



# City of Lawrence

## CITY MANAGER'S OFFICE

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### CITY COMMISSION

**MAYOR**  
MIKE AMYX

**COMMISSIONERS**  
LESLIE SODEN  
STUART BOLEY  
MATTHEW J. HERBERT  
LISA LARSEN

November 17, 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 Amyx presiding and Commission members Boley, Herbert, Larsen and Vice Mayor Soden present.

### A. RECOGNITION/PROCLAMATION/PRESENTATION:

1. Proclaim Saturday, November 28, 2015 as Small Business Saturday.

### B. CONSENT AGENDA

**It was moved by Commissioner Boley, seconded by Vice Mayor Soden** to approve the consent agenda as below. Motion carried unanimously.

1. Approve City Commission meeting minutes from 07/21/15, 07/28/15, 08/04/15, 08/11/15, and 08/14/15.
2. Receive minutes from various boards and commissions:  
  
Board of Zoning Appeals meeting of 10/01/15  
Traffic Safety Commission meeting of 10/05/15
3. Approve claims to 228 vendors in the amount of \$4,228,385.89 and KPERs and KPF contributions from November 6, 2015 payroll in the amount of \$422,109.98.
4. **REMOVED FROM THE CONSENT AGENDA FOR SEPARATE DISCUSSION.** Approve licenses as recommended by the City Clerk's Office.

#### Drinking Establishment

Regal Southwest Stadium 12  
Regal Licensing LLC  
3433 Iowa St.

#### Expiration

New License

RND Corner Grille  
BNR Grille One LLC  
801 Massachusetts St.

New License

The Cave  
Kangaroo LC  
1200 Oread Ave. #145

New License



Buffalo Wild Wings  
Real Wings Inc.  
2624 Iowa St., Suite A

November 27, 2015

**Sidewalk Dining & Hospitality-Renewals**

715, 715 LLC, 715 Massachusetts St  
8th Street, Taproom Louises Inc, 801 New Hampshire St  
BurgerFi, MIOM Burgers Lawrence LLC, 918 Massachusetts St  
Chipotle Mexican Grill, Chipotle Mexican Grill, 911 Massachusetts St  
Dillons #98, Dillon Companies Inc, 1740 Massachusetts St  
Einstein Bros Bagels #1290. Einstein& Noah Corp, 1026 Massachusetts St  
Franks North Star Tavern, Dormat LLC, 508 Locust St  
Fuzzys Taco Shop, Blue Line Tacos LLC, 1115 Massachusetts St  
Genovese, Genovese Inc, 941 Massachusetts St  
Henrys on Henry Street, Henrys on Henry Street LLC, 11 E 8th St  
Jeffersons, Jeffersons Downtown LLC, 743 Massachusetts St  
Jimmy Johns, Bushwood Investments LLC, 922 Massachusetts St  
La Parrilla, La Parrilla Inc, 724 Massachusetts St  
Limestone Pizza Kitchen Bar, Limestone PK&B LLC, 814 Massachusetts St  
Mad Greek, Giorgios Pizza Express Of Kansas Inc, 907 Massachusetts St  
Merchants Pub & Plate, Wil& Petes LLC, 746 Massachusetts St  
Mexquisito, Grupo 5 De Mayo LLC, 712 Massachusetts St  
Minsky's Pizza, 934 Mass LLC, 934 Massachusetts St  
Noodles & Company, Noodle Shop Co Kansas LLC, 8 W 8th St  
Pepperjax Grill, Lawrence 1, LLC, 919 Massachusetts St  
Signs Of Life, Signs Of Life, 722 Massachusetts St  
The Bottleneck, Mt Bottle Enterprises Inc, 737 New Hampshire St  
The Bourgeois Pig, RCJ Inc, 6 E 9th St  
The Burger Stand At The Casbah, Esquina LLC, 803 Massachusetts St  
The Roost, The Roost LLC, 920 Massachusetts St  
Wa Restaurant, Wa Restaurant, 740 Massachusetts St  
Z's Divine Espresso, Z's Divine Espresso, 10 E 9th St  
Zen Zero, Zen Zero Inc, 811 Massachusetts St

5. Approve appointments as recommended by the Mayor.

**eXplore Lawrence:**

Appoint the following:

- Nancy Longhurst (785.842.4223), Full Service Hotel designation, to a term that expires 12/31/18.
- Derek Felch (785.760.2071), Limited Service Hotel designation, to a term that expires 12/31/17.
- Stuart Boley (785.979.6699), City Commission Representative, to a term that expires 12/31/18.
- Charlie Persinger (785.760.6126), Local University/Education designation, to a term that expires 12/31/17.
- Derek Kwan (213.534.4618), Cultural Industry designation, to a term that expires 12/31/16.
- Doug Banks (785.840.7980), Sports/Recreational Industry designation, to a term that expires 12/31/17.

- Mike Logan (785.550.5693), Service/Event Management designation, to a term that expires 12/31/18.

**Food Policy Council:**

Appoint Aundrea Shafer to a term that expires 12/31/17.

**Homeless Issues Advisory Committee:**

Appoint Vivian Baars to term that expires 12/31/18.

6. Bid and purchase items:

- Waive bidding requirements and approve the purchase of a Terrastar medium duty truck, plow, spreader, chassis and body installation from Summit Truck Group and American Equipment Co. for the total amount of \$86,244, utilizing the MACPP and KCMO Hydraulic cooperative purchasing contracts.
- Waive bidding requirements and approve the purchase of a Tennant S30 parking garage sweeper identified in the 2016 budget process from Tennant Corporation for \$53,978.48, utilizing the General Services Administration contract.
- Authorize the Interim City Manager to execute Change Order No. 1 to the existing construction contract with Banks Construction, LLC, in the amount of \$28,600, for the Michigan/Arkansas 2<sup>nd</sup> Street to 9<sup>th</sup> Street Waterline Replacement Project, UT1427.
- Authorize the Interim City Manager to execute a contract with Kucera International Inc., for 2016 countywide color aerial photography and approve payment in the amount of \$15,405.

7. Adopt Resolution No. 7140, detailing the membership and responsibilities of the Lawrence Cultural Arts Commission and repealing Resolution No. 6773.

8. **REMOVED FROM THE CONSENT AGENDA FOR SEPARATE DISCUSSION.** Receive the 2015 Retail Market Report. In accordance with Horizon 2020 and Land Development Code Section 20-1107(b)(1), Planning Staff has developed the 2015 Retail Market Report.

9. Concur with the Traffic Safety Commission regarding the following:

- Establish a Yield Sign for northbound traffic on Bauer Lane at Bauer Farm Drive and adopt on first reading, Ordinance No. 9166, establishing a Yield Sign for northbound traffic on Bauer Lane at Bauer Farm Drive (TSC item #2; approved 8-0 on 10/5/15).
- REMOVED FROM THE CONSENT AGENDA FOR SEPARATE DISCUSSION.** The request to establish No Parking on the north and east sides of the curve from Riverview Road to Settlers Drive (TSC item #4; denied 8-0 on 10/5/15).

- c) Establish a Stop Sign on 18<sup>th</sup> Street at Vermont Street and adopt on first reading, Ordinance No. 9164, establishing a Stop Sign on 18<sup>th</sup> Street at Vermont Street. (TSC item #7; approved 8-0 on 10/5/15)
  - d) Establish Yield Signs on Ohio Street at 5<sup>th</sup> Street and adopt on first reading, Ordinance No. 9163, establishing Yield Signs on Ohio Street at 5<sup>th</sup> Street. (TSC item #8; approved 8-0 on 10/5/15).
  - e) Establish Stop Signs on the 23<sup>rd</sup> Street Frontage Road at the access point west of O'Connell Road and adopt on first reading, Ordinance No. 9165, establishing Stop Signs on the 23<sup>rd</sup> Street Frontage Road at the access point west of O'Connell Road. (TSC item #9; approved 8-0 on 10/5/15).
10. Authorize staff to negotiate an Engineering Services Agreement with UtiliWorks for Advanced Metering Infrastructure Assessment, Project No. UT1507.
  11. Authorize the Mayor to execute a 2015 Engagement Letter with Mize Houser & Company for independent auditing services.
  12. Approve the 2015 Investment Policy.
  13. Authorize the Mayor to execute a letter requesting membership to Next Century Cities.
  14. Authorize the Interim City Manager to execute license agreement with Kansas Fiber Network, LLC.

Vice Mayor Soden removed from the consent agenda, Item No. 4, the approval of licenses as recommended by the City Clerk's Office.

Vice Mayor Soden: We've got 4 drinking establishments on here that are looking for a new license. Which is great, I don't have any problem with that. One of them is The Cave at The Oread and I wanted to bring this up because I'm thinking we need to have some kind of study session to discuss these kinds of things. I need to learn more about the alcohol beverage control. How we, ourselves, regulate our own liquor licenses because, of course, there's a State license and then we have a City license. It's just something I need to learn a lot more about.

Mayor Amyx: Okay. You're not saying that we deny this or wait on these until we have the study session. You're saying that because of the way this came up or something

Vice Mayor Soden: Mm-hmm (affirmative)

Mayor Amyx: That you would like to have a study session and learn more about it.

Vice Mayor Soden: Yep.

Mayor Amyx: Got it.

Vice Mayor Soden:                   Yep.

Vice Mayor Soden:                   Okay, we can do that. That okay with everybody? We'll schedule time for study session added to another one we already have set up. Is that all right?

Vice Mayor Soden:                   Thank you.

Mayor Amyx:                         Sure. Okay. We will talk about a study session on that. Are there any other questions or comments on the drinking establishment's licenses or any of the sidewalk dining and hospitality renewals? Okay. Is there any other public comment on these items?

Mark Emert:  
Fegan Emert & Davis, LLC           Thank you, Mr. Mayor, Commissioners. Vice Mayor Soden, I also share your concern about how these go about because it's been my experience with the one you particularly identified that I wasn't exactly sure how the State inter-played with the City licensing requirements occur. My name is Mark Emert. I'm an attorney here in Lawrence. I am here on behalf of my client, Kangaroo LC doing business as The Cave. I think more than anything, I want to first thank everybody on the Commission for putting this one off. It exemplifies the fact that you are vigilant, concerned observers. Why an entity would that already has a license, and it's a license in good standing, need a new license? I think that the process that my client went through to go ahead and obtain the new license through the State is one that in my discussions with Mr. McGuire there aren't a lot of, at least it seems to me, interplay between what the City requires as well as what the State requires. Almost to the point where the State says "it's good. You can have the license." We run it past our certain City requirements, the ones "Is it located within the downtown district? Is it located close to a school?" I appreciate the opportunity that the Commission has elected to undergo a study and would also appreciate the opportunity to be involved with that, if at all possible.

Mayor Amyx:                         Okay. Thank you.

Vice Mayor Soden:                   Mark.

Commissioner Boley:               Was there an ownership change involved with this?

Mark Emert:  
Fegan Emert & Davis, LLC           There was not an ownership change. The issue that The Cave experienced was when the renewal came up in September we began the renewal process. It's usually a very easy process for an entity that already has a license, that's gone through the application process and there were no changes. The Cave didn't change its location, didn't change its ownership; the bond was the same; the Business Tax Application, all that were the same. The problem that we had is that part of a renewal you

need to obtain a State Tax Clearance Certificate and that Certificate is renewed in the Employer Identification Number that's issued by the IRS, that's specific to that business. We found that the business that that was issued to wasn't actually Kangaroo LC. It was the entity that owned Kangaroo LC when it was originally formed and when it applied for its liquor license. Which is fine, the single-member entity can adopt, and quite often does adopt, the Tax ID Number or the Employer Identification Number of its parent entity. We thought, "That's fine. We can get one from that one." We did a little further digging and many years ago that entity was purchased by what was now the entity that owns Kangaroo, which is Oread Wholesale and we could go ahead and obtain ... And Oread Wholesale is the single-member owner of Kangaroo, and we could obtain, very easily, a Tax Clearance Certificate for that entity so that we could go through with the renewal process. But the Tax ID Number, the EIN number for Oread Wholesale is different from that of the original entity, which left Kangaroo with essentially two options. Go ahead and get its own dedicated EIN or adopt the one Oread Wholesale. Either way, that requires a new application under the State's structure. That's part of what was interesting to me, Vice Mayor Soden, you can change ownership and you can change location and you can do a number of different things, but if you change your EIN, that's what triggers a new application process. That's what Kangaroo did. They got a new EIN. They went through the entire application process and that included a new bond. It obviously meant that we were going to need a permit from the City. It wasn't an easy process. It was a difficult process to go through and rush that through as fast as we needed to preserve as much operating time as we could. We did in very quick time. It usually takes somewhere between 30-45 days for that State-issued license. We got ours in just a little over 20. That's reflective of the fact that Kangaroo wanted to do it the right way so that this never happens again. This is the last part. We missed a couple of weekends that would have otherwise been, hopefully, profitable, but that's where we are now, with our State-issued license and now seeking the City permit.

