



# City of Lawrence

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CITY COMMISSION

MAYOR  
MIKE AMYX

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

February 24, 2015

The Board of Commissioners of the City of Lawrence met in regular session at 5:45 p.m., in the City Commission Chambers in City Hall with Mayor Amyx presiding and members Dever, Farmer, and Riordan was present. Schumm was absent.

**A. RECOGNITION/PROCLAMATION/PRESENTATION: None**

**B. CONSENT AGENDA**

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

1. Approved City Commission meeting minutes from 01/20/15.
2. Received minutes from various boards and commissions:

Bicycle Advisory Committee meeting of 01/20/15  
Community Development Advisory Committee meeting of 01/22/15  
Public Health Board meeting of 12/15/14  
Sustainability Advisory Board meeting of 01/14/15

3. **PULLED FROM THE CONSENT AGENDA FOR SEPARATE VOTE.** Approved claims to 165 vendors in the amount of \$4,712,945.51, and payroll from February 8, 2015 to February 21, 2015, in the amount of \$2,030,306.09.
4. Approved license as recommended by the City Clerk's Office.

**Caterer Expiration**

Culinaria Food & Wine February 12, 2015  
Culinaria Food & Wine Inc.  
512 E 9<sup>th</sup> St.

5. Approved appointments as recommended by the Mayor.

**Convention & Visitors Bureau Advisory Board:**

Appoint Linda Honeymoon to a position that will expire 07/01/16.

**Electrical Code Board of Appeals:**

Appoint Alben Stilley to a position that expires 03/31/17.



**Public Health Board:**

Reappoint Dr. Kevin Stuever to a position that expires 03/31/18.

6. Bid and purchase items:

- a) Authorized the City Manager to enter into an agreement with CFS Engineers for a concept study of the reconstruction of Kasold Drive, from 6<sup>th</sup> Street to Bob Billings Parkway, in the amount of \$132,325.
- b) Awarded the bid for the construction of a Solid Waste Facility, located at 2201 Kresge Road (Phase 1), in the amount of \$1,354,289.44 to B.A. Green Construction Co., Inc., which includes alternates 1 through 3.
- c) Authorized the City Manager to execute Change Order No. 1 to the existing construction contract with Westland Construction, Inc. for Project UT1312, Bob Billings Parkway Waterline Replacement, increasing the contract amount by \$86,497 and 15 days.
- d) Authorized the City Manager to execute Change Order No. 2 to the existing construction contract with Schuetz Construction, LLC for Project UT1314, Lawrence Avenue Waterline Replacement, increasing the contract amount by \$18,282.
- e) **REMOVED FROM THE CONSENT AGENDA FOR SPEARATE DISCUSSION.** Authorized the City Manager to execute a Crossing Surface Installation Agreement with BNSF Railway Company, in the amount of \$36,273, for replacement of the railroad crossing at the entrance to Burcham Park and authorize the City Manager to execute a Purchase Order, in the amount of \$43,840, with Sunflower Paving, Inc., for the reconstruction of 495 linear feet of the asphalt entrance drive to Burcham Park.
- f) **REMOVED FROM THE CONSENT AGENDA FOR SEPARATE DISCUSSION.** Awarded the construction contract for Bid No. B1502 - Project No. UT1409 – Avalon Road Waterline Replacement, 9<sup>th</sup> Street to Cambridge Road - to Westland Construction, Inc. in the amount of \$371,760 and authorize the City Manager to execute the construction contract.
- g) Authorized the City Manager to execute the Engineering Services Agreement with Professional Engineering Consultants in the amount of \$161,500 for Project No. UT1425 - 2016-2017 Watermain Replacement/Rehabilitation Program.
- h) Approved the sale of surplus equipment on GovDeals.
- i) Approved the sole source purchase of six (6) Motorola MDC Model MW810 mobile data computers and accessories for the Lawrence Douglas County Fire/Medical Department from Motorola, in the amount of \$31,894.20, utilizing the State of Kansas Contract #28440.

7. Adopted on first reading, the following ordinance:

- a) Ordinance No. 9088, repealing Section 12-105.1 of the City Code pertaining to recoupment fees assessed in Municipal Court.
8. Adopted on second and final reading, Ordinance No. 9085, for a Text Amendment (TA-14-00534) to the City of Lawrence Land Development Code to create a use group for short-term loan or car title loan business, or similar business, and establish standards.
9. Approved a street event temporary use of public right-of-way permit for use of Massachusetts Street, including the rolling closure of the northbound lane of Massachusetts Street downtown from 10:00 a.m. to 10:30 a.m., on Saturday, April 18, 2015 for the March of Dimes Walk.
10. Approved a street event temporary use of public right-of-way permit for use of various city streets, including the rolling closure of the northbound lane of Massachusetts Street downtown from 8:00 a.m. – 8:25 a.m., on Monday, May 25, 2015, for The Home Run 5K.
11. Approved a street event temporary use of public right-of-way permit for use of Massachusetts Street, including the rolling closure of the northbound lane of Massachusetts Street downtown from 11:00 a.m. to 11:30 a.m., on Saturday, April 11, 2015 for the Earth Day Parade.
12. Received the 2014 annual report of revenues and expenses related to the regulation of building activity.

Amyx pulled consent agenda item no. 3 regarding claims for a separate vote.

**Moved by Dever, seconded Riordan,** to approve non-Rock Chalk Park related claims to 160 vendors in the amount of \$4,708,852.97. Aye: Amyx, Dever, Farmer, and Riordan. Absent: Schumm. Nay: None. Motion carried unanimously.

**Moved by Dever, seconded by Farmer,** to approve Rock Chalk Park related claims to 5 vendors in the amount of \$4,092.54. Aye: Dever, Farmer, and Riordan. Absent: Schumm. Nay: Amyx. Motion carried.

**Moved by Riordan, seconded Farmer,** to approve payroll from February 8, 2015 to February 21, 2015, in the amount of \$2,030,306.09 . Aye: Dever, Farmer, and Riordan. Absent: Schumm. Motion carried unanimously.

Commissioner Schumm arrived at 5:51 p.m.

Farmer removed consent agenda 6(f), the construction contract for Bid No. B1502 - Project No. UT1409 – Avalon Road Waterline Replacement, 9<sup>th</sup> Street to Cambridge Road - to Westland

Construction, Inc. in the amount of \$371,760 and authorize the City Manager to execute the construction contract, for separate discussion.

Farmer stated, "I was just looking through this and one of the things that I didn't see that probably needs to be here for the public to be aware of is the traffic plan. 9<sup>th</sup> Street is going to be closed for a week over spring break and because those documents were not included with the agenda, I feel like that we should probably defer it a week so that the public can see what the plan is and be aware that we actually will be closing 9<sup>th</sup> Street the week of spring break. So just deferring it a week for that to be posted, I inquired about it this morning, we were sent that this afternoon so I just want the public to see it too so their aware."

David Corliss, City Manager, stated, "I need to ask staff what the impact of our ability to still do the project over spring break is we wait a week."

Troy Shaw, Project Manager for the Utility Department, stated, "If we wait a week, getting everything done by spring break would be difficult. Hands and Pipe is the one doing the tap on the concrete main in the middle of 9<sup>th</sup> Street and the lead time to get them there. We also have, on top of that, our internal city crew is setup to do the same thing at 9<sup>th</sup> and Hilltop at the same time, over spring break, because they're going to have to redo that waterline as well and we had setup with Hanson to do both of them at the same time to get them done. The reason we were doing it over spring break is we have coordination with Public Works and they are micro-surfacing that area with Avalon and Hilltop and the whole area up in there this summer so we're trying to get this waterline in before they do that so we don't have to go back and tear up the new roads as they're doing that. So that's kind of our thought at what we were thinking when we did it."

Amyx asked, "So our notification to the public has been just today?"

Shaw stated, "We will have a public meeting just like we do with every waterline project. Once the contracts are awarded we setup public meetings with the public and we'll have a public meeting in the neighborhood as we've done in the past and that's our intention."

Corliss stated, "I have been told, but I have not had a chance to verify that when we set the bid date, we talk about traffic control issues and closing 9<sup>th</sup> Street. That information was not in this memorandum as the Vice Mayor points out."

Shaw stated, "There was a note in the Set the Bid Date that said traffic control will be at 9<sup>th</sup> Street. I can't remember the exact wording, but it didn't say closure of 9<sup>th</sup> Street, it said the will be traffic control at 9<sup>th</sup> Street."

Farmer asked "Will we be closing 9<sup>th</sup> Street."

Shaw stated, "Yes, we will be closing 9<sup>th</sup> Street."

Corliss stated, "Only if you approve the bid."

Shaw stated, "For a maximum period of 9 days, from the 14<sup>th</sup> through the 22<sup>nd</sup>, the week of spring break basically."

Amyx stated, "So your tell us then that if we defer this a week to notify the public, there's no way it could be done this year, at least in that timeframe."

Shaw, "No way, this gets very difficult along with getting Hanson scheduled and also getting our contract through the system. It's not impossible, but it gets very close. We just don't want to get it longer than spring break and we don't want to close when school is in session. Could it be done? Possibly, it's just going to get tight."

Amyx stated, "I think there is a big difference between traffic control and closure of a main street. I guess this is one of those times where the Vice Mayor brings it up. I think it's good to error on the side of making sure that the public is aware as to, you know we're going to have a full closure, but we're talking about a 1955 cast iron pipe too."

Farmer stated, "The bottom line is, I know it's going to be close. I guess the question is not, is it going to be close, but can we make it happen? Cut past all the stuff and that's what it boils down to. I know it's cutting you guys on a close timeframe, but we've got a job to make sure that the public know that something is going to happen that they weren't made aware of so can we make it happen?"

Philip Ciesielski, Assistant Director Utility Department, stated, "At this point based on an action tonight to award the contract, the contractor could start obtaining his bonds and insurance and all those things for the project. That's usually a 2 to 3 week process to get those back, get signatures from everybody from the City etc... and then give them the notice to proceed. Deferring it a week, takes a week of that away and we're only about 4 weeks away from spring break at this point. We could do public notification while this process is going on. One of the things we were going to do is have either the City's message board or rent a message board from one of the traffic control folks and have information out on 9<sup>th</sup> Street ahead of the closure for a week or so. It does get close just because they do take from the day we award it and starting tomorrow it's about a 2 to 3 week process with the contractor. He has to get his bonds and insurance in order, get the contract back to us, get them signed through our system and give them a notice to proceed with an executed contract where they start purchasing materials and making commitments to others that they're going to have a contract and execute the work."

Amyx asked, "Have we had any kind of issues with this waterline over the last year or two years?"

Ciesielski stated, "The Avalon line has been one that does have a history of breaks. We go through our assessment and prioritize them, based on the material, the age, the break history, the sizing so it does have a history of breaks on it that drove it up in the priority list to be done at this time with the ranking of the projects that we have out there right now. It had other factors, the age of the materials, it's undersized by today's standards and we're also trying to get this done, not only the waterline on Avalon, but the waterline on Hilltop and we have Public Works mobilizing and coming in to this entire area up there to do, I'm not sure if it's mill and overlay or micro-surface, but street rehab starting this summer."

Amyx stated, "If it were to break, it affects 100's and 100's of people, right?"

Ciesielski stated, "Depending on how many services are on that line, but its 30 or so customers on that line between 9<sup>th</sup> and Cambridge, I believe. We looked at any number of ways to try and keep one lane open on 9<sup>th</sup> Street or during the day, played it overnight and as constricted as that right-of-way is and where the transmission main where we have to tie into is nearly in the middle of the street and there just wasn't a way to accommodate traffic during the period while we had to get on their and make that connection to it so the first phase is make the connection, get across 9<sup>th</sup>, into Avalon and out of that right-of-way open as long as Hilltop works. City crews are going to be working simultaneously and get the street back opened up."

Amyx stated, "Understand that the Vice Mayor brings up a very good point because this is something that the public needs to be notified far in advance or at least enough in advance that they understand exactly that we're going to close that roadway. Here's a situation where the waterline is now second priority for replacement and does need to be taken care of. These are obviously good bids and there's no good time to do it. Do you have a notification plan that you'll begin tomorrow morning other than what everybody's going to write tonight?"

Ciesielski stated, "Our typical is the press releases as well as getting the message boards out on 9<sup>th</sup> Street here in the next week or so ahead of time, letting people know that there is going to be a closure there. For the immediate neighborhood we have a public meeting that we go through. I think Mike Lawless mentioned this as well at a meeting where we talked to them about the Hilltop Watermain. They had their neighborhood association meeting a week or so ago. The immediate neighborhood they heard about this at that meeting in conjunction with the Hilltop Watermain."

Amyx stated, "That's pretty dense up through there as far as below the hill so we're going to have a great affect."

Ciesielski stated, "They didn't do us any favors when they put that main in the middle of the road in 1950."

Mayor Amyx called for public comment: None

Amyx stated, "1955 Cast Iron Watermain needs to be replaced. I guess there was talk of some kind of traffic control during the letting or announcing of the project and setting a bid date. I think that we probably out to proceed but we need to start a healthy notification process first thing in the morning telling people how they're going to be getting around and their lives are going to be affected for about a week and a half."

