

**MINUTES of the
STORMWATER MANAGEMENT COMMITTEE**

**Meeting of: Wednesday, August 28, 2019
Leawood City Hall, Main Conference Room**

COMMITTEE MEMBERS PRESENT:

James Azeltine, CHAIR and Councilmember Ward 4
Debra Filla, Vice Chair and Councilmember Ward 1
Skip Johnson
John Kahl
Matthew Kayrish
Curt Talcott

COMMITTEE MEMBERS ABSENT:

Lisa Harrison, Councilmember Ward 3
Mary Larson, Councilmember Ward 2
David Lindley
Bill Ramsey

GUESTS (by order of sign in sheet)

Leah Maugans, 9320 Lee Court, Leawood, KS 66206
Rick & Jackie Nowak, 9306 Lee Court, Leawood, KS 66206
Patti Kettler, 9429 Lee Boulevard, Leawood, KS 66206

STAFF PRESENT:

David Ley, P.E., Director of Public Works
Brian Scovill, P.E. City Engineer
Julie Stasi, Administrative Services Manager, Sr.

CALL TO ORDER: Chair Azeltine called the meeting to order at 7:30 A.M.

INTRODUCTIONS of those in attendance.

FIRST ITEM OF BUSINESS: Review and approval of previous meeting Minutes.

ACTION: Skip Johnson- made a Motion to approve the Minutes as written of the July 31, 2019, Meeting.

Matthew Kayrish- seconded the Motion to approve.

All members in attendance were in favor. Motion passed; Minutes approved.

SECOND ITEM OF BUSINESS: Review Drainage Concerns at 9320 Lee Court.

David Ley said over the past few months several property owners have contacted Public Works about drainage concerns in the area north east of Lee Boulevard & 95th Street. Ninety-Fifth (95) Street is kind of the high point and water is flowing northeasterly to Lee Court and he will go through some of their concerns.

- **9435 Lee Boulevard.** Thinks that is a newer property owner, more recent property owner. They contacted us. Lee Blvd on the east side, north of 95th Street, and approximately 600 feet to the north, there are no roadside ditches, so the water is just flowing off the pavement and continues to flow east and hits the front of those properties and wraps around/flows to Lee Court. This property owner contacted us with issues of the water coming off of Lee Blvd and coming down their driveway to the front of their property.

- **9429 Lee Boulevard.** Has similar issues with Lee Blvd and they also collect about 2 acres of flow that comes from 2326 and 2322 W 95th Street. So this water is flowing north and it flows to the north rear yard. We met with the property owners.

- **9320 Lee Court.** The property owner has quite a bit of flow that goes on the rear of their property on the west side. It then goes to an area inlet at 9316 Lee Court and the problem is there is about six (6) acres that drains to that area inlet.

- **9316 Lee Court.** The property owner here has flooding over the past several years. They have spent quite a bit of money and we do have their receipts for basement repairs, installing storm

drains, private storm sewers on their property and then also doing grading.

- **9312 Lee Court.** The property owner here talked to us about sheet flow that is coming off of two properties on Lee Boulevard. The water is flowing east and just flows along their retaining wall. There are a couple of area inlets here but they are kind of a grate style type of inlet, so they do not collect a lot of water and they do become clogged very easily.

In looking at the drainage map, the first area inlet is at 9316 Lee Court. The drainage area to that inlet is about 6.4 acres. Typically on new subdivisions when they are designed now, the first area inlet is at about 2 acres where it is attempted to capture the water as you are going down stream. You do not want to wait until you are downstream to try to collect it. A little further to the north (near 9312 Lee Court) there is about 1.2 acres that just sheet flows east and there are no swales, so it just ends up going towards the rear of a property and then onto Lee Court.

