



City of Lawrence

CITY MANAGER'S OFFICE

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CITY COMMISSION

MAYOR
JEREMY FARMER

COMMISSIONERS
LESLIE SODEN
STUART BOLEY
MATTHEW J. HERBERT
MIKE AMYX

July 21, 2015

The Board of Commissioners of the City of Lawrence met in regular session at 5:45 p.m., in the City Commission Chambers in City Hall with Mayor Farmer presiding and Commission members Amyx, Boley, Herbert, and Vice Mayor Soden present.

A. RECOGNITION/PROCLAMATION/PRESENTATION:

1. Proclaim Saturday, July 25, 2015 as the City of Lawrence Celebration of the 25th Anniversary of the Americans with Disabilities Act.
2. Proclaim Lawrence as a Community Supporting Breastfeeding.

B. CONSENT AGENDA

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

1. Receive minutes from various boards and commissions:
Public Transit Advisory Committee meetings of 05/12/15 and 06/09/15
2. Approve all claims to 190, vendors in the amount of \$3,949,294.58.
3. Approve licenses as recommended by the City Clerk's Office.

Drinking Establishment

The Wheel
Spare Tire LLC
507 W. 14th St.

Expiration

August 3, 2015

Fuzzy's Taco Shop
Blue Line Tacos LLC
115 Massachusetts St.

August 9, 2015

4. Approve appointments as recommended by the Mayor.

Lawrence Alliance:

Reappoint Amanda Schwegler (785.864.0960), Chris Keary (785.841.8160), Craig Shanks, and Cody Phillip Marshall (625.533.9284) to additional terms that would expire 11/30/16.

5. Bid and purchase items:



- a) Approve sole source purchase of one (1) Trimble GPS/GNSS R10 GPS Rover and Data Collector from Seiler Instrument in amount of \$31,370.
 - b) Approve Change Order to R. D. Johnson for additional milling and paving on project PW1316, Bob Billings Parkway & George Williams Way Geometric and Traffic Signal Improvements in the amount of \$80,000.
 - c) Authorize the purchase of 24 Point Blank Alpha Elite Ballistic Vests from Southern Uniform & Equipment for \$19,410 and four (4) Armor Express Seraph Ballistic Vests from Alamar Uniforms for \$2,988 for the Lawrence Police Department.
6. Adopt on second and final reading, the following ordinances:
- a) ~~DEFERRED Ordinance No. 9127, for Special Use Permit (SUP-15-00185) for Verizon Wireless LLC to construct a new communication tower, located at 2001 Moodie Rd.~~
 - b) Ordinance No. 9130, establishing No Parking along both sides of Crestline Drive between 9th Street and Bob Billings Parkway.
7. **PULLED FROM THE CONSENT AGENDA FOR SEPARATE DISCUSSION.** Authorize staff to initiate the vacation process of the existing pedestrian and greenspace easement on two tracts and work with the property owners to establish new easements that better facilitate the installation of the Baldwin Creek Trail.
8. Authorize staff to submit applications to the Kansas Department of Transportation for a Transit Comprehensive Operations Analysis and a Bike Share Feasibility Study under the Competitive Consolidated Planning Grant funding program.
9. **PULLED FROM THE CONSENT AGENDA FOR SEPARATE DISCUSSION.** Authorize the Interim City Manager to execute the proposed Fiber Memorandum of Understanding, MOU Addendum No. 1, and the Dark Fiber Lease agreement.
10. Authorize the Mayor to sign Subordination Agreements for Alex and Amber Hansen, 2527 Ryan Court, and Tricia Klein, 1705 Bullene Street.
11. Authorize the Mayor to sign the Release of Mortgage for John and Valerie Fittell, 3107 Longhorn Drive; and Catherine L. McNish, 1002 Home Circle.

Pat Sinclair pulled from the consent agenda item no. 7, for separate discussion, authorizing staff to initiate the vacation process of the existing pedestrian and greenspace easement on two tracts and work with the property owners to establish new easements that better facilitate the installation of the Baldwin Creek Trail.

Patricia Sinclair:

Thank you Mayor Farmer. On item number seven, I did send a memo on the late side today. I don't know if you've had a chance to look at it or not. Oh, let me switch to my reading glasses. On item number seven, it said, "Staff Memo and Attachments." The memo is extremely short and the

attachment was like a PDF that was like oversized and said page one of two and I could never pull up a page two. There were no photographs and so forth. I had to sort of make do with what I had there and there haven't been minutes, written minutes, and transcribed minutes posted for a couple months. I don't know what might have happened in the near path. I'll just read what I wrote about this. Baldwin Creek trail alignment pedestrian easements. I ask that item seven be removed from the consent agenda and that the changes requested to the existing Baldwin Creek trail be denied. That is, that staff be instructed not to initiate the vacation process of the existing pedestrian and green space easement on two tracks and not work with the property owners to establish new easements. In attempting to study the memo and map submitted, little detail is provided and the map is very difficult to study due to its large format and multiple lines showing the areas of flood plain and land owners, but I spent considerable time doing so. It also showed ... Well, I already told you that part. The easements were acquired in 2008, acquired by the city. It appears that Parks and Rec has met with and spent money for, that's a guess, CFS engineers to show possible routes. One appears to be an existing easement and road. I don't know if you are actually ... It's the existing one, but I don't know if people are actually using it or just it's been designated, or what. Two property owners, Compton Farms LLC and Rebecca J Finney, are said to be interested in maintaining some large grass fields, which are in the easement and so they want to change the existing easement and trail route. I presume that this trail is or will be open to the public so it is important to give the public the greatest benefit, not the landowners who have already had the easement in place since 2008, unless there is some great advantage to be gained by the public by its relocation. The memo states, quote, "To date, all concerned feel that the proposed trail might be better situated on property slightly outside the existing easements ... " I'm saying who are these, "All," when you say, "All concerned," and why do they say, "Might, might be better situated?" To try to clarify, the existing pedestrian easement is shown as a solid line on the map. I don't know if ... you want me to click on this and make that map come up? Was there a second page, because it says, page one of two

Mark Hecker:
Assistant Director
Parks & Recreation

It's just one map.

Patricia Sinclair:

Just one, thank you. The heavy solid line would be the existing trail and the dark dotted line would be what they're asking for. Other things would be property lines and the flood plain, which is the flood way and the flood fringe. Okay. One notation on the map shows that the pond and damn would need to be re-

graded as needed if the changes are made. This could also have bad consequences for the ecology and for animals in the region. It probably would be expensive too. It would have been nice to have pictures included or more clear delineation of the tree line. That is that they were proposing to put the new one closer to the tree line. Some pedestrians do like to walk through fields. Due to the added expense and the lack of public input, and the lack of a clear demonstration of the public good in these changes, and due to the, and then here's my typo, I don't what I left out, and the changes requested by two land owners who have already benefited from the public improvements for years, I request that these changes be denied. I could probably show you this more if it's ... I don't know if this is helpful to you at all. Oops, that's the wrong thing to click. This is what I want to click.

- Vice Mayor Soden: Thank you for your comment.
- Patricia Sinclair: Okay.
- Mayor Farmer: Thanks.
- Patricia Sinclair: You could see that all right?
- Mayor Farmer: Other public comment on this item? (None) Do we have any questions for Mark on this issue?
- Commissioner Herbert: I guess that my understanding is the proposed trail was changed to avoid crossing five times, right?
- Mark Hecker:
Assistant Director
Parks & Recreation That's exactly correct. We're trying to reduce it down to one crossing, for cost savings.
- Commissioner Herbert: There would be a big public benefit there in cost savings, yeah?
- Mark Hecker:
Assistant Director
Parks & Recreation Potentially yes, and also the property owners. Instead of going right through the middle of the field, they'd like to see it on the edge of the woods and so would we. When I said all concerned, that's staff, the engineers, and the property owners. I think we're all in the same boat, we're asking your permission to continue this conversation.
- Mayor Farmer: Any commission discussion? Any public comments on it?
- Mayor Amy: Mark, all we're being asked to do is to initiate the process and anybody will have time to speak to any of these things?
- Mark Hecker:
Assistant Director Yeah, we'll have to come back to the commission. We'll work with legal staff and the engineering team that we've hired to

Parks & Recreation come up with an alignment, and then bring that back to the commission for approval. If there's any money, obviously, for easement purchase, which we're hoping to do a land swap, where we could take one and they get one.

Mayor Farmer: Any other public comment? Okay, Mark, thank you. Commission discussion?

Commissioner Amyx: I think we make this a simple deal with initiating the vacation process. Hearing everything that has to go into it and I agree with what Mark has said, is that if we can save money in not crossing five times. I mean, it makes all the sense in the world. If we're able to swap the land, you know, without money out of pocket, I think it works all the way around.

Moved by Commissioner Boley, seconded by Commissioner Amyx, to authorize staff to initiate the vacation process of the existing pedestrian and greenspace easement on two tracts and work with the property owners to establish new easements that better facilitate the installation of the Baldwin Creek Trail. Motion carried unanimously.

Joshua Montgomery pulled from the consent agenda, item no. 9, for separate discussion regarding Authorized the Interim City Manager to execute the proposed Fiber Memorandum of Understanding, MOU Addendum No. 1, and the Dark Fiber Lease agreement.

Joshua Montgomery:
Wicked Broadband We've exchanged a couple notes the last time you guys had a fiber lease agreement. I thought I'd just come up and highlight a couple points. I fully expect this to pass today so I just wanted to put a couple things on the record so that we can have this discussion again in a year when the city is still in the same position with fiber a year from now as you are today. This lease agreement adds another 12 count fiber to be leased to private entities. The lease agreement that you guys signed a couple weeks ago with Kansas Fiber Network was with the company that made no bones about it. They were 100% clear that they had no plans to build a fiber network in Lawrence that connects individual neighborhoods. Their only goal was to serve customers, customers in what we call low hanging fruit who are willing to pay thousands of dollars a month for internet connectivity. They're not interested in apartment complexes. They're not interested in single family homes. They're not interested in small businesses. Their only interest is in large companies and large organizations that are willing to pay thousands of dollars a month. When that agreement was signed, that was 25% of the capacity that you had available for private entities. Today, you're signing another lease agreement or you're giving away another 25% of the 48 count that's available in a lot of the conduits that are being leased. That means that half of the city's fiber capacity is now going to companies that, once again, have no concrete realistic plans to build fiber capacity into neighborhoods, build fiber capacity into apartment complexes, to build it for folks, normal folks, and not just for high

net worth individuals and for the large customers. The agreement you're about to sign has no build out commitment. So you're leasing an asset that's somewhere between \$7 and \$14 million, you're leasing it for \$16,000 a year and there's no commitment on the part of the other party to ever build anything other than to put some of that fiber capacity into use within the community and also there's no franchise fees associated with this. Between this and the memorandum of understanding, you're giving an entity the ability to take a backhoe and dig up the right of way pretty much anywhere within the City of Lawrence to hook up customers without compensating the public for use of the right-of-way, let's say the way that Westar does through a franchise fee, the way that the cable providers do through a franchise fee, the way we do through our agreement to provide a 5% municipal fee. I see that although the agreement explicitly bands the provider from providing a traditional cable television service for a voice service that in the newspaper, it was mentioned that there are plans to put both the cable and a voice service on this system. My guess is that the legal mechanism to make that happen would be to provide those services OTT, which means over the top. The way that that's traditionally done is you set up a couple of additional companies, one specializing in voice over IP and one specializing in television over IP. My guess is, in this case, that would probably be dish. Those companies pay nothing in terms of franchise fees to transit the network and now you've got another provider in the community that is providing television, voice, and data services but unlike the cable provider, and unlike AT&T, those providers are paying zero in franchise fees. Not only do you not get the incremental revenue that's being generated through use of the right-of-way but as whatever organization it is, starts cutting into market share for the other players, you actually see your franchise fees go down. This agreement, assuming that the company is successful, and that's a stretch, that this agreement puts in place the first domino in a domino effect that will eventually result in fewer franchise fees and ultimately higher taxes for the end users of city services who have to make those revenues up somehow. The incentive with these agreements is to cherry pick the richest customers, the customers on these business corridors. The heiress of the world out at 15th and Wakarusa who do have a couple thousand dollars a month to pay for internet will have additional options but in terms of the small businesses that call me every day looking for service, there will be no additional options. They'll continue to have the one broadband option in the community, which is the cable provider. The DSL is no longer considered broadband by the FCC. Finally, Lawrence continues to be behind Kansas City. We're now behind Chanute, we're now behind Emporia, but we are ahead of Baldwin. We do have a provider in town that is actually providing gigabyte service and that's us. You know, provided wicked broadband is still operating in Lawrence next year, the whole reason for me coming to say this is a year from now, I'll come

back and highlight what I just said and when we're in the same place, maybe we can have a discussion at that time about how we can expand fiber service within the community. That's all I have unless you guys have any questions.

Mayor Farmer:

Any questions for Josh? Other public comment on this item?

Patricia Sinclair:

I confessed to not being able to follow all of the cable, internet, things that have happened throughout the city, the suggestions and back and forth but I did see this item and I've heard about Wicked Broadband over time. I think that what's happening, and my understanding, is that in newer neighborhoods, things are being put underground, whatever those things are. Even in my neighborhood, my sidewalk side, I have a telephone pole in my backyard, which I find people are in my yard, standing in my flower bed from time to time. They don't have any right to be there like people from what use to be Sunflower and so forth. They don't have any right to be, but I have DSL. They tell me it's out of ... What did they say? It's not ... They can't supply me with the other. The big office will say they can but it isn't really available and my neighbor who lives on the corner at Learnard, they did arrange it for her, AT&T, but they said they couldn't say they could do it until they actually tried. Apparently there's something buried along the side of the road. Learnard doesn't have sidewalks. We don't have storm sewers in our neighborhood so there's sort of a ditch. I guess what I'm saying is, I followed it in Kansas City when Google came to town and it was a big deal and people signed up for it and so forth in the neighborhoods and when it came, it was said that it turned out that even if you lived in the neighborhood and you said you wanted Google, if you didn't have a certain percentage of the neighborhood whatever geographical area was defined, you didn't get Google so Google wasn't given to all of Kansas City. It was just the people with the highest percentage. I'm just speaking on behalf of maybe older neighborhoods trying to say that I would like to have better service and even pay less, not use what they consider an obsolete thing but continue to bill me for every month, you know, the DSL. We consider this a move and some things can be fly by night but I'm just hoping that whatever is done will encompass the entire city and give us all a chance to have buried cable or whatever is necessary to access this service and I don't know how this dark fiber is. I've looked and it seems like sort of businesses or public offices and so forth but then once they lay the fiber, are they going to dig up and lay another fiber next to it? I don't know. Maybe you could help me understand this and to plea for our older neighborhoods to get some of the city services we deserve and get build for, storm water.

