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CITY MANAGER

City of Lawrence

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CITY COMMISSION

MAYOR
MIKE AMYX

COMMISSIONERS
JEREMY FARMER
DR. TERRY RIORDAN
ROBERT J. SCHUMM
MICHAEL DEVER

September 2, 2014

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 Dever, Farmer, Riordan and Schumm present.

A. RECOGNITION/PROCLAMATION/PRESENTATION

1. Proclaimed Monday, September 8, 2014 as International Literacy Day.

B. CONSENT AGENDA

It was moved by Schumm, seconded by Farmer, to approve the consent agenda as below. Motion carried unanimously.

1. Approved City Commission meeting minutes from 07/01/14.
2. Received minutes from various boards and commissions:

Horizon 2020 Steering Committee meeting of 08/11/14
Human Relations Commission meeting of 05/15/14
3. **PULLED FROM THE CONSENT AGENDA FOR A SEPARATE VOTE.** Approved claims to 197 vendors in the amount of \$2,474,748.88.
4. Approved licenses as recommended by the City Clerk's Office.

Retail Liquor

Myers Retail Liquor
Small Time Liquor LLC
902 W 23rd St.

Expiration

September 24, 2014

5. Bid and purchase items:
 - a) Set a bid date of September 23, 2014 for Bid No. B1450, Project No. PW1429, for the replacement of the salt dome at 1120 Haskell Avenue.
 - b) Set a bid date of September 23, 2014 for Bid No. B1433, Project No. UT1312, Bob Billings Parkway Waterline Replacement.



- c) Set a bid date of September 30, 2014 for the Comprehensive Rehabilitation Program Projects at 212 Lincoln Street and 1215 Rhode Island Street.
 - d) Authorized the purchase of snow plow replacement parts from American Equipment Co., utilizing the City of Olathe contract, not to exceed \$40,000.
 - e) Authorized the purchase of one (1) half-ton truck for the Public Works Engineering Division, from Laird Noller Ford utilizing previous Bid #B1440, for the amount of \$22,481.
 - f) Awarded the construction contract for Bid No. B1430, Project No. UT1315 - Arkansas Street Waterline Replacement, West 2nd Street to West 4th Street, to Banks Construction, LLC in the amount of \$268,590 and authorized the City Manager to execute the construction contract.
6. Adopted on second reading, Ordinance No. 9034, to rezone (Z-03-16-05) approximately 2.59 acres from PRD-2 (Planned Residential Development) District to POD-1 (Planned Office Development) District. The property is generally described as being located north of W. 6th Street (U.S. Highway 40) between Wakarusa Drive and Folks Road.
7. **PULLED FROM THE CONSENT AGENDA FOR A SEPARATE DISCUSSION.** Approved extension request for Final Development Plan for Miracon Plaza Planned Commercial Development - Phase 1 [FDP-01-02-07] generally located at the northeast corner of Wakarusa Drive and Clinton Parkway. Submitted by Tim Herndon, for Timothy W. Schmidt of OFF-PISTE, Inc., property owner of record. The approved plan proposes construction of a two-story retail/office/bank building containing approximately 8,000 square feet and associated site improvements. The request proposed extension of the approval for this project for an additional 24 months.
8. Authorized staff to advertise a Request for Proposals, RFP 1413, for Design Phase Engineering Services, for Project No. UT1421 - Kaw WTP Field Operations Building Expansion.
9. **PULLED FROM THE CONSENT AGENDA FOR A SEPARATE DISCUSSION.** Received a request from the Kaw Valley Kickball League to build a scoreboard at Hobbs Park; refer to staff.
10. Approved an event permit allowing Health Care Access to attach bras to the outside railings on the north and south bound Kansas River bridges from October 19 to November 1, 2014.
11. Approved the suspension of enforcement of City Code Section 14-407, prohibiting the discharge of firearms within the city) to allow a "shotgun" start at the Lawrence Police Foundation golf tournament on Monday, September 8, 2014 at The Orchards by Cobblestone, LLC Golf Course.
12. Approved as signs of community interest, a request from Lawrence Memorial Hospital Endowment Association to tie pink ribbons around lamp posts on Massachusetts Street, between 6th Street and 11th Street, and on Clinton Parkway, between Iowa Street and

Kasold, from Sunday, October 5 through Monday, October 27, 2014. The purpose of the pink ribbons was to educate the general public about breast cancer awareness month.

