

**MINUTES of the
STORMWATER MANAGEMENT COMMITTEE**

**Meeting of: Wednesday, November 20, 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
Mary Larson, Councilmember Ward 2
Lisa Harrison, Councilmember Ward 3
Skip Johnson
John Kahl
Bill Ramsey
Curt Talcott

COMMITTEE MEMBERS ABSENT:

Matt Kayrish
David Lindley

STAFF PRESENT:

David Ley, P.E., Director of Public Works
Brian Scovill, P.E. City Engineer
Shelly Rexrode, Administrative Assistant

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: Lisa Harrison made a Motion to approve the Minutes as written of August 28, 2019.

Mary Larson seconded the Motion to approve.

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

SECOND ITEM OF BUSINESS: Review Leawood South Storm Drain Project, Easements obtained and outstanding, need for condemnations to move forward. David Ley presented a

location map of the area showing the proposed location of improvements in Leawood South between Mission and State Line and South of 123rd Street. Residents approached the Stormwater Committee in 2013 and requested that the City commence the project and at that time they were talking about the major flooding that they had and they wanted the project to begin immediately. The city applied for SMAC funding in 2013 and that was approved for construction in 2018 for 75% match through SMAC. The construction project cost is about 4.2 million. To date the city has spent \$530,000 or so on design so that's kind of where we're at, we're 90% complete with the plans of the project replacing metal pipe with concrete structures and increasing the capacity so we can reduce the flooding.

We've been working with the residents for two years now on the alignment, going back in with amendments to the engineering contracts so we can try to realign the pipe to meet the residents' expectations or requirements. So really staff feels that we're at a point where we've received easements from four tracks of the nineteen that we need and it's going pretty slow, a couple property owners have hired attorneys and are more than likely not going to sign their easements and so we're kind of at a point now where we've got three options to discuss so I have those up here on the board. One of the three is to just continue to request easement donations, if we do that, the downside is we really can't give the residents a schedule for construction because it's just all determined on whether or not the property owners provide those easements and we're working with the golf course. Construction at the golf course has to occur during the winter time and they are on the downstream side so we need to begin construction on the golf course at the very

beginning of the project which means we have already missed out on 2020/2021 construction schedule.

Another option would be to begin condemnation and pay the residents for the easements. If we do that then we can begin setting a schedule for the project it take about six months to get the easements through condemnation, it takes about six months for utilities to get relocated and then we could bid the project and award it and begin construction probably in the December 2020. That would be the goal and that's if we begin condemnation here within the next couple of months. The third option is we just complete the design of the project and then just put the project on hold until the residents come back and want the project and provide us the easements at no cost. The downside to that is there is a public street, Wenonga which floods and we have pictures that were included with the packet that flood several feet of water, and that's a public safety issue and then the other issue is we would lose the 75% match from SMAC. So we would have to reapply and currently the most we could get would be 50% construction match so the cost would go to the City long term.

Bill Ramsey: Are they any residents that have hired attorneys that are causing them to do that because of design in terms of their easement?

David Ley: There are and we can do kind of a quick overview of the plans there's a couple locations where we had to realign the storm sewer pipe because we could not, the existing line is going between two homes that are twenty feet apart and we're needing to put a ten foot wide box culvert. This is on Wenonga so is the downstream end, we're discharging right on the golf course, that's the existing discharge point, it's a 60" metal pipe existing.

Brian Scovill: And I believe a 36" coming from the other direction.

David Ley: and so the existing storm sewer line, this is the low point in the roadway is coming between these two homes which are about twenty feet apart and then the storm sewer heads north along the rear of these two properties and then discharges on the golf course. With this box being 10' wide by the time we excavate with the trench on either side of the box culvert we would be right up to these foundations. So the distance between these two homes is quite a bit at this location they have two side entry garages so we would be digging up their driveways so we're much further from the foundation by going between these two properties. This property owner here, initially we met with him two years ago to discuss this new alignment and they were okay with it but since that time they have hired an attorney and now they're saying that they're not okay with the realignment.

Curt Talcott: They're likely one of the properties that floods too.

David Ley: They sit a little bit higher so I don't believe they've flooded, but it gets close.

Curt Talcott: Where is the overflow point in the street?

David Ley: There is no overflow. And so the water does use their driveway.

