

# MINUTES OF THE PUBLIC WORKS COMMITTEE

Meeting held: Wednesday, November 2, 2016  
Leawood City Hall- Main Conference Room, 7:30 AM

## COMMITTEE MEMBERS PRESENT:

Andrew Osman, CHAIR and Councilmember Ward 1  
Adam Abrams  
Abbas Haideri  
Todd Harris  
Marsha Monica  
Jim Rawlings, Councilmember Ward 2  
Chris White

## ABSENT:

Julie Cain, Vice Chairman, Councilmember Ward 4  
Ken Conrad  
Chuck Sipple, Councilmember Ward 3

## STAFF PRESENT:

Joe Johnson, P.E., Director of Public Works  
David Ley, P.E., City Engineer  
Julie Stasi, Administrative Services Manager

## GUESTS:

(by order of sign-in sheet *note: emails and phone numbers not listed in these Minutes*)

Julie Gatchell, 12204 Mission Road, Leawood, KS 66209  
David Gatchell, 12204 Mission Road, Leawood, KS 66209  
Mike Krahn, 12309 Alhambra Street, Leawood, KS 66209  
Linda Turner, 12016 Mission Road, Leawood, KS 66209  
Steve Gooding, 3900 W 121<sup>st</sup> Terrace, Leawood, KS 66209  
Jean Gordon, 12012 Mission Road, Leawood, KS 66209  
Steve Gordon, 12012 Mission Road, Leawood, KS 66209  
Lynne Gooding, 3900 W 121 Terrace, Leawood, KS 66209  
Elmer Chinchilla, 12000 Mission Road, Leawood, KS 66209  
Sue King, 12200 Mission Road, Leawood, KS 66209  
Charles Kraft, Atty. representing Dr. Paramjeet Sabharwal of 12000 Mission Road, Leawood, KS 66209  
Paula Wilson, 12305 Alhambra, Leawood, KS 66209

Chair Osman called the meeting to order at 7:35 AM. Introductions made of Committee Members, staff and guests. Chair Osman advised would review Old Business and then the process would be to open up to staff for conversation. If guests have a comment, they will be recognized and then they can talk. Then we will have discussion.

## **FIRST ITEM OF BUSINESS: Review/approve the previous meeting Minutes.**

ACTION: Marsha Monica- Motioned to approve the Minutes of September 7, 2016.

Chris White- Seconded the Motion.

All members present were in favor. Motion passed, Past Minutes Approved.

## **SECOND ITEM OF BUSINESS: Discuss Sidewalk for Mission Road, 119th to 124th**

Joe Johnson and David Ley explained the project.

Joe Johnson-Advised that back in September of this year, there was a request from the Governing Body

*These Minutes were approved by the Public Works Committee on December 7, 2016.*

to look at sidewalks on the west side of Mission Road from 124<sup>th</sup> north. As a part of that discussion we looked at sidewalks from 124<sup>th</sup> to 123<sup>rd</sup> as one phase. Then from 123<sup>rd</sup> to 119<sup>th</sup> as a second phase. There was a recommendation of the Committee to put in sidewalks and it went to the Governing Body and the Governing Body agreed. When we originally did this we looked at the cost to do Phase 1 (123<sup>rd</sup> to 124<sup>th</sup>) it was about \$64,000. The phase from 123<sup>rd</sup> to 119<sup>th</sup> was more expensive and ran about \$320,000.00. A lot of that expense was due to walls at the north end that would have to be placed. And we also took into account traffic signal improvements at 119<sup>th</sup> & Mission along with the wall along 119<sup>th</sup> and landscaping.

In the first meeting we talked about Mission Road in 2018 is scheduled to be improved. That improvement includes replacing all the curb. The curb was built at a time when the aggregate in the concrete was not a good aggregate, so we are replacing the curb. The stormsewer out there is metal pipe and that is failing, so we will be replacing the metal pipe with concrete pipe. We are modifying the street lights to LED and overlaying the street. So this would be the time (if we are going to add sidewalk) to add sidewalk.

Back in 2014, the City went through about a year and a half process and developed "*Self-Propelled Leawood Pedestrian and Bicycle Master Plan*". This was adopted by the City Council in October 2014. What this study did was to take a look at mobility within the City. Looking at sidewalks, gaps in sidewalks, unimproved streets that when improved should have sidewalks. The same was done with bike lanes or signing for bicycles. As part of that adoption staff then then looks at future improvements projects (the Public Works Dept.). When we look at improvement projects we use this as a guide as to when we add facilities to accommodate the recommendations that came out of this plan. When we look at street projects, we look at the cost to do what we need to do and then we look at the cost of what it takes to add sidewalks or bike lanes. This is then presented to the Governing Body to see if there is funding to cover the cost for the additional improvements.

When the request came to look at sidewalks and with the plan to improve Mission Road in 2018, this is kind of the perfect timing for the Public Works Committee to take a look at it. Looking at the cost and have a recommendation to have the Governing Body either agree to add the sidewalks and spend the additional funds/or not. As we talked about in the last meeting, this is a C.A.R.S. Project (County Assistance Road System) which is where we receive 50% funding from the County to offset our costs. When we make funding applications in March of this next year, we can modify the cost to include the cost of the sidewalks. The County's CARS Program is funded through property tax and the majority of it is from the gasoline tax. It comes back to the County from the State. That is the only project we have I believe in 2018 where we are requesting CARS funding. So the increase in the cost of the project is somewhat offset by the CARS Program. That is how we got to this point. When we look at street projects the guidelines we look at in trying to address the priorities of the City (in this case this mobility plan that was adopted back in 2014). So that gets us up to date. At the last time we looked at it, this is the location where the sidewalks would start (referring to map).

