



City of Lawrence

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CITY COMMISSION

MAYOR
ROBERT CHESTNUT

COMMISSIONERS
MIKE AMYX
ARON CROMWELL
LANCE JOHNSON
MICHAEL DEVER

December 1, 2009

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 Chestnut presiding and members Amyx, Cromwell, Dever, and Johnson present.

RECOGNITION/PROCLAMATION/PRESENTATION: None

CONSENT AGENDA

As part of the consent agenda, **it was moved by Amyx, seconded by Cromwell**, to receive minutes from the Bicycle Advisory Committee meetings of August 18, 2009, September 15, 2009 and October 20, 2009; Hospital Board meeting of October 21, 2009; Human Relations Commission meeting of August 20, 2009; Community Development Advisory Committee meeting of September 24, 2009; and Community Commission on Homelessness meeting of October 13, 2009. Motion carried unanimously.

As part of the consent agenda, **it was moved by Amyx, seconded by Cromwell**, to approve all claims to vendors in the amount of \$496,646.87 and longevity in the amount of \$392,763.75. Motion carried unanimously.

As part of the consent agenda, **it was moved by Amyx, seconded by Cromwell**, to approve the Drinking Establishment Licenses for Latino Si, 508 Locust St.; Club Liberty, 642 Massachusetts; Class B Club Drinking Establishment License for Brandon Woods Club, 1501 Inverness Dr.; the Retail Liquor License for Roy's Wine & Spirits, 721 Wakarusa, #107; and the Taxi Cab License for Ground Transportation Inc., 301 Maple. Motion carried unanimously.



As part of the consent agenda, **it was moved by Amyx, seconded by Cromwell** to concur with the recommendation of the Mayor and appoint Cynthia Colbert and reappoint Susan Cooper and Asra Haq (1st full terms); Robbie Derrit and Baha Safadi, (2nd terms) and, Peter Luckey (3rd term), to the Lawrence Alliance to terms which will expire November 30, 2011; appoint Lori Madaus to the Lawrence Cultural Arts Commission to a term which expires January 31, 2012; and, reappoint Don Penny and Mary Rosenthal to terms which will expire December 31, 2010 and Vern Norwood, Elain Penny, Donna Swall, and Saunny Scott to the Lawrence-Douglas County Advocacy Council on Aging to terms which will expire December 31, 2011 . Motion carried unanimously.

As part of the consent agenda, **it was moved by Amyx, seconded by Cromwell** to set a bid date of December 22, 2009 for the Comprehensive Rehabilitation Program at 2420 Bryce Court, 3507 West 10th Street and 818 Maple Street. Motion carried unanimously. **(1)**

As part of the consent agenda, **it was moved by Amyx, seconded by Cromwell** to authorize the City Manager to execute an Engineering Services Agreement in the amount of \$49,078 with Professional Engineering Consultants (PEC) for Preliminary Engineering Services for Project UT0919CS-General Wastewater Pumping Station Improvements. Motion carried unanimously. **(2)**

The City Commission reviewed the bids for the 2010 Coordinated Printing for the City Manager's Office. The bids were:

VENDOR	TOTAL
Mainline Printing	20,329.00
Printing Solutions	22,718.00
Printing Unlimited	23,885.00
Kingston Printing	31,730.00
Minuteman Press	45,140.05

As part of the consent agenda, **it was moved by Amyx, seconded by Cromwell** to award the bid for the 2010 Coordinated Printing to Mainline Printing in the amount of \$20,329. Motion carried unanimously. **(3)**

As part of the consent agenda, **it was moved by Amyx, seconded by Cromwell** to adopt on first reading, Ordinance No. 8474, for the rezoning (Z-8-16-09) of approximately 11.38 acres located southeast of 31st and Kasold Drive, from RM12 (Multi-Dwelling, Residential) and OS (Open Space) to the floodplain Overlay District. Motion carried unanimously. **(4)**

As part of the consent agenda, **it was moved by Amyx, seconded by Cromwell** to adopt on second and final reading Ordinance No. 8471, annexing (A-8-3-09) approximately 37.05 acres and adjacent right-of-way for Wesleyan Church Development, located southeast of 31st and Kasold Drive. Motion carried unanimously. **(5)**

As part of the consent agenda, **it was moved by Amyx, seconded by Cromwell** to adopt on second and final reading Ordinance No. 8472, rezoning (Z-8-14-09) approximately 32.69 acres, located southeast of 31st and Kasold Drive, from A (Agricultural) to RM12 (Multi-Dwelling Residential). Motion carried unanimously. **(6)**