Mayor Farmer:

Thank you Ms. Sinclair.

Patricia Sinclair: Thank you.

Frank Janzen: I've been using Wicked Broadband for about three years now. I've had very good service. They actually came out to my house and improved the problem I had. I just want to take a very short poll. How many people here in the audience use Wicked Broadband, raise your hands? Only a few. Anyway, thanks.

Mayor Farmer: Okay. Any other public comment? (None) Mike, before you start, could you address Ms. Sinclair's comments about burying one fiber and then burying another one and kind of how that works really quickly?

Mike Bosch:
RG Fiber Absolutely. In order for fiber optic cables, for us to be able to provide the service level we're talking about, we're installing a whole new technology. That requires new cables to be put in the ground in every home and business that we end up connecting and servicing.

Patricia Sinclair: When will that ...

Mike Bosch:
RG Fiber We're going to have to install new cables.

Patricia Sinclair: For every ...

Mike Bosch:
RG Fiber For every home and business that we're servicing. Absolutely.

Patricia Sinclair: That's what I meant, it's a qualifier.

Mike Bosch:
RG Fiber Right. Absolutely. It's a qualifier. Absolutely, and I'll explain that qualifier. Are there any other questions that you have for us and I'm going to explain the qualifier and how that works with us?

Mayor Farmer: Or you guys could just chat.

Mike Bosch: That would be great, not a problem. I just want to mostly clear up some gross misrepresentations of our company and our plans and what the agreement is before you decide upon this agreement. It actually gives us permission in the right of ways contained only to those routes defined in the agreement. It does not give us right of way permission all across town to just go dig up and bury whatever we want. In terms of cable TV service, we absolutely will be offering TV service. We also have in the existing agreement that we cannot provide TV service without first coming back to the commission and getting a TV franchise in accordance with federal law and we agreed to that. I fully anticipate as we get closer to Q1 of next year, to come back and say we'd like a television franchise to be able to offer this service as per federal law and we'll start paying franchise fees to the city

as per federal law based on those TV ... It's pretty straightforward. Is there a point in us crossing that bridge now? No. We just want to go ahead and get this lease agreement that we talked about for a little over a year and a half put to rest so that we can continue to move forward. We made a couple adaptations and you'll see the notes in your agenda. The adaptation, we're really driven around our desire to light 10 gigs. 10 gigs will be flowing with the approval tonight, will be flowing within two to three weeks through parts of Lawrence and with this fiber lease agreement, we'll be able to light up those corridors with 10 gigs of fiber as well. I fully anticipate telling you the first quarter but we'll work our tails off to beat that expectation but I'm excited about being able to come back to you for that TV franchise and I'm excited to come back to you and provide that we do what we say we're going to do. Any questions?

Mayor Farmer:

Any questions for Mike?

Vice Mayor Soden:

Yeah, I have a question. This is just a technical question.

Mike Bosch:
RG Fiber

Yes, ma'am.

Vice Mayor Soden:

You're installing side by side conduits and one of those for the city. Is that just empty space?

Mike Bosch:
RG Fiber

Yes, ma'am.

Vice Mayor Soden:

Okay.

Mike Bosch:
RG Fiber

That allows the city to install whatever fiber at any future point. The major cost of that is since we're boring, we're not doing any kind of open trench construction, it's about \$20 a foot so that stretch of, I believe, it's 14,000 feet, we're carrying that labor cost because we plan on building that ourselves and we just agreed that if the city will buy conduit, which is usually around 40 cents a foot, we'll pay for the construction, we'll pay for the labor to install it so it's a pretty sweet deal for the city.

Mayor Farmer:

Is Jim Wisdom here?

Diane Stoddard:
Interim City Manager

I don't know that he is but Brandon, McGuire; he's worked on this agreement if you have any questions.

Mayor Farmer:

The fact that with two agreements, we're at 50% of our total capacity for fiber is kind of concerning to me. Can you address that?

Brandon McGuire:
Assistant to the City

Yeah. That's not entirely the case. We reference a map, we adopt by reference of map in our fiber policy. That's the

Manager Resolution 7097 and that map shows the dark fibers that are available. That's not fibers that the city needs to use for city functions. Those are dark fibers that we've identified that are excess that are leasable. There's one route that comes in across the bridge, north of the city, into town, and there's 48 fibers along that route. Yeah, there are 48 fibers along that route. There's also one other route. Once that gets here on this side of the river, it turns into 96 fibers. There's one other route along 23rd street that has 48 fibers but just on the other side of 23rd street, from that route, is a route that has 96 fibers and again, those are dark fibers that we've identified as available for lease. This shows that map. It's this run right here that does have 48 fibers. You'll see the rest of it runs are 96 fibers, this one here on the south side of 23rd street is 48 but you see the red line on the north side of 23rd street and that's an additional 96. Again, these are our dark fibers, not the fibers that were satisfied for city use and for future city use. Then, also, if we get to a point in the future where we do have such a high demand, that we're looking at leasing all the fibers then there are options. I'm not the appropriate person to speak to the technical aspects of it but there are options for multi-flexing, which would allow us to exponentially increase the capacity of those fibers.

Commissioner Herbert: What percentage, would you say, of our fibers, is taken up then with this MOU?

Brandon McGuire:
Assistant to the City
Manager The dark fibers?

Commissioner Herbert: Correct.

Brandon McGuire:
Assistant to the City
Manager Well, with this particular one, it would be 12 so one buff or two and then with the previous KFM, Kansas Fiber Network agreement that you adopted a couple weeks ago, that was an additional 12 fibers. I know the KFN part of their plan, part of their business model, is to serve as a back bone or sort of the common carriage system so other ISPs, internet service providers, can utilize their network, come to an agreement with KFN, utilize their network to get to residential neighborhoods, and go that ... They did share with me that they're interested in residential neighborhoods, but of course, it is a market driven business.

Commissioner Herbert: You would say that the statement that 50% of our fiber is now taken up is inaccurate?

Brandon McGuire:
Assistant to the City
Manager I would say for this particular run, north of the river, 50% of those fibers if this agreement is adopted this evening, would be leased, which part of the intent of the fiber policy was to lease fibers so 50% would be leased but you'd still have an additional 24 of

those fibers available for lease. Then, if it gets to a point where we would need to address that issue with multiplexing, then we could do that and that's ... Fiber runs light and basically that splits the light. Mike or Josh would be much better at talking about that than I would.

Commissioner Farmer: Would it be better for us now to look at multi-plexing rather than having to come back and do it later? Is it more cost effective to look at that now rather than later? What are your thoughts on that?

Mike Bosch:
RG Fiber

I don't think it is, honestly. The opt tail end has some multiplexing and just so everyone knows what we're talking about is in each strand of fiber, we send light down it. Multiplexing allows us to send multiple light signals down that same strand of fiber so even though you may have in one segment because we're talking about 24 strands of fiber, you can send up to 88 channels for a nominal fee of about \$6000. You can drastically increase them. I wouldn't recommend that the city pursue that because I'm seeing the prices of a lot of that drop very rapidly and I anticipate honestly if you need additional fibers, two things will end up happening over time. The cost of that equipment will drop as we get into denser wave division, multiplexing, and I also anticipate as we build out more into the community, our long term play is to build our own fiber network. We're using this to accelerate connectivity to homes and businesses as fast as we possibly can so there will be a point where RG Fiber starts going back to the city and saying here are your fibers back if you need them.

Mayor Farmer: Okay.

Diane Stoddard:
Interim City Manager

Mayor, I did also just want to mention that these fibers that appear on this map are just the fibers that we were discussing making available for lease so there are additional ones that the city has reserved for its purposes and other purposes.

Mayor Farmer: Okay, thank you. Any other questions? Okay. Any other public comment on this item? Okay, back to the Commission.

Commissioner Herbert:

I just want to thank Mike and RG Fiber on behalf of the city for helping to hopefully make our fiber policy a success. You know, our fiber policy is meaningless if we don't have companies actually making use of it so I appreciate you making use of it and I look forward to you getting high speed fiber to us as quickly as possible.

Commissioner Amyx:

That's the goal of setting up the policy, is to make sure that it was available for companies. I appreciate everybody staying with us while we went through that process. I know its pretty touch for businesses and citizens alike but it's still an important matter that we took up and I feel good about the policies.

Mayor Farmer: Any comments? (None) Okay.

Moved by Commissioner Herbert, seconded by Commissioner Amyx, to authorize the Interim City Manager to execute the proposed Fiber Memorandum of Understanding, MOU Addendum No. 1, and the Dark Fiber Lease agreement. Motion carried unanimously

C. CITY MANAGER'S REPORT:

Diane Stoddard, Interim City Manager, presented the report regarding Moody's Investors Service Credit Rating for the Series 2015B Water and Sewage System Revenue Refunding Bonds; and, the June Social Media Report.

D. PUBLIC COMMENT: None

E. REGULAR AGENDA ITEMS:

1. **Conducted a public hearing regarding a distance limitation waiver request for the 2015 Kansas State Fiddling and Picking Championship event to be held in South Park on Sunday, August 23, 2015 and considered adopting on first reading, Ordinance No. 9121, allowing the sale, possession, and consumption of alcohol on Sunday, August 23, 2015 from 8:00 a.m. to 9:00 p.m. in South Park and on Massachusetts Street between North Park and South Park Street associated with the event and considered approving a street event permit and closure of Massachusetts Street between North Park and South Park Street from 8:00 a.m. to 9:00 p.m. on Sunday, August 23, 2015 for the Kansas State Fiddling and Picking Championship Event.**

Chuck Soules, Public Works Director, presented the staff report.

Mayor Farmer: Any questions for Chuck?

Commissioner Amyx: The applicant I spoke with before the meeting, they had said that they had made a request for Saturday also in the evening.

Chuck Soules: Male: I have not met the applicant. I'm filling in tonight.
Public Works Director

Jim Jeans: When we originally placed the request with the Parks
Applicant department to get their approval, we indicated that on Saturday night, before the event, we're going to rent south park, we don't need the street closed but we're going to have concerts and we're hoping to have Free State serve beer at that event. The parks department signed that approval. When I came over to do this request to close the streets, I indicated on that application that we were going to be serving alcohol on Saturday night as well. Since it wasn't tied in directly with the street closure on Sunday, I suppose. It wasn't tied in.

Chuck Soules: The parks have a special exemption that they can issue
Public Works Director because it's not public right of way but it's in the park so they

can do that so long as you keep the alcohol in the park. Not out on the public right away.

Commissioner Amyx: No side walk, right?

Chuck Soules:
Public Works Director I think we're okay.

Jim Jeans:
Applicant All right, thank you.

Mayor Farmer: Jim, can you get hooked up with Chuck or somebody to make sure that we can be accommodating to what you need on that day? Thank you. Entertain a motion to open the public hearing.

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

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

Commissioner Amyx: This is really a good event for the community and one that I know a lot of people look forward to so I'm happy to support it.

Mayor Farmer: Okay. Any other comments?

Commissioner Boley: Ditto.

Moved by Commissioner Boley, seconded by Vice Mayor Soden, to adopt on first reading, Ordinance No. 9121, allowing the sale, possession, and consumption of alcohol on Sunday, August 23, 2015 from 8:00 a.m. to 9:00 p.m. in South Park and on Massachusetts Street between North Park and South Park Street associated with the event; and, approve a street event permit and closure of Massachusetts Street between North Park and South Park Street from 8:00 a.m. to 9:00 p.m. on Sunday, August 23, 2015 for the Kansas State Fiddling and Picking Championship Event. Motion carried unanimously.

2. **Considered the following items related transit:**

a) **Received transit center location analysis update and provide direction to staff regarding proceeding with the location of the northeast corner of 21st Street and Iowa Street for the site of the transit transfer center.**

b) **Considered approval of amenities guidelines and policy.**

Robert Nugent, Transit Administrator, presented the staff report.

Mayor Farmer: Any questions for Bob?

Commissioner Boley: The 9th in Iowa site had annual operational costs that were about

\$120,000 less than this Stewart site. Would that be an ongoing thing or is that just something that would be here for a couple years and then go away?

Bob Nugent:
Public Transit Administrator

It's hard to tell. Initially, it would be an annual thing for a couple years but with restructuring, we might find some synergies there and you might be able to wean that out and that's part of what we want to do.

Commissioner Boley

When I looked at your study, I noted that the land on the north side of 9th Street wasn't really considered for that. I'd like you to take a look at the land on the north side where Centennial Park is and see if we can get that \$120,000 a year there too.

Bob Nugent:
Public Transit Administrator

Okay. I don't know if you know this but I do know several years ago, there was a conversation, it was before my time in Lawrence, but there was conversation about putting in a rec center, I think, wasn't there, in that, that was the park is what we're talking about?

Commissioner Boley:

Yeah.

Bob Nugent:
Public Transit Administrator

I know that there was quite a bit of pushback about putting in a rec center.

Commissioner Boley:

The reason I say that, Bob, is because I think that it's important for a transit center to be a destination center where there are amenities, restrooms, shelter, business opportunities. People at that site could go to the bakery, they could go to the grocery store, and they could go to play pool. There are lots of things you could do there and you could go to the park. Where is at 21st and Stewart, that's a remote location. There's really no possibility for that kind of amenities to exist.

Commissioner Herbert:

I want to piggyback up off commissioner Boley here. I have two concerns. I guess they're questions, maybe more than concerns, but they lead to concerns. Under the memorandum where you address neighbor's concerns, my first one deals with your very first bullet point. It reads staff has made a commitment to not route any busses other than the existing route on 21st Street to the east of Stewart. In the last couple days, I've had the opportunity to talk to some people who routinely ride the T and there's been a great deal of concern about the level of service that exists right now in East Lawrence and I guess what my question would be is if we're setting this up to where we're specifically reducing T traffic to the east of Stewart, are we going to make a bad situation worse? My second question would be, your fifth bullet point, restroom facilities at the location will be accessible only by drivers. Public restrooms will be, if available. I guess I have a question about the "if available." If we're building a hub for public transportation, why would we not have

restrooms? That seems like a basic amenity.