Joe Johnson-On Mission Road we have sidewalks that run along the entire length of the east side of the roadway. From 124<sup>th</sup> Street, south on the West side, sidewalks exist until 133<sup>rd</sup> Street. At whatever time

they develop from 133<sup>rd</sup> to 135<sup>th</sup>, sidewalks will be extended. Sidewalks will be extended on both sides of Mission Road to our southern City Limits which is Bell Drive down by the Golf Course, eventually. What this draft plan shows is we would start the sidewalks on the north side of 124<sup>th</sup> Street. Part of the improvements includes moving the curbs which would help accommodate the sidewalk.

David Ley-Advised in the area of 123<sup>rd</sup> the curbs would come in a little bit so the street would be a little narrower; just in this section. Once we get north of 123<sup>rd</sup> Street between there and 122<sup>nd</sup> or so the curb transitions back to where it is currently at. The street would stay the same width at that location.

Joe Johnson-Just north of 123<sup>rd</sup> Street we would have on street bike lanes and the reason we lose them at about 123<sup>rd</sup> Street is because it gets widened out to accommodate the left turn lane. And then we have bike lanes all the way to the top of the hill. Looking at this draft it gives you a good idea of where the sidewalks would go. It has been this way for over 20 years and generally we receive calls every year from parents that have children that go to Nativity, where the only way they can get to use a sidewalk, they have to cross Mission Road. We have been out there in the morning rush hour, traffic will back up over the top of the hill trying to go west on 119<sup>th</sup> Street. We also get calls from folks that want to access the trail either north or south and there is really no way to access the trail. Access points are off 119<sup>th</sup> Street and Mission Road at 123<sup>rd</sup> Street and there are no sidewalks along Mission to provide that access. I cannot tell you why years ago when Mission Road was built that sidewalks were not constructed on both sides in this location. We have sidewalks all along Mission on the east side but only from 133<sup>rd</sup> to 124<sup>th</sup> Street on the west side with the gap between 124<sup>th</sup> to 119<sup>th</sup>. That is how we looked at it and the guidelines we used. The referral came from the Governing Body to look at this back in June.

Marsha Monica-Historically you do not know why they did not put sidewalks in when they did Mission Road?

David Ley-Mission Road was built back in 1978, and we do not know why they just put sidewalks on one side. At that time I am not sure if that was City Policy back in the 1970's or what.

Marsha Monica-On 95<sup>th</sup> Street, do we only have sidewalks on both sides?

Joe Johnson-We do until you get to Ranch Mart by McDonalds there is a gap at 95<sup>th</sup> & Mission and the reason is we do not have right-of-way.

Marsha Monica-From State Line to Lee are there sidewalks on both sides now?

Joe Johnson-Yes. And they go all the way down to Mission Road.

Andrew Osman-The current Ranch Mart Shopping Center if they re-develop it, one of the things that the Council has looked at is landscaping and sidewalk improvements on that street to connect to Cure-of-Ars Church/School.

Joe Johnson-When we met last time, part of the discussion was that the Committee recommended moving forward. And the Governing Body recommended adding sidewalks. Then we would have this meeting to have all the residents in attendance to take comments from the residents and then based on those comments we would have an idea of concerns or things that we need to take into consideration as we move forward with the Project in 2018.

Chris White-Commended the residents today. This is one of the best turnouts he has seen. I have no idea what your take is and that is what we want to hear. But he does want to thank everyone for showing up. I think that is not always the case.

Chair Osman-Added that because it is hard to hear asked that when the residents comment (that wish to do so and if you are comfortable) please come to the table so we can get your comments on the Minutes. We will ant the Council to know your thoughts on this for further review.

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Eight (8) different property owners in attendance addressed the Committee about their concerns if the plan for sidewalks on the west side of Mission went forward. Seven (7) were against sidewalks one (1) representative of a property owner was for the project.

**Property Owners Comments:**

**(resident comments are mostly word-for-word in order for Committee/Council to understand resident's expressed concerns)**

**1: Steve Gordon, 12012 Mission Road-**

Has been there since 1988 and can tell us it has been over 20 years and the sidewalks have not been there. He has several issues with the sidewalk discussion.

One is a safety issue. As you go south on Mission Road from 119<sup>th</sup> Street, the hill goes up and it crests and then it is blind coming down. I can tell you that the speed of the traffic on Mission road is generally in excess of the 35 mph speed limit. If you have children walking away from Nativity or even towards Nativity right along the road, even though there is supposed to be a 3 foot buffer, as you know children do not always stay on the sidewalk. I think there are going to be issues. In the times that we have been there, we have had accidents where people come over the hill south and run into cars that are well down over the crest of the hill. And so putting a sidewalk there that specifically based on these requests for children, I think is not a good idea. That is number one.

And along those lines, I wish we could do something about monitoring the speed on Mission Road. Because people go up and down that street and it is not 35 mph.