Dever asked, "Do they have the plan that they've shared?"

Amyx asked, "The traffic plan?"

Dever stated, "Yes."

Amyx asked, "Do you have a traffic plan."

Shaw stated, "Yes, we have the traffic control plan."

Amyx stated, "Okay, but I would suggest we get that out immediately."

Dever stated, "I'm surprised they didn't post it with these other documents."

Amyx asked, "Do you have the traffic plan with you?"

Shaw stated, "Yes, I do." (Shaw showed the Commission the traffic control plan.)

Amyx asked, "Where are you going to detour this traffic to?"

Shaw stated, "The local traffic down 6<sup>th</sup> has its way in and out still with the road just closed at the local spots without going down 9<sup>th</sup> Street, but the main traffic would be on 6<sup>th</sup>."

Amyx asked, "Do we have any other projects that are going to impede traffic along 6<sup>th</sup> Street or Iowa Street that's going to happen during this time?"

Corliss stated, "No, nothing planned."

Amyx asked, "Nothing east of 9<sup>th</sup> anywhere down through there?"

Corliss stated, "No."

Amyx asked, "What kind of traffic counts do we have along in there, Chuck?"

Soule stated, "We do, but I don't have those tonight."

Farmer stated, "I love the work that you guys do and you guys are awesome and knock it out of the park every time, but we got to have this stuff for the public because closing 9<sup>th</sup>

Street is a big deal and if we were re-routing, I think it would be a little bit different, but I don't recall seeing it anywhere that we were going to close the whole road. Regardless of the amount of notification that we do to the public and that sort of thing all that's great, but I think the public needs to see because you understand the political implications of this. If we approve this without everything it's not good and we need to do our due diligence, involve the public in that process and that sort of thing. I don't know what you all think, but I'd be more comfortable deferring it a week and crossing our fingers and hoping that we can get there."

Corliss stated, "We may come back with a recommendation to defer it longer. We'll see what we can do. We may need to just move the project to a different time period. What we don't want to do is to get the project underway and not complete it over spring break."

Dever stated, "Dave, there's a question I have about the timing. I think I heard that obviously we have problems with this line, but it's been in the ground for 60 years now so a few months probably won't matter a great deal, but there was some paving we were trying to do as well after words."

Corliss stated, "We're going to do some paving in the spring and the summer as part of your pavement management program."

Dever asked, "If we waited, could we coordinate with the closure in the summer time?"

Corliss stated, "Sure, you can pick a different time."

Dever stated, "And right after words, do the paving once we're done with it, instead of leaving it in a state of not perfection for 3 or 4 months till we're done, but I don't know how much damage we're going to do to the road, but I'm sure it's more aesthetic than anything else. I would hope that they would bring it back to grade and make it safe. I just wondering if there's any question about timing then we should probably just and the weather, we could have bad weather and you know if that becomes a problem in March, you never know what we're going to get."

Corliss stated, "St. Patrick's Day sometimes is not good weather."

Dever stated, "I don't know, I just think if we were going wait, this might be a good one to wait on since we haven't gotten the notification done and we're not sure we're going to get it done by spring break."

Amyx stated, "Let's do it as a Spring/Summer project, probably more summer, after schools out."

Dever stated, "Unless there's going to be a major impact on the cost, maybe they can speak to that."

Corliss stated, "I think what I'd ask you to do, if that's the direction, is not to try to do this over spring break and just defer it and we'll come back with a report on what we think the appropriate next steps to be. We're either going to rebid it or recommend that we would change the calendar."

Amyx asked, "Philip, do you have an answer to that?"

Ciesielski stated, "I just wanted to add the part about coordinating with the street work. The entire project is 150 days so if we push and start for summer, Avalon and Hilltop would not be able to be included in the Public Works plan for the resurfacing in that area. It will take that window to do the waterlines. In terms of the timing and coordination, getting this started and getting in and out still allows them a window at the end of the summer to come back and do the plan resurfacing on Hilltop and Avalon, in that area. If we wait and do the project for summer then those would not be done with that chunk of planned work in that area at this point."

Dever asked, "So the 1600 feet of watermain is scheduled to take 90 days to replace?"

Shaw stated, "I think the contract is 150, but that's 2 final completions."

Dever stated, "So the only 9 day closure was the intersection then the 9<sup>th</sup> Street course."

Ciesielski stated, "That gets us tied to the existing main and enough pipes to cross 9<sup>th</sup> Street to be on 9<sup>th</sup> Street for the remainder of the project. The rest of the project takes place on up Avalon Road as well as on up Hilltop."

Dever stated, "I'm sure you guys thought this all through except we didn't have the notification and as Vice Mayor Farmer pointed out, he's not comfortable moving forward without and I understand why he feels that way, 9<sup>th</sup> Street is a pretty important artery for a lot of citizens. I'm not sure what notification would do other than tell us not to do it or come up with better ideas and I think that's what you're getting at, Jeremy right, is getting the feedback from the people that use this street?"

Farmer stated, "Yes."

Corliss stated, "To either do the project now or not to do."

Farmer stated, "Well, not to do it. You know you asked where they're going to be rerouted and we don't know that right now."

Corliss stated, "That's a good point."

Farmer stated, "And so, it's really unfair for us to say 'Yeah, move forward.' If somebody calls me tomorrow or Chad happened to ask me out for it, it's because he wants to put it in the newspaper like where are you going to re-route traffic to. I don't have any idea."

**Moved by Farmer, seconded by Dever,** to defer the construction contract for Bid No. B1502 - Project No. UT1409 – Avalon Road Waterline Replacement, 9<sup>th</sup> Street to Cambridge Road - to Westland Construction, Inc. in the amount of \$371,760 and authorize the City Manager to execute the construction contract. Motion carried unanimously.

Schumm stated, "I was going to ask to remove 6(e) for some additional information. I don't know if you've already voted on the balance."

Dever stated, "Yes."

Amyx stated, "We've already approved, yes sir."

Schumm asked, "Can we discuss it for just a minute?"

Amyx stated, "We can. We don't need to make a motion to reconsider at this point."

Corliss stated, "Unless you want to reconsider it."

Schumm stated, "I just rather talk about it for just a minute."

Amyx stated, "This item is to authorize the City Manager to execute a crossing surface installation agreement with BNSF Railroad Co., in the amount of \$36, 273, for replacement of the railroad crossing at the entrance to Burcham Park, authorize the City Manager to execute a purchase order."

Schumm stated, "When I read through it and looked at it and I got a couple of emails. The enhance rail crossing or rebuilding I guess, I didn't see that it includes any enhancement or provision for pedestrian traffic or bike traffic or hiking or walking."

Corliss stated, "Philip has coordinated this project. The necessity of this work is because we have had very extensive utility department projects. The Kaw Water Transmission Line and then also the intake work really disrupted that existing pavement structure there. What we've typically done is negotiate with the railroad, cost responsibilities for the repair and that's what we've done there and the rest of 6 (e) is then also paying for the repaving of that surface road there in the park area. There's no sidewalk into that park now. There are no budgeted plans for the sidewalk into that park at this point and there's no sidewalk there at the rail crossing either at this point. That's my understanding."

Schumm stated, "Here's where I'm going with it. If we're going to rebuild that facility right now that crossing and we've got some trail work going on down on the river. We're trying to get back across to tie some stuff together with Outside for a Better Inside. This is an opportunity at the moment that's available to us to enhance a pedestrian crossing, even though momentarily doesn't go anywhere. Somewhere along the line, we're going to cross some tracks with all these trail systems that we're going to connect things. If my memory serves me correctly there's only 2 crossing there, I believe between the water plant and the bridge. Is that not correct? There's one near the bridge and there's one further west, the one we're talking about. Is that right?"

Ciesielski stated, "There's the one at Burcham Park and there's one down by our Sanitary Sewer Pump Station at 6<sup>th</sup> and Kentucky that leads it down towards the Bowersock's property."

Schumm stated, "Sooner or later you're going to have to cross railroad tracks if you're going to try to tie some stuff together and it just seemed like it might be an opportunity to look at some additional pedestrian crossing at that point even though, grant you, right now it doesn't go anywhere, but eventually it could and should."

Ciesielski stated, "Right now the crossing that's proposed is basically what spans between the signal arms today."

Chuck Soules, Public Works Director, stated, "Philip and I discussed this a little bit when he was talking to the railroad. The problem is the railroad does not want to have separate pedestrian or bicycle crossings, they're just not going to put them in. He's making the crossing as wide as he can between the two vast arms, the arms that come down. To make it any wider we'd have to move that which moving those things to make it wider would cost a lot more to put those in. I can't remember how much those cost, \$100,000 plus. They're not cheap to move and I don't even know if we can move them. The crossing is going to be improved as wide as we can make it with the existing cross arms, it's 32 feet and you could, if you wanted to stripe something off, one lane in each direction, two 12 foot lanes, only using 24 feet. At those crossings, when we start laying out the trails, it's going to have to be shared crossing otherwise we're going to do a lot more."

Schumm asked, "Is that the normal way you would cross the railroad curve?"

Soules stated, "We've got several crossings in North Lawrence and the railroad. I think we've got 1 pedestrian crossing left and they did not like it because it's just unsafe to have people crossing. I don't even know if it has cross arms that close it off. They've been trying to eliminate pedestrian crossings on railroad tracts for a long time. If you have one you hold on to it because you don't get another one back."

Schumm asked, "So it's your opinion that it's wide enough to stripe some pedestrian or...?"

Soules stated, "You could. In between there and then you would have the crossbucks that would come down and keep people back. It's probably the safest way to go."

Schumm stated, "My thought is I don't want to miss an opportunity, if there was an opportunity that was presenting itself."

Amyx asked, "Are you comfortable with that explanation at this point?"

Schumm stated, "Yeah, if it's possible to do as they say which it sounds like it is, against the potential cost of trying to make it even better than that. Obviously, the answer is just leaving it for what it is."

Amyx asked, "So it is possible with direction to have us look at those cross arms?"

Corliss stated, "We'll get you a report back about the appropriateness and whether or not it's allowed."

**C. CITY MANAGER'S REPORT:**

David Corliss, City Manager, presented the report regarding the Lawrence Parks and Recreation 2014 Year in Review.

**D. REGULAR AGENDA ITEMS:**

1. **Considered approving an agreement with the Lawrence Farmers Market allowing the use of City Parking Lot 8 (800 block of New Hampshire and Rhode Island Streets) on Tuesdays and Saturdays during the 2015 Farmers Market season.**

Brandon McGuire, Assistant to the City Manager, presented the staff report.

Amyx stated, "The sign down there that tells the times and days of the week, is that owned by the Farmer's Market folks is that our sign."

McGuire stated, "That's our sign. We never took it down after last season."

Amyx stated, "One of the things that we may want to do and it's just things that I've heard, is something either to cover the part that is closed or the parking is restricted during the various times, during the times that the markets not there like on Saturday mornings. Some people wonder if they can park there now."

McGuire stated, "We can work something out there."

Amanda Cook, Chair of the Farmer's Market Board, stated, "We've worked extensively with the City and had wonderful relations. We support the plan and if there's anything that we can do to ease the sign issue, we can definitely help out."

Amyx stated, "I had a couple of people ask me about if they can really park there. You can park there. Keep up the good work."

Cook stated, "Thank you."

Mayor Amyx called for public comment. None.

Amyx stated, "I do appreciate all the work that's been done by both City staff and the folks that are involved with the Farmers Market. I want to thank everybody that goes to Farmers Market the various times of the week and supports our market. This is a special attraction for our community. It's something that kind of makes Lawrence, Kansas."

**Moved by Schumm, seconded by Riordan,** to authorize the City Manager to execute an agreement with the Lawrence Farmers Market allowing the use of City Parking Lot 8 (800 blocks of New Hampshire and Rhode Island) on Tuesdays and Saturdays during the 2015 Farmers Market season and authorize the City Manager execute an agreement with U.S. Bank for use of its parking lot located at 9<sup>th</sup> and Rhode Island Streets for overflow parking during on Tuesdays during the 2015 Farmers Market season. Motion carried unanimously.

2. **Received the 2014 Street Event Permit Summary Report.**

Mark Thiel, Assistant Public Works Director, presented the staff report.

Mayor Amyx called for public comment. None.

Farmer asked, "There's a lot of cost included in this right, that's your time and staff time and when you have specific events to block off Mass we've drafted a policy that says there needs to be a standing fire/medical unit in North Lawrence. All of this

comes at a cost to the City. Is there a way that we could have that included in the data to show a breakdown of what each event costs us as far as all that's concerned?"

Thiel stated, "Absolutely. One of the things we started to track in 14, we have very limited data, but we started to track that in 14. The new application that we're working on, it's going to be broken out into requested services and so as those go out for review to fire/medical or to the police department or to public works, they'll actually be able to indicate what those costs for those services would be, whether they're donated or paid for by the applicant and then that post application, if you will, we ask the stakeholders what they thought about and overwhelmingly they all agreed that they would be willing to do that and so that form will include that data back from them as well."

Farmer stated, "Thank you."

