



City of Lawrence

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CITY COMMISSION

MAYOR
ROBERT CHESTNUT

COMMISSIONERS
MIKE AMYX
ARON CROMWELL
LANCE JOHNSON
MICHAEL DEVER

January 19, 2010

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.

CONSENT AGENDA

Hubbard Collinsworth, Lawrence, removed for separate discussion, the bid for the 2010 bus shelter maintenance services for the Lawrence Transit Systems.

As part of the consent agenda, **it was moved by Johnson, seconded by Amyx**, to receive minutes from the Aviation Advisory Board meeting of November 16, 2009; and the Lawrence Cultural Arts Commission meetings of October 7, 2009 and November 11, 2009. Motion carried unanimously.

As part of the consent agenda, **it was moved by Johnson, seconded by Amyx**, to approve claims to 183 vendors in the amount of \$1,352,249.44, and payroll for January 3 through January 16, 2010 in the amount of \$1,854,562.26. Motion carried unanimously.

As part of the consent agenda, **it was moved by Johnson, seconded by Amyx**, to approve the Drinking Establishment Licenses for Abe & Jake's Landing, 8 East 6th; Mariscos, 4821 West 6th St.; 8th Street Taproom, 801 New Hampshire; West Coast Saloon, 2222 Iowa; and Shenago Lounge, 1520-D Wakarusa Dr. Motion carried unanimously.

As part of the consent agenda **it was moved by Johnson, seconded by Amyx**, to set a bid date of February 2, 2010 for (City Bid No. B1002, Project No. PW1003), the 2010 Crack Seal Program. Motion carried unanimously. (1)



As part of the consent agenda, **it was moved by Johnson, seconded by Amyx**, to set a bid date of February 2, 2010 for (City Bid No. B1003, Project No. PW1004), the Microsurfacing Program. Motion carried unanimously. (2)

As part of the consent agenda, **it was moved by Johnson, seconded by Amyx**, to approve purchase of geographic information system software licensing from Environmental Systems Research Institute for \$43,071.64 in 2010 with options for two additional years. Motion carried unanimously. (3)

As part of the consent agenda, **it was moved by Johnson, seconded by Amyx**, to waive bidding requirements and approve sole source purchase of 150 water meter radio transmitters from Midwest Meters for the Finance Department for approximately \$15,450 plus shipping costs. Motion carried unanimously. (4)

As part of the consent agenda, **it was moved by Johnson, seconded by Amyx**, to waive staff estimate and award the bid for the Comprehensive Rehabilitation project at 2420 Bryce Court to T & J Holdings for \$25,585. The homeowner will provide funds in excess of \$25,000 program limit. Motion carried unanimously. (5)

Ordinance No. 8481, rezoning (Z-10-17-09) approximately 24 acres, from UR (RO1A/RMO pending) to Commercial (CC-400), for the Mercato project located at the northeast corner of K-10 & West 6th Street (Highway 40), was read a second time. As part of the consent agenda, **it was moved by Johnson, seconded by Amyx**, to adopt the ordinance. Aye: Amyx, Cromwell, Dever, Chestnut, and Johnson. Nay: None. Motion carried unanimously. (7)

Ordinance No. 8486, amending Chapter 16, article 12, Section 16-1201, Access Management Requirements for west 6th Street, was read a second time. As part of the consent agenda, **it was moved by Johnson, seconded by Amyx**, to adopt the ordinance. Aye: Amyx, Cromwell, Dever, Chestnut, and Johnson. Nay: None. Motion carried unanimously. (8)

Ordinance No. 8483, a text amendment (TA-10-21-09) to various articles to correct inconsistencies regarding the uses identified as 'Communications' and 'Communications Service Establishment', was read a second time. As part of the consent agenda, **it was moved by Johnson, seconded by Amyx**, to adopt the ordinance. Aye: Amyx, Cromwell, Dever, Chestnut, and Johnson. Nay: None. Motion carried unanimously. (9)

As part of the consent agenda, **it was moved by Johnson, seconded by Amyx**, to approve Text Amendment (TA-11-23-09) and adopt on first reading Ordinance No. 8484, text amendment (TA-11-23-09) to Article 12- Floodplain Regulations to review General and Additional Standards for Residential and Non-Residential Construction. Motion carried unanimously. (10)