Secondly I look at the cost projections that you have and when I travel from 119<sup>th</sup> street south to 124<sup>th</sup> street and look at the changes that are going to have to be made; other than just the construction cost. I think they will exceed what you say. My neighbor is not here, but my neighbor to the north got a variance to put in a fence just within the last year and that fence is going to have to be torn out. Along that fence it is not dirt, it is stone that will have to be removed and I would say probably a retaining wall will have to be put there. That has to be a huge expense. As you go south, it is not just putting in a sidewalk. If you look at the number of utility poles, light poles that are going to have to move that are all in the easement within that 8 foot range, they are going to all have to be removed. You just finished the walking path at 123<sup>rd</sup> Street. If you look at the eight foot easement that is going to be required to build a five foot sidewalk and a three foot green space, you are going to be pushing into the embankment that goes down that you just spent money on. That is going to have to all go away and be redone and I think that the amount of construction that will be required to keep people from falling on

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down the hill is more than what you are talking about.

Thirdly, there is a crosswalk at 123<sup>rd</sup> with a light on it. I think that very easily children will have to cross the street. If that is the issue, if the issue is for the two children (that I understand this has come up about that go to Nativity) they are going to have to cross the street anyway. In the morning the guard is not on the west side of Mission the guard is on the east side of Mission. If they have to cross now coming from two different ways, that guard is not going to be positioned correctly no matter what. In the afternoon, the guard is on the north side of 119<sup>th</sup> Street, so to cross the children they cross them across Mission Road and let them go down the sidewalk. Now they will have to cross them again to go down the west side (if there is a sidewalk there). So logistically how is that going to work?

Granted we are receiving funds from the County, but with all the issues that we have in our City. And you look at our City and you look at a lot of other cities and we have it pretty good. I think you maintain the streets, you do the things you need to do. But I think this money can be spent better elsewhere. I just do not see a need for two children. The chances are if this is not going to be until 2018, the two children that requested this will not be at Nativity anymore. The sidewalk that is on the east side of the street has been there probably (we moved in in 1988 and purchased our lot the year before and it was there). I do not think it has ever been improved except for a section when they did some utility work across the street; maybe replacing 12 feet. To me, if you want to do something, put that up to code to the five foot width. On the east side of the street, there are no houses that front that sidewalk. They are all back yards. On the west side that you are getting ready to disrupt- our homes face that sidewalk. I think it is going those of us that live on that side of the street a dis-service. I am very much against this plan.

## **2: Steve Gooding, 3900 W 121<sup>st</sup> Terrace-**

Following up on what Steve Gordon said; I have lived at the corner of 121<sup>st</sup> Terrace & Mission Road for over 27 years so has a great deal of experience with traffic along Mission Road. He agrees it is a dangerous road. He does not know the number of accidents. In front of his house there have been at least two or three that he recalls; one pushing a car up onto his yard. It is difficult with ingress and egress on Mission Road. As far as crossing Mission Road, he has raised six (6) kids. Most of the children who live in the homes on the west side of Mission Road either attend Leawood Elementary or Leawood Middle School. My six (6) kids crossed the street when they were walking to Elementary and Middle school at 121<sup>st</sup> Terrace- they crossed Mission Road. I'm curious about the need for this and the overall planning. His wife and he walk and bike and they drive and make full use of the area and love the location. Most of the traffic along Mission Road, on the sidewalks is coming from residents who live on the east side of Mission Road. That is where the residential is. If you look on the west side of Mission Road, there are 27 homes between 119<sup>th</sup> Street and 123<sup>rd</sup>. Twenty-seven (27) homes, which is a very small portion of Leawood's population there that would be served. I do not believe that there would be that much traffic on the west side anyway other than the benefit. And it would be a benefit to me to have the sidewalk on that side because right now, I cross the street, I walk down the east side if I am heading towards 119<sup>th</sup>. If I'm heading towards the bike trails I still cross and head to the south. But there are only 27 homes there. I do not see people coming from 119<sup>th</sup> Street generally heading up Mission Road on the west side. So we are looking at this for the benefit I believe for 27 homes. Which

is again a very small population. The people who are south of 123<sup>rd</sup> Street, if they for say were heading to Town Center or the Library most likely they would come down Mission Road to the south and cut over and take our beautiful new bike trail to cut over, rather than continuing down along Mission Road to get to 119<sup>th</sup> Street. So again I do not see this. The safety I believe outweighs the benefit. The potentially liability of a car vs a sidewalk along there.

