

**MERRIAM CITY COUNCIL AGENDA
CITY HALL
9001 WEST 62ND STREET
January 25, 2021
7:00 P.M.**

This is a virtual meeting.

The public may participate by joining the meeting at:

<https://us02web.zoom.us/j/87121805375?pwd=czJGZ1QrT3JyK0xUOHZhTmxFSWVsUT09>

Passcode: 861705

1-346-248-7799

Webinar ID: 871 2180 5375

Passcode: 861705

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.

I. CALL TO ORDER - PLEDGE OF ALLEGIANCE

II. ROLL CALL

III. PUBLIC ITEMS

In response to COVID-19 and remote City Council meetings, the public comment process that normally occurs during the City Council meeting has temporarily changed. Members of the public are still encouraged to share comments about matters that may or may not appear on the agenda by the following process below:

Submit public comment to the City Clerk at jpinnick@merriam.org by 6 p.m. on the date of the meeting; comments are limited to 500 words; must include "Public Comment" in the subject line; commenters must include their name and their address. Late submissions, submissions without "Public Comment" in the subject line; and comments without name and address will not be read into the public record. In accordance with the *Governing Body Rules of Procedure*, the City reserves the right to refuse Public Comments that are personal, impertinent or slanderous.

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 so requests, in which case that item will be removed from the Consent Agenda and considered separate.

1. Consider approval of the minutes of the City Council meeting held January 11, 2021.

V. MAYOR'S REPORT

1. Legislative Update – Stuart Little
2. 2020 Year in Review Video.

VI. COUNCIL ITEMS

1. Consider approval of an ordinance amending Chapter 68 of the Merriam Municipal regarding prohibition of pedestrians upon medians and roadways at certain intersections.(first reading)
2. Monthly Finance Report.
3. Community Development Update.

VII. STAFF ITEMS

VIII. EXECUTIVE SESSION

IX. ADJOURNMENT

Respectfully submitted,

Juliana Pinnick

City Clerk

**MERRIAM CITY COUNCIL MINUTES
CITY HALL
9001 WEST 62ND STREET
January 11, 2021
7:00 P.M.
This was a virtual meeting via Zoom**

I. CALL TO ORDER - PLEDGE OF ALLEGIANCE

Mayor Sissom called the meeting to order at 7:00 pm. Council and staff said the Pledge of Allegiance.

Mayor Sissom asked for a moment of silence to reflect on the current situation that occurred at the nation's capital.

II. ROLL CALL

The following Councilmembers were present via Zoom meeting:

Scott Diebold
Chris Evans Hands
Bruce Kaldahl
Brian Knaff
David Neal
Bob Pape
Jason Silvers

Whitney Yadrich was absent.

Staff present via Zoom meeting: Chris Engel, City Administrator; Ryan Denk, City Attorney; Meredith Hauck, Assistant City Administrator; Jim MacDonald, Public Works Director; Jenna Gant, Communication and Public Engagement Manager; Darren McLaughlin, Police Chief; Anna Slocum, Parks and Recreation Director; Bryan Dyer, Community Development Director; Donna Oliver, Finance Director; and Juli Pinnick, City Clerk.

III. PUBLIC ITEMS

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Submit public comment to the City Clerk at jpinnick@merriam.org by 6 p.m. on the date of the meeting; comments are limited to 500 words; must include "Public Comment" in the subject line; commenters must include their name and their address. Late submissions, submissions without "Public Comment" in the subject line; and comments without name and address will not be read into the public record. In accordance with the *Governing Body Rules of Procedure*, the City reserves the right to refuse Public Comments that are personal, impertinent or slanderous.

There were no Public Comments submitted.

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 so requests, in which case that item will be removed from the Consent Agenda and considered separate.

1. Consider approval of the minutes of the City Council meeting held December 14, 2020.
2. Consider approval of a facility partnership agreement with Peerfit.

Councilmember Silvers asked that item 2 be removed from the Consent Agenda.

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

Councilmember Silvers asked how the reimbursement for use of the facility works.

Parks and Recreation Director Anna Slocum responded that this agreement is a benefit offered through an employer benefit program. The reimbursement is sent to the city based on the membership visit type.

COUNCILMEMBER PAPE MOVED THAT THE COUNCIL APPROVE CONSENT AGENDA ITEM 2. COUNCILMEMBER HANDS SECONDED AND THE MOTION WAS UNANIMOUSLY APPROVED.

V. MAYOR'S REPORT

1. 4th Quarter 2020 Employee Service Awards.

City Administrator Chris Engel recognized the following employees:

10 Years of Service

Sheila Sheridan - Court Administrator

Laura Larison - Police Department

VI. COUNCIL ITEMS

1. Consider approval of an agreement with Overland Park amending a traffic signal agreement and approval of a Memorandum of Understanding.

Police Chief Darren McLaughlin provided the background for this item.

On November 23, 2020, the Council approved the purchase in installation of License Plate Reader (LPR) cameras at 67th and Carter and 75th and Kings Cove Dr. That proposal required sharing infrastructure owned and maintained by the City of Overland Park to transmit the LPR data from the camera at 75th and Kings Cove Drive to the City of Merriam. The City of Merriam currently has an agreement with the City of Overland Park in sharing maintenance and infrastructure related to traffic signals. This updated agreement allows the City of Merriam to use Overland Park's current traffic signal infrastructure to route data from the LPR camera installed at 75th and Kings Cove drive to our server.

The Memorandum of Understanding allows for the City of Overland Park and the City of Merriam to view Intersection Camera feeds (not LPR Data). These cameras allow those with access to view real time traffic conditions and allow review of recorded video in the investigation of criminal activity or accidents. The City of Overland Park and the City of Merriam would benefit from having view only access to each other's intersection cameras because criminal activity and accidents frequently occur on or crosses each other's borders. This agreement will not grant any access to any other camera feeds, to include security camera feeds or LPR camera data.

Councilmember Neal asked if the agreement only covers the sharing of camera only on 75th St.

Chief McLaughlin responded that the Memorandum of Understanding would allow for sharing of all of the City of Merriam's cameras and the City of Overland Park intersection cameras.

Mayor Sissom commented that as crime has been increasing lately, it appears that having the capability to view this data from another cities as criminals make their way through Merriam will be very helpful.

Chief Mc Laughlin commented that there has been an increase in the number of people under the influence of alcohol. DUI arrests have had a huge increase in 2020. There appears to be more people acting violent as well, and it is unclear what the cause of the increased violence is. Having more people driving under the influence and the increase in violence is more dangerous for the public and police officers.

Councilmember Neal asked if there is video sharing throughout the county with other jurisdictions and how the vehicle pursuits coming from other cities are handled.

Chief McLaughlin commented that Overland Park has other agreements with neighboring cities however, this is the first video sharing agreement for Merriam. Having a shared system with other jurisdictions would be helpful in dealing with vehicle pursuits and he anticipates the video sharing across multiple jurisdictions will be more prevalent in the future.

COUNCILMEMBER PAPE MOVED THAT THE COUNCIL APPROVE AN ADDENDUM TO THE AGREEMENT BETWEEN THE CITY OF MERRIAM AND OVERLAND PARK FOR OPERATION AND MAINTENANCE OF TRAFFIC SIGNALS. COUNCILMEMBER HANDS SECONDED AND THE MOTION WAS UNANIMOUSLY APPROVED.

