



City of Lawrence

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CITY COMMISSION

MAYOR
JEREMY FARMER

COMMISSIONERS
LESLIE SODEN
STUART BOLEY
MATTHEW J. HERBERT
MIKE AMYX

June 23, 2015

The Board of Commissioners of the City of Lawrence met in regular session at 5:53 p.m., in the City Commission Chambers in City Hall with Mayor Farmer presiding and members Commissioners Amyx, Boley, Herbert, and Soden present.

A. STUDY SESSION: (3:00 – 5:15 p.m.)

1. City Commission Study Session – Study session agenda and background materials will be posted when available
 - 2016 Budget: Guest Tax, CVB, Capital Improvements Program and Equipment

B. RECOGNITION/PROCLAMATION/PRESENTATION: None

C. CONSENT AGENDA

It was moved by Commissioner Amyx, seconded by Commissioner Herbert, to approve the consent agenda as below. Motion carried unanimously.

1. Approve City Commission meeting minutes from 04/14/15.
2. Receive minutes from various boards and commissions:
 - Aviation Advisory Board meeting of 04/02/15
 - Sustainability Advisory Board Minutes of 05/13/15
 - Traffic Safety Commission Minutes of 05/04/15
 - Mechanical Board of Appeals Minutes of 03/26/15 and 04/23/15
3. Approve claims to 231 vendors in the amount of \$3,357,015.04.
4. Approve licenses as recommended by the City Clerk's Office.

Drinking Establishment

Leeway Franks
Leeway Franks LLC
935 Iowa St., Suite 7

Bullwinkle's
Tom and Pete LLC
1344 Tennessee St.

Expiration

New License

June 17, 2015

Retail Liquor

Texas Jack's Liquors

June 12, 2015



Daffodil LLC
3020 S. Iowa St., Suite B

Off Premise CMB

Sprouts Farmers Market #173
SFM, LLC
4740 Bauer Farm Dr.

New License

5. Bid and purchase items:
 - a) Award City Bid No. B1536, Project Number PW1518 – O'Connell Road, Southbound Lanes, North of 23rd Street to R. D. Johnson Excavating Co., Inc. in the amount of \$262,311.00 provided the contractor can meet the terms established in the contract documents.
 - b) **REMOVE FROM THE CONSENT AGENDA FOR SEPARATE DISCUSSION.** Award Bid No. B1507, Project No. PW1442, 6th Street Fiber Project, to K&W Underground, Olathe, KS, in the amount of \$322,347.85, provided the contractor can meet the terms established in the contract documents.

6. Adopt on first reading, the following ordinances:
 - a) Receive request from David Hamby on behalf of Garber Property Management for consideration of changing street named Candy Lane to Lakeside Lane and adopt Ordinance 9123 renaming the private street "Candy Lane" to "Lakeside Lane".

7. Adopt on second and final reading, the following ordinances:
 - a) Ordinance No. 9112, revising the West Baldwin Creek Gravity Sewer Line Connection Fee.
 - b) Ordinance No. 9125, amending Sections 5-1805 and 5-1835 of the City Code, pertaining to signs, and repealing existing Sections 5-1805 and 5-1835.
 - c) Ordinance No. 9126, amending the Code of the City of Lawrence, Kansas, 2015 Edition, and amendments thereto, by repealing Chapter XIII, Article 2, Section 13-219.
 - d) Ordinance No. 9120, allowing the sale, possession and consumption of alcohol on the 700 block of Mississippi Street from 3:00 p.m. to 8:00 p.m. on Saturday September 19, 2015 for the Old West Lawrence Neighborhood Association Block Party.
 - e) Ordinance No. 9119, allowing the sale, possession and consumption of alcohol on 7th Street between Kentucky Street and Tennessee Street on Saturday, July 4, 2015 from 7:00 a.m. to 11:59 p.m. for the Lawrence Originals July 4th event.

- f) Ordinance No. 9118, allowing the sale, possession and consumption of alcohol on the 100 block of E 8th Street during the event from 12:00 p.m. on Saturday July 11, 2015 to 1:00 a.m. on Sunday, July 12, 2015 for the 2015 Django Birthday Party.
8. Concur with the following recommendations from the Traffic Safety Commission:
 - a) To approve a Traffic Calming for Atchison Avenue and deny Traffic Calming for 26th Street (TSC item #2; approved 8-0 on 5/4/15).
 - b) To approve a Marked Crosswalks across the east and north legs of the intersection of 27th Street & Lawrence Avenue (TSC item #3; approved 8-0 on 5/4/15).
 - c) To approve a Marked Crosswalk, together with a Pedestrian Refuge Island and Curb Ramps across Lawrence Avenue at the extension of the sidewalk from Holcomb Park (TSC item #4; approved 8-0 on 5/4/15).
 - d) To deny the request to establish No Parking along one side of W. 26th Street and along one side of Atchison Avenue (TSC item #5; denied 8-0 on 5/4/15).
 - e) To deny the request to change the Yield Sign to a Stop Sign on southbound Haskell Avenue at 11th Street (TSC item #3; denied 6-0 on 11/3/14).
 9. Authorize the City Manager to Execute a Professional Services Agreement in the amount of \$99,460 with Raftelis Financial Consultants for the Water and Sewer Rate Model Update, Project UT1429.
 10. Authorize Staff to Negotiate an Engineering Services Agreement with Walter P Moore for Preliminary Engineering Services for Project UT1503 Kaw Water Treatment Plant Structural Condition Assessment.
 11. **DEFER AT APPLICANTS REQUEST** - ~~Accept dedications of right-of-way and easement, and vacation of right-of-way for Quarry Lane associated with Minor Subdivision, MS-15-00213, for Rockledge Addition No. 1, located west of 2112 Bob Billings Parkway. Submitted by Landplan Engineering, for Robert W. Lichtwardt and Elizabeth T. Lichtwardt Revocable Trust, property owner of record.~~
 12. Accept vacation of and dedications of easements for Final Plat, PF-15-00248, for The Reserve at Alvamar No. 4, located at 1733 Bobwhite Dr. Submitted by Landplan Engineering, for Christopher and Amanda Storm, property owners of record.
 13. Authorize staff to bind coverage for Property and Casualty insurance (\$162,086) and Emergency Service Organization Package insurance (\$58,697) for the insurance period of July 1, 2015, through July 1, 2016.
 14. Authorize the renewal of the City's annual agreement for Microsoft software maintenance for the period of July 1, 2015 – June 30, 2016 to Software House International for \$89,264.

15. Approve a Special Event Permit, SE-15-00306, for a fireworks viewing party at Gaslight Gardens, located at 317 N 2nd St. The event will occur July 4, 2015. Submitted by Gaslight Gardens for Riverfront Properties of Lawrence LLC, property owner of record.
16. **REMOVE FROM CONSENT AGENDA FOR SEPARATE DISCUSSION.** Approve staff to reserve all eight courts at Sports Pavilion Lawrence for the Sunflower Showcase Tournament for July 24th and 25th.
17. **REMOVE FROM CONSENT AGENDA FOR SEPARATE DISCUSSION.** Receive update on 1145 Pennsylvania regarding existing code violations and staff's enforcement actions to initiate.
18. The City Commission is requested to approve Resolution 7126 authorizing the sale of water and sewage system refunding revenue bonds, series 2015-B.
19. **REMOVE FROM CONSENT AGENDA FOR SEPARATE DISCUSSION.** Authorize agreement with Kansas Fiber Network for use of city owned fiber.
20. Authorize the Mayor to sign a Release of Mortgage for Kimberli S. Eddins, 1220 Pennsylvania Street.

Greg Larkins remove from the consent agenda item 5b for Bid No. B1507, Project No. PW1442, 6th Street Fiber Project, to K&W Underground, Olathe, KS, in the amount of \$322,347.85, provided the contractor can meet the terms established in the contract documents.

Greg Larkins:
Lan-Tel Communications

Good Evening. I'm the Vice President of the business development. The reason why I wanted to bring this topic up, we were a low bid on this project by an amount of \$17,500. On the bid response that we got back from the city, our bid was rejected because our competition had better references than we did. From contacting our references that we submitted for this project, not anyone of the three that we presented was contacted that we can find out by the City of Lawrence. We're just curious why that could possibly happen and that we didn't possibly win the job. We met every criterion of the bid specifications, we've been in business 20 years, and we meet and exceed anything our competition has out there. With the condition of the state and the city, the way I look at it is, can you guys afford to really lose \$17,500? That is what I want to submit.

Mayor Farmer:

Thank you, Mr. Larkins. Jim, could you please respond to that?

Jim Wisdom:
Information Technology
Director

I can't remember the exact number, six or seven references that were given. I remember the City of Derby, if I remember right, Iowa Department of Transportation, KDOT, and KU, and they were all contacted. I have all the emails. I sent each of all the people that I contacted a nine-question questionnaire on references, and when they came back, I shared them with staff and everything. After reviewing that, we felt the better value was to go with K&W Underground. Not that this was the deciding

factor, but the school district is partnering with this on this project too, and they said they would prefer to use a different vendor.

Mayor Farmer: Any questions for Jim? (None) Jim thanks. Public comment on this item? Back to the Commission. It's a difference of \$17,500. Staff recommended awarding the bid to K&W Underground.

Commissioner Amyx: Since it's down to the references, I think it's appropriate that we see copies of those references since that's what it's about. I don't think this thing's going anywhere in a week, is it? Is there a deadline we have to meet?

Diane Stoddard:
Interim City Manager Are you okay for our bid to be delayed a week?

Mayor Farmer: It'll be two weeks, because July 7.

Diane Stoddard:
Interim City Manager That's true.

Mayor Farmer: Jim, are we okay to be late two weeks?

Jim Wisdom:
Information Technology
Director

Yes.

Moved by Commissioner Amyx, seconded by Commissioner Herbert, to defer this item until the Commission received references, Bid No. B1507, Project No. PW1442, 6th Street Fiber Project, to K&W Underground, Olathe, KS, in the amount of \$322,347.85. Motion carried unanimously

Mayor Farmer removed from the consent agenda Item No 16, approving staff to reserve all eight courts at Sports Pavilion Lawrence for the Sunflower Showcase Tournament for July 24th and 25th.

Ernie Shaw:
Interim Director
Parks & Rec

I have some other staff here, Commissioners, but the main emphasis, this is a signature tournament that we call it. What they have right now is 100+ teams. The tournament isn't until July. I think it's 23rd through the 26th. We also have a USSSA National Softball Tournament in town that has been here for a number of years, and they have a lot of the rooms taken. What he is requesting is the eighth gym, so he is able to get more games, number one, and because so many people are staying in Bonner and Kansas City and Topeka to be able to play more games with another court. Basically, that's in a nutshell is just being able to use that eighth court for these two days of the four, on Friday and Saturday. Something that we have looked at and, as always, make available, is our other three facilities. We always have open gyms there at all three of them every weekend. This particular two days, we have over 56 hours of

open gyms available at East Lawrence, Holcomb, and the community building for those two days for people to come and just the public to shoot around at those locations. Just on a side note, we've been doing this now for about eight months. It's one thing to say that we have a gym open at SPL on a big tournament weekend where we do keep a court open, but to say that it's available for cardholders is another thing, because most of you have been out there and know all eight gyms are on the bottom, and you can't control necessarily who is using that open gym. There are no doors, there's no key card. The tournament teams that are not playing, little brother and sister, whatever, everybody's competing for that open court, there's no way to control that and be able to say that the court cardholders are doing it, because there's hundreds and thousands of the tournament people down there, and trying to control that court in the middle is virtually impossible, but it is open, it's there, it's available for whoever competes against it.

Mayor Farmer:

Farmer: Questions for Ernie? (None) All right. Ernie, thank you. Public comments on this item?

Greg Robinson,
3116 Trail Road

I just like a clarification. I don't know if it's all on a blog or heard it from somewhere, but my understanding was that the facility itself is going to be closed, in the sense that you have to pay to get in because it's a controlled event for people to come there. It's \$10 or whatever. If I'm as a cardholder or citizen, can you go over there and use the gym at that time? Are you going to be allowed in or are you cornered off? I just want a clarification on that.

Mayor Farmer:

Farmer: Ernie, can you come up and address that please?

Ernie Shaw:
Interim Director
Parks & Rec

Virtually every tournament we have, the tournaments sometime have a charge for the spectators. We usually have two rows, people go one way, there's a table they can pay at, but we've never had trouble with any of our cardholders being able to go wherever they want to go in the building. That's never been a concern. It's worked very well. Anybody in Lawrence, as long as we're open, we have gymnastics, we have things on the turf area, we have all of our weights, cardio, track, all that available all the time tournaments are going on. That's never been a concern.

Greg Robinson:

I guess that's good to know, but if these other facilities are on the lower level where your tournaments are going on, how are you going to control who's there for the tournament versus who's there to go use the gym down below, the soccer field down and below? There's got to be some control here. Anyway, that's up the city, you guys figure it out. Just for the record, I'm opposed to this, because as you know, Mr. Amyx, this was a hot-button issue for this community and it was promised that this

would not happen. For this to come up this early, this soon, I certainly can understand all the arguments about economic benefits and all that, but yet I've never seen any numbers put up here to the city to say what we are getting for this tournament being here and what a great thing it is. What's the numbers? I understand that there is going to be 100 and some odd teams, so this developer obviously, or this organizer is going to get a sum of 70-something-thousand dollars plus, I don't know what his costs are, but just from tournament fees is over \$70,000. What's the city getting for that? Has anybody did any economic analysis to determine how many bedrooms or hotel rooms are used and what actually we get back for giving up things to these outside organizations because the paper reported 35 weeks are already booked, with the idea that, man, we got more coming? Do the math. When is the city going to get to use it? Do we get to use it during Christmas when all the students are gone? Do we get to use it on Thanksgiving weekend? Is that the time tournaments aren't going to be booked? Is that the only time we get it? That's what it's going to turn into. For the record, I'm opposed to it. Thank you.

Mayor Farmer

Thanks, Greg. Did that get posted to the agenda? I'd asked for Megan to show us some economic analysis to us earlier yesterday and she had sent out an email

Diane Stoddard:
Interim City Manager

I'm sorry, Mayor, I don't think it did, but Megan can certainly cover that.

Megan Gilliland:
Communications Manager

To recap, yesterday, you asked me for an economic impact for the AAU event, which is scheduled for that Thursday, Friday, and Saturday, of that weekend in July. We were able to book and confirm 120 room nights for the AAU tournament. The economic impact of that event was \$57,240 just from room nights. The event organizer just subsequently, so you know, did ask for a total of 600 room nights in Lawrence that weekend, but because of their USSSA tournament, we were already full with that. That Thursday is really the problem, not the remainder of the week, which the USSSA tournament is booked for Monday, Tuesday, Wednesday, and Thursday of that week as well. All 1,400 rooms are already booked in Lawrence for that week. With 120 room nights, that's \$57,240. We are estimating approximately 6,400 unique users for this event. That's 1,400 players and coaches, plus 5,000 in general attendance. Since not everyone is staying in Lawrence, we have to estimate that some of these will be calculated as a day-tripper, so we can't consider their hotel stay in the formula. Our general estimate would be that 6,400 visitors at 60% of the rate for an overnight stay would bring an economic impact of \$610,560, plus the impact of \$57,240, for a total of \$667,800 for the three-day tournament. This formula does take into consideration the sales tax collected from food, beverage sales, retail sales and

miscellaneous revenue.

Mayor Farmer: Any questions? Can we get that posted on the agenda for the public to see? Other public comment? Can we get that posted on the agenda for the public to see? Other public comment?

Greg Robinson: Sorry, Jeremy, could you just maybe clarify for the record, is she talking about just estimated money spent in the community? My point is what does the city get? What are we getting? We're the taxpayers, but you're the conduit that pays for this stuff. Quite frankly, I don't care if The Eldridge books any hotel's rooms that night. What do we get back? What are we collecting as a tax? We're not getting, I don't believe, \$667,000 in our coffers, general fund, so we can reduce the taxes for the taxpayer. That's just generated in wealth going to other people in this community, but what are we getting? What does the taxpayer get for its investment in this facility? That's what I'm concerned about. What are getting back? Thank you.

Mayor Farmer: My understanding of the email was that sales tax, collected retail sales, and miscellaneous revenue, so that does go into our coffers.

Diane Stoddard:
Interim City Manager

It does. Then the other thing I was going to mention, Mayor, is that we do have fees that we charge the tournament, which of course we have operating expenses that we have to cover, and our general taxes don't cover all of the operating expenses. I think one of the things that Park and Rec has been trying to do is to book these tournaments. That was one of the things in the original operating pro forma was that we needed to be able to gain tournament revenue. Just another couple of comments. I think this is the first request that has come forward. There's been any number of tournament that have been held out there, this is the first tournament that has come forward and requested the use of this eighth court. I think that Park and Rec staff have indicated the ability to inform the public well in advance, we have the ability to communicate with our cardholders so that people can be notified of when it would be closed in advance so that they would make other arrangements to go to one of the other facilities if they wanted to, if they were looking to play basketball or one of the court sports. The other thing in talking with staff, I think that we would recommend is the creation of some kind of policy so that there could be good criteria for when the eighth court would be available to tournaments. I think one of the things that we need to keep in mind with the facility is, strike a good balance perhaps between our ability to host these kind of very high-level events, and then having a facility that's available to the people of Lawrence to utilize. I think a policy would help us do that. Our recommendation would be that that would be, go through the Park and Rec Advisory Board and come to you all for consideration.

Mayor Farmer: Thanks. Any other public comment on this item? (None) Ernie, do you have something else you want to add?

Ernie Shaw:
Interim Director
Parks & Rec

Ernie: I was just going to say, he was asking, and Diane's alluded to it, but just the rental that he is paying directly back to Parks and Recreation is right at \$16,500 for those four days of courts, just for that. Then just a reminder, to answer his question too, that the facility was built with sales tax money, although our position is to make at least two thirds in fees and charges for the operating and maintenance of that facility. There's only one third of sales tax money going for the operation and maintenance of that facility, so we have to generate around \$700,000 a year to operate and pay the bills and utilities for that building.

Mayor Farmer: Thanks, Ernie. Right back to the Commission.

Commissioner Amyx I'll go ahead and go.

Mayor Farmer: Go for it.

Commissioner Amyx: Mayor, I appreciate the work that Megan's done, and Ernie and Mark and the staff and the Sports Pavilion. One of the things that was said by the former Commission, specifically by former Mayor Schumm, I think he hammered home pretty solid that we were always going to have that space available for the public. I'm the first one that looks under rocks every time money's needed. I want to make sure that we find it. This is one of those times, at least for myself that I've got to go along with what was said and how it was sold to the public when the original idea came forth.

Mayor Farmer: Other comments?

Vice Mayor Soden: I agree with that. Someone said this is about rebuilding trust, having to do with Rock Chalk Park, and that's true. I certainly appreciate all the tournaments and everything, but I do think that it's something that was promised and that we should back that promise up.

Mayor Farmer: Other comments? (None) Then I would entertain a motion either way.

Moved by Commissioner Amyx, seconded by Vice Mayor Soden, to deny staff to reserve all eight courts at Sports Pavilion Lawrence for the Sunflower Showcase Tournament for July 24th and 25th. Motion carried unanimously.

Mayor Farmer removed from the consent agenda item number 17 for separate discussion, the update on 1145 Pennsylvania regarding existing code violations and staff's enforcement actions to initiate.

Scott McCullough:
Planning and Development
Services Director

Good evening. One of the questions I have for you is what level of presentation you want. Brian Jimenez, our Code Enforcement Manager, is happy to give you the update. I wanted to introduce the item as a bit of a unique agenda item to you this evening, as from our perspective this is still at a staff level enforcement case. The update provides that we are trying to update the Commission on both a right of way issue and a private property issue. One of the things that, one of our options to pursue compliance with our code is through municipal court. An alternative to that is to seek abatement through the governing body, the City Commission, my point being that that is a process that has notice to both the owner and the complainants and people that are interested in the case none of that notice has been provided. We're not prepared necessarily to have a hearing on the topic. It was intended to be an update to the Commission. Given your direction tonight, that might change how the process works, but I did want you to be mindful of the process before us, because there is a bit of a process in these kinds of cases in our codes. With that, we'd seek the level of presentation you're looking for and then we'll turn Brian loose to give you the update.