Commissioner Boley:

Which are the two entities that used the old EIN?

Mark Emert:  
Fegan Emert & Davis, LLC

There was one entity that used the EIN that still has that EIN. That's House of Usher, Inc. The members, or I should say the shareholders of that entity are also owners of Oread Wholesale.

Commissioner Boley:

Is the ownership identical?

Mark Emert:  
Fegan Emert & Davis, LLC

The ownership of Oread Wholesale is those two original members plus a third now member. That occurred, like I said, many years ago, but for whatever reason when the license

renewal came up in 2013 the proper ownership was disclosed. There was a Tax Clearance Certificate that was issued and it was approved. Because it was approved, it was approved here as well for renewal.

Vice Mayor Soden:

I have another question. Did the ABC violations, does that stay with Kangaroo or did that carry over to the parent LLC?

Mark Emert:  
Fegan Emert & Davis, LLC

That's a very good question. Thank you. Violations go with a license as far as the State's concerned. Kangaroo, The Cave has not had a violation in nearly a year from the ABC. However, as is pretty common, in August when we have an influx of a lot of young people, we also see a lot of visits from ABC Enforcement at many of the establishments around town as a part of making sure that people under the age of 21 are both not consuming alcohol but not allowed into a bar or restaurant or where they might be able to obtain alcohol. During that time, the ABC came into The Cave and found that there were more than a couple of violations, five actually. We received notice that there were these violations. Interestingly, we have not received notice that the ABC is going to pursue any of those because it is a statutory defense to a claim of permitting a minor into your bar in this case if they present an identification that's a State-issued id that reasonably believes one to think that the person presenting it is the person that's on the license. In that regard, The Cave's ability to protect against something like that is probably one of the best in the City. There are multiple cameras that take pictures of the person presenting it as well as the license and the videos that display actually what the person who is checking the license the checklist that they go through to make sure that this is the person that's handing it to them. The ABC has traditionally not tried to instigate any sort of enforcement action where they have the information that shows that it was reasonable for that licensee to go ahead and accept that license as somebody who was over the age of 21.

Vice Mayor Soden:

Does that history stay with The Cave then?

Mark Emert:  
Fegan Emert & Davis, LLC

Back to your question, right now The Cave does not have any violations. However, The Cave, and I think was actually a really good idea, knowing that they wouldn't have to defend any subsequent violations that may occur, arise out of that event, has already told the ABC if that is the case, we will happily defend those cases. They've preserved the evidence of all of those five individuals who presented their id's that supported the fact that they were over the age of 21 and able to enter the bar. I don't know whether or not that will ever be the case, if they ever have to defend those, but they are prepared to do that. Even if they had to defend those and were unsuccessful, it wouldn't really matter as to that license because that license

will be administratively withdrawn. Any other questions?

Mayor Amyx: Anything else? Okay.

Mark Emert:  
Fegan Emert & Davis, LLC Thank you very much.

Mayor Amyx: Thanks. Any other comment? Okay. Back to the Commission. We do have the four drinking establishment licenses, Regal Southwest Stadium 12, RND Corner Grill, The Cave and Buffalo Wild Wings and there are 20 out of the sidewalk dining and hospitality renewals, maybe more. Any other questions or comments? Okay. I would entertain a motion to approve the licenses recommended by the City Clerk's office.

**Moved by Commissioner Herbert, seconded by Commissioner Larsen,** to approve licenses as recommended by the City Clerk's Office. Motion passed unanimously.

Commissioner Larsen removed from the consent agenda, Item No. 4, the 2015 Retail Market Report. In accordance with Horizon 2020 and Land Development Code Section 20-1107(b)(1),

Mayor Amyx Item No. 8, Lisa. You had a question?

Commissioner Larsen: Yeah. On the retail market report. I'd like to have an opportunity to do a study session on that.

Mayor Amyx: Why don't we, you and I talked before, why don't we try to incorporate the two items that we have as part of the study session sometime next month or whenever we can get it worked in? We can discuss those items together, okay? You all right? Okay. We'll plan on doing that. We'll set a date under calendar or maybe right after the first of the year or so.

Commissioner Herbert: That'll be good.

Mayor Amyx: January. I'm looking we're running out of dates and we're running out of time, one or the other. Okay. We'll plan on doing that. I would entertain a motion to receive the 2015 Retail Market Report. Was there any public comment on this item? I forgot to ask. Okay.

**Moved by Commissioner Boley, seconded by Commissioner Herbert** to receive the 2015 Retail Market Report. In accordance with Horizon 2020 and Land Development Code Section 20-1107(b)(1), Planning Staff has developed the 2015 Retail Market Report. Motion passed unanimously.

Commissioner Boley removed from the consent agenda, Item No. 9 b), the Traffic Safety Commission's recommendation to deny the request to establish No Parking on the north and east sides of the curve from Riverview Road to Settlers Drive.



Commissioner Boley: I would like to thank my friends on the Traffic Safety Commission for their work. I think they made the right decision on this request. My concern is that the request was for something that probably didn't fix the perceived problem from the applicants. I'd like to have this go back to the Traffic Safety Commissioner or to David to develop a little bit more understanding of the concerns of the applicants so that we can see whether there's something that we can do to address their concerns.

Mayor Amyx: Was this about speed on that curve?

Commissioner Boley: Yeah. It's a curve and a hill and there's, help me out here David, there's no parking on the south side.

David Woosley:  
Traffic Engineer The south and the west sides. There's no parking on the inside of the curve, but there is parking on the outside of the curve.

Commissioner Boley: The concern is that people will be speeding east and south at the curve and that people coming north and west will be moving over so that they can avoid the parked cars and at the hill, somebody's going to have an accident.

David Woosley:  
Traffic Engineer Right.

Commissioner Boley: I think it's an interesting and legitimate concern. I don't know what the speeds are on that stretch.

David Woosley:  
Traffic Engineer We don't have that data either, but we can certainly collect that data.

Commissioner Boley: I just appreciate you taking another look at it. To the folks out there who are considering going to Traffic Safety Commission, I would urge you to call David and say, "Hey, this is what we think is the problem. What do you think might be a good solution for it?" Instead of saying, "This is the solution that we've got for this problem" before we know the data that David's going to find. I appreciate your work and say "hi" to everybody on the Traffic Safety Commission for me. I say, let's go ahead and pass this but have some follow up.

David Woosley:  
Traffic Engineer Sure.

Mayor Amyx: Okay, so your recommendation is to concur with Traffic Safety ...

Commissioner Boley: Yes.

Mayor Amyx: On the denial, but then to refer it back?

Commissioner Boley: To ask for more data on the perceived concern.

Mayor Amyx: Dave, you have any comments?

David Woosley:  
Traffic Engineer: I think the applicants are still interested based on my conversation with them.

Mayor Amyx: You guys have any questions? Okay. Is there any public comment on this item? Okay. That's fine with me. We can refer it back and go ahead and deny this one. Send it back for further evaluation and recommendation, all right? Okay, that's fine. If there are no other questions or comments, I would enter a motion to concur with the Traffic Safety Commission recommendation for denial of the establishment of no parking on the north and east sides of the curve from Riverview Road to Settlers Drive.

**Moved by Commissioner Boley, seconded by Commissioner Herbert** to concur the Traffic Safety Commission's recommendation to deny the request to establish No Parking on the north and east sides of the curve from Riverview Road to Settlers Drive (TSC item #4; denied 8-0 on 10/5/15), and refer the item back to the Traffic Safety Commission for further study and data collection. Motion passed unanimously.

#### **C. CITY MANAGER'S REPORT:**

Casey Toomay, Assistant City Manager, presented the report regarding the Solid Waste Holiday Toy Drive; the Residential trash and recycling collection schedule over Thanksgiving holiday; the October 2015 Monthly Building Permit Reports; and, the City provides \$50,000 in emergency matching funds to Lawrence Community Shelter.

#### **D. PUBLIC COMMENT:**

Ken Easthouse: Good evening, Commissioners. I'm a regular attendee but I like to be online from time to time, keep my pajamas on. You'll forgive me if I'm at a loss for words a little bit. We're shifting a little bit from talking about permits from the City to a pretty big news item that's occurred all across the world in terms of the attacks on Paris and how it relates to us here in Lawrence, Kansas. As you may or may not be aware, the Governor of the State has issued an Executive Order that says that no Kansas State Agency can accept refugees from the Syria crisis. To date, the last I checked on my cellphone before coming in, 30 states have all issued similar proclamations. The legality of those types of proclamations is still in question, but the point is that Syrian refugees all over the world don't really know what's going to happen to them, whether or not they'll be shipped back home under the conditions that they found themselves running away from. I feel that Lawrence is in a unique position as counter-culture

to most of Kansas, whether we like it or not, to explore the opportunity of offering our own aid through the Kansas Children and Families. We have a refugee office that is funded directly through the Federal government. It is my understanding that, through the legalities of it, the Governor can't actually issue that Order. What I have asked the Commission to do is look into the possibility of working directly with this State entity to see what we can do to help, be it accepting a few families here. Being a leader and a voice when so many other communities in states in the country are turning their backs on these people. That is all. Thank you.

Mayor Amyx: Thank you. Other public comments? Any other general public comments?

Vice Mayor Soden: I do have something to say.

Mayor Amyx: Please.

Vice Mayor Soden: The past month or so I've actually been asking a lot of people about how they feel about the City of Lawrence re-homing, taking in Syrian refugees and I was just trying to get the ball rolling. When that actually happened yesterday, I read it in detail quite a bit, and I was pretty disappointed obviously with that choice by our Governor to be xenophobic. The thing that I remember about it was that the way that the State of Kansas Governor's proclamation had to do with if an agency within the State of Kansas was helping in some way that if they received any State funding in any way, that that State funding would be cut off. I found that an interesting loophole that might be explored.

Ken Easthouse: Like I said, the legalities of it are up in the air. I think there are a lot of scholars who don't know what is and isn't legal. It's kind of an unprecedented time. Again, I don't know what we can or can't do, but you get a gut instinct of what's right. Someone needs to be a leader in this. In the 30 some odd states that have issued proclamations such as this. I would like to see us be one of those leaders. That's why all we really need is to explore the idea. If we can't, that would be too bad, but if we can, by golly, let's do it.

Vice Mayor Soden: Thank you.

Mayor Amyx: Thanks. What is your suggestion?

Vice Mayor: I hope Ken keeps exploring it, I guess, is what I'm hoping for.

Mayor Amyx: All right. We'll do that for now then. Okay.

E. REGULAR AGENDA ITEMS:

1. **Consider adopting franchise agreement with Black Hills Energy and adopt on first reading, Ordinance No. 8957, which assigns Black Hills Energy a non-exclusive franchise and the right to construct, use, and maintain natural gas service lines in the public right-of-way.**

Brandon McGuire, Assistant to the City Manager, presented the staff report

Commissioner Larsen: How is this fee compared to other cities around us?

Brandon:  
Assistant to the City  
Manager

The other cities around us also use the same structure, as were proposing. It's a percentage of gross revenue plus a volumetric rate for those transport customers. So we would be way down there, at the bottom, between Manhattan and Overland Park. Kansas City, Kansas does assess a 3% so that would be equal to our 3% across the board, but that's just on their industrial meters. So that's the comparison. To be honest, I haven't check to see if in 2016, if any of those are going to change. I'm not sure where those ordinances are at and their respective communities, but I would imagine, especially for those that are at 5%, there probably not going to change.