As part of the consent agenda, **it was moved by Amyx, seconded by Cromwell** to adopt on second and final reading Ordinance No. 8473, rezoning (Z-8-15-09) approximately 4.36 acres, located southeast of 31st and Kasold Drive, from A (Agricultural) and V-C (Valley Channel) to OS (Open Space). Motion carried unanimously. **(7)**

As part of the consent agenda, **it was moved by Amyx, seconded by Cromwell** to accept dedication of easements and rights-of-way for Bauer Farm, a one lot final plat (PF-9-7-09), Phase 3, containing approximately 1.19 acres, located at 4700 Block No. 2, Overland Drive. Motion carried unanimously. **(8)**

As part of the consent agenda, **it was moved by Amyx, seconded by Cromwell** to receive a memo from the Sustainability Advisory Board regarding the audit and evaluation of solid waste diversion strategies and curbside recycling; direct staff to review the memo; and, prepare a report for a January 2010 Commission Meeting. Motion carried unanimously. **(9)**

As part of the consent agenda, **it was moved by Amyx, seconded by Cromwell** to

approve \$36,031 in expenditures to be reclassified from the general fund to the guest tax fund for operating department costs. Motion carried unanimously. (10)

As part of the consent agenda, **it was moved by Amyx, seconded by Cromwell** to authorize the Mayor to sign a Release of Mortgage for Frank and Leora Borrer, 1507 Wedgewood. Motion carried unanimously. (11)

K.T. Walsh, Lawrence, asked for the removal from the consent agenda, for separate discussion, the Lawrence Arts Commission and Historic Resources Commission's recommendation regarding ground markers at 927 New Hampshire.

She said she was in support of the Sons of Union Veterans of the Civil War placing ground markers at 927 New Hampshire, but there were also black recruits that were camped that morning and they did not know if any of those men were killed because of the terrible record keeping at that time. She said when there was discussion of putting up photographic image as part of the display, it would be important that it not be some random soldier, but perhaps a profile of a union soldier so it was not white or black and represented all soldiers who fight. She also liked the idea of getting those monuments out of the lawn and up where people could read those monuments.

Diane Stoddard, Assistant City Manager, said regarding the mural aspect there were concerns when the request was brought to the Cultural Arts Commission and because of those concerns that were also discussed with the HRC, this request did not include the mural aspect, but only the moving of the markers at this time. There was some additional information the Cultural Arts Commission wanted to hear from that group regarding the mural.

Mayor Chestnut said if the mural issue would come before the City Commission at a later date.

Stoddard said correct, if the group wished to pursue that mural issue.

As part of the consent agenda, **it was moved by Dever, seconded by Cromwell** to approve recommendation from the Lawrence Cultural Arts Commission and the Historic

Resources Commission to approve the request from the Sons of Union Veterans of the Civil War to move two existing ground markers and place them above ground on the sidewalk adjacent to the parking garage located at 927 New Hampshire Street. Motion carried unanimously. (12)

CITY MANAGER'S REPORT:

During the City Manager's Report David Corliss said Planning and Development Services sent a letter responding to a complaint filed with HUD regarding the Oread Neighborhood Association (ONA) as a recipient of CDBG funds. The City believed ONA was in compliance and staff considered the matter resolved; and, a public presentation was held regarding the former Farmland Industries property by KDHE and the Farmland Industries Kansas Remediation Trust.

Vice Mayor Amyx said regarding the complaint to HUD, he asked if complaint was closed concerning staff and had nothing to do with what was going to be discussed with the Oread Neighborhood Plan.

Corliss said correct because that was a Planning Commission and eventually, a City Commission issue. (13)

REGULAR AGENDA

Receive staff presentation on 2009/2010 Snow Removal & Ice Control Preparedness.

Mark Thiel, Assistant Director Public Works, presented a summary report regarding snow removal and ice control preparedness. He said typical snowfall for the City of Lawrence was approximately 21 inches with an average of 7 snow events, and staff prepared for the snow months December thorough March. The record snowfall was 21.9 inches in 1985.

Last year, the snowfall was 10.6 inches with 9 events; 2,661 tons of salt consumption; 2,437 tons of sand consumption; \$133,792 man hours; \$68,631 in equipment; \$97,640 in materials; for a total cost of \$300,063.

The City's plan was divided into 5 areas and 16 specific routes that followed priority order from most traveled to least traveled. Snow plowing begins at a snow depth of 3 inches.

He said this year, City and County staff met and came up with a joint use map for those perimeter areas that sometimes became questions as to who did the plowing.