Amyx asked, "So the way that we're doing it right now is that anytime we are to close a street, close the right-of-way, it comes to the City Commission, right? As I read through all of these it looked like a street closure."

Thiel stated, "That covers about 95 percent of what you see, yes."

Amyx asked, "Are there some of these we wish to give up?"

Thiel stated, "Yes, for example like the St. Patrick's Day parade. That's an annual event that's been going on for a number of years, the Christmas Parade and others included like the 3 events that you approved tonight on consent agenda. One of them is a 5k which will be a rolling closure on Mass for about 30 minutes as the runners come down. The other 2 tonight were walks, not really parades, but one was an Earth Day Parade, but it's basically a walk where the participants walk from South Park to 7<sup>th</sup> Street and then get on the sidewalk so that's a 30 minute impact, a rolling closure with Police in front and behind those walkers. Those were the types of things we're looking at. We would continue to want to bring forth Free State Festival, Tour of Lawrence, KU

Relay's, and Sandbar Birthday Party, type of events where they are actually closing the street for a day or multiple days, those types of things."

Amyx stated, "It kind of goes back to the discussion we had a little bit ago about we need to be notified as it gives the opportunity for the public to see that this street would be closed for whatever period of time it's going to be. One side of me says, I'd rather not hear too many of them, but the other side too, it's important that we are involved even if it's nothing more than the consent agenda because there is that notification time to the public."

Thiel stated, "Mayor, just so you know, a notification element is required whether the items come to you or not. We require it."

Dever stated, "Some of these are reasonable to not necessarily come to the Commission as an agenda item, but I agree the consent agenda is a good home for them and as long as the documentation is attached, that's what we're looking for, but I think the City's doing a better job and is planning on doing an even better job at communicating more frequently and effectively using different methods so the people who don't read the agenda because there's so much on it, it kind of gets buried in it. I know we have to go through it line by line, but I think maybe there's a more effective way to communicate that to people and maybe it's not on our agenda, maybe it's actively notifying it and then on the agenda at the last step. I throw it out there because I think there's been a lot more communication about things lately and I think that's improvement and hopefully that will help Mike with getting information out as long as the documentation is there."

Amyx stated, "We're going to receive the report tonight, is there any specific direction that we want to give staff on how we wish to proceed with this? One of the things that we have, I think, is any time that we close Massachusetts Street that item ought to come before this body. I think a lot of times we have some of the smaller

events on the side streets and that's probably fine to be on the consent agenda or some way so that everybody that is involved there. One of the things that does concern me and the Vice Mayor brought it up a second ago, is the affect that every time that we have a very large event that is going to have an impact at this intersection out here and ultimately going to affect North Lawrence and the traffic trying to get in and across the bridge, I think that we need to have some kind of settlement as to this roadway, New Hampshire Street and going across the bridge and just the stretch of 6<sup>th</sup> Street on the North end of downtown. I think the impact is too great in trying to get people back and forth into North Lawrence and that emergency service thing is tough to rely on. We do have a policy in place right now that says that in the event certain things happen, then we will make sure we have emergency first responders there. That has to stay in place. That will be my deal, is that if the main street was to be closed that those items automatically come for review of the Commission. What do you guys think about the side streets and things? What's a big event and what's not?"

Dever stated, "I agree."

Riordan stated, "I agree, it makes sense to me."

Schumm stated, "I'm generally against closing Massachusetts Street for a great length of time at all.

Amyx stated, "You're voting record would indicate that."

Schumm stated, "Side streets are kind of a different flavor, they don't impact as many people. We tried to be cooperative. In addition to that the area that seems to be less of an impact is between South Park, between 11<sup>th</sup> and 12<sup>th</sup> or 11<sup>th</sup> and 13<sup>th</sup>, however you look at it. There are reasonable amounts of ingress and egress around that area so that it doesn't cause the merchants a lot of difficulties. Other than that closing, I'd like to see that it comes before this body if there's any kind of closing on Massachusetts Street. I would say you're having these rolling closures. I would say if it's more than 30 minutes,

I'd like to look at it, if it's less 30 minute. We can live with that. If somebody wants to block it off for all day, first of all advise them that they may not get 3 votes, but also, it has to come here for us to look at."

Amyx stated, "How about if we can direct staff to look at the events that are going to have the impact on the North Lawrence and the bridge network here, a better way to not have that happen."

Thiel stated, "I think that gives us some good guidance, thank you."

Amyx asked, "Do we need to take some kind of formal action?"

Corliss stated, "I don't think so as long as you and Mark and the rest of the staff understand what your will is in regards to that, we've got good direction."

Amyx asked, "Will there be an item that comes back before the Commission, a policy statement of some kind that includes all this or is just this?"

Thiel stated, "Mayor if I understand what you're telling me, most of the events that you have seen in 2014 will continue to either be regular agenda items or consent items. There will be a few items of those 39 that you saw last year that we could do administratively, but the process would still be the same with notifications and the maps for closures and things like that and notification. Unless you would like to see something on that, I think we're pretty good."

Amyx stated, "I don't need to I just want to make sure I understand where it's going."

The City Commission received the report and directed staff to place future street event permits on the Commission's agenda for consideration. Motion carried unanimously.

3. **Received updates on the Pavement Management Program and 2015 Capital Improvement Projects.**

Mark Thiel, Assistant Public Works Director, presented the staff report.

David Cronin, City Engineer, continued the presentation on the staff report.

Riordan stated, "I actually got a positive response on the roundabout, somebody loved it. I thought it was interesting. The sidewalk that are down there, there are some evergreen trees that are large, it stops right there. What's going to happen there?"

Cronin asked, "Is that the evergreens in this picture? I believe the sidewalks are going to be in between the trees and the curb. I think there was some trimming and tree removal that we did at the corner with the roundabout before the project began, but I don't believe that those will be impacted."

Riordan stated, "You can tell me later, but it just looked like it was so close to the street, you'd have to have it right on the street. That concerned me."

Cronin stated, "Sure, we'll make sure that if that's not the case, we'll let you know, but that's my understanding."

Schumm stated, "One more comment about the roundabout, that really moves a lot of traffic through there quickly. I'm amazed at how much traffic just roars through there, within the speed limit, but it just keeps moving. It's really pretty cool. I think it's a lot better than if we put in a stop light there and for sure if you had to have one just another mile to the north of that. It really nicely moves that traffic through."

Cronin stated, "I appreciate that and we've received several in favor of it and I'm kind of surprised by the number of folks that we've gotten positive comments about it. I know there's some that they feel wasn't their preferred treatment, but it's been working well so far so I just want to point that out."

Riordan stated, "The other day I went down Wakarusa. There are 19 cars stopped at the intersection of Harvard and Wakarusa and there was one car that stopped for about 5 seconds at the roundabout, 20 second later."

Cronin stated, "One of the projects that a significant amount of the work got completed last year that is a City CIP project that a lot of folks probably don't know is going is, the

extension of 31<sup>st</sup> Street from Haskell to O'Connell that is a City project that was let with the South Lawrence Trafficway, KDOT Project. A significant amount of the work is complete with that project, the pavement is in. We're anticipating completing this project this year. We still need to complete the sidewalk, seeding, pavement marking and signing to complete that project and that's anticipated to be complete this year and here's a couple of pictures of the South Lawrence Trafficway Project. A lot of work is done, but a lot of work is still remaining to be accomplished here over the next a little over a year and a half before that gets completed. This is for our purposes kind of a tracking spreadsheet of the design and construction projects here over the next two years, this year and next year for the Engineering Division in the Public Works Department. The blue shading is the design, timeline, estimated design period and then the green is for construction and kind of outlines some of our projects and I'll go over a couple of them here. One of the projects here that's slated for 2015, this spring, is rebuilding the base of 31<sup>st</sup> Street, east of Ousdahl. That would be work that will be going on simultaneously with the Menards public improvement project that is currently underway. With the Menards store and development, they were required through the traffic impact study to put in a turn lane for Michigan Street which will be 31<sup>st</sup> and Michigan. It's an intersection that will leave north into the development and also south that will tie into the South Lawrence Trafficway Project. The roadway base at 31<sup>st</sup> Street was in very bad condition. It was 4 to 5 inches of asphalt on dirt. It's a great opportunity to use the time while 31<sup>st</sup> Street is closed to get in, reconstruct that asphalt base and then it will get overlaid with the Menard's public improvements. So that work is anticipated to go on this spring and be complete before 31<sup>st</sup> Street is reopened. Another side note, with the Menards project, public improvement project is that they are constructing a shared use path from the Naismith Valley Park where it currently ends around 29<sup>th</sup> Street that will continue on to the south around the store and down Ousdahl to 31<sup>st</sup> Street which will provide a greater bike path connection, north/south, from 31<sup>st</sup> Street, essentially up through Naismith Valley Park to 23<sup>rd</sup> Street. We are also adding a shared use path on the north side of 31<sup>st</sup>

Street, from Ousdahl to the east towards Louisiana that will tie into the KDOT shared use path up to 31<sup>st</sup> and Louisiana. The largest dollar, as far as construction cost project goes in the CIP 2015 plan is the Maple Street Pump Station. We spent the last, a little over a year or two on design of these plans and going through the approval process with the Corp of Engineers to construct the new outfall structure through the levy and that will tie into a pump station that we are constructing at 6<sup>th</sup> and Maple to alleviate some of the drainage issues that we have in North Lawrence. As you know we've already set this out for bid letting. Here it says February 24<sup>th</sup>, which is today. We've deferred that one week to next Tuesday with all the other projects that were let today and we've been receiving questions from contractors and with all the other projects and we've delayed that one week, but still anticipate getting going on that here this spring and anticipate completing that project by the end of the year. Our estimate on the construction cost was 4 million dollars. The project also has some alternate storm sewer to add on if the bids come in favorable. We have 3 projects on Bob Billings Parkway for 2015 which we're asking you to set the bid date tonight for these 3 projects. This is a map that shows the approximate location. It's an area footprint of each of the 3 projects. The first project is the Bob Billings Parkway, Wakarusa, Foxfire, reconstruction project. The scope of that is reconstructing the pavement in between the existing outside curb and gutter similar to how we reconstructed Bob Billings Parkway in 2012 and 2013, between Kasold and Iowa, removing all the pavement, treating the subgrade, putting in the under drains, reconstructing with asphalt. With this project we're also going to be able to add bicycle lanes that will extend the existing bicycle lanes along Bob Billings Parkway from Foxfire to Wakarusa and we'll have bike lanes on Bob Billings Parkway, on the entire corridor, now west of Wakarusa and this will tie into the bike lanes that we've been building on Wakarusa itself."

Amyx asked, "What is the age of that section of street?"

Corliss stated, "It's 20 years old."

Cronin stated, "We have an estimated construction cost of 1.2 million dollars and so that is a project that we were originally intending on doing last year, but with all the other projects last year and projects on Wakarusa, we recommended to defer it until this year with less impacts on the overall transportation network to push it back one year and so that is now ready to go and that is one of the action items tonight is to proceed with that project."

Schumm asked, "Will that require closing the street entirely off or would you do half of it and then open the other half?"

Cronin stated, "We're planning on reconstruction it half at a time. When we do that we'll go and remove all of the pavement and planning on coming back and putting in temporary surfacing to provide access to the side streets, access points that are there now which will be similar to the way that we reconstructed Bob Billings from Iowa to Kasold, a couple of years ago and then when we do the overlay itself, there will be a time where we have to pave through the intersection. There will be 4 different periods of time as we go through, we'll have to coordinate where the side streets and access will be closed for a short time just to get the asphalt in and rolled out and cooled down. Other than that, accommodate east/west traffic throughout the project and maintain access, as long as possible, for the longest durations to the side streets or the existing access points."

Schumm asked, "When you did Kasold to Iowa, you did that over 2 years, correct?"

Cronin stated, "We did the westbound lanes from Crestline to Kasold in 12 and then the east bound."

Schumm asked, "You're going to do all this, this summer?"

Cronin stated, "That's correct. It's not as long project. Kasold to Iowa is a mile long. This project is less than a half a mile and the construction schedule from May to August. I also point out that a lot of our project here, this project and the other projects, our main focus is getting them completed in the summer and not to have projects go into the fall and with the scope of

these projects, I think it's pretty realistic that we'll be able to start the project after school gets out in May and then completed before school resumes in August."

Schumm stated, "I live out there and I got a lot of people are asking me about it. Will that reconstruction of Bob Billings, be done prior to the opening of the intersection on K-10?"

Cronin stated, "Yes. The K-10 Bob Billings Interchange project that KDOT's working on is anticipated to be completed in December of this year. These three projects that we are going to work on this summer should be complete prior to that being open."