As part of the consent agenda, **it was moved by Johnson, seconded by Amyx**, to receive 2009 Lawrence Police Department Racial Profiling Report. Motion carried unanimously. (11)

As part of the consent agenda, **it was moved by Johnson, seconded by Amyx**, to approve as signs of community interest, a request from the Lawrence Home Builders Association to place signs in various rights-of-way for the annual Home Show January 29-31. The signs would be placed on Monday, January 25 and removed on Monday, February 1. Motion carried unanimously. (12)

As part of the consent agenda, **it was moved by Johnson, seconded by Amyx**, to receive request for amendment to City's ordinance concerning smoking in public places and refer to staff for a report. Motion carried unanimously. (13)

Hubbard Collinsworth asked if the 2010 bus shelter bid pertained to the bus shelters or the sites where the buses stopped.

David Corliss, City Manager, said the bid applied to the bus shelters, not necessarily the stops the transit system made, but the shelters the City maintained. As a quick reminder to the public, the City contracted with MV Transportation to main the City's buses and drives those

buses. The City had three employees that handled the contract, marketed the programs, and made sure the City complied with all of the Federal Regulations. He said the City contracted out for the cleaning of the shelters, not the stops. It did not include snow removal, but there could be light maintenance such as sweeping. He said after staff did the postmortem on the challenges from the recent snow events and staff was going to take a look at things that could improve that challenge.

Collinsworth said he thought snow removal should be taken into consideration.

Mayor Chestnut said that was the responsibility of street maintenance.

Corliss said staff would address that issue. He said it was not only the snow removal, but sidewalks too, the shelters as well was obviously a concern.

The City Commission reviewed bids for the bus shelter maintenance service. The bids were:

<u>Routine Services</u>	<u>S.S.</u>				
	<u>Jani King</u>	<u>Window</u>	<u>Lohmann</u>	<u>Bob's</u>	<u>Works</u>
Regular Clean Cost/Shelter/Instance	\$25.00	\$12.98	\$12.25	\$8.84	\$8.57
Regular Clean Cost All 40/Instance	\$1,000.00	\$519.20	\$490.00	\$353.60	\$342.80
Trash Off-week Cost/Shelter/Instance	\$5.00	\$5.98	\$5.50	\$1.85	\$1.64
Trash Off-week Cost All 40/Instance	\$200.00	\$239.20	\$220.00	\$74.00	\$65.60
Total Routine	\$31,200.00	\$19,718.40	\$18,460.00	\$11,117.60	\$10,618.40

<u>Supplemental Services</u>	<u>S.S.</u>				
	<u>Jani King</u>	<u>Window</u>	<u>Lohmann</u>	<u>Bob's</u>	<u>Works</u>
Deep Cleaning of Pad	\$15.00	\$14.98	\$10.00	\$25.00	\$25.00
Removal of Grafitti	\$15.00	\$14.98	\$10.00	\$10.00	\$10.00
Touch-up Paint	\$15.00	\$14.98	\$10.00	\$10.00	\$10.00
Secure Wall	\$15.00	\$14.98	\$10.00	\$25.00	\$25.00
Install Trash Can	\$15.00	\$14.98	\$10.00	\$10.00	\$10.00
Install Maps	\$15.00	\$14.98	\$10.00	\$2.00	\$2.00

Moved by Johnson, seconded by Amyx, to award bid for 2010 bus shelter maintenance services for the Lawrence Transit system to the Works for \$10,618.40. Motion carried unanimously.

(6)

CITY MANAGER'S REPORT:

During the City Manager's Report, David Corliss updated the City Commission regarding staff's response to snow events for 2009 / 2010. The average season produced approximately 10 snow events with 21" of snow and to date, Lawrence had seen 6 snow events producing 25.95" of snow.

Commissioner Johnson said in a memo regarding recent snow events, it stated that, "During the past four weeks city crews have worked every weekend and every holiday nonstop and without a single complaint." He said he wanted to thank Public Works Staff and the entire snow removal crew.

Corliss said he had received those good comments from other Commissioners and members of the public as well. Staff had done an outstanding job with the resources given.

Chuck Soules, Public Works Director, said that Public Works received a lot of the compliments and complaints, but Utilities, Building and Facilities Maintenance Crews, Parks and Recreation also did an outstanding job, as well as the Solid Waste Crews.

