

**MERRIAM CITY COUNCIL MINUTES  
CITY HALL  
9001 WEST 62<sup>ND</sup> STREET  
November 22, 2021  
7:00 P.M.**

**I. CALL TO ORDER - PLEDGE OF ALLEGIANCE**

Mayor Bob Pape called the meeting to order at 7:00 pm.

**II. ROLL CALL**

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

Whitney Yadrich and Bruce Kaldahl via telephone

Staff present:, Ryan Denk, City Attorney; Chris Engel, City Administrator; Jim MacDonald, Public Works Director; Jenna Gant, Communication and Public Engagement Manager; Bryan Dyer, Community Development Director; Anna Slocum, Parks & Recreation Director; Darren McLaughlin, Police Chief and Juli Pinnick, City Clerk.

**III. PUBLIC ITEMS**

Members of the public are encouraged to use this time to make comments about matters that do not appear on the agenda. Comments about items on the regular agenda will be taken as each item is considered. ***Please note: individuals making Public Comments will be limited to 5 minutes.*** In accordance with the *Governing Body Rules of Procedure*, the City reserves the right to refuse Public Comments that are personal, impertinent or slanderous.

Mike Gieseke, 9701 W. 56<sup>th</sup> Ter., commented that his neighbor has many items in his yard and on his property that he considers junk. The property does not have any house numbers posted. Mr. Gieseke commented that the codes department has been out and some things have been cleaned up, however, there are many additional things that he feels could be cleaned up.

#### 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 November 8, 2021.
2. Consider approval of final payment to J.M. Fahey for the 2021 Street Improvements Project.
3. Consider endorsement of 2022 funding recommendations for the Drug and Alcoholism Council (DAC) of United Community Services.

**COUNCILMEMBER HANDS MOVED THAT THE COUNCIL APPROVE CONSENT AGENDA ITEMS 1-3. COUNCILMEMBER NEAL SECONDED AND THE MOTION WAS UNANIMOUSLY APPROVED.**

#### V. MAYOR'S REPORT

#### VI. COUNCIL ITEMS

1. Consider approval of a funding agreement between the City of Merriam and Block and Company.

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

The City has received a Tax Increment Financing (TIF) application from Block and Company, dba Merriam North Bell, LLC. The TIF application is a request for TIF financing to assist with the redevelopment of 8800 Shawnee Mission Parkway (old Taco Bell).

The City will need outside legal and professional consultants to consider the TIF application. The Funding Agreement states that Block and Company will provide \$30,000 to cover the City's costs related to the TIF application. 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 making changes to the existing Redevelopment District Plan, adopting a Redevelopment Project Plan or approval of any rezoning application. It simply protects the City from incurring out-of-pocket costs associated with consideration of the application. Any unused portion of the funds will be returned to Block and Company.

The City's bond council, Joe Serrano of Kutak Rock, LLP has reviewed the Funding Agreement

Councilmember Neal expressed concern regarding the back taxes owed on other properties under the control of the applicant. While there are no taxes owed on the property under consideration, he still feels this is an issue.

Mr. Dyer commented that the agreement being considered tonight does not commit the city to any other agreements, zoning, or development projects. This agreement is for \$30,000 and will be used to cover the costs associated with the application.

Councilmember Silvers echoed Councilmember Neals concerns over the delinquent taxes owed by the developer on other properties within the city.

City Administrator Chris Engel commented that the Redevelopment Agreement that would be forthcoming, will include language that requires the developer to have the taxes on this property current.

Councilmember Neal asked if the Redevelopment Agreement requires taxes be current only on the parcel being redeveloped and not other properties owned by the developer. In addition, he asked if the city had any authority to require all property taxes be current under a redevelopment agreement.

Mr. Engel responded that is correct, the parcel is under the redevelopment agreement and he is not sure if the agreement could be drafted to include all properties owned or controlled by the developer be current on property taxes.

City Attorney Ryan Denk commented that the developer is asking the city for an incentive, under TIF, and the city is not obligated to grant those funds. Further, the city would have the prerogative to require the taxes on all properties within the city be current as a condition of the TIF approval.