Curt Talcott: Where does the water pond I guess is

Brian Scovill: The water ponds so the low point is where Dave mentioned the existing alignment but it ponds so deep that it eventually reaches the point where we cross through those driveways in the black area and that's the overflow point.

Curt Talcott: So these are people though that are greatly affected by it that are still opposed

Brian Scovill: They claim they don't flood.

Curt Talcott: But they couldn't get to their house potentially.

John Kahl: Emergency vehicle issue

Curt Talcott: There is a life safety issue that directly affects them

Brian Scovill: He actually mentions that in his letter to the City back in 2013. We have mixed documentation in one document they claim they flooded in another document they say they haven't.

Curt Talcott: I've worked on SMAC projects where they completely change their story when it came easement time, they filled out the SMAC form questionnaire, said they flooded, then I never said that.

James Azeltine: In the last four years since you've been trying to get these properties have we heard from the other folks along Wenonga?

Brian Scovill: The public outreach regarding acquisition of easements included an initial letter in early September, a public meeting in mid-September another letter in early October and in in that letter we asked that they provide the documents by November 1st that allowed us to go to counsel and ask for this to be assigned to the Stormwater Committee. In that time period I've met with approximately thirteen property owners three of which we don't need easements from. But the other ten property owners I've met with I've got verbal commitments that they would donate their easements from probably four of those four I think only two donated I received two easements from some people I've never even talked to.

James Azeltine: In the last couple of years since we've been trying to get these last four have we heard, I mean have they reached out to us saying, hey I'm having flooding issues and when is this going to happen? Has any of that transpired?

Brian Scovill: We do have some property towners reaching out to us especially last spring just asking about the project. One property owner says I have eight sup pumps. I don't know if that true, but they say they have eight sump pumps but unfortunately they're not going to significantly be improved by this project in terms of their water is coming off the golf course into their backyard. And that's an issue between the two property owners.

David Ley: So Wenonga came to our attention in 2010 that was the first time that it had flooded that we were made aware of and then in 2013 again with the heavy storm it happened again and so since that time I don't believe we've had as heavy or high intensity of a storm to create the flooding.

James Azeltine: So the neighbors aren't clambering for the project?

Curt Talcott: Not until the next rain fall.

Bill Ramsey: Does the City have a policy for paying for easements?

David Ley: It's more of a procedure, it's not a policy. So the procedure is we request the easements since this is a benefit the residents approached the City for this project that it's hopeful that everyone would just sign their easements and just donate them at no cost. Since that is not happening we just need to have a decision whether we want to move forward and pay the property owners that have signed their easements and then offer money to the property-owners who haven't signed their easements to try to entice them to sign their easements so we can move forward with the project and then if they don't sign their easements we have to go through condemnation. So we do have an estimated cost, acquisition cost of about \$200,000 so if we were to proceed forward with paying the residents and going through condemnation that's what we would expect to pay.

Debra Filla: So what's the difference between the 75% match and the 50% match?

David Ley: We are receiving 75% is 3.1 million and if get 50% it would be 2 million so about \$1,000,000.

Debra Filla: So spend \$200,000 to avoid losing a million, seems like a no brainer to me. If you want to do it and if not just tell them go away until everybody signs and never talk to them again.

Bill Ramsey: I don't see it up there, are you then thinking of paying all easements?

David Ley: That would be the recommendation that we would reimburse the property owners who have signed their easements then we would send an offer letter out to each property owner who hasn't signed their easement to try to get them to sign it and if they don't we would continue working with them up until their court dates on the condemnation then after that point it would just be up to the county appraisers to provide us with their estimated costs for acquisition.

Debra Filla: What's the best use of our staff as to negotiating this stuff?

David Ley: What we plan on doing going forward on that metal pipe project the way we have been currently designing those so a 2020 project we would have hired or were able to borrow money in august of 2017 so that's when we first hired an engineer to design the 2020 project. That's too short of a time frame to hire a consultant to do the design and try to obtain the easements and complete construction within an 18 month time frame. So what we're looking at doing now is we have a consultant under contract we're going to start designing the 2022 project so we can have a couple years to work through those easement issues so we can try to keep that on track so we're going to be starting design sooner rather than wait until a few months before the project is supposed to be built.

Debra Filla: So given that this is kind of a, is this going to set the precedent and then we're going to say this is our new procedure or are we going to say that this is a one off because of the change in the SMAC funding.

