

**MERRIAM CITY COUNCIL AGENDA
CITY HALL
9001 WEST 62ND STREET
August 12, 2019
7:00 P.M.**

<p>If you require any accommodation (i.e. qualified interpreter, large print, reader, hearing assistance) in order to attend this meeting, please notify the Administrative Office at 913-322-5500 no later than 24 hours prior to the beginning of the meeting.</p>

I. CALL TO ORDER - PLEDGE OF ALLEGIANCE

II. ROLL CALL

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.***

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 July 22, 2019.
2. Consider approval of a Professional Services Agreement with Affinis for Johnson Drive CARS Project design services.

V. MAYOR'S REPORT

1. Presentation on 5701 Merriam Drive Report.

VI. PUBLIC HEARING

Public Hearing to consider a resolution to adopt the 2020 Budget

1. Consider approval of a resolution adopting the 2020 Budget.

VI. COUNCIL ITEMS

A. Finance and Administration

1. Discussion regarding Special Sales Tax renewal.
2. Community Center Update.
3. Monthly Finance Report (included in packet)

B. Community Development/Public Works/CIP

1. Consider a bid award to Phoenix Concrete for the Phase III Sidewalk In-fill Program.
2. CIP Update.

VII. STAFF ITEMS

VIII. NEW BUSINESS

IX. EXECUTIVE SESSION

X. ADJOURNMENT

Respectfully submitted,

Juliana Pinnick

Juliana Pinnick
City Clerk

**MERRIAM CITY COUNCIL MINUTES
CITY HALL
9001 WEST 62ND STREET
July 22, 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 was absent
Brian Knaff
David Neal
Bob Pape
Jason Silvers

Staff present: Chris Engel, City Administrator; Meredith Hauck, Assistant City Administrator; Nicole Proulx Aiken, City Attorney; Troy Duvanel, Police Captain; Cindy Ehart, Finance Director; Jim MacDonald, Acting Public Works Director; Jenna Gant, Communication and Public Engagement Manager; Mike Casey, Deputy Fire Chief; Anna Slocum, Parks and Recreation Director; Bryan Dyer, Community Development Director 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.***

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 July 8, 2019.

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

V. MAYOR'S REPORT

1. Confirm the appointment of Lisa Feingold to the Parks and Recreation Advisory Board for the term expiring December 31, 2019.

This item was removed from the Agenda.

VI. PLANNING COMMISSION

1. Consider approval for a Preliminary Development Plan for an automobile dealership located at 7020 W. Frontage Rd.

Community Development Director Bryan Dyer provided the background for this item.

The applicant and property owner, Reed Family Properties, represented by BHC Rhodes Engineering, is requesting approval of a preliminary development plan for the development of a 61,589 square foot (48,704 square foot building footprint) automotive dealership on Merriam Pointe Seventh Plat, Lot 1 located at 7020 W. Frontage Road. The building will house the Reed Jeep Chrysler Dodge Ram facility that is currently located in Overland Park.

In 2004, the Merriam City Council approved Ord #1503, rezoning the subject property to Planned Unit Development – General (PUD-G) and the associated preliminary development plan (Z-8-04) for Merriam Pointe. That preliminary development plan showed an automobile dealership being constructed on the subject property. The land use assumptions in the technical studies (stormwater and traffic) associated with the preliminary development plan were based the development of an automobile dealership on the subject property.

The Planning Commission approved a final development plan (Z-8-04/FP2-0805) in 2005 for the development of an automobile dealership located on Lot 13 (south of the subject property) at 7050 W. Frontage Road. The Shawnee Mission Hyundai dealership was subsequently constructed in 2007.

In October of 2007, the Planning Commission approved a final development plan (Z-8-04/FP4-2007) for the Phase 1 construction of an auto dealership vehicle storage and parking area, with an associated automobile dealership of approximately 22,600 square foot to be developed in Phase II for the subject property. Those improvements were not constructed.

In 2012, the Planning Commission approved a final development plan for the phased development of an automobile dealership on the subject property. The final development plan showed the development of a display lot for 129 spaces with the dealership facility being constructed in “1-2 years”.

In 2017, the property owner, Group 1, submitted a final plat (PA17-000006), preliminary development plan (Z-8-04 PD8-0817) and subsequent final development plan (Z-8-04 FP13-1017) to combine 7020 W. Frontage Road and the subject property into one lot (Merriam Pointe Fifth Plat, Lot 20). This was done in anticipation of constructing a parking lot addition to the existing Hyundai automotive dealership. Those applications were approved, but the parking lot was not constructed and the 7020 W. Frontage Road property remained undeveloped.

In 2019, Group 1 sold the Hyundai dealership and the vacant land north of the dealership to Reed Family Properties. Reed Family Properties then requested and received approval of a final plat (PA19-000002) dividing the property back in to two lots. The plat (Merriam Pointe Seventh Plat) created Lots 1 and 2 with the existing Hyundai dealership being located on Lot 2. This proposal is for a new automotive dealership to be located on Lot 1 (7020 W. Frontage Road), which is located directly north of the Hyundai dealership.

The applicant is requesting that the Planning Commission and City Council grant the Community Development Director the ability to approve the final development plan. With that request, the applicant has incorporated those items normally reviewed as a part of the final development plan into this application.

On July 3, 2019, the Planning Commission held a public hearing and received no comments from the public. The Planning Commission then closed the public hearing and based on information supplied by the applicant, as well as the criteria outlined in the Merriam Code and Kansas law as outlined in the Planning Commission Staff Report, unanimously recommended approval of the rezoning and associated preliminary development plan, with conditions.

There were some questions from the council regarding drainage on the site. Mr. Dyer displayed a rendering and pointed out the collection and discharge locations for the storm water. The applicant met the city’s criteria for a

detention waiver. The City Engineer reviewed the request and agreed to grant the waiver.

Randy Reed, applicant, commented that the dealership will replace their current dealership on Metcalf. The dealership will be the same size as the Metcalf location. The Metcalf location is a leased facility with that lease ending next summer. The new dealership will employ 95 people which is an increase of 10 additional employees. The projected move date to Merriam will be next June/July and they are very excited to move to the new state of the art facility in Merriam.

COUNCILMEMBER HANDS MOVED THAT THE COUNCIL CONCUR WITH THE RECOMMENDATION OF THE PLANNING COMMISSION AND APPROVE, WITH CONDITION, A PRELIMINARY DEVELOPMENT PLAN FOR AN AUTOMOBILE DEALERSHIP LOCATED AT 7020 W. FRONTAGE RD AND AUTHORIZE THE MAYOR TO SIGN THE EFFECTUATING ORDINANCE. COUNCILMEMBER PAPE SECONDED AND THE MOTION WAS UNANIMOUSLY APPROVED.

VII. COUNCIL ITEMS

A. Finance and Administration

B. Community Development/Public Works/CIP

1. Community Development Update.

Community Development Director Bryan Dyer provided the following updates:

Switzer Senior Villas development plans to begin their project in late summer. They have received their tax credits from the state for the affordable senior housing complex. Mayor Sissom asked if the project will change since they have received the tax credits. Mr. Dyer commented that the only change will be the number of units that will be income restricted. Had they not received the tax credits, a larger number of the units would be at market rate rent, so this allows for more units to be affordable for lower to middle income folks in the age-restricted community.

The Residential Exterior Grant Program is nearly completed for the year with the 8-9 projects nearing completion.

July 31 will be the first meeting of the Comprehensive Plan Update Advisory Committee at 6:30 pm. The meeting will be held in the Community Training Room at City Hall.

VIII. STAFF ITEMS

City Administrator Chris Engel commented that the 5701 Drive Committee are reviewing the final draft of their recommendation to the city council. He sent that draft to the council just before tonight's meeting. This is just the draft and it will go before that committee for their final approval before coming to city council.

IX. NEW BUSINESS

X. EXECUTIVE SESSION

XI. ADJOURNMENT

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COUNCIL, COUNCILMEMBER HANDS MOVED TO ADJOURN AT 7:31 PM. COUNCILMEMBER FRISBY SECONDED AND THE MOTION WAS UNANIMOUSLY APPROVED.

Respectfully submitted,

Juliana Pinnick

Juliana Pinnick
City Clerk



AGENDA ITEM INFORMATION FORM

AGENDA ITEM: Consider Professional Services Agreement for the design of County Assistance Road Systems (CARS) Project, Johnson Drive – Kessler to East City Limits with Affinis, Corp. for an amount not exceed \$172,200.

SUBMITTED BY: Jim MacDonald, Public Works Superintendent

MEETING DATE: August 12, 2019

PROJECT BACKGROUND/DESCRIPTION:

In 2016 staff advertised a Request for Qualifications (RFQ) for street design work that would continue for period of 5 years. Affinis Corp. was selected and has been providing design engineering services for the last three years (i.e. 67th Street-Antioch Road to West City Limits, Johnson Drive-West City limits to Kessler, 51st St. Switzer to Knox). Their level of service has been exemplary and staff recommends they be approved for the design of this 2020 CARS Project.

This project entails the rehabilitation of Johnson Drive - BNSF RR to Mackey Street. The scope of work includes the replacement of curb/gutters/sidewalk/ADA ramps as required, a 2-inch mill/overlay, new pavement markings, and new street lights and sidewalks from Mackey Street to East City Limits.

Johnson County CARS funding has been approved by the Johnson County Board of County Commissioners for this project.

CITY COUNCIL GOALS AND OBJECTIVES

3.2 Sustain capital improvement efforts.

FINANCIAL IMPACT

Amount of Contract:	\$172,200
Amount Budgeted:	\$227,781
Funding Source/Account #:	Capital Improvement Fund - Special Sales Tax/CARS Funding Acct #301-0000-511-33.10, Project #GC2001

SUPPORTING DOCUMENTS

Professional Service Agreement executed by Affinis, Corp.

ACTION NEEDED/STAFF RECOMMENDATION

Recommend that the Council authorize the Mayor to execute the design services agreement with Affinis Corporation for Johnson Drive Improvements – Kessler to East City Limits with Affinis, Corp. for an amount not exceed \$172,200.

PROFESSIONAL SERVICES AGREEMENT
Johnson Drive Improvements (BNSF Railroad Tracks to East City Limits)

THIS PROFESSIONAL SERVICES AGREEMENT (hereinafter the "Agreement") made as of this ____ day of _____, 2019, by and between the **CITY OF MERRIAM, KANSAS**, a Kansas Municipal Corporation (hereinafter the "City"), and the undersigned professional firm (hereinafter the "Consultant").

WHEREAS, the City is in need of professional assistance in a technical field to prepare plans and specifications for the Project more fully described on Exhibit A, Description of Project, attached hereto (hereinafter the "Project");

WHEREAS, the Consultant represents that it has sufficient experience and qualified personnel to perform, and the City desires the Consultant to perform, the professional services herein described; and

WHEREAS, the City has determined, based upon information provided by the Consultant that Consultant is qualified to provide the professional services described herein.

NOW, THEREFORE, the City and the Consultant, in consideration of their mutual covenants herein, agree in respect to the performance of professional services by the Consultant and the payment for those services by the City as set forth below.

ARTICLE I
Scope of Services

The Consultant shall provide for the City professional services listed in attached Exhibit B, Basic Services and Related Matters.

The City may request additional services to extend this Agreement to include a subsequent phase of Project design or to provide Project related services not anticipated at the time of this Agreement. At the City's request, the Consultant shall submit a written scope of the additional work including an estimate of additional costs for the performance of such additional work. No change in scope shall be effective nor shall additional compensation be paid except on the basis of the provisions of a written supplemental agreement or an amendment hereto which may be duly entered into by the parties of this Agreement.

ARTICLE II
Compensation

The City shall pay the Consultant for services performed as outlined in Article I as set forth in Exhibit C attached hereto.

ARTICLE III
Time

The Consultant agrees to complete the services outlined in Article I within the times listed in Exhibit B, Basic Services and Related Matters. In absence of written directions to the contrary, receipt of the executed Agreement shall be the Consultant's Notice to Proceed. The contract time includes reasonable review time by the City, and any other applicable governmental agencies.

Solely at the City's discretion, an extension in time may be granted to the Consultant for delays determined by the City as unavoidable. Consultant may request an extension of time stating the reasons for such a request.

ARTICLE IV
City's Responsibilities

City shall perform the following in a timely manner so as not to unreasonably delay the services of the Consultant:

1. provide design objectives and constraints, capacity and performance requirements, and budgetary limitations for the Project;
2. furnish reports, plans, and surveys in its possession that pertain to the Project. Except for reports and surveys prepared specifically for this Project, the Consultant shall have an obligation to independently verify the information contained in reports, plans, surveys, and maps that are furnished by the City;
3. furnish design and construction standards;
4. review Consultant's draft submittals;
5. sign and submit permits required by the Kansas Department of Transportation and the Kansas Division of Water Resources;
6. attend design review meetings, pre-bid and pre-construction conferences, and construction meetings;
7. negotiate and pay for rights of way and easements necessary to complete the Project;
8. identify, in writing, a primary point of contact through whom all communications to the Consultant shall be issued.

ARTICLE V
Consultant's Responsibilities

In addition to the basic services identified in Article I "Scope of Services" the Consultant shall do the following:

1. comply with local, state, and federal rules, regulations, and laws pertaining to this Agreement that are applicable at the time the Consultant designs the Project, regardless of whether such requirements are specifically referred to in this Agreement. Consultant shall indemnify and hold harmless the City, its elected officials, officers, employees, and agents against any claim or liability arising out of or resulting from any violation of the same;
2. submit interim drafts and coordinate and attend draft review meetings as needed to meet Project requirements and City's design standards, and prepare final plans and specifications as required in Exhibit B, "Basic Services and Related Matters;"
3. immediately upon expiration or termination of the Agreement, return to the City all of the studies, maps, and other data furnished to the Consultant by the City pursuant to this Agreement;
4. Without in any way limiting indemnification obligations that may be set forth elsewhere in this Agreement, Consultant shall indemnify and hold harmless the City, its elected officials, officers, employees, and agents from all claims, damages, losses, and expenses, including reasonable attorneys' fees, arising out of or resulting from the performance of Consultant's services, provided that such claim, damage, loss, or expense is caused in whole or in part by a negligent or intentional act, error, or omission of the Consultant, its subcontractors, anyone directly or indirectly employed or retained by any of them, or anyone whose acts any of them may be liable, whether or not arising before or after completion of Consultant's services regardless of whether or not such claim, damage, loss, or expense is caused in part by a party indemnified hereunder.

5. maintain and secure throughout the duration of this Agreement insurance in the following amounts and will, upon request of the City, furnish copy of certification thereof:

- (a) Workers' Compensation and Employers' Liability
 - Workers' Compensation Statutory
 - Employers' Liability \$500,000 each accident
\$500,000 disease-policy limit
\$500,000 disease- each employee
- (b) Comprehensive Automobile Liability
 - Bodily Injury & Property Damage \$1,000,000 combined single limit per occurrence;
- (c) Comprehensive General Liability
 - Bodily Injury & Property Damage \$1,000,000 combined single limit per occurrence;
\$2,000,000 annual aggregate
- Fire Damage Liability \$100,000
- Medical Payments \$5,000

The property damage liability coverage shall contain no exclusion relative to blasting, explosion, collapse of buildings, or damages to underground property.

Maintain coverage for 2 years following completion of project

- (d) Umbrella Liability: \$1,000,000

Consultant shall maintain Professional Liability Insurance in an amount of no less than \$1,000,000 per claim and annual aggregate, and provide City with certification thereof upon request.

All general liability and automobile liability insurance shall be written on an occurrence basis unless otherwise agreed by the City in writing. The City shall be named additional insured on the general liability and automobile liability insurance. Coverage on policies in which the City is named an additional insured shall be primary and noncontributory. Consultant shall provide certificates of insurance and renewals thereof on forms approved by the City. The City shall be notified by receipt of written notice from the insurer at least 30 days before material modification or cancellation of any policy listed on the Certificate. Consultant shall monitor and promptly notify the City of any reduction in limits of protection afforded under any policy listed in the Certificate (or otherwise required by this Agreement) if the Consultant's limits of protection have been impaired or reduced to such extent that the limits fall below the minimum amounts required herein. In that event, Consultant shall promptly reinstate the original limits of liability required herein and shall furnish evidence thereof to the City. All insurance carriers must be licensed to do business in the State of Kansas; carry a Best's policyholder rating of "A" or better and/or that is acceptable to the City; and carry at least a Class X financial rating. If a part of this Agreement is to be sublet, the Consultant shall either: (1) Cover all subcontractors under its insurance policies; or (2) Require each subcontractor not so covered to secure insurance that will protect against applicable hazards or risks of loss as and in the minimum amounts designated herein;

6. employ persons qualified to efficiently perform the obligations and duties of the Consultant under this Agreement. If the City shall so direct, the Consultant shall remove from the Project any engineer, architect, surveyor, appraiser or other person employed by the Consultant in connection with the work; and

7. furnish right-of-way and easement descriptions for eminent domain proceedings, and maps and sketches as required by City.

ARTICLE VI
Miscellaneous

1. Controlling Law and Legal Action. This Agreement is to be governed by the laws of the State of Kansas. The parties agree that the appropriate venues for any legal actions arising out of this Agreement are the District Court of Johnson County, Kansas, or, if federal jurisdiction exists, the United States District Court for the District of Kansas.
2. Assignment. None of the obligations of the Consultant under this Agreement shall be assigned without the approval in writing of the City.
3. Binding on Successors. This Agreement is binding upon and fully enforceable against the successors and assigns of the Consultant, whether or not consented to by the City.
4. Reuse of Information. Consultant shall retain ownership of information, including reports, surveys, designs, presentation graphics and creative products, furnished under this Agreement. Provided, however, City's right of reuse shall be unlimited in frequency and quantity and may be for completion of the Project, an extension of the Project by parties other than the Consultant, or for uses unrelated to the Project. When information is subject to third party royalties or license agreements, City shall pay such royalties and license fees associated with the reuse of the documents. City's reuse of the information without verification or adaptation by the Consultant shall be at the City's sole risk without liability or legal exposure to the Consultant. No additional compensation shall be due the Consultant for City's reuse of the information.
5. Termination of Agreement. The City may terminate this Agreement at any time for convenience or cause upon written notice to the Contractor. If the City terminates the Agreement before the completion of the Project, City shall compensate Contractor for all the services it satisfactorily completed to date of its receipt of the termination notice. Under no circumstances will the Contractor be entitled to anticipatory profits or consequential damages. The provisions regarding indemnity and insurance shall survive the termination of this Agreement.
6. Disputes. The City and Consultant agree that disputes relative to the Project or this Agreement should first be addressed by negotiations between the parties. If direct negotiations fail to resolve the dispute, the party initiating the claim that is the basis of the dispute shall be free to take such steps as it deems necessary to protect its interests; provided, however, that notwithstanding any such dispute, the Consultant shall proceed with its services under this Agreement as though no dispute exists; and provided further, that no arbitration proceedings shall be initiated by Consultant without the prior written consent of the City.
7. Representations. The Consultant certifies that:
 - 7.1 The price submitted and the costs comprising same are independently arrived at without collusion.
 - 7.2 The Consultant has not knowingly influenced and promises that it will not knowingly influence a City employee or former City employee to breach any ethical standard.
 - 7.3 The Consultant has not violated, is not violating, and promises that it will not violate the City's policy of prohibition against gratuities and kickbacks.
 - 7.4 The Consultant represents that it has not retained and will not retain a person to solicit or secure a City contract upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, except for retention of bona fide employees or bona fide established commercial selling agencies for the purpose of securing business.