Crews were divided into 2 shifts and worked 12 hour shifts at two operational hubs, 11th and Haskell and Wakarusa Drive.

This year the City would start this season with 4,000 tons of salt; 1,000 tons of sand, 2,500 tons of salt/sand mix, and 1,000 tons of salt on hold.

A critical element to a successful operation was public awareness such as: 1) The City's Website www.lawrenceks.org links to safety and weather; 2) Media Press Releases 3) Live Interviews before and during events; and, 4) Education Flyers

He said in summary the plan was updated; the equipment was ready; materials were well supplied; staff was trained; press releases were out; website was updated and staff felt fairly confident that they could tackle anything mother-nature decided on.

Vice Mayor Amyx suggested advertising to the public that snow plowing began when 3 inches of snow accumulated.

(14)

Receive staff report regarding the Pavement Maintenance Program Update - Cycle Two Status Report and 2010 Street Maintenance Program. Consider approving the 2010 Street Maintenance Program

Mark Thiel, Assistant Director Public Works, presented a summary report on the Pavement Maintenance Program. The program started in 2005 and included 805 lane miles of pavement. He said Cycle 1 of the program was completed in October 2005, covering 299 center-line miles; and, Cycle 2 was completed in October 2009 covering 319.5 center-line miles.

The PCI (Pavement Condition Index) was based on a rating of "0-100" with 100 being a perfect street. He said some of the PCI goals were preventing further deterioration and establishing a maintenance plan for arterial, collector, and residential streets. During Cycle 1, staff recognized 31.5% of those streets were in the "unacceptable" range and the overall

average PCI Cycle was 69; and, Cycle 2, 29.8% of the streets were in the “unacceptable” range (“unacceptable” meaning a road that would typically not be a good candidate for traditional maintenance type of program) with an overall average PCI of 70.28. He said curb and gutter conditions were rated poor, fair or good and from Cycle 1 to Cycle 2, the amount of curb in good condition increased by 68 miles.

He said deterioration rates had slowed down or made positive gains. The strongest gain was composite streets (asphalt over concrete or brick).

He said regarding program funding, from 2006 to 2009 the City spent roughly \$39 million dollars which was not all pavement maintenance, but to build new infrastructure in the community. The last 4 years, nationally, had not been great for pavement maintenance program and infrastructure. The commitment the City Commission made in funding those projects was showing up in the results of this program. The four basic type of maintenance programs were crack seal, microsurfacing, curb and gutter, and mill and overlaying.

In summary, the City had a 1.86% increase from Cycle 1 to Cycle 2 regarding average PCI's which indicated the program was moving toward sustainability and good decisions were being made, deterioration rates were slowing down, and the overall percentage of unacceptable streets had declined which was the goal of the program to bring those streets that were candidates for traditional maintenance into becoming streets that were good candidates. He said if maintaining those streets with this program, capital improvement could be avoided which were tremendously more expensive.

In August of 2009, the City Commission approved \$5.1 million dollars for the 2010 Program. Pavement selections were based on PCI's, constituent concerns, known problem areas, coordination with other projects/agencies, bicycle advisory committee review of the program and selection of diverse locations throughout the City.

Some of the recommendations from the Bicycle Advisory Committee were to leave 13th Street as a bike route, but no bike lines added; mill and overlay 15th Street (Haskell to Prospect)

and add a bike lane Massachusetts to Prospect; add pavement on 17th from Illinois to Indiana with no bike lanes; add a bike lane on 7th from Tennessee to Florida as part of a future maintenance program; and on Princeton, add bike lanes as part of a future maintenance program.

In 2010 the program projects included, crack sealing; microsurfacing; overlay phase 1 and 2; infrastructure sales tax Kasold (6th to Peterson); KLINK 23rd Haskell to City Limits using KDOT funding; downtown parking lot microsurfacing; potentially one block alley project; New York restoration using ARRA funds; and in-house projects which was a nice enhancement to this program. He said staff would bid projects starting in February to April and construction would begin in May. He said staff needed to stay focused on the City's revenue sources such as sales tax and motor fuel tax was a big part of this program and needed to be monitored.

He said staff would focus the microsurfacing program in North Lawrence and the Kasold project. Kasold had no bike lines, the medians were in terrible condition and no sidewalks on most of that stretch of Kasold. Core samples were taken throughout the entire stretch of Kasold and to staff's relief there was a 6 inch asphalt base which was good news. He said mill and overlay or edgemill would be done on Kasold for a lower price. He said staff would like to complete the sidewalk on Peterson and extend the sidewalk all the way to 6th Street as a connecting link. Kasold, north of Peterson would have similar type landscaping design with the medians along with a bike lane on both sides. He said this project would enhance that section of Kasold and increase the current PCI's.

