



City of Lawrence

CITY MANAGER'S OFFICE

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CITY COMMISSION

MAYOR
MIKE AMYX

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

September 14, 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/PRESENTATION:

With Commission approval Mayor Amyx proclaimed the week of September 12 – 18, 2010 as POW/MIA Recognition Week and Friday, September 17, 2010 as POW/MIA Recognition Day; and, proclaimed the week of September 17 - 23, 2010 as Constitution Week.

CONSENT AGENDA

As part of the consent agenda, **it was moved by Chestnut, seconded by Cromwell**, to approve the City Commission meeting minutes of August 3, 2010 and August 10, 2010. Motion carried unanimously.

As part of the consent agenda, **it was moved by Chestnut, seconded by Cromwell**, to receive the Sales Tax Audit Committee meeting minutes of February 11, 2010. Motion carried unanimously.

As part of the consent agenda, **it was moved by Chestnut, seconded by Cromwell**, to approve claims to 185 vendors in the amount of \$2,309,965.11 and payroll from August 29, 2010, to September 11, 2010 in the amount of \$1,903,654.93. Motion carried unanimously.

As part of the consent agenda, **it was moved by Chestnut, seconded by Cromwell**, to approve the Caterer License for New School Catering, 2223 Haskell Avenue. Motion carried unanimously.



As part of the consent agenda, **it was moved by Chestnut, seconded by Cromwell**, to concur with the Mayors recommendation and reappoint Jamie Lowe to the Board of Zoning Appeals/Sign Code Board of Appeals, to a term that will expire September 30, 2013; reappoint Aimee Polson, to the Community Development Advisory Committee, to a term that will expire September 30, 2013; and, appoint Gale Hale to the Jayhawk Area Agency on Aging, to a term that will expire September 30, 2012.

As part of the consent agenda, **it was moved by Chestnut, seconded by Cromwell**, to approve the sale of surplus buses and Fire/Medical equipment on Gov Deals. Motion carried unanimously. (1)

As part of the consent agenda, **it was moved by Chestnut, seconded by Cromwell**, to authorize payments from Capital Improvement Reserve Fund to KDOT for final closeout costs for Project No. 54-GI12-899(S), 23rd Street and Barker, Geometric, Traffic Signal Improvements, completed 2003, in the amount of \$20,736.62, and Project No. 65-GI3-999(S), 27th and Iowa, Geometric, Traffic Signal Improvements, completed 2003, in the amount of \$21,120.73. Motion carried unanimously. (2)

As part of the consent agenda, **it was moved by Chestnut, seconded by Cromwell**, to concur with the Planning Commission's recommendations to approve the Preliminary Plat (PP-6-5-10) for Riverside Business Park, a two lot subdivision containing approximately 30.527 acres, located at 2030 Packer Court; and accept the dedication of easements and rights-of-way subject to the following conditions:

1. Provision of a revised plat with the following changes:
 - a. Show the access restriction graphically and add the following note: "No direct access shall be permitted to N Iowa Street".
 - b. Add the following note: "The drainage, landscape, and utility easements along the south property line will be maintained as 'greenspace' to serve as a buffer for the residential properties to the south."
 - c. Show the existing and proposed water main per approval of the City Utility Engineer.

Motion carried unanimously. (3)

As part of the consent agenda, **it was moved by Chestnut, seconded by Cromwell**, to concur with the Planning Commission's recommendations to approve the Preliminary Plat (PP-6-6-10) for Hallmark Addition 3rd 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; and accept the dedication of easements and rights-of-way subject to the following conditions:

1. Provision of a revised plat with the following changes:
 - a. Relocation of the waterline within the access/utility easement with a connection at North Iowa Street and Princeton Boulevard.
 - b. Re-labeling of 'access easement' as 'access/utility easement'.
 - c. Provision of the following notes regarding the access easement and the joint use driveway: "The access easement and joint use driveway will be privately-owned and maintained." and "The access easement is provided for the purpose of establishing onsite multi-modal circulation. The easement shall not be gated and shall remain unobstructed for vehicles, pedestrians and bicycles."
 - d. Revision of General Note 8 to indicate that the drainage easement will be privately maintained unless the City accepts ownership.
 - e. Show Fire Hydrants located no further than 500 ft apart as required in the International Fire Code.
 - f. Revision of legal description to identify the property as Hallmark Addition 3rd Plat.
 - g. Provision of a note which states that access to McDonald Drive, Princeton Boulevard, and N Iowa Street is restricted as shown on the plat.
 - h. Revision of the sanitary sewer to extend straight to the west across N Iowa Street.
 - i. Revision of General Note 10 to indicate that the 6 ft wide sidewalks will be installed with the public improvements.
2. Submittal of Public Improvement Plans to the Public Works Department for acceptance prior to the recording of the final plat.
3. Provision of certification that the public improvements have been completed or one of the means listed in 20-811(h)(2) for ensuring completion of required public improvements prior to the recording of the final plat.
4. Execution of an Agreement Not to Protest the Formation of a Benefit District for sidewalk, stormsewer or street improvements prior to the recording of the final plat.

Motion carried unanimously.

