



DAVID L. CORLISS  
CITY MANAGER

# City of Lawrence

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### CITY COMMISSION

**MAYOR**  
MIKE AMYX

**COMMISSIONERS**  
ARON E. CROMWELL  
LANCE M. JOHNSON  
MICHAEL DEVER  
ROBERT CHESTNUT

September 7, 2010

The Board of Commissioners of the City of Lawrence met in regular session at 6:35 p.m., in the City Commission Chambers in City Hall with Mayor Amyx presiding and members Chestnut, Cromwell, Dever, and Johnson present.

### RECOGNITION/PROCLAMATION

With Commission approval Mayor Amyx proclaimed the week of September 5 – 11, 2010 as International Literacy Week; and, Suicide Prevention Week.

The Street Vendor License for Last Stop Snack Shop at the southwest corner of 10<sup>th</sup> and Massachusetts Streets was deferred for one week. (1)

### CONSENT AGENDA

As part of the consent agenda, **it was moved by Dever, seconded by Chestnut**, to approve the City Commission meeting minutes of July 20, 2010 and July 27, 2010. Motion carried unanimously.

As part of the consent agenda, **it was moved by Dever, seconded by Chestnut**, to receive the Hospital Board meeting minutes of June 16, 2010; the Board of Zoning Appeals meeting minutes of May 6, 2010; the Historic Resources Commission meeting minutes of June 17, 2010 and July 15, 2010; the Human Relations Commission meeting minutes of May 20, 2010; the Sister Cities Advisory Board meeting minutes of May 12, 2010, June 9, 2010 and July 14, 2010; and, the Mental Health Board meeting minutes of July 27, 2010. Motion carried unanimously.



As part of the consent agenda, **it was moved by Dever, seconded by Chestnut**, to approve claims to 543 vendors in the amount of \$2,279,818.79 and payroll from August 15, 2010 to August 28, 2010 in the amount of \$1,779,057.50. Motion carried unanimously.

As part of the consent agenda, **it was moved by Dever, seconded by Chestnut**, to approve the Drinking Establishment license for Louise's Downtown, 1009 Massachusetts Street; Slow Ride Roadhouse, 1350 North 3<sup>rd</sup> Road; Bambino's, 1801 Massachusetts; Johnny's Tavern, 401 North 2<sup>nd</sup> Street; Panda and Plum Garden, 1500 West 6<sup>th</sup> Street; Crosstown Tavern, 1910 Haskell Avenue No. 6; Harbour Lights, 1031 Massachusetts Street; Biggs Bar & Grill, 2429 South Iowa; Thai House, 711 West 23<sup>rd</sup> Street No. 24; the Class A Club for Fraternal Order of Eagles, AERIE 309; and, the Cereal Malt Beverage License for Wheat State Pizza, 711 West 23<sup>rd</sup> Street. No.19. Motion carried unanimously.

As part of the consent agenda, **it was moved by Dever, seconded by Chestnut**, to concur with the recommendation of the Mayor and appoint Dan Wethington to the Building Code Board of Appeals, to a position that expired December 31, 2010; appoint Chris Marshall to the Convention and Visitors Bureau to an appointment that expired, July 1, 2014; and appoint Megan Leopold to the Social Services Advisory Board to a position that expired August 31, 2012. Motion carried unanimously.

As part of the consent agenda, **it was moved by Dever, seconded by Chestnut**, to set a bid opening date of September 21, 2010 for the DeVictor Park Trail Extension. The City was receiving grant funding for part of those improvements. Motion carried unanimously. **(2)**

As part of the consent agenda, **it was moved by Dever, seconded by Chestnut**, to set a bid opening date of September 28, 2010 for Bid No. B1049, Project UT1002DS, Indiana Street Waterline Crossing at 6<sup>th</sup> Street. Motion carried unanimously. **(3)**

As part of the consent agenda, **it was moved by Dever, seconded by Chestnut**, to set a bid opening date of September 28, 2010 for Bid No. B1050, Project UT0905CS, Sanitary

Sewer Main Replacement for the 1100 block of Delaware Street, the 1500 block of New Hampshire Street, and the 700 block of Michigan Street. Motion carried unanimously. (4)

As part of the consent agenda, **it was moved by Dever, seconded by Chestnut**, to approve the purchase of one Laser Shot LE Pro Law Enforcement Trainer System for the Police Department for \$28,207. The City is receiving grant funding to partially fund this item. Motion carried unanimously. (5)

As part of the consent agenda, **it was moved by Dever, seconded by Chestnut**, to approve payment to Alpha Omega Geotech, Inc., for specialized inspection services for the Carnegie Library rehabilitation project, \$23,331.25. Motion carried unanimously. (6)

Ordinance No. 8557, amending contractor licensing regulations found in Chapter 5, Articles, 15 and 17 of the City Code, was read a second time. As part of the consent agenda, **it was moved by Dever, seconded by Chestnut**, to adopt the ordinance. Aye: Amyx, Cromwell, Dever, Chestnut, and Johnson. Nay: None. Motion carried unanimously. (7)

Charter Ordinance No. 41, exempting the City of Lawrence from the non-uniform state statute on primary elections for the Office of City Commission and requiring a primary election if seven or more candidates file for office, was read a second time. As part of the consent agenda, **it was moved by Dever, seconded by Chestnut**, to adopt the ordinance. Aye: Amyx, Cromwell, Dever, Chestnut, and Johnson. Nay: None. Motion carried unanimously. (8)

As part of the consent agenda, **it was moved by Dever, seconded by Chestnut** to approve extension request for Final Development Plan for Miracon Plaza Planned Commercial Development - Phase 1 [FDP-01-02-07] generally located at the northeast corner of Wakarusa Drive and Clinton Parkway. Submitted by Tim Herndon, Landplan Engineering, for Timothy W. Schmidt of OFF-PISTE, Inc., property owners of record. The approved plan proposes construction of a two-story retail/office/bank building containing approximately 8,000 square feet and associated site improvements. The request proposes extension of the approval for this project for an additional 24 months. Motion carried unanimously. (9)

As part of the consent agenda, **it was moved by Dever, seconded by Chestnut**, to approve a Temporary Use of Public Right-of-Way Permit to close 7<sup>th</sup> Street from Tennessee Street to Kentucky Street on Friday, 09/17/10 from 11:00 a.m. – 1:00 p.m. and Saturday, 09/18/10 from 7:00 a.m. – 8:00 p.m. for a Strongman Competition. Motion carried unanimously.

**(10)**

As part of the consent agenda, **it was moved by Dever, seconded by Chestnut**, to approve a Temporary Use of Right-of-Way Permit for the use of various streets for the Jingle Bell Run, including the rolling closure of Massachusetts Street downtown from approximately 8:20 a.m. to 8:50 a.m. on Sunday, December 12, 2010. Parking on Massachusetts Street would not be affected.