Mayor Amyx:

Other questions? Okay, well the one thing you have assured me, and I appreciate all the work that you've done on this, Brandon on behalf of the City is that in no way that this will create windfalls for the City through increased franchise fees. I think that you made it pretty clear that even if all things remain the same, that our increase would be about \$36,000.

Brandon:  
Assistant to the City  
Manager

Correct.

Mayor Amyx:

That's hardly a windfall.

Brandon:  
Assistant to the City  
Manager

Yeah. That's as close as we can get to \$0.

Mayor Amyx:

Right. Okay. Any other questions? Does Black Hills Representative have any comments?

Chuck Hoag:  
Operations Manager  
Black Hills Energy

No, we appreciate all the work that Brandon's done. I'm Operations Manager for Black Hills Energy. I do appreciate all the work that Brandon has put into this and Monique Pope as well. I'm here to answer any questions you may have. We appreciate the long-standing relationship we have with the Community of Lawrence and look forward to being a partner with you guys for many years to come.

Mayor Amyx: Thank you, Chuck. Thanks for everything the gas company does for us. Any questions for Chuck? Okay. Public comment on this item? Any public comments?

K.T. Walsh: Good evening, Mayor and Commissioners. I'm Chuck's nemesis because I love the beautiful Quonset-type building that the gas company has operated out of for many years on East 8th Street. He knows and the Historic Resource Commission supported this that it's a beautiful example of the post-war industrial nature of the area in East Lawrence in the Bottoms. I understand that there are environmental issues. I understand that they have no interest in tearing it down right now and no interest in selling it, but I just want to go on record once again saying it's a historic building. I really hope when they don't need it anymore that we will find a good, adaptive re-use. Thank you.

Mayor Amyx: Thank you. Any other public comment? The last time Chuck was here there was a request made, I think even by K.T., about contacting someone from the art world and I think that the discussions you and I have that that did, in fact, happen, but you want to update.

Chuck Hoag:  
Operations Manager  
Black Hills Energy Yes, I met with John Hockmeister with the University of Kansas and apologize I can't remember the other gentleman's name. We met at the old warehouse and we're actually discussing some options and looking into that. There may be something that comes to that. It will most likely be a long-term lease, if we can come up with an agreement.

Mayor Amyx: Thank you.

Chuck Hoag:  
Operations Manager  
Black Hills Energy Mm-hmm (affirmative)

Mayor Amyx: Any other comment? Okay. Back to the Commission. Seems like to me that it seems like the work that's been done and the one thing that's important to us is to make sure that there were no windfalls again that was, I anticipated, by the City of Lawrence based on the backs of homeowners and business owners. I think Brandon and everybody's done a good job to getting that as close to \$0 as possibly can. I think we've accomplished the goal. We've got a very good agreement.

Commissioner Larsen: I agree.

Vice Mayor Soden: Hopefully, it'll be a mild winter.

Mayor Amyx: We hope so. Anything else.

Commissioner Boley: I spent some time with Brandon and I appreciate his patience with trying to figure this stuff out. Thanks, Brandon.

Mayor Amyx: Okay, if there's nothing else then I would entertain a motion to adopt on first reading Ordinance No. 8957, adopt a new franchise agreement with Black Hills Energy.

**Moved by Commissioner Larsen, seconded by Vice Mayor Soden,** to adopt on first reading, Ordinance No. 8957, which assigns Black Hills Energy a non-exclusive franchise and the right to construct, use, and maintain natural gas service lines in the public right-of-way, if appropriate.

2. **Provide city staff with recommendations for which roadway/intersection improvements to pursue to utilize the \$2,250,000 budgeted for the Bob Billings Parkway corridor for the 2016 construction year, project number PW1503. Consider directing staff to send a request for proposal to design consultants for engineering services to design the project.**

David Cronin, City Engineer, presented the staff report.

David Cronin:  
City Engineer

Moving to the west, between Crossgate and Wakarusa there are a couple of collector streets intersections to Bob Billings, both of Inverness Drive intersection are collector streets. The Stone Meadows and Quail Pointe intersections are residential streets and we typically try to prioritize collector street intersections for improvements, but this intersection, like I mentioned before, with the lack of sight distance, it's posted at 30 mph. The folks that live on the south side don't have any alternative access to get out of there other than Bob Billings, through the corridor and how this fit in with the public comment we received, we felt like this was a priority location for a traffic signal. I mentioned about looking at roundabouts. We looked at a roundabout here, it's just not feasible with the close proximity with the homes on the north side and then the private access driveway on the south side. Our preliminary cost estimate for the signal here would be \$300,000 that would include a little bit of pavement widening on the north approach to the intersection at Stone Meadows Drive to provide a dedicated left turn lane so that folks that were making lefts did not prevent the right turns.

Vice Mayor Soden: Hey Dave, would it be even possible to do grading on the hill there?

David Cronin:  
City Engineer

Yes it is. That's a good point. The cost to regard Bob Billings, in this case would be significantly more than the cost of a traffic signal. Our preliminary estimate was, I think, around a half a million dollars, but it could be more than that. Some sight distance concerns could be alleviated through grading, whether there's a tree or a sight slope behind the road and

some other sight distance concerns are actually the topography of Bob Billings. In this case it would involve really reconstructing a significant portion of Bob Billings. It is an option. I think that is in the future. If we were to do a full reconstruction project that would be when we would do it, that would be the preferred improvement, but with the budget constraints of this particular project, I think this was the best solution for that problem.

Vice Mayor Soden:

But you thought it would be about a half a million?

David Cronin:  
City Engineer

I think that was our very, very ballpark preliminary estimate. I would say a lot of this is all still very conceptual, we haven't done design plans that would take more effort to determine what the cost would be, would be significantly more than the traffic signal. Even with that, improving the grade of Bob Billings is more than just the pavement and trimming the grade of the street. It could involve retaining walls, right-of-way acquisition as you lower the grade of the street or raise it, the slide slopes behind the curve. A lot of those factors too can be an expense and when we kind of looked at this conceptually, thought that that would eat up a lot of the budget to do an improvement like that.

Vice Mayor Soden:

Thank you

Commissioner Herbert:

Can I follow that up please? I heard you mention a couple of times talking about, in the future, redoing all of this. What's your timeframe on that? Obviously, there's budgetary constraints, but I suppose the intent behind my question, is I have a concern hearing you say that, that we're about to spend a whole bunch of money making the least worst choices, only to tear up all of that money we spent in a matter of years, to do it right.

David Cronin:  
City Engineer

That's a tough question to answer. I think when we look ahead to the next five years this stretch of street is not in our 5 year CIP program for reconstruction. We have planned on reconstructing numerous other streets through infrastructure sales tax funds that we've been here getting at over the past 7 or 8 years to get at some of these needs, Wakarusa, Kasold, and Iowa. We still have a few of those on to complete which those were projects that when that sales tax was up for a vote that those were projects that were promised or given out to the community that we would improve with that money. This was not one of those projects at the time. Not to say that priorities don't matter, but it hasn't been on the list as of having the need of the other streets and as we look at the projects here in the next three years to complete, the infrastructure sales tax, on Kasold or Wakarusa or 19<sup>th</sup> Street,

some of those streets are on that priority list so I think ultimately it would be in the future with a new funding source. That infrastructure sales tax fund beyond what we've kind of already out laid the projects we've out laid with it which goes up to I believe, 2019. That could be a future project. So even with that thinking, we don't want to, like you said, throw a bunch of money and then come back and redo things in the future. Some of these improvements that we are recommending making, are more intended for the short-short term and can be used in the future. That improvement would be there. If the traffic signal's there, or at other intersections that could be incorporated into a future projects so that we're not taking that out in the future, but when that is, I can't say because it's not programed in the foreseeable future which is at least through 2019.

Commissioner Herbert:

But you would safely say that what's being proposed right now is not intended to be a permanent solution?

Chuck Soules:  
Public Works Director

Let me address that a little bit. David is looking at what we've got already proposed in the 2019 program. The improvements that we're going to do, Bob Billings, the subgrade hasn't failed. It's not like at Kasold. It's going to have to be reconstructed. If we can do the Maintenance that we intend on doing next summer. We can save that pavement for another 10 or 15 years and then we can go ahead again and do some more maintenance. What we're trying to do with our pavements is to get them before they get past that point, where we can't maintain them. Kasold's that way. Kasold's been that way since we passed the infrastructure sales tax and we're going to catch up and we're going to rebuild it. The only other issue would be is if the Commission desired, you know, with the next funding program, to go ahead and take care of some of these sight distant issues and that would be something that you'd have to do, but we wouldn't be looking to rebuild this section just due to probably traffic volumes. It will carry the 24,000 vehicles so you're talking 20 years, but we do need to do the maintenance. We need to do a significant mill and overlay. We need to repair those areas, but we have some base failures, but to re-constructed it, we're talking about storm sewers and grades. So we're talking many years ahead, if we can get to it and maintain it. If we let it go, then we will be rebuilding it probably in the next 5 or 10 years.

David Cronin, City Engineer, continued his presentation.

Commissioner Larsen:

David, I have a question on that sidewalk gap. Is that the only



sidewalk gap up to K-10 from Kasold? It is? That's the only thing that's left?

David Cronin:  
City Engineer

Correct.

David Cronin, City Engineer, continued his presentation.

Mayor Amyx:

David, I've got a question. The folks that live in and around the area, talking about wanting the traffic to slow down. Can you give us any idea the change in speeds, median speeds in and around the new roundabout on Wakarusa Drive? One of the arguments of putting the roundabout there was it would lower speeds. Do we have any data that will show that it actually does lower speed?

David Cronin:  
City Engineer

We don't have any data. We do design the roundabouts to maintain a lane. You can't be going faster than 20 to 25 miles per hour, that's based on their size and their radius. We would anticipate the average vehicle going through a roundabout would not exceed the design speed, not that it's not possible and of course you get through the intersection, you can start going faster again. So, we had not answered the question, had any speed data done on Wakarusa, after that project.

Mayor Amyx:

So right now, we don't know if it's actually true that the traffic will be slowed because of a roundabout. Correct? I mean it will inside, I understand that.

David Cronin:  
City Engineer

At the intersection we know that it would be and it provides safer access to the intersection from all sides, but as far as the whole corridor goes, one roundabout in a 3 mile section is just one area. When you have them in series and maybe you have the more expectation that it's not just this intersection, but a whole lot of location. Back to the roundabout versus traffic signal discussion, and all these intersections, essentially of all the intersections throughout the corridor, this was the one area where it could feasibly work and even with that, it was difficult, as I mentioned with the north side. We've kind of look at those, at these other intersections, but really felt that it was difficult just with the constraints.

Commissioner Herbert:

What challenges does the hill at Inverness there because as you go up Bob Billings, if you're heading west, I know that you're on a pretty significant incline there. As I'm thinking about all the roundabouts that have been constructed throughout Lawrence, it appears to me and I could be wrong, but it seems like almost all of them are put on relatively flat

grades. What challenge do we run into trying to construct a roundabout on an incline?

David Cronin:  
City Engineer

It is a challenge. You would have to reconstruct the street far enough back to have an appropriate approach grade. In the instance of this intersection here at Inverness, on the east side, where you're going up the hill, the existing topography of that approach was manageable so that we could reconstruct the street far enough back so that as you got to the roundabout, you were on a more level, flat area. If you look at the other Inverness intersection, the one to the north where you're going downhill and it's at the bottom of a hill, the approach grade to that, I can't remember the number; it was 7% or 8%. That would not be advisable under any design criteria, especially because it's downhill and you're slowing down if you have snow or ice that would be a big concern. Even at that intersection, the north leg of Inverness that would be even a bigger challenge. So I don't think even with the reconstructing of the street there, that would even be an option. So this was the one place where the topography was relatively flat on Bob Billings where we would have the ability to adjust the grade a little to get a roundabout kind of all at the same elevation.

Commissioner Herbert:

Help me understand what the argument was for those who were in support of the roundabout because as I'm looking at this, we're talking about \$220,000 to close our sidewalk gap. The financial difference between signalization and a roundabout is \$240,000 so just in cost savings alone; we pay for the entire closure of the sidewalk. We deal with an incline which as you say is not ideal, but possible. What is the pro of going with the more expensive, more difficult roundabout?

