

**MERRIAM CITY COUNCIL MINUTES
CITY HALL
9001 WEST 62ND STREET
May 10, 2021
7:00 P.M.**

This was a virtual meeting held 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.

II. ROLL CALL

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; Jennifer Jones-Lacy, Assistant City Administrator; Jim MacDonald, Public Works Director; Jenna Gant, Communication and Public Engagement Manager; Darren McLaughlin, Police Chief; Stephanie Thompson, Human Resource Manager; Bryan Dyer, Community Development Director; Donna Oliver, Finance Director; Anna Slocum, Parks and Recreation Director; and Juli Pinnick, City Clerk.

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 April 26, 2021.
2. Consider approval of a Professional Services Agreement (PSA) with BHC Engineering for design services for 55th St. from Merriam Dr. to Switzer.

COUNCILMEMBER PAPE MOVED THAT THE COUNCIL APPROVE CONSENT AGENDA ITEMS 1-2. COUNCILMEMBER HANDS SECONDED AND THE MOTION WAS UNANIMOUSLY APPROVED.

V. MAYOR'S REPORT

1. "Leading the Way" award presentation by ETC. Institute.

Chris Tatham, ETC. Institute, presented the City with the "Leading the Way" national award. ETC Institute's "Leading the Way Award" was created to recognize local governments for outstanding achievement in the delivery of services to residents. Recipients of the award rank in the top 10% of all cities in the United States with regard to their composite performance in three core areas that are assessed in the citizen survey:

1. Satisfaction with the overall quality of services
 2. Satisfaction with customer service provided by employees, and
 3. Satisfaction with the value residents think they receive for local taxes and fees.
2. Proclamation National Public Works Week.

Mayor Sisson read the proclamation declaring May 16-22, 2021 "National Public Works Week".

VI. COUNCIL ITEMS

1. Consider approval of a resolution setting a Public Hearing date of June 14, 2021 to consider amending the I-35 Redevelopment District.

City Administrator Chris Engel provided the background for this item.

August 1994, the City of Merriam established a Redevelopment District, now known as the I-35 Redevelopment District, and adopted a district plan

identifying proposed redevelopment project areas within the Redevelopment District. The district plan generally identified the improvements to occur within each project area. Those improvements generally consist of building, facilities and other development.

Since the adoption of the I-35 Redevelopment District Plan, the Plan has been amended five separate times. The most recent amendment occurred in 2018. That amendment modified the District Plan in preparation of constructing the parking structure that serves the Merriam Community Center.

Drake Development is submitting an application for public financing for the redevelopment of the “K-mart” property. The proposed project will involve an extensive amount of site preparation including significant grading, dirt work, construction of a retaining wall(s), and the possibility of structured parking. To offset these extraordinary costs, Drake will be requesting public financing that will likely include tax increment financing (TIF).

After conversation with Drake Development representatives, staff is recommending that the area bounded by Shawnee Mission Parkway, Eby Avenue, Antioch Road, and W. 64th Terrace, excluding the La Petite Facility located at 6410 Antioch Road, be added to the city’s existing I-35 Redevelopment District. This proposed additional area will be Project Area M. The legal description for area M provided in the Agenda Packet contained an error. The first sentence in the legal description describes “in the northeast” portion of the area. This should read “in the northwest” portion of the area. If approved, this will be corrected in the formal documents.

Per state statutes, the city must pass a resolution establishing the date for the Public Hearing to consider amending the I-35 Redevelopment District Plan. That resolution sets June 14, 2021 as the date for the Public Hearing.

Councilmember Neal asked if the north side of Shawnee Mission was included in the development.

Chris Engel explained that there is some property on the north side of Shawnee Mission Parkway already in the TIF district. The additional area M does not include any additional property on the north side of Shawnee Mission Parkway.

COUNCILMEMBER HANDS MOVED THAT THE COUNCIL APPROVE A RESOLUTION SETTING A PUBLIC HEARING DATE OF JUNE 14, 2021 TO CONSIDER AMENDING THE I-35 REDEVELOPMENT DISTRICT AND AUTHORIZE THE MAYOR TO SIGN THE RESOLUTION. COUNCILMEMBER PAPE SECONDED AND THE MOTION WAS UNANIMOUSLY APPROVED.

2. Consider approval of a Funding Agreement between the City and Drake Development, LLC.

City Administrator Chris Engel provided the background for this item.

Drake Development will be submitting a Tax Increment Financing (TIF) application requesting public financing for the redevelopment of the “K-mart” property. To consider the request, the City will need outside legal and professional consultants. Drake Development has advanced \$60,000 as required per the terms and has signed the funding agreement. The agreement outlines what the funds may be used for and how the City would request additional funds if necessary. The agreement *does not commit* the City to the approval of any amendments to the I-35 TIF Redevelopment District or any future development applications associated with Drake’s proposal. It simply protects the City from incurring out-of-pocket costs associated with consideration of their request for public financing.

The City’s TIF/Development attorney Joe Serrano of Kutak Rock, LLP has reviewed the Funding Agreement.

COUNCILMEMBER PAPE MOVED THAT THE COUNCIL APPROVE A FUNDING AGREEMENT BETWEEN THE CITY AND DRAKE DEVELOPMENT, LLC. COUNCILMEMBER NEAL SECONDED AND THE MOTION WAS UNANIMOUSLY APPROVED.

3. CIP Update.

Public Works Director Jim Macdonald provided the following CIP Updates:

2021 Street Improvements Program, which includes E. Frontage Rd. from 67th to 75th St. Cars Project; 2021 Mill and Overlay; 2021 Sidewalk Maintenance/Repair Program. The contractor, J.M. Fahey has started removing curb on Perry Ln., W. 51st Ter., and W. 51st Pl. Next week they should be on Goodman removing the substandard curbs. The Craig Rd. portion of the project should start in early June. The anticipated start date for East Frontage Rd. is May 31st and the Sidewalk repairs should begin in late July.

West Vernon Place Preliminary Engineering Study project received 27 responses from residents. A total of 80 questionnaires were mailed. All received responses were all sent to the engineer for review.

VII. STAFF ITEMS

City Administrator Chris Engel invited the council to join the fire department next Monday May 17th for the “Pushing In” ceremony of the new fire apparatus. The

equipment will be delivered and then manually pushed into the Fire Department bay. Pushing In ceremonies are a long tradition from the 1800's. After returning from a fire, the horse-drawn fire equipment would be pushed into the garage as the horses were unable to back the equipment in.

VIII. EXECUTIVE SESSION

IX. ADJOURNMENT

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COUNCIL, COUNCILMEMBER PAPE MOVED TO ADJOURN AT 7:30 PM. COUNCILMEMBER HANDS SECONDED AND THE MOTION WAS UNANIMOUSLY APPROVED.

Approved: May 24, 2021

Respectfully submitted,

Juliana Pinnick

City Clerk