

## **Bobbie Walthall**

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**To:** Diane Stoddard  
**Subject:** RE: Support City funding for sidewalks

**From:** Noel Rasor [<mailto:noelrasor@gmail.com>]

**Sent:** Tuesday, March 21, 2017 10:54 AM

**To:** Leslie Soden; Stuart Boley; Mike Amyx; Matthew Herbert; Lisa Larsen

**Cc:** Brandon McGuire; 'Jane Gibson'

**Subject:** Support City funding for sidewalks

Dear Commissioners,

I am writing to express my support for any proposal that would bring City resources to bear on solving the problems of deteriorating and incomplete sidewalks in town. In the car-centric world of past decades, perhaps it was justified to ignore the public good aspect of sidewalks and leave their maintenance to property-owners. But that is not the Lawrence we live in today and **I urge you to designate funding so as to begin to move sidewalk maintenance responsibility to the City and prioritize this on par with road maintenance. Here are the many justifications I see for doing so:**

### **Equity**

I won't rehash the many citizen perspectives you have heard on this; rather, I'll just add my name to the list of those who see it as completely untenable and unjustified to put the burden of this public good on property owners. We know from the work of Justice Matters and others that affordable housing is a big problem in town. Adding this sizable expense to property owners' responsibilities is one more piece of pricing people out of the housing market.

### **Economic Development**

We have seriously underexplored the huge link between great sidewalks and the City's economic development goals. Two of our most targeted groups for attracting people to Lawrence are retirees and young families. Both of these groups increasingly need and want alternative transportation options in the form of close-by amenities that can be reached on foot. Millennials are drawn to more urban-feeling environments where they can walk and bike, and retirees often need this as their capacity for driving gradually diminishes. Further, great, walkable neighborhoods are a compelling feature that can continue to set Lawrence apart from the sprawling worlds of Johnson County, Topeka, and other locales. Nationally, those cities that have embraced a walkable community model are competing well for start-ups and for young residents. Great, walkable routes also dovetail with the ability to bring public art into the community that can be enjoyed across the city, and the arts are certainly a key part of Lawrence's "unmistakable" identity.

### **Environment & Public Health**

All of the above sentiments regarding economic development have the added benefit of encouraging and supporting a culture of using non-motorized transportation for short, local trips. This has both environmental and public health benefits that profoundly matter.

### **Funding options I support:**

- At the very least, please do move forward on the proposal to bid out sidewalk repair each year so that a low-cost, fixed-cost contractor can be available for individual property owners to use.
- However, the other options to provide City funding are much more equitable and make far more sense given the public good quality of sidewalks.
  - Providing financial assistance to low-income residents is hugely important. But please don't do a bait-and-switch on this like Topeka has, where there's a great-sounding policy on the books but only \$30,000 per year to actually fund it.

- I am wildly in support of a 1-mil increase to property taxes to fund this. However, if this option is used the City must be clear about the amount this will raise each year and must be equitable in prioritizing neighborhoods to start to implement it since it will take years to raise the funds that are truly needed. While the less-deteriorated NW area of the City may be a fine place to pilot how to approach repairs, older neighborhoods have much greater needs, more lower-income residents, and more people who rely on walking as part of their transportation. So pretty immediately the City needs to show support for repairs in older neighborhoods.
- Infrastructure Sales Tax: Given that the property-tax cap may mean that a public vote is needed to adopt the mil-levy option, I hope that you will go forward with this quickly so that it's clear whether this will be supported before the infrastructure sales-tax sunsets. This will clarify to what extent redirecting the sales tax may be necessary as an option for sidewalk funding. However, as much as people like sales taxes because some of the income generated comes from non-residents, the fact remains that these are regressive taxes that hit lower-income residents hardest. A property tax funding stream is a much more equitable approach. That said, use of the sales tax for sidewalks is an excellent investment and certainly better than more enforcement of the current homeowner-responsibility approach.