Diane Stoddard, Assistant City Manager, said the City Commission considered a Transportation Enhancement Grant Application for the Santa Fe Station and there were some questions as they had contemplated that in how much the proposed Amtrak stimulus project would cover in terms of ADA improvements. Staff was able to touch base with Amtrak for clarification, prior to the grant submittal toward prior to the grant submittal toward the end of December and there was very little overlap. She said staff hoped there would be more overlap on ADA items, but only a small overlap on one of the parking items. The vast majority of those ADA monies were going toward the platform. Additionally, staff was awaiting word from BNSF regarding the transfer of the building.

Mayor Chestnut said regarding ADA compliance issues on the inside of the building, he asked if the numbers were broken down.

Stoddard said the numbers were broken down for the ADA compliance issues on the inside of the building.

Mayor Chestnut asked how was responsible for that ADA compliance on the interior, barring that transferring to the City.

Stoddard said there was some exemption that BNSF fell under dealing with train stations. She said she knew that Amtrak had brought up this issue on a number of occasions and hoped to be able to fund various improvements and in fact, related to this station, had done some looking at that issue previously. The date for compliance had moved out and she was not sure whose realm that fell under. There was a unique partnership over the country regarding those depots that were a function of Amtrak, but owned by a train company.

Commissioner Dever said the responsibility for the ADA upgrades was heightened was becoming a City owned facility which triggered a whole other layer.

Mayor Chestnut said that might force the City into an accelerated compliance time wise.

(14)

REGULAR AGENDA

Consider authorizing the City to negotiate an engineering contract with BG Consultants for plans and specifications for the construction of phase 1 of the airport collection system, septic holding well, and lift station and force main for the Lawrence Municipal Airport Sanitary Sewer

Chuck Soules, Public Works Director, said the airport was an island annexation, located north of US Route 24/40, about one-half mile east of 3rd Street.

The airport was currently underutilized due to inadequate infrastructure in that area which included insufficient water line for fire suppression and no sewer service, but were utilizing septic systems instead. At least one septic system was failing and one firm required greater service capacity at the airport. Also, a number of business inquires had occurred that could not be accommodated by the current existing water and sewer service.

Based on the study and Aviation Advisory Board recommendation, staff requested that the City Commission authorize the City to negotiate an engineering contract with BG Consultants for plans and specifications for the construction of:

1. Phase 1 of the Airport collection system estimated construction cost of \$420,000;
2. Septic holding well estimated construction cost of \$331,000; and,
3. Lift station and force main estimated construction cost of \$1,220 million.

At this time the lift station did not include pumps and controls as there would not be enough wastewater produced. The City would pump and haul the wastewater as needed from the lift station wet well or septage holding well. The estimates were preliminary and construction prices were favorable.

David Hamby, BG Consultants, said this project had been divided into two projects, one as the Wastewater Treatment Options and the other was the collection systems to the airport itself. He said they looked at ways to serve the existing buildings at the airport along with having future capacity and future expandability to serve any other businesses that might come to the airport. The area for development had shifted since starting this project and Public Works was working to develop a plan for the airport. He said they developed a plan to provide collections, sewer by gravity to the Pump Station on the south side of the project and provide gravity sewer to each one of the buildings on the airport at future areas as well.

Phase 1 went up toward the terminal and picked up the terminal septic on some of those buildings around the airport which was just under \$421,000; Phase 2 started at the Pump Station, going north and then west toward the buildings on the west side of the property was \$442,000; and, Phase 3 would serve a future area to east of the airport road was \$193,000.

Jeff Keller, Burns & McDonald, said their portion of this work was to evaluate different methods to manage the wastewater once collected in the system to a centralized location. There were two option which was 1) treat the wastewater on-site to some standard and discharge the wastewater to a water body; or, 2) convey the wastewater untreated to the

existing Wastewater Treatment Plant which would be pumped. Those were the two big options, but different flavors on how to treat that wastewater.