**COUNCILMEMBER HANDS MOVED THAT THE COUNCIL APPROVE A FUNDING AGREEMENT BETWEEN THE CITY OF MERRIAM AND BLOCK AND COMPANY DBA MERRIAM NORTH BELL, LLC. COUNCILMEMBER DIEBOLD SECONDED AND THE MOTION WAS UNANIMOUSLY APPROVED.**

2. Consider approval of the purchase of a 2022 Dodge Durango police unit.

Police Chief Darren McLaughlin provided the background for this item.

The 2021 budget approved the purchase of three new police SUV vehicles. We previously purchased two vehicles earlier in 2021. We currently have one vehicle that needs replacement. The vehicle being replaced has around 107,000 miles and is at six years old. The new Dodge Durango Pursuit SUV

will be black with “Merriam Police” decals. The SUV is an all-wheel drive utility vehicle.

The City of Merriam purchases vehicles in cooperation with the Mid-America Council of Public Purchasing (MACPP). Municipalities save money on vehicles purchased through MACPP due to large volume purchasing. The MACPP is an established chapter of the National Institute of Governmental Purchasing Inc. They encourage ethical standards in buying and selling and promote uniform public purchasing laws and simplified standards of specifications.

The vehicle is being purchased from Reed Jeep Chrysler Dodge Ram in Merriam KS.

**COUNCILMEMBER HANDS MOVED THAT THE COUNCIL APPROVE THE PURCHASE OF A 2022 DODGE DURANGO POLICE UNIT. COUNCILMEMBER SILVERS SECONDED AND THE MOTION WAS UNANIMOUSLY APPROVED.**

3. Consider approval of a Professional Services Agreement (PSA) with SoftResources for enterprise resource planning software advisory services.

Finance Director Donna Oliver provided the background for this item.

The City has utilized Central Square’s Naviline software for our Financial Accounting Software since 1999. While it has been very stable and reliable, it is dated and much more efficient options are now available. The City budgeted a total of \$280,000 to replace it.

In September 2021, the City issued an RFP to find a consultant to assist with the process of selecting new software. This consultant will be tasked with evaluating our current processes, recommending new processes, writing an RFP for our software, working with potential vendors and assisting with the final selection and contract. The City Administrator, Finance Director and Network and Communication Administrator evaluated the proposals received and selected SoftResources.

SoftResources brings over 26 years of experience providing advice to governments. They are independent from all software vendors allowing them to provide unbiased expertise. They meet at least annually with all major vendors and keep apprised of their capabilities.

**COUNCILMEMBER SILVERS MOVED THAT THE COUNCIL APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH SOFTRESOURCES.**

**COUNCILMEMBER HANDS SECONDED AND THE MOTION WAS UNANIMOUSLY APPROVED.**

4. Monthly Finance Report.

Finance Director Donna Oliver presented the October Finance Report.

5. Community Development Update.

Community Development Director Bryan Dyer provided the following updates: Staff has been working on closing out building permits as the year comes to a close.

The 2022 grants are getting ready to be rolled out; the website has been updated for the 2022 grant cycle.

The driveway grant program is getting close to being finalized on quantities. Pricing and supply chain issues are creating a bit of a challenge for the program.

The long-range planning grants for Merriam Drive are moving along well.

**VII. STAFF ITEMS**

City Administrator Chris Engel commented that he has been working with the two newly elected Councilmembers getting them up to speed on developments as well as their on-boarding to the City Council.

Parks and Recreation Director Anna Slocum displayed an award recently won for the Community Center Project. The builder, McCarthy, submitted for the award through the Design-Build Institute of Mid-America. Last Friday there were 11 awards presented for projects. Merriam received the Institutional Award of Merit; in addition, we were submitted for the Design of the Year Award. However, that award was won by the Johnson County Courthouse design-build project

**VIII. EXECUTIVE SESSION**

**IX. ADJOURNMENT**

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COUNCIL, COUNCILMEMBER HANDS MOVED TO ADJOURN AT 7:50 PM. COUNCILMEMBER SILVERS SECONDED AND THE MOTION WAS UNANIMOUSLY APPROVED.**

APPROVED: December 13, 2021

Respectfully submitted,  
*Juliana Pinnick*  
City Clerk