COUNCILMEMBER PAPE MOVED THAT THE COUNCIL APPROVE A MEMORANDUM OF UNDERSTANDING WITH OVERLAND PARK FOR VIDEO CAMERA FEED SHARING. COUNCILMEMBER HANDS SECONDED AND THE MOTION WAS UNANIMOUSLY APPROVED.

2. Consider approval of a contract with U.S. Bank for banking services.

Finance Director Donna Oliver provided the background for this item.

The City has utilized U.S. Bank for our operating banking provider since 2009. In an effort to ensure that the City was still receiving competitive pricing on services and interest rates, a Request for Proposals (RFP) for Banking Services was issued October 26, with a due date of November 24. The City received proposals from seven eligible banks. The proposals were reviewed by the finance director, city accountant and Adam Pope, a staff member of Columbia Capital Investments, the City's financial advisor.

Each proposal was judged on several criteria including financial strength and stability, governmental experience, cost, scope and effectiveness of services provided, location of branch office, and interest offered on idle funds. Staff is recommending U.S. Bank as the continued provider of banking services.

U.S. Bancorp, the parent company of U.S. Bank is the 5th largest U.S. commercial bank with assets of \$540 billion, loans of \$307 billion, deposits of \$413 billion and over 70,000 employees. The bank offers a specialized "Government Banking Division" which provides a high level of expertise to assist with the unique needs and requirements of municipalities.

U.S. Bank has provided extraordinary service to the City in the past, has been a good partner, and offers competitive fees. They have a branch located in Merriam just a few blocks from City Hall. Staying with them allows the City to avoid the implementation cost of staff time and supplies. In addition, they have included a Loyalty Bonus of \$5,000 to be used to offset costs of fees or supplies.

Councilmember Silvers asked if U.S. Bank is a B Corporation or a Global Alliance for Banking Values member business. A Global Alliance member typically supports environmental and sustainability worldwide.

Ms. Oliver said that she did not know if U.S. Bank was or not and would check to see.

Councilmember Yadrich commented that she has a list of banks and finance companies that are Global Alliance members and she will share that information with Councilmember Silvers and staff.

COUNCILMEMBER PAPE MOVED THAT THE COUNCIL APPROVE A CONTRACT WITH U.S. BANK FOR BANKING SERVICES. COUNCILMEMBER HANDS SECONDED AND THE MOTION WAS UNANIMOUSLY APPROVED.

3. CIP Update.

Public Works Director Jim MacDonald provided the following CIP Updates:

2021 CARS project - East Frontage Rd. from 67th to 75th St., staff met with Affinis to verify the quantities on the project and they are finishing the final plans for the project which will likely go out for bid in late January.

2021 Mill and Overlay Program - Affinis is working on this project as well and will be part of the CARS bid package. Streets included in the 2021 program include Goodman St. to the north city limits to Johnson Dr.; 55th Ter. from

Goodman to Lowell; 55th St. from Antioch to Hadley, 51st Place, west to Knox and Perry Ln. south to 51st St. also included with this project is Craig Rd. from Shawnee Mission Parkway to 51st St.

2021 Sidewalk Maintenance and Repair Project - this project will be included in the same bid package as well. Staff has identified several locations for sidewalk maintenance from Mastin east to Campbell Ln. from Johnson Dr. south to Shawnee Mission Parkway.

Councilmember Hands asked about the traffic calming bumps on Goodman and what will happen to them with the Mill and Overlay.

Mr. MacDonald commented that the plan is to mill them off and leave the curb bump out to assist with the traffic calming. There will be pavement markings around the bump outs.

Councilmember Silvers complimented the Public Works Department on the great job of snow removal and requested a ride along with a snow plow driver at some point in the future, if possible.

Councilmember Pape asked about adding bike lanes to the East Frontage Rd. project. He asked about the bike route emblems that some cities have painted on the pavement.

Mr. MacDonald commented that with all projects the engineer always looks at ways to improve the roadways which includes adding bike lanes, if possible. With that project, there is not enough easement to add bike lanes, as well there is concerns over the speed on that road. Regarding the bike emblems, he commented that a neighboring city received a grant to put those on the pavement however, it is unclear if having those emblems on the roadways really helps with safety.

VII. STAFF ITEMS

Assistant City Administrator Meredith Hauck commented that the Council Chamber video project is moving along and the city has received quotes for the services. It has been determined that the best option is to do the videotaping and closed captioning in house rather than use a service. She wanted to confirm that the council desires a system with a single camera shot showing the Council Chambers with the option to switch cameras to a presentation view. The video would not be live streamed but posted later with closed captioning. Because the

bids came in within the City Administrators spending authority, council would not be required to formally approve the purchase.

Councilmember Pape commented that is good with the wide angle camera shot and presentation view but, wants to make sure the system could be expanded if desired in the future but for now, he feels those options are acceptable.

Councilmember Neal concurred with Councilmember Pape's comments.

VIII. EXECUTIVE SESSION

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COUNCIL, COUNCILMEMBER PAPE MOVED TO ADJOURN AT 7:42 PM. COUNCILMEMBER HANDS SECONDED AND THE MOTION WAS UNANIMOUSLY APPROVED.

IX. ADJOURNMENT

Respectfully submitted,
Juliana Pinnick
City Clerk



AGENDA ITEM INFORMATION FORM

AGENDA ITEM: An ordinance amending Chapter 68, Article II, Division 2; prohibition of pedestrians standing, sitting, entering, or staying upon medians and roadways at certain intersections (FIRST READING)

SUBMITTED BY: Chief Darren McLaughlin

MEETING DATE: 01/11/2021

PROJECT BACKGROUND/DESCRIPTION:

In March 2017, the Merriam Police Department began using Data-Driven Approaches to Crime and Traffic Study (DDACTS) enforcement to identify areas with high incidences of crime, crashes, and traffic violations. Part of the implementation of DDACS included the utilization of a Crime Analyst who has specialized training in the gathering, analysis, and interpretation of vast amounts of public safety data. This data is used to better allocate resources in a proactive manner to improve public safety.

From a traffic perspective, DDACS uses statistics and field-generated data to determine the most effective places and times to patrol areas in Merriam to minimize traffic crashes. In addition to location information, analysis of the data also helps identify potential causes of crashes, informs city staff where focused enforcement should occur, and identifies other actions that might be appropriate such as geometric changes to intersections or traffic signal timings.

Upon recent analysis of 10-years of crash data, the Crime Analyst has identified that just 9 of 388 intersections are responsible for over 50% of all crashes and 5 of 8 deaths. Those nine intersections and their respective number of crashes are listed below. Of note, a similar analysis conducted with the last 2 years' data did not change any of these nine locations.