Mayor Amyx:

I really don't care one way or another.

Vice Mayor Soden:

I don't think I really need a presentation. I just have questions.

Commissioner Herbert:

I think that the staff memo that was provided to us, it's got, what, 20 photos? We've got every angle possible photographed of that area. We've got a several-page historical background on the issue.

Scott McCullough:
Planning and Development
Services Director

We could stand for questions.

Commissioner Herbert:

I'd just assume a minimal, if no presentation.

Mayor Farmer

All right, questions?

Vice Mayor Soden:

Will you pull up the map that you so graciously built today, for me?

Scott McCullough:
Planning and Development
Services Director

Absolutely. Yes, Vice Mayor.

Vice Mayor Soden:

This is what I have to ask. We got the purple outline, which is the actual private property, and if I understand correctly, pretty much almost the entire green space, which exists only on the south side of that purple line, is the public right of way.

Scott McCullough:

Correct.

Planning and Development
Services Director

Vice Mayor Soden:

To me, one idea that I had, because most people, and I could be wrong so correct me if I'm wrong, own the property from the sidewalk to their structure. To me, that seems to be the big sticking point.

Scott McCullough:
Planning and Development
Services Director

First, there is typically an area of yard from the sidewalk to the property line in most every instance. The right-of-way has some amount of green space there that might have utility lines, water lines, storm water, that kind of thing. There is not a general thing you can say, that 10 foot off the sidewalk is everybody's property line. Just too very briefly summarize the pursuit, the conditions on actually this side of the right-of-way has the piles of brick and palettes and those kinds of things. That's what I think brings most concern from a code standard and the concerns within the right-of-way. Most of the property maintenance issues on the private property are held back on the private property. They are some elements that spill over into the city right-of-way, there are a few of those elements, but as our memo addresses, we have not compelled, required, encouraged, or otherwise noted anything to do with not growing vegetables and crops, if you will, gardening within the right of way. That's a fairly typical element to residential living that's fairly widespread. There's no code that prohibits that.

Vice Mayor Soden:

Where I was going with that is, I wondered if it was possible, or feasible I guess is maybe a better way to put it, to see that area north of the sidewalk as private property, if that would be helpful in some way. I don't know that might be a crazy idea, but the lack of green space, because the structure is so large, it takes up almost the entire lot, that's private, if that was a possibility in any way.

Scott McCullough:
Planning and Development
Services Director

There has been offered to the applicant, to the owner, to seek vacating a portion of that street to provide a more private property. That has not been a method or an avenue pursued. That's a review process, so we look for city utilities, for example, other private utilities, that in the right of way, whether it's really needed for the public purpose or whether it can be vacated to the private property owner. That is an option that we've discussed with them.

Vice Mayor Soden:

Is that something that would take time for us to accomplish, to do, that we could defer this into another time and give you time to work on that, because I think that's part of the issue here?

Scott McCullough:
Planning and Development
Services Director

We have offered a couple of different elements that we think can help resolve it. One is to tidy up the property and bring it into more of a compliance thing. The other is fencing portions of the

property to screen the storage components, and vacating it. It's a little bit of time to do that. We've been at this quite a while, as the record shows. Allowing the owner to pursue that avenue is typically a request by the owner to vacate. If you're asking us to review it and take that upon ourselves to pursue, we can do that as well. That's a process that goes through the Public Works Department.

Vice Mayor Soden:

Because I think one particular sticking point is on the east side of the porch, there's the parking that is right off of the street, they have a loading dock, and so that's where their rain catchment is located at. If they were to move that to the side yard, it has to still be within an area of that downspout of course, they're still in the right-of-way, no matter where they move that thing. That's why I feel like if we perhaps work on something like that, that will give them the ability to actually move some of this stuff to private property. That's where I'm going with that.

Commissioner Herbert:

Can I ask you, when you said one solution is to fence the area, and this may be a dumb question, but I'm looking at all the photographs here. What exactly does this individual have that's offensive to the city?

Scott McCullough:
Planning and Development
Services Director

There's a bullet list in the memo of what we specifically cited for the property maintenance code, that some of it lies within the right of way and some of it on the private property. If it were contained on private property and screened, it would no longer be a compliance issue.

Commissioner Herbert:

It's not the stuff, but the location of the stuff?

Scott McCullough:
Planning and Development
Services Director

In part, right. It's the stuff in the yard that presents the maintenance issue. If it were all within a building, for example, there would be no violation.

Vice Mayor Soden:

I did have another question too, if Matthew's done. I don't want to interrupt. One thing that if we do delay a little bit to give time to work on this, another sticky issue is that their sidewalk is their covered porch at the same time, and so that's also right-of-way. The covered porch is very deep, and so determining which part of that is right-of-way, which is private, there're a lot of issues with just trying to determine what the right-of-way here is.

Scott McCullough:
Planning and Development
Services Director

One of the solutions to that is a use of right of way agreement and/or vacating. The sidewalk presents a little bit of an issue because it actually, if you see my cursor here, my little hand, it goes right through the porch, picks up back on the other side, so it is unique. Even with the use of right of way agreement or vacating the property, the material, state of materials in the right-of-way, even with the use of right-of-way agreement, would be a violation of city code.

Vice Mayor Soden: Yeah, I did talk to Nick about that and that would probably still have to be moved no matter what, the palette of bricks and such. I think he's trying to sell those. How do you guys feel about just delaying this to give them time to work those kinds of issues out?

Commissioner Boley: I'm okay with that.

Commissioner Amyx: Fine with me.

Commissioner Herbert: I frankly don't have any problem with his property at all, so you can delay it indefinitely for all I care. The guy's got firewood.

Commissioner Amyx: Firewood and food.

Commissioner Herbert: He's got urban agriculture. Would we rather see a bunch of grass?

Mayor Farmer: What I think this is, and I talked to staff about this, Scott and I met about this, with Sheila Stogsdill, Monday, yesterday, the city of Austin back in 2011 created an urban agriculture zoning classification to specifically address things like this that people in the neighborhood felt like were blighted, but they really weren't, they were just an urban farm. I think to make sure that this doesn't come back to us again, or other issues where people want to grow their own food, we love food in this community, and we should, because we have great food and we have a lot of people that love to grow their own food. We just need to put this issue to bed and initiate a zoning change to create an urban agriculture classification, and then hopefully get this property rezoned into that. Some of the allowed uses may be allowed exceptions into certain things in dealing with driving, we can deal with all that later, but I think going forward, that's probably going to be the best way to deal with this, because it's not just this property, there's many others that, if we value food here and we value culture, then our zoning needs to be reflective of that.

Vice Mayor Soden: Yeah, I agree. An urban agriculture category would be really good. We need to rectify some of these odd right of way issues as well. I don't want that to get dropped. Absolutely, but that's more long-term. We need to work on the new category.

Mayor Farmer: Are we all in agreement?

Commissioner Herbert: Yeah
Mayor Farmer: Scott, go ahead.

Scott McCullough:
Planning and Development: I just get a distinction? Because we agree, Mayor, as we talked, that there would be value in an urban agricultural use within our

Services Director

development code, but I just want to reiterate that we don't have a use issue here, we have a property maintenance issue. Even if we end up with an urban agricultural use, our property maintenance code would still hold violations here, even if we had something. Urban agriculture is allowed under today's code, in my opinion. It would be valuable to have a distinct use in the code that spoke to it to bring in some of the other components that are scattered throughout the city code, but the discussion from our standpoint is more of a property maintenance code issues, the un-kept nature of the property, the piles of palettes of bricks and things in the yard. We like to talk about those in separate issues. There's the zoning and the use associated with it and then there's a property maintenance code out of the ICC code book or family of codes that the City Commission has adopted that we apply every day.

Mayor Farmer:

Other questions for Scott? Scott, thank you.

Scott McCullough:
Planning and Development
Services Director

Thank you.

Mayor Farmer:

I don't think there's anybody up here that wants to continue any action on this property is my interpretation.

Commissioner Herbert:

No.

Mayor Farmer:

Is that correct?

Commissioner Boley:

I think it's known as a deferral, right?

Mayor Farmer:

A deferral or we can just stop it.

Commissioner Herbert:

The two things I looked for when I looked at the photographs, because obviously public safety is important, is a sidewalk obstructed? The sidewalk runs literally through his house, so there's no way for us to make that sidewalk not obstructed. The second thing I look for is; does the city have access to the fire hydrant? That photo down at the bottom, right above where it says South elevation 12th Street, there's clearly a fire hydrant that is in no way blocked by bricks, palettes, barbed wire, hay, trees, anything. From a public safety standpoint, I think we've got a lot of time on our hands if we're going after people for having palettes and bricks in their front yard. I don't have any interest in pursuing it.

Mayor Farmer:

We'll take some public comment on this, but it sounds like we're going to stop any action on this, so if you're here to tell us we need to do that, I think you're going to be happy with the outcome. Please try to keep your comments brief, we're probably over occupancy in this building. We're not going to

have a shot clock, but do your best.

K.T. Walsh:

I almost did a face plant getting here. I just want to say, I think what you're talking about is very wise, making a specific category for urban agriculture. It's news to me that the easement runs into some of our front yards. It would be nice to have that clarified. I also want to say, as someone who was declared blighted years ago, and having gone through this, the system that we still have in place, and have had in place for at least 30 years, is I can call and narc on my neighbor for whatever reason, it's unanimous, and then the city comes out. In this block, there is a woman the police and animal control are very familiar with. She's the one that called because another neighbor had alligators in their backyard, which of course wasn't true, but a lot of city time was spent on that. I think somehow the idea that someone can call up, be anonymous, make a complaint and start all this brouhaha and city staff time, we need to look at that. Thank you.

Mayor Farmer:

Thanks, KT. Other public comment?

Nick Brown:
1145 Pennsylvania

Thanks for hearing me tonight. I really appreciate people taking a really reasonable stance in what's considered a public nuisance and what is less than injurious and hazardous to the neighborhood. I want to say that a lot of people are here in support of exemplary use of the property in certain ways. It's a really prolific example of urban sustainability and I really congratulate these Commissioners on moving forward with embracing that and showing leadership as a community, community leaders. I'm right there with you. I do want to say that until the right of way issues are clarified, I feel like I will always be in jeopardy of this kind of complaint-based system. I spent over a year on this myself. I'm really glad for an opportunity to put it to rest. I pay property taxes, I actually pay double property taxes as a commercial status, and yet I've also had to find the hours to meet and comply, which I'm happy to do, as long as the uses of the property for urban agriculture also have a place. The way the code in the property maintenance code reads, to my understanding, is that all exterior storage is not allowed. It's really generally worded. My understanding is that I can't throw a stone in any direction from where I live and find a property that complies with that, so everybody's in jeopardy and then enforcement is on a subjective basis. That's a tough position to be in as a property owner or as a resident in a neighborhood that, generally speaking, is pretty resourceful. The wording of that ordinance still seems like it could cover anything and everything, including barbecue grills, lawn mowers, and anybody who likes to mulch. I still see that as an outstanding issue, and if it is possible to get any clearer on the city setbacks on this particular property, which, it's an 1880's structure, it's unique in the way it sits on the lot, the awning does go over the

city sidewalk, which always is unobstructed, we make sure of that, would be helpful to me just hoping that this does not become a recurring issue or demand any more city resources or my own.

Mayor Farmer: Nick, thank you. Other public comment?

Lauren Pershall I appreciate the City Commission's stance on this. I agree with the ideas of trying to come up with a new possible zoning measure. I wanted to add that maybe we should look at possibly updating some of our codes and ordinances to be in light of a modern view of environmental responsibility. Thank you.

Mayor Farmer: Thank you.

Dan Dannenberg:
2702 University Dr. I'm a part-time unpaid code enforcement employee. I've made so many reports that I can't keep track of them all. I think that if there is any kind of obstruction, whether or not the fire hydrant is unobstructed, if there's any kind of obstruction that would limit public safety access, first responder access to the property, I think that needs to be taken care of and looked at. In my neighborhood recently, there were piles, a pile of trash out by the street that was there for days and it didn't get moved. Finally, somebody picked it up. There needs to be a way to address those types of things. I have another situation in our neighborhood where somebody is running a woodcutting operation and there are pieces of tree stump, a lot of them, piled next to the place. I've reported that. I know one day I'm going to report somebody who's going to find out who I am and I'm probably going to end up with more space between my ears from shotgun blasts, but I'm going to risk that, because I care about the integrity and the appearance and the safety of the community. I could go on about the flammable liquids I could see from the bus stop. I think we need to be sure that we keep these types of situations from developing into trash piles, because that happened very easily.

Mayor Farmer: Thank you, Dan. Other public comment?

Michael Almon:
1311 Prairie Avenue I operate a half-acre urban farm named Forest Floor Permaculture. I've been doing that for 35 years, but when I started off, I was under the same kind of gun for the weed ordinance. Fortunately, that's been resolved, thanks to David Corliss actually, who very cleverly crafted the natural landscaping portion of that ordinance for us, which made a lot of this possible. Mr. Dannenberg has a lot of good points about public safety and access. It doesn't apply in this case though. I would welcome him to come out and visit 1145 Pennsylvania some time. As far as the sections of code that Nick Brown and the other owners have been cited under, there's actually three, let me address the right-of-way thing first of all. As

Commissioner Soden pointed out, this is a very unique situation. I don't know if there's any other property in town with conditions anywhere resembling this. How the building got built over the property lines is anybody's guess, and over the sidewalk on the east. I think applying the city right-of-way ordinance in this case is inappropriate. For one thing, prohibited use of right of way has to do with vendor displays on the sidewalk, merchandise or goods on any of the sidewalks, obstruction of traffic on any street or sidewalk. It's people using the sidewalk. The sidewalk on the south side is perfectly opened, maintained, it's obviously in the photograph. The sidewalk on the east side is the porch. Trying to claim that this situation needs to comply with how we look at downtown or Deerfield or whatever just is totally inappropriate. I think that should be thrown out right away. Vacating some of the city right-of-way to provide more private area for green space for the defendant, I think is appropriate. As far as obstructing the sidewalks, it simply doesn't apply. I think it should be vacated so that that porch becomes part of the private property in the building. As far as the bullet points of the "stuff," as we said, in the yard, the way it's worded in the ordinance, it has to do with accumulation of these materials. "No person shall allow any yard, porch, deck, balcony," blah blah blah, "The accumulation of any of the following items," and it lists things like wire, like fencing, lumber, masonry, like the bricks, supplies, equipment, machinery, auto parts, all these things, these are all listed, plus more. That's all good and fine if somebody's just depositing something in the weeds on their lot and just letting it sit there for years. That's not the case here either. This is an operating, active urban farm. Bales of hay are in use. There are tomato cages, they specifically listed tomato cages, they're in use. The compost pile, its regenerating soil. They don't use chemical fertilizers, they use compost. These are not accumulation of trash and litter, this is the operation materials, the equipment that, equivalent to a farmer in 40 acres, it's the tractor, it's how you make the farm work. You have to have all of these parts. That's another reason that this needs to be considered independently. I think agricultural zoning district might be a great way to go, but this is not a property maintenance issue. These items are not blight. They're being used actively in a farm. I disagree with Mr. McCullough that that's a separate issue from the zoning. Any urban farmer should be allowed to be using these materials right now as a farm, regardless of the property maintenance. This property maintenance code, incidentally, it's about a year old.

Mayor Farmer:

Mr. Almon, can you try to wrap up your comments soon? We've got a lot of folks who want to speak today.

Michael Almon :

I'll wrap up.

Mayor Farmer:

Thank you.

Michael Almon: It's about a year old. It was adopted, 8873, the same time, a month apart from the Ordinance 8840, residential rental property code. The property maintenance code really is partnered with the rental registration code as the way to evaluate and enforce the rental registration code. Fine if we want to apply it to rental registration, not to an urban farm. Thank you.

Mayor Farmer: Thank you.

Michael Almon: Thank you for your support.

Mayor Farmer: Thanks for being mindful of others, I appreciate it. Other public comment on this item?

Loring Henderson: I'm coming this evening as clerk of the Oread Friends Meeting. Our meeting house is about three blocks from the site under discussion at 12th and Pennsylvania. We have an agreement with Nick Brown to develop a garden site at the Oread Friends Meeting. We have found that Nick is not only a man of vision, but he's organized in his thoughts and in his approach to his garden work. No one in the Oread Friends Meeting is a gardener, so we have, for the last several years, sought people through the Community Garden Program or friends of friends to develop a garden in the back of our meeting house, where we have a large, sunny, grassy area. Year after year, it hasn't worked out. People have started and then midsummer they're gone and it's left me with a mess and I clean it up. Nick has not been that man. He came to us two years ago and said he would develop it. He's given us his graphics, site plan. He's given us a written agreement, a work plan, with phases. He's given us verbal reports on how it's going. He comes with his work crew and does it. He said it's going to take two years just to prepare the ground and this is the second year, so things are going the way he said it's going to go. He does have his work equipment around there. It's a work site. We're quite pleased with the thoroughness, with the approach, with the dedication, and with the fact that when he says something, he's going to do it, and he does it, and he comes through. I am here fully in support of Nick and the work that he does and the approach that he takes to his work and his dedication. Thank you.

Mayor Farmer: Thank you, sir. Thank you. Good to see you, Loring. Any other public comment on this item? (None) What do we have to do to stop action on this and then direct staff to initiate a code provision change? What does the motion need to entail?

Diane Stoddard:
Interim City Manager I think providing that general direction, but I think we would also appreciate the opportunity to have a discussion I think, more in detail, about the property maintenance code in general, because staff is trying to enforce what are the rules as written. I think

having that discussion at some point in the future would be wise.

Scott McCullough:
Planning and Development
Services Director

I think to hold in abeyance any of the enforcement proceedings while we study the property maintenance code would be one motion option. Then if you want to initiate a text amendment to the land development code, you may do that and then that would get processed through the Planning Commission and City Commission for a decision.

Mayor Farmer:

I would entertain a motion to hold an abeyance, any enforcement actions on 1145 Pennsylvania.

Moved by Vice Mayor Soden, seconded by Commissioner Boley, to hold in abeyance the issue regarding 1145 Pennsylvania regarding existing code violations and staff's enforcement actions to initiate. Motion carried unanimously.

Moved by Commissioner Herbert, seconded by Commissioner Amyx, to initiate a text amendment to the land development code, to add an urban agriculture zoning area. Motion carried unanimously.

Vice Mayor Soden removed from the consent agenda item number 19, authorizing an agreement with Kansas Fiber Network for use of city owned fiber.

Vice Mayor Soden:

This is authorizing the agreement with Kansas Fiber Network for use of city-owned fiber. I bring this up because I believe this is the first contract that's being presented to us. I thought that was just really important for people to know. I didn't really have anything against it. I just wanted to point it out and say, "Hey, look at this, it's already working." I think it's great.

Diane Stoddard:
Interim City Manager

It is, Vice Mayor, and this was a company that was also watching, I think, the progression of the fiber policy and contacted us in concurrence with it being approved.

James Wisdom:
Information Technology
Director

Tonight we have with us from Kansas Fiber Network, Tony Russell, Bob Wallentine, and Zach Cole. He has a short presentation and can answer any questions you have.

Diane Stoddard:
Interim City Manager

If you all wanted to entertain that, but if you just wanted to make a comment, Vice Mayor.

Mayor Farmer:

Yeah, I think we've got a number of things on the agenda, we probably want to hold the presentation, but it might be good to get that so that we could post it for folks to see.

Commissioner Boley:

That wasn't posted on our agenda?

Mayor Farmer:

No.

Commissioner Boley:

I'd like to see it.

Mayor Farmer: You want to see it tonight?

Commissioner Boley: No, no, I just want it to be available to me.

