

STATE OF KANSAS)
WYANDOTTE COUNTY)) SS
CITY OF KANSAS CITY, KS)

SPECIAL SESSION, THURSDAY, OCTOBER 27, 2016

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in Special Session, Thursday, October 27, 2016, with eleven members present: Bynum, Commissioner At-Large First District; Walker, Commissioner At-Large Second District; Townsend, Commissioner First District; McKiernan, Commissioner Second District; Murguia, Commissioner Third District; Johnson, Commissioner Fourth District; Kane, Commissioner Fifth District; Markley, Commissioner Sixth District; Walters, Commissioner Seventh District; Philbrook, Commissioner Eighth District (arrived at 4:31 p.m.); and Holland, Mayor/CEO, presiding. The following officials were also in attendance: Doug Bach, County Administrator; Gordon Criswell, Joe Connor and Melissa Mundt, Asst. County Administrators; Bridgette Cobbins, Unified Government Clerk; Ken Moore, Chief Legal Counsel; Jeff Fisher, Public Works Director; Mike Tobin, Public Works Department; Kathleen VonAchen, Chief Financial Officer; Emerick Cross, Commission Liaison; Brent Thompson, County Surveyor/Public Works; Shaya Patrick and Mark Wiebe, Assistants to the Mayor; Misty Brown, Senior Attorney; and Officer Doug Bailey, Sergeant-at-Arms.

BPU Board Members present: Tom Groneman, District 2; Mary Gonzales, At-Large, Position 1; David Alvey, At-Large, Position 2, Robert Milan, Sr., District 1; Jeff Bryant, District 3; and Norman Scott, At-Large, Position 3.

Board of Public Utilities staff in attendance: Don Gray, General Manager; Bill Johnson, Manager Electric Operations & Technology; Angela Lawson, Senior Attorney; Don Mehlhaff, Chief Communications Officer; and Patrick Morrill, Director of Electrical Engineering.

MAYOR HOLLAND called the meeting to order.

ROLL CALL: Johnson, Kane, Markley, Walters, Bynum, Walker, Townsend, McKiernan, Murguia, Holland.

BPU ROLL CALL: Groneman, Gonzales, Alvey, Milan, Bryant, Scott.

NOTICE OF SPECIAL MEETING of the Unified Government of Wyandotte County/Kansas City, Kansas, to be held Thursday, October 27, 2016, at 4:30 p.m. in the 5th floor conference room of the Municipal Office Building for a meeting with the Board of Public Utilities regarding underground utility.

CONSENT TO MEETING of the governing body of Wyandotte County/Kansas City, Kansas, accepting service of the foregoing notice, waiving all and any irregularities in such service and in such notice, and consent and agree that we, the governing body, shall meet at the time and place therein specified and for the purpose therein stated.

Mayor Holland said we appreciate everyone coming and to give a little background we're working through an issue on Leavenworth Road. We want to do two things today. We want to talk big picture about things, but also we want to talk specifically about Leavenworth Road. I'm going to start by turning it over to Mr. Bach to kind of tee-up the conversation for tonight and how we got to this point. I do want to recognize Commissioner Kane who recommended a joint meeting at our last meeting and I think we all agreed that was a good idea. I think the opportunity to meet face-to-face today is going to be helpful. My hope is it will lead to some ongoing conversations that this is not the last conversation we will have about this, but starting off a conversation about this and with a project in hand I think it's timely in terms of how we can move forward. I'm going to turn it over to Mr. Bach to begin with the presentation.

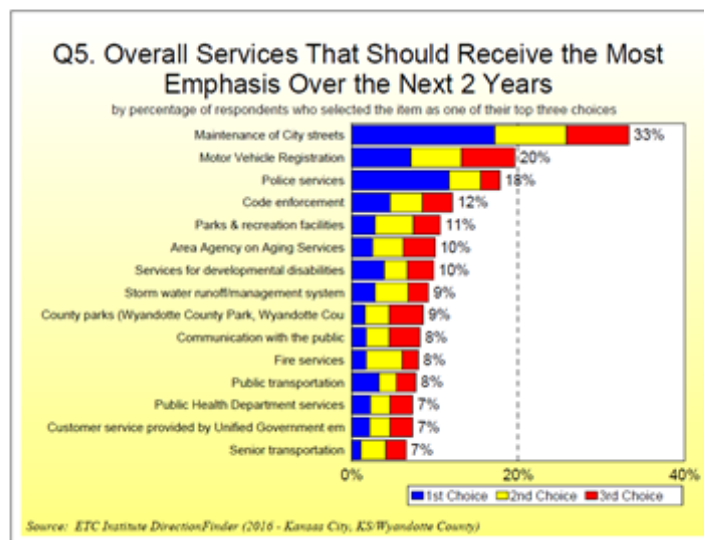
Doug Bach, County Administrator; said what I wanted to set out I think with this presentation tonight was really to kind of talk about how we got to where we are tonight with the Leavenworth Road project. Also, to start with a little bit of the bigger thinking as we come in and we started to look at just the impact of some of these major reconstruction projects that we're looking at in our community and what their impact is and why we're doing them.

Reconstruction

- Improve Overall Character and Feel for Corridor
- Neighborhood Morale
- Community Value
- Economic Development
- Level of Service
- Safety
- Project done Once Every 30-40 Years

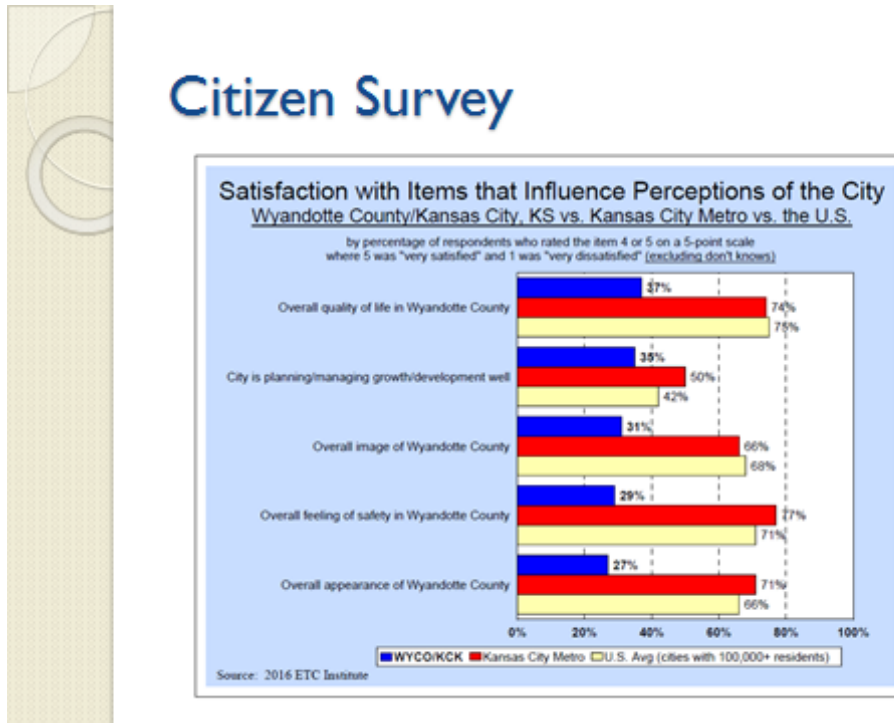
A reconstruction project is really done so it improves the overall character and feel for a corridor. It can change the neighborhood morale, community development, economic development impact, and the level of service that we provide in that area to the community. There are safety features that will be done through that and really for our community these are projects that we're doing once every 30 or 40 years to really demonstrate just how long it takes before we can come in and do something like this.

