



City of Lawrence

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CITY COMMISSION

MAYOR
SUE HACK

COMMISSIONERS
MICHAEL H. DEVER
ROBERT CHESTNUT
DENNIS "BOOG" HIGHBERGER
MIKE AMYX

January 15, 2008

The Board of Commissioners of the City of Lawrence met in regular session at 4:00 p.m., in the City Commission Chambers in City Hall with Mayor Hack presiding and members Amyx, Dever, Chestnut and Highberger present.

KOMA TRAINING:

The City Commission participated in Kansas Open Meetings Act Training from 4:00 – 6:00 p.m.

The Commission then recessed until 6:35 p.m. at which time the regular City Commission meeting resumed.

CONSENT AGENDA

As part of the consent agenda, **it was moved by Chestnut, seconded by Highberger**, to approve the Traffic Safety meeting minutes of December 3, 2007. Motion carried unanimously.

As part of the consent agenda, **it was moved by Chestnut, seconded by Highberger**, to approve claims to 351 vendors in the amount of \$1,881,022.88. Motion carried unanimously.

As part of the consent agenda, **it was moved by Chestnut, seconded by Highberger**, to approve the Drinking Establishment License for 8th Street Taproom, 801 New Hampshire; the Cereal Malt Beverage License for Lawrence Food Mart, 3300 West 6th Street; and the Taxicab License to Jayhawk Taxi, 504 John Doy Court; Ground Transportation, 301 Maple, Ste. B; and Christopher Turner, 4213 Timberline Court. Motion carried unanimously.



As part of the consent agenda, **it was moved by Chestnut, seconded by Highberger,** to concur with the recommendation of the Mayor and reappoint Dan Wilkus and appoint Stephen M. Blanchard, Jr. to the Fire Code Board of Appeals to terms which will expire January 31, 2011; and appoint Hugh Carter to the Lawrence-Douglas County Metropolitan Planning Commission to a term which will expire May 31, 2009. Motion carried unanimously.

As part of the consent agenda, **it was moved by Chestnut, seconded by Highberger,** to authorize the City Manager to execute purchase agreement for required property interests in the amount of \$221,671 from Rebecca J. Finney, Trustee, for the west Baldwin Creek Sanitary Sewer Project. Motion carried unanimously. (1)

As part of the consent agenda, **it was moved by Chestnut, seconded by Highberger,** to place on first reading Ordinance No. 8229, annexing .07 acres of City owned property. Motion carried unanimously. (2)

As part of the consent agenda, **it was moved by Chestnut, seconded by Highberger,** to place on first reading Ordinance No. 8230, incorporating by reference the "Subdivision Regulations" for Lawrence and the Unincorporated Areas of Douglas County, December 4, 2007 Text Amendments. Motion carried unanimously. (3)

Ordinance No. 8222, adopting swimming pool regulations as approved by the City Commission on December 18, 2007, was read a second time. As part of the consent agenda, **it was moved by Chestnut, seconded by Highberger,** to adopt the ordinance. Aye: Hack, Dever, Amyx, Highberger, and Chestnut. Nay: None. Motion carried unanimously. (4)

Ordinance No. 8219, rezoning approximately 9.656 acres from Pump Station 48, from A to GPI, property is located at 851 North Folks Road, was read a second time. As part of the consent agenda, **it was moved by Chestnut, seconded by Highberger,** to adopt the

ordinance. Aye: Hack, Dever, Amyx, Highberger, and Chestnut. Nay: None. Motion carried unanimously. (5)

Ordinance No. 8224, rezoning approximately 50 acres from RS7 to TPI, the property is commonly known as Douglas County Fairgrounds, 1910, 2101, and 2120 Harper Street, was read a second time. As part of the consent agenda, **it was moved by Chestnut, seconded by Highberger**, to adopt the ordinance. Aye: Hack, Dever, Amyx, Highberger, and Chestnut. Nay: None. Motion carried unanimously. (6)

Ordinance No. 8221/County Resolution No., regarding the Southeast Area Plan and CPA-2007-04, was read a second time. As part of the consent agenda, **it was moved by Chestnut, seconded by Highberger**, to adopt the ordinance. Aye: Hack, Dever, Amyx, Highberger, and Chestnut. Nay: None. Motion carried unanimously. (7)

As part of the consent agenda, **it was moved by Chestnut, seconded by Highberger**, to authorize the City Manager to sign a license agreement permitting the continued use of right-of-way at 2104 Bob Billings Parkway. Motion carried unanimously. (8)

As part of the consent agenda, **it was moved by Chestnut, seconded by Highberger**, to deny the request to establish a multi-way stop at the intersection of Folks Road and Overland Drive. Motion carried unanimously. (9)

As part of the consent agenda, **it was moved by Chestnut, seconded by Highberger**, to authorize the Mayor to sign a Release of Mortgage for Retha Beebe, 2708 Rawhide Lane. Motion carried unanimously. (10)

As part of the consent agenda, **it was moved by Chestnut, seconded by Highberger**, to approve reimbursement to Buffalo Bob's Smokehouse of \$37,642.38, or 75% of the installation costs of a sprinkler system at 719-21 Massachusetts, pursuant to the 2007 Downtown Fire Sprinkler Incentive Program. Motion carried unanimously. (11)

As part of the consent agenda, **it was moved by Chestnut, seconded by Highberger,** to approve as “signs of community interest” a request from the American Heart Association to place “Go Red for Women” sponsorship signs in the windows and in front of sponsoring businesses from January 15 – February 15, 2007. (12)

CITY MANAGER’S REPORT:

During the City Manager’s Report, David Corliss said Frank Reeb, Administrative Services Director/City Clerk, was beginning the process of collecting data for the 2007 Tax Abatement Report.

Also, the City had received notification from KDOT for a KLINK project (23rd Street from Haskell Avenue to east city limits), where KDOT provided funding for resurfacing and maintenance of state highways.

Finally, staff was beginning the process for the City’s Capital Improvement Plan. The document was presented to the City Commission last spring which came from the Planning Commission. One of the key issues, with any major infrastructure project, was being in conformance with the City’s Comprehensive Plan and to get a general view of the infrastructure needs for the community. In the past couple of years, staff had instituted the process of notifying the public at-large, stakeholders, neighborhood associations, and the development community, about this process. For example, if the developer wanted City financial participation for a particular project, staff had that opportunity to review that project through this process, but also make a determination if they wanted to include a multiyear capital budget to better plan capital debt. (13)

REGULAR AGENDA ITEMS:

Conduct public hearing to consider the vacation a 15’ private storm sewer easement located at 4935 Research Park Way, in Lot 2, Block 2, of Oread West No. 8, as requested by White River, LLC.

Mayor Hack called a public hearing to consider the vacation a 15' private storm sewer easement located at 4935 Research Park Way, in Lot 2, Block 2, of Oread West No. 8.

