

**MERRIAM CITY COUNCIL MINUTES
CITY HALL
9001 WEST 62ND STREET
March 11, 2019
7:00 P.M.**

I. CALL TO ORDER - PLEDGE OF ALLEGIANCE

Mayor Ken Sissom called the meeting to order at 7:00 pm

II. ROLL CALL

Scott Diebold
Al Frisby
Chris Evans Hands
Nancy Hupp
Bryan Knaff
David Neal via telephone
Bob Pape

Staff present: Chris Engel, City Administrator; Meredith Hauck, Assistant City Administrator; Kevin Bruemmer, Public Works Director; Nicole Proulx Aiken, City Attorney; Mike Daniels, Police Chief; Anna Slocum, Parks and Recreation Director; Cindy Ehart, Finance Director; Jenna Gant, Communication and Public Engagement Manager; Bryan Dehner, Fire Chief and Juli Pinnick, City Clerk.

III. PUBLIC ITEMS

Members of the public are encouraged to use this time to make comments about matters that do not appear on the agenda. Comments about items on the regular agenda will be taken as each item is considered. ***Please note: individuals making Public Comments will be limited to 5 minutes.***

There were no public comments.

IV. CONSENT AGENDA

All items listed under the heading are considered to be routine by the City Council and may be enacted by one motion. There will be no separate discussion of these items unless a Councilmember or citizen so requests, in which case that item will be removed from the Consent Agenda and considered separately.

1. Consider approval of the minutes of the City Council meeting held February 25, 2019.

COUNCILMEMBER HANDS MOVED THAT THE COUNCIL APPROVE CONSENT AGENDA ITEM 1. COUNCILMEMBER HUPP SECONDED AND THE MOTION WAS UNANIMOUSLY APPROVED.

V. MAYOR'S REPORT-There were no items for the Mayor's Report.

VI. COUNCIL ITEMS

A. Finance and Administration

1. Consider approval of an ordinance amending sections of the Merriam City Code concerning alcoholic liquor and cereal malt beverages (CMBs). (first reading)

City Attorney Nicole Aiken provided the background for this item.

Effective April 1, 2019, state law will allow CMB retailers, such as convenience stores, to sell beer containing up to 6% alcohol by volume; and Alcoholic liquor retailers to sell CMB.

The ordinance amends sections of the Merriam Code concerning alcoholic liquor and CMBs to align with the new state law. If approved by the council, the ordinance will take effect on April 1, 2019.

Councilmember Hands asked if it was clear what financial impact these changes to the CMB code might have for the city with the removal of the CMB tax from the sales.

Cindy Ehart, Finance Director commented that she does not feel the impact will be significant.

2. Police Department Annual Report.

Police Chief Mike Daniels presented the 2018 Police Department Report.

Chief Daniels presented Officer of the Year to Master Police Officer Kristin Jasinski.

Mayor Sissom commented that Chief Daniels is retiring April 1st and this is the last City Council meeting he will be attending. Mayor

Sissom presented Chief Daniels with a Certificate of Appreciation for his 32 years of dedicated public service to the Merriam Police Department.

3. Community Center Update.

Assistant City Administrator Meredith Hauck presented the monthly Community Center Report.

4. Monthly Finance Report.

Finance Director Cindy Ehart presented the finance report for the month of February.

B. Community Development/Public Works/CIP

1. Consider the approval of purchases necessary to install 92 residential and decorative streetlights.

Public Works Director Kevin Bruemmer provided the background for this item.

The 2019 CIP for streetlights includes 67th Street. (Antioch to west city limits) Switzer 49th to 55th St. Mastin St (Johnson Drive to SMPKY) 59th Terr and Burnham Place sub-division (Community Development Block Grant (CDBG)). 67th Street will receive the black decorative lights approved in 1996; the residential areas will receive the residential style streetlight approved in 2002. A total of 92 streetlights will be installed (50 black decorative lights and 42 residential lights).

