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CITY COMMISSION

MAYOR
MIKE AMYX

COMMISSIONERS
JEREMY FARMER
DR. TERRY RIORDAN
ROBERT J. SCHUMM
MICHAEL DEVER

June 3, 2014

The Board of Commissioners of the City of Lawrence met in regular session at 6:35 p.m., in the City Commission Chambers in City Hall with Mayor Amyx presiding and members Dever, Farmer, and Riordan. Schumm was absent.

Schumm arrived at 6:37.

A. RECOGNITION/PROCLAMATION/PRESENTATION

1. Proclaimed the week of June 8 – 14, 2014 as Relay for Life Week.

B. CONSENT AGENDA

It was moved by Dever, seconded by Riordan, to approve the consent agenda as below. Motion carried unanimously.

1. Received minutes from various boards and commissions:

Bicycle Advisory Committee meeting of 04/15/14
Horizon 2020 Steering Committee meeting of 04/14/14

2. **REMOVED FROM THE CONSENT AGENDA FOR A SEPARATE VOTE.** Approved claims to 150 vendors in the amount of \$2,006,447.59, and payroll from May 18, 2014 to May 31, 2014 in the amount of \$2,001,135.48 .

3. Approved licenses as recommended by the City Clerk's Office.

Drinking Establishment Expiration

Six Mile Tavern May 27, 2014
Brown Jug LLC
4931 W. 6th St.

Legends New License
Legends LLC
1540 Wakarusa Dr., Ste: L

4. Approved appointment as recommended by the Mayor.

Mental Health Board:

Reappointed Cindy Maude to an additional term that would expire 04/30/18.



5. Bid and purchase items:

- a) Set a bid opening date of June 17, 2014, for the purchase of a riding floor scrubber for the recreation facility at Rock Chalk Park.
- b) Set a bid opening date of June 17, 2014, for Bid No. B1444, Wastewater Treatment Plant Blower #1 Rehabilitation.
- c) Set a bid opening date of July 1, 2014, for the Comprehensive Rehabilitation Program Project at 1308 E. 16th Street.
- d) Set a bid opening date of July 1, 2014, for Bid No. B1445, Electrical Preventive Maintenance for the lift stations and water and wastewater treatment plants.
- e) Authorized the Utilities Department to sole source purchase two probes, meters, and mounting hardware for the Kansas River wastewater treatment plant, totaling \$36,571.08.
- f) Awarded Bid No. 1421, Project UT1210CS, Bob Billings Parkway East of K-10 Highway Sanitary Sewer and Waterline Improvements Project Contracts 1 and 2, to the low bidder, Kings Construction Company, Inc., in the amount of \$220,000 and authorized the City Manager to execute the construction contract.
- g) Accepted a proposal from RD Johnson Excavating for the lime lagoon cleaning, removal, and beneficial reuse of the lime residuals and authorized the City Manager to enter into an agreement not to exceed \$100,000 with an option to extend for four (4) additional years at both parties consent to allow for inflationary increases.
- h) Authorized the City Manager to Execute Engineering Services Agreements with Professional Engineering Consultants in the amount of \$35,852 for Project UT1409 Avalon Road Watermain Replacement and in the amount of \$34,261 for Project UT1413 Homestead Drive Watermain Replacement.
- i) Authorized a payment of \$16,545.73 to the Kansas Department of Labor for the 2015 worker's compensation self-insured assessment.
- j) Approved the purchase of roll-out carts for the residential curbside recycling program, in the amount of \$1,262,344.80, to Rehrig Pacific Company, utilizing multi-year bid B1243, originally approved August 14, 2012.
- k) Awarded Bid No. B1432, Project Number PW1416, 2014 Crosswalk Markings Project and Iowa Street Pavement Marking Project to C-HAWKK in the amount of \$84,826.90, provided the contractor could meet the terms established in the contract documents.

6. **REMOVED FOR SEPARATE DISCUSSION.** Adopted on first reading, Ordinance No. 9000, authorizing the use of the City's eminent domain authority and condemning

required right-of-way for the improvement of Wakarusa Drive and construction of a roundabout at Wakarusa and Inverness/Legends Drive.

7. Adopted on second and final reading, the following ordinances:
 - a) Ordinance No. 8992, allowing the possession and consumption of alcohol on the public right-of-way on the 100 block of E 7th Street and the 100 block of E 8th Street during the Lawrence Busker Fest.
 - b) Ordinance No. 8993, authorizing the use of the City's eminent domain authority and condemning required right-of-way and easements for the improvement of E. 1600 Road for the Wakarusa Wastewater Treatment Plant improvements.
8. **PULLED FROM THE CONSENT AGENDA FOR SEPARATE DISCUSSION.** Approved de-annexation, A-14-00073, of approximately 87 acres located at 2200 Noria Road and 4600 E. 23rd Street. Submitted by Barber Emerson, for Economic Development Corporation of Lawrence and Douglas County, property owner of record. Adopted on first reading, Ordinance No. 8999, to de-annex (A-14-00073) approximately 87 acres located at 2200 Noria Road and 4600 E. 23rd Street. (PC Item 1A; approved 9-0 on 5/19/14)
9. Vacation of Final Plat of East Hills Business Park East and Final Plat of East Hills Business Park East No. 2 due to the proposed de-annexation of property from the City of Lawrence. Submitted by Barber Emerson, for Economic Development Corporation of Lawrence and Douglas County, property owner of record. (PC Item 1C; approved 9-0 on 5/19/14)
10. Accepted dedications of right-of-way and easements and vacation of right-of-way for Final Plat, PF-14-00208, for Bert Nash Addition, located at 138 Alabama St. Submitted by the City of Lawrence, for Bert Nash Community Mental Health Center Inc., property owner of record.
11. Approved a Special Event request, SE-14-00222, for a fundraiser BBQ cook-off located at 1803 W. 6th Street. Submitted by Mount Oread Aerie #309 FOE, Inc., property owner of record.
12. Authorized the City Manager to sign agreement with Spencer Museum of Art renewing loan agreement for Japanese Noh masks.
13. Approved submission of selected installation proposal to Westar Energy Solar Project Grant for the Prairie Park Nature Center.
14. Accepted 2013 Annual Report: Economic Development Support & Compliance, as reviewed by the Public Incentives Review Committee on May 21, 2014.
15. Authorized the City Manager to notify Berkley Plaza, Inc. of the City's desire to exercise the option to extend the term of the lease for Municipal Court for one year and to execute the necessary lease amendment to extend the term through April 2016, at an annual base rent of \$94,049.

16. Authorized the City Manager to sign a license agreement with Lawrence–Douglas County Housing Authority for use of a portion of Edgewood Park to develop a new playground area.
17. Authorized the City Manager to execute a License Agreement permitting the Lutheran Association of Ministries and Pilots U.S., Inc., to use certain portions of the Pawnee Avenue Right of Way in accordance with the terms of that Agreement.
18. Modified the mortgage for Betty J. Erickson, 2114 Maple Lane.

Amyx pulled consent agenda item no. 2 regarding claims and payroll for a separate vote.

Moved by Schumm, seconded Farmer, to approve non-Rock Chalk Park related claims to 149 vendors in the amount of \$1,991,802.96 and payroll from May 18, 2014 to May 31, 2014 in the amount of \$2,001,135.48. Aye: Amyx, Dever, Farmer, Riordan and Schumm. Nay: None. Motion carried unanimously.

Moved by Schumm, seconded by Farmer, to approve Rock Chalk Park related claims to 1 vendor in the amount of \$14,644.59. Aye: Dever, Farmer, Riordan, and Schumm. Nay: Amyx. Motion carried.

Mayor Amyx pulled consent agenda item no. 6, Ordinance No. 9000, authorizing the use of the City's eminent domain authority and condemning required right-of-way for the improvement of Wakarusa Drive and construction of a roundabout at Wakarusa and Inverness/Legends Drive.

Amyx asked if the action the City Commission took last week authorized the use and this agenda item dealt with the condemnation.

Corliss said this item started that condemnation process. The resolution that was adopted last week was required by state law and required a survey and started the process, providing the City the authority to file a lawsuit.

Mayor Amyx called for public comment.

After receiving no public comment, **it was moved by Riordan, seconded by Farmer**, to adopt on first reading, Ordinance No. 9000, authorizing the use of the City's eminent domain authority and condemning required right-of-way for the improvement of Wakarusa Drive and

construction of a roundabout at Wakarusa and Inverness/Legends Drive. Aye: Dever, Farmer, Riordan, and Schumm. Nay: Amyx. Motion carried.

Melinda Henderson pulled consent agenda item no. 8 for separate discussion, the de-annexation, A-14-00073, of approximately 87 acres located at 2200 Noria Road and 4600 East 23rd Street. She said this was the item that had gotten her interested in planning and development back in 2000. She was very happy to see that the Chamber and the Economic Development Corporation had made the decision to return those 87 acres to the County for agricultural use. She supported this de-annexation and thought it was definitely in the best interest of everyone involved at this point in time. She said they were working in a different direction 14 years ago and was very confident they would have very good industrial and business development sites, especially when VenturePark opened. She said Lawrence was going in a good direction and was happy to see that.

Amyx said it was hard to find 87 acres to replace but things change and they needed to move on to the next level.

Moved by Schumm, seconded by Dever, to approve de-annexation, A-14-00073, of approximately 87 acres located at 2200 Noria Road and 4600 E. 23rd Street; and adopted on first reading, Ordinance No. 8999, to de-annex (A-14-00073) approximately 87 acres located at 2200 Noria Road and 4600 East 23rd Street. Motion carried unanimously.

C. CITY MANAGER'S REPORT:

David Corliss, City Manager, presented the report.

D. REGULAR AGENDA ITEMS:

1. **Conducted a public hearing to consider the vacation of a public street right-of-way at 302 Maine Street as requested by property owner Lawrence Memorial Hospital.**
2. **Conducted a public hearing to consider the vacation of a public street right-of-way at 346 Maine Street as requested by property owner J & S Holdings, LLC.**

Mayor Amyx called a public hearing to consider the vacation of a public street right-of-way at 302 and 346 Maine Street.

David Cronin, City Engineer, presented the staff report.

Mayor Amyx called for public comment.

Moved by Schumm, seconded by Riordan, to close the public hearing.

Moved by Farmer, seconded by Schumm, to approve the Order of Vacation of the public street right-of-way at 302 Maine Street. Motion carried unanimously.

Moved by Farmer, seconded by Schumm, to approve the Order of Vacation of the public street right-of-way at 346 Maine Street. Motion carried unanimously.

3. **Considered receiving request from Tony Krsnich for neighborhood infrastructure and public improvements related to the 9 Del Apartments project.**

David Corliss, City Manager, introduced this item.

Tony Krsnich said 9 Del Apartments was similar to the Poehler Lofts from the sense that it's rent restricted to tenants 60% of the area median income or less for the majority of the units. The Poehler building was 90% rent restricted and 9 Del Lofts 80% rent restricted. Although the project itself is significantly less to build, the 43 unit, 7.2 to 7.5 million dollar price tag, compared to the 9.5 million dollar project, is significantly under sourced in comparison because of the sale and equity race from the State and Federal historic tax credits. Although this project already has a waiting list, Poehler was recognized as the winner of the Novogradac Journal of Tax Credits Development of Distinction Award and leased 100% within 11.5 to 12 hours, but still needed a little bit of help. When spending on average \$200,000 plus per unit but renting the majority of those units out for roughly \$450 per month, there was just a natural gap. Regarding a future request, they would more than likely need help with the property taxes. They met with Steve Miles and Brad Eldridge from the County who were also very supportive of this project and voiced a concern with how the Poehler property taxes were evaluated. They were extremely receptive to the meeting and they would meet with the County next week to further

that conversation along and also co-author what a go forward strategy on a high density, rent restricted project like Poehler and like 9 Del Lofts might be in the future. Unfortunately, they didn't have a resolve to that conversation and there was a lot of fact finding that needed to take place before everyone was on board. And, definitely more conversation needed to happen with their group and members of the County Commission. He said one difference between this project and the Poehler lofts is they were able to incorporate 3 bedroom apartments, for total of 4 incorporated, into this project and was designated with a family intent in mind.

Amyx said regarding the \$97,000 for improvements, was staff indicating to spend down the fund balance or as part of the 2015 Budget.

Corliss said the City didn't have in their budget that \$97,000 in the designated General Fund for those improvements. The one other item was the actual cost on the Bury of Overhead Utility Lines because it was just a plug number and wasn't sure of the actual cost but hoped it was in that neighborhood. The other improvement costs were quotes and those numbers were solid. It was a considerable amount of money but it wasn't going to change the mill levy that much and they could spend it down, if appropriate.

Amyx asked if they had all the information they needed to make the decision on the \$97,000 or was there some other number that needed to be part of that equation.

Corliss said the one number they didn't know for sure was for the utility lines but utilities wanted to move forward on this project and the more definitive answer the City could give this evening, the better off Krsnich would be.

Krsnich said he thought he short sighted himself on the sale and had one thing he forgot to state which was they had been allocated \$400,000 in HOME funds. \$400,000 in Affordable Housing Program funds through the Federal Home Loan Bank of Topeka and 4.8 million dollars of Federal Rent Restricted Tax Credits from Kansas Housing Resource Corporation. If adding that up compared to the request, just from the General Fund, he believed that equated to

roughly a 1.5 percent match if you were to off-set that by the State and Federal contribution to the project and thought that was worth noting.

