

Minutes

The City Council of the City of Leawood, Kansas, met for a Special Call Meeting at City Hall, 4800 Town Center Drive, at 6:00 P.M., on Monday, April 20, 2009. Mayor Peggy Dunn presided.

Councilmembers present: Gary Bussing, Jim Rawlings, James Azeltine, Lou Rasmussen, Gregory Peppes, Debra Filla, and Mike Gill.

Councilmembers absent: Julie Cain

Staff present: Scott Lambers, City Administrator
Patty Bennett, City Attorney
Richard Coleman, Comm. Dev. Dir.
Kathy Rogers, Finance Director
Kathy Byard, Budget Coordinator
David Ley, City Engineer
Chris Claxton, P&R Director
Deb Mansfield, City Clerk
Pam Gregory, Deputy City Clerk

Others Present: Philip Gibbs, Continental Consulting Engineers

1. Discuss 2010-2014 Capital Improvement Projects [C.I.P.] and 2010 Budget

Mayor Dunn called the meeting to order at 6:20 P.M. Introductions were made by those present.

Opening Remarks

City Administrator Scott Lambers stated this meeting was to discuss the possibility of rearranging projects for 2011. There is a potential work session scheduled for May 4, 2009, to discuss the CIP, should the legislature do something that would require further reductions.

There is a request from Councilmember Rasmussen to reallocate funds for the traffic signal at College and Brookwood and Stormwater Project at 12823 Sagamore. He wanted to use these funds to pay for median, curb and gutter repair along State Line Road from the north City limits to 95th Street.

Mr. Lambers estimated there would be approximately \$300,000 between both funds.

Councilmember Gill referred to the \$500,000 noted for median, curb and gutter repairs and recalled that amount being more than \$2 Million.

Mr. Lambers stated \$500,000 was discussed along with a lot more money for repairs further south along State Line to place over a period of years.

Councilmember Rasmussen indicated tonight's proposal was for total replacement of the curbs and noted there was a significant difference in the amount of feet that need repaired, versus replaced.

Mr. Lambers clarified for Councilmember Azeltine staff would identify the curbs that need repaired or replaced and obtain a linear footage with the amount of funds that are available for 2011.

City Engineer David Ley presented two cost estimates on State Line Road; north City limits to 86th Terrace, and 86th Terrace to 95th Street. The main portion of State Line was constructed in the 1960's. He assumed a "worst case scenario" for cost estimates to include total replacement of all curbs and driveway approaches.

Mr. Ley presented pictures of deteriorating curbs along State Line beginning at 81st Street going north. He noted 90% of the islands with grass were in good condition. Most of the storm drains have settled and water continues to deteriorate them.

Mr. Ley clarified for Councilmember Bussing that it would be more expensive to remove the islands than to replace them. They would need to remove 2' feet of material, replace it with concrete, then overlay the street.

Councilmember Peppes asked if they could patch some of the islands that were cracking. Mr. Ley indicated the patches would pop out within a few years.

Mr. Ley stated when they determine what curbs need to be replaced, they identify seams that begin to come apart between sections of curbs. If the curb is crumbling, they only need to replace that section.

Mayor Dunn referred to the two cost estimates and confirmed with Mr. Ley that the total cost was approximately \$1.5 Million. Mr. Ley stated Kansas City, Missouri, was currently replacing three islands south of 89th Street.

Councilmember Bussing referred to money being spent on streets in north Leawood and asked if the curbs could fall under that same classification. Mr. Lambers indicated that program only targeted residential streets. They are tearing out the entire sub-base and doing the streets and curbs all at once, which should last 50-60 years.

Councilmember Rawlings asked how the request for a signal at College and Brookwood came about. Mr. Ley stated they had complaints of traffic at this intersection in 2004 or 2005 and the State of Kansas reviewed three intersections and completed traffic warrants. This intersection met the warrants, along with 120th and State Line and 143rd and Kenneth.

Mayor Dunn felt pedestrians wouldn't feel safe crossing at this intersection without a signal. She received consensus from Council to defer the signal to a future CIP instead of eliminating it.

Mr. Lambers clarified they would only be freeing up the annual bond money. He preferred to have this as an uncommitted project for now due to the CIP being scaled back.

Mayor Dunn referred to the Sagamore Project and noted it was recommended by the Stormwater Committee to leave the funds in the CIP until there have been storms back to back with saturating rains.

Mr. Lambers indicated if Council wanted to hold the Sagamore Project, and it was determined that the current project solved the issues, they could return with a staff report next year at the CIP for review.

Mr. Lambers indicated Mr. Ley could begin at the north City limits and complete as much as possible, based upon the funds available. They would be doing this with limited funds, and informed Council people expect the City to repair their driveways from the right-of-way to their garage doors. He wanted assurance from Council that the City's responsibility stops at the right-of-way line.