David Cronin:  
City Engineer

I think at the time when we're getting input, people felt that it was an active way to slow people down.

Commissioner Herbert:

But a stop light wouldn't?

David Cronin:  
City Engineer

Well, if you're going through the intersection with the signal and you have the green light, you don't slow down, or if you're trying to beat the yellow, it does help and it helps provide safer access when you have traffic stopped to make a left turn onto the street so I think both options provide some safety benefits. Everybody has different opinions on the benefits of roundabouts so I think whether it's...and I don't know what everyone felt when they preferred that, but that was kind of one of the take a ways, I felt from our public meeting was that a lot of folks just, as a whole on the project, preferred the roundabouts to slow folks down because again, I think the number one concern from everyone is the speed of

traffic. As you mentioned earlier about spending money now that would essentially reconstruct later in a way, with the roundabout intersection here, we would be reconstructing that intersection for the lifetime of the intersection with concrete pavement so that a future project would tie into that intersection. It is \$240,000 more, but that is money that we're spending now that if we do have the belief that we will construct it later, that we wouldn't spend later. I don't know when people made their preferences that they looked at the cost estimate or not, but it was something that we wanted to include with both options so that as we looked at prioritizing the full budget, that we understood the cost of every option.

Commissioner Herbert: Thanks.

Commissioner Larsen: David, I had a couple of questions. Going back and looking at Bob White, that intersection at Bob White, you've given two options there.

Mayor Amyx: We haven't gotten to that.

David Cronin:  
City Engineer We haven't gotten to that, but that's the next slide. So I'll continue on so please ask any questions.

David Cronin, City Engineer, continued his presentation.

David Cronin:  
City Engineer We have received numerous comments about the concern at that intersection of Bob White and the need for a traffic signal. We have a lot of area here, west of Wakarusa on Bob Billings that is relatively undeveloped as it's filling in, you can see traffic patterns change in the future. Right now, there is not a lot of crash history here. There have been zero crashes, it has adequate sight distance so we look at that and ultimately recommended installing the pedestrian hybrid beacon, but in the future we would continue to monitor intersections, including this one for future needs. This intersection is probably the highest commented intersection that we received feedback from, west of Wakarusa and so we felt that some improvement, whether it's a signal or a pedestrian beacon would be needed. This is kind of where we ended up with this location. Are there any questions of any specific design details or thoughts on this location?

Commissioner Larsen: Yes. I got quite a bit of comments on this one from the various neighbors. Concern about one, the speed coming down that hill across there, whether the speed could be adjusted if the City doesn't put a traffic signal there. I went out there and drove it a few times to check it out and it does seem the way that road curves down to Bob White, I think it is

kind of hard to see when you're turning either left or right. So the sight distance, you said was adequate. Can you go into that a little bit?

David Cronin:  
City Engineer

Sure. We went out and got sight distant measurements for the posted speed of 45 mph and I believe both east and west had met that requirement for the approach speed on Bob Billings. The Legends Drive intersection which is just to the east, that intersection did not have adequate sight distance looking to the east of that intersection for 40 mph. We didn't have a lot of comments on that intersection, but as far as adequate sight distance is was less than this location, but if folks are driving faster than 40 mph, it obviously lengthens the need for sight distance. I pulled out of there myself as well and you do have to pay close attention looking west where you have that curve and folks that are going around it. Again, it's not an ideal location for an intersection, with the topography. However, it's one of those things where we've got a lot of need throughout the corridor. A lot of intersections and is this one of the one's that ultimately should be head of other intersections, I don't know that answer. I think a lot of our final recommendations will be to monitor some of these intersections to see. You know we've put a lot of these improvements into our recommendation for construction next year, but moving forward, what's the next needed projects. Is this intersection or another intersection going to be the priority in the future? I think some of this project that we've developed and things that we've done has been kind of proactive. Obviously, some of the improvements in the future will be reactive, now that the interchange is open where our issues developing or what were the priority intersections that made future improvements. Ultimately, I'm not against putting in a traffic signal there. We had a lot of feedback on that and it would help if folks that wanted to cross the street by having the ability to have a pedestrian push button signal, with the traffic signal installation on the corner. Ultimately, if we were to fund the signal at this intersection, I think it would go a little over the overall budget of the project so we would need to either look at reducing another or eliminating another piece of the project or coming up with the dollars to fund additional improvements. It was very well noted that this was kind of a hot spot of discussion from neighbors and we received a lot of feedback on the need there.

Commissioner Larsen:

So the budget total dollar amount of 2 to 2 and a quarter million, does it include these options or like for instance, the roundabout at Inverness 360 versus 600 in year 80 versus 350. What does the budget actually include?

Mayor Amyx:

Use the smaller number. You'll get to about 2.14.

David Cronin:

So to kind of wrap up some of these recommendations or to summarize them. The mill and overlay piece from Kasold to Wakarusa, the right turn lane, bus turn out, the sight distance at St Andrews Drive, the traffic signal and Stone Meadows, traffic signal at Inverness. The pedestrian hybrid beacon and the gap sidewalk. All of those are a little over 2 million dollars and when you include estimated design cost of conservatively figure \$200,000 for that, that gets kind of right at the budget. If we were wanting to construct a roundabout at Inverness versus a traffic signal, that would go over 2.25 million dollars with design or if we were to construct a traffic signal at Bob White Drive, versus the pedestrian hybrid beacon, that too, I think, would go over the budget not that we couldn't trim other areas of the project to see if that could fit in, but a lot of the estimated costs that we've come up with on a conceptual basis of looking at what it cost to put in traffic signal equipment and do grading and pavement, sidewalks and retaining walls so there's probably is a little bit of flexibility in that, plus or minus, 5 or 10 percent either way depending on the real details of the design. We've tried to come up with an estimated cost that we could assign to each of these improvements and then when we kind of looked at all the options or made recommendations that we were able to fit that within the budget of the project.

Mayor Amyx:

David, one of the things that I see is that a number of things, a number of priorities probably change the day that it was announced that we were going to see funding to do the interchange at K-10 and Bob Billings. I think that some of these things have been raised up to be more of a priority, maybe then some of the things in the area, but as we look at this and like Lisa and other Commissioners driving in that area and living in that area, especially north of Bob Billings, right off of Stone Meadows. I came in and out of that intersection a lot and realize that was probably the most unsafe area I ever tried to approach onto a street in my life, but anyway that being said so....I agree with the recommendation, but as I look at Bob White, if we were to invest, if we were to decide to invest, the crosswalk, you know with the lights and go with the alternate adoption there. The increase is going to be about \$270,000. We're looking at borrowing \$600,000 right now, that's the recommendation for the budget amount there. We want to borrow \$600,000 there in bonded indebtedness there so can we add that additional amount and do that? Is that amount, is it going to be paid by the sales tax, the infrastructure sales tax or is it going to be paid via ad valorem property taxes?

Casey Toomay:  
Assistant City Manager

I believe our infrastructure sales tax

David Cronin:  
City Engineer

It was a mix. I think we had \$600,000 in bonds and 9.625 in infrastructure sales tax. Additional improvements could be, I think, funded out of infrastructure sales tax that could be a decision you make. So it had a mix. This project the 2.25 as a whole, I believe had a little of both

Mayor Amyx:

If we were to decide to go ahead and do the improvements at Bob White to make that a pedestrian crossing or to make it a lighted intersection. The only way we could really do it is increase our bonded indebtedness, unless we wanted to strip out \$270,000 along the rest of the project. Right?

David Cronin:  
City Engineer

Yes, that's correct.

Casey Toomay:  
Assistant City Manager

Or find another funding source.

Mayor Amyx:

That part is going to be paid for via property tax and not sales tax. Correct?

Chuck Soules:  
Public Works Director

Correct.

Mayor Amyx:

So we're going to have to figure out a way to do that.

Vice Mayor Soden:

I feel like I'm late saying this now, but I was going to say I appreciate your vigilance to the budget that you were given, definitely, but I'm certainly more comfortable with a signal there because of the school as well, no one's mentioned the proximity of the school there and I don't know where the Safe Routes to School's at along there, but yeah, I would be more comfortable with the signal at Bob White.

Mayor Amyx:

Okay, keep going David.

David Cronin, City Engineer, continued his presentation.

Vice Mayor Soden:

On the staff memo, in case you aren't sure where I'm getting this from, on the 3<sup>rd</sup> paragraph it says "the 2015 Capital Improvement Plan budgeted 2.25 for the improvements, 1.6 from infrastructure sales tax and \$600,000 from General Obligation Bonds. Have we spent any of that, is my question?"

David Cronin:  
City Engineer

No.

Vice Mayor Soden:

Because down further it talks about 2016 and I wasn't sure if

we used any of that yet.

David Cronin:  
City Engineer

We haven't. I believe we budgeted for 2015, but that money would still be there next year and so we started this process early in 2014 or maybe even go back to 2013 and spent 2 years on a lot of meetings, getting feedback, and looking at ideas. I think, back then, we may have anticipated to do more, this year in 2015, as far as construction wise, then we already did this past summer. It was budgeted for 2015, but still is there for 2016. Moving forward with any recommendations as far as a schedule goes, you're certainly welcome to add or change recommendations we've made and that we would also seek some direction to solicit qualifications for design firms to begin design of the improvements for next year. As far as the schedule goes, with the process going through selecting a consultant, the design, bid letting and then ordering traffic signals which usually takes 3 to 4 months to manufacture after we've left the project, we're probably looking at 9 months from now, if we start the process to get traffic signals installed so it would be probably early fall, 2016 for signal improvements. We need to have the ability to do the mill and overlay piece of the project or sidewalk piece of the project during the summer months like we've traditionally tried to so while we have those traffic. If we move forward with some of these recommendations, we can begin that process to get plans underway to get going next summer.

Vice Mayor Soden:

I have a follow up question. I just wanted to clarify for my own sake. So the reconstruction that we already did on Wakarusa between, well on Bob Billings Parkway between Wakarusa and Foxfire, that was not out of this 2.25 budget. That was as a really different budget

David Cronin:  
City Engineer

Correct.

Vice Mayor Soden:

I just want to clarify that. Thank you.

Commissioner Boley:

On the dedicated right turn lane, bus turn out, the east bound approach, is it possible that some of that or all of that could be paid for with transit money, if it's a bus deal?

Casey Toomay:  
Assistant City Manager

It's possible. We have done that in the past. I think there are some traffic safety concerns that we want to consider when you have a bus using a turnout lane as a stopping point so that would be something to consider.

David Cronin:  
City Engineer

I believe we used some transit funds on our previous bus turnouts in the past. It could be an option

Mayor Amyx: David, going back to the mill and overlay, Kasold to Wakarusa and restriping that, did you say we were going to take the lanes and decrease the width of them to 10 ½?

Yeah, that's correct. Right now, they are 12 to 12 ½ foot lanes. The back of the curb to the back curb is 54 feet and so with the actual raised curb portion you have a remainder of about 52 ½ feet. So with that if we were to evenly distribute the lane widths, we can get to 10 ½ which again, if we were reconstructing it we would prefer 11, but that is something we would have the ability to do with that mill and overlay. That overlay is complete. We put down the pavement marking to have that center turn lane.

Mayor Amyx: The reason that I ask that question, I think it was 2005-2006 when we rebuilt Kasold from Bob Billing, south of 22<sup>nd</sup> Street, we narrowed those lanes there so that it would actually slow traffic down. Going back to the question I asked earlier, do we have anything that shows that traffic has slowed down during that section of road.

Chuck Soules:  
Public Works Director Not at this time. We can collect that information.

David Cronin:  
City Engineer If we don't have any data on specific locations in Lawrence like Kasold, there is some researching data that's been done that narrower lanes do help naturally slow down traffic because you're closer to another vehicle so if you have higher concentrations of vehicles, closer together, they naturally tend to slow folks down so it is a way that hopefully through there folks with increasing traffic, are more cautious and slow down because their close to other vehicles. Now, you don't want to increase crashes or side swipe either, but it's one of those things that this could also have a positive effect with the narrower lanes to do what a lot of folks would like to see and this is, slow down traffic so that is a good point, I should have made that earlier.