Amyx asked about the City's participation versus the taxable value of the property.

Corliss said the sanitary sewer line that bisected the property needed to be moved but didn't need to be otherwise moved, as far as the rehabilitation of the sewer lines. They had a site water line and the sanitary sewer connections and recommended they send that funding out of the Utility Department's funds where they did similar work. Staff had been doing extensive storm water work in that area down Delaware between 8th and 9th Street. He would recommend that the site storm sewer work be funded out of the stormwater utility fund. Then, they had public improvement work that needed to be done. Some of that work staff did generally and had some work that had to be done on 9th Street. People didn't think of 9th Street extending past Delaware but technically it did. Usually the development bears that cost but in this case they would spend it out of the General Fund. The City had money that the City Commission allocated for street work every year and staff could spend it there. That part of 9th Street wasn't a priority but they did know that 9th Street, to the west, is a priority once getting past the development on Pennsylvania. That was, certainly, appropriate to look at to spend street maintenance money and that all came from the General Fund. Then there had been a request to waive the water and sanitary sewer fees, the System Development Charges, the city had. There is nothing there now. There is no impact from that vacant lot to the water and sewer system. So, there are costs associated with that when they have the 43 units that obviously needed modern water and sewer facilities. We also require the development to buy a meter, or in some cases meters, and then that meter becomes the City's property and they would use that for a few years and then keep replacing meters forever and ever. Then there was the utility and power line's that were there and were successful, on a larger scale, in burying the utility lines along Pennsylvania and the development paid through a special assessment benefit district for that along with the City that owned the parking lot. They needed to get that number nailed down

but staff thought that was a pretty good estimate. He said he wouldn't recommend it if it was \$340,000 but it was not and was probably in the neighborhood of the number that was plugged in.

Schumm asked if the Burying of the Overhead Utility Lines were done by the City or Westar.

Corliss said that was usually Westar's work but the City paid. Sometimes they could share some trenching work but didn't know if that would be anticipated and would probably be separate.

Schumm said it was a little bit of an open check book and thought they should cap it at, no more than, \$100,000 out of the General Fund if they were going to approve it.

Amyx said they needed to have a cap amount. This Commission, and the previous Commission, had been supportive of those projects and appreciated the investment in Lawrence especially in East Lawrence. He asked if Krsnich had been working with staff as to the next plans so the City could plan in the future.

Corliss said he thought so.

Amyx said this project moved quicker to create the shortfall of money.

Corliss said the development business was "hurry up and wait" and was not anyone's particular fault. Krsnich had gone through the land use approvals and staff had been working with them to try and understand their incentive request and Krsnich now needed to get moving on the project in order to hit some of his milestones regarding the financing commitments to make the project viable. Staff tried to run as quickly as they could with a development they knew the community supported.

Mayor Amyx called for public comment.

K.T. Walsh, representing the East Lawrence Neighborhood Association, said they met last night and had a good long discussion about this project. They are very supportive of more low to moderate income housing and that was a happy event. They are also very supportive of

Krsnich's preservation efforts. The issue they had with this project, moving forward, is that it was an improper process and was being pushed through before the NRA (Neighborhood Revitalization Act) was set. As far as they knew, it hadn't gone before the PIRC (Public Incentive Review Committee) which was mandatory for any NRA incentives. The neighborhood wanted the City Commission to know that they strongly feel it should go to the PIRC before anything was set. There were also some smaller matters which was some confusion about the 10 foot sidewalk in front of the apartments. Krsnich said he would expand his sidewalk to accommodate the new trail adding on to the Burroughs Creek Trail, coming to the river. Krsnich had said he would be glad to pay for that but that might be paid for through the KDOT grant which they would know about in July. That might not be in play and they didn't know. Someone pointed out that the taxpayers would be paying Krsnich for his sidewalk. With Westar burying the utilities, Westar recently visited with Struct/Restruct, a construction firm that was two doors up from 9 Del Lofts, and told them that Westar would be paying for burying the utilities. There was some confusion there as to who was paying for what. There was some objection in the meeting about raising the mill levy for this because that reduced resources for other things. Especially, bicycling and pedestrian goals that they had for the City. Officially, they were asking the City Commission to wait and use proper process. There was another issue regarding other developments coming after this one and they were asking for a little more openness and for a meeting with Krsnich so they could talk about where he was going after 9 Del Lofts. She said they were really hoping they could talk.

Corliss said he wanted to clarify that the NRA request he was forecasting as a possible issue. If it did proceed, it would go to the PIRC and that recommendation would come back to the City Commission. It was his understanding that Krsnich didn't know at this point because of the property tax issue and whether or not he would make that request. Again, that issue would go to the PIRC if the City received that formal request.

Amyx said regarding the items before the City Commission, those dollars generally didn't go through the PIRC process.

Corliss said there was no real purpose in involving the County and School District because those were, solely, the City's dollars and it wasn't a code requirement that those individual request go to the PIRC.

Krsnich said regarding the 10 foot sidewalk, they were not asking for KDOT dollars to pay for that sidewalk.

Schumm said there was a grant request to KDOT for expansion of Burrough's trail from 11th to 13th down to the river but it was a matching grant. KDOT wasn't going to be paying everything and the City paid a fairly large amount of that. He said if Krsnich was going to take care of a chunk of sidewalk in his neighborhood and they get the grant, then it was less money the City had to spend on the remainder of the trail. He said he didn't see that as any kind of subsidy back to this project or any reimbursement.

Krsnich said that was right and there would just be more money to go around. There had been some emails that everyone had seen, necessary or not, but he stood before the City Commission stating that he had a lot of ideas about what he thought would make for a better, more vibrant arts district. If he called each one of the Commissioner's every time he had an idea, needless to say, they would be having a slumber party. He said "if" and "when" he had plans and engaged an architecture firm to do a future project maybe on land he owned or land he didn't own, the City Commission and the community would be the first to know. He said he wanted it to go on record, stating that he didn't have any plans, or plans in the works of mention, at this moment of time.

Riordan asked Krsnich to summarize all of the request and the possible request for this project for City assistance.

Krsnich said the least solid at this point, meaning based upon the conversation they had with the County on the tax issue, they might, or might not, need to come and ask for a tax

rebate. That tax rebate might need to be extended out to 15 years to match the compliance period, which was fairly impressive in Lawrence and certain other towns. He said what percentage of that rebate they might need, which he considered a net abatement, remained to be seen but he would stay in close contact with all of the City Commissioners. He said they had a \$34,000 estimate which was actually given by Westar to bury power lines. The reason why that was in flux was because they believed that there was 3 or 4 power lines that were being buried and 3 or 4 power lines might not be. He said Pete Jenks, the Project Manager with Rau Construction, was meeting with Tim Bruner with Westar tomorrow at 10:00 a.m., on-site, to firm up that number and look at what the additional scope of work was. In addition, it was the sanitary sewer/storm water and the public improvement work that the City Manager discussed previously.

Riordan asked if the \$191,000 was the top part of that public assistance request.

Krsnich said correct.

Amyx asked what had been Krsnich private investment in the Arts District, so far.

Krsnich said he was broke but it's been great. He said he loved the preservation aspect of thing. It's been interesting, some of the feedback they had been getting recently was sort of, too much of a good thing was a bad thing. He said they started off with the Poehler Building. It was presented by many people in the community that we needed quality, affordable, safe places for artistic entrepreneurs in town. We need a hub. When he had wanted to turn the Cider Building into market rate housing, the feedback was they needed quality, affordable office space for entrepreneurs to be able to work at an affordable rate. Those start off at \$95 per month, copier, printer, scanner, utilities, conference rooms, smart TV's, everything all included. Then it goes up to a traditional office which average at \$600 per month. They took Seedco which was vacant and turned it into affordable space for artist and the results speak for themselves. They were selling two to three times the amount of art work than they ever did beforehand because they had a place they knew they would not be kicked out of. Needless to

say, they took an area, 3 years ago, that was 95% vacant, the largest under-utilized, historic district in Lawrence, that today would have been in a landfill, and now they were 100% occupied to a point where they were requesting ½ to 2 percent match, based upon the other funds they were able to raise so they could continue to provide more quality, affordable housing to continue the momentum they had in the arts district. He said he didn't think that was a bad thing.

Amyx said this was something the City had been striving for, for a long time, as a community. Good affordable housing is something that many of them that ran for City Commissioner had stated was one of their priorities. With the public's help, Krsnich was able to provide that in a good and safe environment. Plus, giving the City something that was truly a great investment in this community, especially in East Lawrence. When looking at the projects that the City had invested in, there had been a lot of infrastructure improvements that they made to East Lawrence throughout time but, at the same time, that big thing that they wanted to happen was happening and they all tried to figure out ways. The Poehler Building was to be repaired, maintained and brought back to life and Krsnich had done that. He thanked Krsnich and stated that he was glad the City could help.

Walsh said, regarding the trail, she was confused because it was still on the list for request for public assistance, private drive, 9th Street extension east and a 10' trail along Delaware for \$47,565 out of the General Fund. She asked if that isn't being requested by Krsnich, why is it on that list.

Amyx said he would suggest directing staff, if the City Commission were to consider this with a cap of \$100,000, the City would get the grant and it was negotiated out and that was money they would save for another part of the City's project. But, with the trail, the City agreed to match \$200,000 to \$300,000.

Corliss said he thought it might be \$350,000.

Amyx said there were places they could use that money. He said Walsh made her point but the direction the City Commission would make to staff was that if there was money saved, that money would not be spent.

Walsh said she didn't want to be out of line but there had been a lot of bridges burned and she didn't want to air their dirty laundry but there was no trust between the neighborhood association and Krsnich. She said they were asking for a meeting about Krsnich future plans. It would help to have the City Commission's support for the neighborhood.

Krsnich said he had received a very nice email from the President of East Lawrence Neighborhood Association apologizing about comments like those the Commission just heard. And, thanking him and saying that a new meeting is not needed with the meeting that the City Commission had seen proposed on the 16th. He said, of course, if someone wanted to meet him, he had his cell phone on his hip at all times. He thought he was one of the most approachable and easy guy's to get a hold of and, hopefully, get along with in this business. Backing up, regarding the 10 foot trail, he was 100% requesting that as part of the incentive package. That was in the concrete and expansion work taking 9th Street east of Delaware. What he was referring to was that he was not requesting that out of KDOT and he would be surprised if this work and set aside didn't go toward their matching requirement.

Amyx said that request was still part of the incentive package and was needed to help with this project.

Corliss said, regardless of whether they received the funding, this community and Commission still wanted that trail worked on. They might need to do it in increments and they did it along Delaware and they might need to work on the trail in other places by increments. This was an increment that needed to be funded. It would normally be a developer cost and Krsnich had it listed as a 10 foot trail along Delaware as part of his request for that work. If the City received the funding, what staff would work to do was, perhaps, delay that installation until they could make sure they could get credit for that portion of the trail as far as the City's match

was concerned. Krsnich was not going to get paid by KDOT and hoped the City was fortunate enough to be reimbursed by KDOT for the entire project.

Amyx said if an NRA request was made by the developer it would be referred to PIRC and needed to go through the City's process. Any of the development needed to go through the Planning and Development Services Department.

Corliss said that process was largely completed.

Farmer said it seemed that the emails that the City Commission had been sent today that certain individuals were trying to stir up trouble and put a potential stop to, or slow down, a project that was going to benefit people in their apartments by, in his opinion, requesting unnecessary meetings. Emails from the ELNA leadership that the Commission received today stated the association had been supportive and appreciated the addition of 3 bedroom apartments and trail connectivity. For non-representatives, according to the emails they received today, and was not talking about the comments that Walsh made tonight, to be requesting meetings at the behest of the neighborhood was both misleading and disingenuous. It seemed to him that the neighborhood was at odds with each other and not with Krsnich. Furthermore, he wanted to say that he thought it was sad that they had people who constantly seem to stir up trouble to dissuade a developer willing to spend millions of dollars in personal investment to increase affordable housing which the Poehler Building was 90% rent restricted and 9 Del would be 80% restricted. It seemed quite insane that a developer was willing to not tear down buildings with respect to historic environs, rebuild buildings and completely rehabilitate an area of town with many of those taking advantage of that rehabilitation being low income families, or business start-ups, and someone with potential future political aspirations would be standing on the side lines seeking to tear it down and making a mountain out of a mole hill for the purposes of a political stunt to gain attention was quite sickening to him.

Amyx said the City Manager needed a recommendation from the City Commission as to whether or not they were willing to spend down either fund balance or go through the process.