Chuck Soules, Public Works Director, presented the staff report. He said the applicant, White River, LLC, was proposing to vacate a storm sewer easement. The City's Stormwater Engineer indicated the easement was not needed for the development of that area.

Utility companies and neighbors were notified and no objections were received.

Mayor Hack called for public comment.

Upon receiving no public comment, **it was moved by Amyx, seconded by Chestnut,** to close the public hearing. Motion carried unanimously.

It was then **moved by Amyx, seconded by Chestnut,** to approve the Order of Vacation of a 15' private storm sewer easement located at 4935 Research Park Way, in Lot 2, Block 2, Oread West No. 8 and authorized the Mayor to sign the vacation order. Motion carried unanimously.

(14)

Consider request from the Sustainability Advisory Board (SAB) to create a Climate Protection Taskforce. Receive additional information provided by staff.

Daniel Poull, representing the Sustainability Advisory Board, presented the request from the Sustainability Advisory Board. He read a memo from the board which read:

"As successfully modeled by the City of Kansas City, Missouri, we propose the creation of a Climate Protection Taskforce. This body will undertake planning and goal setting for the purpose of significantly reducing our Community's greenhouse gas emissions while preserving economic development, and promoting environmental and economically sustainable transportation and energy generation options.

To that end, we request that the City of Lawrence appoint and empower a Mayor's Taskforce, the mission of which will be to draft a Climate Protection Plan for the City of Lawrence.

This Taskforce shall represent key stakeholders from the Community at large. Proposed membership would include the following: City of Lawrence (Mayor or Commissioner), Lawrence Chamber of Commerce (CEO), Westar Energy (upper level management), The World Company (owner), the medical field, the environmental community (a leader of a regional non-profit), the construction and building trade, USD #497, Kansas University, Haskell Indian Nations University, Hallmark or similar community industry (upper level management), environmental scientist (David Braaten or Johannes Fedemma), building design and or engineering (a regional

architect or engineer familiar with the concepts of sustainability), a citizen advocate, and a representative of the Sustainability Advisory Board.

The Plan shall include specific objectives and recommendations to ensure effective climate protection policies and programs, including further implementation of the Cool Cities Campaign, Mayor's Climate Protection Agreement, the EPA Green Power Community Challenge, and a baseline assessment of the City's greenhouse gas emissions.

The Taskforce shall guide the City through the process of effectively implementing the Climate Protection Plan, which will include infrastructure policy guidance and public education components.

The Taskforce shall be comprised of not more than twelve members, balanced among stakeholder interests, each to be appointed by the Mayor."

Mayor Hack said people did not realize how hard the Sustainability Advisory Board worked. The board had done an excellent job of involving City Commissioners in their activities, which was not always typical of other boards.

Poull said the current board was probably as strong as it had ever been which was because of the Mayor's appointments.

Mayor Hack called for public comment.

Michael Almon, Lawrence, read a [letter](#) to the City Commission commending the Commission for designating a Sustainability Advisory Board to advance sustainability initiatives such as a Climate Protection Plan. In his letter, Almon also recommended proposed Task Force members.

Carrie Maynard-Moody, Chair of the Wakarusa Group Kansas Chapter of the Sierra Club and Coordinator of the Kansas Chapter Sierra Club Cool Cities Campaign, said while she was very encouraged about these developments, she did not want feet dragging to continue because everyday mattered and time had been lost. She said she wanted the new appointments to think very carefully about the mistakes the Kansas Energy Council made and how there had been a failure because of the composition of that group. In considering appointments, it was important to think of people who had the greater good in mind.

She was very sorry to see that Lawrence, Kansas was removed from the homepage of the Cool Cities website because of foot dragging. She tried very hard with her committee to exercise patience and encourage staff and the Sustainability Advisory Board to move forward. She wanted to see Lawrence back on the homepage of www.coolcities.us because they decided, finally, to take the bull of global warming by the horns and be part of the solution rather than part of the problem.

Sarah Hill-Nelson, Lawrence, said in listening to Carey Maynard-Moody's point, she thought she would append. She had a progress report on climate protection and the Phase 1 recommendation from the City of Kansas City, Missouri dated April of 2007. She said the members of that Steering Committee included:

- Joanne Collins, a former Kansas City Council Member, past Chair of Mid America Regional Councils Air Quality Forum, and former member of the Missouri Air Conservation Commission
- J.C. Alonzo, Co-Chair of Kansas City Environmental Management Commission
- Bob Berkebile, BNIM Architects and Co-Chair of Kansas City Environmental Management Commission
- Scott Burnett, Legislator 1st District Jackson County Legislature
- Bill Downey, President of CEO, Kansas City Power and Light
- Dee Evans, President of Beacon Hill Neighborhood Association
- Peter Levi, President of the Greater Kansas City Chamber of Commerce
- Robert J. Mann, Founding Director of Bridging the Gap, Co-Director of Shadow Cliff Lodge and Retreat Center
- Frank Pogge, Director of Kansas City Water Services Department
- David Warm, Executive Director of Mid-America Regional Council
- Bridgette Williams, Executive Director of Heart of America, Labor Council, Great Kansas City AFL-CIO.

She thought it would be helpful for the City Commission to hear that list of people and know that Steering Committee was successful in putting together their Phase 1 plan. The Committee represented a nice broad array of people in the community.

Commissioner Amyx asked how long it would take to put together a plan.

Poull said they were hoping no longer than 12 months. The timing would be up to the City Commission's discretion, but they would like to see a finite time to come up with some answers.

Commissioner Highberger said he also wished they had made a little more progress in the last two years. He appreciated the amount of time staff and the Sustainability Advisory Board put into this issue. He said maybe the City Commission should have created a Climate Protection Taskforce from the start and if that was the case, it was his error. He thought it was a good idea and they should move forward.

Vice Mayor Dever asked about the breadth or depth of the coverage of this plan. He asked if the plan would be based or modeled on other cities' plans. He asked if the task was doable in that 12 month period.

Poull said there were many guidelines to be used off the internet. He said a lot of help was available to accomplish the plan and one year was a doable time period.

Mayor Hack said once the Task Force was appointed and approved by the City Commission, she suggested that some of those people, who were knowledgeable, discuss the parameters and process used. There might be opportunities for sub committees with a Task Force of this size.

Poull said they had a hard time keeping the members down to 12 because there were many people who could be considered important stakeholders in this city. He agreed there definitely could be sub committees and hoped the board would not try and do it all by themselves because there was too much help out there to ignore.

Commissioner Chestnut said he met with Sarah Hill-Nelson and the Sustainability Advisory Board regarding economic development because of discussions of public incentives. He said it was important when considering policy and process with public incentives to integrate some of that thinking. He said in the economic development arena it was important to target organizations they wanted in this community.

David Corliss, City Manager, said creating a Task Force by a resolution was valuable to make a clear charge and to know the parameters and timeframe.