Diane Stoddard:
City Manager We'll get that posted for you.

Mayor Farmer: Excellent. Sorry, gentlemen, we just have a number of items on the agenda tonight. We're very excited to have you here. Public comment on this item?

Moved by Commissioner Amyx, seconded by Commissioner Herbert, to authorized agreement with Kansas Fiber Network for use of city owned fiber. Motion carried unanimously.

D. CITY MANAGER'S REPORT:

Diane Stoddard, Interim City Manager, in the interest of time, there aren't really any particular items that I have to highlight, but a number of just updates that are listed there for you, I'd be happy to answer any questions. The topics in the City Manager's Report were: the new section of 31st Street from Haskell Avenue to O'Connell Road now open; general information of Kansas River Levee-Flood Emergency Operation Procedures; May 2015 monthly Permit Reports; various parks and recreation department events and activities; and, homeless point in time count for 2015 Douglas County.

Vice Mayor Soden: Did that homeless report get fixed?

Mayor Farmer: It did get fixed, yeah.

Diane Stoddard:
Interim City Manager I think the link should be fixed now.

E. PUBLIC COMMENT:

Penny Postoak Ferguson:
Deputy County Manager
Johnson County Government It's interesting to hear your deliberations because I grew up in Lawrence and I'm a KU grad and attended Haskell, so it's good to hear how things are progressing in my hometown. I'm before you tonight on behalf of the County to request continued funding for K-10 Connector bus route service between Johnson County and the City of Lawrence. I have been before you in previous years but I understand you have a new Commission. I'll just highlight a few things, but I will be brief, Mayor, because I know you have a long agenda.

Mayor Farmer: Thank you.

Penny Postoak Ferguson:
Deputy County Manager
Johnson County Government A few of the benefits for K-10 for both communities is the number of riders we have, I'll touch on that in a minute, but increased mobility options for residents, students, faculty, general public decreases the wear and tear on city streets and

helps reduce congestion by eliminating vehicle trips, decreases wear and tear on K-10 that should help with long-term maintenance costs, and reduces congestion by eliminating vehicle trips. Both the University of Kansas and Johnson County Community College students have benefited from access to this service when traveling between campuses. Over the last five years, ridership on the Connector has ranged between 118,000 and 162,000 riders per year. Ridership has fluctuated due to fair increase since 2013 and lower fuel prices. The service began operating in 2007 as a collaborative partnership with Johnson County at the urging of KDOT, including a variety of organizations affiliated with Lawrence, KU, Johnson County Community College, and the Mid-America Regional Council also had input in this service and service delivery model. Over the last few years, we've continued to look for opportunities to bring in partners in supporting this important connection. A little bit of history, over the last few years, we've had discussions with the City Manager's Office, including Diane Stoddard and your former City Manager. In 2013, we came up with a joint staff formula of how to address that. It includes ridership factors, population, and the origination of the ridership. At that time, we came up with a formula, three-year rationing up to a partnership funding level. At that time, in 2014 was year one of that three-year staff-level agreement that we were bringing forward to our governing bodies. In 2014 was the first year that was funded at \$120,000. At that time we had hoped that the second year would be \$200,000 in '15 and \$327,800 in 2017. Last year, when this was before you, you kept it at the same level, at \$120,000, so our request for this year has been adjusted for what was to be the second year but is actually the third year, rationing up to \$200,000 with the next year then at \$327,800. The overall cost for the service is \$1.4 million and you back out of that estimated fair revenue of roughly half a million dollars. There's a little bit of state money that we do put towards this route. That leaves about \$860,000 of expenses net from that. With the formula of all those factors that we talked about for that cost, we are asking for \$200,000 for fiscal year 2016. The partnership is a priority. The K-10 Connector is a benefit to Johnson County; it's a benefit to Lawrence community, so we are asking for a partnership in funding as well. Do appreciate your partnership over the last two years and look for that increased support. I know that you have a number of items on your agenda tonight and you discussed budget earlier, so we'd be happy to come back at any point during your budget process over the next few weeks to discuss further, answer questions, or anything in the meantime. Thank you.

Mayor Farmer:

Thank you, Penny. Do we have questions for her? I've got two. The reductions in state funding that Johnson County Transit experienced a few years ago, have your levels now been returned to pre-cut levels?

Penny Postoak Ferguson:
Deputy County Manager
Johnson County Government

I don't have that information with me, but I do have Sean Strate, whose part of our team with the ATA, and I don't know if you have that information. If not, we can certainly get that for you.

Sean Strate:
Team Member with ATA

I don't specifically know if it's been restored to prior levels. I know that several years ago KDOT reclassified the formula, the way that they distribute funds, and it ultimately led to Johnson County Transit receiving less funding than in prior years. I don't know to what extent that's been restored. I don't know that amount specifically, but we can certainly provide that information.

Mayor Farmer:

I'll wait on the other question. Do y'all have any other questions for Penny at this point? Thank y'all for coming tonight. Other general public comment?

Ted Boyle:

Good evening, Mr. Mayor, Commissioners. I'm here to talk about that RS5 zoning again. Also, last time I was here, you guys were going to go over there and take a look at 337 Elm, and I was just wondering how many of you went over and took a look at that.

Commissioner Herbert:

It's 437 Elm, correct?

Ted Boyle:

Yeah, 437 Elm, that's right. Here's the deal. We want to get this on a future agenda and discuss the removal of this RS5 zoning from North Lawrence, because if this continues, we're going to need another pump in North Lawrence. We haven't even got the first one yet. We've been waiting on it 20 years and still haven't received that pump. This RS5 zoning wasn't in existence when the storm water study was done. Matt Bond and I have discussed this. This pump that's hopefully going to be installed sometime this year, and completed maybe by this time next year, will be adequate to take the problem that we have right now and not the problem that's going to be generated in the future by this RS zoning. We would really like to get this on the agenda, future agenda.

Mayor Farmer:

Thank you, Ted. What would be the process? Does it go through Planning Commission?

Scott McCullough
Planning & Development
Services Director

Mayor, I would offer that we could provide you a report on the issue, show you the boundaries, show you the history of zoning, give you some options to consider, and start that way, because there is a process to initiate a rezoning and there's a process in the Planning Commission, the City Commission, after the initiation of it. I think it would behoove us to get you the information about what Mr. Boyle's talking about.

Mayor Farmer:

Time-frame-wise by the end of July?

Scott McCullough
Planning & Development
Services Director

Absolutely.

Mayor Farmer:

Ted, will that work for you?

Ted Boyle:

Yeah, any time works for me.

Mayor Farmer:

Excellent. We're talking about 2017, right?

Scott McCullough
Planning & Development
Services Director

2020 tops.

Ted Boyle:

I'll be back every Tuesday.

Commissioner Herbert:

Ted, how many lots in north Lawrence right now are zoned RS5?

Ted Boyle:

There's some on Elm Street that are zoned RS5 now. RS5 zoning was 5,000 square foot or less. Now we're getting down to this particular property that we're talking about at 437 is 25-foot-wide piece of property and I think something around 110 feet long. The only green space is the front yard. It's less from the sidewalk to the front porch, it's about 15 foot. The garage in the back is built all the way to the alley and on the property line on the east side, on the property line, not a five-foot gap or anything. I mean they built on it as much as they could. The storm-water run-off, and as I told you before, the people that own the property to the east, the Sanders, now have water running under the house, through their property, as a result of this being built. You got to have respect of your neighbor when you build a property. It's a rental property. Even the new one, that at 437 I understand is a rental property, and then his property to the east, that person that rents that property walks out his front porch and looks at a 25, 30-foot side of a house. There's one on down in the 600 block on the north side of the street that's built just like that. That established house, walks out of her front porch and looks at a 30-foot wall right on the property line. Besides the storm drainage problems that we have with these small lots, we have this other problem where it's a lack of respect for their neighbors. I'd be up a tree if I was living there. Thank you.

Mayor Farmer:

Thanks Ted.

Scott McCullough
Planning & Development
Services Director

Mayor, we'll provide that information Commissioner Herbert asked about.

Mayor Farmer:

Thank you, excellent. Other general public comment?

Dan Dannenberg:
2702 University Drive

Two quick comments. Number one, downtown Lawrence is becoming a slum, particularly with respect to bicyclists and skateboarders. I know it's funny, Mayor, you can sit there and chuckle and make fun of me and mock me all you want, but somebody's going to get hurt, because people are using the sidewalk to bicycle and skateboard. If you're someone like me and you've had three close calls, when you're walking down the street, you need to see some enforcement. Either put in some enforcement or do away with any ordinance that prohibits this, skateboarders and bicyclists on the sidewalks of Massachusetts Street. Second point is, about this time last year, I sent in a request by the City's website to have trees trimmed from 2604 through 2612 University Drive. About an hour after I sent in the request, the word came back, "We don't have time or resources for that." I've put in a lot of requests to have trees trimmed around sidewalks, because it becomes a problem if you're trying to walk down the sidewalk and you have to get around a tree limb or some bush. Of course the rest of the people who are concerned with pedestrian issues in this community, that's not on their radar, that's too mundane for them to be concerned with, but I have other places to send requests in. If I'm going to send in a request and I'm going to be told, "Okay, we don't have time for this," just tell me now and I won't send in the requests.

Commissioner Boley:

Mr. Dannenberg, I had a phone call last night from an elderly woman who felt that she was being endangered on a sidewalk because a bicycle almost ran her down, so you're not alone.

Dan Dannenberg:
2702 University Drive

The Mayor thinks it's funny.

Commissioner Boley:

I think that's an issue.

Dan Dannenberg:
2702 University Drive

These Commissioners, these three over here think it's hilarious, but it's getting dangerous. It needs to be stopped. I've seen four instances where law enforcement has been called to downtown Lawrence because of issues regarding fights or something else. I made one of the calls because people were drunk. I don't know what the solution is, but we need to do something to get a bench back on the corner of 9th and Massachusetts. As I say, just tell me, if I can't get any more tree trimming done, I've sent in one request this year and it was taken care of, but if I can't get any more tree trimming done, just say so now and I won't put any more requests in.

Commissioner Amy:

We'll take care of that. Diane will check on that for you

Dan Dannenberg:
2702 University Drive

I'll identify things as I see them and I'll send in requests.

Commissioner Amyx: Which bench is gone downtown, on 9th and Mass?

Dan Dannenberg:
2702 University Drive
Yeah, the one on the southwest corner was removed because it was just overrun with people soliciting and people, frankly, intoxicated. I talked with one of the owners of Weaver's about it and he just threw up his hands and said, "We got to get rid of the bench." It's gone. Almost all the benches are taken up either by buskers or by people soliciting money. It's slowly going downhill, but that's the way the cookie crumbles.

Mayor Farmer: Thank you, Mr. Dannenberg. Other general public comment?
(None)

F. REGULAR AGENDA ITEMS:

1. Receive update from consultant and provide input on cultural plan development.

Katherine Simmons, Chair of the Cultural Arts Commission, introduced the item.

Mayor Farmer: Have any questions for Katherine? Katherine thanks to you and Kathy, Jerry, John, Patrick, and Michelle for all of your guys' hard work. We're indebted to you for all the hard work that you put in. Thank y'all for being here. We will have a meet and greet, study session, love to hear from you. You guys have such an integral and important part of this conversation about arts and culture in our community.

Katherine Simmons:
Chair
Cultural Arts Commission
We look forward to it. Thank you.

Mayor Farmer: Thank y'all so much for being here.

Christine Harris, Cultural Planning Consultant, Christine Harris Connections presented the update for the Cultural Plan.

Mayor Farmer: All right, Christine, thank you so much. Do we have questions for Christine or her team?

Vice Mayor Soden: The only thing I was able to figure out the link to, at least from the agenda, the City's draft mission vision, cultural plan review, that's the only thing that I found to look at, which is great. I thought everything was great, it's just two pages.

Christine Harris:
Christine Harris Connections
That's not ours.

Vice Mayor Soden: Oh, whose is it?

Christine Harris:
Christine Harris Connections That actually came from Scott's department. We've been working with Scott on Horizon 2020 and I actually suggested to Porter and I probably didn't communicate very properly, we've been working to understand where Horizon 2020 is going, and Scott provided that shortly after that was approved. That's also in a draft state. That's actually your bigger vision. We're looking to make sure that what we do fits within where the community's already going and headed, and we're pleased with where creativity and culture is fitting within that.

Vice Mayor Soden: I just found one word I wanted to change. It's one word, if you can believe that.

Christine Harris:
Christine Harris Connections Scott must've done a good job.

Vice Mayor Soden: So you got the first page, purpose of the plan, our community vision, and in that one about the fifth line down, it says, "We are prosperous." See that one? I perhaps would change the word "prosperous," because I don't think a lot of people in our town feel particularly prosperous, so perhaps "protective."

Scott McCullough:
Planning & Development
Services Director Thank you for that. This is actually a product out of, Commissioner Amyx is co-chairing with Commissioner Thellman and the County Commission, the Horizon 2020 Steering Committee, and we have produced the final draft issue action report, which includes the purpose and the vision statement that we're holding in July a public meeting to get input back. It's still draft form, so any input like this is helpful to that committee.

Vice Mayor Soden: Yeah, just that one word is just what I found. As I say it seems like every meeting, our wages are the lowest in the state, so I think a lot of people would disagree with that. I would love to read your stuff at some point in the future.

Christine Harris:
Christine Harris Connections It's coming. Scott's an example of the City staff that was really as helpful and cooperative as we look to make sure we're in alignment with where the greater community is going.

Vice Mayor Soden: Thank you.

Scott McCullough:
Planning & Development
Services Director I would only add it's the vision for where we aspire to be. It's not where we are today.

Christine Harris:
Christine Harris Connections Right, as will ours.

Diane Stoddard:
Interim City Manager Mayor, I just wanted to note that the other documents that Christine referred to are on the citywide cultural plan page, so if you go to the main website, Lawrencecks.org, it's one of the

features there and it's about the 4th or 5th one down, right below Horizon 2020 Process, Citywide Cultural Plan. That's where a lot of the documents and meeting schedule and that kind of thing.

Vice Mayor Soden:

Got it, thank you.

Porter Arneill:
Director of Arts & Culture

We'll get the PowerPoint up.

Diane Stoddard:
Interim City Manager

We'll add that to it. Thank you, Porter.

Mayor Farmer:

Very good. Any other questions for Christine?

Commissioner Amyx:

The final plan will be here July 24th?

Christine Harris:
Christine Harris Connections

We're looking at it to be, it might be a week, but it'll be the end of July. Then we need to set a date that works with everybody's schedule to come present to you.

Commissioner Amyx:

Very good.

Christine Harris:
Christine Harris Connections

Thank you.

Mayor Farmer:

Exciting. Christine, thank you. Public comment on the citywide cultural plan update from Christine Harris and Tom tonight?

Meredith Moore:

I mentioned this, but I don't know if you saw our comments. I found it really strange that grants to artist festivals and organizations were all lumped under one category. As you think about funding for those, I feel that individual artist should probably be considered separately from organizations and festivals for any opportunities the City can give them to make them successful in Lawrence.

Mayor Farmer:

Can we have your name for the record?

Meredith Moore:
Wonder Fair Gallery

You sure can. I'm Meredith Moore, I own the Wonder Fair Gallery. My personal address is 532 Walnut Street, North Lawrence. Thanks.

Mayor Farmer:

Thank you, Meredith. Hope your house isn't zoned RS5.

Meredith Moore:
Wonder Fair Gallery

No comment.

Mayor Farmer:

Thank you so much for coming tonight. Is Ted still here? He missed that, didn't he? That's a bummer.

Commissioner Herbert:

You can say it next week when Ted's back and talks about RS5.

Mayor Farmer: He's going to come back down here in 10 minutes. Other comments on the culture plan development?

Vice Mayor Soden: Is this Commission or public? I have something else I can say.

Mayor Farmer: Yes, any other public comment? No? We'll bring it back to the Commission.

Vice Mayor Soden: I just wanted to say again, which I did talk to Christine at one point, to make sure that the cultural plan covers our entire city, because I think the whole east versus west thing, which I don't appreciate that dichotomy to begin with, there is a somewhat different culture on the west side, and that is just as valid as the east side, which is a very black and white thing to say, I'm sure as you know. I think it's important that when you do the cultural plan you don't rank certain cultures higher than the other. My degree I got was in cultural anthropology and the first thing that they beat into your head is all cultures are valid, no matter what they are; it's just what you're raised in. I think that's a really important distinction to make when we're talking about this. All culture is valid, no matter whose it is. I just wanted to say that. I could talk about that forever, but I won't. I'll talk to Christine later.

Mayor Farmer: Make us bring the shot clock out on the Commission tonight.

Vice Mayor Soden: Might have to bring it out on me.

Mayor Farmer: That's right. Any other Commission comments?

Commissioner Amyx: I was just going to say I'm really excited about getting the final plan, having discussions about it. I think it's going to be very good for Lawrence, Kansas.

Mayor Farmer: Absolutely. Other comments? I wasn't trying to rush us, I'm sorry. Do we have any official action tonight to receive the report?

Diane Stoddard: I don't think you need to make any particular action, just that there's an input. We'll be bringing that back to you in July and look forward to seeing the plan.

Mayor Farmer: I feel like we're on the right track. Christine, great job. Thanks to you and your team for doing all that you're doing, getting input. We're very grateful. We'll take a five-minute break. It's 7:32 pm and will resume at 7:28.

The City Commission received the report.

The City Commission recessed at 7:23 p.m.

The City Commission reconvened at 7:32

2. **Received East Ninth Street Work Plan Draft.**

Porter Arneill, Director of Arts and Culture, presented the East 9th Street Work Plan Draft.

Mayor Farmer: Questions for Porter?

Commissioner Amyx: Just one comment. I want to thank a couple of groups of people. I want to thank East Lawrence neighborhood. Many of you know, and I've said before, I'm very proud of the fact that I grew up in the young part of my life at 9th and Rhode Island. It had a lot of influence on me, being able to say that I grew up part of my young life in East Lawrence. This project is important to me and it's one of the things that I have to tell everybody. I'm extremely proud of the fact that we are looking at making an investment, a public investment in East Lawrence. I'm also here to tell you that I am looking at this like nobody's business because I want to make sure that it's done right. As I said in the Citizen Advisory Committee a couple weeks ago, whenever it was, I'm running out of dates, this roadway, this infrastructure, this plan, has got to fit. It's got to look East Lawrence, it's got to feel East Lawrence, it's got to be East Lawrence. Josh has heard me say this over and over again, as many people have heard me say, it's got to be. Ladies and gentlemen, we control the purse-strings to this project. There's a lot of pressure on a whole lot of folks to be able to come through in this project. Again, I want to thank the people of East Lawrence. They're standing up. They're very proud people to make sure they understand the importance of East Lawrence and the neighborhood, not of the association, but of the neighborhood. That neighborhood means so much too so many people. It's an incumbent upon us to make sure that it's done right, that it fits right. Second of all, the members of the Citizen Advisory Board, people stand up, they get appointed, and they want to make sure that they do what's right. I want to thank all of you for coming forward and wanting to do those again. Again, a special thank you to people in East Lawrence. Thanks.

Mayor Farmer: Thanks Mike. Any other questions for Porter or Josh before we take some public comments? Lots of folks here want to speak. Please, again, try to keep your comments brief so everyone can have an opportunity to talk. We'll open it up for public comment at this time.