Cronin stated, "The second project I'd like to talk about is the Bob Billings Parkway and George Williams Way, intersection improvements. This project, we felt was necessary with that interchange being constructed on K-10 to eliminate some of the concerns with both vehicle traffic and school traffic, pedestrian traffic that uses that intersection. It's close to both Langston Hughes and Corpus Christie and so we're trying to be proactive and install traffic signal, turn lane on both the east and west approach of Bob Billings to the intersection and to tie in that pavement to the project that KDOT is doing with the interchange so then we'll have a center turn lane from the intersection to the KDOT project which KDOT is including turn lanes on their project as well, on the city street portion of their project. This project the plans are complete and we're seeking authorization to set the bid date on this project. This construction schedule is also May to August and we're letting it as soon as possible is good because time to order the signal equipment is usually 8 to 12 weeks so we're hoping that we get bids back here in early March that will be able to or the signal equipment, have it here by early summer so we can get all the insulation complete, prior to the end of the summer. Another project, Bob Billings Parkway that we're looking to set the bid date for is the Corpus Christie Turnlane Benefit District Project. This is essentially a project that was necessitated through the traffic study with the additional development and addition at the school with Corpus Christie and so plans for this is to widen Bob Billings Parkway to accommodate a center turn lane which will provide a safe refuge for folks to make a left turn onto the property and not stop in through traffic. So those plans are

ready to go and the same construction schedule and I believe the benefit district that was set was for a cost not to exceed \$250,000 and zero of that was City participation. A couple of other updates on some of our transportation alternative projects through KDOT, the Haskell Rail Trail project were let through KDOT last fall. That is to pave the existing aggregate, shared use path, south of 23<sup>rd</sup> Street which ties into the Burrough Creek Rail Trail, north of 23<sup>rd</sup> Street. This will provide a hard paved surface on this stretch that will get real close to tying into the shared use path that will be constructed with the SLT project that comes up to 29<sup>th</sup> and Haskell. That project should be occurring here this spring. The next project is the Breezedale Monument Project which is there on the south side of 23<sup>rd</sup> and Mass, restoring those monuments. There's a little bit of sidewalk work involved with that as well. It's a group effort of Planning Staff, Historic Resources, and Public Works on coordinating the project with KDOT and will oversee the reconstruction or restoration of that project this year. Last but not least, the Santa Fe Depot restoration which we're still working on that and anticipate letting that project in October and it has some site work involved with it as well and some Public Works staff and inspection for that project would be expected with that. I'm going to update everyone on those 3 KDOT TA projects. Also, we're working on finishing up plans to complete O'Connell Road at Venture Park. There's a short section of O'Connell Road that is north of K-10/23<sup>rd</sup> Street that we're only able to get 2 of the 4 lanes in due to the Westar Substation Project and now that Westar completed their new substation they're wrecking out their old one that is going pretty good. Most of the equipment is in interim move, this is a picture from a couple of weeks ago and so the primary issue is to come back in, complete this short segment of O'Connell that we've delayed until Westar has completed their project. We anticipate all of the cost for that project to be still within the original benefit district for the infrastructure on the site and estimated construction cost of finish that \$150,000 and also shooting for this summer for construction. Real briefly, I want to go over some of the things that were already planning for the future as far as design goes and getting feedback from folks is that working on Bob Billings from Kasold to George Williams

trying to identify priorities from the neighborhood as far as making improvements to intersection site distance. There's some pavement deterioration that we need to look at as far as making some repairs and also if any pedestrian improvements would be necessary in that corridor. We have a meeting last year to get the ball rolling on getting feedback from concerns from neighbors in that corridor, based off of the impending interchange of being completed at K-10 and we anticipate, when that project is complete that traffic will increase on Bob Billings and so we're working to come up with a project to alleviate some of those concerns. We have asked you to approve tonight the budget for the project which is 2.25 million dollars that was set aside through the infrastructure sales tax and some bonds for constructing a project next year in 2016 potentially. We're looking forward to having another public meeting with the neighbors here this spring and then developing some proposed ideas, the best way to spend the budget and then coming back to you at a future date with a proposed plan."

Schumm stated, "One Bob Billings you said 2.6 million."

Corliss stated, "2.25 million."

Schumm asked, "How are you giving notification to the people that live out there? Is that just by advertisements or is it by letter?"

Cronin stated, "Last year we sent a letter to a residents in the area. We had a public meeting at Langston Hughes Elementary. It was about a year ago. We've not set a date or sent notification yet for the next meeting, but we're anticipating doing that here."

Schumm asked, "Last year, how far east did you go for notification on Bob Billings?"

Cronin stated, "I don't recall."

Corliss stated, "I think we ended up doing it to Kasold Commissioner."

Schumm asked, "How deep did you go north and south off there?"

Corliss stated, "Maybe a quarter of a mile. What we'd like to do this evening is talk to you about this. We say confirm a budget, but it's really a dollar amount. The budget really needs to then start reflecting what scope of projects. What we want to do as you're suggesting, have

more neighborhood meetings to do a good job of advertising the availability of those meetings and see what concerns they have. Staff was invited to a meeting Saturday morning with some neighborhood representatives where we talked about that. This was their meeting this was not a public meeting and we had pretty good receptivity about that general plan. There were a lot of concerns about future traffic, traffic volumes and concerns about the pavement on that portion of Bob Billings Parkway as well. That 2.25 million sounds like a lot of money and it is, but it will not go toward rebuilding all that portion of the road that needs to be rebuilt nor will it go toward probably meeting all of the traffic calming and geometric improvements that that stretch of road will have, but what we want to try and do is prioritize it and probably the best thing to do is talk to the neighborhood first and then come back and let you all prioritize that funding and then we'll come back with probably a series of projects. It just may not be one to spend that money."

Cronin stated, "The next project I wanted to talk about is the 19<sup>th</sup> Street, Harper to O'Connell reconstruction. The project has been scheduled for 2016 so we began looking at getting design information. We just completed the survey and we're working on putting together a proposed street section that we can take to the neighborhood and have a public meeting this spring or summer to get things going on receiving comment from what concerns that neighbors may have. We're anticipating including pedestrian and bike improvements, sidewalks, and bike lanes. This project is important to have another connection to the Venture Park area to have another street connection, a secondary access for that development. We should be setting a public meeting here this spring and proceeding with design throughout this year to potentially construct a project next year. Another project which was on the consent agenda tonight was to begin concept study and design, giving survey information for the reconstruction of Kasold Drive from Bob Billings to 6<sup>th</sup> Street. With that project we're starting out to get traffic data and surveying information and then have a public meeting and see what the appropriate street design for that will be and the land configurations and intersection improvements so looking forward to getting feedback on that from a lane assignment standpoint or how many lanes we

do and turn lanes and where, but also what bike improvements we do, shared use path or bike lanes and how that ties into the system. That project as well is going to be a project that we're working on throughout the year and anticipate having the ability to construct that beginning next year if possible."

Thiel stated, "I just want to quickly touch on one last element on this presentation, before we take questions. As part of the program, we don't just look at what we need to do or what we can do with the money we have we look at what our real needs are. This map shows you the unfunded needs for 2015. In other words, if we had the funding that we feel like is appropriate to maintain the goals of this program. These are projects that were showed on the proposed map. We're appreciative of what we do have for resources and we're going to make them work to the best of our ability, but I think it's fair for you all to see that there are plenty of projects that are still out there and there is a need for additional dollars for the program to maintain those goals. The next slide shows a few pictures. These are streets that are on that map that I just showed you so you can kind of see some of the conditions of the streets that are not in the funding program for this year. We also put a quick list together for you. These are the top 20 worst streets in the City of Lawrence. The 2100 block of Vermont is no longer on there. 2014 was successful for us and having that rebuilt so that dropped off so one more came on board, but you can see PCI 30 is nowhere near our goal that we want to have. Our goals are up there in the 55 range for residential streets. If you live on this street you're hopeful that you'll get on our map soon. As part of our program, and you've heard this a number of times, David touched on it, the Utility Department touched on it, we think that it's very integral to this program that we do, do a lot of public communication. It's important that we get feedback from the public. We're supposed to know what the need is, but part of knowing what the need is, is listening to what the community has to say so we put these projects out, we ask for their feedback, we have open houses. Tomorrow, we're having the 7<sup>th</sup> annual engineering stakeholders meeting with contractors, developers, utility companies, consultants to talk about our process for pavement

management. You heard me talk about it earlier with these street events that we've been doing that now with 7 years with this process that's related to streets and we've had some good successes. I've gotten some great ideas from contractors that we've think had saved us money. You all allowed us to buy additional message boards. We started out in 2010 with 2 surplus message boards from KDOT. You've probably seen them out there. They were just big huge highway ones that really don't belong in the City, but we use them because we have them, but we've added 3 additional municipal type message board that are smaller and fit better in some of the locations for line of sight. We use those extensively for our projects, but we use them for street events, we use them for any number of things. We're getting ready to use them as part of the election process, here in the community so that's another way. We do advance notices. I can't think of any project that we've done that we don't reach out and try to get as much word out about the project and then our City website. Megan and Chris do a great job of putting out media releases. Making sure our website is updated weekly with all of our projects. The last thing I would like to do is that Mike Perkins and Steve Lashley are here. Steve Lashley is our pavement management engineer and Mike Perkins is our Street Division Manager, those guys are the drives and take their direction from us and get things done. This program wouldn't be possible without their work so I'd like to thank them as well as David Cronin, our City Engineer. Those 3 gentlemen are the backbone behind this program in making sure that your dollars that you allocate are appropriately spent. In summary with the overall program, I think it's important for you all to understand that we have made progress and the streets are normally in good shape out there, but we are noticing a slight leveling off of our progress and I want to remind you all to encourage you to continue and support and fund our program as you have in the past. With that we are here and available for questions. Thank you for your patents for that long presentation."

Amyx stated, "David, I appreciate the update and what we're looking at on our Capital Improvement list of projects. I know that we're going to have a lot of people working this

summer. I do appreciate the fact that as we say, give them a break and it's break and I clap in fun, but I do know there's been a lot of great work and a lot of improvements for safety throughout this community over the last several years. One of the things I can say is you bring up the unfunded project map and that map looks a lot different than it would have in 2005 when I first came back to the Commission because the pavement management index had just been put into place by a Commission that I wasn't a part of and you talk about something that was very good for this community recognizing that infrastructure and the fact that it is aging. We have to have some kind of process put in place to be able to pay for that, but first of all you've got to recognize where the problems are and that something the commission felt was important and staff being able to carry that out and give us good direction as to where the money's needed to be spent on an annual basis so that we can bring those numbers up and so I appreciate all the hard work and I know all the Commission does. Again, it looks like we've got quite a bit of work to do this summer. A lot of things are going to finish in August of this year. Do we have enough people, contractors and everybody to do all this?"

Thiel stated, "We're hopeful. I think part of deferring one of our items tonight, until next week for bid was to see who would be successful today in the bidding process for those projects so that those unsuccessful contracts, would maybe be a little more aggressive for that projects. I think we've got the contractors here. One of the things we're looking at is a potential for increased prices this year. National indicators have shown that construction across the Country is going up. We've seen that in a few smaller projects, un-street related that we've recently tried to bid, but I think we've got a lot of valuable contractors in this community that can do the work and are ready and eager."

Amyx stated, "Okay, and the lead time on the traffic signals, that'll be more than ample time that we won't get into a situation where hopefully everybody in the Country's not replacing this year. Do you feel like that's enough time to be able to have these things completed for back to school, special the one on George Williams?"

Thiel stated, "I'd say 99 percent yes, there's always that 1 percent out there I guess, but that's usually what we have to wait on, is suppliers."

Amyx stated, "We're making some really big changes out there and I would hate to have a lot of people having kids at that intersection or just people trying to get in and around that in a vehicle. All of a sudden the lights aren't there and the improvements are made."

Amyx stated, "Thank you again on the thorough report, all of you."

Mayor Amyx called for public comment.

Michael Almon, Sustainability Action Network, stated, "The 2015 to 2019 Capital Improvement Plan, thanks to all of you last August 5<sup>th</sup>, now has this line item as far as it says there, sidewalk program. I'd like to talk about the derivation of that in the context of the Capital Improvement Plan. On August 5<sup>th</sup>, you Mayor, initiated a discussion request, can the bicycle program be added to the sidewalk program line. Thank you very much. The discussion that night focused on how that would be capitalized, basically. You had a very creative discussion to get money from the residential street maintenance program, \$50,000 or so to get \$150,000 from the Kasold, 6<sup>th</sup> to Bob Billings. You were trying to creatively figure out where you might find money. Manager Corliss said that if you wanted staff to come back with a proposal on a dollar amount that may be the best thing to do. He repeated that later in the meeting. Commissioner Schumm said, he would like that line item called a non-motorized transportation line item, but the essence of that was the City Manager said, 'We won't have projects specifics for that, but I think you want the taskforce to come back with recommendations as another way to come up with dollar amounts', but as you recall on July 1<sup>st</sup>, you instructed staff to create that taskforce. Commission Schumm on the 5<sup>th</sup> said, if we had the money in the line item when the taskforce recommendations come back, we'll have both pieces and we can get to work. The taskforce never came before you until tonight. In January, several stakeholders decided that we would convene a round table discussion to try to get that process going and we submitted recommendations on what we would like the taskforce to do. The point right now, on this Capital

Improvements Plan, is that if you adopt this plan now, the taskforce is coming so late in the game, there are no recommendations. So it comes back to you again. I'd like to reignite that discussion among you, where you might pull that money from because there are no taskforce recommendations at this point, if you're following what I'm saying. I would hope that you could be as creative as you were on the 5<sup>th</sup> and identify earmarked some thousands of dollars. Each of you talked about different amounts, \$100,000, \$200,000, \$300,000, \$400,000, in any given year so that's what I'm asking you to do before you approve this Capital Improvements Plan tonight, that you consider what might be on that line item for non-motorized transportation."