13. Authorized the Mayor to sign a Mortgage Release for Phillip J. Cullison and Rachel A. Bachman, 2710 Bonanza.

Amyx pulled consent agenda item no. 3 regarding claims for a separate vote.

Moved by Farmer, seconded Schumm, to approve non-Rock Chalk Park related claims to 193 vendors in the amount of \$1,842,565.38. Aye: Amyx, Dever, Farmer, Riordan and Schumm. Nay: None. Motion carried unanimously.

Moved by Schumm, seconded by Riordan, to approve Rock Chalk Park related claims to 4 vendors in the amount of \$632,183.50. Aye: Dever, Farmer, Riordan, and Schumm. Nay: Amyx. Motion carried.

Joseph Guilfoyle, pulled consent agenda item no. 7, regarding an extension request for Final Development Plan for Miracon Plaza Planned Commercial Development - Phase 1, for separate discussion.

Guilfoyle stated I live at 2233 Killarney Ct. As a home owner you surround yourself with comforts of life, peace, security, and raise your family. It's the comfort of your home that is very important to you. If you can picture looking out my back door, you see a greenbelt; plenty of trees, leaves, a protected area that shields us from Wakarusa and Clinton. On the other side of the tree line, is 5 acres of commercial land owned by Tim Schmidt. What this letter says is that the plan is to put a 2 story office building up and have in place 87 parking places. From my back door to Wakarusa, there's a rise of 40 feet. If you put a 2 story office building up, now you have a huge structure. It's not just a 2 story office building but a structure that raises well above all the neighboring houses. There are a lot of things to consider when you're having that size structure encroaching into the residential neighborhood. I want you to appreciate that. It changes the character of the neighborhood. Peace, quiet, security, the things we have right now, could possibly be going away. The planning commission report on this says that the greenbelt should stay in place and only need be removed for the purposes of storm water

drainage. I asked the city engineer if that was true, if the green belt was going to stay in place, and he said it's only going to stay in place if it doesn't get in the way of the development. So, Schmidt's project could feasibly take out a big portion of the green belt, exposing us and the resident's to the commercial property. I asked Schmidt if he was going to leave the green belt there and he said if it gets in the way of the development, we'll have to take it out. I want you to understand that there are ambiguous statements going on here. Either the green belt stays or it doesn't stay. We would like it to because it protects the character and nature of the neighborhood. With a project this big, there is going to be a huge storm drainage issue. At the bottom of the hill, as you are coming east down the hill from Wakarusa, there is a storm drainage ditch. The only place I can see for a detention pond would be at the bottom of the hill, a few feet from my back door. I'm concerned that a project like this, with 87 parking places and a big parking lot, is going to, in a heavy rain, shed off a lot of water. If it comes my way, I don't know, if it brings with it debris, and junk. I'd like you to consider the fact that approving the plan without thinking through a little bit more of this could be a lot of trouble for us who have our home's there.

Amyx asked Guilfoyle, how long have you lived at that address?

Guilfoyle stated 6 months.

Amyx asked Guilfoyle, did you ever question what might go on that property, or what had been approved, prior to the purchase of your home?

Guilfoyle stated before I moved in, I was told that the commercial property started on the other side of the tree line and that I didn't have to worry about it because the property had been up for sale for 10 years, nobodies interested.

Amyx stated let's see if we can get an answer about the detention and flow of the water.

Guilfoyle stated he is here with 2 other home owners in the neighborhood.

Amyx asked, how long ago was the issue before us approved?