Ashley Laird: I'm a working artist and I live in East Lawrence. Tonight I hold in my hand more than 140 signatures, including mine, of Lawrence residents who support a letter urging you not to accept this plan tonight so that it can be made better. The signees of this letter comprise a diverse group of Lawrence citizens from all parts of

town, including artists, non-artists, East Lawrence residents, and folks from nearly every neighborhood in town who care deeply about our community. Our letter begins by saying, "We deeply appreciate the careful consideration Commissioners and City staff had given the East 9th project process and trust that you will continue to give it the serious and thoughtful regard it deserves. The learning curve has been steep for this ambitious and first of its kind endeavor for our community. In an effort to move toward the goals of a healthy, just, equitable, and sustainable East 9th Street project, we, the 140 individuals undersigned, have carefully reviewed the draft work plan submitted by El Dorado Inc. and propose the modifications outlying below to be included in the document before the plan is accepted. Number one is our statement of values. Respect and understanding of the place and people where this project is proposed are crucial to its acceptance and sustainability. The work plan should be revised to acknowledge that the East Lawrence neighborhood already has a statement of values that applies to a majority of the area where the project is planned. Following from this, the design team, City, and Lawrence Arts Center should strive to respect and be guided by these values in reviewing existing plans, and as it moves forward with the East 9th project." Thank you.

Mayor Farmer:

Thank you so much, Ms. Laird. Other public comment?

Amber Hanson:

Hello, Mayor and Commissioners. I'm an artist who lives in Lawrence, visual artist, musician, and filmmaker. I graduated from KU and now live on the east side. I also support this letter and would like to highlight number two, the artist participation model. It reads, "The culture and spirit of East Lawrence is alive and well, in part because of its organic growth and thoughtful and passionate stewardship. All public art projects in recent memory that have been carried out in East Lawrence have been presented for consideration and approval to the East Lawrence Neighborhood Association before going on to the City. This includes the mural at Hobbs Park, the forthcoming intersection repair, the New York School mural, the cultural district, and the Better Block event. We believe that the same process should be used for all art and culture related projects, outlined in the artist participation model section of the work plan. The work plan should be revised to include the East Lawrence Neighborhood Association in their review and approval process, which includes the Lawrence Culture Arts Commission, the Historic Resource Commission, and the City Commission, for all art and culture related projects proposed in the artist participation model. To ensure that the character and expression of the neighborhood is guided by those who live there, we propose that at least 50% of the projects outlined in the artist participation model be led by Lawrence artists, with at least one Lawrence artist in each of the three sections of the artist participation model, at least half of

those led by East Lawrence artists. To make the most of the potential creative exchange that can take place during this process; we propose that all art projects outlined in the artist participation model include a paid assistant artist from Lawrence. This will be a great experience in training for our local artists and will give any lead artists who are not from Lawrence essential insight into the place where they are working." Please consider our letter and all the people who have signed it before approving the work plan. Thank you very much.

Mayor Farmer:

Thank you, Ms. Hanson.

Phil Collison:
Citizen Advisory Committee

I've been trying to pay attention. I've been listening to people. I've been talking to people. I studied the original grant that initiated this. I've studied the work plan and I finally even read the contract with the City and I see the entire work plan laid out in the contract. One thing that I don't see in the work plan, are the protections that I see necessary to preserve the culture and heritage of the neighborhood. I was one of the two people that voted against the work plan at the Citizen Advisory Committee. I want those protections included in the work plan. Those protections would include a conservation overlay, a down-zoning project, and property tax relief, or just some recognition in the work plan that there is the potential that there's a certain amount of risk in there, to that culture and heritage of the neighborhood. I know that we've gotten some traction with that. I know that Commissioner Amyx has been a vocal supporter of a conservation overlay district. I've failed in my ability to get more traction on that, to get that on the agenda so it can be a part of the discussion that we're having. For that reason, the Neighborhood Association has embarked on its own down-zoning project and working on getting the conservation overlay district put in place. I just feel really strongly that the appropriate place for that is through the project, because if we don't have project support for that, then we're coming at it from two different angles. I think that that conservation overlay is really important. That's my reason for asking that the work plan not be approved so that it can be sent back to have some protections added into it.

Commissioner Amyx:

Phil, do you think it's a responsibility of the Lawrence City Commission to initiate that conservation overlay district?

Phil Collison:
Citizen Advisory Committee

I would absolutely welcome that occurring.

Commissioner Amyx:

Because I think it is important.

Phil Collison:
Citizen Advisory Committee

I think the Neighborhood Association finds it important and I hope that the Citizen Advisory Committee also finds it important. The work plan is going to be the document that we're working off

of, and there're some good intentions in there, it has the potential to be fluid moving forward, but good intentions don't make good policy. It needs to be a part of the work plan. Thank you.

Mayor Farmer:

Thank you, Mr. Collison. Other public comment? Hi, Candace.

Candice Davis:
Lawrence Association of
Neighborhoods (LAN)

Good evening. I want to tell you that I did attend one of these workshops too, so I was involved and I'm really impressed with the process that is going on. I admit that I'm not fully familiar with everything, but it did come to the attention of LAN recently that the draft work plan recently passed by the Advisory Committee for the 9th Street Art Corridor does not guarantee the full participation of Lawrence artists, but rather a national application process that may or may not select the local artists. At our LAN meeting in June, members were really surprised to learn about this, that this is in the draft plan. At the very least, we believe that local artists should be guaranteed a level of participation in this project. The work and influence of regional artists have added much to the beauty, interests, and culture of this town. Lawrence prides itself in the rich arts community that has evolved over many, many years. We have amazing talent here. LAN would like to continue to see artists live and work here, not live in New York or San Francisco or LA, but right here in our hometown. Many nationally known artists already have achieved a level of economic success. Our treasured artists deserve our support and our respect. We should be honored to publicly display their work on the 9th Street Corridor. LAN would urge you, the City Commissioners, to guarantee that at least one half to two thirds of the artworks chosen for the 9th Street project are from our local artists. Thanks so much.

Mayor Farmer:

Thank you, Candice. Other public comment?

Josh Davis:

Hi Mayor and Commissioners. I want to say, and echo what Commissioner Mike Amyx said, the level of civic participation in East Lawrence is unreal. There are so many people in East Lawrence who get involved and commissions that bring things to you and get involved in politics, who are activists, and it's very impressive. It's one of the things I particularly appreciate about East Lawrence. I am concerned that there hasn't been a lot of discussion about the actual implementation of this and the people who are going to do it, specifically around El Dorado. From the very beginning, I looked into what they've done, there have been so many presentations, I've had conversations with them, but more of researching the different types of projects they've done. Not all the projects are specific to something like this, but there are some examples. Consistently, I found that the results of those projects were great. There was community support for those projects. The outcomes of those projects were excellent. That doesn't guarantee that they would be in this

case, but I don't feel like there's enough consideration that we have the opportunity to work with people like that. They've come up with this idea, we've had meetings that have provided input and provided things. We have 11-2 vote, and this isn't people from outside of East Lawrence entirely coming in. The 140 people who signed this letter were from a variety of different places in Lawrence, some even outside Lawrence. The composition of the committee that did the vote, and where there were only two people against it, was also a composition of people in Lawrence, and specifically, they had exposure to a lot of the different information. In this letter, it could have been entirely presented factually about what was involved, but with the committee, I know that they were actually getting information from lots of different people, they were evaluating it. I know that there're lots of people in East Lawrence here against this proposal, but I also know there's a lot of people in favor of it. I just wanted to cover those two specific things. The last thing would be, personally as someone who lives on 9th Street, I'd love to have a veto of my block. I'd like to be able to say, "I want the last word on this, if we're going to do this or not," but it's not realistic. We have a committee, the committee reviewed the material and they think this is a good work plan. This is not the end of it, we're still going to have work in the future around this, there's going to be plenty of time for input, and that's why I support this.

Mayor Farmer:

Thank you, Mr. Davis. Other public comment? Good evening.

KH Harris:

I live on that wonderful block of 900 Rhode Island that Mike talks about. Tonight I'm representing not just myself, but I'm an ELNA board member and I'm here to represent the ELNA board. We would just like to say that ELNA has sent you a letter, and that our concerns are very similar to the letter that was signed by the 142 residents of Lawrence. We're asking, in our letter, that the draft plan not be accepted tonight until three issues that were brought up in that letter are addressed. I'm not going to go through those, because everybody else has already done that. Thank you.

Mayor Farmer:

Thank you, KH.

Greg Robinson:
3116 Trail Rd

My comments are not generally directed at either for or against this project, mine is more of process. We see this all the time in City government where it seems that the horse gets out of the barn before we even do any research. What happens in these cases are, we direct staff and people that are in charge of writing grants to go out and get us grants because grants are wonderful things. It's free tax from someone else. We go out and get grants and then we go out and say, "we got this art grant." "Hey, where do we want to put it?" You go out and get consensus for where it should go. Where was their like a local

bid, so to speak. Does 8th Street want it? Does 9th Street want it or does 10th Street want it? No, it was just, let's go get a grant. Oh wow, this looks cool, let's ram it down 9th Street throat, it will make it look good and we'll let the public interact and act like they have some input, where in fact, they really don't. This train is running and can't really be stopped unless you as a Commission just shelf it, you just say we're not going to do it. That's your only option at this point, really. You can talk. You'll never convince and be able to sway everybody's fears with this, but the thing is the process. The thing is the process and for future processes, I would hope that somehow we would get a consensus. I don't know the exact answer to it, but too many times we just see grant money going out or somebody has a wild idea, hey, let's look at this. Almost like the police facility out there by Hallmarks. Somehow that came into being and somebody ran with it, without all the input from the public. So what happen is, these things get created, they get a big ball of steam and guess what, here we are. Really, why are we having this meeting? Shouldn't this have been flushed out even before the grant was even applied for? In fact, so it's really putting the cart before the horse. Thank you.

Mayor Farmer:

Thank you Mr. Robinson. Other public comment?

Janet Good:

I live in East Lawrence and I've been involved in the neighborhood projects for a long time. In fact, I was the one who wrote the grant for the beautiful mural on the stadium in East Lawrence and I'm painted on there if you all want to look for me and wave the next time you drive by. This is the fourth time I have given this speech and I will give it every time this project comes up. We need to consider the lower-income people in the neighborhood. There's a saying, "Dance with the ones who brought you," and I'm thrilled that people with money who used to live on the west side think East Lawrence is cool and they're moving there now. They're invested and they're excited and that's great, but when I bought my house here, people at work tried to do an intervention to keep me from buying my house. They were like, "Oh honey, you don't want to live there. There were drug houses." People who have lived there a lot longer than I have had hung in there, and they love the neighborhood, and they're invested. I realize that makes me part of this gentrification that's now gaining steam and that people see this as part of the gentrification of East Lawrence. I think it's very important to look holistically at the neighborhood and think mitigation. Mitigation in terms of the people who could be chased out by this gentrification who have very real and relevant fears of what this project brings with it. Not the art, not the street improvements, but the development that seems to follow along with these things. Fears of an entertainment district. I think the conservation overlay zoning is an excellent beginning mitigation, but I urge you to look at the neighborhood, and look at the

people who have made it the cool, awesome, artistic, funky place that people love. That can be lost and that could go away and it would be a great loss. It would be a great loss to East Lawrence. It would be a great loss to the city as a whole. That's my spiel. I'll be back. You'll hear it again. Just letting you know. Thank you.

Mayor Farmer: Thank you so much for your input. Other public comment? Anyone else? Last call. (none) All right, back to the Commission.

Vice Mayor Soden: I think the down-zoning piece is a big piece to protect against gentrification. I think it's really important. Should I go on?

Commissioner Herbert: Yeah, let her in it.

Vice Mayor Soden: Okay, I'll just go on then. Whether you want to call that a conservation overlay or not, we do hear when people talk about this project, "Oh, well gentrification's already occurring," as in, "We should just ignore that." That tells me that it was just designated a cultural district because of the people inside of it. We should protect the people inside of it, or it will not be a cultural district in motion. It will just be one in name. I believe the down-zoning conservation overlay is really important. Also, we need to remember that east of downtown is very large swath of affordable single family homes. Affordable housing is a big part of one of our priorities. We cannot lose that on top of that. I don't know if it's been addressed yet in a meaningful way if Ninth Street is going to be an entertainment corridor, but that needs to be addressed. Out loud, in a meaningful conversation lasting longer than five minutes. I think that's one of the major fears that the neighborhood has. That that's what it's going to turn into.

Commissioner Amyx: Are you thinking about zoning and the uses that are along the corridor?

Vice Mayor Soden: I'm talking about using the street as a venue itself.

Commissioner Amyx: That would be mine.

Vice Mayor Soden: Well, that's important to talk about. I don't know if that's been discussed yet.

Commissioner Boley: You mean like Eighth Street between Massachusetts and New Hampshire?

Vice Mayor Soden: Exactly. That's one of my other major points. I think using local artists, Lawrence artists. Once again, it's a cultural district because of the people that are located there. I think using them is your best resource. That's how it also becomes the economic development that you're looking for because then the monies that those people receive will just go back into the local

economy. I think that's another really important point. My final point is that the vote at the steering committee to approve the plan was 11-2. If we want it to fit with the neighborhood, it needs to be a unanimous vote and that does take longer to achieve consensus, but if we are serious about it fitting in the neighborhood, it needs to have a consensus vote and it doesn't.

Mayor Farmer:

Other thoughts?

Commissioner Amyx:

Mayor, again, I agree that an initiation of the conservation overlay district is our responsibility to care of some of the fears that you have. I think you're absolutely right. We need to have the discussion about what or how the street can be used or if it will be used for anything other than neighborhood get-togethers. We approved a neighborhood big deal tonight. I want to say a few hours ago. There may be times that East Lawrence wants to do some kind of deal. I think that kind of discussion needs to happen. As far as zoning that would allow for an entertainment district, no.

Vice Mayor Soden:

I think that zoning is more about that most of that area is zoned RN24, if I remember right, Scott. It needs to be down-zoned to use, which for the most part is single family homes. RS7.

Commissioner Amyx:

Can you do that through an overlay district of that section?

Scott McCullough:
Planning & Development
Services Director

There's a mix of zoning in that area along the corridor. There's several parceled zoned commercial strip, which allows the commercial uses. There's some RS. There's RM zoning. The tools you have available to consider getting out of the corridor and into the private property would be to re-zone properties to something you think is more suitable to the development up to this time, which there are a lot of single family homes in RN zoned areas. Your highest protection is re-zoning, down-zoning if you will, to an RS district. Short of that, what we learned in our work and in the Oread neighborhood, for example, is that people recognize the infeasibility of that from a political standpoint and then we use the urban conservation overlay district with design guidelines to address some of the issues on the physical development side of things. There are two different kinds of tools at use. Planning Office is just entering this discussion. We've haven't been privy to the discussion to this point in terms of what the steering committee is talking about, but we're happy to enter that discussion and provide some assistance.

Commissioner Boley:

Mike, is that what's you're talking about when you say you want it to look like East Lawrence. You want it to be East Lawrence?

Commissioner Amyx:

Yeah, I realize that the Ninth Street corridor is something that's always been a connection of downtown through the neighborhood. It's carried not only residential traffic from the

neighborhood, but it's carried commercial traffic through times. It's a multi-transportation roadway system. It's also the foot traffic that it carries in the sidewalks. I want to say, as Josh and others look at this thing, especially the infrastructure portion. I call the infrastructure being the street, the sidewalk, and the lighting and those things. We have one shot. You got one shot to make it be East Lawrence. Granted, it's a public roadway, but it goes right through the center of a neighborhood. If it came through the center of my neighborhood, I would be like everybody in East Lawrence. You would too. You would want to make sure that it was done right. That it fit where you live. Any one of us would be like that. Here again, what we're going to do is a one-time shot. If we don't get it right, I guarantee it's not going to work.

Commissioner Boley: We're not spending any money tonight, are we?

Commissioner Amyx: No sir. No, we're not.

Commissioner Boley: This won't obligate us to spend any money.

Commissioner Amyx: This gets you to see the pictures and to see what that fit's going to look like. That's what it is. We've spent the money. We have a contract with el dorado.

Mayor Farmer: That's all we spent?

Commissioner Boley: Yeah.

Mayor Farmer: Other thoughts?

Commissioner Herbert: I think one of the things that I've looked at when looking at this is the concept of leveraging. It's something that we have said so many times in our study sessions and just talking about the budget. We are operating on a very tight budget. I don't have any experience making budgets for the city prior to this year, but I get the feeling, based on what's happening at the state, that this tends to be a year of particular difficulty. This word leveraging keeps coming up and what I mean by leveraging is we look for ways in which we can do productive things for our city while using money that isn't our cities. We hear this talked about with roundabouts. People talk about, "Why are we putting in another roundabout?" The answer is usually that if we agree to do the roundabout that KDOT will send us x number of dollars and that can help pay for the cost of the streets. One of the things that I look at with this is that we're talking about an area of town that, in my opinion has been neglected for a long time by the city in terms of infrastructure. In terms of making sure that people have adequate roadways, walkways, bike-ways, and pedestrian ways. In terms of making sure that people have adequate resources provided to them, by their city. The reality is

bike-ways, walkways, lighting, streets, all of that is incredibly expensive and with this process I see a great opportunity for that leveraging. We have an Art Place grant that allows us to use a substantial amount of money that doesn't come from our city's taxpayers to improve infrastructure in an area that frankly has been neglected for a while. I think Commissioner Amyx has it right when he says that we have to make sure this gets done right. This cannot be something that gets done overnight. It can't be something that gets done with little thought. With that in mind, I want to take a minute and just walk through a timeline here. I wrote up a little timeline and my dates could be slightly off. Feel free to correct me if they are, but as I recall, this is about the timeline we've gone through. I think we started this process in 2012. Is that correct? That's when we had the cultural district designation letter. It was done with ELNA involvement. Is that about right?

Commissioner Amyx: Probably pretty close.

Commissioner Herbert: 2012, alright. From 2012 to 2015, we've had discussions at ELNA meetings. 2013, we had the cultural district task force, which involved a year of public meetings which also had neighborhood influence, if I'm recalling that correctly. 2013 to 2014, we had Art Place Meetings that were attended by East Lawrence neighborhood reps. 2014 was where we had the public meeting to design the RFQ for the urban design team. 2015, public art workshops related to Ninth Street, Citizen Advisory Committees put together, mayor appointed task force, votes to accept the work plan. I say that all of you in this room know all of that because you're very involved in this. You've shown a great deal of civic participation and being involved in this, but I say all that because I want it to be clear that I don't think this is a decision we're making on about ten minutes' notice. This isn't something that just came up out of the woodwork that we're excited about and we're like, "Oh, let's do it right now without any thought." My email box has exploded today as I'm sure yours has as well. Both directions, for and against. There're a lot of people in East Lawrence that are for it. There's a lot that obviously have concerns. It's not a decision to be taken lightly, but ultimately when I keep coming back to is that term leveraging. We've talked about that with regards to every decision we've made for the past ninety days that have been a part of this. "How can we leverage funds from somewhere else to make a great thing happen that doesn't come at a great cost?" It's for that leveraging reason that I think this is a good idea.

Mayor Farmer: Thoughts?

Vice Mayor Soden: Like I said, the consensus piece is really important. If we want to fit the neighborhood, it needs to have the neighborhood

approval of it and it's not quite there.

Commissioner Amyx: Leslie, I tried all my magic and it didn't work. I tried everything.

Vice Mayor Soden: Well, addressing the street itself as a venue is an important conversation that hasn't happened yet. That conversation hasn't happened yet. Downzoning to protect that hasn't happened yet. That's why there's no consensus yet. The neighborhood has written a letter that says, "Here are the things that we want," which to me, were completely reasonable, having local artists and down-zoning. There's nothing unreasonable in there that I see. If those things are added, then I think there will be consensus. Maybe the right questions weren't asked.

Commissioner Herbert: Speaking of asking questions, can I ask you a question? This would be for, I guess probably Porter. The thirteen member group that vote is thirteen members, correct? That voted on this eleven to two?

Porter Arneill:
Director of Arts and Culture Fourteen members, one was absent.

Commissioner Herbert: Of the thirteen that registered to vote, do you happen to know how many of them were residents of East Lawrence?

Porter Arneill:
Director of Arts and Culture Outside of the East Lawrence Neighborhood Association representatives, I do not know for sure. There're several people who may know that, I don't know that. In other words three people represent the East Lawrence Neighborhood Association on the Citizen Advisory Committee and the others represent different entities. Whether or not they live in East Lawrence or not, I don't know for sure.