Mayor Amyx: Okay.

Commissioner Herbert: That disputed chunk of sidewalk, I believe Quail Pointe Terrace to Inverness Drive, other than a desire to not shovel the sidewalk, was there any grounds for why that was disputed?

David Cronin:  
City Engineer Another concern that folks had and I spoke with the Meadowbrook Estates neighborhood group organizer, yesterday, unfortunately, they had a meeting tonight, but they weren't adamantly opposed to it, but they were concerned about the snow maintenance in this, but also the loss of some of the landscape buffering with the trees and some of



that helps provide a buffer sight and noise of traffic so they mentioned that in addition to the snow maintenance and the cost of maintenance as one of their concerns, which we always try to mitigate those things as much as we can when we salt sidewalks in difficult areas. If there are utility poles or trees that we can get around and still have an adequate width of sidewalk, sometimes we narrow a sidewalk a foot to leave a tree. I think that's something we always try to work around so there will be some ability to do that, but there are just some areas that are so tough to do that we would have to remove some of the landscaping. With my discussion with here to, I mentioned that as we proceeded with design plans, if we were to do a sidewalk, we would meet with the homeowner's association and property owners and help mitigate any impacts whether it's an additional planting of trees which we've done on projects, or narrowing the sidewalks to get around removing trees. So that was just another concern that they mentioned in addition to the snow maintenance.

Vice Mayor Soden:

Isn't the new Crossgate supposed to come out right there?

Mayor Amyx:

To the east.

David Cronin:  
City Engineer

With that development plan, I think they've proposed to remove that access point of Crossgate and move it future to the west. If that were to occur in the future, obviously, that would not be part of this project. It would be funded the redevelopment of Alvarado project. If or when that occurs, I don't know, but it has been something that's been thrown out there, but with any improvements at with the Alvarado Development Plan, wouldn't necessitate them to make those type of improvements, street improvements, access improvements, turn lane improvements, if a signal would be warranted at Crossgate in the future with that additional traffic with that development, that would be something that would happen with that project. So that's something that we've, you know, I guess, thought about or have had comments about, but it's not being include in this project. It's not really applicable at this time.

Mayor Amyx:

Have any questions? Any other questions? In a nutshell, David, you and Chuck, everybody's done a pretty good job, I think of trying to meet as many of the various neighborhoods' items that they've brought forward in this whole thing. I think the one thing that, if I were to look at this, my suggestion would be is we look at inside of this budget. I don't know if we could really afford that roundabout at the Inverness South leg, but one of the things that is especially...because I would recommend that we do the alternate option of constructing the traffic signal at Bob White. That probably takes us to the

maximum that we can be at under whatever budgeted monies that we have here. I think another part of the roundabout there is we get into a situation where we got that private street on the north whatever it is. We take over some of the obligation of that by moving into that. I would have some concerns about that roadway because that was to be built with those private roads in that area. I have a little bit of concern about that. I don't have a problem with a traffic signal at that point, but I would suggest that during our discussions and during the comment, that we strongly consider the signalization at Bob White and increasing our budget there.

Commissioner Larsen: I agree.

Vice Mayor Soden: I'm interested too in a better estimate of grading Stone Meadows.

Mayor Amyx: And taking that hillside down?

Vice Mayor Soden: Mm-hmm (affirmative)

Mayor Amyx: On the crown of that hill?

Vice Mayor Soden: Mm-hmm (affirmative)

Mayor Amyx: Okay.

David Cronin: We can absolutely look at that under the scope of our design plans to look at, in more detail, what that cost could be and that's something we certainly could look at. That's a good point. I think as we get to that design phase, we would also come back to you halfway through the design "this is our ballpark cost estimate, etc. updated. Here are the plans to proceed with bidding a project and another opportunity for public comment." That's something we can absolutely include in the scope of the design.

Vice Mayor Soden: Thank you.

Mayor Amyx: Vice Mayor, would your goal be by the grading that would happen there in taking that hill down to maybe avoid the traffic signal at that point?

Vice Mayor Soden: That could be a potential outcome.

Chuck Soules:  
Public Works Director If you increase the site distance, you might increase that speed.

Mayor Amyx: Yeah. That's the other part of the deal.

Vice Mayor Soden: It needs to be further explored. I'm certainly not going to

hazard a guess which way we'd go with it, but I would like better details about it.

Mayor Amyx: Okay. Everybody feelings, this side about the Bob White location?

Commissioner Herbert: That wasn't what I was going to say.

Mayor Amyx: Okay. Any other questions of David? Okay. Public comment? Again, if we could have your name, I would appreciate it and again, if we could limit our comments to about 5 minutes that would be great.

Warren Corman:  
Retired University Architect

Thank you, Mayor. We've been very pleased with the help the City done and worked on this. David Cronin and others have really been a lot of help. We're real happy with it. I just want to thank the Mayor and the City Commissioners and the staff here. A lot of people say City Hall doesn't help, but I don't believe that. The only thing we were really worried about, we're an older community. I'm not old, I'm only 89, but we've got some real old people out there and in fact we just lost one a few hours ago Glee Smith just died, one of our neighbors. Of all the people out there, I've got 40% of the homes out there are occupied by single ladies or widows. The only problem we've really have had, and I've been there 15 years, is they travel, I think the City or somebody Highway said they travel and the average speed across our intersection there where we have to pull out, I think, David was 52 miles an hour, average? Or somebody said that maybe Jerry said it. I don't know. I know when I pull out going 30 or 40, I get half of the peace signal from all the folks driving there. If I don't get that, I've often thought of getting a Volvo that's beat up and just pull out there at 30 miles an hour like the signal says, but anyway, it's fast. I did a stopwatch study. I've been an engineer for 68 years, so I know how to run a stopwatch. I went out there and watched the people coming at 40-50 miles an hour and the sight line to pull out, you're stopped there and you pull out... You've got about 2 to 3 to 4 seconds depending on whether they're going 40, 50 or 60. For a 20-year-old that's probably enough to get your foot off of the brake and slap it down and go zooming it out of there like a rabbit, but that's not the way most of our folks drive. We're not a retirement community, but some people think we are. We have 1/4 mile of land along there, 4000 ft., I mean 1400 ft. I think I measured on Dave's drawings and that's parkway. We don't have any houses that face it. The houses all face the other way, the back. We take care of that parkway. We own the streets for some reason. Whoever did that, we own the streets. I was thinking when Commissioner Soden said something about lowering that, we studied that, Commissioner. If we lower it 5-6 feet, the street

out there so we could see better, of course they'd still go faster because they could see better, too. We only have about 30 feet from the back of the curb of our own streets before we have an intersection and go both ways. If you think about lowering something 6 feet and you've only got 30 feet to make that transition from the existing grade down to the new street, that won't meet any standards, I know it. That's one of the problems, even if it didn't cost anymore to do it. It'd be probably very difficult. I just wanted to say we're real happy with everything and Stan Roth came with me. He was interim dean at KU and he might even have taught you Dave, I'm not sure. He was Dean of Engineering. But he had an idea while we were sitting there that might help solve your problem. We think there ought to be a stoplight at Bob White also. Stan's got an idea and he usually has pretty good ideas. Before I leave, I just want to say thanks for doing everything you've done. I think this maybe a defining moment for Quail Pointe for everybody feeling safe getting out. We really do have some people that are afraid to pull out there. I know even Judge Paddock tells me, if he has to go left, go west, he turns right and goes down. I don't know where in the hell he goes, but he goes about a mile east so he can turn around and want to go west. Anyway, I just wanted to say that. Stan Roth has something else that might help with some ideas.

Mayor Amyx: Okay.

Warren Corman: Thank you.

Mayor Amyx: Warren, you did all that in 7 minutes. That's pretty good.

Warren Corman: I'm sorry I went over.

Commissioner Herbert: Worth every minute.

Mayor Amyx: That's right.

Stan Roth:  
Retired Engineering Faculty  
Member & License  
Professional Engineer

I live out at Quail Pointe also. I would say Mayor Amyx, you did one thing wrong, they did not do just a good job; they did a really excellent job on working this. They studied it. I attended the meetings with the neighborhood groups and most of what I'm going say is pretty much unanimous with the neighborhood groups and that's a lot of people out there. I will try very hard and I will stay within my 5 minutes Basically, the milling over is clear, that's a need. The dedicated right turn lane is a clear need. The improved sight distance is a clear need. The traffic signal at the intersection of Stone Meadows is a clear need. The traffic signal at Bella Sera Inverness probably the traffic signal given the fact that the concerns with the land at the north end and the speed and everything else. The discussion at the neighborhood groups was mainly

what can we do to slow the traffic down and that's why the roundabouts tended to be a little bit more favored, but the traffic signal would do the same thing too and David knows that. He's done a good job at that. Then my next and last two comments deal with the sidewalk that Warren's talked about. There's really no reason for that. When you look at the sidewalks from Iowa to Kasold, the large one that you put on the south side, that's rarely used. I don't think you're going to see very much use on a one from Kasold to Wakarusa. I would take that \$220,000 and I would put it over on a Bob White intersection, because if you think of the Bob White intersection as you come down from the west, you come around the curve and down a hill and you're going to tend to speed up. The stop light there would get both the cross over to the trail and stop, slow traffic down and allow a lot of people to get out from that neighborhood. If you do that with the \$1 million, the \$75,000, the \$30,000, the \$300,000, the \$360,000 for a traffic signal at Inverness and the \$350,000 for the crossover and the signal at Bob White, my math says \$2,115,000 and you're underneath your budget. You don't need that sidewalk, you don't need that sidewalk, but I think the Bob White intersection is a far greater need. Another indication on the sidewalk in our area, there are no school kids there. Very few people would use it. They cross over to the other side and they go to the McGrew Nature Trail. It's just not that big a use. I do have another comment on the fact if you add a stoplight at Stone Meadows and you add a stoplight at Bella Sera and you add a stoplight at Bob White, coming from K10 there are 3 major roads coming in from K10 headed west. That's 23rd Street, 15th Street that we're talking about now and 6th Street, heading east. If you start with the 6th Street between getting off of K10, going to Iowa Street there are 12 stoplights. If you get off at 23rd Street and you go to Iowa, there are 8 stoplights. Right now there are only 6 stoplights getting off at 15<sup>th</sup>. This may be a little biased, but that speedway between George Williams and Wakarusa is just that, particularly now that you've paved it over. If you added 3 stoplights, you're only at 9 on 15th Street, 8 on 23rd Street and 12 on 6th Street. You're not really getting anything out of kilter. I think that would be a more balanced approach. I think it would resolve the issues that you're talking about. The sidewalk, I could give you a lot of other reasons I don't think that sidewalk is necessary, but I'm going to restrict my comments to 5 minutes. So if we make those comments, the fact that the staff has done an excellent job. Cutting down the hill, I agree with Warren. I've looked at that that would really be extensive and it would speed it up. You could look at the traffic signal at Inverness, but I think that's more of an engineering design situation coupled with the neighborhood people, the owners of the private property and I think the traffic signal would do just as good a job as the roundabout

and that would be consistent with the general feelings of the neighborhood to slow the traffic down. With that, that's my comments.

Mayor Amyx: Thanks Stan. Other comments.

Commissioner Herbert: Can I ask a question?

Mayor Amyx: Sure.

Commissioner Herbert: On that section of sidewalk where you said the sidewalk is not needed, you'd said that currently kids cross over to the other side?

Stan Roth:  
Retired Engineering Faculty  
Member & License  
Professional Engineer  
Currently, there are no kids to go over there.

Commissioner Herbert: Okay, should a kid exist, is there something on the other side currently?

Stan Roth:  
Retired Engineering Faculty  
Member & License  
Professional Engineer  
Yes. There's a sidewalk up and down on the north side of 15th Street all the way from Iowa all the way to George Williams Drive.

Commissioner Herbert: Okay.

Stan Roth:  
Retired Engineering Faculty  
Member & License  
Professional Engineer  
I see that used, not frequently, but that's what is used and people go over there and then they cut off to the Nature Trail. They go up the hill. The one on the south side would be redundant. You have a lot of City streets which only have sidewalks on one side.

Commissioner Herbert: Or none.