Moved by Highberger, seconded by Dever, to receive the request from the Sustainability Advisory Board and directed staff to work with the Mayor and Vice Mayor to create a proposed Task Force and bring it back for City Commission approval. Motion carried unanimously. (15)

Consider authorizing the City Manager to execute and Engineering and construction Phase Services Agreement with Black & Veatch Corporation, for \$120,000 for services related to maintenance of the Bowersock Dam.

Philip Ciesielski, Assistant Director of Utilities, presented the staff report. He said the Bowersock Dam created a pool upstream that was a source of raw water for the Kaw Water Treatment Plant. As part of the use of that raw water, there was an ongoing maintenance program on the Bowersock Dam structure.

In February 2007, a report was submitted by Black and Veatch that recommended not only short term repairs, but long term options. What was being looked at now was engineering and construction phase services associated with short term repairs. Black and Veatch would provide the City a design for the repairs, material selection for those repairs, assistance with generating a request for qualifications for a contractor who did this specialty type of work in a river setting on a similar structure, and provide construction phase, observation, and engineering services assistance with contractor questions as they saw how effective the repairs were making changes as they went. The short term repairs they were looking to address were going to be designed to stop what was happening by way of flow through the dam by making some plugging repairs on the upstream phase and also do some repairs on the downstream or stair step phase where there were eroded concrete and concrete missing.

The repairs were designed to stop leaks, stabilize the structure in the near term, and allow through the success of those repairs to take a longer term look at not only the on-going

maintenance and possible other activities associated with maintaining that dam, but also look at the long-term raw water needs of the City.

The dam had received a number of repairs since 2000. There was a major activity where a road was built and extended the downstream apron. Other minor repairs were done in 2005 and 2006. This was an on going item and was in the Capital Improvement Project out of the 2003 Master Plan.

Commissioner Amyx asked how long the agreements with Bowersock Mills dated back for maintenance.

David Corliss, City Manager, said the City and a number of Bowersock interests entered into an agreement in April 1977. The history had a lot to do with how the townsite was originally settled and some of the property interests along the river. There was a multi page agreement that set out all the different rights and responsibilities about the property. Essentially, it was accomplished because City Hall was sited at this location and the property interests had to be further defined.

The City did not own the dam, but it was owned by the Bowersock interests. The City had maintenance responsibilities on the dam that were generally spelled out in the agreement. It said that Bowersock was not responsible for the maintenance of the dam, but the City should have the right to perform maintenance on the dam. He thought it was important to keep in mind that for communities that rely on rivers and surface waters for part of their water supply, it was not uncommon for that community to engage work along the river. Johnson County had to do extensive jetty structure work along the river in order to provide a pool of water and the dam had essentially served that purpose ever since they started taking water out of it, probably for decades in the past. The agreement provided, at the 50 year term of the agreement, the City had the opportunity to purchase the dam, if the City wanted to be involved in that endeavor.

Commissioner Amyx said prior to the 1977 Agreement, he asked if maintenance was being done by Bowersock.

Corliss said he did not know. He said Jerry Cooley, City Attorney, would know because he was involved in the agreement.

Commissioner Amyx asked if the City received the responsibility when acquiring this site.

Corliss said he thought that was part of the exchange and settlement of property interests, the City received the opportunity to maintain the dam. There were provisions in the agreement that indicated the City could walk away from that maintenance responsibility, but then Bowersock did not necessarily have maintenance responsibilities. It was important for the City's ability to have that water pool for the water intake for the Kaw Plant to have that dam in some type of physical integrity so the water pool would be created. The Bowersock interests had responsibilities for putting up the flash boards and those types of things for their hydroelectric facility.

Commissioner Amyx said as long as it was understood the City's responsibility for the maintenance of the dam had to do with the pooling of the water supply for fresh drinking water throughout the community.

Corliss said yes and at some point, staff might need to conduct a cost benefit analysis if the cost of maintaining that dam got to be so substantial that alternatives might need to be addressed. Obviously, staff would have discussions with the Bowersock interests that were interested in that issue too.

Commissioner Amyx said regarding the short term improvements to the dam, he asked how long it would take before the governing body needed to make a decision on whether or not to replace that dam.

Corliss said that was information the engineering study would reveal when exploring the facility and give estimates of the life expectancy of the dam.

Ciesielski said the success of the repairs and what it entailed to achieve the goals would give staff some additional indication as to the stability of the interior condition of the dam. It was

a difficult question because there was not a good way to look inside the structure. The report that Black and Veatch did in February 2007 outlined some longer term repairs or some more substantial repairs to follow onto the short term repairs, depending on their success. They were in the nearer term to do additional work to block off or seal the upstream face of the dam possibly some more sheet piling and additional apron work on the downstream side of the dam.

It was the intent to do the short term repairs to assess how effective those repairs were and what those repairs would tell staff when putting material into the dam. It would give staff a little more indication on what was happening inside of it. Staff would step back after that project and come up with a schedule and an idea of projects and an evaluation because it would give that long term look.

Vice Mayor Dever said it was his understanding this agreement was for engineering services only. He asked if Black and Veatch would perform any temporary repairs under this contract amount.

Ciesielski said the current contract was for the engineering, construction phase, and professional services. Staff would come back before the City Commission with a contract and a contractor. At this time, they anticipated it to be \$300,000 - \$500,000 of work given the repairs they wanted to keep now.

Vice Mayor Dever said in an earlier meeting, it was mentioned staff did not know the nature of the composition construction of the dam because there was no engineering documents. He asked if Black and Veatch considered ground penetrating radar or doing something to assess the depth of the nature of the materials below instead of guessing and feeling. He asked if there was any more high technology equipment that would be more efficient.

Ciesielski said he did not believe there were ever construction documents for the structure back when it was constructed. From what they know, it was a timber framework that was filled with boulders and other rubble, and then at some point given a concrete surface. He

did not know if there was going to be a good non destructive testing method to get a good handle on that structure to get what was under there.

Commissioner Chestnut said the memo referenced the CIP plan and the Utilities had \$1,169,000 for repairs in the 2007 budget. That did not speak to what they had in 2008 and assumed it carried over.

Ciesielski said those dollars were brought forward. The project was started in 2007 with the study phase and evaluated that phase. Now they were at the point of engaging construction, so those dollars were moved forward and available for the project.

Commissioner Chestnut asked if it was reasonable to say the City budgeted for this project.

Corliss said yes. There was no money in the water CIP Budget for 2008, but they had the money in 2007.

Mayor Hack called for public comment.

There was no public comment.

Commissioner Highberger said it seemed like important work and the project was budgeted for so he would support the project.

Commissioner Amyx said the maintenance to that facility was important to this community and he could not imagine that dam not being at that location and having to rely on other water sources somewhere else.

