City of Lawrence
Transportation Commission Study Session
December 14, 2017 Minutes

MEMBERS PRESENT: Charlie Bryan, David Hamby, Chris Storm, Mark Hurt, Steve Evans, Erin Paden, Ron May, Kathryn Schartz

MEMBERS ABSENT: Michele Dillon, John Ziegelmeyer, Jeff Severin

STAFF PRESENT: David Cronin, Public Works Department
Nick Voss, Public Works Department
Zach Baker, Public Works Department
Amanda Sahin, Public Works Department
Steve Lashley, Public Works Department

PUBLIC PRESENT: None

A complete video recording of the meeting is available on the City’s website at https://lawrenceks.org/boards/transportation-commission/

ITEM NO. 1:

Review 2018 Street Maintenance Plan

Steve Lashley gave a presentation on the 2018 Street Maintenance Plan.

ITEM NO. 2:

Review sidewalk maintenance enforcement procedures

David Cronin gave a presentation on the current sidewalk maintenance enforcement procedures.

Item No. 3:

Review Calendar

Discussed the 2018 meeting calendar and potential study session topics.
2018 Comprehensive Street Maintenance Program

Date: 11/7/2017

2018 Street Maintenance Program
- Intersection
- Mill, Overlay
- Mill, Overlay, Curb
- Crack Seal
- Microsurface
- Conc Rehab
- Mill, Overlay

2018 CIP/Other Projects
- Kasold Dr Reconstruction - 6th St to Bob Billings Pkwy
- 9th St Corridor - New Hampshire St to Pennsylvania St
- 23rd St Mill and Overlay - Iowa St to Naismith Dr
- 19th St Reconstruction - Iowa St to Naismith Dr
- Queens Rd Reconstruction - 6th St to Wakarusa Dr
- Harvard/Wakarusa Roundabout (2017 Carry Over)
Sidewalk Condition
Sidewalk Inventory - 2006

• 2006 – First sidewalk inventory conducted
  - Info on sidewalk material, width and condition
  - Condition rating:
    - Good - minimum cracking, no wide gaps in surface, no deflections > 1/2“
    - Fair - some cracking present, < 5 deflections of 1/2" or less, minimal gaps in surface < 1/2" wide, minimal weed growth
    - Poor - sidewalk cracking may be extensive, < 10 deflections up to 1/2", occassional deflections between 1/2" and 2"; surface gaps present at 1/2"; may be some overgrowth of grass and weeds in surface of walk (up to 25% of area)
    - Critical - deflections greater than 2", overgrowth of grass and weeds such > 25% of surface could not be evaluated,
Sidewalk Inventory – 2014

- City Conducted 2\textsuperscript{nd} Inventory to update condition
- Walked all sidewalks and provided more detailed info including GPS location of deflections and repair costs.
- 203,608 LF of defects – cost to repair over $6.6M
- 3760 non-compliant ADA ramps (of 7454 total) – cost to repair over $3.8M
- Total cost of $10.4M
Maintenance Responsibilities

- Kansas Statutes Annotated Chapter 12, Article 18 – It is the property owner’s responsibility to maintain sidewalks adjacent to their property.
- City Code Chapter 16 Article 2. SIDEWALK CONSTRUCTION AND REPAIR
  - 16-105 SIDEWALK HAZARDS
    - Defined as raised areas with >1/2” deflection are hazards
  - 16-208 NEW CONSTRUCTION, RECONSTRUCTION, REPAIR
    - City Commission can order sidewalks be repaired by resolution
  - 16-209 NOTICE OF ORDER
    - Provide written notice to comply with KSA 12-1805
  - 16-210 CONSTRUCTION BY CITY, WHEN.
    - If sidewalk is not repair by owner, city can repair and assess the costs to the owner through property tax assessments
- Maintenance includes condition and snow/ice removal
City Maintenance Responsibilities

- City maintains sidewalks in parks and adjacent to city owned property
- By practice, City maintains sidewalks/shared-use paths greater than 8’ width
- By practice, City maintains sidewalks with defects associated with city infrastructure (adjacent to storm sewer’s, manholes and ADA sidewalk ramps).
City Process

- Complaint driven process - City staff doesn’t actively seek non-compliant sidewalks
- Upon receiving complaint – city staff visits site to assess condition
- City staff marks non-compliant sidewalk on that block of sidewalk; even if only one location/address was received
- Staff provides written notification to property owner
- Second Notice – if staff receives subsequent complaint and sidewalk was not repaired a second notification is sent to property owner
- Third Notice – if staff receives third complaint a FINAL NOTICE is sent
- Follow up action would be directed by the City Commission to repair by Resolution
Complaint