Stan Roth:  
Retired Engineering Faculty  
Member & License  
Professional Engineer  
Or none, but you have a lot of the neighborhoods where kids are walking back and forth to school. There are no kids coming out from there that would walk back and forth.

Commissioner Herbert: Okay. Thank you.

Julie Hack:  
I'd like to comment on what Stan said about the sidewalk on the north side of the street. It's in terrible shape. If you walk it and you walk wobbly at all. The sidewalk goes like this. If you're going to spend money on a sidewalk, you ought to really make that one a good one. Thank you.

Mayor Amyx:

Thank you. Please Tim.

Tim Herndon:  
Landscape Architect  
Urban Planner

Hi Commissioners. I'll remind you that I have sort of a dual-pronged interest in this particular conversation both as an agent of RSR Development and Langston Heights Development LLC, the partnership that's invested in the 60-acre Master Plan at the new interchange at the Freeway behind Langston Hughes Elementary School as well as the chair of the Healthy Built Environment Workgroup of the Live Well Lawrence Coalition. It is the latter party that I am speaking on behalf of tonight. I want to say "Hello, Warren. I didn't get chance to say hi. It's great to see you. Stan, your points are very well taken. Thanks for the comments." I want to complement the City Commission particularly for your awareness and concern with the budgetary aspects of this project. I appreciate that very much. I'd love to talk to you guys about roundabouts and design speed and actual speed and those issues, signals versus other methodologies. I'm not. I want to restrict my comments tonight to a very brief comment about sidewalks. First of all, as you know over the previous 2 years, the reconstruction of Bob Billings Parkway from Iowa Street to Kasold Drive was a really profound, built environment change there. One of the preeminent features of doing that was installing the shared use path along the south side of Bob Billings Parkway there. As somebody whose appreciation and concern with the fact that once the interchange opens next month, it may go as late as January. We know it's been pushed back a little. That for first time in history of the University of Kansas, there is going to be a freeway to parkway relationship for an automobile to travel to the front door of the University of Kansas. That's going to really profoundly change the dynamic there, but also, I want to remind you that at the intersection of Bob Billings Parkway and the South Lawrence Trafficway, that there is a vast amount of ground on the west side that is currently in the County, not in the City, that was going to represent the next phase or next wave of suburban development in Lawrence. It is going to occupy the next good chunk of time starting say in 5-10 years and running for the next 30-40 years beyond that. The School District purchased 25 acres that's anticipated for a high school and middle school or middle school and elementary school, potentially all 3. It is on the west side of the South Lawrence Trafficway. That transaction took place probably 5 years ago, maybe 7. The old adage that "The only thing that's going to remain the same is change" certainly applies to this corridor that we're talking about. To get right to the point and with all due respect, Stan, I'm going to make the argument to you that it would be a travesty not to construct that segment of sidewalk that's missing along the south side of Bob Billings Parkway. That is an area that isn't necessarily a high-traffic area today, but part of that is because of lack of

infrastructure, meaning, that sidewalk is not present. Secondly, as that over time the use of the pedestrian ways is an alternative transportation corridor that isn't tailored exclusively for the ease and comfort of the automobile, that transition is going to continue to take place. Providing the pedestrian thoroughfare there that's necessary for safe travel way is imperative. I would encourage you on behalf of the Healthy Built Environment Workgroup to please ensure that that sidewalk is a complete ribbon and simply missing a tooth. Thanks very much.

Mayor Amyx:

Thanks, Tim. Further comment? Yes sir.

Gary Weber:  
Secretary  
Lawrence Pedestrian  
Coalition

Many of you know the Coalition. We've commented on other projects the City has done, but just to state our purpose, the Lawrence Pedestrian Coalition exists to realize completion of the Pedestrian Network in Lawrence, Kansas and ensure pedestrian access and safety throughout our community. The Pedestrian Coalition would like to thank the Commission and the City staff for your careful and thorough consideration of the improvements planned for Bob Billings Parkway between Kasold and K10. We strongly support the staff recommendation with regard to pedestrian-related improvements, specifically sidewalk repair and installation and installation of the pedestrian hybrid beacon just east of Bob White Drive. We are encouraged that the staff continues to support efforts to ensure pedestrian safety. Our main concern is the section of missing sidewalk on Bob Billings Parkway and I agree with the previous speaker that it's quite important that this sidewalk go in. To say that there's no use in a non-existent sidewalk doesn't make a lot of logic to me. We would encourage you to keep the missing sidewalk replacement in the proposal. Thank you.

Mayor Amyx:

Thank you. Further comment? Yes ma'am.

Dot Nary:

I live on Tumbleweed Drive and I'm also with the LiveWell Lawrence Built Well Environment Committee and I really would like to emphasize the importance of sidewalks. It's difficult to cross a big street to get to the other side to get a sidewalk. I think we've already acknowledged that we want to increase pedestrian safety, pedestrian opportunities and the worst thing for a wheelchair user is to get to a point where there's no sidewalk anymore and you have to go back. As long as we're making improvements and I appreciate the comments, I think we're all looking for the same thing for improvements, but sidewalks are really, really important. I think we've emphasized that through LiveWell Lawrence, through the Pedestrian Coalition. Please keep that in mind as you deliberate.



Mayor Amyx:

Thanks, Dot.

Russell Hilton:

I sent you all an email here recently regarding the Bob White intersection. I really want to thank you all. Several of you have been out and seen and driven that Bob White intersection and understand some of the concerns. I appreciate the thoughts in regards to adding a traffic signal there. I've been going in and out of that intersection for perhaps 10 years to where my daughter lives off Bob White. We have a building lot south of Bob White back in that area that we've been planning to build a home on and as was brought up earlier, I still feel like I'm a safe driver, but I know that in the future, I will be aging. There're a number of residents in The Villas that are mostly seniors. That intersection is a very dangerous intersection. You addressed the idea of the speed of traffic coming down. The school there has increased traffic since Corpus Christi is developed up through the 8th grade. I think that you're going to see a tremendous amount of increased traffic coming off of K10 as soon as that intersection opens up. Also, especially on game days because it will be a direct route coming off of K10 going directly to the University for football games and basketball games. I would highly urge you to consider a traffic signal there at Bob White and Bob Billings. Thank you.

Mayor Amyx:

Other comment? Any other comment? Jerry.

Jerry Harper:

I live in the area pretentiously called The Villas at Alvarado which is just off of Bob White. I wanted to say a couple of things and then talk just a minute about math. First, it's really been a lot of fun for me to hang out with Stan and Warren and Julie because it makes me feel like a young whippersnapper again. I'm just into my 70's. The other thing I've enjoyed is being around Chuck Soules and David Cronin. I've always admired the way that engineers go back to the data and usually work from that. I've learned a whole bunch of things that going in, I wouldn't have believed. One that crosswalks aren't always a good thing. Sometimes they're more dangerous than not having one. I've learned that roundabouts actually are pretty good in most instances, although someone here would disagree with me and that road diets work. It's been an educational process. I wanted to go back to the math for just a minute. I got out my little calculator and I worked through that and assuming that you put the traffic signal in at Inverness south instead of the roundabout, I came up with a total of \$1.985 million for all of those projects up to that point. That left \$265,000. If you can get the \$75,000 for the bus turnout, that gives you \$340,000 left over and that's just about enough to pay for that traffic signal at Bob White which is, of course, my main interest and that included doing the sidewalk. Did I get my math wrong or

did somebody else?

Mayor Amyx: That was probably me.

Jerry Harper: It looked to me like maybe there's enough money there, assuming the estimates are in the ballpark to do all of those things.

Mayor Amyx: Might be very close.

Jerry Harper: Other than that, I don't want to disagree with Warren or Stan because I do try to respect my elders. I'm in favor of the urban traffic signal at Bob White which gives us a pedestrian crossing and access to the roadway.

Mayor Amyx: All right. Thanks Jerry.

Jerry Harper: Thank you all for your patience with all of this.

Mayor Amyx: Is there ... Michael.

Michael Almon:  
Sustainability Action Network

Good evening Mayor Amyx and Commissioners. I worked with the Sustainability Action Network for 8 years now. It's a group that advocates for bicycle facilities and bicycle transportation. I want to thank Gary Weber, Pedestrian Coalition and Tim Herndon of LiveWell Lawrence for addressing the sidewalk issues, the safety of sidewalks. I also want to thank the Bob Billings Safety Group, although I don't necessarily agree with all their conclusions, but they did some great ground work and research on this whole project, particularly with the references to Complete Streets Policy, making the transportation system friendly for people who walk and people who bicycle. They had a lot of their information covered in here. Ultimately, the Bob Billings Safety Group and apparently Public Works has primarily focused on motor vehicle safety which, of course, is necessary as well. By slowing down motor vehicles, we'll also improve the safety of bicyclists and pedestrians. It all ties together. That's what the Complete Streets Policy is about. But I honestly was quite surprised reading the staff report and seeing the design plans and the recommendations of Public Works, that there's not one mention in here about bicycle facilities anywhere. That's astounding. The sidewalks were kind of given an afterthought reference. Bicycles weren't referred to at all. If we do have policies that we had been using in other areas of the town and other projects to do multi-modal transportation on these projects such as the Bicycle Lane Policy which has been in effect for about 15 years now and the Complete Streets Policy which has been in effect for 3 years. The Bicycle Lane Policy, and this is where the Bicycle Advisory Committee missed it, they gave a

pass on this design because it wasn't a reconstruction project. That's not true. It is a reconstruction project. We're reconstructing potentially a roundabout, widening of pavement, turn lanes, grading of intersections and sight distance. Just because we're not changing sewer inlets doesn't mean it's not reconstruction. Beyond that, the Bicycle Lane Policy also says that bicycle lanes are added when we mill an overlay. Either way you look at it, I'm not saying we're advocating for bicycle lanes here, it's really not feasible, but both of those policies should have been a trigger for Public Works to consider how to do this. There are other reasons why it should be considered. This is from Transportation 2040 and this is dealing with bicycle facilities, bicycle transportation, multi-use bicycle tracks. The dotted line is planned and the green line is existing. If This is the existing McGrew Nature Trail, is an existing 10-foot wide bicycle track. This is existing 10-foot wide along Kasold. These are existing bicycle lanes on the west part of Bob Billings. This is Kasold Drive from Bob Billings to 6th Street, very soon to be considered for a 10-foot wide bicycle track as well as 6-foot wide sidewalks. This area from Iowa to Kasold, as Tim Herndon pointed out, now exists as a 10-foot wide bicycle track. All these areas have 10-foot wide bicycle tracks. What's missing? This link, right between everything. That reason right there should be due consideration by Public Works. When we look at this plan, the north side is the obvious place to put a bicycle multi-use track. This if Kasold, this is Wakarusa. There's the least amount of conflicts from streets and sidewalks. The terrain on the north side is adaptable and amenable to that. It can be done. There're few trees. The south side the terrain won't accommodate a 10-foot wide bicycle track. I would suggest not putting an extra two left-hand turn lands onto Kasold. Kasold is being considered for a two lane right sizing of that street with a roundabout at Harvard. But the concern is traffic from the K10 onto Bob Billings is going to add traffic to Kasold. If we put two left-turn lanes there, we're just going to exacerbate that situation. I would suggest that we construct the two-lane Kasold Drive with a roundabout which is a \$1 million cheaper than the four-lane with a traffic light. Take that \$1 million, build the bicycle track along Bob Billings. You'll meet budget. Thank you.

Mayor Amyx:

Questions?

Commissioner Boley:

I've got a question about the bicycle stuff. The Lawrence Lives speaks of spokes. Do you see this as one of the spokes?

Michael Almon :

Absolutely. As Tim Herndon pointed out, this is going to be a major connector from a major highway, K10 to the front door

of KU. All kinds of activities are going to increase to all modes of traffic, including buses. All modes of traffic. One of the major spokes. Thank you.

Mayor Amyx:

Any other questions? Okay. Thanks. Mark. Other comment?

