

**MERRIAM CITY COUNCIL MINUTES
CITY HALL
9001 WEST 62ND STREET
September 14, 2020
7:00 P.M.**

This was a virtual meeting via Zoom.

I. CALL TO ORDER

Mayor Ken Sissom called the meeting to order at 7:00 P.M.

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

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; Bryan Dyer, Community Development Director; Donna Oliver, Finance Director; and Juli Pinnick, City Clerk.

I. CALL TO ORDER - PLEDGE OF ALLEGIANCE

II. ROLL CALL

III. PUBLIC ITEMS

In response to COVID-19, public comment that normally occurs during the City Council meeting has been temporarily suspended. Members of the public are still encouraged to share comments about matters that may or may not appear on the agenda. Public Comments are limited to five (5) minutes or a maximum of 850 words for written submissions.

Please note: Public Comments will only be taken *via email* to the City Clerk at jpinnick@merriam.org prior to 6:00pm on the date of the meeting. *In accordance with the Governing Body Rules of Procedure, the City reserves*

the right to refuse Public Comments that are personal, impertinent or slanderous.

Al Frisby, 10121W. 59th Ter., commented: from *Journal of Infectious Diseases*, April 16, 2020. Cases of coronavirus disease 2019 (COVID-19) have been reported in more than 200 countries. Thousands of health workers have been infected, and outbreaks have occurred in hospitals, aged care facilities, and prisons. The World Health Organization (WHO) has issued guidelines for contact and droplet precautions for healthcare workers caring for suspected COVID-19 patients, whereas the US Centers for Disease Control and Prevention (CDC) has initially recommended airborne precautions. The 1- to 2-meter ($\approx 3\text{--}6$ feet) rule of spatial separation is central to droplet precautions and assumes that large droplets do not travel further than 2 meters (≈ 6 feet). We aimed to review the evidence for horizontal distance traveled by droplets and the guidelines issued by the WHO, CDC, and European Centre for Disease Prevention and Control on respiratory protection for COVID-19.

We found that the evidence base for current guidelines is sparse, and the available data do not support the 1- to 2-meter ($\approx 3\text{--}6$ feet) rule of spatial separation. Of 10 studies on horizontal droplet distance, 8 showed droplets travel more than 2 meters (≈ 6 feet), in some cases up to 8 meters (≈ 26 feet). Several studies of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) support aerosol transmission, and 1 study documented virus at a distance of 4 meters (≈ 13 feet) from the patient. Moreover, evidence suggests that infections cannot neatly be separated into the dichotomy of droplet versus airborne transmission routes. Available studies also show that SARS-CoV-2 can be detected in the air, and remain viable 3 hours after aerosolization. The weight of combined evidence supports airborne precautions for the occupational health and safety of health workers treating patients with COVID-19.

Christopher Leitch, 8600 West 60th St., commented: I am writing to express appreciation of and support for the continued operation of the Merriam Community Center. Since Opening Day I have been a frequent user of the fitness facility at the Center, visiting 4 days per week for my regular routine. Like many in the community, I am easing into activities that were once routine, after months of sheltering at home because of the pandemic. While we are far from the end of this crisis, I see that we are learning-as-we-go how to navigate in social and public settings, with guidance from health professionals coupled with our own common sense.

I approached the restart of my gym schedule with some trepidation, because I wanted to be certain that there was not unsafe overcrowding and that the facility

was properly cleaned. On both counts the Merriam Community Center has my vote of confidence. It is a well-managed, calm and very reasonable atmosphere. The machines and stations are appropriately spaced, and there is clear signage encouraging us to use every OTHER machine so we are not too cozy. The space is well-ventilated, staff are cleaning and wiping constantly, and there are medical grade wipes available for us to wipe our own machines and equipment. Visitors wear our masks even during our workouts.

