

Minutes

The City Council of the City of Leawood, Kansas, met for a Special Call Meeting at City Hall, 4800 Town Center Drive, at 6:00 P.M., on Monday, October 6, 2008. Mayor Peggy Dunn presided.

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

Councilmembers absent: Gary Bussing

Staff present: Scott Lambers, City Administrator
Patty Bennett, City Attorney
Richard Coleman, Comm. Dev. Dir.
Pam Gregory, Deputy City Clerk
Deb Mansfield, City Clerk
Chris Claxton, P&R Director
Kathy Rogers, Finance Director
Joe Johnson Public Works Director

Others Present: Scott Grafelman, Kansas City Power & Light
William Herdegen, Kansas City Power & Light
Alicia Jennings, Green Initiative Task Force Committee
Camille Croteau, Green Initiative Task Force Committee

Opening Remarks

Mayor Dunn called the meeting to order at 6:15 P.M. Introductions were made by those present.

Discuss Undergrounding Power Lines 143rd Street between Kenneth Road and Nall Avenue
Public Works Director Joe Johnson noted there had been discussion regarding widening 143rd Street to a four-lane undivided street. When the improvement began on Nall Avenue, south of 135th Street, the City began programming money into the Capital Improvement Program [CIP] to bury power lines. This has been done along Nall with funding included to bury power lines on 143rd Street from Kenneth Road to Nall Avenue. In the current CIP, there is approximately \$900,000 budgeted for utility relocation and \$800,000 of this would be used for burying the lines. Borings have been done and rock has been located approximately six feet deep.

The City has been working with KCP&L on the design to better identify the costs. The cost to bury the power lines from Windsor to Nall Avenue in 2009 would be approximately \$1,473,000. If the lines are relocated overhead to overhead, the cost would be approximately \$369,000. This amount will be spent, regardless.

KCP&L is in their own private easements along parts of Windsor to Nall. The City pays to relocate them from overhead to overhead. From Kenneth to Windsor Road, KCP&L has existing right-of-way. This section would be at no cost to the City if they were to be relocated overhead to overhead.

For this section, the City's expense to bury lines, which would be done in 2011, would be approximately \$522,000 in addition to the \$1.1 Million that would be spent in 2009. These are two separate CIP projects. There would also need to be an additional \$100,000 for gas and water utility relocations.

Mayor Dunn asked if the gas and water relocations would need to be done regardless. Mr. Johnson thought water would be at the expense of KCP&L because it is in the right-of-way. Gas relocations are located in their private easements. Mayor Dunn confirmed with Mr. Johnson that the \$100,000 would be the cost to cover the relocations.

Mr. Johnson stated Kansas gas service was located on the south side and there is an 8" petroleum pipeline on the north, owned by Williams Pipe Line Company and noted they were doing everything possible to not come in contact with it. When the relocations are complete, water and gas will be on the south side, with KCP&L buried on the south side. Time Warner, Southwestern Bell, and AT&T will be located on the north side, along with Williams Pipe Line.

Councilmember Filla joined the meeting at 6:20 P.M.

Scott Grafelman, Kansas City Power & Light, stated the facilities located in a public right-of-way would be at no charge. He noted this would not be a huge duct bank system. Most of it would be trenched. There will be no additional charge to cover taxes.

Councilmember Gill asked what type of contract this was. Mr. Grafelman stated it would be billed through a utility agreement with an estimate given for the cost. When the project is finished, the completed cost would be figured. Mr. Gill asked if there would be KCP&L overhead charges added. Mr. Grafelman stated it would be at their cost with no margin. Mr. Johnson stated in the past, KCP&L has usually been close to their estimate.

Mayor Dunn confirmed with Mr. Grafelman there were no rock charges included in the estimates. Mr. Grafelman stated normally, this is done 30" deep and the borings show six feet before hitting rock.

Mr. Gill asked if the lines were buried from Nall to Kenneth, if the incremental cost over what was currently in the budget would be approximately \$700,000. Mr. Johnson stated the section from Nall to Windsor was increased to \$1.7 Million. This increased the City's cost \$800,000. For the section from Windsor to Kenneth, there is \$1 Million for utility relocations.

Councilmember Rasmussen noted when the budgets are determined; it assumes the power lines are installed underground. It requires specific approval from Council to justify when moving the lines from overhead to underground. Mr. Rasmussen was concerned that the original \$900,000 in the CIP for this had increased to \$1.6 Million.

Councilmember Azeltine asked what would justify it. Mayor Dunn noted it would be a matter of prioritizing it relative to other matters.