He said a pump station was a below ground structure with a vault that received the water and a pipeline that took the existing treatment plant. In terms of on-site treatment there were different varieties to consider which included:

- Lift Station and force main
- Septic holding well and hauling
- Constructed wetlands/green machine
- Package treatment system
- Tree farm

The options were evaluated based on:

- Ability to handle projected wastewater characteristics
- Ability to operate without interference with airport operations
- Expandability
- Permitting
- Operation
- Applicability for short/long term use

He said the ability to operate without interference at the airport eliminated the tree farm option. It was going to provide a lot of elements that would be negative toward the operation of an airport and its history in terms of treating wastewater was very short. It had been used successfully at polishing already treated water to make even cleaner, but to make that the prime mode of treatment was not a good idea.

Another element was the quantitative option and how much it would cost for remaining options. They looked at a 20 year life system and requirements and the final numbers were listed under Phase 2 in a table they provided. The capital cost for building a lift station and pumping to the nearest manhole and taken to the treatment plant was 1.5 million dollars which was Phase 1 and Phase 2 was added, compared to the other cost for constructive wetland or conventional package plan doubled the cost. The reason it was expensive was because other items needed to be purchased before and after, after purchasing a packaged wetland so the

water quality would be acceptable to the state. What was acceptable 10 years ago was not acceptable today.

He said from a financial standpoint it looked like putting in a lift station and a pipeline to the nearest manhole to the south was the right thing to do.

The qualitative criteria, ease of permitting tied into their cost directly. He had a conversation with Kansas Department of Health and Environment (KDHE) about what would be required to permit an on-site treatment plant, if the City chose to follow that route. He said for KDHE to be willing to allow an additional discharge permit to the City, the City had to show the cost to do something else, pumping to the existing treatment plant, was higher as to be an economic burden to rate payers, but it would not be. The cost of the pump station had to be much higher than on-site treatment otherwise KDHE would argue there was not an economic reason to issue an additional permit to discharge into the Kansas River. He said even if there was a lot of interest in pursuing a more expensive option, it would be a series of an uphill battle in Topeka. He said for that reason and for the economics, their recommendation was to go with the lift station.

The final piece was the lift station would be designed to hold a future capacity, a certain amount of development at the airport. He said right now the airport had a small amount of flow and not many tenants and to reconcile, overbuilding and spending a lot of money was not feasible now. If building the entire infrastructure now, it might be good in terms of receiving low bids, but it was such a small amount of flow that there would not be enough wastewater to fill up the pipeline to go to the treatment plant and that flow would be stagnant and turn into septic, spewing odors which would not be a pleasant situation.

He said they discussed with Public Works just building a piece of the lift station. The most time consuming and disruptive piece was the in ground concrete wet well where the water receded and then pumped out. It was a relatively small piece of the overall project, but it took the longest amount of time to design and put into place. In the near term, utilities could send a

pumper truck out once every two weeks and discharge it. He said when having additional tenants at the airport, the airport would already have that piece of infrastructure and then the pumps, piping and electrical could be added creating a pump station. He said by breaking it up into those different phases, the infrastructure could be sized appropriately for the City's needs now and ready to grow in the future which was reflected by that Phase 1 and 2 costs.

Vice Mayor Amyx said regarding Phase 2, presently the holding well was designed for 100,000 gallons per day.

Keller said it was sized to hold that amount, but simply holding without any pumps.

Vice Mayor Amyx asked about the current usage of the airport.

Keller said the flows were reported was 1 or 2 thousand gallons a day.

Vice Mayor Amyx said in the report it discussed Phase 2 being implemented within 5 years after the implementation of Phase 1.

Keller said yes, at a worst case scenario.

Vice Mayor Amyx asked if it must be built within 5 years and could stay with a hold well forever.

Keller said as long as it was economically beneficial.

Vice Mayor Amyx asked how often the sewage in that tank, needed to be pumped.

Keller said currently, it probably needed to be pumped in two weeks. The construction fee included equipment on site to keep it from becoming a nuisance in terms of odors and keep the water aerated so it did not turn septic and omit odors which was included in the price.

Vice Mayor Amyx said he was afraid complaints would come up.

Keller said there were an aeration component that helped and an odor control unit, which was a carbon filter. If getting one or two industrial or commercial tenants at the airport, that would be a challenge. He said some facilities only used a few hundred gallons of water, but some facilities needed a ton of water which meant a ton of water would come out and the

City needed to be extremely careful in how quickly the City could upscale in their infrastructure, much more so in a commercial or residential development.