I add that I work for a public-facing County agency and that our staff has been deeply and frequently trained on public space hygiene protocols. The Center is meeting all these standards and I am confident returning week after week. I also give myself permission to leave the Center at any time if I think things are too busy for my personal comfort. That hasn't happened yet.

While we must remain vigilant in the face of the wily microbial enemy that is COVID-19, I am in favor of maintaining the current open public hours for the Community Center.

Sam Matier, 8515 W. 57th St., commented: this morning I sent a detailed email to all Merriam city council members describing the hazards that attracting feral cats to the community with open feeding by residents is creating for the community.

1. Cats carry diseases transmittable to humans
2. Physical injury to neighbors that are pulled down while walking their dog that yanks the leash to chase a cat running at large.
3. Driving hazards on Mackey and Johnson drive from cats running across the road.
4. Influx of diseased raccoons and other wild animals that are attracted to open feeding.
5. Legal liability, both body and property, to residents feeding wild animals and to the city from the hazards identified above which are not mitigated.

I also offered some proposed solutions to the problem. My hope is that this issue will be placed on the agenda for discussion at a future city council meeting.

Mary Anne Hile, 5829 Mackey St., commented: a few weeks ago a neighbor informed my husband and me verbally that we were harboring "feral" cats

because we were feeding them. We are law abiding citizens and that concerned us. This was the first time we had heard a word about "harboring." We thought we were being kind to stray cats.

Recently, my husband and I received a letter with the Merriam City Code concerning sections about harboring cats.

All of the neighborhood cats except one have a clipped ear. The clipped ear means these cats have been neutered and released. They have received a rabies shot. I do not have the paper for any cat. But others have made a concerted effort to get these cats neutered and given the rabies shot. Plans were in the works for the two others but they fell through when COVID came along. Now I've heard one of those cats died by accident. So there is only one left that has not been neutered. When he can be taken to a vet and neutered, the population problem will be taken care of.

In the two years that I have been aware of these cats, I have not heard them fighting or making loud noises. I have not noticed that they are public nuisances as defined in Section 8-80. Section 8-79 means to me that an owner/harbinger cannot let his cat out of doors. How can it be controlled if it is not on a leash? Keeping an outdoor cat indoors is very difficult and I'm sure stressful to the cat. I think it is almost nearly impossible to do this with a cat that has been freely roaming for a couple of years.

I have been trying to figure out what to do. I have called the vet in Mission we used when we owned our cats. Yes, if one can get a clipped-ear community cat in a carrier, they will work to give it a rabies shot again so it can be licensed. First, I need to get my husband to agree to it, then communicate with the neighbors to let them know our plans in case any of them have the same idea, and then get the cat in a carrier and take him to the vet. If all this could be accomplished, there would still be the issue of trying to turn an outdoor cat into an indoor cat. I would like to study up on what other possibilities might be considered.

It might be a much better idea to work with Alley Cat Allies and other groups whose mission it is to protect community cats.

Briefly, here's what Alley Cat Allies has to say about community cats:

Community cats are at home outdoors

Cats living outdoors is nothing new.

Community cats are safe members of the community

Community cats have a place in the natural environment.

I want to speak for myself and my husband. Especially during this time of social distancing, these cats have been a bright spot in our days. The thought of them being picked up and taken away with their likely prospects of being put down makes me extremely sad. I believe that we are all connected. People and animals

and plants. And that being kind to each other is the best way to live. And that includes being kind to animals too.

I've been looking for someone who could say this so much better than I can. This quote from Leo Tolstoy came my way on Facebook:

Nothing can make our life, or the lives of other people, more beautiful than perpetual kindness.

If the city council approves further investigation into the possibility of community cats, I would be glad to do research including writing letters to all the residents on our stretch of Mackey Street to see if they would be willing to allow these cats to remain on our street tended to by those who are tending to them now. For the sake of kindness to animals. Thank you for listening to my thoughts.

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 August 24, 2020.