(4)

As part of the consent agenda, **it was moved by Chestnut, seconded by Cromwell**, to concur with the Planning Commission's recommendations to approve the 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; and accept the dedication of easements and rights-of-way subject to the following conditions:

- 1) Provision of a revised Preliminary Plat to show the following details of the Environmentally Sensitive Lands to be protected:
 - a. Label area as Tract A and show boundaries with dimensions,
 - b. Specify that the ownership shall be private,
 - c. Specify that the maintenance responsibility for the tract is that of the property owner,
 - d. List specific protection measures to be implemented during construction such as fencing and signage,
 - e. List specific protection measures to be implemented for long term uses and improvements such as walking trails to include the following specific notes:
 1. Timber. Cutting of trees and woody shrubs may be accomplished **only** to maintain the character of the protected property, to maintain fences, and to prevent invasion of woody plants on the native vegetation.; as long as the same does not adversely affect the conservation values of the protected property. Trees cut for authorized purposes may be utilized for personal use and shall not be sold commercially.
 2. Recreational Use. Property Owner, and its licensees and invitees, may make normal and customary non-commercial recreational uses of the of the Protected Property, such as hiking or unimproved walking trails, as long as the same does not adversely affect the conservation values of the Protected Property.
 3. Fences. Property Owner may construct, repair, replace maintain, improve or remove any additional fencing as deemed necessary to secure the Protected Property, as long as done so in compliance with state and local laws including site planning.
 4. Structures. Structures are prohibited within the sensitive lands area. A structure is defined as: A building or anything constructed that requires permanent location on the ground or attachment to something having a permanent location on the ground, including but not limited to fences, signs, billboards, and Mobile Homes per section 20-1701 of the Development Code. Except, fences may be provided as stated in Note. 3.
- 2) Update note 7 regarding floodplain to reference August 5, 2010 date and include the FEMA panel number.

Motion carried unanimously.

(5)

As part of the consent agenda, **it was moved by Chestnut, seconded by Cromwell**, to concur with the Planning Commission's recommendations to adopt the findings of fact and approve the rezoning request and adopt on first reading Ordinance No. 8566, 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 for Northwind Apartments. Motion carried unanimously. (6)

As part of the consent agenda, **it was moved by Chestnut, seconded by Cromwell**, to concur with the Planning Commission's recommendations to adopt the findings of fact and approve the rezoning request and adopt on first reading Ordinance No. 8567, 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 for Crosswinds East. Motion carried unanimously. (7)

As part of the consent agenda, **it was moved by Chestnut, seconded by Cromwell**, to approve acceptance of the Right-of-Way and Easement dedication from KDOT for Renaissance Drive, Mercato Development located at the northeast corner of K-10 and US-40 (West 6th Street) as outlined in the Quitclaim Deed. Motion carried unanimously. (8)

As part of the consent agenda, **it was moved by Chestnut, seconded by Cromwell**, to authorize staff to negotiate an engineering services agreement with URS Corporation for transitional engineering services to assist upon transfer of the former Farmland Industries Plant from the Farmland Trust Fund to the City of Lawrence. Motion carried unanimously. (9)

As part of the consent agenda, **it was moved by Chestnut, seconded by Cromwell**, to receive a request from the University of Kansas requesting pedestrian crosswalks at 11th Street and West Campus Road. Motion carried unanimously. (10)

As part of the consent agenda, **it was moved by Chestnut, seconded by Cromwell** to receive a request from the Friends of the Lawrence Public Library to place as signs of community interest, yard signs advertising the Friends of the Public Library Book Sale. The signs would be placed between 6th and 9th Streets and between Massachusetts and Tennessee Streets on October 1 and would be removed October 5, 2010. Motion carried unanimously. (11)

CITY MANAGER'S REPORT:

During the City Manager's Report, David Corliss reported on a follow up question related to employee health insurance; reported on 9th and New Hampshire bus stop relocation; City prevailed in the rezoning of 155 acres on Farmers Turnpike; public comments were received by KDOT regarding passenger rail service; Fire/Medical staff's new fire apparatus was nearly complete; the City's Transit System won two awards, the FTA Ridership Award and the KPTA Transit System of the Year award; the City's Wastewater Utility won the Wastewater Treatment Plant Award and the Wastewater Treatment Plant Safety Award; and Jeanette Klamm, Utilities Program Manager, was named President of the Kansas Water Environment Association. **(12)**

Commissioner Chestnut said regarding employee healthcare, he said after looking at the information, he wanted staff to look at an employee only contribution of some kind. He said the City had a wellness benefit that was significantly invested in and had 35% to 40% of the employee population that was not contributing and 12%, employee only, participated and was not sure why the City would have a wellness benefit. The City's broker needed to look into those percentages. He said that 7 peer communities, 5 of those communities had some kind of contribution to the employee only. He said the City had a benefit that was going to be unsustainable over time.

He said the broker should have cost that out; the difference between grandfathered and relinquishing that cost, and was a reason why staff wanted to hold all of the contribution levels, to keep the federal health care reform act from grabbing the City too quickly, but sometimes it was penny wise and pound foolish, which was ending up costing, more money than that could be saved. He said there was a 15% compound growth in the costs that were coming through that plan and over five years that was just not sustainable.

He said overall staff had to work with employees that this was not an entitlement, but rather a benefit with significant costs and the City had to make sacrifices in other places if continuing to sustain those costs. He said employees needed to understand the costs were

overcoming revenues and should be incentive enough to want to participate and figure out how to take the cost curve and start bending it.

He said Cigna made some commitments the network was changed, but it did not appear, based on their projection, that it had come to fruition. He said there were some comments in the memo about some of the discounts did not happen and the healthcare committee had followed up on those commitments.

He said he appreciated the healthcare committee's work, but committee members were all employees. He said when looking at the cost and cost control globally, parameters needed to be addressed by the committee in looking at setting goals and how to get that curve bent more flat. He said he was not sure the employee committee was not in a position to make more difficult recommendations about possibly looking at an employee only contribution.

He said he did not know if the employee committee had all the information on peer communities, and it was a difficult position to be in. He said employee contribution was needed, but oversight and parameters were needed either from the City Commission or the City Manager's office for guidance on goals to be sustainable for the future. He said he had some real concerns. A lot of work had been done and the healthcare reform bill threw a real monkey wrench into this issue, but the City needed a different approach.

Corliss said he did not disagree and appreciated Commissioner Chestnut's involvement and review of the City's healthcare issue. He said he had substantial concerns, not only with progress on wellness, but staff was stepping up with wellness in the next year with the additional incentive to be attractive to that goal. He had concerns because retained earnings were being spent down and the costs were continuing to grow. The alarms were off as far as 2012 funding and staff had a lot of work on a lot of other items that needed to be explored.