From: Wufoo [no-reply@wufoo.com]
Sent: Tuesday, January 15, 2013 8:35 AM
To: Walt Ward
Subject: Damaged Sidewalk [#7]

Location:
Each morning I walk my son to Pinckney Elementary from 744 Mississippi Street. We have found the sidewalks from 620 Mississippi to 636 Mississippi to be quite hazardous. In some places they are cracked, caved in, overgrown, and eroded. Snow days are awful. Strollers and wheelchairs could not pass there safely...if at all.

Name: [Redacted]
Email: [Redacted]
October 22, 2013

Dear Sir or Madam:

It has been brought to my attention that the public sidewalk adjacent to your property at _______ is in need of repair. This sidewalk violates Section 15-105 of the City of Lawrence ordinance, which states that "there are several locations where the sidewalk has settled and broken or cracked, causing a depression greater than 1/2". These areas have been marked with pink paint.

Under state law, specifically Chapter 114 of the Kansas Statutes Annotated, it is the property owner’s responsibility to maintain the sidewalk adjacent to his or her property. In order to ensure safety for all pedestrians using this sidewalk, please repair this sidewalk by January 31, 2014.

If you have any questions, or before undertaking the repair, please call Walt Watt at (785) 841-3725. Thank you for your cooperation.

Sincerely,

David A. Carnes, P.E.
City Engineer, Public Works Department
PO Box 200, Lawrence, KS 66044
Office (785) 841-3200, Fax (785) 841-3398
Email: davidc@lawrenceks.org

We are committed to providing excellent city services that enhance the quality of life for the Lawrence Community.
## History of Sidewalk Complaints

<table>
<thead>
<tr>
<th>Year</th>
<th>Complaints</th>
<th>Letters sent to Property Owners</th>
<th>Repair Made</th>
<th>% Repaired</th>
<th>2(^{nd}) Letters Sent</th>
<th>3(^{rd}) Letters Sent</th>
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<td>44</td>
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<td>2009</td>
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<td>6</td>
<td>*</td>
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<tr>
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<td>*</td>
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<td>23%</td>
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* Not tracked
Challenges

• **Affordability – low income residents**

  “I realize the sidewalk needs repair/replacement and I would have done it some time ago. The reason it has not been done is that we live on social security and cannot afford the expense. I will be happy to show you our tax return and our expenses and if you can find the necessary funds I will have the work done. I ask that you consider our financial circumstance and rescind your notice.”

  “I notice they have marked our sidewalk again. Our financial situation has not changed and it’s embarrassing for me to "beg" the city for consideration, which I’m doing. I am sure that I’m not the only one with this problem. It must occur all across Lawrence. Is there an answer for us? Thanks for your time.”

• **Equality - Not all property owners have sidewalks**

• **Nature – topography, drainage, tree roots, driveways**
Standards/Repairs

- 4” concrete on compacted subgrade – 5’ wide residential/collectors and 6’ wide on arterials
- Brick sidewalks can be replaced with brick or concrete. City can provide bricks for small repairs.
- Replacement Cost of 5’ wide sidewalk at $6/SF
  - 50’ Lot ~ $1500
  - 75’ Lot ~ $2250
  - 100’ Lot ~ $3000
Ped-Bike Issues Task Force

- PBITF Findings – Sidewalk Maintenance Policy isn’t working – there is no plan to fix broken sidewalks and curb ramps
- Studied Revenue generating practices
  - Utility Fee – not allowed by Kansas Statues
  - Benefit Districts – too much burden on low-income residents
  - Property Tax increase – regressive and burdensome on property owners
  - Cost-Sharing plans – still place a burden on low-mod income property owners
- PBITF Recommendation – Establish an equitable and practical sidewalk repair program by 2017 that will bring sidewalk and curb ramps to code by 2030
Sidewalk Maintenance Proposal

- October 2016 – City Commission directed staff to develop program
- March 2017 – Staff presented sidewalk hazard repair policy to require property owners to maintain sidewalk adjacent to their property
  - 1/8th of the city would be reviewed each year
  - City would solicit annual bid for repairs that can be used by private owners
  - Program Funding – annual allocation for city funding the City’s responsibilities. Cost-sharing and financial assistance programs.
- Policy approval was deferred
Questions?