The Public Works Committee meeting was called to order at 7:30 p.m. by Ms. Marcia A. Gilliland, Chair. The following members were present, constituting a quorum:

- Mr. Fred Spears, Vice Chair; Mrs. Terry Happer Scheier; Mr. Jim Hix; Mr. David White; and Mr. Dan Stock.

Also present were: Mr. Doug Brown, Director of Public Works; Mr. Brian Shields, City Traffic Engineer; Mr. Mike Hale, Civil Engineer Supervisor; Mr. Dan Miller, Civil Engineer Supervisor; Ms. Peggy Sneegas, Engineering Services Administrator; Mr. Mike Miller, Supervisory Management Analyst; Mr. Bill Ebel, City Engineer; Ms. Evalin McClain, Assistant City Manager; Mrs. Jane Neff-Brain, Senior Assistant City Attorney; Mr. Wayne Gudenkauf, Senior Civil Engineer; Mr. Aric Otzelberger, City Manager Intern; Mr. Tony Meyers, Supervisory Civil Engineer; Mr. Bruce Wacker, Supervisory Civil Engineer; Mr. John Thompson and Mr. George Kandt, Councilmembers; Mr. Mark Stuecheli, Senior Transportation Planner; Mr. Adam Lee, Sun Publications; Mr. Brad Cooper, Kansas City Star; and Ms. Nancee Ellis, Recording Secretary. Approximately 25 people were in the audience.

DYNAMIC MESSAGE SIGNS (DMS) – 131st Place & Antioch

City Traffic Engineer Brian Shields relayed that traffic has been increasing not only in Overland Park but also in other cities, regions and the United States. With the large traffic increases, strategies are being investigated to improve the traffic situation and combat growing congestion. Mr. Shields said some of those strategies have relied on road widening from four lanes to six, and added turn lanes, but options are limited.

Mr. Shields advised that the Kansas City metropolitan area and Overland Park have been undertaking several intelligent transportation system (ITS) initiatives over the last several years as a way to address the growing problem.

As relayed in Staff Comments, from a region-wide perspective, a new freeway management system (KC Scout) has been implemented and is currently providing motorist information on several of the area freeways such as I-35, I-435 and U.S. 69 Highway. The KC Scout system includes a number of closed circuit television (CCTV) cameras, fiber optic cable dynamic message signs (DMS) and a website.

Mr. Shields stated that from a City perspective, staff has begun a complete upgrade to the City's existing traffic signal communication network by installing its own fiber optic cable. He said closed circuit television cameras are also being deployed around the City at key locations to monitor traffic and enable staff to make better signal timing adjustments. Later this year, a new web page will be launched as part of the City's website, which will contain current information about traffic conditions. The City is also working towards sharing its camera feeds with various local media outlets in an effort to help inform citizens about potential bottlenecks. Mr. Shields said
another major effort that is underway is the deployment of dynamic message signs (DMS) on several arterial streets near freeways.

As relayed in Staff Comments, the main use of the DMS will be to advise motorists of significant events ahead. For instance, should the freeway system not be flowing well (or not at all) due to lane closures or accidents, notifying drivers of this information before they make a commitment to entering US 69 would be critical. Mr. Shields relayed that significant weather events or Amber Alerts could trigger a need for the DMS or other local events of significance could also be displayed.

Staff Comments indicated that last year, as part of the 135th Street widening project, the opportunity arose to install the first DMS as part of the City’s ongoing traffic management strategy. During the design process, DMS were proposed to be located north, east, south and west of two major intersections—135th Street and Antioch and 135th Street and Metcalf. As the project proceeded forward, the installation of the sign proposed to be located for southbound Antioch at 131st Street was brought into question by nearby neighbors.

Mr. Shields said the proposed DMS will be 4.5 feet high by 12 feet long and will be placed on a sign support over the roadway. In some locations the sign supports are located in the median and in other cases the sign supports are located on the outside of the roadway. The proposed character heights will vary between 8 inches and 12 inches and the messages will be visible from approximately 320 feet to 480 feet away, depending on driver speed and character height.

Mr. Shields relayed that one of the issues raised by nearby neighbors has been the proposed placement of the DMS. The sign was proposed to be placed at 131st Place due to its proximity to 132nd Street, a collector street that provides access to Hemlock, 135th Street east of Antioch and 137th Street to the south. He relayed that some day in the future there will also be a bridge over U.S. 69 Highway at 132nd Street, which will provide additional benefit to motorists as an alternative route to the South Creek office complex and the Metcalf corridor. Moving the sign further south would not allow drivers to turn until they got to 133rd Street. Since this signalized intersection has a protected left turn signal, significant backups would likely occur as the left turn cycle would not accommodate the demand compared to the un-signalized intersection at 132nd Street, which allows drivers to turn left as gaps in the traffic stream allow. Also, the left turn storage area for southbound Antioch at 132nd Street provides over 200 feet of storage, for approximately eight to ten vehicles. Mr. Shields relayed that moving the sign further to the north would interfere with the traffic signal that is currently being constructed at 131st Street and Antioch. The DMS needs to be far enough away from the new signal so that drivers do not try to read the message and decide whether they should stop at the signal.