Michael Almon, Sustainability Action Network, said they had supported 9 Del Lofts since the outset. They very much appreciated the project itself and met early on with both Krsnich and Barlett and West to confirm that they were installing a 10 foot wide bicycle track. Based on that 10 foot wide bicycle track that opened the flood gates to developing a plan for the Burrough's Creek Trail Extension, the Sustainability Action took the ball from there. Based on all that, they went to the Planning Commission on September 20, 2013 supporting this project and mentioning that Krsnich was going to build the trail which they saw as a lead in for the extension of the whole trail. They also came to the City Commission on November 5, 2013 wanting to present that and on February 4, 2014 a public hearing was heard regarding the grant. At that time, they presented that Krsnich was partnering with them by funding his part of the trail. The Director of Public Works could confirm that the funding for that section of Krsnich trail was taken out of the KDOT grant based on the fact that Krsnich was paying for it. That begged the question that it was still not going to be paid for no matter which way it went. Krsnich was doing a worthy project but there were lots of worthy causes and the Sustainability Action Network was concerned of the funding for the extension of 9th Street and the money for that trail in direct conflict with greater priorities as they saw for bicycle facilities elsewhere in town. They were asking for bicycle facilities but this seemed a very low priority particularly that Krsnich initially said he would pay for it and it was not in the KDOT grant. Essentially, Krsnich was right now getting \$173,245 in waived fees, stormwater utility fund, sanitary sewer and all of that Krsnich was already getting from the City. He thought the City was well behind this project and they were behind the entire deal of the project, the neighborhood was behind the idea, but they didn't think that type of funding was necessary. Krsnich was very successful and didn't need that additional money and they weren't supporting authorizing that funding. The cap amount for their estimate would be zero. He would like Chuck Soules, Public Works Director, to verify that if he could.

Corliss said Soules stated that the cost of that sidewalk was not included and he did not know that when he spoke earlier. The project from Hobbs Park to Constant Park showed the sidewalk eventually being built.

Chuck Soules, Public Works Director, said he was sure the estimates were sufficient enough to get that section completed.

Almon said they were concerned that this was competing with other important bicycle, pedestrian needs. Especially, if the City Commission was going to raise the mill levy for this project. That was going to be another hard sell because they were already trying to raise the mill levy for the Police Department, a Bicycle Engineer and things like that. He was concerned about the funding itself and the source of the funding.

Amyx asked if Schumm suggested a cap.

Schumm said yes.

Amyx asked if the cap was \$100,000 to cover the cost of those items.

Schumm said to use proceeds generated from paying down the balance in the general fund but no more than \$100,000.

Amyx asked if there were adequate funds in the fund balance.

Corliss said staff would look at the timing of the public improvements and hopefully they would get the grant so that could be a change order with the contractor. Staff would look at their general fund street budget to see what could be done but it was not a street maintenance priority for 2014 and 2015. They would essentially be taking from that program and spending with the program the fund balance. He knew the Commission's direction on mill levy and staff was trying to avoid that so they could do it with other projects. He didn't have it budgeted for 2014 and the only way to budget it for 2015 was to raise the mill levy or to spend down fund balance. With the Draft 2015 Budget that he and Casey Toomey, Budget Manager, were working on, they were trying to include all of the things the City Commission might want in that budget.

Amyx asked if they should be doing this right now.

Corliss said one of the challenges was that they all had different time horizons and this is when this development needed it in order to get their financial commitments to be able to proceed. He made the comment “hurry up and wait” but that wasn’t derogatory and it was just sometimes how those things happened. The developer had worked very hard to get an assemblage of all of their equity interest, loan commitments and real estate commitments with banks. Krsnich had been contacting the City saying that he was ready and needed to go. The City could say that Krsnich needed to wait on the City’s time horizon, on when the City could afford it, but the time might pass when they could see this redevelopment. The City didn’t get that much redevelopment in this community but he wished the City got more. The City had seen the success with Krsnich developments and he was supportive of the project. They were talking about millions of dollars of in-fill development and it would be a great asset to the neighborhood and the community. Staff’s recommendation was “yes.”

Riordan asked if item 4 wasn’t funded, regarding the funding of \$120,000 for K-10 Connector Funding for transit, could that money be used for this project.

Corliss said they budgeted that in the transit funds and they needed to spend it on transit. The money couldn’t be used for Krsnich request and recommended against that.

Riordan said there was nothing from the general funds that would go into transit that could be used. He asked if they had done that type of thing in the past.

Corliss said they had, and some of us wished they didn’t have some of those skills, but they knew how to do that. He has a comfort level, particularly where the Commission is saying they’re going to cap the general fund commitment, and knew the other funding sources. He said these are quotes and are not to exceed amounts and he was supportive of it.

Amyx said he thought the Commission was supportive of this request and the performance the developer had made was second to none. He was listening to all of the

information that was provided with short-falls, not wanting to raise taxes, the mill levy, if they should be considering this request right now but Corliss had answered the question.

Corliss said he believed so. This was a little bit of a prolog to some of their discussion in future weeks but this had been a successful project and was not someone who came in with an idea because Krsnich had successfully executed his idea. Krsnich had done a lot for the neighborhood and for the community. They talked a lot about in-fill redevelopment and drew up a lot of plans but they City didn't get much of an opportunity to see it successfully executed.

Schumm said this is a great opportunity. Remember back, before the Poehler Building was completed, this time it was planned for, got along, but it fell apart. These are almost impossible to do but Krsnich got it done, got a lot of momentum going. That district is really taking hold and will be one of the City's focal points to the community. The more critical mass at that location, it's going to build upon itself. He said he understood Walsh's concern about future plans. Obviously, if this worked, it would draw more attention and there would be other development. He said he couldn't help but believe that that was what the community wanted to see happen in that district which was a blighted area when they first started. He said it was a real opportunity, and as City Manager Corliss stated, if they didn't do this they might miss the opportunity because of time triggers and mechanisms. If it started to unwind with the different programs that were out there then they've lost the opportunity. He said for the \$100,000 of hard cash, the rest of the stuff was waived fees, not that it didn't count, but they were getting a lot of "bang for the buck."

Riordan said he had some concerns about the cost but thought it was a great project. He said he was not supportive of increasing the mill levy and was more for using general funds.

Amyx said he agreed that, just because of what they were able to see in the warehouse district and the commitment by the developer and the City and everyone involved, this was a wonderful part of the community and one they've been supportive of. He supported the idea of the cap at \$100,000 because it was a wise investment in a district that they all thought a lot of.

Moved by Schumm, seconded by Riordan, to receive the request; authorize the expenditure from the General Fund with a cap of \$100,000; and, provide for other necessary public improvement. Motion carried unanimously.

4. **Considered the following items related to the Lawrence Public Transit System:**

a) **Considered authorizing \$120,000 in K-10 Connector funding for 2014.**

Diane Stoddard, Assistant City Manager, presented the staff report.

Penny Postoak Ferguson, Deputy County Manager for Johnson County, KU Graduate, former Haskell Student, Lawrence Grad and Lawrence Native, said they appreciated consideration because it was a route that benefitted both communities and would like to see it continue at the level it was. It was the most successful route in the State as far as ridership. They had about 160,000 riders a year on this route that benefitted their educational institutions and communities jointly and would like to see the route continue as it was and maybe could be enhanced in the future. This enhanced partnership would allow this route to be much more sustainable into the future. She said she could sympathize with the transit in Lawrence because they also had other priorities. Their Board was asking them to reach out to the City Commission to see if they could work together in keeping this successful route going. The survey that Stoddard referenced showed that they both had significant ridership which was 53% on the latest survey as affiliated with KU.

Amyx said in Ferguson's letter she was asking the City Commission for confirmation of \$200,000 in year 2015 and asking for the same amount in 2016.

Ferguson said their overall route cost roughly 1.5 million dollars to operate annually. This route was one of the highest return routes with fares about .5 million and that left under 1 million dollars that they were looking for partnership. She said they were initially asking for \$270,000 to \$320,000 which was the portion that they would like to eventually get to, understanding they didn't have a budget when they first asked. She said they were trying to work together in partnership to ratchet it up over 3 years. She said in 2016 they would be

asking for an increased amount to get to the desired level that they were allowing for a few years of transition is the recommendation.

Riordan said when they were saying they wanted to request that certain amount, he asked was that the City/County and University of Kansas utilized for this combined.

Ferguson said they looked at the cost, ridership numbers, population was considered in the mix although they thought ridership was a better indicator but they were working with what the City staff was important, which was the population. She said they looked at overall cost and who benefitted. Based on the survey it was close with just slightly more on the KU/Lawrence side on who benefitted on ridership. She said it was the overall cost subtracting out fairs and they were actually, in the financial picture were looking at taking some of their State dollars and putting it toward this to help off-set the cost as well. They had limited funds and those funds were dwindling. It was the overall cost minus whatever revenue from ridership basically and then who benefitted and trying to come up with what they thought was fair. She said working with City staff they came up with something that was really close.

Riordan said if the City/County and University all contributed to this funding, would the amount be the same or would they ask for more.

Ferguson said KU wasn't participating at this time. Johnson County Community College was not able to contribute at this time and they also did similar things with their capital investment with the routes and some in-kind type of stuff.

Riordan asked if the Douglas County residents benefit from this transportation mode. He said the amount that Ferguson was asking for from the City of Lawrence was the same as the amount they would ask if the other entities were also contributing.

Ferguson said if KU and the JCCC both participated, they could both decrease their amounts between the County and the City, another way to look at it was that from JCCC, their residents, and Lawrence and KU combined. She thought that having more partners would be ideal which Stoddard had mentioned KDOT. She said they had 160,000 riders a year and that

was taking some load off of the highway in the number of cars. She said KDOT would be a potential future if they could continue to work with KDOT. If the colleges would participate that would lower all their amounts.

Riordan said the amount that they were asking for was what the citizens of Douglas County would be requesting by Johnson County transit.

Ferguson said yes and they were actually pitching it to the City of Lawrence versus Douglas County residents since transit was operated in.

Mayor Amyx called for public comment.

Carey Lindsey, Director of the Lawrence Services Office at the Lawrence/Douglas County Housing Authority, said this \$120,000, a very small investment, was overwhelmingly worthwhile for the amount of use it received. She said the bus was always full and the parking lot on 19th and Haskell was constantly full. She said all governments did one or two things and public transportation would be an important part of that. She understood it would be great if KU and Johnson County Community College stepped up to the plate, but their jobs were education and City government gets transportation. She said she encouraged the City Commission to support this and couldn't think of a better system for helping tenants become self-sufficient in getting college educations from the closest community college, aside from having this transportation option available to them. She said she sat on the Metropolitan Regional Transportation Advisory Board and was present in two capacities.

Dever asked if there were ridership statistics on the 2013 number.

Alice Amrein, Johnson County Transit, said ridership for 2013 was about 157,000.

Dever said so it was less than 2012.

Amrein said yes. They did a fare increase and that decreased their ridership.

Dever asked about the fare increase.

Amrein said it was 50 cents. She said the fare went from \$3.00 to \$3.50.

Dever asked if Amrein thought that 50 cents drove 2,000 people to drive themselves.

Amrein said yes because when they conducted the public hearing many of riders said it was the cost of a gallon of gas and could drive their car for that same amount.

Amyx said at \$3.62 a gallon, he guaranteed those riders would be back.

Schumm said his guess would be that those riders would be coming back soon.

Amyx said they did have this discussion a year ago during the budget process when they finally came at an agreed upon number for participation for 2014. He asked if a number had been looked at for 2015.

Corliss said he was hoping to listen to the Commissioners to get an idea about what they should do regarding ridership for 2015. He said they actually worked on the transit budget but did not include it. He said it was included in the 2014 budget for this year. He said it reduced their ability to do other service enhancements in the community. He said if they were fortunate enough to be able to move with a transit facility they would have additional operating expenses because they would need another bus and additional routes. He said they had a pretty good fund balance but it reduced the City's ability to spend money in the Lawrence Transit System but spending it also recognized the fact that this was a service that benefitted Lawrence and Douglas County and the survey showed that.

Amyx said the City's advisory committee recommended denial because they saw the need for local enhancements.

Corliss said correct.

Amyx said he weighed hard, on this issue, regarding the PTAC group and their recommendation and at the same time with the discussions and comments received. He said he didn't think he could make a commitment in 2015 so the question was whether or not it was appropriate, at this time, to spend the \$120,000 based on the fact that no one else stepped up and, again, the City's own advisory committee stating they the City needed to keep the money locally. He said that being the case, he was convinced to keep the money locally to fund some of the program enhancements as recommended by the advisory group.

Schumm said that begged a very large question which was what would happen to the transit system. He said what would happen if the City Commission did not fund this K-10 connector and had a doubtful sign for 2015.

Ferguson said they would need to look at K-10 to see where they had to cut back. She said their Board of County Commissioners also had a list of priorities and this transit issue was probably 4th or 5th on the list. She said they would like to see it continue and hoped they would have partnerships that value that as well. If there wasn't this funding then they would need to look at options and didn't know what that would look like, but the County Commission had to weigh in and would likely cut service to some degree. It would send a signal that the City wasn't valuing the service to the current level today and would need to take that into consideration with their other priorities.

Dever said he had a similar concern about taking those dollars and investing those dollars into someone else's transit system on paper. He said when they did all of this work for transit a few years back and asked the citizens of Lawrence to step up and make a decision on what they wanted to have in a bus system. Their participation allowed the City to assimilate their systems with KU and drive ridership numbers up. He said because of the ridership numbers, the dollars they had prior to passing this tax and the dollars they had now were directly related to the increase in ridership from the combination of systems. He said there was really more Federal transit dollars being placed into this system than ever, plus the City's sustainable amount from the tax. The only reason he would consider this money was because he felt that those 160,000 riders were feeding into the City's system, helping to support their ridership, thus keeping the dollars into the Lawrence Transit System instead of allocating back to Johnson County or some other municipality. He said if Johnson County removed their service, or dropped it down, Lawrence would see a decrease in ridership on the City's own transit system and there would be a trickledown effect and would receive less Federal dollars. He said he wanted to make sure the Commission asked that question because it was something

he would like to get settled. He said, in his mind, he felt it was worth the investment of \$100,000 this year to try and get things going, keep the City's ridership numbers up and to keep the City's share of Federal dollars coming this way.