- **9306 Lee Court.**-Richard Nowak-added information on 9306 Lee Court. Advising they have had water problems as well with water in their basement for years. They have built two (2) berms, and there is ponding behind the west berm when there is a heavy rain. Mr. Nowak said he could provide pictures. (Mr. Nowak and was given the City's emails for doing so at this meeting). They also have had water problems in the basement where they spent a considerable amount of money with waterproofing, bracing and so on. A list of those expenses and receipts can also be provided of that information. David Ley asked Mr. Nowak to email his photos and information to him.

Curt Talcott-Asked if the water coming into the basements was coming in through a window/opening or is it coming from the floor or the walls?

Richard Nowak-No, not the window, coming from the floor and walls. The property to the west of us built a garage and with the grading of that, it kind of funnels water to our property.

Jackie Nowak-Also advised the driveway of another house has water that flows towards them.

David Ley-Asked when the garage was built. Looks like it has an arbor/trellis type structure.

Jackie Nowak-Said it was built before they moved in in 1998.

David Ley-Played the videos received and the group viewed pictures of where the water is during the rains. A few of the pictures were from this past week where we had rain.

Leah Maugans-Said she tried to capture the velocity rate of water flow just down the driveway and looking at the railroad ties present, there is a waterfall coming off of that.

Debra Filla-Has swales in her own back yard and there is not a problem because the swales cause the water to be directed on down through all of the yards. When does the swale that is taking water down-hill become a problem? When it is coming into the house and basement right?

David Ley-Correct.

Debra Filla-So now we are looking at the velocity now.

Curt Talcott-And capacity too.

Leah Maugans-So we are going to have Lee Boulevard widened now, that means we will have a lot more coming off flowing to us. That is going to make it worse.

David Ley-Mentioned that Lee Boulevard north of 95th Street is scheduled for next year to be improved. The plan is to widen it about 2 ½ feet on the east side and a half a foot on the west side. Part of that is because of the curbs we are putting on Lee Boulevard. We are going to have the engineer address the water flow off of Lee Boulevard north of 95th Street, so we can try to capture that. We have an underground storm sewer system (blue lines on a map presented). There is an underground stormsewer system on the east side of Lee. But there are no area inlets to collect the

water. The ground does drop off, so it may be difficult to get a swale or a roadside ditch along this section, but we could always install curb for several hundred feet to maintain that water on Lee Boulevard and direct it to a curb inlet.

James Azeltine-Asked about the stormwater system but no inlets?

David Ley-The inlets are on 95th Street and south of that near Lee Boulevard that are collecting water. However north of 95th street, there is a 600 foot run with no area inlets. David thinks it is because the ground slopes down, so in order to grade a swale you would have to be deeper. In order to grade that out you may have to remove some trees along Lee Boulevard in order to install a roadside ditch.

Debra Filla-Asked what year Lee Court was developed? Developed after all these other homes.

David Ley-Correct, believes it was in the 1960's. Dave also said there was a Johnson County Stormwater Project in the 1990's that came from the east with a storm sewer line downstream. That stormsewer line was replaced up to Lee Court and to the rear of 9316 an area inlet was installed. Dave was not sure why at that time the storm sewer was not continued further south.

Patti Kettler-Also when it rains now, it floods on Lee Court.

Leah Maugans-Our concern obviously is we are going to get water, that is part of homeownership, but the volume of it, the amount of water that we get is not realistic to expect. I have lived at our property for 3 years now and it has only gotten worse. It is getting closer and closer to our house. Every rain it is a few feet closer to the home. Because of the almost 7 acres of water expected to go to that small drain, it is just not handling it.

Patti Kettler-Has been there for 30 years and there has always been some that flows and I cannot explain why but it has gotten worse in the last 2 to 3 years, particularly coming further east on 95th. The two houses on 95th you mentioned, there is a flow coming, from the 3rd house over, down the back. I went out there last year and it is just this huge flow coming down the back, very, very fast. The other comments is, on some of what you saw, the rate of rain was not a 100 year rainfall. We had a rain between 2 and 2:30 of a half an inch. And you saw what kind of water that creates. So when we have a rain larger and longer, we have a real problem.

Group reviewed photos and videos.

