CITY OF LEAWOOD GOVERNING BODY MEETING AGENDA

Monday, December 5, 2016
Council Chamber
4800 Town Center Drive
Leawood, KS 66211
7:30 P.M.

DECEMBER 2016

S	M	T	W	T	F	S
				1	2	3
4	**5**	6	7	8	9	10
11	12	13	14	15	16	17
18	**19**	20	21	22	23	24
25	26	27	28	29	30	31

JANUARY 2017

S	M	T	W	T	F	S
1	2	**3**	4	5	6	7
8	9	10	11	12	13	14
15	16	**17**	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

AGENDA

(This agenda is subject to changes, additions or deletions at the discretion of the City Council)

Mayor Peggy Dunn

Councilmembers

Ward One	Ward Two	Ward Three	Ward Four
Debra Filla	Jim Rawlings	Chuck Sipple	Julie Cain
Andrew Osman	Steven Kaster	Lisa Harrison	James Azeltine

1. PLEDGE OF ALLEGIANCE

2. APPROVAL OF AGENDA

3. CITIZEN COMMENTS

Members of the public are welcome to use this time to make comments about City matters that do not appear on the agenda, or about items that will be considered as part of the consent agenda. It is not appropriate to use profanity or comment on pending litigation, municipal court matters or personnel issues. Comments about items that appear on the action agenda will be taken as each item is considered. CITIZENS ARE REQUESTED TO KEEP THEIR COMMENTS UNDER 5 MINUTES.

4. PROCLAMATIONS

5. PRESENTATIONS/RECOGNITIONS

6. SPECIAL BUSINESS

A. **Public Hearing-** Amendments to the 2016 Fiscal Budget for the City of Leawood, Kansas

B. Resolution adopting amendments to the 2016 Fiscal Budget for the City of Leawood, Kansas

C. Resolution approving Sponsorship Agreement between the City and Variety of Greater Kansas City-Tent 8, Inc., pertaining to the All Inclusive Playground, located at Leawood City Park, 10601 Lee Boulevard

If you require any accommodation (i.e. qualified interpreter, hearing assistance, etc.) in order to attend this meeting, please notify this office at 913.339.6700 or at www.leawood.org no later than 96 hours prior to the scheduled commencement of the meeting.

7. CONSENT AGENDA

Consent agenda items have been studied by the Governing Body and determined to be routine enough to be acted on in a single motion. If a Councilmember requests a separate discussion on an item, it can be removed from the consent agenda for further consideration.

A. Accept minutes of the November 21, 2016 Governing Body minutes

B. Accept minutes of the October 20, 2016 Leawood Foundation minutes

C. Approve Appointment of Presiding Officers for 2017

D. Approve renewal of Cereal Malt Beverage [CMB] License for Walgreen's, located at 5230 W. 151st Street

E. Approve 3rd and Final Pay Request in the amount of $36,997.62 to Realm Construction, Inc., pertaining to the 2016 Mission Road Partial Depth Repair Project, on State Line Road from 103rd Street to 300 feet south [Project # 72052]

F. Approve 13th and Final Pay Request in the amount of $85,965.17 to Miles Excavating, Inc., pertaining to the 143rd Street Improvement Project between Nall Avenue and Windsor Street [Project # 80162] [KDOT Project # 46 N-0426-01]

G. Approve proposal from Travelers Insurance Company for 2017 Property/Liability Insurance and additional coverage

H. Resolution approving the recommended distribution of alcohol taxes by Johnson County Drug and Alcoholism Council [DAC] for allocations of the 2017 alcohol tax fund for an amount not to exceed $300,000

I. Resolution approving and authorizing the Mayor to execute a Letter of Understanding in the amount of $10,000, between the City and Johnson County Human Services pertaining to the 2017 Johnson County Utility Assistance Program

J. Resolution approving a Final Sign Plan for Bukaty Companies Wall Sign, located south of College Boulevard and east of Roe Avenue. (PC Case 114-16) *[from the November 22, 2016 Planning Commission meeting]*

K. Resolution approving a Final Plan for Cornerstone – BRGR (Restaurant), located south of 135th Street and west of Briar. (PC Case 115-16) *[from the November 22, 2016 Planning Commission meeting]*

8. MAYOR'S REPORT

9. COUNCILMEMBERS' REPORT

10. STAFF REPORT

COMMITTEE RECOMMENDATIONS

11. PUBLIC WORKS COMMITTEE

[from the November 2, 2016 Public Works Committee meeting]

Recommendation: Recommend Sidewalk Plan to be installed on Mission Road between 119th Street and 123rd and 123rd to 124th Street be referred to a Governing Body Work Session to be held on Tuesday, January 3, 2017 at 6:00 P.M.

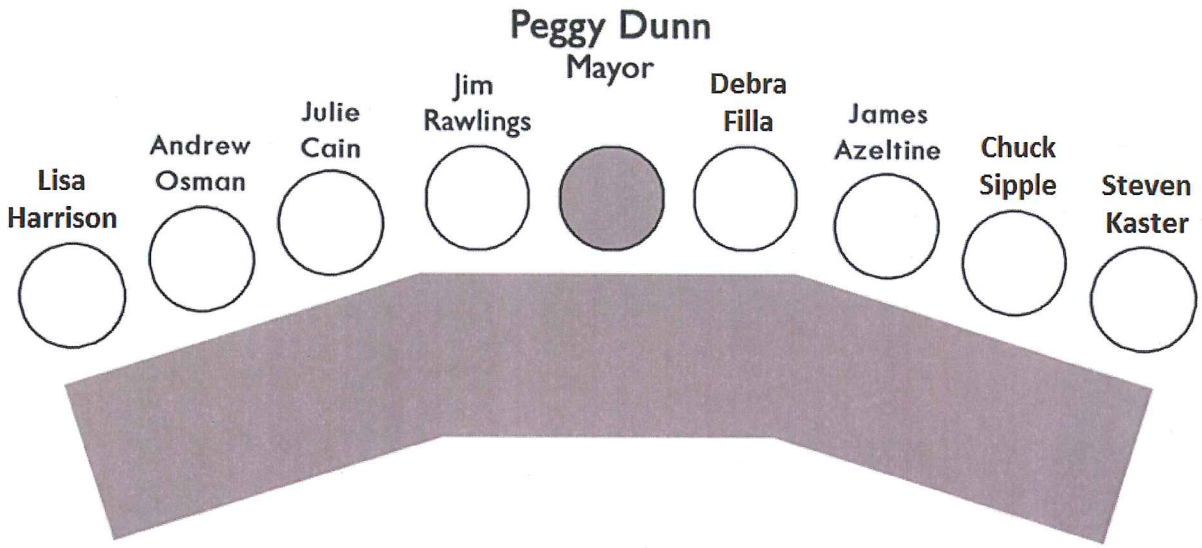
12. OLD BUSINESS

13. OTHER BUSINESS

14. NEW BUSINESS

ADJOURN

Mayor and City Council



Leawood operates under a Council/Mayor form of government, with a separately elected mayor and 8 council persons. Council members are elected on a non-partisan basis from 4 wards. The Council develops policies and provides direction for the professional city administration. Regular meetings of the Leawood City Council are held the first and third Mondays of each month beginning at 7:30 PM. Copies of the agenda are available at the Office of the City Clerk on the Friday prior to the meeting.

Number of Votes Required:
Non-zoning Ordinances: Majority of the members-elect of the City Council **[5]**
Charter Ordinances: 2/3 of members-elect of Governing Body **[6]**
Zoning Ordinances and other Planning Commission Recommendations:

- **Passage of Ordinances Subject to Protest Petition**: ¾ majority of members of Governing Body **[7]**
- **Approving Planning Commission Recommendation**: Majority of the members-elect of the City Council **[5]**
- **Remanding to Planning Commission**: Majority of the members-elect of the City Council **[5]**
- **Approving, Overriding, Amending or Revising Recommendation after Remand:** Majority of the members-elect of the City Council **[5]**
- **Overriding, Amending or Revising Recommendation:** 2/3 majority of membership of Governing Body **[6]**

Note: Mayor may cast deciding vote when vote is one less than required.

The next regular meeting of the Leawood Governing Body will be
Monday, December 19, 2016

		2016 SCHEDULED WORK SESSIONS	
DATE	**TIME**	**SUBJECT**	**LOCATION**
December 5		**NO WORK SESSION**	
December 19		**NO WORK SESSION**	
		2017 SCHEDULED WORK SESSIONS	
January 3	**6:00 P.M.**	Sidewalk Plan to be installed on Mission Road between 119th Street and 123rd and 123rd to 124th Street	**Main Conf. Room**
January 23	**6:00 P.M.**	Discuss GB short, Near & Long-Term Goals	**Main Conf. Room**
March 20	**6:00 P.M.**	Presentation of 2018-2022 Capital Improvement Projects [C.I.P.]	**Main Conf. Room**
April 17	**6:00 P.M.**	Continuation of 2018-2022 CIP Discussion; Discuss 2018-2022 Budget Model Assumptions	**Main Conf. Room**
June 12	**6:00 P.M.**	Budget & Finance Committee	**Main Conf. Room**
June 13	**6:00 P.M.**	Budget & Finance Committee *[if needed]*	**Main Conf. Room**
June 19	**6:00 P.M.**	Discuss 2018 Budget Tax Lid Election *[if needed]*	**Main Conf. Room**

The next regular meeting of the Leawood Governing Body will be
Monday, December 19, 2016

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6.B.

Finance Department

Memo

To: Mayor Dunn & Governing Body
Scott Lambers, City Administrator

From: Dawn Long, Finance Director

Date: December 5, 2016

Re: 2016 Budget Amendment

The public hearing on the amendment to the 2016 Budget will occur at the December 5th Council meeting. The attached resolution authorizes the increase of two funds: the Special Parks/Recreation fund and the Street Improvements fund.

- The *Special Parks and Recreation fund* was established to account for one-third of the alcohol tax funds that are remitted to the City quarterly. These are to be used for the purchase, establishment, maintenance or expansion of services, programs and facilities, all park related. This amendment will allow the 2016 original budget of $649,700 to increase to $721,600; a change of $71,900. The increase is necessary to cover final expenses for planned items and projects which were included in the 2015 budget, but were not fully complete by year-end. These include: a walk behind mower and a blade grinder ordered in 2015, but not delivered and paid for until 2016; a bench for the dog park; and final payment for the Park Access Improvement project.

- The *Street Improvements fund* is a capital fund where arterial street repairs are expended. As a result of these project changes, the 2016 original budget of $2,813,800 will increase by $277,400 to $3,091,200. There were several encumbrances for 2015 projects which were not fully complete and therefore were carried forward from 2015 to 2016. The projects include: #72024, 115th Street, Roe-Tomahawk Creek; #72046, Nall, 119th-College; #72056, State Line, 123rd-135th Streets; and #72061, College Blvd, El Monte-State Line.

Please contact me if you have any questions or need further information.

DRAFT

RESOLUTION NO. _____

RESOLUTION ADOPTING AMENDMENTS TO THE 2016 FISCAL BUDGET FOR THE CITY OF LEAWOOD, KANSAS

WHEREAS, the Fiscal Year 2016 annual budget was presented to the Governing Body at its August 3, 2015, Governing Body meeting and was subsequently adopted at the August 3, 2015, Governing Body meeting; and

WHEREAS, the City has determined that additional monies need to be included and the budgeted amount increased in the Special Parks & Recreation Fund and the Street Improvements Fund, as specified in the 2016 budget, attached hereto and incorporated herein by reference as if fully set out; and

WHEREAS, a public hearing was conducted on December 5, 2016, to consider this amendment to the 2016 budget; and

WHEREAS, the Governing Body desires to adopt the amendment to the 2016 fiscal budget.

NOW, THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD, KANSAS:

SECTION ONE: That the City of Leawood, Kansas, a municipal corporation, does hereby adopt the amendment to the 2016 Fiscal Year Budget.

SECTION TWO: This resolution shall become effective upon passage and publication by the Governing Body.

PASSED by the Governing Body this 5th day of December, 2016.

APPROVED by the Mayor this 5th day of December, 2016.

_____
Peggy J. Dunn, Mayor

[SEAL]

ATTEST:

_____
Debra Harper, CMC, City Clerk

APPROVED AS TO FORM:

_____
Patricia A. Bennett, City Attorney

Notice of Budget Hearing for Amending the
2016 Budget

The governing body of
City of Leawood, Kansas
will meet on the day of December 5, 2016 at 7:30 PM at Leawood City Hall for the purpose of hearing and answering objections of taxpayers relating to the proposed amended use of funds.

Detailed budget information is available at Finance Department at City Hall and will be available at this hearing.

Summary of Amendments

Fund	2016 Adopted Budget			2016 Proposed Amended Expenditures
	Actual Tax Rate	Amount of Tax that was Levied	Expenditures	
Special Parks & Recreation			649,700	721,600
Street Improvements			2,813,800	3,091,200
			0	0
			0	0

City of Leawood, KS
Official Title:

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Staff Review

6.C.

Fact Sheet

SUBJECT: **APPROVE SPONSORSHIP AGREEMENT PERTAINING TO ALL INCLUSIVE PLAYGROUND IN LEAWOOD CITY PARK**
Variety of Kansas City-Tent 8, Inc.

December 5, 2016

DISCUSSION

Staff is requesting the approval of a Sponsorship Agreement with Variety of Kansas City -Tent 8, Inc. for funding assistance of the All Inclusive Playground in Leawood City Park.

As you know, this project was initiated by the Leawood Foundation as one of two major initiatives to complete in 2016. Chair, Alice Hawk has been in discussion with Variety for the past nine months and just recently reached consensus with them on a dollar amount.

Though the funds are being raised by the Foundation, once the playground is installed and opened they will gift it to the City. This is why the agreement is with the City who will own and maintain it and not the Foundation.

As per the agreement, the donation of $125,000 by Variety will give them the naming rights of the playground through 2036 (20 years). Staff acknowledges that this is in line with the useful life of the playground in whole.

A representative from Variety has been asked to attend the meeting should you have any questions regarding their participation.

Staff requests that the Council approve the agreement and authorize the Mayor to sign.

Chris Claxton

Chris Claxton
Parks & Recreation Director

SPONSOR

Parks & Recreation Department

COUNCIL ACTION TO BE TAKEN

Approve Sponsorship Agreement with Variety of Kansas City -Tent 8, Inc.

STAFF RECOMMENDATION

☑ For
☐ Against
☐ No position

COMMITTEE RECOMMENDATION

☐ For
☐ Against
☐ No position ☑ No Assignment

POLICY OR PROGRAM CHANGE

☑ No
☐ Yes

OPERATIONAL IMPACT

N/A

COSTS

N/A

DRAFT

RESOLUTION NO. _____

RESOLUTION APPROVING SPONSORSHIP AGREEMENT BETWEEN THE CITY AND VARIETY OF GREATER KANSAS CITY-TENT 8, INC., PERTAINING TO THE ALL INCLUSIVE PLAYGROUND, LOCATED AT LEAWOOD CITY PARK, 10601 LEE BOULEVARD

WHEREAS, the City wishes to enter into a sponsorship agreement for the All Inclusive Playground.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD, KANSAS:

SECTION ONE: That the Governing Body hereby authorizes the Mayor to execute a Sponsorship Agreement, attached hereto as Exhibit "A", and incorporated herein by reference as if fully set out.

SECTION TWO: This resolution shall become effective upon passage.

PASSED by the Governing Body this 5th day of December, 2016.

APPROVED by the Mayor this 5th day of December, 2016.

[SEAL]

_____
Peggy J. Dunn, Mayor

ATTEST:

_____
Debra Harper, CMC, City Clerk

APPROVED AS TO FORM:

_____
Patricia A. Bennett, City Attorney

SPONSORSHIP AGREEMENT

This Sponsorship Agreement (the "Agreement") is entered into on this ____th day of _____, 2016 (the "Effective Date") by and between Variety of Greater Kansas City-Tent 8, Inc., a Missouri non-profit corporation ("Variety") and the City of Leawood, Kansas (the "City"). Variety and the City are each individually referred to hereinafter as a "Party" and collectively as the "Parties."

RECITALS

WHEREAS, the City intends to construct and maintain an adaptive, all-inclusive playground accessible to children of all abilities, including those with special needs, in Leawood City Park, 10601 Lee Boulevard (the "Playground"), and

WHEREAS, Variety desires to provide funds to the City to support and sponsor the City's important efforts in providing the Playground to its residents, and

WHEREAS, the City desires to provide certain sponsorship rights to Variety in exchange for Variety's payment of certain funds to the City.

NOW, THEREFORE, in consideration of the foregoing, the mutual promises and covenants set forth herein, and for other good and valuable consideration as described below, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby agree as follows:

1. **Term of Agreement.** The term of this Agreement shall begin on the Effective Date and shall continue until December 31, 2036 (the "Term"), unless terminated earlier in accordance with the terms of this Agreement or extended pursuant to an amendment in accordance with Section 16 below.

2. **Sponsorship Fee and Payment.** Variety agrees to pay a total of $125,000 (the "Sponsorship Fee") to the City. The Sponsorship Fee shall be payable to the City in two payments of $62,500, with (a) the first payment being due and payable upon execution of this Agreement, and (b) the second and final payment being due and payable upon completion of construction and final installation of equipment for the Playground.

3. **Sponsorship Rights.** During the Term of the Agreement, the City grants to Variety the following rights, benefits, and privileges:

   a. **Naming Rights.** Variety holds the exclusive right to name the Playground, which shall be known as the "Variety KC Playground" in Leawood City Park.

   b. **Signage.** The City will, at its own initial cost and expense, provide a permanent sign for the Playground utilizing and incorporating a logo and/or artwork provided by Variety. Variety shall have the opportunity to pre-approve the final design of the Variety sign. The sign shall be placed in the center section of the Playground, with a minimum of 10 feet of clearance on

either side of the Playground structure. Variety will cover all costs to refurbish or replace the original sign provided by the City.

c. **Marketing and Publicity.** The Playground will be marketed by the City in any print, online, or other media, press and/or marketing materials as the "Variety KC Playground." Variety's logo shall be prominently featured on any website or webpage maintained by the City regarding the Playground. Variety's name, marks, and/or logos shall be included in all promotional efforts by the City regarding the Playground.

d. **Use of the Playground.** Subject to the reasonable availability of the facility, Variety shall receive two (2) free non-exclusive uses of the Playground per year for events and activities promoted by Variety, with notice given at least 10 business days prior to such event.

4. **Trademarks.**

a. **License of Variety Marks to the City.** Subject to the terms of this Agreement, Variety grants to the City a non-exclusive, royalty-free license during the Term to use and grant to others the right to use "Variety Children's Charity of Greater Kansas City" or "Variety KC" and any related logos, including without limitation, any copyrights, trademarks, service marks, trade dress and other intellectual property relating to the same, and any derivatives, modifications or alterations thereof (collectively, the "Variety Marks") in connection with the promotion, publicity, marketing and operations of the Playground and any events held at the Playground or Leawood City Park; provided, however, that any rights granted by Variety to third parties to use the Variety Marks shall expire contemporaneously with this Agreement. The grant by Variety herein of a license to the City shall not convey any right, title or interest in the Variety Marks for any use or purpose other than expressly provided herein, and Variety specifically reserves all such rights for itself. In addition, Variety reserves the right to inspect the City's usage of the Variety Marks at any time during the Term.

b. **License of City's Marks to Variety.** Subject to the terms of this Agreement, the City grants to Variety a non-exclusive, royalty-free license during the Term to use "City of Leawood" or "Leawood City Park" and any related logos, including without limitation, any copyrights, trademarks, service marks, trade dress and other intellectual property relating to the same, and any derivatives, modifications or alterations thereof (collectively, the "City Marks") in connection with the promotion, publicity, marketing and operations of the Playground and any events held at the Playground. The grant by the City herein of a license to Variety shall not convey any right, title or interest in the City Marks for any use or purpose other than expressly provided herein, and the City specifically reserves all such rights for itself. In

addition, the City reserves the right to inspect Variety's usage of the City Marks at any time during the Term.

5. **Termination**. Each Party may terminate this Agreement by giving written notice, but only under the respective circumstances or conditions specified below:

a. **By the City**. The City may terminate this Agreement in the event of Variety's failure to pay any portion of the Sponsorship Fee within thirty (30) days following the date such payment becomes due and payable under the terms of this Agreement.

b. **By Variety.** As long as it is not in default of any of its payment obligations to the City, Variety may either terminate this Agreement or selectively relinquish any particular Sponsorship Rights it holds under the Agreement at any time during the Term in its sole discretion. In the event Variety terminates the Agreement or relinquishes any specified Sponsorship Rights, the City agrees to remove any Variety signage, logos, marks, references or other acknowledgment of Variety's sponsorship of the Playground as soon as practicable, but in no event later than 30 days from Variety's delivery of its notice of termination.

6. **Limitation of Responsibility.** The City acknowledges and agrees Variety is not, and will not be in the future, responsible in any way for the design, construction, installation, inspection or maintenance of the Playground and further acknowledges that Variety will not carry liability insurance coverage on the Playground.

7. **Assignment.** Neither party shall have the right to assign this Agreement, or any of its rights, benefits, obligations or liabilities hereunder, without the prior written approval of the other Party. Notwithstanding this provision, Variety shall not be required to obtain the consent of the City to any assignment to the extent there is any change in control or management of Variety Children's Charity of Greater Kansas City, or any change in the organization or territory of Variety International's subsidiary charity groups.

8. **Further Assurances.** Each of the Parties to this Agreement agrees to execute and deliver to the other Parties such other documents, instruments, and writings that may be necessary to effectuate this Agreement and shall undertake such other actions to cause the consummation of the transactions or give effect to the rights and obligations contemplated by the Parties under this Agreement.

9. **Authority.** By executing this Agreement, each of the Parties represents that it has the right, legal capacity, power and authority to enter into this Agreement and to perform its obligations hereunder. The execution of this Agreement by the Parties, the performance by the Parties of their obligations hereunder, and the transactions contemplated hereby do not require any further action or the consent of any third party.

10. **Consents and Approvals.** The Parties hereby expressly acknowledge and agree that all of the consents and approvals that are necessary or required from either Variety or the City hereunder shall not be unreasonably conditioned, delayed, withheld or denied.

