director; Hye Jin Lee, Assistant Community Development Director/City Engineer; Randy Carroll, Public Works Director; Susan Hayden, Director of Parks and Recreation; Elliot Lahn, Planner I; and Juli Pinnick, City Clerk.

Public Items

Elliot Lahn, Planner I, updated the committee on the Take Charge Challenge Program. He said a launch was planned for the Turkey Creek Festival with the Take Charge Challenge team manning a booth as well as a float in the parade. KCP&L has provided a hybrid bucket truck for the parade that will be draped in Merriam Take Charge banners. KCP&L is also providing costumes for volunteers to wear.

Mr. Lahn stated that as part of the Challenge; a leadership team was created of business leaders and residents in the community and came up with a few programs they wanted to emphasize throughout the challenge. Mr. Lahn handed out information regarding the program. He stated that Philips Lighting has provided 500 CFL light bulbs for the initial launch of the Challenge. The bulbs will be handed out to Merriam residents that sign a form and a coupon will be given to them to redeem for one (1) free energy-efficient light bulb encouraging them to switch out five light bulbs with CFL light bulbs. Mr. Lahn noted that Philips Lighting would be providing additional light bulbs for other programs that would be on going throughout the year.

Referring to the handout, Mr. Lahn noted the "10 under \$10" items to switch out and upgrade their homes to make them more energy efficient in conjunction with Home Depot. Home Depot will be creating "energy buckets" that will provide a number of these products at a significantly discounted rate.

Mr. Lahn pointed out that one of the main partners with the Challenge is KCP&L and the "Home Solutions Designed to Help You Save Money and Energy" information was included in the handouts. He said that KCP&L has a number of resources

available to Merriam businesses and residents to make their businesses and homes more energy efficient with some of them at no cost. He said these would be showcased at the "Take Charge Challenge" booth at the Turkey Creek Festival. Representatives from the Climate and Energy Project and KCP&L as well as representatives from other local businesses will be at the booth. Mr. Lahn noted there had been a lot of positive feedback from local businesses and residents that have been involved in the leadership team as well as state and federal officials. State Representative Milack Talia, State Senator David Wysong and Congressman Moore will stop by the booth at some point during the day to take some photos, learn more about the Challenge and how they can get more involved.

There was discussion of how the information would be distributed to the Merriam residents either at the parade or the festival and how to increase the e-Merriam readership. Mr. Lahn added there would also be a presence at the "Party in your Park" events and other community events.

1. Discussion Regarding Waterfall Park

Susan Hayden, Director of Parks and Recreation, stated that at the April 6 City Council Work Session on the 2010-2014 Capital Improvement Program, there was discussion concerning funding for improvements at Waterfall Park and Brown Park. She said that currently, approximately \$58,000 remains in the CIP program as designated for Waterfall Park practice fields. For 2010, staff had requested \$45,000 for resurfacing the Brown Park tennis court. During the discussion, a councilmember suggested that the city consider shifting the funds designated for Waterfall Park project to Brown Park to resurface the tennis court this year. Staff was requested to bring this item to the April Park and Recreation Advisory Board for input as to which project the board felt was a higher priority and greater benefit to the community.

Ms. Hayden said the Parks and Recreation Advisory Board met on April 28 and discussed the priority of the two proposed projects. Tools utilized in the discussion included the 2004 Parks and Recreation Needs Assessment report and the Waterfall and Brown Park Master Plan suggested phasing plan. Following discussion, the board voted unanimously to recommend that the city use the remaining \$58,000 designated in the CIP Fund for study and construction of practice fields at Waterfall Park. Ms. Hayden said it was a great discussion and the board sees the potential for the visibility of Waterfall Park on Merriam Drive and potential for all kinds of users.

Ms. Hayden said that after the work session and prior to the advisory board meeting, Public Works staff had begun working on the Brown Park tennis court. She provided some aerial photos of the tennis court pointing out the work on the tennis court. Ms. Hayden said that Randy Carroll, Public Works Director, said the tennis court should be in good shape for the next 2-3 years for a minimal cost compared to the \$45,000. Ms. Hayden pointed out aerial views of the Waterfall Park site showing the condition of the water ponding and is not in good condition for kicking a soccer ball or to have organized activities.

