



City of Lawrence

DAVID L. CORLISS
CITY MANAGER

City Offices
PO Box 708 66044-0708
www.lawrenceks.org

6 East 6th St
785-832-3000
FAX 785-832-3405

CITY COMMISSION

MAYOR
MICHAEL H. DEVER

COMMISSIONERS
SUE HACK
ROBERT CHESTNUT
DENNIS "BOOG" HIGHBERGER
MIKE AMYX

July 22, 2008

The Board of Commissioners of the City of Lawrence met in regular session at 6:35 p.m., in the City Commission Chambers in City Hall with Mayor Dever presiding and members Amyx, Chestnut, Hack, and Highberger present.

RECOGNITION/PROCLAMATION/PRESENTATION:

With Commission approval Mayor Dever recognized July 26, 2008, as the "16th Anniversary of the Americans with Disabilities Act"; and proclaimed the week of August 1 – 7, 2008, as "Breastfeeding Awareness Week."

CONSENT AGENDA

As part of the consent agenda, **it was moved by Chestnut, seconded by Hack**, to approve the City Commission meeting minutes of July 8, 2008. Motion carried unanimously.

As part of the consent agenda, **it was moved by Chestnut, seconded by Hack**, to approve the Public Library Board meeting of June 17, 2008; the Board of Electrical Examiners & Appeals meeting of June 4, 2008; and the Public Health Board meeting of May 19, 2008. Motion carried unanimously.

As part of the consent agenda, **it was moved by Chestnut, seconded by Hack**, to approve claims to 568 vendors in the amount of \$2,519,062.63 and payroll from July 6, 2008 to July 19, 2008 in the amount of \$1,793,496.25. Motion carried unanimously.

As part of the consent agenda, **it was moved by Chestnut, seconded by Hack**, to concur with the recommendation of the Mayor and reappoint Rick Bryant and appoint Richard Haig and Jim Stogsdill to the Aviation Advisory Board to terms which will expire May 31, 2011;



appoint Shannon Murphy to the Community Commission on Homelessness to a term which will expire December 31, 2010; appoint Brand Kemp, Constance Wolfe, Jeannie Hetrick and Jane Pennington to the Convention and Visitors Bureau Advisory Board to terms which will expire July 1, 2012; appoint Nancy Longhurst to the Convention and Visitors Bureau Advisory Board to a term which will expire July 1, 2010; appoint John Schilling to the Convention and Visitors Bureau Advisory Board to a term which will expire July 1, 2011; and reappoint Truman Waugh to Douglas County Emergency Management to a term which will expire July 1, 2009 . Motion carried unanimously.

The City Commission reviewed the bids for Ferric Chloride for the Utilities Department. The bids were:

BIDDER	BID AMOUNT
Kemira Water Solutions	\$1.42/ gal.
PVS Chemical Solutions	\$1.42/gal.
Harcros	\$1.71/gal.

As part of the consent agenda, **it was moved by Chestnut, seconded by Hack**, to award the bid to Kemira Water Solutions, not to exceed \$40,000. Motion carried unanimously. (1)

As part of the consent agenda, **it was moved by Chestnut, seconded by Hack**, to set bid date of August 5, 2008, for Senior Center/Fire Medical Station No. 1, Roof Replacement Project. Motion carried unanimously. (2)

The City Commission reviewed the bids for three (3) MSA Gas Detector Units for the Utilities Department. The bids were:

BIDDER	BID AMOUNT
Danco Systems, Inc.	\$15,233.50
MSA	\$22,901.00

As part of the consent agenda, **it was moved by Chestnut, seconded by Hack**, to award the bid to Danco Systems, Inc., in the amount of \$15,233.50. Motion carried unanimously. **(3)**

As part of the consent agenda, **it was moved by Chestnut, seconded by Hack**, to approve change order in the amount of \$40,000 to LRM Industries, Inc., for 2008 Overlay and Curb Repair Program, Phase 2, to mill and overlay W. 6th Street between Eldridge and Monterey Way. Motion carried unanimously. **(4)**

As part of the consent agenda, **it was moved by Chestnut, seconded by Hack**, to authorize bidding of speed cushions on 8th and 9th Street between Kasold Drive and Lawrence Avenue in the 2008 Overlay Program, Phase 3 project. Motion carried unanimously. **(5)**

As part of the consent agenda, **it was moved by Chestnut, seconded by Hack**, to authorize the City Manager to execute Supplemental Agreement No. 3, in the amount of \$57,700 to the current Clinton Water Treatment Plant Expansion Engineering Services Agreement with Black & Veatch for design and construction phase engineering services for the Kaw WTP Disinfection Conversion – Chlorine Gas to Sodium Hypochlorite Liquid. Motion carried unanimously. **(6)**

As part of the consent agenda, **it was moved by Chestnut, seconded by Hack**, to place on first reading, Ordinance No. 8295 establishing 20 MPH Speed Limit on Crescent Road between Engel Road and Naismith Drive. Motion carried unanimously. **(7)**

Ordinance No. 8291, rezoning approximately 3.04 acres from RS-2 (Single-Dwelling Residential) to PRD-1 (Planned Residential Development), located at 2620 Haskell Avenue, was read a second time. As part of the consent agenda, **it was moved by Chestnut, seconded by Hack**, to adopt the ordinance. Aye: Hack, Dever, Amyx, Highberger, and Chestnut. Nay: None. Motion carried unanimously. **(8)**

As part of the consent agenda, **it was moved by Chestnut, seconded by Hack**, to adopt Resolution No. 6776, authorizing the issuance of water and sewer revenue bonds,

temporary notes, or general obligation bonds in the amount of \$5,620,000 for the expansion of the East Hills pump Station No. 25, improvements to the anaerobic digester at the Wastewater Treatment Plant, and improvements at Bowersock Dam. Motion carried unanimously. (9)

As part of the consent agenda, **it was moved by Chestnut, seconded by Hack**, to adopt Resolution No. 6778, ordering the improvements for the 6th Street ITS Project and authorizing the issuance of General Obligation Bonds for the maximum principal amount of \$250,000. Motion carried unanimously. (10)

As part of the consent agenda, **it was moved by Chestnut, seconded by Hack**, to approve installation of a Mid-Block Trail crossing on Stonecreek Drive south of Thorn Tree Court. Motion carried unanimously. (11)

As part of the consent agenda, **it was moved by Chestnut, seconded by Hack**, to concur with the Traffic Safety Commission's recommendation to deny the request to establish a stop sign on Maple Street at 3rd Street. Motion carried unanimously. (12)

As part of the consent agenda, **it was moved by Chestnut, seconded by Hack**, to concur with the Traffic Safety Commission's recommendation to deny the request for flashing beacons at the intersection of Kasold Drive and Trail Road. Motion carried unanimously. (13)

As part of the consent agenda, **it was moved by Chestnut, seconded by Hack**, to concur with the Traffic Safety Commission's recommendation to amend the School Crossing Control Policy to permit reduced speed signs in conjunction with adult crossing guards and approve the installation of reduced speed signs on 9th Street, adjacent to the school crossing at Schwarz Road. Adopt Resolution No. 6777, amending the current School Crossing Control Policy. Motion carried unanimously. (14)

CITY MANAGER'S REPORT:

During the City Manager's Report, Cynthia Boecker, Assistant City Manager, said the Planning Commission reviewed the text amendment to the Development Code related to

comprehensive homelessness services and recommended approval and the text amendment was anticipated to come before the City Commission in mid August. (15)

REGULAR AGENDA ITEMS:

Consider a request from Earthwork LLC, for a use of right-of-way permit to close the 800 block of Massachusetts Street to parking and traffic from 6:00 a.m. to midnight on Monday, August 4, and the use of four parking spaces on each side of the street immediately north of 8th and Massachusetts for the same time period. Consider approval of signs of community interest notifying pedestrians that filming is underway on the 800 block of Massachusetts.

Jonathan Douglass, Assistant to the City Manager, presented the staff report. He said he applicant had requested four parking spaces on the each side of Massachusetts Street on the southern end of the 700 block, but after talking to the Police Department about traffic control at that intersection, the applicant was now requesting six parking spaces for officer safety. All the intersections would remain open although the applicant requested brief and periodic closures at the intersection of 8th and Massachusetts while filming scenes at that intersection. He said staff originally anticipated using off-duty personnel to control that intersection, but after reviewing some recent Kansas Department of Labor information, staff believed on-duty personnel staffing was needed.

While parking and traffic would be closed on the 800 block, pedestrian access would be maintained and pedestrian presence indicated consent to possibly appear in the film. Signs would be posted at each end of the block notifying pedestrians of the filming.

In order to close the 800 block of Massachusetts, the parking meters would be bagged 24 hours in advance, which in this case would be bagged at 6:00 a.m., Sunday August 3rd. If the City Commission wished to see the meters bagged for a shorter time period prior to enforcement, staff recommended implementing extraordinary notification procedures, posting signs a few days in advance on meters approximately every 50 feet to notify pedestrians that in a few days, the street would be closed and the parking prohibition would be enforced by towing. Staff recommended the applicant would be responsible for posting notification.

He said in summarizing the review process for this request, on July 11th, Patti Broyles Watkins, Production Manager of Earthworks, inquired about the process for considering this request. He said Joe Rexwinkle, Planning Department, met with Watkins and determined that a Use of Right-of-Way Permit needed to be approved by the City Commission and this meeting was the only available meeting before the requested closure. Watkins provided the required paperwork the next business day.

Staff drafted a short letter for all the addresses on the 700, 800 and 900 blocks of Massachusetts and the cross streets in between, notifying those property owners that this request would be considered by the City Commission on July 22nd.

The letters were mailed on Tuesday, August 15th and staff received phone calls asking questions and expressing opinions on August 16th. To date, he received e-mail correspondence and a hand full of calls, in opposition and in support, and a few calls asking questions. The applicant also distributed a flyer to downtown businesses, giving more detail on their request and met personally with a number of the business owners.

Mayor Dever called for public comment.