Sandra Day, Planner, stated the original approvals for this project go back to the preliminary development plan and plat, as early as 2006. *She pointed out the location of the property, Mr. Guilfoyle's property, the creek and the existing vegetation on the map.* The property is platted. There's a large drainage easement that covers that creek and a good portion of that existing vegetation. There is the development plan. This exhibit shows you where those lot boundaries are in relationship to the development. Phase 1 of the plan, that is being requested for the extension, is the central portion part. This is that edge of the property the residential lots are located roughly in this area. The project includes additional landscaping that would be added outside of the drainage easement along the property edge. It is a 2 story building with office uses on the lower, or on the east side access, and the commercial retail building on the upper level, or on the western elevation. This table is a summary of the various extensions and requests that have been made related to this project. Each of them was for an additional 24 months except for that first extension which was for 18 months. You can see the original date of the final development plan for Phase I was in 2007. If you approve your extension tonight, that would extend the request out to 2016. The storm water engineer was able to put together this exhibit that overlays the proposed development with the property lines, with the existing residents. The area that is the center of the creek and the east side of it, the approved plan shows that there is no proposed change in topography for this area. From the creek to the west is where the proposed topography would be changed. That would include the removal of existing vegetation but there would also be new landscaping added on the edge of the parking lot. This area for this plan is intended to be undisturbed and then there would be an additional green space added along this property line. There would be some utility easement going in along this property so there may be some changes there. Your actions this evening are to consider the extension. You could approve the extension with some limitations on further approvals. You could also consider denial of that extension which would terminate this project and the plan would become null and void.

Schumm asked, currently is there any limitation to the number of times we can extend this plan, or any plan?

Day stated no, not for this code. This development plan is under the 1966 code.

Schumm asked how much of the greenbelt would be lost with development of the parking lot.

Day stated I did not try to measure that. Mr. Herndon may be able to better talk about what that dimension is. The existing vegetation goes through the lower portion of this site. The east half would be undisturbed, the west half would be removed.

Schumm asked Day, did you mean additional green space or vegetation?

Day stated yes, there is an area that is outside of easement that could have some additional landscape added to it and this plan shows additional landscape materials along that property line.

Schumm stated you said "could." Does that mean will, or would, or is it a possibility that we should suggest that that happen?

Day stated you could add a condition, for the extension of the approval, to add additional landscape here. We would need to revise the plan to do that.

Amyx stated I recall, during the discussion at the time of the original approval, or one of the extensions, they were not to disturb that easement area through there. They were going to leave as much of that vegetation as we could. Is that something that I'm remembering correctly?

Day stated I was not the planner so I'm not familiar with all of the history. I have not reviewed the full file. That sounds familiar but, without looking through the minutes, I don't know that I could answer that for you.

Riordan stated, when you look at Horizon 2020, I would assume this is recommended for commercial development.

Day stated I believe it's in the plan that way.

Riordan asked, is the water run-off going right into the creek that's below and there's no detention pond?

Day stated I believe that's the plan. I would need to spend more time with it. There's a natural drainage way that comes through here.

Amyx asked, doesn't the creek run to the east side of the project and then goes in the ditch down to the east?

Day stated, right. The plan also includes some improvements just off-site to pick up the existing storm water outlet and bring it through further away from these residents.

Tim Herndon, OFF-PISTE, Inc., stated an interesting array of topics were raised. Going back, chronologically, as this conversation has evolved; I think it's worth mentioning that it was 1998 when this property was re-zoned from multi-family residential office to planned commercial district. It was in 2006 when the application for Miracon Plaza was submitted. We went through an extensive evolution working with the commission at that time. We did a lot of work to put this plan together. I want to mention it has been zoned planned commercial district since 1998. The second thing I want to mention is that the proposed project, which was approved in 2007, in no way, exceeds the limitations imposed by the overlaying zoning district. We work within the confines of what's allowed in PCD2 zoning in every regard. This has been planned according to the zoning that was approved well before the member of the public that spoke out purchased their home. The drainage easement that was along the east side has gone through a variety of clearings, re-grading's, over time and only at such time as when the development is implemented will that be upgraded to the current Public Works standard for a finished development drainage easement that includes a drainage channel as well as a detention pond. Another thing to mention about the green belt drainage easement and structure is it also facilitates a water shed that extends far to the west of Wakarusa Dr. It's the last development before it crosses Clinton Parkway, headed to the south. The drainage study, which has been approved, as well as the traffic study, there are improvements along Wakarusa Dr., the