He said this year, staff would develop a 5 year plan; add a wide joint sealing program for Monterey Way, North of 6th; concrete street patching, Inverness, 23rd north and Barker, 15th south; in-house work on Bluff's Drive, Harper, 9th & Pennsylvania and West Hills Terrace.

Commissioner Dever asked if Thiel thought if microsurfacing was effective and was happy with the results.

Thiel said yes. He said staff combined the 2008 and 2009 program together and spent about \$900,000 in microsurfacing and thought the program was a success.

Commissioner Dever said how it was decided, especially on the concrete rehabilitation or repair, to use in-house staff versus outsourcing.

Thiel said he either indicated to staff that a project would be in-house, but typically discussed with staff, if the project could be done in-house. He said he had to be careful in managing those projects with Tom Orzulak, Street Division Manager, because he did not want to take Orzulak away from his other primary responsibilities done throughout the community on a daily basis. Orzulak would tell him if the project could not be done in-house or not, if the project could not be done in-house, staff found other avenues for that particular project.

Commissioner Johnson asked what part of the process was traffic volume or types of traffic taken into consideration when determining the maintenance program, priority level, or a rebuild and how was it ranked over another road.

Thiel said the streets were typically designated arterial, collector, or residential and staff typically knew from that designation, the volume of traffic.

Steve Lashley, Project Engineer, said the different critical points were discussed earlier and arterials had higher traffic volume. Staff looked at how often a street was milled and overlaid and if there were significant subgrade failures.

Commissioner Johnson said if there were two arterials that needed repair, did the City had the data that showed the amount of traffic carried on each of those arterial streets, even though the PCI was a little lower.

Thiel said that data was available. The critical issue staff tried to focus on was the current PCI because if taking two identical arterials with the same vehicle trips, it was more critical which pavement was performing better.

The other critical piece was the type of pavement of that arterial. If the street already had an asphalt overlay it was much cheaper and easier to do another overlay. If it was a

concrete street like Kasold from 15th south, when that street needed something more than crack sealing, a decision needed to be made on what type of maintenance product was the best for that street. He personally did not like to place asphalt over concrete, because once done, a major street construction needed to be planned within the next 10 years.

Commissioner Johnson said if any thought had been given in working with KU School of Engineering now or in the future. He said there was probably a lot of intellectual capital and did not know if KU had resources to help the City whether it would be either research dollars that could help with a program and possibly receive more regular data.

Thiel said staff was always looking for input. Staff had talked to neighborhood associations. He said as a side note, this year, a professor at KU asked City staff to present to one of the graduate classes, the City's program. He said staff was looking at intern programs to get some of those students in the City in the summer with their new knowledge and input.

Commissioner Cromwell said Thiel presented a good report and it was nice to have a condition index. He said he was looking at Cycle 1 and Cycle 2, where the City moved from a PCI of 69 in Cycle 1 to 72.8 in Cycle 2 and added around 20 miles of new roads which would have a condition index of 100. He said those figures looked flat and the City spent \$40 million dollars during that time period.

Thiel said the day they opened the pavement, the rating was 100. Some of those streets mentioned were built 4 years ago and might have been rated 4 years later and the PCI rating would not be 100. He said in overseeing the program, he was happy to see sustainability and we're not going backward. He said based on the dollars given, staff was choosing the right types of maintenance to keep from falling backwards. In any maintenance program where staying even or ahead, was good. He said to move forward the City had to make decisions or additional resources available for more maintenance work. He said the current funding level would enable the City to continue to maintain that sustainability. He said in 4 years when Cycle 3 was completed, he was not sure he could say the PCI was 75. He said the City would more

likely see a PCI of 70.5 or 71. He said what the last 4 years had shown, with the even funding of the program and a growth of 1.2% was the City's funding level was at a sustainability level. He said adjustments needed to be made because deterioration rates showed the City needed to focus some of the other resources in other ways. He said over the long-term of this program (20 years) when completing an entire cycle and all the streets were in the maintenance cycle that was when to take notice of the major growths in those PCI's. There were many streets in the community that needed major maintenance.

Commissioner Cromwell asked about the peer communities and if those communities were using PCI's.