Patti Broyles Watkins, Earthworks LLC, said she grew up in Lawrence, but was in the film industry, therefore traveling many places. This was the first time she had the luxury of bringing and working on a film that was almost based entirely in Lawrence. She and crew members were all present to work through situations and answer any questions.

Chris Burger, speaking on behalf of Downtown Lawrence Inc., said they sent a letter of support to the City Commission regarding this request. He said businesses downtown would endure burdens that were associated with parades, events, closing blocks for business purposes such as reconstructing streets, or an opportunity for a community to be the focus of a film and receive recognition. On a particular day, business might not be brisk for particular stores, but down the road, there would be more memories and opportunities for business.

He said when DLI's Board agreed to this request, instruction was given to the Executive Director, before the letter was sent, to make certain people were on board or at least note those who were not on board and report back. Those instructions were not done before the letter was sent and word got out and people had hard feelings. He said there had been an upstream of discontent by certain members on the 800 block of Massachusetts. DLI still supported having this event downtown and apologized for any hard feelings that might be caused. It was not the intention of DLI to strong arm any decision, but they knew it was the best thing for downtown as a whole and even though it might be inconvenient for a day, but in the weeks, months or years that follow, it would have been the right thing to be done.

Nancy Longhurst, Eldridge Hotel, said Stan Herd and his associates had brought several films to Lawrence in the past two years. That crew could have gone anywhere in the country, but chose to be in Lawrence, Kansas to conduct their business and brought an amazing amount of economic dollars into Lawrence, not only with dollars, but with visibility of this community. She said she noticed one of the actors had been to the Bay Leaf and Border's Bookstore which told her that they were already in their first day shopping in the Lawrence community.

Everyone in the community would benefit from this movie. She said the community needed to support Stan Herd because he was one of the major reasons the film was being located in Lawrence. Herd has done so much for this community and was one of Lawrence's artistic treasures. She said The Eldridge supported this closing 100%.

Judy Billings, Convention and Visitors Bureau, said she had been involved in film production for quite some time. Long ago, Lawrence had a lot of film production in town, but not lately. Two young guys wanted to start a filming business and in speaking to Herd, decided to film in Lawrence, Kansas.

Briefly, in the film production budget, \$700,000 was allotted to pay for lumber, staffing, and other things. Over and above the money spent just at the Bay Leaf or other places around

town, the filming crew would spend specifically from their budget \$700,000 and she thought that was good economic development.

She supported this event wholeheartedly and nobody felt more strongly about the downtown than she did, especially for the businesses. She said it was never easy closing this street, but in order to receive more activity downtown and receive this type of exposure, this particular film needed to have this street closure.

Tres Falls, Galveston, Texas, said he worked over 30 films, was one of the associate producers of this film, and was in charge of the logistics and day to day operations of the film. He determined how to shoot the film and in what order.

He said he met with some of the local business owners to let them know that in full view of what they were going to do and how they were going to do it. He had done this type of thing in several cities across the United States. He said there were certain things he needed because of security reasons while having crew, cast, company cars, show cars, especially in the morning.

He said he had approximately 10 to 15 assistants that he would be coordinating with involving pedestrians. He said his assistants were social and polite in asking people to wait a minute while shooting their film. He was in control of the traffic with help from police presence in the morning. He said once he finished shooting the film, he would communicate to the officers that everything was all clear and the officers could return the traffic in the normal pattern.

Mayor Dever asked if Falls had any history of shooting on a busy street like Massachusetts Street and could Falls give any idea if there would be time overruns or if they ran a pretty tight production schedule.

Falls said there would be four shots being filmed outside which meant he was not putting out a lot of lighting instruments. He said he had shot a film similar to this project on a busy street in Omaha, Nebraska and his time frame was approximately 10 hours. He said call time

would be approximately 7 a.m. He asked the City Commission to keep in mind that time was money to him, so with lingering hours, he moved through quickly.

Mayor Dever asked if Falls had store owners comment on whether there was an increase or decrease in traffic in that area when filming.

Falls said it depended if the actors were recognized. He said he was not opposed to people watching the filming and they would designate an area for those people. He said it was an interesting shot and logistically it would be something to watch.

Mayor Dever asked if there was a contingency plan in the event this request was not approved.

Falls said he had several plans, but he was not at liberty to discuss those details because he had not discussed those plans with his production team at length.

Matt Hoy said he supported the applicant's request to have the 800 block of Massachusetts Street closed for the filming of this film. He said he wanted to highlight that this was a hometown and homegrown business venture that this City Commission should support. He said this was a local artist and was a world-wide known artist living in Lawrence, Kansas. He was impressed with the extent of effort and time committed by the producers of this film in trying to work through real issues in closing this street for the film. It was a great commercial for downtown Lawrence and the community should support this event.

Brad Roszell, one of the producers of the film, said he had been in Lawrence for a decade and had attended school at KU. He met one of his business partners and made a decision about four years ago to either go out to one of the coasts or stay in town and help with growing a film community in Lawrence and they chose to stay. Because of support of the community, state, and numerous other people, they had a successful business. He said this project had been building for a number of years and was a culmination of what they had been working for in the past four years.

He said the film was a very Lawrence-centric story involving a Lawrence resident. He said he understood the strain it put on some of the business owners downtown. He lived on 11th and Connecticut and was downtown every day and knew what it had been like the past five years with the water mains being repaired and streets being repaved and all the closings of streets that had to happen. He said the only reason they were asking for the actual right-of-way of the street to be closed was less aesthetic and more for safety purposes in trying to get in and get out as quickly as possible and be able to highlight an area he had come to love over the past decade and try to show it off to a wider audience. This was the first big step for them and hoped the community, which had been supportive in the past, would continue to be supportive and hoped to stay in town to grow their business.

Vice Mayor Chestnut said this was a great project. The bagging of the meters 24 hours prior did become more problematic because it took Sunday afternoon out on that block as far as parking. He recognized that August 4th was not when all the students returned, but was 4 days after a lot of those students moved in because their leases started on August 1. He thought there would be an increase in the amount of activity on the weekend. He asked what the logistical difficulty would be in bagging the meters at 5:00 p.m. versus 6:00 a.m.

Douglass said logistically, it was not any more difficult for the City. In many cases, the City typically asked the applicant to put out the meter bags and take the bags down. He said staff recommended putting up additional signage. He said the City's legal staff could draft a short notice giving that language to the applicant and the applicant could put up a few small signs every few meters, a few days in advance, saying the closing would happen. Since this was not part of the City's normal practice of bagging the meters 24 hours in advance, staff would like to give extra notice to the public.

Commissioner Amyx said he appreciated the work that Herd had done for this community. One issue noted by Vice Mayor Chestnut was that this was a critical time for downtown businesses because students were returning and would be buying goods and

services. He said the work that had been done in the downtown area over the last five years made it tough for some downtown businesses.

Another concern to take into consideration was handicapped parking in front of those businesses because some of those businesses did not have a back door entry way. He said it was not always fun and games being a business owner in the downtown area.

Commissioner Hack said having been part of a family with a small business in the downtown area, she said it was a constant journey every day and had a lot of concern and admiration for downtown businesses. She said the “pros” outweighed the “cons” on this project. This was a local project, a local company, a local artist, and it gave the City an opportunity to promote its downtown.

She said she agreed with the extraordinary measures to notify the public and would not want to close that block 24 hours in the advance from the time it was needed. She thought it would be appropriate to close the street and bag the meters at the closing of business on August 3rd and begin notification prior to the closing. She said there would be parking behind Vermont, New Hampshire, along with the parking garage. She said she was supportive of the project and thought it would be an exciting project.

Commissioner Highberger said he had some concerns with some of the events of bringing people downtown that involved street closures because it was benefiting people unevenly. He said some of the retailers might not be getting some of the profit from this project, but he supported Herd and this project. He said this was local economic development and it was great to see a local company start in this community and hopefully help that company thrive. He had concerns about the impact of some businesses and supported the Vice Mayor’s suggestion of starting the bagging later on Sunday.

Mayor Dever asked Douglass to describe the feedback from the businesses on the 800 block of Massachusetts.

Douglass said it was limited because only a few business owners contacted him. He had three calls or e-mails with questions, two negative comments from people in the 800 block, and at least one positive response and another positive response on another block. He believed David Corliss, City Manager, might have received phone calls that he was not aware of.

Mayor Dever said he received a couple of phone calls and clearly people were concerned about losing business on a day where people shop. He was not sure how bagging at 5:00 p.m. was going to impact the effectiveness of clearing the street, but anything the Commission could do to protect business owners up to 5:00 p.m. Sunday, would be in the best interest of the shop keepers and store owners and also in return, the business owners were giving up that space on Monday. He was not sure that would impact substantially, the production value or how much time it took to clear the cars, but thought it was asking too much for 24 hours in advance.

The film industry in Lawrence needed to continue to grow and would like to keep it in town. He thought this City had a lot to offer with a lot of talent and beautiful places and would like them captured on film. He thought it would be great advertising for people who did have shops on that street and would be in favor of this request with amending the request to 5:00 p.m. bagging.

Douglass said the applicant raised the question of being rained out on Monday and if the applicant could delay the project one day and the City Manager could administratively approve it. Another option would be to ask the applicant to come back and set a new date to go through the process again. He did not know if it worked with the applicant or not to go back through the process.

Commissioner Amyx said staff should talk to the businesses owners because they might need to make adjustments in the number of employees on staff that day.

Commissioner Highberger said he felt comfortable authorizing the City Manager to administratively approve a different day rather than force the applicant to come back.

Commissioner Hack said she agreed.

Moved by Hack, seconded by Chestnut, to approve a use of right-of-way permit for Earthwork, LLC, to close the 800 block of Massachusetts Street to parking and traffic from 6:00 a.m. to midnight on Monday, August 4, and the use of six parking spaces on each side of the street immediately north of 8th and Massachusetts for the same time period; authorized the City Manager to administratively approve a one day extension in the event of rain on August 4th; and approved, as signs of community interest, a request to place signs in the right-of-way of the 800 block of Massachusetts Street on August 4, 2008, notifying pedestrians that filming is underway on the block. Aye: Chestnut, Dever, Hack, Highberger. Nay: Amyx. Motion carried.