sidewalks, turn lanes, etc., as well as the down-stream sanitary sewer capacity analysis. All of those things anticipate the development pattern in the area. Finally, the landscaping is a very specifically prescribed landscape schedule. The drainage way would actually be formalized, pretty significantly, with an area of check dams made out of stone, a variety of landscape plantings along that drainage way that would replace what is now an organically, evolving stand of somewhat mature vegetation. As I've said, it's been cleared systematically, time and time again, grown back, cleared, and grown back. There would be a good face lift at the time the development takes place. Hopefully, I've addressed the comments you've discussed so far and I'm available to address others as they arise.

Schumm asked, when you complete the final channel product, and you're going to add landscape, you're going to clear out some of the stuff that's there by free fall?

Herndon stated it's going to be re-graded. From the property line that separates the residential zoning from the PCD zoning, from there to the next property pin is 112 feet. Within that width, and the width broadens as it goes to the north, that's where a full grading plan had been submitted for review and approval by the Public Works Department. When that happens the existing vegetation will be cleared, sod will be replaced in certain areas, retaining walls in other areas and landscape screening. Actually, two rows of landscape screening. One row along the far eastern edge of the property adjacent to the residential lots and another row of landscaping that would abut the parking lot over here. The parking lot is 63 feet in width, so 112 feet plus the 63 feet, plus a margin between the parking lot and the building, there's a pretty good set back between the residential properties and where the buildings are proposed.

Schumm stated, I just wanted to hear about the landscaping and you answered my question.

Guilfoyle stated this is FDP-01-02-07 Planning Commission staff report and it states 'in addition to new trees and shrubs that will be planted much of the sites existing vegetation will remain intact for the project. I'm not hearing that now. I'm hearing that it's going to be plowed

under. This is from your document. The property includes existing vegetation along Clinton Pkwy and within designated drainage easement. A note has been included on the plan stating that 'existing vegetation within the drainage easement will be removed only as necessary or to perform public drainage improvements per approval of city's storm water engineer'. Are we all hearing the same thing here? Just because you take down an existing green belt to beautify the area doesn't mean that it's going to beautify the area. It's going to expose us to commercial development and we would rather not be exposed to it.

Alan Belgard stated I am a neighbor to Guilfoyle and I have lived there 14 years. Mr. Herndon said something about periodically coming in and tearing down and cleaning up the area and then it grew back, and then they clean it up. I've lived there 14 years and there has been no such action. It started out as a small buffer and over the years grew to a very nice buffer from the traffic on Wakarusa. In 2006, I and 2 neighbors were assured by the developer at the time there would be no effect on that row of trees and brush that exists there now.

Schumm stated Mr. Herndon cites a requirement by Public Works to have a storm water channel in compliance with our codes. Does that require the removal of vegetation as he so states?

Scott McCullough, Planning and Development Services Director, stated I believe the record is clear that the vegetation was to remain except for what would be needed to be removed to accommodate the storm water because with the new impervious area there is going to be some channel improvements, or some improvements, in the drainage easement. But, the record is clear, as the speaker said, that the intent is to have that maintained when not revised for the storm water. One condition that you may want to place on this is to get that detailed plan worked out before building permits are issued. Maybe even bring that to the commission for review so that we know exactly what the impact to the green open space is.

Schumm asked don't we have a final channel grading plan in hand?