Citizen Survey



October 27, 2016

We're here largely in part because this is one of the areas that our citizens told us this is the highest probability. Thirty-three percent of the citizens responding to our survey over the last years have said that maintenance of city streets, which includes reconstruction, is the highest and this by far is the number one first choice priority, but also that for the top three choices well above the next in that area.



Also, as we look at satisfaction within the community I think there is a more telling sign here because when we look at it and say what's the overall quality of life in the community, and if you look at this chart, the red and the lighter color, red is the Kansas City metropolitan, the light color is that of the United States, the blue is satisfaction within Kansas City, Kansas. You can see the image of the community, overall feelings, safety, the overall appearance and 27% on appearance so our infrastructure is one of those things that really plays into what's the appearance of our community and why we look at reconstruction and going towards the Complete Streets design as being something that is really important to us.



Reinvestment = Success

- 2014-2016 Community Valuation: +6.5%
- 2014-2016 State Avenue Corridor from 47th Street to 94th Street: +20%

I also wanted to note where reinvestment has been success. I think we all know that in the Village West area where we've invested out there a little over \$400M it turned into \$1.5B in private dollars that was reinvested in the area and changed the dynamic. Also, you can look at other areas of infrastructure. We invested close to \$100M along Turkey Creek. It's changed the dynamic there from an area that over years was flooding and such, but reinvestment now is allowing for things to develop and stabilize in that area.

This one is really an example of the State Avenue Corridor which is one of our more recent reconstruction projects that we finished in 2014 and across our community from 2014 to 2016 we saw a 6.5% increase in value. Along the State Avenue Corridor from 47th to 94th Street where we did the improvements that area has gone up over 20% in value so it really does show where we reinvest and concentrate into a specific area, we see success in our community. That's kind of the dynamic we're going to as we look at our infrastructure and our streets in our community as we start to plan our CMIP process.

Now, as we start to talk about the Leavenworth Road Project, I'm going to turn this over to Mike Tobin in Public Works and let him walk through the actual project.

Leavenworth Road Project Area



Mike Tobin, Public Works Dept.: said as you can see from the slide this project starts at 38th Street and moves west to 63rd Street. This is our northern most east-west corridor and the most neglected major street probably in the whole county.

Current Condition



October 27, 2016

This was a state highway originally that was maintained by KDOT and as you can see as you look to the west here from the east end of the corridor you can see what appears to be sidewalks right at the back of curbs and utility poles and guardrails just scrunched right in almost on the roadway. Those actually are not sidewalks. Those are asphalt shoulders that were put in by KDOT years ago.

Current Condition



The guardrail that is along the road too, as you can see from this slide right here is dangerously close to the end of the road also and something that needs work. The corridor from east to west has a mixed character to it. It's residential, it's commercial, it moves back and forth and as I said earlier it's a former state highway that has a number of problems. In the time period, let's go back say about 40 years, nothing really major has been performed here. It has been a piecemeal maintenance only. In that same period of time Parallel Parkway has been built and then rebuilt. State Avenue was redone by the State before they turned it over to us and then we redid it again with the Stimulus money that came out in the first part of the Obama administration.

As Doug stated earlier, both of those, as you can see what has happened all the way along Parallel and particularly State Avenue in the last few years, they have had a tremendous impact on the community and on economic development.

This slide right here starts to address the scope of the project. Many of you will note that we've already finished the 55th Street and 72nd Street intersections and those projects came out, we think, very well.



Leavenworth Road Design Exhibit



This is 59th Street which is another major intersection along the corridor. It will have a multilane configuration also with a turn lane and be completely signalized. Hopefully, all these signals will be coordinated and it will help the traffic flow around this corridor.

Typical Cross Section

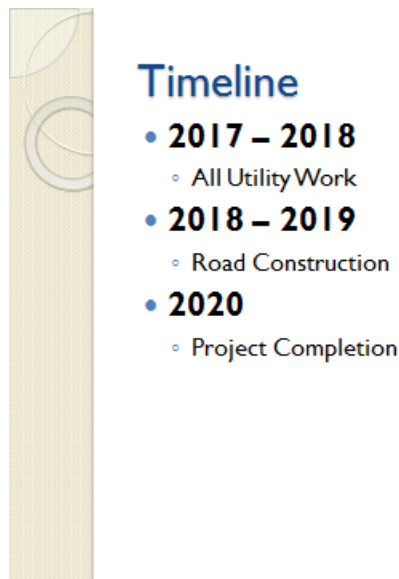


This is a typical cross section of a Complete Streets Project. As you can see it has a nice ambiance to it or a feel. The sidewalks are off the back of curbs. There is a lot of greenspace. It's bike friendly, pedestrian friendly and there is going to be 43 retaining walls constructed as part of this project that will weave their way in and out that will help with the look and the feel and the use of this whole project as we move forward.

Timeline

- **2014**
 - January – Standing Committee Discusses Leavenworth Road Project
 - Spring – Staff Conducts Preliminary Study
 - May – Presented to Standing Committee
 - Fall – MARC Grant Awarded
 - December – Standing Committee added to CMIP
- **2015**
 - August – Adopted into CMIP Budget
 - September – UG/BPU Quarterly Meeting
 - October – Road Plans to BPU
- **2016**
 - February – UG/BPU Staff Meeting
 - June – UG/BPU Quarterly Meeting
 - Summer – UG/BPU Staff Meetings
 - September – UG/BPU Quarterly Meeting

Mr. Bach said as we look at the timeline that has happened with this project in relation to it, we really—it takes a number of years to move from the beginning to the end. This is probably one that moved faster than many. It was in 2014 when we started having discussions about this in our Standing Committee to see what we could do. With the direction of the Commission we submitted for a grant application on it and we were awarded one that came in fairly fast by MARC that awarded to us to move forward with it so we added it in December of that year to our CMIP Budget. Then as we went through our formal adoption process in 2015, it was formally put in our CMIP and it was after that time that we started to have discussions with the BPU at our Quarterly Meetings about how Leavenworth Road was working and what we could do to change this. In October of that year and then subsequent months, staff started exchanging plans on how the road could work and then we continue to have some of the meetings leading up to September at our last Quarterly Meeting where we were talking about all the costs related to the underground infrastructure.



Timeline going forward on it is the utility work will happen in 2017 and should finish up in early 2018. The road construction work then starts in 2018 through 2019, hopefully, finishing that year and is completed really by the beginning of 2020.



Project Cost

- Road Reconstruction – \$16.3M
- BPU Utility Cost – \$3M
(Includes Burying Crossover Lines)
- Underground Utility Options Estimated
\$7M-\$20M

The project cost associated with this shows that the road reconstruction is \$16.3M and then the BPU utility cost to bury the crossover lines in it is estimated at \$3M.

The area that we're here to discuss more today is that of all the underground utility options estimated at \$7M to \$20M and these come in at a couple different options and I welcome Don to make other comments if I go off.



