



DAVID L. CORLISS  
CITY MANAGER

# 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

November 2, 2010

The Board of Commissioners of the City of Lawrence met in regular session at 5:45 p.m., in the City Commission Chambers in City Hall with Mayor Amyx presiding and members Chestnut, Cromwell, and Johnson present. Commissioner Dever was absent.

### CONSENT AGENDA

As part of the consent agenda, **it was moved by Johnson, seconded by Chestnut**, to receive the Planning Commission meeting minutes of August 23-25, 2010 and September 20, 2010; and the Hospital Board meeting minutes of September 15, 2010. Motion carried unanimously.

As part of the consent agenda, **it was moved by Johnson, seconded by Chestnut**, to approve claims to 201 vendors in the amount of \$4,717,910.98. Motion carried unanimously.

As part of the consent agenda, **it was moved by Johnson, seconded by Chestnut**, to approve the Drinking Establishment license for Phoggy Dog, 2228 Iowa; and, the Retail Liquor License for 2220 Harper Street. Motion carried unanimously.

As part of the consent agenda, **it was moved by Johnson, seconded by Chestnut**, to set a bid date of November 23, 2010 for Bid No. B1058 Project UT0905CS, Sanitary Sewer Main Replacement for the 1100 block of Delaware Street, the 1500 block New Hampshire Street and the 700 block of Michigan Street. Motion carried unanimously. (1)

As part of the consent agenda, **it was moved by Johnson, seconded by Chestnut**, to approve Change Order No. 2 to A.B. Bradley Construction in the amount of \$12,257.72 for the



Carnegie restoration project. Funding will come from the guest tax reserve fund and capital improvement reserve fund. Motion carried unanimously. (2)

The Commission reviewed bids for the Carnegie Building window replacement/repair for the Parks and Recreation Department. The bids were:

VENDOR	TOTAL
AB Bradley	\$44,700.00
BA Green	\$54,100.00

As part of the consent agenda, **it was moved by Johnson, seconded by Chestnut**, to award bid to AB Bradley for \$44,700. The funding will come from the guest tax reserve fund and capital improvement reserve fund. Motion carried unanimously. (3)

The Commission reviewed bids for the Master Street Tree Program for the Parks and Recreation Department. The bids were:

VENDOR	TOTAL
Shawnee Mission Tree Service DBA Arbor Masters	38,480.00
Rosehill Gardens	39,520.00
Cut-N-Edge	43,638.40

As part of the consent agenda, **it was moved by Johnson, seconded by Chestnut**, to award bid to Shawnee Mission Tree Service for \$38,480.00. Motion carried unanimously. (4)

The Commission reviewed bids for one (1) trailer mounted generator for the Utility Department. The bids were:

VENDOR	TOTAL
Hertz Equipment	\$30,489.45
Logan Contractors Supply Demo	\$30,700.00
Logan Contractors Supply	\$32,399.00
Victor L. Phillips	\$36,739.00
USA Blue Book	\$36,995.00
RSC Equipment	\$47,495.00
Central Power Systems	\$48,615.00

As part of the consent agenda, **it was moved by Johnson, seconded by Chestnut**, to award bid to Logan Contractors Supply for \$30,700. Motion carried unanimously.

(5)

As part of the consent agenda, **it was moved by Johnson, seconded by Chestnut**, to approve Change Order No. 1 & Final to R.D. Johnson Excavating Co., Inc. in the amount of \$76,360.71 for Project PW1014, 2010 Concrete Rehabilitation Program. Motion carried unanimously.

(6)

As part of the consent agenda, **it was moved by Johnson, seconded by Chestnut**, to waive bidding requirements and approve the sole source purchase of Phase 3 and Phase 4 extrication equipment for the Fire/Medical Department from Conrad Fire Equipment for \$16,451.33. Motion carried unanimously.

(7)

As part of the consent agenda, **it was moved by Johnson, seconded by Chestnut**, to approve Change Order No. 3 to Vance Brothers, Inc. in the amount of \$288,878.07 for Project PW1004, 2010 Microsurfacing Program. Motion carried unanimously.

(8)

As part of the consent agenda, **it was moved by Johnson, seconded by Chestnut**, to authorize the purchase of new fitness and weight equipment for the Community Building from the 2010 State of Kansas joint purchasing agreement, up to \$25,000. Motion carried unanimously.

(9)

Ordinance No. 8572, adopting the International Fire Code, 2009 Edition, was read a second time. As part of the consent agenda, **it was moved by Johnson, seconded by Chestnut**, to adopt the ordinance. Aye: Amyx, Cromwell, Chestnut, and Johnson. Nay: None. Absent: Dever. Motion carried unanimously.