McCullough stated it's likely in storm water drainage plan that we accepted but in the field there are always some things that could be revised. If you want to see that before we take final action, we can ask Matt Bond, Stormwater Engineer, to come and present that plan to us to see the real impact on that.

Amyx asked if we are to approve this extension, going on Commissioner Schumm's question, there is a plan in place for that drainage way that is approved per our code.

McCullough stated it's complying with our code.

Amyx asked if there any other action that is necessary by this body for the extension of development plans that we want to see as part of this extension agreement.

McCullough stated not from the perspective of being code compliant. If you want to understand the impact about what happens to that treed area to determine if more landscape, to the east, is recommended, or necessary, that would be one issue.

Amyx stated it seems to me we have a plan that meets the code at the time that it was put into place and the question is whether or not it is appropriate at this time to extend the development plan.

Schumm stated he would just as soon wait and see what the drainage plan looks like and if there are any other conditions we want to put on it. This has been extended several times and seems like it's our prerogative to look at it again in light of we're seeing some residents that are concerned about it. We should take our time. By not passing it tonight it doesn't upset anything. It's still in the process. We take a look at it and see if we need to add or change anything that's already been approved.

Amyx asked Schumm, your recommendation is to defer until that particular item comes in on the drainage area, or the drainage plan?

McCullough stated we can present that to you as early as next week and ask Matt Bond to attend to walk you through that.

Moved by Schumm, seconded by Riordan, to defer the extension request for Final Development Plan for Miracon Plaza Planned Commercial Development - Phase 1 [FDP-01-02-07] generally located at the northeast corner of Wakarusa Drive and Clinton Parkway. Aye: Amyx, Schumm, Farmer and Riordan. Abstain: Dever. Motion carried.

Schumm pulled from the consent agenda item no. 9 for separate discussion a request from the Kaw Valley Kickball League to build a scoreboard at Hobbs Park.

Schumm state I know there's a number of members of the Kickball League here and I would like to hear what they have to say.

Nicholas Lerner stated I'm a board member.

Jackie Becker stated I'm a board member of Kaw Valley Kickball. If you know anything about us, it's our 13th year in Lawrence, KS. We're a local not for profit. We play kickball on Sunday nights, its 32 teams, and almost 500 members and every year we donate a lot of money to local charities in the area. Last year we donated to Penn House and Social Service League. This year we've been working on a plan to give back to the city, in a way, and raised money to build a historic, classic type score board at Hobb's Park which is where we convene on Sunday night's for what we call the game of the week. We thought it would be interesting and exciting to raise funds to build a score board for Hobb's Park. I sent Schumm some plans that were done by architect Mike Myers and we've talked with HRC and Parks and Rec about this. We're excited to get the okay and go ahead with the project.

Amyx stated the sign looks pretty good. I just want to know if there are any jobs available to sit there and turn the numbers around.

Becker stated we would love to have you.

Amyx stated I appreciate that. It is really a neat looking sign.

Schumm asked how many teams do you have and how many members are on these teams?

Becker stated 32 teams. We actually turn away teams every year because we don't have enough fields to play on. We have almost 500 members that participate every year. It's a 10 week season with 2-3 weeks of championships. Our championship game was last Sunday and Happy Shirt, we're always connected to a local business, were the winners. It's all a lot of fun and we like to give back to the community and this is our project for 2014.

Schumm asked how many people attended your championship game.

Becker stated hundreds.

Lerner stated we have games at Hobbs that the stadium is almost at, or to, capacity.

Becker stated we have been having games at Hobbs since 2006. I live in the neighborhood. The neighborhood knows us well. We keep the park nice and clean. It's a wonderful experience. I've been playing for 11 years now.

Schumm asked this is a mechanical sign, not electronic? It will have different numbers you hook on? There will be a person out there?

Becker stated every week someone will have to be in charge of putting the numbers up because we wanted to stay historical to what the park is about. We found some old photos of what the old signs used to look like when it was Municipal Park. We've based it off of that.