(16)

Receive staff report regarding the 2009 budget.

Cynthia Boecker, Assistant City Manager, presented the staff report. She said over the last several months, staff had worked with the City Commission on development of the budget. The recommended budget totaled \$146.3 million. The general fund expenditure budget totaled \$66.5 million. It included an increase of nearly a quarter million dollars over the 2008 cut back budget to acknowledge increases in energy costs. As previously discussed, the budget included about \$3.9 million in reductions from staff's original request for 2009 expenditures, which included the elimination of 15 currently vacant positions, deferral of equipment replacement including fire apparatus and vehicles throughout the fleet as recommended by the Fleet Manager, contingencies for weather related events in the Public Works budget have been eliminated, and transfers from the General Fund to various other funds including workers compensation, equipment capital, and liability reserve funds have been reduced in order to meet expenditures from projected revenues.

The recommended budget included \$880,000 in employee compensation in the General Fund. It did not add new staff, however if they City Commission decided to expand the residential rental inspection program, staff would be added with increased revenues for that program.

The budget included about \$3.7 million in sales tax revenues and a transfer of the Transit mill levy to the General Fund as well as Bond and Interest fund and resulted in a net decrease to the mill levy of .099 mills. The budget included recommended increases of 4% to solid waste rates and an overall increase of utility rates of 5%.

She said at the July 14th study session, Commissioner Highberger requested additional information regarding the mill levy. There were two scenarios included in the agenda materials. The first scenario illustrated what information would be published for notification of public hearing for the budget under the City Manager's recommended budget. It included a total mill levy of 26.688 mills, which represented a reduction of .099 mills from the 2008 levy.

The second scenario included mill increase or the transit mill full support for the transit system of 2.52 mills and resulted in an overall total mill of 29.28 mills. That reflected an increase in the mill levy of 2.421 mills.

In order to comply with statutory requirements, a certified copy of the budget must be presented to the County Clerk by August 25th in order to meet those guidelines, they must have a public hearing and post notice of the public hearing. At this time, staff was anticipating August 12th for the public hearing. Staff needed authorization from the City Commission to publish the recommended budget, the document that set the upper limits of the mill levy. Once the summary document was published, neither the budget nor the mill levy could go up.

Mayor Dever called for public comment.

James Canaday, Lawrence, said he was an officer with the Douglas County Area Chapter of the National Federation of the Blind. He was present to speak on behalf of the members of their chapter. For their chapter, blind meant no vision or low vision. Their chapter

met each month and had been active in this community for two years. He said they were trying to change what it meant to be blind.

He said he was a paratransit user, but most of the people who they knew that were blind use the fixed route as well as the paratransit. He said among blind people in the United States, 70% of them were unemployed or underemployed. Frequently, transportation was a barrier that made it happen. The paratransit was useful, but not necessarily that effective as a means for daily transport to make employment happen. Some of the blind in the community also used fixed route for their employment. That was an important role that it served. It was not just serving people who they might consider without handicapping conditions. It was serving people who were blind. He said they use the transit system frequently and use it beyond work; shopping, medical, family and other needs.

He said in their discussion, they were asking the City Commission to save the fixed route and consider the needs of the paratransit. They noted that when the T began it had a dedicated mill levy and that he saw was reverted to the general budget and now they were looking to a sales tax. He realized the chances of this were unlikely, but asked the City Commission to return the transit mill that originally went to the T from its beginning and put it back to funding the T. Otherwise, they would support sales tax for support of the T.

There were many efficiencies and economies that needed to be done to make the T, especially the fixed route, more effective, but also the paratransit. Many of them did not need the big scale lift equipment bus in fact a small four door bus could serve equally well.

He said to come to the City Commission using the paratransit, it cost \$2.00. Right now, the T stopped service at 8 p.m. so he could perhaps catch a ride, but needed a plan to take a taxi home. To come to a meeting like this, he needed \$11.00. Right now, the way the T was structured, it prevented people from coming to this meeting as well as many other activities in Lawrence by stopping early. He hoped that they in the National Federation of the Blind in the

Douglas County Area Chapter could help work with the City Commission in maintaining the fixed route and paratransit systems.

David Pentlin, Chair of the City of Lawrence Employee Relations Council, said he was going to talk about the longevity pay reduction. City employees appreciated the longevity pay they received in the past and always thought it was a great addition to the benefits package. Staff knew it was not written in the package, but appreciated it. He said staff felt like a decrease would hurt the morale of the City employees, the long term and new employees. He said for the gratifying service they did for the public, staff felt they deserved a reward for the years spent and the service they provided. He said he would like the City Commission to take his comments into consideration when the Commission came up with their final decision on the budget proposal for 2009.

Sara Casad, Lawrence, said she was part of the Citizens for Public Transportation several years ago. She joined toward the end of the long effort it took to get the T, which were three or four years before it happened. They were proud of this system from the beginning bare bones transportation system. It was one of the reasons why Lawrence was considered a highly livable City. If the City of Lawrence could not afford to keep its bus system, which she considered a normal, basic, urban service, then taxes should be raised, but not a sales tax. She said the Commission needed to go back to the drawing board and look at another form of taxation or restore the mill levy for public transportation. Another form of taxation could be a City earnings tax for people who earn a comfortable living over "X" amount to pay a small percentage of that to support the public bus system.

Lynate Pettengill, Lawrence, said she was a frequent T rider, along with her husband and 13 year old son. She said they were T riders by choice for a number of reasons. She would be extremely disappointed if the Commission chose to limit the T, which was what the Commission was essentially doing by choosing not to fund this budget item. If they had to cut services to meet the budget, she challenged them to look at services that were non essential,

such as the golf course which was heavily subsidized by the City or look at creative ways to finance this program, such as extra fees in parking tickets, speeding tickets, or some other creative solution. The Commission could find some way to make this work. Lawrence was a great City who took care of their own people. The Commission should not walk away from those in need.

Mike McAtee, Chairman of the Lawrence Police Officers Association, said they were very fortunate to live in the City of Lawrence. Lawrence was a great diverse community just with the people in the City Commission room. He said they would here all types of values and theories on ways the government should run which gave them strength. What also gave them strength were the employees that provided the services so those people could come tonight and express their opinions.

The City Manager gave staff a charge, and the charge was staff would maintain services even though his proposed budget would reduce individuals that would be producing services, reduce the equipment staff was given to do their jobs correctly, and reduce the amount of technologies and equipment needed to do their jobs properly. Staff believed funding longevity at half or at \$2.00 a month times five years of service was wrong and should be looked at hard. He said this board, several years ago, made it so they had four different employee groups. They were all being represented tonight and should send a strong message to the City Commissioners.

He said 30 years ago longevity started to be paid and the City had a history of paying longevity to police and fire fighters to reward hard working, dedicated employees. That benefit had been extended to other city employees and had been funded and paid for the last 30 years. In 1977, longevity was paid at \$2.75 per month. Last year, the City Commission funded and paid them at \$4.00. They believed that to be an excellent benefit and thanked the Commission for that benefit. Currently for the 2008 budget it was set for \$4.00. Staff did not believe the

economy of this City and the work of the City Commission was going to justify turning back the history of 30 years at \$2.00 a month.

He said budgeting was not an exact science and examples of that were occurring right now. None of them in the room would have known that the University of Kansas would have won a national championship or did not know they would have the best football season in the history of the school. The City's sales tax revenues were up. He said longevity was based upon a guess. Staff was asking the City Commission to take the opportunity to give the employees to look for the money to be paid in December 2009.

He knew a lot of people were concerned about City employees receiving a check for just being here, but believed staff had all received kudos from the citizens in reference to the services provided. The City survey said they were 10% above the national averages when people consider what staff did for the citizens of Lawrence.

Personally, from the Police Department, staff felt the statistic of 96% of the citizens felt safe in their house today showed the Police Department was performing at a level that deserved to be compensated. The US News and World Report stated Lawrence was a great place to retire and the fact that City employees were providing services should be taken into consideration. Recruitment, retirement and reliability, longevity was part of that program. Their members work 24 hours a day, 7 days a week, and 365 days a year to provide those services. He said staff would like the opportunity to earn longevity. He said the City Commissioners worked tirelessly for City staff, but this was an important issue to their membership and to the citizens of Lawrence.

Brandon Holloman, Vice President, International Association of Firefighters, Local 1596, said he was representing the 119 firefighters and their families. He was going to speak on the longevity pay and proposed reduction of longevity pay. Longevity pay had been funded for 30 years now and in those 30 years, the City had seen some tough economic times. Right now, times were no different from those times. Somehow, during those tough years, the City found a

way not only to budget for, but also to fund longevity pay for its employees. It was a common benefit in state, city, and federal governments to reward the knowledge on the years on the job. Their firefighters worked 24/7, 365 days a year and all anyone had to do to receive their services would be to call 911 and they would be there in five minutes to help out.

According to the latest Citizens' Satisfaction Survey, they did this 90% of the time, exactly how the citizens expect it. It was 10% higher than the national average and every time they answered an alarm they had to get it right. It was why tenure/longevity was important. Experience and practical knowledge equaled longevity, and longevity needed to be rewarded not only to retain and attract employees, but also needed to compensate tenured employees their value to the City. They were not asking to fund longevity pay right now, it had always been the discretion of the City Commission at the end of the year if the funds were available. They were only asking to budget the \$4.00 per month longevity pay versus the \$2.00 a month longevity pay, which was less than the 1977 amount of \$2.75 per month.

In 17 months if the money was not available, the City Commission had the discretion not to fund longevity fully. He said they fully supported the LPOA with the issue of longevity and believed that if the City did not budget longevity at the full amount, then the IAFF would also be at impasse next week. Longevity was a very important benefit to the employees of the City and appreciated the consideration to reward those employees for all their years of experience and knowledge gained to better serve the citizens of Lawrence.

Vashti Winterburg, Lawrence, spoke in support of the Transit system. She said she was an original member of the Citizens for Public Transportation when the citizens voted for the mill levy. She said she resented greatly the City decided to suck up that mill levy for other purposes and now the City was faced with having to support a sales tax, which was regressive. She said her personal feeling was not matter what happened at the election, she would fully support going back and proposing a new mill levy for the bus system and that this had been designed to

basically rid the City of the bus system. The City was using the tax system to get rid of the tax system.