Michael Kelly stated, "I live on the west side of town, near Bob Billings and George Williams Way. I'm involved with the Langston Hughes Elementary School Safe Routes to School Program. We're looking at our sidewalks around Langston Hughes which on the east and north are in pretty good shape because it's relatively new construction and well planned by the City. However, on the west and on the southwest where we have 2 new planning developments, Langston Commons and Langton Heights, Langston Commons being the mixed use one adjacent to the interchange, Langston Heights being residential, but to the north. There's not good sidewalk access, even though sidewalks on both sides of all the streets were put in there, there aren't any sidewalks that run to the elementary school. That's a problem. I would suggest, as far as priorities, as far as previous speakers spoke of, if you're going to look at what I think is the highest priority, I would say that we ought to take an inventory of every school in Lawrence, public and private, go around it for a quarter of a mile or whatever and fix those sidewalk as continuities as your top priority because that's essential for the safety of children walking to school. I nominate that for your consideration for the highest priority for non-motorized transportation or whatever you end up calling the effort. Two other comments briefly, USD 497 owns the land in the northwest quadrant of Bob Billings Parkway and George Williams Way. Our school community is trying to get with the district and find out what the plans are there. The district has a capital improvement plan that they just approved last night, I believe, at

their board meeting. Correct me if I'm wrong, but I think they did approve that. There is a street that is in the 2017 plan that comes into Langston Hughes from the west. I don't know how that hooks into anything else, don't know what the sidewalk are, don't know what the pedestrian access is, so there is lots of work to be done there. So when I hear the City is going to spend quite a bit of money and signalize that interchange, I just feel like there might be pieces that don't fit together. I'm not accusing anybody of malfeasants or anything, but I just think that school board and public works, I hoped they've talked about what's going to happen to that layout and what the impacts on that intersection and its signalization might be. The last thing is there is a commercial development coming up out there, mixed use development. It's the Langston Commons and I would hope that the plans for the signalization of Bob Billings and George Williams Way, I hope that they include the extra potential for commercial traffic there where there's a grocery store or some other kind of business that has high traffic intensity and I know that if they end up with four lanes, that leg of the K-10 in 10 years or whenever, that traffic will be quite a bit higher than today. I urge everyone who's involved in the engineering and planning process to consider my remarks."

Schumm stated, "So tell me again specifically where your need is for additional sidewalk."

Kelly stated, "Langston Hughes is bounded to the north by the Diamond Head Development which was platted in 2004. There's a pedestrian easement from Palisades Drive to the north edge of the Langston Hughes USD 497 property that runs between two property lines that has never been built out as a sidewalk. Right now the children walking from Diamond Head Development, there's not an easy convenient sidewalk to get to Langston Hughes Property. Once you're on the Langston Hughes Property there isn't a sidewalk over to the building from that point either. The second concern that I have is on Langston Commons plat which is the mixed use development. There they have a number of single family lots that abut the west side of the Langston Hughes Playground. There needs to be a pedestrian easement in

between two of those lots to get from all of the residential development. I believed there are 97 residential units in that plat. Any children that live there walking to school, there's no convenient way for them to walk. If there was a pedestrian easement between two of those lots, that are on the immediate west of the Langston Hughes property that would be helpful. I've been given the name of the developer. I haven't met with him yet or his team yet. I did speak to their former engineering support, but they are no longer associated with the developer, because they completed their work. That's something I have to do but I haven't done it yet."

Schumm asked, "Are the gaps because there are no homes that have been built yet and therefore the sidewalks not in?"

Kelly stated, "The problem with Langston Commons it's at a plat level, preliminary plat has been approved level so there's a design document and in that design document it just shows a connection to a street that the USD 497 is the district that has on their 2017 Capital Improvement Plan, but there's no definition of what the sidewalk connection are. There is no engineering plan, plus it's the long way around and so kids won't use it so that's a problem. The lots just need to be spread 10 or 20 feet, whatever the width of the easement is and just run a sidewalk in between two of the lots and it will be fine. There's enough square footage in all the lots. I've talked to the engineer's about it. It won't violate any of the codes or planning for that level of development. The last drive of that is, there is an apartment complex zoned property north of Langston Heights which will undoubtedly contribute shoulder into the Langston Hughes enrollment and those kids will need to walk to school and right now there is no way for them to walk, but the developers have got on the streets, both sides of the streets they have sidewalks and the Planning Commission did insist on that in the plat. Kudos to them, but from the street to the district property is where the disconnect is on the west side and the north side."

Schumm stated, "The plan by the school district to look at this lack of access?"

Kelly stated, "I've suggested to the Langston Hughes Site Council that I'm just a member of that site council. I'm not a chairman of it or anything. I've suggested to the site council of

Langston Hughes and to the principle that we invite Mr. Haden and Mr. May who were two of their staff members that work facility planning, to come over to the school and meet with us and discuss these shortfalls. We want to also discuss with them this 2017 project to run the street into the west side of the Langston Hughes property. We'd like to know what level of definition that at right now because we have very little, other than the line item in the School Board minutes."

K.T. Walsh stated, "I was so glad to hear David bring up the Amtrak/Santa Fe Depot because I was in another meeting this week and we talked about how the deadline on that KDOT grant is coming up and we were afraid we were going to lose that money so I was very pleased to hear that that's on-going. My question is, does this tie in then with the acquisition of the Depot, or are those very separate?"

Diane Stoddard, Assistant City Manager, stated, "The two are very inter-connected because the project can't proceed until the acquisition of the station is completed. We just received documents back from BNSF at the end of January so staff is in the process of reviewing those as we've indicate before, the transition with that project is extremely complex because it involves several different agreements and it involves the railroad as well as Amtrak so we're working through that and again as David pointed out, we're very hopeful that that can go forward then in the fall."

Amyx stated, "We have a number of things to do this evening. We talk a little bit about Michael Almond's item and talk about the capital improvements program for 2015."

Farmer stated, "This is something that I've learned in my listening session, I've got to give a shout out to Josh Davis from the East Lawrence Neighborhood Association. I don't know if he is on their now or was, but we went through this whole exercise and I can't wait to share with you guys what the community's been saying. It's been fascinating and just incredible to be a part of, but we go through this whole exercise about talking about people, project, programs, policies and we spend an hour on that and then we essentially get to this for 2016 whereby we

have 3 specific general obligation bond programs or projects that we have and the conversation is, do we want to keep these the same? That's 2016, not 2015 and that's general capital improvements, not specific to streets, but I'm getting somewhere, I promise. We get to that point and nobody wants to take anything off the list and so my question then becomes, what do we do now because we only have a specific amount of money to work with and we're not addressing anything that we just spent the last hour talking about and you know I said, we're not getting to mental health and affordable housings, sidewalks, bike trails, police facility and the list goes on and on and on. Josh challenged me on that and he said, I think you are getting at a lot of the things that we've spent time talking about, specifically sidewalks and bike trails, because if you look at the number of things, you know I'm going back to this report and something that fascinated me on page 15, and even though it's not necessarily in our capital improvement plan, I love how David and Mark broke this out because we're actually spending \$185,000 on sidewalks in 2015 and 1.48 million dollars on bike and shared youth paths. Then it just occurred to me as I've done these listening sessions and that sort of thing, I think that expectation of the community and I'll say this again and reiterate in a few minutes when we talk about the next item, but the expectation is we didn't, and Dave says this all the time, we didn't get to where we are with having all these issues with sidewalks and accessibility issues, bike paths and that sort of thing overnight and we're not going to fix it overnight. It's going to take time. What I think is we're investing, I mean if you look at 2012, we invested nothing in bike lanes, nothing and this year it's \$1.48 million dollars, up from \$1.2 million dollars last year, up from \$318,000. I know the argument is we're not really doing anything to address sidewalks, multi-use paths, bike paths, that sort of thing, but when I look at the numbers, I have to certainly feel to the contrary. While I appreciate the comments about we need to kind of step back and not approve this plan until this taskforce kind of has an opportunity to meet, I think that they can look forward towards the 2016 Capital Improvement Plan, maybe they talk about a specific line item for sidewalks or adding something to a utility bill or you know some sort of property or whatever tax increased to

fund this program, but I think we have to be careful to recognize the investment the City's making in these resources already. Sorry to ramble, I just found that fascinating because I think the perception from the community is we're not doing anything, but when I look at this, it was like whoa, like we were talking about Mike would say \$300,000 or \$400,000 a year last year and we're exceeding that by 1.4 million in 2015. I'm really proud of the work that we're doing and I'll shut up now."

Corliss stated, "Vice Mayor, I appreciate those comments. It's important to know that some of those are very large projects that are not likely to be repeated, some of the South Lawrence Trafficway, shared use paths, the Haskell Rail Trail Project so we don't want to, I appreciate those comments, but we're not at a sustained level which is really the purpose, in at least staff's mind of the taskforce, is to develop a sustained funding level for these projects overtime because there is, as you point out, a built out need. We haven't gotten behind on that. We haven't gotten behind on sidewalk maintenance or sidewalk gaps we're just not going to be able to get at that. We received a report last year about sidewalk maintenance that has a really large number, that's actually the number that's repeated in the 2015 Capital Improvement Plan. It was the only number that we had that showed the immensity of our repair needs. We believe we're following through on the Commission's direction in 2015 which was the follow through on your adopted CIP. You didn't adopt the CIP after 2015 because what you wanted was the discussion that hopefully a taskforce can provide to help us set out some of those additional priorities, but also as the Vice Mayor points out, we've got a lot of priorities that are already built into that 2016, 2017, 2018 CIP Program. That doesn't get at all of our priorities either so we may have to even look at that and see if we want to defer some of those programs."

Farmer stated, "I just think it's very unfair to say that we're not investing anything in those programs which because it's not a specific set plan, which hopefully the taskforce can help us with because that's a lot of the perception that we've heard at the listening sessions, I

think, is that we're not doing anything and we got to really like really ramp up and start doing stuff and it's like, actually we're doing a lot."

Schumm stated, "I think the concern or the desire of the different groups that makeup this hopefully what we're going to pass later tonight on a non-motorized taskforce or whatever we call it, is that they would like to set a priority list and see it through completion. No doubt about it that we're going to spend money on these very same things, but they are inherent in a project that is going to take place anyway. I mean its new sidewalks, new curbs to go with new streets, most of the time. So it's more or less automatic that that's going to happen so there's no decision by an interest group to decide where different things are going to go and I think that's one of the frustrations and so we'll see where all this leads us here later tonight."

Amyx stated, "If I understand it right then it is at this point it is our desire to continue with the programs that we have in place right now when we were obviously spending great deal amounts of money on these improvements pointed out in the report and by the Vice Mayor and then also as part of the next items discussion, and the taskforce to take this to the next step further that they would look at priorities and recommendations for funding sources, long-term funding sources possibilities on how to look at this future program. Is that the way everybody sees this? I just want to make sure we're not the same page."

Farmer stated, "So Dave as we think about our capital improvement needs, knowing that despite the voting down of the police facility that that remains what our top capital need is. What options do we have going forward in the next few months to consider, even with all of this, that funding for a new facility?"