Schumm said that was the transit question. The ancillary question was how many people didn't go to KU because the service was gone or how many people from Lawrence didn't go to Johnson County Community College. He said you would lose some people along the way and that was an economic development issue.

Dever said if the City failed to participate in the K-10 Connector which would cause a reduction in service, or a complete cut-off, he assumed there would be a downstream effect on the City's bus system where someone used the bus from that point forward from Park and Ride to another location or from Haskell to another location. He said there were probably quite a few people that took the bus further downstream and was that true and/or would this effect the number of riders the City had in its system.

Nugent said he thought that wasn't necessarily true. He said most of the riders that were coming in from Johnson County were going right to KU and if there was going to be a loss of ridership, that would be where they actually were getting off at the "Park and Ride" and riding to the main campus. He said that would change anyway next year. He said KU was cutting back some curbs so the K-10 Connector could actually operate on their campus which they haven't been able to do so far. He said that ridership would probably go down as a result of that alone because people instead of getting off at the "Park and Ride" and getting on a KU bus to ride to campus, they could just ride to K-10 right on to campus.

Dever said KU's Park and Ride service was going to decrease because this potentially in jeopardy service was going to continue onto campus.

Nugent said yes and would continue onto campus. He said the ridership on the City's service, they get very little ridership out of the K-10 Connector and it was the KU service that

gets the ridership out of the connector but it would go down as a result of restructuring their campus.

Dever said the \$1,058,296.00 of the KDOT Urban Transit Funding, listed in the memo, was a combination of funds applied through Lawrence for KU as well. He said that took into consideration KU's ridership to. He said he was not wrong in that if KU's numbers dropped, their total numbers dropped and the funding were based on ridership. He said their funding was based on ridership.

Nugent said a portion of it was on ridership miles and population.

Dever asked if the ridership went down that the City's share of that transit funding would go down as well.

Nugent said it would go down but they needed to keep in mind that was 3 year floating average of those numbers. He said the funding went down this year but the ridership went up.

Dever said the funding went down.

Nugent said Johnson County's funding went up.

Dever said because there were other things that went into the formula besides ridership.

Nugent said correct.

Riordan said he had probably taken the bus 50 times and not once had he seen anyone at 19th and Haskell take a bus and had all gotten out of cars. The majority of people on the bus had come from the University and he had taken the bus at 19th and Naismith and they all seem to walk down from the University from the dorms. He said his suspicion was that it would not affect the City's transit system's ridership directly just based on the observation he had. He said it was anecdotal but somewhat real. He said he didn't like the game of chicken and what he meant by that was if they denied this request, his reason would be because the University of Kansas and other people should contribute. He said when he looked at KU's letter to the Mayor and reasons for not helping to fund the request, it stated that they spend \$86,000 annually to provide an extra Route 41 for their students because they used this so much. He said that

plugged into KU's transit system and didn't need to take those students to Johnson County Community College. He said he didn't buy that any of that money was extra money supporting this system. He said the letter also discussed further funding because of the 50-foot lane to get them closer to the university. He said that was also a university need that should be done anyway and had nothing to do with, or mitigated, any types of monies. The only thing he saw was that it gave KU \$6,000.00 a year because KU sold passes to the K10 Connector bus passes for Johnson County. He said he thought the university had a significant obligation for this funding request and was not recognizing that or admitting to it. He said there were 2 or 3 individuals that were not students who rode on that bus and everyone else were students. He said one of his thoughts was not to fund this at all but this was an important function. He said he had adolescence coming into his office, many times, that take this bus and this was the way they would get to Johnson County Community College and how they could afford to get there. He said it was an important service that they provide but his question, based to the people from Johnson County who ran this system, was the amount the City should pay was about \$120,000 and that might be excessive because the majority of this money should come from the university. He said the City should do the right thing and the right thing would be to support the Lawrence citizens that needed this type of transportation, just like they've done with the bus system. He said he would be in support of the \$120,000.00 but he would not recommend more because the university should contribute. If Johnson County curtailed, or decrease, their transit system then that would be the responsibility of KU to take up that mantle and take up the responsibility for funding that because it was their students that used it.

Amyx said when Riordan stated that he would consider funding at \$120,000.00, he asked if that was on an annual basis.

Riordan said yes because the citizens used that transit system and would cost a significant amount more if the City did it on their own and provided citizens of Lawrence to get to Kansas City and to use their buses. He said if they were trying to create a situation where

Douglas County was promoting the decreased footprint for carbon dioxide by the decreased use of cars, this was one way they could do it. He said he didn't think the City had the majority of responsibility but thought it should be KU, Johnson County Community College and their County.

Dever said this was not an easy question to answer because there were a lot of moving parts. He said it was a complicated process and thought KU had their own problem to handle with this transit system, especially some of the upgrades they were discussing.

Farmer asked what percentage of the 160,000 riders originated in Lawrence. He said he calculated approximately 53%.

Amrein said, based on the most current survey, it was about 53% but a year before it was a 60/40 split.

Farmer asked if it was 53% for Lawrence in 2013 and 60% in 2012.

Amrein said correct.

Farmer asked about the total budget for the K-10 Connector.

Amrein said approximately 1.5 million and 1 million after taking the fare box out.

Farmer asked if Amrein was asking the City Commission to get to \$320,000 in 2016 which was 32% of the total budget that it cost to put this on when they had 50% to 60% of the ridership that originated in Lawrence.

Amrein said correct.

Amyx said the only item for consideration was the \$120,000.00 for 2014.

Corliss said that was an action item but if the City Commission wanted to give staff a little help for 2015 too, staff would be happy to take that help as well.

Amyx said not for 2015 because there were too many things the Commission needed to take into consideration with the expenditures.

Dever said he wasn't interested in talking about 2015 funding at this time.

Schumm said he was fine waiting on that discussion as well.

Schumm said he would support the motion at this time. He said he sat in on some of those meetings regarding the value of the transit system, especially between the 2 institutions. He said right now with paying \$120,000 which was 12% of the total cost.

Amyx said he appreciated Schumm's comments as well as Farmers questions and comments about the percentage of ridership and where it might have originated. He said he appreciated Riordan's prospective on the use of the system and where the City's participation should be and Dever's questions about ridership and the effect on funding. Unfortunately, he still couldn't support this funding and agreed with the advisory committee's recommendation for denial because the committee saw the need for local enhancements.

Moved by Schumm, seconded by Dever, to receive the report and authorize \$120,000 in K-10 Connector funding for 2014. Aye: Dever, Farmer, Riordan, and Schumm. Nay: Amyx. Motion carried.

- b) **Considered receiving report regarding consideration of 21st and Stewart Avenue as location for transit hub.**

Bob Nugent, Public Transit Administrator and Chuck Soules, Public Works Director, presented their staff reports.

Nugent said they had one location at 925 Iowa that they were looking at, but apparently that wouldn't happen and the property owner didn't want to talk to the City about the transit hub at that location. He said what they were looking at now was 2121 Stewart Avenue and the other location was their present location at 7th and Vermont. He said whatever guidance the City Commission could give for the future of this transit hub that was what staff was asking for at this time.

Mayor Amyx called for public comment.

Michael Almon, Sustainability Action Network, said they saw this as representing a number of concurrent needs in the neighborhood in the City but they looked at that as opportunities more than problems. Sustainability Action had a basic mission of reducing energy

consumption across the board and getting people out of their cars whether it was through transit or bicycles was one of their objectives. This, obviously, in their estimation, was a combination of doing that for both bicycles and transit. They saw this as an excellent opportunity to meet the need of the neighborhood for traffic calming as well as meeting the need for the City for transit ridership and efficiency and lower cost or expanding service as well as an opportunity to have the first bicycle boulevard in Lawrence. He said 21st Street was approximately 2½ miles long from Barker Avenue to Iowa Street and, for any number of reasons, it was an ideal situation for a bicycle boulevard. He said 2 miles was a typical minimum for a bicycle boulevard. It had the ability to serve connections between Barker Neighborhood, Centennial Neighborhood, a bit of Lawrence High School and KU, as well as the transit hub, all at the same time, which was what a bicycle boulevard was intended to do, to be a link and a connection. He said he wanted to present some other options to consider as the transit hub. He said at Barker Neighborhood there could be a partial street closure, similar to 6th and Schwarz, so that automobiles could not enter 21st Street but could exit 21st Street. The idea of a bicycle boulevard in all cases was that the various intersections along the boulevard, automobile traffic were diverted off of the street to give bicycles the primary options. At most of the intersections, particularly east of Louisiana Street where 21st Street was very narrow and lends itself to a bicycle boulevard as well, the main device would be a diagonal diverter so that any car that was upon 21st Street when it reached the next intersection was diverted off the street. He said they could enter the street from the north or south through that diverter as well. At major intersections like at Massachusetts, Louisiana, Ousdahl, and Naismith it was a median refuge island for the bicyclists half way across the street as well as not allowing traffic on the main street to turn left into the bicycle boulevards. He said there were also some of the intersections which were "T" intersection and would require a forced right turn at that intersection and as seen before mini circles and other options. All of those things could be used creatively and in different ways without putting in speed bumps but he liked Soules idea of diverting and re-aligning Stewart

Avenue, they also added a connection over to 21st Street. He said that could be the east terminus. He said there were a lot of options getting traffic and bicycle engineer to figure out what intersections would require which treatments was really what it came down to. He said they appreciated it and supported this reason for bicycle transportation and transit.

Jim Woods, homeowner in the Schwegler neighborhood, said he wanted to refresh memories of those that attended some of the meetings. He said the first meeting got a little hot over at the fire station. He said there were property and business owners and it was thumbs down all the way. He said there was a call for a vote and David Corliss, City Manager, saw the writing on the wall and stated that it wasn't necessary and was an informational meeting. He said most of them attended the last meeting and listened to the neighborhood concerns. He said he saw in the paper that they were going to spend 4 million dollars on this thing and asked what if it didn't work. He said his next concern was traffic on Ousdahl and Schwegler was adding onto the school which meant an increase in traffic. He said 9 months out of the year, 5 days a week, morning and evenings, Schwegler was a minefield with traffic. The Fire Department didn't run down Ousdahl in the afternoons when the school let out because they were smarter than that but buses kept running through it. He said he talked privately with some fire fighters that wouldn't go on the record and would not be named but were dead set against it because they were going to hit a bus one of those days and could see the writing on the wall. He said they had some near misses. He said there had to be a better idea. He said the neighborhood was against it and would drive their property values down and wasn't what they wanted in the Schwegler neighborhood because they had enough bus traffic as it was. He said 21st Street would turn into a race track if putting a light in. He said it was bad enough with high school kids from Lawrence High School. He asked the City to look at other sites and, the fact that the property owner at 9th and Iowa wasn't interested, the City still had eminent domain. He suggested looking at 9th and Iowa again because they wouldn't be intruding on anyone in the neighborhood.

Riordan said this was difficult but this bus service needed a home. He said when he looked at the concept of transit and when he saw the synergy with KU at this point with student being able to take buses from their apartments from this center very easily, in getting to the University very easily, he saw an increase in ridership on the City's bus system in decreasing CO² admissions and saw a benefit to that. He said he took 21st Street when he went out to Clinton Parkway riding his bike and it was a great corridor. He said with traffic calming they could mitigate some of the questions, and the concerns were valid, and could mitigate most of those but not everything. He said when he looked at this particular property, he saw very few individual houses affected and probably less so than any other place in Lawrence other than off of Iowa. He said the ability to do this here was good. The children's safety they needed to keep in context and thought that very few children would walk that direction because there weren't any homes around this area. He said it was pretty isolated with the lack of buildings around it and there were going to be a couple of house that were affected but the amount of air and noise pollution would be minimal for the citizens of Lawrence and had to go someplace. He said when you look at all parts and benefits there would always be some negatives and most of those could be mitigated but not all. He said the positives far outweighed the negatives and this was the only logical place in Lawrence to put this. He said there wasn't any other place to put this type of bus system and it did need a home. Although there were some negative aspects, it was far overwhelming that the positives were there and for that reason he supported it.

Schumm said he went to the meetings and been to other meetings in other neighbors and it was not a very well loved creature but, yet, it was important for good transportation to find a permanent home. He said he liked the 21st and Stewart Avenue site and thought it was a good site in that it was from the far edge of the neighborhood and impacted very few homes. He said they could mitigate the traffic issues. He said he was especially interested in seeing Almond's presentation, working through and into the project because that was an important part of it. He said it could be another winning element of that regarding how they realign the streets

and would help to calm the traffic in the neighborhood as well as provide a true boulevard for the bicycles from far East Lawrence over to Iowa Street. He said he thought this site was good because all of the other sites had flaws. He said this would allow for the increase of bus times, would be more efficient, would help the ridership, and was a very good site to start with. Especially, because it interacted with KU and they believed that it was a good project for the university as well.

Farmer said he just had another idea. He said since they were talking about the potential of 2 public facilities that the City would be potentially constructing sometime in the next few years, he suggested doing that in tandem with one another because there were some comparative advantages that one would offer the other. He said, of course, he was speaking about the police facility and the public transit hub. It seemed that by virtue of having a potentially 24 hour ran police facility it would have traffic 24 hours a day.