8. Compliance with Equal Opportunity Laws, Regulations, and Rules.
- 8.1 Discrimination Prohibited. Consultant agrees to comply with the Kansas Act Against Discrimination (K.S.A. 44-1001 *et seq.*) and the Kansas Age Discrimination in Employment Act (K.S.A. 44-1111 *et seq.*) and shall not discriminate against any person in the performance of work under this Agreement because of race, religion, color, sex, disability, national origin or ancestry, or age.
- 8.2 Solicitations. In all solicitations or advertisements for employees, Consultant shall include the phrase “equal opportunity employer” or a similar phrase approved by the Kansas Human Rights Commission (Commission).
- 8.3 Non-Compliance. Consultant shall be deemed to have breached this Agreement and it may be cancelled, terminated, or suspended in whole or in part by the City, if the Consultant:
1. fails to comply with the reporting requirements of K.S.A. 44-1031 or K.S.A. 44-1116, and amendments thereto; or
 2. is found guilty of the Kansas Act Against Discrimination or the Kansas Age Discrimination in Employment Act under a decision or order of the Commission that has become final.
- 8.4 Flow Through Requirements. Consultant shall include the provisions of Sections 8.1 – 8.3 in every subcontract or purchase order so that such provisions will be binding upon such subcontractor or vendor.
- 8.5 Exempt Contractors. The provisions of Sections 8.1 – 8.4 are recommended but not enforceable against Consultant if:
1. Consultant employs fewer than four employees at all times during the term of this Agreement; or
 2. All of Consultant's contracts with the City cumulatively total \$5,000 or less during the fiscal year of the City pursuant to K.S.A. 44-1030(c).
- 8.6 ADA Compliance. Consultant also agrees to comply with the American with Disabilities Act of 1990 (“ADA”), codified as amended at 42 U.S.C. § 12101 *et seq.*, as well as all other federal, state, and local laws, ordinances, rules, and regulations applicable to this project and to furnish any and all certification that may be required by federal, state, or local governmental agencies in connection therewith.
9. Independent Contractor. It is agreed that Consultant is an independent contractor to the City and shall not be considered an employee. Consultant shall be responsible for and pay all taxes and withholdings required by law upon the compensation paid under this Agreement, and shall indemnify and hold harmless the City from liability in connection therewith.
10. Notice. Any formal notice required or permitted under this Agreement shall be deemed sufficiently given if said notice is personally delivered or sent by First Class mail, postage prepaid, to the party to whom said notice is to be given. Notices delivered in person shall be deemed to be served effective as of the date the notice is delivered. Notices sent by First Class mail shall be deemed to be served 72 hours after the date said notice is postmarked to the addressee, postage prepaid.

Until changed by written notice given by one party to the other, notice to the Consultant shall be made at the address set forth following the Consultant's signature block. Notice to the City shall be made as follows:

The City of Merriam
9001 W. 62nd Street
Merriam, KS 66202
Attn: Capital Improvements Director

11. Phraseology. In this Agreement, the singular includes the plural, the plural includes the singular and any gender includes the other gender.
12. Descriptive Headings and Capitalization. The descriptive headings of the provisions of this Agreement are formulated and used only for convenience and shall not be deemed to affect the meaning and construction of any such provision. Some terms are capitalized throughout the Agreement, but use of or failure to use capitals shall have no legal bearing on the interpretation of such terms.
13. Amendments. This Agreement may not be amended unless such amendment is in writing and signed by both parties.
14. Invalidity. In the event that any provision in this Agreement shall be adjudicated invalid under applicable laws, such invalid provision shall automatically be considered reformed and amended so as to conform to all applicable legal requirements, or, if such invalidity cannot be cured by reformation or amendment, the same shall be considered stricken and deleted, but in neither such event or events shall the validity or enforceability of the remaining valid portions hereof be affected thereby.
15. Waiver. The failure of either party to insist upon the strict performance of any of the terms or conditions of this Agreement or to exercise any option, right, or remedy herein contained, should not be construed as a waiver or relinquishment for the future of such term, provision, option, right, or remedy, but the same shall continue and remain in full force and effect. No waiver by either party of any term or provision hereof shall be deemed to have been made unless expressed in writing and signed by the waiving party.
16. Merger. This Agreement and the documents incorporated by reference constitute the entire agreement between the parties with respect to the professional services set forth herein. There are no verbal understandings, agreements, representations, or warranties between the parties that are not expressly set forth herein. This Agreement supersedes all prior agreements and understandings between the parties, both written and oral.
17. Verbal Statements Not Binding. It is understood and agreed that the written terms and provisions of this Agreement shall supersede all verbal statements of any and every official and/or other representative of the City, and such statements shall not be effective or be construed as entering into, or forming a part of, or altering in any way whatsoever, the written Agreement.
18. Survivorship. Notwithstanding the termination of this Agreement, Consultant's obligations with respect to indemnification (Article V, Section 4) and insurance (Article V, Section 5), and any other terms and conditions that by their nature should survive termination, shall survive the termination of this Agreement.

ARTICLE VII
Exhibits

The following Exhibits are attached to and made a part of this Agreement:

- Exhibit A. "Description of Project" consisting of 1 page(s).
- Exhibit B. "Basic Services and Related Matters" consisting of 6 page(s).
- Exhibit C. "Compensation" consisting of 1 page(s).
Consultant's Hourly Rate Schedule

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement the day and year first above written.

CITY OF MERRIAM, KANSAS

By: _____
Ken Sissom, Mayor

Attest:

Juliana Pinnick, City Clerk

Approved as to form by:

Nicole Proulx Aiken, City Attorney

CONSULTANT

Affinis Corp.

By: 
Kristen E. Leathers-Gratton
Title: Principal
Address: 8900 Indian Creek Parkway
Building 6, Suite 450
Overland Park, Kansas 66210

EXHIBIT A

DESCRIPTION OF PROJECT

The purpose of this project is to improve the existing infrastructure and reduce future maintenance costs.

The project limits are Johnson Drive from BNSF Railroad to East City Limits. The project will be prepared in accordance with Johnson County CARS program requirements and submitted for funding. The scope of work includes:

- Roadway
 - Perform a 2-inch mill and overlay of asphalt pavement and evaluate locations requiring full-depth repair. Mackey Street is the east limit for mill and overlay.
 - Evaluate all curb and gutter and median curb to determine removal and replacement.
 - Remove brick pavers and replace with 4-inch concrete.
 - Replace pavement marking.
 - GPR evaluation of pavement between the BNSF railroad and the northbound I-35 ramps, approximately 600 linear feet for 5 lanes.
- Lighting
 - Install new street lighting east of Antioch Road using City's standard poles.
- Sidewalk
 - Evaluate driveway aprons to determine replacement based on ADA compliance.
 - Evaluate sidewalk to determine replacement based on ADA compliance and condition.
 - Install and replace ADA ramps where required.
 - Evaluate the need for handrail on the concrete barrier adjacent to the sidewalk under I-35, on both sides of 67th Street.
- Signals
 - Evaluate existing signals for ADA compliance. Modify and/or add to the existing pedestrian signals at southbound I-35 ramps, northbound I-35 ramps/Ikea Way, and Slater Street.
 - Coordinate loop replacement or upgrades to radar detection with KCP&L/Westar at.
- Drainage
 - Identify inlet and structure lids for replacement or adjustment.

EXHIBIT B

BASIC SERVICES AND RELATED MATTERS

The Consulting Engineer shall furnish and perform the various professional duties and services required for the construction of the Project in accordance with all tasks listed in the current City standards.

General Design Requirements

The consultant shall design the Project in conformity with the applicable portions of the City of Merriam's specifications and standards, the current version of the Manual on Uniform Traffic Control Devices (MUTCD) as adopted by the Secretary, and the current version of the KDOT Standard Specifications for State Road and Bridge Construction with Special Provisions.

The Design plans shall be signed and sealed by the licensed professional engineer responsible for the preparation of the design plans. Geological investigations or studies shall be signed and sealed by the licensed Geologist responsible for the preparation of the geological investigations or studies. Rights of way descriptions shall be signed and sealed by the licensed land surveyor responsible for the preparation of the rights of way descriptions.

General Survey Requirements:

Vertical Control:

Elevations for plans must be obtained from a benchmark on the Johnson County Vertical Control Network. Show the datum benchmark and elevation of the datum benchmark on the plans.

Horizontal Control:

Section Corner and quarter section corner locations must be referenced to the Johnson County Horizontal Control Network. As part of the design survey all Section Corners and Quarter Section Corners within the project area and others used for project control must be located, reference and state plane coordinates determined with GPS equipment. The coordinates and referenced ties shall be shown on the plans and the standard corner reference report submitted to the Kansas State Historical Society, the County Engineer, and cities project manager within 30 days of the survey as required by state law. If a Johnson County Horizontal Control marker may be damaged by construction the County public works department should be notified prior to the bid letting.

Plan Notes - Johnson County Control Bench Marks:

Any Johnson County Benchmarks, Johnson County Horizontal Control monuments and any Section Corner and Quarter Section Corners within the area surveyed for the project must be conspicuously indicated on the plans. All bench marks and section and quarter section corners and property pins within the construction limits shall include a note for the re-establishment of the monuments.

Johnson County aerial and AIMS mapping shall be used for the design and plans and will be supplemented with topographic survey in specified areas or areas requiring more detail.

TASK 1. PRELIMINARY DESIGN

1.01. Data Collection.

- A. Attend pre-design meeting.
- B. Develop design criteria for the project; prepare design memorandum.
- C. Schedule and coordinate project activities with the City (where applicable).
- D. Schedule, attend and facilitate a pre-design utility coordination meeting. Inform the utility companies about the projects intent and schedule and solicit input about their facilities. Meeting minutes will be prepared.

- E. Field data collection will be performed at the southbound I-35 ramps, the northbound I-35 ramps/Ikea Way and Slater Street intersections; 12 driveway locations; and for approximately 500 linear feet of sidewalk with retaining wall. Johnson Drive from the west City Limits to the west side of I-35, and on the south side of Johnson Drive from the west City Limits to Knox Street. Data collection will include:
1. Establish section and land corners.
 2. Field surveys.
 3. Contact utilities and field locate all utilities.
- F. Conduct field reconnaissance with City to evaluate and identify:
1. Design issues.
 2. Identify existing drainage components in project area (location, size, material, capacity, storm design adequacy and condition).
 3. Need for full depth pavement repairs, underdrains, and subgrade stabilization.
 4. Need for sidewalk replacement.
 5. Determine locations for new sidewalk.
 6. Need for and limits of driveway replacement.
 7. Need for which type of ADA ramps.
 8. Determine locations for new street lights.
 9. Utility locations and conflicts.
 10. Tree and landscaping conflicts.
- G. The Consulting Engineer shall contract with a City approved geotechnical firm for pavement investigation between BNSF Railroad and northbound I-35 ramps/Ikea Way. The costs associated with the work shall be paid by the Consulting Engineer to the geotechnical firm and shall be included in the Basic Services of the Professional Services Agreement.
1. Mobilize a geophysicist with a GSSI2 SIR 4000 GPR system equipped with a dual-frequency 300/800 MHz monostatic antenna (or equivalent) to the site.
 2. Collect GPR data along two lines per travel and turn lane in the survey area. The GPR data will be collected by towing an antenna from a vehicle moving approximately 5 mph. Positioning information will be provided by a sub-meter differential GPS. Traffic control will be provided by a third party and shall meet the most current edition of MUTCD. Data may be collected before or after Peak Hour traffic times which are generally 7:00 to 9:00 a.m. and 4:00 to 6:00 p.m.
 3. Process and interpret the GPR data using GSSI's RADAN software.
 4. Return to the site and core 3-4 holes into the pavement at locations determined from the GPR data to assist in calibrating the GPR data and determine the pavement composition. Holes will be filled in with asphalt patch. Traffic control will be provided by a third party and shall meet the most current edition of MUTCD.
 5. Prepare a report that includes a description of the GPR method, GPR data acquisition procedures, core results, photographs of the cores, a site plan showing the location of the GPR lines, core hole locations, and pavement thickness within the survey limits, and recommendations for either an overlay or full-depth pavement replacement.
- H. Ownership and abutting property information:
1. Obtain ownership information from City or Johnson County AIMS. The Consulting Engineer shall contract with a City approved title company for ownership information investigations. The costs associated with ownership information

investigations shall be paid by the Consulting Engineer to the title company. This cost shall be included in the contingency fee as outlined in Article II of the Professional Services Agreement.

2. Collect record drawings and plans for existing improvements. Review all available plans, previous studies, and pertinent information regarding the Project.
- 1.02. Prepare preliminary plans and base map at a scale of 1"=20' showing contours at 2-foot intervals, property owner information and property and easement lines.
 - A. Cover sheet.
 - B. Typical sections. Pavement design shall be the responsibility of the City.
 - C. Plan and Profile sheets.
 1. Plan scale = 1"=20'
 2. Profile scale H = 1"=20'; V = 1"=5'
 - D. Based on storm sewer system condition assessment performed by City, identify storm sewer structures and pipes needing replacement.
 - E. Intersection and layouts.
 - F. ADA Ramp Layouts. Ramp layouts do not include elevations or slopes. The intent is for the ramps to be constructed as specified in the standard details.
 - G. Driveway profiles, included in cross-sections.
 - H. Retaining wall layout and profiles.
 - I. Traffic and pedestrian signals modifications and layout at three intersections.
 - J. Preliminary street lighting layout.
 1. Pole locations.
 2. Define design parameters.
 - K. Preliminary pavement marking and signing.
 - 1.03. Perform quality assurance review.
 - 1.04. Submit preliminary plans to utility companies for their use in preparing for relocations.
 - 1.05. Develop preliminary opinion of probable project costs itemized by unit of work, including right-of-way and contingency.
 - 1.06. Submit preliminary plans and opinion of probable cost to City for review.
 - 1.07. Meet with City as necessary in connection with such preliminary work. Two meetings are budgeted.
 - 1.08. Field Check to be performed with representatives of the Consulting Engineer and the City at the project site with appropriate detailed plans.
 - 1.09. Right-of-entry documents.
 - A. Prepare right of entry documents for all properties requiring temporary construction access. Up to 46 parcels/properties are included in this scope.
 1. Maps and sketches as follows:
 - a. Individual drawings of improvements affecting each ownership including:
 - (1) *Title block.*
 - (2) *Ownership boundaries.*

(3) *Existing rights-of-ways and easements.*

(4) *Proposed impacts identified graphically.*

(5) *Legend.*

(6) *Graphical scale and north arrow.*

(7) *Ownership information.*

B. Legal documents and descriptions for easement and/or right-of-way acquisition are NOT considered part of the Basic Scope of Services and shall be compensated as Additional Services as stipulated in Article II of the Professional Services Agreement.

C. Easement staking, including temporary easements, permanent rights-of-way, and staking of structures or other items for utilities and eminent domain services are NOT considered part of the Basic Scope of Services and shall be compensated as Additional Services as stipulated in Article II of this Professional Services Agreement.

1.10. Permitting.

A. Prepare the necessary plans and applications for permit submission to and approval of City land disturbance and NPDES land disturbance permits. No other State or Federal permit activities are anticipated to be required under this Basic Scope of Services. If additional permitting is required the work shall be done under a supplemental agreement.

B. Coordinate with BNSF Railroad with regard to construction of improvements adjacent to the railroad and/or within BNSF right-of-way. Assist the City with preparation of required permit applications.

1.11. Public Information: Prepare for and attend one public meeting to explain the project to residents of the project area, and to receive public comments. The Consulting Engineer will prepare all necessary exhibits, documents and plans and have persons available to explain the proposed work and to answer questions. The City will arrange for the time and place of the meetings and will distribute all notifications.

A. The Consulting Engineer will be available to meet with City staff and concerned property owners as directed by the City to discuss the project at any time throughout the project.

TASK 2. FINAL DESIGN

2.01. Prepare detailed plans and specifications.

A. Cover sheet.

B. Typical sections.

C. Drainage design.

D. Plan and Profile sheets

1. Plan scale = 1"=20'

2. Profile scale H = 1"=20'; V = 1'=5'

E. Intersection details.

F. ADA Ramp details.

G. Driveway profiles included in cross-sections.

H. Retaining wall layout and profiles.

- I. Traffic and pedestrian signals plan and details.
 - J. Street lighting.
 - 1. Pole locations.
 - 2. Conduit and junction box locations.
 - 3. Pole details.
 - K. Pavement marking and signing.
 - L. Traffic control and construction phasing plan.
 - M. Erosion control plans, details and SWPPP.
 - N. Standard and special details.
- 2.02. Prepare project manual including technical specifications and special provisions.
- 2.03. Perform quality assurance review.
- 2.04. Perform final plan quantity takeoffs.
- 2.05. Submit final plans and project manual to Johnson County CARS program manager for review.
- 2.06. Utility coordination.
 - A. Schedule and attend three utility coordination meetings. These meetings will include a preliminary plan review meeting, a final plan review meeting and a status meeting.
- 2.07. Prepare bid documents and a detailed opinion of probable cost.
 - A. Detailed opinion of construction cost.
 - B. Construction plans.
 - C. Project manual
 - 1. Estimate time required to complete construction.
- 2.08. At the completion of the project, furnish to the City the CAD drawings of the project in the Consulting Engineer's digital format and PDF images. The record contract documents for the project will be the original sealed drawings.
- 2.09. Furnish up to 12 copies of detailed plans and specifications to the City, Johnson County CARS program manager, and utility companies.
 - A. Plan sets will be:
 - 1. Half size (11"x 17").
 - B. These plans are to be furnished at no additional cost, and are separate from those sold to prospective bidders.
- 2.10. Meet with City as necessary during preparation of detailed plans. Two meetings are budgeted.

TASK 3. BIDDING

The construction documents for the project will be available through an electronic plan room. Plan rooms will receive a CD of the plans and specifications at no charge. Bidders will be able to purchase bid documents in PDF or hard copy formats.

- 3.01. Consult with and advise the City as to the acceptability of substitute materials and equipment when substitution prior to the award of the contract is allowed in the bidding documents.
- 3.02. Prepare written addenda to the bidding documents as required and or requested.

- 3.03. Prepare engineers estimate and attend bid letting.
- 3.04. Prepare a bid tabulation in printed and MS Excel format.
- 3.05. Assist the City in analyzing bids and making recommendation for award of the construction contract.
- 3.06. Prepare up to six copies of contract documents for execution. Provide additional bid documents to the Contractor.
- 3.07. Prepare for and attend a pre-construction public meeting to introduce the contractor and discuss the construction scope and schedule. The Consulting Engineer will prepare all necessary exhibits, documents and plans and have persons available to explain the proposed work and to answer questions. The City will arrange for the time and place of the meetings and will distribute all notifications.
- 3.08. Arrange for, attend, and prepare meeting minutes for a pre-construction conference with City representatives, the successful bidder, and utility companies.

TASK 4. CONSTRUCTION SERVICES

- 4.01. Be available for discussion and consultation during the construction phase, but construction observation will be the responsibility of the City.
- 4.02. Review shop drawings and be available for consultation with the City during construction.
- 4.03. Prepare plan revisions as necessitated by conditions encountered in the field during construction, with the exception of traffic control plans.
- 4.04. Prepare final record drawings that reflect:
 - A. All change orders.
 - B. Minor design changes.
 - C. Changes made in the field by City representatives and are marked on the construction plan set.
- 4.05. Submit updated CAD drawings and PDF images of the revised sheets.

COMPLETION TIME

The Consultant hereby agrees to complete the bid documents and be ready to advertise for bid by January 17, 2020.

SERVICES TO BE PROVIDED BY THE CITY:

- 1. Electronic copy of the Preliminary Engineering Studies, Storm Drainage Reports, and plans of constructed improvements.
- 2. Copies of available plans, record drawings, and bridge inspection reports.
- 3. GIS information from AIMS.
- 4. Notifications/letters for public meetings.
- 5. Processing payments for easements.
- 6. Assistance in obtaining approval from regulatory agencies.
- 7. Payment of permit fees required by regulatory agencies and railroads.
- 8. Legal advertisement for public bids.
- 9. Contract management and construction inspection.

ADDITIONAL SERVICES COVERED BY CONTINGENCY FEE

A contingency amount is included in this Agreement to cover additional services that may be required but the scope of which cannot be defined before design. These services include but are not necessarily limited to:

- a. Additional or separate bid packages.
- b. Perform topographic survey of areas not specified in the basic scope.
- c. Geotechnical investigation of existing site conditions.
- d. Issue meeting notifications to residents.
- e. Preparation of legal documents and descriptions for permanent easement and rights-of-way.
- f. Surveys to stake easement, rights-of-way or for the use of the utilities in defining their relocation work.
- g. Subsurface Utility Engineering (SUE). If agreed upon in writing this service will be provided by a mutually agreed upon sub-contractor.
- h. Purchase of easement certificates or last deeds of record.
- i. Assist with or perform easement acquisitions, including on-site meetings and various types of correspondence.
- j. Perform full-time or part-time construction observation services for any portion of the project.
- k. Perform post construction monumentation survey.
- l. Attend bi-weekly or regularly scheduled construction meetings at the request of the City.
- m. Perform hydraulic and/or hydrologic analysis for storm sewer system.
- n. Design storm sewer system improvements.
- o. Sanitary sewer main and/or services design on any of the project sites.

EXHIBIT C

COMPENSATION

The City agrees to pay the Consultant compensation for the services set forth in Exhibit B of this Agreement in accordance with the following:

1. **BASIC SERVICES – 2020 CARS Program, Johnson Drive Improvements (BNSF Railroad to East City Limits):** Compensation for Basic Services as set forth in Exhibit B of this Agreement shall be billed at hourly rates and equipment charges as set forth in the attached hourly billing rate schedule as may be adjusted annually, plus direct expenses. City agrees to pay Consultant/Architect an amount not to exceed \$162,200.00, including reimbursables. The fee is based on the performance of the scope of services outlined in this Agreement. In addition, a contingency fee of \$10,000.00 is included to cover items as listed in “Additional Services Covered by Contingency Fee” in Exhibit B of this Agreement.