She said apparently the bus system was 100% of their transportation for emergency preparedness and there was no other alternative in the emergency preparedness plans. If they had an emergency in Lawrence that they needed transportation, it would depend on whether or not they had a bus system.

She said the City Commission was being short sighted given they were on the border line of not being able to satisfy pollution controls and that it would be considerably cheaper down the road if they passed that threshold to have that bus system in place they could fall back on and rely upon to try to manage their pollution control issues. She was a homeowner and gladly voted for the mill levy seven years ago. She would vote for a sales tax to support the bus system. Her understanding was they had one of the lowest mill levies for property taxes in the State of Kansas and to be a great community it took taxes and she was more than willing to pay for a bus system.

Anthony Durran, Lawrence, said he worked for MV Transportation, said he was there when the T first started and was road supervisor at the time. He left the company to pursue another aspect, but came back. He was a behind the wheel trainer and ran the para-transit side. He said last time he was at the City Commission meeting, he challenged the City Commissioners to put their keys aside and ride the bus for a day. No one took him up on that challenge. He thought they would have seen the people they were hurting. The cost of fuel right now, supporting a family was very high. He could barely make ends meet himself. If he did not have to drive to work to get the bus to pick people up in the morning, he would ride the bus himself.

He said he stood before the City Commission not as a T employee, or an individual whose career and livelihood was at stake by the Commission's decision, but as a person who saw the people who needed the service such as single mothers, students trying to get to school,

people getting to work, the elderly and handicapped. He said he treated those people with the utmost respect because he knew he was their only contact sometimes. If the Commission took the T away, they would take away those people's touch to the outside world.

He said this system was important and it was needed now and would be needed in the future. If gas prices kept growing, there was no other alternative for people in Lawrence. They could not afford the fuel and could not get to work. If they could not get to work, unemployment would rise and social services would be swamped. He used to believe that Lawrence was a great place to live, but every year he had to come up to the City Commission and say over and over how necessary the T system was. The City needed to get a plan together and a plan for the future. Not just a plan to cut taxes for a new business to come into town. He asked what good was it to have a new business if employees could not get to the business.

The T was vital to the growth of the City. It was as vital as a new business coming into the City or any old business that was still here. People needed to get to work and needed the transportation. If people could not get around town, they could not spend money and if they could not spend money, the City could not get sales tax.

He said the citizens put the City Commission in charge to make decisions for the City because the citizens trusted the Commission, but right now the trust was waning with a lot of people he had spoken to.

Lance Fahy, Lawrence, said he was in front of the City Commission for the second year in a row and the Commission had heard many of those arguments for two years in a row. He had heard the City Commission for two years in a row how the City was in this position because of the transportation funding and mill levy for those fundings were put into a general fund. He was someone who would lose his job if they took the bus system. This was not just about him, but the increased ridership he saw on the busses each day. He was irritated at the fact that he had to come back and talk about this again. The City Commission knew that it was a vital core service. For anyone leading a community, to tell the citizens that a bus system was not a vital

core service lacked the insight it took to lead a community. If they lost the bus system, the consequences would be great upon those that rely on that system, but there would be a snowball effect that would affect the entire economy. One the Commission had not thought about clearly enough. He asked the Commission not to pass the budget until finding a way to fund the T for 2009. If they were going to do a sales tax initiative, they had to have a back up plan for if it failed. Failure to do so would have greater consequences than any of them have thought. He would not be surprised if a full investigation would be done into the budget use practices of the City leaders over the past few years if this occurred. He thought it would be very bad politically for each of the Commissioners.

Laura Routh, Lawrence, said as an environmentalist, she believed that funding for public transportation must be a top priority for the City of Lawrence. This City had committed to seek reduction in greenhouse gas emissions. Public transportation was a quantifiable cost effective way to reduce greenhouse gasses. She said as a taxpayer and citizen, she asked why the subsidy for public transportation being targeted for elimination in such a disingenuous way. The proposed sales tax structure referendum was wrong. It was an over attack on public transportation and an attack on the poor. She said the City subsidized road building, development, public works infrastructure, library, pools, parks and did not take a public vote on those and asked why the bus system was being held to a different standard. She said public projects rarely serve everyone. There were many areas of Lawrence that she never visited, yet the City built and maintained infrastructure parks and roads for people who did. Similarly, she did not have kids, but paid taxes to support Lawrence's schools. She said a well educated citizenry benefited the community and felt the same with public transportation because it was a necessary core service and was a community good. The T offered myriad benefits, helped take cares off congested roads, allowed young people, the disabled, the elderly and the working poor mobility. The City's analysis of this issue was lacking because they did not measure the benefits of the T, such as reduction in traffic, pollution and wear to roads. Instead of looking solely the

costs, they need to look at the benefits. She said by eliminating public transportation, the Commission was endorsing pollution, gridlock, traffic, sprawl, and unemployment. They could not effectively engage in economic development if they did not offer working people a cost effective way of getting to their jobs. She said if they wanted to bring jobs to this community and keep people working and living in Lawrence, they needed to support public transportation.

If the Commission was looking at ways to pair the City's budget there were a number of line items that she suggested were far less worthy of subsidy than public transport. She encouraged the City Commission to eliminate funding for the golf course whose debt service payments were currently paid through sales tax. Also, eliminate an optional renovation of the Police Department's 15th Street location and construction of the new police evidence building. She said they could also eliminate the new tennis facility and multiple proposed improvements to the municipal airport. She said the proposed sales tax referendum on the T was a terrible, cynical, cowardly idea. The City Commission had a responsibility to manifest leadership with foresight and planning. The City needed leadership that benefitted a community as a whole. If the City Commission allowed the T to go down as a result of this ill advised public vote, history would judge the City Commission's actions harshly. Gas was over \$4 a gallon, people were struggling and this proposed budget was wrong. Eliminating the T meant Lawrence would take a giant step backwards just at the moment in history when the City needed a step forward desperately. The City needed to invest in improvement of the City's transit system. She asked the Commission not to abandon the T.

Dennis Constance, Lawrence, said he was a member of Grassroots Action. He was in support of fully funding the T from the property tax mill levy because it was more stable revenue than sales tax and more so in hard times.

He said when times get harder more people might become dependent on the T in which case the system needed to be physically healthy enough to be able to respond and many people depended on the T right now. The T was a core service and even non-riders benefit

because the T was how people got to and from their jobs, jobs that helped drive the local economy. The T got members of the public around the community to spend money.

At the "Save the T" meeting last night, a lot of ideas were expressed to help the T be better and more reliable. Those ideas needed an opportunity to be worked on and in passing a budget cap tonight, he asked the City Commission to keep those options open by setting limits high enough that it would be possible. He said it was a restoration of cuts made before and would be at a better spot in terms of other first class cities in Kansas in terms of the City's tax burden. He said they were asking the City Commission not to jeopardize the T with the sales tax only funding option that might not even keep the T alive.

Lisa Rinke, Lawrence, said she was in support of the T. She owned her own car, but chose to use the bus. She said she attended the "Save the T" meeting and took some figures down as far as what it would take to operate the bus system according to the Director. He said the Director said it was \$3.3 million to operate the bus system and 70% of the cost was for personnel which was \$2.3 million in jobs for people to obtain in the City of Lawrence. Federal funding was 44%, County funds 12%, which was almost 60% that was not funded in the City of Lawrence. If they did not do the bus system, they would lose the funding and it would go somewhere else. She said it was a win-win situation to keep the T on the budget line instead of striking it completely out of the budget.

Richard Heckler, Lawrence, said he was in support of the T. Lawrence was a first class City that needed transportation. He said public transportation provided independence and freedom because it got people to work, the doctor and grocery stores. He said removing public transportation from a first class city was not acceptable or physically prudent because the primary reason for public transportation was it contributed to economic growth. He said he supported restoration of the mill levy that was introduced at the inception of the T. He would be accepting of the 2.5 mill levy that was introduced in a memorandum. In addition, he suggested adding a \$5.00 transportation fee to parking tickets and \$10.00 fee to speeding tickets.

Kirk McClure, Lawrence, said he was in support of funding the T. He said he wanted to make three quick points, the balance of the burden between property tax and sales tax, the stability of the tax base between property tax and sales tax, and the comparability of the community compared to other communities. He said right now the City was confronting a choice which was, would the City fund the T with property taxes or sales taxes. There had been much made that the rate of increase in the property taxes had brought the property taxes out of balance with sales taxes. He checked the numbers and the numbers were almost exactly in balance and there was not a compelling argument for sales tax versus property tax.

Regarding stability of the tax base, everyone knew it was hard to argue the property tax base was stable, it was front page news in every paper across the United States, but they also knew that was an aberration because looking back at the last ten years, fairly consistent growth of the property tax base had been seen. The sales tax base had gone up and down, in fact, part of the problem the City was facing as a community was the City made unrealistic expectations with regard to the growth of the sales tax base and that was what led the City to a 3 mill levy reduction in the property tax base a City Commission ago. In fact they were talking about a need to restore that tax base. In terms of stability, the City would be in much better shape funding a basic public utility like transportation with the property tax base from those things that were more fundable through things like the sales tax.

Finally, much had been made about the comparability of Lawrence Kansas and its tax burden to other first class cities. The property tax burden in Lawrence was below average for first class cities in Kansas, last year. However, the City knew they were looking at something like a 2.5 mill increase to bring funding to the T and a couple of mills or more from the County and a couple of mills from the school district and nobody was happy about situations like that, but remember the tax base had stayed flat and the out of pocket burden would not rise as much as it would have, had that base risen. In fact even with that 6 plus mill levy increase, Lawrence, Kansas would be right in the middle of the pack of first class cities, especially those cities in

northeast Kansas with whom the City had its greatest competition. The sales tax rate was not that way, the City was at 7.3 percent and if adding both the sales tax levy for the transportation and for the public improvements, it would take the City, not to the absolute highest sales tax rate in Kansas, but right up in the top tier. He said that suggested strongly that the City should restore the possibly ill conceived property tax levy cut that the City made a few years ago, bring in that 2 to 2.5 mill levy to fund the transit and avoid the uncertainty of funding transit out of sales tax.