Thiel said Topeka had 2,000 lane miles of pavement to maintain. The year that he left Topeka was spending about 2.6 million dollars a year on their pavement maintenance program. Topeka had a similar analysis, using the rating from 1 – 10 and the correlation was the same. The streets in Topeka needed a lot of work and their program was not successful because the funding level was not equal to the number of lane miles of maintenance. He said in looking at the straight line numbers, Lawrence was roughly 5 million dollars a year at 815 miles and Topeka was 2.6 million dollars at 2,000 lane miles and would not be able to stay with their program.

Mayor Chestnut said what was the composite index and did Topeka have something comparable.

Thiel said yes. He said at the time the last report was completed, Topeka had an estimated cost to the program to get to that sustainability level of 30 million dollars over 10 years. If projecting out, over that 10 years, the reality was that it would be \$120 million dollars. Topeka just passed a sales tax initiative and planned to dedicate that money to their maintenance program.

Overland Park had a very aggressive program and microsurfaced all streets, but staff did not think it was not necessarily the choice for Lawrence's dollars.

Mayor Chestnut said as a follow-up, he asked staff to get that information for benchmarking purposes.

David Corliss, City Manager, said the difference was if Olathe's PCI was 75 that did not necessarily mean anything and staff needed to know what went into that number because each community did their PCI differently. He said staff could get additional information about their programs. He said it was a good idea to find out what other communities were doing.

Mayor Chestnut suggested receiving information on spending levels and how it distributed between microsurfacing and crack sealing would be helpful.

Corliss said staff would get the PCI information, but with the understanding that it was not necessarily how the City did their PCI. He said that was the difficulty in that there was not a standard like PSI for water pressure.

Vice Mayor Amyx said if Thiel stated that placing money in microsurfacing was where this City did not want to go at this time.

Thiel said the City of Overland Park spent a tremendous amount of money on their microsurfacing and the City of Lawrence spent about \$450,000 of allocated funds on microsurfacing a year which equated to 24 miles of microsurfacing. Staff discussed the possibility of trying to microsurface an arterial street, to see if it was a tool that would work in Lawrence. The expectations from the community regarding arterials were a smoother ride than what would be received from microsurfacing. The other challenge with microsurfacing on arterials was pavement markings and the City of Lawrence did not have an aggressive striping program. Typically, on the City's arterial streets, a thermal plastic was used and lasted 10 to 15 years or even longer. He said as part of the City's maintenance program, staff had to add a striping program and use part of the allocated resources to do that striping. He said if there was another avenue the City could try it.

Vice Mayor Amyx said regarding microsurfacing on residential roads, he asked about the life expectancy for that type of surface.

Thiel said on a residential street, typically microsurfacing could last 7 to 10 years. He said microsurfacing bought time. He said from 2006 to 2009, 87 miles of mill and overlay was completed and 69 miles of microsurfacing, and 443 miles of crack sealing and spent \$16 million dollars. He said was the City's standard too high to put down recycled asphalt rather than going to microsurfacing on a lot of those roads to buy the City time and raise the level of acceptability.

Thiel said what happened on an annual basis was staff had to look at what was happening in real time next year because there were streets that had PCI's that indicated maintenance was needed, but no maintenance would be performed on those streets next year and the PCI would continue to deteriorate for that section of street. At the same time, he had to stay focused long-term. He said this program was a life-time program, but it was a 20-25 year cycle program and the City was only 5 years into that program. If fulfilling that 25 year cycle, and microsurfacing only lasted 10 years, by the next time that section of pavement received that microsurfacing, some time in the 7 to 10 year window, the street would be adequate, but based on what staff knew of the deterioration rates and the PCI's, the street might need to be microsurfaced again in a 7 to 10 year timeframe. He said the City's funding level was not at a place where the City could maintain those standard cycles of maintenance. He said if you put all your maintenance into one product, the City would never catch up. He said staff was trying to maintain that sustainability level, but also move to that 25 year cycle where the City would not have those issues of trying to catch up all the time.

Vice Mayor Amyx said he was not suggesting the City put all their dollars into one basket whether microsurfacing or mill and overlay. He said north of 15th Street and Iowa was a State Highway and there were standards that had to be met. The crack sealing with no markings on that street was an unacceptable roadway and was unsafe. He said when there was moisture on that street, it was hard to stop. He said the City could take into consideration microsurfacing as a trial run.

Theil said the City did a lot of crack sealing last year and when driving down 6th Street, North 2nd or North 3rd, and 15th Street the crack sealing was prevalent.

Vice Mayor Amyx said the crack seal was working in keeping those roads stable and it was keeping the moisture from rotting out the bottom of those roads.