(10)

Ordinance No. 8583, adopting by reference an amended Chapter V, Article 1 of the City Code, the International Building Code, 2009 Edition, the International Fuel Gas Code, 2009 Edition, the International Energy Conservation Code, 2009 Edition, and the International

Existing Building Code, 2009 Edition, was read a second time. As part of the consent agenda, **it was moved by Johnson, seconded by Chestnut**, to adopt the ordinance. Aye: Amyx, Cromwell, Chestnut, and Johnson. Nay: None. Absent: Dever. Motion carried unanimously.

(11)

Ordinance No. 8584, adopting the International Residential Code, 2009 Edition, was read a second time. As part of the consent agenda, **it was moved by Johnson, seconded by Chestnut**, to adopt the ordinance. Aye: Amyx, Cromwell, Chestnut, and Johnson. Nay: None. Absent: Dever. Motion carried unanimously.

(12)

Ordinance No. 8585, adopting the International Plumbing Code, 2009 Edition, was read a second time. As part of the consent agenda, **it was moved by Johnson, seconded by Chestnut**, to adopt the ordinance. Aye: Amyx, Cromwell, Chestnut, and Johnson. Nay: None. Absent: Dever. Motion carried unanimously.

(13)

Ordinance No. 8586, adopting the International Mechanical Code, 2009 Edition, was read a second time. As part of the consent agenda, **it was moved by Johnson, seconded by Chestnut**, to adopt the ordinance. Aye: Amyx, Cromwell, Chestnut, and Johnson. Nay: None. Absent: Dever. Motion carried unanimously.

(14)

As part of the consent agenda, **it was moved by Johnson, seconded by Chestnut**, to approve extension requests to a retroactive 2 year extension for the Prairie Wind Final Development Plan, FDP-08-05-06, for 17 dwelling units on 2.59 acres for a density of 6.56 units/acre, to extend the approval period to March 25, 2010. Motion carried unanimously.

(15)

As part of the consent agenda, **it was moved by Johnson, seconded by Chestnut**, to approve a retroactive 2 year extension for the Prairie Wind Final Plat, PF-08-22-06, a one-lot subdivision approved by the Planning Commission on September 25, 2006, to extend the approval period to April 10, 2010. Motion carried unanimously.

(16)

As part of the consent agenda, **it was moved by Johnson, seconded by Chestnut**, to authorize staff to direct BG Consultants to complete Bid Documents for Project UT0922CS,

Airport Area Sanitary Sewer Improvements to include only the gravity collections system and septage holding well with aeration and odor control, and deferring construction of the forcemain. Motion carried unanimously. (17)

As part of the consent agenda, **it was moved by Johnson, seconded by Chestnut**, to receive the third quarter report for Bert Nash Outreach Program. Motion carried unanimously. (18)

As part of the consent agenda, **it was moved by Johnson, seconded by Chestnut**, to concur with the City Clerk's recommendation to allow travel by Luke Stone's oversize pedicabs on downhill portions of Massachusetts Street downtown. Motion carried unanimously. (19)

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

During the City Manager's Report, David Corliss said staff drafted a set of guidelines for consulting fees to be incorporated within the City's purchasing policy; Roger Zalneraitis, Economic Development Coordinator/Planner, recently graduated from Emerging Leaders' Academy; a yard parking reminder was sent to neighborhoods near Allen Fieldhouse during KU game days; the City received a grant to finalize construction plans for the Santa Fe Station; City employees surpassed the goal of raising \$39,000 for the 2010 City of Lawrence United Way Campaign; Parks & Recreation held its 39<sup>th</sup> Annual Halloween Paint In downtown; and, the City of Lawrence recycled 29 tons of electronic equipment at a city-sponsored event. (20)

#### **REGULAR AGENDA**

**Consider adopting Resolution No. 6908, supporting the Take Charge Challenge, and consider authorizing the Mayor to sign the Memorandum of Understanding with the Climate and Energy Project.**

Eileen Horn, City/County Sustainability Coordinator, presented the staff report which read:

Please include the following item on the City Commission Consent Agenda for consideration at the November 2, 2010 meeting: *Authorize the Mayor to sign the Memorandum of Understanding with the Climate and Energy Project, and pass Resolution 6908 in support of the Take Charge Challenge.*

The City of Lawrence has been invited to participate in the Take Charge Challenge, an energy efficiency contest coordinated by the Climate and Energy Project (CEP) and sponsored by the Kansas Energy Office. The City of Lawrence and KU will collaborate to achieve a larger energy use reduction than our competitor Manhattan and K-State. The Challenge will run from October 2010 - October 2011.

The City of Lawrence will be provided with a part-time regional coordinator to facilitate planning and coordination throughout the year. We will also receive an Energy Efficiency and Conservation Block Grant (EECBG) of \$25,000 from the Kansas Energy Office to fund the Challenge. The City will work with CEP and its regional coordinator to determine a process for spending and tracking EECBG funds.