Councilmember Peppes confirmed with Mr. Johnson that the dates were based upon whether they have federal aid. Mr. Johnson stated they would receive federal aid and begin construction in 2010. Dr. Peppes confirmed with Mr. Johnson there were federal funds committed to this project through 2012.

City Administrator Scott Lambers stated the decision to bury the lines would need to be made as part of the CIP this year in order to proceed.

Finance Director Kathy Rogers stated the CIP was due to go before Council by January 5, 2009.

Mr. Lambers stated they were bonding it, so the additional money would be paid up over the life of the bonds. Each year there will be an increase in costs.

Councilmember Azeltine confirmed with Mr. Johnson there was \$900,000 allotted for this; however, the eventual cost would be approximately \$1.6 Million.

Mr. Grafelman stated the incremental difference between overhead and underground based upon 2009 is approximately \$1.1 Million.

Councilmember Azeltine asked what the advantage was to burying the lines as opposed to relocating them. Mr. Grafelman stated it was mainly aesthetics.

Mayor Dunn noted the City had been requiring developers to underground the power lines.

Mr. Azeltine confirmed with Mr. Grafelman that the cost to bury the lines is approximately \$1 Million per mile. KCP&L has allowed developers to install a lot of the material because they have the construction crews and materials on site. This way it can be done for less cost than having a third party do it. For aesthetics, they begin at the backbone from the sub-station and work towards the homeowner. For reliability, they begin with the homeowner and work their way out.

Mayor Dunn stated after the streets and stormwater, they should consider undergrounding the main arterials and felt it would be a value to the community.

Councilmember Filla asked what the cost difference would be if the project was done at a later time compared to doing it currently. Mr. Johnson stated it needed to be done before the road was built. Mr. Lambers stated by undergrounding them now, it would save the City \$300,000 - \$400,000 it would have cost to move them. The cost of undergrounding will only keep increasing and there would be greater disruption to people if done at a later date.

Councilmember Gill felt it was important to do even though it was costly, and asked if the City should consider a larger conduit for the future.

William Herdegen, Kansas City Power & Light, stated KCP&L is putting in a major thoroughfare duct line on 135th Street, which should be sufficient. Currently, the lines on 143rd Street are serving that community.

Councilmember Gill asked if a third party wanted to come in sometime in the future and wanted their conduit run next to KCP&L if they would have the rights to do this. City Attorney Patty Bennett stated it would depend upon if they could fit it in. Mr. Johnson stated if someone wanted to do this, they would work with them and the other utilities within the right-of-way.

Councilmember Cain asked when the City started requiring subdivisions to have their power lines underground. Mr. Lambers stated this was for commercial buildings. Mayor Dunn noted the power lines were underground in her subdivision. Mr. Herdegen wasn't aware of any power lines that were installed overhead in the past 15 – 20 years. Councilmember Rasmussen noted that policy was developed more than two decades ago.

Councilmember Filla confirmed with Mr. Johnson that the increase in the CIP utility right-of-way would increase from \$900,000 to \$1.7 Million, which would increase the overall bonded cost \$1 Million.

Councilmember Gill confirmed with Mr. Johnson that the incremental cost to KCP&L is \$1.1 Million for undergrounding versus overhead from Windsor to Nall. Mr. Gill asked what the cost would be to install them underground to Kenneth Road. Mr. Johnson stated the CIP for 2012 has \$1 Million budgeted for utility relocations. Mr. Gill asked how much more money would need to be added to the CIP to have them all undergrounded. Mr. Johnson stated it would cost the City approximately \$2 Million.

Mr. Lambers stated the budget included utility cost relocations other than just KCP&L.

Mr. Johnson confirmed with Ms. Rogers they would all be located in a public easement or public utility easement so it could be bonded. Mayor Dunn confirmed that the City would need to acquire some easements in order to complete the widening of the roads.

Mr. Johnson stated he would need \$2.5 Million total to relocate all utilities for both projects. It would cost the City significantly more to do this at a future date.

Mayor Dunn asked for a consensus on the issue. The majority of the Council stated they were in favor of burying the power lines; however, Councilmember Rasmussen stated he was not.

Discuss Potential Bike/Hike Trail

Mr. Lambers noted there had been a lot of interest in the City of Leawood becoming a more bicycle friendly community.

Mr. Johnson stated one of the connecting links is 143rd Street, which connects into Overland Park and would eventually connect with the bike trail system that runs along Mission Road. There will be a 10-foot wide bike/hike trail that will run along the north side of 143rd Street across to the City limits, which was approved by the Public Works Committee. Mr. Johnson stated it would be constructed of asphalt.