TOTAL CONTRACT AMOUNT: The total contract amount for Johnson Drive Improvements shall not exceed \$172,200.00.

Payments shall be made no more frequently than monthly as the work of the Consultant progresses, upon the presentation of a proper invoice.

2. **ADDITIONAL SERVICES:** Compensation for additional services not specified in Exhibit B of this Agreement shall be paid in accordance with the Consultant’s hourly billing rates as set forth in the Hourly Rate Schedule attached to this Agreement and as may be adjusted annually, or as otherwise agreed to in writing by the City and the Consultant.



Affinis Corp
2019 Billing Rate Schedule

Professional Services	Billing Rate
Principal	\$260.00
Senior Project Manager	\$235.00
Project Manager	\$190.00
Senior Engineer II	\$185.00
Senior Engineer I	\$180.00
Engineer III	\$165.00
Engineer II	\$135.00
Engineer I	\$120.00
Intern Engineer (IE) II	\$115.00
Intern Engineer (IE) I	\$105.00
Construction Services Manager	\$155.00
Cost Estimator	\$130.00
Senior Cost Estimator	\$165.00
Project Representative II	\$130.00
Project Representative I	\$100.00
Design Technician II	\$140.00
Design Technician I	\$110.00
CADD Technician II	\$100.00
CADD Technician I	\$85.00
GIS Specialist	\$85.00
Land Surveyor III	\$175.00
Land Surveyor II	\$115.00
Land Surveyor I	\$110.00
Survey Crew Member II	\$105.00
Survey Crew Member I	\$80.00
One-Person Survey Crew	\$135.00
Project Related Support Services II	\$105.00
Project Related Support Services I	\$90.00
Equipment Charges	
Automobile Mileage	\$0.58/mile
Survey Vehicle Mileage	\$0.75/mile
Boat Rental	\$12.00/hour



AGENDA ITEM INFORMATION FORM

AGENDA ITEM: Presentation of 5701 Merriam Drive Report

SUBMITTED BY: Chris Engel, City Administrator

MEETING DATE: August 12, 2019

PROJECT BACKGROUND/DESCRIPTION:

In 2020 the Parks Department will vacate the Irene B. French Community Center (IBFCC) and move into the new community center located at Vavra Park. What occurs next at the current location is of great interest to many residents. In Fall 2018 a committee of nine residents and two councilmembers were tasked with exploring the opportunities that may exist at 5701 Merriam Drive, gaining public input and making a formal recommendation to the City Council. To guide them in these efforts, an RFP for facilitation services was released and the committee selected Collins Noteis & Associates (CNA) to assist.

To begin the process, the committee and consultants reviewed previous public input on the facility as well as previous engineering studies on the mechanical, electrical, and plumbing systems. To further focus their efforts, CNA conducted individual interviews and convened several committee meetings. The outcome of these efforts was the development of four project goals for the future use of the property: minimize cost; make a decision now; keep the property as an asset; and find the greatest community value for 25 – 50 years. Next, the committee developed a set of three strategies to guide them in exploring several possible scenarios: create a downtown catalyst; create active and distinct public open space; and preserve as much of the 1911 structure as possible.

The committee also stressed that it was important to gather and share the data with the public. This would allow for an informed discussion of ideas based on facts and data. Public input was gathered by means of several public meetings, online engagement tools and informal surveys. Data was then shared during the public meetings which were videotaped, through online media posts, a project-specific website, and several news articles. The public input was critical in not only confirming the project goals and strategies, but in the development of several concepts.

Based on the known data, the project goals, strategies and public input, the team created three (3) concepts for further consideration that ranged from a complete building renovation to a complete teardown. After debating the merits of all three concepts, the committee selected a middle option that “desire(s) to save as much as possible of the 1911 building” and repurpose it as an open air event space. Additionally, this option will update the rest of the site with amenities preferred by attendees of the public meetings, to include pavilion/event space, multi-generational areas, playgrounds, and new parking. The committee readily acknowledges the 1911 building may be beyond saving once the other buildings are removed and/or the cost to save the 1911 building may be cost-prohibitive once a professional engineer does a structural analysis. In total, if the 1911 portion of the building is salvageable the estimated cost of this option would be ~\$3 million dollars.

It will take further engineering to determine if the 1911 portion of the building is salvageable and what it would cost to save. It is recommended that staff develop a process to determine the feasibility and actual cost of saving the 1911 portion of the building. That information will better

inform any future discussions that occur as part of the next budget cycle in early 2020. There is currently \$650,000 in the CIP committed to this project.

Staci Chivetta (5701 Chair) and Vicki Noteis (CNA) will be in attendance to present the formal report.

CITY COUNCIL GOALS AND OBJECTIVES

1.2 Design and construct a uniquely-Merriam Community Center and Aquatic Center.

FINANCIAL IMPACT

Amount of Request/Contract: \$ n/a

Amount Budgeted: \$650,000

Funding Source/Account #: CIP General Projects Fund – GM1902; 301-0000-513-4510

SUPPORTING DOCUMENTS

- 5701 Merriam Drive Committee Report and Recommendations

ACTION NEEDED/STAFF RECOMMENDATION

- (1) Move to accept the 5701 Committee Final Report.
- (2) Move that staff develop a process for determining the feasibility and cost of saving the 1911 portion of the building and report back to City Council.

5701 MERRIAM DRIVE COMMITTEE



REPORT AND RECOMMENDATIONS

JULY 31, 2019

IRENE B. FRENCH COMMUNITY CENTER



ACKNOWLEDGMENTS

MAYOR

Ken Sissom

CITY COUNCIL

Scott Diebold

Chris Evans Hands

Al Frisby

Nancy Hupp

Brian Knaff

David Neal

Bob Pape

Jason Silvers

CITY ADMINISTRATOR

Chris Engel

PARKS AND RECREATION DIRECTOR

Anna Slocum

5701 STEERING COMMITTEE

Stoney Bogan

Staci Chivetta, Chair

Larry Cisneros

Billy Crook

Nida Dillon

Jacob Laha

Fred Tebbenkamp

Carol Whitlock

Sean Zaudke

Councilmember - Chris Evans Hands, ex officio

Councilmember - David Neal, ex officio



Vicki Noteis

Bob Collins

CONFLUENCE

Hank Moyers

Kate Larkin

LETTER FROM THE CHAIR

The Honorable Ken Sissom and Members of the City Council:

On behalf of the 5701 Merriam Drive Committee, I am pleased to offer the following report and recommendations for the future use of the Irene B. French Community Center (IBFCC) site.

The Committee members represent various backgrounds and skills that have proven beneficial in considering all aspects of the charge you set before us – to find the most creative, productive and responsible new use for both the buildings and the site.

As you are aware, a number of new ideas for the facility have been generated over the last several years. We reviewed example projects from other communities, outlined our goals and agreed on key strategies to accomplish them in a fiscally responsible way.

Goals:

- Minimize cost/maximize revenue
- Make the decision now – do not waste taxpayer money through maintenance costs after the building is vacated
- The City should keep the property as an asset
- Find the greatest community value for 25 – 50 years

Key Strategies:

- Create a downtown catalyst
- Create active and distinct public open space
- Preserve as much as possible of the original 1911 school building

Our Committee worked diligently to review the critical information about the existing site, considered all the public input provided at meetings and through the City's web site and developed interesting and logical alternative concepts for this important site in downtown Merriam. This report documents important information about the condition of the existing facility, estimated costs for renovation, new construction and/or demolition, as well as real estate market issues. Based on this shared information, a methodical approach to decision-making and the critical input from the public, we believe that our recommendation is viable and can be accomplished in phases if necessary. Details about the recommended solution can be found on page 30 of this report.

We appreciate the opportunity to have served on this committee and are happy to answer any questions you may have about the process or the result.

Respectfully,

Staci Chivetta, Chair

5701 Merriam Drive Committee

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1

BACKGROUND



1.1 BACKGROUND

The original Merriam School building at 5701 Merriam Drive is a 9,000 square foot stone structure, constructed in 1911 to house both elementary and senior high school classes. In 1922, the new Shawnee Mission Rural High School opened, and the high school students were moved to the new facility. The building functioned as an elementary school from 1922 to 1969.

The first addition, built in 1937 on the west side of the original structure added a gymnasium, stage and several more classrooms. A second addition was built in 1951 on the south side to house several more classrooms, a cafeteria and principals office. The student population in Merriam was growing, so Crestview School was built to serve students who lived on the east side of Merriam. The school district shifted to middle schools in 1969, leaving K – 6 students in the elementary grades. The building was closed in 1969 when the new Merriam Park School was built on the western side of the city.



FIGURE 1 - LOCATION OF IRENE B. FRENCH ADDITIONS

1911 ORIGINAL CONSTRUCTION



1938 ADDITION



1951 ADDITION



1.2 CITY INTENT AND NEW COMMUNITY CENTER

The building continued its educational purpose as the first home of the newly formed Johnson County Junior College. The College leased the building for 1,100 students until its new facility opened at College Blvd and Quivira Road. In 1971, the district sold the property to the Kansas City Christian School, which served as a high school until 1987. The property then came up for sale in 1988, the civic community encouraged the city to purchase the building and property. The building then re-opened as the Merriam Community Center later renamed as the Irene B. French Community Center (IBFCC) in honor of the city's former mayor and community leader.

In 2015, the City of Merriam began a conversation about the future of recreation in the community. After years of study, community meetings, and the completion of a Facilities Master Plan, voters approved a new 10-year quarter-cent sales tax to build a new \$30 million community center. The community center site is located at 60th and Slater in Vavra Park, just east of Merriam City Hall and the police department and will be ready for use in July of 2020.

1.3 MAYORAL APPOINTMENTS AND FORMATION OF COMMITTEE

With the current community center activities moving to the new facility upon completion, the City began a citizen-led process to determine the best use for the existing building and site. In the spring of 2019, the Mayor appointed a citizen committee (called the 5701 Merriam Drive Committee). The purpose of the Committee was to determine the future actions that should be taken by the City regarding the use of the City-owned property and building at 5701 Merriam Dr. The committee was tasked to analyze the issues related to re-use of the property and building and make a recommendation to the City Council. The City contracted with the firm of Collins Noteis & Associates in association with Confluence to assist the Committee in determining the future use of the site. Staci Chivetta was appointed Chair of the Committee by the Mayor.



FIGURE 2 - ENTRANCE TO IRENE B. FRENCH COMMUNITY CENTER



2

EXISTING CONDITIONS



2.2 STRATA ARCHITECTS SUMMARY

As part of the Master Plan Study that resulted in the decision to build the new community center, the City of Merriam retained STRATA Architects (previously named Susan Richards Johnson & Associates) a well-known firm with expertise in preservation, renovation and adaptive re-use of historic structures to review and analyze the feasibility of the Merriam Community Center buildings for continued operation as a community center. The study, completed in 2016, documented the condition of the building's structure, mechanical/electrical systems, HVAC systems and noted numerous existing problems that require ongoing maintenance costs for the city. The facility requires 19 sump pumps to handle excessive amounts of water infiltration, has serious sewage back - flow problems, elevator maintenance costs, roofing membrane issues and drainage problems. The poorly functioning HVAC system is located in the 1951 addition, and would have to be completely replaced if only the 1911 original building were retained.



FIGURE 5 - HVAC SYSTEM



FIGURE 6 - INTERIOR SUMP PUMP

After a thorough analysis of the condition of the building, the study made recommendations for short-term and long-term maintenance and improvements. It identified three options if it were to continue as a community center. Their findings considered the following three options.

- Option A: Rehabilitate the existing community center building and site to accommodate larger multi-functional spaces, reorganize existing spaces for greater efficiency and functionality and to improve the building's existing infrastructure (HVAC, electrical, plumbing, telecommunications and site utilities) for the long-term care and use of the facility.
- Option B: Rehabilitate the existing 1911, 1938 and 1989-90 portions of the community center building, demolish a large portion of the 1951 addition and to construct a new larger building addition reorganizing existing spaces for greater efficiency and functionality and improving the building's infrastructure with new HVAC, electrical, plumbing, telecommunications and site utilities for the long-term care and use of the facility.
- Option C: Replace the existing community center with a new ground-up community center.

STRATA prepared detailed costs for the three options, based on the specific use as a new or renovated community center on the existing site:

Option A.....	\$5,608,433.00
Option B.....	\$9,761,945.00
Option C.....	\$15,393,035.00

These detailed construction cost estimates served as a basis to calculate rough estimates for the 5701 Committee's analysis of comparative costs of ideas for new and different uses of the building and site. Estimates were adjusted to remove details related to the specific community center use that was no longer being considered.

2.3 IDENTIFYING THE CHALLENGE

The existing building has numerous serious problems that make it difficult to use for any purpose and presents expensive challenges that make renovation of all or part of the existing structure prohibitive in many ways, especially if no revenue is generated by the new use. The City clarified it has no program needs that could move into the facility. Bringing the building up to code for any use will be expensive. Simply "mothballing" the structure to protect it from the elements and keep it heated would be an ongoing expense for the City with no apparent return value. The challenge for the Committee was to sort through the various "puzzle" pieces, including costs to find the best solution that addressed all the known factors.



FIGURE 7 - WATER IN BASEMENT



FIGURE 8 - WATER DAMAGE



FIGURE 9 - RUSTING SUPPORT JOISTS



FIGURE 10 - PIPE DAMAGE



FIGURE 11 - WATER LEAKS



FIGURE 12 - ACOUSTIC CEILING FAILURE- GAME ROOM

3

PLANNING PROCESS



3.1 WORK STEPS (ANALYSIS, GATHERING IDEAS, ANALYSIS OF BUILDING, AND FINANCING)

At the first Committee meeting convened by the City, the members took a tour of the entire facility to better understand the current condition of the building and its additions, followed by an open discussion about ideas and the information needed for them to make an informed recommendation to the Council.

The consultants met individually with each Committee member to listen to their goals for the committee's work, their assessment of the key issues affecting the City and ideas for future re-use of the site and building.

The Committee's first two meetings with the consultant team on March 18 and April 9, 2019, focused on reviewing information and data regarding the site and identifying key issues and goals for the project. This included a summary of the extensive study performed in 2015 for the City by Strata, an architectural firm that specializes in historic preservation and renovation projects. Their report is a detailed analysis that documents the existing conditions of the site and building, including preliminary estimates for repairs, replacement of equipment, improving accessibility and bringing the building into building code compliance.

City staff confirmed that all the current activities at the Irene B. French Community Center will move to the new community center in July of 2020. There was an acknowledgment that "mothballing" a building temporarily has costs and will be an additional burden if a decision is not made soon about the empty building. Committee members agreed that any money spent to protect an empty facility would be an expenditure of taxpayer dollars with no known benefit.

Important issues considered by the Committee included:

- The building's location on the site and how it relates to future development plans
- Revenue generation comes in many different forms
- Building costs, maintenance and management of a facility come in different forms
- The city does not want to or have the capacity to become a landlord
- Advantages of improved quality of life are harder to measure
- Strategy of phasing options that will ensure long term plans are implemented are included in the Comprehensive Plan.



FIGURE 13 - IRENE B. FRENCH COMMUNITY CENTER

3.2 KEY ISSUES

The Committee began a methodical process to work from a general list of proffered ideas that had been accumulated over the years from multiple sources to create a logical set of options to evaluate with citizen input. After reviewing all the data available, the Committee outlined key Issues, constraints and opportunities as follows:

KEY ISSUES:

- Money – costs once vacated – costs to update
- Ownership of the building (sell or retain)
- Generation of revenue
- Land asset vs. land and building asset
- Viable use vs active use revenue neutral
- Highly visible site downtown catalyst
- History of site
- Greatest community value for 25-50 years
- Community identity
- Flood Plain – disaster recovery/issues & constraints -
Turkey Creek Floodplain Study Improvements
- Quality of Life Impact – commercial asset

CONSTRAINTS FOR BUILDING AND SITE USAGE:

- Condition of building
- Money
- Zoning
- Redevelopment
- Tax money for mothballing
- Historical Relevance in decision in new usage
- Land locked
- Railroad – transportation possible hindrance
- No immediate identified need

OPPORTUNITIES:

- Historical aspect site and building
- Zoning
- Increase festival uses / community assets
- Building relics salvaged
- Site itself and location to I-35
- Economic Growth
- Trail Network – Quality of Life
- Comprehensive Plan – timing



FIGURE 14 - TURKEY CREEK



FIGURE 15 - SURROUNDING REDEVELOPMENT



FIGURE 16 - HISTORICAL VALUE

3.3 GOALS AND STRATEGIES

Committee members each identified their top 2 goals for the project (see the full list of ideas in Appendix). For the most part, their verbatim goals fell into 4 categories:

DOWNTOWN CONNECTION

1. "Create tax revenue and business downtown"
2. "Downtown – Bring more people"
3. "Take Advantage of its placement/site as part of downtown core"
4. "Identify how civic programs can interact with and support local business"
5. "Economic development – restaurant/tourism"
6. "Integrate use of land with Farmers' Market"
7. "Identify and kick-start downtown redevelopment (by small business stakeholders)"
8. "Catalyst for downtown development"
9. "Bring more people downtown (permanently + temporarily)"



FIGURE 17 - REGIONAL PRECEDENCE - LIBERTY



FIGURE 18 - PRECEDENT OF HISTORIC PRESERVATION

HISTORIC RESPECT / PRESERVATION

1. "Keep some history"
2. "Historic Preservation remembrance"
3. "Historic preservation"

MISCELLANEOUS IDEAS / QUALITY OF LIFE

1. "Create area for community gathering"
2. "Increase quality of life for residents"
3. "Education Component"
4. "Do something that provides a strong sense of community"
5. "Make a decision that provides options for future if flood control happens"
6. "Demolish building"



FIGURE 19 - LINDEN SQUARE IN GLADSTONE, MO

MINIMIZE COST / MAXIMIZE REVENUE

1. "No burden for taxpayers"
2. "Do not sell property"
3. "Do not worry about short term costs"
4. "Avoid wasting money"

The second Committee meeting focused on narrowing these goals down and reviewing examples of projects in other cities that were similar or could provide context for how ideas actually looked when constructed. Committee members divided into 3 groups to outline ideas for future uses for each category (keeping the goals related to costs in mind for all of them). They developed the following goals for the future of IBFCC:

GOALS FOR FUTURE USE:

1. Minimize cost/maximize revenue
2. Make the decision now – don't waste taxpayer dollars
3. The City should keep the property as an asset.
4. Find the greatest community value for 25 – 50 years.

STRATEGIES:

1. Create a downtown catalyst
2. Create active and distinct public open space
3. Preserve as much as possible of the 1911 original structure

3.4 OUTREACH / WEBSITE / PUBLIC INPUT 1ST MEETING / 2ND MEETING

Committee members emphasized the importance of gaining community input into this process to help them make solid recommendations by means of open public meetings, Online engagement tools and informal surveys. They stressed that it was important to share all the data with the public. This would allow for an informed discussion of ideas for the site based on facts and data, particularly in terms of construction costs and market viability.

The first of two open public meetings was held on April 29, 2019. This meeting provided the opportunity for an information sharing presentation with interactive exercises to gauge potential ideas for future uses within a context of cost, the existing site and the role of the city in development, management and maintenance of a new use or facility. Participants worked together in groups to create building option "pieces" scaled to size on maps of the site. Photo idea boards provided examples of amenities that have been completed in other communities in which participants recorded their support. They also completed survey cards to express their opinions about uses for the site – saving the buildings, use of public space, etc., as well as confirmed the project goals and strategies.

The Meeting was recorded and posted on the City's website.

The results of this input were recorded for the Committee's use in developing specific alternative choices for the site. The compiled results are in the Appendix.



FIGURE 20 - PHOTO FROM PUBLIC MEETING



FIGURE 21 - PHOTO FROM PUBLIC MEETING

3.5 CREATING SCENARIOS

The 5701 Committee after considering input from the first public meeting developed three options for the potential re-use of the site. The estimated costs for these concepts were used by the committee to make its final recommendation.

Concept A	Building Renovation	\$7,520,480
Concept B	Reuse 1911 Bldg./Open Space	\$3,049,700 to \$4,249,700
Concept C	Open Space	\$2,510,850

Costs for the 5701 Committee options were based upon the STRATA estimates (2016) and inflated to current dollars.