Ms. Hayden stated that with the City Administrator's approval, staff engaged the services of a Civil Engineer from J2 Engineering to provide information necessary to

determine whether practice fields are feasible at Waterfall Park. Services included a preliminary opinion of the necessary permits required, an estimate of probable cost and project implementation schedule. She said the results of the report were included in the packet.

Ms. Hayden said that utilizing the engineer's preliminary opinion of probable cost and recommendation for improvements shown as Phase I Alternate I, staff estimates a project budget for Waterfall Park practice fields of \$70,000. The finance director has verified that assuming that the Brown Park tennis court project is removed from the draft plan; the funding would be available for the Waterfall Park project in 2009 within the CIP Fund Balance.

There was discussion of drainage and possible lack of parking at Waterfall Park. Mr. Carroll said Public Works wanted to focus on getting the practice fields in and then see how much of an issue there is with parking. Ms. Hayden added that these are practice fields and not competition fields with most games played elsewhere on Saturdays.

COUNCILMEMBER ROWE MOVED TO FORWARD A RECOMMENDATION TO THE FULL CITY COUNCIL TO RECOMMEND THAT THE CITY PROCEED WITH THE DEVELOPMENT OF PRACTICE FIELDS AT WATERFALL PARK AND UTILIZE THE RECOMMENDATION OF PHASE I ALTERNATE I PROPOSED BY J2 ENGINEERS FOR THE PROJECT SCOPE AND PLACE ON THE CONSENT AGENDA. THE MOTION WAS UNANIMOUSLY APPROVED.

2. Consider Adopting a Resolution Approving the 2010-2014 County Assisted Road System (CARS) Application for CARS Application for the City of Merriam

Hye Jin Lee, Assistant Community Development Director/City Engineer, stated that staff responded to a call for projects for the 2010-2014 CARS Program. Staff prepared an application for the Johnson Drive Bridge over Turkey Creek as a result of the 2007 Bridge Inspection Report which identified this bridge as a priority for rehabilitation/replacement. The Biennial Bridge Inspection is required by Federal Highway Administration and Kansas Department of Transportation. The next bridge inspection is scheduled for fall 2009. As a Capital Improvement Program, a feasibility engineering study is programmed for 2009 which will determine the best method of rehabilitation/replacement.

Ms. Lee stated that the Johnson Drive Bridge is particularly vital to the City of Merriam due to its close proximity to Downtown Merriam. The bridge also functions as a major connection corridor between the east/west halves of Merriam and it services area cities as a major thoroughfare with direct access to I-35.

Ms. Lee said that the City of Merriam is in the process of soliciting engineering services for a Feasibility Study for the Johnson Drive Bridge to determine the most appropriate method of rehabilitation or replacement. There was \$150,000 allocated for the Feasibility Study and the 1/8 cent sales tax for CIP Projects accessed in 2010

and the renewal of the sales tax might be of a significant importance in providing matching funds for the CARS Project if it gets funded.

COUNCILMEMBER CRABTREE MOVED TO FORWARD A RECOMMENDATION TO THE FULL CITY COUNCIL FOR ADOPTION OF RESOLUTION APPROVING THE 2010-2014 CARS APPLICATIONS AUTHORIZING THE MAYOR TO SIGN THE RESOLUTION AND PLACE ON THE CONSENT AGENDA. THE MOTION WAS UNANIMOUSLY APPROVED.

3. CIP Monthly Update

Hye Jin Lee, Assistant Community Development Director/City Engineer, provided the update for May 2009.