Schumm stated he had a short quiz for the commission. If you were ordering numerals for the sign, how many ones would you need if you maxed out your opportunity on the score board? It would be 7. It could be 11, to 11, in the 11th, with one out. It looks great; you've raised all the money.

Becker stated we have almost \$15,000.00 raised. This Friday is our annual charity auction at Abe & Jakes and we have a charity tournament in the fall at Holcom Park.

Corliss stated Commissioner Schumm when you told me about this you said we'll put it on the agenda, 'refer to staff'. My observation is you ought to direct us to do it. If for some reason it's not working somehow, we'll bring it back. I think it's a great idea so I think we can find a way to make it happen. I don't know that you need to have any in-depth staff analysis on

this. We'll have to check with Historic Resources, Planning, building codes, and all of those things.

Moved by Schumm, seconded by Riordan, to direct staff to accept the offer from the Kaw Valley Kickball League to build a scoreboard at Hobbs Park. Aye: Amyx, Dever, Farmer, Riordan and Schumm. Nay: None. Motion carried unanimously.

C. CITY MANAGER'S REPORT:

David Corliss, City Manager, presented the report regarding Public Works Supervisor Elected to National Board; City-Wide Cultural Plan; July Rental Licensing and Inspection Report; Planning and Development Services Mid-Year Report; and, The City of Lawrence Business Resource Guide.

Farmer stated I want to thank McCullough and his staff for the good work on the rental licensing report. A lot of time went into that and it's now tracking everything. I got a chance to review it a few weeks ago and just wanted to say thanks for all your hard work. It looks really good. It will be interesting to see, tracking this for the first time, a lot of these things we'll be able to have a good idea to the validity of what we, as a body, passed and how needed and how necessary it was. Postcards went out last week. Are those on here?

McCullough stated they are not. I forgot to bring a handful for you but they're out.

Farmer asked if next week we can put them on the agenda and the City Manager's report so everyone can see.

D. REGULAR AGENDA ITEMS:

1. **Considered adopting on first reading, Ordinance No. 9035, amending the City's Schedule of No Parking Zones, and authorizing the City Manager to sign a Right of Way Agreement with Lawrence Bank for the temporary lease of two parking spaces at 8th and Massachusetts Streets.**

Amyx stated the applicant this evening is not going to be with us. Do we want to defer it?

Farmer stated that is probably a good idea.

Riordan asked Amyx, what is your concern?

Amyx stated that the applicant may need to be here to answer questions.

Riordan stated I think he should be.

Schumm stated yes because we received the Downtown Lawrence letter today.

Riordan stated the question of dedicated parking versus 15 minute parking is a very good question, whether that's adequate or not, and only they can answer that.

Moved by Farmer, seconded by Dever, to defer for one week, the adoption on first reading, of Ordinance No. 9035, amending the City's Schedule of No Parking Zones, and authorizing the City Manager to sign a Right of Way Agreement with Lawrence Bank for the temporary lease of two parking spaces at 8th and Massachusetts Streets. Aye: Amyx, Dever, Farmer, Riordan and Schumm. Nay: None. Motion carried unanimously.

2. **Considered awarding bid for installation of a portable artificial ice skating surface, railing system, and protective rubber matting around the rink, to Preservation Materials International for \$80,748.**

Mark Hecker, Assistant Director of Parks and Recreation, presented the staff report.

Riordan stated my understanding is when you do this you're going to put down plywood and put this on top of it. What's the cost of taking this down, putting this up, where are we going to store it?

Hecker stated the storage of it would go to one of the Parks and Rec facilities. The cost would be a labor cost. Once we purchase the plywood and the top surface, we'd use it year after year. I don't exactly know the hours it would take to do this. It would take a considerable amount of time. You could get it in there for 3 or 4 months and have some pretty good use off of it.

Riordan stated I know when plywood gets wet, unless it's a special type of plywood, it could be damaged. Do you anticipate any of that because this is in the snow season?