11. **Waiver.** No waiver of any of the provisions of this Agreement shall be valid unless it is in writing and signed by the Party against whom it is sought to be enforced.

12. **Relationship of the Parties.** This Agreement shall not be construed to create any employment relationship, partnership, joint venture or agency relationship or to authorize any Party to enter into any commitment or agreement binding on the other Party.

13. **Governing Law; Jurisdiction and Venue.** The laws of the State of Kansas, excluding any rules regarding the conflicts of law, shall govern this Agreement and all matters arising out of or related to this Agreement. The Parties agree the sole forum for any dispute arising out of, under or in connection with this Agreement shall be Johnson County District Court in Olathe, Kansas.

14. **Severability.** In the event that any provision in or obligation under this Agreement shall be invalid, illegal or unenforceable, the validity, legality or enforceability of other provisions in or obligations under this Agreement shall not in any way be affected or impaired thereby.

15. **Amendments.** This Agreement may only be amended through a writing stating the intent of the Parties to amend the Agreement and signed by the duly authorized representatives of all the parties hereto.

16. **Entire Agreement.** This Agreement constitutes the entire understanding and agreement of the Parties with respect to the subject matter hereof. All prior negotiations, understandings and agreements of the Parties with respect to the subject matter hereof are merged herein, and neither Party is relying upon any representation, statement or promise of the other Party unless expressly included in this Agreement.

IN WITNESS WHEREOF, the Parties have executed this Agreement by a duly authorized representative as of the Effective Date.

VARIETY OF GREATER
KANSAS CITY-TENT 8, INC.,
a Missouri non-profit corporation

By: _____

Name: _____

Its: _____

Date: _____

City of Leawood:

By: _____
Peggy Dunn, Mayor

ATTEST:

_____
Debra Harper, City Clerk

APPROVED AS TO FORM:

_____
Patricia A. Bennett
City Attorney

Return to Agenda

DRAFT

7.A.

Regular Meeting

THE LEAWOOD CITY COUNCIL

November 21, 2016

Minutes

DVD No. 381

The City Council of the City of Leawood, Kansas, met in regular session in the Council Chambers, 4800 Town Center Drive, 7:30 P.M. on Monday, November 21, 2016. Mayor Peggy Dunn presided.

Councilmembers Present: Jim Rawlings, Andrew Osman, Debra Filla, Chuck Sipple, Julie Cain, Lisa Harrison, James Azeltine and Dr. Steven Kaster

Councilmembers Absent: None

Staff Present: Scott Lambers, City Administrator
Mark Andrasik, Info. Services Director
Chris Claxton, Parks & Recreation Director
Richard Coleman, Comm. Dev. Director
Chief Dave Williams, Fire Department
Nic Sanders, Human Resources Director
Debra Harper, City Clerk
Patty Bennett, City Attorney
Chief Troy Rettig, Police Department
Joe Johnson, Public Works Director
Mark Klein, Planning Official
Dawn Long, Finance Director
Cindy Jacobus, Assistant City Clerk

Others Present: Kevin Jeffries, Chief Executive Officer, Board President and Director of Economic Development, Leawood Chamber of Commerce

1. **PLEDGE OF ALLEGIANCE** – Lead by four Life Scouts and one Star Scout from Boy Scouts Troop 10.

2. **APPROVAL OF AGENDA**

Mayor Dunn stated the agenda had been amended to add a Councilmembers Report from Councilmember Azeltine. She noted a revised roster had been provided in regard to Consent Agenda Item 7.K.

A motion to approve the amended agenda was made by Councilmember Rawlings; seconded by Councilmember Sipple. The motion was approved with a unanimous vote of X-0.

3. **CITIZEN COMMENTS**
Members of the public are welcome to use this time to make comments about City matters that do not appear on the agenda, or about items that will be considered as part of the consent agenda. It is not appropriate to comment on pending litigation, municipal court matters or personnel issues. Comments about items that appear on the action agenda will be taken as each item is considered. CITIZENS ARE REQUESTED TO KEEP THEIR COMMENTS UNDER 5 MINUTES.

Ms. Cheryl Schoenberg, 14824 Fairway Court, a resident of Ward 3, spoke against President-Elect Donald Trump's appointment of Steven Bannon as Senior Counselor to the President and proposed Cabinet appointment of Senator Jeff Sessions for United States Attorney General. She gave examples of ethnic, gender and racial slurs, and comments about the climate and villainous values, allegedly made by the named persons, as well as referenced quotes accredited to Martin Luther King, Jr., about good people doing the right thing. She asked the Council to use their public platform to represent the entire community in this regard.

Mayor Dunn thanked Ms. Schoenberg.

4. PROCLAMATIONS — Small Business Saturday, November 26, 2016

Mayor Dunn read the proclamation into the record. No one was present to accept; Ms. Harper stated the original would be provided to the requestor. Mr. Kevin Jeffries confirmed the copy available in the meeting documentation packet would be sufficient for use by the Leawood Chamber of Commerce.

Councilmember Osman stated many small retailers in Leawood and in Kansas City are concerned this year, as larger corporations extend Black Friday sales events throughout the week. He urged support of small businesses at this time, who give back to the community by contributing to the local economy and to jobs.

5. PRESENTATIONS/RECOGNITIONS — GFOA CAFR Award

Mayor Dunn read the Certificate of Achievement for Excellence in Financial Reporting, which had been presented to the City for its comprehensive annual financial report for the fiscal year ending December 31, 2015, by the Government Finance Officers Association.

Ms. Long stated the award had been received for the past 20 years, the first being received in 1996. She thanked the Governing Body for their support and would pass along appreciation to the Finance Staff who could not attend the meeting. Mayor Dunn thanked Ms. Long and her team for their hard work.

6. SPECIAL BUSINESS – None

7. CONSENT AGENDA

Consent agenda items have been studied by the Governing Body and determined to be routine enough to be acted on in a single motion. If a Councilmember requests a separate discussion on an item, it can be removed from the consent agenda for further consideration.

A. Accept Appropriation Ordinance Nos. 2016-43, 2016-44 and 2016-45
B. Accept minutes of the November 7, 2016 Governing Body minutes
C. Accept minutes of the November 7, 2016 Governing Body Work Session
D. Accept minutes of the October 11, 2016 Park & Recreation Advisory Board meeting
E. Accept minutes of the October 5, 2016 Bicycle Friendly Committee
F. Accept minutes of the September 15, 2016 Leawood Foundation meeting
G. Accept minutes of the September 13, 2016 Historic Commission meeting
H. Accept minutes of the September 7, 2016 Public Works Committee meeting
I. Accept minutes of the June 16, 2016 Ironhorse Advisory Board meeting
J. Accept minutes of the February 18, 2016 Ironhorse Advisory Board meeting

K. Approve Mayoral appointment of Task Force [sub-committee of Sustainability Advisory Board] for Community Gardens

L. Approve renewal of Cereal Malt Beverage [CMB] License for Cosentino's Price Chopper, located at 3700 W.95th Street

M. Approve renewal of Cereal Malt Beverage [CMB] License for Walgreen's, located at 4701 Town Center Drive

N. Approve installation of National Historic Trail Signs for Santa Fe, Oregon and California Historic Trails

O. Approve Change Order No. 2 in the amount of $10,909.00, to Realm Construction, pertaining to the 2016 Mission Road Partial Depth Repair Project, on State Line Road from 103rd Street to 300 feet south [Project # 72073]

P. **Resolution No. 4705**, adopting the 2017 Fee Schedule for fees not specifically provided for in the Code of the City of Leawood, 2000, and rescinding Resolution No. 4526, in accordance with § 1-701 of the Code of the City of Leawood, 2000

Q. **Resolution No. 4706**, approving and authorizing the Mayor to execute an Amendment to that certain Artwork Contract between the City and RDG IA Inc., dba RDG Dahlquist Art Studio, dated February 1, 2016, for an amount not to exceed $315,813.00 and revisions to the scope of the project, pertaining to an art piece to be known as Weight of Your Heart/Weight of a Feather to be located at the Leawood Justice Center, 4201 Town Center Drive

R. **Resolution No. 4707**, accepting funding from the Kansas Department of Transportation [KDOT] for the 2017 Special Traffic Enforcement Program [STEP] Program

S. **Resolution No. 4708**, approving a Revised Final Plat for Brittany Woods 4th Plat, located at 153rd Street and Rosewood [PC Case 73-16] *[from the October 25, 2016 Planning Commission meeting]*

T. Declaration of Surplus Property: [1] Doolittle Trailer, Asset # 1015; last 4 VIN/4620

U. Fire Department Monthly Report

V. Municipal Court Monthly Report

W. Police Department Monthly Report

Councilmember Harrison requested Consent Agenda Item 7.D. be pulled.
Mayor Dunn requested Consent Agenda Item 7.K. be pulled.
Councilmember Cain requested Consent Agenda Item 7.N. be pulled.
Councilmember Filla requested Consent Agenda Item 7.R. be pulled.
Councilmember Sipple requested Consent Agenda Items 7.A. and 7.S. be pulled.

A motion to approve the remainder of the Consent Agenda was made by Councilmember Azeltine; seconded by Councilmember Sipple. The motion was approved with a unanimous vote of 8-0.

A. Accept Appropriation Ordinance Nos. 2016-43, 2016-44 and 2016-45

Councilmember Sipple stated his recusal from voting as his wife's name is listed as a payee, providing contractor services to the Parks & Recreation Department.

A motion to approve Consent Agenda 7.A. was made by Councilmember Filla; seconded by Councilmember Osman. The motion was approved with a vote of 7-0; Councilmember Sipple recusing for reason previously stated.

D. Accept minutes of the October 11, 2016 Park & Recreation Advisory Board meeting

Ms. Claxton confirmed to Councilmember Harrison that the City Park all-inclusive playground would be named "Variety KC Children's Playground" in recognition of their generous donation of $125,000 to the Foundation for the playground. A sponsorship agreement has been drafted with the assistance of the City Attorney, Ms. Bennett, and would be brought before the Governing Body at their meeting on December 5, 2016. She stated a portion of the Jack Wylie Trust donation of $100,000 would be used for the all-inclusive playground and a portion used for the Leawoof Dog Park.

Ms. Claxton clarified the meeting minutes also documented discussion on a formal gift and naming rights policy, which has been drafted and would be brought before the Governing Body at their meeting on December 5, 2016. Councilmember Cain added the Parks & Recreation Advisory Board had numerous meetings with hours of discussion to draft the policy, pulling examples from local Johnson County facilities as well as from around the nation.

A motion to approve Consent Agenda Item 7.D. was made by Councilmember Cain; seconded by Councilmember Kaster. The motion was approved with a unanimous vote of 8-0.

K. Approve Mayoral appointment of Task Force [sub-committee of Sustainability Advisory Board] for Community Gardens

Mayor Dunn stated approval would include acceptance of the Task Force roster that had been provided at the meeting. Mayor Dunn noted applications for garden plots from Leawood residents are given first consideration over those from non-residents. Ms. Crow and Ms. Kirk understand they may work for six months on the Task Force and may not receive a garden plot. Mayor Dunn thanked Councilmember Filla for chairing the Task Force.

A motion to approve Consent Agenda Item 7.K. was made by Councilmember Filla; seconded by Councilmember Cain. The motion was approved with a unanimous vote of 8-0.

N. Approve installation of National Historic Trail Signs for Santa Fe, Oregon and California Historic Trails

Councilmember Cain pulled the item to acknowledge the significance of the eight trail signs, three on 135th Street, one on Nall, two on Pembroke Lane, one on State Line Road and one on 123rd Street, to be erected in the City as part of an effort spearheaded by the National Parks Service in conjunction with the Kansas City Mid-America Regional Council. Signs across the nation will be installed simultaneously.

A motion to approve Consent Agenda Item 7.N. was made by Councilmember Cain; seconded by Councilmember Azeltine. The motion was approved with a unanimous vote of 8-0.

R. **Resolution No. 4707**, accepting funding from the Kansas Department of Transportation [KDOT] for the 2017 Special Traffic Enforcement Program [STEP] Program

Police Chief Rettig confirmed to Councilmember Filla that two of the three special enforcement periods of the program would be the Memorial and Labor Day holidays. The specific third period was unknown.

A motion to approve Consent Agenda Item 7.R. was made by Councilmember Filla; seconded by Councilmember Osman. The motion was approved with a unanimous vote of 8-0.

S. **Resolution No. 4708**, approving a Revised Final Plat for Brittany Woods 4th Plat, located at 153rd Street and Rosewood [PC Case 73-16] *[from the October 25, 2016 Planning Commission meeting]*

As a strong supporter of the Ironhorse Golf Club and a Council Liaison on the Ironhorse Advisory Board, Councilmember Sipple asked City Staff to correct two typographical errors on Page 2, Surrounding Zoning Section, in the Staff Memo; Ironwoods Golf Course should be Ironhorse Golf Course.

A motion to approve Consent Agenda Item 7.S. was made by Councilmember Sipple; seconded by Councilmember Azeltine. The motion was approved with a unanimous vote of 8-0.

8. MAYOR'S REPORT

A. Thanks to Parks & Recreation Director Chris Claxton and Aquatics/Events Supervisor Tony Nichols for organizing a fun and festive Holiday Lighting Ceremony earlier this evening. Nearly all Councilmembers, Department Heads and the City Administrator were in attendance. Participants included Brookwood Elementary, Curé de Ars and Leawood Stage Company. Commerce Bank and Corner Bakery were the sponsors once again this year.

B. Attended a Leawood Chamber of Commerce ribbon cutting for the rebranding of Foo's Fabulous Café at Ranch Mart. This new name better reflects the fact they have far more than custard for their patrons. They were also celebrating their 10th anniversary in Leawood.

C. Thanks to Councilmember Debra Filla for standing in for me at the Leawood Chamber of Commerce's Healthcare Resort of Leawood's ribbon cutting.

D. Attended the Johnson & Wyandotte Counties Council of Mayors meeting hosted by Olathe Mayor Michael Copeland at the Olathe Community Center. This was the first of two annual meetings held with members of the Johnson and Wyandotte Counties legislative bodies. There were four representatives and two senators representing Leawood in attendance. Discussion focused on priorities for the legislative session, the outcome of which will be discussed at the June 2017 meeting. There was a great deal of rhetoric in regard to supporting "local control."

E. Reminder of the December 7, 2016 Johnson & Wyandotte Counties Council of Mayors Annual Holiday Social to be held at the Embassy Suites and Conference Center in Olathe. Please RSVP to City Clerk Deb Harper by Tuesday, November 29, 2016.

F. Attended the 30th Anniversary Scholarship benefit for Johnson County Community College Foundation. Congratulations to Church of the Resurrection's Reverend Adam Hamilton who was honored as the 2016 Johnson Countian of the Year.

G. The Leawood United Way Campaign ended last Friday, November 18, 2016. Thanks to the leadership of Human Resource Director Nic Sanders and all participants, a pledge of $15,000 was made from City employees.

H. Congratulations to the City of Leawood Employee Activity Committee for contributions to the Johnson County Christmas Bureau. There were 300 miscellaneous items and 100 food items, along with a $1,500 check, presented to the Bureau's Executive Director this past week. Many thanks to all participants.

I. Congratulations to Police Chief Troy Rettig and his fine team for being one of four organizations honored by the Blue Valley School District for their contributions to education in the district. The Leawood Police Department was recognized for partnering with the district to ensure the safety and security of students and staff. An article listing the department and other honorees appeared in the Kansas City Star newspaper, 913 News Section, on November 16, 2016.

J. Happy Thanksgiving to one and all!

9. COUNCILMEMBERS' REPORT

Councilmember Azeltine – Referral to Public Works Committee – Feasibility of Potential Benefit District or Financial Assistance from City for Repair of Sidewalks located within Verona Gardens

Councilmember Azeltine stated a survey in progress by Verona Gardens Home Owners Association [HOA] of their 445 homes documents many sidewalk issues in the subdivision, mainly cracks and misalignments. The HOA plans to spend a total of $50,000, with first phase cost of $18,000. He and Public Works Director Mr. Johnson toured the area his past week. It may be optimal for the City to bid the repair work and then set up a Benefit District. The HOA President has stated the HOA could assess home owners and could reimburse once the work was complete.

Councilmember Azeltine requested to a referral to the Public Works Committee in regard to the feasibility of a potential Benefit District or financial assistance from the City for repairs. Mr. Johnson stated if the referral was approved, the issue could be discussed at the February 3, 2017 Public Works Committee meeting.

A motion to refer as stated was made by Councilmember Azeltine; seconded by Councilmember Filla. The motion was approved with a unanimous vote of 8-0.

10. STAFF REPORT – None

COMMITTEE RECOMMENDATIONS

11. PLANNING COMMISSION

[from the October 25, 2016 Planning Commission meeting]

A. **Resolution No. 4709**, approving a Final Plan and Final Plat for Bright Space Senior Living, located south of 137th Street and west of Mission Road. (PC Case 100-16)

Applicant Mr. Jeff O'Dell, BHC Rhodes, 7101 College Boulevard, Overland Park, presented highlights of the project from the presentation made to the Planning Commission on October 25, 2016, with focus on how the development is taking care of existing problems voiced by City Staff and residents of Leawood Meadows. He stated Mr. Greg Echols of Bright Space and Mr. Mike Belew of CBC Real Estate Group were also present. He thanked the Governing Body for the opportunity to speak.

Mr. O'Dell stated the first phase assisted living facility would be 90,000 sq. ft. with 90 beds, sidewalks, site amenities and detention pond in the southeast corner of the lot. There would be a landscaped berm to the south along the parking lot for screening and to alleviate drainage problems at Leawood Meadows. The southern border between the facility and Leawood Meadows would be a noteworthy storm water quality feature, acting like a rain garden for small storm events and plantings to attract butterflies. The detention pond would also be used for sediment. At the request of City's Engineering Staff, an analysis was performed to determine impact of the development and the downstream capacity of a storm water channel along with west of Mission Road, as well as consideration of the future expansion of Mission Road. As a result an actual storm water channel would be constructed along the corridor, along with additional grading; the proposed development would have no negative impact. As requested by the Planning Department, the ultimate outfall is to a detention pond to the south in Siena subdivision.

Mr. Echols confirmed to Councilmember Cain an emergency back-up generator had been removed from the plan. Other Bright Space facilities across the United States do not have back-up generators and there are no plans to purchase or install a permanent generator at this time. The plan includes space for a temporary generator, if needed to be brought in due to inclement weather. Mr. Coleman clarified for Councilmember Cain that a back-up generator could be requested in the future through a revised plan and would need to meet City code.

Mr. Coleman confirmed to Councilmember Cain that the developer is only required to build a sidewalk to the edge of their property. Councilmember Cain favored completing the missing sidewalk section along Mission Road between 135th Street south to Leawood Meadows, and stated she would bring up the topic at the next Public Works Committee meeting.

Councilmember Sipple echoed Councilmember Cain's comments about extended sidewalk connection along Mission Road, and suggested continuation from Leawood Meadows to 138th Street of a permanent or temporary asphalt sidewalk. He suggested this should might be accomplished by working with Leawood Meadows and added to the future Capital Improvement Plan [CIP] docket.

Councilmember Cain stated her support of the development within her Ward Four, but expressed concern about historic drainage issues experienced with development in the area. She requested a silt pond rather than silt fences should be used and explicit proactive timing should be included in the stipulations. Mr. Coleman and Mr. Johnson confirmed to Councilmember Cain that storm water and erosion control plans must be submitted prior to issuance of the building permit, and control method(s) all would be in place prior to mass grading. Erosion control methods will be temporary until the construction of the final basin and landscaping, and the method should not be specified to not limit and ensure the best method was utilized. Mr. Coleman stated City Staff was comfortable as proposed. Mr. O'Dell added this is an Environmental Protection Agency [EPA] requirement and he was agreeable to a revised stipulation. Mayor Dunn suggested Stipulation 21 be revised to read "An erosion control plan for both temporary and permanent measures to be taken during and after construction, and implemented prior to construction, will be required at the time of application for Building Permit."

Councilmember Sipple expressed concern about the drainage channel and standing water that accumulates near on east turn in 138th Street, and about safety of an open channel along the road during inclement weather. Mr. O'Dell stated the proposed grass-lined channel has been given preliminary approval from City Engineer David Ley. The channel would run from the south property line to the drainage culvert that runs under 138th Street. The channel would be 1.5 ft. deep with a 5:1 slope with a foot shoulder, which is within a recoverable slope. It would be deeper than the channel currently north of the property and no deeper than 1.5 ft. deep south near 138th Street. Councilmember Sipple stated for the record his concern for resident safety for the next several years until Mission Road is improved.

Ms. Jane Ross, 4004 West 137th Terrace, resident who borders to the south of the development stated she was a member of the Leawood Meadows HOA Board. The HOA Board has been pleased in working with the developer in regard to trees to north, drainage and landscaping. She noted in the past the HOA had vehemently opposed a cut-through sidewalk in Leawood Meadows proposed by the Villaggio development in 2004.

Mayor Dunn clarified the sidewalk connection suggested by Councilmembers Cain and Sipple would run along east side of Mission Road. Mayor Dunn stated the suggested sidewalk connection may not be approved at a future point, but at some point Mission Road would be widened and sidewalks installed at that time.

A motion to amend Stipulation 21 as suggested by Mayor Dunn and approve Agenda Item 11.A. was made by Councilmember Cain; seconded by Councilmember Harrison. The motion was approved with a unanimous vote of 8-0.

B. **Ordinance No. 2813**, approving a Special Use Permit for Park Place – 801 Chophouse Off-site Sign, located south of Town Center Drive and east of Nall Avenue. (PC Case 102-16) [ROLL CALL VOTE]

Mr. Chris Harris, 4804 West 140th Street, Overland Park, stated the proposed sign facing Nall on the Aloft Hotel would help 801 Chophouse compete with the many nearby restaurants.

Councilmember Sipple inquired if there were any other businesses in the building that could request signage in the future. Mr. Harris stated his business extends to the back of the building and the space of other building tenants does not. He was not aware of any current or future signage needs. Mr. Klein stated it would be difficult to add additional signage since the proposed Special Use Permit brings total signage to 180 sq. ft.; maximum is 200 sq. ft.