CONCEPT - A (BUILDING RE-USE)



CONCEPT - B (OPEN SPACE/ 1911 RE-USE)



CONCEPT - C (OPEN SPACE)



4 CONCEPTS



CONCEPT - A (BUILDING RE-USE)

Demolish 1950's building. Stabilize existing 1938, 1911 and 1959 buildings for future flexible mixed-use/event space which may include retail, office and or event space. Replace roof, HVAC, electrical and plumbing. Create a warm shell for future use.

New roof, HVAC, plumbing and electrical

Construction Cost:	Building envelope:	\$4,145,000.00
	Tenant Finish:	\$3,200,000.00
	Site Improvements:	\$375,000.00
	Total	\$7,520,000.00



FIGURE 22 - CONCEPT A - MULTI-GENERATIONAL PLAYGROUND

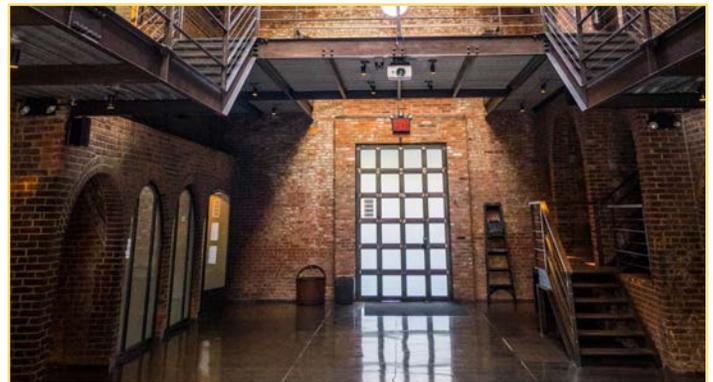


FIGURE 23 - CONCEPT A - PRECEDENT OF HISTORIC EVENT SPACE

CONCEPT - B (OPEN SPACE/ 1911 RE-USE)

Save 1911 building shell and repurpose as **open air** for event space and incorporate into design of park space which includes ideas from the public meeting and Committee meetings. Pavilion/event space, multi-generational areas, playgrounds, parking, public facilities and a memorial to Irene B. French.

Construction Cost:	Site Demolition:	\$849,700.00
	Improvements:	\$2,200,000.00
	Total	\$3,049,700.00

Concept B Alternative: Enclose and condition 1911 building for event space.

Site Demolitions:	\$849,700.00
Improvements:	\$3,400,000.00
Total:	\$4,249,700.00



FIGURE 24 - CONCEPT B - MULTI-GENERATIONAL PLAYGROUND



FIGURE 25 - CONCEPT B - NATURAL PLAY

CONCEPT - C (OPEN SPACE)

Demolish all structures, clear site and hold for long term use options.

Option to add improvements for a memorial to Irene B. French, band stand, restrooms, adult play and other recreational uses.

Construction Cost:	Site Clearance:	\$560,850.00
	Improvements:	\$1,950,000.00
	Total:	\$2,510,850.00



FIGURE 26 - CONCEPT C - MULTI-GENERATIONAL PLAYGROUND



FIGURE 27 - CONCEPT C - OPEN SPACE PRECEDENT IMAGE

5

RECOMMENDATION



5.1 RECOMMENDATION

At the Committee meeting on June 12, 2019, these conceptual plans were presented and discussed. Pros and cons of each were debated. The Committee came to the conclusion that **Concept B (both versions) made the most sense for the City to pursue**. This concept identified the desire to save as much as possible of the 1911 building. Cost estimates were based on industry standards for improvements and demolition and may change as the site is programmed and designed. The 1911 building cost estimate reflects the range of costs to save the shell at a minimum and if possible, to fully enclose the structure. Structural analysis and design must be done to determine the feasibility of saving the building.

Concept A was considered too expensive and unlikely to be funded. Concept C did not fully capture the expectations of the Committee or the community at large. Even though it was the least expensive, the cost estimates were not that much less than Concept B, which met more of the goals set by the community and the City. The detail of Option B is included here and in the Appendix of this report.

The second public meeting was held on June 26, 2019. The Committee and consultants presented a recap of the data, costs, issues to consider, goals, and the results of the public input from Online responses and participants at the first meeting. The three concepts were presented in detail, with the recommendation by the Committee to select **Concept B**.



FIGURE 28 - SITE PLAN



FIGURE 29 - NORTHWEST CORNER



FIGURE 30 - AXIS



FIGURE 31 - NORTHEAST CORNER



FIGURE 32 - SOUTHEAST CORNER



FIGURE 33 - MULTI-GENERATIONAL PLAY

5.2 CONCEPT B COST ESTIMATION

Site Demolition

\$ 849,732.00

Demolition	\$ 493,497.00
Interior Demo	\$ 82,890.00
Hazmat	\$ 7,997.00
Masonry Restoration	\$ 40,050.00
<u>Unit Masonry</u>	<u>\$ 6,030.00</u>
Sub-contractor fee	\$ 37,827.00
Design/contingency	\$ 100,243.00
Escalate to 2017	\$ 40,732.00
<u>Escalate to 2019</u>	<u>\$ 40,463.00</u>

Site Improvements

\$ 2,200,000

1911 Event Space/Bathrooms	\$ 600,000.00
Memorial/Signage	\$ 20,000.00
Landscape	\$ 100,000.00
Streetscape / Merriam Dr.	\$ 500,000.00
Parking 80 sp	\$ 280,000.00
Event Lawn	\$ 150,000.00
Band Shell	\$ 250,000.00
The Grove	\$ 50,000.00
Play- Grounds 1	\$ 150,000.00
<u>Multi Play- Grounds</u>	<u>\$ 100,000.00</u>

Total

\$ 3,049,732

Concept B Alternative:

Fully Enclose 1911

Add on for 1911 building	\$1,200,000.00
Fully renovate for event Space/mixed use.	

Total:

\$ 4,249,732

APPENDIX



INITIAL GOAL STATEMENTS FROM COMMITTEE MEETING #1

- Create area for community gathering
- Increase quality of life for residents
- No burden for taxpayers
- Create tax revenue and business downtown
- Demolish Buildings
- Education Component
- Downtown – bring more people
- Not wasting more money
- Not selling property
- Keeping some history
- Take advantage of its placement / site as part of downtown core
- Identify how civic program can interact with and support local business
- Economic development – restaurant/tourism
- Historic Preservation remembrance
- Not worry about short term costs
- Demolish building
- Integrate use of land with Farmer’s Market
- Do something that provides a strong sense of community
- Identify and kick-start downtown redevelopment (by small business stakeholders)
- Make a decision that provides options for future if flood control happens
- Catalyst for downtown development
- Bring more people downtown (permanently + temporarily)
- Avoid wasting money
- Historic preservation
- Active future use



5701 Merriam Drive Committee

April 18, 2019

Summary of Key Issues, Constraints and Opportunities

The 5701 Merriam Drive Committee met on March 18 and April 9, 2019 to review information and background related to Irene B. French Community Center building and site. The purpose of the Committee is to determine future actions by the City for the use of the city-owned property at 5701 Merriam Drive – site of the city's current Community Center, which is being replaced by a new Community Center at a different site.

After individual committee member interviews and facilitated discussions at the first 2 Committee meetings, the Committee identified the following pertinent issues.

Key Issues:

- The facility has significant problems that are costly to repair.
- Money/Cost for future uses. Any option will have cost implications (renovating any part(s) of the existing building, demolition, mothballing, bringing up to code in order to keep or sell).
- Generation of revenue. To keep the property in City's domain, rehabilitating the building for another use in the private sector must generate enough revenue to justify the cost.
- Revenue neutral solution – viable use vs. active use
- Land is an asset (proximity to downtown, the Merriam Market Place and the Turkey Creek Trail).
- Commercial asset potential is questionable, and the building is difficult to market in its current condition.
- Ownership structure of the building
- Proximity and relationship to downtown
- Community identity
- History of the site and building
- Flood plain – disaster recovery/issues & constraints – Turkey Creek Floodplain Study Improvements
- Quality of life impacts

Constraints:

- Condition of Building
- Money
- Redevelopment cost and market attraction
- Cost for mothballing

- Demolition costs
- Historical relevance hard to translate into new viable use
- Land locked
- Railroad
- No immediate need has been identified

Opportunities:

- Historical aspect of the site and the building
- Zoning
- Increase festival uses/community asset
- Building relics/materials salvaged
- Site location – proximity to I35
- Economic Growth
- Trail Network/Quality of Life
- Comprehensive Plan Update – timing

Preliminary Consensus of Committee on initial goals:

- Minimize cost/maximize revenue.
- Make the decision now – don't waste taxpayer money
- City should keep the property as an asset.
- Find the Greatest Community Value for 25-50 years

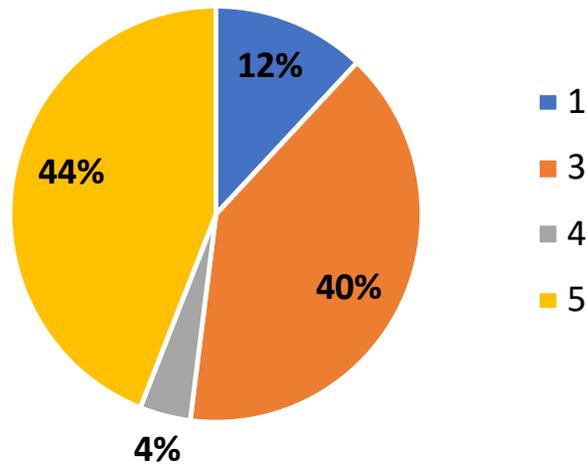
Preliminary Strategies: (Developed from ideas the Committee members would like to explore) tended to consolidate around 3 key ideas:

Explore uses based on the following options:

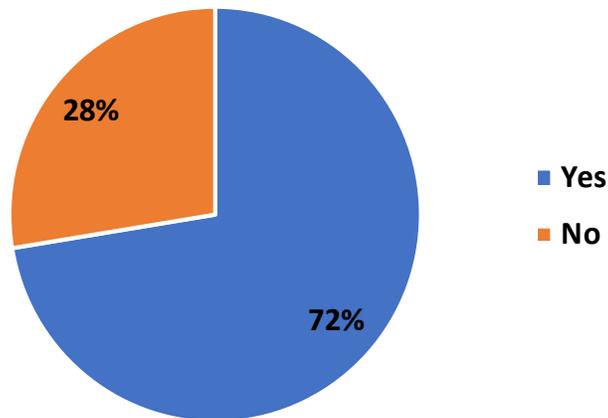
- Create a Downtown Catalyst
- Create Active and distinct public Open Space
- Preserve as much as possible of original 1911 building

2019 Irene B. French Community Center Questionnaire Results

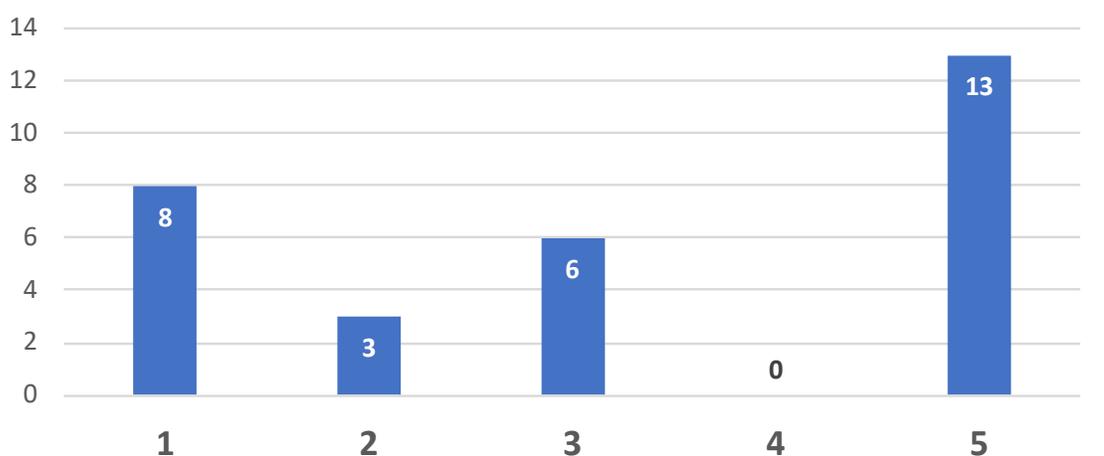
How many times per month do you currently visit downtown Merriam?



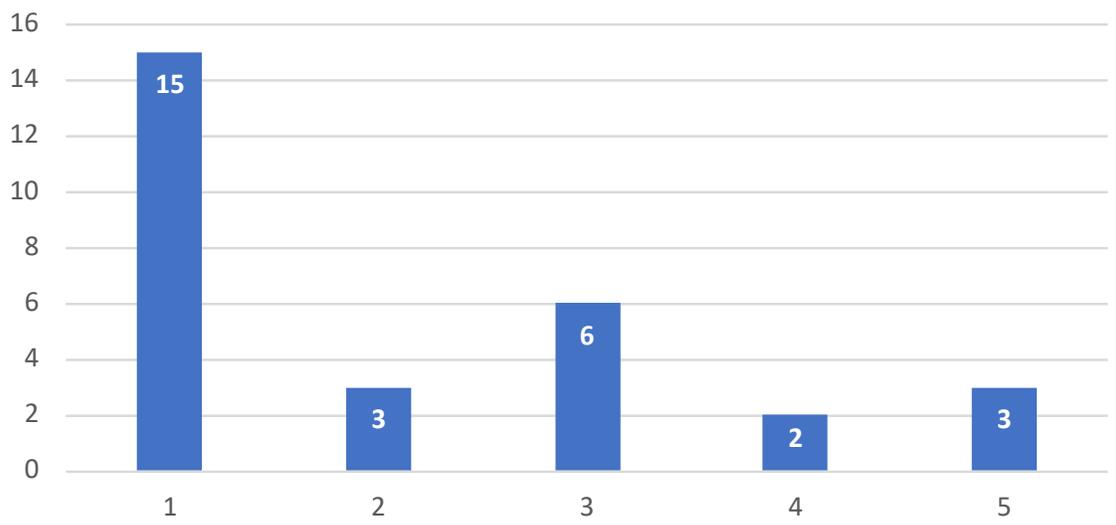
Do you agree that the City should retain full ownership of the IBFCC site?



On a scale of 1-5, do you support preserving the historic (1911 and/or 1938 structures) of the existing Irene B. French Community Center?



On a scale of 1 to 5, would you be willing to support an additional tax increase for preservation of the 1911 building for renovation and development of building community public space?



Additional comments you may have on utilizing the Irene B. French Site:

- I just moved to the area so I will go see what it looks like
- Funding the new community center with our tax dollars is enough burden on our finances. This building should be sold.
- The 1911 building cannot be replaced. Once it's gone, it's gone. Also, HVAC technology is more cost and technologically effective than in the past.
- Art and history so important to Merriam
- Support a short/ long phased approach
- I do not support a sales tax increase to pay for renovations
- City said Community Center can't be on site because of the flood plain.
- Tear it down- don't try to get businesses in here. No art work- this is a light industrial site
- Incorporate a section/wall of the 1911 building in public space
- Don't sell property- building yes, property no
- Less interest than anticipated in keeping the building. DEFINITE Interest in keeping city control of the property.
- Several ideas on board can be combined: Park- generational-garden- flood control and Car/BBQ Cook-off.

Please list your top 3 alternative services, uses or programs you would like to see on the Irene B French CC Site:

- Art Center
- Museum
- Event Spaces
- Park
- Extension to Market Place
- Public Space
- Outdoor Space
- Museum of Merriam history- Black History- change name to Campelton etc.
- Short term- Keep shell in place without roof or windows, dog park, land open for recreation, pump track, garden, point is cheaply holding land for 30-50 years
- Long term- in 40-50 years, allow for development of land around building shell
- Adult education
- Small business room for start-ups.
- Start-up business development site.
- Outdoor movie/concert venue
- Art Studio/Display Gallery
- Preserve old portion
- Live theater
- Open space
- Can't see a use for this space- Antioch Park and new community center is right up the street
- Playground
- Community Garden
- Dog Park
- Game space
- Skate Park
- Climbing Walls
- Ice Skating Center
- Multi-Gen. Playground
- Basketball Courts

In order of priority, list the top 3 things that must be addressed at the Irene B. French Site.

Priority #1

- Recreational area since the new community center does not offer outdoor playgrounds or park space.
- Preserve significant historical part of downtown Merriam>
- Cost
- No New Taxes
- Save money, more than spend money
- Flooding
- Demolish all the buildings
- Too expensive to maintain
- Multi-use
- Honor Irene B. French but not by trying to keep this building going
- History
- Preservation (consult with JOCO Historical Society)

Priority #2

- Community gathering space that ties to the Farmer's Market
- Draw business activity to downtown everyday
- Future Use
- Preserve block and repurpose, but not necessarily retain all the building (1911 only)
- Infrastructure
- Bring young people and families to the site
- Outdoor vs. Indoor
- Demolish- Repurpose site for public use
- Parking
- Restaurants etc. are not coming- don't try to attract
- 1911 Building is not worth sinking millions into.
- Green Space/ Public Space
- Year- around availability

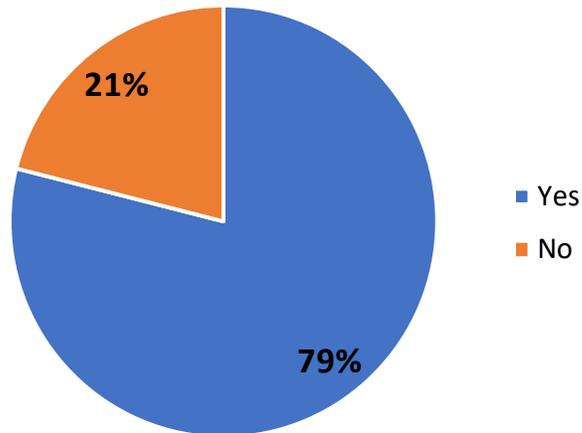
Priority #3

- Time Frame
- Keep city ownership
- Mold/rusted pipes/boiler/don't sell property
- \$\$\$\$ to repair and bring up to code
- Make it an open space- Playground etc. not costly infrastructure
- Low future Cost load
- Community oriented
- Cost

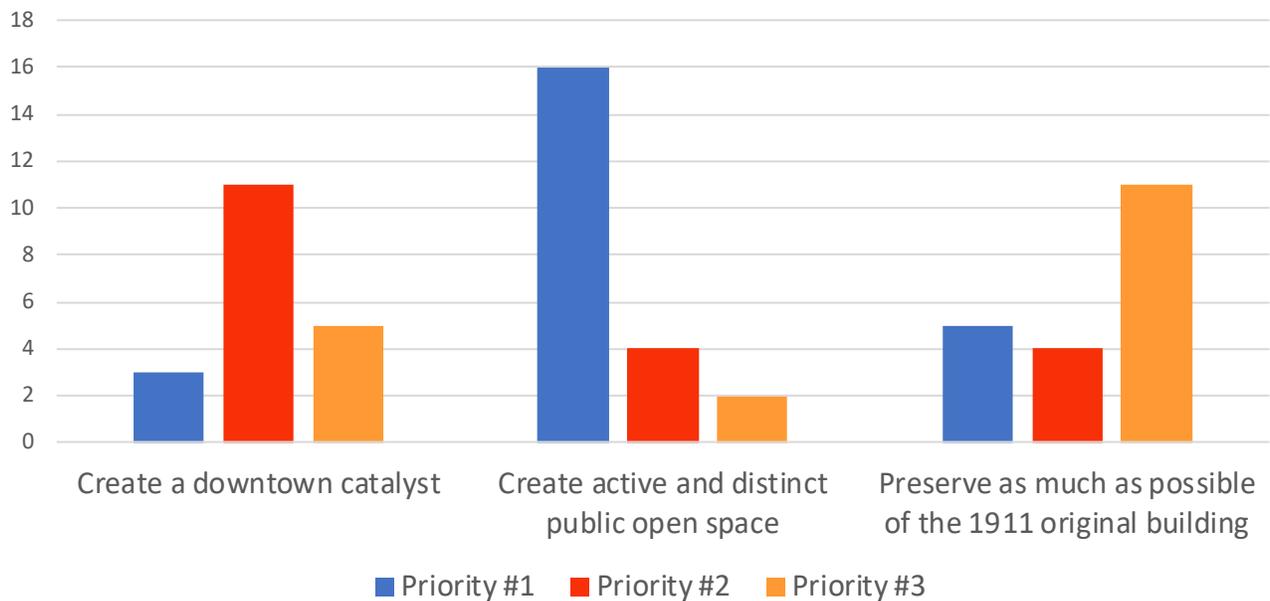
Goal Statements

- Find the greatest community value for 25-30 years
- Minimize the cost and maximize the revenue
- Make the decision now
- The City should retain the property as an asset

Do you agree with the statements above?