BPU Options

- Option A
 - Complete Underground North and South (except high-voltage transmission) \$20M
- Option B (UG Request)
 - Underground South Side \$7M

Really we looked at—they brought back an Option A which put underground utilities on the north and south side of the road. That didn't include high-voltage transmission lines and that was going to be about a \$20M option.

If we looked at burying all the utilities on the south side of the road, that was going to be another \$7M. This was the request that the Unified Government made back to the Board of Public Utilities to do that could work along the south side of the road as we move forward with this project.

Potential BPU Alternative

- Limited Overhead on South Side – \$2M



I will say since the time we had this meeting and called it out, our staff has got together and our new Public Works Director, Jeff Fisher, along with Bill Johnson at BPU met and discussed and have worked on it and an alternative which does look at still leaving some overhead things on the south side of the road but going to what we classify as a more limited overhead on the south side which adds \$2M more to what it costs to do the crossover lines. That puts an alternative on the table that I think you all can discuss tonight that is something that could work as maybe not completely solving where we were at from the Unified Government perspective, but also to be an alternative that can plan to leave in some of the above ground connections that go toward the residential areas as you move through this street.



Proposed Actions

- **Current**
 - UG Authority to Designate any Street to have Underground Utilities
 - Designates Existing Streets with Underground Utilities
- **Proposed Amendment**
 - Adds Leavenworth Road as Designated Street for Underground Utilities
- **MOU**
 - Authorizing up to \$7M in Shared Expenses
- **Joint Taskforce for Complete Streets**

Our proposed actions that are set out for the governing body tonight, I will start with currently we have an ordinance in place that allows the UG the authority to designate any street to have underground utilities. That's already in place. We can move along and we can say this street that wasn't underground utilities before can be put into underground. It does designate certain streets in the community, which I had to find out the history of that, but as Don told me there's ones that really had a lot of underground activity in them before and those are ones that are already designated as underground.

The proposed amendments specifically adds Leavenworth Road as a designated street for underground utilities and then our Commission has an MOU which would authorize us to go forward and get debt funding up to \$7M to share expenses with the BPU for this.

I would also offer at the end, and this is one in discussing with the Mayor, that looking for a joint task force going forward that could be there between staff to work with and report back to maybe an assigned group of Commissioners that we get a real clean policy on this to work with so as we see future projects we will know where we're going.

I guess to go back to this, what's proposed out here today and I'll ask Don if he wants to make any comments on that, but as we look at putting forward a project with the alternatives that we've laid out there, I know you indicated to me you thought that might be one that you could build in with your operating and I would open that for you or to comment on any part of the presentation that I've made so far.

Don Gray, BPU General Manager, said as far as what you have presented I think we can all agree it's a great project to refurbish Leavenworth Road. I've lived here all my life and it is a major corridor and it's good that we're providing attention to it. I'm not opposed to burying infrastructure. It's just the cost. The burying, even electrical distribution infrastructure can be sometimes four times or more the cost of going overhead. As we start working through these alternatives, as you know, we were originally going to fund the debt and that was going to cause us to have a slight rate increase in order to cover that debt. Then you brought up the idea that perhaps the Unified Government could sell the bonds and then we would pay half of the principal and interest. By doing that we would not have to increase rates to cover that additional cash that we would need for that purpose.

Then the question came up in the future how should we approach these road projects. It does overall, as a utility, if we get heavily into burying infrastructure along roadways and the increase in costs do that, it will start to put pressure on our rates. It will make us less competitive because the way it works with a lot of surrounding utilities is if a city or a community wants to bury infrastructure, the city pays the utility the difference between the overhead and the cost to go underground. I do appreciate the fact and we are continuing to work on this and I want to thank Bill, Pat and Jeff, we're very impressed by him, to continue to work on alternatives to try to get the cost as low as possible.

We also sent over to everyone the kind of a summary, a brief bulletized summary, of the differences between going overhead and underground and so forth just so you have a general idea of that.

Mayor Holland said we're going to open it up for discussion. I want to lead in to say obviously I think this has caused a great deal of frustration on both sides. The timeline is important because we didn't just hatch this idea three or four months ago, this has been in the works for a couple of years in terms of the direction we wanted to go. I think the key piece for me; Leavenworth Road is a blighted road.

The city's infrastructure is blighted and the utilities infrastructure is blighted and both entities' have contributed to a blighted corridor and it's really historic. It's one of our oldest corridors in the UG so it has just been 100 years of neglect and it's been patched together both from the utility perspective and from a city perspective so I'm not here to say that one group is

doing worse than the other. If I look at that road, I think we've both dropped the ball significantly in terms of taking care of a major corridor. I think it should look like Parallel and State Avenue. It has the kind of traffic and the kind of thoroughfare and the kind of—it's a caliber of road though it doesn't need to be four-lane all the way, it needs to be two-lane, but it does deserve the kind of upgrade it's getting. The historic location of things just needs to be addressed in a way that many other corridors don't need. Most streets have overhead lines on one side. I think that's the way the world is. I would love to bury every line in America. That's probably not going to happen because of the cost, but we do know every time we have a new subdivision, every time we do new construction; retail, commercial or residential, we require everything to go underground. That's really the way everybody does it. It's not just that KCK does it; that new construction always goes underground.

The question is when we're rebuilding a corridor when do we make the decision to go underground and when not and it's clear to me based on the discussion of the last month that we need some clear perimeters and we need to have a team of commissioners and BPU Board Members to sit down with staff to come up with some criteria where we can evaluate this ahead of time and balance the cost benefit analysis of it to make sure we're making good decisions on this.

My biggest frustration is it sounded like this was kind of a last minute add to the project. From our perspective it certainly was not a last minute add, but that's certainly how it feels because we're up against the wire.

I want to take a deep breath, backup, commit to a joint task force moving forward, but I also don't want to miss the opportunity—we're not going to touch Leavenworth Road again in my lifetime probably and I would like to see it done right and I think we have a plan.

Now, this new option, you know the \$7M to \$20M I don't think we need to bury everything on both sides. We were already looking at the \$7M low end project for this and then the opportunity maybe to value engineer that and look at some creative solutions to how we can minimize the wires on the south side without burying everything on the south side is new today or Friday, early this week; it's new early this week that there may be an opportunity for our crew and the BPU to sit down and come up with a third way that's under that \$7M and they are saying it could go as low as \$2M. So, somewhere between \$2M and \$7M of additional if we don't bury everything on the south side and look at residential hookups with above ground. So, a limited

overhead where it's still going to be on one side and the other side has a few poles but doesn't have a corridor of wires. I'm open to that. I think that's a possible solution.

What I'm going to ask for tonight at our 7:00 p.m. meeting, I obviously want to add Leavenworth Road to the list of underground. That doesn't mean it all has to be underground, it just adds the discretion to do so and then to ask for up to \$7M that we would share 50/50 with the BPU. Then if we can value engineer it below that, I think that's a big win for us. I think that's where we're headed and what I would like to see tonight, but most of all I just wanted to have everyone to have the opportunity to weigh in and talk through it and then we could perhaps spend some time tonight talking through what that task force will look like and how we move it forward so it's beneficial to the whole community.