A motion to pass the ordinance was made by Councilmember Osman; seconded by Councilmember Azeltine. The motion was approved with unanimous roll call vote of 8-0.

C. **Ordinance No. 2814**, amending Section 16-4-1.3 of the Leawood Development Ordinance entitled, "Permitted Accessory Uses, Buildings and Structures" and repealing existing Section 16-4-1.3 and other sections in conflict herewith. (PC Case 92-16) [ROLL CALL VOTE]

Mr. Klein stated the proposed amendment would provide screening requirements of mechanical pool equipment for single family residential; mechanical pool equipment is not addressed in the Leawood Development Ordinance. Currently, pools are restricted to side or rear yards, placed a minimum of 10 ft. from all property lines. The amendment requires screening of pool equipment with a complimentary wall or fence to a maximum of 6 ft. in height, or evergreens at least 6 inches taller than the equipment, installed within 5 ft. of the equipment. Mechanical equipment noise to be a maximum of 60 decibels as measured at the property line.

Mr. Coleman clarified for Councilmember Sipple the noise maximum must be met regardless of the visual screening method. He stated the City had received complaints regarding appearance, but none for noise. Some residents choose to hide the equipment under pool decking and others have installed the equipment at the back of their lots out of their site, but seen by neighbors.

A motion to pass the ordinance was made by Councilmember Filla; seconded by Councilmember Osman. The motion was approved with unanimous roll call vote of 8-0.

12. OLD BUSINESS – None

13. OTHER BUSINESS – None

14. NEW BUSINESS

Ordinance No. 2815, appropriating the amounts set up in each fund in the budget for fiscal year 2017, providing for the payment of all claims and charges against the accounts provided for therein; and approving and ratifying the payment of all claims against the accounts [ROLL CALL VOTE]

Mr. Lambers stated the ordinance is passed annually to authorize payments to be made per expenditure ordinances, when a Governing Body meeting could not be held.

A motion to pass the ordinance was made by Councilmember Filla; seconded by Councilmember Osman. The motion was approved with unanimous roll call vote of 8-0.

Mayor Dunn wished all Happy Thanksgiving.

ADJOURN

There being no further business, the meeting was adjourned at 8:43 P.M.

_____

Debra Harper, CMC, City Clerk

_____

Cindy Jacobus, Assistant City Clerk

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7.B.

Leawood Foundation
Meeting Minutes
OCTOBER 20, 2016

The meeting of the Leawood Foundation took place at 5:30 p.m., Thursday, October 20, 2016, in the Main Conference Room at Leawood City Hall, 4800 Town Center Drive, Leawood, Kansas.

Attendees: Alice Hawk, Mike Best, Susie Rawlings, James Azeltine, Mayor Dunn, Chris Claxton and Deb Harper.

Board members absent: Debby Throckmorton, Chuck Udell, Brandon Scarborough, Mary Ann Waldenmeyer, Renny Arensberg, Charles Lusk and Marc Elkins.

Chairman's Report

- Chairman Alice Hawk called the meeting to order at 5:35 P.M.
- The minutes from the September 15, 2016 meeting could not be approved because there was not a quorum. Susie Rawlings said she would send the minutes to the board for approval via email.
- Alice attended a NonProfit Connect workshop on donor relations. Discussion followed about using our newsletter (through Mail Chimp) to market our website. The newsletter should be sent out quarterly, and contain links to our website.
-

City Update

- Mayor Dunn said the foundation's fund raising efforts have been unbelievable and congratulated the board.
- Mayor Dunn asked if we have begun utilizing Dave Lovetere at MC Realty Group. Chris Claxton said we will soon.
- Mayor Dunn reported on the city's delegation trip to I-lan, Taiwan. There is a new mayor who is very excited about our relationship and may be coming in May. The Dunn's went on to visit Kansas City's sister city in China.
-

Financial Report

- Mike Best provided the financial report. Our current balance is $265,205.
- As of 9-30-16, we have had contributions of $126,675. Our earnings have been 3 1/2 – 4%.
- Mike reported Creative Planning contributed $25,000 in stock (secured by Debby Throckmorton). The Greater Kansas City Community Foundation (GKCCF) has a brokerage account and will handle the transfer.

Old Business

- Chris reported the Gezer signage will be shipped on October 27th and should be installed in a few days after arrival.
- Arti Gras was discussed. It will be sponsored by the Arts Council, the Stage Company and the foundation. Chris asked how we want to have the foundation represented. A video of the good work we've done could be streamed. Alice said the foundation will probably not be going out for a sponsor. The price of tickets may increase to $15.

- **"Play for All" Project**
    - Alice reported the deposit for the equipment, $152,382, has been sent to Game Time. Chris Claxton reported they are shipping the equipment next week. It will be stored on the City Park pool deck.
    - Signs regarding the removal of the old equipment will be posted in the next few days with a proposed closure for removal on October 31. The light fixtures will stay. Chris tried to donate to the "Kids Across the World" organization, but that didn't work out. Snow fencing will be installed to secure the area
    - The play area will be installed by the end of November. There will be a donor recognition party. It was suggested it might be the second week of January. A sign listing donors who contributed from $1 – 5,000 will be displayed.
    - Alice handed out a donor commitment summary. Through October 20, we have received money or commitments for $423,445. Alice told the board to continue to contact potential donors. If you need packets, please let Alice know.
    - Chris said the Leawood Fire Department donated $1,000 which is very generous. Discussion followed about other potential donors such as Mariner, the Lions Club, and the Women's Club. James said he would investigate opportunities with Oppenheimer.

New Business

- Alice discussed the annual appeal letter. It should state where we are as a foundation, and where we are going in the future. The letter should go out in mid-November.
- James Azeltine asked about attendance and if it is a problem. He suggested sending out a notice to board members showing attendance for the year.

The meeting was adjourned at 6:25 p.m.

Announcements

- Alice invited the board to the annual social with the Historic Commission and City Council members on **Tuesday, December 13 from 5 – 7 p.m.** It will be held at the Hawk's home.
- The **2016** board meeting dates are as follows (all meetings begin at 5:30 in the Main Conference Room at City Hall unless otherwise noted). **Please add these dates to your calendars!**
    - **November 17**

Action Items:

- Susie Rawlings said she would send the minutes from the September board meeting for approval via email.
- Alice told the board to continue to contact potential donors. If you need packets, please let Alice know.
- Other potential donors include Mariner, the Lions Club, and the Women's Club. James said he would investigate opportunities with Oppenheimer.

Previous items:

- Mike will show the GKCCF's website and donor profile page to the board at the next meeting.
- Mike will open the foundation's checking account at Blue Valley Bank.
- Chris will provide a timeline including owners and responsibilities.

/s/Susie Rawlings
Susie Rawlings, Secretary

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7.C.

City of Leawood

4800 Town Center Drive • Leawood, Kansas 66211 • (913) 339-6700
(913) 339-6781 Fax

MEMORANDUM

TO : **CITY COUNCILMEMBERS**
SCOTT LAMBERS, CITY ADMINISTRATOR

FROM: **MAYOR PEGGY DUNN**

RE : **APPOINTMENT OF PRESIDING OFFICERS**

DATE : **DECEMBER 5, 2016**

In accordance with Code 1-209, I hereby appoint the following Presiding Officers whom shall preside at Council meetings for each 3-month period for the 2017 calendar year.

Councilmember James Azeltine	**January 2017**	**-**	**March 2017**
Councilmember Chuck Sipple	**April 2017**	**-**	**June 2017**
Councilmember Andrew Osman	**July 2017**	**-**	**September 2017**
Councilmember Lisa Harrison	**October 2017**	**-**	**December 2017**

cc: Emergency Management Team [EOC]
Deb Harper, CMC, City Clerk

K:\Clerks\Mayor\17PRESOFF-2017.docx

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7.D.

City of Leawood

4800 Town Center Drive • Leawood, Kansas 66211 • (913) 339-6700
(913) 339-6781 Fax

MEMORANDUM

TO: MAYOR AND CITY COUNCILMEMBERS
SCOTT LAMBERS, CITY ADMINISTRATOR

FROM: CINDY JACOBUS, ASSISTANT CITY CLERK cj

RE: CEREAL MALT BEVERAGES [CMB] LICENSE RENEWAL

WALGREENS
5230 WEST 151st STREET

DATE : 12/5/2016

The Cereal Malt Beverages [CMB] License for the above-referenced applicant is scheduled for renewal. I recommend renewal of the license, pending no disqualifying information.

Please feel free to contact the City Clerk's Office, should you have any questions.

K:\Clerks\CMB LICENSES\17GBapproval31.docx

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Staff Review

7.E.

Fact Sheet

SUBJECT: **REQUEST TO APPROVE 3RD AND FINAL PAY REQUEST CONTRACT WITH REALM CONSTRUCTION, INC. MISSION ROAD PARTIAL DEPTH REPAIR PROJECT 103RD STREET TO INDIAN CREEK December 5, 2016**

DISCUSSION

The Public Works Department requests the approval of the Third and Final Pay Request for Realm Construction Inc, in the amount of $36,997.62 for work on concrete repairs to State Line Road, which was Change Order No. 1 to the Mission Road Partial Depth Repair Project, 103rd Street to Indian Creek.

The Contract with Realm was approved on September 6, 2016, at a contract price of $424,264.55. The contract had two change orders, for work that was needed to State Line for failed concrete pavement, which brought the total contract to: $555,173.55.

Pay Request No. 3 is attached for $36,997.62 along with a Contractors Performance Policy. The Contractor received a very good rating from the Construction Inspector.

It is the recommendation of the Public Works Department the City Council approves the 3rd and Final Pay Request of $36,997.62 to Realm Construction, for the Mission Road Partial Depth Repair Project and authorizes the Mayor to sign.

Joe C. Johnson. P.E.
Director of Public Works

SPONSOR

Public Works Department

COUNCIL ACTION TO BE TAKEN

Approve Final Pay Request No. 3

STAFF RECOMMENDATION

☑ For

☐ Against

☐ No position

COMMITTEE RECOMMENDATION

☐ For

☐ Against

☐ No position ☑ No Assignment

POLICY OR PROGRAM CHANGE

☑ No

☐ Yes

OPERATIONAL IMPACT

COSTS

$36,997.62

FUND SOURCES

Project 72073 and 72052 used on the project Eden Contract #16.001

DECEMBER 6, 2016
Project: Mission Rd. Partial Depth Repair
Contractor: Realm Construction, Inc.
Reporting Period: 11/8/2016 - 12/6/2016
Pay Request No. 3 & FINAL

ITEM	DESCRIPTION	BID QTY.	UNIT	UNIT PRICE	PREVIOUS QUANTITY	QUANTITY THIS PERIOD	TOTAL QUANTITY	EXTENSION	TOTAL THIS PERIOD	TOTAL COMPLETED
1.00	ORIGINAL CONTRACT ITEM									
1.01	CONCRETE PATCH	481	EA	$73.75	363.00	0.00	363.00	$35,473.75	$0.00	$26,771.25
1.02	PARTIAL DEPTH REPAIR (LONGITUDINAL)	4,023	LF	$34.35	3721.00	0.00	3721.00	$138,190.05	$0.00	$127,816.35
1.03	PARTIAL DEPTH REPAIR (TRANSVERSE)	99	EA	$900.00	105.00	0.00	105.00	$89,100.00	$0.00	$94,500.00
1.04	FULL DEPTH REPAIR	308	SY	$180.00	354.99	0.00	354.99	$55,440.00	$0.00	$63,898.20
1.05	CURB	94	LF	$26.95	107.00	0.00	107.00	$2,533.30	$0.00	$2,883.65
1.06	4" SOLID (YELLOW) DOUBLE CENTER LINE	3,746	LF	$1.50	3746.00	0.00	3746.00	$5,619.00	$0.00	$5,619.00
1.07	4" SOLID (YELLOW) DOUBLE MEDIAN LINE	3,412	LF	$1.50	3412.00	0.00	3412.00	$5,118.00	$0.00	$5,118.00
1.08	18" SOLID (YELLOW) CHEVRONS	215	EA	$8.35	215.00	0.00	215.00	$1,795.25	$0.00	$1,795.25
1.09	4" BROKEN (WHITE) LANE LINES	1,756	LF	$1.50	1756.00	0.00	1756.00	$2,634.00	$0.00	$2,634.00
1.10	4" SOLID (WHITE) CHANNELIZATION LINES	528	LF	$1.50	528.00	0.00	528.00	$792.00	$0.00	$792.00
1.11	8" SOLID (WHITE) CROSSWALK	264	LF	$9.35	264.00	0.00	264.00	$2,468.40	$0.00	$2,468.40
1.12	24" SOLID (WHITE) STOP BAR	76	LF	$12.50	76.00	0.00	76.00	$950.00	$0.00	$950.00
1.13	WHITE LEFT TURN ARROW	7	EA	$260.00	7.00	0.00	7.00	$1,820.00	$0.00	$1,820.00
1.14	WHITE "ONLY"	1	EA	$364.00	0.00	0.00	0.00	$364.00	$0.00	$0.00
1.15	TRAFFIC SAFETY CONTROL	1	LS	$29,900.00	1.00	0.00	1.00	$29,900.00	$0.00	$29,900.00
1.16	CI TOP REMOVAL & RECONSTRUCTION	2	EA	$2,875.00	4.00	0.00	4.00	$5,750.00	$0.00	$11,500.00
1.17	BRIDGE JOINT AT APPROACH SLAB	96	LF	$65.80	96.00	0.00	96.00	$6,316.80	$0.00	$6,316.80
Sub-total								$384,264.55	$0.00	$384,782.90
2.00	FORCE ACCOUNT							40,000.00		
2.01	LONGITUDINAL SAWCUTTING	3,501	LF	$4.90	3501.00	0.00	3501.00	$17,154.90	$0.00	$17,154.90
2.02		0	XX	$0.00	0.00	0.00	0.00	$0.00	$0.00	$0.00
2.03		0.0	XX	$0.00	0.00	0.00	0.00	$0.00	$0.00	$0.00
Sub-total								$22,845.10	$0.00	$17,154.90

Mission Road Partial Depth Repair
Realm Construction Inc.
Pay Request No. 3 & Final

ITEM	DESCRIPTION	BID QTY.	UNIT	UNIT PRICE	PREVIOUS QUANTITY	QUANTITY THIS PERIOD	TOTAL QUANTITY	EXTENSION	TOTAL THIS PERIOD	TOTAL COMPLETED
3.00	**CHANGE ORDER #1**			**$120,000.00**						
3.10	MOBILIZATION	1	LS	$4,000.00	1.00	0.00	1.00	$4,000.00	$0.00	$4,000.00
3.20	TRAFFIC CONTROL	1	LS	$4,590.00	1.00	0.00	1.00	$4,590.00	$0.00	$4,590.00
3.30	PAVEMENT MARKING (WHITE LANE LINE)	1	LS	$3,060.00	1.00	0.00	1.00	$3,060.00	$0.00	$3,060.00
3.40	PARTIAL DEPTH PVMT. PATCH.(18"X18")	12	EA	$443.00	4.00	0.00	4.00	$5,316.00	$0.00	$1,772.00
3.50	9" PVMT. REMOVAL AND REPLACEMENT	690	SY	$131.00	719.00	0.00	719.00	$90,390.00	$0.00	$94,189.00
3.60	CURB AND GUTTER	82	LF	$32.00	70.00	0.00	70.00	$2,624.00	$0.00	$2,240.00
Sub-total								**$109,980.00**	**$0.00**	**$109,851.00**
3.70	**CHANGER ORDER #1 FORCE ACCOUNT**							10,020.00		
3.71	OVERRUN ITEM 3.50 *9" PVMT. R AND R*	76	SY	$131.00	76.21	0.00	76.21	$9,956.00	$0.00	$9,983.51
Sub-total								**$10,020.00**	**$0.00**	**$9,983.51**
4.00	**CHANGE ORDER #2**			**$10,909.00**						
4.10	ADD'L 9" CONCRETE PAVEMENT R/R	79	SY	$131.00	0.00	79.00	79.00	$10,349.00	$10,349.00	$10,349.00
4.20	24" STOP BAR	40	LF	$14.00	0.00	40.00	40.00	$560.00	$560.00	$560.00
Sub-total								**$10,909.00**	**$10,909.00**	**$10,909.00**

Total Work Completed This Period	$10,909.00
Retainage This Period (5%)	$0.00

Total Work Completed to Date	$532,681.31
Total Retainage (5%)	$0.00
Amount Due to Date	$532,681.31
Less Previous Payments	$495,683.69
Amount Due This Period	$36,997.62 ←

Original contract Amount	$424,264.55
Total Change Orders to Date	$130,909.00
Revised Contract Amount	$555,173.55
Percent Complete	100.00%

Digitally signed by Robert Taylor
DN: cn=Robert Taylor, o=Realm Construction, Inc., ou, email=robert@realmconstructioninc.com, c=US
Date: 2016.11.22 09:39:44 -06'00'

Realm Construction, Inc.

12/6/16
Shawn Johnson

11·22·16
Joe C. Johnson, P.E.
Director of Public Works

Peggy J. Dunn
Mayor

date

CONTRACTOR PERFORMANCE EVALUATION

Project: 2016 Mission Rd. Partial Depth Repair
Contractor: Realm Construction, Inc.

	Evaluation Date	12/6/16									Average Final Score	Final Comments
A	Completion of Construction within allotted time and budget	5	0	0	0	0	0	0			5.00	Mission substantially complete within allotted time.
B	Consistency of work effort of the contractor or subs based on schedule	5	0	0	0	0	0	0			5.00	
C	Quality of work performed by contractor or subcontractor	4	0	0	0	0	0	0			4.00	
D	Damages and repairs of any damage to public or private property	5	0	0	0	0	0	0			5.00	Realm very conscientious in regards to private property and it's restoration
E	Traffic control in work zone under construction by contractor	4	0	0	0	0	0	0			4.00	Traffic control throughout project was satisfactory with a few instances where city staff had to get involved with change in condition request.
F	Ability of contractor or subcontractor to communicate and work with residents	5	0	0	0	0	0	0			5.00	Accommodating. Handling resident complaints / requests with little city staff involvement.
G	Coordination with Utility Companies	0	0	0	0	0	0	0			0.00	
H	Cooperation of the contractor or subcontractor with City Staff	5	0	0	0	0	0	0			5.00	Excellent
I	Maintenance of Construction Site During Construction	4	0	0	0	0	0	0			4.00	Very good. Only a few instances where city staff had to make requests for clean-up.
J	Responsiveness to a direct request from the Public Works Director	5	0	0	0	0	0	0			5.00	
K	Fairness and appropriate use of requests for change orders during construction	5	0	0	0	0	0	0			5.00	Very fair and accommodating with regard to city budget constraints.
L	Safety on the job-site during construction	3	0	0	0	0	0	0			3.00	A few occurrences of staff involvement in regards to flagging/ traffic control lapses. One non-injury vehicle accident on State Line Rd. that could have been avoided.
M	Final restoration and clean-up by contractor and subcontractor	4	0	0	0	0	0	0			4.00	Clean-up operations to date have been satisfactory.
N	Responsiveness to correction of "punch list" items	4	0	0	0	0	0	0			4.00	
O	Misc.	0	0	0	0	0	0	0			0.00	

* Each Category will be rated on a scale of 1 to 5 with 5 being the highest rating
* A score of 0 indicates not applicable for this review period
* The average score of all categories will be the final score
* Scores of 3 and above will be considered acceptable while scores less than 3 will be considered unsatisfactory

Final Project Score = 4.46

Shawn D. Johnson
Sr. Construction Inspector

COMPLETING THE FORM

1 Record the number and nature of any valid complaints
2 List any instances of failure to meet the requirements of the contract performance evaluation.
3 Identify performance goals that have not been met during the reporting period.
4 Recommend actions to be taken by contractor to improve performance or correct deficiencies.
5 If evaluation shows acceptable performance, congratulate the contractor.

Return to Agenda

Staff Review

7.F.

Fact Sheet

SUBJECT: **REQUEST TO APPROVE 13TH AND FINAL PAY REQUEST**
MILES EXCAVATING, INC.
143RD STREET IMPROVEMENTS, NALL TO WINDSOR
DECEMBER 5, 2016

DISCUSSION

Attached is the Thirteenth (13) and Final Pay Request from Miles Excavating, Inc. in the amount of $85,965.17 for the work on the 143rd Street Improvement Project; Nall to Windsor.

The City awarded the construction bid to Miles Excavating Inc. at a price of $7,393,264.87 on March 16, 2015. There were four (4) change orders revising the amount to $7,468,848.71. With this final pay request, the total cost comes $7,343,055.55.

The 143rd Street Project involved widening the road to 4 lanes with bike lanes, sidewalks, 10-foot trail, streetlights and traffic signal. This project had both federal aid and CARS funding to offset the city's cost.

It is the recommendation of the Public Works Department that the City Council approve the 13th and Final Pay Request with Miles Excavating Inc. and authorize the Mayor to sign.