Moved by Amyx, seconded by Chestnut, to authorize the City Manager to execute an Engineering and Construction Phase Services Agreement with Black & Veatch. Motion carried unanimously. (16)

Consider authorizing staff to apply for a Federal Transit Administration Section 5316 Job Access/Reverse Commute (JARC) Grant through the Kansas Department of Transportation. Grant funds will be used for the purpose of replacing two fixed-route vehicles and funding will be sought in the total amount of \$520,000. The grant application deadline to KDOT is January 25, 2008.

Cliff Galante, Public Transit Administrator, presented the staff report. He said the grant would be for job access reverse commute, which was to help low income individuals get to and from employment. It was a federal grant, but was administered through the Kansas Department of Transportation. Within the last few years, this grant was through a discretionary program through the federal government, but with the current transportation program it was changed where the grant was made available more on a formula basis. As such, the federal government was trying to figure out how to administer this program. As a result, a few years of grant funds had accumulated. This year there were approximately \$520,000 available for grant funds. With those grant funds, they were divided up into different areas. There was JARC funding available for large urban areas, small urban areas, as well as rural properties. This \$520,000 was for small urban cities. There were only two small urban cities in the State of Kansas, Lawrence and Topeka. There was not much competition in terms of applying for this grant. Typically, this grant was used for operating purposes to support the operations of transit services; however, the Kansas Department of Transportation had the discretion to use it for capital needs. For this given year, because of the dollar amount and because of the needs of Lawrence and Topeka in terms of fleet replacement needs, KDOT was willing to allow them to apply for those funds for capital purposes.

He said Transit was doing a good job, right now, in providing service to the low income areas to their employment. What was good about this grant was in the past, they had to expand their services to utilize the funding, but according to the conversations with KDOT as well as FTA, it was not necessarily the case. If it could be demonstrated they were currently fulfilling this need, as well as meeting the needs of a human service plan developed with other organizations in this area, they should be able to receive this money.

Commissioner Amyx said the City would be able to replace two of the busses currently in the fleet as long as the City had this service plan that any rider could use and as long as it

was specifically used in targeted areas to make sure people had a way to get back and forth to work.

Galante said yes, the routes did not necessarily need to stay the way they were now. He said what staff needed to show was they were reaching out to the low income areas of the community and providing access back and forth from work.

He said the grant was due the 25th which was not much turnaround time. In terms of dollars, this was a real opportunity for the City to replace their capital. He said KDOT indicated there was a pot of money available to rural communities but those communities were unlikely to come up with a local match to use those federal dollars. As a result, the state had the authority to convert those dollars to be used only for small urban communities. KDOT believed there would be some additional funds available which was why KDOT encouraged Lawrence to apply for two vehicles along with the Topeka Transit Authority.

KDOT recently had a reorganization and the person currently running their transit section was a Lawrence resident. She was well aware of this community and the City's needs.

Vice Mayor Dever asked Galante to explain the reason for applying for equipment, rather than funding, to help the City pay for services? He asked if those funds could be used to help service the community by running routes.

Galante said that could be done, but this was a one time grant. It would help the community this year, but next year they would be in the same boat. In terms of getting dollars for capital, it was increasingly difficult. To put it in comparison, last year they went for an earmark and received \$150,000. It would take the City four years based in the City's current track record of receiving discretionary funds to replace two vehicles.

Commissioner Amyx said a question was brought up about the size of the buses. He asked if Galante had any idea on operations and maintenance based on the current size of the City's vehicles versus a smaller vehicle.

Galante said at some point, they would need to discuss the pros and cons of that idea. They needed to make sure they get the right tool for the job they were doing and there were a lot of factors to look at in terms of reliability, durability, accessibility, safety, capacity, and efficiency of the equipment. There were a variety of factors staff needed to look at to find the right balance for the community.

Commissioner Amyx said because of the size of the City's busses and the maintenance requirement, he had a concern about fueling those busses.

Galante said there were a lot of issues to look at. The reality was the bus system operated 14 hours a day, 6 days a week and traveled approximately 55,000 miles a year. If going with the smaller T Lift bus, those buses had useful life of approximately 100,000 miles and about every two to three years, those busses would need to be replaced. If the City felt comfortable with a replacement cycle like that, then certainly that was a possibility. In terms of fuel efficiency, there was some efficiency going with the smaller vehicle but not as much as people think there might be. Any large diesel vehicle, be it a bus, public works truck, sanitation truck, or delivery truck, a diesel engine would get anywhere from 4.5 to 7 miles per gallon. By comparison, a Ford Escalade gets about 12 miles per gallon driving in the City. In terms of a T Lift vehicle, they get fuel efficiency between 5.5 and 8.5 or 9 miles per gallon. It was an issue staff needed to look at because fuel costs were increasing.

The other issue would be accessibility. The City wanted to control the rising costs of paratransit service and one way to do that was to encourage more use of the fixed route system. One of the barriers of why people might not want to use the fixed route system and tend to use the T lift system, which cost the City more money per passenger trip, was accessibility reasons. The trend in the transit industry was to build busses with low floors to where people would not have to climb stairs. Plus buses that were built the size of bus the City had now, that bus had the capability to kneel down to the curb. There were additional features to busses that came in certain sizes; unfortunately they did not have that in every size model

made. In the transit industry, the dividing line was a 30 foot bus and if going below a 30 foot bus, it would be like comparing apples and oranges.

Commissioner Amyx asked if the buses lasted 100,000 miles.

Galante said for the smaller buses, the T Lift buses, those busses had a useful service life of 5 years or 100,000.

Commissioner Amyx asked if that was on the body or engine.

Galante said it was the entire vehicle. He said at the end of 100,000 miles, those busses were beat up.

Commissioner Amyx said big semi trucks travel across the country and get 2 to 5 hundred thousand miles and asked why the City's busses could not live up to the performance of those vehicles and why staff could not find someone who could build a bus that was more reliable.

Galante said there was not anyone who could build that type of bus in the current industry, but for the smaller buses. The City's larger T buses had a 10 year, 350,000 mile service life which was considered medium duty buses. The most heavy duty bus on the market was a 12 year, 500,000 mile vehicle. Those were the vehicles he thought the City would be best served by. He said those vehicles, because of the way they were built, tended to last longer than the 12 years because they had more heavy duty components, but in terms of cost, there was a huge difference. A T lift vehicle cost approximately \$55,000 and a heavy duty transit vehicle would cost over \$300,000. There was definitely an issue in cost because they were getting heavy duty components.

Commissioner Chestnut said depending on how the RFP came back and the options the City Commission would need to consider, if the fixed route system was not feasible going forward, what would the City need to do and how did the process work.