The City applied for \$77,785 in CDBG grant funds but was approved for only \$27,775. The net cost to Merriam (excluding equipment and labor) for the 92 streetlights is \$394,693.96.

Staff is requesting the use of funds available from the Overlay Supplement to complete the Switzer streetlight project as Switzer is scheduled on the 2019 mill and overlay program. This will lessen the burden on the residents by completing the streetlight installation during the same construction season.

There were some questions about the street lights on the south end of Switzer which will get sidewalks and street overlay but no street lights.

Mr. Bruemmer commented that he would look at that option to install street lights in that area.

COUNCILMEMBER HANDS MOVED THAT THE COUNCIL APPROVE THE PURCHASE AND INSTALLATION OF 92 STREETLIGHTS IN AN AMOUNT NOT TO EXCEED \$422,468.96. COUNCILMEMBER PAPE SECONDED AND THE MOTION WAS UNANIMOUSLY APPROVED.

2. CIP Update.

Johnson Drive Reconstruction (Kessler to West City Limits)

This project is completed and final payment has been made. The contractor has a few items to address as part of the Maintenance Bond.

2018 Storm Drain Repairs

This project is substantially completed, and remaining items include minor backfill, asphalt wedging, and restoration around curb inlets as soon as the weather allows.

2019 Sidewalk In-Fill

George Butler and Associates (GBA) is nearing completion of the preliminary design and is on track for our Public Meeting in March, it is anticipated this project will go out to bid in April.

2019 CARS 67th Street Improvements

Based on feedback from our Public Meeting, Affinis has recommended the safest approach in which walkers would have access to the trail on the east side of Turkey Creek.

Switzer Mill and Overlay

In collaboration with the City of Shawnee, the city has entered into an Inter-Local Agreement for improvements to Switzer Road. The improvements include replacing curb/gutters, repairs to existing sidewalk, placement of ADA sidewalk ramps, and asphalt surface mill/overlay. Limits of this project will be from 47th Street to 55th Street, and 69th Street to 75th Street.

VII. STAFF ITEMS

City Administrator Chris Engel commented that the 5701 Merriam Dr. Committee is working on securing a contract for the facilitator. Their next meeting is currently being scheduled and once the meeting date and time is finalized that information will be posted like all public meetings.

Last Friday, Department Heads and other senior staff members participated in leadership team training. Going forward, additional sessions will be held in an effort to enhance leadership skills within the staff.

VIII. NEW BUSINESS-There was no new business.**IX. EXECUTIVE SESSION**

COUNCILMEMBER HANDS MOVED THAT THE COUNCIL RECESS INTO EXECUTIVE SESSION TO DISCUSS LEGAL MATTERS WITH THE CITY ATTORNEY AS JUSTIFIED BY K.S.A.75-4319(B)(2), WHICH PERMITS CONSULTATION WITH AN ATTORNEY ON MATTERS THAT WOULD BE DEEMED PRIVILEGED IN AN ATTORNEY-CLIENT RELATIONSHIP. PRESENT WILL BE THE GOVERNING BODY, CITY ATTORNEY AND CITY ADMINISTRATOR, THE OPEN MEETING WILL RESUME IN THE COUNCIL CHAMBERS AT 8:00 PM. COUNCILMEMBER PAPE SECONDED AND THE MOTION WAS APPROVED. COUNCILMEMBER HUPP RECUSED HERSELF FROM THE VOTE AND DID NOT PARTICIPATE IN THE EXECUTIVE SESSION.

The meeting reconvened at 8:00 pm.

X. ADJOURNMENT

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COUNCIL, COUNCILMEMBER HANDS MOVED TO ADJOURN AT 8:01 PM. COUNCILMEMBER PAPE SECONDED AND THE MOTION WAS UNANIMOUSLY APPROVED.

APPROVED: March 25, 2019

Respectfully submitted,
Juliana Pinnick
Juliana Pinnick
City Clerk