**(11)**

As part of the consent agenda, **it was moved by Dever, seconded by Chestnut**, to approve Site Plan SP-6-29-10 for a new restaurant and sidewalk dining for Wa Restaurant, to be located at 740 Massachusetts Street. Motion carried unanimously.

**(12)**

As part of the consent agenda, **it was moved by Dever, seconded by Chestnut**, to approve sidewalk dining and hospitality license for Wa Restaurant, 740 Massachusetts Street. Motion carried unanimously.

**(13)**

As part of the consent agenda, **it was moved by Dever, seconded by Chestnut**, to allow possession and consumption of alcoholic beverages (Wa Restaurant, 740 Massachusetts Street) on certain city property pursuant to a license granted by the City Commission under 6-1201, et seq. Motion carried unanimously.

**(14)**

As part of the consent agenda, **it was moved by Dever, seconded by Chestnut**, to authorize the Mayor to sign release of mortgage s to Jerry and Judy Davis, 942 Hilltop Drive (2 mortgages); Nancy Edwards, 1607 West 27<sup>th</sup> Street, and Priscilla Howe, 347 Elm (2 mortgages). Motion carried unanimously.

**(15)**

As part of the consent agenda, **it was moved by Dever, seconded by Chestnut**, to approve as signs of community interest, a request from United Way of Douglas County to place "United Way Helps Here" banners at 15 member agency locations from 09/09/10 through 12/01/10. Motion carried unanimously. **(16)**

#### **CITY MANAGER'S REPORT:**

During the City Manager's Report, David Corliss said Lawrence Kansas was named a 'most livable city' by MSN.com (article could be viewed at <http://realestate.msn.com/slideshow.aspx?cp-documentid=25351136>); Lawrence was named a "Top Tri Town" by triathlete.com; the Solid Waste Division looked at semi-automated trucks; a deteriorated alleyway located between 12<sup>th</sup> and 13<sup>th</sup>, from Louisiana to Ohio caused that alley to be closed; game day football bus service returns to downtown; the 30<sup>th</sup> anniversary of City Hall was held on August 24, 2010; 251 building permits were issued in August of 2010 compared to 204 in August 2009; City healthcare plan approved for Early Retiree Reinsurance Program; South Park playground refurbished with recycling rubber surface; the Metropolitan Energy Center/Clean Cities Coalition Grant Application was too restrictive for participation and would collaborate with KU, County and Westar as electric vehicles technology progresses and as funding opportunities arise; the City's Sustainability Coordinator presented to Leadership Kansas Class of 2010; Officials attended T-Works briefing which highlighted the new T-WORKS legislation approved by the 2010 KS Legislature; and, received a follow up to Parks & Recreation Facility rental policy. **(16)**

Commissioner Chestnut said that he received an email regarding the Northeast Kansas Consult which was the next level of the allocation of the highway money was October 22<sup>nd</sup> from 9:00 a.m. to noon.

Corliss said the Northeast Kansas Consult was placing a heavy emphasis on economic benefit and staff wanted to show how those two projects would economically benefit Lawrence and the Douglas County region. The meeting was being held October 22<sup>nd</sup> in the morning, in

the National Guard Armory in Kansas City Kansas. The decision would not be made until 2011 but staff was trying to articulate the different needs for the projects to see if they could come up with good rationale for the projects and hopefully begin some of the projects next year.

## **REGULAR AGENDA**

### **Receive staff report regarding the September 4, 2010 Oread Tailgate Event.**

Jonathan Douglass, Assistant to the City Manager, presented the staff report. He showed photos of the event and said that the Police and Fire Departments did not have any major concerns to report regarding the event. He said the next scheduled event for September 11, 2010 was cancelled and the applicant would notify the City and the neighbors before the next event.

Mayor Amyx said Nancy Longhurst, Oread Inn, sent a memo regarding a 4-way stop at 11<sup>th</sup> and Indiana Street and thought that concern needed to be addressed soon.

David Corliss, City Manager, said staff could invoke a 90 day temporary regulation by administrative fiat.

Mayor Amyx said he new there was a process whereby notification was given, in making a change to an intersection, for awareness purposes. He said he knew there was another game this week.

Corliss asked the Mayor about his suggestion.

Mayor Amxy said the intersection needed a 4-way stop.

Corliss said if a 4-way stop was the will of the Commission, a temporary 4-way stop could be placed at that intersection until staff could start the process of making it permanent. He said the 4-way stop worked during a construction period. He said he recalled when Indiana went straight through without a stop sign. Staff could change that intersection immediately if that was direction of the Commission and then have further discussion to make that 4-way stop permanent. The City Commission could refer this concern to the Traffic Safety Commission, but

there was no law and it had already been reviewed by the TSC. He said staff could follow any process the City Commission wanted. The normal process was to send it to the TSC for a recommendation.

Mayor Amyx said there was not enough time, before Saturday, to make people aware of the 4-way stop at that intersection.

Corliss said that the most visible change the citizens would see was warning signs before the stop signs and many times it was a larger stop sign to emphasis the point. He said the City had a process that was followed as well, but if the Mayor thought it was a safety concern, the Commission should act on that concern.

Mayor Amyx said that intersection was a safety concern. He said letting people find out about the 4-way stop on the agenda was one thing, but had a concern about inviting 25,000 to 30,000 guests who would not see the City's agenda.

Corliss said if it was the Commission's direction, staff would work to make it a 4-way stop, notifying the police department and the public safety departments through KU, the bus services and those services that relied on that information and then staff could place that 4-way stop as a more formal agenda item.

Mayor Amyx said local citizens hesitated at that intersection.

Commissioner Chestnut suggested asking people, in that area, if that intersection was a safety risk. He said he did not have a problem reinstating the stop signs, but thought TSC or staff should study that intersection.

Mayor Amyx said the City Commission needed to take action during this season. He said he felt there was not something right about that intersection.

Corliss said it would be appropriate for the City Commission to direct staff to install a 4-way stop at the intersection of 11<sup>th</sup> and Indiana and place the item on as a regular agenda item to refer to the Traffic Safety Commission.

Mayor Amyx concurred, but asked if there should be additional warning that there was currently a stop sign at that location.

Corliss said at a minimum staff could flag the stop sign, but there was a hill and he was not sure about the additional “stop ahead” signs.

Chuck Soules, Public Works said that staff needed to be careful of the utility locates.

Mayor Amyx called for public comment.

Nancy Longhurst, General Manager of the Oread Inn, spoke regarding the success of the event and also that the Oread staff favored establishment of a 4-way stop at 11<sup>th</sup> and Indiana, and that no event would be held in the right-of-way on September 11, 2010.