Vice Mayor Amyx said with the recommendation of using the holding well, he asked if there was consideration given to discussions with businesses that might want to locate at the airport.

Keller said yes.

Commissioner Cromwell said by not installing that pipe, he asked if everything needed to be designed in order not to hold up any potential tenants.

Keller said the pipeline that would take the wastewater from the pump station location to the nearest downstream manhole should be constructed as part of Phase 1 because it was fairly time consuming. He said what was easy was placing the pumps and installing electrical. Part of that sewer system would include the force main pipeline that took it to the nearest manhole. Once getting it to the airport, it could be capped and when needed, the two pieces could be connected and ready to go.

David Corliss, City Manager, said the City wanted the flexibility without making that additional cost of the pumps and the electrical right now and would be in a good position that if acquiring a tenant at the airport and the City saw that the tenants water demand was going up, the sanitary sewer system was going to go up, staff would have sufficient time to connect the pump, check the line and install the electrical which would take a couple of months. Staff thought it was enough time to respond to a tenant that would want to construct something at the airport and the City was ready to go in that circumstance.

Commissioner Dever said in the diagram and in the report Phase 1 was just a septic holding well, but Keller mentioned construction of additional items as a part of Phase 1.

Keller said the title of the alternatives were a little deceptive. He said Phase 1 included the force main from the airport site to North Street.

Commissioner Dever said it was part of the deal and \$331,000 now and then 1.2 million later.

Keller said the 1.2 million dollars was only for the future when needing to build a full lift station.

Soules said Burns & McDonald looked at the treatment system and BG Consultants looked at the collection system. He said staff asked Burns & McDonald to separate the septic holding well. Staff's recommendation was for the construction of:

- Phase 1 of the Airport collection system estimated cost of \$420,000
- Septic holding well estimated construction cost of \$331,000
- Force Main estimated construction cost of \$340,000

Commissioner Dever said the \$750,000 was going to be the infrastructure and improvements to remove septic from the existing structure at the airport plus anyone that wanted to tie into this septic well. He said the City could pump that septic out until such time as the flow was adequate to allow the material to move from the airport into any type of additional infrastructure put in place at the airport.

Soules said yes.

Commissioner Johnson asked if the City did the inspection.

Soules said Utilities did their inspection.

Commissioner Johnson said there was a 25% fee for engineering and inspection and that seemed high.

Soules said typically the City did its own inspection and could be equated to what was being done at Fairfield.

Mayor Chestnut asked how far it was from the collection point to where it was hooked up to the force main line.

Soules said 1,000 feet.

Vice Mayor Amyx asked if he was missing something in that piping because of the cost association.

Soules said it would be set at grade and there would be manholes every 400 feet. This was a simple 6 inch pipe that would be laid 3 ½ feet deep. By the time going from the airport to the lift station or septic well, it would be 25 feet deep.

Commissioner Dever said in this table 7 of the pending of probable cost, there were additional items that would upgrade the well into a lift station. He said they were down to 1.1 million plus other cost and was trying to figure out where the total added up to closer to 2 million dollars.

Keller said the upgrade turning into a full grade pumping station was 1.2 minus the \$340,000 for the force main would be approximately \$850,000 to \$900,000.

Commissioner Dever said all that money to upgrade from a well to a lift station.

Keller said it was primarily electrical equipment, precast building, and the pumps were not included. He said the benefit was having more people on-site to help.

Mayor Chestnut asked why the 8000 feet of line be laid before the pump station equipment.

Keller said it was a more time consuming piece and if the City wanted to get a tenant out at the airport quickly there would be that time consuming piece.

Mayor Chestnut asked how time consuming.

Soules said it might be a year from the time of design, property acquisition, easements, and construction. The other issue was right now the City was receiving great bid prices. If the City had the design and property acquisition completed and the bids came in later this summer and find that the bids were too high then at least the City would be that far along. He said staff's recommendation was to proceed with the design and receive bids. He said if the City had a tenant that was ready to locate at the airport the City could have the tenant in service in 3 months versus 12 months.