Mr. Shields stated that the use of the DMS signs is just one part of the City’s on-going traffic management scheme to improve the safety and efficiency of the roadway network. Similar signs in similar locations near the freeway system will soon be under design.

Staff Comments relayed that the DMS are part of the 135th Street widening project. The bid amount for all eight signs was $670,000, which includes the DMS, the structural support and foundation, cabinets, wiring and the actual installation. At this time, if the contractor does not install the sign, pole, foundations and cabinets,
the City would lose approximately $40,000 since the price provided was a lump sum amount regardless of whether the sign was installed or not. The City would take possession of the materials and this equipment could be stored at City facilities until such time as it would be needed; however, further costs would be required to install this sign at a future date.

Mr. Jim Hix thanked staff for reacting to what is clearly the number one issue with residents. A survey that was taken two years ago showed that only 38 percent of residents who live south of I-435 and north of 135th Street were satisfied with traffic flow management in the City.

With regard to the proposed DMS to be located at 131st Place and Antioch, Mr. Hix advised that he and Councilmember John Thompson have been working with residents in Terrace Place and Lancaster subdivisions who have a number of concerns about the sign placement. He said some of the concerns are aesthetics with regard to this kind of a sign in that residential neighborhood as well as some question with regard to the benefits to be derived at this time. Mr. Hix believed that the benefit here is highly mitigated by the fact that the 132nd Street bridge is not built. While he did not have traffic counts regarding southbound traffic south of 135th Street on Antioch, Mr. Hix said his empirical observations tell him at this point there is no major need for a DMS. As development continues southerly, he said the time will come when a DMS will be a very valuable tool, but today he believed there would be a marginal benefit. Mr. Hix relayed that DMS are meant to work best in conjunction with facilitating and improving interstate traffic.

Unless he hears something to change his mind in discussion among Committee members, Mr. Hix suggested that a final decision on the installation of the proposed DMS be delayed until such time the City knows it has solid funding for the bridge across 132nd Street. Furthermore, by the time funding is available for the bridge, everyone will have had time to observe the effectiveness of DMS signs that were installed in the other seven locations. Mr. Hix said that experience will provide more information and help determine whether the benefit outweighs the disadvantages.

Mr. David White relayed that two weeks ago he was in Washington and met with Dennis Moore’s staff regarding the 132nd Street bridge. He learned there was no assurance this would be funded in this next budget year. While he believed it would happen, he said it is a question of when. Mr. White pointed out that consideration must be given to an unknown regarding the proposed Corbin Park regional mall and the effect it will have on traffic coming south on Antioch and going east. He believed there would be road widening projects associated with that development, which is a consideration. Another consideration is that the traffic study did not take into account the new entrance ramp going north on U.S. 69 Highway. He said he drives I-35 every day going downtown and his general reaction to message boards is that they relay why he is sitting in traffic, but they do not provide enough warning to provide an alternate route.

Mr. Dan Stock asked if staff had data from other places that have experience with this particular type of sign. Mr. Shields advised that he had not seen any data regarding the reduction of accidents. There is data available about how many times DMS have been activated due to accidents, Amber Alerts, storm warnings, or injury incidents on freeways.
Mr. Stock asked how many cities used DMS, and Mr. Shields said many cities around the country are starting to use them such as some cities in California; Madison, Wisconsin; Milwaukee; and Dallas, Texas.

Mr. Stock asked what objections have been voiced to the DMS. Mr. Shields believed that one of the concerns was the aesthetics of the signs and their proposed locations.

Chair Gilliland invited anyone in the audience who had comments to come forward.

Chris Pickering, 8822 W. 131st Place, said he was present as an emissary for residents in Terrace Place who were more like family than neighbors. He said they do not want the proposed DMS, and they were present tonight to provide some perspective on why and ask that Mr. Hix's recommendation to table this item be approved. The first point Mr. Pickering and those he represented wanted to make is that DMS do not belong in residential neighborhoods. Secondly, he said a sign at this location cannot achieve its stated purpose. He said Overland Park is a very well-planned City, adding that he has lived here since 1982, and some of the City's attributes are mixed residential, retail and commercial space. Part of the commitment the City has had to maintain that mix is ensuring there is a buffer between the commercial retail and residential. Mr. Pickering stated that those he represented find the DMS, from a policy standpoint, inconsistent with the City's policy of ensuring that the residential nature of neighborhoods stays in tact and are protected. He said he appreciated Mr. Shields coming to meet with Terrace Place residents and listening to their concerns; however, he did not see those concerns reflected in Staff Comments.