Galante said if the City decided to get out of that element of the business, they would need to put the vehicles up for sale for fair market value and then reimburse the federal

government the percentage the government put into that vehicle. If the decision was made to scale back the fixed route service but reserve the T Lift service, the way the laws were written was they could not then keep the T Lift service for people that were just disabled. That service would be open to anyone in the general public to utilize. In terms of cost, it was important to understand the cost of the T Lift per passenger was about \$17.50. The cost per passenger on the fixed route service was about \$5.30. That was why they were trying to convert as many people as possible from T Lift service to fixed route service. It was something the City Commission would have to consider if they do away with the fixed route service, they were not giving people options so more and more people were going to use the T Lift service, which would drive the costs up and it was the most expensive aspect of the service.

Commissioner Chestnut said on the total year basis, based on the ridership numbers, the fixed route service was off by 8% in total from 2006 – 2007. He said in July during the rate increase from 50¢ to 75¢, it was off 13.5% in the second half of the year. He said they were looking at the RFP and were moving forward in one fashion. It might a good idea to start entertaining more demand response to transit possibilities. He understood the requirements for federal funding, but it might be a good idea to consider what the City put in to the system. He said the City Commission did not know how large of an amount the RFP would be. If the City were to go a different direction, the City had some liability to take into consideration.

Galante said on the decrease of ridership on the fixed route, during the rate increase, since the City never raised their fares before it was hard to project what would happen with the ridership. He was conservative in his estimate because they also had to base what the revenues would be, but thought they would have a 20% decrease in the ridership. Fortunately, they have not had that decrease, but whatever service provided, when raising rates, customers would be lost, but eventually those customers would come back. The reality was the City's bus system was the best deal in town in terms of transportation besides walking or riding your bike. Once people get use to the new rates and work their family budgets around those rates, those

people would realize it was the most affordable way to travel around this community. They had a drop in ridership in the fixed route at the beginning part of the year and he still did not know why that happened, but they had 6 years prior to that of steady growth. The City's growth rates were well above the industry norm compared to communities similar to Lawrence's size that provided the same levels of service that were provided in Lawrence.

Commissioner Highberger asked if the City would be committing to buying the heavy duty buses if the City Commission approved signing the grant application.

Galante said no, but when he submitted the grant, the FTA would be asking him what the City was asking for.

Vice Mayor Dever asked if they could change their minds.

Galante said changing their minds would be hard to do because they were asking for specific information and how committed the community would be in terms of dollar investment. If the City wanted to go with lighter duty vehicles, he needed to know if the Commission wanted those types of vehicles to write the application around that idea.

Commissioner Chestnut said Vice Mayor Dever was implying the City did not want the liability associated with getting those buses and for some reason not offering T Service and having to pay back some amount based on the proceeds of the sale. Commissioner Highberger wanted to know what kind of buses the City was committing to.

Commissioner Highberger said he still remained firmly committed to providing bus service, but just the numbers currently given sounded different than what he heard in the past. In the past it was his impression that just because of the replacement schedule of the smaller buses, the vehicle costs would be more expensive than the larger buses, but if it was true they could get 100,000 out of a \$55,000 vehicle, it sounded less expensive than 350,000 out of a \$300,000 vehicle.

Galante said it was 500,000 out of a \$300,000 vehicle. The City's current vehicles were medium duty, which were 10 years or 350,000 miles. When the City purchased those busses

back in 2001, they were at the time about \$200,000 each. He was not sure how much those busses were now, but the most heavy duty transit vehicle on the market was in the price range of \$300,000 or more, depending on the type of options.

Corliss asked if Galante could write the grant to where it could be either medium duty or heavy duty and then if they were successful with the grant, the City Commission could make the decision at that time.

Galante said yes. He said he needed clear direction on how many vehicles the City was looking at and the dollar amount the City was seeking.

Commissioner Highberger asked if it was possible to write the grant with the option of two heavy duty vehicles or the appropriate number of medium duty vehicles.

Galante said that could be done. He said right now with the fixed route fleet, based on prior year federal funding received, the City had enough money to replace 5 vehicles if going with 5 heavy duty vehicles. The City currently had a fleet of 12 fixed route vehicles. He said the grant would provide the opportunity to get funding to replace 2 more vehicles and depending on the pricing from the RFP to address the Commission's concern, for whatever reason the City had to scale back fixed route service, they might not need to replace 12 vehicles and would only need to replace 7 vehicles.

Commissioner Highberger said he would like to keep the light vehicle option open.

Galante said it would be the balance of what was being looked at. He said in researching this matter, he looked at what his peers were doing to find out what and what was not working. He said from his discussions with his peers regarding the smaller busses with fixed route service, his peers came to regret that move because those smaller busses were not reliable. He said he was trying to be wise with the City's investment in getting something that would serve the community for a long period of time because the reality was that with transportation, if the City was not reliable, then people would not use the bus system.

He said he could get more information to further this discussion at some other time, but in terms of this grant, and completing this grant, there was not a lot of time to submit it. Again, he said he needed direction on the dollar amount the Commission wanted the City to apply for as well as what the City was asking for.

Corliss said the Commission was looking for as many options as possible in maximizing dollar amounts.

Commissioner Amyx said one helpful idea in future memo's to the City Commission was downtime of the light duty vehicle versus the medium T bus because it might be that the light duty vehicle would meet the City's needs today.

Galante said he would get that information to the City Commission.

Vice Mayor Dever said realistically the City could apply for the grant and not accept the funds if the City Commission chose to make changes to the system.

Galante said for whatever reason, the City Commission decided not to pursue the fixed route service anymore, the City would need to sell the vehicles and whatever the fair market value, 80% would go back to the FTA and the City would keep 20%.

Commissioner Highberger withdrew his request regarding the smaller vehicle.

Mayor Hack said Galante had discussed with other peers who took on those smaller vehicles, and to the uneducated, the smaller vehicle sounded like a good idea, but if there was clear evidence people had gone that direction and found it to be unsuccessful, she thought they had to go with what those others experienced. Sometimes what sounds logical on the surface did not always pan out that way when actually doing it. She said she concurred with Galante's recommendation of either the medium or heavy duty buses.

Commissioner Amyx said regarding the light duty truck, in discussing the performance of those vehicles with those other peers he asked if those communities had the same amount of ridership levels.

Galante said the only other counter part that operated a small transit vehicle for fixed route services was in Hutchinson, Kansas, which was a rural transit system and they did not have the ridership of Lawrence. Any other urban system in the State of Kansas operated 30 foot buses or larger. That was why he contacted Pine Bluff, Arkansas because there were very few urban systems that operated the smaller vehicles and fixed route services. He said there were other systems that operated small transit vehicles and he tried to make contact to find out how it worked for those communities. He said if it worked out, then it would be a way to save money. He wanted to make sure the City would be committing to a wise investment.

Mayor Hack called for public comment.