Thiel said if the City was getting to a certain point in that program, that amount of crack sealing would not be necessary because a maintenance treatment would have been done to that roadway long before putting that volume of crack sealing down. Typically, microsurfacing fell behind crack sealing and was the reason for discussing microsurfacing on North 2nd and North 3rd Streets. He said his objective was keeping the road from falling apart.

Vice Mayor Amyx said some of those roads looked like they needed microsurfaced quickly after crack sealing. He said he also had that concern about markings which was probably due to crack sealing.

Thiel said staff had discussions about increasing funding level for the Pavement Marking Program. Currently, there was approximately \$20,000 for the Pavement Marking Program.

He said the direction of the program was that overtime, crack sealing would decrease and that money would be diverted to other types of programs such as microsurfacing. The reason for so much crack sealing was because the City had a lot of catching up to do and because of the costs, they could get a lot more of that done than they could in other programs the Public Works Department did. In getting closer to the sustainability level, the crack sealing would not go away, but would become less and less noticeable and then follow up with a different type of maintenance program the next or same year.

Lashley said Overland Park could possibly be in that sustainable condition where they were able to use microsurfacing on a more massive scale. He said there were a variety of pavements that need crack sealing, microsurfacing, mill and overlay or even reconstruction. He said they were trying to perform a balance and it was working, but there could be a potential shift with the dollars and it could go into microsurfacing.

Theil said part of their program was to listen to the City Commission and the community. He said staff's ultimate goal was to provide the community with safe, nice riding streets. He said the program was flexible and things could be added or changed.

Vice Mayor Amyx said since 2006 the City had been over 50% of the streets with crack seal, microsurfacing, or mill and overlay. He said there needed to be a point of getting away from the crack sealing and get into microsurfacing and mill and overlay.

Thiel said crack sealing on arterial streets lasted about 3 to 5 years, collectors and residential 5 to 7 years.

He said several changes had been made in the engineering's specifications when building new streets such as subgrade treatment, looking at several types of pavement products, and mixed designs that hopefully, if successful, would slow down that deterioration rate. A lot of the cracks on some of the asphalt streets were because those streets were built on an untreated subgrade and there was nothing staff could do with its maintenance program. That design issue for pavement would not be resolved until major rehabilitation took place.

Mayor Chestnut said, when you were calculating the unacceptable range were you using center lane miles or total lane miles?

Theil said, it was total square yards, we look at actual surface area.

Mayor Chestnut said, based on the allocation of money how many lane miles would you mill and overlay in any particular year.

Theil said, their program allocated around 4 miles of mill and overlay is what we can accomplish. Mill and overlay is not the first thing that comes to mind when thinking of maintaining a pavement.

Mayor Chestnut said, It would be very helpful during the budget cycle to determine some milestones that we would try to accomplish in the next three to five years so that we can answer some questions as to why we are fixing this particular road as opposed to another one.

Mayor Chestnut called for public comment.

Hubbard Collinsworth said as a professional driver he had noticed that the markings in the city were not good and he was wondering how soon there might be a program in place that would start doing some re-striping in a manner that would last several years so as not to have to continually redo it.

Theil said, the City of Lawrence had a good program in place for when they built new streets. The 3M products the city used, while expensive up front, were lasting up to 15 years. The painting on an arterial would be successful at 2 years. He said he thought the city needed to have a combination of painting and using the 3M product for re-striping.

Corliss said, he agreed with Hubbard that the city was not where they needed to be in regards to striping. He said it was a challenge to recognize the tremendous expense of the actual striping and that the painting didn't last long. He said they would need to find better solutions and talk about the allocation of resources.

Theil said, as part of the 2010 program, they included striping in the microsurfacing, crack sealing and mil and overlay bidding.

K.T. Walsh said that during the public meeting they had with public works regarding the rebuilding of three blocks of brick streets there was an outpouring of feeling about the stone curbs and how much they wanted to retain them as a part of the historic street scape. She said they were assured that they would do their utmost to take care of them. Neighbors were especially concerned when there were repairs to the infrastructure and stone curbing was taken out and then appeared elsewhere in the city landscaping. She said the stone curbing was a historic part of the neighborhood and that they would like to see them remain. She said they were also assured that during the snowplow training the workers would be reminded to raise their blades on the brick streets so as to not allow any damage to them.

Michael Almon said he was representing the sustainability action network which sees the road pavement issue in two regards. First, that bicycle are going to be much more prominent in

the future and secondly that the pavement itself is one half of the machine. Whatever your vehicle is, you totally depend on the pavement.