- I-35 and Shawnee Mission Parkway (784 crashes)
- I-35 and Johnson Drive (454 crashes)
- 75th Street and I-35 (435 crashes)
- 67th Street and I-35 (338 crashes)
- Antioch and I-35 (309 crashes)
- Antioch and Shawnee Mission Parkway (291 crashes)
- Antioch and Johnson Drive (136 crashes)
- 75th Street and East Frontage Road (124 crashes)
- Shawnee Mission Parkway and Mastin (123 crashes)

The analysis indicates there are two key contributing factors common to most of these intersections: increased traffic volume due to I-35 proximity and distracted driving. Also present at several of these intersections are pedestrians in the median that take advantage of the increased traffic counts and longer signal timings to advocate for a specific cause i.e. local church parishioners, boy scouts, local sporting teams, other solicitors, etc. The presence of these groups or individuals standing within the roadway add to a driver's distraction. While we do not have the ability to change the proximity of these intersections to the highway, we do have the ability to address distracted driving.

In Merriam, over 50% of all crashes are caused by some form of distracted driving. Distractions occurring inside a vehicle are addressed in the Standard Traffic Ordinance (STO), specifically inattentive driving, texting, and driving while wearing headphones. Outside the vehicle the City Code states the City has an obligation in “ensuring that the public is not endangered or distracted by the unsafe, disorderly, indiscriminate or unnecessary use of signs and attention-attracting devices, including *the promotion of traffic safety by reducing the visual distraction of motorists.*” Per Code, visual distractions can include banners, streamers, inflatables or signs that are either stationary or moving such as signs displayed by pedestrians in or near our intersections. In circumstances where these distractions constitute a traffic hazard or detriment to traffic safety they should be prohibited.

In light of these facts and to increase traffic safety, I believe we should make every effort to reduce the amount of distractions for our motorists, especially in these high traffic volume, high accident areas. Accordingly, the attached ordinance will prohibit pedestrians from remaining on the medians at the above listed intersections other than to legally cross the street. This ordinance does not impact the other 379 intersections because the data indicates there is less traffic and crashes in these areas.

Upon approval, violation of the ordinance would be a Class C misdemeanor. If convicted, a person guilty of violating this ordinance could be sentenced to a fine not to exceed \$499 and/or imprisonment not to exceed thirty (30) days. However, the process of enforcement would focus primarily on education.

The attached ordinance has been approved by the City Attorney Ryan Denk and has been reviewed and approved by Merriam Municipal Judge John Harvell.

CITY COUNCIL GOALS AND OBJECTIVES

3.4 Improve safety for all modes of travel throughout the community

FINANCIAL IMPACT

Amount of Request/Contract: N/A

Amount Budgeted: N/A

Funding Source/Account #: N/A

SUPPORTING DOCUMENTS

Draft Ordinance

Map with accident counts and traffic counts

ACTION NEEDED/STAFF RECOMMENDATION

None – First Reading

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 68, ARTICLE II, DIVISION 2; PROHIBITION ON PEDESTRIANS STANDING, SITTING, ENTERING, OR STAYING UPON MEDIANS AND ROADWAYS AT CERTAIN INTERSECTIONS.

WHEREAS, upon the request of and after consultation with the Governing Body, the Chief of Police of the Merriam Police Department has investigated the dangers presented by the presence of persons on medians and on certain trafficways and has determined that the presence of persons on medians and on certain trafficways presents a risk to the health and safety of pedestrians and motorists due to the proximity of pedestrians to oncoming traffic at such trafficways;

WHEREAS, the high volume of motor vehicles traveling on certain trafficways within the City of Merriam combined with the presence of pedestrians on or near such trafficways creates inherently dangerous circumstances which jeopardize the public health, safety, and welfare of the citizens of the City of Merriam driving on such trafficways;

WHEREAS, after consultation with the Chief of Police of the Merriam Police Department, the Governing Body finds that pedestrians distracting drivers from driving in a safe and attentive manner by approaching a stopped vehicle, attracting and/or attempting to attract attention of the driver of a motor vehicle, or otherwise inhibiting drivers' ability to focus on the task of driving through their presence and proximity to trafficways in the City of Merriam creates a public safety hazard;

WHEREAS, it is the intent of this ordinance and the new Section 68-50 to protect the health, safety, and welfare of the citizens of the City of Merriam to assure the free, orderly, undisrupted, and safe activity of motor vehicles at designated intersections within the City of Merriam and to provide for the safety and interests of pedestrians and occupants of motor vehicles at designated intersections within the City of Merriam to reduce the number of accidents involving pedestrians and motor vehicles within the City of Merriam;

WHEREAS, the prohibitions set forth in the new Section 68-50 are narrowly tailored to serve the significant interest of promoting and protecting the public health, safety, and welfare and that these prohibitions leave open ample alternative channels of communication throughout the City of Merriam.

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

SECTION 1. Chapter 68, Article II, Section 68-50 of the Code of Ordinances of the City of Merriam, Kansas is hereby amended to read as follows:

Sec. 68-50. Prohibition – Pedestrians standing, sitting, entering, or staying upon medians and roadways at certain intersections.

(a) Purpose. The purpose of this section is to promote and protect the public health, safety, and welfare of the citizens of the City of Merriam while leaving open ample alternative channels of communication throughout the City of Merriam.

(b) Prohibitions.

(1) It shall be unlawful for any person to stand, sit, or otherwise go upon any median or roadway or remain upon or alongside any median or roadway at any of the intersections within the borders within the City of Merriam identified in subsection (d) of this Section and approach a vehicle stopped on the roadway or to attempt to attract the attention of the driver or occupant of a motor vehicle at any such intersections. In addition, no person shall activate a pedestrian crosswalk signal for any purpose other than to stop traffic to allow such person to lawfully cross the roadway. It is prima facie evidence of a violation of this subsection of this section if a person remains on the median or roadway at an intersection identified in subsection (d) of this section through two consecutive opportunities to lawfully cross the roadway. This may include a change in the traffic control signal or lack of traffic. After two such consecutive opportunities, such person shall not be considered to be using the crosswalk for legally recognized purposes under subsection (c) of this section.

(2) No driver or operator of a motor vehicle shall park, stop, or leave idle a vehicle on a roadway at any of the intersections identified in subsection (d) of this section or suddenly decrease the speed of such vehicle or deviate from a traffic lane for the purpose of interacting with persons violating subsection (b)(1) of this section.

(c) Exceptions. Subsection (b)(1) of this section shall not apply to:

- (1) Persons using a crosswalk to lawfully cross a roadway.
- (2) Persons engaged in law enforcement, emergency, or rescue activities, including providing assistance to an injured or disabled vehicle or person.
- (3) Persons engaged in repair or maintenance activities of roadways or highways under the direction of the City of Merriam or the State of Kansas.
- (4) Streets or portions thereof that have been closed pursuant to authorization from the City of Merriam.

(d) Designated Intersections. Due to the high number of reported motor vehicle accidents and the prevalence of distracted driving as a contributing factor in such accidents, the

following intersections are hereby designated as having restricted pedestrian activity as specified in subsection (b) of this section:

- *Shawnee Mission Parkway and I-35*
- *Johnson Drive and I-35*
- *75th Street and I-35*
- *67th Street and I-35*
- *Antioch Road and I-35*
- *Antioch Road and Shawnee Mission Parkway*
- *Antioch Road and Johnson Drive*
- *75th Street and East Frontage Road*
- *Shawnee Mission Parkway and Mastin Street*

(e) Penalty. Any person who violates the provisions of this section is guilty of a misdemeanor. Upon conviction, a person guilty of violating this section shall be sentenced to a fine not to exceed \$499.00 and/or imprisonment not to exceed thirty (30) days.