Thank you for your willingness to take up the issue. It's one that truly matters to the future of the community and the kind of city we want to be.

Sincerely,  
Noel Rasor

## **Bobbie Walthall**

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**From:** Mark Thiel  
**Sent:** Tuesday, March 21, 2017 11:21 AM  
**To:** Bobbie Walthall  
**Cc:** Charles Soules; Brandon McGuire  
**Subject:** FW: Sidewalk hazard program - Bob Billings Parkway and Wagon Wheel Road

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**From:** Mark Thiel  
**Sent:** Monday, March 20, 2017 6:30 PM  
**To:** [bitpat@sunflower.com](mailto:bitpat@sunflower.com)  
**Cc:** Charles Soules <[csoules@lawrenceks.org](mailto:csoules@lawrenceks.org)>; Brandon McGuire <[bmcguire@lawrenceks.org](mailto:bmcguire@lawrenceks.org)>; Tom Markus ([tmarkus@lawrenceks.org](mailto:tmarkus@lawrenceks.org)) <[tmarkus@lawrenceks.org](mailto:tmarkus@lawrenceks.org)>; Leslie Soden <[lsoden@lawrenceks.org](mailto:lsoden@lawrenceks.org)>; Stuart Boley <[sboley@lawrenceks.org](mailto:sboley@lawrenceks.org)>; Mike Amyx <[mamyx@lawrenceks.org](mailto:mamyx@lawrenceks.org)>; Lisa Larsen <[llarsen@lawrenceks.org](mailto:llarsen@lawrenceks.org)>; Matthew Herbert <[matthewjherbert@gmail.com](mailto:matthewjherbert@gmail.com)>  
**Subject:** Sidewalk hazard program - Bob Billings Parkway and Wagon Wheel Road

Ms. Patton,

Thank you for giving us an opportunity to explain the proposed sidewalk hazard program as it would apply specifically to your property.

Staff went out today and evaluated your property specifically, against the current proposed sidewalk hazard policy. We determined that there was approximately 381/SF of hazardous 4' wide sidewalk.

Under the current policy it would be the property owners responsibility to make those repairs.

With that being said - we did also note the type of sidewalk hazard – in the instance of you believing that AT&T damage the sidewalk, City staff would help you with contact information for AT&T for you to pursue them for repairs of damage you believe they caused.

Pending City Commission discussion and action tomorrow night on this proposed sidewalk policy it would be premature to address your concern about who should be responsible for the repair and how they should be funded. As currently submitted the policy makes sidewalk repairs the adjacent property owners responsibility.

Mark

**Mark Thiel**  
**Asst. Public Works Director**  
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**From:** Bitsey Patton <[bitpat@sunflower.com](mailto:bitpat@sunflower.com)>  
**Sent:** Sunday, March 19, 2017 7:49 PM  
**To:** Leslie Soden; Stuart Boley; Mike Amyx; Matthew Herbert; Lisa Larsen  
**Subject:** sidewalk repair

Below is a letter I had published in the Journal World November 7, 2016 in case you did not see it. Please take my situation into consideration at your Commission meeting.

To the Editor:

I am a homeowner who is very concerned about the sidewalk repair issue. A retired public school teacher, I am financially vulnerable. I have over 200 feet of sidewalk along Bob Billings Parkway. There is no way I can pay the thousands of dollars mentioned in the latest Journal World article.

I have lived here since 1980 when this area was County and Bob Billings Parkway did not exist. My street, Wagon Wheel Road, was a dead end. After annexation in 1985, the City took a strip of my property for the road, and I had to pay special assessments for curbs and sidewalks. Being on the corner, I paid more than anyone else in the benefit district. Imagine my consternation when work crews drove heavy equipment on the new sidewalks and broke them. I have photographs. Next, the City required I connect with City sewers. That cost me \$20,000 of my retirement savings.

This past June, AT&T dug up all 200 feet of my frontage on Bob Billings. They, too, have driven heavy equipment and damaged the sidewalks even more. I photographed this as well.