Bob Nugent:
Public Transit Administrator

Let me answer the restroom question first. Part of the concern of the neighborhood was they didn't want people hanging out in that general area. The more you give them as far as restrooms and amenities and things, the more people might hang out in the neighborhood so that was a discussion the neighborhood and staff had at several different levels. The service east of Stewart is really more concerned with the service between Stewart and Ousdahl, not East Lawrence. It's that service on Ousdahl. That is our commitment to pull the service off Ousdahl. Route 38 right now operates north. It comes out of Melrose 25th area. It operates north on Iowa, turns on 23rd, goes up Ousdahl because it can't make a left hand turn out of 21st. It serves Stewart so it has to come up Ousdahl to get to Stewart and so it can get back. If we have a traffic signal at Iowa, then we can get in and out on 21st and we won't have to go through Ousdahl. There is ridership down there but I think they will be able to walk out to the transit center and catch the service. Did I answer your question?

Commissioner Herbert:

Yeah, I understand neighbor's concerns about people loitering but I guess if we're trying to create a city where we have public transit, people need to be aware that the public is going to be on the transit. You have to have people to have public transportation and people have to have a place to use the restroom. I think it's basic.

Bob Nugent:
Public Transit Administrator

I agree. That's a decision that I think once we get down the road a little bit, to whether restrooms would be there at least at the start or they will be there in due time, I think that's a decision that we're going to have to make that decision in due time. I will say that what we do in transit, we're not trying to keep people from riding the bus. It's all about getting people to ride the bus and adding amenities would definitely get them to ride the bus at different levels.

Commissioner Herbert:

Thank you.

Commissioner Amyx:

Bob, question. I think you've answered some of the questions that I may have had on 21st Street stacking of traffic that's there. One of the concerns that I've had might be the other way, stacking of traffic on Iowa Street. We're going to add another light onto Iowa Street. We just spent a fortune at 23rd and Iowa. I'm very proud of an intersection that used to have a service level of F that actually works now. I don't want to do anything that's going to complicate that. What is the effect on that intersection by adding another light at 21st Street?

Bob Nugent:
Public Transit Administrator

I don't know if we looked at 23rd Street.

Commissioner Amyx: I think that's a very important part of my decision that I'll make because I can't make that decision without the effect on 23rd Street.

Bob Nugent:
Public Transit Administrator Well, here's part of the problem we have with traffic analysis. In order to do a traffic analysis the right way, you almost have to do a whole network analysis because when you do traffic analysis, it's almost like a plumbing thing. You put the pipes in and then you run the water to see how it works. In order to find out what's going on at 23rd or some of those more distant kind of locations, you almost need to do a whole system analysis to find out what's going to go on there and I think that's really what we were challenged with. We knew what the traffic would be on 21st. We measured some of that and we could take a good estimated guess or educated guess at what the traffic would be, the increases, but when we start getting removed a couple intersections, it is kind of ... It's a little bit harder to tell.

Chuck Soules:
Public Works Director I think at some point, Bob mentioned that 21st Street is going to need a signal anyway. I think through coordination with our ITS staff, we're going to have one at 23rd, 21st, and 19th. I think for safety, at some point, that's going to happen, whether its development of the west campus, or the transit center or both, we're going to end up having a signal there.

Commissioner Boley: Are there other alternatives to the signalization there?

Chuck Soules:
Public Works Director Cut off the access.

Commissioner Boley: Right, yeah. I mean, so it's not just a signal. There are other things that could be done to improve that intersection.

Chuck Soules:
Public Works Director You could do that, yeah. You don't have access then you won't have the traffic problem.

Commissioner Herbert: That's a highway.

Commissioner Boley: Well, I'm just saying, there are things that you could do that would have less of an impact on the neighborhood than putting a signal in there. Can you make a left turn out of KU street there? You can't make a left turn out of KU side of 21st street. You can make the same deal on the west bound traffic. There are things that we can do.

Chuck Soules:
Public Works Director There are. I think one of the neighbors, for instance, is to have the access because they may want to go to Iowa versus always having to go to 23rd.

Commissioner Boley: Right, we could have that discussion, but I just wanted to point out that there are alternatives to signalizing that for Mike's

question.

Bob Nugent:
Public Transit Administrator Well, but I will say that in order for us, if we were going to operate there, we would have to have a signal to get in and out.

Commissioner Boley: I understand that.

Commissioner Amyx: The second part. Bob, I don't know if this would be for you or if it would be for Donna and I'm going to guess it's probably for Donna. I was noticing in the master plan the change of where the existing or soon to be, Stouffer Place is a new mixed use development or has in the master plan a mixed use development. Is there a potential for this hub to be located as part of that mixed use development?

Bob Nugent:
Public Transit Administrator I'm going to leave that to you, Donna.

Donna Hultine:
KU Parking and Transit. I am not a huge part of the new central district development but I know in all of our RFPs that have gone out, there's been no talk of a transit facility in that little neighborhood that they're creating. The preliminary drawings that I've seen probably would not be able to accommodate something that size.

Commissioner Amyx: Okay. I'm just looking at the site on the master plan. I don't know. I can't tell a whole lot on size but it looks like to me it would fit if it would be something that would be acceptable as the KU and Lawrence public transit partnership. Is that something that is a possibility to look at?

Donna Hultine:
KU Parking and Transit. I'm not sure if I can tell you that. I can convey that back to the folks that are working on the central district plan. I can tell you, there's wrangling over quadrants of that square between housing, athletics, and academics. I think a lot of that is committed to green recreation space and housing.

Commissioner Amyx: So they wouldn't want our big busses there right?

Donna Hultine:
KU Parking and Transit Probably not. They're coming through. There's going to be a roadway through there anyway.

Commissioner Amyx: Well, I see that. I just want to know that if it was a possibility to consider because it looks like to me that there's enough space. One of the concerns that I have, you know, and Donna, thank you. One of the concerns that I have, Bob, obviously is what effect that we're going to have at 21st and Iowa. We have to put in a light or you say, as Chuck just said, we're probably going to have to consider a light there someday. One of the big concerns that I have is as I look at this site, one that I've always had since the public hearings that we had at the fire station and various places, is the effect that we're having on the driving public and

the people that live in that neighborhood and especially along the 21st Street. We have to change their daily routine, I think, just to be able to accommodate us and I'm questioning the fairness of that.

Bob Nugent:
Public Transit Administrator

Right, I understand.

Commissioner Amyx:

Okay.

Mayor Farmer:

Questions for staff or Bob?

Vice Mayor Soden:

Yeah. I think it's important, especially when looking at those annual operating costs, that it might be safe to presume, I guess we could check right now that most of us are interested in a bathroom at the facility and obviously that's going to add to the operating costs so just so that you have accurate information, I think it might be a good idea to just ... It seems like we have, no matter where the hub is located ...

Bob Nugent:
Public Transit Administrator

Yeah, there is definitely a cost associated with having a public bathroom, especially if it's a remote location like that. It's not in a park or something that parks and rec can take care of so yeah.

Mayor Farmer:

Other questions or comments for staff, before we open it up for public comment?

Commissioner Amyx:

Well, I guess just one.

Mayor Farmer:

Yes, Sir.

Commissioner Amyx:

Bob, would you feel comfortable in looking at or being able to visit with KU about the Stouffer Place site and I'll call it that because I don't have another thing to call it.

Bob Nugent:
Public Transit Administrator

Yes, absolutely.

Commissioner Amyx:

I assume there's another name for all that. That's all I can think of.

Donna Hultine:
KU Parking and Transit

Right now, I'm just looking at it as parking.

Mayor Farmer:

We'll open it up for some public comment at this time and please try to keep your comments brief; a lot of folks want to talk about this issue.

Melinda Toumi:

I'm going to speak on behalf of Pinkney neighborhood residents. I'm the current vice president of the P&A. I am not really concerned about my neighbor, Professor Marquis, and his ability

to get to campus and back, but I am worried about people deep in Pinkney neighborhood being able to get downtown, get to places like Just Food and access things inside of my neighborhood other people come back towards Pinkney for the hospital, for Burt Nash, for healthcare access. Having this out at 21st Street, especially with no amenities like simple bathrooms, would certainly lead to people loitering because there's nothing else to do while you're waiting for your next bus to come and there's no bathroom so where are you going to relieve yourself? I don't know if you've traveled to places where they don't have public bathrooms France, okay; it's not a good public health idea to not have restrooms in places like the big bus hub for your town. I'm really disappointed that the outcome of this study that the city has paid so much money for has told us to focus on the needs of people that probably already have a lot of resources. I'm disappointed. Thank you.

Mayor Farmer:

Thanks, Melinda.

Robert Silipigni:

I live at West 21st Street. Please be aware that the fire department may likely request a traffic light at 19th and Stewart, should this transit system go into effect there. Also, the neighborhood is concerned about the quality of air. Thank you.

Mayor Farmer:

Thank you, Robert, and also for the good work you do for Relay for Life. We're grateful, thank you.

Ray Souza:
1732 West 21st Terrace.

For the sake of brevity, I wrote out a statement. Years ago, when a real estate agent was trying to sell me a home that needed some work, he chanted location, location, location. I've never forgotten those words. Now, as we consider improving our public transportation system, something that seems very desirable to me, I think location and the needs of those who use the bus system, are important considerations. A remote hub at 21st Street and Stewart Road doesn't make much sense to me. There are no commercial amenities at that site nor are there any planned restroom facilities. When it comes to commercial activities or doing ones business, there's no there, there. Also, the site is not close or convenient to downtown, an area that most of the community wants to keep vibrant. An area that does have the advantages I have mentioned is in the vicinity of 9th and Iowa. It is a clear shot via 19th Street to downtown and it is not far from Lawrence Memorial Hospital, Bert Nash Community Mental Health Center, Lawrence Surgery Center, and several other important medical practices and pharmacies. KU is even closer. Centennial Park is what I have in mind. It is a large park with extensive areas of land that are not utilized. A small patch dedicated to a hub would offer easy and convenient access to many businesses and community services. There are many there's there. Thank you.

Mayor Farmer:

Mr. Souza, thank you for your comments. Other public comment on this item? Okay.

Patricia Sinclair:

I have written comments written in haste, as you know we relayed last night. I just feel like there's so much to digest in these written materials that were given and all I'm thinking of are problems, sorry, with this site. I don't think that Mr. Nugent addressed ... I thought that 23rd and Iowa were both state highways and couldn't have stops along them. There's the conflict with the fire station. I know that when my dad was at Brandon Woods, they often come back on Clinton Parkway and then we'd have to make that left onto Iowa where you do have the right-of-way going north, but there's always this merging traffic that merged, even though they didn't have the right away. I just think that we've done a lot to that signal at 23rd and Iowa but it's still not safe. I think we had an accident there recently where the signal failed or something. I don't even know are they just letting them use it and build something and are they stealing the land, are they giving us the land? To me, the whole conflict is that it just became, once they merged with KU on Wheels or something, it seemed to have taken over and naturally you're going to have high ridership if you have these passes that can be bought and you design routes that are designed to help the KU students get where they want to go, presumably. I'd really hate to just discard the citizens of Lawrence. My neighborhood has lots and apparently lots more plans in terms of intrusion and everybody just loves that tiny round about at 19th and Barker so they can speed through the neighborhood and nobody can cross the cross streets at 19 because there's just nonstop traffic. I'm disturbed. The whole approachability of Mr. Nugent and so forth in this whole process, because I did go to the meeting. I think it was a year ago in the spring, which I wrote about it in my memo and that was what it was supposed to be about and yet he wouldn't discuss. He just showed pictures of buildings, the cities, but he wouldn't discuss that and if you tried to say anything or ask any questions like why do the busses go at High Point Apartments go circle all the way through in the different places but they don't do that at Edgewood public housing where they really sit back and lots of different streets and so forth. He would just, nope, nope, nope, I couldn't ask that question. I was not allowed. The survey we filled out made no ... It didn't even have this even though this was advertised as a reception, the reception/meeting/ they call it one thing but it's not people sitting down hearing each other talk, hearing other people's ideas. It's sort of a few people there with materials. We had a little thing we could fill out but it did not have this issue on it even though this issue of this relocation for the site was there. I'm just at a loss at why this would ... How this could serve the community. Another thing we point out is that have you ever made the mistake of trying to drive home north on Iowa when a game is getting out? You will not be allowed to turn until maybe 9th Street. There are

a lot of logistics with KU and mass quantities of people emptying and exiting. It seems like a really troublesome ... I can understand people wanting to protect their neighborhoods, everybody does, but we need bus service. I think that people in Brook Creek, I mean, they don't even have ... I think they took it away from even the East Lawrence Center and my route in 10 minutes can get me downtown. It's half a block from my house but then to go home, I have to first go all the way down to Prairie Park which is almost at 31st and then circle back to get to my house. All this would change. I'm not saying I appreciate your comments about restrooms. He had something in one document. There was just too much to read. Definitely too much to print but I'm still unclear exactly about where this site exactly is and how it relates to the fire station but you know, it just seems that we've developed by this merger, we've developed the design of the routes, we've developed a high population of ridership and commute with other routes. We could bring in other riders. If I lived out in Brook Creek or you had to further ... I mean, I see people all the time who can't, who are walking home past my house trying to get to Edgewood or in that neighborhood because there's no direct bus that will take them to a grocery store like Dillons. I'm just, as I said in my memo, which maybe I should quickly read, that I just feel that if I went to a meeting about this and that's not even in here. Ironically, we didn't ask KU or KUEA about letting us have a site for the police station. They don't want us to. You know, there is a little irony there in my mind. I am opposed to the relocation at this location and do not accept the lengthy list of rules, which he didn't get into here. It's too much to digest now. I believe that the transit is much too strict about some things, for example, not allowing a folding shopping cart or laundry or a beverage. There are just some things that ... We have the minutes from May and June advisory committee meetings. Why wasn't downtown appropriate? Just because we want to have festivals or parades and we let somebody quickly build buildings that in the blink of an eye they're built with, I don't know, I forgot the word, help me out. When you get exemptions or whatever so you get the closer to the street then you wouldn't ordinarily. What's the word?