Commissioner Chestnut said the effectiveness of the program was based on early participation and the younger employees who were for the most part, employee only contributors were not participating in the wellness program, then the City was not getting their

money's worth. Once employees were 35 or 40 and started having risk profiles, it mitigated the impact. He said it was for the best interest of the City's employees, it was not just a cost situation and if not participating, there would be challenges in getting the curve under control and have a healthy workforce.

Corliss said that those were good comments. He said the program approved for 2011 provided a small financial incentive for all participants, including the single participant.

REGULAR AGENDA

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.

Jonathan Douglass, Assistant to the City Manager/City Clerk, presented the staff report, which read:

"The Lawrence Convention and Visitors Bureau is working with the Mid America Chapter of the National Multiple Sclerosis Society to have Lawrence designated the overnight location for its 2011 KC MS 150 Bike event on September 17, 2011 (see attached message from the CVB). The KC MS 150 is the Mid America Chapter's largest fund raising event, with more than 1,800 riders participating. On 09/17/11 the ride will start at Garmin International's parking lot in Johnson County, and the riders will travel west to Lawrence, ending at South Park for the day (see attached bike route). Bike participants will resume their ride early Sunday morning by retracing their route back to Garmin.

The Mid America Chapter requests a Temporary Use of Public Right-of-Way Permit for 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. The Mid America Chapter is negotiating an agreement with the Parks and Recreation Department for the use of South Park, the South Park Recreation Center, and the Community Building for an overnight "Cycle Village" for many of the riders to spend the night on Saturday.

The proposed ride route into Lawrence will be west on N 1400 Road from Eudora, north on Noria Road, west on 15th Street, and north on Massachusetts Street to South Park. Because this is a ride, not a race, riders will be trickling into Lawrence throughout the day on Saturday and will be able to obey regular traffic signals and stops, thus not requiring major law enforcement support. On Sunday morning at 7:00 a.m. riders will begin leaving together in waves, requiring more law enforcement support. The route and traffic control plans are not fully formulated at this time, but the organizers would like to obtain approval for their use of the

streets around South Park so that Lawrence can be announced as the 2011 destination next month at the 2010 ride. The organizers have indicated that they would like Lawrence to be the annual overnight destination for the ride.

The organizers have also requested donation of police and fire medical services in support of the event. The level of support has not been determined at this time. Staff will continue to work with the organizers and will bring back any necessary items for City Commission approval as the plans are developed.”

Bob Sanner, Lawrence Convention and Visitors Bureau, said that this event was the Mid America Chapter's largest fundraising event which raised approximately \$1.3 Million dollars and was a very important event. He said their decision to move the event from Sedalia to Lawrence did not come lightly. He said he was hopeful they could put together an operational plan and make the closure of Massachusetts Street work to the best of their abilities. He said they were somewhat flexible on the closure time and could push to a later in the afternoon closing. The challenge was the large 40' X 80' hospitality/welcome tent, and once erected it would close that section of Massachusetts.

He said the reason for advocating South Park for the Cycling Village because the 1800 + riders checked their bikes at the Community Building and were in Lawrence until leaving on Sunday Morning and with the close proximity to downtown with the nearby hotels, it made sense rather than holding them captive by sticking them out on the edge of town.

Vice Mayor Cromwell said at the agenda meeting, it was discussed if there was anywhere else that tent could be accommodated and asked about the progress.

Douglass said the LEC parking lot was mentioned as a possibility. The parking lot would be large enough for a tent, but staff had not approached the County to see if the County would be open to this event, obviously a significant facility for the Sheriff's Department as well as the Lawrence Police Department. He said he also did not know how it would work for the organizers plans.

Sanner said he contacted the Mid America event organizer, and the organizer was knee deep into this year's event which was two weeks away and that location would be a big maybe.

He said in the layout of the Cycling Village, once cyclist checked their bikes and picked up their luggage at the community building, the cyclist would enter the hospitality/welcome tent and continue into South Park. He said by placing the tent in the LAC parking lot, it would disrupt the flow. He said that he was not in a position to make that commitment, but had shared the idea with the Mid America Chapter. He said he knew Mid America Chapter wanted to be as flexible and were hoping that by pushing the closure of Massachusetts Street it could work.

Commissioner Dever asked about what the traffic plan would look like if they were to close Massachusetts Street. He said closing Massachusetts Street was closed for a few other events, but did not know if they closed that street for a long time. He asked about the traffic pattern.

Douglass said that for the smaller events like the Arts & Crafts Festival there were no elaborate detours. He said an official detour would likely be placed 19th Street, indicating Massachusetts Street was closed at South Park, and detour traffic to Kentucky Street. He said traffic had to be detoured onto a similarly classified street and would not detour traffic through a residential street.

David Corliss, City Manager, said he would place detours signs at 14th Street and 11th Street for south bound.

He said the tent was 3200 square feet and could be placed at South Park, but it was a lot of trampling traffic and the turf would be in tough shape afterwards, but that area might be able to be restored because it was for a short period of time.

Mayor Amyx said, Chuck about the traffic count on Massachusetts Street

Chuck Soules, Director of Public Works, said when going north to 11th Street it was approximately 10,000 cars; south of 12th Street it was approximately 16,000 to 17,000; and, 23rd Street was approximately 30,000 cars.

Mayor Amyx called for public comment.

Jane Pennington and Downtown Lawrence Inc., was supportive of the event. She said the traffic problems would not be insignificant, but the business that would be driven downtown would be significant and hoped the Commission would approve the permit.

Mayor Amyx said the attendance at this event would be significant and would be good for the community. He said his main concern was the length of time in closing Massachusetts Street. He said he suggested the idea of looking into the Law Enforcement parking lot or anything else in the area so Massachusetts Street was not closed for a longer period of time. He said 16,000 vehicles needed to be moved somewhere else for a 48 hour period.