Comments on photos and videos: David Ley advised they did meet with another property owner there that had done a lot of work, regrading, and connecting their downspouts to drains and rebuilt berms to try to protect their house. Along with another receipt of \$8900.00 spent by a homeowner.

Leah Maugans-Advised they also get debris and glass that comes with all the water. She has two young children and she cannot utilize her back yard very well. Grass does not grow as there is always water there.

Jackie Nowak-As an outline of what they have had to pay, in 2013 they ad \$12,000 worth of work done all foundation work. In 2016, they had to replace the drain boxes because when they did get the rain, it separated the window boxes. Then in 2018, they paid another \$12,000 to the other area of their basement. Again with all the vertical walls, sifters, two more sump pumps, concrete work. Injections. Besides that, that was their finished basement, so this spring we had to finish that again and that was \$30 some thousand.

David Ley-So you built berms? Was that some of your work that you put in?

Rick Nowak-I had done those earlier, two berms; one closer to the house and then one out west and the one out west gets ponding behind it when we get a heavy rain. I can provide a picture of that to you.

Debra Filla-When we look at the new construction along Lee Boulevard, there have been some big homes built-are we having issues from that?

Dave Ley-Not along this section. Probably the most recent home that has been expanded has been back in the 90's. The homes south of 95th Street are not in this watershed, those go further south.

Patti Kettler-Talking about the water flow, it does curb and I have also built bridges and different things to help stop the erosion it has created.

Leah Maugans-Shows an entire area that is new. She has been in this location for 3 years and now there is a new area that is happening consistently with water flow (at 9320 Lee Court).

David Ley-Advised one option would be to extend the storm sewer system from where it ends at 9316 Lee Court. Dave displayed a map depicting three (3) new inlets that could be installed in the back yards, south, upstream to collect the water as it is flowing down stream. This project is probably on a scale of \$300,000. In addition to that would be to grade a swale between 9401 Lee Boulevard and 9312 Lee Court to direct the water to the south and then rebuild these area inlets, so they would meet our standard area inlet and help the flow better. We have not looked at the 9306 property to see what is going on up there as we did not have that information at the time. So the underground storm sewer system, the pipe between these two area inlets would be designed to collect the 2 acres and as you go downstream, the 1.3 gets in another area inlet and then the last one would be draining the 3.3 acres, so it continues on. We really would have to review the underground pipe, but this system was to be constructed for the 100 year storm (the 1% storm with that SMAC Project), we would need to verify that.

Brian Scovill-The rain events this recent past Sunday night Monday morning amounted to over 3 inches of rain. That is from the Dykes Branch gauge just a few blocks north.

David Ley-We will talk with the engineer on Lee but also about the capacity of the storm sewer on 95th Street. We have not had any records of this backing up and flowing onto 95th Street and flowing to the north. And we did send out our maintenance staff to verify it is not blocked. We would be notified if it was coming out and blocking traffic.

James Azeltine-It doesn't sound like with our project on Lee Boulevard that there's much that can be done on that side to relieve this? Since it seems like most of it is coming from 95th.

David Ley-We could have the engineer look at Lee Boulevard we could maybe reduce it by 6/10th of an acre to collect that water at Lee Boulevard. The water that flows off Lee Boulevard, from the crown of Lee, which is the middle of the road, the water is just sheet flowing east. So we are going to look at trying to collect that either in a swale along the roadside or possibly look installing curbs and direct that water to a curb inlet.

James Azeltine-So that would be a partial solve.

David Ley-That's what we could do next year.

Curt Talcott-That is only about a tenth of what we are looking at.

John Kahl-Is Lee not getting curb and gutter north of 95th as part of whatever work is being done?

David Ley-We are proposing to put a gutter section along Lee the entire stretch. That is only 9 inches and it is the same elevation as the roadway, it is just to give a nice clean edge for the property owners and it will help hold the asphalt pavement together better.

Brian Scovill-Not really a stormwater feature.

James Azeltine-Asked where is the County on the whole SMAC Division?