Given the above history, I believe the City should find a way to distribute sidewalk repair costs to those who did the damage, as well as to those who use the sidewalks, i.e. the public at large.

Bitsey Patton  
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1421 Wagon Wheel Rd.  
843-4770

## **Bobbie Walthall**

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**From:** Mark Thiel  
**Sent:** Tuesday, March 21, 2017 11:22 AM  
**To:** Bobbie Walthall  
**Cc:** Charles Soules; Brandon McGuire  
**Subject:** FW: Sidewalk Hazard Program inquiry

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**From:** Mark Thiel  
**Sent:** Monday, March 20, 2017 6:38 PM  
**To:** k0mz@juno.com  
**Cc:** Charles Soules <csoules@lawrenceks.org>; Brandon McGuire <bmcguire@lawrenceks.org>; Tom Markus (tmarkus@lawrenceks.org) <tmarkus@lawrenceks.org>; Stuart Boley <sboley@lawrenceks.org>; Leslie Soden <lsoden@lawrenceks.org>; Matthew Herbert <matthewjherbert@gmail.com>; Lisa Larsen <llarsen@lawrenceks.org>; Mike Amyx <mamyx@lawrenceks.org>  
**Subject:** Sidewalk Hazard Program inquiry

Mr. Vaughan,

Thank you for giving us an opportunity to explain the proposed sidewalk hazard program.

The policy as it is currently proposed would require all sidewalks, whether repaired by the City or the property owner, to be repaired / constructed in accordance with the adopted City of Lawrence Standard Specification and Details - This also applies for proper backfill and compaction of trenches under roadways or sidewalks. The City will also, as part of this policy, inspect each repaired area for compliance with our current specifications.

I have not had time yet to investigate this area specifically, but in general we would hold any contractor responsible to make repairs (including sidewalk), if poor workmanship or materials were to be determined as the cause for the sidewalk hazard.

Your point about vehicles and equipment driving over city sidewalk is well received. If we are able to place the specific damage to a specific company /person. The City would pursue requiring that party to make the necessary repairs to the damaged sidewalk. For our internal City crews, we will again remind each department within the City that care should be taken as to not damage any City sidewalk.

Mark

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**From:** <k0mz@juno.com>

**Date:** March 19, 2017 at 4:54:28 PM CDT

**To:** [lsoden@lawrenceks.org](mailto:lsoden@lawrenceks.org), [sboley@lawrenceks.org](mailto:sboley@lawrenceks.org), [mikeamyx515@hotmail.com](mailto:mikeamyx515@hotmail.com), [matthewjherbert@gmail.com](mailto:matthewjherbert@gmail.com), [llarsen@lawrenceks.org](mailto:llarsen@lawrenceks.org)

Dear Commissioners:

Mayor Soden, Vice Mayor Boley, Amyx, Herbert, and Larsen,

I read the sidewalk article in the Sunday Journal World. Lawrence sidewalks do need repairs here and there. While the article is rather politically oriented in describing payment for such repair, a balance of engineering details should also be entered into the equation for fixing the sidewalks properly. Instead of pointing the discussion direction to making property owners repair sidewalks that were never constructed correctly in the first place, the discussion should be directed to why the sidewalks failed and change how sidewalks are built. Today, I measured a displacement of 3 ¾ inches between sidewalk panels that were poured in 2009 only 8 years ago. Another pair of panels on a different sidewalk also poured in 2009 were removed and replaced several years ago and are now continuing to settle with about an inch offset and growing. Repairing sidewalks using the same old system will continue to create a cycle of bad sidewalks forever.

When sidewalks are poured onto fill dirt that has NOT been properly compacted, they will ALWAYS settle and form offsets. Look at the sidewalk on the North side of Princeton Blvd. just west of Crestline and you will see a very good example of a bad sidewalk NOT caused by the homeowner. Just after the City installed a water main, the contractor stupidly installed the sidewalk directly on top of the fill dirt. Now the walk slants sideways with a number of dangerous offsets. Why? Because the contractor did not compact the fill dirt to the density necessary to support the new sidewalk. The City should NOT require the homeowner to fix this and if I had my way, I would MAKE the contractor tear it our and repair it at his expense. How else are we going to get this right?