Corliss said it had that opportunity but generally the police facility didn't have public hours, 24 hours a day. He said police officers did stop by either the Judicial Law Enforcement Building or the ITC, after hours but it was not usually staffed.

Farmer said he was thinking of the elements for the potential for restroom facilities which this transit hub was not going to have for the general public. He said he knew, and understood, that those riders would not be waiting for very long. However, he was wondering if this should not be in the conversation, shared cost of infrastructure, shared cost of land acquisition potentially, and shared cost of building it out together if those should be in the conversation together. He said they had heard from the neighbors how they really weren't on board with it and certainly loved the partnership with the University of Kansas. He said since they were going to be constructing 2 public facilities, if it would make sense to see what they could do to do those together. He said he didn't mean to keep hammering this point home, if the City Commission was ready to move forward, but wanted to throw that out for City Commission consideration.

Amyx said regarding the Stewart Avenue site and the property that was between the location and the fire department building, he asked what the potentials were for that property and what type of effect that would have at this site.

Corliss said the KU Endowment Association owned that property and were not interested in selling that property where the City would have the transit hub but they were interested in entering into a long-term lease with the City. He said the City didn't own the property where Fire Station 5 was located and had a long-term lease. He said there were a number of cooperative land uses with KU. He said he didn't know if KU had any specific uses for that area and didn't know if it would be incompatible for a hub. He said staff did look at that site as part of the City's police facility analysis but it wasn't large enough for their acreage needs. The police facility would need a minimum of 13 acres and that wasn't at that site. He said it was good central location of the community but not big enough.

Amyx said at the Schwegler neighborhood meeting, one of the things that was clearly pointed out was how they would control the traffic as it headed back to the east and the potential for the increased traffic through that neighborhood with the City's buses and also with the light at 21st and Iowa which would change quite a bit of the traffic movement back in and out of the neighborhood. He said before he was ready to consider this location as the final site was to look at the suggestion that Almon brought up with those types of improvements in the neighborhood. He said that was an important part of the decision making process. He said there was a lot of change that was about to happen with the traffic light at 21st and Iowa.

Dever asked what that change meant to Amyx.

Amyx said they had a responsibility to make sure whatever changes made at 21st and Stewart Avenue and into the neighborhood that they recognized there was a potential for increased traffic. He said he thought it would be greater than they could imagine and it would be fast traffic.

Riordan said he saw this as a very dangerous corner now because it was a bike corridor. He said the attributes had already met the criteria for having a light at that location, regardless of what this was and asked if that affected Amyx thoughts at all.

Amyx said he didn't disagree with the light because the light was warranted. He said if they had the light and the potential development of this site, as part of this decision making process, he asked what changes were necessary at 21st and Stewart, and to the east, to protect the neighborhood from the additional traffic because they were about to change it for the greater and it would be coming from the east and west.

Riordan said if the bus system was located in VenturePark possibly with the new police station, which they didn't know at this point because that was another issue, he assumed that would increase cost dramatically for operations.

Nugent said relocating it to the Park and Ride would be a tremendous expense. He said putting the bus system at VenturePark would put them at the edge of their service area.

Riordan asked if Nugent could run this route every half an hour if it was on the east side of the City.

Nugent said the way the math worked it really couldn't. The way they operated right now for a route coming out of downtown going out to the southwest, the best they could do was a 60 minute route. He said it would unbalance their system and would have some routes that would be maybe 15 minutes on the east side of town and others would be extremely long going across the other side of town. It would make it really difficult, not that they couldn't do it.

Riordan said it was an interesting idea but it would massively increase ridership time and also cost.

Nugent said they did have people going from the west side of town, clear across town on the east side of town, to get back to downtown.

Farmer said there were a number of sites they were looking at for the police facility and thought, perhaps, 16 blocks north on a site just to the south of I-70, they were still along the

spine of the City, very centrally located, could get south quickly and had access to 6th, 9th, 15th, and other streets. He asked if operationalizing this at that location presented as much of a problem as perhaps it would if it was located out at VenturePark.

Nugent said they would still have someone coming from 31st and Iowa wanting to get to Haskell Avenue but they would need to go clear to the north side of town to come all the way back to Haskell Avenue. He said that was one of the reasons why, when they looked at the actual origin and destination of those users of the system, they all seemed to end up right about where KU was. He said that was where the activity was and what drove a lot of what was going on in the community. He said that made it easy to provide some kind of service.

Amyx said he wasn't saying this was the world's worst site but was saying what they were about to do was with the change with the stop light, and Iowa, and the development of this light, they would change the flow and increase of traffic in the Schwegler neighborhood and they needed to recognize that and before they made the final decision on this site, he thought it was incumbent upon the City Commission to look at necessary improvement to protect people that lived along 21st Street and Ousdahl because those were real problems that were about to happen. He said before they finally approved the site they look at those improvements and incorporate Almon's idea and the Public Works Director's recommendation for improvements.

Dever said he agreed that 21st Street needed to be re-evaluated from a local service standpoint just so they understood that KU's Master Plan was unveiled recently in the last 12 months and they were planning on doing a lot of things as well with all the land they owned to the east and west of this location, including adjacent land. He said KU was in the throws of putting in the means of moving from the university, at the hill to west campus, so it was all one uniform site which would allow the ability to walk, ride and move about. It made perfect sense to put a transit facility at the 21st and Stewart Avenue site because three things would happen. He said the use of 21st Street would decrease when the SLT was constructed because he could profess, and confess, that he had used that street to move east and west through town for years

commuting to Kansas City on K-10. He said he used that road in lieu of 23rd Street and when they had a way to get east and west there would be a reduction in service or use of 21st Street from people crossing town. He said when they could put proper lights and improvements on the street they were going to minimize the value of using that for anything other than local traffic and/or getting to and from your house. The last thing, from a geographic standpoint, you couldn't get much more center from a population and user standpoint for transit then this location. He said if they were going to lease the land for a dollar, hopefully, so they could use the money instead of buying land and they could use that money to improve 21st Street.

Schumm said he agreed with Dever because Dever hit all the point's heads up. He said he believed they had to see a fully engineered 21st Street to the satisfaction of the City Commission and neighborhood that it would not increase or become more of a hazard than what it was today, hopefully even become less than a hazard. He said there was plenty of engineering techniques that could be adopted in order to achieve that and ensured the neighborhood that that was what would take place. He said he supported the location with the condition that they come back with an engineering plan that everyone was satisfied with and offer protection that they knew was necessary.

Amyx asked what if the engineering didn't meet the quality or necessary safeguards.

Schumm said then they would look somewhere else.

Dever said he agreed.

Riordan said that was an excellent idea. He said when looking at the university plan, they plan to bring it down diagonally. He said it was a perfect spot for the hub and thought they could mitigate the traffic. He said he was confident that they could create a corridor that worked. He said he was in favor of saying this was a good item and then come back but not to be done until they had an adequate plan for traffic.

Dever said he liked the bicycle concept and in certain places it would be an excellent idea. It was a sure way to get people to not want to drive up and down 21st Street.

Amyx said before that ultimate decision was made, they had a responsibility to that neighborhood that he believed was about to change. He said just because of the action that the City Commission was taking regarding the light, even if they didn't develop that area, it would have a tremendous impact on 21st Street. He said rather than constructing the improvements, after the fact, he suggested getting a buy-in from the neighborhood.

Dever said they had traffic count data now that was pretty thorough from a value standpoint.

Schumm said he confessed since 23rd Street and Iowa was under construction, he had been on that street more than he had in the past. He said this could be a win/win deal if it was engineered, had a bicycle boulevard and had the buses located there.

Amyx said here again, he suggested looking at those improvements that were necessary along that street before they made any final decisions. He said it would be wrong knowing the changes that were about to happen. He said the motion he would like to see was to continue consideration for the 21st and Iowa/21st and Stewart Avenue site but direct staff to work with the neighborhood and other folks that might want to be involved with making necessary improvement for safety along 21st Street and Ousdahl because those would be the two main affected roadways.

Corliss said he would suggest having a motion along those lines and staff would come back with some type of implementation report that showed all of those study items which was the 21st and Ousdahl issues that they were making a condition of wanting to be able to have result before proceeding and also staff had to start on the actual transit center work itself. He said the City Commission would see an implementation report that would show how all that would be achieved.

Amyx said as long as they would be doing the investigation for improvements along 21st Street and potentially Ousdahl before they made the final development decision that this would be the site.

Corliss said he understood that that was a condition of the City Commission motion.

Moved by Schumm, seconded by Riordan, to receive the report regarding consideration of 21st and Stewart Avenue as the location for a transit hub; continue with improvement recommendations along 21st Street and potentially Ousdahl; and, direct staff to draft an implementation report. Motion carried unanimously.

5. **Conducted a public hearing regarding Shots sidewalk dining license revocation.**

Mayor Amyx said there was a request by the owner, Jason Nguyen, to defer the public hearing regarding Shots sidewalk dining license revocation.

Nguyen said he had not been prepared to get those documents together. He said he had past meetings with the Lawrence Police and Fire Departments and hadn't documented that yet but his attempt was to show his initiative to be a little bit more pro-active and had been working on making that patio area more secure which would take a little bit of construction time. He said he had removed all of the furniture in the sidewalk dining area and his customers did not eat or drink in that sidewalk dining area. He said he also needed time to hire an attorney to make sure he was doing things the way he should be in terms of the ordinances.

Amyx said the Commission would defer the item and work with Nguyen to come up with a date to hear Nguyen's appeal. He said he wanted Nguyen to understand that the sidewalk dining area could not be used while this deferral process was going on.

Nguyen said he understood.

David Corliss, City Manager, said the City Commission did not have a meeting next week and would have the full Commission on June 17th.

Nguyen said the more time the better because they had to do a little bit of construction as well to make sure they were secure for their customers. He said he understood there were a lot of things that had been happening.

Schumm said something he would be interested in was Nguyen's capacity in full-filling the 55% food sales requirement.

Nguyen said he understood.

Schumm said he had stopped in a few times and Shots was never opened at lunch or dinner for food and found that very unusual that Shots could meet the 55% food sales requirement when they really weren't running a restaurant. He said he would be interested in seeing information about that concern.

Nguyen said he was aware and could bring that information to the City Commission.

Schumm thanked Nguyen.

Farmer said he did a ride along with Sgt. Fowler going down Massachusetts Street patrolling around midnight and 1 a.m. He said it was his understanding that with no sidewalk license people couldn't be out on that patio area at all.

Nguyen said that was great but he thought the conversation was about the sidewalk dining and that was why he wanted to hire an attorney. He said he thought there were a lot of misconceptions about Shots in general and he had to let the City Commission know that his intention was to open up a restaurant and bar in Lawrence. He said he moved to Lawrence as a technologist and when you invest your whole life savings he must succeed and couldn't take a step back forward and say because of the perceptions of the City, different customer basis, or complaints because he wasn't able to have a sidewalk dining area, his management team was forced to close up. He said he couldn't because he had invested so much that he needed to succeed and in the background everyone had families and had to make a certain amount to support your family and that was what he was doing. If there were things he needed to discuss next time that would be great such as customer ticket and whatever. He said he would bring the hours and as a business owner he should be flexible enough to compete in a different market and told Schumm that night time food was different from day time food because he knew Schumm had a restaurant. He said it was very high competition on Massachusetts Street and that was why his management team decided to do different hours of food.

Amxy said the Commission was either going to conduct this public hearing or defer it.

Nguyen said he wanted to defer but wanted to respect the Commission and give the Commission an answer.

Amyx said he wanted it understood that in no way, Nguyen could use that right of way in the patio area.

Nguyen said he understood and they didn't want to.

Corliss said he wanted to be very clear what that meant. He said it was still public right-of-way and the public could be there, but what couldn't be there were alcohol service, consumption, or food consumption and/or business being conducted in that public right-of-way.

Nguyen said they understood that.

Amyx said they would get back to Nguyen to work out a suitable date for this hearing.

Nguyen thanked the Commissioners.

Moved by Riordan, seconded by Dever, to defer the public hearing for Shots Sidewalk Dining License.

Schumm said he was going to miss a meeting and would like to be present for that meeting.

Amyx said the entire City Commission would be present for that public hearing.

6. **Received a request from Downtown Lawrence, Inc. for exclusive use of downtown right-of-way for the downtown sidewalk sale day for Thursday, July 17, 2014.**

David Corliss, City Manager, presented a quick background regarding the annual sidewalk sale.

