



# City of Lawrence

## CITY MANAGER'S OFFICE

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INTERIM CITY MANAGER

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CITY COMMISSION

MAYOR  
MIKE AMYX

COMMISSIONERS  
LESLIE SODEN  
STUART BOLEY  
MATTHEW J. HERBERT  
LISA LARSEN

October 27, 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 Thursday, October 29, 2015 as Lights on AfterSchool; and, Saturday, October 31, 2015, between the hours of 6:30 p.m. and 8:30 p.m. to be Halloween Trick or Treating night.

### B. CONSENT AGENDA

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

1. Approve City Commission meeting minutes from 06/23/15.
2. Receive minutes from various boards and commissions:  
  
Bicycle Advisory Committee meeting of 09/21/15  
Planning Commission meeting of 09/21/15  
Public Health Board meeting of 08/17/15  
Sustainability Advisory Board meeting of 09/09/15
3. Approve all claims to 265 vendors in the amount of \$3,585,690.96 and payroll from October 4, 2015 to October 17, 2015, in the amount of \$2,004,821.18. Motion carried unanimously.
4. Approve licenses as recommended by the City Clerk's Office.

#### Drinking Establishment

#### Expiration

Encore Café  
Snowfinch Inc.  
1007 Massachusetts St.

October 20, 2015

Crimson & Brews  
Ryan M. Weekley  
925 Iowa St. Suite Q

October 31, 2015



Mad Greek  
Giorgios Pizza Express of Kansas Inc.  
907 Massachusetts St.

November 1, 2014

Chipotle Mexican Grill  
Chipotle Mexican Grill of Kansas LLC  
1420 W. 23<sup>rd</sup> St.

November 5, 2015

**5. REMOVED FROM CONSENT AGENDA – NO APPOINTMENTS. ~~Approve appointments as recommended by the Mayor.~~**

**6. Bid and purchase items:**

- a) Award bid for new/spare pump for Kaw Wastewater Treatment Pump Station 5B to DPX SuperCenter for \$99,500.
  - b) Authorize the City Manager to enter into a contract with Nutri-Ject Systems, Inc. for the 2016 Biosolids Land Application, at \$14.96 per cubic yard, with the option to extend for additional years at both parties consent and to allow for inflationary increases.
  - c) Authorize design services for 6<sup>th</sup> Street and Champion Lane signal plans, Project No. PW1507, to BG Consultants in the amount of \$8,500.
  - d) Approve as sole source purchase, and approve payment to the *Lawrence Journal-World* for printing and distribution of the 2016 Winter/Spring Activities Guide, for \$19,660.
7. Adopt on second and final reading, Ordinance No. 9162, for a Special Use Permit (SUP-15-00334) for an *Active Recreation* use, an indoor/outdoor KU Tennis Facility, at Rock Chalk Park, located at 6100 Rock Chalk Drive (associated with 100 Rock Chalk Lane).
  8. Receive request to annex approximately three (3) acres, A-15-00525, located at 1041 N 1700 Rd, and authorize the Interim City Manager to notify utility companies and Douglas County Rural Water District #1 of the request. Submitted by BG Consultants, Inc., for Wedman Construction Inc., property owner of record.
  9. Accept dedications of right-of-way and easement, and vacation of right-of-way for Quarry Lane associated with Minor Subdivision, MS-15-00213, for Rockledge Addition No. 2, located west of 2112 Bob Billings Parkway. Submitted by Landplan Engineering, for Robert W. Lichtwardt and Elizabeth T. Lichtwardt Revocable Trust, property owner of record.
  10. Authorize the Mayor to sign the Release of Mortgage for Benjamin M. Gibler and Dayna J. Lee, 2732 Rawhide Lane.

**C. CITY MANAGER’S REPORT:**

Diane Stoddard, Interim City Manager, added that the Affordable Housing Advisory Board set their first meeting, Wednesday, November 4, 2015, from 11:00 a.m. to 1:00 p.m., in the City Commission Chambers.

D. PUBLIC COMMENT: None

E. REGULAR AGENDA ITEMS:

1. Consider the following items related to the KU Central District Plan:

a) Receive briefing from University of Kansas Officials regarding the KU Central District Plan and Transit Center Update.

b) ~~Consider directing staff to work with KU on the completion of the Preliminary Design Plans/Field Check Plans for 19<sup>th</sup> Street, from Naismith Drive to Iowa Street.~~

Tim Caboni, Vice Chancellor for Public Affairs, Kansas University, presented the report.

Vice Mayor Soden: You mentioned the facilities and that you are going to lease them. Is that going to be an arrangement for the transit center, or are we are going pay outright and just be able to use it?

Tim Caboni:  
Vice Chancellor- Public Affairs  
University of Kansas

What I have seen is that it is not part of the P3 arrangement. The number that I saw is that there may be as much as 80% funding available from the federal government that we would have to match with a 20% investment and some collaborative effort to do that, between the city and the university. I think that my hope would be, and our hope would be, that we would do that in such a way that didn't require long-term bonding.

Mayor Amyx: Tim, obviously, partnerships have been great with University of Kansas, so we are happy to be involved with many of the past projects that we had. Looking forward on this, this is pretty bold. I have got to say that, but one of the things that obviously, as a member of the governing body, I have to be concerned about is the neighborhoods that we have around the area. Is the University planning on going through our development process? How does that work? I want to make sure that, as we do this ... Obviously, as somebody who used to live in the 1900 block of Alabama, drainage was a major concern, and the University has been very involved in slowing that water as it comes south. With the number of improvements that they have, do we expect that process to happen? Can you address some of those things?

Tim Caboni:  
Vice Chancellor- Public Affairs  
University of Kansas

Absolutely, and its good timing. We have received the city's appointments to our joint university neighborhood committee. It is the one that we have used on multiple occasions to do these projects, not just to solicit input, but really to shape the work that we do together. This s a true partnership, and there has been a lot of consideration given to some of the drainage challenges that used to happen, used to occur, years ago, and the work the University has done to create holding areas and

places for this water runoff to go. Obviously, that will be an important consideration as we move forward on this project. My hope is, and the hope of the chancellor is, that we have the same kind of strong engagement from the neighborhood, that we want to listen and hear opinions and have them involved in the conversation, and we want to use that to make sure that we get to a solution that is good for the University and good for all the folks that live next door to us. We want to be good neighbors, and we want to listen, and we want to be good partners too. There is a date, but I think that it's going to have to be moved. We are looking at some time in November for the initial meeting, at least internally, so we will get moving, pretty quickly.

Mayor Amyx:

Again, going through the process, how do we normally do that?

Scott McCullough:  
Planning & Development  
Services Director

Mayor, for a joint land use agreement, for the City and KU, the University gets together with this ad hoc committee, presents to that committee. It is filled with City representatives and neighborhood representatives. Essentially, the University runs meetings, usually a series of meetings, to present the project, receive input. It is very typical that the City representatives will bring back issues to different departments and be that liaison to the committee. I see a lot of input from our storm water engineer, Matt Bond, Public Works. For the City, it is going to be Public Works and Planning Office and Transit, as I understand it, sitting on those committees, because of the issues of this particular project, which is probably the largest project of its size that we have applied the land use agreement process to, but as a KU project, KU will process that, and we will receive that input. They will receive that input with the Chancellor's office, I believe, being the final say in any issues through that process.

Tim Caboni:  
Vice Chancellor- Public  
Affairs  
University of Kansas

I think that one of the great examples we have, of how this works, are the shielding we now have up, on the engineering building. There were some real concerns from the neighborhood about the venting units that were up there, and the University installed to the tune of almost half a million dollars, if I recall, correctly, shielding for that so that the folks that live there, on Crescent, have something to look at that doesn't look like a lunar lander but is louvered. We think that this is an important process. It is one that we believe in, and support, and want to work hard to be good neighbors.

Mayor Amyx:

Okay, very good.

Vice Mayor:

I have another question.

Mayor Amyx:

Yeah, please.

Vice Mayor: The transit center that we are partly funding somehow, is that going to go through the standard bid process that we use? What are the plans for that?

Tim Caboni:  
Vice Chancellor- Public  
Affairs  
University of Kansas

I think that it is much too early to talk about what that looks like. We haven't even figured out to whom we would apply, where it would be located, what does it look like, but I think that one of the things that we want to make sure that we do is that we work hand-in-glove with you all, as investors in the project, so we will figure out how we do that in a way that is sensitive to the needs of the community and the wish of the Commission as well.

Mayor Amyx: Did you have a question? Along with the question of the Vice Mayor, does that mean that we will have that opportunity if we would require that those bidding processes do happen? That is the possibility.

Tim Caboni:  
Vice Chancellor- Public  
Affairs  
University of Kansas

I think that if we are partners on this, and that is something the Commission thinks that we have to do, we want to do everything in our power to work with you, to get to good.

Mayor Amyx: Very good. Tim, are we at the point where we can talk about Edgemore or the developer or who all is involved with this?

Tim Caboni:  
Vice Chancellor- Public  
Affairs  
University of Kansas

We can talk a little bit about Edgemore. One of the things that have been part of that process, one of the concerns that we wanted to address and that I want to make sure I am explicit about, are that as part of that contract we are going to expect that many of the subs are local Kansas and Lawrence contractors. This is a \$500 billion worth of construction that is going to bring jobs to Lawrence and bring jobs to the community. That is really important, and it was part of the beginnings of the negotiation as we did this. We don't want lots and lots of folks from outside coming in, to do this. We want to take every advantage of the talent we have here in our community.

Mayor Amyx: Thank you. Commissioner, you have something?

Commissioner Boley: Tim, we appreciate your coming and talking to us. There is couple of things. Storm water is an old story for the neighborhood. We appreciate you working on it, but there are some new twists to this with three streets that haven't been through before and traffic impacts on the neighborhoods. Especially concerned is the grade school on Ousdahl, so we would be real interested in working with you on those, and if you have information about what you're anticipating, it would be good to get it.

Tim Caboni:  
Vice Chancellor- Public  
Affairs  
University of Kansas

Absolutely, we would be happy to provide that.

Commissioner Boley:

Good.