Diane Stoddard:
Interim City Manager

Setbacks?

Commissioner Amyx:

Variances.

Patricia Sinclair:

Pardon me?

Commissioner Amyx:

Variances.

Patricia Sinclair:

Thank you. It just happened so quickly and prior to that, we're saying we don't have established rules and policies and yet this has been going on for years and if you ever went to one of those

shelters or tried to figure out which way the bus was going during that long interim period when they were in New Hampshire or anything, there weren't routes posted, there weren't signs that were clear as to what bus was going to stop there or not so I just feel that we haven't had a very good communication about what our needs are. Some of the early meetings, people were sort of micro managing. They were talking to existing riders and talking about like minute changes to the schedule as opposed to saying who isn't riding the bus that would ride the bus if we did this and what would it take to get more riders. Well, we all know it would take longer hours and more frequent bus service but which routes? When it was started, it was told, which turned out not to be true, that there was some government funding involved and that we were not going to be allowed to have people go to leisure activities or something and oh, we could be traveling to work and back and there were a lot of kind of restrictions on that, which isn't true. I really just don't even understand where they do plan to stop and how safe it would be. It just really, you know, thank you very much commissioner Boley and others who have longed for a destination. It doesn't have to be that that's the only place you ever go. I have some problems with going downtown for some things when I'm trying to get somewhere else and a lot of times a bus will get there and you'll have just missed the connection by five minutes but I would rather amuse myself downtown than ...

Mayor Farmer: Ms. Sinclair, I sincerely appreciate your comments but we've got other folks that are waiting to speak so if you could kindly wrap it up.

Patricia Sinclair: I know. I have this written, which I think ...

Commissioner Amyx: Well, we can adopt it as far as the entire text that you provided us into the minutes of our meeting if you would like.

Patricia Sinclair: I appreciate it. I just, I made a couple little notes as people were talking because I think it's still even unclear as to what exactly the little parcel is. Is it where the armory was, is that it?

Commissioner Amyx: No ma'am, it's to the north of there.

Patricia Sinclair: Well, the map was too small to read and I couldn't tell. I think that Centennial Park sound like a great idea.

Commissioner Amyx: Well, Ms. Sinclair, if I could step in there. I would be happy to make a motion that we adopt the comments that you presented as part of the minutes of our meeting.

Patricia Sinclair: Really, I mean, I was brief because there was just an overwhelming amount to go through.

Commissioner Amyx: I'm serious, we'll do that.

Patricia Sinclair: Huh?

Commissioner Amyx: We'll do that because I think we've already read them.

Commissioner Boley: We've got the comments.

Patricia Sinclair: I just was trying to write down some things as people were talking about the things and it went on. I don't know exactly what that 925 Iowa is, which block and they definitely said no.

Commissioner Boley: It's behind the Mercantile. It's where the recycling containers are.

Patricia Sinclair: Oh, you mean directly behind the Merc.

Commissioner Boley: Right, behind the Mercantile.

Patricia Sinclair: Where that big just open space is.

Commissioner Boley: Ms. Sinclair, there are other folks who really would like to speak tonight so we'd appreciate it if you...

Patricia Sinclair: Well, you know, I did spend the whole day reading this stuff.

Commissioner Boley: Well, they may also as well, Ms. Sinclair.

Patricia Sinclair: I'm backing right down. I'm going to go back to my seat. I don't want to get spanked. I can't tell you how difficult it is to talk to Mr. Nugent about this subject.

Vice Mayor Soden: Thank you, Ms. Sinclair.

Commissioner Amyx: Mayor, I would suggest that we include the text of Ms. Sinclair's message to us.

Mayor Farmer: Okay, is that a motion?

Moved by Commissioner Amyx, seconded by Commissioner Boley, to include the text of Ms. Sinclair's message to the City Commission. Motion carried unanimously.

To: Mayor and City Commissioners
From: Patricia Sinclair, MSW, 331 Johnson Ave.
Re: Regular Agenda Items 2 a and b
Date: July 21, 2015

First, let me state that I am totally opposed to the relocation of the public transit transfer center to the proposed location at 21st and Iowa Streets and do not accept the lengthy list of rules as it is too much to digest now and because I believe that the Transit is much too strict about some things, for example, not allowing a folding shopping cart, or laundry, or a beverage.

Second, there is so much information presented here, that I could not even digest it or print it all. We have, for the first time, the minutes of the Public Transit Advisory Committee meeting of 5/12/15 and 6/09/15, a very lengthy study from April 2014, numerous other studies or explanations about why locations were chosen or not, why downtown was not appropriate, a recently added map of the shelters, etc.

I believe that downtown may not be an ideal location for all time, but I also believe that it is the best option for the time being. To be told that the presence of buses interferes with functions like parades downtown and that increased building made it difficult to locate the buses on the streets seems to be a ridiculous argument. Any city-dweller knows that buses or other public transportation are expected, even desired, at busy locations. During all of the transitions, the bus shelters and stops have been poorly marked and appropriate schedules not available. I am not referring to the initial changes made when buses completely blocked small businesses. In my opinion, large buildings should not have been allowed to be quickly built in such a manner that buses could not stop in front of them and given other concessions.

With regard to the proposed location, it's important to note that once KU became represented on the Board, we began to cater to KU's needs and routes were designed to access campus. I once waited on Iowa Street for a bus that went over my head on the bridge. KU students can purchase passes, and apparently do, for unlimited riding,

KU or the KUEA has offered this site under whatever circumstances as it will serve them well. I do not believe that it will serve Lawrence citizens well. First, I believe that stops are not allowed on Iowa or 23rd as they are state highways, although I could not find that in the literature provided. Next, an agreement has been reached with the residents of 21st street (and surrounding area) about not adding buses to their street. The crossing at 23rd and Iowa is perilous, and there have been tragic accidents there.

Most importantly, when I take the bus and wind up downtown, I can visit a library or a bank, do a little shopping or window shopping, get in from the heat/cold/rain/snow, have a bite to eat, use a public restroom. I used to wish that there was a pay phone as I felt sorry for those who could not make a call. At a location such as the one proposed, there are very few ways to pass the time, no restrooms proposed, no eating or drinking on the bus, so one would have to find a place nearby and finish before the bus arrived.. I believe that these are some of the reasons why people are opposed to this location. There is nothing to do and few amenities and it is probably out of the way. It might even be creepy to be in a building with just one other person.

As expected, it is stated that most routes will be changed. This is a very serious business, and I do not believe that Mr. Nugent is keen on suggestions from the public.

I have attended mass transit meetings from the very beginning and believe that the system was not wanted by the administration and it was set up to be doomed to fail, from beginning in the winter with route markings missing and not planned well. It was based upon an out-of-date plan by an out-of-town firm and when a director was hired they had no experience with starting up a transit system.

I attended a reception/meeting regarding this issue of 21st and Iowa at the old Arts Center, I believe in spring 2014. There were only a few people there, there were photos or drawings of buildings in other cities, but nothing to indicate what was planned for this site, there was a survey to fill out, and with no mention of this location, and Mr. Nugent was totally authoritarian in what he would allow to be discussed or in answering any questions. That is, if one began a sentence, he would state "NO" and refuse to go on..

I own a car, but sometimes take the bus. I would take it more often if it ran more often and to places which I want to visit, with less waiting time for transfers. I counted on having a bus route near my home so that I could use it as I and my car age and during bad weather and when my car is unavailable. This route has gotten worse and worse, but it's better than nothing.

There are still many people in the city who disparage public transit, yet voters supported it. If everyone drove a car, there would be no parking, many uninsured and unsafe vehicles, and the roads that citizens complain about would be very crowded and rundown. Yet we need more frequent service and service that allows all residents to access the various amenities and necessities they desire to reach. And we need a transfer location and routes designed to provide maximum service.

Melinda Henderson: I live in the Brook Creek neighborhood. Thank you for the opportunity to speak to you about this issue tonight. I have a few comments on things that have already been said and then I want to talk about the map for a minute. Commissioner Amyx, you had asked what the impact, I think, might be to 19th Street.

Commissioner Amyx: Actually, Melinda, is was on Iowa Street and specifically 23rd.

Melinda Henderson: Oh, okay. My question would be, how is this going to impact 19th Street if 21st Street is closed off going East? It's my understanding that a lot of people who travel to Lawrence High School use 21st Street so would that impact 19th Street then, which is already kind of crowded? I haven't heard any discussion on that. I don't know if we want to ask that question, if we're going to do more traffic analysis. I just feel like this whole thing has turned into rocket science and that's really distressing. I just cannot believe there is not a simpler way to come up with a better system. I don't even know if we have real planning specific software or not. I'm not in support of the 21st Street location either. It's not clear to me like if I want to get downtown if I'd have to go to 21st Street and transfer. I don't know. Before we make any kind of a decision though on the location of a new transit hub, I wonder if we could get some kind of an idea of what those new routes would look like. I don't know if that would be possible or not because I don't know what kind of software we're using or anything. I'll tell why I'm asking that. Here's our current map right now. You can see, I think we're doing pretty well about at least getting most of the town covered especially on the outskirts and then we have the kind of flex systems too. Now, see this area from 11th to 15th down to 19th Street, all of these little Y markings there are streets where low income people live. That's my neighborhood. It's called Brook Creek neighborhood. We have no service there. When I pointed this out, when I went to discuss the lack of service in our neighborhood, at one of the open houses last year, I was told sure you do. I said well, how do I get downtown? Well, you either walk up 11th to Connecticut or you hop on the one, map of one. This is how I would get downtown. If I live out here anywhere, I've got to at least walk up to Haskell. Just Food is right over here. I would catch the bus, I would go south on Haskell, east on 19th, south on Harper through Prairie Park, west back to Haskell, and this is the route Patricia was referencing earlier about trying to go home. I would go west, pick it up on Barker, Connecticut, and then to the library or to City Hall. Seriously, this is okay. Sure, we're taking care of

Brook Creek neighborhood. Literally, that's what I was told. No, we're not ignoring you. Yeah, you are in a big way. I would think that the people who live in my neighborhood including me would really like to take the bus to get down here to get downtown. I think Mr. Nugent said something tonight in response to Commissioner Herbert's comment that we want to improve services for the customers. I can't be a customer because for various reasons, I'm not always able to walk to 11th and Connecticut. I don't always have time to take a detour through Prairie Park to get downtown. I share a car with the friends that I live with so I'm lucky if I can make arrangements, not everybody in my neighborhood has that opportunity. I really want to encourage you all to think about who you're really trying to serve here. Is it KU or is it the residents who really need transit the most because right now, it doesn't look like it's the latter to me. I was very supportive of the sales tax, imagine that, in 2008 to get our transit system started. I can guarantee you now, that if this issue is not resolved and we don't have a more creative and efficient bus system and a better location for a transit hub, I will not support renewal of the sales tax. I can't. It's just, it will look like money down the drain to me and I want to support. I want us to have good transit system. I just don't think we have it and we've got to really be more creative in how we're trying to get there. Thank you for putting up with my comments. I appreciate it. Good luck with this and I'm always happy to answer questions.

Mayor Farmer:

Melinda, thank you.

Commissioner Herbert:

I just wanted to answer your first question you were asking about 21st Street if that's an access with Lawrence High. I work at Lawrence High and I can tell you lots of Lawrence high traffic goes down 21st. In fact, it's not even the issue with the Indian Hills neighborhood. They say, well, people are cutting through inappropriately. It's not actually cutting through inappropriately on 21st because there's actually Lawrence High's parking lot feeds at 21st. I think it's 21st and Greever Terrace. You've got the soccer field, the baseball diamond, and so absolutely, there is a lot of Lawrence High traffic, myself included, that takes 21st everyday, twice a day.

Melinda Henderson:

Right, which I just think that's really going to plug up and I think that Louisiana and that whole area too. Thank you.

Mayor Farmer:

Melinda, thanks for your comments. Other public comment on this item?

John Coffin:

Good evening. I live on 21st. First, I've got to say, I'm kind of new to the area. I've been living here about a year and have been on the bus system just to see how it worked and I've got to commend you guys because compared to a lot of places, this is

really great. It's a really great system. Having said that, I just have a couple questions on what happens on 21st Street. That bump where you've got that little turn around that goes into Stewart. Okay, so I was having a hard time hearing back there but you can come in from Iowa and go east and then you may have to make a turn around that dog lake and then there's a, where 21st Street also turns and meets Stewart? Are they going to be able to make a right there and continue down 21st Street? That's my first question.

Mayor Farmer: It looked like it to me. We'll get an answer to your question but go ahead and ask the second one and then we'll have Bob comment on that.

John Coffin: Okay, that's the first question. The second one is okay, am I to understand that is going to be one way on 21st coming west? Coming East, I'm sorry. That if the answer is yes then my second question is, say I'm on 21st and I want to go towards Iowa, will I have to now go to 19th and go around and go to 19th and go over? Then, I guess there was another question. You're talking about putting chicanes or I don't understand what you're talking about there. Are you going to narrow the street? It's already pretty narrow there. Are you going to increase the busses that run there or are they going to come out of that terminal and go down 21st? Can they? It's not going to happen. Basically, my concerns are; what's going to happen to 21st Street right there where that turn is going to be. Of course, I'd rather see it. I don't know, I think it does need to have restrooms if it's going to be there. I mean, that's kind of a, you know, if we have to beef up security because of all the homeless people that they're going to flock now because of that. I think that's the fear probably. I don't really feel that way but, those are my questions. Thanks

Mayor Farmer: John, thank you. Bob, can you come up and I'll just ask these questions one at a time. Was it Mr. Kaufman?

John Coffin: Coffin.

Mayor Farmer: Coffin, okay, very good. I wrote that down wrong. Mr. Coffin's first question is if we're coming, if you could bring up the map.

Commissioner Amyx: I guess you can't because of the diverter.

Bob Nugent:
Public Transit Administrator Nugent: You want the map or do you want the T intersection? Is that what you're talking about?

Mayor Farmer: Yeah. There we go. First question was if we're coming in from Iowa and going east, are we going to have to make a turn around the dog leg where 21st Street meets Stewart?