(f) Severability. If any subsection, sentence, clause, or other provision of this section is held invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this section.

SECTION 2. **Existing Sections.** Those sections of Chapter 68 of the Code of Ordinances of the City of Merriam, Kansas not heretofore repealed or mentioned herein shall remain in full force and effect.

SECTION 3. **Severability.** If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity and constitutionality of the remaining portions of this Ordinance and the Governing Body hereby declares that it would have passed the remaining portions of this Ordinance if it would have known that such part or parts hereof would be declared invalid.

SECTION 4. **Take Effect.** This Ordinance shall be in full force and effect from and after its passage, approval, and publication in the official city newspaper, all as provided by applicable law.

PASSED by the Governing body on this ____ day of _____, 20__.

APPROVED AND SIGNED by the Mayor on this ____ day of _____, 20__.

Ken Sissom,
Mayor of the City of Merriam, Kansas

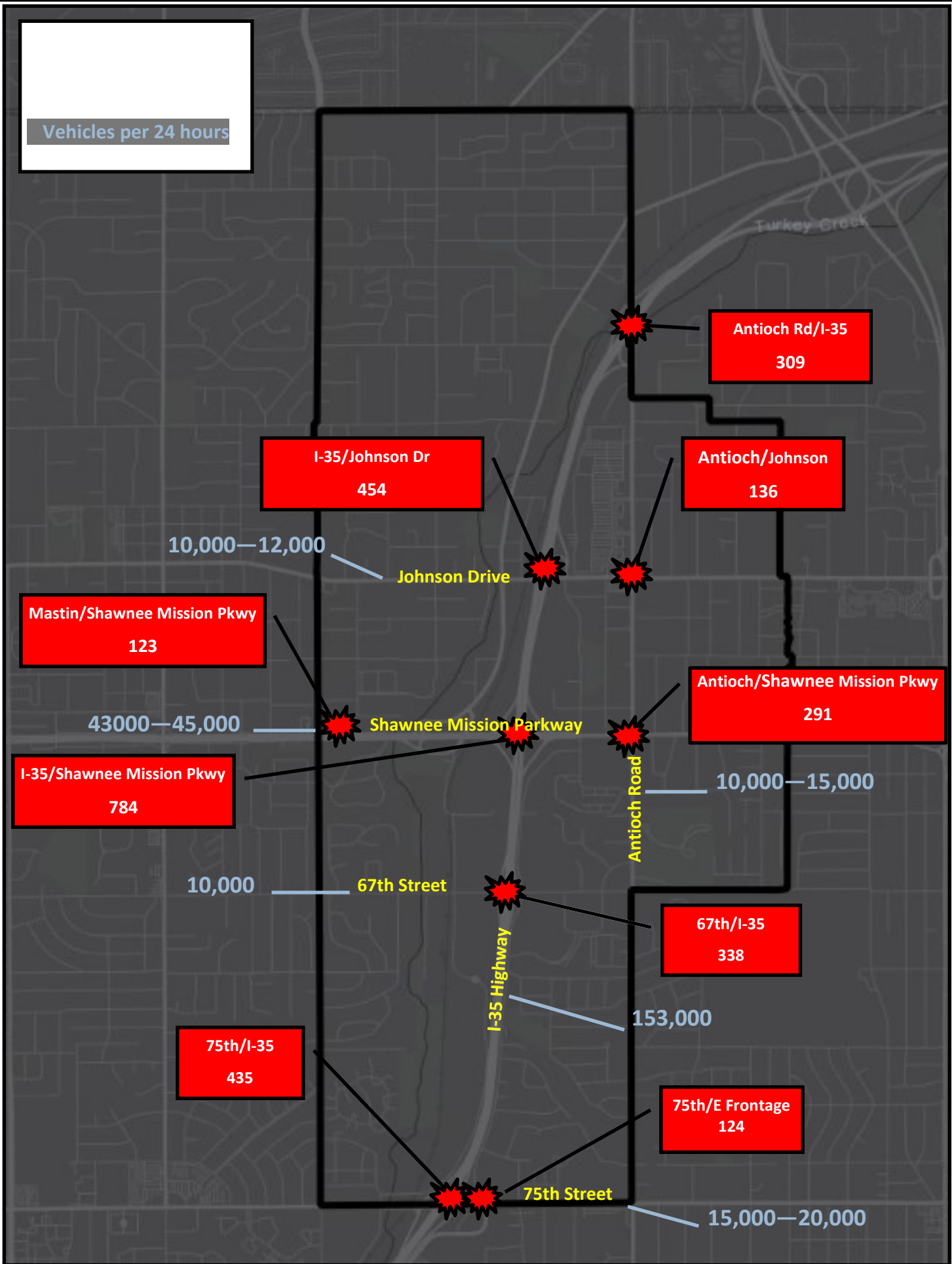
(Seal)
ATTEST:

Julianna Pinnick,
City Clerk for the City of Merriam, Kansas

APPROVED AS TO FORM:

Ryan Denk,
City Attorney

2010—2020 TOP CRASH LOCATIONS WITH DAILY TRAFFIC NUMBERS



CITY OF MERRIAM, KANSAS

MONTHLY FINANCIAL REPORT

Finance Department



City of Merriam, KS
Monthly Financial Report - Executive Summary
December 2020

Revenues

| | Current Month Actual | YTD Actual | YTD Budget | Over/(Under) YTD Budget |
|-------------------------------------|-------------------------|---------------|---------------|----------------------------|
| Various Funds: | | | | |
| 1% City Sales Tax | \$ 662,021 | \$ 5,968,742 | \$ 5,876,177 | \$ 92,565 |
| 1/4% City Sales Tax-Storm/Street | 175,214 | 1,555,407 | 1,529,229 | 26,178 |
| 1/4% City Sales Tax-Rec. Facilities | 175,214 | 1,555,407 | 1,529,229 | 26,178 |
| City Use Tax | 82,694 | 749,289 | 540,000 | 209,289 |
| County Sales Taxes - All | 182,813 | 1,686,586 | 1,723,333 | (36,747) |
| Real Property Taxes - Gen Fund | \$ - | \$ 4,267,294 | \$ 4,384,441 | \$ (117,147) |
| Transient Guest Tax | - | 208,367 | 306,124 | (97,757) |
| Franchise Fees | 76,017 | 1,302,798 | 1,418,000 | (115,202) |
| Court Fines | 66,520 | 824,396 | 900,000 | (75,604) |

Expenditures

| <i>General Fund - only:</i> | Current Mo. Actual | Monthly Budget | Over/(Under) Budget | Year to Date Actual | Year to Date Budget | Over/(Under) YTD Budget |
|-----------------------------|-----------------------|-------------------|------------------------|------------------------|------------------------|----------------------------|
| Salaries and Benefits | \$ 436,027 | \$ 776,147 | \$ (340,120) | \$ 7,988,227 | \$ 9,313,769 | \$ (1,325,542) |
| Contractual Services: | | | | | | |
| OP Fire Services | - | 226,246 | (226,246) | 1,686,437 | 2,714,947 | (1,028,511) |
| Utilities | 99,168 | 48,072 | 51,097 | 444,358 | 576,860 | (132,502) |
| Legal | 3,192 | 8,333 | (5,141) | 36,367 | 100,000 | (63,633) |
| Property Maint | 71,373 | 58,592 | 12,781 | 586,442 | 703,098 | (116,656) |
| Specific Contractual* | 10,141 | 29,640 | (19,499) | 207,271 | 355,685 | (148,414) |
| Other Contractual | 36,687 | 78,420 | (41,733) | 542,662 | 941,042 | (398,380) |
| Commodities: | | | | | | |
| Gasoline/Diesel Fuel | 8,502 | 12,502 | (4,000) | 73,757 | 150,020 | (76,263) |
| Other Commodities | 32,401 | 50,530 | (18,128) | 370,752 | 606,355 | (235,603) |

*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:

- October 2020 1% and ¼% City sales tax receipts are 6.27% (\$64,660) more than the prior year.
 - Auto sales are 9.49% more than prior year actual.
 - Merriam Town Center/Johnson Drive sales are 0.51% less than prior year actual
 - Other categories are 11.58% more than prior year actual.