Hecker stated its possible if we have a really wet winter I would anticipate you would have some damage, or delamination, of the plywood. You may have to replace some of the

sheets. I wouldn't think that would be an every year thing. We could also do more of marine plywood that's more able to be out in the weather.

Riordan asked you wouldn't anticipate that would be a big problem?

Hecker stated I wouldn't. We're going to experiment with this a little bit as we go. We're laying this on top of grass and concrete so we'll see how it works. We may try it out in a park or something first before we put it into this site.

Riordan asked, once this is up, what kind of maintenance will have to be done during the time? Will there be some damage to this by the skates as they come across it? Will there be pieces that will need to be removed?

Hecker stated the skates make the surface better because it scars the top surface so it keeps the surface slick. We anticipate the most maintenance is going to be cleaning. If we get people walking out of there with muddy feet or street shoes we'll have to clean the surface. Ernie Shaw, Interim Director of Parks and Rec, has a sample of the product.

Amyx asked how many staff workers it takes to operate this.

Hecker stated we'll probably have 1 or 2 part timers when we're open. We put that into the operational costs. We think we can break even on this the first year if we do skate rentals for \$3.00. We might make a little money. We envision you can do birthday parties or other reserved events.

Amyx asked if the money is going to come from guest tax reserves, sales tax reserve and city recreational fund?

Hecker stated correct.

Farmer asked if this would require a Zamboni.

Hecker stated they tried to get one in but couldn't.

Schumm asked if you just use regular ice skates on this.

Hecker stated yes. They recommend having a sharp skate so those we rent will actually have a skate sharpener to make sure we have a good surface on them.

Farmer asked are we going to take credit cards.

Hecker stated we hadn't gotten that far yet. I suppose we could.

Farmer stated I would suggest we do.

Corliss stated we take them next door at the parking garage so we can do that.

Amyx stated some of my concerns is, we've just gone through the budget season and I think it's one more thing we're adding in and it's an \$80,000 expenditure and I'm having a little bit of trouble with that right now. Especially after going through a time where we told departments we're taking away this, we're not going to buy trucks, use police departments old cars and on and on. I'm having concern right now whether or not it's appropriate, at this time, to make \$80,000 expenditure, rather than just getting the grass and everything started there. We can look at this maybe a year from now.

Hecker stated from that point of view the plazas not going to change. We can certainly do it at any point in time. A lot of what we're trying to push is the newness of that area. As we look at summer next year we'll start programming that with movies and make that a public gathering area.

Farmer asked if it snows on top of this, it's going to be OK?

Hecker stated you have to shovel the snow off to clear it. What will be interesting is if we get an ice surface over the artificial ice.

Farmer stated the reason he asked is because I looked at the picture yesterday and was thinking how much a bummer it would be if it snowed, and kids are out of school, and parents want to take their kids ice skating, and we didn't have a chance to get to it and it wasn't able to be open. That would ruin the point.

Hecker stated we'd have to commit to making that facility operate.

Mayor Amyx called for public comment.

After receiving no public comment Mayor Amyx turned it back to the commission.

Dever stated I'm a little concerned about taking on another \$80,000 expenditure given the fact we're just getting ready to open Rock Chalk Park and we don't know exactly what we're going to need to run that. I also agree with your concept of trying to cut where we can, and we have cut, and created a budget. I'm concerned about spending the money right now given what we've done for Parks and Rec already this year.

Farmer stated I think it's a great idea and this is not coming out of general operating budget. The fact is the library has been hugely populated every day that it's been open and families are going down there and utilizing the investment that the community has made. Could this have been part of the original plan? Sure. Maybe it was. This is going to be a missed opportunity for a lot of folks in the winter time. I've heard overwhelmingly positive comments. I've had people say, charge me more than \$3.00 and I'll still do it. I had somebody say charge me \$10.00 and I'll still do it. I'm not suggesting that we do that. This is an overwhelmingly positive thing for downtown, for our community, part of our plan and will, to enhance downtown and this is going to be a significant way to do it. I understand the budgetary concerns but we're not pulling from the same fund as those others.