Saunny Scott, Lawrence, said she was in support of restoring the mill levy to fund the T. She said if the City would have kept the mill levy as it was, the City would now have longer service, more routes, and a lot of the amenities the City should have after 7 years. She said it was time to restore the full 3 mill levy and let the system grow. The T was an essential service.

Mary Rosenthal, Lawrence, said she was in support of funding of the T. She was part of the population that was getting older and looked forward to living the rest of her life in Lawrence. If the bus system died when she had to quit driving, she would have to rethink that whole thing and she was not alone. She said the T was a public service that belonged in a first class city.

Janet Parker, Lawrence, said she was in support of funding the T through the mill levy. The T and public transportation was a core, essential service for the citizens of Lawrence. She was the Co-Vice-Chair on the Commission for Homeless Concerns, the grant writer for the Lawrence Community Interfaith Initiative that served 156 religious and faith organizations in Lawrence, as a member of the American Physicians and Surgeons Association, and as a person that was trained in disaster and emergency response. If the City were to have an emergency or disaster, the T would be an essential service to bring supplies and evacuation.

Joe Douglas, Lawrence, said he was in support of funding the T through the mill levy. He was a psychiatrist that worked at Bert Nash and many of their clients were medically indigent. Many of their clients had jobs and worked hard, but did not earn enough money to purchase medical insurance or earn enough to support a car. They depended on the T to get to

appointments at Bert Nash, to the health clinic, hospital, Healthcare Access, to their jobs, and many did not have a viable alternative. Some of those people were just getting their lives together after the chaos of drug abuse or homelessness, and mental illness. He said losing transportation would mean losing their jobs and risking all that those clients had gained. He saw public transportation as an essential service as in any modern city and would become much more important in the future. He said he could easily imagine the cost of gasoline rising dramatically from the levels they had today and even more of a problem for some people was it seemed that oil producing companies, at some point, would cut off the supply of oil for political reasons and at that point, there were a lot of people who would need transportation. He hoped in the future, the residents of Lawrence would look back and give thanks that the City was far sighted enough to make the type of sacrifices and show the type of ingenuity needed to preserve the bus system. He did not believe that presenting the bus system and street repair as separate sales tax options was a wise or fair plan. He supported funding the T through property taxes and as a property owner he was more than willing to pay a little more to support a very important institution.

Mike Caron, Lawrence, said the double sales tax was clearly intended to keep the City Commission's hands clean in killing off the T. He said for the last 20 years he had worked around inmates and for the last 8 years he had been in Lawrence. The overwhelming amount of individuals they had in their facility came from Lawrence, came back to Lawrence, and many of those individuals were not successful in reintegrating into the community and leading law abiding lives. Most of his time, at that facility, had been in trying to figure out how they could address that to make the community safer and make all of them be able to invest their money more appropriately to make the community safer. He said when looking at the barriers for people who wanted to get their lives together; one of the biggest barriers was transportation. When inmates got out, most did not have licenses, cars, and all kinds of court ordered responsibilities, debts they had to pay, and no where to go.

Barbara Starrett, Lawrence, said she was in favor of continued support of the T. She said as the City Commission considered the budget, they needed to consider the legacy they would be leaving if the Commission demised something this community needed. It was stated that transportation would be a barrier if it was not given to a number of people and she did not think anyone would function very well without their vehicles. She said there were citizens in the community that had no other choice and the T was their means of independence. As a property owner, she would be willing to pay a higher mill levy because sales tax hurt more people than it helped. She said the City Commission should think about expanding services to the T.

Joe Patterson, Lawrence, said he was not for eliminating the T, but thought the City went too far too fast when the T was first introduced with too big of busses and too much expense. He said no one had addressed the low ridership on the T. He had a bus that went by his house and watched it quite frequently and would say 90% of the time no one was on the bus. He said the bus system needed to be restructured with smaller buses with more routing. He said whoever was dead set on roundabouts, he suggested taking that quarter and a half million dollars per roundabout that did not do anything for traffic control and put it toward other project that would do some good.

Diane McGovern, Lawrence, said spoke in favor of funding for the T. The T was about allowing those to have the same ability to be able to get across town as those people with vehicles.

Linda O'Donnell, Lawrence and Douglas County Advocacy Council on Aging, said they submitted a two page recommendation in support of funding the T. She said she wanted to emphasize the needs of the elder population. It was a population that was large and had resources in the community that lived here over their whole lifetime and others who came in as older people to take advantage of the City. The elderly could not take advantage of the range of services in addition to medical services and work unless they could get to those services. This was a population, in many cases, that lost the opportunity to drive and have licenses.

She said they were requesting that if the City Commission put forward a sales tax and it went down and voters did not support it, it meant the end of the public transit system and urged the City Commission not to put that forward as a model and instead design a backup plan so if they did have the sales tax and it failed, they had a way to secure the continuation of the transit system.

Tom Kearn, Lawrence, said he was the Safety Manager with the transit system for three years. He said he was hearing people talk about the empty busses and it got under his skin. He said there were over 400,000 rider ships in the last three years. Johnson County had just now beaten that 400,000 ridership because of the K-10 connector. He said a lot of people depended on the T to ride back and forth to work. If shutting down the T, over 50 people would lose their jobs. If they had people to back the T and give them an opportunity, the T could grow and become a better system than it was now.

Madham Dural said he was not a citizen of this country, but spoke in favor of the T. He was from India and finished his undergraduate degree with much difficulty and went on the internet to pursue his master's degree. What he loved about the University of Kansas was the T. It was easy for him and other international students to get on the T and meet people and be able to get their essentials.

Kelly Nightengale, Lawrence, encouraged the Commission to use the mill levy to support the T. She said the current structure without any public transportation created a structure of discrimination. It was important the City use taxes to offset the structure so there was a level playing field for everyone to access recreation, employment and other services in the community.

Delores Tolar, Lawrence, said she was in support of funding for the T and restore the original mill levy toward the T. She said her ancestors came from Ohio to Lawrence in 1856 and had to stop and raise crops and had to think ahead and plan. She did not see that common sense reality planning in the city, state or nation. She said the T problem called to attention

that there was a deficient bureaucracy with City Hall and the way it was ran. She said City Hall was setup the way it was in the old days, but this was not the old days. She said three weeks ago she suggested the City Commission should hire some national management expertise, but obviously that had not happened. She said the citizens needed to form a voluntary Citizen Council to give the City Commission help and she was going to call in a national citizen organization and management to help.

Derrick Meier, Lawrence, said he was the Transportation Coordinator for the University of Kansas. He said he understood there were advantages of both sales tax and property tax, but after analyzing the sales tax proposed that 0.2 percent by the City Manager in the upcoming budget, by staff's projects done by Cliff Galante, the Public Transit Administrator, that the proposed budget with the zero percent property tax revenue and the two tenths in sales tax would not fully fund the T to the status quo level that was previously funded this year and years past, far enough into the future to be sustainable. The proposed sales tax did not address any capital needs and currently there were about \$2 million obligated for new busses that were from outside funding sources which was about 7 buses out of the 12 of the fleet that were at the end of the busses service life and needed replaced. Considering the talks about combining services with the University of Kansas, it was risky as a student to proceed forward with a merger plan if the City could not meet status quo service because the City had to use operating revenue to replace capital revenue. He said his main concern was the proposed sales tax was not enough money to meet the status quo of the level of service the T had provide this past year.

John Woods, Lawrence, said he was a University of Kansas employee and made Lawrence his home for the past 30 years. He said he wanted to shed some light on the myth that nobody rides the T. He said every time he rode the T during the morning rush and every time he went home the T was more than half full. On top of that, people got on and off the bus at certain points. He said if people saw an empty bus, it was probably at a time on the route when it was empty. He said the City Commission should restore the mill levy to support the T.

Mayor Dever said there were two specific items discussed which were longevity and the transit system. He suggested the City Commission should address the items separately, starting with the ability to change the structure of longevity pay.

Commissioner Highberger said the way he understood the proposal was they budgeted for the longevity pay now but it would not be decided until the end of next year. He said they could either increase the published mill levy or decrease one of the fund balances and make that decision.

Cynthia Boecker, Assistant City Manager, said the amount that would be included as longevity was viewed as a Commission discretionary item and would be reviewed toward the end of the year. The \$880,000 included the idea of half funding for the longevity program. The decision by the City Commission would be made next year toward the end of the year.

Commissioner Highberger said another option would be to leave longevity the way it was and if the sales tax miraculously recovered, make a budget amendment at that time.

Boecker said if the sales taxes increased, the City only had a level of expenditures indicated through the City's total budget and the City Commission would have the option to amend the budget.

Commissioner Hack asked McAtee if the LPOA was asking for the opportunity to fully fund longevity at the end of 2009 if the funding was available.

McAtee said the LPOA was asking the City Commission to budget longevity at \$4.00. He said their current Memorandum of Understanding for longevity was paid at \$4.00. If the City Commission set the goal at \$4.00, if the money was not available, then staff would not be paid at that level. He said they would be shooting themselves in the foot if only setting the bar at the \$2.00 level and not to strive to get at the \$4.00 level, if setting the bar higher, they believed there would be monies available to fund full longevity for all City employees.

Commissioner Amyx asked if the additional \$130,000 would cost about .052 in additional mill levy.

Boecker said that was correct in the General Fund. The total cost for the longevity program to the General Fund was \$260,000 for full funding. For all funds, it was \$425,000. There was an additional \$165,000 in City supported funds. The .052 was only related to the General Fund.

Vice Mayor Chestnut said regardless of where the Commission determined the budget should be set for longevity, it was an allocation including all total wages and everything else that went into the budget. As progressing through 2009, as McAtee stated, the City did not know where it would be at. He said there would be an opportunity given the fact the wage line would come out differently than budgeted because there were a number of variables, revenue wise and expense wise. Again, regardless of where the City was sitting right now, if it came up and the City had more sales tax than anticipated or the property tax as it was set came out higher, then the Commission would still have the discretion to move forward with the full funding. He said they were setting the maximum levy right now and still had some latitude depending on how they moved into the year.