Tim Caboni:  
Vice Chancellor- Public  
Affairs  
University of Kansas

I know that there are conversations around changing traffic patterns and roads that are going to be widened, or narrowed, or changed.

Mayor Amyx:

Okay. Matthew, did you have anything? Okay. That is everything?

Tim Caboni:  
Vice Chancellor- Public  
Affairs  
University of Kansas

That is all I have got for right now.

Mayor Amyx:

Really?

Tim Caboni:  
Vice Chancellor- Public  
Affairs  
University of Kansas

Look for an interesting announcement from the University tomorrow about 10:30 in the morning, then. I will tease. Can I do that?

Mayor Amyx:

Thank you.

Tim Caboni:  
Vice Chancellor- Public  
Affairs  
University of Kansas

Thank you, Mr. Mayor.

Mayor Amyx:

Diane, do you have anything?

Diane Stoddard:  
Interim City Manager

I believe that Bob Nugent is here. Bob, I don't know if there is any additional that you might have to add, related to the transit decision.

Bob Nugent:  
Transit Administrator

No, not really. Tim speaks well, so he did a pretty good job of speaking for us. We don't know what your future is like right now, so we will wait to see how it plays out.

Mayor Amyx:

Okay. Was there any public comment on this item, this evening? There is nobody public here, to speak to this item? Yes, ma'am.

Pam Burkhead:

I live at 1720 Indiana, and the new concerns about the transit hub being right at the corner of my neighborhood, I would like to know more about that, and the impact because I am worried

about the traffic. Everything that the other neighbor had said, it is ditto, here, as well. I just wanted to get my comments in.

Mayor Amyx: We appreciate that. Are there any other comments, this evening? Yes, ma'am.

Ann Cobb: I live at 1800 Mississippi Street, and this is an extension of what was just said. I was concerned about the entry and exit into the new parking facility, and there is a reference in the memo that came to us today, about that 18th Street would be rebuilt, and I think that is what you were addressing. Do you have any idea in what way besides opening up? I also, of course, have an interest in the amount of traffic that that will increase, going right by my house. I am sure that the other neighbors feel the same. Are we at a point where any of that is known?

Mayor Amyx: I think that we are so early into this project that it is too early to tell on that. I believe that this process and the representatives that we have working with the University, it is going to be very open, so you are going to have that opportunity to be able to participate in any and all of this. I think that will be something that is very good too.

Ann Cobb: All right. Thank you very much.

Mayor Amyx: Other comments, this evening?

Jennifer Hansen: I am also in the 1700 block of Indiana, and I am a little concerned about a transit hub being located over by the rec center. I think that the traffic patterns are a concern, and I am not sure that is the best location for a hub, given the neighborhood and the location of it. Thank you.

Mayor Amyx: Thank you. Any other comments? Okay. Thank you all for coming this evening, and we will see if we can get out as much information as we can. Diane, direction at this point on Item A? Any specific direction you need, continuing to...?

Diane Stoddard:  
Interim City Manager

I don't think so, Mayor. We will continue to keep the Commission up to date on these things related to the transit discussion. As was stated, it is very preliminary at this point, and there is a lot of information for us to gather, and we would certainly be sensitive, I know, in conjunction with the University as well to the needs of the neighborhood. Related to transit, we have looked at a number of different locations. As you know, during each one of those, we have tried to be very sensitive, and we have understood from the neighbors some of the concerns that they have, so we will be bringing more to you on that.

The Commission received the presentation with no further action.

- b) **Consider authorizing the Mayor to execute an Engineering Services Agreement with PEC for the completion of Field Check Plans for 19<sup>th</sup> Street, from Naismith Drive to Iowa Street, in the amount of \$166,000, which will be equally split (\$83,000 each) between the University of Kansas and the City of Lawrence.**

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

- Mayor Amyx: Any questions?
- Commissioner Boley: We did not reconstruct the intersection of Iowa and 19th Street when we did the Iowa work, recently.
- Mayor Amyx: No, we haven't.
- Commissioner Boley: Are we going to qualify for some money from the State for that work?
- Chuck Soules:  
Public Works Director: We could. It depends. Iowa Street is still on the State system. It is usually a competitive process. That is a possibility.
- Commissioner Boley: If we go and spend this money now, are we going to be able to get some of it back from them when we work on that intersection? How do we get that money?
- Chuck Soules:  
Public Works Director: At Iowa Street?
- Commissioner Boley: At Iowa and 19th. That intersection is tough.
- Chuck Soules:  
Public Works Director: Yeah, this project would go from that intersection, so from ...
- Commissioner Boley: I thought it was from Constant.
- Chuck Soules:  
Public Works Director: We are asking them to go across the street with the survey, to make sure things do tie in. At this point, we don't have a State project that is identified, to make those improvements on Iowa Street.
- Commissioner Boley: I am sorry. When I saw the Constant to Naismith, I thought that that intersection would be included in this work.
- Chuck Soules:  
Public Works Director: They are going to look at it, but that won't be reconstructed as part of this project.
- Mayor Amyx: Okay. Other questions? They are going to look across the street, look across Iowa?



Chuck Soules:  
Public Works Director

It is more for coordination, to make sure that if we need additional turning lanes. We are only doing field check plans, so we are not getting final design. 19th Street, if we are going to need additional lanes there, as you are coming off of Iowa Street, that enters into that, in grading, to make sure that ties in. Right now, we don't have a construction project at 19th and Iowa. Now, just because we develop plans, if we decide to go ahead and further do another project there, that doesn't disqualify us from asking KDOT for construction funding.

Commissioner Boley:

Wouldn't that be a good idea, to start that?

Chuck Soules:  
Public Works Director

We can take a look at that.

Mayor Amyx:

It seemed to me that that intersection is an awfully important part of making this work. It is part of the State highway system at that point.

Chuck Soules:  
Public Works Director

Mm-hmm (affirmative).

Commissioner Boley:

They asked us to leave it out from the work that we did on Iowa Street, as I recall.

Chuck Soules:  
Public Works Director

When we milled and overlaid it?

Commissioner Boley:

Right.

Chuck Soules:  
Public Works Director

Yeah. That was for accessibility issues, to get the sidewalks and stuff, and that is why we had to leave it out, but we can definitely add that, definitely look at that.

Mayor Amyx:

Yeah, let's do that.

Chuck Soules:  
Public Works Director

Okay.

Mayor Amyx:

I think that would be good. Okay. In a normal process, when we are looking at an engineering firm, we would send out an RFP or RFQ for a firm. We would go through that process. We would bring a recommendation back once we received those consultants, coming forward, engineering consultants. Obviously, in this particular case, we have a situation where PEC, as you said, a very qualified consulting engineering firm who has been doing all the work in the area, knows everything that's there. It is your recommendation. Rather than going through that process, and we have a company, a consultant, that has already done that, is it your recommendation that we would use them, and that the

negotiated price is fair and figures into the normal pricing factors, I guess?

Chuck Soules:  
Public Works Director

That is correct. Typically, we would go through an RFP process, but because of all the reasons that I listed, PEC would have been the chosen firm. It makes sense. They are very familiar, and, as Mr. Caboni mentioned, this is an accelerated project. We need to catch up, and PEC is about the only firm that has the information to make this happen.

Mayor Amyx:

Did you anticipate the utility work being part of this \$166,000 in the beginning?

Chuck Soules:  
Public Works Director

When we started talking about it, we started talking about the street. We knew that the utilities had some water lines that they were going to do. In fact, they are actually doing Ousdahl. They are going ahead and replacing the line on Ousdahl, from 23rd to 19th, and then they are up-sizing that.

Mayor Amyx:

Right.

Chuck Soules:  
Public Works Director

We briefly discussed it, but we have not included it in this scope. We need to come back with an amendment. It can be separate from this, with PEC, and Mike Lawless is working with ... I think that he has contacted you, I hope, to talk about that scope.

Mayor Amyx:

Okay. All I was thinking was that we didn't think we were getting the utility part, and then it was pulled out at the last minute. It wasn't included.

Chuck Soules:  
Public Works Director

It was not included in the \$166,000.

Mayor Amyx:

Lisa?

Commissioner Larson:

Yeah, a couple of things.

Mayor Amyx:

Sure, please.

Commissioner Larson:

I noticed in the field checklist that you have got here a design for complete street features for sidewalks built in, north and south, as well as a bike lane on the north and south side.

Chuck Soules:  
Public Works Director

Mm-hmm (affirmative).

Commissioner Larsen:

Does that mean they are going to actually be in the final design product, or is it just checking to see if it is going to be feasible?

Chuck Soules:  
Public Works Director

That would be what we are anticipating, the final design. Now, I am not sure. We will have to talk with KU, whether we end up with a multi-use path on that north side or a six-foot sidewalk. Right now we have got a six-foot sidewalk in here, but those are minor adjustments that can be made.

Commissioner Larsen:

Okay. It would be nice to see them on both sides, if you can.

Chuck Soules:  
Public Works Director

Oh, sidewalk would be on both sides, definitely.

Commissioner Larson:

Okay, great. Another thing is what is the final product we get from this? Is it a report, is it a design draft or...?

Chuck Soules:  
Public Works Director

It will be preliminary plans, field check plans. They will be for the 24 by 36 inch sheets. We will go through, and we will walk the site and make sure we don't have any things that we have missed. The next step from there would be finishing up the plans. It will be final design, office check plan. It will be all the details and stuff, but we will get a limited, what we will call preliminary, set of plans. It will be 50% complete.

Commissioner Larsen:

Okay. Thanks.

Mayor Amyx:

Anything else for Chuck?

Commissioner Herbert:

Do we have any ideas? As I am going through the report that you gave us, you have supplemental services go on, for two full pages, there. Do we have any idea of where we are going to be at, cost-wise? I know that we had thrown out this initial number, but as I look at the additional services, a lot of this stuff seems to be logical to include in a package like this, and I wonder where we are going to end. For instance, they are up-charging for design of street lighting, design of traffic signal systems. There seems to be a lot of things in here that potentially become incorporated in this project, but not initially incorporated in the cost, and I am trying to project where our ceiling is at before we end up with a change order or something like that.