David Ley-We are still waiting them to come up with their rating program and develop the

watershed committees.

James Azeltine-And after it happens, they are going to base the bigger projects on watersheds rather than random areas, but what will it still be based on, what you've heard? Won't there still be some type of a reimbursement?

David Ley-It will be 50% if a project meets the points of qualification. Our understanding is the qualification system is changing but we have not seen it yet to know what it is.

John Kahl-From the descriptions that we've heard today, sounds like we have a lot of nuisance problems but I have not heard anything that would describe or give us any points for county funding. Basement flooding is coming from the walls it's not surface water, so that would not be eligible for being addressed directly as part of the SMAC (Johnson County's Stormwater Management Advisory Council) Program.

David Ley-Typically, in order to get SMAC funding you need a couple homes ...

John Kahl-Someone needs to flood, more than one time.

Leah Maugans-They have flooded-several times.

John Kahl-Through a window or a doorway? Or is it water coming through.

Rick Nowak-Ours has flooded several times.

John Kahl-But not windows or doors, you said it was coming through the walls or the floor. Which is ground water which wouldn't be stormwater, so it would not be eligible for consideration.

Rick Nowak-Why does it only come through then after a rain?

John Kahl-Because then the water goes through the ground. It's a definition where someone has to draw the line somewhere and that is where they (the County) draws the line. It's the same argument that you will hear about on the coast after a hurricane where they get in the argument with the insurance company over well was it wind or was it flooding? You know, well of course it was flooding and they say, well yea, but your house blew down first. Unfortunately, some of these types of flooding are way down the list for the County program.

David Ley-The new set of criteria is also going to include some water quality projects and it is not all flooding as it was before. Some maintenance projects, watershed projects and some local.

Patti Kettler-Asked if we had a picture of the ribbon curbs and what do they look like? Her greatest concern-if you block any of that water coming off of Lee, which goes onto our yards being absorbed. Any of that stopped and it starts coming down Bobs and my driveway and our neighbor's driveway, it will be bad.

David Ley-If we put the ribbon curb in, the water will still sheet flow off the roadway. If we put the high back curb in every one's driveway where that high back is at, would have to be humped up. So we would bring the driveways up to at least the top of the curb so the water stays on Lee Boulevard and stays on the street and does not open or top to go down the driveways.

Patti Kettler-Okay but then what in other spots, like across the berm right now it still flows to the dirt.

David Ley-We do not have an engineer on board yet for the Lee Project, we are hoping to have one in September.

Patti Kettler-Taking a picture to a neighbor to the north, they have no grass. You can just see the swells of dirt and crud in her front yard from the amount of water that is flowing off of Lee. Just to my point if you restrict that at all in the construction it will really heighten that.

Curt Talcott-If the construction restricts the flow, it will be collected by a curb and taken to underground if that is what they do.

Brian Scovill-As Dave mentioned the ribbon curb is flush with the pavement, water flows right off the

road right into the adjacent grass. In a lot of areas there is a ditch, but along this section there is not really much of a ditch. So we hope to be able to extend some curb around the corner there with an inlet on the corner to help capture some water. But to Curt's comment, it is such a small, small amount water in relation to the 6.4 acres. And also if we did add inlets all up and down Lee, that is such a small amount of water in relation to the 6.4 acres.

Deb Filla-in the back yards and homes area.

Rick Nowak-You are saying the water coming into our basement is ground water, but won't drainage of water off Lee Boulevard bring that into our yard contribute to that ground water?

John Kahl-Yes. But once it goes in the ground it becomes a different category and the County Program does not recognize it. Just like out west where the water is short. You are not allowed to collect rain water. But if you can drill a well on your property then you have mineral rights, so once it is in the ground it becomes a different category than once it's on the surface. Even through what is in the ground comes from the surface. It's just a categorization thing.

Debra Filla-There could also be springs down there right?

John Kahl-Yes there can.

Leah Maugans-The reason we brought it to your attention is really because we know that there is going to be work done and our hope is obviously that you can help us problem solve or to help it or at the very least prevent it from getting worse.