Joe Johnson, P.E.
Director of Public Works

SPONSOR

Public Works Department

COUNCIL ACTION TO BE TAKEN

Approve 13th and Final Pay Request

STAFF RECOMMENDATION

☑ For
☐ Against
☐ No position

COMMITTEE RECOMMENDATION

☐ For
☐ Against
☐ No position ☑ No Assignment

POLICY OR PROGRAM CHANGE

☑ No
☐ Yes

OPERATIONAL IMPACT

COSTS

$85,965.17

FUND SOURCES

Leawood Project No. 80162
KDOT Project No. 46 N-0426-01

ENGINEER'S FINAL COST ESTIMATE
BID TABULATION - FEBRUARY 11, 2015 LETTING
143RD ST. LEAWOOD, KS 46 N-0426-01

13th and FINAL Pay Request
143rd, Windsor to Nall

				Miles Excavating Inc		Pay App #13 Final		Total	
ITEM NO	ITEM	QUANTITY	UNIT	UNIT PRICE	AMOUNT	Const. Qty.	Const. Payment	Const. Qty.	Const. Payment
1.00	SITE PREPARATION								
1.01	Mobilization	1	Lump Sum	$ 21,648.45	$ 21,648.45		$ -	1.00	$ 21,648.45
1.02	Contractor Construction Staking	1	Lump Sum	$ 36,700.96	$ 36,700.96		$ -	1.00	$ 36,700.96
1.03	Field Office	1	Lump Sum	$ 16,883.71	$ 16,883.71		$ -	1.00	$ 16,883.71
1.04	Preconstruction Documentation	1	Lump Sum	$ 1,619.78	$ 1,619.78		$ -	1.00	$ 1,619.78
1.05	Clearing and Grubbing	1	Lump Sum	$ 137,698.44	$ 137,698.44		$ -	1.00	$ 137,698.44
1.06	Pavement Removal	27,258	sq yd	$ 4.33	$ 118,027.14		$ -	27,258.00	$ 118,027.14
1.07	Removal of Improvements	1	Lump Sum	$ 81,079.55	$ 81,079.55		$ -	1.00	$ 81,079.55
	SUBTOTAL SITE PREPARATION				$ 413,658.03		$ -		$ 413,658.03
2.00	ROAD ITEMS								
2.01	Common Excavation	11,973	cu yd	$ 25.10	$ 300,522.30		$ -	12,672.00	$ 318,067.20
2.02	Common Excavation (Contractor Furnished)	7,918	cu yd	$ 0.53	$ 4,196.54		$ -	7,918.00	$ 4,196.54
2.03	Embankment	19,891	cu yd	$ 0.86	$ 17,106.26		$ -	20,498.00	$ 17,628.28
2.04	Concrete Pavement (9")	47,897	sq yd	$ 46.11	$ 2,208,530.67		$ -	47,897.00	$ 2,208,530.67
2.05	Asphalt Pavement (2" Surface Course)	2,613	sq yd	$ 10.55	$ 27,567.15		$ -	2,613.00	$ 27,567.15
2.06	Asphalt Pavement (6" Base Course)	2,613	sq yd	$ 23.22	$ 60,673.86		$ -	2,613.00	$ 60,673.86
2.07	Concrete Driveway Pavement (Residential 6")	1,326	sq yd	$ 32.80	$ 43,492.80		$ -	783.30	$ 25,692.24
2.08	Concrete Driveway Pavement (Commercial 8")	588	sq yd	$ 45.02	$ 26,471.76		$ -	588.00	$ 26,471.76
2.09	Aggregate Base AB-3 (4")	55,360	sq yd	$ 4.69	$ 259,638.40		$ -	56,371.00	$ 264,379.99
2.10	Fly Ash Modified Subgrade (12" thick)	55,360	sq yd	$ 5.10	$ 282,336.00		$ -	49,525.45	$ 252,579.80
2.11	Concrete Pavers	266	sq yd	$ 158.73	$ 42,222.18		$ -	266.00	$ 42,222.18
2.12	Curb and Gutter (Type B)	14,279	lin ft	$ 16.01	$ 228,606.79		$ -	14,279.00	$ 228,606.79
2.13	Curb and Gutter (Type D)	818	lin ft	$ 16.03	$ 13,112.54		$ -	818.00	$ 13,112.54
2.14	Curb and Gutter (Sidewalk Ramp)	430	lin ft	$ 26.12	$ 11,231.60		$ -	430.00	$ 11,231.60
2.15	Concrete Sidewalk, 4"	4,125	sq yd	$ 28.13	$ 116,036.25		$ -	4,499.90	$ 126,582.19
2.16	Asphalt Multi-Purpose Trail (6" Asphalt Surface)	7,434	sq yd	$ 23.22	$ 172,617.48		$ -	7,059.10	$ 163,912.30
2.17	Sidewalk Ramps	422	sq yd	$ 123.88	$ 52,277.36		$ -	424.00	$ 52,525.12
	SUBTOTAL ROAD ITEMS				$ 3,866,639.94		$ -		$ 3,843,980.20
3.00	STORM SEWER ITEMS								
3.01	Storm Sewer (15")(RCP)(Class III)	334	lin ft	$ 67.07	$ 22,401.38		$ -	430.00	$ 28,840.10
3.02	Storm Sewer (18")(RCP)(Class III)	3,934	lin ft	$ 55.37	$ 217,825.58		$ -	3,822.00	$ 211,624.14
3.03	Storm Sewer (24")(RCP)(Class III)	2,169	lin ft	$ 63.99	$ 138,794.31		$ -	2,169.00	$ 138,794.31
3.04	Storm Sewer (30")(RCP)(Class III)	135	lin ft	$ 84.37	$ 11,389.95		$ -	135.00	$ 11,389.95
3.05	Storm Sewer (36")(RCP)(Class III)	44	lin ft	$ 115.00	$ 5,060.00		$ -	44.00	$ 5,060.00
3.06	Storm Sewer (42")(RCP)(Class III)	63	lin ft	$ 159.54	$ 10,051.02		$ -	63.00	$ 10,051.02
3.07	Storm Sewer (54")(RCP)(Class III)	548	lin ft	$ 204.41	$ 112,016.68		$ -	548.00	$ 112,016.68
3.08	Storm Sewer (60")(RCP)(Class III)	335	lin ft	$ 244.73	$ 81,984.55		$ -	335.00	$ 81,984.55
3.09	Storm Sewer (66")(RCP)(Class III)	24	lin ft	$ 255.77	$ 6,138.48		$ -	24.00	$ 6,138.48
3.10	Storm Sewer (32" x 49")(RCAP)(Class III)	39	lin ft	$ 248.68	$ 9,698.52		$ -	39.00	$ 9,698.52
3.11	18" Flared End Section (RC)	2	Each	$ 1,013.03	$ 2,026.06		$ -	2.00	$ 2,026.06
3.12	49" x 32" Elliptical Flared End Section (RC)	1	Each	$ 2,975.76	$ 2,975.76		$ -	1.00	$ 2,975.76
3.13	Pipe Collar	1	Each	$ 1,088.20	$ 1,088.20		$ -	1.00	$ 1,088.20
3.14	5' x 3' Curb Inlet	26	Each	$ 4,259.12	$ 110,737.12		$ -	26.00	$ 110,737.12
3.15	5' x 6' Curb Inlet	2	Each	$ 6,759.32	$ 13,518.64		$ -	2.00	$ 13,518.64
3.16	8' x 3' Curb Inlet	11	Each	$ 4,683.59	$ 51,519.49		$ -	11.00	$ 51,519.49
3.17	8' x 4' Curb Inlet	3	Each	$ 5,374.49	$ 16,123.47		$ -	3.00	$ 16,123.47
3.18	8' x 6' Curb Inlet	1	Each	$ 7,714.30	$ 7,714.30		$ -	1.00	$ 7,714.30
3.19	8' x 7' Curb Inlet	2	Each	$ 7,735.41	$ 15,470.82		$ -	2.00	$ 15,470.82
3.20	11' x 3' Curb Inlet	6	Each	$ 5,611.40	$ 33,668.40		$ -	6.00	$ 33,668.40
3.21	11' x 6' Curb Inlet	1	Each	$ 8,356.42	$ 8,356.42		$ -	1.00	$ 8,356.42
3.22	11' x 7' Curb Inlet	1	Each	$ 8,180.43	$ 8,180.43		$ -	1.00	$ 8,180.43

13th And Final Pay Request
143rd Street Improvements; Windsor to Nall

				Miles Excavating Inc		Pay App #13 Final		Total	
ITEM NO	ITEM	QUANTITY	UNIT	UNIT PRICE	AMOUNT	Const. Qty.	Const. Payment	Const. Qty.	Const. Payment
3.23	8' x 4' Type B Curb Inlet	4	Each	$ 4,982.82	$ 19,931.28		$ -	4.00	$ 19,931.28
3.24	11' x 4' Type B Curb Inlet	4	Each	$ 6,079.79	$ 24,319.16		$ -	4.00	$ 24,319.16
3.25	4' Diameter Manhole	4	Each	$ 5,026.22	$ 20,104.88		$ -	4.00	$ 20,104.88
3.26	6' Diameter Manhole	1	Each	$ 5,443.97	$ 5,443.97		$ -	1.00	$ 5,443.97
3.27	9' Diameter Manhole	1	Each	$ 22,709.71	$ 22,709.71		$ -	1.00	$ 22,709.71
3.28	Junction Box 6' x 3'	1	Each	$ 6,065.67	$ 6,065.67		$ -	1.00	$ 6,065.67
3.29	3' x 3' Grate Inlet	3	Each	$ 3,579.62	$ 10,738.86		$ -	3.00	$ 10,738.86
3.30	4' x 4' Area Inlet	1	Each	$ 4,371.58	$ 4,371.58		$ -	1.00	$ 4,371.58
3.31	6' x 6' Area Inlet	1	Each	$ 6,645.35	$ 6,645.35		$ -	1.00	$ 6,645.35
3.32	Special Rebuilt Inlet (Convert Junction Box to Area Inlet)	1	Each	$ 3,211.58	$ 3,211.58		$ -	0.00	$ -
3.33	Special Rebuilt Inlet (Reconstruct Top and Throat)	2	Each	$ 2,261.52	$ 4,523.04		$ -	2.00	$ 4,523.04
3.34	Adjust Storm Sewer Manhole Frame and Cover	2	Each	$ 1,190.61	$ 2,381.22		$ -	2.00	$ 2,381.22
3.35	Precast Concrete Arch Culvert (16' x 6')	50.5	lin ft	$ 2,062.98	$ 104,180.49		$ -	50.50	$ 104,180.49
3.36	Precast Concrete Arch Culvert Headwall (16' x 6')	2	Each	$ 3,593.55	$ 7,187.10		$ -	2.00	$ 7,187.10
3.37	Concrete (KCMMB 4K) (Arch Culvert Footing and Apron)	35	cu yd	$ 817.80	$ 28,623.00		$ -	35.00	$ 28,623.00
3.38	Reinforcing Steel (Gr. 60) (Arch Culvert Footing and Apron)	6,060	lb	$ 1.12	$ 6,787.20		$ -	6,060.00	$ 6,787.20
3.39	6" HDPE Pipe Underdrain	1,467	lin ft	$ 37.68	$ 55,276.56		$ -	1,448.00	$ 54,560.64
3.40	12" PVC Pipe	26	lin ft	$ 95.74	$ 2,489.24		$ -	26.00	$ 2,489.24
3.41	6" Trench Drain	175	lin ft	$ 37.48	$ 6,559.00		$ -	175.00	$ 6,559.00
3.42	Riprap Stone (Light 24")(2')(Grouted)	220	sq yd	$ 63.93	$ 14,064.60		$ -	4.67	$ 298.55
3.43	Riprap Stone (Light 24")(2')(Ungrouted)	3	sq yd	$ 104.55	$ 313.65		$ -	228.70	$ 23,910.59
3.44	Foundation Stabilization Material	200	cu yd	$ 61.87	$ 12,374.00		$ -	61.11	$ 3,780.94
	SUBTOTAL STORM SEWER ITEMS				$ 1,255,040.72		$ -		$ 1,252,588.33
4.00	BRIDGE ITEMS								
4.01	Double 12' x 7' Precast Reinforced Concrete Box	25	lin ft	$ 2,854.40	$ 71,360.00		$ -	25.00	$ 71,360.00
4.02	Retaining Wall (Large Block)	4,957	sq ft	$ 46.16	$ 228,815.12		$ -	4,672.00	$ 215,659.52
	SUBTOTAL BRIDGE ITEMS				$ 300,175.12		$ -		$ 287,019.52
5.00	INCIDENTAL ITEMS								
5.01	Adjust Sanitary Manhole Frame and Cover	1	Each	$ 782.39	$ 782.39		$ -	0.00	$ -
5.02	Rebuild Sanitary Sewer Manhole	1	Each	$ 1,491.06	$ 1,491.06		$ -	2.00	$ 2,982.12
5.03	Steel Rail Fence (54")	770	lin ft	$ 177.40	$ 136,598.00		$ -	770.00	$ 136,598.00
5.04	Steel Rail Fence (22")	198	lin ft	$ 113.52	$ 22,476.96		$ -	318.00	$ 36,099.36
5.05	NOT USED						$ -	0.00	$ -
5.06	Concrete (KCMMB 4K) (Corral Rail)	59	cu yd	$ 912.77	$ 53,853.43		$ -	59.00	$ 53,853.43
5.07	Reinforcing Steel (Gr. 60) (Corral Rail) (Expoxy Coated)	10,120	lb	$ 1.25	$ 12,650.00		$ -	10,120.00	$ 12,650.00
5.08	Wall Form Liner Treatment	408	sq ft	$ 15.04	$ 6,136.32		$ -	397.60	$ 5,979.90
	SUBTOTAL INCIDENDTAL ITEMS				$ 233,988.16		$ -		$ 248,162.81
6.00	STREET LIGHTING AND SIGNALIZATION ITEMS								
6.01	Street Lighting System	1	Lump Sum	$ 304,244.31	$ 304,244.31		$ -	1.00	$ 304,244.31
6.02	143rd and Mission Traffic Signal	1	Lump Sum	$ 230,599.72	$ 230,599.72		$ -	1.00	$ 230,599.72
6.03	143rd and Mission Radar Detection System	1	Lump Sum	$ 17,938.93	$ 17,938.93		$ -	1.00	$ 17,938.93
	SUBTOTAL LIGHTING AND SIGNALIZATION ITEMS				$ 552,782.96		$ -		$ 552,782.96
7.00	PEMANENT SOD ITEMS								
7.01	Sod	41,304	sq yd	$ 4.74	$ 195,780.96		$ -	41,366.00	$ 196,074.84
7.02	Topsoil, 4"	4,589	cu yd	$ 13.80	$ 63,328.20		$ -	1,000.00	$ 13,800.00
	SUBTOTAL PERMANENT SOD ITEMS				$ 259,109.16		$ -		$ 209,874.84

13th And Final Pay Request
143rd Street Improvements; Windsor to Nall

ITEM NO	ITEM	QUANTITY	UNIT	Miles Excavating Inc		Pay App #13 Final		Total	
				UNIT PRICE	AMOUNT	Const. Qty.	Const. Payment	Const. Qty.	Const. Payment
8.00	TEMPORARY SEEDING, EROSION, & POLLUTION CONTROL ITEMS								
8.01	Temporary Fertilizer (15-30-15)	1,280	lb	$ 2.37	$ 3,033.60		$ -	100.00	$ 237.00
8.02	Temporary Seed (Canada Wildrye Grass Seed)	171	lb	$ 1.30	$ 222.30		$ -	59.72	$ 77.64
8.03	Temporary Seed (Grain Oats)	384	lb	$ 2.68	$ 1,029.12		$ -	22.14	$ 59.34
8.04	Temporary Seed (Sterile Wheatgrass)	384	lb	$ 2.68	$ 1,029.12		$ -	22.14	$ 59.34
8.05	Mulch Tacking Slurry	7,680	lb	$ 0.91	$ 6,988.80		$ -	6,250.00	$ 5,687.50
8.06	Mulch (Temporary)	17	tons	$ 474.85	$ 8,072.45		$ -	0.00	$ -
8.07	Temporary Ditch Check (Rock)	8	Each	$ 303.29	$ 2,426.32		$ -	0.00	$ -
8.08	Temporary Sediment Basin	6	Each	$ 158.29	$ 949.74		$ -	0.00	$ -
8.09	Silt Fence	6,198	lin ft	$ 3.11	$ 19,275.78		$ -	8,236.00	$ 25,613.96
8.10	Biodegradable Log (9")	1,573	lin ft	$ 4.17	$ 6,559.41		$ -	340.00	$ 1,417.80
8.11	Biodegradable Log (20")	359	lin ft	$ 7.91	$ 2,839.69		$ -	636.00	$ 5,030.76
	SUBTOTAL TEMPORARY SEEDING, EROSION, & POLLUTION CONTROL ITEMS				$ 52,426.33		$ -		$ 38,183.33
9.00	SIGNING AND PAVEMENT MARKING ITEMS								
9.01	Pavement Marking (Epoxy or Multi-Component)(Yellow)(4")	19,003	lin ft	$ 0.54	$ 10,261.62		$ -	19,452.00	$ 10,504.08
9.02	Pavement Marking(Epoxy or Multi-Component)(White)(6")	17,290	lin ft	$ 0.79	$ 13,659.10	7704.70	$ 6,086.71	17,598.00	$ 13,902.42
9.03	Pavement Marking (Epoxy or Multi-Component)(White)(8")	492	lin ft	$ 2.11	$ 1,038.12		$ -	501.00	$ 1,057.11
9.04	Pavement Marking (Epoxy or Multi-Component)(Yellow)(12")	615	lin ft	$ 4.49	$ 2,761.35		$ -	591.00	$ 2,653.59
9.05	Pavement Marking (Epoxy or Multi-Component)(White)(12")	175	lin ft	$ 5.80	$ 1,015.00		$ -	153.00	$ 887.40
9.06	Pavement Marking (Multi-Component Intersection Grade)(White)(12")	752	lin ft	$ 5.80	$ 4,361.60		$ -	1,816.00	$ 10,532.80
9.07	Pavement Marking ((Multi-Component Intersection Grade)(White)(24")	160	lin ft	$ 12.66	$ 2,025.60		$ -	401.00	$ 5,076.66
9.08	Pavement Marking (Mult-Component Intersection Grade)(White)(Left Turn Arrow)	10	Each	$ 137.18	$ 1,371.80		$ -	10.00	$ 1,371.80
9.09	Pavement Marking (Mult-Component Intersection Grade)(White)(Right Turn Arrow)	4	Each	$ 137.18	$ 548.72		$ -	4.00	$ 548.72
9.10	Pavement Marking (Mult-Component Intersection Grade)(White)(ONLY)	7	Each	$ 189.94	$ 1,329.58		$ -	7.00	$ 1,329.58
9.11	Pavement Marking (Mult-Component Intersection Grade)(White)(BIKE LANE SYMB)	44	Each	$ 295.47	$ 13,000.68		$ -	44.00	$ 13,000.68
9.12	Sign (Flat Sheet)(High Performance)	553	sq ft	$ 18.47	$ 10,213.91		$ -	553.00	$ 10,213.91
9.13	Sign Post (1-3/4" Perforated Square Steel Tube)	840	lin ft	$ 9.50	$ 7,980.00		$ -	840.00	$ 7,980.00
9.14	Sign Post Footing (1-3/4" Perforated Square Steel Tube)	70	Each	$ 10.55	$ 738.50		$ -	70.00	$ 738.50
9.15	Solar Flashing School Zone Sign Panel Unit	4	Each	$ 7,386.62	$ 29,546.48		$ -	4.00	$ 29,546.48
	SUBTOTAL SIGNING AND PAVEMENT MARKING ITEMS				$ 93,852.06		$ 6,086.71		$ 109,943.73
10.00	TEMPORARY TRAFFIC CONTROL ITEMS								
10.01	Traffic Control	1	Lump Sum	$ 36,653.46	$ 36,653.46		$ -	1.00	$ 36,653.46
10.02	Temporary Striping (Paint or Tape)	10,000	lin ft	$ 1.16	$ 11,600.00		$ -	18,011.00	$ 20,892.76
10.03	NOT USED				$ -		$ -	0.00	$ -
10.04	Temporary Asphalt Pavement (6" Base Course)	1,500	sq yd	$ 73.86	$ 110,790.00		$ -	329.00	$ 24,299.94
10.05	Temporary Aggregate Surfacing (AB-3 or AB-2)	750	cu yd	$ 26.21	$ 19,657.50		$ -	425.00	$ 11,139.25
	SUBTOTAL TEMPORARY TRAFFIC CONTROL ITEMS				$ 178,700.96		$ -		$ 92,985.41
	SUBTOTAL PROJECT PARTICIPATING				$ 7,212,373.44				
	NON-PARTICIPATING ITEMS								
11.00	IRRIGATION SYSTEM ADJUSTMENTS								
11.01	Spray Head (Static)	6	Each	$ 36.94	$ 221.64		$ -	14.00	$ 517.16
11.02	Spray Head (Rotor)	42	Each	$ 63.31	$ 2,659.02		$ -	160.00	$ 10,129.60
11.03	Spray Head Lateral	450	lin ft	$ 1.06	$ 477.00		$ -	3,570.00	$ 3,784.20
11.04	Main Line	950	lin ft	$ 3.17	$ 3,011.50		$ -	1,368.00	$ 4,336.56
11.05	Control Valve and Box	3	Each	$ 158.29	$ 474.87		$ -	13.00	$ 2,057.77
11.06	Manual Drain Valve and Box	3	Each	$ 105.52	$ 316.56		$ -	0.00	$ -
	SUBTOTAL IRRIGATION SYSTEM ADJUSTMENTS				$ 7,160.59		$ -		$ 20,825.29
12.00	SPECIAL BIORETENTION UNITS AND PLANTINGS								
12.01	Bioretention Stormwater Treatment Cell	2	Each	$ 6,859.00	$ 13,718.00		$ -	2.00	$ 13,718.00
12.02	Special Channel Grading and Plantings	1	Lump Sum	$ 21,104.63	$ 21,104.63		$ -	1.00	$ 21,104.63
	SUBTOTAL SPECIAL BIORETENTION UNITS AND PLANTINGS				$ 34,822.63		$ -		$ 34,822.63