Mr. Pickering pointed out that he and his neighbors do not believe the proposed DMS will achieve its intended goal. He said drivers do not get onto U.S. 69 Highway going south on Antioch. He said they go north because it is a shorter route to go up Antioch to 119th Street and get on U.S. 69 Highway that way. Therefore, if the goal is to reduce congestion on U. S. 69 Highway, a sign relaying that there is congestion going south is not useful information. Mr. Pickering said placing the DMS at the proposed location would not enable people to make decisions in a timely manner in order to get where they want to go.

Mr. Pickering said Mr. White mentioned the budgetary impact which meant to neighbors that a decision has already been made without the City asking them. He said neighbors could have provided this perspective at a time before the decision was made to install a DMS, but there was no forum or opportunity for public input. Also, with regard to the basis for trying to make a reduction in congestion, Mr. Pickering said there has been no study done relaying where people traveling south on Antioch are going. Furthermore, he said there has been no study done to ensure DMS will actually reduce congestion on 135th Street. If there was good data from other cities who have used these signs successfully to reduce congestion, Mr. Pickering believed it would be available, adding that he has researched it but has found none. He believed this is because DMS is somewhat in its infancy.

Mr. Pickering said this sign would have a negative impact on home values, noting that they range between $295,000 to $450,000. He said there are 23 homes, which results in approximately $8 million in home values. If the impact of installing this signs here is only five percent that is a $400,000 reduction in the value of these homes.
Mrs. Beverly Weekes, 13102 Slater, asked if there were other DMS in residential neighborhoods in the City. Director of Public Works replied there were none of these signs in the City presently. Mrs. Weekes asked what will happen to the construction that is already started if this project is deferred. Mr. Brown replied the area would be restored to its original state.

Mr. Craig Smith, 13125 Slater (Terrace Place), said he and his wife just purchased this property over a month ago, adding that it is truly a wonderful neighborhood as previously relayed by Mr. Pickering. He advised that he also traveled to the downtown Kansas City, Missouri, area a lot and never went south on Antioch. He traveled up to 119th Street and got on U.S. 69 Highway from there. Mr. Smith said when he and his wife first heard about this DMS proposal they were not happy, which is why he was present. He was also pleased that the neighborhood was so well represented.

Councilmember John Thompson agreed with comments made by Mr. Hix and Mr. Pickering. He believed the main issue to consider as a policy-making body is what is the policy decision being made here. He said the question that needs to be asked is whether a residential location is an appropriate location for a DMS. He asked what kind of criteria should be considered before installing this kind of signage. Along with what Mr. Hix has recommended, between the times the Committee gives this issue more consideration and when future funding becomes available for the 132nd Street bridge, Mr. Thompson suggested that criteria be established for DMS in the future, after which the Committee could determine whether this particular location fits within those criteria.

With no one in the audience wishing to comment further, Chair Gilliland closed the public hearing.

Mr. Stock asked staff how many potential DMS are proposed to be placed in residential areas. Mr. Shields replied possible locations include 119th Street and Switzer; 95th Street and Switzer; and 103rd Street at Roe, Nall, Antioch and Quivira. Mr. Stock clarified that there is no funding for those locations, and Mr. Shields concurred. Mr. Stock clarified that the DMS being discussed tonight is the only one that is in a residential neighborhood and Mr. Shields concurred.

Mr. Hix moved that staff be directed to postpone installing a DMS at 131st Place and Antioch at this time and that the installation be reviewed if and when funding becomes available for construction of the 132nd Street bridge. Mr. Spears seconded the motion, which passed by a 6 to 0 vote.

STREET SEALING ALTERNATIVES

City Engineer Bill Ebel advised that this issue has been addressed numerous times in the past 12 months. The reason it is on the agenda tonight is because staff is developing its 2006 Street Maintenance Program and needs some guidance with regard to chip seal in order to finalize this program.

In April, Mr. Ebel said he presented to this Committee information about the street sealing program. He said a comparative matrix of street sealing techniques used in that presentation has been included in tonight’s packet information. At that time, Mr. Ebel said he also discussed three neighborhoods in which staff was aware of poor performing chip seal. He said staff has a commitment from a contractor to re-chip
seal the Heritage Farm area; however, there has been no decision reached on Nottingham Forest South or St. Andrews Highlands. Mr. Ebel said this will be based on a decision as to whether to eliminate chip seal from the City’s program as a technique and replace it with micro-surfacing.

Staff Comments relayed that in 2005 the annual Street Maintenance Program is budgeted at $8,425,000. The program includes three major street sealing operations. Street sealing is primarily a preventative street maintenance procedure, whereby the underlying asphalt structure is sealed to protect it from water penetration and harmful ultraviolet light. The seal increases the life of the asphalt structure, thereby reducing life cycle maintenance costs.

Mr. Ebel explained that the City uses three different applications in its street sealing program which are: (1) chip seal; (2) slurry seal; and (3) micro-surfacing. Chip seal has been used in Overland Park for over 43 years. Slurry seal and micro-surfacing are relatively new technologies, and the City has used them for approximately the last eight to ten years.