As a participating Take Charge Challenge city, the City of Lawrence will need to agree to the following (from the Memorandum of Understanding):

- To make city venues available to host Challenge meetings and events free of charge.
- To appoint a city staff person to serve on the Leadership Team.
- To authorize a reasonable amount of staff time to work with the regional coordinator.
- To have the Mayor, City Commissioners and/or City Manager attend Take Charge Events.
- To coordinate program fund spending with CEP.
- To help promote the Challenge by utilizing City communication staff/website/newsletters.
- To pass a city resolution to promote the Take Charge Challenge.

Action Request: Authorize the Mayor to sign the Memorandum of Understanding with the Climate and Energy Project, and pass Resolution 6908 in support of the Take Charge Challenge.

Mayor Amyx called for public comment.

After receiving no public comment, **it was moved by Cromwell, seconded by Chestnut**, to adopt Resolution No. 6908, supporting the Take Charge Challenge, and authorizing the Mayor to sign the Memorandum of Understanding with the Climate and Energy Project. Motion carried unanimously. **(21)**

**PUBLIC COMMENT: None.**

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

- 11/09/10
- Receive report from Destination Management, Inc.
  - Discussion on overtime policy and update on time and attendance.
  - Authorize the City Manager to execute an Engineering Services Agreement in the amount of \$247,748 with Burns & McDonnell Engineering Company, Inc. for services in conjunction with the Water System Master Plan, Project UT0921MP.
  - Approve the population projections and master plan boundary for the Wastewater Master Plan following the completion of the Public Participation

Process.

- Consider initiating a District Plan for the Inverness Park Addition.

11/16/10

- Public hearing regarding Industrial Revenue Bonds for Plastikon Industries.
- Conduct public hearing to review the condition of the dilapidated structures at 1200 Pennsylvania and to consider declaring the structures unsafe and ordering the repair or removal within a specified period of time.
- Distance restriction waiver hearing for off premises CMB license for Presto, 602 W. 9<sup>th</sup> Street.

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.
- Ordinance No. 8565, establishing a Community Improvement District (CID) at 23<sup>rd</sup> and Ousdahl Streets.
- 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.

- Consider Comprehensive Plan Amendment, CPA-6-5-09, to Horizon 2020 – Chapter 14 to include the Northeast Sector Plan. (PC Item 4; approved 5-4 on 9/20/10)
- Approve scope of improvements for Iowa Street, Project PW1012, Iowa Street (US-59 Highway ), Irving Hill Road to Yale Road, Street Reconstruction and Geometric Improvements
- Consider changes to sidewalk dining requirements.

**Moved by Chestnut, seconded by Cromwell,** to adjourn at 6:02 p.m. Motion carried unanimously.

**APPROVED:**

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Mike Amyx, Mayor

**ATTEST:**

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Jonathan M. Douglass, City Clerk

**CITY COMMISSION MEETING OF NOVEMBER 2, 2010**

1. Bid Date Set – Nov 23 UT0905CS, Sanitary Sewer-110 Blk of Delaware 1500 Blk of New Hamp
2. Change Order – AB Bradley for \$12,257, Carnegie Restoration.
3. Bid – Carnegie Bldg window replacement to AB Bradley for \$44,700.
4. Bid - Master Street Tree Program to Shawnee Mission Tree Svc for \$38,480.
5. Bid – Trailer generator for Utility Dept to Logan Contractors for \$30,700.
6. Change Order – 2010 Concrete Rehab Program to RD Johnson for \$76,360.71 (PW1014)
7. Bid requirements waived (sole source) – Fire/Med, extrication equip to Conrad fire for \$16,451.33.
8. Change Order 3, for 2010 Microsurfacing to Vance Bros for \$288,878.07 (PW1004).
9. Fitness & Weight Equip for Community Bldg, 2010 State of KS purchase agreement for up to \$25,000.
10. Ordinance 8572 – 2<sup>nd</sup> read, 2009 Int'l Fire Code.
11. Ordinance 8583 – 2<sup>nd</sup> read, 2009 Int'l Bldg, 2009 Int'l Fuel Gas, 2009 Int'l Energy, 2009 Int'l Existing Bldg codes.
12. Ordinance 8584 – 2<sup>nd</sup> read, 2009 Int'l Residential Code.
13. Ordinance 8585 – 2<sup>nd</sup> read, 1009 Int'l Plumbing Code.
14. Ordinance 8586 – 2<sup>nd</sup> read, 2009 Int'l Mechanical Code.
15. Prairie Wind Final Development Plan (FDP-08-05-06) 17 units on 2.59 acres, 6.56 units/acre, extend approval period to 3/25/10.
16. Prairie Wind Final Plat (PF-08-22-06) 2 yr extension, extended to 4/10/10.
17. Airport Area Sanitary Sewer – gravity collections, UT0922CS.
18. Bert Nash Outreach Program, 3<sup>rd</sup> Quarter.
19. Pedicabs – allow Luke Stone on downhill portions of Mass.
20. City Manager's Report.
21. Resolution 6908 – Take Charge Challenge Memo of Understanding with Climate & Energy Project.