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HEADLINE: Lawrence utility case is settled;
Water deal faces no more challenges

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BODY:

The lengthy legal battle over Lawrence's water and sewer utilities has officially ended, as Mayor Paul Ricketts predicted it would in his recent State of the City address.

By mutual consent, paperwork to resolve the case was filed in court last week. Marion Superior Court Judge David Dreyer then dismissed the last portion of the case -- between utilities customer Donald Tidwell and the former private operator of the city's utilities, Lawrence Utilities.

"It's done. It's done at every level," said James Ammeen Jr., who served as special counsel to the city in the high-profile case.

In describing the end to nearly four years of litigation in his State of the City speech last month, Mayor Paul Ricketts also announced expected rate cuts of 10 percent to 20 percent for water and sewer utilities customers.

Ricketts said this week that he expects action on the rates to be considered by the City Council by early June.

The settlement was reached after a mediation session this year when city officials apparently made a deal with Tidwell, a ratepayer who had objected to terms of last year's settlement between the prior city administration and Lawrence Utilities.

As a part of last year's settlement, the city took back control of the utilities' operations. Tidwell supported city control but criticized the agreement and maintained his legal claim as a ratepayer in the action.

Tidwell's attorney, F. Ronalds Walker, would not comment on the case.

As described by Ricketts, the agreement:

Allows \$130,000 in legal fees to Walker. Previously, he asked for \$300,000.

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Names Tidwell a "special adviser" to Ricketts. As such, Tidwell will be given copies of utilities-related data and have the ability "to make comments and suggestions, but nothing that will be binding," said Ricketts.

Allows Lawrence to purchase the water and sewer utilities operations building for \$3.1 million, if officials choose to do so. If officials choose to continue to rent the facility, the price would remain at \$18,000 monthly, without increases.

The lawsuit began in 2004 when then Mayor Deborah Cantwell, a Democrat, sued on behalf of the city, saying she wanted to take control of the waterworks and reduce high water rates.

"Getting the water utility back into the hands of the city has been our goal from the beginning of this long legal battle, and that goal is accomplished," Tidwell said in a city news release.

"Now, our next goal is to continue to give the citizens of Lawrence a safe water supply at a reasonable rate."

Call Star reporter Cathy Kightlinger at (317) 444-5534.

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