Mr. Ebel explained that chip seal is used primarily on all residential and collector streets. Slurry seal is used in cul-de-sac bulbs and parking lots. Micro-surfacing is used primarily on thoroughfares.

Staff has no recommendation at this time. Mr. Ebel said his recommendation on which material to use would depend upon whether he was asked as an engineer, as a budget analyst or as a resident, because there are many different perspectives on this issue, which the Committee will hopefully grasp and provide guidance.

As relayed in Staff Comments, should the Governing Body decide to eliminate chip seal as a street sealing alternative, the additional cost to the street maintenance budget would be approximately $500,000 a year, based on a program of approximately 90 miles of street sealing and on 2005 street maintenance contract costs.

Mr. White understood it has been determined there is approximately 20 percent less durability from a life-span standpoint using micro-surfacing rather than chip seal. Mr. Ebel replied that in Overland Park it has been demonstrated that chip seal lasts seven to nine years while micro-surfacing was shown to last six to seven years. Mr. Brown interjected that it is not anticipated that the City would change from the current seven-year cycle to something less.

Mr. White commented that he had once lived in a cul-de-sac where slurry seal had been used. He said it was very disruptive to the neighborhood due to the necessity of shutting down an entire street to do it. He asked if micro-surfacing would require the same street shut down time. Mr. Ebel said streets would have to be closed a minimum of four to six hours for micro-surfacing.

Mr. Stock clarified that if micro-surfacing is used to replace chip seal in residential areas, it could last longer than six years, and Mr. Ebel said that was staff’s opinion. He said staff believes micro-surfacing is the only alternative to chip seal due to its durability, which is greater than slurry seal.
Mr. Stock said this is a major issue in Ward 6 in the LionsGate Subdivision that is being chip sealed this year for the first time. He said the board at LionsGate has been experiencing a tremendous amount of calls about it, after which they contacted him and Councilmember George Kandt, their ward representatives. From a neighborhood perspective, Mr. Stock said residents feel that the City is ruining their streets.

Mr. Brown said depending upon what the contractor can provide, the resealing program may need to be split into more than one program, because micro-surfacing needs to occur during July and August when the temperatures are hot. If the street sealing program includes over 100 miles using micro-surfacing, Mr. Brown said it may be more than one contractor can handle. Also, he said some of the smaller micro-surfacing contractors may be replaced with larger ones, resulting in very little competition, which could be a disadvantage. With regard to thoroughfare micro-surfacing, the contractor does it all at night, which results in traffic control being fairly simple. If the City goes to micro-surfacing for all residential streets, each street requires a four to six-hour closure, which will require the contractors to find a way to stage their work in order to keep disruption to residents at a minimum.

Mr. Brown advised that staff has included in packet information a graph of street sealing alternative options with a view towards how to implement changes in the least disruptive manner.

Mr. Stock stated that he believed the City had an obligation to move away from what he considers to be an antiquated methodology of street sealing. He said residents have come to expect first-class service from the City. Mr. Stock said he receives numerous emails on this subject, adding that because LionsGate is experiencing chip seal for the first time, those residents are very upset. He said those residents were happy with their streets before, and they do not understand why the City is ruining their streets. He said they are demanding, in lieu of what work has been done, that the City restore their streets back to their original condition.

Mr. Spears commented that one complaint he has heard from residents is, “I pay a lot of taxes, and I did not move to Overland Park to live on a gravel road.” He believed the issue is whether the City is going to stop using the philosophy of using the lowest cost method or is the City going to improve services and quality that residents want. Based on some conversations Mr. Spears had with Mr. Brown and Mr. Ebel, the incremental cost is approximately $1.50 per house, per year to use micro-surfacing versus chip seal.

Mr. Hix relayed that his concern with making this change is that it is only a small percentage of the City’s population who sees chip seal as a problem. He pointed out that Overland Park has had the lowest tax rate of any Class A city in Kansas or any city in Johnson County for a long time. This is a result of Overland Park considering efficiency an important factor in conducting work. Mr. Hix believed that most residents living north of I-435 do not want their taxes increased in order to micro-surface streets. Because most of the City’s affluent homes have been built south of I-435, it sometimes creates a dilemma, because both constituencies are represented by the City Council who try and represent them in a fair and equitable manner. A couple of reasons he has heard from residents for not wanting chip seal include tracking rocks inside the house; and one resident had a $4,000 garage floor that got dirty from chip seal. He said these are temporary problems considering the financial savings involved. However, Mr. Hix said if residents perceived that chip seal is not
satisfactory for Overland Park, that perception cannot be ignored. Another complaint he has heard about chip seal is that kids cannot skateboard on it, which Mr. Hix said is not a valid reason in his opinion to change how the City builds its streets. He also believed that by going to micro-surfacing there would be as many complaints received, only different ones, due to the necessity of street closings. Mr. Hix stated the issue is wants versus needs and how to pay for them. He stated that he would like to see this item returned to the Committee next month and asked the City's budget staff to prepare financial impacts and alternatives relative to any proposed change. He said the cost to micro-surface all streets in the City has been estimated annually to be $500,000-plus and growing as more lane miles are added. Mr. Hix said this is not a one-time cost but rather a cost of $500,000 and growing every year. He stressed that it is very important that the financing of this proposal be clearly understood as an integral part in making any final decision.