On the east side of Mission Road from 119<sup>th</sup> to 123<sup>rd</sup> Street there is one street that a pedestrian or jogger or child would have to cross- at 121<sup>st</sup> Terrace. One street. There are no private approaches to Mission Road along that side. So there is one hazard to cross. If you look on the west side of Mission Road, there are three (3) streets and thirteen (13) approaches to Mission Road from private drives. That means that we have gone from one (1) hazard to sixteen (16) hazards for children to cross. My concern is that joggers, children not paying attention or moving along the west side of Mission Road will not have the attention to watch each drive that they pass. There are visibility issues for those on Mission Road on the west side who are coming out onto Mission Road. As an example; one of the biggest I believe (I'm not sure of this but I believe it) is that 12000 Mission Road [where it was mentioned a fence was put up where we now will have to shave off a hill and put up a retaining wall] I cannot understand how they are going to be able to see people moving along the sidewalk and have adequate visibility of people heading north on Mission Road down the west side of Mission Sidewalk. They would pull out and there will be the twelve feet or so that they will have between where they are and Mission Road. When they come out of their drive, they are going to be blind to it. (second house on Mission Road). This is a legacy neighborhood. Does not know for sure how it came about that there were not sidewalks but knows at one time when the development was taking place there was some discussion about the road being moved further to the west and JC Nichols received all the land on the east side. There is a great deal of land buffer between the development that JC Nichols just did on the east side and very little buffer on the west side. That is what took place at that point in time. The sidewalk was placed. This is a legacy neighborhood. If you are talking about sidewalk needs it is really difficult to believe that a sidewalk on 119<sup>th</sup> to 124<sup>th</sup> Street or 123<sup>rd</sup> for twenty-seven residents makes sense. There are many other areas. I was told that in Leewood South, they do not have sidewalks because they didn't put them in when it was developed. But it is extremely dangerous walking down along Overbrook Drive. A lot of traffic, no sidewalks even though the City does not have a responsibility to put sidewalks there. It would be more of a benefit to put a sidewalk down one side of that street than on the other side of Mission Road.

The other houses have landscape that would interfere with their vision coming out of their drive approaches. There would not be the type of vision that you see on coming out of a public street. The other thing that really concerns him is the bike lanes. The reason for that is, as it is mentioned, people tend to drive faster on Mission Road than they should but beyond that, it is a case of-I think if you had a study done, you would see just the accidents that have been reported between 119<sup>th</sup> and 123<sup>rd</sup> the proportionately is greater than other parts of Mission Road over time.

His house faces 121<sup>st</sup> Terrace but he has a drive approach on Mission Road. When he is heading north on Mission Road and I want to turn into my driveway I have to move as far as I can to the left (by the double yellow line). As I do that I always have to be very cautious to watch in my review mirror to see if anybody is going to go ahead and plow into the back of me. What they tend to do is come right on up and shift to the right and pass me on the right. If I had to come up there and I could not move in to the

far left, I'm sure that in a period of time, I would be rear-ended. That has happened to other neighbors that have been hit turning into their drive. They may not have been reported accidents. If I am heading south down Mission Road and I go to turn into my drive, I have to move all the way next to the curb to make my turn into my driveway. Again if there were bike lanes, I would not be able to do this. And I have to do that so that the traffic and those who are impatient coming home from work or whatever it might be can go ahead and get by me immediately. With that said I think the key is of the risk of this. Again you have 16 crossings that the children would have to make on the west side to one crossing on the east side and you only have 27 residents that this truly benefits. I do not think the project makes sense. Again it would benefit me and I would use it and I wouldn't have to cross Mission, but do not think that the benefit is worth the risk of putting in the sidewalks. Money I believe could be better spent in other areas. When I walk to the Library I like to take the tunnel under Roe because crossing Roe is horrendous. But that tunnel has not been maintained, so I can't cross there; and I think there are other areas that we could come up with to improve. Maybe on 123<sup>rd</sup> Street heading from Mission Road on the south side there is no sidewalk there. Nor on the other side of 127<sup>th</sup> Street. There are other places that would benefit more residents than benefiting 27 residents and children crossing Mission Road when everyone where you are not going to change that unless you put a crosswalk somewhere for the Leawood Elementary and Leawood Middle School students.

Every interface I've had with Public Works has been great. There has been a lot going on with new curbs down 121<sup>st</sup> Terrace. They were putting in something for the wireless connections and they tore my yard up and they worked there. Public Works has been right on it with every interface. They have been great and I am delighted with the City, so I am not criticizing them with anything here, I'm just trying to raise some issues.

### **3. Linda Turner, 12016 Mission Road-**

Has some notes so will try not to reiterate the same thing. The two people that spoke before me did a great job. We live at 120<sup>th</sup> Terrace and Mission. Our driveway is on 120<sup>th</sup> Terrace. We are the only original people left along Mission Road and purchased their lot in 1985/1986 and purposely put their driveway on 120<sup>th</sup> Terrace because even back then there were very few homes (maybe 5 in Waterford at the time) and I was worried then about the safety issues of a driveway coming out with access on Mission Road.

Mrs. Turner worked at Mission Trail for 26 years (up the street at 132<sup>nd</sup>). One of her primary jobs was assigning duty before and after school and being outside to watch the kids get off the school grounds safely. She has two concerns with this project; the main one is safety with children and selfishly the second one is her property value.

Safety first. She spent 26 years at school praying and not exaggerating that nothing would happen to any kids leaving school and getting home safely. She watched the kids coming and going every day from Nativity in the morning and the afternoon. She must say in this last year there have been very very few children walking. It is like nothing compared to what it was in years past. A lot of parents park at the Bradford Place cul-de-sac waiting for their kids on the way home. No one has ever parked in our cul-de-sac other than the Policeman trying to catch speeders coming down. The parents park on the other side because of the School Crossing Guard. They do not want to go through the lines picking up their

kids. Her big beef at school was if you care enough about your kids you either work something out with walking and you meet them to cross Mission or you go pick them up in a car.