Deb Filla-Asked about when the 1/8 cent sales tax how far out is it expected to go?

David Ley-Currently as it becomes available, I think next year we have some additional money coming in. We have projects identified but they are extremely large projects and it will not fit within the current funding. We will have to get it renewed in 2021 in order to fund those larger projects.

James Azeltine-So in regard to the 2020 Project on Lee, what are our options as far as adding to or adjusting the engineering contract to help out a little bit on this?

David Ley-Well we could ask the engineer to look at options. Whether it be a roadside swale or if we need to put curb & gutter, replace some of those driveway aprons to keep the water on the street and collect at that point. Those improvements should be able to fit within our budget on Lee Boulevard.

Deb Filla-But again that is only 10% of the water.

David Ley-Yes that's 10%, it is impervious so that helps a little bit.

Deb Filla-So in terms of looking at your estimate of \$300,000 fix that you mentioned to address the six acres.

James Azeltine-Would that be on public property or private property?

David Ley-It is all on private property. So we would need easements donated and there would be probably a 20' wide path that would just be cleared. All the trees would be removed. Probably near seven lots.

James Azeltine-Well in the past, whether or not we make a recommendation to the Council on some type of a project it is dependent upon a couple of things. One, how many properties are involved? And secondly how much of it is a public issue vs private property?

Both of those factors as far as I can see work against you on this. Because there are dozens easily of this type of thing all over the City. And Leawood does not have a stormwater tax. We have a 1/8 cent sales tax that helps. But we do not have a utility per se that we can use. What we have tried to do in the past is make sure that our public system is sufficient as possible and if we do (and this is just my opinion) but if we do a project where there are a few properties involved and it's debatable.

We have not concluded whether anyone has actually flooded in John's definition. So I think this is kind of a hard sell. I'd love to know what the engineers think.

John Kahl-Your points are well taken other than even if they wanted to undertake this individually and on their own; it crosses enough different lots and enough different properties it would be extremely difficult for the neighbors just to get together and band together and do this. So at a minimum or something like what David is proposing as a solution here. And with the storm system, it would need some level of City involvement to facilitate at a minimum.

James Azeltine-Right and that would require easements. What about an improvement district? Is that an option?

David Ley-That would be something the Governing Body would have to decide if that is what they wanted to do to pay for a project like this.

Deb Filla-Explaining to the residents what this means: a special benefit district means we would collect through taxes over twenty years and you would pay it back. It would be assessed against all the properties involved. Like James said it would be that everyone would have to provide and donate their easements and the City would certainly give a higher priority to groups that donate their easements. The area would have a higher priority than a group that could not get everyone on board. The assessments stay with the property and if they are sold they go along with the property until the assessment period is over.

Leah Maugans-Help me understand. Obviously again before coming through private property the water that comes is our responsibility. But evidence in this photo or the photo that says the acreage, that is something that the City does for new developments to prevent this from happening. And the City has not done that for us for our property. So that to me is not okay, what are we going to do about that?

Patti Kettler-I kind of draw exception to what you mentioned earlier that this is not a City issue and is more of a land owner issue. Because we have provided a whole lot of evidence of how the water collected on the public freeways is coming towards us.

Leah Maugans-I see and respect what you are saying, but I also think because the City has not done their part to prevent the water coming from the street coming onto our property and what ever you are going to do to not collect it, I can't control.

Deb Filla-It is not the street.

John Kahl-A small fraction of the water is from the street.

Deb Filla-The question I still have is what has changed? Because that 6.4 acres, except for the garage addition that has been there for quite a bit of time and Lee Court has been in since the 1960's. Why is it all of a sudden much more? Is it just the accumulative of people changing landscaping and contouring?

John Kahl-Part of it is rainfall patterns. We just came out of a drought 2 or 3 years ago and the last couple of years we have been in a really wet cycle. We have had multiple 100 plus year events and when those happen, problems like these are identified.