- Year-to-date 1% and ¼% City sales taxes are 3.38% (\$345,468) less than prior year actual.
 - Auto sales are 5.89% less than prior year actual.
 - Merriam Town Center/Johnson Drive sales are 10.08% less than prior year actual.
 - Other categories are 6.28% more than prior year actual.

City of Merriam, KS
Monthly Financial Report - Executive Summary
December 2020

Equipment Purchases >\$5,000

| Month | Description | Amount |
|--------------|---|---------------|
| January | City Hall – partial payment for carpet replacement | \$49,870 |
| | Public Works – tire changer equipment | \$12,620 |
| February | City Hall – final payment for carpet replacement | \$25,792 |
| | Fire – prepayment for 2020 Pierce Velocity pumper truck | \$716,272 |
| March | None | \$0 |
| April | Public Works – traffic signal backup system | \$8,300 |
| May | None | \$0 |
| June | Public Works – two snow plow blades | \$21,872 |
| | Public Works – four column lift | \$44,946 |
| | Public Works – HVAC unit | \$21,524 |
| July | City Hall – website redesign and annual fees | \$44,400 |
| | Public Works – 2020 Dodge Ram pickup truck | \$21,832 |
| | Community Center – scissor lift | \$10,523 |
| August | Fire – hose and fittings for new truck #E46 | \$17,048 |
| September | Police – 2020 Ford Interceptor | \$35,844 |
| October | Community Development – plan review workstation/monitor | \$13,700 |
| | IT – laptops (8) | \$8,720 |
| | IT – wireless access points (20) | \$14,350 |
| November | Public Works – tow behind truck loader | \$11,482 |
| December | None | \$0 |

Cash and Investment Balances

| | | |
|--|---------------|------|
| FHLB = Federal Home Loan Bank | \$ 7,985,000 | 29% |
| FHLMC = Federal Home Loan Mortgage Corp. | 4,150,000 | 16% |
| FNMA = Federal National Mortgage Assn. | 4,500,000 | 17% |
| FFCB = Federal Farm Credit Bank | 1,500,000 | 6% |
| US Treasury Bills | 3,127,000 | 12% |
| Municipal Bonds | 485,000 | 2% |
| TD Ameritrade MMA | 1,346,007 | 5% |
| Total Investments | 23,093,007 | 87% |
| US Bank Cash Account | 3,555,995 | 13% |
| Total Cash plus Investments | \$ 26,649,002 | 100% |

City of Merriam, KS
Monthly Financial Report - Executive Summary
December 2020

FAQ's

Question: What is the City Sales Tax rate effective January 1, 2020?

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: **\$1,685,000** is the current balance for the Series 2012 and **\$15,390,000** 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: **27.765 mills** (2019 levy supporting 2020 budgets)

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

Answer: **\$214 million** per Johnson County Clerk as of June 1, 2020

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

Answer: **\$91 million** or 43% for Residential (including apartments);
\$116 million or 55% for Commercial;
\$7 million or 2% for Other (including vacant land, personal property, utilities)

Question: How many households are in the City?

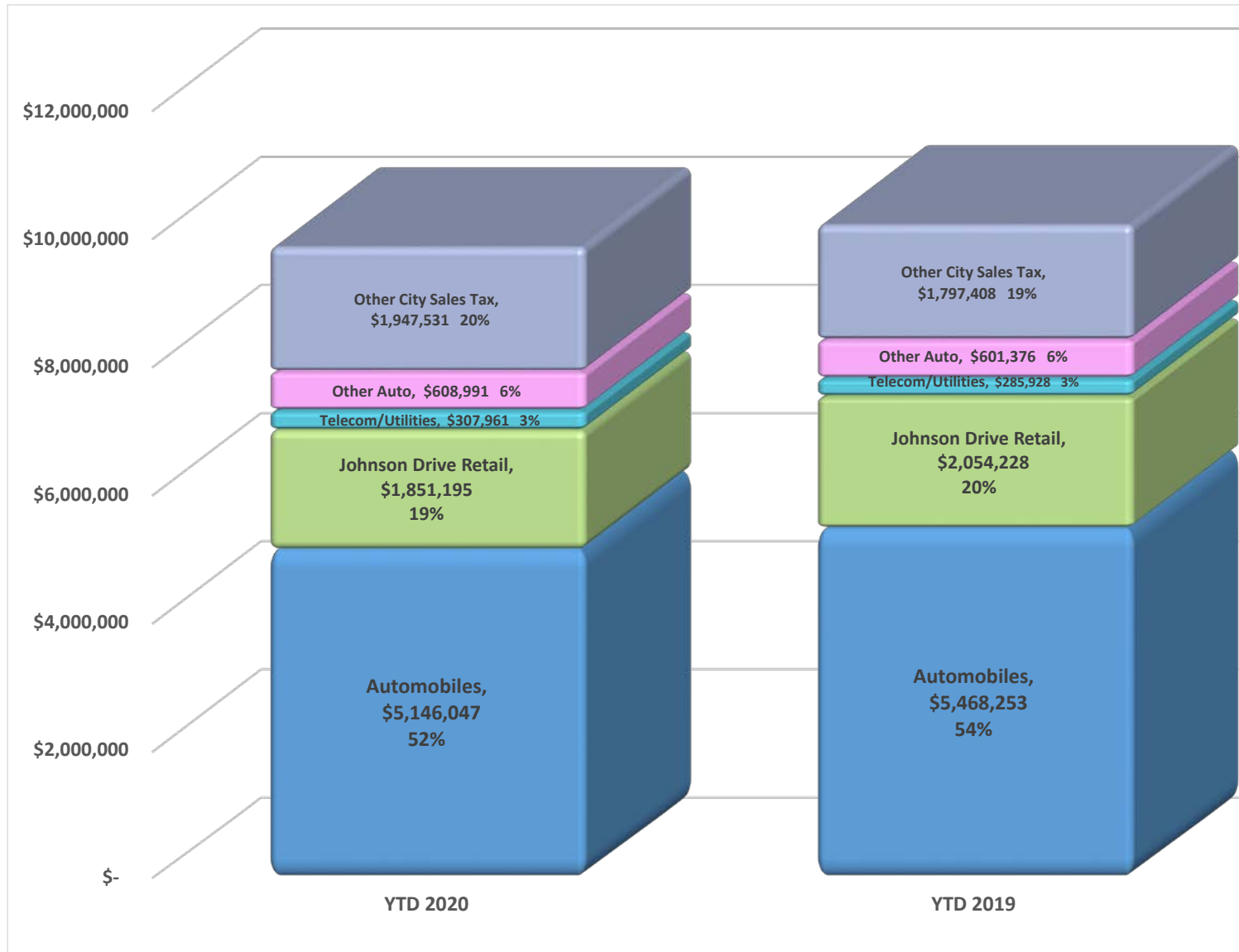
Answer: **5,224 households** (homes and apartments) per the 2010 U.S. Census Bureau