Chuck Soules:  
Public Works Director

All the supplemental stuff that is listed there would typically be in the final design. Like I say, it is about a 50% check, so you are probably about twice that. We are hoping to be a little bit less because you get all the survey out of the way. You get a lot of the right of way issues and stuff like that out of the way, but you are probably at about half that field check.

Commissioner Herbert:

Okay.

Chuck Soules:

That is not an uncommon understanding. We usually come to

Public Works Director the Commission with, "Here is the whole package." It would be \$280,000 or \$300,000. We are only going 50% right now.

Commissioner Herbert: Okay.

Mayor Amyx: Anything else? Thanks, Chuck.

Chuck Soules:  
Public Works Director Mm-hmm (affirmative).

Mayor Amyx: Diane, did you have anything additional on this?

Diane Stoddard:  
Interim City Manager No, Mayor.

Mayor Amyx: Is there any public comment on this item? Tim, do you have anything additional on this item? Okay. If there is no public comment on this item, we will bring it back to the Commission. \$166,000 divided by 2 is \$83,000 each. Field check, we do want to go ahead and talk about adding the intersection to the state highway for consideration, for improvements there. Anything else we want to ask for? If not, I think, we have got a great consulting firm. I appreciate the fact, Vice Mayor, and I did have discussions with staff yesterday about bidding process and make sure at any time that we go through our normal bidding process that we understand the importance in this particular case of being able to use PEC with the amount of work that they have already done in the Central District, so I think that probably somewhere along the line it saves us a little bit of money, not having to go back and redo the work again. I think that it is probably a smart move to go ahead and participate in this with the University of Kansas. We will probably get the best information we can at this time. Any other questions or comments? Okay. Then I would entertain a motion to authorize the mayor to execute an engineering services agreement with PEC for the completion of field check plans to 19th Street, from Naismith Drive to Iowa Street. The cost will be \$166,000, and split \$83,000 each between University of Kansas and the City of Lawrence, and also with the addition of the Iowa Street intersection and that change. That is not part of this contract, but that's an important part of the deal for us. Anyway, I will entertain that motion.

**Moved by Commissioner Herbert, seconded by Commissioner Larsen, to authorize the Mayor to execute an Engineering Services Agreement with PEC for the completion of Field Check Plans for 19<sup>th</sup> Street, from Naismith Drive to Iowa Street at the cost of \$166,000 and split \$83,000 each. Motion carried unanimously.**

2. **Consider the following items related to Alvamar:**

- a) Consider approving rezoning, Z-14-00552, of approximately 51.85 acres from RS7 (Single-Dwelling Residential) District, RM12 (Multi-Dwelling Residential) District, and PUD [Alvamar] (Planned Unit Development) District to RM24-PD Overlay (Multi-Dwelling Residential Planned Development Overlay) District including property located at 1800, 1809, and 2021 Crossgate Dr. Submitted by Paul Werner Architects on behalf of Alvamar Inc, property owner of record. Adopt on first reading, Ordinance No. 9154, to rezone (Z-14-00552) 51.85 acres from RS7, RM12, and PUD to RM24-PD Overlay, located at 1800, 1809, and 2021 Crossgate Dr. (PC Agenda Item 3A; approved 9-0 on 8/24/15)
- b) Consider approving a Special Use Permit, SUP-15-00389, for Active Recreation uses in the Alvamar Planned Development, 1800 and 1809 Crossgate Drive, proposed lots 1 and 3, including tennis courts, swimming pools, and accessory structures to community recreation uses. Submitted by Paul Werner Architects, for Alvamar Inc, property owner of record. Adopt on first reading, Ordinance No. 9155, for Special Use Permit (SUP-15-00389) for Active Recreation uses in the Alvamar Planned Development, 1800 and 1809 Crossgate Drive. (PC Agenda Item 3B; approved 9-0 on 8/24/15)
- c) Consider approving Preliminary Development Plan, PDP-15-00247, for Alvamar, containing approximately 50 acres and located at 1809 Crossgate Drive. The plan proposes the construction of a new entrance road from Bob Billings Parkway, Multi-Dwelling Structures containing 292 dwelling units, Active and Passive Recreation uses including a new clubhouse and event center, and Assisted and Independent Living uses containing 124 dwelling units. Submitted by Paul Werner Architects, for Alvamar Inc, property owner of record. (PC Agenda Item 3C; approved 9-0 on 8/24/15)

Mayor Amyx removed from the item the following: “the assisted and independent living uses containing 124 dwelling units.”

Sandra Day, Planner, presented the staff report.

- Mayor Amyx: As brought yesterday, the final development plan will not come back to the Lawrence City Commission. Correct?
- Sandra Day: Correct  
Planner
- Mayor Amyx: The final decision rests with the Planning Commission.
- Sandra Day: Yes, and that is under the code prior to 2006. That would  
Planner have been the process.
- Mayor Amyx: Okay. At this point, before we start requesting any of this stuff, ex parte ... Oh, yeah, I should have guessed. There we are. Randy?
- Randy Larkin: Yes Mayor. This is a rezoning matter, special use permit  
Senior Assistant City Attorney such that you sit in a quasi-judicial capacity, which basically

means that you are going to hear the evidence, apply the law or the rules of the City Code, and make a decision. When you sit in that capacity, then certain due process rights attach, and one of those is that you disclose any information you may have received from a third party outside the City so that all the commissioners have the same information on which to make a decision so that any proponent or opponent of the project has the right to either rebut it or come back and state it. Basically, if you have had any communications with any third party outside the City regarding this issue, you should disclose who you talked to and the subject of what you spoke about. If it is already in the record, it would be sufficient to say that there is nothing outside of the record that you talked about. Do you have any questions?

Mayor Amyx: Okay. Any questions? Vice Mayor, do you have any ex parte?

Vice Mayor Soden: No. I was looking. I think that I got an email yesterday, but I think that it was sent to all of us, so I was going to verify.

Mayor Amyx: Okay. The same. I have received probably several emails over the course of this that I believe had been addressed to everyone, and I think that we all would have that information. The concern I would have is that four members of this body may have a little bit more email contact prior to Commissioner Larsen being seated. I don't know what effect that would have. I am thinking outside there a little bit.

Randy Larkin:  
Senior Assistant City Attorney I do not know if there are any. Are there email communications that Commissioner Larsen has not received that the rest of the Commission has? You don't know?

Mayor Amyx: I don't know what they would be. I know that we received them, but it would be information that the four of us may have that she may not have been privy to, and without taking a couple of hours and going through this thing, I couldn't tell.

Randy Larkin:  
Senior Assistant City Attorney Was there anything, then, if you recall, any information from any of those emails that is not in the record now, that you are aware of?

Mayor Amyx: I believe all of it is in the record, yes.

Randy Larkin:  
Senior Assistant City Attorney Then she has received that information. It is in the packet, so you do not have any more information than what she has?

Mayor Amyx: I figured I would bring it up at this time if there would be a question. Commissioner Herbert?

Commissioner Herbert: Oh, yeah, I received a handwritten letter from the president of the Woodfield Meadows Homeowners Association. I think that is correct, off Crossgate Drive. It was not specific to this project, but more of a general ... That the neighbors are upset at the volume of traffic going up a private street.

Mayor Amyx: Okay. Commissioner Boley

Commissioner Boley: I got an email from David Lerner on August 26, and I forwarded it on to the interim City Manager because it was an inquiry more than a "This is my opinion." I think that Diane took care of that. That is the only thing I have got that is out of order.

Mayor Amyx: Commissioner Larsen. Have you got anything we need to know about?

Commissioner Larsen: I spoke to a few of the neighbors based on the letters that they had written, so no new information off of those, no.

Mayor Amyx: I am sure it's the same information that we both probably received over the course of this.

Commissioner Larsen: Yeah, clarification on the letters is all I asked for. That's it.

Mayor Amyx: Thank you. Sandy. Are there any questions of Sandy at this time? Or staff presentation.

Vice Mayor Soden: I am going to ask it. I am sure it's not for Sandy. I'll put it out there.

Mayor Amyx: Just in case.

Vice Mayor Soden: I wanted to double check that the infrastructure that was putting in the developer was arranging that and paying for that. Any changes or upgrades to it, the water lines and the roads? That is why I was like I am sure it's not for her, but I am throwing it out there.

Scott McCullough:  
Planning and Development  
Services Director

Vice Mayor, I can answer that. Yeah, any development-related infrastructure improvements, which there will be some, in terms of sewer and water and private utilities, and I believe there is a turn lane in Bob Billings Parkway that we didn't get into a lot of the detail, but as that new street hits Bob Billings Parkway, any of the demands that the development brings to the infrastructure will be paid for by the developer.

Mayor Amyx: That could include anything from benefit district financing could be asked for, but those final decisions rest with this

body, correct?

Scott McCullough:  
Planning and Development  
Services Director

It could be. There are no requests on the table as I understand it.

Mayor Amyx:

Okay. Do you have any questions for the staff?

Commissioner Boley:

Yes. How wide are the streets? We are talking three different segments of the streets?

Sandra Day:  
Planner

If you can give me a minute. Okay. Crossgate, as a public street, would be a minimum of 60 feet wide, so the two segments that are at the north and the south end should be a minimum of 60. They may need to be a little bit wider, especially at Bob Billings Parkway. At that north end, we will finish reviewing that particular final width as we move through a final plat. The interior segment, they are proposing a 30-foot wide access utility easement. That is not terribly unusual. Usually, you have a utility easement. Sometimes you have a parallel ... I am sorry, a 30-foot utility access easement with a parallel just utility easement to accommodate the road width, typically 27-foot sidewalks, utilities that would be going through that particular piece.

Scott McCullough:  
Planning and Development  
Services Director:

I'm sorry. The 60 feet is the right-of-way and then the pavement and the sidewalks and utilities go within that right of way.

Commissioner Boley:

Okay. Is that street always going to be a private street? Is that how that works?

Sandra Day:  
Planner

That would be the expectation.

Scott McCullough:  
Planning and Development  
Services Director

Yeah, and what the development gets for that being a private street is they get the benefit of closer setbacks for the buildings and the ability to put parking on the street. The City, then, doesn't maintain it, so that is a benefit to the City. Private streets are required to be built to City standards in terms of its depth in materials and width, those sorts of elements, because they still act as streets. If, in the future, it is requested of the developer to dedicate it to the City, then we know it's built to City standards.