Commissioner Herbert: I ask that because the will of the neighborhood's very important to me, which is why, to be honest with you, I was a little bit taken aback by the 136 name petition. When you look at the breakdown of who signed that petition, that's not an East Lawrence petition. I can give you the numbers here. According to looking at those names and then pulling up county records of the people who signed that petition. Fifty-nine live in an address that would be designated as East Lawrence. That would be forty-three percent of the petition. Of those fifty-nine, thirty-five appear to be the owner of their disclosed address. Of those thirty-five, seventeen live near the eight or nine hundred block of their street. Out of those seventeen, thirteen addresses were represented as four of the addresses were listed twice. That's a concern to me that that petition's being represented as maybe something that it's not.

Vice Mayor Soden: I don't think the petition was purposely expected to be an East Lawrence petition, from what I was told.

Commissioner Herbert: I want to make sure that the voice of the neighborhood is actually heard and represented as something that it's not.

Vice Mayor Soden: A lot of the comments we got for it were from out of the neighborhood as well.

Commissioner Amyx: It was coming from all over.

Commissioner Herbert: That's my point. You're asking for a hundred percent consensus. That's never going to happen.

Vice Mayor Soden: No, on the steering committee. I don't think we could ever get a hundred percent consensus from every resident in our neighborhood. I think that is safe to say. We are a neighborhood that likes to talk.

Commissioner Herbert: If we know we can never get a hundred percent consensus from our neighborhood, how can we ever expect to get a hundred percent consensus from a group that's a representative sample of a neighborhood?

Vice Mayor Soden: Well, that's what the committee is for. Those three people represent the neighborhood. The others represent different entities. Just because they're residents of the neighborhood doesn't mean they were representing the neighborhood. One of those residents was the downtown rep, and lives in the neighborhood, but they were representing downtown. I hear what you're saying. As someone that's been involved in this stuff, I hear the frustration. It's not a clean deal no matter how you look at it. It's not black and white.

Commissioner Amyx: I respect the Commissioner and the Vice Mayor's comments. I want you both to know that. The item that's put forth tonight is whether or not that we can accept the work plan that was recommended by the CAC and if there are any changes or additions that we would like to make to this plan. Obviously, we've had things come forward this evening as they've come over the last seven weeks that had to do with the values as listed by East Lawrence. We also have the discussion about an overlay district or re-zoning, downzoning, whatever you want to call it. What was the other one?

Vice Mayor Soden: Ninth Street. The use of Ninth Street.

Commissioner Amyx: Yeah, the use of Ninth Street. Those kinds of things. Those are the kinds of additions that we can bring up to begin a discussion. The item that is before us tonight is the work plan as recommended by the CAC and the schedule of the way it's going to come forward from this point if it is acceptable. At least, I would suggest that we direct staff to start looking at that comprehensive overlay district or the zoning question and how

that works and to come back with a report. The values that we had a discussion amongst the CAC, we decided to go with the plan, a strong feeling of change. So be it, but I think the plan has a good schedule and I think there's been a lot of work done today.

Mayor Farmer: Can I ask a question? I don't know if this is for Porter or Josh. I want to make sure because I thought the last commission had decided that the East Lawrence Neighborhood Association was going to be able to review the Complete Street and I see it in here. That's accurate, right? They're going to be able to? Can any of you guys speak to that? I thought that was direction that we gave.

Diane Stoddard:
Interim City Manager I think it was a two week review period, yes.

Mayor Farmer: On two separate occasions, right? September and December.

Diane Stoddard:
Interim City Manager Yes.

Josh Shelton:
el dorado Inc. I'm looking at page sixteen of the work plan draft. The complete street design document would include art integration. Specific art integration strategies. There is a September 8th deadline of submitting for a two-week review period that includes ELNA and the Cultural Arts Commission. We also have included some progress reports for historic review taking place on August 20th and November 19th. I would say, again, in the design development phase which is past the conceptual design phase, the same thing is presented. We also added into this, the idea that the selected artists would meet with the East Lawrence Neighborhood Association and kick-off a three day work session with the design team by actually visiting with the East Lawrence Neighborhood Association and talking more intimately with some of the board members. We've tried to take into account the feedback we've gotten from ELNA as well the Citizen's Advisory Committee and work this into the schedule and the new, revised critical path. We did add over a month to the schedule. el dorado agreed to add two additional, Diane, you can correct me if I'm wrong, but I think it was two additional Citizen Advisory Committee meetings to accommodate a more regular meeting schedule over an extended schedule. We found the CAC meetings and the CAC involvement to be extremely helpful and it's continued to shape the plan and the path forward.

Commissioner Boley: Josh, Christine Harris told us today this evening that we love local. How is that reflected in your document here?

Josh Shelton: First off, I would say that the team has come to love local as

el dorado Inc.

well. The public workshops and all the walkabouts, gatherings, conversations we've had, and the public input that we've gotten locally, are outlined in the work plan from pages 18-62, and it's been a remarkable process. We've learned a lot from people that live in the neighborhood. We've learned a lot from people that have worked with the city. We've learned a lot from people outside the neighborhood. We've learned a lot from different subsets of communities. The local input has been hugely informative and valuable and has shaped the design process, the complete street design process proposal, and the artist participation proposal. If you notice an artist participation plan, there are different levels of artist participation outlined. It would be logical that some would be geared towards local participation based on scope and fee amounts that are put forth. The design team also felt in conjunction with Porter and the City of Lawrence and best practices for public art selection nationally that it was important to maintain a high level of transparency and therefore, open the call up to all artists. Local artists are of course invited and encouraged to compete. There are some commissions that would make much more sense for a local artist over a national artist coming in to execute and perform.

Mayor Farmer:

Can I ask you a follow up question to that?

Josh Shelton:
el dorado Inc.

Yes.

Mayor Farmer:

I think the reticence is, and I think it's on page 72. In relationship to the artists, under "eligibility", it will be an advantage for an artist to demonstrate strong knowledge of Lawrence and clearly articulate their connection to the city and its people." I think the perception is that even though that's said, it wasn't reflected in here that local artists will be given preference. I guess the sense is that we're going to have a corridor with a bunch of art made by people not from here. There won't be any ownership from folks in the neighborhood. One of the speakers was right and I get back to my notes to find out who it was. It was Janet who said that the East Lawrence people are the people who made it essentially the cool, awesome, funky place that people love. I think the sense is that we need to have some cool, funky art along Ninth Street made by local artists. How would you respond to that how that's reflected in the plan?

Josh Shelton:
el dorado Inc.

I think there are three levels of engagement and three in the artist participation proposal, there are three levels. There's the tried out event, which is very clearly geared around local participation and strong connections to Ninth Street. That's also a public education, a public outreach event that brings people to East 9th to understand the physical parameters of the right of way, where the project would take place, and understand its

context in relation to different parts of the corridor. I think that the talents that are being called upon are certainly geared towards Lawrence talents. I see that as a very local event and a way to educate local citizens about what the project is really about. I think we also have to understand Lawrence in the context of putting out calls to artists. How the City of Lawrence is perceived locally, regionally, nationally. I think that from the design team's perspective and certainly emphasis on the lead artist, 100% transparency is valued. On that note, excluding some artists from the call in preference to local artists or excluding the merit of good ideas that might be from an artist that's from Topeka or from Kansas City in preference to local artists, didn't resonate well with the value statement of transparency. I think Porter can probably comment. Porter's done a lot of work on local, regional, national committees about best practices within artist selection, but I think it's really important to consider the mixing up of people from outside of Lawrence with inside of Lawrence. We also have to also remember that we have a design team that has gotten to know this place very well and gotten to know the people within this place very well. It will be our job on a curatorial level and also on an execution level, to make sure that whatever is proposed and we didn't just put out a call that is just a shotgun call. We actually corralled the call through themes surrounding multi-modal transportation and movement, gathering, and lighting. These are themes that emerge from public workshops as being extremely important to be thoughtful about. We're already providing a strong foundation, anchor to the place, through the themes and we would hope to select artists based on merit and not geography in concert with those themes.

Mayor Farmer:

I totally agree with the sentiment. Getting back to what our issues are, the values at the outset of this, I don't know that that's necessarily of the utmost importance. The down-zoning, the comp overlaying district, I think we can have a conversation about that, initiate something for staff to bring back to us. I think that that's an easy fix. The use of 9th Street and all those things would essentially have to come back to the City Commission so we would have complete authority over whether or not streets get shut down. That usually comes from Mark Teal, is that ... Diane, Chuck, Scott, I don't know if that's a correct assumption. If we're going to shut down a city street, those come before the City Commission. Those just won't automatically happen just because we have the 9th Street corridor. The last hanging thing out there is the local artists. Who selects them? We're talking about transparency so let's be transparent. In here it just says a jury. Doesn't say who's on that. Maybe I missed it somewhere. Who selects these artists?

Josh Shelton:
el dorado Inc.

I think it's probably appropriate to turn it over to Porter Arneill to talk about the selection process. Thank you all so much.

Mayor Farmer: Thank you Josh.

Porter Arneill
Director of Arts and Culture

What we've developed thus far is a selection panel that includes the two design team entities so each of those will have a vote. That's Sans Facon and el dorado. Three individuals from the Citizen Advisory Committee will be appointed to this jury, and then two independent arts professionals. That could be an artist; it could be a curator. Ideally at least one of those people would be from outside of Lawrence so you have a completely unbiased perspective and I've also been working with our friends at Parks and Recreation who ultimately will be inheriting all this stuff and making sure that they have a voice on the panel, as well, so they can see what's coming and offer their professional perspective.

Mayor Farmer: What's the breakdown of local versus non-local?

Porter Arneill:
Director of Arts and Culture

Local versus non-local? Panelists?

Mayor Farmer: People on the jury.

Porter Arneill:
Director of Arts and Culture

All but two possibly would be local.

Mayor Farmer: Well, you said the two artists and curator one of them you'd prefer to not be local.

Porter Arneill:
Director of Arts and Culture

At least one and possibly both. When I say that, that could just be regional. Maybe somebody from Kansas City or Wichita. Somebody who's not directly immersed in Lawrence's arts community. It's usually a good idea to do that.

Mayor Farmer: Does the city Commission have veto authority on those decisions?

Porter Arneill:
Director of Arts and Culture

Not specifically as part of the artist selection process. We want to keep that secure, but then overall the whole design will come back to the City Commission.

Mayor Farmer: We can give specific direction that we strongly implore this jury to make sure that there are local artists.

Porter Arneill:
Director of Arts and Culture

I can promise you that I will convey that to the jury. I want to assure you all, this is a common debate. I understand the natural desire to want to feed our own, so to speak, and I respect that. I will say tonight that if any artist wants to contact me once this RFQ process begins, public art is a different animal entirely than a gallery-based or studio-based effort. A lot

of artists don't fully understand that until they actually engage in it. I'd be happy to help any local artists. I will serve as the facilitator of this process. I've done this probably over a hundred times. The process is always wonderful and it's always unique. It's remarkable how every one of these projects is unique. Everybody on that jury is going to be learning together about what's available. The other thing I'd like to say is that I think there is value in allowing locals, artists, and also audience, members to see what other artists are doing because that helps inform and raise everybody's game. I tend to use sports analogies. There's a reason why we don't always just play our neighbors in tennis or something. If we want to up our game a little bit, sometimes it's good to get exposure from outside as well and that may happen here too. I'd love to see local artists raise their own game and show up in a way that they do a slam dunk, and they get the competition, and that's certainly viable. I've heard rumor that people think the artists are already selected. Unless somebody's doing something that I'm not aware of, I have spent hours with Josh and Sans Facon on the phone working through this meticulously to make sure that we do it in a good way.

Mayor Farmer:

Well, I just want to reiterate that it would be tragic if we were to have a corridor in one of the coolest neighborhoods in the state of Kansas and we didn't have any art from people from that neighborhood. Please relay that as strongly as possible to the committee. In relationship to the down-zoning, Scott, what would be the process for beginning the process to look at a conservation overlay district?

Scott McCullough:
Planning & Development
Services Director

I think it would entail a memo to the Commission, again with options and more information about the boundaries, and the areas, and the process. We can do that by the end of July.

Mayor Farmer:

Perfect. Thank you. The use of 9th, can we just ...

Vice Mayor Soden:

We have a meeting tomorrow night. They should have that by tomorrow night.

Commissioner Amyx:

We already have an agenda for tomorrow night.

Porter Arneill:
Director of Arts and Culture

There's a Citizen Advisory Committee meeting tomorrow night here. We adjusted the time because George Clinton is going to be playing so we made it earlier and we're going to have it here. The agenda right now is focused on this artist selection process.

Commissioner Amyx:

Can we add part of that discussion? You're talking about the use of the corridor?

Vice Mayor Soden:

Right. If that is the goal is to make 9th Street an entertainment corridor. I hear what you're saying about that Mark Thiel will get the application to do that and then people can come here every

time there's a request, but there's a theme that everyone has a very strong valid fear. I think that this is to make 9th Street an entertainment corridor. That this is just step one of that and I think that needs to be addressed fully.

Josh Shelton:
el dorado Inc.

I think if the City of Lawrence and stakeholders wanted East 9th Street to become an entertainment district, you all hired the wrong team. That is not the design team's agenda. I live in a very sensitive urban neighborhood in Kansas City. I'm horrified by sanctioned entertainment districts. They don't sit well with me personally. The history of our work doesn't reflect the designing or making of entertainment districts. We're excited about the project because it's East Lawrence and it's everything about East Lawrence that makes us excited about the project. Words only go so far obviously. We're about to enter the design phase, and I'd love to be able to backup these words with some proposed design ideas. There's been so much attention on this project that when Mike Amyx looks at me and says, "Josh, you've got to get this right. There's no pressure, but you've got to get this right." I have to admit that there's a part of me that flinches at this point because of how much attention is on the project. I also know that the reason there's so much attention is because people care so much about, the street, the neighborhood, and we've come to care about the street and the neighborhood. We've come to care about all the different ways the street connects to downtown, to the East Lawrence neighborhood itself, to an old industrial part of town that's now going through an adaptive reuse phase. Words only go so far, but I can at least say, at this point, that that is not where we're coming from. We're excited about the integration and the fusion of art and infrastructure. We're excited about best practices with sustainable infrastructure. We're excited about innovative landscaping strategies. We're excited about the diversity of the experience along the street, including quiet contemplative spaces, small gathering areas, as well as spaces that might open up to different parts of the street in different ways that are appropriate to where the street's engaged. The diverse sets of urban conditions along East 9th. That's truly where we're coming from and we're excited to get to the point to be able to share some of those ideas, but we have absolutely no intent and no desire to turn East 9th Street into an entertainment district.

Vice Mayor Soden:

I think it would be good if that language was added in the work plan. Tomorrow perhaps, the piece about the local artists that their suggestion was, have 50% of the commissioned work coming from Lawrence. So they're not asking for all, it will all be from Lawrence, but half and perhaps half of those from East

Lawrence or at least somehow partnered with East Lawrence. I think that's really good language to have in there for the artist selection.

Mayor Farmer: What are your thoughts on that?

Josh Shelton:
el dorado Inc. Well, I've got thoughts. I also think Porter probably has thoughts. I know Porter talked at great length about best practices in the Citizen Advisory Committee. I know that there are different philosophies about that, but I think it's very important that in a very transparent way art is selected based on merit, and it's selected based on the quality of the idea, and not based on geography. That, said, I do think that San Facon has been very deliberate and very careful about creating a tiered artists participation model that would propose a very logical points of entry for local artists to come onboard for project participation. I think it's walking the fine between having a transparent call that's truly open and also balancing that with models and innovative art initiatives that are more geared towards local participation perhaps than others.

Mayor Farmer: Okay, thanks Josh. Other Commission comments?

Commissioner Amyx: I do think if we want to assure the Neighborhood Association about 9th Street not becoming an entertainment district, roadway, whatever you want to call it, direct staff to write the necessary words, or ordinance, or whatever you want to call it that takes care of that problem.

Vice Mayor Soden: I think if all of these things that I've talked about, the down-zoning, the conservation overlay, the local artist, the language that was selected here, I think if all those things are talked about tomorrow night, I think you'll have a consensus vote and then I will be happy to vote for it. Until there's consensus, where these issues are addressed, I can't vote for it yet. I'm not going to risk it not being a good fit for the neighborhood.

Commissioner Amyx: That's fair, but I understand the other side of the committee's deal. We do have at least some kind of an agenda and I'm going to suggest that we follow that agenda so people know where we're going right now.

Vice Mayor Soden: We have this stuff written in the plan because, like Josh was saying, there are words and there are actions. When you get those words on paper, they're even more meaningful.

Commissioner Herbert: Is Katherine still here?

Katherine Simmons:
Chair
Cultural Arts Commission I am.

Commissioner Herbert: In the presentation that was done about the cultural plan, some of the language talked about the geographic divide in the community, east/west and I hate to put you on the spot, but I'm going to.

Katherine Simmons:
Chair
Cultural Arts Commission

That's okay. That's fine.

Commissioner Herbert: In your opinion, language that speaks to you 50% of 50%, so that's 25% of the art specifically coming from East Lawrence. Does that better that or worsen that situation?

Katherine Simmons:
Chair
Cultural Arts Commission

I wear multiple hats in this process. I would ask which hat? I have a personal opinion about it. I have an opinion as a member of LCAC. I have an opinion as a member of city staff and they come together in a way. My personal opinion is that as an artist RFQ that goes out, I've been an artist myself in the past and I have a background in art and in architecture, it does need to be extremely transparent. In all fairness to East Lawrence, I believe that they may be pigeonholing their viewpoint of how they are contributing to the project. It may not be in a traditional way that they are thinking where they're actually hired as an artist, even though they may be. They may submit a proposal that just knocks everybody's socks off and they ought to be willing to step up and do that. That is fantastic. That's what they should be doing, but they have contributed to this project in a way that many artists do not get to do. They are formulating the thought processes that are coming out of these workshops that are influencing the people who are driving the things that have to get done, the tasks, the processes. They are instilling in these people, who have come to care about the neighborhood, the street, the processes, the collaboration. They're influencing those people and they're framing that consideration. That's a non-traditional way of thinking about how contributing to a project. Not to say that they shouldn't apply. They should. Absolutely. Not to say that maybe perhaps a percentage of artists could be incorporated into that specific wording. I do think, as Josh mentioned, and watching this from different perspectives, that they have been very conscious of formulating a plan in such a way that they enable those participations to happen. They enable those contributions to influence everyone here's thought processes. Everyone sitting on the commission, everyone in the city government, everyone on the board of the commission that contributed and listened to these ideas every day. I think the level of detail and consideration to those thought processes has been really extraordinary as a process and I think that may be overlooked a bit as to how engaged we have been is really unique. I think Christine touched on that in her revelations about what they're learning about the communities. We actually do that really well as a community. We don't always

agree in our opinions, but when we come together and talk about it, we actually do it really well. As a member of LCAC, as chair, we listen to these challenges all the time. The processes are not always easy for people to come to City Commission and explain their issues, and the processes, and the barriers they have to go through. I would hope to remind you that we are here to help with those things and I think a lot of people have been using us lately in that way. I sit on in the Cultural Plans Steering Committee. I sit on the CAC. I was actually the member that was not available to vote, although I would have voted in favor of the work plan as it stands. I was the one that was out of town when we had the last meeting. I'm not sure if I answered your question. I don't know that the percentages need to be listed out specifically. I do think it's a good idea maybe to revise the work plan and maybe that could be talked about tomorrow night to put the wording in about the entertainment district. I think it's never really been conveyed verbally that that is not the intent, but I don't think that has ever been the intent from the beginning. I think that's the vibe that everyone that went to those workshops over time got that this was never meant to be an entertainment district. This is meant to be a way to celebrate the neighborhood, the connection, between all of these entities that are using this connector. I don't know if that helps.