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

Answer: **4.49** is the City's pull factor per the Kansas Department of Revenue (December 2020 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 2020 vs 2019



CITY SALES & USE TAXES *
(Regular 1.50% effective Jan. 1, 2018, 1.25% prior years)

Through: December 2020

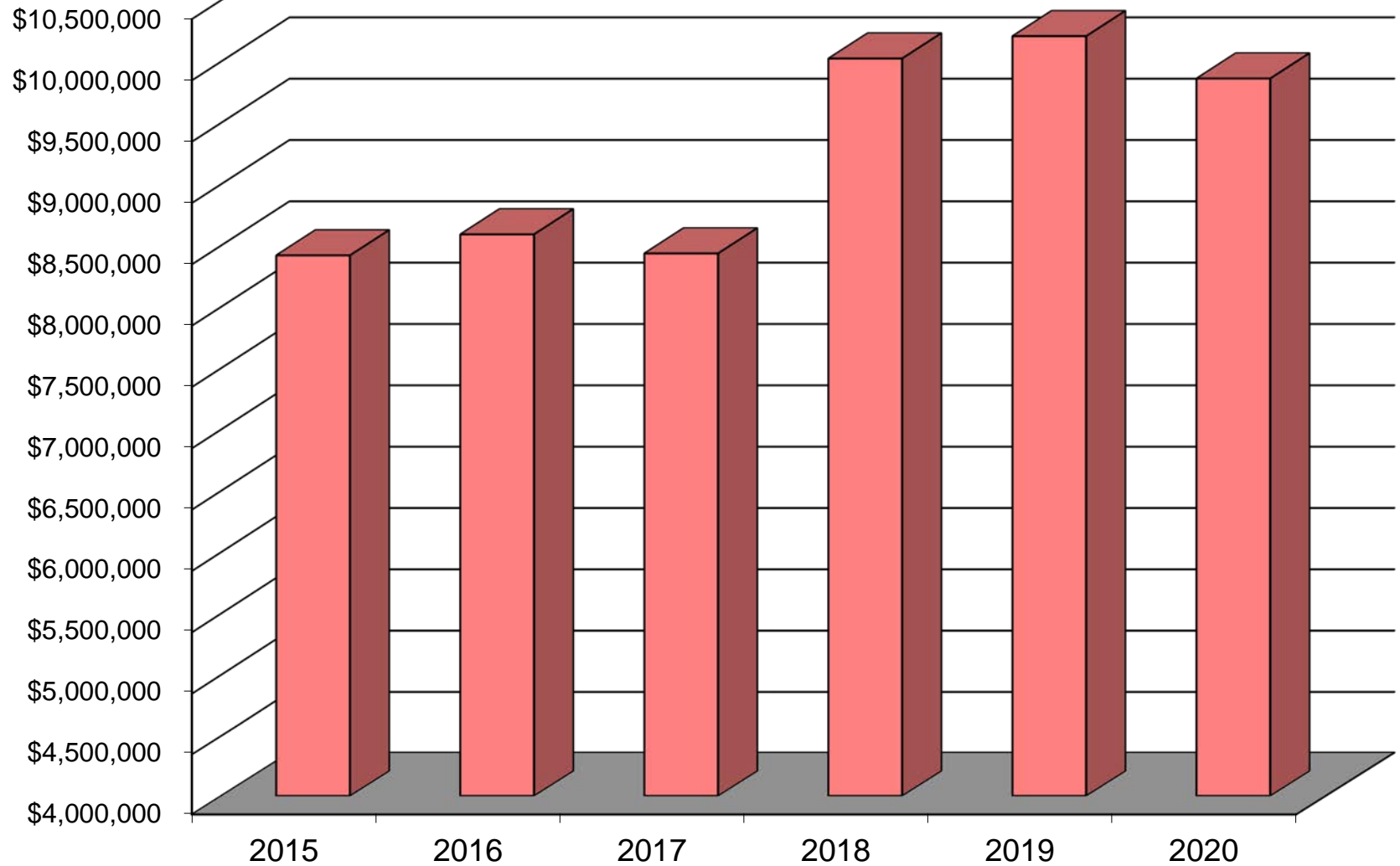
| Month | | | | | | | Comparison | Average |
|--------------------|------------------|-------------------|-------------------|-------------------|-------------------|------------------|------------------|-------------------|
| Collected/Received | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | 2019 and 2020 | 2015-2019 |
| Jan/Mar | 765,910 | 831,320 | 786,301 | 849,645 | 852,037 | 929,937 | 77,900 | 817,043 |
| Feb/Apr | 729,500 | 773,150 | 738,462 | 984,697 | 815,595 | 994,443 | 178,848 | 808,281 |
| Mar/May | 870,039 | 858,854 | 868,780 | 997,674 | 1,014,294 | 803,256 | (211,038) | 921,928 |
| Apr/Jun | 797,873 | 796,692 | 750,690 | 1,079,168 | 979,825 | 654,772 | (325,053) | 880,849 |
| May/Jul | 883,727 | 931,163 | 858,245 | 1,025,175 | 1,127,238 | 914,993 | (212,245) | 965,110 |
| Jun/Aug | 851,691 | 865,511 | 895,143 | 1,088,415 | 981,803 | 1,246,100 | 264,298 | 936,512 |
| Jul/Sep | 969,616 | 927,803 | 911,673 | 1,028,566 | 1,156,685 | 1,066,462 | (90,224) | 998,869 |
| Aug/Oct | 882,690 | 923,896 | 909,599 | 1,093,553 | 1,156,528 | 1,143,388 | (13,140) | 993,253 |
| Sep/Nov | 824,964 | 863,243 | 829,752 | 898,941 | 1,092,707 | 1,013,232 | (79,474) | 901,921 |
| Oct/Dec | 843,995 | 819,791 | 887,153 | 978,915 | 1,030,482 | 1,095,142 | 64,660 | 912,067 |
| Nov/Jan | 772,120 | 844,545 | 815,416 | 947,857 | 1,041,482 | | | 884,284 |
| Dec/Feb | 752,128 | 943,732 | 868,102 | 966,502 | 1,043,210 | | | 914,735 |
| Total | 9,944,253 | 10,379,700 | 10,119,316 | 11,939,108 | 12,291,885 | 9,861,725 | (345,468) | 10,934,852 |
| YTD | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | | |
| December 2020 | 8,420,004 | 8,591,423 | 8,435,799 | 10,024,749 | 10,207,193 | 9,861,725 | | |

| | |
|---|---------------|
| Average Collections Between 2015-2019 | \$ 10,934,852 |
| Budgeted 2020 | 11,369,562 |
| Estimate Based on Current Collection Rate | 11,834,070 |
| Over/(Under) at Current Collection Rate | \$ 464,508 |

* 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.