Commissioner Bynum said I would like to hear more details of the lower cost alternative obviously and specifically would it get the power lines off of crisscrossing the road. **Bill Johnson, Manager Electric Operations & Technology**, said for the alternative we have had conversation with Burns & McDonnell, but we haven't pushed the project forward enough to be able to say how much will be above ground, how much will be underground at this point. This has been discussion because our preference is to stay above ground, but at the same time we are and I am concerned, about all the overhead street crossings and we made a commitment back in January to clean that up. From a utility perspective we're still looking at the cost of construction, long-term cost of maintenance, how we connect customers and how we service and maintain those facilities over the life of those assets and that's part of the discussion that we've had from day one and its ongoing discussion. This is a representation of how part of it may look, but I can't say it will look exactly like that without really getting deeper into the design, but we can certainly do more than what's been already presented to you. We just haven't had time with the time constraints of trying to get something together with the time we've had to work with.

Jeff Fisher, Public Works Director, said I think Bill and I have the confidence that we can work together and find an acceptable solution regarding the powerlines that also dramatically improves the appearance of the corridor. That's what I know and there are a few alternatives that we will be looking at, but given the opportunity we can do it. **Mayor Holland** asked what are

some of the characteristics instead of running a whole corridor of wires down the south side, how would you envision minimizing that?

Mr. Johnson said we would be looking at where the commercial customers are and we will potentially treat that a little bit different than the residential. Residential customers will not necessarily need three-phase circuits all the way down so that will in and of itself lessen the footprint of what we build along the roads to serve residential customers. When we get to the commercial customers there will have to be a whole different conversation as to how we connect those customers. We can maybe take a look at some alternative routing around the commercial customers, but again, this is something that we're pushing forward now as another option to consider. It's a little bit premature, Mayor, to say exactly how—**Mayor Holland** said I'm not asking for exactly how you do it, but some of the considerations that you would make that would reduce the cost. You've listed a couple that you would look at the commercial differently than the residential. **Mr. Johnson** said yes, we will, but we will still have to get further into the design and see what all that bears.

BPU Board Member David Alvey said I appreciate the slide show that describes some of the major road projects that were done especially along State Avenue in that corridor and the accompanying economic development that happened there. Certainly there is no doubt that with all the new landscaping, the divided roads, the new sidewalks and curbs; especially with the landscaping that is a much improved look along there, but I have to say that I don't think that is really the point here. I think we're really talking specifically and primarily about the cost of burying infrastructure and whether that in fact has the economic value of—has the same economic value or adds the same economic value as the street project itself with sidewalks and curbs and making turning lanes.

I think the real issue here is it seems to me that there are a lot more serious human needs and capital needs around town. I'm sure—you know I've seen the CMIP that there is a list of priorities around town and that if we were to start burying infrastructure it's going to increase the cost of that infrastructure, it's going to displace other projects, it's just a necessity. I've been on the Economic Development Finance Committee for the UG. I'm convinced there is no pot of gold at the UG. I've been on the BPU Board for eight years and I can find no pot of gold on the

BPU. Any cost that we add to this is going to come from our residents and it seems to me really the only issue for the UG Commission, it's really for the UG Commission here, is if this is a high enough priority; if burying electrical infrastructure is a high enough priority that you're willing to push other important human and capital needs further down the list, well then so be it. Then the only other question remains how will you choose that our residents pay for it. Will it be by increasing property taxes, the PILOT, the tax on our utilities, sales tax, other fees or are you going to push the cost off to the BPU Board and we will simply have to pass it on to our residents.

I don't mean to disagree with Don Gray in public, but even if we agree to go with the cost sharing for the third option, that money comes from somewhere. That money that we might have in Reserves is not substantial and we do use that to absorb other capital costs so we don't have to bond everything.

I guess the real issue for me is if this is such a priority, burying infrastructure, has that much effect on economic development, I would like to see the evidence and secondly, if it's still a priority then decide how the residents will pay for it. We are faced almost every month with residents coming to us who have a difficulty paying their utility bills as it is and this would be just one more burden. I think that's the primary issue here.

Commissioner Townsend said I prepared to hear all the sides and doing homework last night and early today I am really happy to see that another alternative has been placed on the table. I still have a couple of questions. I agree with Mr. Alvey that there is no pot of gold here. That was one of the first lessons that I learned that people would think, call the UG, there is money there. It's already spoken for or will be, but I think our citizens also know that as this skimmatic indicated was what is significant to them they have to realize that they are going to have to pay for it. It is the balance of what does the citizenry want bad enough to pay for it.

Mr. Gray, did I understand you to say earlier that with the \$7M alternative the BPU was going to take on all of that cost initially and not pass it on? **Mr. Gray** said when we first started having discussions and looking at the alternatives it was thought that since it is our infrastructure that we would handle the entire cost. We were calling it Option 1 which is burying the infrastructure on the south side. We were currently in reviewing our cost of service and moving forward with some rate proposals to our Board. So when this came in and we were already

planning to issue \$62M in revenue bonds for a lot of improvements around our community and so adding this \$7M bringing it to \$69M we were looking at a half percent rate increase being proposed for 2017. We're looking at a two-year rate design so 2018 we would not have to impose another half percent. It would cause a half percent.

In talking to Doug we started talking about should we share the debt and the Unified Government sell bonds for half of it, we sell bonds for half of it, and so our \$62M would go up to roughly \$65M or \$66M. That we were thinking would still cause us to look at maybe a half percent in 2017 but wasn't sure. In the meantime Doug and I talked further later on, a few days later, and then Doug said how about we do this. That the Unified Government sells the bonds, the \$7M and then the BPU pay half of the debt over a 20-year period. Now, the advantage of where it saves us dollars is that we have to have a 1.6 debt coverage on our borrowed funds and so the UG does not have that requirement so we would save in a sense that .6 which would have saved us a little over \$100K each year in not having to meet that obligation of 1.6. Anyway, Doug and I have discussed that. That approach with the Unified Government handling the debt would not cause us to move our rates up.

Commissioner Townsend said I understand now from what I just heard that when you first contemplated your budget it did not include the undergrounding of the wires for the Leavenworth Road project. **Mr. Gray** said no. **Commissioner Townsend** said once that came in then the rate increase was contemplated. **Mr. Gray** said yes. **Commissioner Townsend** said with the potential alternative that's shown targeted now at about \$2M, and maybe this is an unfair question, but I'm going to ask it anyway and you can give me an IOU. If this goes down to \$2M, is it possible that the BPU would absorb the whole deal or the full \$2M without an increase to customers or you're looking to us to put in at least half of that?

Mr. Bach said I think what we proposed out here that if we start at the \$7M and work down to potentially the \$2M that it would be a shared cost arrangement between the BPU and the Unified Government. We wouldn't expect them to take the full burden of the cost whatever it is. If we're able to save and reduce the cost we would at least propose that we would be sharing that arrangement. I would probably still recommend that we—I think it works better for the BPUs budget, unless we see something different on Operating, that we would probably include it with our bond issue for the project. We may set up a separate Special Revenue Fund for this to come

into so it wouldn't be over on our GO side, it would be over on our Special Revenue and then they would pay us the debt service for that amount of money over the next 20 years and we would just have a cost agreement with them for that. **Commissioner Townsend** said and no increase to accrue to the citizens from the BPU side.