Mr. Brown advised that $500,000 equates roughly to two tenths of a mill, adding that Budget Manager Gena McDonald or Director of Finance, Budget & Administration Kristy Stallings would be able to prepare financial impacts and alternatives for the Committee as requested. Mr. Brown commented that a couple months ago there was a question about what the change would mean in terms of additional costs per home. After talking with Mrs. McDonald earlier today, Mr. Brown said if there was a property tax increase of two tenths of a mill, for a $100,000 home, it would result in $2.30 a year; for a $300,000 home, it would result in $7 a year; and for a $400,000 home, it would be $9 a year.

Mr. Brown said under any of the options staff has outlined, the amount of micro-surfacing to be done next year would only be done in Nottingham Forest South and St. Andrew Highlands, the two communities that have expressed major concerns about the poor performing chip seal. He acknowledged there were problems with the chip seal work done last year. He said that the micro-surfacing work in 2006 would entail only about twelve center-lane miles, a modest amount. He said staff would not be asking that any changes be made in the 2006 budget because that increase would be absorbed.

With regard to the street sealing alternative options that were included in packet information, Mr. Ebel advised that staff determined that a three-year transition period would be best if the City replaced chip seal with micro-surfacing, because it would allow time for staff to evaluate performance.

With regard to Option 1 for 2006, the only micro-surfacing that would be done, as corrective work, would be in Nottingham Forest South and St. Andrews Highlands as mentioned by Mr. Brown. This is an additional cost to the program of approximately $214,000. Mr. Spears clarified that the City would not be doing twelve miles of chip seal that is already scheduled but rather the City would be correcting the twelve miles that failed. Mr. Ebel concurred. In 2007, Mr. Ebel said there are 89 miles currently programmed to street seal. What staff proposes in Option 1 is to micro-surface all collector streets and any streets that have never been chip sealed before, which equates to about 40 miles. The remaining 49 miles would be chip sealed. He said the difference in cost on 40 miles at .32 cents a square yard results in an increase of approximately $181,000. In 2008, Mr. Ebel said the City would then transition to full micro-surfacing which would entail approximately 80 to 90 miles of streets. Using the worst case scenario of 90 miles and using the .32 cent factor, Mr. Ebel said that this equates to approximately $406,000 total for that transitional cost.
Using Option 2 for 2006, Mr. Ebel said the City would still micro-surface the two neighborhoods discussed in Option 1; however, to prevent that first-time impact of chip seal, the City would defer until 2007, 24 miles of currently planned streets that will receive chip seal for the first time. Mr. Ebel said the net cost difference is essentially zero because the deferral of the 24 miles of chip seal covers the additional cost of micro-surfacing those two neighborhoods. For 2007, the deferred 24 miles are added, and the cost increase is $289,000. In 2008, Option 2 is the same as Option 1.

Option 3 defers first-time chip seal in 2006 and first-time chip seal in 2007 and fully transitions them to 2008. Again, there are no cost increases in 2006 and 2007 under this option because the deferred streets offset the cost of transitioning to micro-surfacing. In 2008, the cost increase is approximately $505,000.

Mr. Stock said he understood that some people do not use their streets for recreational purposes, but many residents do whether they were designed for that or not. He could not understand why the City could discuss the eventual approval of $7 million of sewers at no cost to residents with no tax discussion. However, in discussing street sealing, a tax discussion has been suggested.

In response to Mr. Stock’s question, Mr. Spears explained that the sewer issue proposal would not be an issue for approximately three or four years. He said the task force felt it was premature to discuss payment at the time, because they did not know the best way to approach it based on the economics of the City and the bond market. Mr. Spears said street sealing has a more immediate impact for next year’s budget opposed to discussing three or four years out.

Referring to the previous agenda item, Mr. Stock said it was determined that there would be a $40,000 loss to the City by foregoing the installation of the sign by the contractor because 26 residents were against the placement of dynamic message signs on a thoroughfare near their residential neighborhood. When the City Council is looking at costs and how residents perceive their neighborhoods, particularly as important as street surfaces and its applicability to their quality of life, sense of place and sense of community, he viewed the costs as nickels and dimes relative to the overall issue.

Mr. Hix said street sealing is an on-going yearly expense that would be in addition to what has been budgeted for maintenance in the past, which is why he thought it important to discuss funding alternatives.