Sally Zogry, Executive Director of Downtown Lawrence, Inc., said the 3rd Thursday of July had always been the Downtown Lawrence Inc. Annual Sidewalk Sale and this was their 55th year and was excited to have another stellar event which brought in upwards of 20,000 people to downtown Lawrence on that day. It was a festive day and was a day to showcase all of their local business, both their independent retailers as well as their national chains, that were also part of their downtown. She said it was a huge sales tax day for the City as well and

benefitted the entire City as that money went into the City's sales tax fund. She said DLI actually coordinated, presented, produced, arranged, insured, pulls the permit, arranged for creature comforts including, porta potty's, cooling stations, and water for the public, all for the sidewalk sale. It was a private event that was put on by DLI along with other events that were put on through the year such as the Holiday Lighting Ceremony, Santa's Rescue, Girls Night Downtown, and Winter Nights Under the Lights. She said this was a private event that DLI sponsored and paid for. As such, DLI would like to request that the sidewalk sale permit, or the special event permit, that was issued on that day, for which they already applied, was given to DLI only on that day. The background was that, in the past, DLI pulled the permit and was given the right-of-way on that day and DLI was charged with providing insurance for the event, provide all of the other infrastructure for the event and spend upwards of \$4,000 to market the event to bring people downtown, but other business had been given a sidewalk sale permit for the same day so that any business who requested could apply with the City, pay a \$10 fee and get a sidewalk sale permit on that day, even though DLI had been granted the event permit, right-of-way permit. She said they would like to have the exclusive permit on that day because, as you could imagine, when DLI was coordinating over 150 member businesses and they also had non-profit organizations that participated and apply through DLI and pay a vendor fee to be at that location and other businesses that were setting up on that day and she had no knowledge of who those businesses were, what they were doing, and where they would be and it was very confusing. They also had issues in the past where they thought they had a space worked out and gave an example. She said they were proposing to have exclusive right-of-way and anyone that wanted to participate, who was a non-member, would apply for a vendor permit through DLI just as any other event coordinator or event that was coordinated and that went for Buskerfest, Kansas Food Truck Festival, Free State Festival, any of those event coordinators when they were given the right-of-way, they had the control of that location and anyone who wanted to vend, had to come through that event coordinator and pay a permit. She said they

were proposing, because they wanted more members and more involvement, they had a very strong and energetic membership, but wanted to include more people and encourage more participation and from a strictly logistic standpoint, DLI was a one person office which was herself and she needed to have things standardized so they could appropriately coordinate and streamline the procedure to make sure they didn't have any of those mix ups and questions of who could be where and when. She said DLI had a fee structure in mind and right now their non-profit organizations that applied for a permit to be with DLI on that day pay a \$100 fee and DLI would propose that the non-member for-profit business would pay a \$200 fee and they could apply that fee for a day permit if they didn't care to join DLI or, if they wanted to join, that fee could be applied to their membership dues and that was pro-rated dues for the second half the year and they would get all of the other membership benefits and services that any other member received. She said they had a very basic dues structure. Retail businesses or restaurants on Massachusetts Street on ground level that were 20 feet or larger in frontage paid \$400.00 per year for the dues and any other business, which was on a side street, a number street, or on Vermont or New Hampshire or on an upper level, paid \$225.00 for the year. If anyone would join now, they prorate dues per quarter. If she recruited 5 or 6 new members in the month of May she would prorate those dues. She said, basically, anyone that profited from the event should help underwrite the cost. DLI was putting out all of the money, work and doing all of the insuring, and were asking people to contribute and benefit and there were people that made a very good living that day.

Schumm asked how many non-members were on the street last year that didn't pay.

Zogry said she had a list of about 12 businesses that applied for a sidewalk sale permit and were given one. They had other businesses that just didn't bother and those businesses would just participate and she didn't know how many of those businesses there were. She said she estimated a good 15 to 20 were non-members that were not paying dues. She said participation in the sidewalk sale was a member benefit for DLI and if their members had

already paid dues, then they were allowed to participate. Obviously, current members would not be asked to pay.

Schumm asked how Zogry proposed enforcement of this new regulation if it was passed.

Zogry said the plan, if this request was accepted, was for DLI to send out a marketing flyer along with an application, not for just participation in the sidewalk sale, but would also include a membership application so that businesses could see what they were getting for their money. She said the business could make an educated choice as to whether to get the one day permit or if they wanted to go ahead and have the permit fee go to their dues. She said there were a lot of other benefits and the sidewalk sale was a fantastic one for retailers. Again, she would be sending the application out to non-member businesses and then follow up with personal visits.

Amyx asked if a business set up without a permit from DLI, was Zogry expecting the City to go shut that business down.

Zogry said she did ask, in her cover letter to the City Manager, for assistance with appropriate levels of code enforcement. She said she could certainly hire staff for that day and volunteers. She said most of DLI's board members were busy selling on that day but she was going to ask for some assistance because she knew, generally speaking, that she was not a terribly imposing figure and someone could tell her to kiss off. She said DLI wanted there to be a system, whereby, there were permits issued and the permits were to be displayed and when checking people in at 5:00 a.m., they would ask them if they had their permit.

Riordan asked if Zogry was asking the City to, both, enforce it and find out who those non-members were or was DLI going to handle that.

Zogry said she and her volunteers could find out who those non-members were. She said she wasn't asking the police force to come in and strong arm people but she wanted there to be some recognition.

Riordan asked the City Manager how this would be handled.

Corliss said he could get help from a number of different departments that were involved. The likely trajectory of this was if they found out that a business was operating on public right-of-way, and they did not have the appropriate permit, the initial step would be inspectors from McCullough's department would go verify what was happening and probably have the ability to issue a notice to appear and direct a report be prepared where they would send it to the prosecutors where they would issue a notice to appear because it was in violation of the City Code. If it was a public safety situation such as blocking the public right-of-way then code enforcement staff would ask them to move and, if not, then they would use law enforcement to make it safe. Traditionally, with the sidewalk sale, if a business didn't have a permit staff didn't say they would confiscate their product. He said in most cases staff had pretty good compliance by saying they weren't in compliance with the City's code. He said there might be a situation where someone was given a citation but that was the cost of doing business, but didn't know if that would be the case.

Riordan said hopefully it was a \$200 citation.

Amyx said if Zogy was requesting the entire right-of-way downtown then was she going to place booths in front of existing businesses with or without their permission.

Zogry said DLI would get the businesses permission.

Peter Zacharias said he didn't know what the City did now when someone had a code violation.

Corliss said staff would do a notice to appear through the prosecutor's office with a \$50 to \$100 fine if they were convicted in Municipal Court. He said it would be similar to a citation.

Scott McCullough, Planning and Zoning Director, said it would be pretty rare.

Zacharias said Downtown Lawrence had been around for the last 55 years. He said that some of the business owners pay for it and organize it. He said it was unfortunate that they had quite a few "freeloaders." He said they would like to have a little bit of impediment in the way of that to having better membership and unity. He said they even had businesses that weren't

even from Lawrence setup on the Downtown Lawrence Sidewalk Sale. He said DLI needed to gain back control of their event and this would certainly help with that.

Schumm, DLI member for a long time, and serving as president on the board at one time, said he thought it was a completely legitimate request. It just needed to happen because DLI was up fronting the costs and, in addition to the cost, the manpower it took to put the sidewalk sale together. He said for someone to setup and not be part of the cost structure, he didn't think was right.

Farmer said he agreed. He said it seemed to be very unfair that for other events where the City issued right-of-way authorization to groups or different people, they had a say and filtered what happened. He said with this event it was no so much about that sort of control but more about equity and making it like other City events. If they were going to say that they didn't think this was a good idea then they had to tell the Buskers and any other events that happened. He said he could put a table for Just Food in the middle of their event and there wasn't a thing that DLI could do about it, if he paid a \$10 fee. He said that was a dangerous and irresponsible precedent to set. He said this was, on the other hand, a good one and he was supportive. He said they needed to continue to do whatever they could to look at how they would continue to support DLI and be supportive of business to continue to grow the sidewalk sale annually, year after year.

Riordan said he was supportive also from the fact that there was an equity issue. He said this was a business and were trying to support downtown and the downtown Lawrence business community benefitted by this sidewalk sale. He said they could choose not to put something on the sidewalk and just open up their doors and the City wasn't restricting their ability to sell, it was just where they could sell and it was a reasonable thought.

Amyx said if they were going to send an inspector whether it was through the planning office and tell a business that he or she couldn't set up on the street that day that was a problem. He said people didn't understand the difference between DLI and downtown. He said

if they were going to have to send someone down to close somebody down, he wasn't sure that was the type of message he wanted to send.

Dever asked if Amyx and Schumm needed to recuse themselves if they owned real estate downtown and were making those decisions. He asked if Schumm was a member of DLI.

Schumm said yes but he didn't perceive any personal benefit especially because his business was closed.

Riordan said it wouldn't be any different than voting on what was done before when it involved a City Commissioner's such as rental registration because the same comments could be made just about everything because everyone were citizens.

Dever said a membership organization was different from the public at large but he was more referring to Schumm than anything else. Dever said he forgot about Schumm closing his business. He said he just wanted to make sure and that was why he brought that up.

Mayor Amyx called for public comment.

Moved by Schumm, seconded by Riordan, to receive a request from Downtown Lawrence, Inc. for exclusive use of downtown right-of-way for the downtown sidewalk sale day for Thursday, July 17, 2014. Aye: Dever, Farmer, Riordan, and Schumm. Nay: Amyx. Motion carried.

7. **Received public comment and considered receiving reports on police facility site location analysis, funding and debt analysis, and consider authorizing the City Manager to negotiate an agreement with Treanor Architects for a concept study for the police facility.**

David Corliss, City Manager, presented the staff report. He said staff engaged in an architect for a concept study and site selection analysis for a police facility and was waiting for direction as to how staff could explore those different sites.

Amyx asked if the site needed to be specific or could the study incorporate several sites.

Corliss said it could look at multiple sites but if it was narrowed down to 2 or 3 sites, that would be valuable as well. Obviously, the architect had looked further at sites that they had

examined and there were certain sites they were not going to be able to pursue. Also, as part of the agenda item, the Vice Mayor suggested that there were additional opportunities for public input because this was a very important service for this community and would be an important decision for the community.

Amyx asked if staff wanted any further questioning of the sites that they were looking at.

Corliss said he would ask if Chief Kahtib or his staff had any other introductory comments that might be of value to the City Commission before getting started.

Chief Kahtib said the memo outlined 8 sites that were submitted for different public entities as well as sites his staff looked at. He said when examining the sites there was a lot of pluses and minuses for a lot of those sites. Some of the key concepts that came up early in some of the examinations where: 1) a central location, not necessarily for police responding to a person's house because the police respond out of the patrol cars, but a central location as far as a point where the community could get to the police department; 2) enough acreage to build something now and into the future; and, 3) access of visibility to the site. He said there was, really, no perfect site and what importance would be weighted for one attribute versus another attribute and how that fit into the overall scheme of a specific site.

Amyx asked if there were facilities in this community that the police department needed to be close to.

Kahtib said there were facilities all over town that they needed to be close to and needed to be close to downtown because a lot of things happen downtown. He said it could be argued that they needed to be close to the jail and the hospital because they interacted at both of those locations a lot. He said no matter where they put the facility there would be some places that they were closer to this time but not as close to at other times. He said, if looking at the sites, it was really what worked best for the community, which way the community was growing, coming and going from the facility with regard to arterial roads, visibility, and future expansion of the site.

Farmer said Kahtib and his staff had the opportunity to digest all of the sites but he said if money was no issue at all, he asked what was the best site and why.

Kahtib said money was always an issue but in looking at the site at 15th and Kasold, it was centrally located and the site that would be most advantageous. He said going past that site and looking at the other sites on the list, Hallmark was still that central arterial location although that location came with a price.

Farmer asked why.

Kahtib said because of the central access to the community. He said 15th and Iowa was the exact center of town and depending on which way the community grew, that site was in the middle. He said he also liked the 31st Street location which was right across the street from the future Menards Hardware Store but outlined in the memo there were some issues with that site.

Andy Pitts, Treanor Architects, said he echoed what Corliss said about the next steps and the Mayor's question of knowing the sites. He said they needed to figure out the program and understand what parts and pieces could be pulled out and potentially done at a later date and look at that from a cost standpoint. He said as they began to really look at how the building was stacked, looking at the lower floor, first floor, and second floor, then they would become more site specific and that would play into more of the cost of the facility. He said they could do some of the work but there was a point where they needed to understand the sites or look at a couple of different sites to determine what were the most cost beneficial locations.

Schumm asked if there were any sites that they would automatically rule out from a tactical or organizational view point.

Kahtib said from a tactical or organizational concept, he thought the memo was detailed regarding that question. He said the Riverfront Mall was one of the submissions but ruled that out because of the build ability and it not being enough. As far as tactical and meeting community response, there were technical difficulties due to floodplain issues. He said of the list that was submitted, just reviewing that information, Hallmark, VenturePark, a couple of sites

near the jail, and the site behind Wal-Mart on 6th Street, were all buildable. He said he would try to weigh the location and community access. He said, again, police officers responded out of their vehicles and it was not very often they would pile out of their building and go someplace, although it happened. As far as the public coming and going to the police facility on a daily basis, the Hallmark location was a place that was easy to find. He said there were also officers coming and going to the site on a daily basis. He said some of those had to weigh against each other depending on the location.

Pitts said as they looked at the variety of sites, they looked at geography and was their elevated land associated with it that could prevent a tactical advantage or disadvantage from the site. They also looked at the adjacent land uses. Were there environmental hazards that could potentially be their or was there a realign that would potentially bring something that would be hazardous. He said they also looked at the roadways to and from the facility and liked to have 2 major routes out of the facility that way if one was compromised, the police would still be able to respond out of that facility. He said those were the kinds of things that they began to look out. The majority of the sites that arose to the top of the list all had benefits that outweighed any of the negatives. He said those were not things that kept those facilities off of the list.

Farmer said in looking at the site evaluation document that was produced July 11, 2012. He said basically they took 17 sites and ranked those sites. He said he was interested in the site that ranked 6th which was the McDonald Drive on west 2nd Street which scored low for on or near main arteries, low on public accessibility, and visibility. He asked if Pitts could comment on on or near main arteries, public accessibility and visibility because it seemed those were 3 of the areas, as they talked about this issue as a City Commission, they liked about that site.