Bob Nugent:
Public Transit Administrator

If you could see my corner here. That diverter will ... If somebody is coming in from Iowa here, coming across 21st, they will not be able to make a right hand turn on 23rd.

Commissioner Amyx:

They'll have to go north on Stewart.

Bob Nugent:
Public Transit Administrator

They'll have to go on up Stewart to 19th.

Mayor Farmer:

Okay. Go ahead and explain that again. They will not be able to continue east on Stewart. They will have to go around the dog lake?

Bob Nugent:
Public Transit Administrator

Right.

Mayor Farmer:

Okay. I guess that addresses the second question. If it's one way on 21st Street, going east, which it will be ...

Commissioner Boley:

It would be two-way traffic. It would just be a diverter.

Bob Nugent:
Public Transit Administrator

Right, we won't allow traffic in going east bound past that T intersection. You won't be able to make a right hand turn, but once you get past that, you can go in both directions. There will still be two-way traffic.

Mayor Farmer:

Okay, unless it's not signalized and then the suggestion that Stewart made may be about not being able to turn left, that would not be a feasible way to get on the Iowa Street then if that, in fact, were to ...

Bob Nugent:
Public Transit Administrator

Right.

Mayor Farmer:

Then, can you speak to the chicanes and the narrow streets and if we're increasing the busses that are coming out of the terminal and then heading down 21st Street.

Bob Nugent:
Public Transit Administrator

There will be no busses going down 21st at all. The traffic adds again to the traffic, it would be on 19th. 19th is more apt to handle the traffic than 21st by far. The traffic for buses will be on 19th Street. We'll have nothing going down 21st and I have this one caveat that I've said to the neighborhood, unless the neighborhood wants service in there, then we would talk to them about how we provide service in there but we have no intentions on operating anything on 21st Street. One, it's a very narrow street and we don't like operating on those streets anyway. Chicane is what they would do. What they really do, it causes you to weave. If you have one on one side and two on the other side, you have to weave between those so normally you're going to slow down to make that weaving motion. It's really an attempt to drop the speed down instead of somebody just

pinning their ears back and going, which some of those high school students can do, I hope not, of course, but at least it gets them to slow down enough to weave through there and if there's traffic coming, it gets them to slow down even more.

Mayor Farmer: Okay. Bob, thank you. All right.

Vice Mayor Soden: Would that remove the parking, on street parking? I assume there's on street parking there now.

Bob Nugent:
Public Transit Administrator I think there was going to be ...

Member of the audience: Yes it would remove 4 spaces, but those residences have two car garages and long driveways.

Mayor Farmer: Okay, thank you. All right. Mr. Coffin, welcome to Lawrence. I hope that addressed your comments. Any other public comment on this item? (None) All right. We will bring it back to the commission.

Commissioner Amyx: The options before us, Mayor, are?

Mayor Farmer: Well, we just need to direct staff. I think if a majority of us do not feel like that the 21st Street location is a good idea. I feel like that would be a good direction. If we want to direct staff to look at other locations at 9th and Iowa, as you had suggested, I think that we need to direct staff to do that. If we want to direct staff to, and I'm just regurgitating things that I've heard that we want to make sure that there are amenities around the transit hub and that the transit hub needs to include restrooms. I think those would be good things to direct staff to do. Ultimately, I think the most important one is whether or not 21st and Stewart is a feasible location.

Commissioner Herbert: You know, I think the elephant in the room that maybe didn't get brought up is the fact that we have before us a very legitimate threat of no funding for the T in a couple years, four years. I'm not making this as a statement for or against but I think we need to, when we're making our decision, have that looming in front of us that we have a pretty substantial fund balance for the T, which is great and could be used to build this hub. It could also be used to save the T in four years when voters kill it because you're looking at a situation where because of what's happening at the state, we're facing a 10% sales tax and I could see a lot of people in the community when the option is put before them to reduce their sales tax burden, jump at that opportunity, and I think there's a real legitimate threat that we don't have funding for this in four years.

Commissioner Boley: I think that we address that by making sure that the transit hub

has amenities. We have to make it the best possible experience for the rider.

Commissioner Herbert: How does that address financing?

Commissioner Boley: Well, I mean, if we have more people riding it, we have more supports through transit, if it's working. That's the deal. We've got to make sure it works and works well.

Commissioner Herbert: I guess it comes back to the question Melinda asked, who are we serving? Making sure that the location is in a place and services are being offered to those who need it.

Commissioner Boley: One of the interesting points that Mr. Souza brought up was the idea of the shot straight down 9th Street to downtown. Downtown is our current hub and I don't want to get too far away from that. I'd like to look at the other site.

Mayor Farmer: Okay, do we want to continue to proceed with the 21st and Stewart location?

Vice Mayor Soden: I think there's been a lot of great work but I want to see a lot more. I know it's a difficult issue and I mean, that's an amazing amount of work already. You've got a new Commission. Unfortunately, sometimes you've got to recreate the wheel for us.

Commissioner Herbert: I don't love it.

Commissioner Amyx: You know, I have concern about the site. Most of it has to do with the answers about traffic along Iowa Street with the addition of a new light there, the effects that it has on 23rd and even 19th as was suggested. Also, the traffic along 21st has the access to Lawrence High. I would like to have us look at the area where Stouffer Place is, if that could be a possibility. It's a new area. It said mixed use as I went through the master plan and see if that is even a possibility. It may not be, but I think it's something to look at. I know that there are some requirements we have to go through and on park property of whether or not we can use it for another source. I know it used to be all kinds of strings attached that if you're going to use it for something else that you had to go through some kind of process.

Diane Stoddard:
Interim City Manager We would have to dig into that. I'm not sure what all those are.

Commissioner Amyx: I know that we would have to look at that because the way that we received that property and lord knows, I don't remember that one.

Commissioner Boley: I guess I would point out that there is a parking lot there now.

Commissioner Amyx: Well, I understand, you know, parking lot, but other uses. I think you have to look at those and maybe other governmental uses come into play there. No, that would be my suggestion. I'm just not ready to do 21st and Stewart at this point.

Mayor Farmer: Okay, even though it's named that with a different spelling.

Commissioner Boley: They spelled it.

Mayor Farmer: That's right. I really appreciated all the comments tonight. Melinda's comments were, both Melinda's, actually, were especially great in offering varying perspectives on ensuring that we're getting the transit service to the people who need it. Really, it's a public health idea too. I'm going to get a hold of our friends at the health department to see what sort of way they want to enter the conversation. Matt, I agree with you completely. We're not done with what the state, I think, is going to have to do to balance the budget and it was a .35% increase. We're still in the hole by a half million dollars. I don't think I speak out of turn by saying the next three years under the leadership of Sam Brownback, I don't think they're going to get any better. I think that we're going to have some challenges there. I'm concerned, certainly, about that, but I think we have a responsibility on behalf of the public to weigh the decisions of the amenities and making a good system with recognizing that we need to have a way to pay for this in a few years should voters not help us re-up it. I think the better part of the conversation is how we can work it into our capital improvement plan going forward from 2019 to work this in somehow and have a backup plan.

Commissioner Herbert: That was really the intent of my comment is I hate to kill the idea of the hub and I'm certainly not trying to do that. I want to be very clear about that but when you're sitting on \$6 million in a fund balance that is your backup plan. If we have a fund balance like that, it's become clear that the sales tax that we authorize to pay for this, has more than exceeded perhaps the need, which is why the fund balance has grown. If we let that grow steadily until 2019, who knows how much money you're sitting on then but should voters ... You know, I think it's a real fear. I think that the police department vote, a lot of people voted down the facility based on the fact that we're trying to authorize the sales tax. There's a lot of people ... Stewart, when you were campaigning, that was a big part of your campaign was talking about the sales tax.

Commissioner Boley: I like the transit tax, Matthew, because it's sunset after ten years.

Commissioner Herbert: I understand it. I'm just saying ...

Commissioner Boley: I like people asking people again about whether they want to...

Commissioner Herbert: Right. I'm really afraid that a lot of people will show up as voters and they may love the T, they may ride the T but see this as an easy opportunity to get their sales tax backed off a little bit. I hope that doesn't happen. I hope we're able to ... It's a public service but we need to have a backup plan and spending all of our money two years or a year before, we potentially have no funding source. I'm not sure it's a smart idea.

Commissioner Boley: Well, I think realigning the routes with the hub would be a great benefit to the riders. What they're talking about is getting 30 minute routes all around town. That's a really important thing to do so I don't want to drop this. I want to keep looking at it. I want to get a hub with amenities and let's get those routes to 30 minutes. That'll be a big improvement. We'll be able to address some of the concerns like Melinda had about getting folks on the bus.

Mayor Farmer: Direction of staff, 21st and Stewart off the table. Am I hearing the consensus? Okay. Ninth and Iowa, Stouffer Place, and to look at redoing the routes to serve our lower income neighborhoods, Pinkney, Brook Creek, East Lawrence, North Lawrence, and ...

Vice Mayor Soden: That's in the amenities conversation.

Mayor Farmer: Okay. I suppose we should go ahead and if you want to make some comments about amenities but that's kind of what I've heard so far in relationship to direction. Is this helpful?

Diane Stoddard:
Interim City Manager: Yes, and commissioner, just one quick comment, I think. As we have been looking at this over a number of years, just realized that there is not going to probably be the perfect site. Every site is going to have its challenges. This is a new set that generates traffic by its nature but we feel like getting the site is really a key to us being able to provide better service, which I think is one of the things that we talked with voters about a number of years ago. Just some thoughts but we'll be happy to look at these sites and bring it back to you.

Mayor Farmer: Okay.

Vice Mayor Soden: Yeah, and very much in favor of using that money in there to improve the system now. Whether that includes a hub or not, I think increasing the frequency to 30 minutes is definitely a great idea. I'd like us to look at it now. I do understand that downtown isn't big enough, really to do that so perhaps we can have a better transfer station instead of a hub building somewhere and that would just even be where a few routes

meet different parts of the city. I think one of the flaws in our overall transit system is that most routes go downtown and I'd like to see them perhaps interconnect better in a couple of locations throughout the city. I don't have a transit background. I have no ability to determine what is the best location for those, but to me I think that's really important to improve the system and so that all of the buses are downtown, which in front of the library is difficult. I do have a few things about the amenity policy, which I'm really excited about and I enjoy reading about that. That has to do with the shelters bus pads, I think it's great that we're coming up with a policy. I had three things that I wanted to discuss with that. When I looked through the policy, a lot of it was very rider driven, the counts, which is great. That's a solid way to determine it, but I definitely want us to look more at getting those amenities at key locations so that would be key transfer points in the system, grocery stores, schools. Also, I think we need to be a little more helpful for the business owners that have a bus station in front of their business. For instance, me and Stuart were walking around 9th and Iowa and we went to Beamer's Barbecue because I know that guy and he's a great guy and he is upset because where the bus stop is, people get off and step onto the ground and it's just a dirt pit and we don't want that. I think that we should put bus pads in more locations. I think business owners might appreciate that and people just getting off the bus not getting muddy, I think, would appreciate that. That's an amenity, I guess, that's a little more difficult to quantify, perhaps. Obviously, the homeless shelter, we've talked about that. The Lawrence community shelter a little bit. Have we already worked on getting a bus shelter bench there or both?

Diane Stoddard:
Interim City Manager

We have been talking and Bob is coming up with some different options about that particular location.

Vice Mayor Soden:

Okay. Yeah. I think that's really important. That's definitely a location. Then, I didn't know how to really describe this one so I'm not a very articulate person so I'm sorry.

Commissioner Amyx:

You'll be okay.

Vice Mayor Soden:

At 23rd and Harper, all along 23rd Street, the distance from the sidewalk to the street is quite large. It's like 15 feet, maybe. Chuck might know the exact number, I'm not sure it matters, but it's a very large distance. When I drive down 23rd Street, I see a lot of people sitting in the grass. If we can do something to put bus pads there and maybe some benches but also to connect whatever that amenity might be to the actually sidewalk, I think, would be very helpful for people. You get off the bus, let's say we put a bus pad there, right by the street, people step on that and then they still have to cross 15 feet of grass, which could be muddy, icy, snowy, we get all of it here in Lawrence. That's

something I'd like us to somehow add in there a little bit. Those are my suggestions that I came up with but I love that we're going to have an amenity policy. I think that's super great. Thank you.

Diane Stoddard:
Interim City Manager

Vice Mayor that last location, 23rd and Harper, you said?

Vice Mayor Soden:

Yeah, all along 23rd Street there. That's just the one that popped in my mind but Haskell might as well by the Quik Trip.

Commissioner Amyx:

It's a real wide green space.

Vice Mayor Soden:

Yeah, a lot of green. It's just another way to make it easier for the users so they don't get muddy or wet. It's easy to do.

Mayor Farmer:

Good direction?

Diane Stoddard:
Interim City Manager

Yes

Mayor Farmer:

Do you need an official motion for any of that stuff?

Diane Stoddard:
Interim City Manager

I believe we have approval of the amenities guidelines and policies if you would concur with that.

Vice Mayor Soden:

Well, I would move to approve it.

Mayor Farmer:

All right, motion made and seconded to approve the amenities guidelines and policies by vice Mayor Soden with some of the suggested modifications.

Vice Mayor Soden:

Yeah, they have a matrix in there and I'm not sure how that would fit in the matrix but those are my suggestions.

Moved by Vice Mayor Soden, seconded by Mayor Farmer, to receive transit center location analysis update and direct staff to look at additional locations at 9th and Iowa and Stouffer Place; and approve the amenities guidelines and policy with suggested modifications. Motion carried unanimously

The City Commission recessed at 7:57 p.m.

The City Commission reconvened at 8:09 p.m.

- 3. Considered authorizing the Interim City Manager to finalize and execute the agreements with BNSF Railway and Amtrak regarding the land transaction and lease arrangements on the Santa Fe Station project and consider authorizing the Mayor to execute the city-state agreement with the Kansas Department of Transportation related to the grant and the construction of the project.**

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

Vice Mayor Soden: I have a question but, well, I guess it's not really a question. Just so that people can hear, will you explain the Woods that are on the other side of the railroad tracks and why those stayed as they were, the Woods, they have a conservation area. Just because we're talking about this area, I think it's important for people to know.