We talked about the 16 accesses and 3 streets and all the driveways. I can't begin to tell you from the experience of watching kids every day and being out there. Kids do not stop and look both ways. They are excited to get home or excited at school and they just go. Others mentioned 27 families on our side. There are not enough of us who are going to be able to be out there watching what is going on in our front yard. Let me tell you after being at school, I do not want God forbid in my front yard with a kid darting across. Because people come down that hill going more than 35 mph and even if you are going 35 mph you are not going to happen to be able to stop in time for a kid. Bicycles are also a concern. We have had several people drive through our front yard coming down the hill. They swerve to miss somebody. Whether it is someone on a bicycle or another car parked. Several years ago we had a car careen into our garage and do a lot of structural damage to our house. Just from coming down that hill and not be able to see what is going on. They hit another car and that car smashed into our home. If a kid or adult resident has been walking across that part on the sidewalk someone would have been killed. One of my kids came close to getting hit just playing in our front yard. The yards on the west side of Mission Road and now you are talking about adding a sidewalk and the width is not great. The front yards are pretty small. We are as close as we can get and there is not that much easement.

Now getting into property value: If we add a five foot sidewalk. If I look out my front door and fewer than 25 feet, I'm going to be looking at a huge expanse of sidewalk. A lot of our houses sit down from Mission Road. They are lower. So five feet of concrete and I think our front is 170' across is going to cause a considerable drainage issue for us. We already have drainage issues. I already have French Drains all the way in the front and they will not be able to handle it. As it is now, I get pooling and I'm really concerned about that. Resale value (although we are hoping to stay there at least another 25 years). I really think the property value will be affected by having 5 feet of concrete in our front yard.

You asked about why there are no sidewalks on Mission Road on that side. Years ago we did our due diligence and went and came and talked to the planners and saw the Master Plan. There were no sidewalks on that side and they said they would never projected that there would be any. That Mission Road would stay the same way, it wasn't going to be a through street because they could get to Tomahawk Creek Parkway and then they didn't know about Nativity at the time but they told us that Mission Road was never going to be a straight cut through street. They said there are no sidewalks, these are your front yards. Usually we put sidewalks at the back side of a subdivision, they would not be right in the front yard. So we said okay, great we will go with that. That is talking to somebody 32 years ago, and she does not remember who it was and couldn't find the notes on that. If you drive down Mission Road, the part you are talking about at 119<sup>th</sup> to 124<sup>th</sup> is very residential. That is the front yards of two subdivisions. I would be in favor of seeing an improvement on the other side. Parents who are concerned about the kids crossing the road can stand outside their house and help their children cross at a particular time of day either in the morning or afternoon, once again there are going to be added costs besides just the construction. They will have to have another crossing guard at Nativity. I really hope we could have more discussion about the plan and feasibility of the safety issues and property value issues. Thank you.

#### **4. David Gatchell, 12204 Mission Road-**

Thank you for the opportunity to be here. My wife Julie and I live here. To make you more familiar with Mission Road, there were two houses that were the original homes built by the developer in the 1980's. -Country French homes with circle drives. They are easy to recognize. This will destroy our home values. I want to be clear and give you some back ground.

We have lived in Leawood since 1984 and were one of the first families to purchase a lot from JC Nichols when they developed Waterford. In the late 1980's and early 1990's, I served on the Plan Commission when the Douthit's were trying to develop Leawood Town Center. I think I served for three or four years. My back ground is I was a Corporate Lawyer at Spencer Fane Britt & Browne for 19 years. I've left I'm now the President at one of the partners at the Wolfe Automotive Group a car dealership here in Kansas City. In my career I've done a lot of real estate work. And I actually represented Bud Gepke when he bought Mission Road. He was a client of Spencer Fane. They were trying to condemn his property. He owned all the property at the top of the hill and I know exactly why Leawood made the road jog to the west if you notice. It was straight then it jogs west because there was a very ugly condemnation lawsuit between Bud Gepke and the City of Leawood over the value of Mission Road taking his property. It was cheaper for the City to re-engineer the road then to pay him the fair value of the condemnation award. I have spoken to our real estate appraisers. Their estimate- you are talking about taking eight feet from the current curb. You are going-Where are the lights going to be? Where are the City's lights going to be relocated to?

David Ley-The lights will be between the sidewalk and the curb.

David Gatchell-So they are going to have to be removed and located further back from where they are now? Toward my property?

David Ley-They would be between the curb and sidewalk.

David Gatchell-So they would stay in the current line? And the sidewalk would be on the east or west side of the lights?

David Ley-They would be on the west side of the lights.

David Gatchell-Please drive by and look at the property along Mission Road. You are going to destroy probably five trees. You would have to take out two very mature trees and then your impact of construction will probably destroy the rest of the trees at least back to my river birches. And the value of destruction for our property here is at least \$100,000. This is a quasi-taking. I know it is not a legal taking because you are going to stay within your right-of-way. But the fact is it was never on the plan and listen, I was on the Plan Commission and understand those are not legally binding documents. But think about democracy and the expectation here. We bought this house in 1986. We have invested in over half a million dollars in improvements from the purchase price. When we had nine feet of erosion in the back yard, we begged the City of Leawood to help us with the erosion problem in the creek. We lost a planter box. We went to our councilman, we talked to the Mayor, we asked all the neighbors, the City didn't do one darned thing to our concern. We had to put in a \$35,000 retaining wall to stop the erosion. Which we did. We understood that hey, that is the political process. City is not going to spend the money, we are going to protect our property value. I ask you to consider what you are doing to the neighbors for very-very little public benefit. This is how democracy is supposed to work at the local level, the cost benefit should be considered. And I believe the cost to us far outweighs any public