Melissa Padgett, Lawrence, said regarding bus route 8, which was a busy route, construction rerouted the "T" and it might be that ridership decreased because the public was not well informed about reroutes. It took at least a week before she was informed the bus stop was moved. She would like the City Commission to keep that thought in mind when worrying about whether the "T" went down in ridership or not. She said it would be impossible to work downtown from 2454 Ousdahl without the "T" because she did not ride a bike. The bus system was a public service and something that was necessary to the community.

A member of the public said he would pose a question of safety with the smaller buses. There were a very limited number of seats and he had experienced, as a daily bus rider, a situation where there were no seats and were not adequate bars to hold on to or other places for people to stand safely on the smaller busses. He questioned the safety and possible results if there were to be an accident with a smaller bus as opposed to a larger bus. Also, getting on and off the smaller bus and the way they were designed could also be a much more hazardous ordeal especially in bad weather conditions or if there was someone who was visually or physically challenged.

Mayor Hack asked if Galante had clear direction from the City Commission.

Galante said the Commission wanted the grant writing to include medium and heavy duty busses with the same proposed dollar amount.

Commissioner Chestnut he wanted to make sure he was on the same page with the City Commission's action in that the Commission's options were still open as this issue progresses. He said one concern was the City was pursuing the RFP and should other options be looked at such as a demand response system. He wanted to make sure the City Commission had flexibility with this action as it came back.

Corliss said the City Commission had that flexibility. The City could deny the grant or if accepting the grant, different busses could be scaled. He said if the City Commission did not want the busses, then the City Commission needed to let Galante know not to do the work. He said if the Commission wanted staff to look at other options for the 2009 Budget, it was probably not too soon, within the next coming weeks, to look at other options.

Moved by Dever, seconded by Chestnut, to authorize staff to apply for the Federal Transit Administration Job Access/Reverse Commute Grant as discussed. Motion carried unanimously. (17)

PUBLIC COMMENT:

Craig Grady, University of Kansas student and employee of a downtown business, said the State of Kansas passed a law redefining what drug paraphernalia consisted of. He asked who enforced this law in City of Lawrence.

Mayor Hack said the District Attorney enforced that law. It was a state statute and was not a municipal issue.

Melissa Padgett asked if there would be any way the City Commission could do something that was similar to what was done with the possession of marijuana in the City of Lawrence. She asked if that was something business owners could ask the City Commission to do.

David Corliss, City Manager, said the drug paraphernalia law had been a subject of a lot of conversation and e-mails today. Apparently the drug paraphernalia law was changed at the state level last year. State officials a lot of the time worked through local law enforcement, and were working with local law enforcement and other law enforcement regarding this law. He said they could take a look at it and Scott Miller, Staff Attorney, was familiar with that change and had been in contact with the Police Department. The City had a drug paraphernalia law in the past as a City Ordinance, but did not know what shape it was in now in compliance with the state law. He said it was the state law in recent activity with some establishments in the community based on a phone call he had and some information Scott Miller provided.

K.T. Walsh, East Lawrence Neighborhood Association, said regarding the toxic waste dump in East Lawrence, they talked with the City Commission last August about this dump and because Aquila was about to be sold, they felt it was a good time to step in and voice their concerns again. She read a [letter](#) that she wrote to the Kansas Corporation Commission.

She said her neighborhood association was respectfully requesting the soil and water tables be tested again in that area including the unfenced portions of the property with attention to the nearby Kaw River, the City's water source. She said 15 years had passed since the last testing and with their conversations with KU scientist at the Kansas Biological Survey, they had learned that research on those chemicals had advanced as had testing methods. She said a KDHE scientist told their association that it was appropriate and common to have testing done when a large property was sold.

She said they were not scientists or hysterics, but parents and grandparents, and knew that soon there would be many more children living close to this site. She said everyone might be pleasantly surprised and relieved to find that area was safe and confidently move forward as neighbors and customer of BH Natural Gas.

Commissioner Chestnut said typically in an acquisition like that, there was a Level 1 environmental study. He thought that should be part of alerting KDHE because it was part of the due diligence of the acquisition.

Commissioner Highberger said he would assume the City could ask KDHE to conduct the testing to verify that it had been completed at some point.

Mayor Hack asked if it would be helpful if the City Commission wrote a letter and placed it on the City Commission agenda to sign.

David Corliss, City Manager, said he could find out the next step. What Walsh was asking for was additional testing of the property around that area and he would find out the procedure. He said Walsh's interest with the Corporation Commission had to do with the transfer of the utility and that the appropriate diligence was done. He asked if Walsh was not asking the City be so much involved, but KDHE do additional testing on other private property to find out if there were other issues.

Walsh said it was all Aquila property, but a tiny piece of that property was Kennedy Glass.

Corliss asked if this was north of 8th Street, but southwest of the railroad tracks.

Walsh said yes. She said this issue was coming up now because the Kansas Corporation Commission was requesting public comment of this sale.

Mayor Hack asked if the City Commission should direct staff to make contact and write a letter on behalf of the City Commission to add to the packet.

Walsh said that would be wonderful.

Mayor Hack said it would put everyone's mind at ease. She asked if that was something the Commission could do now.

Corliss said the Commission was still in an open meeting and could direct staff to draft a letter and authorize the Mayor to sign an appropriate letter to KDHE and the Kansas Corporation Commission indicating their appropriate concerns.

Vice Mayor Dever said more than likely when there were those transactions, normally due diligence would be done. The fact that Walsh pointed out this issue, might trigger a huge interest by others. The State of Kansas, from his understanding, indicated there had to be municipal involvement. If the City were to acquire the property it would more easily put into the program and there would be funds available for the state to assist in the investigation and clean up. Since they had a responsible party, hopefully a deep pocketed organization, they would more than likely make those investigations prior to the sale or transfer of the property. He said if the Commission could encourage the testing, they should.

Moved by Highberger, seconded by Dever, to direct staff to draft a letter to the Kansas Corporation Commission on behalf of the City Commission regarding soil and water table testing for past contamination of the 620 East 8th street site, the location of the Lawrence Manufactured Gas Plant from 1869 to 1905, and authorized the Mayor to sign the letter. Motion carried unanimously. (18)

FUTURE AGENDA ITEMS:

01/29/08

The "Links" item has been moved from the January 15, 2008 City Commission Agenda to January 29, 2008 at the request of the applicant.

- Consider the following items related to The Links at Lawrence, a Planned Residential Development containing 40 multi-dwelling buildings with 12 dwelling units per building for a total of 480 dwelling units, located at the intersection of Queens Road & Wakarusa Drive.
 - a) **Consider approval of the requested annexation of approximately 81.13 acres for A-11-07-07 for The Links at Lawrence, located at the intersection of Queens Road & Wakarusa Drive. Submitted by JEO Consulting Group, Inc. for Lindsey Management Co., Inc., contract purchaser, and Turner Douglas LLC et al, property owner of record. (PC Item 4A; approved 8-1 on 12/17/07)**

ACTION: Approve requested annexation (A-11-07-07) of 81.13 acres located at the intersection of Queens Road & Wakarusa Drive, and adopt on first reading, Ordinance No. 8225, providing for the annexation of approximately 81.13 acres, if appropriate.