Prioritize the following list of strategies for re-use of the Irene B. French site:





Additional Results:

- Coffee Shop (3)
- Parking (5) (2)
- Museum (11) (8)
- Outdoor Patio Space (3)
- Art Fair Area (3)
- Flood Control (4) (2)
- Art Studios (3) (1)
- Bike Shop/ Rentals (3) (1)
- Nature-based Interactive Water Feature (2) (1)
- Technology Hub (2) (1)
- Landscape Streetscape (1)
- Tail Heads (1)
- Wedding Venue (1) (1)
- Trailside Commercial (1) (1)
- Pump Track (8) (9)
- Christmas Light Show (1)
- Interpretive Signage (1)
- Restaurant spaces (2) (4)
- Food Truck Parking (1) (3)
- Barbecue Competition Area (2)
- Car show Space (1) (3)
- Gateway (1) (3)
- Retail/Commercial Development (3)
- Bike-Share (2) (6)
- Indoor Theater (1) (5)
- Culinary Incubator (5)
- Public Art (6)
- Mixed- Use Facility w/ Office Space (6)
- Bird Scooters (7)
- Outdoor Library (9)

Public's Top Choices from Image Boards



5701 Steering Committee Meeting Notes March 18, 2019

Members in attendance: Jacob Laha, Staci Chivetta, Larry Cisneros, Carol Whitlock, Fred Tebbenkamp, Sean Zaudke, Stoney Bogan, Billy Crook

Governing Body members: David Neal

Staff members: Chris Engel, Anna Slocum

Consultants: Vicki Noteis, Bob Collins, Hank Moyers

Chris Engel provided an update to the committee of the work that has been completed. After the initial meeting a Request for Proposal was crafted and released. A subcommittee was created to participate in the selection process. There were a total of six proposals with three firms interviewed. Through the interview process the committee selected the Collins Noteis & Associates / Confluence team to lead the process. The team has taken the last several weeks to meet with committee members to understand each member's objectives for the project. The Mayor has appointed Staci Chivetta to serve as the chair of the committee.

After a brief introduction of the steering committee members and the consultants, Vicki provided a timeline of the process that outlined a final recommendation to City Council by the end of June. There will be five committee meetings and two community meetings. The steering committee will determine options for future use. This project requires civic leadership that is willing to make decisions with those decisions presented to the community for feedback.

Hank Moyers provided a recap of the general conditions and identified key issues through the 2015 Susan Richards Johnson Study and the 2016 Facility Master Plan. The presentation provided a summary of the timeline of building construction and general observations identified in the studies. It was noted that the cost summary in the studies is four years old and has not been adjusted for inflation. The financial estimates were based on what is needed to maintain the facility as a community center although the majority of the issues identified would need to be addressed if the building remains as a public space. Once a program plan is known energies will be spent to investigate costs associated with the plan.

It was confirmed that all the activities at Irene B. French Community Center will move to the new community center in 2020. There was an acknowledgement that "mothballing" a building has costs and will be an additional burden if a decision is not known.

The committee was then charged with listing the KEY ISSUES associated with the building/site if not a community center. The list created included:

- Money – costs once vacated – costs to update
- Ownership structure of the building
- Generation of revenue?
- Land asset vs. land and building asset
- Viable use vs active use revenue neutral
- Highly visible site downtown catalyst
- History of site
- Greatest community value for 25-50 years
- Community identity
- Flood Plain – disaster recovery/issues & constraints – Turkey Creek Floodplain Study Improvements
- Quality of Life Impact – commercial asset

Next the committee listed CONSTRAINTS for building and site usage

- Condition of building
- Money
- Zoning
- Redevelopment
- Tax money for mothballing
- Historical Relevance in decision in new usage
- Land locked
- Railroad – transportation possible hindrance
- No immediate identified need

Last OPPORTUNITIES were listed:

- Historical aspect site and building
- Zoning
- Increase festival uses / community assets
- Building relics salvaged
- Site itself and location to I35
- Economic Growth
- Trail Network – Quality of Life
- Comprehensive Plan – timing

It is important to understand key points:

- The building location on site and how it relates to future development plans
- Revenue generation comes in many different forms
- Weigh advantages of quality of life
- Strategy of phasing options with trigger mechanisms
 - This requires continuity of committee with changes in staff and council. Ensure it is incorporated in the Comprehensive Plan.

Members were then asked to record their top two goals for the site and process for discussion at the next meeting. It will be important that at the end of the process there are no surprises and there is public engagement. Opportunities of online engagement tools, involvement with large community special events and informal polling opportunities within city facilities were discussed. Consistency will be key in community leaders. The goal is that there is a trust with community leaders who are working on the project.

Upcoming meeting dates were set:

April 9 – Steering Committee Meeting

April 29 – Public Meeting

May 1 – Steering Committee Meeting

June 26 – Public Meeting

Staff will create a “Doodle Poll” to determine the other two meeting dates.

5701 Steering Committee Meeting Notes April 9, 2019

Members in attendance: Jacob Laha, Staci Chivetta, Larry Cisneros, Carol Whitlock, Fred Tebbenkamp, Sean Zaudke, Stoney Bogan, Billy Crook, Nida Dillon

Governing Body members: David Neal, Chris Evans Hands

Staff members: Chris Engel, Anna Slocum

Consultants: Vicki Noteis, Bob Collins, Hank Moyers

The consultant team provided a summary and recap of the March meeting. Material reviewed included:

- Building and location
- 1951 is the weakest structure
- Renovation cost summary removing 1951 with bare minimum renovation costs being \$2.5 - \$3 million to keep and occupy the building
- There has been no cost estimate provided for moth balling the building at this time.
- Future building use will determine and drive improvement costs, current estimates for renovation are \$300/square feet
- Due to the expense of fixing the 1951 section, none of the estimates include retaining that section
- Demo costs need to be included and were not calculated. These costs will vary depending on the materials to be salvaged.

The team provided examples of regional precedence of downtown spaces based on goal statements the committee members provided at the end of the March meeting. Goal statements were sorted into four main categories: downtown connection; minimize costs/maximize revenue; historic respect/preservation; miscellaneous ideas/quality of life. Two people specifically stated “demolish building”. Examples of spaces included Liberty, Linden Square in Gladstone, Gardner and Old Town Lenexa. These municipalities focused on festival space and useable streetscapes to enhance the area.

Utilizing the goal statements, the committee broke into three groups encompassing the broad categories of: Open Space, Preservation and Catalyst to spur discussion with each group reporting back.

Catalyst Group Report Back:

Considerations for what can be achieved

- Location is key
- Maintain control of property
- Flood control / overall flood plain considerations
- Visibility

Development ideas:

1. Maintain 1911/1938 – renovate for flexibility / event space
2. Private development with investment stipulations
3. Outdoor development with city retaining land
 - a. Gut building maintain shell
 - b. Destination park with connection to Farmers’ Market

Open Space Group Report Back:

Considerations for what can be achieved:

- 1911/1938 most interesting
- Site to work with Merriam Marketplace
- Year-round activities
- Rentable structure
- Public / Private Partnership
- Complimentary to new community center

Development ideas:

1. Open air pavilion with roof or open to sky available to rent
2. Amphitheater with building walls as stage backdrop – playground / sprayground to fill gaps
3. Performing arts space

Preservation Group Report Back:

Considerations for what can be achieved:

- Keep Irene B. French name

Development ideas:

1. Education museum with creative orientated exhibits
2. Art & Craft Fair / Kid Orientated Camps
3. Mothball with plan to achieve specific development
4. Keep shell incorporate destination playground

After each groups' report back, there were three items of consensus from each group:

1. City maintains ground
2. If building remains only the 1911/1938 sections would remain
3. Kid orientated / destination theme to bring people back

The meeting ended preparing for the Public Meeting on April 29. Discussion included strategies for presentation to the community to educate on issues of building and ways to present the preference image exercise. Committee members will need to be available to help listen to questions, provide feedback or make connections with staff to help with the education process during the event. The first public meeting will be taped. This will provide education material for community engagement opportunities for those not able to attend. After the first public meeting, specific committee goals will be determined to verify the committee is moving in the right direction. In addition, the consulting team will provide three of four possibilities discussed at the public meeting to include an estimated expense range for each.

5701 Steering Committee Meeting Notes May 1, 2019

Members in attendance: Jacob Laha, Staci Chivetta, Larry Cisneros, Carol Whitlock, Sean Zaudke, Stoney Bogan, Billy Crook, Nida Dillon

Governing Body members: David Neal, Chris Evans Hands

Staff members: Chris Engel, Anna Slocum

Consultants: Vicki Noteis, Bob Collins, Hank Moyers

The consultant team provided a summary of the Public Meeting held April 30. Participants were given 8 “yes” votes and “4” no votes with no restriction on how many dots allowed per concept. These results do not reflect any committee members votes only community members in attendance. The dot results were:

Concept	Yes Votes	No Votes
Community Gathering Space	18	2
Movie Nights in the Park	13	1
Dog Park	14	3
Concert Venue	12	2
Community Gardens	11	0
All Ages Playground	10	1
Multi-Generational Playground	13	4
Festival Space / Plaza	8	0
Start-Up Business Space	8	0
Nature Play Area	8	0
Education Theme Park	7	0
Year-Round Pavilion	7	0
Event Space	7	0
Botanic / Perennial Gardens	6	0
STEMS Learning Event	5	0
Mixed-Use Buildings	8	0
Park	4	0
Ice Skating	10	6

Analysis of this feedback indicates that outdoor activities were the top vote getters but overall the top concepts can be categorized into three general uses: Outdoor Space, Playground and Mixed Used.

Summary of feedback from the meeting included:

- ❖ Salvage a wall or two but utilize the land for open space.
- ❖ Don't raise taxes to develop.
- ❖ The majority want to see the City maintain ownership of the property.
- ❖ Education of issues will be key
- ❖ Demolition of the building might be as expensive as to retain portions of the building.
- ❖ 1951 section is the worst section even though it houses mechanical
- ❖ Funding questions
- ❖ Will developing the site propose new programming or services?
- ❖ Utilizing the 1911 section without tons of cost. What use does the shell provide?
- ❖ Structural concerns of gutting building with or without the roof.
- ❖ The more you salvage the more expensive demolition.

- ❖ Flexible programming to allow change for future decisions.
- ❖ Consistent economic activity to the area.

After discussing the feedback from the Public Meeting, the committee was tasked to provide guidance to the Consultants on what concepts/ideas to develop further. Ideas that the committee could all agree on included:

- ❖ The 1950s section has no value for renovation
- ❖ The 1911 section has historical significance, there is not the same significance with the other sections.
- ❖ Attractive event space requires a “start new” approach
- ❖ Purpose of keeping the 1911/1937 sections would require the space to be conditioned and a purpose for how it will be used.
- ❖ There is limited support for the city to sell the land, the city would investigate the idea of leasing to meet one of the highest voted concepts.

Options the committee would like the consultants to investigate further for development are:

1. Keep the 1911 shell to allow for event space and kitchen and include outdoor space options.
2. Demolish entire building and meet goals of outdoor concepts identified through the dot survey.
3. Mixed-used start up space providing a business ready space using 1911/1937 sections.

In all the options where demolition will occur, there should be options considered for salvaging materials, specifically the cornerstone, decorative brick design and limestone blocks.

These ideas will be developed by the consultant with the concepts being brought forward for further refinement by the committee. The consultant should consider the expense/revenue side of all options. Quality of life options should be qualified from a maintenance long-term expense perspective. Costs should be qualified into ranges.

5701 Steering Committee Meeting Notes June 12, 2019

Members in attendance: Staci Chivetta, Larry Cisneros, Carol Whitlock, Stoney Bogan, Billy Crook, Fred Tebbenkamp

Governing Body members: David Neal, Chris Evans Hands

Staff members: Chris Engel, Anna Slocum

Consultants: Vicki Noteis, Bob Collins, Hank Moyers

The consultant team provided a summary of the results from the on-line survey. There were 30 /31 respondents to each of the questions.

1. How many times per month do you currently visit downtown Merriam?
 - a. 44% visit 5x/month
 - b. 40% visit 3x/month
2. Do you agree that the City should retain full ownership of IBFCC site?
 - a. 72% - Yes
3. On a scale of 1 – 5 do you support preserving the historic (1911 and/or 1938 structures) of the existing IBFCC?
 - a. 5 – 13 votes
 - b. 1 – 8 votes
 - c. 2 – 3 votes
 - d. 3- 6 votes
4. On a scale of 1 -5, would you be willing to support an additional tax increase for preservation of the 1911 building for renovation and development of the building community public space?
 - a. 1 – 15 votes
 - b. 3 – 6 votes
 - c. 2- 3 votes
 - d. 5 – 3 votes
 - e. 4 – 2 votes
5. IN order of priority, list the top three things that must be addressed at IBFCC
 - a. Priority #1
 - i. Recreational area since the new community center does not offer outdoor playgrounds or park space
 - ii. Preserve significant historical part of downtown Merriam
 - iii. Cost
 - b. Priority #2
 - i. Community gathering space that ties to the Farmers' Market
 - ii. Draw business activity to downtown everyday
 - iii. Future use
 - c. Priority #3
 - i. Time Frame
 - ii. Keep City Ownership
 - iii. Mold/rusted pipes/ boiler / don't sell property
6. Goal statements for the project include:
 - ❖ Find the greatest community value for 25 – 30 years
 - ❖ Minimize the cost and maximize the revenue

- ❖ Make the decision now
- ❖ The City should retain the property as an asset

Do you agree with the statements above?

- a. 79% - Yes
7. Prioritize the following list of strategies for re-use of IBFCC
 - a. Create a downtown catalyst
 - i. Highest rating was 2nd priority
 - b. Create active and distinct public open space
 - i. Highest rate was 1st priority
 - c. Preserve as much as possible of the 1911 original building
 - i. Highest rate was 3rd priority
 8. Please list your top three alternative services, uses or program you would like to see on the IBFCC site.

Responses included: Art Center •Museum •Event Spaces •Park •Extension to Market Place •Public Space •Outdoor Space •Museum of Merriam history- Black History- change name to Cambelton etc. •Short term- Keep shell in place without roof or windows, dog park, land open for recreation, pump track, garden, point is cheaply holding land for 30-50 years •Long term- in 40-50 years, allow for development of land around building shell •Adult education •Small business room for start-ups. •Start-up business development site. •Outdoor movie/concert venue •Art Studio/Display Gallery •Preserve old portion •Live theater •Open space •Can't see a use for this space- Antioch Park and new community center is right up the street •Playground •Community Garden •Dog Park •Game space •Skate Park •Climbing Walls •Ice Skating Center •Multi-Gen. Playground •Basketball Courts

The consultant team took the three concepts below and outlined a conceptual site plan and preliminary budget numbers.

1. Re-use of building
2. Save portion of 1911
3. Open space: identify public use

Re-Use of Building

The concept is to remove the 1958 section and re-use the 1911/1938 structures. Repave the 120 stall parking, include a nature playground, multi-generational playground, and at the Merriam Marketplace identify flex and event space. Starting with construction numbers from the Susan Richards Johnson Study and calculating inflation the building envelope improvements are estimated to be \$4.15 million; site improvements of landscape and playgrounds are estimated at \$375,000, tenant finishes are estimated at \$3 million for a total project cost of \$7.52 million. Annual maintenance cost and estimated revenue shows the building operating in the red by \$60,000. (\$185,000 annual cost for maintenance, repair, utilities and cleaning; Rental space at \$10/ft for office space – 1911 5,000 sf; Event Space \$5/ft ~15,000 sf for a total leasable of \$125,000 in revenue). In order to generate enough rent to cover operations the building is no longer priced within market. In addition, this does not take into consideration recuperating the capital outlay of \$7.52 million.

Open Space /1911 Building Re-Use

The concept is to retain the 1911 space as either a fully conditioned high ceilinged event space or as an open air pavilion. The site would include nature play, outdoor patio, downtown street parking, ornamental plantings, event lawn, band shell/pavilion, multi-generation play, Irene B. French Memorial, and expansion of flex and event space at the Merriam Marketplace. There would be 80 parking spaces incorporated as on-street parking. The budget range on this concept was \$850,000 for demolition; \$2.2 million for site improvements and an additional \$1.2 million to fully renovate for event space. The total anticipated cost ranged from \$3.1 million to \$4.3 million.

- ❖ Operation costs were not calculated.
- ❖ Capacity of space with 4 acres anywhere from 2 sq. ft/person to 15 sq. ft/person
- ❖ Most potential for tweaking
- ❖ If building left a shell it has to be designed as one level with high ceilings.
- ❖ If building is enclosed potential tenant and additional sources of revenue
- ❖ When presenting concepts eliminate discussion of how the Market Place could be incorporated into the design. That was out of the scope of the committee. Make sure it is not included in any of the pricing.

Total Demolition – All Open Space

The concept to demolish the building and redevelop the into a park to include: native landscape buffer, pavilion with restroom, event lawn, on-street parking, adult playground, natural play area, all ages inclusive playground, retention of the north parking lot, memorial to Irene B. French, and band shell. The cost of this concept would be \$2.5 million. Site demolition is estimated at \$560,000 in order to save stone / masonry work and cornerstone with site improvements totaling \$1.95 million.

Possible funding sources for any of the options was briefly discussed in that there is a ¼-cent sales tax that is up for renewal 12/31/2020. The use of this tax could be expanded from storm water and street repair to include this project. The ¼-cent garners approximately \$1.8 million/year.

There is not capacity to pick up \$2.5 million in one year. Money is committed to fund Turkey Creek Stream project with the Core of Engineers. This money could be reallocated with the understanding that if the project is green-lighted this project would then need to be bonded.

The consultants stated at this time there needs to be a recommendation and strategy created by the committee to prepare for the public meeting on June 26.

As a committee there was a consensus that Option A was too expensive. Option B, with two options was the preferred concept but deciding how to move forward recognizing that there has been no engineering study to determine if what is being proposed is feasible. Carol Whitlock made a motion to move forward with Concept B to save as much of the 1911 building as possible ranging from a fully enclosed conditioned space to an open air pavilion. Billy Crook seconded the motion. Motion passed unanimously.

Preparation for how to present the concept at the public meeting on June 26 was discussed.

- ❖ The goal is to show perspective views from Merriam Drive east.
- ❖ The public needs to see that concept A & C were discussed to add credibility to the process showing they were studied and considered but they need to be shared at a very high level.
- ❖ Option B needs to be purposefully labeled as CONCEPTUAL.
- ❖ In the written report include the opportunity to tie into the Market Place without showing detail.
- ❖

- ❖ The format will be a presentation with breakout groups. The break out groups will have graphics to answer questions and provide opportunity for feedback.
- ❖ Notify those who came to the first public meeting.
- ❖ Final report will be sent digitally to the committee to review and provide comments.
- ❖ The goal is to present to City Council July 22 or August 12.

5701 Steering Committee Meeting Notes July 25, 2019

Members in attendance: Staci Chivetta, Larry Cisneros, Stoney Bogan, Billy Crook, Fred Tebbenkamp

Governing Body members: David Neal, Chris Evans Hands

Staff members: Chris Engel, Anna Slocum

Consultants: Vicki Noteis, Bob Collins, Hank Moyers, Kate Larkin

The committee met to discuss the final draft of the recommendation and determine a strategy for presenting information to City Council. The committee did a great job in providing feedback to the consultants regarding the document. This information will be merged and incorporated into the final document as several members made varying comments about specific areas. Specific recommendations made by committee members discussed included the title of the final document and how to identify comments included in the report from citizens that participated in the public process.

The final report will be included in the August 12 City Council packet. The night of the meeting it will be beneficial for as many committee members as possible to be in attendance the night of the presentation. Staff will provide a cover sheet to introduce the topic. The strategy for presentation will include Chris Engel introducing the topic and explaining the formation of the committee and the selection process of the consultants. Vicki Noteis will then explain the process used to formulate the recommendation. Staci Chivetta, on behalf of the committee, will present the committee's recommendation.