Corliss said was it possible operationally to put this in the park itself.

Sanner said the organizers looked at that idea months ago, requesting aerial photos of South Park and based on tent usage and sizes, the amount of trees and structures in that area, the organizers were leery of that set up.

Corliss said it was just a matter of rehabbing turf after taking down a 40' x 80' tent where the turf was trampled pretty hard the City could rehab that turf. He said obviously, if the community benefited from this program, the City could get those funds for the Parks and Recreation Department and staff could fix the turf. He said he knew that Parks & Recreation Department would prefer not to have it on the turf for that exact reason, but if closing the street was seen as the least preferred option, he suggested finding another way because this was a great event and everyone wanted this event and was a matter of finding the right location for a big tent that worked for the organizers and the City.

Commissioner Johnson said he felt lucky and glad that this organization picked Lawrence and would love to try to do everything that could be done to accommodate the organization. He said he was okay with the proposal and thought staff could come up with a traffic control plan that would work. He said he did not see the problem with shutting that area down for two days.

Commissioner Chestnut said he felt comfortable moving forward, but also have that area more self contained, even if taking two lanes of a four lane street. He said if there was enough public notice and worked hard enough to route the traffic, shutting down that street was doable.

Commissioner Dever said the closure of the street allowed people to move back and forth between both the sides of the park which would assist in public safety. He said he was concerned about the precedence if we had done this before, if it was too much of an impact on other businesses down town because they were trading 1800 captive cyclist for the other people who might just bypass and go around and wanted that to be considered as part of the decision.

He said he thought it was great event and believed staff could find an alternate location and shut down the street for a short period of time, or focus on that time frame to a smaller period and really work on getting the tent out of the street. He said he was in favor of the event, but wanted to look at all the other locations in the area before promising the right-of-way on Massachusetts Street.

Vice Mayor Cromwell asked if staff contacted Sedalia, Kansas to ask about their experience with this event.

Douglass said the City had not had contact with officials in Sedalia. Sedalia had this event at their fairgrounds, which was one of the locations the organizers had spoken to the City about as well the High Schools and a few other areas, but were too far away from the experience of downtown Lawrence as a destination. He said he did not believe Sedalia closed a street for their event.

Vice Mayor Cromwell asked if the organizers were feeding and housing the participants.

Sanner said there was a small camping component to this event, thus the cycling village. The current hotel demand in Sedalia and outlining area was 500+ rooms. He said the MS Society felt the attraction of Lawrence would increase registration which increased the demand for hotels. As far as feeding, the organizers were relying on Lawrence to feed the participants

and were the reason for wanting this event to be held in South Park, to visit the restaurants in the downtown area.

Vice Mayor Cromwell said he did not want that assumption made about where the participants would eat.

Sanner said the organizers would approach local restaurants to vend in the park area but were not bringing any outside groups into Lawrence and it was to the benefit of this community.

Mayor Amyx said the impact on the street needed to be minimized. He suggested a finalized plan be drafted including a minimum time of closing Massachusetts Street or some portion of that street as well as alternatives for that tent. The finalized plan would be used to help move traffic and other components associated with this event.

Commissioner Cromwell said when the event would take place.

Sanner said the event was two weeks away, and hoped to walk away with the City's support for this event. He said he understood the flexibility with the understanding that once Sedalia had come and gone, bringing Mid America Chapter to the table and figure out how to handle the cycling village. He said Sedalia wanted to make an announcement as to where next year's event would take place and would like for Sedalia to declare it was Lawrence.

Mayor Amyx said a statement was needed to indicate the City definitely wanted the event in Lawrence, Kansas. He said the final plan needed to indicate plans for the street, location of the tent, and plans for the cycling village.

Corliss said the City Commission could approve the event and direct staff and Sanner and the MS 150 group to work on other South Park area arrangements, whether it was to be the Judicial Law Enforcement parking lot or the park itself. He said staff understood it was the Commission's desire, to not close the street.

Mayor Amyx said or at least shortening the period of time the street was closed.

Corliss said the event organizers request was essentially the back fall position, but that way Sanner could say that he had the necessary approvals.

Moved by Chestnut, seconded by Cromwell, to approve the request for a Temporary Use of Public Right-of-Way Permit for the 2011 KC MS 150 and approve donation of police and fire services in support of the 2011 KC MS 150, and direct staff to work with event organizers to look at alternatives for keeping Massachusetts Street open as long as possible, and approved donation of police and fire medical services in support of the event. Motion carried unanimously. (13)

Consider a request for a street vendor license for Last Stop Snack Shop at the southwest corner of 10th Street and Massachusetts Street, pending satisfactory inspection of the cart's heating device(s) by the Fire Medical Department. NOTE: One adjacent property owner is not in favor of the proposed street vending location.

Jonathan Douglass, Assistant to the City Manager/City Clerk, presented the staff report, which read:

"In the spring of 2010 Jason Mandel requested a change to the city code regarding street (sidewalk) vendors to allow operation until 2:30 a.m. The City Commission voted to make that change, and Mr. Mandel has now applied for a street vendor license to allow him to operate at the southwest corner of 10th and Massachusetts.

The applicant has satisfied all requirements to obtain a license, save inspection of his unit by the Fire Medical Department is pending. He contacted area businesses as required by city code:

6-1403(A) An applicant for a street vendor license shall present a statement of intention to all businesses within seventy-five (75) feet of the location for which the applicant seeks the license. The applicant shall obtain said business owners' signatures of approval and submit the signatures to the City Clerk. The applicant shall instruct said business owners to submit in writing to the City Clerk all comments regarding the applicant's statement of intention. The applicant shall provide the names and addresses of each business owner the applicant notified pursuant to this paragraph to the City Clerk.