**Moved by Dever, seconded by Cromwell,** to receive the staff report, direct staff to establish a four way stop at 11<sup>th</sup> and Indiana via temporary traffic regulation, and to place consideration of permanent establishment of the stop on a future City Commission meeting agenda to be referred to the Traffic Safety Commission. Motion carried unanimously. **(17)**

**Receive request from Sunflower Broadband for the sale and transfer of cable television and telecommunications franchise agreements from Sunflower Broadband to Knology.**

David Corliss, City Manager, said the transfers of franchise agreements were governed by federal and state law. He said staff posted the information about the cable franchise and the telecommunications franchise, held by Sunflower Broadband, and was proposed to be transferred to Knology as part of an asset acquisition agreement between Sunflower and Knology. Staff wanted to see if the Commission had any general questions about process or substantive issues. Staff would prepare the appropriate ordinances for City Commission consideration at the September 28<sup>th</sup> meeting. There were certain statutory requirements as to how quickly to act on transferring the franchise.

Patrick Knorr, Sunflower Broadband, said he was very proud of the service that Sunflower had been able to provide to the community over the years, but Knology had a solid reputation in the industry and their intent was to make this a growing operation for a regional

hub and would be positive for the community and keep a high quality service and jobs in the community.

Mayor Amyx said the City Commission appreciated Sunflower's service to the community.

Mayor Amyx called for public comment.

After receiving no public comment, **it was moved by Chestnut, seconded by Johnson**, to direct staff to review requests, prepare appropriate ordinances, and place on the September 28, 2010 City Commission Agenda for consideration. Motion carried unanimously. (18)

**Consider approving recommended changes to the City of Lawrence Employee Healthcare Plan for 2011.**

Lori Carnahan, Personnel Manager, presented the staff report, the executive summary of which read:

"In order to meet the goal established in the HCC 2011 Healthcare Plan Funding memo (May 3, 2010), the HCC reviewed six plan design change suggestions and two plan management changes presented by Hays Companies. The committee has selected five changes, including an enhancement to our vision benefit. Overall, these changes have a potential of reducing plan costs by \$81,000.

The HCC is proposing a 2011 contribution strategy for employee/retirees that continues to subsidize employee coverage 100% and holds contributions for dependent coverage; employee+children and employee+spouse flat for the 2nd year in a row. Employee contributions for dependent coverage at the family level will increase 11% and retiree contributions increase 9%. The reduced plan costs of \$81,000 and the adjustment to retiree contributions will meet the budgeted employee/retiree contribution increase of 5%. The adjustments to the family contribution rate is in response to the HCC objective to keep employee contribution levels at approximately 35% for dependants.

The HCC has also discussed wellness initiatives for 2011 and beyond. This includes implementing WellTrak (a program through MedTrak), cash incentives for participation in wellness programs and continuing discussion on the possible implantation of a Health Care Clinic.”

Commissioner Chestnut said staff had done some peer community comparisons in the past and still having employee single coverage with no cost to the employee. He asked about the distribution of participants.

Carnahan said about 1/3 of the plan was single coverage, employee only; 1/3 was family contributions; and, 1/3 was split between the employee/spouse or employee/children level.

Commissioner Chestnut said in a lot of the wellness programs there was very small participation because the employee did not pay for those programs. He said staff's recommendation was to pay the employee to participate, taking an HRA and a non tobacco declaration. In the wellness programs, without having any premium for those who were just employee only, he asked what that employee incentive was to participate. He said he understood the benefits, but there was no financial incentive.

Carnahan said that this year would become the enhancement of the incentive program, and would be the add pay to their paycheck. All employees had the opportunity for bonus for participating. The benefits, from a market competitiveness, a group of peer cities that were very similar to ours, were starting to move away from it, or have multi tiered plans, where the cheapest plan might be the zero level contribution by employees. The incentive would be the \$5.00 per pay period.

Commissioner Chestnut said he understood the distribution of claims, but he still continued to wonder about that point and would like to have some information about looking at our peer communities and seeing what they were doing as they were continuing to plan for the health care bill and so on, to see if more and more of them were moving away from having no contribution at all, by basically one third of the population in our case.

Carnahan said staff could get that information to the City Commission.

David Corliss, City Manager, said that the last time staff looked at this item staff saw that most peer municipal employers still provided single coverage for no premium, but thought it was something to continue to monitor.

He said he was interested in the fact that the City needed 30 million dollars in sales tax and \$30 million dollars in water and sewer revenue. The number that stuck with him was that every month the city paid approximately \$800 per employee in healthcare claims. He said costs would continue to increase and staff had to find good ways to bend that cost curve hopefully with a heightened initiative on wellness. He said staff was continuing to look at the idea of a wellness clinic. He said the City was spending down retained earnings, which was another way of saying they were spending down fund balance. He said staff thought the City was okay, but projected there might be some substantial increase in future years if costs continued to go up at an accelerated rate. He said he was supportive of what was on the agenda, but was showing a cautionary note that the dollar amount was large and was likely to continue to grow and staff would continue to work on those costs and hopefully the wellness initiatives could be of assistance.

Commissioner Chestnut said that on the health care plan revenue and expenses, year to date through June, the City broke even, but were projecting to be \$1.2 million down at the end of the year. He asked if the City was seeing that same distribution of claims in previous years to project that amount, because that was odd.

Carnahan said the deductible affect was seen each year.

Commissioner Chestnut said could staff could look at 2005 through 2009 to see that distribution between first half of the year and second half of the year.

Carnahan said the City's claims were always back end loaded at the end of the year, but she would get that distribution information to the City Commission.

Mayor Amyx said if the RFP for “stop loss” if approved, would go out tomorrow. The health center RFP was still under consideration.

Corliss said staff already received responses to the health center RFP and hoped to have a recommendation or at least additional Commission discussion later in the fall.

Mayor Amyx called for public comment.

After receiving no public comment, Mayor Amyx said there were a number of people throughout the organization that appreciated the amount of hours everyone put into the health care plan.

Commissioner Chestnut said that he supported staff’s work, but personally, the lack of any participation by a third of the population, the usage of the plan that occurred was happenstance because those employees did not need to participate, contribution wise. He said he would like to see more evidence before moving forward and look at what the City’s peer communities were doing. He said he wanted to see some evidence that the City was going to have a deficit at the end of the year. He said he knew the City was hit at the back end, but that seemed like a big number.

Commissioner Dever said that he was a little worried about the long term viability in talking about spending down some of the dollars associated with the plan. He said he was in favor of the current plan and hoped the City could maintain the level and provide employees with good coverage. He said the City could pay all the money it wanted for insurance, but if it was not the kind of quality insurance needed, then nobody benefited.

Commissioner Cromwell said he paid \$850 a month for his family’s health insurance as a small business man. He said when looking at \$102, per pay period, it was four times better than what he paid. He said he was jealous and understood that a lot of people looked at those numbers and thought it was a little too generous. He said traditionally, city jobs tended to have a high quality benefit package built in to the total compensation and that was an important part of the total package the City offered to its employees to do the fantastic work expected and

received out of City employees on a daily basis, and should keep that information in mind when looking at that generous plan.