He said he did not think there had ever been a question from this Commission about the commitment of their city employees across all groups and everything they did for this community and appreciated everything the employees were doing. He read the analysis that McAtee sent from policepay.net, which was an advocacy group for police groups. It was built and predicated upon success in the last five to ten years. Unfortunately, he did not think that would be the forecast in the next two to three. He did not think they would have 5-6% growth in the general fund budget and thought that number would be 0-2%, and maybe even negative. He said personally he hoped they could sit here in 17 months and fund longevity fully. The reason he thought it was prudent to budget the longevity at something less was because he was looking at a situation where there would be difficult economic times, not only in 2009, but also in 2010 and 2011. The City had funded longevity fully, but funded it in 2006 and had a \$3.4 million deficit. The City had moved itself to a point where it had some challenges in making sure there was an

appropriate fund balance and there would be a lot of discussion on what that number should be. He said he was looking at this from a standpoint of looking at whatever opportunity there was and would continue and instructed the City Manager to make sure they were looking at all the expenditures. The City Manager would work hard to manage expenses prudently next year. He thought that it should be noted the Commission was working toward putting a general merit number of 2% across the population that seemed to be consistent. He said it was important to note the Commission was not entertaining was any reduction in force. There were surrounding communities, particularly, Olathe, that took out 21 people. From his standpoint, he wanted to make sure the City was committed to keeping the level of service and also making sure the City had the work force to do keep that level.

He said he wanted to make sure the City had the police academy started to get the force that was needed. He said he hoped they were wrong and hoped that the economy in Lawrence was more robust than what was forecast for next year. He did not want to be caught in the situation where the Commission set an expenditure level where revenues were at a shortfall and even though there was a maximum expense level that they fell into a 2 or 2.5 million deficit. It was not outside the realm of possibilities if the economy started to lag. He said there were increasing health care costs, significant rises in fuel costs and they tried to integrate a lot of cost increases and figure out what could be done to make sure the City compensates City personnel appropriately. He said he would like for the compensation to be more, but given the level of priorities, that was where he felt it would be most reasonable.

He said in going through the proposed City Manager's budget, he looked at the revenue side. He said the City had been caught short in the past and created a deficit in which they took fund balances and spent from those balances which was not a good way to run business unless taking some of the expenditures proposed and eliminating some of those expenditures. He said that was a situation the City got itself into several years ago when making a mill levy decrease

and forgetting to cut expenditures at the same time. He said the Commission was trying to make everyone happy in the process and ended up cutting itself short with money today.

He said in looking at the 2009 budget, he was committed to doing whatever was necessary within the proposed budget to manage revenues and expenditures well and make sure there was some way to fund longevity and making longevity a priority and maximize longevity as best the Commission could. He knew there was no way to make promises 17 months from now because 17 months ago they were unable to predict that gas was going to be \$3.85 a gallon. He said City employees were the backbone of City Hall. He thought it was important to say that each member of the City Commission was supportive of the City employees. He said when looking at the expenditures and revenues of the 2009 budget, he thought it was important to carry out services the best way they could at the best price they could give, and thought that was what they had done.

Commissioner Hack said this is one of the most difficult situations since elected to the Commission. She said the Commission's admiration for the employees was enormous and the high satisfaction level in those City surveys pointed to that admiration. That admiration, love and trust did not pay bills or make City employees feel better about their job. She said if there was any way the Commission could fully fund longevity, they certainly would.

There were communities that were reducing the number of employees to make those numbers match, but that was not the direction any of the Commission wanted to go. She said the City was not filling 15 positions which was a considerable savings, but still would not give the employees their full longevity. She said the direction to the future Commission working at the end of 2009, would be to do whatever it took to fund that longevity in its current state.

Commissioner Highberger said during his time on the Commission, he strongly advocated for good compensation for City employees because they were the people that made the organization work. Day to day city employees was what made it a great City and organization. Unfortunately, this was the worst budget year he had seen since he had been on

the Commission since 2003. In 2003, they were not able to provide a cost of living increase and he still felt bad about it. As Vice Mayor Chestnut pointed out, they were able to avoid lay offs this year and that was much more his preference. At the same time, they were not budgeting for the increase in longevity and were asking staff to work harder and do more. He did not see a way around it this year. He did not expect to be here in 17 months and hoped whoever was on the Commission would have the resources to fund the longevity of \$4.00 per month.

Mayor Dever said there were a lot of moving parts in a \$152 million budget and was talking about less than \$1 million both from the longevity standpoint and compensation standpoint. He wanted to make sure the dedication the City Manager put forth in trying to keep the cost of living in the community down so the community did not continue to rise above the neighboring communities. The hardest part was watching all the moving parts in this process and he looked hard in trying to find ways to save money so the Commission could continue to offer the employees the same level of compensation without any pain. Unfortunately, the economy was in the position right now where the City did not have the money to just find and apply, unless cutting services or people. He hated to turn to the very public that put them in this position and paid the City's salaries and ask for more money so the City could collect more money when the community did not have as much, either. It was a hard position and needed to be pointed out the money found for the wage increases and salary increases for this fiscal year did not come from nowhere, but took it from the transit system and gave it to the employees of this City. That itself was an indication of how difficult it was to find money in this community. He was not happy with that and not supportive of that, but it was what the Commission wanted and needed to do to keep the employees happy and keep them here. There was a sacrifice and was ironic that the two issues they were talking about were the T and longevity and they were very well related. He appreciated everything everyone did for the City and he was doing his best to try to find a way to fund this budget and thought the City Manager and staff did a great job in finding that money. Now they needed to be aware of the condition they were in and come

out on the strong side of a stronger budget. The planning did last year allow them to do less and eliminate any cuts this year. He said he apologized the City did not have the money and hoped they could find it to increase the jobs in the community.

Commissioner Highberger said regarding the T, his preference would be to continue to fund the T out of the property tax mill levy. He thought it was a core City service and thought it was more appropriate to do it that way. He said he proposed in the alternative to move toward the sales tax vote but build in a safety net into the budget in case the sales tax did not pass. He said setting it up as a referendum on the bus system was inappropriate. As discussed in the study session, to increase the mill levy at this point and the sales tax passed, because of the timing, they would not be able to lower the mill levy back for 2009. He said in Scenario 3, he proposed adding the 2.52 mill back into the budget as a safety net for the T and move forward with a sales tax vote. If the sales tax vote passes then use the property tax to fund the 12% water rate increase that was proposed in the City budget. He thought there was some discussion for the mechanism in doing that. The details of that were not critical, but he thought the 2.25 mills would generate approximately \$2.168 million and the amount that would be raised by the 12% water rate increase was approximately \$1.4 million. He said the Scenario 3 proposal would be to budget the 2.25 mills if the sales tax vote was successful and amend the budget to remove the 12% increase in water rates and use the balance to minimize the rate increase for 2010.

Commissioner Amyx asked if Commissioner Highberger wanted to do away with the 12% water rate increase.

Commissioner Highberger said he only wanted to do away with the water rate increase if the sales tax vote was successful. He realized it was complicated, but it was the only mechanism he could find to refund that extra money generated by those mills. The second scenario would be to budget 2.52 mills for 2009 and stashing that money in the reserve account

and move toward a significant property tax reduction in 2010. He realized it would make the sales tax a harder sale.

Vice Mayor Chestnut said he first wanted to address the perception that this was a way to eliminate the transit system. He said he utterly rejected that because it was not the basis upon which the proposal came nor did he think it was something anyone ever had in their mind. He said he disagreed with Professor McClure about the balance between property and sales tax. One of the things that was clear was that property tax had grown much more rapidly than sales tax had in the local budget and the fact was it was a higher proportion of what was funding City and County services than what it was five or six years ago. Anyone that owned a house knew their assessed valuation had gone up 6-8% compounded over the last 7-8 years. It was a burden and people talk about property owners and cast those property owners as the people who could afford it. People in the community that he grew up with who now were his parents' age on fixed incomes were telling him they could not afford to live in their house anymore. He did not think they could forget that in this discussion was they were asking for significantly higher tax burden to the core backbone of the community which was the residential property owners in the City of Lawrence. If looking at transit across the country, they would see the majority of them were funded by sales tax. Property tax was not a stable funding mechanism because they could not bind future commissions on the mill levy and proven the fact that they have established a mill levy for transit and took it away. A sales tax was a 10 year commitment that was not inside the City Commission. Once it was passed by the public, it could not be touched and was a consistent revenue source. That was the reason they saw more and more communities going toward a sales tax because they wanted to bind long term revenue that was stable that would grow at a rate anywhere from 2-4% each year. The mechanism was the right one. They were at a point where they bled \$2.5 million out of transit over the last three years and faced a situation last year and this year where the coffers were empty. He thought it was a risk and there was not any doubt there was a risk. He felt like it was the right mechanism and

the merger with KU was the right move to have a much more enhanced transit system. He did not know if they could have a much more enhanced transit system if they could go it alone. He thought their carbon footprint was larger with the current transit system than it would be without. He asked for numbers that he had not gotten, but thought there were some ways to talk about that. In the fixed route system, the numbers have gone down. He said in 2006 to 2007, the City's ridership had gone down about 9 percent. Now year to date, from 2007 to 2008, it was down about 7 percent. He said he realized that fares were a part of that, but it ran counterintuitive to the fact of skyrocketing energy costs and it was interesting in the comments that the service level might not be appropriate. He did not think they could fund that service level as one governing body. He did not think there was enough money to do that which was why he was committed to making this a reality with KU on Wheels. From KU on Wheels standpoint, they also saw the political realities of the City of Lawrence and knew property tax funding could get changed from year to year. They were also interested in the City passing a sales tax because it provided them a partner that had a consistent level of funding for the next 10 years. The other thing they put at risk by switching to a property tax funded level, the City might compromise the Letter of Intent with KU. It created more risk for a partner to come into partnership with the City because they could not bind the future. He said one comment that Commissioner Highberger made was in the ideal world, he would like to think that the mill levy could decrease without a lot of fight. It was harder to take away than to give in this equation. If the mill levy was raised 2.52 mills, there was no binding action they could take as a governing body to drop the mill levy next year. He said there were three seats coming up next April which would be before the next budget cycle. He could not say to the citizens of Lawrence that with any level of certainty that the mill levy would go down for 2010 because he would be 1 of 5. He said they were taking the risk of raising those property taxes and having it be permanent and he was not willing to ask the taxpayers to do it. It compromised their ability to have a sales tax initiative pass in November. He was in support of transit at a much more robust level, but he did

not think they could do that with the existing system and unfortunately the numbers prove that out. He said if taking the number of rides divided by 2 and divide it by the number of days of service, they had on the fixed route system about 550 – 600 people that they serve on a regular basis daily. On paratransit it was around 100 – 125. It was a very expensive system for that level of citizens in the community. It was a very valuable system for that group in the community and thought there was a better way to do it. He wanted to make a commitment to transit, but do it in the sales tax because it would keep politics out of it for a very long time.