The applicant was interested in either the northeast or southwest corner of 10th and Massachusetts, but would prefer the southwest corner. A representative of the Replay Lounge on the northeast corner contacted the City Clerk's Office on 9/1/10 to say that the applicant had contacted him, and that the Replay Lounge was not absolutely opposed to the applicant's location at the northeast corner, but he did have concerns with post-bar closing crowds loitering in the area, as the Replay Lounge makes every effort to get crowds to disperse immediately following closing.

The applicant reports that the owners of the Masonic Temple building on the southwest corner of 10th and Massachusetts (the applicant's preferred location), declined to sign the applicant's statement of intention, citing concerns for the tenants of their buildings. Both the buildings at 1001-1003 and 1005-1007 Massachusetts Street are owned by Consolidated Properties, Inc. The Masonic Temple at 1001-1003 Massachusetts is currently vacant, and 1005-1007 Massachusetts is occupied by Encore Café. A representative of Encore Café did sign that they received the applicant's statement of intent. No further comment has been received by the City Clerk's Office regarding this application."

Jason Mandel, Last Stop Snack Shop, said they had submitted everything the City code required to obtain a street vendor license for the southwest corner of 10th and Massachusetts. As part of the license approval, they needed signatures of approval from all business owners within 75 feet of their cart and had received all but one signature.

He said that Mr. Sarna, representing First Management, had asked for a deferral of this license last week and in his letter stated that First Management leased to Encore, Pita Pit and Pyramid Pizza. He said his response to Mr. Sarna's letter read:

"In response to Mr. Sarna's concerns I offer several answers. First, the ordinance asks for the signature of the owners from any store within 75 feet. In Mr. Sarna's email he mentioned that he would have to contact and consult with 3 businesses on Massachusetts Street when in fact there were only 2 locations that come into the 75 foot radius that First Management owns. These two being the Masonic Temple, which is vacant, and has been vacant for some time, and Encore of which my partner and I have been to twice and received their signature of approval in addition to advice as to what to sell at our stand."

He said he understood Mr. Sarna's predicament in signing off on this approval for a street vendor license because Pita Pit and Pyramid Pizza were down the street and would be their competitors, but those businesses were not within the 75 foot radius and did not need their signature, and did not know how they could influence the Commission in not granting their license.

Mayor Amyx called for public comment.

Nick Carroll, Replay Lounge, said that he would have concerns with having such a food stand located adjacent to his business.

Greg Keenan, Papa Keno's, said that he had spoken with the applicants and he did not see anything wrong with their proposal since Encore Café had signed off on the application.

Jane Pennington, Downtown Lawrence, Inc., said that DLI was not in favor of the extended hours in the first place and were not in favor of the proposal now.

Justin Sharkan said that he believed he had addressed DLI's concerns when the ordinance was passed previously.

Andrew Hoyt, Wing Wagon, said that other things such as the length of the permit and the locations required could be improved.

Michael Tanner said that the American people had the right to public assembly and that in other cities there had also been conflicts between street vendors and street musicians.

Mayor Amyx said how many locations did they currently have in downtown?

Douglass said there were 9 sites and currently two licensed street vendors. The hotdog vendor at the northeast corner of 9th and Massachusetts, and a women that sold frozen lemonade on the 800 block of Massachusetts at the mid block location.

Mayor Amyx said the 9th and Massachusetts could be a potential location, but currently there was someone who had that location. He said he had not seen that vendor this summer because the vendor was vending in other places.

He said Downtown Lawrence Inc., not only had concerns about people congregating, but what could potentially happen to store fronts. He said since this license involved the use of the City's right-of-way the City could rescind the license, at any time, if there were problems.

He said unless the City Commission took into consideration another location that better served this business, the Commission had to act upon this request. He said the applicant had complied with licensing requirements for street vendors and it was time to make a decision.

He said currently there was no tenant in the Masonic Lodge building. He said if a problem arose in the future, the City Commission would address the issue at that time.

He said Carroll's concerns were valid, but he thought the location at 10th and Massachusetts on the southwest corner was an appropriate location, unless the applicant found another site. He said he recommended approving the proposed location.

Mandel said he appreciated the support.

Commissioner Johnson said he agreed with the Mayor's comments and thanked Mandel for persevering through this process.

Commissioner Chestnut suggested the City Commission receive feedback from law enforcement on the activity at that location. He said he did not want to conjure up any problems.

Commissioner Cromwell said he appreciated Mandrel's entrepreneurial spirit and sticking with the process. He said the City Commission had to consider all sides in making the right decision. He said the Commission was not just interested in surrounding 75 feet of this location, but how it affected the whole community and what sort of precedents might be set for other vendors across the city. He said he was in favor of this request.

Moved by Dever, seconded by Johnson, to approve the request for a street vendor license for Last Stop Snack Shop at the southwest corner of 10th Street and Massachusetts Street, with review by the Police Department in 30 days. Motion carried unanimously. **(14)**

Receive staff report regarding mobile food vendors.

Jonathan Douglass, Assistant to the City Manager/City Clerk, presented the staff report, which read:

Background.

In recent months the City Clerk's Office and the Planning Division have received numerous inquiries regarding the ability to sell food and beverages from vans, trucks or trailers downtown and in other areas. Current city code does not allow for the proposed activityⁱ (referred to as "mobile food vending" here) except that it provides for a license for ice cream vending (Section 9-301).

On April 13, 2010 the Commission received a written request to establish a license for such activities, and referred the request to staff for a report. If the Commission desires that a license or other regulations for the proposed activity be created, the following issues should be considered.

Potential Locations

Inquiries relating to the proposed activity have focused on potential to operate in five main areas: private parking lots, public streets generally, metered parking stalls downtown, public parking lots downtown, and in public parks during events.

Private parking lots. Inquiries have been received from individuals wanting to sell on a continuing basis in hotel parking lots and in the parking lots of large employers such as in the East Hills Business Park. Current city codes may hinder these business plans due to time limits and restrictions on vehicle use.ⁱⁱ

Public streets generally. Staff has received inquiries from people wanting to sell food from vehicles in primarily residential neighborhoods where many students live. Another scenario is in areas with large amounts of construction activity where food could be sold at or near work sites. This activity could potentially be governed similar to ice cream vendors, where the vendor cannot be parked at any one place for more than five minutes.