Mayor Chestnut said \$750,000 was a lot of equipment that was on-site and the lines would be buried deep and were spending another \$350,000 for an unusable line and then another \$800,000 for equipment with \$750,000 to pump it out to meet up with the line. He said if spending 1.1 million dollars after backing out contingencies and good bids, the price would be much less. It incrementally made sense to spend another 30% so that when trying to move from 5,000 gallons a day to 50,000 a day, it was ready in 2 months versus a 1 ½ years.

Commissioner Cromwell said the engineering contract was being discussed and he assumed once it was designed, the numbers could be sharpened as far as the cost.

Soules said yes. He said staff was requesting negotiating a contract with BG Consultants and Burns & McDonald for the design and would come with new cost estimates and project scope.

Commissioner Johnson said the City had already spent \$38,000 on this study for a preliminary design and his concern was the amount for engineering and inspection seemed extremely high. He said there were bid numbers that were inflated as well and given the market place, the City was getting ready to kick off an engineering contract and thought the numbers were way off base.

Soules said staff would come back with an engineering contract so the Commission could look at those numbers.

Commissioner Cromwell said a discussion took place earlier concerning money spent to get to this point and being applied to the final numbers.

Soules said a lot of the study was to evaluate alternatives. He said staff had a preliminary layout and did not have a whole lot on the design portion because they spent a lot of time reviewing and developing those other options.

Vice Mayor Amyx said in looking at putting in the force main for Phase 1 and 2, Phase 2 would be implemented within 5 years and asked if the completion date was a minimum of 7 years before talking about pumps at the airport.

Soules said hopefully another business would approach the City sooner than later. It could be 5 to 7 years or longer and was hard to determine.

Vice Mayor Amyx asked if that pipe would last a long time not having any flow through that pipe.

Soules said it would last a lot longer than 5 or 10 years and hoped it lasted 30 to 40 years with material in the pipe or longer.

Corliss said the Vice Mayor had a salient point and asked if the City was going to build a collection system and have the system available to market or wait for requests. He said to some extent, the City waited until there was a request at the airport and responded with water and sewer. He said what staff was trying to do was have an intelligent intermediate step of providing sanitary sewer, at this site, in order to work at a point of a high enough demand where the City would not have an astronomical expense and would have a reasonable time frame of a couple of months versus a year. He said it was a judgment call and that was why staff wanted the City Commission to ultimately make that judgment.

Mayor Chestnut said in the process they had to enter in negotiations of the contract and would want to do the engineering work on the line, even if it was not laid and could go through the acquisition of right-of-way at the same time. He said they were going to see the engineering contract again and the bids for the different elements. At that point, the City Commission could make a more informed decision.

Commissioner Dever said there was infrastructure at the airport that was failing. Their option for additional septic systems was limited. There were other more pressing matters to move this project forward and understood any additional land use would require some type of upgrade.

Vice Mayor Amyx said the City Commission should proceed with the engineering and understand the cost and options of the force main line.

Soules said currently, the City was receiving good bids on different projects.

Commissioner Johnson said Vice Mayor Amyx raised the point of a judgment call and Commissioner Dever mentioned the failing infrastructure. He said if the Commission were to ask that the failing infrastructure be fixed as well accommodate growth, alternatives needed to be looked at to sewer those facilities. He said he was looking at this project with the current timing and market place and the City was ahead of the game. The cost could be offset spending upfront and the City was in position and ready to receive those lower prices.

Mayor Chestnut called for public comment.

Tom Kern, Aviation Advisory Board and Lawrence Chamber of Commerce, said the Airport Advisory Committee met in November and reviewed those plans in detail and held a public hearing at the airport where they took input from a variety of the public on this project. He said it was the Airport Advisory Committee's recommendation to move forward on this project in the format in which was discussed. He said the project was construction of Phase 1 on-site sewage disposal system of about \$750,000 and construction of the force main so that when and if another business came forward, they could make that connection in a timely manner.

Presently, there was one applicant that was ready to construct a project on the airport. He said the City Manager and he had been in discussion for 6 to 7 months with another aviation related corporation that was awaiting the contract with the foreign government for construction of new line of general aviation aircraft and the negotiations were continuing. If the contract took place, the client would move forward with a company that would employ 60 or 70 aeronautical engineers.

He said the challenge with hooking the two lines up was the 8,000 linear feet of 6 inch pipe to keep in half full a 4 inches and was a pretty significant amount of flowage. He said the Airport Advisory Committee saw this project as a good intermediate step and would strongly recommend the City Commission would move forward on this project.