**Moved by Cromwell, seconded by Dever,** to approve recommended changes to City of Lawrence Employee Healthcare Plan for 2011, as outlined below:

- Approve contribution strategy for 2011:
  - Continue to subsidize employee only at 100%
  - Hold employee+child and employee+spouse contributions flat
  - Increase family 11%
  - Increase retiree contributions 9%
- Approve all plan design/plan management changes for 2011
  - Increase out of pocket maximums for medical and prescription by \$100 individual and \$200 family
  - Add generic incentive provision
  - Implement Step Therapy for PPI drugs
  - Enhance vision benefit to include first dollar coverage for eye exams and discounts on hardware
- Approve implementation of WellTrak program through MedTrak
- Approve wellness incentive program for those completing the HRA and signing the Non-Tobacco Use Declaration
  - \$5 per pay period for all employees
  - \$10 per month reduced premiums for retirees
- Approve RFP number R1006 for stop loss coverage to be sent out September 8, 2010.

Aye: Amyx, Cromwell, Dever, and Johnson. Nay: Chestnut. Motion carried. (19)

**Consider approving the selection of American General Life as City's voluntary employee benefit vendor and authorize City Manager to enter into contract negotiations with American General Life.**

Commissioner Chestnut said the big issue was the ancillary coverage's like critical illness, accident and universal life. He said he was surprised that the recommendation came back and was going to be all under one carrier. He said when looking at all the prices and selecting American General for one vendor and selected another vendor, rates would be lower for the employee. This was all voluntary coverage that employees paid for exclusively. He said there were a couple of cases where the City could get a premium that was lower for the employee with the same coverage essentially. He was trying to understand why the consultant

wanted to put all the coverage together because there did not seem to be any leverage as far as the premium was concerned.

Lori Carnahan, Human Resources Manager, said there was not price leverage in putting the coverage all under one carrier which was evaluated by staff. She said when an RFP was distributed, staff recommended proposals for the different line items of coverage. The RFP's were analyzed independently for the product that would be recommended and in the end, before the analysis was completed there was a recommendation that American General was the number one choice for several product lines and there was a secondary choice, a second candidate that offered several of the product lines, not all of them, and would be supplemented by a couple of other carriers. In the end the recommendation was American General stand alone and together. Probably the greatest benefit was the marketing and City employee access. There was administrative ease to bringing one carrier in, to maintaining contact with one carrier to sending a check off to one carrier, filing claims with one carrier versus five or six carriers. There was an ease for City employees in becoming familiar with one carrier, currently employees were working with one carrier for the lines carried. She said the City did not have all six lines right now, but had one vendor who was offering two of the lines.

She said it was mostly ease for their employees, and being able to learn about the benefits. The benefits were primarily the education component and that the decision making component was done with the carrier; their office spent very little time working with the product with their employees, so the employee would only need to meet with only one carrier versus three or four carriers.

Mayor Amyx asked if this contract was a good deal.

Carnahan said some people believed this coverage was a very good, but other people, like any other type of insurance, prefer to put it into their savings account versus buying an insurance policy. She said there were two schools of thought on it. She said she was very comfortable offering it to City employees, and making it available to the employees who like this

type of coverage. She thought it was a good company to be offering this coverage. The references staff checked had long time relationships and had been a long time vendor for those references. The submittal of claims and payment of claims had been very prompt and appropriate with this company. She was not saying other companies were not appropriate, but this product was very reliable for those that chose to purchase it and allocate their resources to those types of items. She said she like having it in their menu of benefits.

Mayor Amyx said Carnahan answered his question in that she felt comfortable offering this coverage from this vendor to City employees, and he wanted to make sure that it was a good program for City employees.

Mayor Amyx asked how much additionally it would cost the employee.

Caranahan said it depended on what was bought. Within each one of those line items was whole menu of options for purchase to fit individual budgets and financial protection desired.

Commissioner Chestnut said these are ala carte too.

Mayor Amyx called for public comment.

After receiving no public comment, **it was moved by Dever, seconded by Cromwell**, to approve the selection of American General Life as City's voluntary employee benefit vendor and authorize City Manager to enter into contract negotiations with American General Life. Motion carried unanimously. (20)

**Receive memorandum from Commissioner Chestnut and City staff concerning next steps for solid waste services.**

Commissioner Chestnut said that based on a number of issues in solid waste, the internal audit, as well as transition in management, a lot of input was received, from the community, about curbside recycling with new vendors in the community. Also, correspondence regarding consideration of some type of "pay as you throw" program. He said he was attempting

to not make any decisions about what the City was going to do, but rather try to frame the discussion about things for the City Commission to consider.

First of all, from a policy standpoint, the City needed to decide if it wanted to continue with a flat rate, solid waste, monthly fee that did not have any volume relationship but had merits and was a service that many people in the community appreciated; or, move to a more “pay as you throw” system with a volume relationship.

He said from the standpoint of “pay as you throw” there was a real push in the community to set goals on sustainability and continuing to increase the recycling rate. The question became if the rate could be pushed up further or closer to the goals set as a community, without having some kind of financial incentive. Once that policy decision had been vetted out and discussed then talk about the options and the concept of continuing in source or out source, but he did not have a preference either way. He said if going to a pay as you throw system, there would be a lot of transition in the department with a significant investment in capital, which meant a partial change in the City’s fleet, GPS, billing systems and other things that were required for that type of transition.

Again, he said that he really did not have a preference either way except for wanting information about options to see if there was a financial decision that seemed to go either way. There were pros and cons, and a lot of people had expressed the concern about losing control and he had that same concern.

He said he did not have any preconceived notions about what would be right or wrong, and thought staff had to look at examples and other models and the City had a great Solid Waste Department.

Mayor Amyx said there were concerns, over the last year, about money being lost, but this service was valuable in this community. In service ranking, the Solid Waste Department was at the top and the City Commission was proud of the service provided.

He said there were families that recycled and asked why those families were paying more than someone that did not recycle. He said there was a lot of discussion about the idea of "pay as you throw."

He said regarding in-house verses privatization, the City Commission was not going down one particular path. The employees in this department had worked a long time for this City and made a commitment to the community.

He said there was also discussion regarding the cost of running this Solid Waste operation, but it cost money to provide a good service. Commitment needed to be made if going to other programs and a financial plan was needed. The City Commission had shown commitment to their employees, and continued to do so, but were going to look at ideas to help control cost over time. The City Commission had to rely on Solid Waste staff to help put a plan into place because none of the City Commission had experience in that type of work.

Commissioner Cromwell said everyone needed to keep in mind, the City Commission was looking toward the future and the Commission must examine what the Solid Waste Department was going to look like in the future, before discussing whether this service should be privatized. He said it was premature to have that discussion, if not knowing what to look for. He said he suggested forming a task force now, to begin diving in to the concept of what the City's Solid Waste/Recycling Department would look like. He said there would be changes because time was changing with efficiency and land fill rates were going up. He said the City Commission needed to think from a community perspective and from a city perspective as to what needed to be accomplished and then look at how to best accomplish those changes.