Commissioner Boley:

Okay, but they don't have the existing easements that would have gone with the private streets?

Scott McCullough:  
Planning and Development

We would need to capture those in some fashion, in the future.



Services Director

Mayor Amyx: We would receive those through a platting process or part of this development plan?

Scott McCullough: In the future, as a dedication. Yeah, any utilities we need Planning and Development Services Director today are by easement on the plat that Sandy is presenting to you. Correct.

Mayor Amyx: Okay. In all of this, the discussion, if approved, this future road, future Crossgate or whatever it is, to the north, tell me what would be the anticipated sequence of when this new road is built. The reason that I bring that up is that the far west end of Bob Billings Parkway, in the discussions that the Commission has had, as to the amount of traffic that is going through the neighborhood, especially the large truck traffic, construction traffic, would the street be required to be built first?

Scott McCullough: One of the conditions of approval is that the developer Planning and Development Services Director presents a plan for construction and for phasing and how we get contractors up to the facility. That is one of the reasons we advocated for going to the planning commission with this, and not just administrative, because that was one of the bigger concerns of the neighbors' input, through the process, so conceptually there would be a construction road built to do the construction, and also the requirement of the street being finalized by the time even Phase 1 is occupied by occupants. That is in concept form today. Some details need to be worked out. Even constructing the road, to get to the main thing, is going to take a little bit of traffic through one of the ways in, through Crossgate, today. It is going to take some thought, it is going to take a little bit of process, and quite a bit of public input, I would say.

Mayor Amyx: Do we have the condition in place? Are the conditions sufficient to cover, as I read it, to make sure that that happens so it is understood that that is the process?

Scott McCullough: Condition J, 1J, of the preliminary development plan speaks Planning and Development Services Director to a phasing plan that shall address construction routes ... To the development areas, and that, I believe, would be one of the primary plans presented to the planning commission with the final development plan, before any permits are ever granted for the development. We have a very clear understanding about what that construction route looks like in the phasing of it.

Mayor Amyx: Okay. As long as that covers it.

Scott McCullough: We don't have the answers or the details today.

Planning and Development  
Services Director

Mayor Amyx:

Right, right.

Scott McCullough:  
Planning and Development  
Services Director

What we have is the condition setting up the framework, to get those answers, make them public, and go through a public process with it, before any permit is issued.

Mayor Amyx:

Okay. With that condition, that is on the staff's recommendation, there, in the planning commission recommendation, that is sufficient to cover. Before anything can happen in the process, it still has to continue that review and final parking and the entire plan has to be in place?

Scott McCullough:  
Planning and Development  
Services Director

Yes, sir.

Mayor Amyx:

Okay. Just checking.

Scott McCullough:  
Planning and Development  
Services Director

Mr. Warner may have more information to share tonight from the planning commission on some thoughts about that.

Mayor Amyx:

Right. Okay. Any other questions of the staff at this time?

Commissioner Larsen:

I've have got one.

Mayor Amyx:

Please.

Commissioner Larsen:

On the new road that is going to be built, how are they going to deal with all that drainage, the drainage issue that runs through there?

Scott McCullough:  
Planning and Development  
Services Director

It will need to be engineered, obviously, to take into account all those. It is not going to be a cheap road. I think that Paul would attest to that it is going to take some cost to deal exactly with that issue, which is the drainage issue. It will be engineered to address all of those. Mapon has already been working with Mr. Warner's office on some of those concepts. Yeah, it's a big part of it.

Commissioner Larsen:

Okay. That has to all be provided the City before they can proceed with that?

Scott McCullough:  
Planning and Development  
Services Director

Correct. That will be a public street designed for all the City's engineering design standards.

Commissioner Larsen:

Okay.

Mayor Amyx: Scott, or Sandy, one other question that deals with the storm water engineers, a condition. Is there going to be a drainage study that is a blanket over all of this, and then there will be a storm water plan for each of the final development plans?

Scott McCullough:  
Planning and Development  
Services Director Yeah, we understand that there are some revisions to water features outside the scope of this project that are on the golf course itself. The City will be looking at those as well as the impact of the development, the parking lots, the buildings, the drives, on storm water. It all has to work together. We are, I think, very much in tune with addressing those issues out there.

Mayor Amyx: We are going to have the one big plan, and as changes or final pieces of the final development plan come forward, there will be another requirement from the storm water engineer that a new study has to be done, or whatever happens, a new plan has to be done.

Scott McCullough:  
Planning and Development  
Services Director Right. I think that we are closer to coordination than step by step, at least for lots 1 and 3 and 4, for the apartments and the main commercial facility. Again, Paul may have some updates to the timing of that.

Mayor Amyx: Okay. Any other questions of the staff?

Commissioner Larsen: None of the permits that are going to be required after this vote tonight comes back to the Commission? Everything is done through your office?

Scott McCullough:  
Planning and Development  
Services Director On the apartment lot and the golf course lot, that's true. It will go back through the planning commission. You will see the other two lots that don't have development proposed through the preliminary development plan process at a later date.

Commissioner Larsen: Okay.

Mayor Amyx: Anything else? The applicant.

Paul Warner:  
Paul Warner Architects It is great to finally get to talk about Alvamar. I think that we've been working on this almost for a year now. Sandy did a great job walking you through all the steps. She had way more slides than I have got. I have got, I guess, one, what I would like to call a prettier picture. It is a huge file, so we will work on that. Before you are really a plan to save Alvamar. Our plan will allow Alvamar to continue as a viable operation. What is a little unique about this is, it is not just a land use problem or item in front of you guys. It really is about buying a business. Alvamar is a business. What we

are looking at are our ideas and concepts and plans to let Alvamar continue. We can't go out and convince 1,000 people to spend \$500 a month and take up golf. We just can't generate that many golfers. It is about a variety of activities, as Sandy mentioned, active recreation things, pool, fitness center, new banquet facility. Obviously, golf is a major item here, but it is about all those other activities that we see bringing a new life into. It is a schematic plan, which as Sandy mentioned, the plan she showed you had a little bit more details, but I like to use this as the overall big picture. Right where the public clubhouse is, and the private clubhouse, hopefully everybody is familiar with. That is really where we concentrated everything, the pools, the fitness center, banquet facility, new pond, new 18-green, new 9-green, to keep all that activity right in the center of Alvamar, really right where it is, right now. From that center portion, going north and south, the residential expands out. We tried to step it down. As Sandy mentioned, we put two-story buildings on the furthest north portion of that first lot, too, that we're looking at, to at least obviously be respectful for the other residences that are there, but it really is about getting more people up here and more uses and more activity, to keep Alvamar as a viable operation. The biggest thing that you guys have already obviously touched on is the new Crossgate, the new road going around the north. I think that it was our idea, so we like to take a little credit for it. Ms. Larsen, you already mentioned that it certainly is not an easy road to build. A huge drainage channel goes through there. It is going to require obviously a lot of engineering, a lot of work with Matt Bond by building a box for that creek that will actually help with the elevation, to raise the street up, but we have priced that street at, at least \$1.5 million. I know that this isn't all about money, but that comes in a little bit when we talk about the timing of that road, but we think by far it is one of the best ideas, about taking some time and looking at this development to really fix that street. Crossgate, south of Bob Billings Parkway, has got to be about the most unique street we have going on, in the City, and we didn't do it, so I would like to think that maybe we will get a little credit for trying to fix it. The other thing this drawing shows, in this area again, very schematic and on the far side, are ponds. The one advantage Lawrence Country Club has, over Alvamar, is 10 years ago, they renovated the Club, and they built irrigation pond so they can minimize the amount of water they have to buy from the City, which makes some of the City people happy, and certainly makes the members happy, and right now Alvamar, the irrigation system is obviously very dated. It is old. They don't have the ponds. They don't have the ability to generate enough water to use that to irrigate the course. With all of this development on top of the hill, feeding to both sides, we see the ability to build

ponds on both courses, to irrigate the entire thing, and it obviously helps with storm water. This is 350 acres of mostly grass, so we would like to think that storm water actually isn't our problem here. It really is about collecting it and being able to use the water, to irrigate the course. I can talk a lot about all this. I can answer questions. In short, we did go through the Planning Commission twice. We came here with a 9-0 unanimous vote. As we mentioned, the neighbors, we tried to have several meetings. I met with the shareholders, the members, the surrounding neighbors. Our whole is going to change, absolutely, or the views of some of the residents. It is going to change, it will, and as we asked, the traffic and increase, we really hope so. We need it to, and we would like to think that the new Crossgate Street will really help handle that. That street is about timing. As Scott mentioned, one of the biggest hurdles is getting construction traffic in there. Our dilemma is a little bit; I really don't want to have to build that street, brand-new, first, before we ever start building another thing, so I agree with Scott's assessment. I think that there is going to be some point, and I would say that if everything that we showed on Lot 2 and everything that was on Lot 3 was built, I think, we would all agree that that street would have to be in operation, accepted by the City and functioning. I think that there is a line in there somewhere, where the existing streets can work. It's probably more about getting construction traffic in and out, every day, so that may be where we have talked about starting on that road, and whether that is the sub-base or however we want to call it, but that we would start and use construction access as much as we can, because I know what has happened now, further west, and we don't want any part of that, and we are smart enough to know that Crossgate south of Bob Billings Parkway is not a good way to bring construction traffic in. It's a plan about figuring out access for the construction traffic and where is the line between that road needing to be done when these other items are finished and ready to be used. We know that we have got to do that. We know that we have got to go through the phasing plan, and when we bring the final development plan forward, we plan on having that detail. I could talk for a couple of hours, or I can answer questions, or come back up after some of the public speak.

Mayor Amyx:

Two things. I understand, and I appreciate your bringing up what is the new Crossgate, and understand our concern about making sure that access for the construction has got to come through some make-up, I think, of that new roadway.

Paul Warner:  
Paul Warner Architects

I would agree.

Mayor Amyx: There is no other way around it.

Paul Warner:  
Paul Warner Architects I would agree.

Mayor Amyx: Figure out a way to bring it back to us, if we have got to look at it that way, because I think that we really want to get started.