David Ley: Before we go to condemnation on any project it will come back to committee for a recommendation so the procedure will always be to try to get the easements donated up front.

Debra Filla: No I'm talking about when are we going to change that policy because it sounds like we have a consensus that we need to go ahead and streamline this because it's inefficient and we end up spending probably, what, nearly half.

David Ley: We've spent a lot. Staff has spent time spinning their wheels.

Debra Filla: I know but if you start adding up the staff time, we set that aside, but how much are we really saving when we go through that process.

Brian Scovill: If we allow staff to go ahead and hire that acquisition agent it frees up the staff time it does require an investment in the agent but also allows us to make offers to the residents so that we're not asking for donations because they just don't ever all donate. We end up coming right back to where we are.

James Azeltine: What's an appropriate period of time from the time you hire that consultant to where you start condemnation process?

Brian Scovill: From the time that they kind of do introductions with the property owners

James Azeltine: Sixty days or something?

Brian Scovill: Sixty days would probably come back to counsel and ask for condemnation or you know committee at that point.

Bill Ramsey: It depends on the number of property owners in the project it could go out ninety to one twenty if you've got a lot.

David Ley: Typically how we've done it, 143rd street with all the arterials we've gone out usually spending three to four months with our acquisition agent working with the property owners before we come to condemnation because usually when we get it down to a couple and offer to pay for easements, the residents . .

Debra Filla: What I'm asking is if we do a procedure, this is the procedure and we will offer to buy, we will explain the project, we'll offer to buy it and let them know that if they didn't want to do it at this time we will proceed with condemnation, we hope that you will save the city the time and the money but that's the precedent with which we go. And you don't have to come back with mother may I because that's just what we do.

James Azeltine: Just a number of days.

David Ley: We would need that referred from the City Council to the Stormwater Committee to create that policy.

Brian Scovill: If she's suggesting that we change the policy . . .

Debra Filla: I'm suggesting that we would say that this is the recommendation from stormwater to City Council.

John Kahl: Again, that's a topic, we don't really have the authority. And I know you as City Council people . . .

Debra Filla: No, no, I'm recommending, we're saying that we think this should be a policy and we're asking City Council to approve it and we'll come back with the details. Versus asking them to tell us to do it.

John Kahl: I definitely think it's come up in the past and it's like we can't do that until we're assigned by the council so it's like the council has to actually assign it to us before we can officially, I'm not opposed to what you're saying . . .

Debra Filla: We're making a recommendation

Bill Ramsey: We're, as a subset of the recommendation on this project we're saying we're going to see this more and more.

John Kahl: I would like to throw out a modification of that. Part of the problem we're running into here is because this is a big project and the main issue we're motivated to move forward like this is because this is because the City stands to lose about a million dollars in funding from the SMAC program. When we get into little project that affect around four properties, drainage problems, we can put them on the list, we will get to you in six years. We see a lot of these kind of things come through here that aren't such big projects. A differentiator would be if this is a SMAC program and we have outside funds we're going to move forward with condemnation (which may be if it's a 100% local city). Particularly I would say if it's a small project that just affects a few homeowners and those homeowners are not willing to donate their easements, then is the project really worth moving forward? I would like to leave that opportunity open to the city moving forward but at the same time on these big projects recognize that the way we do it is cumbersome and time consuming and ultimately costs us money.

James Azeltine: One way that we could move forward is to say yes, move forward with condemnation on this project and then have staff work on a new policy based on this conversation and then have them come back and refine that.

John Kahl: We don't have any really big 100% city projects?

David Ley: We have the metal pipe replacement program which is every other year.

John Kahl: Which we could treat as a kind of as its own specific variance to say, okay that's a one hundred percent city project you've got all of this and save staff time, just do condemnation but that would still leave us open the possibility of when we hit these small little drainage projects that we bump into and it just effects a hand full of property owners do we really want to have that additional cost onto the cost of the project for that little job? And if those property owners aren't willing to commit to that are they really willing to commit to anything? I would like to leave that piece of the policy in tack as much as possible.

Debra Filla: That's exactly how we show how we prioritize the money that we have unlimited amounts of more requests than we can fund, you get to go to the top of the line if everybody's got their easements and it's unfortunate because some people will have a stubborn neighbor and that will keep them from doing it, but we can't say yes to all of those small projects so that will help be a way to say how we prioritize them. What I heard you say is what we want, because of this to recommend to City Council a change in policy differentiating for large SMAC projects, is it different then, and then the second category is our replacement policy for, is that a different procedure in your mind? It's the same procedure.