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

V. MAYOR'S REPORT

1. Confirm the appointment of Evan Quinley to the Parks and Recreation Advisory Board for the term expiring December 31, 2020.

COUNCILMEMBER HANDS MOVED THAT THE COUNCIL CONFIRM THE APPOINTMENT OF EVAN QUINLEY TO THE PARKS AND RECREATION ADVISORY BOARD FOR THE TERM EXPIRING DECEMBER 31, 2020. COUNCILMEMBER KALDAHL SECONDED AND THE MOTION WAS UNANIMOUSLY APPROVED.

VII. COUNCIL ITEMS

A. Finance and Administration

1. Community Center Update.

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

The project remains on budget and there may be some funds returned from the contingency once everything is finalized. The indoor pool is complete and filled with water. It is nearly ready to be opened to the public.

Ms. Hauck displayed some photos depicting the lobby furniture, the indoor pool, and outdoor pool. Staff invited a couple of families to test out the outdoor pool features. Photos of the families enjoying the outdoor pool were displayed. The landscaping continues with sod being laid, final sidewalk installation being completed.

In working with the Library Board, they have asked to place a “Coming Soon” sign on the grassy area where the library will be built.

Additional paint and graphics are scheduled to be installed in the next week and the public art pieces are scheduled to be delivered in a couple of weeks.

B. Community Development/Public Works/CIP

1. CIP Update.

Public Works Director Jim MacDonald provided the following CIP Updates:

2020 Street and Storm Drainage Project – Johnson Dr. Mastin St. Improvements – Mastin St. is substantially complete; weather permitting, sod is scheduled to be placed the week of September 14. On Johnson Dr., all of the substandard curbs, ADA ramps, and driveway approaches have been replaced. All of the narrow islands have been replaced with stamped concrete and the plantings for the island at Slater St. are scheduled for the first of October. The anticipated start date for the mill and overlay is September 14. The project contract completion is October 1.

55th Street Drainage Improvements - This project is completed. The project took just over one week to get completed.

There was a water main break on Merriam Drive last week. The line has been patched in three places. Staff will work with Waterone to try to get them to replace that line prior to the city starting the Merriam Drive project next year. There was some damage to the curbs, sidewalk pavers and a portion of the street.

The fall tree sale was a success with 23 residents placing orders for trees. A total of 53 trees were purchased. There were about 12 varieties that were

the most popular from the 17 varieties offered. Staff will not offer the trees that were not selected during this sale next year as there is no interest in those types of trees.

The fall Large Item pickup is scheduled for the week of October 19. Staff is anticipating a larger than usual collection as the spring pickup was cancelled.

VIII. STAFF ITEMS

City Administrator Chris Engel commented that at the next meeting, council will consider the termination of the Redevelopment Agreement for the Tract B at Merriam Pointe. Also at that meeting, council will be considering Planning Commission items related to the improvements on that site in conjunction with the Reed Automotive development.

Councilmember Hands asked about the stone from the Irene B. French Community Center that was going to be made available to residents who wanted commemorative pieces of the stone.

Mr. Engel commented that the city has pallets of the stone at Public Works that will be reused at a later time. There were two pallets placed at the Merriam Marketplace for residents who wanted a commemorative piece of stone and within one day, all the stone was taken. Since that occurred, the stone at Public Works will be given to residents who want a small commemorative piece. Parks and Recreation Director Anna Slocum will coordinate with residents who request a piece to ensure they receive one. Staff has a list of folks who specifically requested a piece of stone and will be sure that those who have inquired receive one.

IX. NEW BUSINESS

X. EXECUTIVE SESSION

XI. ADJOURNMENT

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COUNCIL, COUNCILMEMBER PAPE MOVED TO ADJOURN AT 7:34 PM. COUNCILMEMBER HANDS SECONDED AND THE MOTION WAS UNANIMOUSLY APPROVED.

APPROVED: September 28, 2020

Respectfully submitted,

Juliana Pinnick

City Clerk