He said that the purpose of the sustainability action network was to look at the problem from two perspectives. One, the policy programs, priorities and methodology. How we decide what and where the paving was going to happen. He said that he was impressed with the comprehensive effort that the City was making. He said he thought it was wise to spread the money as far as possible and that he was not opposed to the crack sealing that didn't look as nice but provided a good pavement. He said he wanted to remind them that if the pavement program accommodated bicycles more then there would be more bicycle on the road than automobiles and that would mean much less wear and tear on the pavement. He said he thought the City might consider as part of policy, that they look selectively at reducing speed limits on some of our roads as this would preserve the pavement. He said the slower the traffic, the less damage to the roads and it would also get the city moving in the direction of complete streets. Complete streets incorporate as many modes of transportation as possible in the profile of the streetscape. By lowering the speed limit you make it safer for bicycles. Often it is possible to do that rather than building in bicycle lanes. When Lawrence adopted the peddle plan, the main focus was predominately to have bicycle routes, bicycles sharing the road with automobiles.

He said he wanted them to consider the safety of the bicycles as the number of them increased. When we do the pavement maintenance program how does it impact the bicycle use of the street? When you see a deteriorated pavement, an automobile may have a poor ride, but a bicycle might have a fatality. He said that he would like these things to be considered as part of the methodology and the policy of the pavement maintenance program along with the other criteria that was in the memo.

When choosing which streets get what attention and maintenance, the criteria need to consider the bicycle continuity, which is a stated policy of the city of Lawrence. At the time of

reconstruction or mill and overlay, was the time that the City had said they would add the bicycle lanes.

Almon said, there are sections of 15th street, east of Haskell where virtually all of the joints are crumbling and there are pot holes that the city regularly patches.

From the perspective of pavement condition, the section between Prospect and Haskell certainly would deserve to be addressed more than the section to the west of Haskell.

There is a gap from Haskell to the area west of Prospect which is the gateway for bicycle users coming in or going out of Lawrence. There have been requests by the neighborhoods to be included in the road maintenance and improvements which have been declined several times.

Mayor Chestnut said that he had provided them with a lot of information today and could he allow the City some time to respond to the information.

Almon said he said he was concerned when he had read the report reflected the final decisions and choices.

Mayor Chestnut said that he imagined that the cost would be very significant and that it may have been that taken in totality with the other 298 lane miles there were to maintain, and that he would, if there was a consensus, like to understand what it may cost to do that section of road.

Corliss said that the report was a final recommendation and not a final decision. He said that he agreed that was a very poor section of road, and that he thought it would be a reconstruction rather than a mill and overlay, and that they would gather the information on what the cost would be to do that section of the road.

Barker road was in the 70th percentile of the range and was wondering why that was chosen. He said his point was that Barker road had not deteriorated as far as the section of 15th street. He said that he appreciated the consideration to look at that section of 15th.

Moved by Cromwell, seconded by Dever, to approve the 2010 Street Maintenance Program and to direct staff to bring back reports on east 15th Street, east of Haskell to Prospect and comparative information from peer cities. Motion carried unanimously. **(15)**

PUBLIC COMMENT:

Hubbard Collinsworth said a few months back there was talk of addressing the Community Commission on Homelessness, with three positions expiring on the 31st of the month, and were they going to be able to make a recommendation to extend that.

Mayor Chestnut, said the city would follow up on that in the next few weeks.

FUTURE AGENDA ITEMS:

- 12/08/09
 - Conduct public hearing to discuss the condition of the fire damaged structure at 2137 Tennessee and to consider declaring the structure unsafe and ordering its repair or removal within a specified period of time.
 - Resolution establishing the Lawrence-Douglas County Joint 2010 Census Complete Count Committee
 - Receive recommendation from the Public Incentives Review Committee (PIRC) regarding the acquisition of the west Lawrence Lab Building, located at 4950 Research Parkway. Consider agreements and first reading of bond ordinance.
 - o **November 10, 2009 CC Meeting Materials:**
 - Staff Memo & Attachments
 - Cost Benefit Analysis Memo
 - West Lawrence Labs Cash Flow Projections
 - Ownership Information Staff Memo
 - Question/Answer Staff Memo
 - Information from Marilyn Bittenbender/Grubb & Ellis The Winbury Group
 - Gilmore & Bell Timeline
 - Correspondence
 - o **Miscellaneous information from PIRC meeting:**
 - Kirk McClure Email and Staff Response
 - CritiTech Powerpoint Presentation
 - Building Appraisal
- 12/15/09
 - Receive request from Mark Andersen, on behalf of Inverness Park, LP, property owner of record, to reconsider the denial of the rezoning request (Z-7-11-09) to rezone approximately 10.97 acres, located on the SE corner of Inverness and Clinton Parkway, 4300 W. 24th Street, from RSO (Single-Dwelling Residential Office) to RM15 (Multi-Dwelling Residential). This item was originally heard by the City Commission on 10/06/09.
 - TE Grant Applications