Pitts said as they began to look at all of those sites, they began to try to put criteria together and if they were on a main arterial such as 6th Street and Iowa location, 15th Street, and 23rd Street, this was off of that particular site and not on a major arterial street. He said the

majority of the access would be limited to McDonald Drive and there was access off of north 2nd Street and provided their 2 ways out. He said that was why they looked at that specific site. He said if they thought of 15th and Kasold as a potential, there were 2 major arterials that crossed, there was potential access between those two arterials. He said they tried to provide a way to be able to rank those criteria and place those on a score sheet. He said they tried to look at it from a logical standpoint and not from an emotional standpoint. He said that was why that site ranked lower on those specific items.

Amyx said if the City Commission looked at the ranking, and wanted to add Municipal Court as a function of the facility, what type of change that would bring on.

Pitts said as they looked at sites, as the Chief mentioned, officers did not respond from the site. He said they looked more at how the public gets to the site going from ease of access and also from understanding where the site was. He said if thinking about telling somebody if the site was at 23rd and Iowa, most people within the City of Lawrence would understand where that location was. As they thought about the McDonald Drive site and the West Lawrence turnpike entrance they could describe that and most people in town understood. He said for someone that was not familiar with the town, or typically didn't go to Municipal Court, they wouldn't be able to describe that. He said they are going to increase traffic counts as they add Municipal Court because on a regular basis they will have public coming to the facility. It would increase traffic counts and also increase the parking in the square footage of the facility which needed to be taken into consideration. He said they needed to think about how people are going to access it. Where are they coming from? If they are on one of the east or west sides, does limit the amount. Do we make sure it's on a bus route? Those are some of the factors they begin to weigh in when adding an additional public amenity to the facility.

Corliss said regarding Municipal Court, he ran the legal department when they decided about the facility on New Hampshire. He said Pitts points were very salient regarding getting the public to a site. The one thing that had changed since then was this was how most people

find things these days. He said he was not concerned about the ability to find Municipal Court as they were in the past. He said they would obviously need signage and ways to get to that facility. He said square footage needs did not need to be part of the eventual analysis.

Farmer said in the beginning, when they started talking about this issue as a City Commission rather than this group, he assumed that the criteria that was on the list were set by Commission priority as far as the things that were the most important. He asked what the City's standard was for the things that they were looking for that were the most important that perhaps weighed higher in relationship to site acquisition than other things. He said, for instance, did they place a higher value on visibility as opposed to expansion potential. He said what the standards were by which those criteria were established.

Pitts said they did not have a discussion with the Commission on what those rankings and priorities would be. Those were things they discussed internally with their team, staff and the police department. He said they began to look around as they thought about 13 to 15 acres in town and, literally, sat down and looked on a map, starting to think about where are those parcels of land and began to create a list. He said from that they began to evaluate criteria, from that created that list. Out of that came the request for proposals to the public to identify additional areas, of which then brought more things to the list, which were cross referenced and continued to evaluate, to weed those down, to figure out what was the right piece of land to begin to look at. He said was it acquisition, was it ease of access, the size and infrastructure and try to objectively look at each one and determine what seemed to make sense to move forward.

Mayor Amyx called for public comment.

Harry Herrington, Lawrence resident and member of the Lawrence Police Foundation, said he was also the founder member of "Rights for Cops" whose mission was to raise national awareness of the inherent dangers of law enforcement and support for the families killed in the line of duty. Needless to say, he, is a supporter of law enforcement. However, this issue was

not about being pro law enforcement nor was it simply about brick and mortar structure. The issue before the City Commission was to determine how to best provide the safety and security for the citizens and businesses of Lawrence, Kansas. The City's officers had all of the necessary courage, commitment and heart to do their job well. The City's citizens rightfully expect a safe and secure community. Unfortunately, the City's current police facilities did not meet the needs of their officers or citizens. Quite frankly, if they didn't provide the necessary tools for law enforcement to do their job then they, as citizens, were forced to live with the consequences. It was critical that a police facility provide a secured and confidential environment not only for law enforcement but, more importantly, for the citizens they served. The current facility was a repurposed office building that was never designed to provide the necessary security that would logically be expected within a police facility and was not designed to handle the unique needs of law enforcement. Victim and Witness access to the building was very public. Therefore, every victim and every witness might come face to face with the assailant and admits to a police facility into which they had come to seek security. Not only was their privacy potential violated but their personal safety was unnecessarily put at risk. This in turn deterred the public from providing law enforcement the necessary information to locate offenders and prevent further criminal acts. Another obvious concern was the lack of appropriate training space. In this country there were approximately 58,000 assaults against law enforcement each year and an officer was killed in the line of duty every 58 hours. He said those deaths and assaults occurred while police officers were protecting others from harm. He said they had to arm the City's police officers with the necessary training to protect themselves and the community they served. The best insurance a community could have was a facility that provided for well-trained police force. Finally, Lawrence Law Enforcement personnel was housed in numerous locations throughout the City which not only added cost but eliminated the necessary coordination, communication, and collaboration between the City's officers as they strived to prevent threats throughout Lawrence. A single law enforcement facility would enable

the officers to more quickly identify issues and offenders and remove the threat from the City's streets. Those were just a few of the inadequacies with the City's current facilities. He said David Corliss, City Manager, had provided the City Commission with the assessment of the situation and the obvious deficiencies that continued to hinder this department's ability to protect this City. Those deficiencies would only continue to increase as Lawrence continued to grow. He said he would finish his remarks by restating his belief that the current Lawrence Police Department Facilities were inadequate and compromised law enforcement officer's ability to perform their necessary duties. One of the City Commission's greatest obligations was to provide for the safety and security of this City. Providing an appropriate police facility was a single most meaningful investment they could make to adequately secure the safety and welfare of the citizens the City Commission served.

Gary Rexroad, Lawrence resident, said the narrow question tonight of authorizing the City Manager to enter into an agreement to conduct a concept study, he wanted to encourage the City Commission to vote yes. He said he had an opportunity a couple of years ago to attend the Citizen's Academy where he had the chance to experience firsthand what he considered to be a critical need for facilities for law enforcement officers. He was certainly not an expert on what the needs were and what that looked like when it was right, but what he could state what he saw was very cramped, short and the needs seemed clear. The very simple thing of allowing for this concept study answered all of those questions and provided that expert guidance that they all needed to best understand how to move forward. That was by simple action to allow that to happen so they could find out what it would take to make this right.

Carrie Lindsey, Lawrence citizen for 20 years, said one of the things she loved about this community was that she entered this town when there was a lot of discussion about gangs and things like that. There had never been a moment where she hadn't felt safe in her community and never had the assistance of the Police Department when she needed them. Sometimes it happened at her job or privately because she lived near the university and sometimes it

happened quite often than one wanted, but the City Commission couldn't do anything greater for this community than investing in the safety of its citizens. She said a police facility gave the community a sense of their commitment to have the appropriate facilities showed an investment. She said if you had a facility for your police department that was adequate and up-to-date and not piecemealed together which allowed the police to do their jobs in the best way possible and the City Commission would present to the entire community that safety was their priority. She said she thought the City Commission should support this request for a new police facility because if Lawrence continued to grow, and bring people this community, then they needed to support the Police Department.

Stanley Rasmussen, Lawrence resident, said he would encourage the City Commission to authorize an additional study on a new police facility. It was important to consider building a new police facility. As City Commissioners, they had the responsibility to take the advice from the City Manager and his recommendation but it should be scrutinized and challenge those recommendations and make good fiscal decisions. The City Commission was the stewards of the citizen's money that would be invested in this facility and the Commission had an obligation to be frugal. They needed a good and new police facility that would allow the police department to operate, expand and function for the next 30 to 40 years but they didn't need a new police palace. He said the Commission needed to make good financial decisions and he encouraged the Commission to do that when going through this process.

David Anderson said he was a retired member of the Lawrence Police Department. He said having retired 6 years ago he knew first-hand the urgent need for more space that was apparent at that time. He said he could imagine 6 years down the road how bad it was now. He said the City Commission had probably toured the police facilities and would probably agree with that. Moving into a new facility, by the time it was built, another 2 years and the need would be that much greater. The bottom line was that while as he was a retiree he didn't welcome increases of any kind but this was the opportunity to get a new police facility and look,

not 5 to 15 years down the road, but look down the road more than that and make sure it was done right and met the needs for decades to come. It was a tough decision that the Commission's collective judgment would make good on but his strongest hope was that it would be a facility that would benefit the citizens down the road and not re-doing this process 20 years from now.

Dan Affalter said he would like to echo Anderson's remarks and would like to follow-up on Rasmussen's remarks. He said it went without saying that the City Commission was stewards of the tax coffers and had to make responsible, financial decisions but he also would like to refer to Corliss' comment earlier that everything they cut had consequences. He said he was told for years that the way to get by with fewer officers was to make the officers more efficient. The police officers themselves were the most expensive and the brick and mortar, once you build it, would be there. He said they were always told that in order to make their officers more efficient was to cut-back on some of those other things. He said if you want to make an officer more efficient they needed to look at the design and look at the things the architects had built into this thing and what it was for. He said the building would not be a Cadillac or palace and those things were there for a reason. It was important to do the right thing for the right reasons, not just to pinch pennies. He said he didn't want to pay taxes either because he was retired. He said this had been a project that was long overdue and was pushed down the road and the Commission now had inherited it but it was time to do the right thing.

Amyx said the Commission had sites to look at and an item on the agenda to look at authorizing an agreement with an architect for a concept study. He said they didn't need to be site specific and might want to look at a couple of sites. He said they might want to look at properties the City owned and might want to eliminate from the City's stockpile of properties, helping to reduce costs. He said they might want to give direction to staff on what that number

should be for development and what kind of budget they were looking at. He said it was important to do that concept study and talk about reducing the number of sites.

Schumm said during the study session the other day, they gave the architect a mission to look at comparable areas for parking and occupancy on the lower level but it begged the question on what site they would use because a flat site was much different than one that had some topography to it. He said he was interested in moving ahead on this as quickly as possible because he would like to see it on the November election and that would get here very quickly and would need to work backwards from that date to get all that lined out. He said there should be sufficient time for public meetings and education on this matter. He said he wanted to move ahead with signing the agreement but it seemed what they would come back if they didn't have a site to go with it. He said that was why he was hung up unless the Commission wanted to talk about sites too. He said the City Commission could try to refine and get it down to 3 sites then maybe the architect could come back with different options on those 3 sites.

Corliss said whatever the number would be, as far as additional sites to look at, additional opportunity for public comment at those and then the dollar options and square footage options on the actual program for the building.

Amyx said regarding the concept study was that the study that would include some of the things Schumm brought up

Corliss said yes. He said the part of the study in doing elevations and those types of things, they wouldn't get to that until they confirm the site, general program, and options or add-alternatives that might be put into the contract.

Amyx said each one of the sites contained all kinds of things that might help one way or another in building a building. He said there were a couple of sites which was the Hallmark site and the VenturePark property. He said there was a price tag for the Hallmark site in buying the land and with Venture Park the City had already bought into. One of the reasons he asked the question about the police facility and the other facilities it needed to be around was that the

police spent a lot of time at the hospital and how important is it to be close to the hospital. He said that was why the site at Hallmark was an extremely good site and was important to consider. If they were thinking about the addition of Municipal Court someday, he thought the importance was if they wanted it way out east, west or more a central location.

Farmer said one of the things they talked about was the Overland Drive and Wakarusa area.

Corliss said the city owned about 27 acres at that location.

Farmer said one of the things that were said was that it was too far west. He said he felt like they've gone a little too far east and if they were ever going to move to precinct it seemed to him prudent that they would have a north and a south. He said to him the Hallmark site made a lot of sense. He said he wasn't opposed to going to VenturePark at all and would throw that out if one of the reasons why it was disqualified for the property at Overland and Wakarusa that it was too far west and it seemed that they went to the other extreme. Certainly, your land or my land, but the best kind of land was a free land applied and didn't need to spend money needlessly if they didn't need to. He said they gained a lot by having accessibility and adjacency to a turnpike that gave them accessibility to both the west and the north. It was real easy to tell people to get to 6th and Iowa as being totally reconstructed. He appreciated what the Chief stated about Iowa being a main arterial road by which they could get anywhere they needed to in 15 or 20 minutes. He said he drove from the VenturePark site to 6th and Wakarusa and it took him 35 minutes. If there was something that happened at a school, restaurant or a store out there, they would need to deploy units from the facility and it could be over in 35 minutes. He said that concerned him about the VenturePark site and wasn't sure what they would gain by virtue of that property being free outweighed the potential of being along a main arterial road with shared accessibility. He said he surely wasn't opposed to the VenturePark site, and loved the fact it was free, but his preference was the Hallmark site.

Amyx said Dever brought up the bus hub site regarding an earlier agenda item and how the City would see a change with the South Lawrence Trafficway.

Dever said they were talking about 30 years down the road.

Amyx said with the Hallmark site the City would need to purchase property whereas, with the VenturePark site, they would be able to fund the request as presented in the study session which would get them to that 20 to 30 year mark.