1.50% City Sales & Use Tax Year to Date Comparison 2015-2020

(1.50% effective Jan. 1, 2018, 1.25% prior years)



JOHNSON COUNTY SALES/USE TAX AND PUBLIC SAFETY TAXES *
(Total City Share is 1.25%)

Through: December 2020

| Month Collected/Received | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | Comparison 2019 and 2020 | Average 2015-2019 |
|--------------------------|------------------|------------------|------------------|------------------|------------------|------------------|--------------------------|-------------------|
| Jan/Mar | 133,617 | 130,730 | 132,558 | 164,426 | 147,949 | 152,833 | 4,885 | 141,856 |
| Feb/Apr | 125,764 | 129,905 | 136,333 | 149,591 | 148,168 | 156,265 | 8,097 | 137,952 |
| Mar/May | 138,507 | 145,445 | 148,999 | 178,476 | 167,514 | 150,945 | (16,570) | 155,788 |
| Apr/Jun | 140,620 | 141,130 | 157,071 | 171,127 | 165,807 | 153,599 | (12,208) | 155,151 |
| May/Jul | 142,876 | 136,074 | 168,652 | 179,056 | 182,514 | 164,589 | (17,925) | 161,835 |
| Jun/Aug | 151,260 | 150,786 | 181,983 | 185,132 | 176,338 | 192,327 | 15,989 | 169,100 |
| Jul/Sep | 148,744 | 150,089 | 172,667 | 166,088 | 181,055 | 168,081 | (12,974) | 163,729 |
| Aug/Oct | 145,684 | 148,762 | 176,915 | 175,932 | 178,013 | 187,229 | 9,216 | 165,061 |
| Sep/Nov | 146,413 | 152,714 | 180,671 | 164,596 | 178,770 | 177,905 | (864) | 164,633 |
| Oct/Dec | 145,100 | 140,607 | 165,159 | 163,132 | 176,796 | 182,813 | 6,017 | 158,159 |
| Nov/Jan | 145,355 | 142,131 | 171,494 | 183,409 | 177,798 | | | 164,037 |
| Dec/Feb | 155,653 | 172,005 | 196,607 | 189,838 | 194,792 | | | 181,779 |
| Total | 1,719,594 | 1,740,379 | 1,989,108 | 2,070,804 | 2,075,514 | 1,686,586 | (16,338) | 1,919,080 |
| YTD | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | | |
| December 2020 | 1,418,586 | 1,426,243 | 1,621,007 | 1,697,556 | 1,702,924 | 1,686,586 | | |

| | |
|---|--------------|
| Average Collections Between 2015-2019 | \$ 1,919,080 |
| Budgeted 2020 | 2,068,000 |
| Estimate Based on Current Collection Rate | 2,023,904 |
| Over/(Under) at Current Collection Rate | \$ (44,096) |

* The County special "courthouse" 0.25% tax, effective April 1, 2017, will expire March 31, 2027. All other County taxes have no sunset date.

**December 2020
REVENUE SUMMARY BY FUND**

| Fund Number | Revenues | Budget/Est. | YTD Actual | Monthly Collections | Balance | YTD % Budget/Est. |
|--------------------|-------------------------------------|----------------------|----------------------|----------------------------|---------------------|--------------------------|
| 001 | General Fund | \$ 18,456,755 | \$ 16,108,903 | \$ 1,189,806 | \$ 2,347,852 | 87.28% |
| 201 | Special Highway Fund | 305,780 | 213,984 | 0 | 91,796 | 69.98% |
| 202 | Special Alcohol Fund | 24,000 | 22,073 | 5,833 | 1,927 | 91.97% |
| 203 | Special Park & Rec | 24,000 | 22,462 | 5,833 | 1,538 | 93.59% |
| 204 | Transient Guest Tax | 474,150 | 241,705 | 647 | 232,445 | 50.98% |
| 221 | Risk Management Reserve | 15,000 | 22,554 | 1 | (7,554) | 150.36% |
| 222 | Equipment Reserve Fund | 940,000 | 900,211 | 74,800 | 39,789 | 95.77% |
| 301 | Capital Improvement Fund | | 8,377,001 | 826,998 | | |
| 303 | I-35 District CIP Fund | | 40,808 | 4,934 | | |
| 401 | Bond and Interest Fund | 3,227,555 | 2,954,428 | 175,214 | 273,127 | 91.54% |
| 403 | TIFB-I35 District | | 7,195,528 | - | | |
| 702 | Special Law Enforcement-State/Local | | 5,338 | 44 | | |
| 704 | Grant Fund | | 348,843 | 244,194 | | |
| TOTAL | | \$ 23,467,240 | \$ 36,453,839 | \$ 2,528,305 | \$ 2,980,919 | |

| | |
|---|----------------|
| Average Rate of Sales Tax Collections Should Be: | 83.33% |
| Average Rate of Other Collections Should Be: | 100.00% |

**December 2020
EXPENDITURE SUMMARY BY FUND**

| Fund Number | Expenditures | Budget/Est. * | YTD Actual | Monthly Expenditures | Encumbrances | Balance | YTD % Budget/Est. |
|--------------------|-------------------------------------|----------------------|----------------------|-----------------------------|---------------------|---------------------|--------------------------|
| 001 | General Fund | \$ 20,107,482 | \$ 17,429,555 | \$ 1,401,285 | \$ 197,644 | \$ 2,480,283 | 87.66% |
| 201 | Special Highway Fund | 390,000 | 239,404 | 1,333 | 3,092 | 147,504 | 62.18% |
| 202 | Special Alcohol Fund | 25,000 | 20,000 | - | - | 5,000 | 80.00% |
| 203 | Special Park & Rec | 49,000 | 11,074 | 800 | 1,500 | 36,426 | 25.66% |
| 204 | Transient Guest Tax | 625,927 | 463,692 | 113,513 | 1,852 | 160,384 | 74.38% |
| 221 | Risk Management Reserve | 30,000 | 29,899 | (774) | - | 101 | 99.66% |
| 222 | Equipment Reserve Fund | 1,496,587 | 1,389,007 | 420,486 | 37,573 | 70,007 | 95.32% |
| 301 | Capital Improvement Fund | | 16,627,693 | 586,988 | 121,930 | | |
| 303 | I-35 District CIP Fund | | 3,905,590 | 252,333 | - | | |
| 401 | Bond and Interest Fund | 3,208,125 | 3,208,125 | - | - | - | 100.00% |
| 403 | TIFB-I35 District | | 2,214,456 | - | - | | |
| 702 | Special Law Enforcement-State/Local | | 7,685 | - | - | | |
| 704 | Grant Fund | | 152,806 | 48,133 | 34,185 | | |
| TOTAL | | \$ 25,932,121 | \$ 45,698,986 | \$ 2,824,096 | \$ 397,775 | \$ 2,899,704 | |

| | |
|--|----------------|
| Average Expenditure Rate Should Be: | 100.00% |
|--|----------------|