Commissioner Herbert:

Before you leave the microphone, first of all, that was incredibly eloquent, given that I put you on the spot so kudos to you, but the reason why I asked that question. Let me make a statement here and then please tell me I'm wrong, if I am. Don't be shy. When I read the language that was written about "We'd like 50% of the art to be local and then we'd like 50% of that 50% to be reflective of East Lawrence artists." The thing that went off in my brain, and I say this very opening as someone whose wife makes her living as an artist, when we build roads in Lawrence, Kansas, we build roads for Lawrence, Kansas. What I want to make sure happens with this 9th Street Corridor project is that this is a project for all of Lawrence. I guess my initial reaction to all that language was, "I'm all in favor of putting a caveat in there about 'We need to make sure that local art is reflected in the 9th Street corridor.' I guess my concern is the follow up language that goes on to say, that art needs to be from these specific neighborhoods. From where I sit, we don't have districts. We don't represent a district. We represent Lawrence, Kansas. We don't build roads for a district. We build roads for Lawrence, Kansas. The art center is located in East Lawrence, but it's not the East Lawrence Art Center, it's the Lawrence Art Center. I'm all in favor of having language in there that says, "We need to have Lawrence art reflected in 9th Street, but I'm not so sure we need to specify what street specifically that artist lives on. Is that fair?"

Katherine Simmons:

I'm in agreement with you personally, on that regard. I think East

Chair
Cultural Arts Commission

Lawrence might be surprised in the fact that if they go through the process, they're probably a better fit for some of the art venues and art opportunities that are going to come about, and they're going to be more suited to that anyway, being a resident and knowing the neighborhood, and knowing the climate and knowing everything that happens in that area. I think they might want to have a little faith in themselves that they will be able to do that. That's my personal opinion. Again, just going to transparency, I don't know that the percentages need to be listed out, but I think it might be beneficial to say that definitely East Lawrence neighborhood is hopefully, going to be included in that as a showing of what that community is all about.

Commissioner Herbert:

Thank you.

Mayor Farmer:

I think that you mentioned this earlier. I think the best way to ensure we've given direct to our staff member who's going to be facilitating that conversation. I think it would be a good idea if in the engagement of the artist selection, obviously with your investment in East Lawrence if you were a part of that process and how much you know about art which is probably a plethora, but ultimately, we hold the purse strings. Frankly, if I'm not happy with the artist, and if Lawrence artists are not in there as a part of the process, I will vote no to give them a dime. Period. I think that's a good way for us to let our voices be heard in relationship to a lot of this stuff. I think that there are ways to continue to honor the process. I appreciate everything that's been said. There's so much tension with this. I had said this number of months ago, "We're fighting about art, God help us." We've never fought about art before that I can recall remembering and now we are. On the very thing that we all love and have got with is now the great thing that seems to dividing us, and I don't want it to divide us anymore. I want us to be on the same page and I want us to be moving forward together. I think this city commission wants to do everything that it can to make sure that East Lawrence is protected. An overlay district is a big deal. The Commission will make decisions in relationship to 9th Street. It's perfectly fine for CAC to talk about it and then we've given direction in relationship to artists. I think that the next step is the one that will give us an incredible amount of pause because it's like stepping your toes into water for the first time. Now is really where the action starts. I feel like even if everything was perfect and we had a unanimous 14-0 vote, I don't think it would be unanimous first of all, but I still think that there would be people showing up here saying, "We don't want you to do this because we're worried about our neighborhood." I hear you all loud and clear, but you have a commission that we just basically completely negated our property maintenance code because we said an urban farm was okay in East Lawrence. That's what we did, what two hours ago? A little while ago. I think you have a commission that loves East Lawrence,

and that wants the best for East Lawrence and we're not going to agree on everything, but like I said a while back, you're not to see eye to eye to walk hand in hand. We're going to navigate these roads meticulous, and carefully, and do what we can to protect the values of the neighborhood and the cool, funky, awesome people in it. That's just my opinion.

Vice Mayor Soden:

I think if these things are added in, you'll have a consensus vote. I think that's possible, I don't think that's impossible. They've laid out pretty clearly what they want. Whether you do the percentages or not, I don't think that's going to be a total deal killer. Even if you just say a majority comes from Lawrence, I think probably they will be mighty happy with that. I think that they should add these things in. They have a meeting tomorrow night. Just bring it back here July 7th. There will probably be a consensus vote and then I will be happy to vote for it. I think it's very possible.

Commissioner Amyx:

Right now we have a recommendation from CAC, and obviously it was a super majority work plan that we have. A lot of work has gone into this by so many people, East Lawrence, to staff, to you name it. Can it be better? It probably can, but this is the document that's been presented. If you want us to consider something else...

Mayor Farmer:

I think it would mean a lot for this group to know that we will all hold each other accountable through this process, if it would be possible for you to bring up tomorrow night the down-zoning and the comprehensive overlay district that we're going to have a memo and at the end of July. That's happening. The use of 9th Street and valuing local artists as part of the process. I think we need to be on a front with each other that we're holding each other accountable through this process and I think it would mean a lot for you to place trust in the 4 other commissioners that seem to be supportive of it knowing that this is going to be something that this will not move forward without. Whether you're on the artist selection committee or whoever from the CAC is, I think we've given that message loud and clear. Porter's a staff member. He works for Diane, who works for the Commission, so I think that would be a positive way for us to move forward and ultimately, I would hope that the folks that are here tonight that are on the CAC would understand that we're talking about the very things that we've said that we've needed. Whether or not we vote on it tonight or on July 7th, frankly, it doesn't matter because this is what we're going to do. We've all said that this is what we're going to do. Nobody's going to go back on that because now we've said it in public and nobody would want to see the stories if we went back on our word. That's my sense is, we can move forward that way. It'd be a big deal if you would support this knowing that this is what this commission is going to do to protect the neighborhood you live

in.

- Vice Mayor Soden: I'm the kind of girl I need to see stuff written on paper. That's just how I am. I think it's great that we've all come to that and that's what we want to add. Let's put it to paper and I would be happy to put my stamp of approval on it. We're not going to be here next week, that's why we can't vote on it next week. They just happen to have a meeting tomorrow. The timing is perfect. I don't think two weeks is going to kill the project. Let's put it on paper and I think everyone will be happy. That's the problem is it's not on paper.
- Commissioner Amyx: Diane, our contractual arrangement with el dorado, how tied is it to the dates that we have as we're planning it?
- Diane Stoddard: One of the things that el dorado has done in visiting with us in the CAC on the work plan is they added some additional CAC meeting dates as Josh had indicated. This is extending the original timeline but as he's indicated, and I think all of us agree that those additional meetings would be important to the process. Other than that, this document itself is one of the things that are deliverable in the contract and one of the milestone items. I think it is reflective of what the contract has written.
- Commissioner Amyx: Does a majority of the commission then, Mayor do you want me to take this back to the CAC to have those items included in the work plan before we consider the action that we have to take on accepting the plan or approving the plan?
- Mayor Farmer: I don't really know where everybody's at. I don't have a problem approving this tonight because I know what it is that we're going to do because we've said it irrespective of whether or not it's in writing, this is what we have agreed to do as a Commission and if we need to have an ordinance or a resolution in two weeks that says that this is what we're going to do that we don't have to change all the timing in there. To me that's really irrelevant. We are acquiescing to everything that we've been asked to do and I'm really proud of us for working with folks to make sure that we're protecting the neighborhood because we all value the neighborhood. It really doesn't matter. I'll leave it up to you all to figure it out.
- Vice Mayor Soden: Do you want me to be there tomorrow?
- Commissioner Amyx: Are you looking at me?
- Vice Mayor Soden: Yes.
- Commissioner Amyx: You're more than welcome believe me vice mayor, you're always welcome.

Mayor Farmer: Diane, do you have a comment?

Diane Stoddard:
Interim City Manager I was just going to add that I think I would suggest we'd recommend that you all accept this draft tonight. It was presented in a framework that it's a draft. If there's a desire for additional changes to be made to it or to the project in any capacity, those kinds of things can still be done in the process and those recommendations can come back before you. I think this is an important step in the process and this enables the CAC to continue on with these discussions and the architect team to continue to work on the project.

Mayor Farmer: So we can accept the work plan because this is a living working document with directions of staff?

Diane Stoddard:
Interim City Manager As a matter of fact, it is labeled a draft work plan just for that reason.

Vice Mayor Soden: Assuming it was July 7th, that would be the final plan that we would have that on the agenda?

Commissioner Amyx: We can take those items back tomorrow night to CAC. Add those items to the agenda for discussion, and to get the final direction from CAC for that discussion. This allows the planning on this project.

K.T. Walsh: For clarification, may I ask a question?

Mayor Farmer: Sure K.T, please come to the microphone.

K.T. Walsh: If you vote to accept the draft tonight does that mean that Mr. Arneill can send out the RFQ without words saying that they would have preference for local artists?

Vice Mayor Soden: No, they shouldn't be able to do that until it's final. It's not final yet.

K.T. Walsh: Well, you'd be accepting the draft. We really need to know that. That's important.

Commissioner Amyx: When is the timing of the RFQ?

Mayor Farmer: Tomorrow. It goes out tomorrow.

Porter Arneill:
Director of Arts and Culture Based on the schedule, I would be remiss not to say, and I respect what everybody's trying to do here. The selection process is actually quite sacred in a sense. You really have to let the panel do what they need to do without too many restrictions. While I hear what everybody's saying, I would advise if I put my consultant hat on, not to put numbers on this. We think about the unknowns at this point. We don't know how many local artists are even going to respond to this. There are a

lot of unknowns. I appreciate what you're saying. I will bring the agenda from the commission that we focus on local artists and that we support local artists, but I want to be cautious not to bind the hands of the selection panel. If you put an RFQ out saying it's going to favor local artists, a lot of artists aren't going to be applying. You're actually going to be shooting yourself in the foot potentially about potential opportunities. I just want that awareness and we want to be careful about how much we restrict this upfront with faith that the selection panel will be able to deliver with awareness of all these things. I offer that as awareness for you all.

Mayor Farmer:

Thanks Porter.

Porter Arneill:
Director of Arts and Culture

To answer your question, yes. Ideally, with the current schedule which is actually very tight because as Josh said we have moved about a month off. Ideally, yes the RFQ would go out, and that's in part because of that sacred processes I mentioned. You want the RFQ to be on the street at least month. If we start tinkering with schedule, we start pushing that off and then we start changing the whole schedule again. Again, for awareness, that's the circumstance.

Mayor Farmer:

Okay.

Vice Mayor Soden:

Well, how about this for a potential solution? The Ninth Street project extends to Mass Street and New Hampshire, which is out of the neighborhood. What if perhaps you still have your open call with preference to local artists in some fashion, but then make sure to point out that the art that is perhaps picked for the areas that are actually in the neighborhood out of downtown. Is that something that's possible? I assume that there's art going up and down 9th Street in some fashion.

Porter Arneill:
Director of Arts and Culture

Again, we don't know. We honestly don't know. There are three aspects to this program. Three different art components. Two of those are temporary and potentially performative at some level. A lot of what you're asking, we just don't know who's going to respond to some of the ideas that they're going to come back with. That is why I'm saying to be too prescriptive upfront can thwart the whole process.

Vice Mayor Soden:

If you have a tiered process for the art that's downtown, the art that's in the neighborhood, and the art that may occur at the warehouse arts district past Pennsylvania. Is that possible to have that separate sections at all?

Porter Arneill:
Director of Arts and Culture

I'm sorry. I'm just not quite following.

Vice Mayor Soden:

The 9th Street project goes all the way from Mass Street to

Delaware. That encompasses three major areas. What is the area, any art that is selected for the area, inside of the borders?

Porter Arneill:
Director of Arts and Culture

Hang on, this is important. I'm with you, and I'm trying to follow you so if you understand what I'm doing. Again, we don't know what the art is. This process is more akin to a job interview. We're not selecting art, we're selecting an artist who's going to engage with the design team and create art specifically and uniquely for this project. That's really important. We don't know what it's going to be. I guarantee you it probably won't be bronze guys on horses and more traditional aspects. My philosophy in this has always been if an artist wants to do benches or something, that's great. I don't want to tell the artist they need to do benches, because that defeats the purpose of having art. In this case too, which I think is so important. This is an Art Place Grant. I get the contention that that creates on one level, that's a real honor for this city. Art Place is really a big deal. The way that this is done in as much as some people may not agree with it, I have to say that on a national level, this is a pretty big deal. We should honor the process as much as possible.

Vice Mayor Soden:

Well, if it's not possible to do that way then I would go back to the majority somehow being more Lawrence affiliated. I'm just trying to come up with a solution.

Porter Arneill:
Director of Arts and Culture

I honor that and it's hard to do that with so much unknown. That's always the dilemma. Again, you are not alone in this. I go through this in every process that we're trying to make something fit, but we don't know yet what that is. We're not installing a bathtub here. It's always humorous when you have all the engineers and people sitting around the table and they're all, "We'll have this done on this date," and then you go to the artist and they just have this deer in the headlight look, because they don't know yet what they're doing and they need the time and engagement to be able to develop something really wonderful. I'm not trying to be challenging, I'm just explaining how this process unfolds.

Vice Mayor Soden:

I'm trying to come up with a compromise somehow.

Commissioner Boley:

We know it's not going to be bronze guys on horses or bathtubs, right?

Porter Arneill:
Director of Arts and Culture

I won't guarantee anything especially because East Lawrence artists might bring a bronze guy on a horse.

Mayor Farmer:

In a bathtub?

Porter Arneill:
Director of Arts and Culture

I want to be really careful. I would dare say that it probably will not be a traditional approach,

Commissioner Herbert: If we get a bronze guy on a horse in a bathtub as one of those, I will vote for you. I'm telling you, someone made a comment about a bench and I thought, "Where's Dan Dannenberg?" Wasn't he just asking for a bench to come back? Could we two birds, one stone this?

Mayor Farmer: I think that we can try to compromise all night here, but I think that ...

Vice Mayor Soden: I'll just go back to a local.

Mayor Farmer: That's fine, but I agree with what Porter said. I'm going to defer to his expertise. I think what's in here is "Advantage for artist to demonstrate strong knowledge of Lawrence and clearly articulate their connection to the city and its people." With the fact that we will have a majority of local people on the committee to select the artists. You said two people from the CAC? Three people from the CAC?

Porter Arneill:
Director of Arts and Culture Three people from the CAC and somebody from Parks and Recreation as well.

Mayor Farmer: Okay, I think that those values will be brought for us to do that. I feel good that we'll have Lawrence artists and hopefully our Lawrence artists apply. I hope that Dave Loewenstein blows us away with something that goes on the street.

Dave Loewenstein:
Local Artist Mayor, since you mentioned my name, can I say something?

Mayor Farmer: Sure Dave, I didn't even know you were here. I didn't see you.

Dave Loewenstein:
Local Artist I'm here. I appreciate that compliment.

Mayor Farmer: You weren't wearing your hat Dave, the fedora.

Dave Loewenstein:
Local Artist There's no way I'd apply for this process. It's fundamentally problematic. It doesn't respect the neighborhood. One of the things that we're forgetting, our Director of Arts and Culture, Mr. Arneill says, he understands when a community wants to feed its own, but we're missing something. That is that in this very precious neighborhood, the original town cite of Lawrence with folks who have made it this funky and wonderful place as Janet Good said. We have a wealth of experience and knowledge and heritage to bring to bear upon the culture of this place. To simply say, "We hope that some East Lawrence folks would apply," but not be willing to actually put that in writing as the Vice Mayor said, I think that says something about us and believe me, although we hear best practices thrown around all the time, it's a very abstract notion about casting the widest possible net for an

artist for any project. There are countless public art projects that require local artists only a percentage of local artists, regional artists. These are not things that are new to the process and Porter knows that. We could easily adapt the artist participation model to reflect that here. If we did, Mr. Mayor, I might be encouraged to apply. Thanks.

Mayor Farmer: We're already done Sven. I'm sorry.

Sven Alstrom: I'm in pursuit of a question.

Mayor Farmer: Go for it.

Sven Alstrom: Are you voting only on the art draft? My questions aren't really about the proposal from Porter or artist selection. Is that the only item?

Mayor Farmer: It is a hundred and eleven pages.

Sven Alstrom: Does it include the cultural plan development?

Mayor Farmer: The cultural development plan was before this.

Sven Alstrom: Okay.

Vice Mayor Soden: The agenda item?

Mayor Farmer: This is just the East 9th work plan. That's a mouthful.

Sven Alstrom: What you're getting ready to accept a draft on, is only regarding the art industry?

Commissioner Amyx: The complete street design, the whole deal that we have with the contact.

Mayor Farmer: It's this whole work plan.

Sven Alstrom: Well then undo that one comment. I wasn't able to be here earlier.

Mayor Farmer: Quickly.

Sven Alstrom: I think it's about Robert's Rules of Order thing that if there are other loose items, which the vice mayor's pointed out. In this particular case, I think you should wait until those are in writing. I don't object to the art discussion. I see this from a little broader perspective and I only emailed one commissioner. I think other items that should be included in this general plan are residential solar access easements. Boulder, Colorado implemented this in 1970, to protect residential property to have some solar access. Another thing is a form-based development code. We don't have

that. Overland Park has downtown to protect the Santa Fe Trail as an historic district. We need a form-based development code and solar access easements in East Lawrence. In my humble opinion, I haven't seen this discussed yet. I think there are other items that have not been resolved. Thank you.

Mayor Farmer: Thank you, Sven. We have the CAC's recommendation, staff's recommendation. We have the comments from so many people, the emails from so many folks. Comments from Mr. Lowenstein. What do we want to do?

Vice Mayor Soden: I think we should have the input from the neighborhood letter. Work on it tomorrow night, vote on it July 7th. I think we should probably wait to do the art queue until July 8th.

Commissioner Herbert: The problem I see with that is, and correct me if I'm wrong, Porter, I do not want to misquote you here, but one of the most contentious issues seems to be putting up a percentage or mandating a local art designation. It seems to me, that that's off the table in terms of putting a percentile notion on there.

Vice Mayor Soden: I would just say majority. They specifically said 50% from Lawrence and then 50% of those from East Lawrence and/or a partnership with East Lawrence. It didn't say literally twenty-five percent needs to be East Lawrence artists creating it. It was an East Lawrence person perhaps partnering. I mean, that could include just be walking the person around the neighborhood.

Commissioner Herbert: Right, I hear what you're saying. What I keep going back to is if we're not going to put a specific percentage on it because I think the change that the document that was given to us is that it puts specific quantitative measurements where, "We need to see 50% from Lawrence and 25% from East Lawrence." What I'm gathering is that we're not going to put quantitative measures on it, which brings me back to the eligibility line in the draft that we're proposing here where it says, "It will be an advantage for artists to demonstrate a strong knowledge of Lawrence and clearly articulate their connection to the city." It's in writing in the draft plan that it is clearly an advantage in your selection to be from Lawrence and have a connection with the city. It's there. If we're not going to put a specific quantity on it, I don't know that we're going to get any further in that process if we wait a week or a year or a month, whatever it is.

Commissioner Amyx: Again, I'll go back to the fact that the recommendation of the CAC is for us to accept the work plan draft. We can do that. If there are any changes to be made, we will take those items to CAC tomorrow night. We can update any of those changes that we need to. Vice Mayor, again I invite you to come to that meeting tomorrow night. We'll have the CAC make another or a final recommendation. We can take and finish this on July 7th,

but go ahead and proceed with where we are now. The only question is the RFQ time. Do we want to follow that or do we want to wait on that for a while?

Vice Mayor Soden: Well, when someone's submitting art, are they looking at this draft plan first, at all? I mean we can wait until July 8th, if they are going to be using the draft plan then we need to wait until the draft plan is finalized. So it's a final plan, not a draft plan.

Commissioner Boley: I think I agree with Matt on the language on the art side. I'm not sure I want the percentages from the city commission and the artists wherever it comes from and that sort of thing. I think having that language in there about the connection to Lawrence being important, that's satisfies me.

Commissioner Amyx: We're happy with that?

Vice Mayor Soden: Well, the neighborhood reps will be talking about it tomorrow night.