Paul Warner:  
Paul Warner Architects I am open to other ideas, too. South of Crossgate, south of Bob Billings does not work.

Mayor Amyx: It is one of those things where ...

Paul Warner:  
Paul Warner Architects If it doesn't work, yes.

Mayor Amyx: Of course, I think we learned a lot about access to the west end of Bob Billings, so we will track that and make sure. Scott, figure out the line that Mr. Warner has brought up because I believe that it's an absolute, some form of that roadway and the access for construction has to be on that new road. It's just got to be, so figure that out.

Paul Warner:  
Paul Warner Architects Fair enough.

Mayor Amyx: One other thing that we haven't talked about, the access on the current Crossgate Road, north. How is that going to be handled? Obviously, that street is going to remain there. Is that going to be shut down? Is it going to be gated? What is our suggestion?

Paul Warner:  
Paul Warner Architects Paul Davis is here and a couple of those owners, so it is probably fair for them to add certain other detail. My preference, if I lived there, I would use our new street to the cul-de-sac. I would put gates up there, and I would put an emergency gate for fire department access-only, on Bob Billings, into that street now. You are essentially going from a really, really bad situation to a pretty great situation, a private little neighborhood with a private street, and nobody driving down that street at all, unless, really, they lived there, but it is really up to them. Everything we have worked out with Paul Davis and his clients are we will build the new street. We are going to build a cul-de-sac. The rest is whatever you guys feel like doing. It is up to you and the City, obviously, and the fire department, but I think that is where fire would land.

Mayor Amyx: Okay. We will ask that in a little bit, then. Questions of the applicant?

Commissioner Larsen: The building heights, the two, three and four stories, do you know what the maximum building height is going to be on any of those buildings?

Paul Warner:  
Paul Warner Architects The maximum building height by code is 45 feet.

Commissioner Larsen: 45 feet?

Paul Warner:  
Paul Warner Architects Which really are four stories? As Sandy has mentioned, one of those buildings is flat, four stories. Most of them, the hill falls off pretty far to the west, so viewing that from, let's call it, existing Crossgate, is really a three-story building.

Commissioner Larsen: Okay.

Paul Warner:  
Paul Warner Architects When you get to the downside. It is a ...

Commissioner Larsen: You take advantage of the topography?

Paul Warner:  
Paul Warner Architects We are trying to take advantage of the topography, but we are limited by 45 feet, which is really four stories, max.

Commissioner Larsen: Okay. On that construction road issue, I don't mean to beat a dead horse, here, but you are telling us that there will be no construction traffic on the neighborhood streets. Is that correct?

Paul Warner:  
Paul Warner Architects I'm sorry?

Commissioner Larsen: On the neighborhood streets?

Paul Warner:  
Paul Warner Architects I think Crossgate, north of Clinton Parkway, for a while, it is a public street. I think that some construction traffic would use that. I don't think that any construction traffic can really even navigate, coming off Bob Billings Parkway. Now, is some guy in a pickup truck going to drive down there? I have already talked with a neighbor tonight about how we can block that off or deal with that, but I think that the reality is that, if we have a really good construction access road, for lack of a better word, into the site, I think that we can encourage them to use that. I think, further out west, there was probably ... I didn't deal with all that, but I heard some of it. Part of the problem was the access road into the site wasn't built, or was being built, or it wasn't built enough, that some of the construction workers couldn't use it. I think that it is about what we said earlier. It is about a good access plan into the site, but I don't want to promise not every pickup truck is not going to try to navigate down that street.

Commissioner Larsen: I heard the concerns from the neighbors. That is a big concern of theirs.

Paul Warner:  
Paul Warner Architects No, we understand. No argument, but we can control certainly a truck hauling lumber, I would think. It can't make it down that road anyway, so we will get them to a better access. I think that is what we have got to do.

Commissioner Larsen: Okay.

Paul Warner:  
Paul Warner Architects Yeah. All right.

Mayor Amyx: Okay. Other questions? Okay.

Paul Warner:  
Paul Warner Architects Thank you.

Commissioner Larsen: I am sorry. I have got one more. Go ahead.

Mayor Amyx: No, go ahead.

Commissioner Larsen: One of the things that you indicated at the very beginning, here, was that this plan was important so that it would allow Alvamar to continue to be a viable operation. How are you going to be able to do that in the long run? You are going to build the residential areas, the multi-families and whatnot, but how are you going to do your cash so that it maintains, so that you are going to be able to have cash flow in the long run, for years down the way?

Paul Warner:  
Paul Warner Architects Certainly, let's say we throw ... If there were 500 more people living in this area, obviously that helped with memberships. They're losing the pool now, with Bishop Seabury, so we need to replace those activities. Revamping the golf course, we think that we will bring more members for years. Bob Johnson and Gary Magnussen are here, to help answer some of these questions. New banquet facilities, obviously those golf courses. No argument. This is not a no-brainer to do this. Golf courses struggle every day. There are a lot of people that live on the course that understand the importance, if you live on a golf course, about having that golf course and golf course activities behind you. I think that all of that bleeds into it. KU, new practice facilities for University of Kansas, for both men's and women's golf teams. That is, certainly, they are a part of this. The little things like the ponds. You can save \$250,000, not having to pay for water every year, is a pretty good chunk. We haven't really touched on Eagle Bend. Eagle Bend has a couple of advantages here. A \$1 in property tax, and zero, for water.



Those two things alone are \$422,000 difference for Alvamar. Like you said, there is actually a longer list that has been growing about it. This is not an easy project, so we are hoping to minimize the other things that get added to it, but it is a phenomenal facility. The championship course is a great golf course. Like I said, I could talk to you about golf for an hour as well, so we are excited about it.

Commissioner Larsen: It sounds like you are trying to make it a destination golf course, kind of.

Paul Warner:  
Paul Warner Architects I have been lucky. For people, I don't know if anybody plays golf, but Austin, Barton Creek is a phenomenal place to go when people come in. We got to play University of Texas golf course. During a football game, they got us. We couldn't play Friday because so many people were there for the Saturday game, but you got to play Thursday. Things like that and that leads into the whole idea of some of the cabins or the hotel rooms. Like Flint Hills National, in Wichita, a phenomenal place to go. People travel, and if they come, they will go to it, and it will be great, so we are very excited.

Mayor Amyx: Anything else?

Commissioner Herbert: That fourth plot that was originally senior living or assisted living and that was pulled at the eleventh hour, before the Planning Commission. Was there a reason for that, or just a change of heart?

Paul Warner:  
Paul Warner Architects We had been in negotiations with a group that was going to take it over, and we pulled it at the eleventh hour on purpose because we didn't have a deal with them, and the last thing I wanted to do was to present this thing and go through all the neighbors that backed up to it, and then pull it, essentially after the fact.

Commissioner Herbert: Are you still seeking that deal?

Paul Warner:  
Paul Warner Architects We've looked at a small one. We love the idea in the sense that, even though it was a pretty wide building, but it was one story, which a couple of the neighbors are here tonight, and they may mention that, but I think that they are okay with things behind their house. It was actually a great fit because it was one story with a walk-out on the second, but we knew they weren't going to be the partners. If they weren't going to be it, I thought that it was better to pull it than to have a hearing, talk about it, and then wind up changing our minds later.

Mayor Amyx: Okay. Anything else?

Paul Warner:  
Paul Warner Architects

All right? Thank you.

Mayor Amyx:

Thanks, Paul. I am going to open it up to public comment. Again, I would like to remind everybody that I would like to limit your comments to five minutes. I will be the official timekeeper, I guess. I am not the hardest guy around. Anyway, at this point, Mr. Lawrence, if you would like to go first. If we could have your name, please.

Douglas Lawrence:

Good evening. I live at 2106 Greenbrier Drive, which is right on the second T box of the public side of the golf course. We are all very excited that the golf course might be saved. I think that there are residents here who have had concerns, but we would love for the golf course to stay a golf course. That is a nice thing. Is this the plan that will make that happen? I am not absolutely sure, long range. If it doesn't work, the effect of the value of our land could vary widely from where it is, right now. It's probably my largest investment. I will be really brief. I have been through all the Planning Commission meetings. I really appreciate the help of Sandy and Mr. Warner and other people who have answered questions along the way. I have one primary concern. You have already addressed it at great length tonight. That is, that if construction is going to start on that project, it needs to come off of Bob Billings because our little Crossgate is a small street, and people park along one side of it, and it means that people sometimes, even in normal traffic, have to stop and wait for another car to come through. Any kind of construction equipment, trucks, is going to cause a huge bottleneck there. It is also a very dangerous street in the sense that it comes off of a very busy street, and it narrows quite drastically. There is a school there. As you know, Bishop Seabury is on the frontage road, so I am concerned about safety and security, long-range. Thank you for your attention tonight. I appreciate it.

Mayor Amyx:

Thank you, Mr. Lawrence. Other public comment?

Paul Davis:  
Fagan Emert & Davis LLC.

I'm here tonight representing two homeowners associations, Woodfield Meadows West Homeowners Association and Woodfield Meadows Condominium Association. Jim Neighbors who is president of one of those associations is here and we've got a couple of members that reside there, that are here as well. I'll try to use Mr. Warner's visual aid here. If you come into Alvamar off of Bob Billings and you take that kind of skinny road there. The folks that live in these two homeowners association are the folks that live on either side of that road. You can naturally understand what the concerns were from the start. We approached the developer early on in the process and frankly, he understood

exactly what our concerns were and that's where we got to the new road and we're very pleased with that. That deals with the great deal of concerns that we have. I do want to speak to a couple of issues that, I think, have been touched on already and kind of some remaining issues that we want to stay involved with. First of all, the existing access point onto Crossgate, what we would like to do is to close that off. We have had some discussions with City staff about emergency access and I think that that's an issue that they still want to look at a little bit more and whether we would want to have a gate or something like Mr. Warner described where emergency vehicles could access that, but it would create essentially a cul-de-sac and the folks that live off of Crossgate and onto Vintage Court there, would then access onto essentially, the new road there. One issue that has been mentioned a little bit that is certainly of interest to us is just the entire issue of drainage. A lot of the folks that live in this area are downhill from the golf course and there are already some drainage issues. You will note in staff recommendations, there is a requirement for drainage study and I think that's going to help alleviate some of the concerns and address the concerns that we have. The last issue is really the issue of the construction of equipment and I think Mr. Mayor, you've asked very good questions about that and I think we've probably gone over that pretty well. This is a unique road. Interestingly enough right now that is a private road that goes through there. There's an easement agreement between the homeowner's association and Alvamar, but if you've driven on that road, it's not a road that's going to be very feasible to have a lot of construction vehicles going back and forth. I think the developer understands that and City staff understands it and we've got to work together to make sure that we have a plan to address that in the final development plan. Those are the issues that we're working with. The folks that I represent are excited about this project. They live in Alvamar for a reason, and they want to see Alvamar continue to thrive and as has been mentioned, I think that a plan to save Alvamar, and we appreciate the developer staff working with us, to address our concerns.