Solution: Add to the sidewalk construction code the requirement for proper soil compaction for proper sidewalk support. And, make the contractors abide by that requirement or make him pay for the repair regardless of the passage of time.

As an aside, I witnessed a City water truck drive onto the sidewalk next to Peterson Park to water several newly planted trees next to the playground. That heavy truck broke a number of sidewalk panels right down the middle. When the City replaced that part of the sidewalk, I asked one of the workers why there wasn't any rebar and mesh reinforcement cast into the walk. He said they don't do that any more. Furthermore, why did the driver choose to drive on a sidewalk not designed for truck traffic? Guess who paid for its repair, our tax dollars right out of our pockets and NOT the truck driver. So politically correct!

Please consider these thoughts during your next meeting about sidewalks.

Sincerely, Robert J. Vaughan

Dear City Commissioners, City Manager and City Staff,

1-7-17

Mark Thiel graciously spoke to LAN with regard to City action addressing sidewalk repair and maintenance. It seems that the direction being taken by the City is the enforcement of present policies with creative implementation. LAN wishes to explore the possibility of the City combining sidewalks into infrastructure policies, including cost and maintenance. LAN is of the opinion that there has not been enough research into an equitable solution for sidewalk maintenance that is financed by taxpayers citywide.

At present the greater cost of maintaining sidewalks falls on communities with the lowest financial resources. Everyone uses sidewalks, much like city streets. The burden of cost now is restricted to those who have a sidewalk in front of their residence. LAN believes that the City's liability is not a sufficient reason to eliminate the possibility of the City managing this important service. Other communities have found a way to do this without undue financial risk.

LAN has supported the idea of a citywide sidewalk policy that is managed and maintained by the City for many years. We believe that there is public support for this and that the City should explore further possibilities.

Sincerely, Candice Davis and Courtney Shipley LAN co-chairs

# Lawrence Preservation Alliance

P.O. BOX 1073 LAWRENCE, KANSAS 66044

City Commissioners:

March 19, 2017

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Re: Sidewalk Repair

We believe the City Commission needs to further address the funding issue, but, as a preservation group, we will refrain from offering an opinion on that topic. Our concerns are how existing sidewalks are evaluated for replacement, and consideration for historic materials likely to be found in core neighborhoods.

While we are in agreement that panels showing cracks with deflections half inch or greater, or obvious gaps, must be replaced, we are very concerned that any review threshold more stringent than that will drive up the cost of the project, whether that cost is borne by individual homeowners or every taxpayer in this city. Panels with a non-deflected crack or two, or a chipped corner that in no way inhibits safe use, should not be flagged for replacement. A number of sidewalks will have some panels that pass an inspection at that threshold, and others that do not. We strongly believe that panels should be judged individually, instead of ruling that the entire sidewalk needs replacing if a certain percentage of it is bad. **Commissioners need to specifically ask staff about this issue until you are assured that a level of common sense is paramount in these evaluations.**

Second, historic materials will be encountered in core neighborhoods. When replacement is warranted, we believe that should be done with like-kind materials. Brick sidewalk should remain brick. A key for brick replacement is in the underlay material. It should be ground shale; not sand or concrete. Another historic material you will encounter is a stone known as blue rock. This material is still available today but at a cost that is prohibitive for this project. Much of this existing material is cracked but not deflected, so the overall effect is more like a tile surface. Certainly much of this will have to be replaced, but the threshold of evaluation should be lower so we keep as much historic material as we can.

In these cases of replacing historic materials, we believe that if the cost is to be borne by the individual homeowner, costs greater than replacement with concrete should be covered by the city.

Sincerely,



Dennis Brown  
President

Cc: Mark Theil  
Lynne Zollner



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