CONCEPT COST ESTIMATES

CONCEPT A - BUILDING REUSE

Building envelope:

\$4,145,480.00

Demo	\$ 389,855.00
Interior Demo	\$ 232,718.00
Haz Mat Remove	\$ 6,317.00
Cast in Place Conc	\$ 46,240.00
Masonry	\$ 112,442.00
Unit Masonry	\$ 16,629.00
Structural Steel	\$ 82,121.00
Carpentry	\$ 26,724.00
Interior Arch	\$ 77,320.00
Waterproofing	\$ 3,284.00
Roof Membrane	\$ 127,098.00
Sheet metal Flashing	\$ 2,021.00
Sealants	\$ 6,064.00
Steel Door and Frames	\$ 2,779.00
Metal Doors	\$ 2,526.00
Flush wood doors	\$ 8,338.00
Aluminum Entrances	\$ 34,869.00
Aluminum Windows	\$ 2,274.00
Door Hardware	\$ 7,580.00
Toilet compartments	\$ 10,612.00
Operable Partitions	\$ 86,163.00
Accessories	\$ 8,085.00
Fire Protect sp	\$ 1,279.00
Fire Protect	\$ 73,529.00
Plumbing	\$ 186,983.00
HVAC	\$ 852,036.00
Electrical	\$ 659,747.00
Elevator	\$ 10,000.00
Sub-contractor fee	\$ 184,545.00
Design / Contingency	\$ 489,046.00
Escalate to 2017	\$ 198,716.00

Escalate to 2019 \$ 197,403.00

Site Improvements \$375,000.00

Landscape \$75,000.00

Playgrounds 2 \$300,000.00

Tenant Finish: \$3,000,000.00

Total \$7,520,480.00

Concept A Maintenance Cost and Revenue Estimate

Building assumptions:

	<u>Sq. Ft.</u>	
Existing Buildings	46688	
Option A	31983	(includes 1911, 1938, 1989 and entryway)
1911 building (Est)	9000	

Maintenance costs and revenue estimates:

Anticipated space program:

Office Space	5,000 sq ft
Event Space	15,000 sq ft
Common Space	12,000 sq ft

Annual Costs: 32,000 sf	<u>Avg</u>	<u>High</u>
Maintenance and Repair	\$1.63	\$1.85
Utilities	\$2.15	\$2.40
Maintenance and Cleaning	\$1.37	\$1.55
Total	\$5.15 \$164,800.00	\$5.80 \$185,000

Annual Revenue Projections

Office Space (1911)	5,000 sf	\$10/ft	\$50,000.00
Event Space	15,000 sf	\$5/ft	\$75,000.00
Total Leasable	20,000 sf		\$125,000.00

CONCEPT B - OPEN SPACE/1911 REUSE

Site Demolition

\$849,732.00

Demolition	\$493,497.00
Interior Demo	\$82,890.00
Hazmat	\$7,997.00
Masonry Restoration	\$40,050.00
<u>Unit Masonry</u>	<u>\$6,030.00</u>
Sub-contractor fee	\$37,827.00
Design / Contingency	\$100,243.00
Escalate to 2017	\$40,732.00
<u>Escalate to 2019</u>	<u>\$40,463.00</u>

Site Improvements

\$2,200,000.00

1911 Event Space / Bathrooms	\$ 600,000.00
Memorial / Signage	\$20,000.00
Landscape	\$100,000.00
Streetscape/Merriam Dr.	\$500,000.00
Parking 80 sp	\$280,000.00
Event Lawn	\$150,000.00
Band Shell	\$250,000.00
The Grove	\$50,000.00
Play-Grounds 1	\$150,000.00
<u>Multi Play-Grounds</u>	<u>\$100,000.00</u>

Total

\$3,049,732.00

Concept B Alternative: Fully Enclose 1911 \$4,249,732.00

Add on for 1911 building \$1,200,000.00
Fully renovate for event
Space/mixed use.

CONCEPT C - OPEN SPACE: DEMOLISH ALL BUILDINGS AND CREATE PUBLIC EVENT SPACE

Site Demolition \$560,857.00

Demolition	\$466,880.00
Hazmat	\$11,672.00
Sub-contractor fee	\$28,713.00
Escalate to 2017	\$26,885.00
Escalate to 2019	\$26,707.00

Site Improvements \$1,950,000.00

Pavilion / Restrooms	\$200,000.00
Memorial / Signage	\$20,000.00
Landscape	\$100,000.00
Streetscape / Merriam Dr.	\$500,000.00
Parking	\$280,000.00
Event Lawn	\$150,000.00
Band Shell	\$250,000.00
The Grove	\$50,000.00
Play- Grounds 2	\$300,000.00
Multi Play- Grounds	\$100,000.00

Total \$2,510,857.00





AGENDA ITEM INFORMATION FORM

AGENDA ITEM: Consider approval of the resolution to adopt the 2020 Budget

SUBMITTED BY: Cindy Ehart, Finance Director

MEETING DATE: August 12, 2019

PROJECT BACKGROUND/DESCRIPTION:

Approval of the attached resolution will adopt the 2020 Budget. Using property values as of June 1, 2019, staff estimates that the current mill rate of 27.880 will not change. The 2020 tax levy will increase \$97,930 over the 2019 tax levy due to new construction and property revaluations. No election is required according to Kansas “tax lid” statutes.

	<u>2020</u>	<u>2019</u>	<u>\$ Increase</u>	<u>% Increase</u>
General and Bond Fund uses	4,554,752	4,456,242	98,510	2.21%
Potential loss from appeals	26,194	63,192	(36,998)	-58.55%
Committed to TIF Districts	1,115,825	1,079,407	36,418	3.37%
Total Levy	<u>\$ 5,696,771</u>	<u>\$ 5,598,841</u>	<u>\$ 97,930</u>	<u>1.75%</u>

Approval of the 2020 budget grants expenditure authority of \$62,751,745 including operating expenditures of \$33,335,663, interfund transfers of \$5,737,706, and budgeted reserves of \$23,678,376. Approval of the budget formally approves the Compensation Plan (salary ranges), Authorized Positions (staffing levels), and the 2020-2024 Capital Improvement Program.

City Attorney has reviewed this resolution.

CITY COUNCIL GOALS AND OBJECTIVES

Enhance Community Identity and Connections; Provide Exceptional Service Delivery; Improve Physical Conditions and Property Values; Maintain Economic Vitality

FINANCIAL IMPACT

Amount of Request/Contract:	Tax levy \$5,696,771; expenditure authority \$62,751,745
Amount Budgeted:	n/a
Funding Source/Account #:	n/a

SUPPORTING DOCUMENTS

- Resolution to adopt the 2020 Budget
- 2020 Budget Summary
- State Budget Certificate for 2020

ACTION NEEDED/STAFF RECOMMENDATION

Staff recommends approval of the resolution to adopt the 2020 Budget.

CITY OF MERRIAM, KANSAS

BUDGET SUMMARY

2020

Budget Highlights Citywide

\$13,562,284

CAPITAL
EXPENDITURES

\$19,773,379

NON-CAPITAL
EXPENDITURES

\$26,194,915

OPERATING
REVENUES



CITY MILL
27.880



CITYWIDE REVENUE SOURCES

SALES/USE TAX

OTHER SOURCES

51%

18%

31%

PROPERTY TAX



CITY
EMPLOYEES
123



LARGEST SINGLE REVENUE SOURCE

1% CITY SALES TAX

\$7,051,412



POPULATION
11,178

Issued July 2019



2020 BUDGET OVERVIEW

ALL FUNDS COMBINED

BEGINNING FUND BALANCE \$30,819,124

REVENUES

Property Taxes	4,554,752
City Sales/Use Taxes	11,369,562
County Sales Taxes	2,068,000
Other Taxes	1,324,971
Franchise Fees	1,418,000
Licenses/Permits/Fees	1,282,045
Fines	900,000
Interest Income	297,000
TIF Projects	1,800,000
Intergovernmental/Other	1,180,585

TOTAL REVENUES **26,194,915**

TRANSFERS IN 5,737,706

TOTAL RESOURCES **\$62,751,745**

EXPENDITURES

Personal Services	\$9,927,946
Contractual Services	5,619,933
Commodities	808,030
Capital Outlay	1,542,020
Capital Improvements	12,020,264
Debt Service	3,208,125
Health & Welfare	209,345

TOTAL EXPENDITURES **33,335,663**

TRANSFERS OUT 5,737,706

RESERVES (Ending Fund Balance) **23,678,376**

TOTAL APPROPRIATIONS **\$62,751,745**

Property Tax

Property taxes are levied by six entities:

- State of Kansas
- Johnson County
- Johnson County Community College
- Shawnee Mission School District
- Merriam Drainage Board
- City of Merriam

MERRIAM'S SHARE OF TOTAL PROPERTY TAX



23% City of Merriam

77% Schools, County, Other

CITY PROPERTY TAX CALCULATION EXAMPLE

MARKET VALUE OF HOME

\$190,000

CITY MILL RATE

27.880

Assessed Valuation: \$21,850

To determine assessed valuation, multiply market value by 11.5%

$$190,000 \times 11.5\% = \$21,850$$

Annual Tax Liability for City Services: \$609.18

To calculate the annual tax bill, multiply the assessed valuation by the mill rate and divide the result by 1,000.

$$\$21,850 \times 27.880 = \$609,178$$

$$\$609,178 / 1,000 = \$609.18$$

Monthly Expenses for City Services: \$50.76

To determine the monthly tax expenses for City services, divide the tax liability by 12.

$$\$609.18 / 12 = \$50.76$$

2020 Capital Improvement Plan

All proposed public improvements through 2020:

\$12.0
million



HIGHLIGHTS

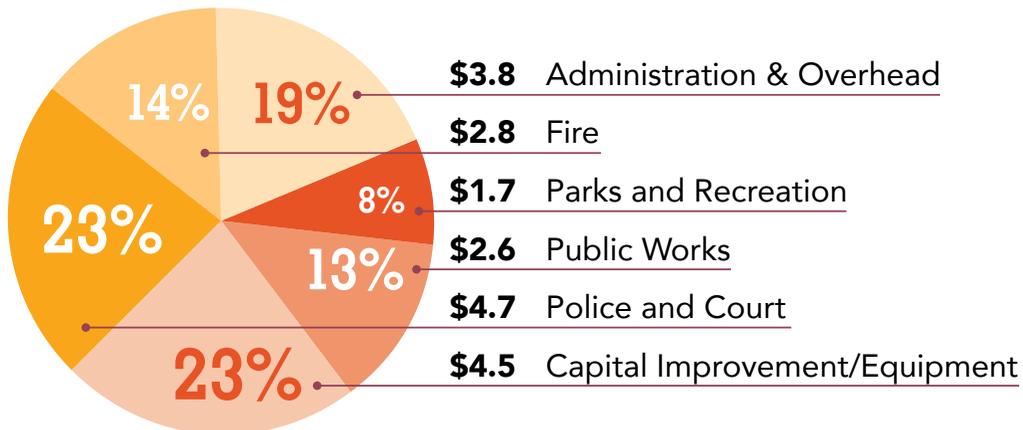
- » Completion of Recreational Facility
- » Johnson Drive: Kessler to Mackey

2020 General Fund Revenues*



*in millions

2020 General Fund Expenditures*



*in millions

Governing Body



KEN SISSOM
MAYOR
913-523-5357



SCOTT DIEBOLD
WARD 1
913-293-8457



AL FRISBY
WARD 2
913-206-5354



CHRIS HANDS
WARD 3
913-384-5340



DAVID NEAL
WARD 4
913-219-8203



JASON SILVERS
WARD 1
816-210-6135



BRIAN KNAFF
WARD 2
913-362-9496



NANCY HUPP
WARD 3
913-831-4471



BOB PAPE
WARD 4
913-384-0746

Staff Leadership

Chris Engel, CITY ADMINISTRATOR
Meredith Hauck, ASSISTANT CITY ADMINISTRATOR
Todd Allen, POLICE
Jim MacDonald, PUBLIC WORKS
Juliana Pinnick, CITY CLERK

Cindy Ehart, FINANCE, CITY TREASURER
Bryan Dyer, COMMUNITY DEVELOPMENT
Anna Slocum, PARKS & RECREATION
Nicole Proulx Aiken, CITY ATTORNEY



Presented by the City of Merriam Finance Department

9001 W. 62ND ST.; MERRIAM, KS 66202 // 913-322-5500 // merriam.org

RESOLUTION NO. _____

A RESOLUTION ADOPTING THE 2020 BUDGET OF THE CITY OF MERRIAM, KANSAS.

WHEREAS, following proper notice as prescribed by law, the Governing Body of the City of Merriam, Kansas held a public hearing for the purpose of answering questions, hearing objections and receiving feedback regarding the City's proposed 2020 budget; and

WHEREAS, said public hearing was properly held before the Governing Body on August 12, 2019.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF MERRIAM, KANSAS THAT:

SECTION 1. Adoption of Budget. The City of Merriam hereby adopts its budget for the year 2020, as presented at the August 12, 2019, City Council meeting. Copies of said budget shall be open for inspection in the office of the City Clerk during business hours. Upon filing of the budget with the County Clerk of Johnson County, Kansas, said budget shall constitute an appropriation for each fund, and the appropriation thus made shall not be used for any other purpose, pursuant to K.S.A. 79-2934.

SECTION 2. Take Effect. This Resolution shall take effect and be in full force and effect after adoption of such by the Governing Body.

ADOPTED BY THE Governing Body this _____ day of _____, 2019.

Ken Sissom, Mayor

(SEAL)

ATTEST:

Juliana Pinnick, City Clerk

Special City Sales Tax

Street & Stormwater

August 12, 2019



Street & Stormwater Tax

History

- 2000 – voters approve two 5-year 1/8-cent sales taxes for streets/downtown
- 2005 – voters approve a 5-year 1/4-cent sales tax for streets
- 2010 – voters approve a 10-year 1/4-cent sales tax for streets/stormwater

Street & Stormwater Tax

Details

- January 1, 2011 – December 31, 2020
- Voter approved by mail-in ballot in January 2010
- Can only be used for infrastructure improvements
- Generated \$14.2 million to-date; \$17.3 million total (projected)
- Subject to pull-factor of 4.76

Street & Stormwater Tax

	thru 6/30/2019	Projected Revenue/Exp	Projected Final
Funding Sources			
1/4 cent City Sales tax	\$ 14,231,294	\$ 3,079,923	\$ 17,311,217
Interest	152,158	74,863	227,021
Merriam General CIP support		1,437,542	1,437,542
TIF (75th Street over I-35)	626,361		626,361
SMAC	5,366,358		5,366,358
CARS	3,494,657	5,740,989	9,235,646
BR/ST	3,387,763		3,387,763
Subtotal Funding Sources	\$ 27,258,591	\$ 10,333,317	\$ 37,591,908



Street & Stormwater Tax

Completed Projects	
Shawnee Mission Parkway Bridge over BNSF Rail	\$ 3,039,940
Meyer Creek Drainage	\$ 2,896,238
75th St - E. Frontage Rd to Switzer	\$ 2,580,429
Johnson Dr Bridge over Turkey Creek	\$ 1,942,634
Shawnee Creek Drainage - East (Farley to Knox)	\$ 1,343,007
Residential Street Group V	\$ 1,297,522
55th St Drainage Improvement	\$ 490,552
54th St/54th Terr Drainage Improvements (Remi Caenen)	\$ 214,035
Planned Projects/Under Construction	
Merriam Dr - Jo Dr to 55th St	\$ 2,606,799
49th St - Antioch to Switzer	\$ 2,332,241
67th St Reconstruction (west limit to Antioch Rd)	\$ 2,270,344
Johnson Dr - Kessler to Mackey	\$ 2,237,981



Street & Stormwater Tax

Pending Projects	
East Frontage Road – 67 th to 75 th	\$ 1,915,000
Merriam Drive - Johnson to SMP	\$ 1,243,000
Carter Avenue - Merriam Dr. to 67 th	\$ 1,164,000
47 th Street - Switzer to Antioch	\$ 1,859,000
80 sections of storm drains rated - "poor, high and medium/high"	\$ 2,444,680
305 sections of storm drains rated - "fair"	> \$ 6,000,000
Pending Maintenance Items (10-yr est.)	
Overlay Supplement	\$ 2,000,000
Residential Streetlight Program	\$ 1,000,000
Sidewalk Repair Program	\$ 2,000,000
Small Drainage Projects - Replace/Rehab	\$ 3,000,000
Unprogrammed Projects	
Residential Streets Group VI - 71 st St., Benson St., Campbell St.	\$ 1,400,000
West Vernon Place Street Improvements	\$ 1,500,000
Hocker Creek	\$ 2,299,500



Street & Stormwater Tax

Timeline for Renewal (tentative)

- August 26 – Special Worksession
- September – Begin providing Merriam residents with information regarding the CIP sales tax renewal
- October – City Council considers renewal language and placing the renewal on mail-in ballot in early 2020
- First Quarter 2020 – CIP sales tax renewal considered by mail-in ballot to begin collection on January 1, 2021

Questions/Discussion

CITY OF MERRIAM, KANSAS

MONTHLY FINANCIAL REPORT

Finance Department



City of Merriam, KS
Monthly Financial Report - Executive Summary
July 2019

Revenues

	Current Month Actual	YTD Actual	YTD Budget/Est	Over/(Under) YTD Budget/Est
Various Funds:				
1% City Sales Tax	\$ 691,884	\$ 2,948,150	\$ 2,928,624	\$ 19,527
1/4% City Sales Tax-Storm/Street	179,027	765,809	763,179	2,630
1/4% City Sales Tax-Rec. Facilities	179,027	765,809	763,179	2,630
City Use Tax	77,300	309,221	270,000	39,221
County Sales Taxes - All	182,514	811,953	865,000	(53,047)
Real Property Taxes - Gen Fund	\$ -	\$ 4,703,838	\$ 4,789,471	\$ (85,633)
Transient Guest Tax	123,319	208,165	204,083	4,082
Franchise Fees	117,450	760,804	791,286	(30,482)
Court Fines	66,193	457,524	539,583	(82,059)

Expenditures

<i>General Fund - only:</i>	Current Mo. Actual	Monthly Bud/Est	Over/(Under) Bud/Est	Year to Date Actual	Year to Date Bud/Est	Over/(Under) YTD Bud/Est
Salaries and Benefits	\$ 607,271	\$ 677,634	\$ (70,363)	\$ 4,765,688	\$ 4,743,436	\$ 22,252
Contractual Services:						
OP Fire Services	-	216,369	(216,369)	499,488	1,514,584	(1,015,096)
Utilities	34,845	35,903	(1,058)	177,051	251,324	(74,273)
Legal	9,476	6,250	3,226	31,319	43,750	(12,431)
Property Maint	34,525	54,683	(20,158)	320,796	382,780	(61,984)
Specific Contractual*	26,751	19,818	6,933	138,349	138,725	(376)
Other Contractual	42,045	75,133	(33,088)	484,338	525,928	(41,589)
Commodities:						
Gasoline/Diesel Fuel	7,688	10,452	(2,764)	55,235	73,162	(17,927)
Other Commodities	21,375	43,635	(22,260)	226,436	305,444	(79,008)

*Specific Contractual includes: specific ongoing outside contractors (Judge, Prosecutor, Auditor, prisoner care, Information Services, legislative monitor, payroll processing, and animal care). The City Attorney is included under the Legal line item.

Comments:

- Year-to-date 1% and ¼% City sales taxes are 0.56% (\$24,787) better than revised 2019 budget estimates.
- Year-to-date 1% and ¼% City sales taxes are 3.29% (\$152,414) less than prior year actual.
 - Auto sales are 0.58% more than prior year actual.
 - Merriam Town Center/Johnson Drive sales are 4.57% less than prior year actual.
 - Other categories are 11.31% less than prior year actual.
- Revenue and expenditure estimates reflect revised amounts used for the 2020 budget process.

City of Merriam, KS
Monthly Financial Report - Executive Summary
July 2019

Equipment Purchases >\$5,000

Month	Description	Amount
January	Fire – aerial fire truck	\$893,718
February	Police – 2019 Toyota Camry	\$25,300
	Public Works – pressure washer	\$8,274
March	None	\$0
April	Police – tablets and keyboards for police cars	\$52,437
May	Police – body and in-car cameras	\$85,977
	Public Works – two snow plows	\$28,230
June	None	\$0
July	City Hall – ADA compliant front door opener	\$5,842
	Police – body cameras and in-car cameras (final payment)	\$42,266
	Police – server	\$15,055
	Public Works – 2019 Ford F550 truck	\$45,874

Cash and Investment Balances

FHLB = Federal Home Loan Bank	19,825,000	37%
FHLMC = Federal Home Loan Mortgage Corp.	6,465,000	12%
FNMA = Federal National Mortgage Assn.	4,303,000	8%
FFCB = Federal Farm Credit Bank	5,420,000	10%
US Treasury Bills	4,080,000	8%
Municipal Bonds	340,000	1%
NOW Account	5,656,179	10%
TD Ameritrade MMA	626,476	1%
Total Investments	46,715,655	87%
US Bank Cash Account	7,442,119	13%
Total Cash plus Investments	54,157,775	100%

City of Merriam, KS
Monthly Financial Report - Executive Summary
July 2019

FAQ's

Question: What is the City Sales Tax rate effective January 1, 2019?