- 12/29/09 · City Commission Meeting at 9:00 a.m.; bill paying and consent agenda items.
- 02/09/10 · Anticipated date to receive Planning Commission recommendation on Lawrence Community Shelter SUP to relocate the shelter to 23rd Street.
- 02/16/10 · Anticipated date to receive Planning Commission recommendation on Lawrence Community Shelter SUP extension at 944 Kentucky.
- TBD · Receive staff memo regarding possible annexation of Westar Energy Center and adjacent properties.
- ICS Training. DGCO Emergency Management Memo
- Discussion of financing methods for traffic calming devices.
- Fairfield East maximum special assessment hearing
- Recycling report with comments from SAB
- Consider a request from the Oread Neighborhood Association to enact a moratorium that would prohibit permitting Boarding Houses in the City of Lawrence while a text amendment to the Land Development Code to revise standards pertaining to Boarding Houses is processed.
- Staff report regarding potential annexation of Westar Energy Center.
- Follow-up to 10/27/09 Commission discussion of Downtown issues, including regulations for panhandling, downtown planning and redevelopment, marketing and incentives for retail establishments and related issues.
- Conduct public hearing and consider approving Site Plan SP-6-26-09, and the sidewalk dining and hospitality license, for the Granada, located 1020 Massachusetts Street. Submitted by Paul Werner Architects for Granada LLC., property owner of record.

ACTIONS: Hold a public hearing. Find that the proposed sidewalk dining and hospitality use is in the public's interest, if appropriate.

- Approve Site Plan SP-6-26-09, for a sidewalk dining and hospitality area for Mike Logan, Granada LLC, d/b/a The Granada, 1020 Massachusetts Street (submitted by Paul Werner for Granada LLC, property owner of record), if appropriate.
- Approve sidewalk dining and hospitality license for The Granada, 1020 Massachusetts Street, and

authorize the City Manager to enter into a right-of-way agreement with the applicant, if appropriate.

- Adopt on first reading, Ordinance No. 8459, allowing possession and consumption of alcoholic beverages on certain city property pursuant to The Granada Sidewalk Dining and Hospitality License, if appropriate.

COMMISSION ITEMS:

Moved by Cromwell, seconded by Johnson, to adjourn at p. 8:31pm. Motion carried unanimously.

APPROVED:

Robert Chestnut, Mayor

ATTEST:

Jonathan M. Douglass, City Clerk

CITY COMMISSION MEETING OF DECEMBER 1, 2009

1. Set a bid date of December 22, 2009 -Comprehensive Rehabilitation Program.
2. Engineering Services Agreement for \$49,078 - Professional Engineering Consultants- Project UT0919CS-General Wastewater Pumping Station Improvements.
3. Award bid - 2010 Coordinated Printing to Mainline Printing - \$20,329.00.
4. First read, Ordinance No. 8474-rezoning (Z-8-16-09),11.38 acres located southeast of 31st and Kasold Drive, from RM12 and OS to the Floodplain Overlay District.
5. Second read Ordinance No. 8471, annexation (A-8-3-09) 37.05 acres and adjacent right-of-way for Wesleyan Church Development, southeast of 31st and Kasold Drive.
6. Second read Ordinance No. 8472, rezoning (Z-8-14-09) 32.69 acres, southeast of 31st and Kasold from A (Agricultural) to RM12 (Multi-Dwelling Residential).
7. Second read Ordinance No. 8473, rezoning (Z-8-15-09) 4.36 acres, southeast of 31st and Kasold Drive, from A and V-C to OS.
8. Dedication of easements & rights of way for PF-9-7-09, Final Plat for Bauer Farm, Phase 3, 1.19 acres, located at 4700 Block #2, Overland Drive.
9. Memo-Sustainability Advisory Board- audit and evaluation of solid waste diversion strategies & curbside recycling
10. Approve \$36,031 in expenditures be reclassified from the general fund to the guest tax fund for operating department costs.
11. Sign a Release of Mortgage for Frank and Leora Borrer, 1507 Wedgewood.
12. Approve recommendation to move two existing ground markers and place them above ground on the sidewalk adjacent to the parking garage located at 927 New Hampshire Street
13. City Manager's Report
14. Receive staff presentation on 2009/2010 Snow Removal and Ice Control Preparedness.
15. Approve the 2010 Street Maintenance Program.