

**MERRIAM CITY COUNCIL MINUTES
CITY HALL
9001 WEST 62ND STREET
JANUARY 27, 2020
7:00 P.M.**

I. CALL TO ORDER - PLEDGE OF ALLEGIANCE

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

II. ROLL CALL

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

Staff present: 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; Donna Oliver, 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.***

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 January 13, 2020.

Councilmember Silvers requested item 2 be removed from the consent agenda.

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

2. Consider the approval of the purchase of a new squad car.

Councilmember Silvers asked if the new car purchase was being paid for by the city's insurance since this is replacing a car that was totaled or is the driver who hit the car covering the replacement.

Police Chief Darren McLaughlin stated that there was a patrol car that was hit in the rear end while parked on another stop. The patrol car was totaled by the insurance company. The city received a settlement from the other parties' insurance and those funds will be applied to the difference for the purchase of the new car.

COUNCILMEMBER HANDS MOVED THAT THE COUNCIL APPROVE THE PURCHASE OF A NEW SQUAD CAR. COUNCILMEMBER KNAFF SECONDED AND THE MOTION WAS UNANIMOUSLY APPROVED.

V. MAYOR'S REPORT

1. Stuart Little - Legislative Update

The city's Lobbyist, Stuart Little provided the legislative update.

2. 4th Quarter 2019 Employee Service Awards.

Mayor Sissom presented the following employees:

5 Years of Service: Rashad Castaneda-Police Department

Bob Chatham-Community Development

Lauren Krivoshia-Visitors Bureau

10 Years of Service: Jaime Brokaw-Police Department

20 Years of Service: Ross Davis-Public Works

3. Swearing in of Police Officer Nick Fling.

Mayor Sissom administered the oath of office to Police Officer Nick Fling.

4. Election of Council President and Vice-president.

Mayor Sissom explained that the Council President and Vice President elections will be held by each councilmember writing down their vote on an index card provided. The vote will occur after councilmembers have had the opportunity to express their interest in serving for these positions. The councilmember receiving 5 or more votes will be elected to each position. The Mayor does not vote for Council President and Vice President.

Current Council President Christine Hands explained the duties of the Council President. She commented that she was not seeking re-election as Council President.

Councilmember Pape and Diebold expressed interest in serving as Council President.

The City Clerk collected the vote cards for Council President and Councilmember Bob Pape was elected Council President receiving 6 votes.

Councilmember Diebold expressed interest in serving as Council Vice-President.

The City Clerk collected the vote cards for Council Vice-President and Councilmember Scott Diebold was elected Council Vice-President receiving 8 votes.

VI. COUNCIL ITEMS

A. Finance and Administration

1. Consider approval of an ordinance amending section 47-135 (Community Center) of the Merriam Code of Ordinances.

Parks and Recreation Director Anna Slocum provided some updated information based on questions from the council during the first reading of the ordinance.

The benefit that waives the use fees for the community center for board members and their families only pertains to board and commission members outlined in the city code. This includes Parks and Recreation

Board, Planning Commission, Board of Zoning Appeals and Board of Structure Appeals members. These members are appointed by the Mayor and approved by City Council. This is clearly defined in the city code. Ad Hoc committees would not be eligible for this benefit.

There are currently 38 positions on these boards, and some members serve on dual boards. Past participation averaged 8 members utilizing this benefit. The highest participation has been 12 members using the benefit. City Council members are eligible for this benefit as are appointed officials such as City Prosecutor, City Attorney and Municipal Judge. This was a Park Board action and recommendation, however, the Park Board indicated they feel that this should be a city council mandate and they should not advise up on this matter. Staff recommends proceeding with the action.

Councilmember Neal commented that although he will be voting in favor of this ordinance, he has a concern that the new community center fees for the general public have not been set. Depending on how that goes, he feels there may need to be a second look at this matter depending on how it may impact the revenue.

COUNCILMEMBER HANDS MOVED THAT THE COUNCIL APPROVE AN ORDINANCE AMENDING SECTION 14-137 OF THE MERRIAM CODE OF ORDINANCES. COUNCILMEMBER PAPE SECONDED AND THE MOTION WAS UNANIMOUSLY APPROVED.