John Kahl: It's the same procedure but I guess the differentiator is look, if we've got outside funds participating in a project we need to streamline that process and so we're just going to automatically go to condemnation from the get go.

Lisa Harrison: Or I think if we have a situation like with this golf course where certain elements of the project have to be done in the winter then we have to treat it a little differently because, uh-oh, February 1st, we've missed the window, see you next year. If you give us your easement.

James Azeltine: I think once the project is approved if it's a SMAC project then that overlap wouldn't matter is that correct, or? In terms of it went on into another years because of the seasonal issue there.

David Ley: You would have to request that money be extended.

Debra Filla: They will, it's not a use it or lose it?

James Azeltine: It sort of depends on how far you've moved forward on the project.

Curt Talcott: It's kind of a case by case basis, I mean in this case we would be able to make a good argument as to why it needs to be pushed out a year because of easement negotiations and we're ninety percent done.

John Kahl: It's a SMAC project and we stand to lose money if we don't move on it then we definitely need to adjust our policy. If we were making a policy recommendation today I would fully support something that the differentiator is that we have outside funding sources and then if it's 100% city project we would have to do like with the metal pipe replacement project we could make a recommendation just for that entire program and say we need to treat that like one of these and because we have too many people and too many things drawn out and it gets too expensive if we don't move forward that way. The metal pipe replacement program would maybe be kind of a variance or an exception but you know that going in. Like I said I would just like to leave that place intact. If we were looking to make a recommendation for policy change it would be for projects where we have outside monies involved that we would automatically go through the condemnation procedure and for projects that are 100% city we would still go through the old procedure unless we want to grant the variance right up front. With a big project like that you would need to do a little extra just to get the permission that you need that with and then all the other ones would still be, hey it's a 100% city funds this is what we ask for, this is what we require.

Bill Ramsey: I understand where you're coming from, my only concern is that it gets confusing for the staff because there's some grey area in there as to when we file and when we don't.

Debra Filla: Do you feel like there's grey area in that recommendation?

David Ley: We can work with that recommendation if we're getting outside funding whether it's Federal or whether it's SMAC funding or the Metal Pipe Program, those are the projects that we'll have to do. We would like to proceed forward with that procedure because the Metal Pipe Program impacts such a large number of people it's going to take a large amount of staff time to go through and try to get the easements. It's not a popular program unless people have sink holes in their property. They might not even know they have metal pipe on their property.

Brian Scovill: For instance the 2020 Metal Pipe Program will probably impact the roughly the same number of properties as this project. Interestingly, so that one might be one where we don't want to dilly dally around with donations and knowing there's just no way we're going to get all of the easements but we have some smaller projects in other areas where they are kind of one off projects with four properties in that case we would move forward with donations their contribution to support the project and if that can't occur, then and it's a public safety issue then maybe we come back to the committee at that point.

James Azeltine: How much doe one of these consultants cost and does it matter how many tracts there are?

Brian Scovill: A consultant costs about \$1,200 per tract to acquire the easement or at least try to acquire, it doesn't guarantee we'll get the easement that's not including the appraisal process. Sometimes the cost will come down if there are a lot of tracts it will come down a little bit but I would say that's probably for the ten to thirty tract range.

Curt Talcott: I think that's probably right and some cities after they did it for a while say that cost just doesn't vary that much and they just develop the formula and we're just going to offer the property owners this square footage for permanent, the for temporary and they get rid of the agent after a while, they just started offering the property owners right up, day one here's your offer when they send the easement, here's your offer letter, sign, we're going to proceed with condemnation and they got rid of the consultant because they were paying a \$1,000 per tract and they just found that the price wasn't varying that much.

Lisa Harrison: I'd like to see us do that.

Bill Ramsey: A construction easement is a construction easement, I mean it's pretty straight forward.

Lisa Harrison: Unless you're comparing Hallbrook lots to one of our smallest lots.

Brian Scovill: There are some substantial differences in lot prices in square foot prices. The projects can often overlap. In this case it actually is, well the next phase for instance is Waterford and it feeds into Leawood South. I don't have the numbers, but that's an example where it crosses neighborhood boundaries. I think staff could utilize some reasonable judgement to come up with on a case by case basis without using an agent.