- Shawnee Mission Parkway/Mastin Ave Bridge over Turkey Creek Tributary- Today staff received the fully executed KDOT Agreement for funding for up to 1.2 million dollars. Staff received Right of Way Clearance Certification from KDOT on April 28, 2009. Right of Way Clearance will be certified after Enterprise Rental Car executes the easement. Staff met with Enterprise on April 27, 2009 and again on May 4, 2009 to discuss details of easement.
- 2009 Economic Stimulus Projects – Staff received and will execute KDOT Right of Way Clearance certifications for the Economic Stimulus projects.
- Residential Streets Group II – There are five (5) properties still needing easements. Three on 57th Place and two on 56th Street are still pending. Staff had made contact with four out of five property owners and will meet with them on May 13 after the bid opening. Three owners have expressed that they will sign but have not yet executed the easements.

The project bid opening is scheduled for May 13, 2009. If the bids come in favorable (i.e. low), staff recommends to construct project in entirety including the add alternate for 56th Street and drainage improvements. However, if the bids come in too high, staff recommends that the 56th Street and the affiliated drainage improvement to be deferred until 2010 which will give additional time to process and acquire all and additional easements associated with the drainage work. A construction contract should be available for council consideration at the May meeting. Construction is anticipated to begin in June, 2009.

- 47th Street/County Line Road Street – Wyandotte/Unified Government (UG) The good news is that staff met with Wyandotte County and they verbally agreed to possibly shifting their projects around to fund the 47th Street/County Line Road Street Project. Fully executed easements are still at least two months out and BPU cannot relocate their power poles until they have the easements on the north side and August is an optimistic time to start advertising. Construction might be started in the fall.

- Vavra Park Buffer Feature Phase III – Final field walk was performed on May 5, 2009. The contractor substantially completed the work and staff will schedule a training and operation session with the Public Works staff and the contractor to learn the new system. The water feature is up and running and the councilmembers that have seen the project agreed that it looked very nice. Vanum did an excellent job on the project. Chair Stephens thanked Randy Carroll for the work performed by Public Works on the project.

4. Consider Approval of submission of 2010 Community Development Block Grant (CDBG) application to Johnson County

Bryan Dyer, Community Development Director, stated that staff is requesting approval of submittal of application to Johnson County for the 2010 Community Development Block Grant (CDBG) funding.

Mr. Dyer said the city is requesting \$81,000 to replace sixteen (16) streetlights in the area west of Knox Ave.; east of Switzer; north of West 49th Street; and south of West 48th Street. Mr. Dyer provided a PowerPoint presentation of the existing streetlights and the proposed streetlight replacements. He said the item needed to be opened up for public comment and then staff would make a recommendation to the council. Per the CDBG regulations, there will need to be a public hearing also at the City Council meeting.

Chair Stephens asked for any public comments. Hearing none, she entertained a motion.

COUNCILMEMBER ROWE MOVED TO FORWARD A RECOMMENDATION TO THE FULL CITY COUNCIL FOR APPROVAL OF SUBMISSION OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) APPLICATION FOR 2010 FOR THE AREA WEST OF KNOX AVE.; EAST OF SWITZER; NORTH OF WEST 49TH STREET AND SOUTH OF WEST 48TH STREET AUTHORIZING THE MAYOR TO SIGN THE APPLICATION. THE MOTION WAS UNANIMOUSLY APPROVED.

Mr. Dyer referred to the map for eligible CDBG grants stating that he called the county regarding the maps. He said the maps come from the 2000 census based upon income levels so persons with fixed incomes weigh heavily in this. The councilmembers discussed how much the maps had changed and what would cause the changes.

Mr. Dyer said that the city could request for \$100,000 for one year or \$200,000 for two years and the city is requesting \$100,000 for one year so an application could be submitted for next year. He said an e-mail was received by staff stating that the CDBG R Funds which are the stimulus funds that are coming through the CDBG program and they needed application information in today so staff sent an application for \$144,000 for twenty-five (25) streetlights in West Vernon Place. Mr. Dyer noted that the application for the stimulus funds only required the City Administrator's

signature without public hearing. Mr. Dyer said there was only \$174,000 available for all of Johnson County.