Answer: **9.475%** (6.500% to the State of Kansas; 1.475% to Johnson County; 1.50% to Merriam)

Question: How much does the City owe for general obligation bonds?

Answer: **\$2,680,000** is the current balance for the Series 2012 and **\$18,905,000** for Series 2018.

Question: What is the City's bond rating?

Answer: S & P Global Ratings rates the City's debt as "**AAA (Stable)**"

Question: What is the City's current mill levy?

Answer: **27.880 mills** (2018 levy supporting 2019 budgets)

Question: What is the City's assessed property valuation?

Answer: **\$205 million** per Johnson County Clerk as of June 1, 2019

Question: How much of the City's assessed property valuation is for Residential, Commercial, and Other?

Answer: **\$86 million** or 42% for Residential (including apartments);
\$112 million or 55% for Commercial;
\$7 million or 3% for Other (including vacant land, personal property, utilities)

Question: How many households are in the City?

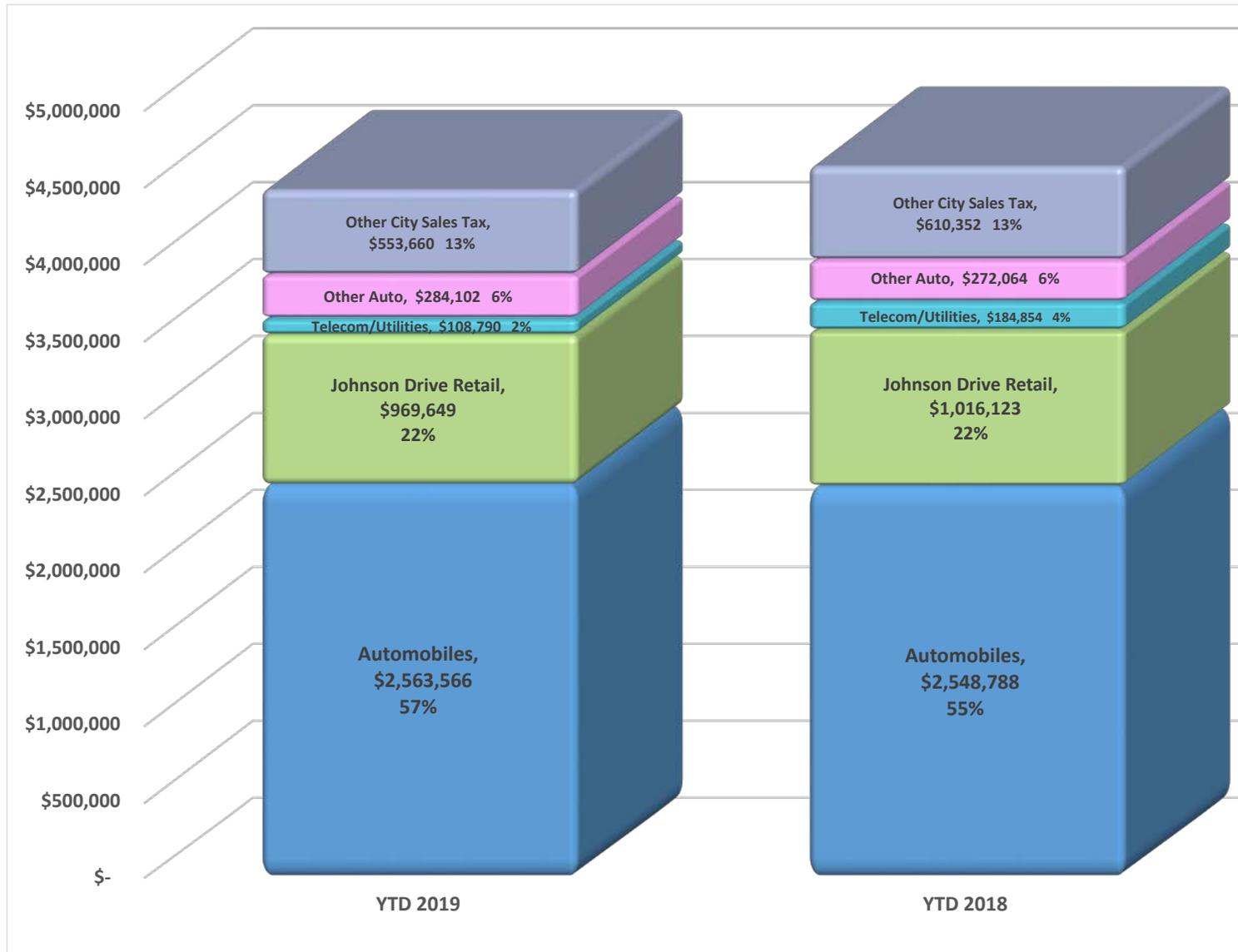
Answer: **5,224 households** (homes and apartments) per the 2010 U.S. Census Bureau

Question: What is the City's "pull factor" and what does this mean?

Answer: **4.76** is the City's pull factor per the Kansas Department of Revenue (December 2018 report). The term refers to how many non-residents a community "pulls" for shopping purposes. A pull factor greater than 1.00 indicates the community attracts more retail sales than it loses when residents shop outside the city. Merriam's is currently the highest in the State of Kansas.

City of Merriam Sales Tax Comparison - 1.50%

YTD 2019 vs 2018



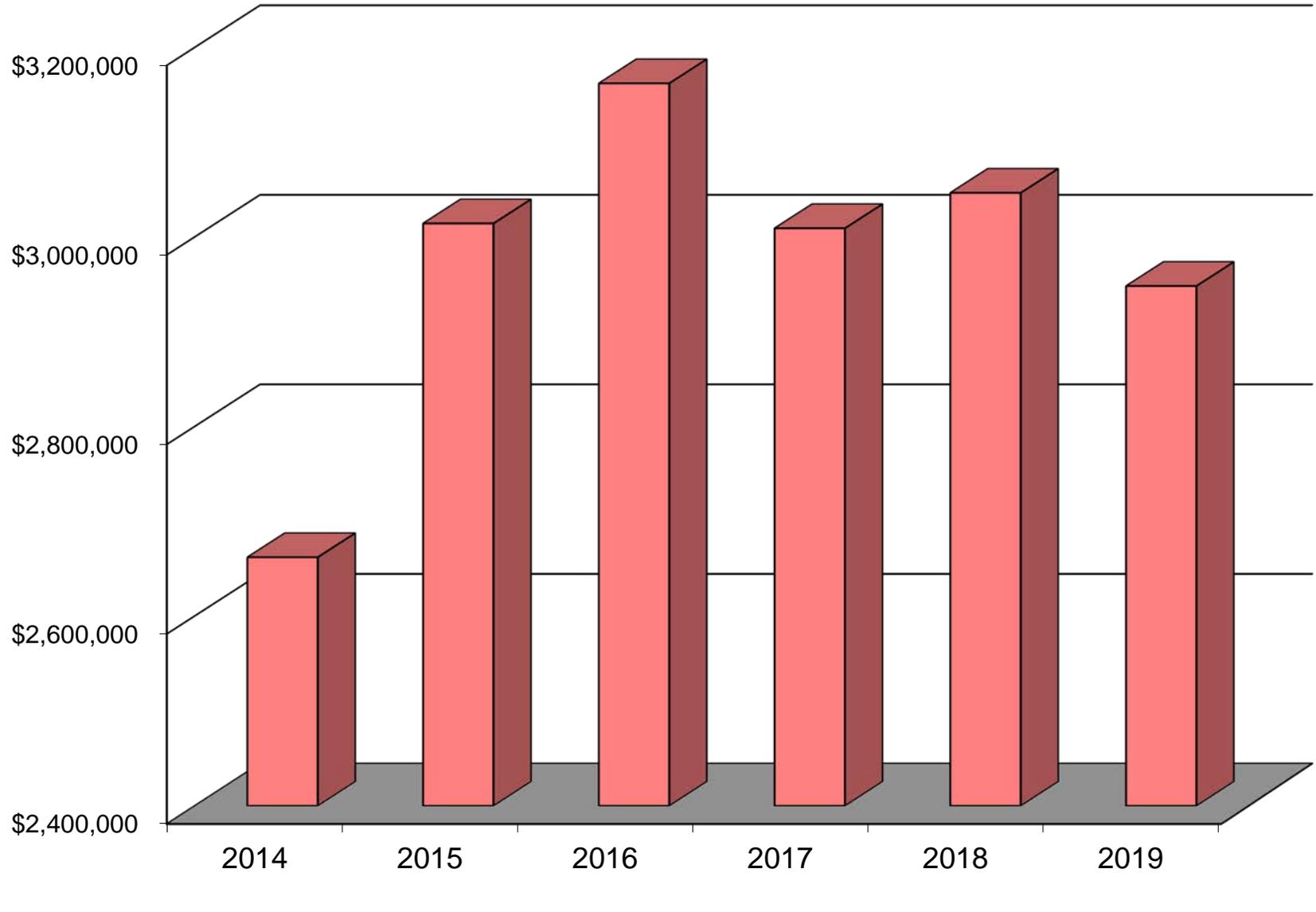
**CITY SALES TAX
(Regular 1%)**

Through: July 2019

Month Collected/Received	2014	2015	2016	2017	2018	2019	Comparison 2018 and 2019	Average 2014-2018
Jan/Mar	514,624	574,826	626,971	590,980	529,653	512,063	(17,590)	567,411
Feb/Apr	474,790	540,376	584,229	553,045	610,842	503,377	(107,465)	552,657
Mar/May	524,471	642,235	642,086	652,197	607,156	630,541	23,385	613,629
Apr/Jun	567,008	595,856	592,501	563,111	659,115	610,285	(48,829)	595,518
May/Jul	581,045	660,892	716,216	649,771	639,703	691,884	52,180	649,525
Jun/Aug	563,690	633,770	647,874	674,524	682,140			640,400
Jul/Sep	615,287	731,544	699,215	689,032	639,170			674,849
Aug/Oct	678,215	661,643	700,659	684,371	678,628			680,703
Sep/Nov	586,979	629,899	649,729	616,925	559,224			608,551
Oct/Dec	542,114	635,858	620,828	671,424	608,523			615,749
Nov/Jan	615,561	581,579	637,878	605,124	581,531			604,335
Dec/Feb	651,082	560,790	709,381	646,873	586,944			631,014
Total	6,914,867	7,449,269	7,827,566	7,597,377	7,382,628	2,948,150	(98,319)	7,434,341
YTD	2014	2015	2016	2017	2018	2019		
July 2019	2,661,940	3,014,185	3,162,003	3,009,104	3,046,470	2,948,150		

Average Collections Between 2014-2018	\$ 7,434,341
Estimated 2019	7,028,697
Estimate Based on Current Collection Rate	7,075,561
Over/(Under) at Current Collection Rate	\$ 46,864

1% City Sales Tax Year to Date Comparison 2014-2019 (use tax not included)



CITY SALES TAX
(1/4% - Stormwater & Streets, effective Jan 1, 2011, ending Dec 31, 2020)

Through: July 2019

Month Collected/Received	2014	2015	2016	2017	2018	2019	Comparison 2018 and 2019	Average 2014-2018
Jan/Mar	128,656	152,492	164,631	154,253	132,413	133,669	1,256	146,489
Feb/Apr	118,698	141,914	152,386	144,300	164,546	130,861	(33,685)	144,369
Mar/May	131,118	169,300	168,082	170,416	159,202	164,727	5,525	159,624
Apr/Jun	141,752	156,225	154,910	147,382	170,844	157,524	(13,320)	154,223
May/Jul	145,261	174,068	186,266	169,174	165,851	179,027	13,176	168,124
Jun/Aug	140,922	166,285	168,850	174,953	176,365			165,475
Jul/Sep	153,822	192,521	183,734	181,187	166,252			175,503
Aug/Oct	169,554	175,751	183,791	179,181	179,911			177,638
Sep/Nov	156,019	164,616	168,726	160,589	146,113			159,212
Oct/Dec	144,999	165,560	161,727	174,106	157,815			160,842
Nov/Jan	163,812	152,292	166,504	157,629	151,339			158,315
Dec/Feb	171,669	147,535	184,485	168,684	153,380			165,151
Total	1,766,283	1,958,559	2,044,092	1,981,855	1,924,031	765,809	(27,048)	1,934,964
YTD	2014	2015	2016	2017	2018	2019		
July 2019	665,485	793,998	826,276	785,526	792,856	765,809		

Average Collections Between 2014-2018	\$ 1,934,964
Estimated 2019	1,831,630
Estimate Based on Current Collection Rate	1,837,941
Over/(Under) at Current Collection Rate	\$ 6,311

CITY SALES TAX
(1/4% - Recreational Facilities, effective Jan 1, 2018, ending Dec 31, 2027)

Through: July 2019

Month Collected/Received	2018	2019
Jan/Mar	132,413	133,669
Feb/Apr	164,546	130,861
Mar/May	159,202	164,727
Apr/Jun	170,844	157,524
May/Jul	165,851	179,027
Jun/Aug	176,365	
Jul/Sep	166,252	
Aug/Oct	179,911	
Sep/Nov	146,113	
Oct/Dec	157,815	
Nov/Jan	151,339	
Dec/Feb	153,380	
Total	1,924,031	765,809
 YTD	 2018	 2019
July 2019	792,856	765,809

Estimated 2019	\$ 1,831,630
Estimate Based on Current Collection Rate	1,837,941
Over/(Under) at Current Collection Rate	\$ 6,311

CITY USE TAX *
(1.50% effective Jan 1, 2018, 1.25% prior years)

Through: July 2019

Month Collected/Received	2014	2015	2016	2017	2018	2019	Comparison 2018 and 2019	Average 2014-2018
Jan/Mar	77,095	38,593	39,717	41,068	55,165	72,636	17,470	50,328
Feb/Apr	75,466	47,210	36,535	41,117	44,762	50,495	5,733	49,018
Mar/May	96,096	58,503	48,686	46,167	72,113	54,298	(17,815)	64,313
Apr/Jun	68,701	45,793	49,281	40,197	78,365	54,492	(23,873)	56,467
May/Jul	159,678	48,767	28,682	39,300	53,770	77,300	23,531	66,039
Jun/Aug	102,766	51,635	48,787	45,665	53,546			60,480
Jul/Sep	85,830	45,551	44,854	41,455	56,892			54,916
Aug/Oct	63,160	45,296	39,447	46,047	55,103			49,810
Sep/Nov	133,417	30,449	44,789	52,239	47,492			61,677
Oct/Dec	75,031	42,577	37,236	41,623	54,762			50,246
Nov/Jan	80,456	38,250	40,162	52,663	63,649			55,036
Dec/Feb	104,997	43,804	49,866	52,544	72,797			64,802
Total	1,122,693	536,426	508,042	540,085	708,417	309,221	5,046	683,132
YTD	2014	2015	2016	2017	2018	2019		
July 2019	477,036	238,865	202,901	207,849	304,176	309,221		

Average Collections Between 2014-2018	\$ 683,132
Estimated 2019	648,000
Estimate Based on Current Collection Rate	742,131
Over/(Under) at Current Collection Rate	\$ 94,131

* Kansas imposes a use tax on items purchased outside of Kansas for use in Kansas. The rate is identical to the sales tax rate in effect where the customer takes delivery.

JOHNSON COUNTY SALES AND USE TAX
(City Share of Regular .5% County Sales/Use Tax)

Through: July 2019

Month Collected/Received	2014	2015	2016	2017	2018	2019	Comparison 2018 and 2019	Average 2014-2018
Jan/Mar	84,640	89,078	87,153	88,372	93,979	84,542	(9,437)	88,645
Feb/Apr	83,785	83,842	86,603	90,888	85,503	84,668	(835)	86,124
Mar/May	91,006	92,338	96,963	99,332	102,037	95,722	(6,314)	96,335
Apr/Jun	93,916	93,747	94,086	89,784	97,820	94,747	(3,073)	93,870
May/Jul	93,614	95,251	90,716	96,393	102,354	104,294	1,940	95,665
Jun/Aug	98,416	100,839	100,524	104,034	105,830			101,929
Jul/Sep	92,813	99,163	100,059	98,683	94,908			97,125
Aug/Oct	94,308	97,123	99,175	101,126	100,533			98,453
Sep/Nov	94,498	97,609	101,810	103,264	94,055			98,247
Oct/Dec	88,106	96,733	93,738	94,396	93,218			93,238
Nov/Jan	94,962	96,928	94,754	98,071	104,279			97,799
Dec/Feb	111,858	103,793	114,670	112,411	108,479			110,242
Total	1,121,922	1,146,444	1,160,251	1,176,755	1,182,993	463,973	(17,718)	1,157,673
YTD	2014	2015	2016	2017	2018	2019		
July 2019	446,961	454,256	455,522	464,770	481,691	463,973		

Average Collections Between 2014-2018	\$ 1,157,673
Estimated 2019	1,188,000
Estimate Based on Current Collection Rate	1,113,535
Over/(Under) at Current Collection Rate	\$ (74,465)

JOHNSON COUNTY PUBLIC SAFETY TAX
(City Share of 1/4% County Sales/UseTax - effective Jan 1, 1995) *

Through: July 2019

Month Collected/Received	2014	2015	2016	2017	2018	2019	Comparison 2018 and 2019	Average 2014-2018
Jan/Mar	21,160	22,270	21,788	22,093	23,495	21,136	(2,359)	22,161
Feb/Apr	20,946	20,961	21,651	22,722	21,376	21,167	(209)	21,531
Mar/May	22,751	23,085	24,241	24,833	25,509	23,931	(1,579)	24,084
Apr/Jun	23,476	23,437	23,522	22,446	24,455	23,687	(768)	23,467
May/Jul	23,404	23,813	22,679	24,098	25,588	26,074	485	23,916
Jun/Aug	24,604	25,210	25,131	26,009	26,458			25,482
Jul/Sep	23,203	24,791	25,015	24,671	23,727			24,281
Aug/Oct	23,577	24,281	24,794	25,282	25,133			24,613
Sep/Nov	23,625	24,402	25,452	25,816	23,514			24,562
Oct/Dec	22,027	24,183	23,434	23,599	23,305			23,310
Nov/Jan	23,741	24,195	23,689	24,518	26,070			24,442
Dec/Feb	27,965	25,912	28,667	28,103	27,120			27,553
Total	280,478	286,539	290,064	294,189	295,749	115,994	(4,430)	289,404
YTD	2014	2015	2016	2017	2018	2019		
July 2019	111,737	113,564	113,881	116,193	120,423	115,994		

Average Collections Between 2014-2018	\$ 289,404
Estimated 2019	296,000
Estimated Collection Rate	278,384
Over/(Under) at Current Collection Rate	\$ (17,616)

* This County special "Jail Tax" has no sunset date.

JOHNSON COUNTY PUBLIC SAFETY TAX
(City Share of 1/4% County Sales/Use Tax - effective Jan 1, 2009) *

Through: July 2019

Month							Comparison	Average
Collected/Received	2014	2015	2016	2017	2018	2019	2018 and 2019	2014-2018
Jan/Mar	21,160	22,270	21,788	22,093	23,495	21,136	(2,359)	22,161
Feb/Apr	20,946	20,961	21,651	22,722	21,376	21,167	(209)	21,531
Mar/May	22,751	23,085	24,241	24,833	25,509	23,931	(1,579)	24,084
Apr/Jun	23,479	23,437	23,522	22,446	24,455	23,687	(768)	23,468
May/Jul	23,404	23,813	22,679	24,098	25,588	26,074	485	23,916
Jun/Aug	24,604	25,210	25,131	26,009	26,458			25,482
Jul/Sep	23,203	24,791	25,015	24,671	23,727			24,281
Aug/Oct	23,577	24,281	24,794	25,282	25,133			24,613
Sep/Nov	23,625	24,402	25,452	25,816	23,514			24,562
Oct/Dec	22,027	24,183	23,434	23,599	23,305			23,310
Nov/Jan	23,741	24,232	23,689	24,518	26,070			24,450
Dec/Feb	27,965	25,948	28,667	28,103	27,120			27,561
Total	280,481	286,612	290,064	294,189	295,749	115,994	(4,430)	289,419
YTD	2014	2015	2016	2017	2018	2019		
July 2019	111,740	113,564	113,881	116,193	120,423	115,994		

Average Collections between 2014-2018	\$ 289,419
Estimated 2019	296,000
Estimate Based on Current Collection Rate	278,384
Over/(Under) at Current Collection Rate	\$ (17,616)

* This County special Public Safety tax has no sunset date.