Diane Stoddard:
Interim City Manager Well, you may have said it best, Vice Mayor, I don't have a lot of understanding about that but my understanding of the area that is shown here in the upper right hand corner is the, that's the area between the depot and the river, has a conservation overlay on it that requires it to be in a natural state. That's the extent that I know about. I don't know a lot about the details.

Vice Mayor Soden: I think it has to do with the eagles.

Diane Stoddard:
Interim City Manager I think so too and the non-disturbance of their habitat.

Vice Mayor Soden: Yeah, especially in the winter time, which is why this plaza on the other side of the river front is closed between January and April or something like that. It's wooded for a purpose?

Diane Stoddard:
Interim City Manager That area, I should say, is not part of the lease. It's only the area and I don't think this cursor is, for whatever reason, not working quite on the map, but actually, I've got another exhibit that shows this as well. There's a little better picture of the boundary of the land lease.

Vice Mayor Soden: Well, thank you for working on this all these years.

Diane Stoddard:
Interim City Manager Thank you.

Mayor Farmer: Any other questions for Diane?

Commissioner Herbert: Just real quick, do we have any ballpark figures on the cost for the asbestos removal or the ADA compliance issues?

Diane Stoddard:
Interim City Manager You know, I have those broken out on another sheet. I don't have those with me right now. Unfortunately, Stan Hernley, the architect, couldn't be here this evening to visit about those, but those have all been taken into account in terms of the overall project when we submitted the grant. It does cover all of that environmental work that we needed to do on it as well as the ADA improvements, all that's covered.

Commissioner Herbert: Thank you.

Mayor Farmer: Diane, the only thing I have been reading through the BNFS

land lease in section 13 under safety, dangers, and hazardous conditions. It looks like the city would be liable for like BNSF, their train comes off the tracks and slams into people, and it looks like we're taking on liabilities, should an accident happen with the train. Can you address that for me?

Diane Stoddard:
Interim City Manager

Well, I will try my best. This is something that the City Attorney and I have worked on extensively with them back and forth and was one of the areas that we really tried to make substantial movement with them on. These negligence issues are something that they just will not give on. You will notice that in many points in those agreements, they have them in all capital letters and there's a reason why. We have talked through those points with them. They are not willing to accept any changes so while I would say that that's not ideal for the city, if we want to complete the transaction, it's something that we're going to have to agree to.

Mayor Farmer:

Thank you.

Vice Mayor Soden:

Does the engine that's usually parked there, will it stay there

Diane Stoddard:
Interim City Manager

There is a provision that they can continue to use that if they need to so that's part of their ability to continue to utilize the station if they need.

Vice Mayor Soden:

They'll still have an office in there.

Diane Stoddard:
Interim City Manager

They have indicated to me that they still need that space, yes.

Mayor Farmer:

Any questions? All right. Thank you, Diane. We will open it up for public comment at this time.

K.T. Walsh:
East Lawrence
Neighborhood Association

Good evening Mayor and Commissioners. There're so many people to thank. This is a happy evening. I want to especially thank Don Cantore and Jim Buddy who sent the original letters I think nine or ten years ago to the Commission at that time saying hey man, our station is in terrible shape, we've got to do something, would talk to Amtrak. Then Depot Redux, this wonderful community came forward and they've worked so hard and Diane has been at the United Nations table negotiating all these years. That said, the East Lawrence Neighborhood Association, of course, is totally in favor of this and encourages everybody to go down and see our beautiful station and take the train. Thank you.

Mayor Farmer:

Thank you, K.T. Other public comments?

Carey Maynard Moody:
Depot Redux

Good evening Mayor Farmer and commissioners. So Redux means to "bring back" or to "revive" and that's been the purpose

of our group. When I took this on about seven years ago, I had no idea it would be a seven year long project or I don't think I would have taken it on. I have been tenacious about it and I owe much of that to Interim City Manager, Diane Stoddard, because not only did she agree with all of the Commissioners that it was worth doing, her heart was really in it and that made a huge difference. When the first grant was denied, we were very discouraged but she wasn't and she just knew from past experience that you have to go forward and apply again and that's when she was successful. We owe a lot to her. I would like to introduce some of the members of our board on depot Redux and they are on the left there, Jim buddy, would you stand up? Next to him is Tom Harper and then there's Richie Kennedy and then there is Matt Larson, then there's Kevin Boatwright, former Al Hack was on our board, and Dennis Domer and we are missing here Gary Knudsen and Bill Getts is the other caretaker and James Dunn is the other caretaker. We started very small and I went out and got training on how to save a train station. Amtrak took me out on the train to Albuquerque. When I came back, I thought it would be pretty easy and here we are today, seven years later, talking about it still again. As Diane mentioned, it's an active train station and this is what it would look like to a passenger who is waiting to board or lighting from the train station. Pretty prominent is the new neon signs. Those are exact duplicates of the originals. The originals are quietly packed in the back of the depot and we're waiting to auction those of and with the money, we're going to buy some seating for the station because the grant doesn't cover it. That's just a dream. Along with the new signage are those wonderful poles that are no longer rusty but they are painted in Colter blue. I could talk to you a lot about the history of train travel but Colter was a woman who decided that all the trains that were west of a certain, probably the Mississippi, deserved western colors so that's how Colter blue got there. We're going to have a lot more of that at this station when we start spending that money from the feds. This is the route of the southwest sheath and it connects Chicago with Los Angeles and we're right in the heart of it and everybody hates that because it means that our trains are most inconvenient but you start with the convenience for the biggest pool of passengers and that's Los Angeles and Chicago and so they leave at a convenient time. By the time that train comes to Lawrence, it's most inconvenient but guess what, that doesn't stop people from taking it. It's a busy place and it's gotten busier and busier over the years. This is the view of our station as it would be seen from the passenger's viewpoint looking at Lawrence, there was a time when all those letters were dead and they didn't shine and nobody knew where they were. That was very upsetting to me. It's pretty exciting that everybody knows where they are now and this had been quite the photo shoot. Everybody who wants a wedding or whatever, they come

down to the station and they get their picture taken with this new signage. One of the surprises to us is an organization, which we really weren't prepared for was the increase in ridership. I could spend a lot of time explaining how that happened but I won't. I'd be happy to answer questions but you know it was a scary station. When I came on board with the project, the cabbies told me that's the Stephen King Station. That is a very scary place. That is where I can't get rid of my riders because they won't go in. There was good reason for them not to go in. It had become occupied by the vagrancy in the neighborhood and Amtrak was powerless to do anything about it because their office that controlled the caretakers was in St. Louis so there was no supervision by the caretaker so the caretaker would open it midnight if it was locked and leave it open until the 6:00 train in the morning and so when the train left at 12:15, the vagrants came in and had dinner and laid down their sleeping bags and so by the time the morning passengers came, it didn't smell too good and it didn't look too good and it was a pretty scary place. The station was basically not used by passengers. When Amtrak decided that I wasn't going to go away and that I was a trustworthy person and they gave me the keys to the station, I gave them to Marty Kennedy. He happens to be a locksmith as well as many other things and he agreed to meet the morning train. He locked the station and it stayed secure and that's one of the reasons that the ridership has gone up. It's been a hardship for us to keep the station clean and to keep it in good working condition and to keep serving the many riders. The ridership doubled between the time I came on board and today so we are an Amtrak served community. We have to decide what we're going to do about the station. There are two stations in Lawrence and people get very confused. Sometimes they go to the visitor's center to pick up their passengers and then, of course, they miss the train and they miss their passengers. The signage that the city has put up has helped a lot but we still have to decide what to do with the station. Maybe we will get more passengers and more trains and this is the dream to bring back the Lonestar, which was a train that connected Kansas City and Oklahoma City. It was discontinued for funding reasons, of course, in the early 80s, I believe. Maybe it will come back. We can all hope for more trains. Maybe it could be a museum, maybe it could be used as a gallery, or maybe it could be used as a visitor's center. It's tough as a gallery because of the window walls but this is a student from KU who made these drawings for us showing how you could have some movable gallery space in it facing north and south or east and west. The two offices that Diane mentioned, which could be used as offices are the ticket agent's office, which is a smaller one, it could serve one person and it's behind that corrugated glass window wall there or the ticket office itself, which could probably hold two people. Both those offices have their own little wash stands, which we think is quite

adorable. They still work. They have their own mirror and their own light and we love things like that. It's going to look better and this is an opportunity for us to pass the baton to you guys. We're older and we're really tired and we've done the lion's share of it. You've got the money now. It's a good deal and Dennis Domer will tell you all about the historic significance of the building, I'm sure, but it really is not only a gateway to the city but a gateway to the East Lawrence neighborhood, which has realized quite the renaissance and will continue to do so, I'm sure. It needs to be brought back. It needs to be revived and it needs to be as good as it was back in 1956. I'm happy to stand for questions. I know there are a lot of other people too that want to talk.

Mayor Farmer: Questions for Carey?

Commissioner Boley: Thank you, Carey.

Mayor Farmer: Absolutely. Thank you for your leadership and hard work. I remember touring it two years ago and it's still going.

Carey Maynard Moody:
Depot Redux Yeah. I hope you all will come down and visit the station too. I think all of you know it except I'm not sure if you do know it Commissioner.

Vice Mayor Soden: I'll have him walk me down there when I take the train in a couple weeks.

Carey Maynard Moody:
Depot Redux It'll be safe and clean, I promise you.

Commissioner Herbert: If you're relying on me for security, you're in trouble.

Mayor Farmer: Thank you, Carey. Other public comments?

Justine Burton: Good evening. I would just want to say that I was around when the train station was viable and running years ago. I know that thanking Carey and the rest of the committee here for putting this together is something near and dear to my heart. As I said, my auntie, she had a restaurant down there right across from the train station and it was just kind of a place to go as part of the community, always a part of the community, and I rode a lot of trains. Not Amtrak, but I rode a lot of trains out of there when I was a kid. I am really thankful to everyone for doing that.

Mayor Farmer: Thank you, Justine. Other public comment? Hi Dennis.

Dennis Brown:
President
Lawrence Preservation
Alliance Good evening, Commissioners, Mayor, I think I can get this done under three minute tonight.

Mayor Farmer: Excellent.

Dennis Brown:
President
Lawrence Preservation
Alliance

I was centrally involved in saving the union pacific depot, an effort that started some 30 years ago. There was a point where a previous city commission made a decision to take on the holding costs with that facility. The alternative would have been a free grassy field. No one in the community today would doubt that that commission made the right decision. There are differences in these two projects but if you proceed with this tonight, I have no doubt that ten years out, people in Lawrence, future Lawrencians, will know that you made the right call. The city has been very smart in proceeding with this over the years. We have a historic structures report and construction documents with grant money accounting for a good percentage of those expenses. The rehab project you're being asked to approve will be accomplished with the city bearing about 25% of the cost. That money is already encumbered. This has been Diane Stoddard's baby from the very beginning as Assistant City Manager, years and years of pain staking negotiations with mega companies. I was just reading through the documents. I really can't comprehend how you stayed with it and negotiated for the city Diane, as you have. I find it so fitting that you are sitting in the City Manager's chair tonight when this action comes before this commission and LPA urges you to vote yes on this action. Thank you.

Mayor Farmer: Other public comment?

Jim Buddy:

Mr. Mayor. Commissioners. I've always been a guy who likes to go down to the railroad tracks from the time I was a kid, and see what the activity was all about. When we moved to Lawrence I started watching the trains, but over the years I saw the depot slipping away, getting into disrepair. Eight years ago an arriving passenger ... I'm just echoing some of the things that Carey was saying is ... We've talk to some of them. It was kind of an unlit, dingy neighborhood that some people likened to Chicago neighborhood like that they wouldn't walk out into. The place was not the cleanest. The air conditioning, so forth, was not working. The homeless folks were in there. There were cases that I know of specifically, the people waited outside in the rain and the cold weather because they couldn't go in, and thank goodness we've got a good place for homeless folks right now. We had to consider the paid passengers as well. I think we got together just because we loved the depot. A lot of people do. That's how common people have this vision and that's how our Depot Redux was started. I'd like to tell you a little bit about some of the activities that were so rewarding. One of them is that we didn't have the caretakers that we have now to meet the trains, and a matter of fact we still volunteer to take their places when the need is there. I enjoy going down, meeting the train,

helping the passengers, and talking with them. I'd like to say a little bit about what was happening with them. One was a grandmother who I remember who took her grandchildren, put them on the train. They were going to Chicago. They were going to have breakfast on the train. They were going to go to all museums. The grandmother was so proud because she remembered when she did that with her grandmother. Another one was a fellow with a visual impairment that worked in Independence Incorporated. He used it for transportation. He would get on it in Topeka and come on over here, and get on here, and go back to Topeka. There were elderly couples, not just one, but a number of them who came down and used that because it was cheap transportation and it would get them to a lot of places that would be difficult for them to get to, and they didn't have the money to do it, to Albuquerque, to Dodge City, to Julesburg. I remember a lady who came in from Chicago expecting to see something like Union Station, and it was a pretty big disappointment to her. She came in for a wedding and was going to stay at the hotel, so I showed her how to get up to the hotel and told her it was safe and she would get there. These are the kinds of people that are using that transportation, plus the people who just prefer riding the train. My wife and I both use Amtrak a lot. I remember riding with a fellow from England and he says, "Oh Yankees you don't understand." He said, "This is a sophisticated way to travel." He was right. There's no road rage on Amtrak. Diane, people have praised you and I want to add to the list, because I don't know how you worked through all the red tape, came up with such good information. We thank you. What we have now, the things you see up there, we have a new gateway to the city. People arriving here are going to have a whole new view of what is going on, and feel good about going to the city, and feel good about leaving. The signage, the lights that we've acquired down there are just absolutely outstanding. I know that there's a bit of a problem here if we don't move forward with this, that we might lose the money in a bit more time, so I'm encouraging you to please sign the documents and get on with this thing. Not only do we want some relief, we believe in it and we think it's a good deal. Thank you.

Mayor Farmer:

Thank you Jim. Other public comment?

Richie Kennedy:

In case it wasn't obvious I am related to Marty Kennedy, who was a former City Commissioner and Mayor. I guess my story is that because the depot influenced me in becoming what is known as a "Rail Fan." I'm going out there and like watching trains. I joined together with the Depot Redux group. I've taken on some of the tasks that Marty had done previously. They somehow managed to give me keys to the depot. I greet Number Four on Saturday mornings. I can also tell you that my own nephew is also becoming a little bit of a Rail Fan in training.