- b) Consider approval of the requested rezoning Z-11-28A-07, a request to rezone a tract of land approximately 80 acres, from A (Agricultural) to RM12 (Multi-Dwelling Residential). The property is located at the intersection of Queens Road & Wakarusa Drive. Submitted by JEO Consulting Group, Inc. for Lindsey Management Co., Inc., contract purchaser, and Turner Douglas LLC et al, property owner of record. (PC Item 4B; approved 7-2 on 12/17/07)

ACTION: Approve requested rezoning (Z-11-28A-07) of approximately 80 acres located at the intersection of Queens Road & Wakarusa Drive, from A to RM12 and adopt on first reading, Ordinance No. 8226, providing for the rezoning of approximately 80 acres from A to RM12, if appropriate.

- c) Consider approval of the requested rezoning Z-11-28B-07, a request to rezone a tract of land approximately 80 acres, from A (Agricultural) to RM12-PD (Multi-Dwelling Residential Planned Development Overlay). The property is located at the intersection of Queens Road & Wakarusa Drive. Submitted by JEO Consulting Group, Inc. for Lindsey Management Co., Inc., contract purchaser, and Turner Douglas LLC et al, property owner of record. (PC Item 4C; approved 7-2 on 12/17/07)

ACTION: Approve requested rezoning (Z-11-28B-07) of approximately 80 acres located at the intersection of Queens Road & Wakarusa Drive, from A to RM12-PD and adopt on first reading, Ordinance No. 8227, providing for the rezoning of approximately 80 acres from A to RM12-PD, if appropriate.

- d) Consider approving, subject to conditions and use restrictions, PDP-11-06-07, a Preliminary Development Plan for The Links at Lawrence, located at the intersection of Queens Road & Wakarusa Drive. Submitted by JEO Consulting Group, Inc. for Lindsey Management Co., Inc., contract purchaser, and Turner Douglas LLC et al, property owner of record. (PC Item 4D; approved 7-2 on 12/17/07)

ACTION: Approve, subject to conditions and use restrictions, PDP-11-06-07, if appropriate.

- Consider request from Lawrence Freenet for City support for "Freenet-Kids".

02/05/08 The Airport Business Park has been moved from the January 22, 2008 City Commission meeting to February 5, 2008 at the request of the applicant.

Airport business park land use and public financing issues. ***Because valid***

protest petitions have been received, a super-majority vote (4 votes) would be needed regarding the rezoning items.

- (a) Consider approval of the requested annexation of approximately 144.959 acres and direct staff to draft an ordinance for A-06-05-07, for Airport Business Park No. 1, located at E 1500 Road and US Hwy 24/40. Submitted by Landplan Engineering, for Roger Pine, Pine Family Investments, LC, and Kathleen and Brian Pine, property owners of record. (PC Item 16A; approved 5-2 on 10/24/07)
- (b) Consider approval of the requested rezoning and direct staff to draft an ordinance for Z-06-09-07, a request to rezone a tract of land approximately 99.31 acres, from A (Agricultural) and B-2 (General Business) Districts to IL (Limited Industrial) District with use restrictions. The property is located at the intersection of E 1500 Road and US Hwy 24/40. Submitted by Landplan Engineering, for Roger Pine, Pine Family Investments, LC, and Kathleen and Brian Pine, property owners of record. (PC Item 16B; approved 6-1 on 10/24/07)
- (c) Consider approval of the requested rezoning and direct staff to draft an ordinance for Z-06-10-07, a request to rezone a tract of land approximately 43.48 acres, from A (Agricultural) and B-2 (General Business) Districts to IL (Limited Industrial) District. The property is located at the intersection of E 1500 Road and US Hwy 24/40. Submitted by Landplan Engineering, for Roger Pine, Pine Family Investments, LC, and Kathleen and Brian Pine, property owners of record. (PC Item 16C; approved 6-1 on 10/24/07).
- (d) Consider approval of the requested rezoning and direct staff to draft an ordinance for Z-06-11-07, a request to rezone a tract of land approximately 26.22 acres, from A (Agricultural) & B-2 (General Business) Districts to IL-FP (Limited Industrial-Floodplain Overlay) District. The property is located at the intersection of E 1500 Road and US Hwy 24/40. Submitted by Landplan Engineering, for Roger Pine, Pine Family Investments, LC, and Kathleen and Brian Pine, property owners of record. (PC Item 16D; approved 6-1 on 10/24/07).
- (e) Consider accepting dedication of easements and rights-of-way for PP-06-07-07, a Preliminary Plat for Airport Business Park No. 1, located at E 1500 Road & US Hwy 24/40. The Planning Commission will also consider a number of waivers from the Development Code with this request. Submitted by Landplan Engineering, for Roger Pine, Pine Family Investments, LC, and Kathleen and Brian Pine, property owners of record. (PC Item 16E; approved 6-1 on 10/24/07).
- Conduct public hearing on the advisability of the construction of improvements at the intersection of Congressional Drive and 6th Street, including property acquisition, subgrade stabilization, traffic signals, and traffic calming devices south of 6th Street along Congressional Drive to the southern most point of Tracts 9 and 10.

02/12/08

Consider the following items related to the Proposed Oread Inn project (12th and Oread): *Following commission discussion at the December 27, 2007 City Commission Meeting, the land use findings will be considered after the completion of the financial feasibility service study.*

- a) Receive financial feasibility study.
- b) The public hearing on the appeal of the Historic Resources Commission determination for DR-07-93-07 was conducted on November 13, 2007. Additional public comment from the applicant and the public in response to recently submitted material would also be appropriate.

ACTION: Receive public comment.

- c) Consider making a determination on the appeal of the Certified Local Government Review under K.S.A. 75-2715 – 75-2726, as amended:

ACTION: Make a determination based on a consideration of all relevant factors that there is no feasible and prudent alternative to the proposed demolition of the structures located at 1140 Indiana Street, 1142 Indiana Street, 1144 Indiana Street, and 618-620 West 12th Street and the new construction proposed for the site, if appropriate.

ACTION: Make a determination that the proposed project includes all possible planning to minimize harm to the listed properties, if appropriate.

- d) Consider making a determination to issue a Certificate of Appropriateness for the demolition of the structures located at 1140 Indiana Street, 1142 Indiana Street, 1144 Indiana Street, and 618-620 West 12th Street and the new construction proposed for the site.

ACTION: Make a determination to issue a Certificate of Appropriateness for the demolition of the structures located at 1140 Indiana Street, 1142 Indiana Street, 1144 Indiana Street, and 618-620 West 12th Street and the new construction proposed for the site, if appropriate.