Another consideration to accommodate bike traffic on a thoroughfare would be to take the inside lane to 11 feet; this would give approximately 14 feet in the outside lane for cyclists (this includes the curb and gutter). There are currently 12 foot lanes for vehicles. Avid cyclists prefer to ride along traffic; not on the trails. Currently, 123rd Street is the only street in the City of Leawood that has a striped designated bike lane. If this was done to 143rd Street, the construction cost would be approximately \$360,000, because there would need to be an additional 8 feet of pavement. This cost would not include the easements. This would be limited on the north side, due to Williams Pipe Line Company and there would also be a conflict with the existing underground utilities on the south side. The City is limited to 100 feet of right-of-way.

Councilmember Filla asked what bike enthusiasts preferred. Mr. Johnson stated the people they spoke with would rather have the striping re-done to acquire a 13-14 foot outside lane.

Councilmember Azeltine confirmed with Mr. Johnson this would not be a designated bike lane; only extra space. Mr. Johnson stated this would allow vehicles to maneuver around the cyclists without merging into the other lane.

Councilmember Rawlings was concerned to the safety of the cyclists.

Mr. Lambers stated the reason for this discussion was because if someone asked in the future why there wasn't a designated bike lane like there is on 123rd Street, was due to the cost of an additional \$300,000 - \$400,000 and the City would need to acquire additional easements, which would delay the project at least six to nine months.

Mr. Rawlings didn't approve of the additional cost to the City.

Mr. Azeltine confirmed with Mr. Johnson that cyclists were required to abide by the same laws as motorists.

Mr. Lambers confirmed for Councilmember Peppes that 11 foot wide lanes were the minimum requirements for travel. Dr. Peppes confirmed with Mr. Johnson that most of the left turn lanes in the City were currently 11 feet wide.

Councilmember Filla confirmed with Mr. Johnson the outside lane would not be wide enough to mark it for cyclists. In order to mark the bike lane, it would need to be a minimum of 4 feet wide. Ms. Filla noted in Tomahawk Creek there weren't any curbs and asked if there was any thought of doing that.

Mayor Dunn stated she has had many complaints regarding the City's lack of curbs. Mr. Johnson stated they needed curb and gutters to collect the stormsewer runoff.

Councilmember Cain confirmed with Mr. Johnson there was 8 – 9 feet of green space between the 10 foot bike/hike trail and the street.

Mr. Johnson stated there were no plans to install a designated bike lane on a street anywhere throughout the City.

Ms. Cain was concerned to the traffic at the intersection of 123rd Street and Mission Road and noted vehicles were in the bike lane when turning right. Mr. Johnson stated when the street was recently re-done; they terminated the bike lane approximately 150 feet before approaching the intersection to correct this problem.

Mayor Dunn noted as the City moves forward with improvements in the future, several people have requested a bike/hike 10 foot trail like the one going in on 143rd Street with the green space separating them from the street.

Mr. Johnson stated Parks and Recreation Director Chris Claxton had been working with the organization to outline where the improvements would be and address the corridors by either re-striping the street or adding a bike/hike trail.

Ms. Filla confirmed with Mr. Johnson that many people currently use 123rd Street and would also use the bike lanes and/or bike/hike trails.

Ms. Claxton suggested they may want to consider an overall plan that refers to connecting the trails.

Mayor Dunn asked Mr. Johnson if he was aware of other communities that have striped the streets in the manner proposed. If so, was there a way to ascertain if there had been any traffic accidents due to this. Mr. Johnson noted he would check and thought Overland Park, Lenexa, and Olathe was looking into this when they do their improvements. Mayor Dunn wanted to be assured this would not create a hazard for auto drivers. Mr. Johnson thought Kansas City, Missouri, did their thoroughfares the same way.

Ms. Filla confirmed with Mr. Johnson that avid cyclists prefer the lanes to be moved over so they can have greater access along multiple roads with more choices to bike.

Alicia Jennings, Green Initiative Task Force Committee, stated there were three different types of cyclists; the elite biker, the utilitarian biker who does it for economic and environmental reasons and the other are the children who need safe zones to get to school. There are bicycle lanes and there are "share the road," signage to let the cyclists and motorists know they are on the streets.

Councilmember Gill liked the "share the road" concept and did not favor delaying the project to widen the road from not only a cost standpoint, but also for the delay and the easement issues.

Mayor Dunn felt a great program for the Parks and Recreation Department would be educational opportunities on the "share the road" concept.

Ms. Filla asked if there would be any organization that would be willing to pay the extra cost to install a bike lane. Mr. Johnson stated the federal aid that was received required them to include a bike/hike trail system as part of their design on 143rd Street.

Mayor Dunn asked for a consensus on the issue. All of the Council was in favor of the “share the road” concept.

There being no further business, the meeting was adjourned at 7:20 P.M.

Pam Gregory, Recording Deputy City Clerk