2. Consider approval of an ordinance amending section 14-29 (issuance of licenses generally) to the Merriam Code of Ordinances (first reading).

City Clerk Juli Pinnick provided the background for this item. In an effort to streamline processes and reflect current operational procedures, staff has identified areas of the City Code that could be modified and requested the City Attorney draft an ordinance.

Section 14-29 Issuance of licenses generally of the Merriam Municipal Code requires all City licenses to be *signed by the Mayor, attested by the City Clerk and counter signed by the City Treasurer and have the city seal affixed thereto*. This code section appears to have been in place since 1967. Occupational Licenses are administratively approved and there is no statutory requirement for City Treasurer and Mayor to sign such licenses. Staff is recommending removing this from the Code.

Sections of Chapter 5 amendments allow for administrative approval of these licenses.

Section 5-40(d) ;(e) License application procedures have been removed. These provisions required governing body approval of a new or renewed (permanent) CMB license. It also required new CMB applicants to attend the city council meeting where the license would be considered.

Section 5-248 Local CMB special event retailers permit removed the city council issuance provision and allows the City Clerk to issue these permits if it meets the parameters set by City Code, but provides an appeal process to the governing body for denials.

Remaining sections in Chapter 5 that require governing body approval listed below:

Section 5-45 Distance Requirements applies to (permanent) CMB retailers and allows a distance limitation waiver to be granted by the governing body.

Section 5-227- Local temporary alcoholic liquor permit for events that allows consumption upon city rights of way, such as Merriam Drive Live, statutorily requires governing body approval.

This was a first reading of the ordinance

B. Community Development/Public Works/CIP

1. Community Development Update.

Community Development Director Bryan Dyer provided the following updates:

The 2020 Census has provided the city with some informational materials regarding participation in the Census. Working with the city's communications team, that information is being pushed out to residents notifying them of the importance of participating in the Census.

The Exterior Home Grant Program has allocated all the funds for that program. However, residents can still apply. Many times the projects with those allocated funds do not get completed and the funds can be re-allocated to another applicant.

Development on the Reed Automotive building is going along well. Some of the pre-cast walls are in place.

Switzer Senior Villas are moving along on their project and there has been a lot of interest from Merriam residents wanting to lease a unit. Staff has information to pass along to residents looking to rent a villa.

The City's Comprehensive Plan re-vamp is going along well. Outreach is occurring now and letters were sent to the businesses along Merriam Drive to invite them to participate if they are interested. The elementary schools were also included with this reach out effort to see they are interested in participating. The Downtown Merriam Partnership will have Stoney Bogan as their representative.

VII. STAFF ITEMS

City Administrator Chris Engel commented that the city's new fire truck was outside before the meeting for council to see. He thanked Ross Davis, Public Works mechanic, for all his hard work on getting the truck customized and designed. He traveled to the factory several times while the truck was being built.

Councilmember Pape commented that Overland Park Fire Captain Pat Gant also worked on the new fire apparatus and led the project. Captain Gant was very concerned about saving costs on the new truck. There was a fire bell that was removed from a 1967 fire truck and has been transferred to many trucks throughout the years. That bell was installed on the new truck with the help of George Mallory who was a volunteer fire fighter for 53 years.

Next Monday, February 3, there will be a Work Session to discuss fees for the new community center.

The ¼ cent sales tax ballots are due tomorrow at noon. Staff will let the council know the outcome of the election as soon as it is known.

There was some discussion regarding the LED street light bulbs. Staff will be gathering the data to make a decision on whether or not to purchase LED lights when the 2021 budget process begins.

VIII. NEW BUSINESS

IX. EXECUTIVE SESSION

IX. ADJOURNMENT

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COUNCIL,
COUNCILMEMBER HANDS MOVED TO ADJOURN AT 7:55 PM.**

COUNCILMEMBER PAPE SECONDED AND THE MOTION WAS UNANIMOUSLY APPROVED.

APPROVED: February 10, 2020

Respectfully submitted,

Juliana Pinnick

Juliana Pinnick

City Clerk