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benefit because frankly there was no demand for this until some people moved into a cul-de-sac. And they are in favor of it because their property values are not going to be severely impacted. They have little children. They are wonderful people. Terrific people. I understand that, but I raised two kids who walked up the street to Leawood Elementary, Leawood Middle and Mission Trail and I didn't ask the City to put sidewalks in or impose a big multi-million dollar loss on all these people to pay for my issue. I made assure they got across the street. And that is what I ask. I feel very strongly about it. This is going to absolutely destroy our property value. It is going to be a severe taking and I just ask the City Council to think about it in fairness. That is all. Thanks.

**5. Charles Kraft, representing Dr. Paramjeet Sabharwal, 12000 Mission Road-**

I'll be brief. Dr. Sabharwal is in favor of the sidewalk being installed. Second house south of 119<sup>th</sup> Street, on the west side. Dr. Sabharwal has a fence. We are modifying that entrance so there is quite a bit of distance between when you come out of their gate/pillars of their gate to the street. It is probably 30 to 35 feet to the curb. They would be here today but are in a medical conference in New Orleans, so their apologies on that.

Chris White-Can you expand on why they are in favor?

Charles Kraft-Basically that side (the west side) of their stretch is not well maintained. It is a very wooded area. He is in favor of it. Mr. Kraft cannot speak too much beyond that. His understanding was that this was a rather informal meeting, so if there is another meeting Mr. Kraft was sure the property owner would try to attend.

**6. Mike Krahn, 12309 Alhambra-**

It is his side yard or back yard, a little confusing on what to call it, however he has 330 feet on Mission Road, just south of 123<sup>rd</sup> Street. Just stop of the stop light. We purchased the house approximately 3 years ago with the expectation that this house has been here for 30 years. We do not have a sidewalk. We love the naturalness of the property. There are natural trees and grass going all the way down to Mission Road. It seems to me that it is fair to assume-I guess progress is made and there has to be changes, but we certainly did not anticipate a massive sidewalk. I have not measured everybody else's property but the way our lot lies we would probably be more affected than anybody else in this construction process. Three- hundred and thirty feet (330') is going to be six-hundred and sixty (660') of extra feet that I'm going to have to trim extra each week. Three-hundred and thirty feet (330') feet of sidewalk that I'm going to be responsible for repairing, for plowing, it is a big imposition. Not to mention just being an eyesore. I share everybody's safety concerns and I think that that is great. I think the property value concerns need to be there too. And I think that will adversely affect my property value. There are some trees on the north end closer to the entrance to the trail that will probably have to be cut down and I'd hate to see that. I've got ten (10) sprinklers right along there. Will the City pay for repairs to the damage to the sprinklers system as they are doing this? I'm sure that is \$1,000 or more once they are all dug up and you have to find where they were. The economic expense is going to be there for the home owners in addition to the City and it is just very disappointing to think about. It sounds like there have been more people concerned north of 123<sup>rd</sup> and I would like to make it clear those of us that are affected south of 123<sup>rd</sup> are very much against this as well.

## **7. Sue King, 12200 Mission Road-**

Hi. I live at 122<sup>nd</sup> & Mission Road and I have been there for 18 years. I raised my children there and actually my son just got married last summer and he and his wife are back living with me again to save money to buy a house. We have enjoyed living where we are, but as you have heard there are inherit problems. I have the joy of being the house at the bottom of the hill. I will tell you that what the others are saying about the traffic issues and the accident issues are not any way shape or form being exaggerated. I have had and if you look in my front yard, you will see marks in my front tree where people have hit it. You will see ruts in my yard where people have plowed through. If you look in back you will see accidents that have hit the light pole in front of my house. People careen over that, they are either eating their food, or they are answering their phones-they are whatever. And it is very very interesting in that they really do come across there.

The other piece about that tho and a lot of people do not know: I encourage you to come sit on our cul-de-sac. Our cul-de-sac is the turn-around spot for the entire Mission Road. People figure out they have missed 123<sup>rd</sup> and they come careening in and around. When the neighbors across the street moved in with little children (and I know that the Heiman's are in favor of this) they started letting their kids play out in the middle of this cul-de-sac. I went over and said "Look, you really do not want to do this". After a few times with their kids almost being hit by the traffic, they finally have got them where they are not riding in the street. I said let them play in my driveway instead. Because people turn around in that street. It is a very-very tight cul-de-sac. There are trees in it so people coming around you can't see at the back if somebody is coming around to the front. Which means anybody walking on a sidewalk is going to have difficulty in front of their. My own children growing up there; I forbid them to play in my front yard because I was concerned about their safety as well. So the safety issue is one.