Chris Tilden:

Good evening Mr. Mayor, members of the Commission. I'll keep my remarks brief because I think most of them have been covered. I think it's a good point that our approved Transportation Plan T 2040 does call for a 10-foot use shared path along 15th. Thinking about college kids at Hunter Ridge or Hunter Run out there close to 6th and George Williams Way that with the reconstruction, once the intersection is complete there, connecting the South Lawrence Trafficway to 15th, you've got bike lanes now to Wakarusa and with the construction of the 10-foot wide shared path along that gap, you'd be all the way to the University on a dedicated bicycle and pedestrian facility. I think Dot's point is a good point. At this point if we don't construct either the sidewalk on the south side or look at this 10-foot wide shared use path, someone like Dot in a wheelchair that reaches the intersection of Inverness north, headed west, literally can't get to Wakarusa. You've got a sidewalk gap on the south side currently because of the cross slope and the condition of the sidewalk on the north side, I walk or run along that stretch in the morning and I'm barely 50 and it's a challenging segment for anyone to negotiate. Certainly from a pedestrian/bike perspective, we've got some challenges there that can be addressed pretty readily. I'll also make one more comment. I'm not sure we should necessarily be quick to throw out the roundabout discussion at Inverness south. Certainly, the evidence suggests that from a traffic-calming perspective, those roundabouts are far more effective than a light, which when green or when yellow, it's just to encourage people to speed through. I live at the intersection with a new roundabout at Wakarusa and Inverness. If the house on the northeast corner wasn't there, I could hit that roundabout with a rock, may not be able to get it over the house to hit the roundabout. I can tell you one thing that has changed is that I rarely hear the screeching of rubber as someone realizes "Oh, crud. There's a stop light that I've got to stop at." Or even worse, occasionally in the summer where I heard metal on metal. There were some horrific accidents at that intersection before the roundabout was built. I don't know if this is true. I think I heard David Woosley at one point say, and I know it's not an apples-to-apples comparison because we have far fewer roundabouts than we do stop signs or traffic lights, but I think I've heard it said and I think it's correct, we have had no accidents at a roundabout in Lawrence. I've heard a number of people say "I was almost hit. I almost had a wreck at the new roundabout" and I often

said, "Almost is the operative word there" because you have to slow down. You have time to stop. Sure, you might have a close encounter, but I haven't heard that metal on metal that I honestly used to hear two, three, four times every summer, winter. There was a serious accident at that intersection. I'm a strong proponent of the roundabout having seen it work at that intersection. I think that had to bite into far more yard than would be the case at the current location. I know if it gets into the Bella Sera property a little bit, but you've got the other homes on the south side are certainly far back from that property. I don't think that there's a lot of property acquisition issues associated with that. Thanks for the time and consideration.

Mayor Amyx: Thank you. Any questions? Okay. Other public comment?

Stan Roth:  
Retired Engineering Faculty  
Member & License  
Professional Engineer

May I make one more?

Mayor Amyx: A couple minutes

Stan Roth:  
Retired Engineering Faculty  
Member & License  
Professional Engineer

I agree that all of us should walk more and if funds were available I would agree with Julie, you fix the north side of the sidewalk and then you have a complete ribbon, all the way from Iowa to K10 and with the hills there, up and down all along Bob Billings, I wonder how much it would be used besides walking, but at least you would have it if you do that. I also agree that crossing busy streets to use a sidewalk is difficult, but to go from Iowa to Bob Billings all the way out to K10, heading east or west, you still have to cross Iowa. You still have to cross Kasold. You still have to cross Wakarusa. The crossing of streets is still going to be there whether you are going across Bob Billings or whether you're going along Bob Billings. Finally, I agree that there will be more people moving out there and more schools and things, but I doubt that very many of those people, the way I see college students, are going to walk from K10 to KU. If we do have the sidewalk on the north side, if there's funds available and you can repair that, then I think would take care of the problem for a long time. Thank you.

Mayor Amyx: Any other public comment? Anyone else? Okay. Back to the Commission. A lot of good comments tonight. A lot of great work by our staff and I also want to take a moment to thank everyone who was involved in trying to make sense out of this entire project. I know this is tough. I know it's a roadway. Just all kinds of working parts of it, but the fact that the neighbors in the area along with our staff worked very hard together to come up with a plan to take care of what they

thought would work. I want to thank you all very much. You did a lot of our work, so I appreciate that. Anyway, those were my comments.

Commissioner Herbert:

Just a real quick comment. Roundabouts have certainly not been without a bit of controversy and initially as roundabouts began to make appearances in Lawrence, there was a lot of criticism that they were essentially expensive four-way stops. A lot of that criticism was deflected when we received some KDOT funding to put roundabouts and as we saw very recently on Wakarusa, it actually ended up becoming a lot cheaper to do a roundabout. As I look at this project, one of my big hang-ups is I go back to the early days of roundabouts, we've seemed to have found our way back to producing a more expensive version of what we've done here. For this particular project, I'm not real sold on that roundabout notion at Inverness just because of the higher cost. We're talking about a 1/4 million dollars there savings. Using a more traditional approach which when we look at these costs, the cost to close the sidewalk gap is less than a 1/4 million dollars. You've got a lot of things that get paid for by making that cost savings. I'm not sure that that's a good use of a roundabout at Inverness.

Mayor Amyx:

Okay. Comments?

Commissioner Larsen:

On the roundabout idea, I'm really concerned about that gate that goes up in to Bella Sera. That's a huge issue, I think. Having a roundabout that would go up and basically hit that gate and like you said, they'd be turning around essentially. I'm not real sold on the idea of roundabout there. I think a traffic signal would be adequate.

Mayor Amyx:

I think another thing on that, Commissioner Larsen, I think the fact that that is a private roadway on the north side there, I think probably helps. Obviously, I have concern about the costs. If we're going to do the stuff out on Bob White, I think that that is the area that we probably ought to look at, but if we had four all the way around public roadway systems, it would be hard to argue at that point. Other comments?

Commissioner Boley:

I'd like to say "thank you" to all the folks who've come out tonight to talk about this. I appreciate how complementary you've been about our staff. I'd like to thank the staff for the good work that you've done on this. It's great to hear about all the meetings that you had going back a couple years, a year and half and really listening to people. I got to tell you you've done some really good work, if you've been able to teach Jerry Harper a thing or two about street design and traffic safety. He told me, "Everything I know about traffic safety is wrong." I appreciate Jerry being open to learning because we

need to design streets for the future, not for the past. I think it's been a great evening to listen to people and we need to improve this stretch of road. I think we need to do a sidewalk.

Vice Mayor Soden:

That's the sidewalk. That's what I was going to mention. One thing that we haven't talked about is that we just approved a plan a couple weeks ago to increase density at Alvamar. Perhaps now, there might not be enough people perhaps walking on that stretch, but we're increasing density back in there and they're going to be using that south side at 15th Street. One thing that I've enjoyed about tonight is I thought I was the only one that still called 15th Street "15th Street". Everyone here has. Thank you.

Commissioner Boley:

I guess I have a question. What's the plan for bicycles on this stretch of road?

David Cronin:  
City Engineer

I appreciate all the comments on the bike plan and Michael Almon brought up some good points. We kind of looked at it a little and determined that to have a shared-use path, 10-foot wide on one side or the other, the expense to do that to have additional grading, right-of-way, retaining walls, would be a very expensive project. We certainly would recommend doing that with a full reconstruction-type of project, shared-use path or bike lanes in the future. We always try to make those kinds of improvements even with maintenance-type projects to add those facilities.

Commissioner Boley:

In between now and then, though if you're on a bicycle going east on Bob Billings, where you supposed to... Are you supposed to be on the sidewalk? Are you supposed to be on the street? Where are you supposed to be?

David Cronin:  
City Engineer

You have two options. It would be to use the sidewalk or the street.

Commissioner Boley:

It's not like being downtown where you're not supposed to ride on sidewalk downtown?

David Cronin:  
City Engineer

Correct. You can ride on the sidewalk, legally, a bicycle. It's not the ideal width and if you're passing somebody else, there's some conflict there.

Commissioner Boley:

The other side of that is that this is in an area with a lot of elderly folks.

Mayor Amyx:

Excuse me, guys. I can't hear. Go ahead.

Commissioner Boley:

This is an area with a lot of elderly folks and a 20-year-old on a bicycle and an 85-year-old pedestrian are not necessarily going to understand each other well. I'm very worried about

how well the 20-year-old bicyclist is going to understand the 85-year-old pedestrian. I can see that this is where we are, but I don't think it's optimal.

David Cronin:  
City Engineer

I do agree with that. In the future, with the reconstruction project, we would find a way to include a bicycle facility. The other thing with just doing a standalone bicycle project on one side or the other and leaving the street as it is, is that when we do have the ability to go back and reconstruct the street a lot of that work that we do to fill a bike facility would be removed to improve grade and so, in that case we'd be spending money that we would have to redo in the future.

Commissioner Boley:

So it could be awhile?

Chuck Soules:  
Public Works Director

It's always a touch balance between the needs of the pedestrian, the bicycle, the vehicles, and the right-of-way. There's so many and it's a balance and the budget. The budget was definitely something that we watched as closely as we could.

Commissioner Boley:

Okay.

Mayor Amyx:

You just extended the life of the roadway, the roadbed another 10 or 15 years.

Chuck Soules:  
Public Works Director

That's what we're here for.

Mayor Amyx:

Good job. Okay. Anything else?

Commissioner Larsen:

I would like to see whether or not we can figure out a way to get that signal at Bob White.

Mayor Amyx:

I'll be honest with you. We just did. I mean, in this particular case, I was out there you all have been out there. You see what goes on. I'd hate to have to hike across that roadway. Just to be honest with you.

Chuck Soules:  
Public Works Director

My suggestion would be for you to direct us to go ahead and proceed with the RFQ to get design services started. We will refine the estimates. It could be plus, it could be minus, but with the understanding that we may go over what was previously budgeted. At that point, if the Commission still desires to do that, that you'll authorize the additional funding through capital bonding or something.

Mayor Amyx:

You're not going to do a Maple Street Pump Station on us now, are you?

Chuck Soules:

Right. We'll talk with the Finance Director just to see what



Public Works Director                      best way to do that if we are seeing our estimates be high, but we'll bring that David said at 50% complete and we'll be able to give you a lot better estimate in April than right now when we've taken a bigger view of the whole thing.

Mayor Amyx:                                      As was suggested or think suggested by Commissioner Boley, is that we definitely look at the \$75,000 for the turn lane and have it transit.

Chuck Soules:  
Public Works Director                      Yes.

Mayor Amyx:                                      See if we can do that. That's going to free up some potential indebtedness. Let's see if we can get it down as far as you can. I have no problem saying that we need to that intersection with lights. Okay, so we got any other questions, comments?

Vice Mayor Soden:                              Answers.

Mayor Amyx:                                      What?

Vice Mayor Soden:                              Answers.

Mayor Amyx:                                      No more answers. Okay.

**Moved by Commissioner Boley, seconded by Commissioner Herbert,** to concur with staff's recommendation that we do the mil and overlay from Bob Billings Parkway to Kasold, to Wakarusa, and re-stripe the lanes between Kasold and Crossgate, to update the center turn lane and that estimated cost of \$1 million. We can start the dedicated right turn lane, the bus turnout and the eastbound approach to Bob Billings Parkway and Kasold intersection. That's estimated at \$75,000. Again, with the recommendation to see if they can come out of Transit and approve the sight distance at the intersection of St. Andrew's Drive, estimated at \$30,000. Construct the traffic signal at the intersection of Bob Billings Parkway and Stone Meadows Drive at Quail Pointe, estimated \$300,000. The south leg of Inverness Drive at Bob Billings, my recommendation is that we construct a traffic signal at that intersection estimated cost of \$360,000. Make the necessary construction and ordering the adoption for constructing the traffic signal, estimated at \$350,000 at Bob White. Then to construct the 6-foot wide sidewalk on the south side of Bob Billings Parkway from Monterey Way to Inverness Drive, estimated cost of \$220,000. We direct staff to send a request for proposal to design consultants for engineering services to design the project.

### 3. **Discussion of City Manager position.**

Mayor Amyx presented an update on the City Commission's hiring process for the city manager position.