BPU Board Member Mary Gonzales said I think that's the point. We were in the cost of study. I don't think she understood that from you, Don, that we were already involved in the cost of study or getting ready to be involved in the cost of study to my knowledge. Is that correct? **Commissioner Townsend** said I understood that it did not contemplate. **Mayor Holland** said, Mr. Bryant, do you want to answer that specific question.

BPU Board Member Jeff Bryant said actually what I think we need clarification on is, and correct me if I'm wrong Bill, but this \$2M is above and beyond the \$3M that we would already be paying just to clean up the street anyway and do the underground. This isn't just a \$2M project. It's a \$5M project. **Mr. Johnson** said no, it's not just a \$2M project. What we haven't talked about is the work on the north side of the street and the north side of the street is moving some of the transmission poles and moving all the distribution but keeping that above ground so there are the additional expenses on the north side. All this is is just the south side and then there is the underground crossing that we committed to to connect the south side to the north side. There is primarily feeder feeding Leavenworth Road because there hasn't been that much development on Leavenworth Road. There are a few houses that are scattered. There are a handful of businesses and we're serving that practically with one feeder. All the crossings are primarily one main circuit. I've looked at opportunities to connect the south side to one additional circuit and completely separate it to see if we can feed it from the south and that's not a feasible thing for us to consider because the infrastructure is there and the required investment that we would have to make to push that to a totally different feeder. It will still be one feeder. It's just now a matter of getting circuits across the street so that we can tie the south side to the main feeders on the north side.

The other question I would have, this project is 38th to 63rd Street and if the ordinance is going to go to Highway 7, what future expenses will we have to look at with the UG making

road improvements for the west of 63rd Street because that's going to involve relocating other facilities and the price is only going to go up.

Mayor Holland said we have a number of people that have indicated they want to speak. **BPU Board Member Bryant** said I want to clarify one last thing. This proposal right here what roughly would be the total dollar for both sides? **Mr. Johnson** said I think we can probably keep this under \$5M or up to \$5M. But, Jeff, I don't have all the numbers in front of me. **BPU Board Member Bryant** said I know you are just giving an estimate. **Mr. Johnson** said the design is not complete yet.

Commissioner Townsend said I do understand what we're talking about here is not the total cost of this entire project, but merely about the overhead, one side or both as Mr. Tobin's overhead illustrated so I understand that.

One last thing that came to mind, was this issue dealt with burying the lines or putting them underground when we did the Parallel and State reconstruction? I think my constituents on Leavenworth Road would like to see the improvement. They also want to know what the cost would be which is what we're talking about now, but has this been dealt with before in other improvements that we've had in the city and if so, how was that handled? **Mr. Gray** said we've tried to come up with some history. The improvements on Parallel and State, especially in town, occurred some years back and we've gone through some drawings and things and we can't seem to find much on that. However, when you drive Parallel and State you will see kind of a combination of underground and overhead so it's kind of a mix.

Mayor Holland said I think that speaks to the previous point. We need to come together, the two bodies need to come together and come up with a proactive policy of when and where a strategic undergrounding policy that we need to talk through as a group about when and where we do it. I think the Leavenworth Road infrastructure, both city and utility, I'm not calling out either one of us; I'm calling us both out is so deplorable that it takes some exceptional action because it's in just in such bad shape. We do need that strategic dialogue, Commissioner, because we have done it hodgepodge. We've not had a policy. It's been project by project, it's not been a strategy and I think what we're talking about now is coming up with a strategy so that

when we do future projects it will make sense. Does that answer your question? **Commissioner Townsend** said when we did this particular last improvement on Parallel and State, how was it handled or did this issue even have any direct—**Mayor Holland** said it was kind of a mix and match. There was not a unifying policy. **Commissioner Townsend** asked was there a cost that was passed on through BPU to the consumers to do it. **Mayor Holland** said BPU spent a lot of money on utilities on State and Parallel.

Mr. Gray said right, just like the Unified Government, we have a Capital Plan. We will usually look five years out and then we put that debt into our cost of service review and eventually if we don't have the resources to cover the costs, we will end up having to propose a rate increase and we've done that over the years in order to better our community. **Commissioner Townsend** asked did Parallel and State result in a rate increase if lines were buried. **Mr. Gray** said if we buried the lines now—**Mayor Holland** said no. When you did it did you increase rates to do State and Parallel? **Mr. Gray** said specifically at that particular project did it cause us to raise rates, I don't know. It could have been lumped in with a lot of other Capital Improvements. In total I'm sure it probably did cause us to raise rates some to cover those capital costs.

Commissioner Kane said I do believe that we have better places to spend the money although this here would be more palatable. Mayor, you said something and I want you to write down the date and the time that I agree with you, that we should have a committee between the commissioners and BPU so that committee can come back and say here is our plan. What I don't want and what it looks like, we get mad when Topeka makes us do something. If we go vote tonight, it's going to make it look like we made BPU do something. I'm not saying we can't vote. I'm just don't think we need a necessary vote on it until we form this committee, push forward with working together because that's what we're here doing now, and then come back with a plan because if I was a BPU Board Member I might be a little bit more red face than I am. They are the elected people to make the decisions for BPU, not us. The way I interrupt this is we're the Commission, we're going to do this and you're going to like it whether that be real or not real and that's why I think it's very important that we form this committee. Let the committee come back to us and then we can adjust accordingly.

BPU Board Member Robert Milan said let me kind of change the game plan a little bit. I'm hearing a lot of things but why are we here because we are talking about floating a \$62M bond. What's the benefit for the cost? Keep in mind before we started talking about Leavenworth Road, I think we have staff to verify what our priorities are, Nearman, boiler tubes, \$10M, Rosedale Substation \$29.5, Muncie Substation \$4.0, Downtown underground very well needed \$1.5 and the list goes on. As the utility people that we are, Gray and his staff, we make decisions as to priorities in this town based on quality water, electric power on demand so somebody does say what's first, second and third. I don't see Leavenworth Road as one of the top three. We need it, appreciate your comments, Mayor, it looks well and I like it but that's not the priority in my opinion for Kansas City, Kansas Wyandotte County. I stand to be corrected. I'm saying let's do first things first. My final comment is it's nice to do things right but it's equally important to make sure that the right things are done at the right time. The timetable is important because we have ratepayers that have to pay for this project. I don't care how you cut it, we don't get grants from the government, we don't get bonds, and the ratepayers are the ones that have to pay the costs of all projects. We start talking about \$60M let's make sure item one right down the line, very simple, very simple.

Commissioner McKiernan said I do have actually several things that I would like to ask. First of all I'm a little concerned that we apparently don't know how State Avenue was paid for because there was at least a one-side undergrounding on State Avenue. I did drive Leavenworth Road and State Avenue and I have pictures of almost every block on both roads and State Avenue looks like it's a one-side underground. The south side is still above ground for transmission and distribution. The north side appears to be mostly underground and so it looks like we've already done this but I'm concerned we don't know how we did it or how we paid for it. That's a big concern and I'm concerned that I first got official notice of this on my Transportation Improvement Projects list through the Mid-America Regional Council in September of 2014. It's already costed out, it's a new project, and it looks like it already has Surface Transportation Program dollars assigned to it. We had to start working on this a couple of years before 2014 as Doug's timeline indicates. How did we not talk about powerlines in the original discussion of this road? I'm baffled as to how we did not have that discussion about this

because certainly they exist on every road and we've already redone State and Parallel where we undergrounded at least some of them.