Of course he's going other things like Thomas and Chuggington that helped influence him, but I intend on contributing to that. What I have here is just a couple of photos that I took recently. Of course this photo was taken outside the Visitor Center, of a freight train. This other one here was actually a passenger special kind of like a charter train that I took just outside of Paola. In addition to being a member of Depot Redux, I'm also a member of various models railroading clubs. One of those clubs is having a train show this Saturday in Kansas City. These photos I'm going to be entering into one of their contests. After that's done I'll probably give these to my nephew.

Mayor Farmer:

Thank you Richie. Any comments?

Tom Harper:
Depot Redux

Member of Depot Redux Board and also founder of Lawrence Modern. I'm a mid-century architecture nut. I just love this stuff and this building is a really, really special example of this type of architecture that I enjoy. I'm proud to be involved with both groups, and I'm also very thankful for the many, many city commissioners that have continued to give Diane the nod, to spend her time in working with a very complicated system, the railroad, and Burlington Northern and Amtrak and plus your system, the city. There are just so many people that have touched this building. City commissioners, attorneys from the city, people from East Lawrence, train nuts like Richie, people like me, people who dig riding the train, so it's been just a really interesting thing to be involved with. It's certainly a hub for the community and certainly one of the main doors, if we think about coming in on Mass to downtown going north, that's sort of the front door. Well I don't know this might be a side door. Still important but it's a side door. It makes me so happy that people are attracted to it and give their time, energy, and money to it. I think the five of you are really living the good life tonight, because you get to vote thumbs up, go for it Diane. Continue working with these entities and get this within the city fold. Today, I was thinking about well why. This is money and you guys and gals are prioritizing how to spend money and it's tough. Just watching you up here listening to you consider various ways of spending money with limited resources. I thought to myself, "Well, why is this worth it?" It's a prime example of this type of architecture. It's a gateway to our community. I feel like buildings represent our history. This is one of the few buildings in town that is a public space of this era that we can all walk into if we want to. Grant it, the doors are locked a lot of time right now, but with the city owning it the doors will be opened and inviting. I think it's an exciting time for you all to be in the seats that you're in, and I just think it's important to give credit to all those who've helped. Whether it's sweeping, mopping, or attending an event there. We've been beating the drum a long time. Carey, I don't know if you want to continue on, but there will certainly be Friends of the Depot Organization

because we want to make sure the city does things right with the building, and we have Stan Hernly who will be overseeing the renovation. We're not going to go away, but we are tired, so we do want this to happen. Again Diane thanks so much. Really appreciate it.

Mayor Farmer:

Thanks Tom. Other comments?

Dennis Domer:
Depot Redux Board

It's been an extraordinary historic preservation experience because we don't usually find this much money for a building like this. Particularly mid-century modern, which not everyone is like Tom Harper who loves this kind of architecture. This is a pristine example of a mid-century architecture done by two K.U. graduates. It is eligible for listing in the National Register of Historic Places, and as soon as you accept the ownership of this building, that can go forward. Amtrak has named it one of the Great American Stations, and I think it's truly that. If you look at the six stations in Kansas this is by far the best piece of architecture among those six, and those other five aren't bad either. You would expect the best architecture to come in Lawrence, and that's what's happened. The East Lawrence Neighborhood Revitalization Plan of 2000 named the passenger station its number one landmark to preserve. They saw that in 2000 and we see it today in 2015. I would say once again, the people who have worked on this building, who have kept this going for eight years, since we began, have been fantastic. Carey Maynard-Moody has given great, great leadership and Tom Harper has been the main custodian, and has kept us going once a month cleaning it. Diane Stoddard has been right in there diplomatically bringing this to its final close. Thank you very much, it's been a great experience and I hope we don't have to do another one of these too soon, Carey.

Mayor Farmer:

Thank you Dennis. Other public comment? (None) All right, we'll bring it back to the Commission.

Vice Mayor Soden:

I'm really excited. As you mentioned this has been an ELA goal for a long time. You live in that neighborhood, you hear the trains. It's part of your neighborhood. I don't know how you would capture that historical quality of that neighborhood. I've been trying to get my boyfriend interested in the train. A little bit of a hard sell, but we're going to go on a train trip in two weeks. We're going to walk two blocks to the Amtrak Station. That's living the good life right there. Thank you very much for all you've done and I'm glad to be sitting here, and that is true, Diane's sitting in the City Manager chair, at this time is great too.

Commissioner Amyx:

Diane, as brought up by the mayor the indemnity section of this. Do you have any concerns here, because I've read this several times as well?

Diane Stoddard:
Interim City Manager

I would say that we have concerns about those issues. In visiting with the City Attorney, she feels comfortable with us proceeding. We have tried to negotiate changes in some of those sections related to liability and there's just no movement there. Again, I would say that's one of those things that we want the transaction to occur, we're going to have to agree to.

Commissioner Amyx:

Do we have similar language with the Union Pacific Depot?

Diane Stoddard:
Interim City Manager

That I do not know. That transaction happened so long before I came here, so I'm not sure of that. Although some of the same conditions were not present when that property was transferred to the city, as it is with this one. I think the big issue with the railroad and with Amtrak on these liability matters is that they want to have consistency across their agreements. If they give an inch here, they've got to give an inch everywhere, and they know they don't have to. That's the challenge and when you're working with a very large entity like that, that's very difficult. Again we feel like we did make a lot of progress with them on some of the things that were major concerns of ours, like that environmental liability that they were able to see our perspective from it, and we were able to come to a mutual agreement that I think will work well for us and work well for them.

Mayor Farmer:

Any comments?

Commissioner Amyx:

Tom you stole my comments tonight. I wanted to make sure that I thank the people...

Diane Stoddard:
Interim City Manager

Maria can maybe add a few more comments on the legal aspects if you'd like.

Maria Kaminska:
Assistant City Attorney

Because it was brought up, I just want to point out on page 8 of the language that you're looking at Mayor, on the lease contract, under subsection 14, it does state that we would indemnify BNSF from any negligence that might happen. You gave the example of a conductor making the train completely come off the tracks. The only thing that I want to say about that is there is a clause here that says, "The only liabilities with respect to which lessee's obligations to indemnify does not apply our liabilities, number one to the extent proximately caused by the gross negligence or a willful misconduct." When I think of an example where a conductor takes the train off the tracks, for example, that might be an example of gross negligence if the conductor is under the influence of alcohol, for example. Or completely disregards the standard of care. Normally, a negligence action means that there is a duty of care that somebody has to exercise, and that they have breached that duty, and that they've caused damages because of it. Gross negligence is a more egregious standard, where you've not even remotely met your duty of care, and an example of that

would be like I mentioned the conductor in that case. I just want to bring your attention to that clause which does not require the city to indemnify for cases of gross negligence.

Commissioner Amyx:

I read that section and I was wondering if that would help ease some of the concerns that I might have. Would that extend not only to personnel that might work for BNSF, or would it also include equipment that they may have.

Maria Kaminska:
Assistant City Attorney

It says it defines the indemnities above as really persons so people who are affiliated with the company. It also includes employee's agents. In that respect I would say it would be persons.

Mayor Farmer:

Can I ask you one more question? Let's say it's not gross misconduct. Let's say due to a fatal error of equipment, the train comes off the tracks, barrels into a group of people. According to this if I'm understanding it right, we are liable for that.

Maria Kaminska:
Assistant City Attorney

If it is not gross negligence or willful misconduct on the part of those employees or somebody from the company, then there would possibly be some liability.

Mayor Farmer:

Are there other railways that go through there that are not Amtrak trains?

Maria Kaminska:
Assistant City Attorney

That I don't know.

Richie Kennedy:

There's usually in addition to the two Amtrak passenger trains, No. 3 the westbound, No. 4 the eastbound, there's the road switcher. It's currently based out of Topeka. It will obviously have to come through to serve De Soto. There's also what they call a local train that originates out of Kansas City, drops off cars in Topeka, then heads for Emporia and goes back to Kansas City via Ottawa. Then occasionally BNSF, if there's issues on the line through Ottawa or there's a lot of traffic, they might re-route some of their trains through Lawrence and could be anything. I would suspect that under conditions of a derailment a lot of that would probably be their issues. Like if an oil train derails we're all in big trouble. BNSF will have a lot more problems than just issues around the depot.

Commissioner Herbert:

If an oil train derails a lot of us are going to have a lot of issues.

Richie Kennedy:

And they do occasionally run off.

Mayor Farmer:

Diane, make me feel better about this, because I don't right now. When you say it's not an ideal thing for the city, and then I hear Maria say if a train derails ... I mean I don't want to derail this project by any means because so many people have worked so

hard for it, but I don't feel good about this right now.

Diane Stoddard:
Interim City Manager

Well, I think that we're recommending proceeding with it. I think that if the City Attorney were here she would say that as well. She and I have worked for a long time on it. I'm saying to you that if we have the ability to write it we would write it differently, but there comes a point sometimes in these negotiations that you are unable to negotiate further, and that's where we are on that issue. We have tried for a number of years to be able to get movement on that. We're not able to. At some point those are the trade-offs with a project like this. This project has a lot of great benefits from the community. I think that from our perspective, we want to be able to get the station under our control and do these things. That's why we would recommend moving forward with it, given that.

Commissioner Herbert:

I know the city self-insures on a lot of situations. Where is the city at in terms of being insured against something like this? Worst case scenario, catastrophic accident, where is our liability at dollar-wise?

Diane Stoddard:
Interim City Manager

We may not have the right people in the room to be able to answer all those questions. I don't know if Brandon can, and with Toni not here, we may need to get those answers for you. There are some special insurance requirements with these agreements that we would need to have in place to augment our insurance, which we would do.

Commissioner Boley:

Diane from your description, other communities had agreements like this, with the railroad, so it wouldn't just be something we would be plowing fresh ground with this.

Diane Stoddard:
Interim City Manager

Right. Again, a lot of the reasons why these provisions are the way they are and the inflexibility of them.

Commissioner Herbert:

That's a tough deal. Richie I can't tell you how much your enthusiasm means. That's why you get into doing this and unfortunately sometimes when you sit up here you don't get a lot of optimism, coming from the microphone, so I want to thank you personally for reminding me why we get into this anyway. I think it's great, what's been done. Just reading over that contract, Section 13 and 14, it's a little bit scary. It adds to the scariness when they make it in boldface and all caps locks. It adds to the scariness when your insurance agent's in the back of the room. Everything about this has me thinking about liability, and then ... It's a tough deal.

Vice Mayor Soden:

Well the action is to authorize the City Manager to finalize the agreement, so, you can authorize her to look into further things and we can still go ahead and approve it as it is.

Diane Stoddard:
Interim City Manager

I just don't think there's going to be any further changes on the language. We haven't received any movement on that.

Mayor Farmer:

Okay, then I would entertain a motion to authorize Diane to finalize and execute the agreements with BNSF Railway and Amtrak, and authorize the Mayor to execute the city state agreement with the Kansas Department of Transportation.

Commissioner Amyx:

Mayor I do want to say one thing. Again, I want to thank so many of the former Commissioners that obviously are not here this evening. I know so many of them had the opportunity to vote on this item throughout the entire length of time that it was being put together. I don't remember one negative vote on this item, not one. I think that it probably speaks volumes after the things that we've been through over the last several weeks. I think that there were a number of people who sat in these chairs that really believed in this project, and I think they believed in it probably because of the great number of volunteers that spent so much time in trying to make sure that this project was taken on. They also believed in Diane and the work that she and others have done on our staff. I always remember former Manager Corliss who said something about that you were the train engineer or something. He gave you that title, and that's really true. Who wouldn't be here tonight if it weren't for Diane and the work that she's done. Anyway, I want to say that I believe in the project. I believe that you've done everything that you can to make sure that this project is right for the City of Lawrence. I think that based on everything that I've seen, and everything that I've read in this, we take the chance and let's do the project.

Moved by Vice Mayor Soden, seconded by Commissioner Boley, to authorize the Interim City Manager to finalize and execute the agreements with BNSF Railway and Amtrak and authorize the Mayor to execute the city-state agreement with the Kansas Department of Transportation. Motion carried unanimously.

4. **Consider authorizing publication of the 2016 Budget Summary and establish August 4, 2016 as the public hearing date. This establishes the maximum budget authority and property tax mill levy for the 2016 budget**

Casey Toomay, Assistant City Manager, presented the staff report.

Mayor Farmer:

Questions of Casey?

Commissioner Boley:

I've been talking to a lot of folks about the needs of the shelter and transitional housing. In light of the assignment to the Community Shelter Board that you all provided me, there's one item that I'd like to try to add to the budget this evening if this is the time to add to the budget. I'm interested in an expenditure of \$100,000 of essentially one time for this body in 2016 to the Lawrence Douglas County Housing Authority to try to provide

some options for folks who may find themselves in a shelter, so that we can decrease, stabilize the population in the community shelter, and work on decreasing the budget if need be to a sustainable level there. I'd prefer to try and get this through the Douglas County Housing Authority because I believe that they have some capacity if they receive more funds in 2016. There will be some conversations with the county as well. I've talked to Craig about trying to come up with some money for now, between now and the end of 2015. I just wanted to let you know that that's something I'm interested in. I've had some communication with Diane, maybe you can help me out.

Diane Stoddard:
Interim City Manager

As I understand it, Commissioner, you're interested in earmarking the 100,000 for that, so in order to do that we're going to have to probably, one of several things. Either that's where we dip into reserve. We look at the sales tax transfer of the general fund and reducing that. There is also the Housing Trust Fund that you all talked about as potential sources to do that.

Commissioner Boley:

I'm not real inclined to try and tap the Housing Trust Fund for this project. I think I'd rather go with the sales tax transfer. I'll just throw that out there for you all.

Commissioner Amyx:

This money would be used how again?

Commissioner Boley:

Essentially for a home voucher program. There's a program that the County Housing Authority has that they have some ability to get housing with private landlords. It's like Section 8, like a HOME Program.

Commissioner Amyx:

Are there people who are currently on waiting lists for that program?