Metered parking stalls and public parking lots downtown. Most of the inquiries staff has received have focused on selling food from a vehicle in the downtown area, usually targeting the late night bar crowd as a customer base. I believe the people interested in this type of business activity would like to be able to park in a metered parking stall on Massachusetts Street or on one of the side streets close to Massachusetts. Of secondary interest is parking in the non-metered public parking lots downtown.ⁱⁱⁱ

Public parks during events. Vendors selling food or merchandise from vehicles do occasionally operate in city parks during events, for example during the 4th of July food festival in Watson Park. This type of activity in parks is not allowed other than during approved events. If a licensing scheme or other regulations are created for the selling of food from vehicles, they should either apply to, or specifically exempt, vendors selling in the parks during approved events.^{iv}

Hours of Operation

People wanting to engage in the proposed business activity downtown likely would be interested in selling all day, and into the early morning hours. Recent changes to the Street Vendor License ordinance allow licensed vendors on the sidewalks downtown to operate until 2:30 a.m. In some non-downtown areas, such as student-heavy neighborhoods, they would also likely be interested in selling into the early morning hours. Late night sales outside of downtown would probably be more problematic due to the nature of the neighborhoods.^v

Regulations in other communities

Other Kansas communities take various approaches to regulating this type of activity, ranging from an absence of specific regulations, to codes governing the conduct of vendors (but no license requirements), to licensing schemes.^{vi}

Recommendation

Given current priorities and limited resources, staff does not recommend creating additional regulations to allow mobile food vendors at this time. Current city code does not allow for the proposed activity, and Codes Enforcement and/or Police staff can respond to complaints about

unauthorized activity as necessary. Staff believes this activity has the potential to generate significant complaints, particularly in the downtown area and in residential areas where it would be likely to take place. Given other priorities and more urgent issues, enforcement of regulations regarding mobile food vendors may fall short of community expectations; therefore staff does not recommend changing the code to allow this activity.

Mayor Amyx said currently to use a private parking lot a site plan was needed to allow that use and the only mobile food license was the ice cream vendor.

Douglass said yes this issue regarding mobile food licensing met the definition of a peddler in the code, or a transient merchant and the code specifically stated a stationary location was not allowed on the street to sell. The City could conceivably issue right-of-way permits for that use, which would be very difficult to administer because right-of-way permits were generally temporary for construction activity or a sidewalk sale and it would be difficult to use that permit to regulate food vendors who operated on continual basis. He said to be on a private property, a mobile food vendor would probably need a special event permit and there were certain stipulation in the special event permit that would make this type of activity difficult.

Mayor Amyx called for public comment.

Don Frecks, owner of a mobile food vending business, said that his experience had been that the relationship between the mobile vendors and the storefronts had been mutually beneficial; that license standards in other cities ensured quality vendors; and, it would be nice to conduct his business locally.

Oscar Marino said that he had filed a petition with the City to allow his concession trailer and he would give assurances that his business would be operated in a clean manner. He said his business partner ran a few restaurants downtown and was in favor of the mobile food vending also.

Michael Tanner said he had concerns about other street vendors bringing out prerecorded music and that street musicians had concerns about the city giving out permits for activity at certain corners, and that that activity would drive away street musicians.

Andrew Hoyt, Wing Wagon, raised other potential locations for mobile vendors such as parking lots at Orscheln's and Checker's.

Mayor Amyx said all of the location that Hoyt mentioned, needed to be site planned.

Scott McCullough, Planning and Development Services Director, said he was not familiar with the Checker's issue, but Orscheln's was a Farmers Market which was not a sale out of a truck. He said Douglass tried to highlight some of the issues with the code for this specific type of mobile vending which would not be allowed as the code was written today. Some of the issues were a time period of the special event permit of four 14 day periods, unless the City Commission could approve an additional time period. He said by definition, this type of vending was not allowed under current code if it was a sale out of a trailer or truck directly sold out of the vehicle itself.

Mayor Amyx asked if the City Commission was ready to direct staff to prepare the appropriate ordinance to allow mobile food vending, but he was not ready to allow mobile food vending and it was not a high priority at this time.

Commissioner Dever said the idea of allowing people to vend food from trailers was a good one. He said he was not sure how difficult the process was to site plan or set up an ancillary use in a vacant lot or some highly visible location on a private piece of property, but the City Commission could look at that issue to make it more simpler or look at ways to make this process more efficient, since there were more people wanting mobile food vending on public right-of-way.

He said the quality of the food was always pretty good at those places and had quite a few good meals across the country stopping and picking up food at one of those locations. He said there was a certain need and demand for mobile vending and he was willing to examine this issue now and determine if there was a majority support for looking at the right of way in the future. He said he since there were people wanting mobile food vending, the City might need to make an easier path in order to make that happen.

Mayor Amyx said he did not have a problem looking at mobile food vending on private property. He said there was probably already a City code that would not require a lot of change for those ancillary uses on property, but City staffing, at this time, was limited to manage that use. He said the City Commission could do what they could to help with that use on private property.

Vice Mayor Cromwell said it sounded like a good idea.

Commissioner Chestnut said he did not want to write a whole statute about public right of way mobile food service after three weeks of port a potties and other issues, but understood mobile food vending was important issues to certain people.

He said the site planning process needed to be worked on for private property which would be appropriate.

McCullough said it was not so much a process issue as that use was just not permitted today. He said staff needed to go back to the city code governing special events and make those types of special events a permitted use. He said the process was not as onerous as he might have made it sound. Mobile food vending was not a commercial activity that was permitted in the city code.

Commissioner Chestnut said he did not have an issue and asked if it would be a matter of a text amendment.

McCullough said no, it was a section of the city code that was not in the development codes so staff needed to bring that section to the City Commission.