Commissioner Amyx: Obviously, I voted on the plan once. I'm happy to move that we go ahead and accept the work plan, with a caveat that we send those items back to be considered by the CAC tomorrow evening, but we go ahead and accept the draft plan tonight.

K.T. Walsh: Can't hear you back here, sorry.

Commissioner Amyx: Okay. I just said that I think that I feel comfortable with accepting the work plan, with the caveat that we are sending the items that were brought up this evening, back to the CAC for further input tomorrow night.

Moved by Commissioner Amyx, seconded by Commissioner Boley, to accept the work plan draft. Motion carried unanimously.

The City Commission recessed at 9:14 pm

The City Commission reconvened at 9:19 pm.

3. **Continuation of the public hearing held on June 16, 2015 regarding a benefit district for intersection improvements at 6th Street and Champion Lane, Project Number PW1507. Consider adopting Resolution No. 7123, establishing the benefit district and authorizing the improvements.**

Chuck Soules, Public Works Director, presented the continuation of the public hearing regarding a benefit district for the intersection improvements at 6th Street and Champion Lane.

Mayor Farmer: Chuck, question. There was actually a rumor somebody sent me a message today that said that that apartment complex had sold. Had you heard that?

Chuck Soules:
Public Works Director

Chuck: I have not heard that.

Mayor Farmer:

Okay. Sold yesterday actually.

Chuck Soules:
Public Works Director

What I heard from the Housing Authority was when it was originally built, they had financing from HUD. There was a period of time that they thought it was 20 years that they had to provide affordable housing. They've gone past that time, so if it's sold they may not be offering affordable housing anymore. Your action tonight is basically twofold or one or the other. One, you can either continue the public hearing and approve Resolution 7123 with the method of assessment, as proposed which is 50% of the cost to the north side, 50% to the south side and then split by the square footage of each side respectively. If you would like, we could start the process over but go ahead with equally per square foot throughout the entire benefit district.

Mayor Farmer:

Okay. Questions for Chuck? Chuck, thank you. Public comment on the Sixth and Champion benefit district?

Mary Doveton:
817 April Rain

I'm with Theater Lawrence, and I would be remiss if I did not come and say that we favor the original proposal. We are in the highest sales tax area in the entire city and facing some challenges with that. If I didn't represent a non-profit that watched its pennies, I would be remiss. We would encourage the original proposal.

Vice Mayor Soden:

Hey, Mary. Was the original the 50/50 then?

Mary Doveton:
817 April Rain

Yes.

Vice Mayor Soden:

Okay.

Mayor Farmer:

Thank you, Mary. Other public comment on this item? (none)
Okay, back to the Commission.

Moved by Commissioner Amyx, seconded by Commissioner Herbert, to close the public hearing. Motion carried unanimously.

Commissioner Farmer:

I guess I'll bring it back up. Again, as I looked at the map last week, I didn't really see a difference. I thought that there should be an even charge to all the properties because I didn't see a greater benefit from one side if the street to the other side of the street. The affordable housing is a concern to me. I don't care if it's twenty cents or not, it's just one more thing to add onto it and I think that's something that you have to deal with. I think it's just one more thing, but here again I would favor the cost being the same throughout the five cents for all the properties because I

think it's a fair way to do it. I'm sure Mary and the group will come after me for my donations, so that'll be good. No, that's just me. I look at it as one big benefit district. I think the thing that happened was is there are a million and six square feet on the north side and there's a million and one on the south side. I look at that being just one large district.

Commissioner Boley: I agree with that.

Mayor Farmer: Okay. Any other Commission thoughts?

Vice Mayor Soden: Mike, are you saying that you want the 50/50 or you don't want the 50/50?

Commissioner Amyx: I want it to be just one district, equal costs on both sides of the street.

Commissioner Herbert: Pay by the square foot?

Commissioner Amyx: Pay by the square foot. Yeah.

Vice Mayor Soden: I see now.

Mayor Farmer: Which is what you all were not advocating for?

Commissioner Amyx: Not advocating for, yes.

Mayor Farmer: All right.

Commissioner Boley: I think it is one benefit district.

Mayor Farmer: So you're looking at option...?

Vice Mayor Soden: The second one.

Mayor Farmer: Option spreadsheet two, is that right? Chuck, are we getting that right?

Chuck Soules:
Public Works Director: Yeah.

Mayor Farmer: Spreadsheet 2 is what Amyx is talking about.

Chuck Soules:
Public Works Director: Yes.

Mayor Farmer: Okay. Thank you.

Commissioner Herbert: What was the original justification for charging one side more than the other?

Commissioner Amyx: Well the original had to do with the fact that we split. The benefit was 50%.

Commissioner Herbert: Oh, because it was 50/50 but the square footage was just not 50%

Chuck Soules:
Public Works Director Sometimes tracts of land, wherever you do it was bigger or smaller and when we're looking at highways and intersections like that, we've done that a lot of times. We've done it different ways other times, but that's just how it was chosen and bond council recommends. We talked to our council about that. They're okay with square footage.

Mayor Farmer: Chuck, this is an annual fee to these properties, is that correct?

Chuck Soules:
Public Works Director Those are the specials assessments for ten years so it'll be an annual. It's not \$10,000 annually, it's that divided by the ten years. That's the total amount that you're seeing on those spreadsheets. Divide that by 10 and add a little bit of interest.

Vice Mayor Soden: If you can make it easy for me, how much does Theater Lawrence going to pay per year?

Mayor Farmer: I've got it.

Commissioner Amyx:
Vice Mayor Soden: \$7,018.12.
And the other option, how much were they going to pay?

Mayor Farmer \$59.54 so it's a difference of a \$1,064 which annual is a \$106.

Vice Mayor Soden: \$106 per year.

Mayor Farmer: You're going to write them a check for \$106 a year? I'm working it for you.

Commissioner Amyx: There went my paycheck. We'll chat about that.

Vice Mayor Soden: Chuck so when more properties are added to the north of that intersection, then the price would actually go down for Theater Lawrence, right or am I just crazy?

Chuck Soules:
Public Works Director The benefiting properties have access directly to the improvement. Going north of Overland, I don't think we can justify it.

Vice Mayor Soden: No, I mean north of 6th Street. We've got some unbuilt tracks, undeveloped land tracts.

Chuck Soules:
Public Works Director Oh, they're all included in.

Vice Mayor Soden: So as that's developed, does the price change for Theater Lawrence?

Chuck Soules:
Public Works Director

No.

Vice Mayor Soden:

That's what I'm asking.

Chuck Soules:
Public Works Director

It would be spread. If you took tract 13, 11 acres and it broke down the same to 11, 1 acre tracts, they'll split that total between themselves. It would be re-adjusted amongst the areas that split and divide, but it won't affect Theater Lawrence's assessment.

Mayor Farmer:

Okay, what's the will of the Commission?

Commissioner Herbert:

I'm a big advocate of a level playing field economically. I think charging the same amount per square foot for everybody is appropriate.

Commissioner Boley:

We just moved to the public hearing and direct staff to change the method of assessment.

Chuck Soules:
Public Works Director

We'll have to start the process over because we have to republish and re-notify the property owners. The publication is probably the bigger issue. That's okay, we can just do that and we'll bring it back to you in July.

Moved by Commissioner Amyx, seconded by Commissioner Boley, to deny Resolution 7123 and direct staff to change the method of assessment to a square footage basis for all property in the benefit district. the continue the public hearing and direct staff to change the method of assessment to a square footage basis for all property in the benefit district (the process will need to start over and a new public hearing date will need to be established at a future City Commission meeting). Motion carried unanimously.

4. **Police facility discussion framework feedback and direction.**

Diane Stoddard, Interim City Manager, presented the staff report.

Mayor Farmer:

Okay. Questions for Diane? Yes sir.

Commissioner Amyx:

Diane, this probably goes back to our study session too. Timing wise, I think layout and the way that you have establish that, probably works pretty well to get everything out and look at every possible scenario from new building to remodeled building to location whatever it may be. To have those comments and that discussion. Obviously, this is a project, as we talked about this afternoon that probably needs to be on the Capital Improvement Program. It needs to be spelled out and as we look at our Capital Improvement Plan that we have now, versus one that would include a police facility. There are some big changes that have to happen in the way that other projects may be backed off a year or whatever happens. Timing wise, if we go

past the publishing of the budget, do we have to wait a year, or can we redo our CIP throughout the year?

Diane Stoddard:
Interim City Manager

That's a really good question. No, we don't think that you would have to make any action prior to the date that you would publish your budget. What you would be publishing on the 21st of July would be your mill levy for next year. Even if property taxes were the source of funding for the police facility and you wanted to reallocate and look at the CIP for next year, the impact of that would be something that would be in 2017 at the earliest. I'm looking at Brian for concurrence with that, but again, even if we say we want to move forward with it immediately, the impact of that wouldn't be felt to an even later budget year and would not affect the mill levy in that publication issue. It's a long answer to your question. There really isn't any particular driver on time frame related to the 2016 budget and you can allocate that CIP however that you wish to.

Commissioner Amyx:

Well, the only reason I bring that up is that Mayor Farmer had asked for information on how it could be handled through the CIP earlier this year. I just want to make sure that we have that flexibility or if that was going to be one way to possibly looking at financing, if we decided to proceed at this time.

Diane Stoddard:
Interim City Manager

Great question.

Mayor Farmer:

Do you have something you want to add Casey?

Casey Toomay:
Assistant City Manager

I was just going to say that as soon as you shift those projects around. If you weren't interested in shifting projects and were only interested in adding to the existing projects, then you would be having a different conversation.

Commissioner Amyx:

Right. Well, another thing too, what happens if we put together the CIP. I assume that staff believes that those may be our priorities. There's a lot of planning that begins on those items. As we approve a budget with a capital improvement plan and you got Chuck working on big streets and everybody working on big projects, and all of a sudden, you say, "Time out. Change direction." I think we need to be a little bit clearer about how we do this because I don't want Chuck spending a lot of money on planning for some of these things on some of these big streets if our intention is possibly to go in another direction. I'll just throw that out.

Mayor Farmer:

Other questions for Diane before we take public comment?

Vice Mayor Soden:

We talked for a while about this last week. You were there. I think one thing with this memo is it's still a very architect-driven process and to me that was one of the criticisms that a lot of

people had is that it was architecture driven and it needs to be community driven, which I think was what Stuart was trying to get at with the committee that you were wanted to form, is a more community-driven process. I think that we need to change some things in here to reflect that. I also feel like this staff memo as it is leans very heavily towards new construction in some form. Whether it's a small building that we add on, a big building right now, it seems very new construction oriented and I think we need to make sure that we fully explore refurbishing any buildings that may be available for us to use. I think that's a really important option and this needs to reflect that more, I think. That will be a little bit more difficult process obviously if you refurbish a building, but I think it's import for us to really fully explore out in the open because that's a feeling that I got from a lot of people is that they felt like there was one proposal that was a large building, newly built, on a large piece of land and then it was chosen to be Hallmark. I think people want to see more of the other options. Whether that is a small building on a large piece of land, refurbishing a building. I just want to see those possibilities addressed more here in this staff memo.

Commissioner Boley: I guess one question I have is, after the November election, did staff do any research or analysis of voting patterns for or against the facility? If so is that reflected in this recommendation?

Diane Stoddard:
Interim City Manager I'm going to look to others. I don't know that that has been accomplished. I'm looking at the chief to see if he had any comments.

Police Chief Khatib: I'm going to take a stab at the answer. I'm not quite exactly clear on what your question is. I'm not a political analyst and I'm sure they're probably some kind of voting examination process you go through, but we did have listening sessions. We did have feedback from the community. It was a close vote. Not a 100 vote differentials, so we're not talking about 80% - 20% vote. From what I recall and some of the commissioners can help me with this, a lot of the feedback was about property.

Commissioner Boley: I'm not talking about the listening session. I'm talking about the analysis of how the votes came in for and against. Anybody talk to Jamie Shew, for example?

Police Chief Khatib: You're talking about precincts.

Commissioner Boley: Yeah.

Commissioner Herbert: We just want to know if part of Lawrence voted against you and one part for you.

Police Chief Khatib: I think the Journal World has some breakdown of that.

Commissioner Boley: Did you talk to Jaime Shew?

Casey Toomay:
Assistant City Manager Yes. I have. I've seen the map.

Commissioner Boley: That's what I'm saying. What did Jamie say about voting patterns and how did that inform what you did in this recommendation?

Vice Mayor Soden: To address that.

Commissioner Boley: Yeah, to address the community.

Casey Toomay:
Assistant City Manager I think our attempts at addressing that are that we have an evening city session where we bring everybody up to speed, so that everybody's on the same page with the information that we've gathered to date. Then what we're trying to do is get at that piece by having the public discussion meeting. The idea is that we want everybody to have the same facts and figures, whereas previous I don't necessarily know that we did. Certainly those of you who are new to the commission haven't been through all of the meetings where we had study sessions and presentations. I think part of that is to get at that, but then I think the thought is that based on what that map showed, there were a lot of precincts where it was 12 votes one way or the other. I don't think it's quite as clear as this half was red and this half was blue.

Commissioner Boley: I think there's a perception that it was an east/west vote and that's not true. I think it's important for us come to realize what happened in that election as we tried to build this community support and that's why I'm asking how did that analysis impact us?

Casey Toomay:
Assistant City Manager I think what is driving me to say, is that it needs to be a dialog. That I think that a public meeting where it's a discussion with you all sitting in a circle listening to folks as opposed to somebody at the podium making a presentation, and then asking for reaction. I think that's our attempt at trying to get at a two-way communication as opposed to "Here's an architect making a presentation." "Here is the police chief," with all due respect, "making a presentation," now public react. It's, "You've heard all of this, now let's discuss."

Commissioner Boley: Are you saying you'd be identifying options thought this process that people could compare?

Casey Toomay:
Assistant City Manager I think that's a possibility. I don't know that we would have that detailed of an agenda for that public discussion meeting. I see it may be kind of how we did our budget prioritizing session or the capital improvement planning sessions that the mayor hosted

where we have some kind of white boards around it.

Commissioner Boley:

I'm interested in getting an idea of this in the context of the resources that are available and the resources that'll be utilized in public safety law enforcement over the next fifteen, twenty years. I don't see that information in this. Maybe it's there and I don't see it, but I'd like to see what the big picture is and what will the impacts of this option be on that expenditure? If we have the efficiencies that are gained by putting the detectives with the patrol, how does that impact what we do with our next fifteen years in public safety expenditures? That's the kind of thing I'd like to see, but I don't see it in here. I think options and how that effects the policing, the efficiencies, and the outcomes that we want to see are adequate, good facilities for the police, good public safety. We want Lawrence to be a safe place, and we want to have community support for this entire effort. I think it's outcomes-based. That's what we want to do. How do we get there? I think we need to take another look at this plan.

Mayor Farmer:

Okay, any other questions for staff before we take some public comment?

Vice Mayor Soden:

There's one more thing I forgot to ask. When we were talking, we talked about that some communities have a way where the architect that's doing the needs assessment, that kind of thing, is not allowed to bid on the project and that addresses one of the concerns that people have, is, "Well, an architect is going to want the biggest project because then their cut would be the biggest," which, valid or not, that is a criticism that needs to be addressed, so I think that would be a really good thing to look into as well.

Diane Stoddard:
Interim City Manager

I had mentioned that. I think that's something that when that needs assessment and the contract for it was put together, I don't believe that was done. It could've been a consideration at the time but I don't think that it was. Generally, you would obviously want that as part of the consideration when you're doing that. So I think the question is, we've got a good needs assessment here, we've got a lot of good data that has been put together. I think over the course of time there's been a lot of various options that had been looked at. We want to make sure that you all see all that and have that discussion and I don't know, I think commission as a group will need to discuss if you feel like you need to start over with a needs assessment then I think that's where you can put some kind of a requirement like that. One of the other things that you and I were talking about is when the city does a capital project, we typically put out a request for qualifications for architecture firms and typically with that step we're looking at who are the most qualified architects that could work on bringing the project to biddable plans. So that is not part of the current architecture team scope. Usually,

again, we would go out for an RFQ and open that opportunity up for a team to be selected. It's not uncommon where you have kind of this bifurcated type of a process in architecture to continue on with an architecture team just because they tend to be ones that are most knowledgeable about the particular project, having worked with staff on the project and the elected officials on the project through any kind of earlier study. The needs assessment would be in that example. So you and I were talking about the example of a team of Hernly and Associates, who the city had hired to do an initial assessment of the Santa Fe Station, and then when it came time for us to hire an architecture team to do the actual plans for that station then one of the key issues in selection was the discussion of Hernly and his knowledge based on the prior work that he had done and we know what that brought to bear on his ability to move forward with the project. So, I just wanted to make it clear that there would be another step that would be an RFQ that the city would issue on any kind of facility whether we're doing a remodel or whatever to bring it to final plans but I think that the current needs assessment has really been completed and our work with that firm has been really both done and continued in ongoing questions and answers that have been provided.

Mayor Farmer:

Okay, are there questions for Diane?

Commissioner Amyx:

Just one comment if I could and then possibly a question. You know, one of the big things that I see that's different here than what we did back in the fall in going to the sales tax question in November, was, it appeared to me that the commission approved conceptually an idea, a location, and we secured the property, those kind of things. We had a sales tax vote and one of the things we did was, just looking back at it, we kind of dumped it all on the chief. The chief did a great job, along with the friends of the police department, in going out and carrying that message. One of the biggest differences here and this is in reference to what Stuart brought up several weeks ago. If I understand this right, this is commission-led. We said as a committee, as a group, we're going to be the committee that was suggested and it appears to me that this one is commission-led and we'll do this as a partnership with the chief and with people that want to get involved but we need to remember that, we are the folks that are hired to represent folks in our community and I think that if we remember that we're leading this and we want to change it in any way, we can. But I think we have that opportunity. And so, yeah, we can make all this happen.

Vice Mayor Soden:

But I think those concerns need to be addressed and so I am coming up with ways to address them.

Commissioner Amyx:

Vice Mayor, I see it looks like we're going to look at everything

under the sun here: existing buildings, new buildings, remodeled buildings. I don't know any other way to put it. If we cut the process short, we're to blame. Right? If we don't look at everything that has been suggested by the commission, I think we're to blame. I mean, it says we're going to look at everything.

Vice Mayor Soden: It says on here that we're going to have 2 meetings and then decide.

Commissioner Boley: Mike, I'd like staff to have another crack at this. I'd like for them to include the stuff that we just talked about. You know, what are the resources the city's going to be putting into law enforcement in the next 15 to 20 years? I have some concerns about just this.

Mayor Farmer: Okay, any other questions for Diane or conversation before we have public comment? (None) Okay, public comment.

Greg Robinson:
3116 Trail Road

One of the things I'd like to start out with is, I've been following the Lawrence City Commission now for a number of years, probably since I was a police officer back before I went to law school, and one of the things that I've always seen this commission do is always defer to the police department, always defer to their decision making and never educated themselves to modern policing. All they do is take what the police department says and then act on it. So I really appreciate over here on my left, the discussions about opening up everything. Mr. Amyx, I have to disagree with you saying about everything. I see nothing on here about philosophy of policing. I don't see anything on here about reviewing municipal code to see if need to get rid of some of those codes that then take our police officer's time. Fortunately, this commission, at least you two that are on the last one, got rid of that onerous ordinance that kept putting poor people in jail. You know, that was a good thing that was finally done but how many years did that sit on there and how many people went to jail for that before somebody finally brought this commission's attention and got it through someone's head that this was not the right way to proceed? One of the things that were brought up was the Ferguson Report. Well, what was one of the things in the Ferguson Report? Were that exactly, onerous fines and fees and jailing of poor people? These are the type of things we must look at. When you say everything, that's everything. Because one of the things in that report, which we paid all that money for, was we need this, and I heard it and I don't know how many times, evidence room. We don't have any room for our evidence. One simple question that was never answered, and I posed it, many times, was, how much evidence is in the evidence room that can be destroyed? There is evidence in that room that probably dates back 20 years and can be gotten rid of, but that's never discussed openly. I don't know why. What's the big hidden secret? All you

have to do is get the municipal court prosecutors to review all their cases, determine what evidence can be destroyed, send up the destruction orders, have them signed off on, and they're destroyed or returned to their owners. Same thing with district court. Now again, you've got certain levels of bureaucracy you've got to go through, and that's fine but it can be gotten through. But that's never discussed. It's just "Oh, we're burgeoning, we're busting at the seams, we've got to have a new facility because we have no room for evidence." Well let's look at solutions other than just spending money and building facilities. So that was never discussed. Oh, Mr. Mayor before I go on, I just want to really appreciate that that clock is gone. I really do appreciate that.

