



# City of Lawrence

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## CITY COMMISSION

**MAYOR**  
MIKE AMYX

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

March 1, 2011

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.

## **A. PROCLAMATIONS/RECOGNITIONS**

1. Presentation of the BlueChip Healthy Community Award.

## **B. CONSENT AGENDA**

**It was moved by Dever, seconded by Chestnut,** to approve the consent agenda.

Motion carried unanimously.

1. Approved City Commission meeting minutes from 02/22/11.
2. Received minutes from various boards and commissions:

Public Health Board meeting of 12/20/10  
Hospital Board meeting of 01/19/11  
Human Relations Commission meeting of 11/18/10  
Lawrence Cultural Arts Commission meeting of 12/08/10  
Planning Commission meeting of 01/24/11  
Mental Health Board meeting of 01/25/11

3. Approved payroll for 02/13/11-02/126/11 in the amount of \$1,841,580.68, and claims to 197 vendors in the amount of \$3,207,021.15.

4. Approved licenses as recommended by the City Clerk's Office.

Drinking Establishment Licenses for Yacht Club, 530 Wisconsin St; Mariscos, 4821 West 6<sup>th</sup> Ste: A; and, Esquina, 801 Massachusetts.

5. Bid and purchase items:

- a) Set a Bid Date of April 5, 2011 for Bid No. B1106 Project WW0601, Anaerobic Digester Improvements at the City of Lawrence Wastewater Treatment Plant.



6. Adopted the following ordinance(s) on second and final reading:
  - a) Ordinance No. 8615, to amend Lawrence City Code Sections 17-702, Riding on Sidewalks and 17-114, Riding Abreast.
  - b) Ordinance No. 8614, authorizing the possession and consumption of alcoholic liquor on the 100 block of E 8<sup>th</sup> St and the intersection of 8<sup>th</sup> St and New Hampshire St from 4:00 p.m. – 10:00 p.m. on 04/20/11, and on the 100 block of W 8<sup>th</sup> St from 4:00 p.m. – 10:00 p.m. on 04/21/11 related to the KU Relays events.
7. Initiated Text Amendment to the City of Lawrence Land Development Code, Chapter 20, Article 4, Section 20-403 to allow Active Recreation as a Special Use in the IG (General Industrial) District.
8. Authorized the Mayor to sign a Release of Mortgage for Sharon Cox, 800 Maine.
9. Received the 2010 Annual Utility System Development Charges Report.
10. Received the 2010 Year End Revenue and Expenditure Report for Building Activity.

**C. CITY MANAGER'S REPORT:**

David Corliss, City Manager, presented the City Manager's Report.

Mayor Amyx asked if the majority of officers would be equipped with the purchase of the new tasers.

Corliss said there should be enough that everyone who had been trained and was on duty during a shift should have a taser.

Khatib said in most cases 26 tasers was enough. It would not be during large events such as Final Four celebrations.

**D. REGULAR AGENDA ITEMS:**

1. **Consider approving a temporary use of right-of-way permit to BFG Communications for the 2011 Adult Swim Spring College Carnival on 8<sup>th</sup> Street between Massachusetts Street and New Hampshire, and the intersection of 8<sup>th</sup> and New Hampshire, from 9:00 a.m. Thursday 04/14/11 to 1:00 a.m. Friday 04/15/11, contingent on departmental approval of specific site layout, receipt of proper proof of insurance, and negotiation of a service agreement to compensate the city for service costs.**

Jonathan Douglass, Assistant to the City Manager/City Clerk, presented the staff report regarding the 2011 Adult Swim Spring College Carnival.

Mayor Amyx said a year ago the carnival did not extend into the intersection of New Hampshire Street. He asked about the plans for diverting traffic through East Lawrence.

Douglass said there would be signs placed at the 7<sup>th</sup> and New Hampshire and 8<sup>th</sup> and Rhode Island. Traffic would be diverted to Connecticut, Massachusetts or Vermont. A few bus routes would be rerouted.

Mayor Amyx asked if East Lawrence Improvement Association was contacted.

Douglass said no, but he contacted Downtown Lawrence.

Mayor Amyx asked about the need for placing the stage in the intersection.

Mike Churchill, BFG Communications, said it was a market demand. He said last year, events were held at 9 universities and 2 events were successful, Lawrence being one of those events that brought in 4,400 people. He said they wished to expand the event because of additional games they wanted to introduce.

Mayor Amyx said East Lawrence Improvement Association did not understand that some of that traffic would be diverted to Connecticut and Rhode Island Streets. He said he would feel better if New Hampshire Street were left open. He said he preferred to have feedback from East Lawrence.

Commissioner Dever said the transit system bus stop was moved and a clear way was needed because of the current activity in that area. He asked if there was a plan.

Douglass said yes. The transit system was prepared to reroute busses if the temporary use of right-of-way was approved.

Commissioner Dever said he was a little concerned at blocking that intersection on New Hampshire and asked if that intersection would be blocked less than 24 hours.

Churchill said correct. He said the closure of that intersection was scheduled for 9:00 a.m. that Thursday morning and would end at midnight or early the next morning. He said they padded time just in case of inclement weather.

Commissioner Chestnut said the applicant's permit request started at 9:00 a.m., but asked if the intersection could be opened for part of the business day, but the problem would be with traffic later in the business day.

Mayor Amyx said the construction of the stage would take quite a few hours.

Churchill said it would take a couple of hours because it was a portable stage, the same stage used last time. He said he received additional adjacent permissions from the other businesses that were on New Hampshire.

Vice Mayor Cromwell asked if a stage had ever been at the proposed location.