Commissioner Chestnut asked about the differentiation in use between what was just considered and a mobile food vendor.

McCullough said what was just discussed was on the public right-of-way, then discussed mobile food vendors that would use the public right-of-way for their vending like an ice cream truck would, then there was vendor that wanted to go to a private parking lot and vend from the

trailer/truck on private property. The only one permitted was the street vendor on certain intersection of Massachusetts Street.

Commissioner Chestnut said he would not mind starting to get something moving on the site planning.

David Corliss, City Manager, said staff's challenge was their ability to police those types of activities, to set standards. The folks that were present and wanted to vend would do a first class job, but if establishing a regulatory scheme then anyone could apply and the City's ability to police that type of use would be beyond City staff's current resources. The time of day, the ability to respond to complaints would be a concern. He said maybe staff could continue to research this issue. He said staff had time to draft an ordinance because there were models established with existing ordinances, but the value about the stationery facilities down Massachusetts Street was the City knew where those street vendors were located and if there was a problem, staff would know where to go. If a mobile vendor were at different locations, it would be more difficult. He said other communities had mobile vending, but it would be another regulation where the City did not have the staffing to handle it.

Mayor Amyx said the discussion was about making a change to the private property section.

Commissioner Dever said that was a good way to set a precedent and decide how that type of vending would work and for some reason, down the road, someone wanted to consider the public right-of-way, there would be an opportunity. He said he was looking at making it legal for mobile vending because there might be that type of vending operating in town that was not permitted at this time.

Vice Mayor Cromwell said that if allowing mobile vending on private property someone could receive a permit for a particular location for a certain period of time and the traffic congestion issues could be avoided. If City staff knew where those mobile vendors were located, staff could do their inspections.

Commissioner Johnson said he was willing to move forward and look at the mobile vending on private property.

Mayor Amyx directed staff to draft a proposed ordinance change to add and regulate mobile vending on private property. (15)

Consider approving the final design and schedule for Project No. PW0903, Kasold Drive, Clinton Parkway to 31st Street, street, storm sewer, and waterline improvements.

Chuck Soules, Public Works Director, presented the staff report, which read:.

Project Description.

The pavement on Kasold Drive, from 31st Street to Clinton Parkway, will be replaced with 10" concrete, and the sidewalk and recreational path will be connected around the curve to 31st Street to provide a continuous pedestrian and bike facility. The need for turn lanes and medians has been reviewed during the design process. Traffic control will probably be the most significant issue as several neighborhoods have only a single exit access onto Kasold.

Attached:

1. Typical section with 11 feet lanes and landscaped median/center turn lane
2. Horizontal layout.
3. Sight distance improvements at 24th Terrace
4. Establish left and right turn lanes at E. 1200 Road on Kasold curve
Connect multiuse path and sidewalk around Kasold curve

Design.

- Improved sight distance on vertical curve at 24th Street. To improve the vertical curve and sight distance at 24th Street the adjacent retaining wall and recreation path will be replaced. The blocks in the existing wall will be reused. In addition to improving the vertical sight distance, reconstructing the existing retaining wall allows us to build it outside of the horizontal sight triangles, which will additionally improve intersection safety at 24th Place and 24th Street.
- Medians/Left-Turn Lane. The road will be 5 lanes wide. Medians will occupy the center lane where left turning movements are not necessary.
- Traffic Control. One lane in each direction will be maintained. Access to the offices both east and west of Kasold at Clinton Place and Clinton Parkway Court will be maintained. Left turns will be restricted through the construction limits except at Clinton Place and Clinton Parkway Court.
- Utility Relocation. We continue to try to minimize all utility relocation. A force main along the curve will need to be relocated for a few hundred feet to install the right-turn lane. Some adjustments for the waterline to get around storm sewer inlets will be needed. Other utilities will complete their relocations prior to bidding.
- Right-of-Way/Easements. The project did not require any right-of-way. Construction easements have been obtained in a few places to appropriately tie in grades for maintenance.

- Intersection at Clinton Parkway. Future traffic projections and intersection geometrics indicate the necessity for dual left-turn lanes. The existing median will be removed and a yellow striped area will replace the median so that in the future the second left-turn lane can be added without reconstruction. Additionally, a right turn lane will be added to the project to improve traffic flow and efficiency of the intersection.

Schedule.

The project was planned for a spring 2010 bid opening. The Stimulus Programs placed a lot of additional work on KDOT. At this time the project will be scheduled for a November 2010 letting. This will allow the project to be completed by December 2011.

Funding.

Current estimate for this project is approximately \$6 million. This project is to be financed from the approved sales tax. KDOT is contributing approximately \$1 million.

David Corliss, City Manager, said in staff's memo, it mentioned infrastructure sales tax revenues and expenses, and the Sales Tax Audit Committee used the information for their review. He said when looking at Resources that was money in and Expenses was money out. It was important to keep in mind that when building the infrastructure sales tax proposals and was implemented, staff followed a very strong philosophy in rebuilding important arterial collector streets within the community as opposed to going back every three or four years and doing a patch job on streets that were moving toward failure. He said Kasold, south of Clinton Parkway was the number one priority project identified and the city was fortunate to have State funding, in the amount of \$1 million. The State would bid the project even though the State was the minority financial participator and approved the plans. He said the money would come in on a monthly basis and was using KDOT as the bank in 2010 and into 2011 with a total of \$5 million. He said the memo indicated the City was in the black. The City was ending this year with a healthy fund balance, but was spending that money on this project.

He said on those projects, staff worked through conceptual, design, necessary approvals and property acquisition. A number of times, people forget why the City was doing this project and could probably point to other roads that need attention as well. He said Kasold Drive, Clinton Parkway to 31st Street was still the top priority project and was similar to the Kasold

base to the north. He said the City did not need to issue any debt and KDOT was acting as the City's banker and the money would be in place, pursuant to the plan.

Mayor Amyx asked if huge wall were involved.