13th and Final Pay Request
143rd Street Improvements; Windsor to Nall

				Miles Excavating Inc		Pay App #13 Final		Total	
ITEM NO	ITEM	QUANTITY	UNIT	UNIT PRICE	AMOUNT	Const. Qty.	Const. Payment	Const. Qty.	Const. Payment
13.00	FUTURE SIGNAL AND FIBER OPTIC COMMUNICATIONS								
13.01	Conduit (2")(HDPE)(Roe Ave. Future Signal)	120	lin ft	$ 21.11	$ 2,533.20		$ -	120.00	$ 2,533.20
13.02	Conduit (4")(HDPE)(Roe Ave. Future Signal)	223	lin ft	$ 21.11	$ 4,707.53		$ -	223.00	$ 4,707.53
13.03	Conduit (2")(HDPE)(Future Fiber Optic Communications)	8,510	lin ft	$ 7.65	$ 65,101.50		$ -	8,510.00	$ 65,101.50
13.04	1c#10 Copper Tracer Wire (Future Fiber Optic Communications)	8,600	lin ft	$ 0.53	$ 4,558.00		$ -	8,600.00	$ 4,558.00
13.05	Fiber Optic Service Box (Type 1)	27	Each	$ 1,229.35	$ 33,192.45		$ -	28.00	$ 34,421.80
13.06	Fiber Optic Service Box (Type 2)	3	Each	$ 1,181.86	$ 3,545.58		$ -	3.00	$ 3,545.58
	SUBTOTAL FUTURE SIGNAL AND FIBER OPTIC COMMUNICATIONS				$ 113,638.26		$ -		$ 114,867.61
14.00	MISCELLANEOUS								
14.01	Three-Rail Wood Fence	758	lin ft	$ 29.93	$ 22,686.94		$ -	915.25	$ 27,393.43
14.02	Additional Special Design Work Zone Sign	50	sq ft	$ 31.66	$ 1,583.00		$ -	37.00	$ 1,171.42
14.03	Maintenance Bond	1	Lump Sum	$ 1,000.00	$ 1,000.00		$ -	1.00	$ 1,000.00
	SUBTOTAL MISCELLANEOUS				$ 25,269.94		$ -		$ 29,564.85
15.00	CHANGE ORDERS								
15.01	Change Order #2 - Curb Inlet Work (Special Sawing)	1	Lump Sum	$ 1,190.00	$ 1,190.00		$ -	1.00	$ 1,190.00
	Change Order #2 - Bridge Abutment Removal	1	Lump Sum	$ 701.50	$ 701.50		$ -	1.00	$ 701.50
	Change Order #2 - Tubler Marker Replacement for Blue Valley School	1	Lump Sum	$ 2,415.00	$ 2,415.00		$ -	1.00	$ 2,415.00
	Change Order #2 - Change Out Wire Nuts to Silicone Filled Wire Nuts	1	Lump Sum	$ 1,437.50	$ 1,437.50		$ -	1.00	$ 1,437.50
	Change Order #2 - Additional Traffic Control	1	Lump Sum	$ 5,807.50	$ 5,807.50		$ -	1.00	$ 5,807.50
	Change Order #2 - Irrigation Replacement (Steeple Chase)	1	Lump Sum	$ 17,335.00	$ 17,335.00		$ -	1.00	$ 17,335.00
15.02	Change Order #3 - Grading of Trail for Driveway Modifications	1	Lump Sum	$ 2,070.00	$ 2,070.00		$ -	1.00	$ 2,070.00
	Change Order #3 - Removal of Driveways and Approaches	1	Lump Sum	$ 4,674.75	$ 4,674.75		$ -	1.00	$ 4,674.75
	Change Order #3 - Installing New Driveways and Approaches. (4" Reinforced Concrete Drive	153	sq yd	$ 72.79	$ 11,115.03		$ -	231.50	$ 16,850.89
	Change Order #3 - Drain Pits for Sump Pumps	2	Each	$ 1,334.86	$ 2,669.72		$ -	3.00	$ 4,004.58
	Change Order #3 - Installation of Additional Fence	1	Lump Sum	$ 3,266.00	$ 3,266.00		$ -	1.00	$ 3,266.00
	Change Order #3 - Modifications to the Intersection of 142nd and Mission Rd.	1	Lump Sum	$ 12,320.25	$ 12,320.25		$ -	1.00	$ 12,320.25
15.03	Change Order #4 - Additions of 2 Wood Gates at 14202 Mission Rd.	1	Lump Sum	$ 1,776.00	$ 1,776.00		$ -		$ 1,776.00
	Change Order #4 - Installation of Landscape Rocks Over Bridge at 143rd W. of Granada	1	Lump Sum	$ 12,700.00	$ 12,700.00		$ -		$ 12,700.00
	Change Order #4 - Reduction in Quantities on Block Wall at 143rd and Granada Bridge	-285	Each	$ 46.16	$ (13,155.60)		$ -		$ -
	Change Order #4 - Removal of Drive at 4506 W. 143rd St.	1	Lump Sum	$ 3,605.25	$ 3,605.25		$ -		$ 3,605.25
	Change Order #4 - Replacement of Drive at 4506 W. 143rd St.	1	Lump Sum	$ 5,655.65	$ 5,655.65		$ -		$ 4,241.74
	SUBTOTAL CHANGE ORDERS				$ 75,583.85		$ -		$ 94,395.95
	SUBTOTAL PROJECT NON-PARTICIPATING				$ 256,474.97				
	TOTAL CONSTRUCTION COST				$ 7,468,040.41		$ 6,086.71		$ 7,343,055.50

Approved:

Contractor - Jane Miles (Miles Excavating) 11-15-16
Date

Project Engineer - Joe Johnson (City of Leawood) 11.23.2016
Date

Project Inspector - Kyle Guenther (Burns & McDonnell) 11-22-16
Date

Mayor Peggy J. Dunn Date
Leawood, Kansas

Break Out Pay Period 13		Break Out Total	
Common Items	$ -	Common Items	$ 1,196,898.53
Roadway	$ 6,086.71	Roadway	$ 1,016,501.58
Surfacing	$ -	Surfacing	$ 3,029,807.77
Storm Sewer	$ -	Storm Sewer	$ 1,252,588.93
Street Lighting	$ -	Street Lighting	$ 304,244.31
Traffic Signals	$ -	Traffic Signals	$ 248,538.65
Total Participating	$ 6,086.71	Total Participating	$ 7,048,579.17
Total Non-Participating	$ -	Total Non-Participating	$ 294,476.34
Total	$ 6,086.71	Total	$ 7,343,055.50
Less 5% Retainage	$ -	Less 5% Retainage	$ 367,152.78
Released 5% Retainage	$ 79,878.46	Released 5% Retainage	$ 367,152.78
Subtotal	$ 85,965.17	Subtotal	$ 7,343,055.50

Pay Estimate No. 1	$ 319,043.17	Pay Estimate No. 8	$ 739,500.48
Pay Estimate No. 2	$ 334,085.05	Pay Estimate No. 9	$ 81,177.13
Pay Estimate No. 3	$ 381,057.73	Pay Estimate No. 10	$ 460,852.04
Pay Estimate No. 4	$ 952,569.78	Pay Estimate No. 11	$ 1,423,533.02
Pay Estimate No. 5	$ 800,301.87	Pay Estimate No. 12	$ 154,583.36
Pay Estimate No. 6	$ 591,546.41		
Pay Estimate No. 7	$ 1,018,840.31		

CONTRACTOR PERFORMANCE EVALUATION

Project: 46 N-0426-01 143rd Street

Contractor: Miles Excavating

															Average Final Score	Final Comments
	Evaluation Date	4-May	28-May	26-Jun	1-Aug	9-Sep	10-Oct	22-Oct	17-Dec	11-Jan	5-Apr	21-Apr	17-May	21-Jun		
A	Completion of Construction within allotted time and budget	0	0	0	0	3	0	0	4	0	0	0	0	5	4.00	
B	Consistency of work effort of the contractor or subs based on schedule	4	3	4	3	3	4	4	4	4	5	4	4	4	3.85	
C	Quality of work performed by contractor or subcontractor	4	4	4	4	2	3	3	3	4	4	3	2	3	3.31	The pavement marking sub contractor did a good job and efficent job in laying out the pavement markings. The block wall subcontractor had a hard time delievering the final big block look that the city was expecting.
D	Damages and repairs of any damage to public or private property	4	4	0	4	3	0	4	4	0	0	0	3	0	3.71	The contractor sodded areas that were disturbed outside right of way.There has been several incidents where the contractor has shown carelessness for what has been construced and have been damaged and need to be replaced.
E	Traffic control in work zone under construction by contractor	2	3	4	3	4	2	3	4	4	4	4	3	2	3.23	The contractor left traffic control up over night consistenly in an open road condidtion. He was told he needed to drop signs and traffic control every night.
F	Ability of contractor or subcontractor to communicate and work with residents	3	3	5	4	4	2	3	4	3	0	0	0	0	3.44	
G	Coordination with Utility Companies	4	4	4	4	3	3	4	3	4	4	3	3	0	3.58	Had issues with hitting a utilitiy on the south side of 143rd across from Juniper.
H	Cooperation of the contractor or subcontractor with City Staff	4	3	3	4	3	3	3	4	4	4	0	3	3	3.42	
I	Maintenance of Construction Site During Construction	4	4	4	3	4	3	4	3	4	3	3	4	4	3.62	The contractor has been busy cleaning up the project in preperation for sodding and opening the roadway.
J	Responsiveness to a direct request from the Public Works Director	4	3	4	3	3	3	3	4	4	3	3	2	3	3.23	The contractor has not supplied a change order cost for new school beacon and associated signs. Updated: they finally returned an update in July.
K	Fairness and appropriate use of requests for change orders during construction	0	0	0	0	4	0	0	3	4	3	0	0	3	3.40	Change Order for just the school beacon in general because the City and I felt that the contractor was given enough forwarning that the subcontractor would still be on site to install before leaving the project.
L	Safety on the job-site during construction	3	3	4	3	3	4	4	4	4	4	4	4	4	3.69	
M	Final restoration and clean-up by contractor and subcontractor	0	0	0	0	0	0	0	0	0	0	0	4	4	4.00	
N	Responsiveness to correction of "punch list" items	0	0	0	0	0	3	4	0	4	0	0	4	4	3.80	
O	Misc.	4	4	4	4	4	4	4	4	4	4	3	2	3	3.69	
	Pay App Average.	3.64	3.45	4.00	3.50	3.31	3.09	3.58	3.69	3.92	3.80	3.38	3.17	3.55	3.54	
														Final Project Score =	3.54	

* Each Category will be rated on a scale of 1 to 5 with 5 being the highest rating
* A score of 0 indicates not applicable for this review period
* The average score of all categories will be the final score
* Scores of 3 and above will be considered acceptable while scores less than 3 will be considered unsatisfactory

COMPLETING THE FORM

1 Record the number and nature of any valid complaints
2 List any instances of failure to meet the requirements of the contract performance evaluation.
3 Identify performance goals that have not been met during the reporting period
4 Recommend actions to be taken by contractor to improve performance or correct deficiencies.
5 If evaluation shows acceptable performance, congratulate the contractor.

Return to Agenda

Meeting Date: December 5, 2016

City of Leawood

7.G.

Memo

To:	**Mayor Dunn and Members of the City Council**
cc:	**Scott Lambers**
From:	**Patricia A. Bennett**
Date:	**November 28, 2016**
Re:	**Recommendation to approve quote from Travelers Insurance Company for 2017 property/liability insurance and additional coverages.**

Staff recommends that the City approve the 2017 insurance premium quote from Travelers for $304,873. This amount represents a slight decrease [1.27%] from the 2016 premium of $308,875.

Please let me know if you have any questions.

Return to Agenda

7.H.

Finance Department

Memo

To: Mayor Peggy Dunn and Councilmembers
Scott Lambers, City Administrator

From: Dawn Long, Finance Director

Date: December 5, 2016

Re: 2017 Alcohol Tax Fund Recommendation

The City has received the recommended distribution of the Alcohol Taxes by the Drug and Alcoholism Council of Johnson County (DAC). The City of Leawood has included $300,000 in the approved 2017 budget for this purpose.

A representative from DAC should be present to answer any questions that you might have concerning the distribution or the process. The City has been participating in this program for several years.

It is requested that the Governing Body take the appropriate action to approve or modify the attached allocation of funds.

DRAFT

RESOLUTION NO. _____

RESOLUTION APPROVING THE RECOMMENDED DISTRIBUTION OF ALCOHOL TAXES BY JOHNSON COUNTY DRUG AND ALCOHOLISM COUNCIL [DAC] FOR ALLOCATIONS OF THE 2017 ALCOHOL TAX FUND FOR AN AMOUNT NOT TO EXCEED $300,000

WHEREAS, the City desires to participate in and allocate funds in the amount of $300,000 for the DAC program.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD, KANSAS:

SECTION ONE: The City of Leawood, Kansas, a municipal corporation, does hereby approve the recommended distribution of alcohol taxes by the Johnson County Drug and Alcoholism Council for allocations of the 2017 alcohol tax fund for an amount not to exceed $300,000.

SECTION TWO: This resolution shall become effective upon passage.

PASSED by the Governing Body this 5th day of December, 2016.

APPROVED by the Mayor this 5th day of December, 2016.

_____
Peggy J. Dunn, Mayor

[SEAL]

ATTEST:

_____
Debra Harper, CMC, City Clerk

APPROVED AS TO FORM:

_____
Patricia A. Bennett, City Attorney

United Community Services of Johnson County

Board Members
Michael Hockley, President
Kate Allen
Brian S. Brown
Jennifer Bruning
Tara S. Eberline
Rev. Lee Jost
Donna Lauffer
Janis McMillen, PhD
Justin Nichols
Leo J. Nunnink
Jill Quigley
Tom Robinett
Sandra Sanchez
Paul Snider
Maury L. Thompson
Kevin Tubbesing
Eric Wade

Council of Advisors
Gary Anderson
Mary Birch
Dick Bond
Pat Colloton
David Cook, PhD
Ben Craig
Hon. Peggy Dunn
Hon. Ed Eilert
Jeffrey O. Ellis
SuEllen Fried
Ellen Hanson
Terrie Huntington
Audrey Langworthy
Clint Robinson
Carol Sader
Joseph Sopcich, PhD
Brad Stratton
Charlie Sunderland
Elaine Tatham, PhD
Stephen Tatum
David Warm
Ron Wimmer, PhD
Hannes Zacharias

Executive Director
Julie K. Brewer

Date: November 4, 2016
To: Scott Lambers, City Adminstrator, Leawood
From: Julie K. Brewer, Executive Director JKB
Re: Allocation of 2017 Alcohol Tax Fund

2017 Recommendation Report

The Drug & Alcoholism Council of Johnson County (DAC), a project of United Community Services, has prepared and approved the recommendations for allocation of 2017 Alcohol Tax Funds (ATF). The recommendations are in line with expectations under KSA *79-41a04*. The enclosed report is submitted for the City of Leawood's consideration. The DAC is an advisor to the City of Leawood on the expenditure of these funds. To receive an electronic version of the document, please contact Marya Schott.

The city has the ultimate authority and responsibility for determining the allocation of its portion of the Alcohol Tax Fund. Therefore, the DAC requests the city confirm its acceptance of these recommendations and the city's funding distributions as stated on the distribution chart. UCS, the DAC and ATF grant recipients understand that distribution of city funds may be altered should Kansas tax policy change, or revenues are not received by the City as expected. **Enclosed is a verification statement which we request be signed and returned to UCS by December 19, 2016.** Representatives of UCS and the DAC will be present if the report is considered by the City Council on December 5. If that is not the correct date, or there are additional meetings where this report will be considered and you would like a representatives present, please notify Marya Schott (maryas@ucsjoco.org).

Distribution of Funds

For the purposes of making the recommendations, the DAC pools alcohol tax funds from all participating jurisdictions (Johnson County Government, Gardner, Leawood, Lenexa, Merriam, Mission, Olathe, Overland Park, Prairie Village, and Shawnee). Each jurisdiction, however, is responsible for distributing its own funds. A distribution chart for your jurisdiction is enclosed. Funding distribution is determined as follows:

1) Funds for school district programs are allocated proportionally only from the jurisdictions served by particular school districts;
2) UCS/DAC administrative cost of 5.4% is prorated among all jurisdictions; and
3) Remaining programs are funded proportionally by all jurisdictions.

Thank you for your continued support of this allocation process, which targets public resources to address substance abuse education, prevention, intervention, detoxification, and treatment needs for Johnson County residents. Please contact me or Marya Schott if you have questions.

Enclosures: 2017 Alcohol Tax Fund Recommendations Report
Alcohol Tax Fund Distribution Chart
2017 Grantee List
2017 Alcohol Tax Fund Recommendations Verification

cc: Deb Harper, Dawn Long

12351 W. 96th Ter., Ste. 200 • Lenexa, KS 66215 • P: 913.438.4764 • F: 913.492.0197 • ucsjoco.org

United Way

DATE: November 4, 2016

TO: Scott Lambers, City Administrator, Leawood

CC: Dawn Long, Deb Harper

FROM: Julie K. Brewer, Executive Director

RE: 2017 Alcohol Tax Fund Recommendations and Distributions

The Drug and Alcoholism Council (DAC), a program of United Community Services (UCS), and the UCS Board of Directors have approved recommendations for allocation of 2017 Alcohol Tax Funds (ATF). With the understanding that distribution of ATF dollars may be altered should state tax policy change or revenues are not received by the City as expected, we ask an authorized representative of the City to sign below to indicate the City's acceptance of the 2017 ATF Recommendations Report, and agreement to distribute 2017 ATF dollars as stated on the Alcohol Tax Fund Distribution chart included with this memo.

Please sign this memo and return it by fax, postal mail or email to UCS by **December 19, 2016.**

Please let Marya Schott know if you have any questions (maryas@ucsjoco.org).

Thank you.

2017 Alcohol Tax Fund Recommendations Verification

The City of Leawood accepts the 2017 ATF Recommendations Report as approved by the DAC and UCS. With the understanding that distribution of ATF dollars may be altered should Kansas tax policy change or revenues are not received by the City as expected, the City agrees to distribute funds as stated on the 2017 ATF distribution chart provided by UCS.

Name: _____

Signature: _____

Title: _____ Date: _____

Fax: 913-492-0197

12351 W. 96th Terrace, Suite 200

Lenexa, KS 66215

maryas@ucsjoco.org

2017 ATF Distribution **LEAWOOD: $300,000**

UCS administration	$16,227
Blue Valley School District	$13,500
Shawnee Mission School District	$5,138
Prefered Family Healthcare	$16,710
Friends of Recovery	$8,667
The Family Conservancy	$6,414
Heartland Regional Alcohol & Drug Assessment Center	$26,370
Gillis Center	$9,534
Jo. Co. Mental Health Center Adolescent Center for Treatment	$43,944
Johnson County Mental Health Center Adult Detoxification Unit	$46,557
Johnson County Mental Health Center Adult Dual Diagnosis	$24,268
Johnson County Mental Health Center Prevention Services	$16,364
Johnson County Court Services	$14,723
First Call	$4,594
SAFEHOME	$3,880
Johnson County Dept. of Corrections	$1,915
KidsTLC	$7,914
Mirror, Inc.	$30,508
Johnson County District Attorney	$1,040
Artists Helping the Homeless	$1,733
Total	**$300,000**

Source: United Community Services of Johnson County 913-438-4764

2017 ALCOHOL TAX FUND GRANTEES

As of November, 2016

School Districts

Blue Valley School District
Superintendent: Dr. Todd White
Contact: Dr. Mark Schmidt
15020 Metcalf
Overland Park, KS 66283
(913) 239-4044
(913) 239-4154 (fax)
mrschmidt@bluevalleyk12.org

Olathe School District
Superintendent: Dr. Pat All
Contact: Tim Brady
14160 Black Bob Rd.
Olathe, KS 66063
(913) 780-7000
(913) 780-8006 (fax)
tbradyec@olatheschools.org

Spring Hill School District
Superintendent: Dr. Wayne Burke
Contact: Clay Frigon
101 East South Street
Spring Hill, KS 66083
(913) 592-7355
(913) 592-2847 (fax)
frigonc@usd230.org

De Soto School District
Superintendent: Frank Harwood
Contact: Dr. Stacey Yurkovich
35200 W. 91st Street
De Soto, KS 66018
(913) 667-6209
(913) 667-6202 (fax)
syurkovich@USD232.org

Shawnee Mission School District
Superintendent: Dr. Jim Hinson
Contact: Robin Bell
7235 Antioch Rd.
Shawnee Mission KS 66204
(913) 993-6422
(913) 993-1452 (fax)
robbell@smsd.org

Community-Based Agencies and Departments of County Government

Artists Helping the Homeless, Inc.
Exec Director/Contact: Kar Woo
11412 Knox
Overland Park, KS 66210
(913) 668-1007
(913) 345-2090 (fax)
katoahh@me.com

First Call Alcohol/Drug Prevention & Recovery
Exec Director: Susan Whitmore
Contact: Emily Hage
9091 State Line Rd.
Kansas City, MO 64114
(816) 800-8052
(816) 361-7290 (fax)
emilyh@firstcallkc.org

Gillis Center, Inc.
Exec Director: Stephen O'Neill
Contact: Connie Baker
6420 W. 95 St.
Overland Park KS 66212
816-508-3541
(816) 508-3535 (fax)
connie.baker@gillis.org

Boys & Girls Club of Greater Kansas City
Exec Director: David A. Smith
Contact: Jason Roth
4001 Blue Parkway, Ste. 102
Kansas City, MO 64130
(816) 462-1032
(816) 361-3675 (fax)
jroth@helpkckids.org

Friends of Recovery Association
Exec Director/Contact: Kathleen Wright
6422 Santa Fe Drive, Rm. 105
Overland Park, KS 66202
(913) 722-0367
(913) 722-6325 (fax)
kittythomas04@hotmail.com

Heartland Regional Alcohol & Drug Assessment Center (RADAC)
Exec. Director/Contact: Jason Hess
P.O Box 1063
Mission, KS 66222
(913) 789-6404
(913) 789-0954 (fax)
jason@hradac.com

Johnson County District Attorney
District Attorney: Steve Howe
Contact: Letitia Ferwalt
100 N. Kansas Ave, PO Box 728
Olathe, KS 66061
(913) 715-3099
(913) 715-3040 (fax)
Letita.Ferwalt@jocogov.org

Johnson County Court Services
Administrative Officer: Laura Brewer
Contact: John Unterreiner
588 E. Santa Fe, Ste. 4000
Olathe, KS 66061
(913) 715-7487
(913) 715-7420 (fax)
john.unterreiner@jocogov.org

KidsTLC
Exec Director: Gordon Docking
Contact: Heidi Wooten
480 S. Rogers Rd.
Olathe, KS 66062
(913) 324-3630
(913) 780-3387 (fax)
hwooten@kidstlc.org

Mirror, Inc.
President/CEO: Barth Hague
Contact: Barth Hague
P.O. Box 711
Newton, KS 67114
(316) 283-6743
(316) 283-6830 (fax)
bhague@mirrorinc.org

SAFEHOME, Inc.
Exec Director: Janee Hanzlick
Contact: Mirra Klausner
P.O. Box 4563
Overland Park, KS 66204
(913) 378-1559
(913) 432-9302 (fax)
mklausner@safehome-ks.org

Drug and Alcoholism Council of Johnson County
United Community Services of Johnson County
Exec Director: Julie Brewer
Contact: Marya Schott
12351 W. 96th Terrace, Suite 200
Lenexa, KS 66215
(913) 438-4764
(913) 492-0197 (fax)
maryas@ucsjoco.org

Johnson County Dept. of Corrections
Director: Elizabeth Gillespie
Contact: Kieth Clark
135 S. Kansas Ave.
Olathe, KS 66061
(913) 715-4511
(913) 715-4557 (fax)
kieth.clark@jocogov.org

Johnson County Mental Health Center
Exec Director: Tim DeWeese
6000 Lamar, Ste. 130
Mission, KS 66202
Adolescent Center for Treatment
Adult Detoxification Unit
Adult Dual Diagnosis
Contact: Deborah Stidham
(913)715-7638
(913) 826-1594 (fax)
deb.stidham@jocogov.org
Prevention Services
Contact: Shana Burgess
(913) 715-7880
(913)715-7881 (fax)
shana.burgess@jocogov.org

Preferred Family Healthcare
Exec Director: Marilyn Nolan
Contact: Paula Brawner
900 E LaHarpe St.
Kirksville, MO 63501
(660)665-1962
(660) 665-3989 (fax)
pbrawner@pfh.org

The Family Conservancy
Exec Director: Dean Olson
Contact: Marla Baldwin
444 Minnesota Ave., Ste. 200
Kansas City, KS 66101
(913) 742-4253
(913) 342-3632 (fax)
mbaldwin@thefamilyconservancy.org

Source: United Community Services of Johnson County

Return to Agenda

7.I.