That's something we absolutely, positively have to change in the future that we do a better job of communicating and planning with each other so we don't end up at the eleventh hour hanging something on because here we are, talking about a budget add-on. We were wrangling over \$50K on the last night of CMIP and now we're talking about hanging more CMIP on our budget, not that I am necessarily opposed to it, because I completely understand the astatic and potential economic development benefit that could come from this.

Is there best practice from APPA, the American Public Power Association, does APPA or IEEE or any of the other acronyms have best practices for cities on undergrounding utilities? (Someone did not speak into the microphone.) **Commissioner McKiernan** said so the American Public Power Association doesn't recommend undergrounding utilities, electric utilities, is that correct? **Mayor Holland** said this question is what I think our task force needs to dive into. We need to look at best practices.

Commissioner McKiernan said that's my next question. What are the current practices of other communities in our metropolitan area as it relates to undergrounding? As I go look at our ordinance I have many, many, many concerns about our ordinance and making changes to said ordinance that are small changes; not a fundamental overhaul. Our ordinance doesn't differentiate between transmission and distribution lines. Who ever thought I would know the difference between those two. My question is, should it or is that something that can be considered on a project by project basis, I don't know but I think it ought to be in there.

Our ordinance first of all does differentiate new construction which it says must have undergrounding of all utilities versus reconstruction, CMIP, and it says that reconstruction shall take place when it is practical, efficient and economically feasible. I would like to have some definitions and I would like to know who makes those decisions. Is that a UG decision, is it a joint decision, is it a BPU decision; I think we need to clarify the language in our ordinance.

The ordinance also has a list of streets for reconstruction and it says reconstruction on these streets shall underground everything hence forward and its 10 streets. I don't know how that list was put together but it doesn't look to me like it is a strategic economic development oriented list of streets. It's just a list of streets. Now, I understand it may simply be historical artifact that we did those in the course of other projects over time, but that list doesn't have

Parallel on it, it doesn't have State on it, it doesn't have Rainbow on it, it doesn't have 39th Street on it, it doesn't have Quindaro Blvd. on it; and so I'm a little concerned that we tack on Leavenworth Road on the end of this list of streets that doesn't appear comprehensive because I think it opens the door for tacking on stuff willy-nilly in the future. I certainly would like to see some sort of guidelines or criteria for where utilities are undergrounded because I worry about opening Pandora's Box to last minute hangers on.

Those are just some of my concerns. I'll even volunteer to be on your rewrite the ordinance list because I don't think that our current ordinance gives either side of this table the direction that we need to thoughtfully, economically, feasibly, efficiently carryout the entirety of these road construction projects which aren't just the concrete streets but everything on both sides.

BPU Board Member Jeff Bryant said I have been in a number of conversations over this specific topic and I went back and forth on the different projects, the different scopes of the project as they were presented and I think I shared with most everyone my feeling about this. I have been a resident my whole life. I love the idea of improving the look of our streets and I think it's important but to me the cost benefit of undergrounding half of this is negligible versus what the costs are.

I sit through the Mayor's Listening Tour all the evenings and while infrastructure was brought up almost every single meeting, it was all based on streets and sidewalks. No one in any of the groups that I facilitated mentioned burying underground utilities or even utilities at all as far as the look of them. This would triple the cost of a project and make the cost of the utilities be 50% of the cost of this street/sidewalks; that's a high percentage from the way I look at it as far as costing. By burying underground it's my understanding that it would possibly create a situation where residents would have to upgrade the services in their homes for the system which would be additional costs that we would be pushing onto our residents. The underground utilities is typical in new developments where there is nothing there yet and the developers are the ones that absorb those costs, not the utility or the city so it's a cost that's being taken care of by those that are making money off the project. This is only phase one, as Bill pointed out, there are two or three phases possibly beyond this even though some of the others may be a little cleaner and a little less costly, it's that double or triple the cost each time that takes away from

this list of projects that we have that our city needs and everybody scrabbles for money. You guys scrabble at the UG, we scrabble for it at the BPU to do substations to increase you know Fairfax reliability, things like that that by taking this \$3.5M away from the BPU funds is going to alter our timeline of our projects which a lot of these projects have already been pushed back longer than we would really like to see.

The plan that has been brought forth tonight which is the first time I've seen this with a limited overhead, I could see this. It's an extra \$1M above the \$3M we're already looking at and understand that we haven't even talked about the cost of the water that will have to be redone along this same project. We're only looking at electric right now. The BPU will have the water cost but this plan will give us a cleaner look along the road. My wife and I drove this last night just looking at this again so it would be fresh in my mind and there are a lot of interconnects and tie-ins across the street and I was imagining what it would look like because afterwards we drove up and down State Avenue and Parallel so we could get an idea of the fresher look. You really don't notice what's on the side; you're seeing what's above your head as you're driving. The connections would be buried underground from side to side so that would give that skyline look that everybody wants. It would be less final cost that we would be passing on to the residents and as I've told people, when I try to make decisions to the Board, I do it selfishly because I figure if I'm looking out for how much money is coming out of our family's pocket, UG, BPU, it doesn't really matter; it's the cost of being a citizen of Wyandotte County. The lower we keep it the better it is for everybody.

There has to be expenditures because you do have to keep improvements but you have to prioritize and take the victories that are appropriate victories at each phase.

Commissioner Philbrook said on our timeline for this with monies that have been allotted so far, what kind of crunch are we into making the final decision? **Mayor Holland** said that's a big issue. **Commissioner Philbrook** said that's what I want to know first. **Mayor Holland** said that's the issue for me is—one of my concerns is I felt like this was presented very late to the Board, the utility Board, we've been talking about this for a couple of years. The plans were given a year ago and the Board didn't have a chance last year to talk about it and so this came to the Board right on the heels of having to forward your bond issue and so we obviously—there was no place to delay the bond issue until we had this discussion. Your bond issue had to go

forward and so we put it on the agenda. We unanimously approved your bond issue because even though this project wasn't on it there were too many projects that you guys have worked on that we couldn't delay it. We were already backed up in the timeline. Even though it was going for two years this decision was blocked up against the timeline for the issuance of those bonds which we've done and so that's all moving forward.

The other piece is I've reached out to the Mid-America Regional Council. We can't push our federal money any further in order to get this utility work done. We have to decide now that this is a priority and that we're going to move forward authorizing up to \$7M and letting the group work out what that's going to be and give us a plan, but we have to start working on it right now so we're backed up in terms of timeline with our federal grant and backed up—the bond issue is over for BPU so that's not an option. That had to go forward and we were glad to push it forward, but in terms of the rest of this timeline really we need to decide this tonight.