MayorAmyx:                                      Okay. Next item on the agenda is the discussion of the City Manager's position. Just to give everybody a little bit of background about this project and you all will fill in the gaps because I'm sure half of it I've forgotten because of all the

things that we've been involved with. It's really been a pretty exciting time around City Hall over the last several months. We've had the opportunity to have some really great applicants come forward and want to be considered as the next City Manager for Lawrence, Kansas. I can't say enough about the really, really good people that have opted to step up and asked to go through the process. It's a tough job. You guys all involved with this and here we are, we have 50+ applicants come in and all of a sudden you're thinking "Oh my, these people are all really good." I think it was October 13 during that time frame where we're working with our consultant, Greg Nelson of Ralph Anderson & Associates. Anytime you bring in a consultant, you kind of wonder a little bit, but Ralph Anderson did a great job for us and Greg Nelson did a great job for us in making sure that things ran in a way that we wanted them to run. We made sure that we put out a great brochure that covered so many things that we think that are important. Not only today, but in the future for Lawrence, Kansas. Here, again, we've had some people who've applied that not only can talk about these things, but we've had people sit down and they can show you that they can do it. That speaks volumes. We got a lot of things going on. We've got things from economic development to affordable housing and the gamut between. There are just so many things that Lawrence, Kansas really wants our City Manager to be able to respond to and be able to make solid recommendations for the folks in this community. It's really been good to be able to go through all of this and to really be a part of and have it be extremely professional in the way it all went down. Still in the end, you have to make decisions. Here we are. We've pared it down to a point of 8 people, right? As we go through this process, one of the things that happened was, was that was tough, but all of a sudden everybody says, "You're interviewing them when?" "On Sunday?" "Yeah, all day Sunday." These guys that I've served with they step up and they do their job. Folks, I work with a great group of people. I feel very fortunate. I want to thank you all for first spending your time in doing what's really right for Lawrence, Kansas, but also doing what's really right for the employees of our City. We need to make sure that as we continue this hiring process and we go forward, this person is going to be the boss of our City employees. I know that that's one thing that we take so extremely seriously in this deal, is to make sure that we have the best person who's going to be able to lead our employees in carrying out, not only the policy, but the services that our community demands. As we've gone through, I kept that in the back of my mind. I just know how important that is. Anyway, all of that said, there are two special thank we need to be giving. One is Toni Wheeler. You know the work and the assistance that not only she provided the Commission, but specifically she's been able to help me because I mean to tell you, I'm just lost in all this stuff. Also,

our Interim City Manager Diane Stoddard. I hope she gets to feeling better and I know we all do. She has been a real champ along with all the rest of our staff. I know that this has been a different time, but it's one that our employees have stepped up and just made sure that things were carried out extremely well, extremely professionally and made sure that we never missed anything. We really appreciate all of that work. There's process at this point. I do think that we're here to tell the community and our staff and everybody that'll listen tonight that it is time to move ahead and forward in this process. One of the things that we need to talk a little bit about is the names of the folks that we're going to recommend as finalists and also to talk a little bit about a process of what will happen after we talk about who the finalists are. I don't care which order we do it in but I think one of the things that's really important is that we want to make sure that as we bring finalists in, that they have the opportunity to be able to meet with the City's Executive Team which would include certain department directors and City management staff. That each one of the finalist candidates would get involved with and receive a tour of the City of Lawrence facilities, something that he or she is going to kind of be in charge of, make sure that they operate and all the stuff and then also the big one I think is all three finalists, the candidates will attend an evening public reception and we were planning on having that at the Carnegie Library so that folks will have the opportunity to come personally meet and talk... A couple hour period that evening to be able to actually visit with the finalists that we bring in. It's been suggested that we do that. We'll just talk dates. How about December 17?

Vice Mayor Soden: Before you get too far. There are a couple things I want to mention. Thank you for chairing the Committee

Mayor Amyx: .  
Oh yeah. It is a pleasure.

Vice Mayor Soden: For the Search Committee and also one of the things that you kind of hinted to, is that when Greg, our recruiter came here and was interviewing our staff and all of that, one of the things he made sure to mention was that our City was very professionally run. This is someone who goes into many city halls, many search committees he's dealt with, and he made sure to say ours is a very professional city. I certainly appreciate staff for all of that.

Mayor Amyx: Anything else I forgot?

Commissioner Boley: I'd like to thank Diane and Toni and you, Mike. I really appreciate it. There's been a lot of great work that's been done and I know the Vice Mayor's been involved in a lot of that too. Thank you, Leslie.

Vice Mayor Soden: Thank you.

Commissioner Larsen: I've just been impressed with the smooth operation of this. I haven't been in it long, obviously, but what I've seen has just gone so smoothly compared with what I've seen in other organizations.

Mayor Amyx: Like I said, this could not have been done without you guys. I mean it really couldn't. Anyway, let's talk about a couple of dates, just so everybody gets the idea. It's been suggested that December 17, that would be the day that the candidates, all three finalists would come. That's when the meeting with department directors and the City Manager's staff would happen. They would also get the tour of the City and then that would be the evening on the 17th, would be the public reception at the Carnegie Library. It's been suggested that we need to consider two different times. This is an either/or. Either 5:30 to 7:30 or 6 to 8. My suggestion might be 6 to 8 so that more people have an opportunity to get off work and anyone who wants to come that would be the time. Okay?

Commissioner Larsen: A month is a long ways from now.

Mayor Amyx: You'd be surprised how fast it goes. That's one of the things that I've noticed about this process. Time just goes.

Vice Mayor Soden: Would this person have a start date, the first week of January?

Mayor Amyx: No, that's still to the point of negotiation. We're still a ways away. We still got to pick an individual first and we still got a lot of process to go through. Then on Friday, December 18 one of the things we need to recommend to staff is start filling your calendars now. We need to set a time for Executive Session. That we come to the Session on the 18th where we will discuss matters related to non-elected personnel and that's when we will finish our work at that point.

Commissioner Herbert : What time do you want to do that one?

Mayor Amyx: We'll work around everybody's schedules just so that I know that you have work that morning so is it better in the afternoons for everybody?

Commissioner Larsen: I'll be here regardless.

Mayor Amyx: Okay.

Commissioner Boley: Yeah.

Commissioner Herbert: We appreciate that.

Mayor Amyx: Matthew, on your schedule.

Commissioner Herbert: Yeah. Afternoon will be fine.

Mayor Amyx: Okay.

Vice Mayor Soden: I have a dentist appointment at noon, so hopefully ...

Mayor Amyx: You've got to come out of there.

Commissioner Herbert: Cancel that. Your teeth can wait. The City comes before dental hygiene.

Vice Mayor Soden: Can we do it at 3?

Mayor Amyx: Okay. We can do it at 3. That'll be fine. One of the things we need to be careful of these folks, we need to visit with them so that they understand they may be spending the night again. Just so they know. I don't know what their flight times are or anything like that or travel. Anyway.

Commissioner Herbert: They need to get used to it because they're going to be spending a lot of nights here.

Mayor Amyx: Do those dates work for you?

Vice Mayor Soden: December 18. My dentist appointment was the 17th. I apologize for looking at the wrong date. December 18 is when we're looking at an afternoon Executive Session in which case then I'm more available earlier.

Commissioner Boley: Can we get it done by 4 or do we have to go past 4?

Vice Mayor Soden: The sooner the better.

Commissioner Herbert: Let's move it up then.

Mayor Amyx: We will work out whatever times we can get worked out, okay?

Commissioner Boley: Yeah. Okay.

Mayor Amyx: Is that fair enough?

Vice Mayor Soden: How about I just block out 1 to 4, December 18?

Mayor Amyx: Okay. You do that. Anyway, those dates and those, times, the 6 to 8 for the public session all seem to work and everybody's happy.

Commissioner Boley: That's fine.

Mayor Amyx: Okay. Then we're down to the next part. If there are no other questions or comments on those I will... We had quite a bit of discussions and I think there were truly three names that rose to the top. After we worked with the City Attorney and also again Greg Nelson from Ralph Anderson and Associates. If there are no other questions or comments about this, we'll go ahead and release the names.

Vice Mayor Soden: Let's do it.

Mayor Amyx: Okay. Let's do it.

Commissioner Larsen: It's exciting.

Mayor Amyx: These are actually in alphabetical order so that everybody knows. The first is Roderick "Rod" Bremby and his current position is Commissioner of the Connecticut Department of Social Services. He is a resident of Glastonbury, Connecticut. The second is Cheryl Harrison-Lee. She is currently the City Administrator for the City of Gardner, Kansas and a resident of Gardner, Kansas. The third finalist is Thomas "Tom" Markus. He is currently the City Manager of Iowa City, Iowa and a resident of Iowa City, Iowa. Those are the names that, as we've gone through the process, that those are the names that have risen to the top, and ones that my recommendation or whatever is the ones that we need to consider as the three finalists. Any other questions or comments on that?

Vice Mayor Soden: Do we have to do a motion for that or anything?

Mayor Amyx: Oh, yeah, I'm going lay that out for you here.

Vice Mayor Soden: Okay

Mayor Amyx: If there's nothing else to add, I guess I could ask for public comment... Any public comment? Thank you all for coming tonight.

**Moved by Vice Mayor Soden, seconded by Commissioner Larsen,** to direct staff to work with Greg Nelson of Ralph Anderson and Associates to finalize the arrangements for the finalist candidates to meet with the City's Executive Team, tour City of Lawrence facilities and participate in a public reception at the Carnegie Library on December 17, 2015 and that would be from 6 to 8 in the evening, and then direct the Interim City Manager, Diane Stoddard to place on a future City Commission agenda an Executive Session of the City Commission on December 18, 2015 to discuss non-elected personnel. Motion carried unanimously.

Mayor Amyx: Thank you all very much for all of your work and a special thank you to our staff for all your hard work on this.

Casey Toomay:  
Assistant City Manager It's nice. I just get to sit here and accept all of these compliments for Diane and Toni.

**F. FUTURE AGENDA ITEMS:**

Casey Toomay, Assistant City Manager outlined potential future agenda items.

**G: COMMISSION ITEMS:**

Vice Mayor Soden: I wanted to bring up something that's been getting kind of batted around with the housing study that may be done by a private entity and there has been some concerns from the public that perhaps if we could partner with them somehow to ensure that the best process occurs and therefore, the most neutral outcomes might be a good idea. Diane thought I might bring it up during Commissioner Comments to see how you guys felt about something like that.

Mayor Amyx: I thought the one reason that we weren't doing the study, paying for the study, is we wanted to make sure that those funds were directed to do project on the stuff.

Vice Mayor Soden: Yeah. We don't know how much the cost would be that we would partner with. This is just a way to ensure that we still have our foot in the door and a say in what the process is used and perhaps even the consultant they pick.

Mayor Amyx: Your suggestion is that we direct staff to find out if we can partner with the private people who are doing this?

Vice Mayor Soden: Mm-hmm (affirmative)

Mayor Amyx: Then entertain it later.

Vice Mayor Soden: We could perhaps ask the County, too if they are interested in partnering.

Mayor Amyx: Okay. Is everybody willing to look at that?

Commissioner Boley: I'm happy to talk.

Mayor Amyx: Okay, it doesn't hurt to look I guess. Casey, go ahead and visit with our counterparts at the County and also with the folks that are doing the housing study. Like I said, Vice Mayor, my concern is as we had that debate before, about making sure that ...

Commissioner Herbert: I think that was a specific talking point. I'm pretty sure I specifically that that money was not going to be used for anything other than housing. Not going to spend it looking at something as a study. Not going to spend it looking at something as a study.

Mayor Amyx: It doesn't hurt to look at what the cost would be. Okay. Let's do

that. I'm sorry I brought that up, but I just know we had that discussion before.

Commissioner Herbert: I'm not sorry that you brought that up.

Vice Mayor Soden: Thank you to all three of you and Lisa, too.

Mayor Amyx: Okay. Any other Commission matters? Just so you all know, I want everybody to have a good Thanksgiving. I mean enjoy your friends, your family.

**H: CALENDAR:**

Casey Toomay, Assistant 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 Larsen, seconded by Vice Mayor Soden,** to adjourn at 9:07 p.m. Motion carried unanimously.

**MINUTES APPROVED BY THE CITY COMMISSION ON JANUARY 19, 2015.**

  
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Brandon McGuire, Acting City Clerk