He said it was important for people to realize the City Commission was not going to make a rash decision. The Commission would analyze the problems and come up with good solutions. He said to rest assured the City Commission would not be jumping the gun on anything.

Commissioner Dever said it was a problem that was easily solved if the right people were involved, but was a difficult change. He said the community had enjoyed a high level of service because of the City employees that provided the service. He said the City Commission could talk about what they wanted this service to look like, but if it was not executed properly in the field, the City Commission would end up with a botched effort. He said he wanted to thank everyone that came to speak or to provide insight as to what the future should look like, but the truth of that matter was that the City had been changing and growing in some areas and getting smaller in others. A good example the City's water and sewer service where it was an automated process that was manual in the past. He said those departments had taken a hard look at the City could spend its money better and provide better service with fewer resources.

He said he wanted to be sure everyone knew that the City Commission and City Staff worked for the same people, the citizens of Lawrence, and the City Commission was tasked for what was best for this community and not just what the City Commission felt was the best decision. He said he did not think that any decisions would be made without consulting with the citizens of Lawrence, as part of the proposed task force.

He said the landscape was changing everywhere and the landfills would be full and the City Commission needed to plan what to do with its waste in the future and how to reduce waste. This was going to be a community discussion about changing the way people thought about the City's solid waste services, and think less about trash and more about the treasure that might be in a lot of those things. It was important that people thought about the equity of everyone paying the same amount, even though some work tirelessly to reduce what was put in the landfill because you people know best, some people have one trash can while others have eight trash cans.

He said he was in favor of maintaining control over the City's destiny, but it was important to come up with a plan and a program and decide how the plan would be implemented.

He said if the City was going to move to a use based service and a “pay as you throw” concept, other communities’ ideas were needed and the City could easily obtain information on how to effectively implement something like that type of program. He said everyone knew the dire straights the Solid Waste Division was in less than a year ago, where that division was loosing money and thankfully the City Commission was able to decrease the dollars that were spent and put together a plan to save money. A lot of people were looking at this holistically and from an environmental standpoint and the City Commission needed to do that as well. He said he wanted to be sure that everyone understood that this was about charting a course for the future, not about today’s jobs or about out sourcing this service to a third party. It was about how the City could do better and how the City could get paid for the service that was being provided and make it a long term and sustainable service, not just one that went away as soon as the next landfill closed and someone bought the nearest landfill and the City could no longer afford to provide the service.

He said that it was a bigger question and issue and he thanked Commissioner Chestnut for brining this concept up. He said he was excited about coming up with a new plan because the highest rated service in the City, the Solid Waste Division, needed to continue to get better.

Commissioner Johnson said he agreed with a lot of the comments made by the Commission and he too wanted to thank Commissioner Chestnut for bringing this concept up. Change was never easy and was scary. He said he thought that the Commission wanted to take on the challenge but that it was not just a want, but a need. He said the City Commission could take something that was good and made it better and come up with a fair system. This issue was about efficiency and cost structure that would be sustainable and could take into the future. He said know one knew the answer, but he was up to the challenge to see what could be done to put a structure in place.

He said the City did not control the landfill, and that was a bad wake up call this year where rates were raised after nineteen years of paying the same rates and those rates would

not stay the same. Whether it was private or in-house there was still a control issue unless the City owned all the parts. He said that change was hard and appreciated everyone in attendance regarding this issue and the City Commission could come up with an idea that would last.

Amyx said that where we were now was that Commissioner Chestnut had brought forward an idea for the Commission to consider in an RFP to go out.

Commissioner Chestnut said this was a sensitive issue and the City Commission was talking about people's livelihood. He said the Commission might decide to go the other way because the one thing that made no sense was to have a City of Lawrence truck go down the street and pick up trash and have another truck go right behind it to pick up recycling, that was not a sustainable model and knew there was a better way to do it. He said the Commission might go the other way and decided to take all recycling in-house which was a viable option and was something the Commission should address. The City Commission was in a mixed place and had concerns about sustainability when seeing other people starting to look at commercial recycling and other things. The less revenue that gets squeezed down the harder it would be for them to maintain. He said it was about the best solutions for the citizens and the employees.

Mayor Amyx said this was a policy question and a task force was needed to look at ideas such as a "pay as you throw" system. The number of individuals on the task force should be controlled, but should include some of the individuals from solid waste division and the public at-large.

Vice Mayor Cromwell said to have a large amount of public input was part of the process once the task force was formed. The task force's objective would be to receive comment from the public at-large as well as other vested groups.

Mayor Amyx said he did not think that would be a problem.

Vice Mayor Cromwell said there would be plenty of public opinion, but sometimes opinions needed to be asked or you would not get a full balanced view.

Mayor Amyx called for public comment.

Jan Hurst said that she did not have any personal links to the Solid Waste Division or the employees. She said Deffenbaugh, provider of solid waste and recycling services, had many complaints in other cities and the services was terrible. Lawrence's Solid Waste Division took pride in their jobs, but had a feeling the City would be paying more and getting less with this private company. She said she also read that private companies tied cities into long term contracts. If the next City Commission decided they did not like the private services, it would be too late because the City would be tied into the contract.

She said the Commission talked about the cost involved in a "pay as you throw", but there were simple solutions such as the number of carts a person had to rent. It could be \$12.00 a cart and if throwing away more than one cart, the second cart would cost a certain amount. She said the City's Solid Waste Division was a huge asset to this City.

She said companies that wanted to relocate to Lawrence would look at our school system and City services. She said a City Solid Waste Division would be much better than a private company. She said Deffenbaugh charges high rates and businesses would not appreciate those rates. She hoped the City Commission gave careful consideration before tying the citizens of Lawrence into something they would not be happy with in a few years.

Daniel Poull thanked city crews for their amazing service, said he was in favor of keeping the service in the public sphere because as a citizen, he had more say so as long as it was a public service. He said he hoped the City would take care of all of the recycling too, but was not saying that lightly because he knew it would be tough to come up with the money because of the budget. He said part of the way to come up with that money was to make it a fee based system and if a person wanted to use more of the service, then that person should pay more for that service.

If the City decided to go to the "pay as you throw" system, which was inevitable at some point, the City was looking at a two year transition. He said it was better to figure this issue out now because the more the City waited, the worse the situation.

He said if doing the math on one of the private companies that was now providing recycling services, profit could not be made by what the citizens were being charged right now. He asked the City Commission to keep that in mind that that would not be the same if the City gave its recycling permanently to one company or waste disposal system.

Craig Pruett, Solid Waste Field Supervisor, said that he had worked for the City for 16 years and after graduating from the University of Kansas, he wanted to stay in Lawrence to be part of this great community. He said he was looking for a job that had decent pay, good benefits, and secure employment and this particular job had all that criteria. In his years of service, he started as a loader and then as an operator for the residential, commercial, and recycling areas and now he was as field supervisor and learned many lessons about being part of the division. One of the most important areas was the City employee's commitment in his division, to service to the citizens of Lawrence Kansas. He said their division was unique in the sense that they touched every home or every business, at least once a week if not more. It was not a responsibility their division took lightly. The Solid Waste Division faced many challenges in the last eight months, shortages of staff, increased workload and combining routes as staff tried to maintain the same consistency of level of service.