Douglass said there were two of the "Get Downtown Events" on that block. He said on both of those occasions it was on the 800 block. The most recent "Get Downtown Event" was on New Hampshire and closed the entire 800 block of New Hampshire. He said it had been a couple of years and since then, the bus routes were redone and the major bus hub was moved onto New Hampshire. He said there had been stages on both New Hampshire and 8<sup>th</sup> Street.

Churchill said the reason for the event was its popularity on facebook and blogs. He said they were able to track the social media aspects. This year they increased the size and wanted to do it in a safe way.

Mayor Amyx said the City Commission needed to make sure the movement of traffic was safe. He said they would be sending traffic to a neighborhood that should not feel the effects of additional traffic. He asked what happened if the temporary use of right-of-way was denied.

Churchill said he was a local representative for BFG and he would take up the matter up with their BFG management. He said they looked at different areas, but the problem was that they needed a flat area to do everything safely. He said their proposed area was the best area.

Mayor Amyx called for public comment.

After receiving no public comment, Commissioner Chestnut said since he had been on the Commission there had been half dozen events where some part of New Hampshire was blocked off. He said he agreed there was work to do as far as informing the public, but in principle, he did not have an issue with this event. He said the event would divert some traffic, but there were a lot of ways to get across from East Lawrence, across Massachusetts Street, to Kentucky and Tennessee Streets.

He said he would caution that squeezing the event within 8<sup>th</sup> Street, New Hampshire being opened, there was some increased risk of people walking across that intersection between 6 to 11 pm an night.

Vice Mayor Cromwell said he agreed. The balance was the inconvenience of the traffic. The whole concept of cramming the public into that small area, he was leaning toward closing that portion of New Hampshire for this event.

Commissioner Dever said he wanted to clarify the through traffic and asked if someone could drive north and access the parking lots, but could not get through. He said someone could drive up to either one of those locations, park, get in and out and go south.

Douglass said correct.

Commissioner Dever said the Commission's duty to notify adjacent property owners and businesses would only affect the properties immediately adjacent. He said if the applicant contacted the necessary businesses and residents in that adjacent location that was probably thorough enough contact.

Douglass said that was in the City Commission's judgment of whether that contact was sufficient. The City Commission controlled the street and could decide what type of access to allow. Generally on right-of-way permits, staff asked for adjacent property owner permission.

Commissioner Dever asked if staff had those permissions.

Douglass said he did not have all of those permissions, but Churchill indicated that he had obtained additional permissions.

Commissioner Johnson said he appreciated the applicant's interest in Lawrence and he did not have a problem with this event. He said he had confidence that staff could handle the traffic. He said the concerns raised about the pedestrian traffic, blocking off New Hampshire would help.

Mayor Amyx said this was a great project, but his concern was the movement of traffic in that area.

**Moved by Chestnut, seconded by Johnson,** to approve a temporary use of right-of-way permit to BFG Communications for the 2011 Adult Swim Spring College Carnival contingent on departmental approval of the specific site layout, receipt of proper proof of insurance and the negotiation of the service agreement to compensate the City for service costs. Aye: Chestnut, Crowell, Dever, Johnson. Nay: Amyx. Motion carried.

2. **Consider authorizing the Mayor to sign letters to the Kansas federal delegation opposing significant decreases to housing and community development programs, including CDBG, HOME, Public Housing and Section 8.**

Margene Swarts, Assistant Director of Planning and Development Services, presented the staff report.

Mayor Amyx said absorbing the projects paid by CDBG funds without those funds would be very difficult. The program has been important to Lawrence, KS.

Vice Mayor Cromwell said this money went to good use and good programs. Our ability to fund these programs would not be present without CDBG funds, and it was important to let our representatives know.

Mayor Amyx called for public comment.

After receiving no public comment, Mayor Amyx said the Commission shared everyone's concerns about those programs. He said when there was a tight budget there was no way the City could pick up those costs without federal funding.

**Moved by Cromwell, seconded by Dever,** to authorize the City Manager to sign letters to the Kansas Federal Delegation. Motion carried unanimously.

3. **Consider adopting on first and second reading, Ordinance No. 8620 (Added 02/28/11), authorizing the issuance of Industrial Revenue Bonds for the Bowersock Mills and Power Company hydroelectric project and consider authorizing the Mayor to sign various related documents.**

Diane Stoddard, Assistant City Manager, presented the staff report.

Sarah Hill Nelson, Bowersock Mills, said she wanted to thank the City Commission and staff for their work. This project would allow their company to expand and grow in the coming years. She said they felt cautiously optimistic about closing the bond sale and said if all went well construction could start in the spring.

Amyx said he appreciated the commitment of Hill-Nelson and the work put in by her and her family.

After receiving no public comment, Mayor Amyx asked when the construction could be complete.

Hill-Nelson said 18-24 months.

**Moved by Cromwell, seconded by Johnson,** to declare an emergency and adopt on first and second reading, Ordinance No. 8620, authorizing the issuance of Industrial Revenue

Bonds for the Bowersock Mills and Power Company hydroelectric and authorize the Mayor to sign various related documents. Motion carried unanimously.

**E. PUBLIC COMMENT:** None

**F. FUTURE AGENDA ITEMS:**

David Corliss, City Manager, outlined potential future agenda items.

**G: COMMISSION ITEMS:**

**H: CALENDAR:**

Corliss reviewed calendar items.

**I CURRENT VACANCIES – BOARDS/COMMISSIONS:**

Existing and upcoming vacancies on City of Lawrence Boards and Commissions were listed on the agenda.

**Moved by Chestnut, seconded by Johnson,** to adjourn at 7:20 p.m. Motion carried unanimously.

**APPROVED:**

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Mike Amyx, Mayor

**ATTEST:**

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Jonathan M. Douglass, City Clerk