Commissioner Boley:

This would be a mirror program. It would not be the HOME Program or the Section 8 program. It would be targeted at folks, especially families, who find themselves at the shelter and would be able to benefit from that. Essentially, what I'm interested in is having that availability rather than just throwing the money over there without any program.

Mayor Farmer:

It's an incredible idea, and Shannon basically articulated that she has houses that she could put people in, or landlords who have houses that we could put people in, and all she needs is money. This is, with your work on the shelter board already I know you've been busy and meeting with a lot of folks, this is right up the alley of what we could do to solve an immediate need for people, and I would be interested in figuring out how we can do something this year also.

Commissioner Amyx:

You know gentlemen when I say this, I say this in all due

respect, I believe your hearts are in obviously in the right place. There were so many good programs that I looked at our social service board, look at consideration and things, there are so many "wants" there that we can't imagine. I can't do this one. Just to be up front. I could think of several other places that we could do this, but at this point here and commitments, I just don't think I can right now. I put that out there. I want you to understand I know your hearts are in the right place.

Commissioner Boley: I appreciate that Mike. Really, what I'm trying to do is have an impact on the population of the shelter so that we can stabilize that financing, and we don't have them coming back next year asking for something else. I appreciate your point of view, Mike.

Commissioner Herbert: You said this was a one-time expenditure?

Commissioner Boley: Yes.

Commissioner Herbert: I know I talked about this last week, I don't know, two weeks ago? If we have a project that obviously deals with housing, pretty clearly, and we have an expense that happens to line up with the fund we've had for ten years, I've got to come back to why are we not spending that money. Every time we come up with an idea that says, "This is going to cost \$100,000 and it deals with housing, but let's not touch the fund that deals with housing and has \$100,000 in it," why? What are we saving that for if not this, if not the homeless shelter, if not every other program that applies. I guess I don't understand what we're saving that money for if every good idea that deals with housing comes up, somehow doesn't apply to that money.

Vice Mayor Soden: That committee is fully created, right? We just have to appoint members to it. It's a new committee, they aren't even fully operational yet, so maybe a year from now after we created the committee and the money was still sitting there...

Commissioner Herbert: Or a year from now and that committee's created and comes up with a proposal we put \$100,000 in it.

Vice Mayor Soden: That's why we're waiting to get people appointed, so they can come up with a plan. I don't see that money as really sitting there collecting dust. It has been, for sure, for the last ten years, but now we have a committee that we've created that's going to be dedicated to using that money that is their original funding source so I'm happy with just leaving that money there. We're about to put people on board.

Commissioner Amyx: Here's the question, and Commissioner I don't disagree, that money is there and it was set up for housing. Here's the question, Did we not, and I don't want to say make a promise, did we not make a commitment to the Justice Matters group that

came before us about the use of that money. That is what I thought we had done. Are we not just waiting on that project to come back?

Commissioner Herbert: I'm absolutely not trying to in any way negate that project or that committee. What I'm saying is if it's, and I don't mean this in any disrespect or any lightheartedness, but if it's that easy to make \$100,000 appear for something, I guess I don't understand why us saying, "Okay, we're going to put the committee together, we're all in this on this idea, and as soon as we are ready we will make that \$100,000 reappear for you."

Commissioner Boley: I don't think it's easy to make \$100,000 appear. What I'm doing is I'm kind of scrambling with my new assignment on the ex-officio on the new committee shelter board trying to figure out how we can stabilize the finances there. I'm just getting started with that. Other folks may have been working with those guys for a long time. This is the last night I can ask for money for this. I'm going to ask for it.

Toomay: Commissioner, I don't necessarily know that this is the last night you could ask for money for that. It's the last night where if you wanted us to increase the amount of resources, it's that last night. If it's move it from the transfer to the sales tax reserve fund, or give it to the Housing Authority, you could make that decision tomorrow.

Commissioner Boley: So we could check the transfer. Okay.

Casey Toomay:
Assistant City Manager Yes, if you wanted to spend it out of existing fund balance.

Commissioner Boley: Okay.

Toomay: Likewise if you just wanted to just spend it, if it's a one-time expenditure, fund balance may be an appropriate source of that. Again, that decision doesn't have to happen tonight. It can happen later.

Commissioner Boley: I appreciate you hearing me out. I was concerned that this was the last night.

Mayor Farmer: We'll get that on the agenda soon. Is there any interest in publishing a higher mill levy rate?

Vice Mayor Soden: No

Commissioner Amyx: No. Mayor, my suggestion is, you have led us through how many study sessions?

Mayor Farmer: About three?

Commissioner Amyx: Several. Along with our staff and along with the public, we have given direction that we did not want to see in the mill levy increase. Our staff has brought that back. I think it is our time to publish where we are now based on the commitments and the feelings of the commission to date. It gives the public the opportunity for two weeks to go through what has been recommended, and then we'll have our public hearing on the 4th. At that time, we'll do whatever final due diligence that we feel is necessary for the budget, and we're done for 2016.

Mayor Farmer: Anybody have any issues with that? Okay I think we need to take public comments still. We've done that?

Commissioner Amyx: No we have not.

Mayor Farmer: Okay, public comment on this issue? Okay. If no one has any final comments, then I would entertain a motion to authorize publication of the 2016 Budget Summary and establish August 14, 2015 as the public hearing date.

Moved by Commissioner Amyx, seconded by Commissioner Boley, to authorize publication of the 2016 Budget Summary and establish August 4, 2015 as the public hearing date. Motion carried unanimously.

Mayor Farmer: Stuart I feel like that's a very worthwhile idea and I think we need to move quickly in getting that on the agenda to not only stabilize their funding but also help to eliminate that list and frankly to get at one of the goals that we have as a group.

F. FUTURE AGENDA ITEMS:

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

G: COMMISSION ITEMS:

Commissioner Herbert: I'd like to bring up what's happening in Topeka as a possible Commission item in terms of what the City can do. The three of us has been seated now for 104 days and for the third time, in 104 days, Topeka has dumped sewage our direction. I'd like this to be addressed by our City.

Commissioner Amyx: Good idea.

Commissioner Herbert: I mean, it's 3 times in 104 days.

Commissioner Amyx: I think it's a great idea. I understand they happen.

Commissioner Herbert: They don't happen every 30 days.

Commissioner Amyx: That's it.

Diane Stoddard:
Interim City Manager

I guess I would suggest that we provide you with a staff report. A lot of the options are in the environmental regulatory realm that's a function of other agencies, other than the City, but we can provide a report with some greater background for you.

Commissioner Herbert:

At the bare minimum, could we send a letter on behalf of the City to these environmental regulatory agencies expressing our displeasure as a City? I'm not trying to throw Topeka under the bus here, but at some point we got to quit being on the receiving end.

Diane Stoddard:
Interim City Manager

I would recommend that we provide you with a report and then you all can provide us additional direction.

Mayor Farmer:

Is that what you were wanting?

Commissioner Herbert:

There are a lot of things that I'm wanting, but just to start, I think we need to acknowledge it as a City.

Commissioner Amyx:

The last couple nights we've had a lot of great public comments, but it seemed like it had kind of gone on for a while and we've had a number of people that really wanted to speak. I was noticing last night during the police discussions that we had a lot of people leave through some of the comment section. I just hope that we're getting everybody. Anybody that wants to speak to the Commission has that opportunity. I'm not sure if the shot clock was the right idea, but who knows, maybe it was. I'm just trying to get some discussion about time limit and those kinds of things.

Mayor Farmer:

Commission's thoughts about that?

Commissioner Boley:

I think we need to hear some from everybody who wants to speak, but we don't need to hear everything.

Vice Mayor Soden:

Ditto.

Commissioner Herbert:

I think there's a difference between shutting down public opinion and being receptive of the fact that there's a lot of public opinion wanting to happen. I think it's in the best interest of not only the Commission, but City staff and everybody in the audience that we not be here to midnight every night.

Commissioner Amyx:

I think it would just be good. I just hated to see people leaving that I know that came to be able to speak to those items. I'm not blaming anybody, but just kind of be respectful of the time that you're here.

Mayor Farmer:

Farmer: If it's your direction to bring the shot clock back, I'm totally fine with that.

K.T. Walsh: I just have to tell you what a relief it's been to not have the shot clock. I realize it's a mix bag. You know you're not getting it because your rapid firing your message to the Commissioners so if you bring it back, could you give us 4 minutes?

Mayor Farmer: I don't really like the idea of a clock necessarily because it is intimidating.

Commissioner Boley: Perhaps you can encourage people to be brief.

Mayor Farmer: Which has not helped.

Commissioner Amyx: I don't want us to ring a bell. I don't want us to have a clock. I was the worst at this because I didn't use the gavel but, I think there are times when that's appropriate to help move comment. I think you did a good job of that this evening.

Mayor Farmer: Stuart, I appreciate your comments that's why I've tried to say, please try to keep your comments brief there's a lot of people here who want to speak tonight, but certainly it runs into some particular issues of folks are passionate in this community and they have a lot of questions and have a lot of things they want to say and we certainly don't want to squelch conversation, but you had said there were a plethora of people who left last night.

Commissioner Amyx: I know and the thing was that everybody that spoke had great items that they brought up. We just didn't do it right, something was wrong.

Commissioner Herbert: Mayor, when Commissioner Amyx used to be the Mayor, he had a fantastic way of doing that. I can remember speaking and you use to look up at me and you'd wink and point. There was no gavel and there's was not disrespect. There was just a wink and a point and I know the message was clear. The problem is so much of that relies on people's willingness to be receptive to that. I think we've seen that sometimes it could be difficult to get people to be receptive of those around them. I don't know if we need a shot clock. I think Stuart, you said it best when you said it was a tool. It's not a rule, it's a tool. We don't have to have the shot clock on every single topic, but when we do have a line out the doorway, I think it make sense to use.

Mayor Farmer: If it would be alright with you all, let me think about some create ways. I really don't like clocks staring at the person's standing at the desk.

Commissioner Boley: We all received an email from Peter Lucky who's the Chair of the Lawrence Community Shelter Board. It came about 5:54 this afternoon so you probably haven't had a chance to look at it. In conversations with Board members and Craig Weinaug,

we are interested in utilizing the services of the City Auditor in looking at the finances of the Shelter to try to come up with a sustainable budget and I think Michael has a lot to offer with that. Since he works for use, I would like to ask you for permission to assign a project to him or for us to assign a project to him, to assist with the Lawrence Community Shelter financial situation.

Soden He'll be here next Tuesday.

Mayor Farmer: I think it's a good idea, the sooner the better, so I'd be in favor of that. I think according to his contract we need a motion for that. It has to be a Commission decision.

Diane Stoddard:
Interim City Manager I can't recall call exactly. If there is time, Commissioner it might be a good idea to visit with him since he will be here next week, but I believe he's required to submit a work plan and have you all approve it so that may be part of that step to get that authorization.

Mayor Farmer: Do you need it done before next week?

Commissioner Boley: I'd like to do it as soon as we can. Again, I'm not really exactly sure what's needed. I'd like to work him and I'd like him to work with Craig.

Moved by Commissioner Boley, seconded by Commissioner Soden, to direct the City Auditor to work with Commissioner Boley, Lawrence Community Shelter, and the County on a sustainability plan. Motion carried unanimously.

Vice Mayor Soden: I do keep forgetting to mention in the Homeless Issues Committee Advisory Board, I know that some people are concerned that they have their meeting now on just a quarterly basis and in the afternoon when people can't go. I don't know who the liaison is with that board.

Diane Stoddard:
Interim City Manager There's was actually some discussion about that with the board itself.

Scott McCullough:
Planning & Development
Services Director Essentially they determined to keep the meeting at the same time, quarterly now and that if there's an issue of community interest that they would need to call special meetings.

Vice Mayor Soden: So they'll just continue to meet during the day on a quarterly basis.

Scott McCullough:
Planning & Development
Services Director The discussion revolves around the participants own schedule and the issues and topics themselves and then the community input so they had a fairly health discussion on it and again agreed to accommodate that extra need as if a significant issue presented itself that was a homeless issue.

Vice Mayor Soden: I would certainly want to encourage any advisory board we had to have their meetings when most of the population can go to them.

Scott McCullough:
Planning & Development
Services Director There all a little bit different, some of them meet during the day because that tends to be the context to when the people on the board can meet. There all open meetings, per the Kansas Open Meetings Act of course and all the decisions that come to the City Commission come to this board.

Vice Mayor Soden: The BTBC they meet during the day and I get that. It's a lot of employees, but I guess I'm assuming that this one are volunteers. They aren't employees of businesses that work 8-5 so they want to do this on the clock. Is that the case with this?

Scott McCullough:
Planning & Development
Services Director I think part of it might be that, that there from organizations that have a business day and their coming to represent that organization so their coming during the business hour. They use to meet monthly and had some pretty hefty issues over the years and as we satisfied a number of the issues of the day at that point, the topic kind of diminished and so they quit meeting monthly and met quarterly and as issue arose and again as the recent discussion was as those significant issue arise they will be mindful of that need to be able to accommodate the public schedule to come and speak to those issues. If you want us to convey a different direction to the board, we can open that discussion.

Vice Mayor Soden: I think it's important. I haven't read any of their minutes so I'm not sure what constitutes a significant issue for the homeless issues advisory board. I'm a little bit concerned about that statement itself, but I think that people have come forward and said they need to have a better schedule and maybe they could just make their next one, in the evening to accommodate those people. I think that would be a really good idea.

Scott McCullough:
Planning & Development
Services Director We could certainly provide you a memo that kind of discusses all the different angles of it, just so you know what their discussion has been.

Vice Mayor Soden: I suppose another staff memo might be good to all the Commissioner's to see what they're working on. I think when people come up with this stuff, I think advisory boards need to be responsive to that in just deciding that, "Well, this is convenient for us." I understand it, I don't think they're bad people, but we want the democracy to flow and for a lot of people that flows after 8-5 hours which is why we're here until after 9:40 at night, so I completely understand.

H: CALENDAR:

Diane Stoddard, Interim City Manager, reviewed calendar items

I: 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 Herbert, to adjourn at 9:41 p.m. Motion carried unanimously.

MINUTES APPROVED BY THE CITY COMMISSION ON NOVEMBER 17, 2015.



Brandon McGuire, Acting City Clerk