Patti Kettler-I've seen it for 30 years. I came to the City Council and I did bring this to the City's attention back in the 1990's -early 2000's with the help of my Council people and it was not heard.

Jackie Nowak-We moved in in 1998 and we have always had rain coming around our house. We thought it was going around and obviously it was coming down there, but if you look at the lay of the way our street was made, it's all on a downslope from Lee Boulevard. So everyone gets it.

Honestly I think half the people there have had their basements redone. It's all a down slope.

Curt Talcott-Does not think anything major has changed in this area. Thinks we are getting more frequent. This is going to be one of the top five wettest years in Kansas City History. Like what we had last Monday morning, it's falling on already saturated soils so. You talked about the berm being built in the back yard, well that water is not going where it was before it is going someplace else and maybe more concentrated of a flow. Adding 2 ½ feet to Lee Boulevard would be miniscule runoff for you. That is such a small fraction of the overall water here.

This is a great example of where they might be able to use the 1/8 cent sales tax with partially City funded-this as John said, the homeowners themselves this would be extremely difficult for them to take on as a home owner.

Deb Filla-Doing the math if you had \$300,000 to \$400,000 over 20 years. Divided into how many properties.

Curt Talcott-Roughly \$65,000 a property for 6 properties over 20 years. About \$3,000 to \$4,000 a year.

Deb Filla-So that works out better given what you all have been spending per year on your own fixes. As your property has it assessed, it is with the property and is considered your own personal storm tax (because we do not have one City wide).

Leah Maugans-Sorry to interrupt but if it is standard for two acres to have a drain and we have over double that. That seems to me like the City of Leawood should say okay we're not doing our part. What can we do to help with that? Because again, my basement will flood, it's going to flood. And I know that is just the progression of where we are going. So in a couple years when my basement floods and I come really mad to you. You know-so why not, here we are now, why can't we at least start working to something that can actually do something that makes water flow better for the citizens. That is where I'm at. I know you can't wave a magic wand and that it is a big undertaking but. If it is climate change and whatever with the rains happening. It is only going to get worse then. As a citizen it is disappointing that I'm hearing oh well.

Matthew Kayrish-I think we already showed a plan to add a few drainage inlets to cover the 6.4 acres to help.

Leah Maugans-Yes and what I'm understanding is...

Patti Kettler-They are suggesting that we pay for it. And what you are saying is the City has a Charter to provide; their primary charter is to provide basic utilities. That is what we pay our sales taxes for, and that's what we pay our property taxes for. And I think what you are hearing the citizens say is we struggle when you say you don't have the money to do the things and that it is part of your charter. And that it would be on us and to consider a special benefit district to pay about \$400,000 in 20 years to fix a problem that we perceive as being a City problem from inadequate drainage coming off of a public highway.

Debra Filla-It is not the drainage off the public road. It is the drainage off of the developed 6.+ acres of homes in Leawood.

Leah Maugans-In addition to that sure and what we've shown you in the pictures.

Debra Filla-What is the final number in terms of replacing the conduits? Corrugated metal pipe that are rusted?

David Ley-About 35 million dollars.

Debra Filla-Just so you understand in construction. We have (I don't know how many miles) but we have 35 million dollars' worth of those existing systems that are rusting at the bottom. That have to be redone. So the question of if we are going to pay for it, the Capital Improvements, when could we have that money available? Next year, two years, five years out. Then so you understand your options are you could wait until money is available (from the taxes) or you could partake in a special benefit district earlier. That is not what we are suggesting at this point, we are just talking about options. When you are spending \$12,000 in you're a basement and you don't have the funding for it because you all have priorities. The question is do you want to wait for our money or do you want to be part of a different plan, this is just an option to think about.

Curt Talcott-And if we fund this project there are probably 40 to 50 others out there in Leawood that would want funding and to get on the same list. It would have to be ranked against those.