Commissioner Philbrook said I'm going to throw this one out. If we did not decide it tonight, does that totally kill this issue or is it possible to come back with a strategic plan between the utility and ourselves that we could come into agreement with that will work for residents on Leavenworth Road and what they have expected from us and have gone without for a heck of a long time and have been very patient over the last two years and haven't seen of course anything yet, but they know it's coming and then this bump hits. Talk to me about that. **Mayor Holland** said I don't think, and the engineers can correct me if I'm wrong, the Commission is going to have to decide tonight about Leavenworth Road and authorizing up to an amount tonight. We have to turn the engineer's loose to get this work done on this project and that's what is frustrating to me. If this had come up six months ago or a year ago when we started talking about this, and we have quarterly meetings with the BPU, and that's part of my frustration; I feel like we've met quarterly to try to have these conversations and for whatever reason this ball was dropped. I think we need to get this one underway because it's a 50 year—you say 30 to 40 years, Leavenworth Road hasn't been touched in my lifetime and it's not going to be touched again in my lifetime so we need to get this job done, get this one moving forward and commit going forward that we're going to have a better process. I don't like this last minute process when the bond issue has to go and now we've got the engineer's backed up and we don't have a federal grant. That's crazy to me. That's not how either one of our organizations operate,

but we're going to have to get this one done now with this alternative. I mean I think this alternative is a good one that we can maybe drop that \$7M down to \$2M. That would be terrific.

Commissioner Philbrook said alright, Mayor, let me finish my griping and then I will make a suggestion. This has been on the table for a while as the Mayor says and I've been involved in it for a long time because I was a part of a lot of the pushing and shoving for Leavenworth Road to get taken care of and bringing our constituency together so they could decide what they wanted. The people voted, they said what they wanted; now it's up to us to do it. Some people say that it doesn't matter whether there are lines or no lines and it looks esthetically pleasing to them and that's fine. We all have our own opinions on that but when you drove up and down the four-lane streets you had a lot more sky to see sir. When you drive up and down a two-lane street that's been ignored for a heck of a long time, they're isn't as much sky and even if you take out the crossovers, there's still not as much sky.

Having said that, I believe that we're definitely going to have to come to some kind of agreement tonight, but I do want you to know that the folks that have been waiting very patiently for us to take care of that road are not exactly pleased with our fighting among ourselves between these two entities. Why the heck did this happen and what are we doing up here that we can't even talk to each other in a manner that lets us work together. I am so disappointed in us, all of us here around this table. This should not have happened and I agree we definitely need to have a committee to get together and I'm going to volunteer for it and I'm going to demand to be on it, seriously, the people that I represent and that I work hard with would demand that I do that so I'm just telling you that.

I'm going to propose—you know you guys liked \$2M. I'm pushing for \$4M. I'm going to ask for \$4M and let's split \$4M instead of \$7M. I think we can make it work and the other thing is because we've only got what, all that road to go all the way out to 91st Street. Look at all these other streets we've been working on; Merriam Lane, we're still finishing up on that. We have all these other streets that we've worked on all over the city and then there is Leavenworth Road who is ignored on the north end. That is a main thoroughfare. People use the heck out of that and we want it to be developed. We need to clean it up. It needs to be spiffed up, the rest of this city as well as other cities around us need to understand that we want development on that street. We don't want it just to be the poor little forgotten street in Wyandotte County. People want things up there. We may be the most north of there, but that's

okay and that's why it has gotten away with being ignored all this time so it's their time now and I'm speaking for them.

BPU Board Member Norman Scott said I haven't heard two concerns that I'm going to bring up. Since Leavenworth Road is a Kansas State Highway, does KDOT have any part in this first of all, should they be supplying some money and second of all, what part does Google play? I'm sure if Google's not on Leavenworth Road yet, it will be, everybody should have the same benefits. Who takes care of that cable or whatever they're running? If they have to run underground, they are going to have to have a separate conduit for that I'm thinking. Engineering can tell me that, but I think they will.

The third thing is this committee that you're talking about is something that I would definitely be a part of. I think it's important. I'm surprised it has not been done before. These last minute meetings are going to be intense because the work is there. I can tell you that the BPU has a lot of work. That's why we're getting another \$62M and it's not to be put off, it's here. I mean there is a lot of stuff going on.

Commissioner Bynum said Leavenworth Road runs through every district that's in my district so this is not a small deal for me and I heard some comments tonight that, to put it bluntly, just hurt my heart. I heard that there are people who don't think this is a priority, I heard that there are some houses scattered along Leavenworth Road, I heard that there are better places to spend our money; I heard a question asked about whether there is an economic benefit to burying utilities underground. I would say being a year and a half here that there must be some economic benefit to burying utilities because it's in our ordinance. We require it on new development. Like many of you I drove lots of roads in our community leading up to this meeting one of which was Parallel from 99th to 51st Street. That particular stretch of Parallel from 99th to 51st if you drive it or if you would like to see it, I would suggest you take public transit and have a look at it. No powerlines on either side of the road, none, no lines overhead. It is a significant visual difference when you don't have powerlines. When you do drive that stretch of Parallel you will see that there are underground utilities apparently at Providence Medical Center, the YMCA, the Parkway Village neighborhood, the Community College and on and on and on. I think it is important and I think ecstatically and visually otherwise there is a huge difference.

I think it is the right thing at the right time. This is a \$16M project that we're getting help paying for. There is not a better time to do this. I'm fully supportive of finding the compromise and I really appreciate that one has been brought forward to us tonight, but I do not want to turn away from this. Commissioner Philbrook is so correct. This is a community that has waited not just a couple of decades for these kinds of improvements to come to their neighborhood, this is a direct reaping of a benefit of something we've all been paying for for quite some time. You can look at this as yet another benefit of the development successes that we've seen in this community and I would like to point out that on Leavenworth Road, if you drive Leavenworth Road, from 91st to 38th Street, you will count more than 80 businesses, you will count more than 10 churches, you will count two public schools, you will count one private school. This is not hillbilly country but we seem to want to treat it that way. I can't support that. I'm in support of doing what we can with our compromise measure. I would volunteer for the committee but I think we have enough UG volunteers for that. **Mayor Holland** said yes. We can't hit a quorum. **Commissioner Bynum** said I will make myself available. I don't want us to turn our backs on Leavenworth Road. My goodness, we've come so far and we've done so much work and I'm telling you the people that live and work along that stretch of road are super excited about what is coming their way finally and I just hate to take that away from them.

I guess that's really all I wanted to say. As you can see it is almost personal for me. It's also in a professional sense a major upgrade to this community that's long overdue and I fully support any effort we can make to work together, bring the cost down, but certainly underground as much as we possibly can for this project.

Mayor Holland said we have a police graduation at 6:00 p.m. that we are committed to being down to. I want to prioritize—we probably need to finish in about 10 to 12 minutes. Like I said, this is the first conversation not a last. I do want to prioritize the BPU Board Members having a chance to speak tonight because the Commission will have another opportunity to talk at 7:00 p.m. when we have our meeting. Of course if there is a BPU Board Member that wants to speak at 7:00 p.m., I will recognize you if you want to come forward at that point. If you have a moment of inspiration, we don't want to lose it, but I do want to prioritize. We have about 12 minutes left.

BPU Board Member Gonzales said I just want to say that I'm sorry that you're thinking it's adversarial because I'm hoping it's not adversarial. What we really need to all keep in mind is that your taxpayers and our ratepayers are one in the same. We're serving the same constituents and so I think we want to do what's best for our citizens because our Boards serve them all. I do agree that Leavenworth Road should have the same—I lived a couple blocks off Leavenworth Road when I first moved to town for 20 years and it's sad for me to drive Leavenworth Road now. I understand the emotions behind that but just want to keep it focused that you and I we're serving the same people.