He said in Johnson County, even though the City of Leawood had an average household income of \$111,200, so the fact was that most of the Johnson County communities were paying at least 5% of their income in property taxes and Lawrence and Manhattan were over 7% making Lawrence out of balance. He said Lawrence was the best community to live in, but there was some ceiling that could be reached where it became too expensive and people move to other communities because they could not afford it.

He said in summary he supported the sales tax initiative and it needed to be two ballot issues. The recommended budget by the City Manager had been done with a ton of work by staff and it had been incredibly difficult.

He said the City had achieved a lower head count than achieved in 2008. Their City's departments were absorbing significant increases in fuel and other commodities that had been taken and found ways to mitigate. He said next year they would achieve a much closer balance in the budget than in years past which was important for the City's future. He said talking about planning for Lawrence's future, they had to spend what they brought in and could not continue the trend right now or they would have significant problems. He was not only thinking about next year, but also 2010 and in 2010 and he wanted a City budget that had as much money coming in as going out and they needed to do that assuming the City's revenue was going to grow less than 2 percent. He hoped he was wrong, but he was certainly the numbers guy in this group and a conservative. He said he usually tried to make sure that he could be assured there was

money in the account before he wrote the check and he expected to do the same thing with the taxpayer's dollars. He said this recommended budget did that and they needed to look at every opportunity to squeeze down to put in that \$4.00 for that longevity.

Commissioner Hack said she supported the City Manager's recommended budget. She said she wanted to give some comments and take issue with some comments made earlier. She did not think the decision putting the T funding as a sales tax issue was passing the buck. She did not think putting something in front of the public was passing the buck and did not think they made that decision inadvertently or in some cowardice position to do away with public transit. She was supportive of public transit and knew so many people whose lives from a medical and employment standpoint depended on public transportation. She supported public transportation.

She was a member of the City Commission two years ago, four years ago, six years ago, and they took that transit mill levy and moved it. She said she would take the blame in part. That money was moved out of transit and into the general fund because those were good times, things were going well, and the Commission, at that time, did not want to raise property taxes. There were reserves and the Commission essentially robbed Peter to pay Paul. In doing so, that Commission put the current City Commission in a bad position. She said for that she was terribly sorry and they made decisions on what they knew at the time and what they knew at the time was things were going to be okay and knew now they were not. If they believed the T should be sustained, then they should support a sales tax initiative for that because that money was there and could not be touched. The ordinance would say it would be specifically used for the T. She said the editorial indicated that they as a Commission would need to campaign vigorously for the sales tax and were statutorily prohibited from doing so. Commissions could not campaign, but was fully confident of the City of Lawrence and T group would provide the information to the community and the community would support it.

She said the Vice Mayor had such a command of the figures that got them to where they were, but they could look at the property tax mill levy and also needed to look at the value of the property on which the mill levy was being assessed. For every e-mail she received that said they supported the T, she received another e-mail that said do not raise property taxes. They were responding to an awful lot of issues. She said she would support the City Manager's budget and thanked staff, the City Manager, and all the people who worked on the budget. The Vice Mayor had asked a lot of questions that helped clarify information for a lot of them.

Commissioner Amyx thanked staff for putting together a recommended budget that reflects the Commission's priorities. He said this was not an easy process at all. He said the Commission was able to provide the services they believed were truly necessary to the City at this time. He said there were a lot of questions about the water and wastewater funds and the cost of increases and water rates. They had to make decisions on big projects in the wastewater system and those items were not going to be easy decisions because they were going to be about whether or not they were going to have development in the future.

He said he heard comments about the golf course and whether or not the City should pay for the golf course. He said that was an item the City did not have a choice on. There were bond and interest payments, like having a car. If there was a way where someone else could run the golf course and make money, he would do it in a heartbeat but did not see anyone coming forward.

The Commission made decisions, in the past, about changing fees at the swimming pool and those were not easy decisions. The City Commission would make decisions about water intakes, on the Kansas River because both facilities needed to be running which was a core service. Water needed to be provided to everyone that lived in Lawrence along with the outside users of the water system.

He said two years ago he proposed a sales tax and thought that was one of his best ideas. He said in going forward with increase in sales tax questions, one thing to remember

was the Commission was asking the public for an increase in taxes and in this case, was asking for an increase of \$6 million or more on an annual basis. He said they looked at a number of questions and comments and tried to figure out a better way to help run the transportation system.

He said in looking at the idea of two questions on the ballot, it all dealt with transportation, in looking at streets and infrastructure versus a fixed route bus system. They also looked at other things like fire trucks and sidewalks versus paratransit system. He said in putting out both questions one for infrastructure and one for a public transportation system, if the infrastructure question losses, \$5 million would still be spent on streets next year. He said if the transit system did not pass, he asked what the City would do. Rework needed to be done on the transit and paratransit systems and money was needed to make a truly good system. There were discussions of whether there should be smaller or bigger buses and if they could put together a voucher system. He said the only way the Commission could ask the public to get on board was to have one question about public transportation and infrastructure.

Vice Mayor Chestnut said it was his understanding the Commission was going to set the mill levy maximum and two weeks from today, the ballot language. He said based on Commissioner Amyx's comments he might suggest having a two question ballot and also a one question ballot to discuss.

Commissioner Amyx said he would love to say he could support an additional 2.52 mills to have a backup, but he could not do that at this time, but he would support the one question ballot.

Commissioner Highberger said he agreed with the one question ballot and was not excited about the possibility of a 2.52 mill increase this year. He respected all the work that had been done on this budget to cut costs and put the City's expenditures in line with revenues. There were some things about it that did not thrill him, but if there were a safety net with the T he would still support it, but without it, he could not. He did not often agree with the Lawrence

Journal-World editorial page, but thought they were correct. The way the proposal was set up with no mill levy funding in the budget and a separate sales tax vote for the T, they were essentially setting up with a referendum on the public transportation system. It was a core City service and thought it was completely inappropriate to have a referendum on core City services and was a decision that they, as a Commission, needed to make. There was \$1 million in this budget for economic development and asked why that was not a referendum item. There were a number of things they have not taken out and separated as an item for public vote. He said he could not support the City Manager's recommended budget.

Mayor Dever said it boiled down to the definition of core services. He thought part of the problem with what was printed in the paper was sometimes there was a self fulfilling prophecy where by stating negative things and being negative about things, you make them happen. He said he was going to take credit in finding a way to make the transit system better. He said he was going to take responsibility for the concept of asking them to vote because he believed in transit and trying to firm up and make a future for transit, not one that was at the whim of the City Commission or City Commissioners. He thought for someone who was trying to be positive and trying to do something positive for the long term that people infer you want to be negative and wash your hands of the problem and step away and let other people decide. He said that was not the case and dug in and tried to solve the problem, not blame other people. His job today was to try to make sure that people understood they needed to sell the sales tax. They needed to well up all the desires and needed to well up all the desires and ambitions and sell it to the public. That was the hard part. It was easy for him to sit here and make up his mind that everyone was going to spend more money on their house. He said the hard work was you go out, lobby and campaign and earn the right to have a future for the transit system. He campaigned for this job and they should campaign for the future of the transit system and not just wait for the City Commission to say yes and three other Commissioners come next year and decide to take it away again. Last year, he was in favor of raising the mill levy to sustain

transit system so they could have a future and have this conversation to come up with a plan and further that plan down the road. He believed in transit for a lot of reasons, but wanted to make sure they firm up the funding for at least 10 years. They needed to reinvent the system and no one had taken a good, hard look at the system in 7 or 8 years. He said Cliff Galante, Transit Administrator, was a tremendous asset to the community, but he needed a mission and the community needed a mission. Without some sort of plea from the public saying what the transit was going to look like, it was going to stay the same and they would talk about how they needed more service and would cost more in the future. He was trying to make change toward the transit system so they could have the things they wanted and fund it in the fashion to help people. Without proper funding, they could not do those things. He knew that many people thought this was shirking their responsibility. It was easy for him to sit there and make a decision to tax, but it was harder to ask the public and go out and sell it. In his opinion, they would need to sell the community on the need of the public transportation system. He asked what was wrong with asking people about the future of the transportation system when they were going to be at the polls anyway. He had a vested interest in the public transportation system and thought it was important they follow through with it. He thought the public needed a voice and this should be presented to them. Anything short of some sort of mandate or public incentive to change the route, nothing would be done to the T system. He said they also needed to reduce emissions and their carbon footprint. He said a sales tax initiative was a more convincing argument for this community. He said he was not interested in trying to raise the mill levy and the sales tax because it would not allow the community to pass the sales tax if taxing people at the mill levy level and sales tax level. He said the community needed a plan if it failed, but he wanted to focus on the fact that it would pass and also convenience people they would do the hard work to make it better and more efficient.

He said it was mentioned that if the City budgeted 5 million dollars on taxes for infrastructure, the City would still spend the 5 million dollars, but it was not mentioned that if the bus failed, would the City still spend the 2.5 million dollars to keep it going.