Dever said Farmer mentioned geography and, unfortunately, he majored in geography and had to say they could have precincts north and south or east and west. He said while one side was close to the hospital and it was also far from the jail, while the VenturePark site was closer to the jail but further from the hospital. He said they could argue about location all day long but they needed to decide either north and south, or east and west, what they thought the direction that the City was going to grow and then build accordingly. He said he didn't think they would go much more south a whole lot because there were 2 natural barriers. He said he thought it east and west was the direction the community would grow. It had been reflected, for the last 30 years, that way and if they try to judge or gage to which direction it would go then it would be difficult. He said if looking at a map of Topeka, they would see exactly how this City would grow because geographically it was identical in many ways. He said Topeka didn't grow much to the north. It grew to the south quite a bit but it didn't have a major river like Lawrence did. He said he guessed that they could find an equal amount of what they liked about one and an equal amount to like about the other. He said his opinion was that he was not "for" or "against" either one he just wanted to have the money to do what he wanted with the Police facility and not invest in infrastructure and land. H said that was his biggest concern and anything he wanted to be supportive of, he wanted to be supportive of a great location, but if they're very similar in quality, then he wanted to pick the one that cost less.

Schumm said on the precinct question, if the population number was 250,000 and no one had to worry about the precinct question.

Dever said but for the South Lawrence Trafficway, he would feel very similar to Schumm, but he saw that as a defining connection which, without it, this City couldn't grow and thank goodness they're having some of those discussions and it wasn't being built. He said 21st Street was not a good trafficway although it served as one right now.

Schumm said he liked the Hallmark site but it had a price tag and, in fact, a rich price tag. He said he liked VenturePark because the City owned it and it worked and he also liked the Overland site because the City owned it and it worked. All of the other sites were probably no better than any of those 3 and the number 1 choice he would like would be the site across from Hallmark because of the central location but the other 2 were appealing because those 2 sites were free. All of the other sites on the list probably didn't have anything better than any of those 3. He said he might be wrong and would certainly listen to the Commissioners if they found sites that were more appealing.

Riordan said he thought VenturePark and McDonald Drive were the top 2. If they had a 3rd option, he would pick 31st Street because the Police Commissioner thought it would be a great place to go. He said he would like to see information on those 3 sites and see what they could do with \$25,000,000.00 to \$28,000,000.00.

Farmer asked if that was in addition to the 1.5 that was already budgeted or did that include the 1.5.

Riordan said it was in addition to.

Farmer said, in theory, what Riordan was saying was 26 ½ to 29 ½.

Riordan said correct. A bond issue of 25 to 28 and what could they do with that knowing they had 1.5 million already that could be utilized toward this site, including the purchase of the property. He said let them tell the City what all the pluses and minuses were and the Commission could probably figure it out.

Schumm said he thought that was a good target, although he would rather not draw exact parameters around it, dollar wise, and rather have them come back to the Commission to

say what could be done for this and that. He said he was in agreement that that was a nice range to be in although he did not know if the total amount was \$30,000,000.00 and obviously they would like to reduce that if they could but he didn't want to reduce it if they shouldn't reduce it. He said he would want to reduce it more if they could reduce it more and not sacrifice anything.

Riordan said in conversations with the Police Chief and the information that he knew, his best guesstimate was that a total of 25 to 30 million dollars was where they needed to go because there were certain things that needed to be at that facility and it was not a Taj Mahal, or a place that was going to be something that was excessive, but workable, and doable, and it was not inexpensive as they found out during their study session. He said he could be flexible with 20 to 25 million, up to 28 million, but his suspicion was to get the quality of the building that was needed was going to be 25 to 28 million, plus the 1.5 million.

Amyx asked if Riordan was talking about the West 31st Street site.

Riordan said yes.

Amyx asked if there was a problem with that site.

Corliss said the west 31st Street site, west of Ousdahl certainly had good proximity in the community with 31st Street being connected over to O'Connell Road so it had good access to the jail and other things. One of the challenges was the floodplain for that property. He said it didn't give 13 acres, which is what their optimum site is. It didn't give them a whole lot more than that. He said it was a good site to look at. If they had the sites of McDonald Drive, also known as the Hallmark site, the two sites the City owned, VenturePark site and Overland Drive, and then the 31st Street site. That's the four corners of the community. If they were looking at a scope for the next step, not committing to any of those sites and wasn't foreclosing anything else that might come, that helped staff get some good next steps. He said there were pluses and minuses to each site. Clearly, the 31st Street site had some floodplain issues but maybe not foreclosing that.

Amyx said along with the approval of this concept study, he asked if staff would like to have direction on a dollar amount at this point to consider.

Corliss said he would like the City Commission to give staff a not-to-exceed amount and look at what were the consequences of a 25 million dollar facility up to 28 or 29 million dollar facility, knowing there would be some land acquisition issues. He said staff could give the City Commission some of those consequences if they stepped down from that. He said they knew some of those but could drill in more precisely. He said the City Commission heard a lot about that at the study session, in talking about the garage and the importance of covering vehicles and access. He said they talked about the finish inside the building that was used 24/7 in some respects and needed security features and those types of things. He said he thought they could get a better articulation of that information so the Commission could see the consequences of that. He said the City Commission could tell staff a not-to-exceed amount because that happened before on any number of different projects and staff would respond to that. He said his request was to make sure the City Commission knew what those consequences were and he knew the Commission wanted that.

Amyx said it was going to draw near, quick. He said the Commission needed to have an idea about what kind of action items were needed and a timeframe that it needed to happen. As they looked at the analysis that Ed Mullins, Finance Director, did in response to the questions about what he had and what were all of the actions the Commission needed in order to take this to the public for election and he knew that it was in September.

Corliss said directing him to finalize the contract with Treanor Architects for the 'concept study' for those 4 sites and would look at those sites with additional rigor. He said the City would probably need some sub-consultants that would help on some of the site issues that needed to be worked on relatively quickly so staff could report back to the Commission with some additional information and talk about the budget consequences along that continuum. He said Mullins memo indicated that the City would need to revise their debt guidelines and

understand what those consequences were because they would be issuing more debt. He said staff would not proceed unless the public authorized to service that debt through an election. Through, either a combination of sales tax and property tax. He said at some point they needed to know the mix of property tax and sales tax that the Commission wanted staff to pursue so they could work on the appropriate language to talk with bond council. He said there was a list of those items and it was wise to ask the public for support of this, knowing what site the Commission wanted. He said this community cared a lot about the site and issues around that and had general discussions about that. He said if he was wrong in that assumption than obviously they didn't need to concentrate so much on site. He said the Commission might want to ask the public for the debt authorization with the understanding that either the site had been committed to where they had an option on the site.

Amyx said the site had to be an absolute and then they could go to the public.

Corliss said another thing that was needed was to have some vigorous and robust public discussion about it as well. He said they needed to go out to the public and ask them for their opinions. Another thing was that staff needed to make an informational case to the public on why they wanted to do this. He said the one thing they didn't want to step over was the fact that they had to try and find good ways to educate the public, and dialogue with the public, about why they had this need. He said they could not step over that and get to some of the small details of the facility and had to remind the public why this was needed. He said the authorization staff was asking for tonight, was to get Treanor Architects and others busy on analyzing those sites and then looking at the budget so they could have good options at the meeting in July when there was a full Commission.

Farmer said he was with Riordan on the price tag and wanted to spend what was needed to spend in order to make this right. The greatest tragedy to him would be if they went with the land because it was free and then they skimped on what went inside of the building. He said that would be his 'ask' of this group, to say that if it was the will of the Commission to go

with a free piece of property than let it not be on the Commission to then start trimming to get us from a 30 million dollar facility, which again the architects estimate was a 30 million dollar facility which didn't include land acquisition costs. He said that was 30 million dollars in cost to build the facility and then whatever land costs were on top of that were in addition to. He said if they were going to say that a 28 million dollar facility and they already have 1.5 million and they were now \$500,000.00 below and hadn't even started talking land acquisition costs. He said his only ask was that if they ended up going to that place that they didn't start chopping. If they took the show on the road, because he thought the more public input the better, and in the process of Treanor doing the concept study, if they maybe had 3 or 4 public meetings between now and the next time it came back to the City Commission to seek the public's input, not on necessarily whether or not they needed a new police facility because they decided that this was the direction they were going, but what was their feedback on the 4 sites that they had defined. He said it would behoove the City Commission to get some input and use that to weigh with the concept study in order to make an educated decision when moving forward.

Amyx said it was a good plan and they needed the public comment. He said they needed to do an evaluation of the sites with public input.

Farmer said he would be happy to help and if they could have that public input as they were deliberating those decisions when the concept study came back, he thought they could make a better educated decision.

Corliss said he wanted to throw out a couple of dates where they had a full Commission.

Dever said they were going to get all of the input they could get through an election and couldn't ask for anything more democratic than that. If the Commission was in a hurry, and wanted to get this item on the November ballot, then if the Commission started throwing it up in the air as to 3 or 4 locations and hadn't narrowed this down and identified it, it would drag on longer if they did so. He said he was fine with that but just heard conflicting things because they had the public's input on the bus and the last thing they talked about was the transit hub and

they didn't pick any of those sites. He said they came up with a different site and it came out of left field because it was a different type of concept. He said his personal opinion was that it would add time to the timeline and as long as the Commission was fine with that then he was fine.

Schumm said he agreed. He suggested setting something like they did for naming Rock Chalk Park. He said there were 4 sites and people would either like one of those sites or not. He said if the public could go on-line and let the city know what they liked and for what reasons without having to setup meetings because of the timeline just to try and get general input from people that wanted to take the time to email the Commission.

Dever said he would love the feedback but it could add 6 weeks to the timeline and he was afraid they would run out of time. If wanting to get all of their ducks in a row, get a price tag and get a concept plan it was all site specific. He said unless they used the next 3 or 4 weeks to do so, then they would miss an opportunity.

Schumm suggested in the next 10 days or so because the City Commission didn't meet next week. He said if they could somehow collect data over the internet. The 4 sites would be in the paper in the morning and just ask for people's comments on which site they liked, rate those sites, and why. He said he believed they would get a couple hundred responses but at least the Commission would get a feel for what people were thinking.

Dever said and the price tag associated with each site was important.

Corliss said they knew what was being offered for that site.

Amyx asked if staff could get that information on-line and the advertising. He said in the public meetings he suggested using that time to sell the project.

Riordan said one of the things they were saying was that they could proceed if they had 3 or 4 sites. He said they could do the concept study while they were seeking public input at the same time.

Schumm said one other option from the Police Chief was a position paper on why they needed this facility. He said what they needed were some pictures of what the facilities looked like currently. He said the public needed to see the cramped quarters and inefficient evidence storage. He said staff could place that information and pictures on line so the education process started.

Corliss said the architects had a lot of good photographs of the existing facility.

Riordan asked if they could proceed with the Treanor concept plan.

Schumm said yes.

Amyx said the Commission was in agreement to put that information on-line and start getting input back on those sites. He said it would include as much information as possible and a program of advertising. He said Treanor could proceed with the concept study.

Corliss said he was looking at having that information back on July 15th.

Amyx asked if Corliss was going to have the concept study back.

Corliss said no. He said he would do a purchase order in the morning and come up with an agreement. He said it would be exceeding his spending authority later but they would get it going tomorrow. He said they had the 4 sites, some of the budget continuum issues, and the beginnings of what all it included. He said he was trying to figure out when they would ask Pitts to have something back on the agenda so the Commission could talk about it to see if they had better decision capabilities on site and budget. He said those were the 2 main items that he was seeing. Obviously, they had to have the informational package and then be able to move toward elevations and other things that would show what staff would be able to demonstrate to the public.

Moved by Schumm, seconded by Farmer, to receive the public comments report and authorized the City Manager to negotiate an agreement with Treanor Architects for a concept study looking at the 4 sites; and, direct staff to place information on-line for public input on those sites. Motion carried unanimously.

8. **Consider motion to recess into executive session for approximately 15 minutes for matters relating to employer-employee negotiations. The justification for the executive session is to keep employer-employee negotiation matters confidential at this time. The City Commission will resume their regular meeting in the Commission Room at the conclusion of the executive session.**

Moved by Schumm, seconded by Farmer, to recess into executive session at 11:02 pm for approximately 15 minutes for matters relating to employer-employee negotiations. The justification for the executive session is to keep employer-employee negotiation matters confidential at this time. The City Commission will resume their regular meeting in the Commission Room at the conclusion of the executive session. Motion carried unanimously.

The City Commission resumed at 11:19.

D. PUBLIC COMMENT:

Social Service League

E. FUTURE AGENDA ITEMS:

David Corliss, City Manager, outlined potential future agenda items.

F: COMMISSION ITEMS: None

G: CALENDAR:

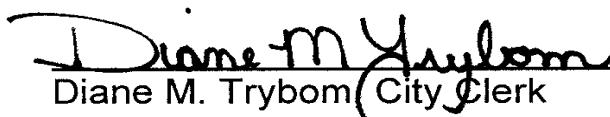
David Corliss, City Manager, reviewed calendar items

I: CURRENT VACANCIES – BOARDS/COMMISSIONS:

Existing and upcoming vacancies on City of Lawrence Boards and Commissions were listed on the agenda.

Moved by Schumm, seconded by Farmer, to adjourn at 11:25 p.m. Motion carried unanimously.

MINUTES APPROVED BY THE CITY COMMISSION ON AUGUST 26, 2014.


Diane M. Trybom, City Clerk