

**MERRIAM CITY COUNCIL MINUTES  
CITY HALL  
9001 WEST 62<sup>ND</sup> STREET  
February 25, 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  
Bryan Knaff  
David Neal  
Bob Pape

Nancy Hupp and Robert Weems were absent.

Staff present: Chris Engel, City Administrator; Kevin Bruemmer, Public Works Director; Nicole Proulx Aiken, City Attorney; Mike Daniels, Police Chief; Anna Slocum, Parks and Recreation Director; Cindy Ehart, Finance 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.***

Dolores Dupree, 5831 Merriam Dr. addressed the council regarding light pole banners to honor veterans. She distributed some information to the council depicting examples of the banners. She has made an inquiry to the Parks and Recreation Director about this idea and was directed to bring it to the council. She commented that she has gotten a lot of positive feedback from people. She is unsure of the cost and hopes the city council would be able to look into this and see if it might be feasible.

#### **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 February 11, 2019.
2. Consider accepting the dedication of easements and right-of-way shown on the Merriam Kincaid 1<sup>st</sup> Plat.
3. Consider acceptance and approval of final payment to Freeman Concrete Construction, LLC for the 2018 CARS Project (Johnson Drive west city limits to Kessler Ln.).
4. Consider approval of an interlocal agreement between the City of Shawnee and City of Merriam for the 2019 Mill and Overlay of Switzer Rd.

**COUNCILMEMBER HANDS MOVED THAT THE COUNCIL APPROVE CONSENT AGENDA ITEMS 1-4. COUNCILMEMBER NEAL SECONDED AND THE MOTION WAS UNANIMOUSLY APPROVED.**

#### **V. PLANNING COMMISSION**

#### **VI. MAYOR'S REPORT**

1. Consider the approval of the resignation of Ward 1 Councilmember Robert Weems.

Mayor Sissom commented that he has received the written resignation from Councilmember Weems. He has moved out of Merriam and is therefore no longer eligible to serve as councilmember. There is a process for filling the vacancy and asked City Administrator Chris Engle to explain that process.

Mr. Engel commented that tomorrow the vacancy will be announced and advertised through our various communication channels for 30 days; March 27<sup>th</sup> at 4:30 pm will be the deadline for applicants. During that time residents of Ward 1 interested in the council position may submit their letter of interest and statement of qualifications. After the close of the submittal period the council will

interview all potential candidates at a city council meeting. This will likely occur at the April 8<sup>th</sup> or April 22<sup>nd</sup> City Council meeting. After interviews the council will vote for one candidate to fill the position. The information provided by each candidate will be part of that meeting's agenda packet and the interviews and voting will all occur in the open meeting as part of our public process.

**COUNCILMEMBER DIEBOLD MOVED THAT THE COUNCIL APPROVE THE RESIGNATION OF WARD 1 COUNCILMEMBER ROBERT WEEMS. COUNCILMEMBER PAPE SECONDED AND THE MOTION WAS UNANIMOUSLY APPROVED.**

## **VII. COUNCIL ITEMS**

### **A. Finance and Administration**

1. Consider approval of the 2019-2020 Goals and Objectives.

City Administrator Chris Engel presented the background for this item.

Staff facilitates an annual review and update of long-range goals by the Governing Body. The goals are refined into specific objectives and initiatives to provide specific direction toward the larger goal.

Input from the Governing Body was solicited in January and the intent of all submissions is incorporated into the proposed goals. The only significant change from the prior year was removal of an objective to "Monitor LED light project for efficiency". While LED lights do provide an energy savings, recouping the cost to convert existing streetlights would require nearly 20 years.

Staff refers to the goals and objectives when establishing budgets and making operational decisions. They are published in the formal budget document to demonstrate the City's planning and goal setting process.

The Goals and Objectives were presented at the February 11<sup>th</sup> City Council meeting and staff asked for council feedback prior to this meeting.

There was a late submission added to the Goals and Objectives, after the Agenda Packet went out which is "Explore the utilization of additional newer cost-effective online platforms designed to gain more timely insight into public sentiment about key issues facing the City". An updated list including this item was provided to the council.

**COUNCILMEMBER HANDS MOVED THAT THE COUNCIL APPROVE THE 2019-2020 GOALS AND OBJECTIVES INCLUDING THE ADDITIONAL ITEM. COUNCILMEMBER DIEBOLD SECONDED AND THE MOTION WAS UNANIMOUSLY APPROVED.**

2. Consider approval of a budget adjustment for the Police Department for mental health co-responder program.

Captain Todd Allen provided the background for this item.

In 2018, 9 Northeast Johnson County police departments started a project with Johnson County Mental Health to provide better mental health services to our citizens. This program was helpful, but the need for all 9 cities proved to be very difficult to manage. The cities of Leawood, Prairie Village and Mission Hills decided that they needed a Mental Health Co-Responder of their own and separated from the Northeast group. This left 7 cities—Merriam, Mission, Roeland Park, Fairway, Westwood, Westwood Hills, and Mission Woods that are served by 5 police departments all with a need for a Mental Health Co-Responder. The Amendment designates Merriam as the host site for the Co-Responder Project and that we provide “office space and a portable police radio” for the Co-Responders use. The amendment also adjusts the percent of cost to be paid by each of the remaining cities by population. The costs are allocated by city population. Merriam’s portion of the cost is \$32,194.