Mr. Brown stated that earlier this year in an effort to measure the smoothness of a ride on City streets, the City purchased a device known as a roughometer that was installed on a vehicle and has been running for several months on thoroughfares, collectors and residential streets. He said motorists are more interested in the smoothness of a ride than anything else. Mr. Brown distributed a graph of three locations in the City showing smoothness of roadways before and after treatments had been done to them. Three treatments were shown in the graphs. The numbers to the right of the graphs were numbers representing the International Roughness Index with the larger numbers representing the worst ride. Mr. Brown said the numbers across the bottom of the graphs equated to the distance driven. The first graph showed 110th Street, between Antioch and Lowell for a half mile. The blue line on the graph showed the roughness of the street before the overlay. The red line on the same graph
represented the roughness after the overlay, which showed a significant reduction in roughness.

The second graph showed 93rd Street, between Glenwood and Metcalf. Mr. Brown said 93rd Street had been chip sealed, which was represented by the blue line. The red line showed the micro-surfacing reduced roughness by approximately 20 percent.

The last graph showed Grandview, between 103rd Street and 101st Street, with the blue line showing the roughness before chip seal. The red line showed the roughness after the street was chip sealed. Mr. Brown said the two lines looked almost as one, and there was no real difference.

From a ride quality standpoint and to experience a very good ride, Mr. Brown said overlay was the best treatment; however, overlay is approximately ten times more expensive than chip seal and approximately eight times more expensive than micro-surfacing. He said overlay is the only treatment for surface improvement of the surface layer of asphalt, which has structural defects and this is done on an infrequent basis. In the next couple of days, Mr. Brown said Nieman, south of College to approximately 116th Street, will be micro-surfaced, because presently it is the second roughest street in the City after being milled and then chip sealed.

Mr. White believed the City needs to move towards a micro-surfacing policy. He proposed that the City implement the conversion of chip seal to micro-surfacing initially on the first-time chip seal streets. From a budgetary standpoint, Mr. White was concerned over Option 3 in 2008 due to the half million dollar cost without incrementing into it, which he suggested be done over four or five years. However, from a quality of life standpoint and from the quality as a whole that Overland Park has demonstrated, Mr. White said the City needs to move in that direction. He said he would support a motion to table discussion of this item until staff can provide a budgetary analysis to the Committee.

Mr. Hix moved to table discussion of this item until next month’s Committee meeting in order for staff to provide a budgetary analysis of funding impacts and alternatives for moving from chip seal to micro-surfacing. Mr. White seconded the motion.

Mr. Spears asked if staff could provide at next month’s meeting the advantages and disadvantages of an aggressive three-year conversion or a more passive five- or seven-year conversion in order to look at the engineering advantages in not only dollars but also the best business practice of putting it into effect.

Mr. Stock asked Committee members if they wanted to entertain holding a public hearing to validate that this in fact is an issue and that it is fairly widespread.

Mr. White said he would appreciate seeing some of the emails and see what comments have been received on this issue.

Ms. Stephanie Garcia, 11001 West 131st Street (St. Andrews Highlands), asked if it was possible for some decision to be made tonight regarding St. Andrews and Nottingham Forest.

Chair Gilliland said the Committee is not prepared to address this tonight, but it could be addressed at next month’s Committee meeting.
Councilmember George Kandt said this is not simply a Ward 6 issue or a south Overland Park issue but rather a City-wide issue. He suggested when the Committee is considering this issue they look at the entire City, because street resurfacing affects streets throughout the entire City. Mr. Kandt hoped the Committee would look at an option and move away from chip seal because he believed Overland Park could do better.

The motion to table this item to next month’s meeting passed by a 6 to 0 vote.

**CUL-DE-SAC ISLANDS**

Senior Transportation Planner Mark Stuecheli advised that the Ordinance Review Committee of the Planning Commission recently reviewed the issue of whether to require the installation of landscape islands in cul-de-sac bulbs in public streets. After receiving input from Planning, Public Works and Fire Department staff, the Ordinance Review Committee decided to maintain the existing practice of permitting, but not requiring islands in cul-de-sac bulbs. Mr. Stuecheli said the Ordinance Review Committee recommended that a minimum island radius be established at 11 feet.

Mr. Stuecheli advised that since the pavement design standards for public streets are set out in Section 13 of the City’s ordinance, staff determined that the proper procedure for including the minimum size standard should be to revise Section 13.03.070 with this additional wording, “…and the minimum island radius shall be 11 feet.”

Mr. Stock clarified that it was the developer’s option to irrigate but that it was not required by the City, and Mr. Stuecheli concurred.

Mr. Stock understood that the landscaping in the cul-de-sac islands, in the areas where this is done, would be maintained by the homeowner’s association. Mr. Stuecheli advised that every island constructed includes a maintenance agreement requiring the homes association to maintain it.

Mr. Spears moved that the Committee recommend to the Council approval of the revision to Section 13.03.070, Ordinance No. STR-2569, as recommended by staff. Mrs. Happer Scheier seconded the motion, which carried by a 6 to 0 vote.

**WAIVE CONSULTANT SELECTION PROCESS**

Civil Engineer Supervisor Dan Miller relayed that staff has been using the services of an outside consultant to review and comment on the Design Build Agreement between the City, designer and builder, for the Event Center program and schedule. He said the consultant is also advising on process issues and meeting with the City, design builder and designer as needed.