Corliss stated, "Vice Mayor that's a very good question. You know we've had the listening sessions and we've had the benefit of a lot of public comment. We're obviously in the midst of elections and we have to add additional public comment participation about all of that as well so I think I can talk generally about that. We have looked at our debt obligations and our Capital Improvement Plans. We've got a number of different Capital Improvement Plans. You

see the 2015 program here, but then we also have projects that we've set out in 2016, 2017 and 2018. You haven't authorized those yet, but we've been doing some of the planning and David Cronin, City Engineer, will walk you some of those. The improvement on 19<sup>th</sup> Street, the design work on Kasold, we also continue to look at a lot of our other needs as well and you'll be getting a lot more information about that as we build the 2016 budget. As we've looked at the different opportunities that we have. We also had the benefit of having Brian Kidney now on staff, our new Finance Director. He had spent a number of years helping municipalities throughout the whole Midwest in debt management and now he's helping us solely, along with running the Finance Department so it's great to have his new eyes on our debt system and he confirmed what Ed Mullins, Former Finance Director, had put in place as well as far as our continuing debt obligation so that was very heartening to see as well. If a Commission would after extensive public discussions want to look at, perhaps deferring some of our Capital Projects, none of the ones that you have before you this evening. Most of the 2015 projects, we've already contractually committed to, 31<sup>st</sup> Street, Haskell to O'Connell, we've got a contract that says we're going to pay. You just look down that list of projects that Michael has on our 2015 list, we've contractually obligated ourselves for virtually all of those projects so we're not talking about deferring any of those. We also have fund in our infrastructure sales tax to be able to proceed with what we're talking about for Bob Billings Parkway and we've got that money. It's going to be really 2015, 2016 project is the way that's evolved. I think that makes sense, maybe some work done this year, but maybe the bulk of it done in 2016. As we've looked at perhaps deferring other projects and moving some projects around. We've looked at the goal of freeing up debt capacity. We do not have the ability in our general obligation bond debt authority, solely paid for by property tax, to pay for a police facility. That just can't happen. That would be a 26 million dollar project depending on where you want to put it. Do you want to put it on public land or have to acquire property, those types of things. We've had that discussion extensively. If you would look at for example, the City's share of the County-wide sales tax that we're using to pay

for our obligations for Sports Pavilion in the Rock Chalk Park, that cannot by itself withstand a 25 million dollar project right now, you'd have to wait really until the new decade in order to be able to do that with that funding source, particularly because it's all sales tax based. Sales tax grew 5.5 percent, 2014 over 2013. That's good. Hopefully we're going to have another great year as well. Somewhere in a 20 year span, you're going to not have 2 percent growth so we've got to be relatively conservative as we budget for sales tax. So keeping that in mind, what we've looked at is perhaps staggering some of our Capital Improvement Projects, maybe delaying for example, the rebuilding of Kasold, maybe delaying the rebuilding of 19<sup>th</sup> Street, pushing Queens Road out further, perhaps delaying when we would be able to do some improvements on Wakarusa that we have recently undertaken, perhaps delaying the rehabilitation of Fire Station 1 which we had set out as a 2016 project. If we do all of that, those are the primary projects that I'd listed out, that could free up additional debt capacity in the general obligation bond program in 2016 and in 2017 to do about 4.5 or 5 million dollars, worth of debt projects for a police station. Then if we wanted to be able to issue 20 million dollars, worth of debt out of the City's share of the County wide sales tax, not this year, not next year, but perhaps in 2017. We probably would be able to put together the debt authority for a police station roughly in that 25 million, 26 million dollar range. That has so many assumptions to it that we really want to spend time talking with you and talking with the Commission that's going to be here in April and talking with the community about that. It significantly tunes down our maintenance dollars for Parks and Recreation going forward. It repurposes that sales tax from Parks and Recreation capital projects to a police facility, really for a decade to come, if not further so we want to talk a little bit about those consequences. Are there opportunities to get, that way you understand the Commission's top capital projects, yes. Probably not significantly without significant changes to future CIP's, not the CIP that you're following through tonight. You enacted it last summer, but were now asking for permission to go ahead and start setting bid dates, doing those kinds of things. That's a long answer to a very complicated question. I think there's a lot of Commission

discussion, a lot of community discussion that needs to be held. I think that's one the things we learned at our listening session is, that we want to talk more about this. Where should a police facility be? Should it be on public property? How should we go about building large capital project? Should we have a vote, or should we not have a vote? All of those things are things that a City Commission needs to talk about and explore further, but I wanted to get at and my answer was is that you're not doing anything this evening that doesn't allow us to have some of that nimbleness and flexibility moving forward, but there are some projects and you've got a little bit of a taste of it with Cronin talking about 19<sup>th</sup> Street, talking about Kasold, we obviously do design work now. Design is good to have in hand, even if we're not able to bid a project next year, but we might have to talk about delaying, when we're actually able to build that project, if you want to have that additional debt capacity. That's something that this group and folks in this room will decide probably as part of the 2016 Budget process."

Farmer stated, "The main point that I want to make through that question and I appreciate that answer is. I heard from several folks and really just one who said, we voted it down, don't build it which you can't help people being anti-police, but don't buy land, don't raise my taxes, restructure your priorities, or to be more direct, get your stuff together as far as planning goes. If there is a way that we can accomplish those 3 things, and we clearly got wrong last November, but if we can put it on City owned land, restructure our priorities, not raise taxes, I think that's a really good start, a really good step to take and I don't really know how we would start to have that conversation publically to find out what the public would feel about that. I certainly think that us kind of going back to the drawing board and figuring out what it was that the public said and what it is that we can kind of do going forward. Of course it means that we've got to put stuff off. There are consequences. I don't mean that with a negative connotation, but there's certainly ramifications maybe is a better word, but nonetheless, I think we've got a great opportunity to get a lot of these capital improvement plans right. Get a lot of things in there that maybe haven't been in there before and really kind of set a good foundation

and crowd work for the future. Not with just the police facility, but with street maintenance and non-motorized transportation. Anyway, that's for that answer."

Amyx stated, "Vice Mayor, I appreciate you bringing that up and Dave I appreciate your answer. I do think it is important to understand and something you just brought up is that as we go through this process of the listening sessions that we had, we were told over and over again and I think you're absolutely right and you probably heard it through the sessions that you held about looking inside your current spending limits and seeing if things can be done and I think Dave had shown, yeah there is that possibility that that can happen, but understand there are things that just won't happen right away and I think we would really need to have those discussions with the public on understanding that some things we may not get to for a while. I don't think that it hurts, or the next month, that we have either on the agenda, or in a study session we have those discussions about maybe where we go from here. It's important that we do that. We either tie it to a study session that we may have planned in the next month or just have it as an agenda item, fair enough, but back to the current 2015 capital improvement list of projects. Are there any other changes or questions that anyone has? Are we comfortable with the work plan we have laid out?"

Schumm stated, "I would say that I'm willing to look toward 2016 to try and establish some money to address this non-motorized transportation uses, especially if we're going to put a taskforce in place. It would be kind of almost silly to do that if there's not going to be any funds to do what they're going to recommend. Obviously, we're asking them to recommend some enhancements so with that understanding, looking at the 2016 and beyond CIP, than I would hope that we would give it a good look in terms of equity within all our capital spending. I'm also very interested in a police facility so I don't want one to be sacrificed against the other, but I think there is probably some movement within the CIP to see what all we can accomplish. I would hope that we would just give it a good honest look when we start talking about 2016. I would like to start talking about that sooner, rather than later because as Jeremy points out

there's a lot of interest in what all we might consider and to a certain extent to have it come down to the end and have it being totally staffed led discussion. I think we need to do better than that. I think we need to include as many interested parties in the public that have issues and concerns and for them to be included. The other thing I would like to mention is that I'd kind of like staff to look at what this gentleman had said about the sidewalk issues out at Langston Hughes and see who's responsible for what part of that. I mean it's unclear to me exactly as to who is to do what out there and I just kind of like a report back to see what's going on."

Amyx stated, "I think we probably going to have some items as I noticed Mike was looking on a lot of the properties out there, what's been platted, what's been approved, what we can expect the new areas that are going to be built."

Schumm stated "My thing is the school has a bunch of little kids that go there and they need safe transportation."

Amyx stated, "I think that we should start and figure out where all this is going out in that area because I tried to follow along Michael, great description, but I think I was getting a little bit lost a couple of times."

Farmer stated, "A little plug, there's at Liberty Hall on March 25<sup>th</sup>, a Safe Routes for all Townhall that there's been a taskforce that's talking about safe routes, but that's from 7:00 to 9:00 on Wednesday, March 25<sup>th</sup> and I would think that this would probably be on the agenda at last in part, and I'm correct in that assumption? I think not just Langston, but with all the schools."

Corliss stated, "We'll meet with Mr. Kelly to understand his concerns, but staff is a strong participant in the safe routes to school, along with the school district, the health department and a lot of other people as well."

Dever stated, "I agree, I think we should move forward with the plan that we have in place. I believe that the existence of a taskforce is something that we need to consider for the future, but right now we've already tied up a lot of the funds that have been allocated and were

specifically allocated by the public in the sales tax vote where we approved some of these dollars, a lot of these dollars are using for these infrastructure projects were generated by that ½ cent tax and the other thing I want to add is I think now is a good time to be talking about the sunset of that sales tax and we need to be planning our budgets around both the presents of those dollars and the lack of those dollars because we did approve this sales tax and my guess is if we put together a taskforce, focusing on these types of improvements, then you can utilized their work product and try to communicate to the citizens of Lawrence, what the vision is and get them excited about it and I think when you are successful, in conveying your vision, both the taskforce, the Commissions and the public's opinion, I think that's how you get people on board and that's how were able to have such profound approval of the tax last time and you better hope the same feeling arises in 3 or 4 years when it's up. We're planning out to 2016, but I think it sunsets in 2019."

Corliss stated, "We get the last check in April of 2019."

Dever stated, "So really 2018. It's not that far away, boys."

Schumm stated, "We had that discussion with a group of the non-motorized enthusiast and what I said was they need to be very aware that that tax is going to reset and if they want to be a part of that, they should make their interest known, if they want a slice of that and then it's reoccurring every year and that may be the funding source you use for that, they get to help sell the program to the public like you just indicated and that's a very healthy, wholesome way to go. Everybody becomes a winner when that passes."

Dever stated, "That's what I wanted to point out. You're talking about planning, but you have no dollars. You want to be cognizant of exactly what you're going to get for your dollars and to get the right product from that investment. I think we have invested some, but not nearly enough. Hopefully with the ratification or a reauthorization of the tax then that could be a part of that. That's all I wanted to add."

Amyx stated, "Along with that and one of the things that I need to have cleared up in my mind is that when we ask the public to reaffirm the sales tax through vote, can we ask a different question or a different direction on those?"

Corliss stated, "Absolutely."

Amyx stated if we wanted to pair off part of that budget, specifically for sidewalk improvement or whatever it may be, we can ask a completely different question at that point?

Corliss stated, "Unless the legislature changes the enacting statute for sales tax. What we did this sales tax under was the statute that allowed us to do it with a sunset and with specific purposes and pledged is the .3 percent for infrastructure, .2 for transit operations and the .05, Michael Dever, sales tax for transit enhancements and we're going to need to in my opinion revisit all of those because our transit system now, lives or dies on sales tax and it's been successful, continuing to see success, but we'll need to revisit that and our infrastructure needs are there, not only with just street maintenance as you see from Mark Thiel's and David Cronin's presentation, but all the other things that we're about ready to talk about. Do we want to step up as really and enhanced service level in regards to pedestrian, bicycling type facilities. I think we need to talk about a funding source. It may or may not do that and there may be some other items in there as well. The need to replace fire apparatus' is also important."

**Moved by Schumm, seconded by Dever,** to receive the update, approve 2015 maintenance program, set the following bid dates, and confirm funding for improvements on Bob Billings Parkway, from K-10 to Kasold:

- a) Approved the proposed 2015 Comprehensive Street Maintenance Program;
- b) Set a bid date of March 10, 2015 for PW1316 - Bob Billings Parkway & George Williams Way Geometric Improvement Project;
- c) Set a bid date of March 10, 2015 for PW1437 - Bob Billings Turn Lane Improvements at Corpus Christi Church;

- d) Set a bid date of March 10, 2015 for PW1345 – Bob Billings Parkway, Foxfire Drive to Wakarusa Drive Pavement Reconstruction, Pavement Marking, and Sidewalk Improvements; and
- e) Confirmed the budget for improvements along BBP from K-10 to Kasold in an amount of \$2,250,000.

Motion carried unanimously.

Corliss stated, “With the understanding that specific projects then come back to a Commission before we even proceed.”

The City Commission recessed at 8:29 pm.

The City Commission reconvened at 8:40 pm.

4. **Considered adoption of Resolution No. 7106, establishing the Pedestrian-Bicycle Issues Task Force.**

David Corliss, City Manager, presented the staff report.

Mayor Amyx called for public comment.

Tim Herndon, representing the Healthy Built Environment Workgroup as part of the LiveWell Lawrence Coalition, stated, “I was struck when Mark and Dave were doing their presentation and we saw the list with the multi-use path from the pedestrian ways and if you add up the linear footage of that one chart, there’s 12.5 miles there. That’s way past Stull Road from this building and its 5 miles from here to George Williams Way. Add to that another 6 miles for the SLT multi-purpose path and we’re talking about almost 25 miles of non-motorized pathways for every variety of active transportation constituent. Dave just went down this multitude of organizations in our community that are vested in these matters. Not only are we dealing with managing concrete and asphalt and other varieties of pathways and trails in a non-motorized way. We’re talking about managing organizations within a community. We’ve got so many. It’s an interesting thing to contemplate and as I’ve been on the LiveWell Lawrence Coalition and active in that organization for the last year and a half, I really have been mildly overwhelmed at the vastness of this constituency. A taskforce to help us get our minds around that aspect of it, I

think is imperative at this point. Add to that simply the square footage of concrete and asphalt and that's another factor in associated dollars, maintenance etc..., locations, right-of-way acquisitions. It's mind boggling. The last think I want to say in support of the formation of taskforce is that I just want to remind all of us present, the extraordinarily profound impacts that our quality of life has, not only on those of us who enjoy these trails ourselves and our children, but in terms of our economic development efforts and our business attraction efforts and all that other stuff, this kind of thing looms large and it's gaining in gravity in terms of how it weights into a consideration of a business or institution in coming to our community. Thank you so much for all the effort that you exerted up to now. In closing, I just want to say, you know I look at the stuff that's getting done in this community and it just blows my mind. What a fabulous time it is to be in this community and the things that are getting built and the way that we are continuing to grow in a positive way so thank you on behalf of LiveWell Lawrence Health Built Environment work group."