The second issue that has not been raised is the snow plowing that happens on Mission Road. If you ever look at the way they plow the snow-when they come over that hill by the time they've plowed it, there is a big pile of snow on the corner of my yard. And so as I'm looking at the City regulations about the property owners responsibility for sidewalks. One of them clearly says if you have a corner lot you have to keep it clear. I just can't wait until they put that pile of snow there and I have to find a way to dig it out. There actually has been a lot of jokes because our cul-de-sac is slightly tipping downward. Frequently I would be not only clearing my own driveway, but I would try to clear out to the stop sign so people coming around wouldn't get stuck. I can't tell you how many times I have cleaned that out and then the plow comes around and buries it right under again and we can't get out. So this is going to affect what happens with the snow plowing and where do you put the snow. And where do you put the snow? Because frequently it is dumped on my side of the road so it's not dumped on the side with the sidewalk that happens there. There is a logistic issue that is going to be affected there as well.

The other thing that has been brought up, but it affects Gatchell's and I probably more than anybody else, right between our yards whenever there is a heavy rain there is literally a river that runs right between our yards and it goes down behind my neighbor's yard and then to the creek. There are times when there is water flowing, it gets so deep in there that you do not want to walk it. There are concerns about that water because it heads to the creek so fast, and the creek rises. You've done some creek work back there before but the creek work did not extend down behind some of the houses and by Gatzhell's house. So let's put in a hard scape to let the water run faster, okay? It is just going to make

that a whole lot worse through there. We have dealt with that for years and years. Anything we try to plant along that ditch that is there, it does not live. I have a major concern that you are going to be looking at doing some water drainage there. We will then start complaining about a worse issue than what we have been dealing with for years and years. The issue right now is so bad that I get water in my basement. So if we put those hardscapes in there, it will exasperate my problem with water in my basement. My sump pump cannot keep up. I've changed it twice. I've dug things out, I've put in better pumps and it is still an issue that I am dealing with.

You have heard others talk about property values. My house sits closer to Mission Road than nearly everybody else's except for a couple up the hill. You are literally going to be putting this front yard in-I realize I have a light pole I have the three feet. The five feet wouldn't touch my tree but I ask you to go look at my tree. It is an old Maple tree and it's one of those that has the roots that come up on top of the ground. You will have to cut those roots to put this in and I guarantee you it will probably kill the tree. Yet it is not marked on your plan as a tree removal. So I will have to bear the expense of probably taking the tree down. I will lose shade to my house. I am going to lose that one beautiful tree that makes our areas legacy. We are very different. Everywhere else on Mission Road as pointed out are the backs of houses with wide green spaces. This particular point in this road does not have that. So to consider us and say as part of a plan everybody else has it so you should to is not looking at the uniqueness of where we are. I do strategic planning at Avila University. I'm a vice president there, I do this all the time and what we know is to say and make a decision because everything else or everybody else is doing it may not be appropriate in our situation. I think in this situation is really is not appropriate to just make the decision because every other road in Leawood has sidewalks on both sides. I think we need to take a look at what is happening there. I walk my children. I am hoping that my neighbors will be open to walking their children and taking care of their children as well. Letting us be a neighborhood to help those children. I would be in favor of putting in a crossing walk even with one of those lights where if children need to cross. But I think putting sidewalk on our side is an accident waiting to happen and I'm very-very concerned about that if you move forward with it.

**8. Paula Wilson, 12305 Alhambra-**

Is Mike's neighbor, her back yard is on Mission. Her yard is right off the trail. We have lived in our house 23 years and we were skeptical to buy it because Mission was back there but because there is a tree line and in the summer the trees cuts down the noise. When they fixed the trail they took part of my property. I signed a paper and they had to take part of it. They took some of my trees out to fix that trail. So if you put a sidewalk back there you are going to be taking out a lot of trees back there. It will be noisy and it will cut down our property value and that is one of the reasons why we bought it. We do not have that much back there and the trees come almost all the way to the road. I've already lost some of my property so that you could fix the trail; and we were happy to do. I used to have retaining walls back there and people hit them. They would hit them and leave. I have gone to church and come back and the retaining walls were down and nobody would say they hit them. So people go pretty fast back there. I do not have the retaining walls anymore because you fixed the trail. They took them down completely. But Leawood would come and fix them when people hit them. So it will affect us because there is not much room for a sidewalk back on our property. You would have to take a lot of trees down to get it there.

Chair Osman-

At this point for time and for the Committee I think we need to open it up for discussion on the two sections. Joe is this a recommendation back to the City Council or what is this?

Joe Johnson-It can be. This was more to have open discussion and see if there are things that we need to consider or take into account when we do the improvements. Generally when we do improvements if there are irrigation systems it is our standard as part of the contract to repair the work being done in the right of way. When we build sidewalks the drainage is from the sidewalk towards the street, we do not back slope it so the water drains from the curb to the property.

David Gatchell-Does that mean regrading of my property? Because it slopes down from the curb. So you will come in and regrade my property as well?

Sue King- Even if it slopes towards the street; when Mission Road comes down the hill north to south, that water is still going to go down that natural hill and then run.

David Gatchell-It is the inadequacy of the drain at the bottom that causes the flooding.

David Ley-We are redoing the storm sewer so that is the site we would look at.

David Gatchell-Does not understand the plan well enough. From the existing curb how far back to the west edge of the sidewalk will it be? When I stand on my property on today's curb if I take out a tape measure, how far back from the curb on the west edge of the sidewalk will it be?

David Ley-at 12204 Mission that is right about where we will have a curb transition, so at most eight feet. But that is where we are shifting the curbs to the east. So the curbs will be coming in three feet, so it varies between five to eight feet from the existing curb.