Finance Department

Memo

To: Mayor Peggy Dunn and Councilmembers
Scott Lambers, City Administrator

From: Dawn Long, Finance Director

Date: December 5, 2016

Re: 2017 Utility Assistance Program

The City has received the attached request for participation in the Utility Assistance Program of Johnson County. The City has included the amount of $10,000 in the 2017 budget. The City has participated in this program for a number of years and contributed $10,000 in 2016.

It is requested that the Governing Body take the appropriate action to approve or modify the attached allocation of funds.

Please contact me if you have any questions.

DRAFT

RESOLUTION NO. _____

RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A LETTER OF UNDERSTANDING IN THE AMOUNT OF $10,000, BETWEEN THE CITY AND JOHNSON COUNTY HUMAN SERVICES PERTAINING TO THE 2017 JOHNSON COUNTY UTILITY ASSISTANCE PROGRAM

WHEREAS, the City wishes to participate in the Utility Assistance Program provided by Johnson County Human Services; and

WHEREAS, the parties desire to execute a Letter of Understanding to allow Johnson County Human Services to provide such assistance to eligible City participants.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD, KANSAS:

SECTION ONE: That the Governing Body hereby authorizes the Mayor to execute a Letter of Understanding, providing a commitment in an amount not to exceed $10,000, between the City and Johnson County Human Services, attached hereto as Exhibit "A", and incorporated herein by reference as if fully set out.

SECTION TWO: This resolution shall become effective upon passage.

PASSED by the Governing Body this 5th day of December, 2016.

APPROVED by the Mayor this 5th day of December, 2016.

[SEAL]

_____
Peggy J. Dunn, Mayor

ATTEST:

_____
Debra Harper, City Clerk

APPROVED AS TO FORM:

_____
Patricia A. Bennett, City Attorney

Letter of Understanding
JOHNSON COUNTY UTILITY ASSISTANCE PROGRAM
2017 Program Year

This Letter of Understanding is entered into by and between Johnson County Human Services ("Human Services") and the **City of Leawood** ("City") for administration of the **Utility Assistance Program.**

The parties do mutually agree as follows:

ELIGIBILITY

Human Services will determine eligibility using the following factors:

1. Verify that the applicant is a resident of the City and that the name of the applicant, spouse, or another adult age 18 or older living in the household is on the utility bill.
2. Verify that the applicant's household for the past 30 days has a gross income at or below 200% of the Poverty Guidelines as published in the Federal Register. Exceptions will be considered on a case-by-case basis if extraordinary circumstances warrant it. (For income sources and allowable documentation, refer to attached "Utility Assistance – Master Guidelines & Procedures.")
3. Verify that the utility account is past due, has a disconnect notice, or is already disconnected from service.
4. Verify with the utility that the client has made a self-payment on the utility bill within the previous three months.

BENEFITS & SERVICES PROVIDED

In providing utility assistance benefits to eligible City applicants, Human Services will:

1. Determine the amount of payment to be made to the utility, based on the amount of arrearage or the maximum benefit, whichever is lower.
2. Augment city funds with county funds up to $150 per calendar year.
3. Process payments to the utility vendors through the County's voucher system.
4. Provide energy conservation materials and referrals for other services to utility assistance clients.
5. Provide quarterly reports to the City on the number of households served and funds expended.

CONSIDERATION

In consideration of the above provisions, the City will contribute $ 10,600.00 for the services listed in this Letter of Understanding for calendar year of 2017. At the end of the program year, any unobligated funds will automatically be transferred to the next program year or, upon request, returned to the city.

SPECIAL PROVISIONS

1. Any exceptions to the above procedures will be discussed and mutually agreed upon by a designated representative of the City and Human Services.
2. The benefit amount to City residents will be reduced when either City or County funds have been exhausted.
3. This letter of understanding may be terminated by either party upon thirty days written notice.

Executed in duplicate and on the date listed below:

City of Leawood

_____
Name

_____
Title

Date_____

Johnson County Human Services

Deborah Collins

Deborah Collins, Director
Johnson County Human Services

Date 11/14/2016

Utility Assistance – Master Guidelines & Procedures
Effective 01/01/2015 – County Funding up to $150 per calendar year

Purpose: The purpose of the Johnson County Utility Assistance Program is to assist low-income Johnson County households in paying their energy bills.

Rationale: The need for utility assistance is not simply a function of high energy bills, but of the relationship between energy bills and incomes. Low-income households are called upon to devote unreasonable portions of their incomes to shelter. Emergency utility assistance should be available to help low-income households pay a portion of their energy bills when they have experienced a change in income, family disruption, or an excessively high utility bill.

ELIGIBILITY

Income

Eligibility	Total household gross monthly income for one full month is not to exceed 200% of the Federal Poverty Guidelines. (Guidelines are below.) Exception: For Dollar Aide and Dollar Aide Credits through Kansas City Power and Light, the total household gross monthly income for one full month is not to exceed 150% of the Federal Poverty Guidelines.
Income	Income must include all sources from all household members age 18 and older for the past 30 days.
Income sources	"Income" includes these sources: Social Security, SSI, TAF, unemployment, child support, salary and wages, retirement income, pension, loans, gifts, school loans, and grants.
Documentation needed to verify household income	Appropriate documentation includes copies of paycheck stubs, eligibility letters, payment center records, letters from employers on business letterhead verifying income, bank statements, ledgers, and tax forms. Whenever possible, the intake worker will obtain third-party verification of income for all adult household members and attach the verification to the emergency assistance intake.
No proof of income	If a client has no proof of income for the past 30 days, a "No Proof of Income" form will be completed and signed.
No income	If there has been no household income in the past 30 days, a "No Income" waiver will be completed and signed. The intake worker will include explanation of lack of income.
Child support but no proof of income	If a client receives child support but does not have proof, a "Child Support – No Proof of Income" form will be completed and signed.
Signature	By signing the UA Program income forms, clients are indicating that they have reported accurate income information.
No exceptions	No exceptions are made to the income guidelines. If an extraordinary circumstance exists, the intake worker will try to find alternative sources of financial assistance. Sources may include CFSS emergency assistance funds, churches, the Salvation Army, and Catholic Community Services.

2016 Federal Poverty Guidelines
200%

Household Size	Annual Income	Monthly Income
1	$23,760	$1,980
2	32,040	2,670
3	40,320	3,360
4	48,600	4,050
5	56,880	4,740
6	65,160	5,430
7	73,460	6,122
8	81,780	6,815

for families over 8, add $8,320 per child annually, or $693 per child monthly

Utility Account

Account status	The utility account must be past due, have a disconnect notice, or be disconnected from service. The utility bill past-due amount must be equal to or greater than the UA payment.
Early payment	Payment of a bill before it is past due is allowed *if the client is in jeopardy of being removed from a payment plan. Intake worker will make record of this in case note.*
Account billing information	The utility account must be in the name of an adult resident of the household (age 18 or older). The utility billing name must match the name of the person applying for the assistance. If another adult in the household attends the UA meeting on behalf of the person on the bill, the residence of the person attending must be confirmed. *Utility accounts in children's names or in the names of persons other than adults residing in the household are not eligible for assistance.*
Account transfer	Outstanding utility bills transferred from another residence are not eligible for assistance.
Self-payment	Regular payments to utility providers show a good-faith effort to pay for energy used. Therefore, the UA applicant must have made at least one payment to the utility provider in the previous three months. The intake worker must receive a receipt of payment from the client or from the utility company before pledging UA funds. Exceptions to this may be made to qualify a household for the Low Income Energy Assistance Program (LIEAP), to avoid a disconnection, or if extraordinary circumstances prevent regular payments. The exception will be documented as part of the intake.

Residency

Utility Assistance Zip Codes

North West	*Gardner-Edgerton*	*Blue Valley*	*Spring Hill*	*North Central*	*Olathe*	*North East*
715-8970	***715-8980***	***715-8985***	***715-8960***	***715-6653***	***715-8924***	***826-5510***
66018	66021	66209	66083	66203 (Shawnee)	66061	66202
66019	66030	66210 (Overland Park)		66204	66062	66203 (Merriam/OP)
66025	66031	66211		66210 (Lenexa)	66220	66205
66216		66213		66212		66206
66217		66221		66214		66207
66218		66223		66215		66208
66219		66224				
66226		66085				
66227		66013				

Each household considered for eligibility must be located within the boundaries of Johnson County, Kansas. Each intake site serves a particular school district/zip code.
Exception: Miami County residents not eligible for Johnson County UA funds. City of Spring Hill residents in Miami County only eligible for available City of Spring Hill UA funds.

Frequency
Each household eligible to receive Johnson County Utility Assistance funds is allowed assistance up to the city's maximum allocation per calendar year.

City	Allocation / Household	City	Allocation / Household
De Soto	$100	Olathe	$100
Edgerton	$100	Overland Park	$100
Fairway	$100	Prairie Village	$100
Gardner	$100	Roeland Park	$450
Leawood	$100	Shawnee	$100
Lenexa	$100	Spring Hill	$100
Merriam	$100	Westwood	$100
Mission	$100	Jo Co Wastewater	$300
		Rural Water District 6	$100
		Atmos Sharing the Warmth	$500
		Dollar Aide	$200
		WaterOne	$300

APPLICANT RESPONSIBILITIES

Proof of income	Applicants must provide proof of all household income for all household members age 18 or older, or complete a "No Income" waiver.
Valid Social Security number	Applicants must show proof of a valid Social Security number. This is usually available on employment check stubs or a Social Security card. **Undocumented residents must show another valid form of identification (ID card from their country, student ID card, visa, etc.)**
Most recent utility bill or disconnect notice	Applicants must provide their most recent utility bill or a notice of disconnection. These documents will confirm residency, ownership of account, and past-due amount. Account information retrieval from the utility website is acceptable.
Payment of difference in amount due before assistance	The Johnson County Utility Assistance Program pays the *final* portion of the past-due bill. Therefore, if the Utility Assistance Program benefit amount does not cover the entire past-due amount, the applicant is responsible for paying the difference *before* receiving assistance. Example: If an applicant is past due $250, it is her responsibility to pay $150 toward the bill before the UA program will pay the benefit amount of $100.
Correct information submitted	If incorrect information is intentionally used to apply for utility assistance, the household will not be eligible for assistance.

FUNDING

Funding for the Johnson County Utility Assistance Program comes from county and city allocations.

[A] **The cities** enter a contractual arrangement with the county to provide utility assistance to their residents. Each city sends the program an agreed-upon amount each year (spelled out in a memorandum of understanding), and the program uses that money to assist residents of the designated city. Funds are *never* taken from one city to help residents of another city.

[B] **The county** allocates funds to the program. This money is used in conjunction with city funds, and the county allocation is a maximum of $150 per household per year. Example: A client receives $250 in assistance—$100 coming from the city and $150 coming from the county. In the case of Overland Park assistance, a dollar-to-dollar match from county assistance is required.

[C] **Johnson County Wastewater** allocates funds to the program for payment of Wastewater bills, and the allocation is a maximum of $300 per household per year. This money is not tied to use of city or county funds ***Note:*** **For accounts that are in collection, the intake worker should contact Wastewater staff regarding negotiating terms of payment.**

[D] **Dollar Aide and Dollar Aide Credits** are available for customers of Kansas City Power and Light.

[E] **Rural Water District 6** allocates funds to the program for payment of Rural Water District 6 water bills.

[F] **Atmos Energy Sharing the Warmth** funds are available to customers of Atmos Energy (contingent upon grant extension).

[G] **WaterOne** allocates funds to the program for WaterOne bills, with a $300 maximum per household per year.

♦ DOLLAR AIDE/Dollar Aide Credits

Dollar Aide and Dollar Aide Credits are available for customers of Kansas City Power and Light only. All "Utility Assistance – Master Guidelines & Procedures" apply, with the following exceptions/additions:

- Eligibility is based on-total household gross monthly income for one full month, and is not to exceed 150% of the Federal Poverty Guidelines.
- In MAACLink: the "Client Account Number" field must match the vendor being paid.
- If payment is made to another vendor, the KCP&L account number must be verified.
- A maximum of $200 in assistance is available from each fund within a calendar year.
- Assistance requested must be greater than $25.
- The date on the utility bill must be within 30 days of the date the application intake date. (If older, the utility company can be contacted for a revised copy of the bill with a more current date.)
- Client cannot receive assistance from the fund from two different agencies in the same year.
- Client can receive assistance twice in one year from each fund.
- The amount of the assistance is equal to or less than the amount of the bill.
- No agency personnel may receive MAAC-managed funds from the agency by which they are employed.
- **Dollar Aide Assistance** must be for heat, electric, or water.
- **Dollar Aide Credits can *only* be used to pay a KCP&L bill.**

Sharing the Warmth –Atmos Share the Warmth Funds are available for natural gas bills.

- Funds may only be used to pay Atmos Energy natural gas bills.
- Funds may be used for customary monthly charges, past-due amounts, late fees, deposits, and service charges.
- Beneficiaries of Share the Warmth funding must be the named person or full-time resident on the gas account for which assistance is being requested.
- Managers may request to increase $500 Allocation/HH by submitting a Client Exception form to supervisor.

NOTE ON FUNDING AVAILABILITY

It is possible that funds will be depleted in a given calendar year.

- If **city** funds are depleted, Human Services will request supplemental funding from the city.
- If **county** funds are depleted, Human Services may request supplemental funding from the county.
- If **Wastewater** or **Rural Water District 6** funds are depleted, Human Services will request supplemental funding from the agency.
- If **Atmos Sharing the Warmth** or **Dollar Aide** funding is depleted, the benefit amount will be reduced or will be unavailable.
- In any case, if supplemental funding is not available, the benefit amount will be reduced or will be unavailable.

APPLICATION PROCESS SUMMARY

1. The potential client contacts the Utility Assistance phone line (913-715-6653) to ask for assistance. The client's information is forwarded to the appropriate Outreach office.
2. If it appears that the client qualifies, an appointment is made to complete paperwork.
3. The MAAC intake form is completed.
4. The intake worker is responsible to verify that the client has not received Johnson County Utility Assistance in the current calendar year by checking MAACLink.
5. Once eligibility is established, a pledge may be made to the utility company.
6. The completed MAACLink form, copies of the bill or disconnect notice, proof of self-payment, and income verification are then forwarded to the Accounting Assistant for processing. From initial intake to payment to the utility company may take up to six weeks.
7. The intake worker will provide energy education and conservation materials to the client.

Return to Agenda

City of Leawood Governing Body Staff Report

MEETING DATE: December 5, 2016
REPORT WRITTEN: November 23, 2016

BUKATY COMPANIES (EMPLOYEE BENEFITS AND INSURANCE BROKERAGE FIRM) WALL SIGN - REQUEST FOR APPROVAL OF A FINAL SIGN PLAN - Located south of College Boulevard and east of Roe Avenue - Case 114-16

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission recommends approval unanimously (7-0) Case 114-16, Bukaty Companies Wall Sign, with the following stipulations:

1. A sign permit from the Planning Department shall be obtained prior to erection of any signs.
2. Development rights under this Final Plan approval shall not vest until all permits required for this use have been issued and construction has begun and substantial amounts of work completed. If substantial amounts of the work have not been completed within 10 years of issuance of such permits, the development rights under this Final Plan approval shall expire.
3. In addition to the stipulations listed in this report, the developer/ property owner agrees to abide by all ordinances of the City of Leawood including the Leawood Development Ordinance, unless a deviation has been granted, and to execute a statement acknowledging in writing that they agree to stipulations one through three.

PLANNING COMMISSION CHANGES TO STIPULATIONS:

- None.

APPLICANT:

- The applicant is Mary Amundsen with Bukaty Companies.
- The property is owned by Leawood Executive Management.
- The Project Manager is Dennis Baughman, Midtown Signs.

REQUEST:

- The applicant is requesting approval of a wall sign that will be located on the west elevation.

ZONING:

- The property is currently zoned SD-O (Planned Office).

COMPREHENSIVE PLAN:

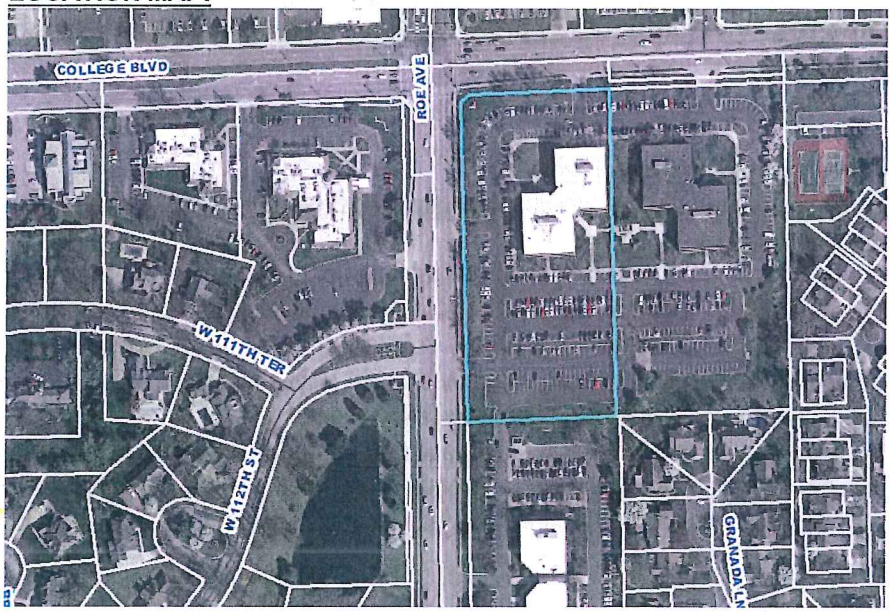
- The Comprehensive Plan designates this property as Office.

SURROUNDING ZONING:

- North — The properties to the north that are located in Overland Park, Kansas have office buildings and are zoned CP-2 and CP-O.
- East — The property to the east is an office building within Leawood zoned SD-O (Planned Office).

- South — The property to the south is an office building within Leawood zoned SD-O (Planned Office).
- West — The properties to the east, across Roe Avenue (within Leawood), are an office building zoned SD-O (Planned Office) and the Leawood Country Manor single family residential subdivision zoned R-1 (Planned Single Family Low Density Residential).

LOCATION MAP:



LEAWOOD DEVELOPMENT ORDINANCE REQUIREMENTS:

Per Section 16-4-6.13 Permanent Sign Regulations: Signs Permitted in SD-O District have the following requirements for a wall sign.

Wall Sign/ Canopy Sign (must be located below eave or parapet)

Allowable Type:	Signs identifying commercial office buildings
Maximum Number:	2
Maximum Area:	Five percent (5%) of building façade (not to exceed a total of 200 sq.ft. per sign)
Lighting:	None, indirect, or internally illuminated
Motion:	None

SIGNAGE:

- One wall sign is proposed to be located on the west elevation of the building that will read "Bukaty Companies" and will be located on the top portion of the building.
- The sign will be 24" in height, with a length of 29'-3 ½".
- The "Bukaty Companies" sign area will 58.58 sq. ft., on a façade that is 2,600 sq. ft. which results in 2.25% of the entire façade.
- The letters of the sign will be painted brushed silver.

LIGHTING:

- The wall sign will be halo illuminated.

RESOLUTION NO. _____

RESOLUTION APPROVING A FINAL SIGN PLAN FOR BUKATY COMPANIES WALL SIGN, LOCATED SOUTH OF COLLEGE BOULEVARD AND EAST OF ROE AVE. (PC CASE 114-16)

WHEREAS, the applicant submitted a request for approval of a Final Sign Plan for a wall sign;

WHEREAS such request for approval was presented to the Planning Commission on November 22nd, 2016; and

WHEREAS the Planning Commission reviewed the application and recommended approval with certain stipulations.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD, KANSAS:

SECTION ONE: The Governing Body hereby approves the applicant's request and the Planning Commission's recommendation of approval for said Final Sign Plan subject to the following stipulations:

1. A sign permit from the Planning Department shall be obtained prior to erection of any signs.
2. Development rights under this Final Plan approval shall not vest until all permits required for this use have been issued and construction has begun and substantial amounts of work completed. If substantial amounts of the work have not been completed within 10 years of issuance of such permits, the development rights under this Final Plan approval shall expire.
3. In addition to the stipulations listed in this report, the developer/ property owner agrees to abide by all ordinances of the City of Leawood including the Leawood Development Ordinance, unless a deviation has been granted, and to execute a statement acknowledging in writing that they agree to stipulations one through three.