Curt Talcott: You should be able to come up with a much more standard square foot on temporary because you're going to restore the lot back to the condition it was prior to so that's a temporary, it's not a taking.

Brian Scovill: If we're in Hallbrook we understand this neighborhood is different value than this neighborhood in terms of the dollars per square foot and we can take that into consideration

Lisa Harrison: When you said you were going to rip up their driveways on these side entry garages, how long would you estimate their driveway would be out of commission and they're parking four houses down the street, I mean is this a week or is this two months? I have no concept.

David Ley: About a month.

Brian Scovill: So they will be impacted for, I've told them, they will be impacted for approximately three months but your driveway will probably be out for approximately a month.

Lisa Harrison: And I'm just envisioning, I have a side entry garage, which abuts a garden and people have really beautiful retaining walls and gardens and fountains and barbecue pits and things are we getting into any of these? Because I'm thinking maybe that's a reason many people aren't happy about it. Some people put \$50 grand into their back patios.

Brian Scovill: Yes, that's a very good point and yes, we're getting into those. You know, retaining wall, which we're talking about restoring the retaining wall, restoring the patio, restoring the driveway, restoring the brick edging, restoring the shrubbery between the two driveways because we're affecting both driveways as we travel between the properties. As you turn the corner we now fall into an existing easement that they have planted substantial landscaping in. Then they actually extend their landscaping beds and have just as much if not more off their property on the golf course property that we're tearing out.

Debra Filla: We don't have to replace that though!

Brian Scovill: In addition to that you've got trees that are protecting their house from golf balls that will have to come out because those were planted right over the existing pipe that we have to remove.

Mary Larson: That's why they're not signing.

David Ley: They built their patio in our easement. So their piers are in our easement.

Brian Scovill: Not nearly what they're going to want to settle for. We are orders of magnitude off. We are orders of magnitude off between our appraisal values, we haven't even offered it to them but we just did that in advance of this.

Mary Larson: So what is that number and what do you think they want?

Brian Scovill: Their attorney mentioned potentially \$100,000, one to three hundred thousand was his range and we are in the \$15,000 appraisal. They are one of the higher ones at \$15,000.

Bill Ramsey: Because they've done all of the work in the easement.

Mary Larson: Which they shouldn't have?

James Azeltine: I think to the extent that they've done things on their property their cost of money, I think we should be trying to compensate them.

John Kahl: We're restoring it, we're going to pay to put it back, I mean those kind of numbers suggest that we got the easement we're going to tear it up, you fix it.

Brian Scovill: This doesn't reimburse them for anything in the existing easements. But everything else we would either restore or pay for.

James Azeltine: And that's what we should do.

John Kahl: So their number that they're talking about would suggest to me that we would tear everything out, put our pipe in the ground and say, alright, it's yours, put it back.

Debra Filla: They might make it better than it was before.

Brian Scovill: They're saying they'll never get the value out of this house again when they try to sell it because there is now a storm pipe underneath their driveway that wasn't there before.

Debra Filla: There is one there, it's just real small isn't it?

John Kahl: No, they're moving it.

Debra Filla: Oh, this is a move, okay, not a bigger one.

Curt Talcott: They'll never get the value of their house if somebody shows the picture of three foot of water coming in their house either.

Brian Scovill: We've talked several times at great length. We've had an arborist out there and we evaluated the condition of her trees and the trees that we're taking out are actually not in good shape. Some of it is holding their hand and we're trying to accommodate them and unfortunately on their property we haven't been able to do a lot of design changes but we have on other properties, we've realigned pipes, we've, another example, three trees alongside their house with a heavily landscaped backyard, two times I drove by, I saw them out working in their yard, they are retired. We were able to shift the whole alignment over to avoid those trees and we reduced it from a permanent easement to a small triangle of a temporary easement in the back corner and they love that, they still aren't signing. They want to run it by their attorney and their attorney was wanting language that we can't provide in the easement.

David Ley: Well the problem is now we have to pay the adjacent property owner for a permanent easement because we've now shifted the pipe off our existing easement.

John Kahl: So we've spent money with the design change.

David Ley: \$10,000 to redesign it.

John Kahl: Almost as much as the easement was worth probably in the first place.

James Azeltine: This has all been going on for two years I'm hearing.