He said their division had changed its over-time policies to improve their budget, looked at new tracking systems for incentive type pays, waste disposal and yard waste. In the past 8 months, they had shown their ability to embrace new obstacles and adapt to the changes. He said he knew their division was headed for many new changes, but had no doubt that he and Solid Waste staff he worked with on a daily basis was ready for those challenges.

Jim Mullins, Lawrence, Field Director for Americans for Prosperity, said he was glad to see Commissioner Chestnut's memo. He said he would distribute a copy of a performance review that was done with Johnson County Government and was now being written for Sedgwick County and would be reviewing the City of Topeka, later this fall. He said instead of

audits, they wanted to look at more about the efficiency side and was city making best use of the taxpayer's dollars.

He said he appreciated the City's employees, but the City Commission had a higher duty which was the Commission's fiduciary duty. He said this task force should look at the costs the citizens were paying and were the citizens receiving the best value.

He said after Johnson County's performance review, there were several things that needed to be done. One suggestion was to use the "Yellowbook Test", and get a quote to find out if the services could be provided to this community. He said often times the business could and then the City did not incur the risk management with employees because it was not just the cost of the salaries, but all of the benefits too.

Daria Dixon, wife of a solid waste employee, said she did not think that an outside company would know the customers as well or provide as good of service, and the City should keep the employment local rather than sending it out of country to a private company's headquarters.

Mayor Amyx said the City Commission was going to be challenging City employees and the public to come up with a plan that would fit this community. He said the City ran a good program and this was an opportunity to hear from a number of people about a program and everyone's goal was to try to make the program better.

He said a task force was needed to come back to the City Commission with a detailed recommendation.

Mayor Chestnut said to answer the question about keeping the recycling in-house the Solid Waste Department was telling the City Commission that recycling in-house was not feasible. He said there was not doubt the City's solid waste services were superior to any community around the State and probably the nation and when he looked at this he was not at all questioning the service of the people who committed everyday to the endeavor, but was looking at it long term. He said given landfill cost and what was happening with the overall land

scene, he did not want to think about it too late. If thinking about this issue too late, rash decisions could be made and would rather take the time to look at this issue. He said a task force was a tremendous idea. The public at large, people with solid waste and certainly folks in the sustainability community needed to be involved in that dialogue. He said he appreciated everyone's ideas and sometimes the envelope was pushed, to get a good result.

Mayor Amyx said the City Commission would provide comments to the City Manager regarding membership of the task force as well as comments on the goal of the task force, over the next couple of weeks, no later than the second week of October.

Commissioner Dever said since the City Commission went through the effort of hiring a sustainability coordinator, that person needed to have an instrumental and huge oversight role on this issue because the City was paying a portion of her salary. He said this was a good project to include the Sustainability Coordinator. He said he wanted to make sure the City Commission gave direction that the Sustainability Coordinator was the type of person the City Commission wanted.

Corliss said if it was the Commission's direction to establish a task force staff would draft a resolution to do so. He said that he had put together a memo as to what he thought made sense as to how to precede with this issue. He said there were a lot of different groups that needed to be involved. He said the City Commission might find that a task force would be a difficult task as far as who was included and excluded from a group. He said he anticipated that staff would do most of the initial research and financial analysis work in a long range plan. He said there were a lot of issues to look at before getting to the issue of how to provide the service. He said staff needed to come up with a plan first as to what that service needed to be. Staff had already come up with a lot of good ideas, but there were a lot of policy issues. He said that mandatory curbside recycling worked great because it was a matter of just setting the rate for mandatory curbside recycling and it paid for itself, if done on a voluntary basis and heard

comments as to whether or not that paid for itself. It might pay for itself on the short term, but there was a question as to whether it paid for itself in the long run.

He said one of the most important things the task force would do was to sponsor a number of public forums to receive input from people not in the task force and had other ideas. Most of the work of the task force was going to be done by knowledgeable members of staff and others trying to come up with a long range management and financial plan which included the City/County Sustainability Coordinator, City staff and a lot of other people.

Mayor Amyx said in the development of the long term solid waste plan for collection services, the plan could be developed in-house and was a point where debate would begin.

Corliss said the contours of the plan could be created in-house and then soliciting public input, then there would be different menu of options and different financial ramifications of establishing a service. He said to open this up for private franchise opportunities without defining the service would make it difficult for anyone to respond and the City Commission would not know how to evaluate using those responses.

Commissioner Dever asked if the City Commission could form their own opinions on what a task force might look like while simultaneously coming up with different ideas or concepts. He said the next level was to take those ideas and putting those ideas into an easy to digest format and then break those ideas into pieces and see what pieces went together and see what the City could afford and what the community wanted. He said that was what the task force should discuss and it was important to start with something, otherwise it would be a ship with no breeze, and would not go far.

Mayor Amyx said ideas needed to be laid out because if not, the task force would go on for years.

Corliss said the first thing a task force could do, would be to have staff come back with a business and financial plan as to what the service should look like. The task force would critique the plans and placed values on different priorities. The issue was who was going to be on the

task force and who would be excluded because there would be a lot of people that would want to comment.

Commissioner Chestnut said that was true about a lot of issues that had a lot of diversity of dialogue. He suggested getting as broad of a base with a manageable number and move forward because there would be plenty of public comments. He said it was obvious that since the story had 158 blog posted in Journal World, it was something of great interest in the community.

Mayor Amyx asked if it was the Commissions direction to staff, to start building solid waste points and the task force would be formed to consider those points that were already in place.

Commissioner Johnson said there were parts that needed to be debated.

Mayor Amyx asked how long it would take.

Corliss said he thought it was going to take some time. The Solid Waste staff was busy now in active recruitment for a solid waste manager position. The Public Works Department was going to be the lead department in helping with the Farmland remediation plan which was still a Commission priority. He said it was going to be multiple months in order for them to come up with the talking points or menu options in a plan. Then he expected the Commission to either establish a task force along those lines or at least a group of individuals that could commonly critique. He said that obviously that group needed to involve staff, SAB, the Sustainability Coordinator and a lot of other community members that were interested in the issue as well as outside resources. He said the implementation of the multi year plan would be worked on, but would not be confirmed until there was public input and the Commissions decided and there was also the issue of service providers.

Commissioner Diver said the menu would be a starting point in engaging the costs associated with what the City Commission wanted and the tools by which the City could be

measure against were third part providers which would get them to the final point of the discussion.

Corliss said the direction of the Commission could be to provide staff to work on a Solid Waste service multi year plan in draft form, work on the contours as the Commission provided as to what type of public group or task force would review that draft multi-year plan. Clearly, Solid Waste staff would be involved as well as other individuals in the community and hopefully have something by the end of the year, and the Commission and the task force could review the general outline of the plan to decide if the City was headed in the right direction.