Mayo Amyx:

Thank you. Paul, real quick, just so that I understand, again. The neighbors at the current Crossgate and the entrance coming off Bob Billings, you're talking about closing that entrance?

Paul Davis:  
Fagan Emert & Davis LLC.

That entrance, yes, because the traffic will then be going through the new road, to access Alvamar.

Mayor Amyx:

So that I am clear, that probably wouldn't be a condition of approval of this item, but a separate item that we would

direct staff to consider, to bring a recommendation to us?

Scott McCullough:  
Planning and Development  
Services Director

It is a desire of the neighborhood, first of all, to close that at Bob Billings and take access. This is once the new Crossgate is open, that they would take access from new Crossgate back into that development, and then we would likely get a fire access point where the existing access is, for emergency services to come in, if needed. We haven't fully vetted that. It was, again, conceptual discussions at this point, I think, by all parties. All parties are working toward addressing, which is all of the new Alvarado traffic through the neighborhood. All the new traffic goes on Crossgate to Bob Billings, leaving this enclave of residential units as essentially, a cul-de-sac area.

Mayor Amyx:

I want you to know that I wouldn't be opposed to that. The consideration of closing Bob Billings at Crossgate, but my concern would be to the folks that you represent, is to make sure. That would be a very long cul-de-sac, and getting emergency services back in there without some kind of emergency access off Bob Billings, I think, might put some folks in a little bit of harm's way. In good conscience, I probably couldn't do that, but if we can work out some kind of arrangement that that is taken care of, I don't have a problem with that. Then I would recommend that to the Commission, quite honestly, but, again, would that need to be a condition, as part of this development?

Scott McCullough:  
Planning and Development  
Services Director

It is not a condition as much as it is side agreements between essentially the neighborhood group and the applicant that is progressing in a very positive way, right now. It is not necessarily a ... I think that the development is reflecting the agreement in building Crossgate Drive. They are part of the deal.

Mayor Amyx:

Okay. Fair enough. Thank you. Any questions of Paul? Okay, thanks, Paul. Other public comment? Any other public comment?

Bob Johnson:

Do you want me to respond?

Mayor Amyx:

I want you to please come forward. Good to see you, Mr. Johnson.

Bob Johnson:

Good to see you, Mr. Mayor. I live at 957 Covington Drive, but I stand before you tonight as the President of the Alvarado Corporation, so I speak on behalf of the shareholders. It bothers me just a little bit when I hear people say this is going to save Alvarado because that is sort of a death knell. I don't think that they mean that, and that is not the case, but the fact of the matter is, this is the best thing that can

possibly happen to the Alvamar entity, and it is certainly the best thing that could happen to the Alvamar shareholders. Some people say that when they go and play on Alvamar today, there get a sense that maybe some of the infrastructure is a little tired, and that is a nice way of saying that it needs to be upgraded, but if you think that is tired, I can assure you that the 100 shareholders who have been involved with Alvamar for 40-plus years are far, far tired. Okay? It is a fair question to say, "Why do you think this is going to save Alvamar, and Alvamar is not being saved?" I would submit to you that, if I were the owner of Alvamar, and if I had the resources, and if I had the will and the vision and the commitment, I could do the same thing, but the 100 shareholders who own Alvamar today do not have that will, do not have those resources, do not have ... frankly, don't have the leadership or the commitment to go forward because it is a long, long-term commitment. Paul mentioned water, for example. Alvamar spends almost, on average, \$250,000 a year buying water. If we had the money to invest in these ponds and irrigation system, we could eliminate most of that cost, but we don't have the money, and we don't have the shareholders who are interested or willing to make that commitment, going forward. It is a fact. It is an absolute fact. If you live on Alvamar, near Alvamar, in the Alvamar district, and you value that resource in our community, this is without a doubt the best thing that can happen, without a doubt. I am sure that it is not going to get better unless somebody is willing to come along with the resources and the commitment to our community, to do it. It isn't going to happen with the current ownership because it can't. So, 9-0 from the Planning Commission, it's good for everybody, and especially good for the City. Thank you.

Mayor Amyx:

Thanks Bob. Other public comment? Anyone else? Okay, thank you all for coming this evening. Back to the Commission. We do have, again, unanimous recommendations from the Planning Commission. In all honesty, in what would be a perfect world, as was suggested yesterday, this would be an item that, very honestly, we would see on the consent agenda because of the unanimous recommendation, but the only reason that it is, as I believe it is important for this body to be able to talk about the items that have come forward. Bob, I appreciate the fact that you bring it up, that this is not really talking about saving Alvamar because I never thought, in my wildest dreams, that that would be something I would ever discuss, but it is something that I do think that it's come a long way, in the process, through the discussions and everything that has come forward. I have got to say this. I appreciate the developer coming forward and trying to come up with a plan that will give the financial backing to help take care of the

long-term costs and effects that Alvamar is going to go through. I will tell you, I have got to thank the neighbors. This has been a long haul. I really believe that there had been a lot of people that have had a lot of discussions about a project. Obviously, that is very important. Obviously, it is going to affect a lot of folks, but I think, in all honesty, in a pretty positive way. Doug, I appreciate your comments about the fact that, for most of us, our home is our number-one investment, and we want to make sure that we don't do anything that is going to be able to jeopardize that investment. If, at a point in time, it stops here, and it doesn't go up another dime, we want to make sure that we are not losing that, and I think that here is an opportunity that, as we look at it, if Alvamar was to not make it, what would be the effect on your investment, and I think that it would be substantial. That is one of the things that we looked at. My main concern here, obviously, is access in that access road. I don't know how you write the condition, but I do think that there has got to be a concern here that we don't have a process happen like what has happened at the end, and I am not blaming anybody in the Western part. I want everybody to know that, but I want to make sure that we learn from that experience in how we condition this site with that access road in some form is built before the construction begins. That is all I believe is important here. I think that the Planning Commission and the Planning staff, everybody from our staff that has been involved in this, I think, has done a very good job in making sure that the neighbors' concerns have been taken into consideration through all of this. With the work of the developer, here, I think that that is very important to say, but the access is something that I think that we have to have, as a body, in understanding that it is going to be taken care of.

Scott McCullough:  
Planning and Development  
Services Director

We appreciate that direction. It's helpful.

Mayor Amyx:

Do we need to write that condition tonight?

Scott McCullough:  
Planning and Development  
Services Director

The only thing that I could ... I know that the condition is there. I can see it, but, Mayor, if this body wants to see that plan and approve it, and not the Planning Commission, that would be the only revision that you might consider. If it is that important that the Commission wants to weigh in, on that decision and the finer points of it, which is balancing when and how and what design level, all the lessons, I guess, we learned out West because we all recently lived through that, that would be the only revision I could think of. Otherwise, all the work is yet to be done with it. We haven't talked about it since the Planning Commission, so we

haven't figured out any details yet.

Mayor Amyx:

Scott, and to the members of the Commission and the folks, here, assembled tonight, I have full faith in our Planning Commission and the work that they have done and the ability that they have shown, to make the recommendations on this. I think that as long as it is understood that the item that we want in there ... and there may be others, but, for me, it is this access, as long as that is defined somehow so that we don't have a similar situation as we have had in the West, I am fine with continuing to follow the normal process that we would have, which would be have the Planning Commission look at it, in this case, rather than the administrative staff. Again, I am not sure another step is required in this.

Scott McCullough:  
Planning and Development  
Services Director

With public input and legal representation, I think that, if they are not satisfied, we will have a mechanism to bring it to your level in any event.

Mayor Amyx:

Okay. Again, as Mr. Davis brought up, representing his clients, do we need to have any language in here that talks about that side deal that needs to be made with the access?

Scott McCullough:  
Planning and Development  
Services Director  
Mayor Amyx:

I don't think so. That happens actually separately from this project.

Okay.

Scott McCullough:  
Planning and Development  
Services Director

It is coordinated with it, but it is a separate item.

Mayor Amyx:

As long as we don't forget that, okay. Other comments?

Commissioner Herbert:

I am particularly excited about the new Crossgate being built. In another life, I had done some maintenance work over at Woodfield Meadows, and I can tell you, having driven a truck with a trailer through the current Crossgate, that I have no concern that that will be happening. It is doable. I have done it, and I am here today and lived from the experience, but I know that all the communication I have had on this matter, I have actually had no communication with anyone so far, upset with the size of the buildings or the existence of the buildings or anything of that matter. It is all the communication I have had has been very specific to the current Crossgate Drive, and the fact that it is not a feasible construction road. You've got every obstacle you could think of. Short of rolling boulders down the middle of the street, for fun.

Mayor Amyx: I am impressed that you got through it.

Commissioner Herbert: Oh, yeah, it is not my first step, I am sure, but ...

Mayor Amyx: Oh, I am sure.

Commissioner Herbert: It is something that, obviously, I think that the idea of constructing that road originally was designed to make it so that it was a neighborhood street, and it was designed to be not be super convenient to the rest of the world, with the notion that perhaps we didn't want the rest of the world driving through that as their cut-through. Unfortunately, I think, through a series of letters to the editor that I have read, and that may have happened anyway, and there is a lot of anger about that. As a community, as a whole, certainly there are very specific benefits to Alvamar, from this, but for the community as a whole, I think that new Crossgate may actually end up being one of the best-kept secrets about this redevelopment, if you will. I do agree with you, though, Mayor, that we need to make sure, having learned from our previous experience. I really don't want to be sitting here in six months when neighbors come forth with their photos of every horrible thing that is happening in their front yard. We do need to make sure that that is avoided this time.