- e) Consider approval of the requested rezoning and direct staff to draft ordinance for Z-07-13-07, a request to rezone a tract of land approximately .746 acres, from CN1 (Inner Neighborhood Commercial) & RM32 (Multi-Dwelling Residential) to PCD-2 (Planned Commercial Development). The property is located at 618 W 12th Street. Submitted by Paul Werner Architects, for Triple T, LLC, property owner of record. (PC Item 6A; approved 9-1 on 10/22/07)

ACTION: Approve rezoning, Z-07-13-07, and direct staff to draft ordinance for 618 W 12th Street, if appropriate.

- f) Consider approval, subject to conditions and use restrictions, PDP-07-03-07, a Preliminary Development Plan for Oread Circle (Oread Inn), located at 618 W 12th Street. The plan proposes mixed use residential and commercial development. Submitted by Paul Werner Architects, for Triple T, LLC, property owner of record. (PC Item 6B; approved 9-1 on 10/22/07)

ACTION: Approve, subject to conditions and use restrictions, PDP-07-03-07, if appropriate.

- g) Conduct public hearing on proposed redevelopment district.
- h) Consider passing ordinance creating redevelopment district.

- 02/26/08 • Consider the following items related to the proposed Oread Inn project (12th & Oread):

- a) Adopt resolution calling for a public hearing on proposed redevelopment plan.
- b) Adopt resolution calling for a public hearing on proposed Transportation Development District.

- TBD • Possible modifications to sidewalk dining laws
- Fire/Medical Department Apparatus Replacement Plans
 - Receive follow-up staff report on sales tax options
 - Access Management including Traditional Neighborhood Design Code issues

- Presentation of Transportation 2030 Plan

- City Commission consideration of revised Preliminary Development Plan for Bauer Farm development at 6th and Wakarusa, submitted by the

applicant on November 29, 2007.

- Consideration and discussion of proposed Neighborhood Revitalization Act plans. The Lawrence Association of Neighborhoods has indicated an interest in establishing a task force to review NRA applications.
 - Consider amendments to Sections 20-804, 20-805, 20-808, and 20-815 of the Development Code for TA-09-21-07 to clarify that access shall be taken from a hard-surfaced road. (PC Item 13; approved 8-2 on 10/22/07. Approved by County Commission on 11/14/07.)
 - Consider approval of a plan to deploy Electronic Immobilization Devices (Tasers) for the Lawrence Police Department.
 - Consider approving request from Aquila, Inc., to transfer its franchise to Black Hills/Kansas Gas Company, LLC, and authorize the Mayor to sign the Franchise Transfer Consent Letter.
 - Proposed City of Lawrence – DMI agreement for Convention and Visitors Bureau services.
 - Consider County request regarding special assessments in the East Hills Business Park.
 - Presentation by Northern Flyer Alliance regarding intercity passenger rail service.
 - Discussion of City/County funding relationships
 - Consider the following items related to the Farmland Industries Redevelopment Plan:
 - a) Consider approval of the Farmland Industries Redevelopment Plan. (PC Item No. 14; approved 9-0 on 11/28/07)

ACTION: Approve Farmland Industries Redevelopment Plan, if appropriate.

- b) Consider adopting on first reading joint City Ordinance No. 8218/County Resolution No. ____ regarding the Farmland Industries Redevelopment Plan and CPA-2007-05, amending Horizon 2020, Chapter 14 Specific Plans.

ACTION: Adopt on first reading joint City Ordinance No. 8218/County Resolution No. ____, if appropriate.

- Approve, subject to conditions, SP-03-25-06, a site plan for improvements to the northwest corner of 9th and Vermont Streets (Carnegie Library). Submitted by Peridian Group, Inc., for the City of Lawrence, property owner of record.
- Receive status report regarding the timing and scope of sanitary sewer projects, and consider the following items:
 - a) Consider authorizing staff to advertise a Request for Proposals (RFP) for engineering services to review the scope and timing of the Wakarusa Water Reclamation Facility and perform a watershed sewer service plan.

ACTION: Authorize staff to advertise a Request for Proposals (RFP for engineering services to review the scope and timing of the Wakarusa Water Reclamation Facility and perform a watershed sewer service plan, if appropriate.

- b) Consider authorizing staff to distribute a Request for Proposals for a Construction Management Agreement for the expansion of the wet weather storage capacity at Pump Station 09 (Four Seasons).

ACTION: Authorize staff to distribute RFP, if appropriate.

- c) Consider authorizing the City Manager to enter into an Engineering Services Agreement with Professional Engineering Consultants, in the amount of \$285,680, for completion of the design and construction phase services for the West Baldwin Creek Interceptor Sewer and initiation of condemnation proceedings, if appropriate.

ACTION: Authorize the City Manager to enter into an Engineering Services Agreement with Professional Engineering Consultants, in the amount of \$285,680, for completion of the design and construction phase services for the West Baldwin Creek Interceptor Sewer and initiation of condemnation proceedings, if appropriate.

(19)

Moved by Chestnut, seconded by Highberger, to adjourn at 8:30 p.m. Motion carried unanimously.

APPROVED:

Sue Hack, Mayor

ATTEST:

Frank S. Reeb, City Clerk

CITY COMMISSION MEETING OF JANUARY 15, 2008

1. Purchase Agreement - W Baldwin Sanitary Sewer Project, property interest for \$221,671, from Rebecca Finney.
2. Ordinance No. 8229, 1st Read, Annex .07 acres of City owned property (Pump Station 48 project).
3. Ordinance No. 8230 – 1st Read, incorporating Subdivision Regs, Dec 4, 2007 Text Amendments.
4. Ordinance No. 8222 – 2nd Read, swimming pool regulations.
5. Ordinance No. 8219 – 2nd Read, rezone 9.656 acres from A to GPI, Pump Station 48.
6. Ordinance No. 8224 – 2nd Read, Rezone 50 acres from RS7 to GPI, DG County Fairgrounds.
7. Ordinance No. 8221/County Res____, SE Area Plan & CPA-2007-04.
8. License Agreement – continued use of R-O-W at 2104 Bob Billings Pkwy.
9. Multi-Way Stop – Folks & Overland denied.
10. Mortgage Release – 2708 Rawhide for Retha Beebe.
11. Sprinkler System Reimbursement – Bob’s Smokehouse, 719-21 Mass for \$37,642.38
12. Signs of Community Interest – American Heart Assoc., “Go Red for Women” Jan 15 – Feb 15th.
13. City Manager’s Report.
14. Vacation Order – 4935 Research Park Way, Lot 2, Blk 2, Oread W NO. 8.
15. Climate Protection Taskforce – request from Sustainability Advisory Board.
16. Engineering & Construction Phase Services Agreement – Black & Veatch.
17. Federal Transit Administration Job Access/Reverse Commute Grant.
18. Public Comment – KS Corp Commission, soil & water table testing, 620 E 8th.
19. Future Agenda Items.