He said that not only did he want to engage the Solid Waste staff in what was being done, but also provide some level of assurance as to what was going on. He said this discussion included people's livelihood and heard comments about the great level of service the Solid Waste Division provided. He said he had been with the City for almost twenty years and received complaints about a lot of issues, but very few regarding to the great work that the solid waste staff provided. He said he wanted to be sensitive to that and bring that staff along in working on this plan so that staff would understand the basis of information that the Commission would eventually make about that service.

Vice Mayor Cromwell said the word "plan" was being used again and Corliss suggested the Commission direct staff to have Solid Waste work on a multi year plan, but he anticipated that one of the objectives of the task force would be to identify what that plan would look like, and did not wish for staff currently to take a look at a plan that would be changed. He said that earlier pieces of that plan and not an overall/overarching plan because the purpose of the task force was to decide what was needed. He said they were going to be asking for pieces which were going to require an immense amount of time.

Corliss said the task force was not going to decide what the City would do, but the City Commission would decide, based upon a recommendation from staff and any third party group created to provide those recommendations to the City Commission.

Vice Mayor Cromwell said he was trying to avoid having a multi year plan created when they were creating a task force with the intention of determining what that multi- year plan might look like.

Corliss said he did not think they were disagreeing about the substance. He said he did not think the multi year plan was going to be only one option and might be status quo, or move toward automation, or “pay as your throw”, or might have an element about mandatory curb side recycling, and not just one thing. He said he did not see the plan as only providing one recommendation, but rather a menu with listed challenges of those options.

Vice Mayor Cromwell said that when Corliss was saying “plan” he was picturing that they were going to do a specific thing.

Corliss said those things would take several months to implement and would not happen all at once. In soliciting input from staff and the public, there might be ideas that were not even thought of. He said it was the menu of items and was planned in the sense that it had cost element, a management element, a cost/benefit ratio and all the other aspects expected in a plan, but it was not just the only way. He said they were agreeing that the purpose of staff’s work was to give the Commission different options.

Mayor Amyx said Vice Mayor Cromwell was agreeing because this was going to be the basis of the work of the task force. He said the work had to come from everyone involved on this menu for this plan. The task force would be formed and that group would refine the beginning of the plan which would go through a public review process There needed to be starting point and that would need to be with the City’s professional staff.

**Moved by Chestnut, seconded by Cromwell,** to direct staff to prepare a multi year solid waste plan with a menu of options for future City Commission consideration. Motion carried unanimously. (21)

#### **FUTURE AGENDA ITEMS:**

09/14/10      **Consent:**

- Accept dedication of easements and rights of way for Preliminary Plat, PP-6-5-10, for Riverside Business Park, a two lot subdivision containing approximately 30.527 acres, located at 2030 Packer Court. Submitted by Bartlett and West for Riverside Development, Inc. and Riverside Business Park LLC, property owners of record. (PC Item 5; approved 10-0 on 8/25/10)
- Accept dedication of easements and rights of way for Preliminary Plat, PP-6-6-10, for Hallmark Addition 3<sup>rd</sup> Plat, a three lot subdivision containing approximately 5.252 acres, located at 151 McDonald Drive and a waiver request from the requirement in Section 20-811 to provide sidewalks along all street frontages. Submitted by Paul Werner Architects for Downtown Equities II, LC, property owner of record. (PC Item 6; approved 10-0 on 8/25/10)
- Accept dedication of easements and rights of way for Preliminary Plat, PP-6-4-10, for George Subdivision No. 4 (Northwinds Apartments), a one lot residential subdivision containing approximately 1.31 acres, located at 200 North Michigan Street. Submitted by Bartlett & West, Inc., for Northwinds L.L.C., property owner of record. (PC Item 7A; approved 10-0 on 8/25/10)
- Approve Rezoning, Z-6-10-10, to rezone approximately 1.31 acres from RS10 (Single-Dwelling Residential) to RM12 (Multi-Dwelling Residential), located at 200 North Michigan Street for Northwind Apartments. Submitted by Bartlett & West for Northwinds L.L.C., property owner of record. Adopt on first reading, Ordinance No. 8566, for the Rezoning (Z-6-10-10) of approximately 1.31 acres from RS10 (Single-Dwelling Residential) to RM12 (Multi-Dwelling Residential), located at 200 North Michigan Street. (PC Item 7B; approved 10-0 on 8/25/10)
- Approve Rezoning, Z-6-11-10, to rezone approximately 3.92 acres from CS (Commercial Strip) and RM12 (Multi-Dwelling Residential) to RM12 (Multi-Dwelling Residential), located at 2130 Silicon Avenue for Crosswinds East. Submitted by Bartlett & West, Inc., for Crosswinds L.L.C., property owner of record. Adopt on first reading, Ordinance No. 8567, for the Rezoning (Z-6-11-10) of approximately 3.92 acres from CS (Commercial Strip) and RM12 (Multi-Dwelling Residential) to RM12 (Multi-Dwelling Residential), located at 2130 Silicon Avenue. (PC Item 8; approved 10-0 on 8/25/10)

**Regular:**

- Consider approving the following Rezoning from RM32 (Multi-Dwelling Residential) to MU (Mixed Use):
  - a) Z-11-21-09, to rezone approximately .13 acres located at 502 West 14th Street. Submitted by Paul Werner Architects, for Oread Villas, LLC, property owner of record.
  - b) Z-11-22-09, to rezone approximately .05 acres located at 414 West 14th Street. Submitted by Paul Werner Architects, for D & D Rentals of Lawrence, LLC, property owner of record.
  - c) Z-11-23-09, to rezone approximately .09 acres located at 1346 Ohio Street. Submitted by Paul Werner Architects, for D & D Rentals of Lawrence, LLC, property owner of record.
  - d) Z-11-24-09, to rezone approximately .13 acres located at 1340-1342

Ohio Street. Submitted by Paul Werner Architects, for HDD of Lawrence, LLC, property owner of record.

- e) Z-11-27-09, to rezone approximately .13 acres located at 507 West 14<sup>th</sup> Street. Submitted by Paul Werner Architects, for John C. Wooden, property owner of record.
- f) Adopt on first reading, Ordinance No. 8568, for Rezonings (Z-11-21-09, Z-11-22-09, Z-11-23-09, Z-11-24-09, Z-11-27-09) for .13 acres located at 502 W. 14<sup>th</sup> Street, .05 acres located at 414 W. 14<sup>th</sup> Street, .09 acres located at 1346 Ohio Street, .13 acres located at 1340-1342 Ohio Street, and .13 acres located at 507 West 14<sup>th</sup> Street, from RM32 (Multi-Dwelling Residential) to MU (Mixed Use). (PC Items 9A-9D, & 9G; approved 9-1 on 8/25/10)

**ACTION:** Approve Rezonings (Z-11-21-09, Z-11-22-09, Z-11-23-09, Z-11-24-09, Z-11-27-09) and adopt on first reading, Ordinance No. 8568, if appropriate.