He said from a Chamber of Commerce prospective, he had been told that a business was lost at one point in time that was considering locating at the Lawrence Municipal Airport, but

did not locate at the airport because of lack of water and sewer services and went to Salina, Kansas. He said he did not want to hear that story again. He said from a business standpoint, they would like the City to provide adequate sewer and water services to the airport property to use it as another tool in their toolbox in which to induce and grow business in Lawrence, Kansas.

Commissioner Cromwell said he appreciated looking at alternative treatment options, but did not look like it worked well especially with the concept of the airport. Furthermore, with the options on the board, it could be staged in an appropriate manner. One thing the public needed to realize was it was being designed in an intelligent way and was only building what was needed now and staging it in a way that allowed for future growth quickly, but not spending money until they needed to and that was ideal.

Also, the idea of development of class 1 and 2 soils around the airport was discussed and was an important concern to a number of people, but this design was for a 6 inch pipe and was not designed to handle other development at the airport. He said the project was appropriate and he wanted to move forward.

Vice Mayor Amyx said people needed to understand when looking at using the spaces at the airport as a future development site, in a cost effective manner, was to run those utilities to the airport without expanding the boundaries.

Commissioner Dever said he saw this project as an opportunity to take care of some of the infrastructure already constructed and enhance the usability of the airport for businesses. He said it was the Commission's responsibility to provide the services and given the fact the infrastructure was aging and was in need of repair, not to throw good money after bad money or into a system that would not be adequate for industrial development. He said this was a good opportunity to move forward with proper design and looked forward to receiving the best costs and was glad other alternatives were analyzed, but cost too much. He said he was in favor of moving forward.

Commissioner Johnson said it was a good opportunity for Lawrence and he was ready to proceed.

Mayor Chestnut said the infrastructure was probably 30 years overdue. He said they focused on economic development opportunities in biosciences, but also aerospace was a big part of the State of Kansas and there were a lot of opportunities. He said he was confident that this project would help attract other tenants in an area that had a lot of activity around that industry.

Moved by Dever, seconded by Johnson, to authorize the negotiation of an engineering contract with BG Consultants for plans and specifications for the construction of phase 1 of the airport collection system, septic holding well, and lift station and force main for the Lawrence Municipal Airport Sanitary Sewer Project. Motion carried unanimously. **(15)**

PUBLIC COMMENT:

Faye Watson said she had a concern with the trees being cut down at Watson Park. She said she understood that Parks and Recreation were going to work with the tree company and try to save as many trees as possible. She said it might be too late, but wished the trees could be cut strategically.

David Corliss, City Manager, said prior to the holidays, City staff, Westar, Wright Tree Service, and the Old West Lawrence Neighborhood Association walked the entire length of the project, through Watson Park and down 7th Street to where the project terminated. He said they discussed every individual tree that needed to be cut or trimmed and the City's ability to look at alternatives. The alternative that was most appealing was to bury the electrical lines. Unfortunately, the City did not have a million dollars which was the rough estimate of the cost of burying those high power voltage lines. The trees that were being cut, which some trees were being cut down completely were only in the Public Right-of-Way and none of the trees were in the Park itself. He said from the viewer's standpoint that did not make any difference because the viewers did not see the right-of-way line along Kentucky and 7th Street. Westar did not have

any authority to trim trees that were on public property. Westar did have the authority to trim trees in order to meet their tariff obligations with the Corporation Commission for electric service. He said they talked about Parks and Recreation staff present during the tree trimming and he was assured and if there were judgment calls with the tree cutting professionals and staff, there would be every attempt to try and to save limbs, but that was not the case in some circumstances where the trees were going to need to be removed and replaced with shorter growing trees.

Watson asked what the percentage of trees was on the right-of-way.

Corliss said he did not have the percentage, but a lot of the trees along Kentucky and particularly, the trees he was disappointed the City was going to lose was along 7th Street that were very large trees, but the power lines were in that area and there was no alternative. They discussed moving the electrical lines to the other side of the street, but that was not going to solve the problem with trees at that location and was not viewed as a desirable alternative either.

Watson asked if there was a way to put part of those power lines underground.