Commissioner Murguia said I just have a couple questions and need some clarity on some things. Commissioner Bynum, you made a comment about how important this project on Leavenworth Rod was and I agree with you. I think it's a very important project but just for my clarity, is the project that involve the improvements, the road, the curb and the sidewalk—I know that's important; is that project off the table completely if we don't approve the burying of the underground utilities? **Commissioner Bynum** said I don't believe so. I think we're ready to go. **Commissioner Murguia** said I just didn't want any miscommunication to the people on Leavenworth Road that a vote, I'm just clarifying, a vote no tonight does not mean that anybody around this table is voting no against improving Leavenworth Road. I absolutely haven't heard anybody say they don't want to see new curb and sidewalks on Leavenworth Road. Is that right? What seems to be up for debate still is just burying utilities. Am I correct? That's the compromise of \$2M as the latest option that just came out on the table, correct? (Answers were inaudible).

I just have one more question of clarity. Commissioner McKiernan read off a current ordinance in regard to how we currently bury utilities. I've never seen that ordinance. **Commissioner Bynum** said it was emailed to us. **Commissioner Murguia** said okay. I still haven't seen it. It's probably in my inbox somewhere. My question is based on what Commissioner McKiernan said, and this is more to Administrator Bach, do we strictly enforce our current ordinance when it comes to burying underground utilities? **Mr. Bach** said yes, I believe we do when it comes to the designated areas where we have it in play. **Commissioner Murguia** said clarify that. **Mr. Bach** said I will say we don't just come in and say every street we're working on that we just all at once say you're going to start burying those lines. That has

not been our operating—we work with them. I think State Avenue is probably a good example of probably where we went in and did major reconstruction on that and then I think we worked with the BPU about where they could bury some of those lines and didn't bury some of the others. **Commissioner Murguia** said no, I thought I heard Commissioner McKiernan say that our ordinance clearly states that where there is ever economic development, new development, that when we do economic development those utilities at that time should be buried with the new economic development. Is that correct? That's what I thought I heard him say. **Mr. Bach** said when we go into a new economic development area that is what we are supposed to do. For me to answer that I say strictly enforced, I may look over to Mike, Bill or Don and ask you guys how that happens in any new development area that's it's always done.

Commissioner McKiernan said I will clarify from the ordinance, the ordinance actually reads “except when waived by the Unified Government Engineer all facilities constructed in new developments shall be located underground.” That's the actual ordinance language. **Mr. Bach** said I believe that's what we strive for. We would have to go back and look when it's an exception.

Commissioner Murguia said or me I would just add those people that are willing to work on the committee, which would not be me, I'm not willing to do that; but those of you my two cents would be that these kinds of projects should never come to the sole discretion of one person. I think that shows some politics and favoritism and some things that should not be happening. A good policy is written where it's very clear so we're either going to put all underground utilities when economic development occurs or we're not. I just think that looks really bad. Anyway, that was the clarity. I'll look in my inbox and see if I can find the ordinance.

BPU Board Member Alvey said I just want to make a point. Going back to Trustee Gonzales point, this is not about whether we believe or don't believe that this is an important project for Leavenworth Road, certainly it is. Yet at the same time I want to be clear that where I live we were annexed by the city in 1965 and I still have ditches in front of our property to take the stormwater that in fact runs into my basement when we get heavy rains. It's not a matter of us versus them. It's simply a matter that we have a ton of these kinds of projects across the county

and if we chose to bury electrical infrastructure, I still would like to see the evidence, the research that shows that burying infrastructure increases economic development. Secondly, if we chose that's important, please understand that this cost will be borne by our residents and it will displace other important projects across the city. It's the simple fact. We know we don't have the money to do everything we would like to do. The question is, where should we expend the money. The question is not whether we want to spend this money on Leavenworth Road. It has to be done. There are a hundred other projects across the county in the same condition. The question is, is burying infrastructure the best way to spend additional money that has to come out of our resident's pockets.

Commissioner Walker said I don't disagree. To me it's an issue of vision. The utility has issued \$62M of bonds. I know that as far back as when I was Chief Counsel there are issues with the EPA. I daresay that we all want clean air and clean water and the cleaner the better. There is this issue with coal. Should coal be used? These are visionary kinds of laws that look to the future. I daresay that BPU would not put this additional equipment on or we would not be doing what we're doing at our sewage treatment plant unless we were compiled by a law that at least arguably had a vision.

In 1965 if I had come to you and said lets invest in bottling water and sell it, you would tell me I was crazy. In 1970 or 1980 if I would have told you we all would be carrying these little devices that we can talk to people and we don't need any lines or anything else to do it, you wouldn't have invested. I remember the BPU investing in a thing called The Rainy Well which is a water collection system and when they did it, it was so that departure from what is traditional in terms of water treatment plants, I thought they were crazy. I don't know if they spent more money. I think they did but it was such a radical idea at the time and Don Gray sitting right here was the head of the Water Department and the Chief Engineer Rev. Irv Sims, I think, and you know I think we're all kind of foolish to believe that in the next 100 years we're all just going to have powerlines running down roads and right-of-ways. It's not going to be that way folks. I may not be here to see it. Some of you may be but I honestly believe that we have got to put a plan into effect to start putting infrastructure underground. One day the federal government is going to tell you that you have to and they're going to tell you that you have to do for security reasons. We don't have—it sounds odd but do you know how easy it would be to knock power

out of an area if a determined individual wanted to do that, how hard would it be if it was underground? Whether Leavenworth Road is going to create an economic boom, if that's the only criteria, I don't know how you're going to judge it. I don't know where you're going to say underground lines are going to create business opportunities. There has to be criteria. That ordinance has to go away for the simple reason Brian told me today all these projects are in his district so it definitely has to go away.

David is right, I lived out in that same area he does and we got annexed and my folks were promised all kinds of stuff and where they lived when they were alive that drainage ditch is still there with no culvert in it, Mike Tobin, and they have been dead for 10 years and gone from there 12 so I'm just telling you. This is part vision. Do you really believe that powerlines like you see them today are going to be the standard in the industry for the next 100 years? If they are, then fine, but I would like to see this committee not only look at the economic development component but what is the future? Let's try to get ahead of the wave for once instead of always being hit by it and then having to swim like hell to shore.

Mayor Holland said I thank everyone for coming. The meeting was called on relatively short notice. We appreciate the Board of Public Utilities Trustees all making it here, commending the commissioners coming in early to make this happen. Like I said, this is the beginning of the conversation. We will break now and go downstairs for our police graduation and then we will meet at 7:00 p.m. As I committed, we will take a look at the ordinance and at the Leavenworth Road Project downstairs. If there is a member of the Board of Public utilities that stays for the 7:00 p.m. for those items only, we don't typically recognize the public, but as fellow elected officials if there is something in the discussion that you would like to weigh in on, I will honor that and recognize you.

Commissioner Walker said, Mayor, I would like to see this Ad Hoc Committee appointed by you and by I guess either the President of the Board currently or however the Board chooses to do that. **Mayor Holland** said I think we appoint it sooner than later. I would like to see it appointed right away.

**MAYOR HOLLAND ADJOURNED
THE MEETING AT 5:52 p.m.**

dt

Bridgette D. Cobbins
Unified Government Clerk

October 27, 2016