Soules said no and there were no major water main replacements, it was all road work.

Corliss said that area would have two lanes open to traffic, during construction, one lane in each direction.

Soules said there would be an inconvenience because there were streets on the east side of the road that had no other way out, except Kasold. There would be one lane open in each direction, but the people on the east side would still need to cross the construction area. Another issue that should be addressed was not allowing left turns which would not go well with the neighbors, but helped in the construction.

Corliss said that the Mayor had also mentioned staff needed to make strong efforts to publish the calendar of construction projects so that the public knew what construction projects were in place and when those projects would occur. The Iowa reconstruction that was added to the infrastructure sales tax project, staff was hoping the project was finished next year and staff would work with KDOT to have the State bid that project next year, so the Kasold project would be completed as the project started on Iowa.

Soules said two big projects might be 23rd and Haskell Bridge and Iowa Street at the same time.

Corliss said also the reconstruction of the west bound lanes on Bob Billings Parkway.

Mayor Amyx said a calendar was needed so that everyone understood and could avoid overlap. Those projects were impacting major thoroughfares throughout this community and traffic issues needed to be addressed for those projects.

Mayor Amyx called for public comment.

Kenneth McKenzie said he lived in the area of the Kasold project that would be difficult to get out. He asked if construction would take place around March or April 2011.

Soules said if the State bid the project in November, the City could have the contract by the first of the year and have preconstruction meetings toward the end of January or first part of February which gave the contractor a month to get submittals, material ordered, and equipment mobilized for storm sewer and force main and underground work. He said hopefully in April or May, the concrete could be laid. He said that was the aggressive schedule and would start paving the other side in August or September.

McKenzie said it would take a year to complete the project.

Soules said yes.

McKenzie said utility trucks were driving up and down the sidewalks making a trafficway out of the sidewalks which were cracking. He asked who would fix those sidewalks.

Mayor Amyx said he had noticed AT&T was using the sidewalk across from Prompt Care.

Soules said staff would take a look at the sidewalks. He said the gas and phone companies were in that area. He said they were trying to save some sidewalks. If the utility companies had torn up sidewalks in areas that were slated to be saved, the utility companies would replace those sidewalks.

Mayor Amyx said regarding the project that took place at the north part of Kasold between 22nd and Bob Billings, incentive money was proposed and asked if that incentive money was proposed for this project.

Soules said the State did not provide incentives, but charged the contractor if late, which was a reverse incentive. He said staff could discuss incentives with the contractor after the project.

Mayor Amyx said he was not looking to spend any extra money, but that incentive worked last time.

Corliss said the City was not building very many streets in town. He said Bauer Farm Drive which was a glorified driveway into the retirement center off of Folks Road and then

Timber Ridge Road which was another driveway to the KU/City Transit facility. Those were the only new roads under construction in the city right now that the City could see on the horizon. The contractors would be glad to get the project and hoped to get competitive bids.

Mayor Amyx said there were a lot of people that had concerns, once this project was started, but would get through this project.

Moved by Johnson, seconded by Chestnut, to approve the final design and schedule for Kasold Drive, Clinton Parkway to 31st Street, street, storm sewer, and waterline improvements. Motion carried unanimously. **(16)**

PUBLIC COMMENT: None

FUTURE AGENDA ITEMS:

09/21/10

Regular:

- Consider approving the following Rezonings 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 14th 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. 14th Street, .05 acres located at 414 W. 14th Street, .09 acres located at 1346 Ohio Street, .13 acres located at 1340-1342 Ohio Street, and .13 acres located at 507 West 14th 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.

- 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. Adopt on first reading, 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)

- 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.

09/28/10

- Receive status report on activities of the Community Commission on Homelessness.

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.

- Changes to sidewalk dining regulations.
- Ordinance No. 8565, establishing a Community Improvement District (CID) at 23rd and Ousdahl Streets.
- Consider Comprehensive Plan Amendment, CPA-5-6-10, to Horizon 2020, including the 6th 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 6th Street between Folks Road and Champion Lane. (PC Item 3; denied 8-2 on 8/23/10)

ACTION: Receive Planning Commission recommendation and act on request to 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 Cromwell, seconded by Johnson, to adjourn at 8:25 p.m. Motion carried unanimously.

APPROVED:

Mike Amyx, Mayor

ATTEST:

Jonathan M. Douglass, City Clerk

CITY COMMISSION MEETING OF September 24, 2010

1. Sale - Surplus busses and Fire/Med Equip on Gov Deals.
2. Capital Improvement Reserve Fund – 23rd & Barker for \$20,736.62; 27th & Iowa for \$21,120.73.
3. Prelim Plat (PP-6-4-10) – Riverside Business Park, 30.527 acres, 2030 Packer Ct.
4. Prelim Plat (PP-6-6-10) – Hallmark Add 3rd Plat, 5.252 acres, 151 McDonald Dr.
5. Prelim Plat (PP-6-4-10) – George Subdivision No. 4, 1.31 acres, 200 H Mich.
6. Ordinance No. 8566 – 1st Read, Rezone (Z-6-10-10) 1.31 acres, RS10 to RM12, 200 N Mich.
7. Ordinance No. 8567 – 1st Read, Rezone (Z-6-11-10) 3.92 acres, CS & RM12 to RM12, 2130 Silicon Ave for Crosswinds E.
8. ROW & Easement – dedicated from KDOT for Renaissance Dr, Mecato Dev., NE cor of K-10 & US40.
9. Engineering Agreement – URS Corp – Farmland Industries Plant.
10. KU – Pedestrian crosswalk at 11th & W Campus Rd.
11. Signs of Community Interest - Friends of Lawrence Public Library
12. City Manager's Report.
13. Temp Use of ROW – 2011 KC MS 150.
14. Street Vendor – Last Stop Snack Shop.
15. Mobile Food Vendor discussion.
16. Design & Schedule for Kasold, Clinton Pkwy to 31st.