David Ley-We are looking at developing a ranking system for projects like this. We do have quite a few projects that have come in asking for help. It would be based on if the residents are willing to donate easements, or participate in some type of funding assistance with the City. Once we get a ranking system then we could go through all of the projects and prioritize which ones have the higher cost benefit ratio.

Debra Filla-Even if you would do a benefit district, that does not include the City Staff's time and engineering and all of the work that they do to complete a project that is not being included in that. So there is a lot still that the City is doing in terms of getting this in place. Structuring a special benefit district and assessing it to the properties. All of that administrative work is what the City does so there is a part of ownership.

Leah Maugans-Okay. Obviously you can see the problem obviously and to know that we have you on our side and as we work together to continue to find a solution. Obviously this is not going to happen overnight. But as we enter the Lee Boulevard Project and everything like that, you know, obviously our involvement and understanding what is going on. We want to make sure that we are not going to get more water because of Lee Boulevard Project and making sure that there are steps that we can take to fix this. Because like I said, even if it's off private properties-6 acres. If new developments in Leawood and most other developments in Leawood have drainage every 2 acres, even if it's coming off of private property, that's not, you know meeting the needs.

Skip Johnson-I keep hearing you saying the same thing over and over again. That all the properties in Leawood have this 2 acres feature as they just pointed out, that is new development. We have tons of properties that do not meet that criteria right now. So it is not just you guys. We have other properties.

John Kahl-Most of us do north of I-435 suffer some of this.

Leah Maugans-Well here we are coming to you.

Skip Johnson-My basement has been flooding the last two years and I've had basement work done just like you guys and it is coming out of my pocket and that is my responsibility.

Leah Maugans-Understood.

Jackie Novak-But we're are only going to live with that for so long; people won't put up with that.

Leah Maugans-I respect that we choose where we want to live and water is a tricky thing. We just hear that there is a big project coming near out homes.

Debra Filla-Just to make sure that you understand that this big project has a potential of doing 10% of the problem. That the staff is going to outline other things that they can do that will help the

community. So if you can take that out of the discussion it will be helpful because we just keep muddying the waters with what is a small piece of water (10% along Lee Blvd) that is going to be affected by the project and they will take care of that portion. That is something I hope you have settled and keep in mind.

Leah Maugans-Yes. Just trying to help you understand that is one of the reasons why we came to you in the first place because we just thought this is a good opportunity for us.

Debra Filla-Do you understand now how those are two, not linked solutions.

Leah Maugans-I do understand and I also would like to understand what the engineer that is hired, what they come up with and that we are continued to be informed about the plan. I think that would be fair for us as homeowners.

Patti Kettler-I think what we are saying is we are not convinced that that issue is settled. And we would like to be a part of that as that goes forward so we are insured that easily 10% increasable water flow is being addressed.

David Ley-Yes we can include these property owners as we will be speaking with the Lee Blvd residents for the Lee Blvd Project. We can reach out to the property owners along Lee Court to share our plans where we are making and changing to a roadside ditch or curbs.

James Azeltine-The other thing I have not mentioned is each year in January the Council has a goal setting session. And for the last two years I put forward an idea of what I call a Mini SMAC Program (similar to the County SMAC Program). Where the City would set aside some funds in the interest of cost sharing on smaller projects. I'm not sure this would qualify for that. If this is close to \$400,000, that is not a small number. Although we still haven't formulated a policy and have an Ordinance proposed to Council yet. But I will start pushing on that. I'm not sure how this would affect your project area here. As far as any options right now, I think what we do as the 2020 Lee Boulevard Project gets rolling, see how that affects the situation and as David said, bring you guys in for that process to at least address that.

ACTION: Debra Filla –made a Motion to Amend the Contract with BHC Rhodes (Lee Blvd Design Engineer) and have added to their contract a preliminary engineering study of the 6.4 Acre area in the Lee Court Drainage Area for possible solutions.

Curt Talcott-seconded the Motion.

All members in attendance were in favor. Motion passed.

Chair Azeltine adjourned the meeting at 8:40 AM.

Minutes transcribed by Julie Stasi, Leawood Public Works Department.