Corliss said it was expensive missing a tree, coming back up, and proceeding on. He said the City did not have \$100,000, let alone a million dollars to put into that level of resource. He said he did not like it, but did not have a good alternative other than to insist there were true, trained professionals along with City staff for judgment calls.

Vice Mayor Amyx asked if Westar indicated the amount of electricity lost because of those trees.

Corliss said the line down Kentucky and 7th Street was an important feeder for downtown and Westar did not give any indication of whether or not they had power disruptions on this particular line. He said he did not know if that was so much of their criteria as if they had an important line and it had been a certain period of time between tree trimmings.

Commissioner Dever said his experience was that Westar was more than happy to take down as much as they could because there was less maintenance costs and the more expeditiously and least costly was to come in and take it down and not trim. He said he understood Westar's business decision, but asked how many full trees were going to be cut down.

Corliss said staff would provide information to the City Commission on the number of trees that would be trimmed and trees that would be removed.

Mayor Chestnut asked if the date could be changed on when Wright Tree Service would cut those trees.

Corliss said Wright Tree Service was delayed by the weather, but staff could ask the tree service.

Commissioner Dever said this issue was discussed a month ago and had not heard anything since. He said this was a problem for several people, but a problem for the entire community. He said it was important to share the solutions, how those solutions were derived, and talk about what was coming down so people could anticipate the loss.

FUTURE AGENDA ITEMS:

- 01/26/10
- Receive Solid Waste performance audit report.
 - Public Hearing – Vacation of easements in Briarwood Addition.
 - Receive recommendation on award of bids on the renovation of the Carnegie building (bid date is 1/12/2010).
 - Consider approving Text Amendment TA-6-17-09 to various sections of the City of Lawrence Land Development Code to review standards related to “Boarding House.” Adopt on first reading, Ordinance No. 8482, for text amendment TA-6-17-09 various sections of the City of Lawrence Land Development Code to review standards related to “Boarding House.” (PC Item 4; approved 6-2 on 12/16/09)

ACTION: Approve Text Amendment (TA-6-17-09) to various sections of the City of Lawrence Land Development Code to review standards related to “Boarding House” and adopt on first reading, Ordinance No. 8482, if appropriate.

- 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.
- Receive city auditor's comparison of accumulated infrastructure depreciation ratio for Lawrence and similar communities.
- Downtown Task Force consideration
- Recycling report with comments from SAB

Moved by Amyx, seconded by Johnson to adjourn at 7:52 p.m. Motion carried unanimously.

APPROVED:

Robert Chestnut, Mayor

ATTEST:

Jonathan M. Douglass, City Clerk

CITY COMMISSION MEETING OF JANUARY 19, 2010

1. Bid Date Set - Feb 2, Crack Seal Program (PW1003)
2. Bid Date Set - Feb 2, Microsurfacing Program, (PW1004)
3. Purchase - GIS Software Licensing, Environmental Sys Research Institute for \$43,071.64.
4. Bid - Requirements Waved - 150 water meter radio transmitters, Midwest Meters \$15,450 plus shipping.
5. Bid – Staff Estimate - Comprehensive Rehab, 2420 Bryce Ct to T&J Holdings for \$25,585
6. Bid - 2010 bus shelter maintenance services to the Works for \$10,618.40
7. Ordinance 8481 – 2nd Read, rezone (Z-10-17-09) 24 acres, RO1A/RMO pending to CC-400, Mercato project, NE corner of K-10 & W. 6th Street (HWY 40).
8. Ordinance 8486 – 2nd Read, amend Chapter 16-1201, Access Mgmt Requirements for W 6th.
9. Ordinance 8483 – 2nd Read, text amend (TA-10-21-09) Correct inconsistencies uses identified as Communications’ and ‘Communications Service Establishment.’
10. Ordinance 8484 – 1st read, TA-11-23-09 to Article 12 Floodplain Regs, review General & Additional Standards for Residential & Non-Residential Construction.
11. Lawrence Police Department Racial Profiling Report
12. Signs of community interest - Lawrence Home Builders Association annual Home Show. Signs placed on Monday, Jan 25 & remove Monday, Feb 1
13. Smoking – Public Places amendment
14. City Manager’s Report
15. Engineering Contract - BG Consultants construction of phase 1 Lawrence Municipal Airport Sanitary Sewer Project