Mayor Farmer:

You've got 10 seconds. I'm just kidding. I'm just kidding.

Greg Robinson:

If we're going to be open and discuss what happened in November, one of the things that we have to discuss as well is about all of the misinformation that was put out. That report that was put out was never ever vetted by this commission, or then commission, to see what was in error about that. One of the things I always heard about was there was no interview facilities at 11th and Mass down the street so that our Lawrence Police could do their interviews of suspects. To this day, defense attorneys doing interviews from the rooms in that facility. Why something was like that put out in public? It's just false. When I try to put that out there on certain websites, I'm banned, can no longer post because they don't want the truth. They just want to sit back and put out false information. One of the other things is that cities are allowed to talk about tax issues in elections. You all remember The Flame came out right before the election. That was a double issue, cost twice as much money, it was 4 color and we spent double the money, whatever it was, I think it was around \$5000 for that. And it was really a promotion for the police facility, you can go back and read it and see that it had nothing to do with just being fair and honest about what was needed. You know, we really do need to look at this, you all remember I was here. I'm not saying we don't need a facility. But we certainly don't need this agenda that certainly just puts forth. The way I read this is: needs building, new building, location funding, public comment, by the way, 1 to 2 hours? Really? That's dialogue? That's just "we'll absorb it for 1 and 2 hours and we'll make our decision regardless of what you think." That's what that tells me and then you'll have your comment. Is that really the only discussion we're going to have about this? Something as important as this? This year it's "we need one facility." Well multiple years ago it was "we need multiple; we have to have more than one facility." Now were back to one. So what's it going to be in 5 years? "Oh we need another facility because now we need more." You know, we've got to have a plan for what it is that the taxpayers are going to do. We need to

have a philosophy. What do we want our police department to do? Do we want to go out and have them always go out and just have municipal court part and fund the city revenue coffers? That's really sometimes what it's about. I deal with people all the time that get tickets and things in municipal court, and one of the things they're always telling me is "Dang, you know they got me for speeding. I don't mind paying the fine but, you know, those court costs are crazy. You know, that's just a money grab." And I have to agree with them. What was the one thing that was said in this commission? Again, the ones that weren't here I'm not speaking to you. Is that when there were fines and fees increased in the last budget, I think it was 2014 or maybe it was 2015, that Lawrence isn't in the top 5 in fines and fees so we need to raise them. That's a money grab ladies and gentlemen. That's a money grab because it didn't say anything about prohibiting or trying to prohibit the conduct. When you have fines and fees you're trying to tell people "don't do this." But, no, what did we say? "No we're just going to take money out of your pocket. Just going to steal it from you is basically what you're doing. Because could a \$30 fine be sufficient to get somebody to say "Ah, I was speeding, I'm going to slow down." Yeah, of course it is. But no, we got to add on \$60 court cost. We've got to know jack up the fee, not to deter the conduct, just to get the money. So those are the kind of things we need to look at. Mr. Amyx, I mean, I guess you and I can just agree to disagree on some things but when you mentioned the CIP and then having staff working up the CIP budget, that concerns me because what that tells me is, again, I'm hearing bait and switch. I'm going to bump up and pump up this budget so that I can get this facility, this actual police facility, and one you championed through your ads and working with the group, I understand that and that's fine. But when I hear you say that I'm hearing that "I'm going to increase this budget through other means and then we, if I've got the majority, can slash, we don't need that road this year, we're going with that police facility." That's what I hear and I would hope that that's not the case but that's what I hear based on what I've seen in the past with Rock Chalk Park, then the sales tax and all those issues. In closing, what I'd like to say is, when that tax issue came up, one of the things that I keep hearing from, well, at least you, is that when you were mayor, sitting there, you thank everybody as part of the process and you went through and listed everybody. You never once mentioned the opposition who actually carried the day. You didn't thank them for them participating in the elective process, the legislative process. You didn't give them an ounce of thanks. All it was is "your side lost, thank you for trying to get my idea across." That's all you did. You never said anything to the opposition about on their \$500 defeating an organization that spent over \$25,000. So, I think we did a damn good job, quite frankly, in getting the word out and getting word out that wasn't misinformation. So, I think that this issue requires much more

thought, much more deliberative process so that the people in this town feel they have a voice in it. Because right now, based on this list, we have no voice. It's just simply go through this list, bang, and do it, and done. Thank you.

Mayor Farmer:

Thank you Mr. Robinson, other public comment.

Sven Alstrom:

I'm a resident of Lawrence since August 2002. I didn't participate too much in the pro and cons of the police facility vote but we all know the result. So, I think Greg has pointed out some sharp points but, along with Stuart's comments, I think greater study of what the public feels they want should be taken to heart. I live in Centennial. We like the police, we like-at least speaking for myself and neighbors that I know-we're pretty happy with Lawrence police. Other people may not be happy. I'm not sure. It's based on precincts or areas. But I want to be sure that whatever we do, the police chief, of course, is responsible for management of the department and we have to respond to his desires and we're assuming-because management gets equal distribution of resources. I think that's very important. I think that was an objection to the new single facility. To support what Leslie said about a thorough study of existing buildings, when I'm pointing out the architects that respond to a request for qualifications and proposal, which I've done before with some significant architecture firms. The decision's already been made when they respond to that. So Greg's commentary that more public comment is needed is really the big topic. Mike mentioned managing this with regard to other capital improvements. I think it's a very good observation that Amyx made. But getting back to Leslie, where I have more credibility as an architect, the Canadian Building Council pointedly, we don't have a similar organization here. The Canadian Building Council says that if you're going to build a new building, even if it were LEED certified, tearing down an existing building of the same size that could be otherwise used, it takes 30-50 years to recover the energy cost. Nobody tells this to the American public. It comes from Canada. So, 30-50 years. So, I opposed the demolition of the Salvation Army building next to LAC on these grounds. Demolishing that instead of rehabbing it is a major error. So we need to study the existing buildings before we decide to hire someone to do a new building. Architects can actually make more money rehabbing buildings than a new building, so it's not really a cash flow thing. We need Eileen Horn to speak up. I'm speaking up, she's not here. There's also a general interest in the community in sustainability and that includes how tax dollars are spent. That's part of sustainability also. So, we need to look at all the existing facilities, decide it in concert with the police department leadership what a solution is, and then put it out a request for proposal based on that. I don't think we had that last year. You said this is a commission-shared responsibility and so that's

great. That's huge progress from last year. So, I encourage you to follow on Leslie and Stuart's comments and really open this up to much more study. One or two hours of public comment's not even close. Somebody needs to go to different parts of town. The needs are different for the police in different parts of town. We all know that. So, I think there was also an objection to the location and the old complaint of a fait accompli. Things were decided without due public comment. So, that's the charge that I share. I can only help you in Centennial. That's a tiny part of town. So you each, you don't have commissioners by district, but you're all familiar with various districts and some you're not that familiar with. So, I encourage you to open this up to much more study so that the police will get the best solution. Thank you.

Mayor Farmer:

Thank you Mr. Alstrom. Other public comment?

Michelle Derousseau:

I don't know, maybe I'm simple but I'm looking at this and I see on number 1, public comments, a webpage that would allow for public comments. Number 2 under F, I see public comment. I'm sure that we could add what Commissioner Boley is asking for to those bullet points. Number 3, I see public discussion. Number 4, during the regular agenda at city commission there's always room for public comment. I keep hearing public comment over and over and over and I'm going to go back to January of last year, so this has been going on for a year and a half, public comment. The chief has given presentations to over 25 neighborhood associations. He gave over 30 presentations to local organizations like The Rotary, Cosmos, Optimist, other organizations like that. Six radio shows, 4 town hall meetings, 6 community open houses, numerous individual meetings, facility tours, over 30 meetings with architects and city staff. Just in 2014, he did 3 study sessions for planning meetings and numerous city commission meetings. This year I know that I've sat through 2 study sessions that were on public safety, the police facility. This is not a new conversation because the public is not paying attention doesn't mean the conversation's not going on. We can beat this to death but it's getting really old. We can't make them listen. We can't make them be engaged. I don't know where this ends but somebody's going to have to make a decision. I think this is a great plan. You know what, it's given the public opportunity but, I mean, how many more public comment meetings, presentations and study sessions do we have to have? So, thank you.

Mayor Farmer:

Thank you Ms. Derousseau Other public comment? (None) All right, back to the commission.

Commissioner Amyx:

Well, I suppose if we have commissioners that need, you know, additional information or want us to look farther, like Michelle said, that can be added and it will be fine. Mayor, I know that

you're not going to cut public comment off at all. So, we're going to be in as many meetings at it take. I do want to assure Greg, the comments about CIP that I brought up earlier were in reference to a study session we had earlier this afternoon. I want to assure you that in no way are we looking at something that would replace roadway projects or whatever it may be, but it's just an idea that it's got to be on a plan somewhere or program, Capital Improvement Program so it's just the way of talking through the process so everybody understands going in maybe what could happen. So, just wanted to bring that up. Mayor, one of the things we might want to do is ask the commissioners to bring forward any other ideas or information that they may need as part of this list. I don't know, just an idea. It's after 10 o'clock. I guess my brain is fried.

Commissioner Boley: I appreciate the recommendation from staff, I think we need to work on it some more.

Mayor Farmer: I think that the thought behind this is that we... and I remember a conversation I had with Barbara Ballard at the court house. You were sitting right there next to me the night of the election, and she came up to me-it was probably middle of the way through-and she pulled me aside and she said "Baby, you got to have options." I think that we would be definitely not doing what we needed to be doing as a team kind of leading this through if we didn't have options for the public to discuss and to get input on. The public discussion meetings, I'm going to let folks know that we've been very public comment heavy on everything for the last number of months and not only with the election that took place but also with the Lawrence Listens, with the increased engagement, I think Megan, she's not here, said something like a 500% percent increase in the engagement on our social media tools, which is great. But, I anticipate us being able to go around to the community, to different places, and have meetings in buildings and take tours. I'd even talk to the chief about going and seeing different facilities that have both been retrofitted and new buildings so that the public could...and invite the public to go with us if they wanted to go to Topeka or Shawnee or Iowa is another one, Kansas city and just invite. What's that?

Vice Mayor Soden: We could rent a bus?

Mayor Farmer: Well maybe, you know, take a school bus or we can all pack in Stuart's car. So just so that we're doing a completely different process than last time and I think that we're moving in that direction and we're going to be accepting a lot of comment and a lot of feedback and a lot of input and it's not going to be a "This is what we're going to do, tell us what you think." We're going to be doing the sausage making with the community and working on that process together. So, I would propose that we at

least get the study session talked about and Stuart we chatted last week and I think that all of the things that we're talking about in relationship to kind of a more holistic view of how we want to deal with stuff and kind of a long-term plan over the next, what did you say-15 or 20 years on staffing and efficiencies and that sort of thing. I don't know if that's something that we can incorporate, necessarily, into a memo but I think that as we have that study session we just need to grow the understanding of what it is that we're trying to get at and what information that we need. You being a new commissioner, you've got a different sense of what you want to see more so than me certainly. So those are things that I think that can be incorporated.

Stuart Boley: I think we can redo the memo so it gets what we need to get.

Mayor Farmer: I think that it needs to be an evolution rather than we do the perfect memo that we all support. I think it needs to be an ongoing conversation because then it doesn't feel like we're just doing something again, to me. It feels like it's kind of this ongoing thing. That's just me. Matt, you're being quiet. Are you asleep over there?

Vice Mayor Soden: He's been yawning a lot.

Mayor Farmer: Has he?

Commissioner Herbert: I'm just thinking.

Vice Mayor Soden: Well are we directing staff to receive that input and come back? Is that what we're doing? Direct staff regarding framework and timeline.

Mayor Farmer: I don't even know that I would be comfortable with putting a timeline in here in relationship to, do we want to bring this back to the commission. To set up our evening study session looking at some time into July, I think we could get that on the calendar, but beyond that we're not shoving this process down people's throats. We're going to be methodical and if we choose to change the CIP, we can do that between now and the end of the year. We're really limited on whether or not we want to raise property taxes to do this, but I don't know that that would be the will of any of us and changing the CIP's an option and it needs to be on the table with all the rest of the stuff. I think that's the thing that we need to do. But I think them getting started on a webpage is a good piece of information. They can start soliciting feedback from the public on things that they want to know. Doing the evening study session and then from there, those are just elements of it. It doesn't necessarily have to be an agenda, but I think having some intentional time where we go through, we sit down with the different groups, we ask questions, we talk about new building versus existing building, we talk about how

big does the building need to be and what's the best location and what went into all those decisions and if we want different opinions there, I hope Sven, you come, and I hope Stan Hernly comes and if they want to offer varying opinions about different things then I think that would be great. Probably it's going to be longer than 4 hours. I hope it's no longer than this meeting's been, but I guess what I'm saying is I'm okay with the framework knowing that this is a living, breathing document. I don't know that we can get it right in one fell swoop.

Commissioner Herbert: Frankly, let's be realistic here, this is a bigger discussion than we need to be having after we've been in a room for 7 ½ hours. Most of us have been at work for 15 hours now today. We're talking about 26 million dollars in tax money. That's not a 10:30pm discussion.

Commissioner Amyx: No it's not.

Vice Mayor Soden: What if me and Stuart work with Diane and Casey and adjust the memo? It will be first on the agenda.

Commissioner Amyx: So, do you want me to answer the question? If they need additional information, let's get additional information and the direction we're going to do. Let's just have a time frame that we're going to do it. I think there are some good questions and let's make sure the entire commission is on board, okay?

Mayor Farmer: Okay, works for me. I think we should all work with staff, more so than putting in you all's court. I think we should all give input on that process and spend some time, but I think for the study session, can we put...I was just looking at things in July, we've got study sessions pretty much every week, but could we just get something on the calendar for maybe like a non-Tuesday night? How does July 15th, which is a Wednesday, work for everybody?

Vice Mayor Soden: My birthday is the day before.

Mayor Farmer: So you'll be having a birthday at the commission meeting.

Vice Mayor Soden: Yeah.

Mayor Farmer: That's always fun.

Vice Mayor Soden: And then the next night is study session.

Mayor Farmer: My birthday is also on a Tuesday night this year, which is crazy.

Commissioner Herbert: To be fair, the chief is celebrating his birthday with us tonight.

Vice Mayor Soden: Happy birthday.

Commissioner Herbert: He turned 38 today. In the course of this meeting, however, he is now turning 78. I think my term is almost up, actually. I think my term is actually up.

Mayor Farmer: That's right. Matt's becoming senile, we better hurry. So July 15th we'll have work for a study session?

Commissioner Amyx: Yep, that's fine.

Mayor Farmer: Starting at maybe like 3 o'clock?

Commissioner Amyx: We've got a 3 o'clock on the 14th.

Mayor Farmer: Yep, 3 o'clock on the 15th and we'll go 'til we're done.

Casey Toomay:
Assistant City Manager: We have had feedback in the past that 3 o'clock study sessions for working folks might not necessarily be the most conducive to public attendance.

Mayor Farmer: Jeremy Farmer: 5 o'clock then?

Commissioner Amyx: That's the day before the sidewalk sale, so you know you're going to have a whole lot of people getting ready for stuff. You might be better off a week before or a week after.

Mayor Farmer: So do it on the 8th?

Commissioner Amyx: Whatever.

Casey Toomay:
Assistant City Manager: That's like 2 weeks from now.

Commissioner Amyx: That's pretty quick, that's 2 weeks.

Mayor Farmer: Okay, 22nd?

Commissioner Herbert: That's fine.

Mayor Farmer: I can't do the 22nd. Well, I could if it's after 5:30.

Commissioner Amyx: How about on like the 20th or 27th.

Mayor Farmer: 20th is fine.

Commissioner Amyx: Because we don't have study sessions the days after that.

Mayor Farmer: Okay, 20th, will that work?

Commissioner Amyx: That's fine.

Mayor Farmer: 20th at 6:30, 5:45?

Commissioner Amyx: Whatever.

Mayor Farmer: 5:45.

Casey Toomay:
Assistant City Manager 5:45?

Mayor Farmer: 20th at 5:45?

Vice Mayor Soden: I'm getting there.

Commissioner Amyx: Got it.

Mayor Farmer: Matt?

Commissioner Herbert: Here I assume?

Mayor Farmer: Yeah.

Commissioner Herbert: Okay.

Mayor Farmer: For this one and then I think taking this show on the road would be a good idea.

Vice Mayor Soden: The 20th at what time?

Mayor Farmer: 5:45.

Vice Mayor Soden: I think that should be okay.

Mayor Farmer: Okay. Let's book it. Book it Danno.

Casey Toomay: Got it.

Mayor Farmer: And then we will all work with staff. Let's get our input to staff on the memo to be revised and posted so the public has enough opportunity to look at it by July the 9th. So it'll be posted as a future agenda item on the 14th or as a part of our city commission work plan for the study session on the 20th.

Vice Mayor Soden: So number 2 is July 20th.

Mayor Farmer: That's correct. I think we can direct staff to work on the webpage. I think that's a great idea.

Commissioner Boley: That is a great idea.

Mayor Farmer: We don't lose anything by doing that study session. So, again, the memo is not in finality exactly what it is that we're going to do with complete specificity, but I appreciate you guys

compromising and letting them work on the web page and then doing the evening study session. I think at that study session part of our action needs to be to discuss how we're going to do public input meetings, where we're going to do them. It's not just going to be one meeting; it's going to be multiple meetings across the community. Those were valuable when I did them about capital improvements. I would've loved to have taken 3 or 4 months to do them because they were valuable but I think having multiple meetings is a good thing and ultimately putting it on the agenda and figuring out how we want to direct staff from there but if there's more information that we need then great. Okay, no formal motion, you guys know what we need to do. Add them to the calendar.

The City Commission direct staff to work on a memo to be posted on the City's webpage regarding the police facility framework.

5. **DEFERRED UNTIL JULY 7TH - Considered Federal-Aid Highway Safety Improvement Funds in the amount of \$600,000 for intersection improvements for the construction of a roundabout at Harvard & Wakarusa.**
6. **Consider motion to recess into executive session for approximately 20 minutes for the purpose of discussing matters related to employer-employee negotiations. The justification for the executive session is to keep negotiation matters confidential at this time.**

Moved by Commissioner Amyx, seconded by Commissioner Herbert, to recess into executive session for approximately 20 minutes at 10:25 p.m. for the purpose of discussing matters related to employer-employee negotiations. The justification for the executive session is to keep negotiation matters confidential at this time. Motion carried unanimously.

Farmer stated, "Nothing to report."

The City Commission reconvened at 10:47 p.m.

G. FUTURE AGENDA ITEMS:

Diane Stoddard, Interim City Manager, outlined potential future agenda items.

H: COMMISSION ITEMS: None

I: CALENDAR:

Diane Stoddard, Interim City Manager, reviewed calendar items

J: CURRENT VACANCIES – BOARDS/COMMISSIONS:

Existing and upcoming vacancies on City of Lawrence Boards and Commissions were listed on the agenda.

Moved by Commissioner Amyx, seconded by Commissioner Boley, to adjourn at 10:49 p.m. Motion carried unanimously.

MINUTES APPROVED BY THE CITY COMMISSION ON OCTOBER 27, 2015.



Brandon McGuire, Acting City Clerk