

Roe 2020 Public Informational Meeting

August 1, 2019



PREPARED BY



Current Schedule

Date	Task
October 1, 2019	Easement Acquisition Complete
October 9, 2019	Advertise for bids
November 13, 2019	Bid Letting
February 2020	Open House Public Informational meeting with contractor
March 1, 2020	Construction Begins

Construction Phasing Overview

- The plans include general traffic control/phasing plan. Once a contractor is on board, they may change our phasing plan to increase their efficiency.
- In general, the phasing plan is as follows:
 - Remove Existing Center Medians (Inside Lanes Closed, Outside Lanes Open)
 - Construct Proposed Center Medians & Full Depth Pavement where medians were removed but not replaced. (Inside Lanes Closed, Outside Lanes Open)
 - Remove & Reconstruct Curbs/Curb Inlets/Sidewalks/Driveways/Entrances/Sideroads (Outside Lanes Closed/Inside Lanes Open)
 - Mill and Overlay Pavement, construct street lighting and traffic signals, restoration. (Various lane closures)

Construction Phasing Overview

- Construction Phasing Considerations
 - Sideroad and Commercial Entrance construction phasing has been detailed to maximize accessibility while keeping in mind public safety.
 - Residential Driveway Closure: There will be two instances in which homeowners will not have access to their driveways. This will be during the construction and cure-time of the driveway curb as well as the reconstruction and cure-time of their driveway. We anticipate the closure of each driveway to be limited to about 2 weeks total (depending on weather). Special accommodations will be made for the elderly and handicapped as noted in the plans.

Typical Acquisition Issues

- Loss of property value – Concern that the loss of property, or project construction, will negatively affect property value.
- Access to the property – Property owners, rightfully, desire vehicular access during construction.
- Construction duration in their area – Construction takes time, and the serial nature of it means that there will be some disturbance along all the roadway until final restoration.
- Changes in the grades/perceived damages to yards – There will be some grade changes, but all properties will be restored to acceptable slopes.

Property Acquisition

- City has currently acquired easements from 75% of tracts. No Right-of-way is being taken for the project. Concerns include:
 - Restoration – Lawns, flowers, edging, etc...
 - Tree loss – Very few on this project
 - Driveway replacement – Replacement extents, type, etc...
- There are some owners from which we may not be able to negotiate easements, and thus Eminent Domain is required. These may include:
 - Owner opposes acquisition
 - Owner cannot be found/absentee
 - Multiple owners with issues (divorce etc...)
 - Property in ownership change (foreclosure)

Acquisition Steps

- Prior to Eminent Domain:
 - City hires certified appraiser to appraise property before and after acquisition (complete)
 - Complicated/over \$10k acquisitions are reviewed by an independent appraiser (complete)
 - Acquisition agent provides offer to property owner (complete)
 - City exhibits good faith effort to acquire property, usually at least 30 days allowance for negotiation

Acquisition Steps

- Eminent Domain:
 - Governed by:
 - Kansas Statutes 26-501
 - Uniform Relocation Assistance and Real Property Acquisition Act of 1970 – Purpose is to ensure fair compensation and assistance and assistance for those whose property was compulsorily acquired for public use under " eminent domain " law.
 - City authorizes need for Eminent Domain thru resolutions/ordinances – Resolution complete
 - City files petition with District Court and notifies property owners, parties in possession, and parties with an interest in the property (mortgage holder, easement holders, etc...)

Acquisition Steps

- Post Eminent Domain:
 - Court assigns judge, holds hearing on validity of petition (i.e. does the City have the right to condemn for the stated purpose).
 - Court appoints appraisal panel, 2 licensed appraisers, 1 attorney (Johnson County residents)
 - Appraisal panel performs another before and after appraisal, establishes awards, files report with District Court.
 - City pays cost of awards and cost of panel's work to District Court and gains possession of the easements.
 - Owners can appeal the appraisal to a trial, but the only issue at this point is money.

Thank You

Questions?