Mr. Miller advised that The Jorgensen Group, L.L.C. has been assisting in this process, and staff prefers to continue this relationship since these services are still needed. Therefore, staff recommends waiving the consultant selection process and approval of Supplemental Agreement #1 to the existing consultant agreement with The Jorgensen Group, L.L.C.
Mr. Spears moved that the Committee recommend to the Council that the consultant selection process be waived and that Supplemental Agreement #1 to the existing consultant agreement with The Jorgensen Group, L.L.C. be approved. Mr. Hix seconded the motion, which carried by a 6 to 0 vote.

**KS CTP ECONOMIC DEVELOPMENT FUNDS**

Mr. Shields advised that staff received an inquiry from The Kansas Department of Transportation (KDOT) within the last month to determine if there were any programs or economic development projects for 2009 the City may have an interest in applying for to receive state assisted funding. As an example, an economic development project would entail making improvements to a roadway system in order to make a local project more viable. A proposal was presented to staff a few years ago that would redevelop the area of Metcalf between 81st Street and 82nd Street. As part of this redevelopment effort, the streets on the west side of Metcalf (Marty, Floyd and Hamilton) would need to be realigned with 81st Street and 82nd Street on the east side of Metcalf. Mr. Shields said this would result in parcels of land that would be more suitable for redevelopment. He said the application to KDOT would seek to make the roadway alignment changes to help offset the cost of this redevelopment effort.

As relayed in Staff Comments, in addition to this proposed redevelopment, the City is making a major commitment in this area by building the new community center just to the west. The proposed redevelopment would enhance this project and the Metcalf corridor in this area. In addition, it may be possible to add left turn lanes on Metcalf between 81st Street and 82nd Street, which would help to enhance the safety and efficiency of vehicular movements along this corridor.

Mr. Hix commented that the proposed improvements would eliminate a dangerous angled intersection on Metcalf at Marty and at Floyd that has no left-turn stacking now. He said it appears to be a significant safety improvement. Mr. Ebel relayed that it aligns Floyd with 81st Street and Marty with 82nd Street across Metcalf, which is also a safety improvement.

Mr. White clarified that the community center design that was given to the public shows the angled streets, Marty and Floyd, and Mr. Shields concurred. Mr. White was concerned about what design the public saw and how that might now be changed. He believed that residents perceived that those buildings and businesses will continue to exist. Mr. Shields said developers have the right to redevelop property. Mr. White asked whether this is being done to assist the developer to redevelop or if it is a public safety issue. Mr. Shields said it is a combination of both, adding that the downtown Overland Park Master Plan shows an area of Marty just west of Metcalf with town homes, which would increase the residential nature of the area.

Mrs. Happer Scheier commented that when she was on the citizen’s initial design development committee for the community center, there was an understanding this area of Metcalf near the new community center quite possibly would be redeveloped.

Mr. Stock asked if the community center is planned to be built in the location currently shown on the proposed concept plan, and Mr. Shields replied the community center is planned to be a little farther south. If the building of the new community center and the realignment of Marty and Floyd are to work in tandem, with Floyd and Metcalf and Marty and Metcalf coming together, as the architect and the community
center project team move ahead with the community center, they will make those choices in conjunction with the Council’s input.

Mr. Stock agreed with Mr. Hix that these turn lanes on Metcalf at Floyd and at Marty are critical. He also believed having any kind of visibility of the community center from Metcalf could have a phenomenal effect on its success.

Mr. Shields said staff recommends that the grant application be submitted to the state. He said the City can apply for up to $2 million in state funding and would be required to match that amount with a 25 percent share (or $500,000). Final statewide project selections will be made by KDOT before the end of the year. Mr. Shields said since this project would not take place until 2009, staff would include it for consideration in the next Capital Improvement Program (CIP) process to start this fall (2007-2011).

Based on information received, Mr. Spears favored staff submitting the grant application to KDOT as outlined. Mrs. Happer Scheier concurred as did the other Committee members.

**EROSION & SEDIMENT CONTROL ORDINANCE – Changes and Design Criteria**

Supervisory Civil Engineer Tony Meyers relayed that this informational item related to some clean-up and tweaking of the City’s erosion control ordinances, including the permitting sections of the code that deal with erosion control.

As relayed in Staff Comments, in February 2003, the City enacted ordinances related to erosion and sediment control requirements for construction sites. These ordinances were in response to requirements imposed under federal regulations known as Phase II of the National Pollutant Discharge Elimination System (NPDES). The requirements mandated that the City implement measures to protect receiving streams and waterways from construction site erosion.

Mr. Meyers advised that since adoption of these ordinances in 2003, staff has identified portions of the City code that need to be clarified to better manage construction site erosion and sediment control. All of the proposed ordinance changes are focused on clarification of requirements and streamlining the processes. He said staff believes that these changes will provide better service to the development community and citizens, as well as reduce internal paperwork and staff time spent administering erosion and sediment control requirements.