Michael Kelly stated, "I looked at the actual text of the resolution and I saw a specific reference to disabled, but I did not see a specific reference to student pedestrians and I would just suggest that you take the line that says 'disabled' copier it over, strikeout 'disabled' and put 'student pedestrians' in there as one of the focal points for this group whatever we name it."

K.T. Walsh stated, "We were just in the back row going strikeout disabled. I didn't hear that correctly, did I?"

Amyx stated, "No."

Corliss stated, "No, he wants to add that."

K.T. Walsh stated, "It's far more respectful to say people who have disabilities."

Joe Patterson stated, "In regard to pedestrian and bike trails, I think we're basically talking about two different things. When I think of pedestrians, I think of sidewalks. When I think of bicycles, I think of trail/bike trails and such. I think in the past we've been confused and I do support a taskforce so they can really look at what we really need and what we really need

to build versus what we've done in the past. I think it was two weeks ago when I was here, one gentleman talking about the walking trail, 8 foot wide and 6 inch concrete. That's not a walking trail, like I told him then, that's a driving lane. We could extend a yard of concrete for that versus 4 inch walking trail or sidewalk, you can extend it a good number of feet and I think we got carried away on the massiveness of some of our trails. The Burroughs trail for example. You see one or two people walking on a 6 foot wide and it goes on. The one that goes from Wakarusa Drive pretty near to Clinton Lake, I drive it all the time and I'll see maybe one or two people in a week, walking that and it's a massive, massive sidewalk. I think we need to get what our needs our and what our wants are under control. I think if we would dwell on sidewalks more in neighborhoods, then the need for walking trails would diminish a little because a lot of neighbors and my wife and I walk, if we had sidewalk everywhere to walk on, it would be so much easier. I don't have a sidewalk in front of my house. I can look down at my intersection and there's a sidewalk on the far side of the street and any time of the day I can look up and there's people walking up and down that sidewalk, sometimes walking their dog, sometimes their kids, it's being used. I think we need more sidewalks and less bicycle trails. I don't think you're going to see that many more bicycles out there then what you see today. Most of them are out riding the streets and everything else and sometimes not too safe. I think we need to really look hard and really determine what the need is as far as trail and sidewalks and I think we do have a need for sidewalks."

Carol Bowen stated, "We've got ourselves in quite a predicament. I was reading over all of the notes. I read Dave's memo. I read the resolution and I thought, yep that's what happens when you neglect infrastructure for decades and that's what we have done. We let the automobile kind of takeover and we forgot everything else so now we're left with trying to catch up and catching up is not going to be easy, it's not going to be quick and it's not going to be cheap. So, here we are. Infrastructure has become issues because we no longer have the infrastructure. We're starting from scratch. I've been working on pedestrian committees, this,

that and the other thing, Transportation 2020, Horizon 2020, and for some reason, I ended up in pedestrian issues since the 1980's. This is the most energy I have seen in all that time. We need to take advantage of it while we're still on a role. I want to share a couple of little stories with you because I think they help put your mind what we're looking for, it's not just sidewalks. I live behind Checkers. Now, if I want to walk to Walgreens, that's a reasonable walk even for me. I have to go out to the street. I literally have to hit the road because there are no sidewalks so half a block, I walk in the street then I can get onto a new sidewalk that the City provided that takes me to Louisiana Street. I walk on Louisiana Street and get up to the corner where Checkers is. There's a utility pole right smack in the corner of the sidewalks. I negotiate the telephone pole. I manage to cross the street safely, taking my life in my hands. I get to the other side and there's no sidewalk to Walgreens door. I have to hop the grass, negotiate the parking lot to get to the door. It's not just sidewalks, but it's the way we think about walking. There's design, there's expectations. It's something that we just totally forgotten. Walking is more of an adventure in Lawrence, than a routine. Believe it or not I still travel a bit and I have been to communities where walking is a routine. We're not there. I would like us to be there and I will continue to work for that. Now I want to tell you about something that has worked. A few years ago, the City scrounged together some money and they constructed the sidewalk on the east side of Louisiana Street from Checkers down to 27<sup>th</sup> or wherever. The pavement wasn't even dry, before pedestrians coming out. People walking to the park, people buying groceries, kids going to school, that sidewalk is always crowded. We need to do more of that. We need to strategically plan so that we can make the most bang for the buck, until we get going. Now, next time you're on Louisiana Street, and I know everyone is using it, take a look at that sidewalk. It has design problems. The one by the High School does as well. If you look at it, it dips for every driveway. Now, even for a person with both abled feet, that's a bit of a challenge. For someone with a disability, that's even more of a challenge. The ramps are aimed right smack to the middle of the intersection in the street. It might make sense for a bike,

it sure doesn't make sense for me and it doesn't make sense for small children either. We have a lot of thinking to do and when we setup this taskforce, I hope we don't think it's just sidewalk. That's message number one. Message number two, when I was looking at the resolution, I thought yep, we have a max. We put it off for so long it going to take forever to catch up and it's reflected in the resolution. Dave did a great job of summarizing what's going on in the City and I looked at that and I thought 'ah geeze' if I were running this taskforce, it's just a bushel basket of stuff. It really doesn't give direction on where the taskforce should go. In fact it doesn't, it says scope of work. It never gives the taskforce a charge. So, I was messing around and I don't feel wedded to this by any stretch, but I tried to group some of those items in the list because we took them separately. There are 8 of them if I remember right. Four months, it's two, a month, and anyone who's worked on a taskforce knows that each item is going to take 3 or 4 meeting, but this is not doable. So, I thought well what if we try to categorize it. The first category for me was budget. I think the taskforce needs to recommend the funding mechanism and an implementation strategy, maybe more than one, maybe a couple to choose from. We need to look at the current board's structure, recommend options for change, if needed. Like Dave, I think adding another group is kind of unmanageable. There are so many groups reporting to the City Commission now. However, do what you got a do, than categorize the issues into major groupings so you can start to get a handle on it. Lastly, look over current policy and practices and see which policies and practices are on target, which are contradictory, and which are not addressed at all. My suggestions, thank you."

Aaron Paden stated, "I currently facilitate the Lawrence Pedestrian Coalition and I also serve on the Bicycle Advisory Committee. Seven months ago, there was a group of active transportation stakeholder that met for a forum on active transportation issues, was hosted by the Bicycle Advisory Committee and after that forum, we determined there were several groups, submitted a letter requesting a taskforce and that's what we're here for tonight, right? Any interest in improved bicycle infrastructure is growing and that's apparent nationally, regionally,

and our community. Our transportation infrastructure should be usable and safe and pleasant for people of all ages and abilities, regardless of how they get to where they're going. Whether it be four wheeled or a self-propelled by pedal and that's might plight for Safe Routes for all Townhall on March 25<sup>th</sup>. So we're bringing in people for that event to kind of give us an idea of what's going on around the rest of the country, what other people are doing and what people are doing in the regions so we're bringing people in from the region to tell us what's going on Kansas, Missouri and Nebraska. It sounds like we're headed in the right direction. We're getting more spent on bicycle and pedestrian needs and although the resolution seems drafted as it could adequately address our concern, I wanted to reiterate some things that the Lawrence Pedestrian Coalition had discussed in the past and things we want to make sure it addressed. We would like an implementation plan for the Complete Streets Policy and Design Guidelines. We would like the taskforce to lead to the creation of an advisory board that addresses issue regarding pedestrians or amend an existing advisory body to include pedestrians. We would like a funding mechanism and prioritization of spending. We want special attention paid to making sure polices are equitable and don't over burden low income populations or middle income populations with repairs, and replacement/maintenance costs. We also would like planning that focuses on overarching act of transportation or pedestrian infrastructure. Like Carol said before, it's not just about the sidewalks, it's about safe intersections and being able to cross them if you're on foot or pushing a stroller or biking to school with 3 little boys. If this taskforce resolution is drafted to be able to address these things, I think it should be approved and I think that it is. I think that it can address these things. I do have some concerns as Carol mentioned about the timing, it seems like there's a lot to do and 4 months if we're going to be able to accomplish all that and so if it's going to be approved, I'd say let's walk forward and walk quickly so we can get that all done. Thank you."

Michael Almon, Sustainability Action Network, stated, "Thank you first of all for asking for this taskforce last July and thank you for the discussion at the August 5<sup>th</sup> Commission meeting,

indicating what you would like to see the taskforce do and as I recall, it was two things: recommendations how to capitalize that non-motorized line item and recommendations as to how to crack the ties allocations for where that money is then spent. When we didn't see this taskforce evolving and coming forward, it did finally surface in January and we understood communications that Manager Corliss wanted input from the various stakeholders, the many, many kinds of constituency that we're seeing more and more of. Sustainability Action convened a roundtable discussion. It wasn't any formal organization, not a coalition, just individuals and we sent you the results of the recommendations from those people that we put our heads together for various organizations all with an interest in pedestrian and bicycle knowledge and expertise. Hopefully, you read that memo from us as well, but the communication that we sent from the non-motorized transportation stakeholders, like I said it's not any official document, it's just the ideas of how we all saw what we would like the City Manager to draft as a resolution. Basically, it covered 3 things. Echoing what Aaron Paden just said: active transportation advisory board would develop the purpose, scope, governance and membership of a permanent active transportation advisory board, that's one of the main functions of the taskforce in our opinion, with the charge to make funding recommendations and we said 2015, but if it's going to be 2016, so be it, consider walking and bicycling, primarily as transportation. The design guidelines are going to be distinct for various modes of transportation. Consider how the governance of an active Transportation Advisory Board would relate to the Traffic Safety Commission and the Public Transit Advisory Board, two key bodies that right now, cover this. One thing that we discovered is that most municipalities in peer communities, if they have anything like this; it's a combined Bicycle/Pedestrian Advisory Board, that's the norm. In Lawrence we have as Manager Corliss pointed out, a very byzantine collection of committees and boards and what have you that have been piecemealed together because we haven't got this overarching, existing board. This is an attempt, we hope, by all of us, to key in a focus on how we can streamline that whole process without one advisory board, but one that would then

inter-relate with the Traffic Safety Commission and whatever other groups that it needs to. So that's kind of the essence of it. When Sustainability Action looked at the draft resolution, we found that echoing Carol, that it was overwhelming for what those laypeople in a sense, people like myself and others hopefully with expertise, but to deal with the kinds of things primarily reviewing loss of data, reviewing best practices, reviewing lots of information like that that really, what Sustainability Action thought we need is something equivalent to a pavement condition index. That's not something that a taskforce can do in 4 months. We need something that would identify the conditions, the gaps, the surface, the lack of curb ramps and whatever it is, not just to do it as the sidewalk inventory did, which is the data, but then to sift through the data as Mark Thiel does with the pavement and prioritize it, rate it, have a metric to do that. This struck me as something that really needs to be done that a taskforce cannot do. It's something that an advisory board in an on-going year by year, procedure could do and get the information from Public Works, prioritize. So that's one of the reasons why we added these into the resolution, to reflect what the January 21<sup>st</sup>, stakeholders indicated as well as what is doable by a taskforce. So those A through E, as well as G came from that 21<sup>st</sup> of January stakeholders group. We did include, didn't delete rather, the review of the City's current practice related for people with disabilities and the last one provide other recommendations. We felt the ones that we struck were too much to take on for a taskforce. So that's where that came from and I appreciate your time and I hope that these suggestions could make it into your resolution. Thank you."

Amyx stated, "Any other comment? Thank you all very much, back to the Commission. Oh Michael, there was one other thing, you had suggested 14 members versus 11."

Almon stated, "I indicated that. It's not my suggestion. Once again that came from the 21<sup>st</sup> of January stakeholder group. It reflected the 14 groups that we felt were appropriate, including KU Bicycle Advisory and things like that."

Amyx stated, "You know yesterday afternoon we had the Horizon 2020 update meeting that Charlie and I are on and one of the things that we had talked about a little bit is that almost need the hierarchy of plans that I talked about because there's so many plans out there and it would be fun to have all this kind of put into one collective box so we knew exactly what we're kind of dealing with here because we have numerous pedestrian and bicycle issues that are in our community. It would be great to just have one combined plan that we're looking at and that the Commission would be able to deal with funding and staff to be able to make recommendations from that. I see a lot of ideas here that would work. You know the taskforce here, this is setup to do a 4, 5, or 6 month specific task and come up with recommendations to the body. It's either suggested Dave's recommendation for the resolution for a combination of items that Michael and others have brought forward. A little bit of discussion about a permanent advisory board over time. Is that something that the group can come up with or direction it could be?"