Resident/discussion- Even if the sidewalk slopes to the street, when the water runs down that hill, it is going to slope to the west, maybe not as much as it did, but you cannot have much slope because then it will not be walkable. The majority of the houses along Mission Road sit lower than Mission Road. We see this everywhere, the more green that is removed and replaced by hard surface, we have a water issue. It just will make it worse. .

Sue King – We have problem with the road now because the water runs down the road. Are you going to try to slope the road too? Because what happens is it slopes down and the culvert cannot handle it in any way shape or form because it runs so fast. The water comes up and over that curb and it creates a river. Because of the slope down it is bad. The next time it rains, please come by and look at it.

David Gatchell-Has photographs of the last rain that came and can show anyone on the Committee what the area looks like when it is running. It is a serious significant amount.

Andrew Osman-I think the main point to wrap this up as we receive comments from the resident's, we have taken the comments into consideration in the Minutes for today. What the Committee has to do is digest this information and report back.

Chris White-I think we need to convey to the Council that there is a strong opposition to have sidewalks on the west side of Mission from the neighbors there. Can I ask were any of today's residents at the Council Meeting where they discussed the sidewalk recommendation?

*These Minutes were approved by the Public Works Committee on December 7, 2016.*

Guests (in unison)-No, we were not aware of it. We just now received a letter.

Chris White-I understand. The answer is that we need to communicate this back to the Council so you can have time to address it with them if you need.

Chair and Councilmember Osman advised he would report back to the Council based off of the previous request and previous discussion and on what was presented here today regarding the comments/concerns from Mission Road property owners received at this meeting in opposition to the sidewalks. Notification will be sent back out to the property owner residents.

Plans are taken and made over time, but that is a plan. They are drawn up by outside people, sometimes Committees will look at it and approve it, sometimes they won't. And sometimes they will go to Council and sometimes they won't. So I think there will be other things that are recommended in my next report and I will bring this up at next City Council.

Resident/discussion-This Committee though is primarily involved with the engineering, correct? And the planning-not the direction as to whether this should actually be done or not. That is something the Governing Body decides, so that is where we need to go.

Chair Osman-It is a recommendation.

Marsha Monica-Correct. We hear it and then we make a recommendation. The Council wants to get input from residents that live here plus staff. You are absolutely correct; the final decision is a Council decision.

Joe Johnson-A lot of that was looked at when the City hired the firm to produce the "Self-Propelled Leawood Pedestrian and Bicycle Master Plan".

Andrew Osman-It is a comprehensive plan for the entire City. It is not specifically to one specific street. It is a Master Plan, we are going off of it and we are looking at it on a case-by-case basis. Because the road is scheduled for improvements a couple years from now it is the perfect time to figure out what to do for the next 20 to 30 year and to figure out how to adopt and go forward.

For clarification-There was a June request to do sidewalks or a sidewalk based off of a resident's call.

Joe Johnson-The recommendation was passed from this Committee and that recommendation did go to the Governing Body, and they approved it. They approved the concept and the funding to have sidewalks along Mission Road. That is what the Governing Body approved.

Resident- confused to the mechanism of time line events as they received notification for today's meeting but they did not get any notification that Council was going to have a discussion about approving sidewalks plans in June for their area. Seems like this group should have been notified of that prior to today.

Jim Rawlings-This plan that we have here is a guideline. Our City philosophy is connectivity in the neighborhoods and there is a bicycle plan. So we were going based on the theoretical plan of connectivity within Leawood. We had a request of people wanting sidewalks. Anyway, this is a guideline so you probably were not notified because we were following our direction (the City guidelines of connectivity), the project was 2 years away. So you did not get a notice. And now you have because

City Council has approved this concept based on the Committee Recommendation based on the connectivity theory that we have-right, wrong and indifferent. So now the reason we are having this meeting is to hear input. And there is a lot of very good input from you all. That does not necessarily mean that Council won't change anything, they could-very easily. So with your input, you have opened up our eyes anyway.

Andrew Osman-Absolutely and from my vantage point, I would recommend that we as a Committee recommend looking at the implementation so that Council can review the Minutes from today's meeting. Review the resident's comments. See the area, rather than the Master Plan in its entirety. Again Council will be the one to decide yes or no to budgeting and implementing in 2017, 2018, 2019 for the adoption of the plan.

Question from resident-Are there going to be any improvements to the sidewalk on the east side? Or is it going to be as is?

Joe Johnson-There may be some areas that get patched. That walk is at least 4' in width.

Resident concern-It is a whole other thing to look at something on a piece of paper, please come have Council drive the street to see what we are talking about.

Chair Osman-Council does look. Based off of the time of the meeting, I am open to a recommendation.

ACTION: Chris White-Motioned to recommend that the City Council review the Minutes of today's meeting and the comments from the residents and re-evaluate the specific application of the plans for this area.

Marsha Monica – adding to the Motion that the resident property owners be notified when the Council would be discussing this so they have an opportunity to come and hear.

Abbas Haideri-Seconded the Motion. All members present were in favor. Motion passed.

Chair Osman: Adjourned the meeting at 8:51 a.m.

Minutes transcribed by: Julie Stasi, Administrative Services Manager, Leawood Public Works Department  
(sign in sheet to be attached)