Debra Filla: Carrie Rezack's name is in some of these letters, she hasn't been on the council for three years, three and a half years.

Brian Scovill: Keep in mind we haven't been actually, we didn't have to find easements and donation documents before then until September. But we've been discussing the project and the alignments for several years.

Debra Filla: So the recommendation to council would be to move to condemnation for this project and based on discussions we would also like to ask the council to direct staff to draft a similar policy/procedure, which do you want to use? Procedure? Policy?

David Ley: Procedure.

Debra Filla: To draft a procedure for other like projects where we have matching dollars and two for our replacement of pipe, metal pipe and the factors our loss of matching dollars if we don't for this project and going forward, but for all of those.

James Azeltine: Based on our discussion.

Debra Filla: But for all of those the improvement, the efficiency of staff time and the expediency of the projects. That's why I want to get it on paper that's what we've all decided so that someone's got to take notes on that. It's got to be the recommendation. Does that recommendation match with your thinking John? We just won't touch the other one right now.

Bill Ramsey: So moved.

John Kahl: So you made a second, right Bill?

Curt Talcott: I need a clarification, we are recommending that we go straight to condemnation or are we recommending that we offer people money and go ahead and set it?

James Azeltine: On this project?

Curt Talcott: on this project and set a condemnation date.

David Ley: The process would be if you were to make the recommendation to pay the property owners then as soon as that gets approved at city council which we would hope would be on the December 2nd, then we would begin sending offer letters to the property owners, just letting them know that in January we would go back to council with the resolution in January and then an ordinance probably the first meeting in February. For condemnation and so then that would really kick in the process of condemnation.

Curt Talcott: We're not saying we're going straight to condemnation, we're going to make offers to people first.

Brian Scovill: We will but we'll also initiate the protocols that are required by law to ordinances and resolutions at council

Curt Talcott: Okay, that's what I thought, I was trying to get clarified if

David Ley: We'll give them kind of the schedule

Curt Talcott: We're going to make offers to people we're not going to condemn everybody.

Bill Ramsey: That's why we need it to come back so you guys can write the procedure.

David Ley: Well that would be a different topic.

Bill Ramsey: Right.

James Azeltine: For future projects they would have to come back.

Curt Talcott: Yea, I think we approve this one and say we would like council to consider asking us to make, to establish a policy going forward.

James Azeltine: Isn't that kind of what we

Debra Filla: Yea.

James Azeltine: I think that's

Debra Filla: The only thing that I guess I wanted to make sure I understood is that what you'd like to do is always start out by asking them for an easement but also telling them that if it isn't received that condemnation, you're prepared, how do you handle that, do you tell them? So it's like go ahead and pay us now or pay us later but you're going to pay us, I mean we're going to pay you.

Brian Scovill: If we discuss condemnation at all we need to be making them a financial offer initially otherwise they just wait for the payment.

Debra Filla: No, I understand, so you would say, here's the offer, and if you don't accept this offer we will proceed with condemnation, that's how you would say it.

Brian Scovill: Yes.

James Azeltine: So you're basically going to recommend that council move forward on this project and to direct staff to develop a policy based on our discussion here this morning. That I think probably should be referred back here.

Debra Filla: Right so the policy would SMAC matching dollar projects and metal pipe replacement projects.

James Azeltine: Does anyone need any explanation on the motion or have it read or?

David Ley: We would also (just to kind-of add into that) we would also reimburse the residents who have already signed their easements

Brian Scovill: In this case.

James Azeltine: Yes I think that's fair.

Brian Scovill: There's only four and it amounts to around \$8,000.

Mary Larson: You want the people who are nice and cooperative to be treated well.

James Azeltine: So any other discussion on the motion? All in favor say I, all opposed same sign. All right I think that is the extent of our business this morning, thank you all for coming, have a wonderful day.

Debra Filla- Made a motion to recommend paying the residents for the easements and condemnation, if necessary, on the Leawood South Storm Drainage project. Also included in the motion was to request staff to draft a policy/procedure to pay for easements and condemnation, if necessary, on projects with outside funding and also on the CMP Replacement Program projects.

Bill Ramsey-Seconded the Motion

All members present were in favor. Motion passed.

James Azeltine adjourned the meeting at 8:15 AM.

Minutes transcribed by Shelly Rexrode, Leawood Public Works Department.