SECTION TWO: This resolution shall become effective upon passage.

PASSED by the Governing Body this 5th day of December, 2016.

APPROVED by the Mayor this 5th day of December, 2016.

[SEAL]

_____
Peggy J. Dunn, Mayor

ATTEST:

_____
Debra Harper, CMC, City Clerk

APPROVED AS TO FORM:

_____
Patricia A. Bennett, City Attorney

Reverse Channel Letters

DO NOT USE FOR PRODUCTION!
FOR PLANNING ONLY

351 1/2"

24"

BUKATY COMPANIES

6"

3 1/2"

Letters to be Painted Brushed Silver

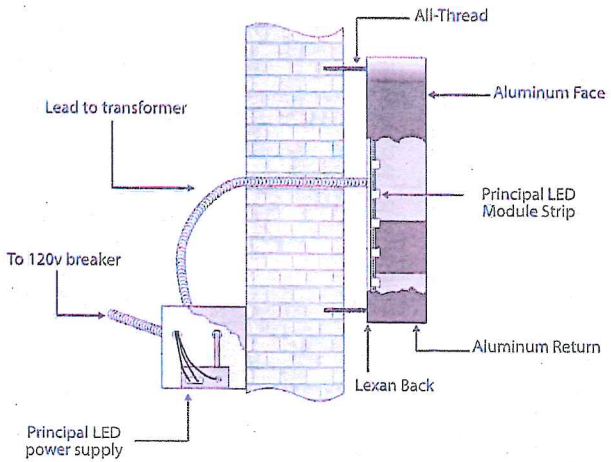
Sign Sq. Ft. = 58.58
City Code 200sq ft Max

65'

Install Location

40'

Manufacture and Install
Qty: (1) One Total
Reverse Halo Illuminated
Channel Letters w/ Logo
Sign will be Reverse Illuminated
w/ White LED's



Specs:
.063 aluminum return (standard depth 4") welded to .080 aluminum face.

MIDTOWN SIGNS
KANSAS CITY, USA

2416 S 8th Street
Kansas City, KS 66103
Phone. 913.766.7479
fax. 913.766.1470
www.midtownsigns.com

Mary Amundsen

Bukaty Companies

11221 Roe Ave

Leawood, KS 66211-1922

Dennis Baughman

REVISION HISTORY

V2	10-12-16
V4	10-18-16

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CLIENT / LANDLORD APPROVAL

APPROVED APPROVED AS NOTED

CLIENT SIGNATURE DATE

LANDLORD SIGNATURE DATE

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APPROVED FOR CONSTRUCTION

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15192

Overhead - Site View

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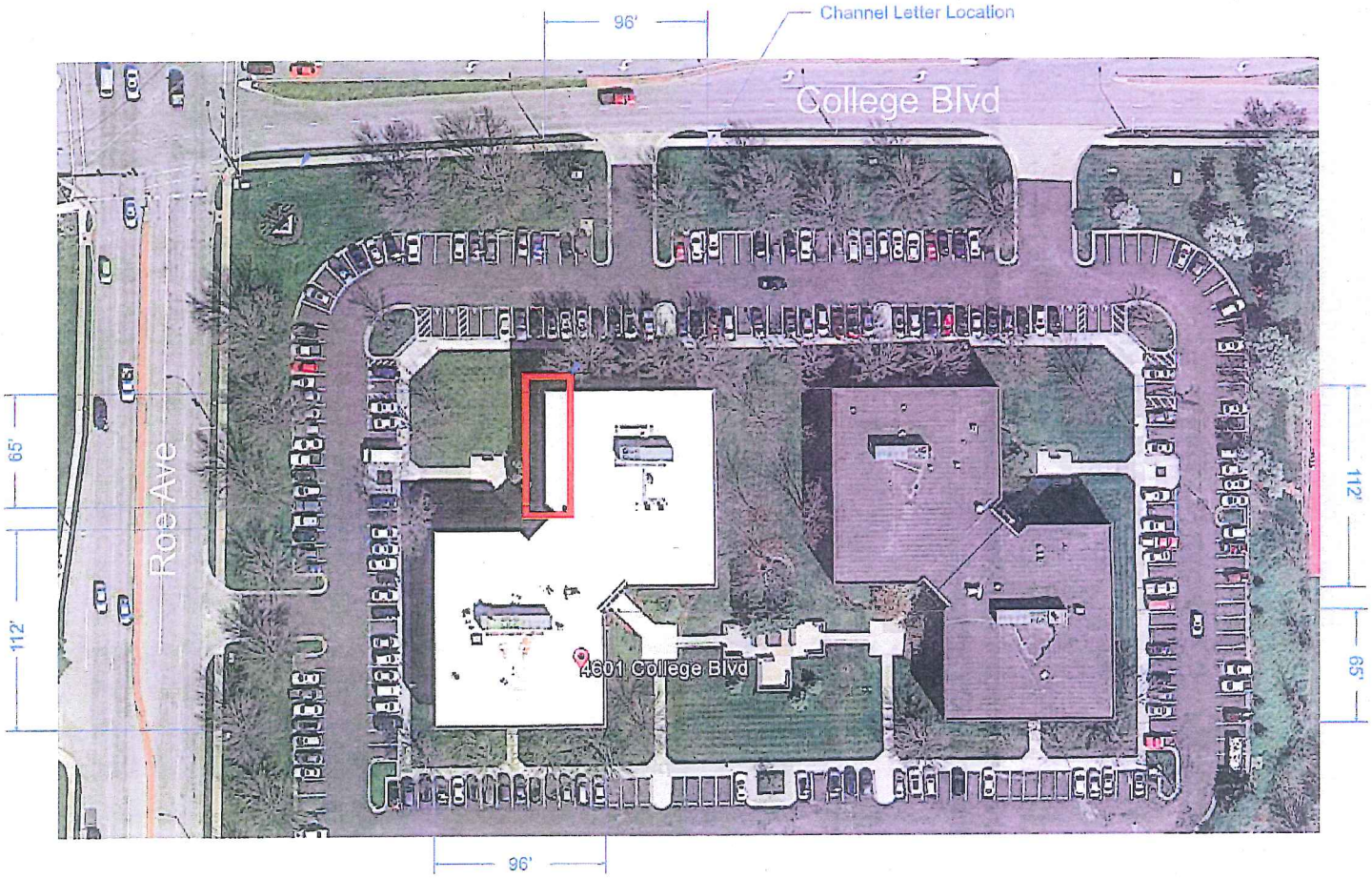
FOR PLANNING ONLY



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APPROVED FOR CONSTRUCTION

0000
15192

MEMO

To:	Mayor Peggy Dunn and City Council
From:	Mark A. Klein, Planning Official
cc:	Scott Lambers, City Administrator Richard Coleman, Director of Community Development
Date of Meeting:	December 5, 2016
Date of Memo:	November 23, 2016
Re:	Planning Commission Minutes

Due to this item being on the Planning Commission Consent Agenda, there is no Planning Commission minutes available for this case.

Return to Agenda

City of Leawood Governing Body Staff Report

MEETING DATE: December 5, 2016
REPORT WRITTEN: November 23, 2016

CORNERSTONE - BRGR (RESTAURANT) - REQUEST FOR APPROVAL OF A FINAL PLAN - Located south of 135th Street and west of Briar - Case 115-16

PLANNING COMMISSION RECOMMENDATION:
The Planning Commission recommends approval unanimously (7-0) Case 115-16, BRGR Final Plan, with the following stipulations:

1. This application is limited to modifications to the façade (doors) and the outdoor patios of the tenant space.
2. Development rights under this Final Plan approval shall not vest until all permits required for this use have been issued and construction has begun and substantial amounts of work completed. If substantial amounts of the work have not been completed within 10 years of issuance of such permits, the development rights under this Final Plan approval shall expire.
3. In addition to the stipulations listed in this report, the developer/ property owner agrees to abide by all ordinances of the City of Leawood including the Leawood Development Ordinance, unless a deviation has been granted, and to execute a statement acknowledging in writing that they agree to stipulations one through three.

PLANNING COMMISSION CHANGES TO STIPULATIONS:

- None.

APPLICANT:

- The applicant is Tara Van Loenen, Bread & Butter Concepts.
- The property is owned by 5031 West 135th Street Limited Partnership.
- The architect is Jacques LeBlanc, Realm Architecture.

REQUEST:

- The applicant is requesting approval of a Final Plan for an outdoor patio and a change to the entry doors for the BRGR restaurant within the Cornerstone development, formally the site of Barley's Brewhaus.

ZONING:

- The property is currently zoned SD-CR (Planned General Retail).

COMPREHENSIVE PLAN:

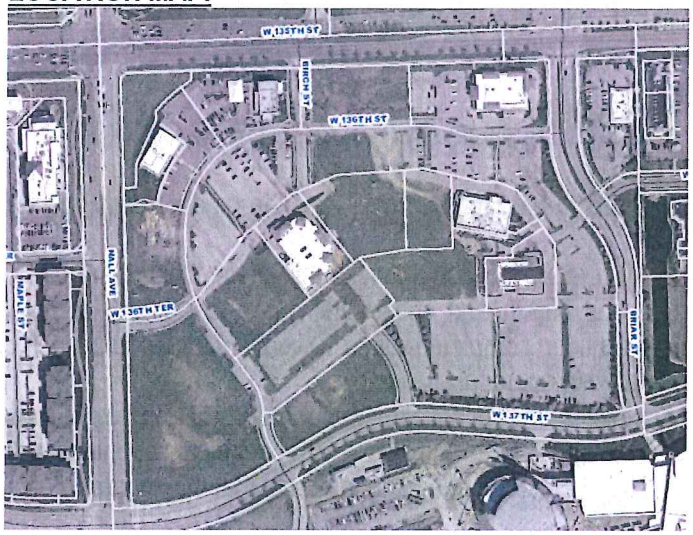
- The Comprehensive Plan designates this property as Retail.

SURROUNDING ZONING:

- North — The properties to the north, on the north side of 135th Street, are Parkway Plaza, a mixed use development zoned MXD (Mixed Use) within Leawood, and apartments within Overland Park, zoned RP-5.

- South — The property to the south is the site of the United Methodist Church of the Resurrection zoned AG (Agricultural), with a Special Use Permit for a church.
- East — The property to the east is Plaza Pointe, an office and retail development, zoned SD-CR (Planned General Retail) and SD-O (Planned Office).
- West — The property to the west is Prairie Fire, a mixed use development in Overland Park, zoned MDX.

LOCATION MAP:



SITE PLAN:

- BRGR is located on the west side of an existing building within the Cornerstone development, in a space that was formally occupied by Barley's Brewhaus.
- The main entrance into the business is located on the north elevation.
- An existing outdoor patio is located along the north and west sides of the building.
- An existing low, black metal fence encloses both patio areas.
- Existing sidewalks are located adjacent to the outdoor patios on the north and west sides of the building.
- Existing landscaping is located between sidewalks and the outdoor patios.
- BRGR is proposing to use the existing patios and replace the outdoor furniture.
- The outdoor patio on the north side of the building is proposed to have 44 seats and is a dining area. The outdoor patio on the west side of the building will have 6 Adirondack chairs and is a place for patrons to wait.

ELEVATIONS:

Entry Doors:

- The BRGR doors have been modified to reflect the change of the tenant.
- The custom made BRGR doors are clear fir (wood) with light brown stain and clear glass narrow horizontal window panes. The handles of the doors will be long, bronze bar pulls.

Patio Furniture:

North Elevation:

- Next to the fence that encloses the patio are banquet style benches (2' wide by 8' long) that are stained cedar with a striped upholstered seat.
- The other seating within this patio are orange Marcay Dining Side Chairs made of molded resin that will be arranged around the tables. These chairs will abut to gray Nevada Table Tops made of a powder coated aluminum frame with Synthetic Durawood tops ranging in size from (32" by 28"), (32" by 48") and (36" by 36").
- The layout of the patio includes a row of 5 tables adjacent to the BRGR building, with four seats at each table.
- The banquet style benches abut to the fence as described above, will include a row of 8 tables and a dozen orange Marcay Dining Side Chairs.

West Elevation:

- On the west elevation is another existing patio that will contain six tangerine orange all-weather patio Adirondack chairs constructed of molded resin.
- These leisure chairs will be a place for people to wait.

PARKING:

- The Cornerstone development currently has 1,864 parking spaces for a ratio of 5 parking spaces per 1,000 sq.ft. of building area. This exceeds the current parking requirement of 3.5 to 4.5 parking spaces per 1,000 sq.ft. of building area. This is because the Cornerstone development was approved under the previous Leawood Development Ordinance that required a minimum of 5 parking spaces per 1,000 sq.ft. of building area.
- The Cornerstone development has a cross access parking throughout the development.

SIGNAGE:

- No signage is proposed with this application. As the Cornerstone development has approved sign criteria, signage is reviewed and approved administratively.

LANDSCAPING:

- No changes have been proposed with this application.

LIGHTING:

- No changes have been proposed with this application.

Patio Furniture:

North Elevation:

- Next to the fence that encloses the patio are banquet style benches (2' wide by 8' long) that are stained cedar with a striped upholstered seat.
- The other seating within this patio are orange Marcay Dining Side Chairs made of molded resin that will be arranged around the tables. These chairs will abut to gray Nevada Table Tops made of a powder coated aluminum frame with Synthetic Durawood tops ranging in size from (32" by 28"), (32" by 48") and (36" by 36").
- The layout of the patio includes a row of 5 tables adjacent to the BRGR building, with four seats at each table.
- The banquet style benches abut to the fence as described above, will include a row of 8 tables and a dozen orange Marcay Dining Side Chairs.

West Elevation:

- On the west elevation is another existing patio that will contain six tangerine orange all-weather patio Adirondack chairs constructed of molded resin.
- These leisure chairs will be a place for people to wait.

PARKING:

- The Cornerstone development currently has 1,864 parking spaces for a ratio of 5 parking spaces per 1,000 sq.ft. of building area. This exceeds the current parking requirement of 3.5 to 4.5 parking spaces per 1,000 sq.ft. of building area. This is because the Cornerstone development was approved under the previous Leawood Development Ordinance that required a minimum of 5 parking spaces per 1,000 sq.ft. of building area.
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LANDSCAPING:

- No changes have been proposed with this application.

LIGHTING:

- No changes have been proposed with this application.

RESOLUTION NO. _____

RESOLUTION APPROVING A FINAL PLAN FOR CORNERSTONE – BRGR (RESTAURANT), LOCATED SOUTH OF 135TH STREET AND WEST OF BRIAR. (PC CASE 115-16)

WHEREAS, the applicant submitted a request for approval of a Final Plan for changes to the façade (entry way doors) and an outdoor patio;

WHEREAS such request for approval was presented to the Planning Commission on November 22nd, 2016; and

WHEREAS the Planning Commission reviewed the application and recommended approval with certain stipulations.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD, KANSAS:

SECTION ONE: The Governing Body hereby approves the applicant's request and the Planning Commission's recommendation of approval for said Final Plan subject to the following stipulations:

1. This application is limited to modifications to the façade (doors) and the outdoor patios of the tenant space.
2. Development rights under this Final Plan approval shall not vest until all permits required for this use have been issued and construction has begun and substantial amounts of work completed. If substantial amounts of the work have not been completed within 10 years of issuance of such permits, the development rights under this Final Plan approval shall expire.
3. In addition to the stipulations listed in this report, the developer/ property owner agrees to abide by all ordinances of the City of Leawood including the Leawood Development Ordinance, unless a deviation has been granted, and to execute a statement acknowledging in writing that they agree to stipulations one through three.

SECTION TWO: This resolution shall become effective upon passage.

PASSED by the Governing Body this 5th day of December, 2016.

APPROVED by the Mayor this 5th day of December, 2016.

[SEAL]

_____
Peggy J. Dunn, Mayor

ATTEST:

_____
Debra Harper, CMC, City Clerk

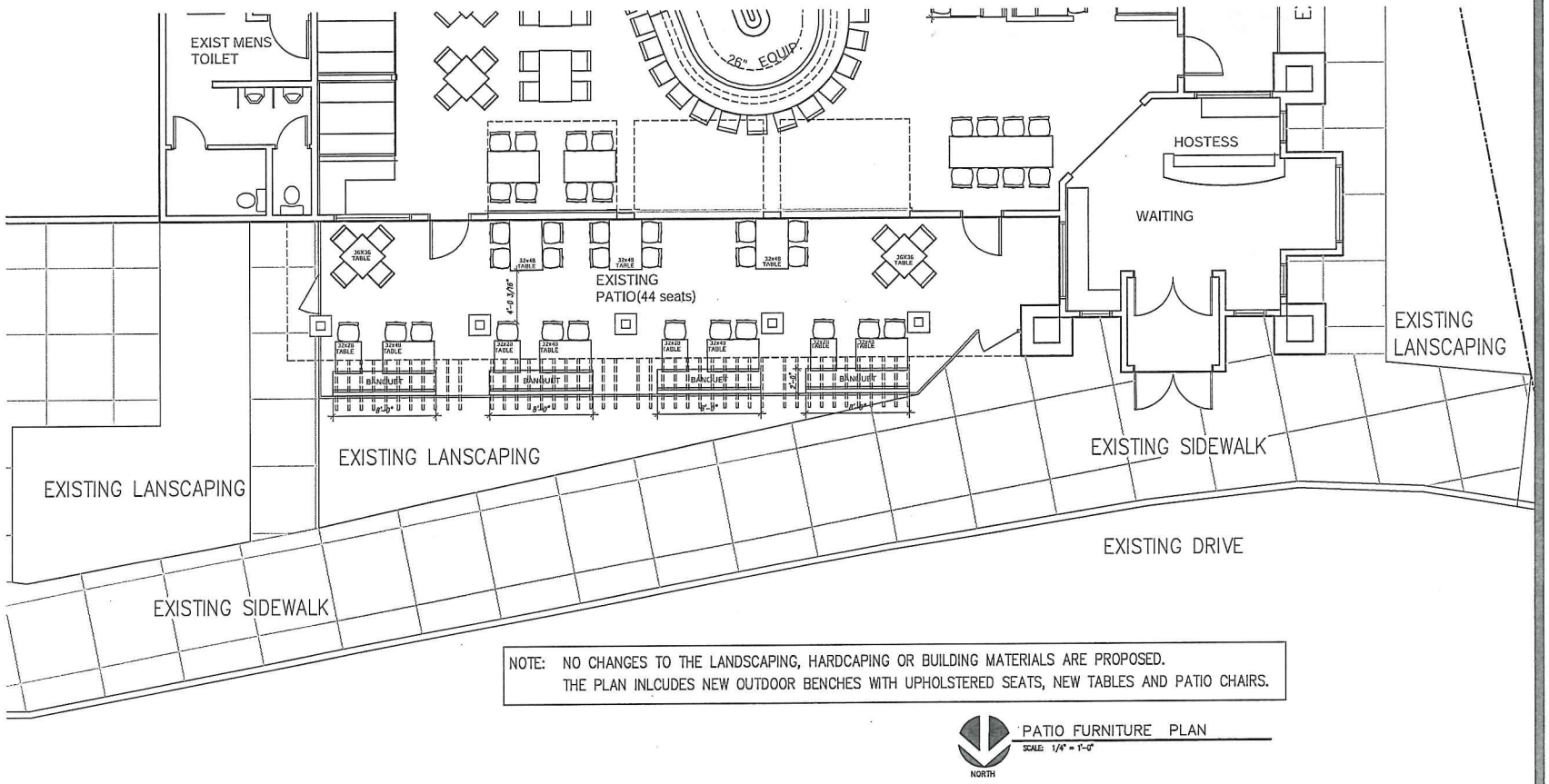
APPROVED AS TO FORM:

_____

Patricia A. Bennett, City Attorney

BRGR
KITCHEN + BAR
BRG

B
R
5031
BRONZE BAR PULLS
STAINED FIR DOORS



NOTE: NO CHANGES TO THE LANDSCAPING, HARDCAPING OR BUILDING MATERIALS ARE PROPOSED.
THE PLAN INLCUDES NEW OUTDOOR BENCHES WITH UPHOLSTERED SEATS, NEW TABLES AND PATIO CHAIRS.

PATIO FURNITURE PLAN

SCALE: 1/4" = 1'-0"

LLC
T 602.617.0300
F 602.296.0405

BRGR kitchen + bar

TENANT IMPROVEMENT

5041 West 135th Street, Overland Park, KS

04/28/2016

REVISIONS

1

PROJECT NO. -

DATE 6/15/2016

DRAWN BY J.L.L.