Schumm stated, "After visiting with a lot of these different groups and being involved in discussions, that's where I think it should go. It seems like that's the direction most of them would want to take it and I'm hoping that when you can consolidate all these different interest under one roof, under one meeting venue, that you'll get some really good information based on what that total group things. Right now it's very fragmented. There's this group looking at this issue and this one over here. I really see that this has tremendous amount of value to the community that it's just going to pull everybody together and one of the issues with the taskforce is that if they so choose, I think they should make a recommendation of this body that there be a permanent advisory board. I think that's one of the questions they need to study is if they want to coalesce some of these other groups into the one advisory group that then works with all these different interest. I think that would be charge number 1. What do you want to do for the longevity of this? Is it just the taskforce that makes a bunch of recommendations to the City and then disbands or is something that needs to roll into a rather permanent advisory group? My

other thought on this is I don't think you can get anywhere near a third of the work done in 4 months with the scope of this. I think the speakers had talked about that are absolutely correct. There's just a lot there and there are a lot of different interests. It's going to take a while for people to come to grips with what their organization does and how is it going to fit in to if you do go into the permanent advisory group, how is that going to work out? There a lot of stuff to study here. When you talk about funding, you could spend 3 meetings on funding and what the funding source are, what other cities do in terms of funding and what the best practices are. You could really get into this for a year. I think the recycling group had for about a year or more than a year and I chaired that cultural task force and we went 9 or 10 months, I can't remember what it was, but it was way over the prescribed time, but it just took that much time to work through everything and get everybody's ideas and then research the ideas and come to some consensus and move on. This is a really big deal. I mean it really is a lot of side issue to it and whoever said, I lost track of who said what, this is a growing demand. It is a growing interest and it has the opportunity to serve our community well in terms of its livability, its attractiveness. We need to prioritize where we need more routes and how we're going to replace broken sidewalks. There's just a ton of stuff so that's my thought on it is that it needs to go longer than 4 months, not to make it go longer than 4 months, but I don't see how you'll ever going to get it done in 4 months. I don't know what the thought is on meetings, if you do 2 a month, 3 a month or 4 a month or 1 a month that will depend on the speed with which you can move through it. At some point though you burn people out and then they don't come to the meetings. I guess I would like to see the major comments tonight, try to role it into a resolution and come back with it as a more or less combination statement that we can then react to because there's a number of different things here that staff has put in that's good and there's the roundtable group, I like the stuff they come up with so just to try and consolidate all that into one document and then let's look at it again."

Riordan stated, "I would agree with that. The first statement developed the purpose of governance etc... To me that's what the group should be doing. I agree and I think that's what you said Bob and rather than state that that's what they should do, I think that's what they should consider doing. Rather than state that that's what they should do, I think that's what they should consider doing because there might be some other thoughts that they have in some other ways of doing the same thing. Although that seems like a good idea, to me that's what the group would be doing, exactly, deciding whether that is the best way to go or is there another way so rather saying that they should develop, I think we should say they should consider develop. I'd agree obviously we can't do this tonight, but to go back and look at these changes, incorporate them and come back with something that's a combination of these that make sense. I like what Michael has done. I think it's some good changes that make a lot of sense to me."

Dever stated, "I agree on the timeframe. Carol mentioned something about this and there's a lot here having only really manage really one large taskforce. I can tell you that we need to nail down and narrow down the scope."

Farmer stated, "Was that the transit sales tax force?"

Dever stated, "No, it's the Climate Protection Taskforce, that you very much. There's this overreaching obvious time that we do have for once and I'd like to use it and get it right. Not to try to push this off, but I think realistically, there's plenty of time to get this done and have findings and allow everyone to communicate effectively and actually, as Carol pointed out, harvest some of the energy that's happening right now. I think more time is better for once. I never say that, but this one case where I think is really important because of how bifurcated, I won't say byzantine, but I will say there are many stakeholders in this and I think it needs to all be brought to the table."

Amyx asked "Jeremy do you have anything?"

Farmer stated, "I'm just trying to go back through my notes and look. I went to a conference, it was Allison Carprin, she's a friend of mine and she works for the Food Trust in

Philadelphia. They were talking about different strategies to engage and involve people in the community and they basically put a deadline on it. Charlie, I think you were at that conference. I don't know if you remember but, they talked about how they had one meeting a month for 6 months. I'll have to try to find out, but it was an aggressive timeframe. I respect all the things that we're talking about and not wanting to rush it?"

Dever stated, "Three months is too short."

Farmer stated, "Well sure. I don't remember exactly what it was, but I'll try to find it. I think it was 6 months or I don't know if it was 1 or 2 meetings for every 6 months, but they had a goal that they were going to come out of these with specific objectives that were accomplished after each one. It would have been a lot better if I knew what I was looking for, but I didn't so I apologize."

Schumm asked, "Did they have a professional facilitator?"

Farmer stated, "I think she facilitated it."

Schumm stated, "If you have someone is a skilled facilitator who keeps pushing people then you can probably get an accelerated response, but if you're sitting down as a bunch of good hearted citizens that want to work on this, then it's going to be a little bit slower."

Amyx stated, "The direction to give to the City Manager tonight and the re-write of this resolution is to incorporate some of the items that Michael's brought forward, any particular ones?"

Dever stated, "I don't want to sit here and dissect it, but I think there's a few things that, I mean he butchers it a little bit and I thought some of the language was okay that he took out. If we could do one thing, maybe give us a couple of days to get back to Dave with the changes we might want and then it can forward with that."

Amyx stated, "Let's have this to Dave, with any changes we want to make, Friday at the latest, Monday at the latest that gives you the weekend."

Dever stated, "Friday is fine."

Amyx stated, "That will give you time for rewrite and we can get this back on an agenda, a week from Thursday so it would be two weeks from tomorrow."

Corliss stated, "March 10<sup>th</sup> meeting."

Amyx stated, "We have a deadline to get any comments and changes that you want in the resolution by this Friday. Dave, that will give you the opportunity to review those things and make any changes? Let's get it back on the agenda by the 10<sup>th</sup> or one of those dates coming up."

Corliss stated, "We'll communicate then with the speakers this evening and other about the possible changes. I didn't get a chance to talk to Michael about some of his changes. I think we can do some wordsmithing and get a good consensus on it. Is there a time limit that you want me to put on the group? We talked a little bit about that. I said 4 months, but that's not going to work so do you want to say 9 months?"

Amyx stated, "I say December 31<sup>st</sup>."

Schumm asked, "Just in all fairness Jeremy, is that okay that we look at it on the 10<sup>th</sup>?"

Dever stated, "No sooner than the 10<sup>th</sup>."

**Moved by Riordan, seconded by Dever**, to defer Resolution No. 7106, establishing the Pedestrian-Bicycle Issues Task Force and place on the March 10<sup>th</sup> City Commission meeting. Motion carried unanimously.

5. **Considered a motion to recess into executive session for 20 minutes for the purpose of consultation with attorneys for the City for matters deemed privileged in the attorney-client relationship. The justification for the executive session is to keep attorney-client matters confidential at this time.**

**Moved by Schumm, seconded by Riordan**, to recess into executive session for 20 minutes at 9:30 p.m. Motion carried unanimously.

The City Commission reconvened at 9:47 p.m.

**E. PUBLIC COMMENT: None**

**F. FUTURE AGENDA ITEMS:**

David Corliss, City Manager, stated, "You all have had some discussion about what you want to do next week. I don't know if we need to continue that as far as when we might want to calendar certain items. We're not planning on having much on your Tuesday, March 3<sup>rd</sup> City Commission agenda, but we talked about a different date."

Amyx stated, "Here's what we have right now. We know we're going to get this audit back this Thursday so the question comes in. I know next Tuesday's is Primary Election day. We didn't want to have a whole lot. We talked earlier about just having the consent agenda stuff at 5:00 pm. The question come is you know we had talked about moving to a Monday evening, having a different day for our meeting next week so we can go ahead and hear the audit and have the discussion of the audit away from the Primary Election day. The only thing is, is trying to get folks from McDonald's up here. You know we have to make the request. They may not be able to attend and Michael and our staff will have to make the presentation because last week we did say that we were going to do it on March 10<sup>th</sup>."

Famer stated, "I think the sooner we can get in the public's hands the better."

Amyx stated, "We're going to post it immediately on Thursday, the question is, is when do we want to hear it?"

Schumm stated, "The answer notwithstanding other issues is sooner rather than later."

Amyx stated, "Absolutely."

Schumm stated, "If you want to do it on Monday, I'm clear on Monday, if you can get the consultant down here. I presume it's going to be an hour to two hour item."

Farmer stated, "What Michael suggested was to, you know he said the way these consultants operate is that there not just going to answer on the fly. Their answers will likely be we need to look into that some more, we need to research that or we don't know. He suggested yesterday, that he could compile our questions, get back with them and then either schedule

them to come another time if we want to put it back on the agenda or just get answers for us or repair report. He said maybe there were some questions that he would be able to answer.”

Schumm stated, “You’re talking about the auditor making the presentation, going through the audit with us or Michael going through the audit with us.”

Amyx stated, “Michael going through. Is that okay?”

Schumm stated, “Yes.”

**Moved by Dever, seconded by Farmer, to meet at 5:45 on Monday, March 2<sup>nd</sup>.** Motion carried unanimously.

**G: COMMISSION ITEMS:**

Farmer stated, “I had a really good conversation with Doug Compton today and he’s willing to leave open the possibility for a grocery store to go at the Border’s building. What I’m going to ask, if we can ask staff to do though, is to have some conversations with potential grocery stores and inquire as to their interest in the 11<sup>th</sup> and Mass location, versus the Borders’ location. I think it’s really exciting that we want to have a grocery store in downtown. There’s a lot of misinformation out there surrounding a lot of things. I asked Doug to leave the door open until we got that cleared up and he was willing to do that. I would like to ask us to direct staff to get in contact with grocery stores and ask them about their preference as far as sites go and whether or not they could make something at Borders work or whether or not they would prefer another location and then have them report back to us at some point in March.”

Amyx stated “So this is different. The grocery store group was talking about an RFP. You’re not talking about something like that?”

Farmer stated, “No, and mainly because the sense from a lot of folks involved, especially from the Lewis family and even I’ve talked to a few grocery stores is the cost of retrofitting a building is very significant and the Borders location, it doesn’t have enough parking. Also the Borders location is not really made out for a grocery store and so I think it would just be good for us, rather than just kind of having those be anecdotal conversations that are kind of floating

around. I think it would be good to have those phone calls and contacts made and to say these were the reasons why they thought the Borders location was great versus the Borders location was not and then have a report back to us at some point. My sense is, we're doing our due diligence to make sure and that's what I told Doug today. We have to as elected officials do our due diligence to make sure that we leave all possibilities open. This has been a hot button issue. We want the community to support whatever it is that we decide to do and then we decide to get behind because we need a grocery store in downtown Lawrence. I know the group is extremely, you know their wanting to make this about a lot of stuff in relationship to food deserts. I have fundamental issues with the concept of food deserts anyway which happy to talk. No matter where it is it will serve North Lawrence, it won't reach up as far certainly, but it'll give a vast majority of where this food desert exists. If it would be okay with you guys I'd like to direct staff to do that, it's really exciting."

Dever stated, "And add to it, the deeds and restriction issue. I have a copy of the deed. They need to look at the deed and determine what the likelihood of success of removing that restriction from the deed which prohibits the use of the land as a grocery store. As long as we can say with a certain amount of certainty that that's possible or there's a likelihood of success then fine, but that's another thing we need to put to bed as well because even if we want to and the stores want to be there, we still have to get the buy in from the neighbors and that's going to take a 100% buy-in in order for it to be done."

Schumm stated, "There's a deed restriction on that property for I guess the grocery store."

Dever stated, "That's right. It was put in there when they built it."

Schumm stated, "Built Borders?"

Dever stated, "Yes."

Schumm asked, "Because why?"

Dever stated, "There are the various uses which are illegal, that's one of them or excuse me, unacceptable and are prohibited that run with the land."

Schumm asked, "Is that in our codes?"

Dever stated, "No, deed restriction built into that transaction so when they bought the property, that restriction is a covenant that runs with the land. You know it can't be used for a variety of things, one of which is a grocery store."

Schumm asked, "Was that at the insistence of the neighborhood at the time?"

Dever stated, "Yes, the adjacent landowners."

Corliss stated, "The adjacent landowners. You know the old Winters Block and then it was, the Borders Building came in, the rest of it didn't, then Hobb's Taylor came in, different ownership groups, exchange of any number of different things, and Commissioner Dever is absolutely correct, there is a restriction that runs with the Hobb's Taylor property that limits the grocery store use. I think it's that generic grocery store use on the property that is the former Border's property. I've been involved in discussions with the Hobb's Taylor people, the realty company that has now sold it to Mr. Compton's interests was involved with it a well, but it is my understanding that it still exists and would be an issue. I don't know if it's insurmountable, but it's certainly an issue that has to be dealt with."

Dever stated, "You mentioned in your email to me that you had heard conversations. I would like as part of your investigation just to elaborate on what those conversations were and whether or not legally it would have to be at 100% ownership of the condominium group would have to agree to the change, because if it requires 100% or just a majority, I just want to know."

Corliss stated, "My understanding is the majority, but we'll get you more information on all that."

Dever stated, "That's what I'd like as well Jeremy, if we're going to make them do some homework."

**H: 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 Dever,** to adjourn at 9:58 p.m. Motion carried unanimously.

**MINUTES APPROVED BY THE CITY COMMISSION ON MAY 5, 2015.**

  
Diane M. Trybom (City Clerk)