* Excludes budgeted reserves and contingencies

December 2020
EXPENDITURE SUMMARY BY DEPARTMENT
GENERAL FUND - YEAR-TO-DATE

| <u>Department</u> | <u>2020</u> | | | <u>2019</u> | <u>Actual 2020</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 2019</u> |
| City Council | \$ 85,657 | \$ 77,231 | 90.16% | \$ 75,113 | \$ 2,118 |
| Administration | 1,166,278 | 1,162,389 | 99.67% | 1,104,277 | 58,112 |
| Municipal Court | 381,248 | 310,213 | 81.37% | 319,900 | (9,687) |
| Info Services | 530,303 | 415,807 | 78.41% | 415,117 | 690 |
| General Overhead | | | | | |
| General | 312,170 | 249,361 | 79.88% | 267,010 | (17,648) |
| Utilities | 285,500 | 232,690 | 81.50% | 241,569 | (8,880) |
| Property Maintenance | 270,660 | 237,167 | 87.63% | 198,027 | 39,140 |
| Risk Management | 195,327 | 177,960 | 91.11% | 185,719 | (7,759) |
| Legal | 106,910 | 40,749 | 38.11% | 58,010 | (17,262) |
| Employee Benefits | 56,150 | 32,569 | 58.00% | 34,159 | (1,590) |
| Interfund Transfers | 4,537,706 | 5,158,334 | 113.68% | 4,988,991 | 169,343 |
| Contingency Usage * | - | - | 0.00% | 24,978 | (24,978) |
| Police | 4,280,552 | 3,949,754 | 92.27% | 3,877,225 | 72,529 |
| Fire | 2,838,973 | 1,754,749 | 61.81% | 1,677,172 | 77,576 |
| Public Works | 2,583,833 | 1,830,871 | 70.86% | 2,139,376 | (308,504) |
| Parks & Rec | 125,300 | 66,967 | 53.45% | 727,167 | (660,200) |
| Parks & Rec - New CC | 1,545,556 | 1,001,697 | 64.81% | - | 1,001,697 |
| Aquatic Center | - | - | 0.00% | 23,915 | (23,915) |
| Community Dev | 803,988 | 731,046 | 90.93% | 739,804 | (8,759) |
| Total General Fund | <u>\$ 20,106,111</u> | <u>\$ 17,429,555</u> | <u>86.69%</u> | <u>\$ 17,097,532</u> | <u>\$ 332,023</u> |

| | |
|--|----------------|
| Average Expenditure Rate Should Be: | 100.00% |
|--|----------------|

* 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 the blue bar is a decorative horizontal band with a repeating pattern 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
12/31/2020**

| Fund | Type | Location | Purchase Date | Par Amount | Maturity Date | Yield | Monthly Subtotal |
|-------------|----------------|-----------------|----------------------|-------------------|----------------------|--------------|-----------------------------|
| 301/901 | Treasury MMA | TD Ameritrade | 09/01/16 | 1,346,007 | N/A | 0.010% | \$ 1,346,007 |
| 301 | AGENCY-FHLB | Country Club | 04/09/20 | 500,000 | 01/08/21 | 0.250% | |
| 301 | AGENCY-FHLB | Country Club | 04/24/20 | 325,000 | 01/08/21 | 0.250% | |
| 222 | AGENCY-FHLB | Country Club | 04/24/20 | 325,000 | 01/08/21 | 0.250% | \$ 1,150,000 |
| 301/303 | TBILL | TD Ameritrade | 07/08/20 | 1,000,000 | 02/25/21 | 0.137% | |
| 901 | AGENCY-FHLMC | TD Ameritrade | 03/14/17 | 500,000 | 02/26/21 | 1.356% | |
| 301 | TBILL | Country Club | 01/30/20 | 275,000 | 02/28/21 | 1.417% | \$ 1,775,000 |
| 301 | AGENCY-FHLB | TD Ameritrade | 01/24/20 | 1,000,000 | 03/12/21 | 1.550% | \$ 1,000,000 |
| 301 | AGENCY-FNMA | TD Ameritrade | 05/29/20 | 1,500,000 | 04/13/21 | 0.154% | \$ 1,500,000 |
| 301 | TBILL | TD Ameritrade | 05/29/20 | 1,552,000 | 05/20/21 | 0.169% | \$ 1,552,000 |
| 301 | AGENCY-FHLB | TD Ameritrade | 07/08/20 | 1,000,000 | 06/11/21 | 0.166% | |
| 901 | AGENCY-FHLB | TD Ameritrade | 03/14/18 | 250,000 | 06/14/21 | 2.509% | \$ 1,250,000 |
| 301 | AGENCY-FHLB | TD Ameritrade | 08/05/20 | 3,000,000 | 07/07/21 | 0.112% | \$ 3,000,000 |
| 301 | AGENCY-FHLMC | TD Ameritrade | 07/08/20 | 3,000,000 | 08/12/21 | 0.167% | |
| 301 | AGENCY-FNMA | TD Ameritrade | 08/06/20 | 1,000,000 | 08/17/21 | 0.126% | |
| 301 | AGENCY-FNMA | Country Club | 07/29/19 | 500,000 | 08/17/21 | 1.797% | \$ 4,500,000 |
| 301 | AGENCY-FNMA | Country Club | 07/29/19 | 500,000 | 09/08/21 | 1.862% | \$ 500,000 |
| 301 | AGENCY-FNMA | TD Ameritrade | 10/28/20 | 1,000,000 | 10/07/21 | 0.122% | |
| 301 | MUNICIPAL BOND | TD Ameritrade | 11/05/20 | 250,000 | 10/15/21 | 0.221% | \$ 1,250,000 |
| 303 | AGENCY-FHLB | TD Ameritrade | 02/18/20 | 340,000 | 12/10/21 | 1.400% | |
| 301 | AGENCY-FHLB | TD Ameritrade | 02/18/20 | 245,000 | 12/10/21 | 1.400% | |
| 301 | AGENCY-FHLB | TD Ameritrade | 12/16/20 | 1,000,000 | 12/16/21 | 0.092% | |
| 222 | TBILL | Country Club | 12/23/20 | 300,000 | 12/31/21 | 0.095% | \$ 1,885,000 |
| 301 | AGENCY-FFCB | TD Ameritrade | 12/22/20 | 1,000,000 | 09/22/22 | 0.120% | \$ 1,000,000 |
| 301 | MUNICIPAL BOND | TD Ameritrade | 05/07/20 | 235,000 | 12/01/22 | 1.050% | |
| 222/303 | AGENCY-FHLMC | Country Club | 06/30/20 | 650,000 | 12/29/22 | 0.350% | \$ 885,000 |
| 221 | AGENCY-FFCB | Country Club | 01/30/20 | 350,000 | 01/23/23 | 1.441% | |
| 301 | AGENCY-FFCB | Country Club | 01/30/20 | 150,000 | 01/23/23 | 1.441% | \$ 500,000 |
| | | | | | Weighted Yield | 0.414% | <u><u>\$ 23,093,007</u></u> |

CITY COUNCIL SUGGESTED MOTIONS FOR YOUR CONSIDERATION

CONSENT AGENDA

- 1. Move that the council approve Consent Agenda Item 1.**

MAYOR'S REPORT

- 1. No motion.**
- 2. No motion.**

COUNCIL ITEMS

- 1. No motion (first reading).**
- 2. No motion.**
- 3. No motion.**