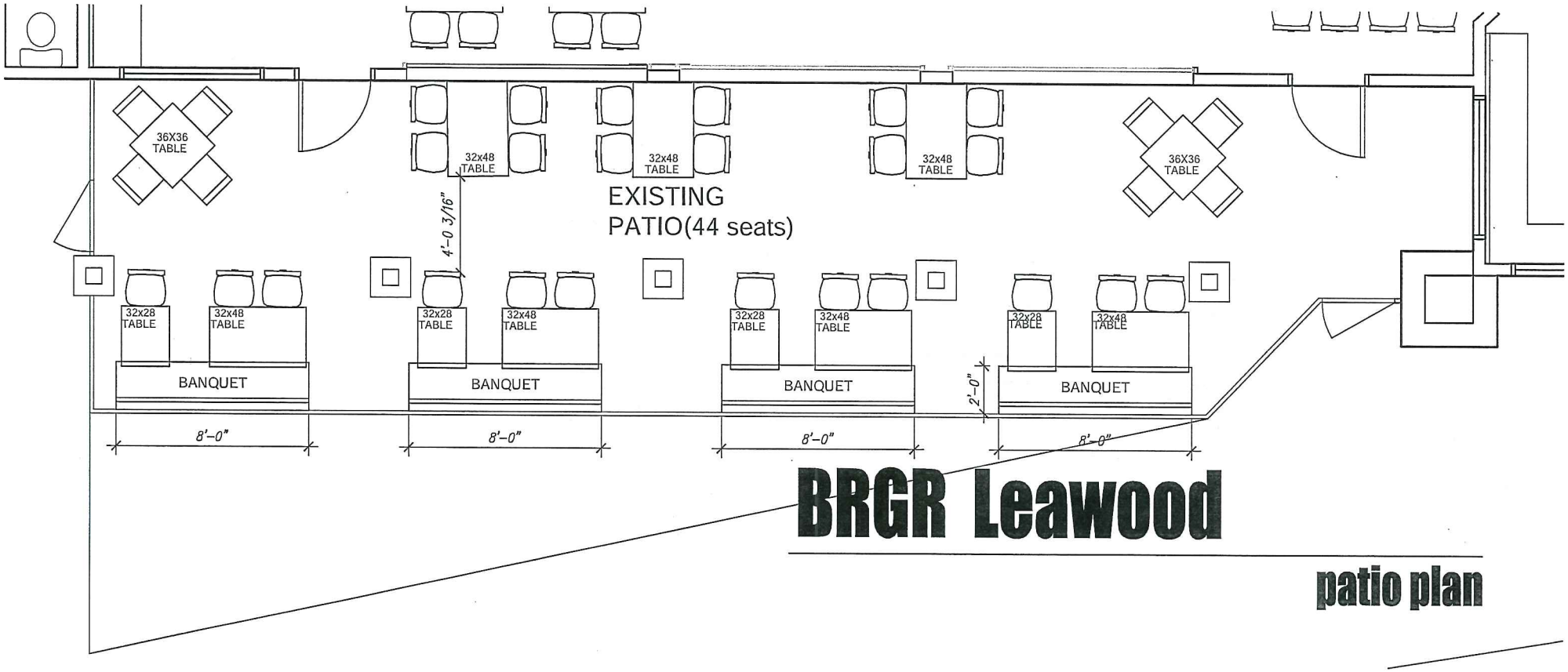
CHECKED BY -

SHEET CONTENTS

PATIO FURNTURE PLAN

SHEET

A1.15



BRGR Leawood

patio plan

SOURCECONTRACT

Technical Spec Sheet

Marcay Dining Side Chair SC-2604-162

Dimensions:*

Depth: 22"	Seat Depth: 16"
Width: 19"	Seat Width: 16"
Height: 32"	Seat Height: 18"

Stackability: 6

Material: Molded Resin

Description: Molded resin seat, back and legs.

Warranty: SourceContract® warrants its merchandise against manufacturer defects for three years (unless otherwise stated). Warranty is not applicable to any product that has been modified or subject to abuse, neglect, accident, or traditional wear and tear. SourceContract's obligation under this guarantee is restricted to the initial buyer for repair and/or replacement of the defective item(s). This guarantee applies solely to items sold in North, Central and South America.

Standard Finishes

Green Blue White Orange Red

We are designer friendly! Find more textiles and finishes at ***www.sourceoutdoor.net/options***
If you don't find what you are looking for online, call us at ***800.260.4512***

**Dimensions may vary by up to an inch.*

11451 NW 36th Avenue
Miami, FL 33167

SourceContract.com
800.260.4512

Phone: 305.630.8950
Fax: 305.685.2948

Marcay Dining Side Chair (Orange) PATIO CHAIR

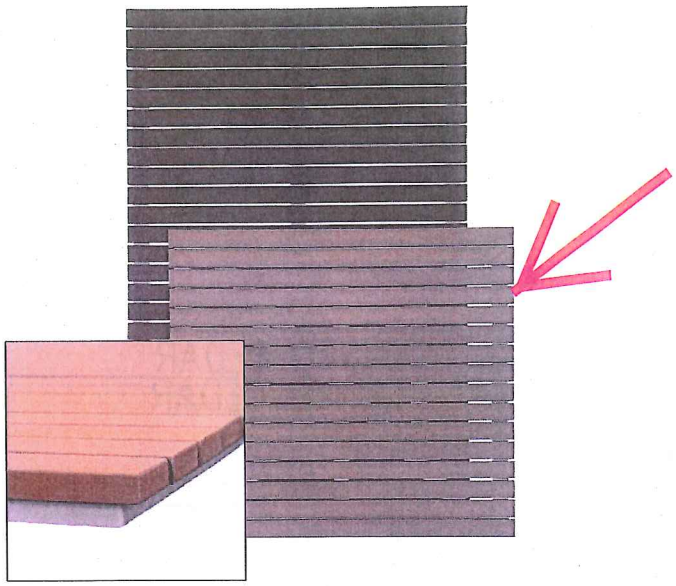
(http://www.sourceoutdoor.net/wp-content/uploads/SC845-orange-1.jpg)

SOURCECONTRACT

Technical Spec Sheet

PATIO DINING TABLES

Nevada Table Top (Rectangular)



Dimensions:*	SC-2401-412 (28" x 32") SC-2401-414 (32" x 48") SC-2401-412U (28" x 32") w/ Umbrella Hole SC-2401-414U (32" x 48") w/ Umbrella Hole
Materials:	Powder Coated Aluminum Durawood™
Description:	Powder coated aluminum frame with synthetic Durawood™ slats top.
Warranty:	SourceContract® warrants its merchandise against manufacturer defects for three years (unless otherwise stated). Warranty is not applicable to any product that has been modified or subject to abuse, neglect, accident, or traditional wear and tear. SourceContract's obligation under this guarantee is restricted to the initial buyer for repair and/or replacement of the defective item(s). This guarantee applies solely to items sold in North, Central and South America.

Standard Finishes

Black Espresso Gray Teak

Dimensions may vary by up to an inch.

We are designer friendly! Find more textiles and finishes at www.sourceoutdoor.net/options
If you don't find what you are looking for online, call us at *800.260.4512*

Screws must penetrate exactly 1/2" into table top.

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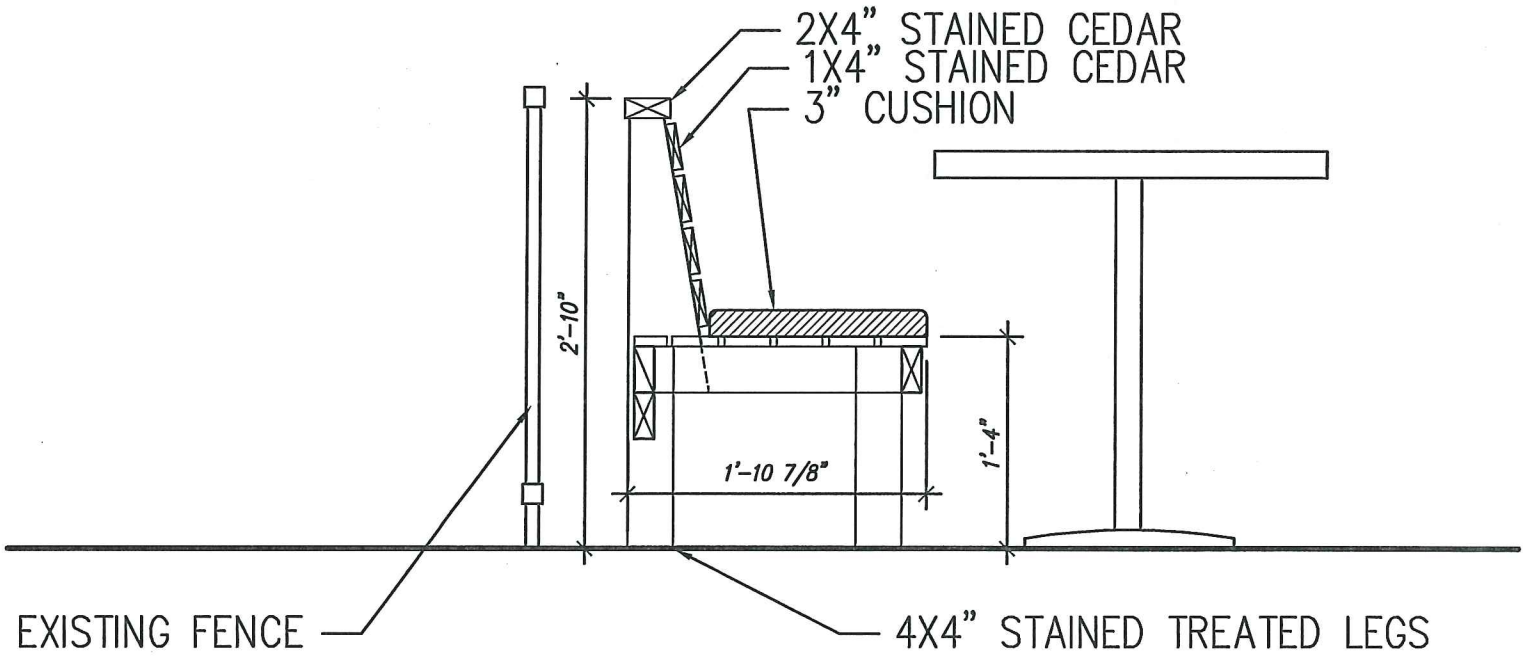
Miami, FL 33167

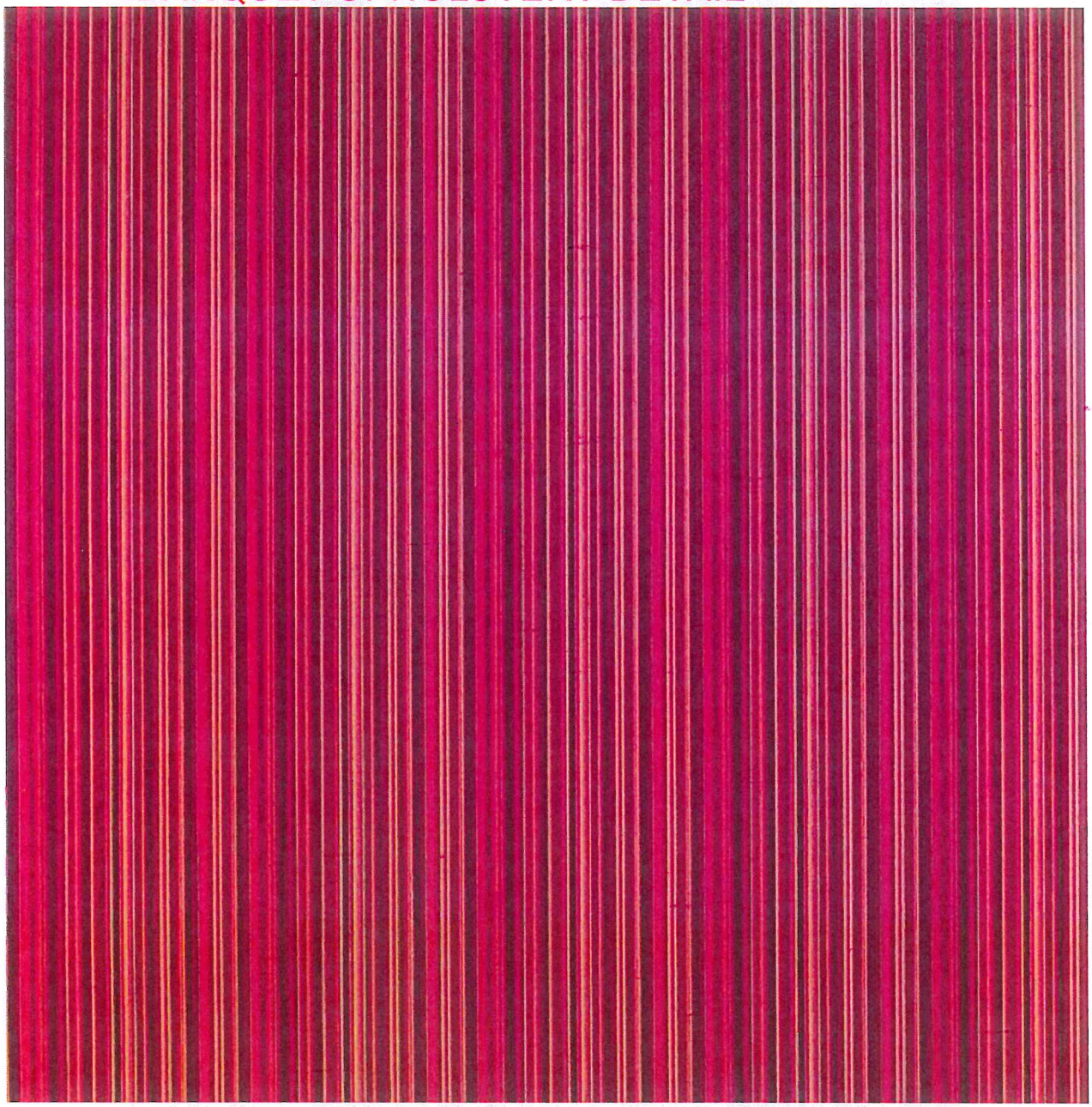
SourceContract.com
800.260.4512

Phone: 305.630.8950
Fax: 305.685.2948

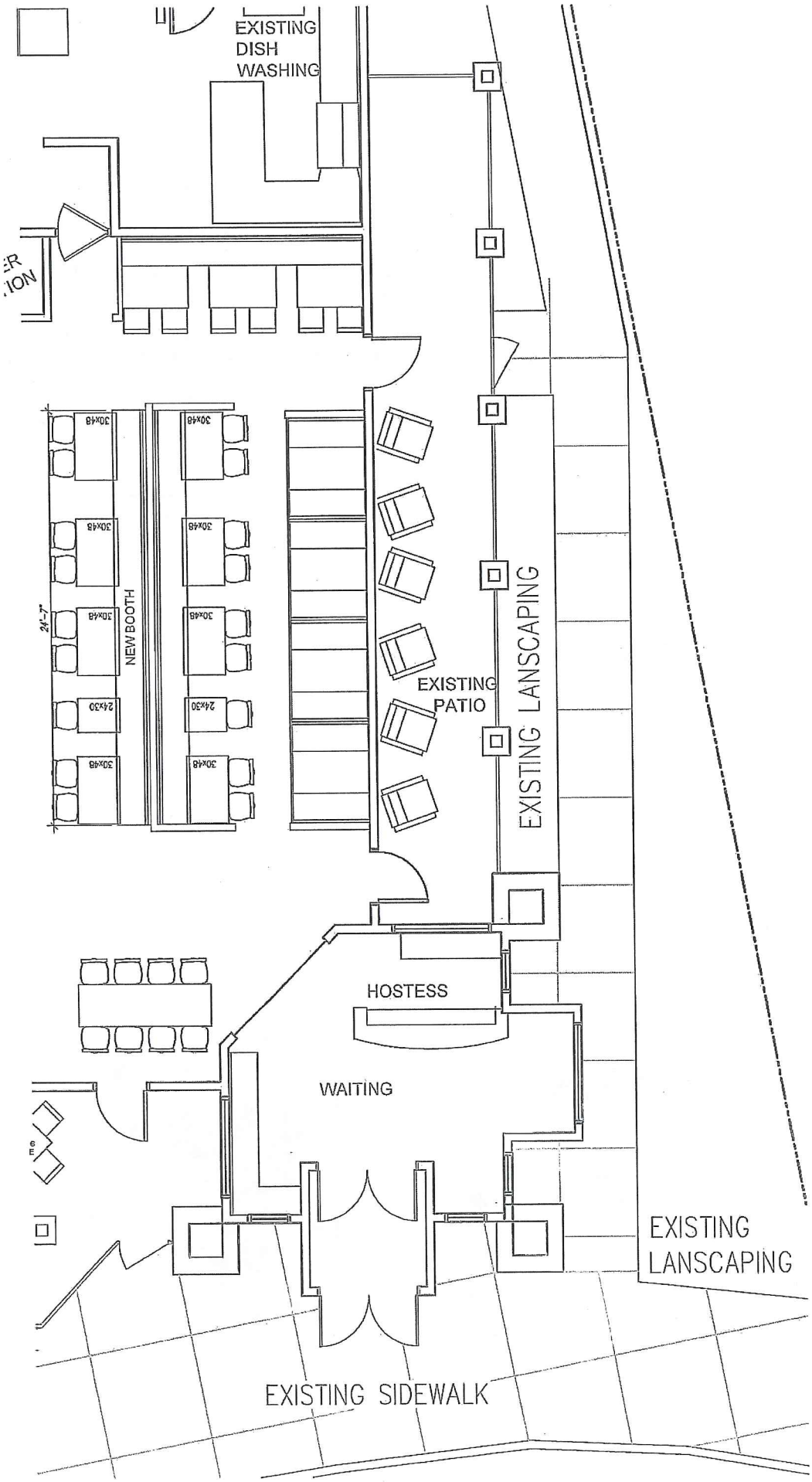


PATIO BANQUET DETAIL

BANQUET UPHOLSTERY DETAIL



R G R
KITCHEN • BAR


EXISTING
DISH
WASHING
30x48
30x48
30x48
30x48
30x48
30x48
24x30
24x30
30x48
30x48
NEW BOOTH
24'-7"
EXISTING
PATIO
EXISTING LANSCAPING
HOSTESS
WAITING
EXISTING
LANSCAPING
EXISTING SIDEWALK

Home / Outdoors / Patio Furniture / Patio Chairs / Adirondack Chairs

Model # HVLNA10TA Internet #206034292

Save to List

Hanover

All-Weather Patio Adirondack Chair in Tangerine Orange

(3) Write a Review Questions & Answers (2)

$389.00 /each

Frame Finish: Tangerine

Quantity - 1 +

Not in Your Store - We'll Ship It There

Add to Cart

We'll send it to Merriam for free pickup

Available for pickup
November 28 - December 1

Change Pickup Store

We'll Ship It to You

Add to Cart

Free Shipping

Expect it
November 25

See Shipping Options

Or buy now with

We're unable to ship this item to:
AK,GU,HI,PR,VI

Easy returns in store and online
Learn about our return policy

Product Overview

The Contoured Adirondack Chair from Hanover Outdoor Furniture is associated with the preferred style of outdoor seating around the world. Hanover has taken this favorable Adirondack design a step further by fusing eco-friendly, all-weather materials with strong construction and protective treatment, resulting in long-lasting comfort and function year after year. This Adirondack is constructed of durable HDPE, an eco-friendly lumber made with purified polymers. Unlike authentic wood furniture, this material will never peel, chip or split naturally. It resists corrosive substances, insects, salt, UV fading and other environmental strain. Truly built to last, no painting, staining, waterproof treatment or other maintenance necessary, with comfort and durability in mind, the back of this Adirondack chair is shaped into a gentle horizontal curve on the back with a seat specially contoured to provide the utmost in comfort. A sturdy base and wide arm rests insure strength and stability bound together by commercial-grade stainless steel hardware. Hanover stands by its durability with a 20-year limited warranty, so you can be sure this Adirondack will last you many years to come.

Info & Guides

Specification

Warranty

You will need Adobe® Acrobat® Reader to view PDF documents. Download a free copy from the Adobe Web site.

- Made with eco-friendly HDPE premium material
- Provides the look of painted wood without the maintenance
- Solid, heavy duty construction withstands nature's elements
- No painting, staining, waterproofing or similar maintenance required
- Will not split, crack, chip or peel like natural wood
- Resistant to corrosive substances, insects, fungi, salt, UV fading and other environmental stresses
- Commercial grade stainless steel hardware included-some assembly required
- Easy to clean with soap and water
- 20-year limited warranty
- 20 year limited warranty
- Made in the USA

Specifications

Dimensions

Assembled Depth (in.)	33.5 in	Assembled Width (in.)	29.75 in
Assembled Height (in.)	37.5 in	Seat Height (in.)	25

Details

Assembly Required	Yes	Frame Primary Finish	Orange
Chair Design	Armchair	Patio Furniture Features	UV protected,Weather resistant
Chair Features	Stationary	Product Weight (lb.)	37 lb
Chair Type	Adirondack Chair	Returnable	90-Day
Commercial / Residential	Commercial / Residential	Seating Type	Without Cushion
Frame Material	Resin	Weight Capacity (lb.)	300

Warranty / Certifications

Manufacturer Warranty	20 year limited

How can we improve our product information? Provide feedback.

MEMO

To:	Mayor Peggy Dunn and City Council
From:	Mark A. Klein, Planning Official
cc:	Scott Lambers, City Administrator Richard Coleman, Director of Community Development
Date of Meeting:	December 5, 2016
Date of Memo:	November 23, 2016
Re:	Planning Commission Minutes

Due to this item being on the Planning Commission Consent Agenda, there is no Planning Commission minutes available for this case.

Return to Agenda

Staff Review

11.

Fact Sheet

SUBJECT: **COMMITTEE RECOMMENDATION-PUBLIC WORKS COMMITTEE ASSIGNMENT FOR SIDEWALK DISCUSSION MISSION ROAD- 119TH TO 124TH**
December 5, 2016

DISCUSSION

At the November 2, 2016, Public Works Committee Meeting, the Committee continued a discussion with Mission Road property owners for a sidewalks on the west side of Mission Road from 119 to 124th Streets.

In May of 2016, the City received an email about the lack of sidewalks along the west side of Mission Road from 124th Street north to the City's trail at 123rd and Mission. Walkers have to either cross Mission to use the sidewalk on the east side or walk in the grass along the west side to go north. The Committee reviewed the information presented and recommended the Council move forward with sidewalks when Mission Road is scheduled to be improved in 2018.

The Committee met again November 2, 2016, with many of the adjacent property owners along Mission to discuss the sidewalks and get their input. There was much discussion from the property owners not wanting the sidewalks.

The recommendation from the Public Works Committee is for the City Council to review the Minutes of the November 2 meeting and the comments from the property owners to determine if the decision to construct sidewalks should be changed.

Property owners have been notified of the meeting.

Joe Johnson, P.E.
Director of Public Works

SPONSOR

Public Works Department

COUNCIL ACTION TO BE TAKEN

Review Discussion of the November 2, 2016 meeting minutes

STAFF RECOMMENDATION

☑ For
☐ Against
☐ No position

COMMITTEE RECOMMENDATION

☑ For
☐ Against
☐ No position ☐ No Assignment

POLICY OR PROGRAM CHANGE

☑ No
☐ Yes

OPERATIONAL IMPACT

COSTS

FUND SOURCES