Mr. Dyer stated that the city had not received notification of what the funding amount will be for 2009. The city asked for and was approved for \$144,000 for streetlights and was awarded one-half which was \$77,000. In the meantime, Mr. Dyer said that more money has been put toward the CDBG program at the federal level so the county does not know the allocation for this year and the last conversation he had with the county they indicated the city would get more than the \$77,000 for the 2009 streetlight program.

Councilmember Rowe commended Randy Carroll and his crew for their work on concerns expressed by residents.

5. Report on 2008 Franchise Fee Rebate Program

Bryan Dyer, Community Development Director, reported that 61 applications totaling \$5,645.69 in rebates were processed beginning February 1, 2009 and ending May 1, 2009. He said that hopefully the numbers would be back up for 2009.

6. Update on Development Projects

Bryan Dyer, Community Development Director, provided updates on the following developments:

- SMMC MOB Building - Final inspections have been done and tenant finishes are ongoing.
- Pointe at Prairie Haven and Timber Ridge -- Letters were sent expressing the results and comments that the City Council had regarding the upkeep of the properties. The letter reiterated that the No Trespassing Signs be placed on the Pointe at Prairie Haven site. Councilmember Hands said she wanted to make sure the letters expressed that the properties must be maintained with Mr. Dyer stating that the letters pointed out that the vegetation needs to be mowed and also especially with the Pointe at Prairie Haven, the holes need to be filled in and some grading done. For both sites, the debris piles need to be picked up and inspections will start this week. Chair Stephens expressed her concern about the condition of the site at Timber Ridge with Mr. Dyer outlining the options the City Council could take.
- Floodplain Development Regulations -- Staff has been working through the county of redoing the floodplain maps and those maps will become effective August 3, 2009. In order for the city to maintain its participation in the floodplain program, i.e. allowing residents to get flood insurance, the city will need to revise the floodplain regulations. The process is that staff drafts floodplain regulations and send it to the state. The state OKs them stating that they meet the minimum of standards for floodplain development ordinances and comes back to the council. Staff has sent the state those revised floodplain regulations with minimal revisions. Possibly in June, staff will bring them to committee and then council for the revised floodplain regulations.

Councilmember Rowe asked if there was anything new on Merriam Village. Mr. Dyer answered that there was nothing new on Merriam Village or Merriam Pointe at this time. Councilmember Rowe asked what Dan North had to say regarding Merriam Village. Mr. Dyer said that Mr. North said it was tough economic times and they are pursuing everything they can in order to find tenants for the site.

7. Discussion regarding code guidelines and Comprehensive Plan update by Planning Commission

Chair Stephens stated that the council should seriously consider some guidelines for staff when pursuing code violations.

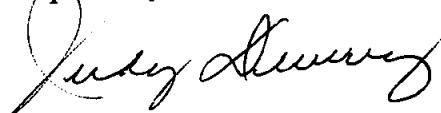
After some discussion, the committee and staff agreed to come up with the top 5 code enforcement issues to be addressed. These top 5 could be expressed to residents through various types of city communications and could change depending on the season. Selecting a top 5 list of items would ensure consistency and fairness in enforcement rather than responding to complaints by neighbors.

Chair Stephens asked about the Comprehensive Plan update by the Planning Commission and asked about the last time it was updated. Mr. Dyer agreed it was something that should be looked at but it would require outside resources to redo the Comprehensive Plan. He stated that in staff's opinion, the Comprehensive Plan is still relevant and breaks out different sections and descriptions for what should go on there. Mr. Dyer said that when it is reviewed at year end, this would be the time to evaluate whether there needs to be any kind of updates. He said staff should look for comments if the plan is not working or if there are systematic comments in regards to the Comprehensive Plan needing to be changed or updated. Mr. Dyer noted he had not heard any of these types of comments since he had been at the city.

CHAIR STEPHENS MOVED FOR ADJOURNMENT.

The meeting was adjourned at 9:42 p.m.

Respectfully submitted,



Judy Devereux, Recording Secretary