Mr. Meyers explained that Attachments A and B, included in packet information, show the actual proposed text changes to the Municipal Code. Attachment C summarizes significant changes and includes information on why changes are proposed, and Attachment D shows the proposed erosion and sediment control standards.

Mr. Meyers advised that all of the ordinance changes and the design standards have been posted on the City’s website since June. Staff invited approximately 400 engineers, developers, and contractors to a public meeting the last of June. He said approximately 30 people attended, and staff has had no comments on any of the ordinance changes or design standards.
Mr. Meyers said the Planning Commission recommended approval of the Unified Development Ordinance (UDO) changes last Monday. He said staff will recommend approval of the Erosion and Sediment Control Ordinance BC-2523, Title 16 changes, to the Community Development Committee at its meeting next Wednesday. The Council will consider that recommendation at its August 15, 2005, meeting.

Mr. Meyers said implementation of these changes is proposed for September, with full implementation by the first of November; therefore, construction will not be affected until next year.

Mr. Hix asked if the Home Builder’s Association (HBA) had made any comments on the changes, and Mr. Meyers replied they were in attendance at the public meeting but staff has received no comments. He said the changes being discussed do not affect the HBA as much as enforcement issues, which could be a future topic for this Committee.

Mr. Spears asked who enforced these regulations, and Mr. Meyers replied that the City is responsible for enforcing City regulations. He said the state of Kansas also issues a permit and in theory has enforcement capabilities although in practice they do not have the manpower to visit the sites to do enforcement. He said the Environmental Protection Agency (EPA) has targeted areas and done mass inspections resulting in huge fines being levied.

Mr. Brown interjected that should the EPA inspect a Public Works site and find violations, they will fine both the contractor and the City.

With regard to enforcement, Mr. Stock asked if the City actually polices erosion control devices and issues citations when there is noncompliance. Mr. Meyers said yes, adding that the ordinance provides a lot of enforcement tools.

Mr. Stock asked if the development community was responsive to the City’s concerns when violations are cited. Mr. Meyers said the results are mixed. He said it would be a City Council policy decision with regard to how heavy-handed enforcement should be.

Mr. Stock advised that he has worked with Mr. Meyers on several occasions and wanted to state that he is extremely impressed with the professionalism of City staff and how they deal with complaints. He also was extremely impressed with staff's responsiveness and objectivity to the citizens who are not always kind. Mr. Stock said he was extremely impressed with Mr. Meyers and believed it should be noted. He said staff deals with some very difficult situations while providing first-class service to residents in the community.

Engineering Services Administrator Peggy Sneegas relayed that there is a marked positive difference since the ordinance was adopted two years ago. She said the streets are cleaner and there are fewer mud-in-the-street problems than there used to be. She said the City has until 2007 to enforce the ordinance to the level that the NPEDS permit requires. She believed staff is at a point where they need to know how far the Council expects them to go with enforcement. Presently, staff is addressing a lot of neighborhood complaints about silting. In August Ms. Sneegas said there will be a staff presentation to the City Manager to ask him how he wants staff to proceed with bringing this discussion item before the Council.
SYSTEM ENHANCEMENT PROJECTS – Update

Mr. Miller referred to Staff Comments, which listed two projects as follows:

I-435 & Antioch Interchange – Design is complete and this project is advertised by KDOT for an August 17th bid letting. Mr. Miller said the City completed the condemnation process and now has all right-of-way and construction easements. Utility relocations, especially along Antioch and south of I-435, are ongoing and will continue through this fall. The current schedule is to begin construction on the main contract in September 2005, continuing through spring 2009. Mr. Miller said KDOT and the City are both very concerned about the escalation of construction prices on projects that have had bid lettings over the last couple months. He said this is primarily a result of fuel prices, but other issues are related as well. He said the steady construction price market that has prevailed for some time has now changed. A groundbreaking ceremony is scheduled for September 6, 2005, in the area of Corporate Woods.

87th Street and I-35/U.S. 69 Interchange – KDOT is administering this project for Lenexa and Overland Park. Clarkson Construction is progressing with all aspects of the project. Mr. Miller said the relocation of Nieman, the new U.S. 69 southbound ramps, and reconstruction of Lenexa Drive south of 87th Street are complete. He said 87th Street is open to two-lane traffic again, and intersections at Goddard and Reeder will be closed until mid-August. Mr. Miller advised that the south half of all three bridges in the project are under construction. He relayed that 87th Street ramps to I-35 will remain closed until late 2006. Work will continue on this project until the spring of 2007, although major road and bridge work should be done by late 2006.

At 10:15 p.m., Mrs. Happer Scheier moved to adjourn the meeting. After a second by Mr. Hix the motion carried by a 6 to 0 vote.

Minutes transcribed by Nancee Ellis.

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Marcia A. Gilliland, Chair