Mayor Amyx: Okay. Anyone else?

Vice Mayor Soden: I think that it is great. I am looking forward to it. I am glad that Crossgate... not to repeat anything else, but I'm just going to say the new Crossgate is great.

Mayor Amyx: Okay, that's good. Again, I thank everyone for their questions, comments. I think that it is a good plan overall. Scott or Sandy, if you could put back up on there our action with all the conditions that we have, I would appreciate it. I am going to take these one at a time. The first is the rezoning. I would read them off, but I think that my voice is getting ready to go, folks. The conditions that the Planning Commission has on the rezoning are the same ones that were in the staff report. With that, I would entertain a motion to concur with the Planning Commission's recommendation for the rezoning of the property with the conditions listed and that this item will be returned to the Planning Commission. No, no, no, no.

Scott McCullough:  
Planning and Development  
Services Director

Mayor, essentially, you have items A and B has ordinances related to them. That is the rezoning and special use permit, and then item C doesn't have an ordinance. It is the approval of the preliminary development plan with the condition that the final development plan goes back to the



Planning Commission.

**Moved by Commissioner Boley, seconded by Vice Mayor Soden,** to approve rezoning, Z-14-00552, of approximately 51.85 acres from RS7(Single-Dwelling Residential) District, RM12 (Multi-Dwelling Residential) District, and PUD [Alvamar] (Planned Unit Development) District to RM24-PD Overlay (Multi-Dwelling Residential Planned Development Overlay) District including property located at 1800, 1809, and 2021 Crossgate Drive and adopt on first reading, Ordinance No. 9154. Motion carried unanimously.

**Moved by Commissioner Boley, seconded by Commissioner Herbert,** to approve a Special Use Permit, SUP-15-00389, for *Active Recreation* uses in the Alvamar Planned Development, 1800 and 1809 Crossgate Drive, proposed lots 1 and 3, including tennis courts, swimming pools, and accessory structures to community recreation uses and adopt on first reading, Ordinance No. 9155. Motion carried unanimously.

**Moved by Commissioner Larsen, seconded by Vice Mayor Soden,** to approve Preliminary Development Plan, PDP-15-00247, for Alvamar, containing approximately 50 acres and located at 1809 Crossgate Drive. Motion carried unanimously.

3. **Receive update on Franchise Agreement with Black Hills Energy.**

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

Mayor Amyx

So Brandon, still again, you're suggesting that the residential class, here, is going to be through this change as we come from what we have been doing in the past, to the practice that is being done by every other city that Black Hills serves. We are going to see an increase in franchise fees, combined, less than \$1.00 a year, and I think that yesterday you said \$0.70 or something like that.

Brandon McGuire:  
Assistant to the  
Manager

City  
Correct.

Mayor Amyx:

Somewhere in there. Again, of the small commercial and small volume and large volume, who is going to be hit the hardest here? So that I know.

Brandon McGuire:  
Assistant to the  
Manager

City  
Yeah. So this table, this uses the 2015 market situation because that is what we had at the time that we did the analysis. The NYMEX settlements and this is an example of how this fee will be reactive to the markets. The NYMEX settlements have changed for 2016, which will happen every year. They will go up and down. The impact, in 2016, we just got those settlements. It is actually going to be much less than this, for the transport customers, but those transport customers are going to be the ones who would be most dramatically impacted. Actually, with the 2016 numbers and I will have those for you when we present the ordinance for final adoption. With those 2016 numbers, a lot of these lines here, on these transport customers

is actually going to decrease so they will see, at least in the second half of 2016, a year over year decrease, but that is where some of the biggest changes will be seen. Our residential customers, the NYMEX settlements won't impact that, necessarily. We're still, I believe, projecting less than \$1.00 annual change for those customers, for our residential customers. On the volumetric side, on the transport wholesale side, that is where you are going to see the biggest change. I don't want to divulge customer-specific information, but we have made an attempt to engage the largest commercial users, again, one of which is KU. KU has a large number of meters because of all their different facilities and the way that they purchase their gas and distribute that. A lot of those meters that you see, that are going to be in that transport, those categories, are going to be KU meters actually. I think that all in all we have between 120 and 130 transport customers and you can imagine how many KU has, how many meters KU has.

Mayor Amyx:

Other questions of Brandon, right now? Chuck, do you have any other additional things you want to add?

Chuck Hoag:  
Operations Manager  
Black Hills Energy

Not at this time. We just appreciate the relationship that we have had, as you well know. Our predecessor companies go back to the 1890's, and we have had a great relationship with the City of Lawrence and we look forward to continuing to service the City of Lawrence. Any questions relating specifically to the way this new fee will be assessed, back 15 years ago, there was some concerns about people transporting the gas, going through marketers, deregulation, if you will, so that was the reason behind that thought process. As customers' equipment became more efficient, there has been declining use per customer. That is why that 5% has tapered down to about a 3% level, and I think that what Brandon has introduced, as far as using the gross receipt and the volumetric feed, that's what all the communities that we serve are using now. I think that it is a good way for the City to stay on top of that and also to look at those five-year windows because there is an opportunity there, to tweak things as you go. Mostly, I think that the franchise will probably have five-year windows, if I'm not mistaken.

Mayor Amyx:

I thought that I would be a wise guy. Do you want to talk about that Quonset hut in the franchise agreement, again?

Chuck Hoag:  
Operations Manager  
Black Hills Energy

Do I want to talk about it right now?

Mayor Amyx:

I just thought I'd bring it up.

Chuck Hoag:  
Operations Manager

As a matter of fact, I will talk about it, tomorrow, a little bit.

Black Hills Energy

Mayor Amyx: I thought that I would bring it up right now. It's one thing about the franchise agreement with Black Hills ... I am not going to tell my age a whole lot, but when I first got elected, here, your predecessor being Kansas Public Service Company, and that franchise agreement, we used to sit in rate hearings. As a governing body, we used to be the group that set the rates. You talk about fun.

Chuck Hoag:  
Operations Manager  
Black Hills Energy Yeah, up until, what, 1983? Yeah, Missouri Public Service bought us. Unfortunately, I have been here about as long as ... not as long as you, but pretty close.

Mayor Amyx: Pretty close. Any questions of Chuck?

Vice Mayor Soden: I am interested in the Quonset hut.

Mayor Amyx: Yeah, I am, too.

Chuck Hoag:  
Operations Manager  
Black Hills Energy I will provide a brief update on that tomorrow at our lunch.

Mayor Amyx: Okay. I figured if it was something that could be included in the franchise agreement, I would ask.

Chuck Hoag:  
Operations Manager  
Black Hills Energy No, sir.

Mayor Amyx: Okay. It didn't hurt to bring it up, I guess. We appreciate it. Okay? Thank you.

Chuck Hoag:  
Operations Manager  
Black Hills Energy Thank you very much.

Mayor Amyx: I look forward to lunch, but don't leave. We will ask for public comment in case there is questions that we might need additional help for. Is there any public comment on this item, this evening? Thank you.

K.T. Walsh: Good evening, Mayor and Commissioners. I'm speaking only for myself. I distributed this because I am here tonight just to ask you a favor. There is something you could do tomorrow while you are at lunch. I am not the only one really interested in preservation of the Quonset hut-like building on East 8th Street. I think that there has been a little bit of a mix-up or a miscommunication because I have talked to three people who are have not been able to get a return phone call or a returned

email from Black Hills, and they've gone to the corporate level, and still no response. I understand if they don't want to discuss it, but I brought Mr. Hachmeister's contact information. He is the head of the Sculpture Department at KU. He, on behalf of the Fine Arts Department at KU, would very much like to talk to Mr. Hogue, and he's put in several calls and emails. He tried to get to him through an underling. Nothing has been successful, and I am sure this is a mix-up, but he would very much like to have a conversation. I was asking you if tomorrow at lunch maybe you could ask Mr. Hogue if he would call him. Thank you.

Mayor Amyx:

Okay. Please, Chuck.

Chuck Hoag:  
Operations Manager  
Black Hills Energy

Sure. I apologize. I don't know that I have ever got a call from Mr. Hachmeister.

K.T. Walsh:

You have.

Chuck Hoag:  
Operations Manager  
Black Hills Energy

A phone call?

K.T. Walsh:

Maybe somebody is not telling you.

Chuck Hoag:  
Operations Manager  
Black Hills Energy

Okay. I will be happy to contact him.

K.T. Walsh:

Thank you.

Chuck Hoag:  
Operations Manager  
Black Hills Energy

We have a lot of people that have shown an interest in that facility, but at this time we are not doing anything with it, but we will talk about that. The bottom line is that the facility itself, we are utilizing it for our refueling station, and we are using it for storage for the time being until we make a decision as to what we want to do, going forward. We've had a lot of different people approach us with different opportunities, and we will continue to look at those. To my knowledge, I thought that we had commented or talked to everybody. I know that I talked to somebody at KU that wanted to use it for an art studio, and at that point in time, we weren't willing to give the building to the University for an art studio.

K.T. Walsh

I think that it would be great if you would call him. Thanks.

Chuck Hoag:  
Operations Manager  
Black Hills Energy

I will do so. Thank you.

Mayor Amyx:

Thanks, Chuck.

Chuck Hoag:  
Operations Manager  
Black Hills Energy

Mm-hmm (affirmative).

Mayor Amyx

Thanks, Chuck. Any other public comment? Okay. Back to the Commission, the direction that you need is that you don't need any. You are going to be placing it on your agenda on the 17th?

Diane Stoddard:  
Interim City Manager

It will be back in front of you for formal action, then, and again, as Brandon explained, the action tonight, or the discussion tonight, was to make sure that you all were aware of what was coming and the public was, as well.

Mayor Amyx:

Okay. Brandon, I appreciate the work that you've done. I know, on behalf of the Commission, we appreciate the work that you have done. One of the big things is that I know that we want to make sure that we don't see, in the majority of these classes, large increases that are going to be a wash of some kind. I know that that would be the best overall win. I know that probably can't happen, but anyway there is going to be some that goes up and some that goes down, but take it into consideration, you know, the residential class, as little effect as possible, and I think that you have done that. Okay. Anything else? I look forward to seeing you on the 17th. Thank you all. Thank you for coming this evening.