Commissioner Highberger said if the budget passed the way it was, there was no plan B if the sales tax failed. He appreciated the work on the KU merger, but the Commission heard tonight from the KU student representative that the 0.2 percent sales tax funding level was probably not enough to meet their obligations under the memorandum of understanding they were negotiating. One of the issues about sales tax was they were permanently locking themselves into a level of funding that was inadequate.

Vice Mayor Chestnut said he was not sure he agreed with that speaker's conclusion.

Mayor Dever said he was not sure that speaker was authorized to speak on their behalf, but he respected what Commissioner Highberger stated. He said it was a concern and he would send a letter to find out what that was all about, but it was the first he heard of that tonight.

Commissioner Highberger said it was his understanding the 0.2 percent did not take into account the City's capital needs.

Vice Mayor Chestnut said he thought the statement the KU Representative was making was that in 2 or 3 years the funding mechanism might not fund the status quo, but it got back to a point the Mayor made which was they continued to focus on the status quo. He said again, with the ridership numbers being down, it was pretty obvious the status quo was not addressing the need, but it was costing a lot of money. He said this whole idea was to get to a point where they really did create some efficiency with two systems. He hoped it was an adequate source, but he did not know the outcome because of the number of variables. He said when he made that proposal it was somewhere between 15-20 hundredths and that was based on feedback from MV Transportation. He said he was confident that at least in the first couple of years, it would fund that and it would give opportunity to find more efficiency. He said a question needed

to be asked about how much was too much. At some point, this expense had grown significantly faster than the rate of inflation and it needed to be managed inside some parameters. The sales tax did provide that money, a revenue source that people could rely on and it also provided some parameters. He said sometimes necessity was the mother of invention and it was an important focus. He said the Commission needed to follow up on the KU Representatives comment to square those comments up.

Moved by Hack, seconded by Chestnut, to support the City Manager's recommended budget; authorize the publication of the 2009 Budget Summary; and establish August 12, 2008 as the public hearing date. Aye: Amyx, Chestnut, Dever, and Hack. Nay: Highberger. Motion carried. (17)

Public Comment: None

FUTURE AGENDA ITEMS:

- 07/29/08 • No City Commission meeting.
- 08/05/08 • ***This item will be on the consent agenda.*** Bauer Farm Final Plat and Final Development Plan.
- ***This item was deferred from July 17 CC meeting.*** Consider Z-04-09-08, a request to rezone approximately 155 acres from A (Agricultural) to IG (General Industrial). The property is located on the NW Corner of N 1800 Rd & E 900 Rd; I70/K10 Business Park. Submitted by Steven Schwada, agent for Stonewall Farms LLC; JDS Kansas LC; Pert LC; Penny J Tuckel; Axrom LLC; Venture Realty Corporation; Arco Sales Corporation; Venture Properties Inc; Industrial Square Corp; JDSS Limited Company; Radol LC; Tuckel Russell L JR; Northland Ventures LC; and Oread LC, property owners of record. (PC Item 13; approved 6-2 on 6/25/08) ***Because a valid protest petition has been received, a super-majority vote (at least four votes) would be required to approve rezoning.***

ACTION: Approve Z-04-09-08, a request to rezone approximately 155 acres from A (Agricultural) to IG (General Industrial), and authorize staff to draft an ordinance for placement on a future agenda, if appropriate.

- 08/12/08 • Receive presentation regarding Peak Oil from the Sustainability Action Network (requested by Sustainability Advisory Board).
- Public hearing on 2009 Budget, first reading of budget ordinance.

- Consider draft findings of fact that there is no feasible and prudent alternative to granting a demolition permit for the structure located at 1232 Louisiana Street, and whether “all possible planning to minimize harm” has been accomplished for the listed property. In addition, initiation the rezoning of property at 1232 Louisiana to the RM-32 zoning district.

08/19/08

- Consideration of airport industrial park annexation and rezoning items.
- Second reading of budget ordinance
- Consider adopting revised sidewalk dining ordinance and compliance procedures. Staff will meet with interested stakeholders prior to placement of this item on a City Commission agenda.
- TIF & TDD policies

09/16/08

- Receive presentation of results of Recycling Survey.

10/28/08

- Employee Service Awards.

TBD

- Receive staff memo regarding green burials.
- Consider a request for a marked crosswalk together with pedestrian refuge islands on Louisiana Street adjacent to Dakota Street (Considered by the City Commission and referred back to the Traffic Safety Commission on 05/06/08).
- Consider request for changes to the definition of “street vendor” in city code to allow art services and provide for the granting of a street vendor license for said services.
- Consider city laws regarding the keeping of live fowl and domesticated hedgehogs in the city limits.
- ***This item was deferred from June 3, 2008.*** Consider approval of Z-02-07D-08, a request to rezone a tract of land approximately 5.669 acres from UR (Urban Reserve) to CO (Office Commercial). The property is located north of 6th Street between Stoneridge Drive and Queens Road. (PC Item 6D; approved 7-0 on 4/21/08)

ACTION: Approve Z-02-07D-08, a request to rezone approximately 5.669 acres from UR (Urban Reserve) to CO (Office Commercial), and authorize staff to draft ordinance for placement on a future agenda, if appropriate.

- ***This item deferred from June 10, 2008.*** Consider approving CPA-2004-02, a Comprehensive Plan Amendment to Horizon 2020, Chapter 7: Industrial and Employment Related Land Use and consider adopting on first reading, [Ordinance No. 8283](#), for Comprehensive Plan Amendment (CPA-2004-02) to Horizon 2020, Chapter 7. (PC Item 11; approved 7-2 on 5/21/08)

ACTION: Approve CPA-2004-02, amending Horizon 2020, Chapter 7, and adopt on first reading ordinance 8283, if appropriate.

- Consider the following items related to Lawrence SmartCode:

- a) Consider approval of CPA-2007-6, a Comprehensive Plan Amendment to Horizon 2020 by creating Chapter 15 – Place Making to ensure proper comprehensive plan language is in place for the proposed Lawrence SmartCode in the City of Lawrence. (PC Item 13; approved 8-0 on 5/21/08)

ACTION: Approve CPA-2007-6, an amendment to Horizon 2020 by creating Chapter 15 - Place Making, if appropriate.

- b) Consider approval of CPA-2007-7, a Comprehensive Plan Amendment to Horizon 2020, Chapter 14 Specific Plans, to add a reference to the Lawrence SmartCode Infill Plan. (PC Item 14; approved 8-0 on 5/21/08)

ACTION: Approve CPA-2007-7, an amendment to Horizon 2020, Chapter 14 Specific Plans, if appropriate.

- c) Consider adopting Text Amendment TA-11-24-07 regarding the Lawrence SmartCode and, Pursuant to the provisions of K.S.A. Chapter 12, Article 7, enacting a new Chapter 21 of the Code of the City of Lawrence, Kansas, establishing comprehensive zoning regulations and other land use regulations. The “Lawrence SmartCode” is an optional development code that is parallel to the City’s existing zoning and subdivision regulations and affects all property within the corporate limits of the City of Lawrence, Kansas. Copies of the “Lawrence SmartCode” are available for review at the Office of the Lawrence-Douglas County Planning Department, City Hall, 6 E. 6th Street, Lawrence, Kansas. The “Lawrence SmartCode” is also available at www.lawrenceplanning.org. Adopt Ordinance No. 8286 on first reading regarding TA-11-24-07 for the Lawrence SmartCode. (PC Item 15; approved 8-0 on 5/21/08)

ACTION: Approve TA-11-24-07 regarding the Lawrence SmartCode and adopt Ordinance No. 8286, if appropriate.

- Farmer’s Turnpike sector plan.
- Consider approving Text Amendment, TA-03-01-08, to amend Article 4 of the Development Code relating to uses permitted in the GPI District. Initiated by Planning Commission on 3/24/08. (PC Item 4; approved 8-0 on 6/23/08)

ACTION: Approve TA-03-01-08, if appropriate.

- Draft Rural Water District #5 contract – awaiting finalization with RWD and City.

COMMISSION ITEMS:

Commissioner Amyx said serious discussion about the Farmland property and the City's potential involvement in that property was needed and he suggested adding that to a future agenda.

Moved by Hack, seconded by Amyx, to adjourn at 10:05 p.m. p.m. Motion carried unanimously.

APPROVED:

Michael H. Dever, Mayor

ATTEST:

Frank S. Reeb, City Clerk

CITY COMMISSION MEETING OF JULY 22, 2008

1. Bid – Ferric Chloride to Kemira Water Solutions, not to exceed \$40,000.
2. Bid Date – Aug 5, 2008, Senior Center/Fire Medical Station #1 Roof Replacement Project
3. Bid – 3 MSA Gas Detector Units to Danco Systems, Inc. for \$15,233.50.
4. Change Order - \$40,000 to LRM Industries, Inc. for 2008 Overlay & Curb Repair Program, Phase 2.
5. Authorize bidding of speed cushions on 8th & 9th St between Kasold Dr & Lawrence Ave.
6. Supplemental Agreement No. 3 - \$57,700 to current Clinton Water Treatment Plant Expansion Engineering Services Agreement to Black & Veatch.
7. Ordinance No. 8295 – 1st Read, est 20 MPH speed limit on Crescent Rd.
8. Ordinance No. 8291 – 2nd & Final Read, rezone approx 3.04 acres from RS-2 to PRD-1
9. Resolution No. 6776 – Authorize issuance of water & sewer revenue bonds, temporary notes or general obligations bonds for expansion of East Hills Pump Station No. 25.
10. Resolution No. 6778 – Improvements for 6th St ITS Proj & issuance of General Obligation Bonds for max principle amount \$250,000.
11. Installation of mid block trail crossing on Stonecreek Dr S of Thorn Tree Ct.
12. Deny request for Stop Sign at Maple St & 3rd St.
13. Deny request for flashing beacons at intersection of Kasold Dr & Trail Rd.
14. Resolution No. 6777- amending current School Crossing Control Policy
15. City Manager's Report.
16. Request from Earthwork LLC for ROW permit to close 800 blk of Massachusetts St.
17. Staff report regarding 2009 budget.