Councilmember Filla asked if they could have contact information available for people who wanted to pay to replace their driveways at the same time.

Mr. Lambers indicated once the bid was awarded, they could notify them with a contact number of the contractor.

Mayor Dunn confirmed with Mr. Lambers that he was recommending no change in the status of the Sagamore Project at this time and would review it again in December.

Councilmember Rasmussen was concerned that leaving this project for the future would result in it not getting completed and preferred to handle it now.

Councilmember Rawlings wanted to leave it alone to see what the heavy rains do.

Mayor Dunn indicated they wouldn't currently be doing anything with the money and the recommendation was to leave it and check on it. If the money is needed, it is already programmed and budgeted.

Councilmember Filla thought there could be a higher priority storm project that arises and this would give them the flexibility to rearrange.

Mayor Dunn confirmed with Ms. Rogers that they would review this again in November or December.

Mayor Dunn confirmed with Mr. Lambers that currently, out of the \$1.5 Million total estimated cost for State Line, there was approximately \$30,000 in available funds.

Mr. Lambers clarified that the traffic signal and Sagamore project would not be ready until 2011.

Mr. Lambers felt there wasn't a higher priority traffic signal and by deferring this, it would free funds to be used elsewhere.

Mayor Dunn asked if they could consider some of the Pay-As-You-Go [PAYG] revenue for State Line curb and gutter replacement.

Mr. Ley stated they have estimated projects through 2015 in the PAYG Program. Some subdivisions built in the 1980's have similar issues with curbs as State Line and some of the PAYG funds are needed for a mill and overlay for streets north of I-435.

Mayor Dunn thought this was why the Public Works Committee recommended an increase in the mill levy for up to one mill for a funding source that could be used for this.

Mr. Lambers noted they were doing fewer streets due to the need of curbs and gutters.

Councilmember Azeltine confirmed with Mr. Lambers that if the curbs are in the right-of-way, they are the responsibility of the City. Mr. Azeltine asked if they could do the curbs on the other side of State Line by Special Benefit District [SBD]. Mr. Lambers thought they required the property owners repair them.

Mr. Azeltine asked about the possibility of debt financing curb projects. Mr. Lambers noted there isn't assurance of useful life with curbs and gutters; therefore, if there is a 15-year bond and the curb and gutter fails in 7 years, there would be remaining debt for 8 years on a curb you have to go back in and replace.

Mr. Azeltine thought they could vote for a mill by ballot and have the mill pay for debt service on a floating bond.

Mayor Dunn noted they had never done a ballot issue for a mill levy.

Mr. Lambers indicated Council had authority to do this and would need to annually report to the public.

Councilmember Rasmussen asked if they could use cash that is in excess of what was projected for the end of 2009 for State Line.

Mr. Lambers indicated this would require amending the 2010 budget. He stated the unanticipated ending cash balance reserves in the general fund for 2009 will be considerably less than what had been experienced in the past. Expenses typically run between 95%-97%. There are mill levy increases in the financial forecast, which have been deferred, and are anticipated to still be needed to meet the financial parameters of the City because of the bonded indebtedness incurred from the Residential Street Program. To date, there has not been a tax increase for the \$10.5 Million borrowed because of the City's growth and unanticipated cash and reserves. If there is a surplus, it could allow the Governing Body to defer projected mill levy increases further into the future.

Mr. Lambers stated they need to have a PAYG Curb Repair/Replacement Program for the City in the CIP. The needed State Line improvements draw attention to it; however, this isn't the only area in need of replacement.

Councilmember Filla asked if there was any partial payment partnership that could be discussed for repairs at State Line since there is a lot of traffic from commercial areas.

Mr. Lambers noted if Council stated the repairs were for the business community and not residential, businesses would expect everyone to pay for curbs and gutters through an improvement district. It would be unmanageable and wouldn't justify the bonding costs to the City.

Mayor Dunn confirmed consensus from Council to leave the funds in the Storm Drainage Project and review it again in November or December.

Mayor Dunn concurred with Mr. Lambers comments regarding needing a Curb Repair/Replacement Program.

Councilmember Bussing felt Scott, Kathy, and staff had done a good job building up reserves that would allow the City to work its way through hard economic times. He felt it would be counterproductive of their fiscal responsibilities to taxpayers to use the reserves for State Line.

Mayor Dunn concurred with Councilmember Bussing.

Mr. Lambers noted there were changes for the CIP books and asked Council to bring them to the May 4th meeting.

There being no further business, the meeting was adjourned at 7:17 P.M.

Pam Gregory, Recording Deputy City Clerk