4. **Consider authorizing the Interim City Manager to execute Supplemental Agreement No. 1 to the Engineering Services Agreement with HDR in the amount of \$360,978 for Design and Bid Phase Engineering Services for Project No. UT1307 Oread Storage Tank and Booster Pump Station Replacement on the existing site.**

Philip Ciesielski, Assistant Director of Utilities, presented the staff report.

Mayor Amyx:

I shared with you yesterday, you and Dave and Diane, staff members, Vice Mayor, about my concern about the time lag between the original deal with HDR and where we are today, and why we didn't go back to going out for request for proposals or requests for qualifications for engineering services, again. I think, as I look through this, I want to make sure that it is not a no-bid deal, and that we gave everybody the opportunity to be able to bid on this. I think that, from the things you have told me, it probably makes sense that they were the only bidder that came forward in the beginning and babysat this project a little bit, all the way through. If we proceed at this point, and I mean something has to be done with the tanks, and I have been supportive of that. That's fine. This will be bid, right? The project itself will be bid.

Philip Ciesielski:

The construction project will be bid. We will have a full 100% set

Assistant Director of Utilities of plans, and contract documents, those will be publicly advertised, and we will take bids similar to any other construction project that we execute. At that time, that we go to award that bid, we would come back with another supplement, provided HDR continues to successfully execute, and we can agree on a scope and a fee, we would bring a supplemental agreement with them, to provide construction-based services or oversight for the project at that time.

Mayor Amyx: Okay.

Philip Ciesielski: As for the construction itself, public advertising for roughly four weeks, a bid opening here and the commission chambers and award to the lowest responsible bidder.

Assistant Director of Utilities

Mayor Amyx: As I look at these tanks, first of all, they have got to be taken down. We just came through a project, making sure that access was taken into consideration. How are you going to build these things? The access that is going to happen there and taking them apart, those contraptions are huge.

Philip Ciesielski: They are big. Phasing will be a part of what we have to discuss. We have talked to KU. Since we are not building on their site across the street, we have the opportunity to ... We have left that open, to use that area for construction staging. We have to come back and forth across Oread. One of the thoughts is that we would remove one of the tanks, rebuild one of the new smaller ones. It gives us a little more room. We are also going to make some improvements, not improvements, but changes in the distribution system with some valving that will allow water to cross-flow between Central Service and West Hill, especially reducing valves that will make up for some of what we lose here, by allowing that water to flow across the system. It's going to be a challenge. When you saw those other exhibits, you had the tank, an actual tank footprint, and then there was actually another halo out around that and that is the area that is required around that tank for actual construction. When they go to remove these, from my experience at another utility, in removing tanks, they will have a crane in. They will cut these guys into sections and haul it off for recycling. With the lead-based coating, that is actually a better way to get rid of that, all still adhered to the tank, than it is, to blast that off and repaint it. There is a lot less restriction or requirements to do that.

Mayor Amyx: Watching the demolition that went on, at the former Farmland site at Venture Park, I didn't realize that we have plenty of room out there. I guess my big concern and pass it along; is to make sure that safety is taken into consideration at all possible deals here. We are going to have, what, 30-plus thousand people up there every day?

Philip Ciesielski: Students are going to have game days. The construction of this

Assistant Director of Utilities is going to go on for probably roughly 18 months. We're going to go through all seasons. We are going through school. I don't know if any of you had the opportunity to go down to Burcham Park when we did the intake project. We had that area fully fenced. I envision something similar to this, on this site, for security and keeping people in and out. KU also has a parking lot down at 12th and Louisiana, just to the northeast of here. I talked to Monte Soukup at the endowment about the possibility of using that area for some staging and lay-down, so we don't have to have all the material and everything on this site. They can bring it up as they use it and work within the tank footprint.

Mayor Amyx: I know that you will. I know that safety is something that is so important to us, but I am pounding it home a little bit because I ... oh, lord, I can see some things happening here.

Philip Ciesielski:  
Assistant Director of Utilities We can, as part of coming back, we will be back to set a bid date as well, so that will be part of when we have final design, "Here is what we have got." We want to open bids on such-and-such a date. Those are some of the things that we can point out as part of that memo or that communication is that phasing of those safety considerations and how we are handling that.

Mayor Amyx: I wasn't on the Commission when we approved either one.

Commissioner Boley: That was part of the time you were off?

Commissioner Herbert: I was going to say, we previously named it Hoover and Ike. I was going to throw out that I don't mind naming one of them Amyx.

Mayor Amyx: No, not at all.

Commissioner Boley: Ike and Mike.

Mayor Amyx: Yeah, there you go. Other questions of staff?

Commissioner Boley Yeah. I am curious about the hydraulic modeling to determine the storage volume. You say that it's less than existing?

Philip Ciesielski:  
Assistant Director of Utilities Right. You currently have about 2.3 million gallons across the two tanks, and we are recommending at this point 1.75. Some of what we are going to take in, and that we have in the scope of HDR, is to do some follow-up on that, bringing the KU Central District Project into play because that was not known at the time of the 2012 master plan or at the time we did some of the preliminary studies with HDR back in 2013. I have done some preliminary work in the office on it. I don't think that it's going to impact us, but we are going to double-check that, but that change, really, in 1931 and 1954, other than the plants, these were about the only storage out in the system. As the system

has grown, and we have built outlying storage, it is feeding back the need for that amount of volume here. It's down, which we can right-size that from a water quality standpoint, water age, not having too much water at that location that we can't then cycle-through, is part of the operational goal.

Commissioner Boley: I guess that I am curious about what the footprint for the service area for this is. If you can get me something on that, I would like to see that.

Philip Ciesielski:  
Assistant Director of Utilities It doesn't have a definite service area. It's impacting from there, north to the river, down through downtown, and east of downtown. We've got the Harper tank that sits out at 21st and Harper by the fire station down there. That is feeding back this way, so somewhere in between there, but then by virtue of the booster pump station, we are pumping back towards basically the Stratford tank area, which is over there at Water Tower Park, a significant feed for the University of Kansas, down at their power plant, down there at Sunnyside and Sunset. It is kind of central.

Commissioner Boley: Yeah, there is some development that is going on, redevelopment that is going on, besides the master plan.

Philip Ciesielski:  
Assistant Director of Utilities Philip: Mm-hmm (affirmative).

Commissioner Boley: I just didn't know what impact that might have.

Philip Ciesielski:  
Assistant Director of Utilities As things redevelop, we are typically taking something off and bringing something on, and there was some amount of development and in-fill accounted for, in the master plan, and some growth within KU as we did the master plan and looked forward through 2020 and 2030, and built out, but it was not to the extent that the central district is. Having taken an initial look at that, I don't think that it is going impact the actual size of these tanks.

Mayor Amyx: Mayor: Anything else? Philip, thank you.

Philip Ciesielski:  
Assistant Director of Utilities Philip: Thank you.

Mayor Amyx: Mayor: Any public comment on these items?

K.T. Walsh: Hello, again, Mayor and Commissioners. I'm speaking for all the artists of the world. Now that we have Porter Arneill, who is our Director of Arts and Culture, and he is not here tonight, but it seems appropriate that this would qualify for the 1 to 2% for Art, when we do city-owned projects. Water tanks all over the world are great places to do art, sculpture, murals. There is quite a



variety of wonderful things that can be done. I would ask that you would ask Mr. Arneill to look at that and see if it qualifies. Thank you.

Mayor Amyx: Would you ask Porter to look at that?

Diane Stoddard:  
Interim City Manager I will do that.

Mayor Amyx: Okay. Other public comment? Back to the Commission. It seems like one of those things that I have been working on for a long time, but it has never been, I guess, the right time, so now it is. The rust on that thing, or erosion, is ...

Commissioner Larsen It's bad.

Mayor Amyx: I think that it's getting worse.

Commissioner Herbert: I was really impressed with Stuart, in the middle of taking those photos, looking at those photos, sitting over here, drinking his water. There is a brave man, right there.

Commissioner Boley: Hey, we've got to do it.

Mayor Amyx: Anything else? I would entertain a motion to authorize interim city manager to execute the supplemental agreement number 1, to the engineering service agreement with HDR, in the amount of \$360,978 for design, and bid phase engineering service for project, the Oread storage tank and booster pump station replacement.

**Moved by Vice Mayor Soden, seconded by Commissioner Larsen,** to authorize the Interim City Manager to execute Supplemental Agreement No. 1 to the Engineering Services Agreement with HDR, in the amount of \$360,978, for Design and Bid Phase Engineering Services for Project No. UT1307, Oread Storage Tank and Booster Pump Station Replacement, Motion carried unanimously.

#### **F. FUTURE AGENDA ITEMS:**

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

Mayor Amyx: One of the things that I would want to bring up for the Commission and at least get their feelings and their understanding as to what I think is important. You'll notice on the 17<sup>th</sup> we have a concept study for Bob Billings Parkway to 6<sup>th</sup> Street, and the construction/geometric improvements. We do not include Kasold Drive on that. We thought it was appropriate to consider these two projects separately. I personally believe that Bob Billings Parkway is going to be a more important project at this time because the opening of the new interchange and I think that we need to be really looking at this because I

think we have little idea as to the effect on that roadway and the adjoining neighborhoods as traffic goes north and south from Bob Billings. I think whatever we do, that we really need to concentrate on that first. We'll get to Kasold when we get to Kasold, if that's the feelings of the Commission. It may be after the first of the year just so everybody knows. I really believe that we have to look at Bob Billings first. I think it's that big of a deal.

**G: COMMISSION ITEMS:** None.

**H: CALENDAR:**

Diane Stoddard, Interim City Manager, reviewed calendar items

**I: CURRENT VACANCIES – BOARDS/COMMISSIONS:**

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

**Moved by Commissioner Larsen, seconded by Vice Mayor Soden,** to adjourn at 8:40 p.m. Motion carried unanimously.

**MINUTES APPROVED BY THE CITY COMMISSION ON JANUARY 12, 2016.**

  
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Brandon McGuire, Acting City Clerk