Captain Allen presented information regarding the Mental Health Co-responder program.

**COUNCILMEMBER FRISBY MOVED THAT THE COUNCIL APPROVE A BUDGET ADJUSTMENT FOR THE POLICE DEPARTMENT FOR MENTAL HEALTH CO-RESPONDER. COUNCILMEMBER PAPE SECONDED AND THE MOTION WAS UNANIMOUSLY APPROVED.**

**COUNCILMEMBER HANDS MOVED THAT THE COUNCIL AUTHORIZE THE MAYOR AND CITY ATTORNEY TO SIGN THE AMENDED MEMORANDUM OF UNDERSTANDING FOR THE MENTAL HEALTH CO-RESPONDER PROGRAM. COUNCILMEMBER NEAL SECONDED AND THE MOTION WAS UNANIMOUSLY APPROVED.**

## **B. Community Development/Public Works/CIP**

1. Presentation of residential code violations data.

Community Development Director Bryan Dyer presented residential code violation data. The data was compiled through the Citizenserve software that was implemented two years ago.

The top code violations for the past two years is tall weeds and grass followed by unauthorized storage of boats, trailers and campers; outside storage of inoperable vehicles; and failure to remove dead trees and/or brush/limb piles are “non-structural” violations that do not involve the residence. This suggests that, on the whole, Merriam’s housing stock is well maintained.

Comparing the data between the two years shows no significant changes between the years. The number of residential violations are similar with 665 in 2017 and 757 violations in 2018.

The data outlined 4 neighborhood areas of the city and code violations within each of the 4 areas. The areas are not voting ward boundaries but are comprised of areas that have been delineated by the police department use for crime mapping and enforcement target areas. The value of using the same areas as the police and other department is to compare data collected through various city departments to determine if there are particular areas of the city that may need additional city resources.

## 2. Community Development Update.

Community Development Director Bryan Dyer provided the following updates:

The approval of the plat on the consent agenda was for DS bus lines. They are wanting to expand a building on their site and will also be submitting full site development plan. They have recently acquired the former Williker Tow and will be working to consolidate all the properties they own into one plan.

Freddy’s Frozen Custard has submitted a building permit application for their Merriam store on the site of the former Winsteads.

Reed Automotive has purchased the Hyundai dealership and the vacant lot to the north of the dealership. Both lots were re-platted to one and now Reed Automotive has submitted a request to re-divide into two lots. While they have not indicated anything to the city, our hope would be that they will secure an additional dealership for that vacant parcel.

The vacant lot to the south of Hyundai also known as the drainage area owned by Infiniti has been impacted by the weather this winter. They are behind schedule getting that site into a buildable lot.

The 2018 Building Code updates are being worked on by staff and other Building Officials across Johnson County. Once they work through the changes, staff anticipates bringing it before council to adopt those codes.

## **VIII. STAFF ITEMS**

City Administrator Chris Engel commented that the 5701 Merriam Dr. Committee has made a selection for a facilitator. The firm Collins-Noteis & Associates (CNA) was the choice of the committee. One-on-One interviews are going on with some committee members in an effort to develop the Scope of Services for the contract. This is a budgeted expenditure within the City Administrator's authority to execute the contract.

The State of the Counties luncheon will be held on March 26<sup>th</sup> at 11:30 am. Councilmembers should let Mr. Engel know if they would like to attend. An additional reminder will be sent to councilmembers.

## **VII. NEW BUSINESS**

### **IX. EXECUTIVE SESSION**

**X. COUNCILMEMBER HANDS MOVED THAT THE COUNCIL RECESS INTO EXECUTIVE SESSION TO DISCUSS LEGAL MATTERS WITH THE CITY ATTORNEY AS JUSTIFIED BY K.S.A.75-4319(B)(2), WHICH PERMITS CONSULTATION WITH AN ATTORNEY ON MATTERS THAT WOULD BE DEEMED PRIVILEGED IN AN ATTORNEY-CLIENT RELATIONSHIP. PRESENT WILL BE THE GOVERNING BODY, CITY ATTORNEY AND CITY ADMINISTRATOR, THE OPEN MEETING WILL RESUME IN THE COUNCIL CHAMBERS AT 8:25 PM. COUNCILMEMBER PAPE SECONDED AND THE MOTION WAS UNANIMOUSLY APPROVED.**

### **XI. ADJOURNMENT**

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COUNCIL, COUNCILMEMBER HANDS MOVED TO ADJOURN AT 8:25 PM. COUNCILMEMBER PAPE SECONDED AND THE MOTION WAS UNANIMOUSLY APPROVED.**

Approved: March 11, 2019

Respectfully submitted,

*Juliana Pinnick*

Juliana Pinnick  
City Clerk