JOHNSON COUNTY PUBLIC SAFETY TAX
(City Share of 1/4% County Sales/Use Tax - effective April 1, 2017) *
(Used for CIP Projects)

Through: July 2019

Month Collected/Received	2017	2018	2019	Comparison 2018 and 2019	Average 2017-2018
Jan/Mar	n/a	23,457	21,135	(2,322)	n/a
Feb/Apr	n/a	21,336	21,167	(170)	n/a
Mar/May	n/a	25,421	23,931	(1,491)	n/a
Apr/Jun	22,395	24,397	23,687	(711)	23,396
May/Jul	24,062	25,526	26,073	547	24,794
Jun/Aug	25,932	26,387			26,159
Jul/Sep	24,642	23,727			24,184
Aug/Oct	25,225	25,133			25,179
Sep/Nov	25,776	23,514			24,645
Oct/Dec	23,564	23,305			23,435
Nov/Jan	24,388	26,990			25,689
Dec/Feb	27,991	27,120			27,555
Total	223,974	296,313	115,993	(4,146)	225,036

YTD	2017	2018	2019
July 2019	n/a	120,138	115,993

Average Collections Between 2017-2018	\$	225,036
Estimated 2019		296,000
Estimate Based on Current Collection Rate		278,382
Over/(Under) at Current Collection Rate	\$	(17,618)

* This County special "Courthouse" tax will expire March 31, 2027.

**July 2019
REVENUE SUMMARY BY FUND**

Fund Number	Revenues	Budget/Est.	YTD Actual	Monthly Collections	Balance	YTD % Budget/Est.
001	General Fund	\$ 18,040,541	\$ 10,686,613	\$ 1,180,106	\$ 7,353,928	59.24%
201	Special Highway Fund	304,870	152,100	77,213	152,770	49.89%
202	Special Alcohol Fund	24,944	12,291	12	12,653	49.27%
203	Special Park & Rec	24,944	12,278	12	12,666	49.22%
204	Transient Guest Tax	474,150	265,387	129,139	208,763	55.97%
221	Risk Management Reserve	15,000	9,829	3,970	5,171	65.53%
222	Equipment Reserve Fund	745,000	442,073	58,796	302,927	59.34%
301	Capital Improvement Fund		4,596,046	1,594,194		
303	I-35 District CIP Fund		1,800,961	1,712,422		
401	Bond and Interest Fund	3,252,558	1,661,857	275,520	1,590,701	51.09%
402	TIFA-Merriam Town Center		-	-		
403	TIFB-I35 District		4,152,942	2,444		
702	Special Law Enforcement-State/Local		437	324		
TOTAL		\$ 22,882,007	\$ 23,792,814	\$ 5,034,152	\$ 9,639,580	

Average Rate of Sales Tax Collections Should Be:	41.67%
Average Rate of Other Collections Should Be:	58.33%

**July 2019
EXPENDITURE SUMMARY BY FUND**

Fund Number	Expenditures	Budget/Est. *	YTD Actual	Monthly Expenditures	Encumbrances	Balance	YTD % Budget/Est.
001	General Fund	\$ 18,559,157	\$ 9,581,696	\$ 1,249,369	\$ 474,116	\$ 8,503,345	54.18%
201	Special Highway Fund	565,000	4,218	186	3,870	556,912	1.43%
202	Special Alcohol Fund	27,000	27,429	18,329	-	(429)	101.59%
203	Special Park & Rec	6,000	4,592	45	-	1,408	76.53%
204	Transient Guest Tax	610,471	294,841	38,651	3,482	312,148	48.87%
221	Risk Management Reserve	30,000	16,541	1,874	27,311	(13,851)	146.17%
222	Equipment Reserve Fund	1,590,927	1,214,460	109,037	101,007	275,460	82.69%
301	Capital Improvement Fund		7,081,527	2,614,559	1,759,429		
303	I-35 District CIP Fund		4,321,820	929,496	735,543		
401	Bond and Interest Fund	3,191,150	495,575	-	-	2,695,575	15.53%
402	TIFA-Merriam Town Center		-	-	-		
403	TIFB-I35 District		4,130,945	1,700,000	-		
702	Special Law Enforcement-State/Local		1,455	-	-		
TOTAL		\$ 24,579,705	\$ 27,175,099	\$ 6,661,546	\$ 3,104,758	\$ 12,330,568	

Average Expenditure Rate Should Be:	58.33%
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* Excludes budgeted reserves and contingencies

July 2019
EXPENDITURE SUMMARY BY DEPARTMENT
GENERAL FUND - YEAR-TO-DATE

<u>Department</u>	<u>2019</u>			<u>2018</u>	<u>Actual 2019</u>
	<u>Annual Budget/Est.</u>	<u>Year-to-date Actual</u>	<u>% of Budget Used</u>	<u>Year-to-date Actual</u>	<u>Over/(Under) Actual 2018</u>
City Council	\$ 84,020	\$ 42,076	50.08%	\$ 39,142	\$ 2,934
Administration	1,131,434	681,689	60.25%	644,826	36,864
Municipal Court	344,967	189,073	54.81%	188,830	243
Info Services	465,072	247,654	53.25%	223,159	24,495
General Overhead					
General	296,200	200,552	67.71%	179,369	21,183
Utilities	263,728	112,697	42.73%	139,543	(26,846)
Property Maintenance	254,001	83,356	32.82%	133,927	(50,571)
Risk Management	191,275	185,719	97.10%	177,772	7,947
Legal	81,742	34,883	42.67%	46,896	(12,013)
Employee Benefits	47,225	20,315	43.02%	18,959	1,356
Interfund Transfers	4,726,349	2,785,304	58.93%	2,899,033	(113,729)
Contingency Usage *	-	7,029	0.00%	-	7,029
Police	4,028,872	2,326,344	57.74%	2,313,049	13,295
Fire	2,743,181	547,413	19.96%	527,319	20,094
Public Works	2,227,299	1,263,923	56.75%	1,196,193	67,730
Parks & Rec	853,768	401,218	46.99%	419,372	(18,155)
Aquatic Center	50,015	8,973	17.94%	182,299	(173,326)
Community Dev	770,009	443,478	57.59%	418,509	24,970
Total General Fund	<u>\$ 18,559,157</u>	<u>\$ 9,581,696</u>	<u>51.63%</u>	<u>\$ 9,748,197</u>	<u>\$ (166,501)</u>

Average Expenditure Rate Should Be:	58.33%
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* Excludes budgeted reserves and contingencies

A large, stylized number '7' is the central graphic. The top and bottom strokes are light yellow. A blue horizontal bar crosses the middle, containing the text 'INVESTMENT REPORT'. Below this bar is a decorative row of triangles in shades of orange and yellow. The right side of the '7' tapers to a point.

INVESTMENT REPORT

**Investment Listing by Maturity Date
7/31/2019**

Fund	Type	Location	Purchase Date	Par Amount	Maturity Date	Yield	Monthly Subtotal
303/901	NOW	Bank of BV *	12/20/06	5,656,179	N/A	1.250%	\$ 5,656,179
301/901	Treasury MMA	TD Ameritrade	09/01/16	626,476	N/A	0.010%	\$ 626,476
301	MUNICIPAL BOND	TD Ameritrade	02/23/17	100,000	08/01/19	1.500%	
301	AGENCY-FHLB	TD Ameritrade	06/28/19	1,500,000	08/13/19	2.237%	
901	AGENCY-FHLMC	TD Ameritrade	11/08/16	200,000	08/15/19	1.200%	
301	AGENCY-FHLB	TD Ameritrade	08/15/18	500,000	08/15/19	2.479%	
901	AGENCY-FNMA	TD Ameritrade	08/31/17	525,000	08/23/19	1.466%	
303	AGENCY-FHLB	TD Ameritrade	04/30/19	500,000	08/23/19	2.453%	
301	AGENCY-FHLB	TD Ameritrade	04/30/19	2,247,000	08/30/19	2.453%	
301	AGENCY-FHLB	TD Ameritrade	04/30/19	1,003,000	08/30/19	2.453%	\$ 6,575,000
901	MUNICIPAL BOND	TD Ameritrade	09/15/17	140,000	09/01/19	1.500%	
901	TBILL	TD Ameritrade	06/06/19	850,000	09/05/19	2.326%	
301	AGENCY-FHLMC	TD Ameritrade	07/13/17	1,000,000	09/20/19	1.535%	
301	AGENCY-FHLB	TD Ameritrade	04/30/19	3,750,000	09/23/19	2.475%	
222	AGENCY-FFCB	Country Club	10/06/17	300,000	09/26/19	1.489%	
303	AGENCY-FHLMC	TD Ameritrade	07/13/17	500,000	09/27/19	1.499%	
901	AGENCY-FNMA	TD Ameritrade	09/30/16	250,000	09/30/19	1.250%	
301/303/901	TBILL	TD Ameritrade	02/07/19	1,000,000	09/30/19	2.500%	\$ 7,790,000
301	AGENCY-FHLMC	Country Club	04/18/18	300,000	10/28/19	2.369%	
303	AGENCY-FHLMC	TD Ameritrade	10/30/17	750,000	10/30/19	1.650%	
301	AGENCY-FHLB	TD Ameritrade	04/30/19	2,750,000	10/31/19	2.453%	
303	AGENCY-FHLB	TD Ameritrade	04/30/19	1,000,000	10/31/19	2.453%	\$ 4,800,000
301	TBILL	TD Ameritrade	05/09/19	895,000	11/07/19	2.422%	
301	AGENCY-FNMA	TD Ameritrade	06/26/19	500,000	11/25/19	2.201%	
301	AGENCY-FNMA	TD Ameritrade	07/25/19	2,028,000	11/26/19	2.089%	\$ 3,423,000
301	TBILL	TD Ameritrade	06/06/19	850,000	12/05/19	2.300%	
222/303	AGENCY-FFCB	Country Club	07/28/17	700,000	12/26/19	1.450%	
301	AGENCY-FHLMC	TD Ameritrade	06/30/16	500,000	12/30/19	1.100%	\$ 2,050,000
901	AGENCY-FHLB	TD Ameritrade	09/07/18	570,000	01/23/20	2.613%	
221	AGENCY-FFCB	Country Club	05/25/18	350,000	01/30/20	2.430%	\$ 920,000
301	TBILL	Country Club	08/15/18	242,500	02/15/20	1.250%	
303	TBILL	Country Club	08/15/18	242,500	02/15/20	1.250%	\$ 485,000
221	AGENCY-FHLB	Country Club	03/09/18	350,000	03/06/20	2.268%	
301	AGENCY-FHLB	Country Club	03/13/18	520,000	03/13/20	2.312%	
901	AGENCY-FHLB	TD Ameritrade	11/08/16	300,000	03/13/20	1.409%	
	AGENCY-FHLB	TD Ameritrade	03/28/19	500,000	03/18/20	2.431%	
301/303	AGENCY-FHLMC	TD Ameritrade	07/23/19	800,000	03/20/20	2.044%	\$ 2,470,000
301	AGENCY-FFCB	TD Ameritrade	10/03/17	500,000	04/03/20	1.680%	
301/222	AGENCY-FFCB	Country Club	01/25/19	650,000	04/24/20	2.560%	
303	AGENCY-FHLB	TD Ameritrade	10/30/17	500,000	04/30/20	1.750%	\$ 1,650,000
301	AGENCY-FHLMC	TD Ameritrade	05/17/18	500,000	05/15/20	2.661%	\$ 500,000
301	AGENCY-FFCB	TD Ameritrade	06/06/19	770,000	06/05/20	2.400%	
301	AGENCY-FHLB	TD Ameritrade	11/08/18	500,000	06/12/20	2.910%	

**Investment Listing by Maturity Date
7/31/2019**

Fund	Type	Location	Purchase Date	Par Amount	Maturity Date	Yield	Monthly Subtotal
301	AGENCY-FFCB	TD Ameritrade	06/19/19	1,200,000	06/19/20	2.300%	\$ 2,470,000
303	AGENCY-FHLB	TD Ameritrade	07/13/17	1,000,000	07/13/20	1.750%	
301	AGENCY-FFCB	TD Ameritrade	12/28/17	550,000	07/27/20	2.081%	\$ 1,550,000
301	MUNICIPAL BOND	TD Ameritrade	10/10/17	100,000	08/01/20	1.870%	\$ 100,000
301	AGENCY-FHLB	TD Ameritrade	09/28/17	750,000	09/28/20	1.889%	\$ 750,000
301	AGENCY-FFCB	Country Club	03/08/19	400,000	10/26/20	2.490%	
301	AGENCY-FHLB	TD Ameritrade	02/01/17	100,000	10/30/20	1.800%	\$ 500,000
301	AGENCY-FHLMC	TD Ameritrade	06/08/18	250,000	11/25/20	2.770%	\$ 250,000
901	AGENCY-FHLB	TD Ameritrade	11/28/17	500,000	01/19/21	1.956%	\$ 500,000
901	AGENCY-FHLMC	TD Ameritrade	03/14/17	500,000	02/26/21	1.356%	
301	AGENCY-FHLMC	TD Ameritrade	11/16/17	515,000	02/26/21	2.000%	\$ 1,015,000
901	AGENCY-FHLB	TD Ameritrade	11/30/17	500,000	04/28/21	1.820%	\$ 500,000
301	AGENCY-FHLB	TD Ameritrade	05/28/19	235,000	05/28/21	2.420%	\$ 235,000
901	AGENCY-FHLB	TD Ameritrade	03/14/18	250,000	06/14/21	2.509%	\$ 250,000
301	AGENCY-FHLMC	Country Club	07/02/19	400,000	07/02/21	2.250%	\$ 400,000
301	AGENCY-FNMA	Country Club	07/29/19	500,000	08/17/21	1.797%	
301	AGENCY-FHLMC	TD Ameritrade	04/05/19	250,000	08/25/21	2.453%	\$ 750,000
301	AGENCY-FNMA	Country Club	07/29/19	500,000	09/08/21	1.862%	\$ 500,000
Weighted Yield						1.876%	<u><u>\$ 46,715,655</u></u>

* Morrill & Janes Bank has merged with Bank of Blue Valley.



AGENDA ITEM INFORMATION FORM

AGENDA ITEM: Consider a bid award to Phoenix Concrete and Underground for the 2019 Sidewalk In-Fill Project.

SUBMITTED BY: Jim MacDonald, Public Works Superintendent

MEETING DATE: August 12, 2019

PROJECT BACKGROUND/DESCRIPTION:

On July 24, 2019, staff opened 4 bids for the 2019 Sidewalk In-Fill Project. The scope of this project is to construct approximately 3600 linear feet of sidewalk in areas that either have no sidewalk or have partial sidewalks that need to be connected.

As read bids were as follows:

Phoenix Concrete & Underground	\$289,393.30
Kansas Heavy Construction	\$308,697.10
Gunter Construction	\$348,197.35
Amino Brothers Construction	\$357,134.68
Engineer's Estimate	\$219,000.00

All bids have been checked by GBA, Inc. for accuracy and recommends the Contract be awarded to Phoenix Concrete and Underground.

CITY COUNCIL GOALS AND OBJECTIVES

3.2 Sustain capital improvement efforts.

FINANCIAL IMPACT

Amount of Contract:	\$289,393.30
Amount Budgeted (available):	\$500,000 (Construction budget)
Funding Source/Account #:	Capital Improvement Fund - General Projects 301-0000-511-45.10, Project No. GM1704

SUPPORTING DOCUMENTS

Map of 2019 Sidewalk Locations

ACTION NEEDED/STAFF RECOMMENDATION

Council award the 2019 Sidewalk In-Fill Project to Phoenix Concrete and Underground in the amount of \$289,393.30.

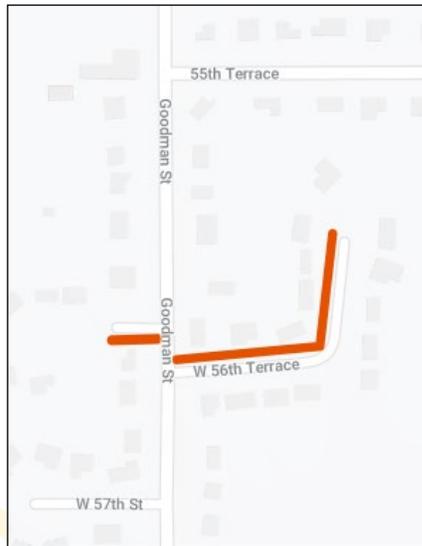
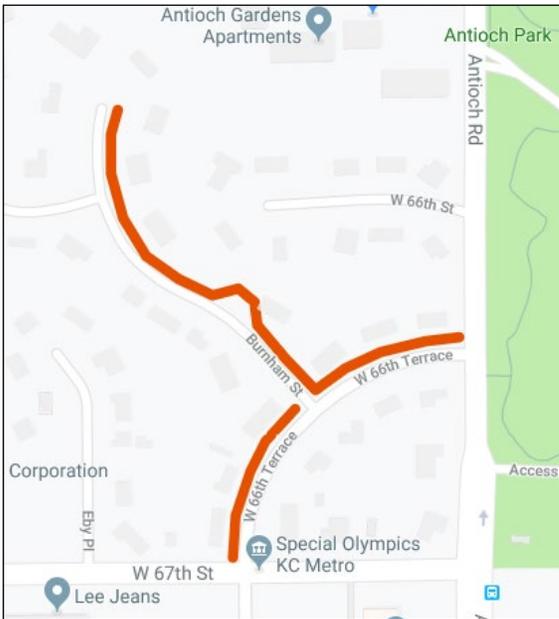
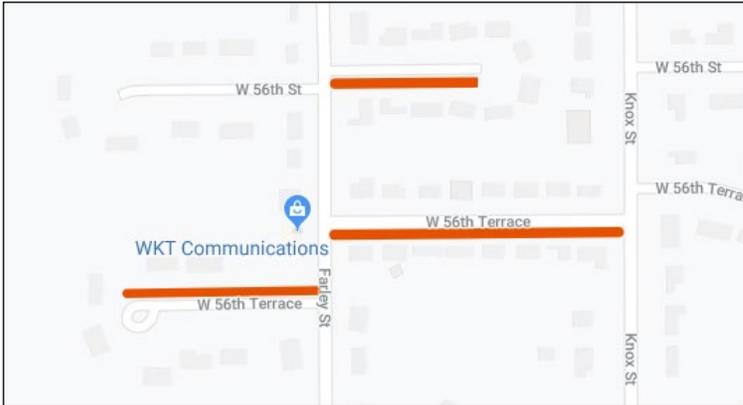


Residential Sidewalk Infill Program



Sidewalks Coming Soon to Your Neighborhood!

 **New sidewalk**
Red line represents side where sidewalk will go.





INTEROFFICE MEMORANDUM

TO: MAYOR AND CITY COUNCIL
FROM: JIM MACDONALD, PUBLIC WORKS SUPERINTENDENT
SUBJECT: FEBRUARY CIP UPDATE
DATE: AUGUST 12, 2019

HIGHLIGHTS

2019 Sidewalk In-Fill (Excluding West Vernon Place)

On July 24, 2019, staff opened 4 bids with Phoenix Concrete and Underground being the low bidder. Our Pre-Construction meeting will be Wednesday August 14th, and we will have our second Public Meeting on August 21st. Construction is expected to begin late August or early September, with the completion date to be mid-November.

2019 CARS 67th Street Improvements

The contractor, Gunter Construction, has completed the realignment of Mastin Street. Gunter is in the process of placing curbs, sidewalks, and driveways north side of 67th St. moving east from West City Limits.

Switzer Mill and Overlay

The contractor, Phoenix Concrete and Underground, has started removing and replacing curbs and sections of sidewalks on Switzer Rd. 75th St. to 69th St.

SMP Bridge over Tukey Creek Repairs

Mega Industries started removing and replacing unsound areas of concrete under Shawnee Mission Parkway August 5th.

2020 CARS Johnson Drive

Staff met with Affinis Corp. on July 16th onsite to review and determine project scope. Affinis has submitted a Professional Service Agreement to begin design plans this year. Our current schedule is to advertise this project for bids mid-January 2020.

CITY COUNCIL SUGGESTED MOTIONS FOR YOUR CONSIDERATION

CONSENT AGENDA

- 1. Move that the council approve Consent Agenda items 1-2.**

MAYOR'S REPORT

- 1. Move that the council accept the 5701 Committee Final Report.**
- 2. Move that the council direct staff to develop a process of determining the feasibility and cost of saving the 1911 portion of the building and report back to City Council.**

FINANCE AND ADMINISTRATION

- 1. Move that the council approve a resolution adopting the 2020 budget.**
- 2. No motion.**
- 3. No motion.**

COMMUNITY DEVELOPMENT/PUBLIC WORKS

- 1. Move that the council award the 2019 Sidewalk In-Fill Project to Phoenix Concrete and Underground in the amount of \$289,393.30.**
- 2. No motion.**