- 09/21/10
- Conduct a public hearing regarding a distance restriction waiver request for the Ballard B3 event on September 24, 2010 from 6:00 p.m. – 11:30 p.m. Find that the proximity of the temporary event and alcohol sales are not adverse to the public welfare or safety, and grant a distance limitation waiver.
  - Recognition of Sister City – Eutin, Germany high school delegation.

- September
- Direct staff regarding KDOT T-Works program.

- 10/12/10
- Consent:**
- Approve Comprehensive Plan Amendment, CPA-4-2-10, to update Chapter 14 – Specific Plans to correct references made to the previous Chapter 13 – Implementation regarding the adoption process for plans. The reference needs to be updated to refer to Chapter 17 – Implementation. This was an oversight when the chapter was renumbered and was identified as a work item in the annual review of the Comprehensive Plan. *Initiated by Planning Commission on 4/26/10.* Adopt on first reading, Ordinance No. 8542, for Comprehensive Plan Amendment (CPA-4-2-10) to Update Chapter 14 – Specific Plans to correct references made to the previous Chapter 13 – Implementation regarding the adoption process for plans. (PC Item 7; approved 10-0 on 6/23/10)
  - Approve Comprehensive Plan Amendment, CPA-4-3-10, amending Chapter 7 – Industrial and Employment Related Land Uses to be consistent with the approved K-10 & Farmer's Turnpike Plan to include the expanded Santa Fe Industrial Area and I-70 and K-10 industrial area identified in the sector plan. This was an identified work item in the annual review of the Comprehensive Plan. Adopt on first reading, Ordinance No. 8562, for Comprehensive Plan Amendment (CPA-4-3-10) amending Chapter 7 – Industrial and Employment Related Land Uses to be consistent with the approved K-10 & Farmer's Turnpike Plan to include the expanded Santa Fe Industrial Area and I-70 and K-10 industrial area identified in the sector plan. *Initiated by Planning Commission on 4/26/10.* (PC Item 3; approved 8-0 on 7/26/10)

**Regular:**

- Receive presentation from Westar Energy on the Smart Grid program.
- November
- Receive status report on LCS relocation efforts.
- TBD
- Receive staff memo regarding possible annexation of Westar Energy Center and adjacent properties. Additionally, staff is working on a memorandum discussing possible annexation of the Miller/Wells acres area.
  - Receive Lawrence Human Relations Commission gender identity report.
  - Consider approval of Comprehensive Plan Amendment CPA-2-1-09 to Chapter 14 – Specific Plans to approve and incorporate by reference the Oread Neighborhood Plan. Consider placement on a future agenda Ordinance No. 8496, for Comprehensive Plan Amendment (CPA-2-1-09) to Chapter 14 – Specific Plans to approve and incorporate by reference the Oread Neighborhood Plan. (PC Item 10; approved 7-0 on 1/27/10)
  - Receive status report on activities of the City Commission on Homelessness.
  - Establishment of Overtime Task Force.
  - Consider request for a Temporary Use of Public Right-of-Way Permit for the 2011 KC MS 150 from Friday 09/16/11 through Sunday 09/18/11 allowing the closure of Massachusetts Street between North Park Street and South Park Street from Friday at 1:00 p.m. through Sunday at noon, closure of North Park Street from Massachusetts Street to Vermont Street from Saturday at 6:00 a.m. through Sunday at noon, and closure of the Community Building parking lot from Saturday at 6:00 a.m. through Sunday at noon.

**ACTION:**

Approve request for Temporary Use of Public Right-of-Way Permit for the 2011 KC MS 150 and approve donation of police and fire medical services in support of the 2011 KC MS 150, if appropriate.

- Changes to sidewalk dining regulations.
- Ordinance No. 8565, establishing a Community Improvement District (CID) at 23<sup>rd</sup> and Ousdahl Streets.
- Consider Comprehensive Plan Amendment, CPA-5-6-10, to Horizon 2020, including the 6<sup>th</sup> and Wakarusa Area Plan, to change the designated land use from residential/office to commercial for a portion of the Bauer Farm Development located along 6<sup>th</sup> Street between Folks Road and Champion Lane. (PC Item 3; denied 8-2 on 8/23/10)

**ACTION:**

Approve Comprehensive Plan Amendment (CPA-5-6-10) to Horizon 2020, if appropriate.

- Consider approving Comprehensive Plan Amendment, CPA-2008-7, amending Horizon 2020 to include Chapter 16 – Environment. (PC Item 4; approved 8-1-1 on 8/23/10)

**ACTION:** Approve Comprehensive Plan Amendment (CPA-2008-7) if appropriate

**Moved by Chestnut, seconded by Dever,** to adjourn at 8:55 p.m. Motion carried unanimously.

**APPROVED:**

\_\_\_\_\_  
Mike Amyx, Mayor

**ATTEST:**

\_\_\_\_\_  
Jonathan M. Douglass, City Clerk

## **CITY COMMISSION MEETING OF JUNE 1, 2010**

1. Bid Date – DeVictor Park Trail Extension , Sept 21<sup>st</sup>.
2. Bid Date – Indiana Waterline Crossing at 6<sup>th</sup>, Sept 28<sup>th</sup>.
3. Bid Date – Sanitary Sewer replacement 1100 blk of Delaware, 1500 blk of NH, & 700 block of Michigan, Sept 28<sup>th</sup>.
4. Laser Shot LE Pro Law Enforcement Trainer System for \$28,207.
5. Carnegie Library Rehab – Alpha Omega Geotech.
6. Ordinance 8557 – 2<sup>nd</sup> Read, Contractor Licensing.
7. Charter Ordinance 41 – Primary election for City Commission if 7 or more candidates.
8. Final Development Plan – (FDP-01-02-07) NE corner of Wakarusa & Clinton Pkwy.
9. Temp Use of ROW – Strongman Competition to close 7<sup>th</sup> from Tenn to Kentucky on Sept 17 from 11 am to 1 pm & Sept 18 from 7 am to 8 pm.
10. Street Vendor License- Last Stop Snack Shop, SW corner of 10<sup>th</sup> & Mass.
11. Temp Use of ROW – Jingle Bell Run.
12. Site Plan – (SP-6-29-10) Wa Restaurant.
13. Sidewalk Dining – Wa Restaurant, 740 Mass.
14. Alcoholic Beverages allowed in sidewalk dining area, Wa Restaurant, 740 Mass.
15. Release of Mortgage – Davis, 942 Hilltop; Edwards, 1607 W 27<sup>th</sup>; Howe, 347 Elm.
16. City Manager's Report.
17. Oread Tailgate event – Sept 4<sup>th</sup> update.
18. Sunflower Broadband – sale & transfer of cable television & telecommunications franchise agreements to Knology.
19. City of Lawrence Employee Healthcare Plan for 2011.
20. American General Life employee benefit vendor.
21. Solid Waste next steps.