Riordan stated I do worry somewhat about the finances with it. At the same time, being a physician and a pediatrician, to encourage people to exercise, especially during the winter, by giving them opportunities to do that in a safe place, next to a library, has some draws to it that are difficult for me to say no. Plus the only wife I have is very much for this.

Amyx stated there is no doubt this is something that appears to be a very good idea. It's just a question of the timing. I understand the lobbyists as well as anybody.

Moved by Riordan, seconded by Farmer , to award the bid for the installation of a portable artificial ice skating surface, railing system, and protective rubber matting around the rink, to Preservation Materials International for \$80,748. Motion carried unanimously. Aye: Farmer, Riordan and Schumm. Nay: Amyx, Dever. Motion carried.

Schumm stated he would like to ask staff a question. When would that be operational?

Hecker stated we would like to have it this November.

PUBLIC COMMENT:

Mallory Liss stated I was here a few weeks ago about the downtown parking. I noticed on Saturday that the 2 signs in the parking garage were taken down saying that September 5th the top level would be a fee level. I was wondering if something was going on with that, if you were postponing it.

Amyx stated right now we're still waiting for information from staff before we put it back on the agenda. Corliss, you have removed those signs at this point?

Corliss stated yes. We took them down because we didn't have the staff report finished in time.

Amyx stated so, at this time, enjoy your parking and we'll have it back on the agenda. We'll make sure that you're notified as to when it's going to be on.

Liss asked if there was a time limit that you know you're going to postpone it?

Corliss stated my recommendation to the commission would be is that we would contact you, let you know it's going to be back on the agenda, and do a good job of letting the public know it's on the agenda. If the commission's decision is to change its status, we would then go through a good 30 day notice period, put the signs back up, and let people know. When we opened up the Vermont St. parking garage to start the payments, we put some 'woops' notices on peoples windshields to let them know the rules were changing so we're not trying to catch people by surprise.

F. FUTURE AGENDA ITEMS:

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

Amyx asked how close are we to having the Mobile Food Vendor item back on the agenda?

Corliss stated we received 14 questions from Commissioner Riordan over the weekend. I haven't had a chance to talk to Scott McCullough, Planning and Development Services Director, about ETA, but it won't be next week.

Amyx stated I would suggest we get it back on in the next couple of weeks before we're off at the end of the month. That gives us more than enough time to put this back on and let's make a decision.

Riordan stated there were questions like, what was your experience, what would you do, what things have you found to be good, have you found any problems with the food, if you did how easy was it to find. Simple things like that, not extensive, but things I would like to know for public safety. I asked them to do one on the east coast, west coast and Midwest.

Amyx stated he would like to get this back on the agenda as soon as we can.

Riordan stated he would like to get it back on the agenda in a positive sense because I think there are some really good things for this but I want to make sure, just like we did with rental registration, we get it right and protect the public safety. It's new and we do have some worries about how this should be implemented and what should be done. To get information from other cities is a good idea.

Schumm stated that the City of Seattle has an extensive program and they presented that at the League of Cities. I also understand San Diego has gone in and re-done their mobile food handling because of wanting to update practices in the field.

Amyx stated we're off the last week of the month so if we can't get it done, let's put it on the first regular meeting of October. That will give you more than enough time to get it done. I've looked at a lot of the concerns that we have. I've looked at other communities and what they're doing.

G: COMMISSION ITEMS: None

H: CALENDAR:

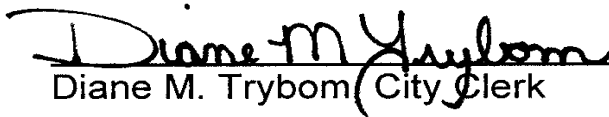
David Corliss, City Manager, reviewed calendar items

I: CURRENT VACANCIES – BOARDS/COMMISSIONS:

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

Moved by Schumm, seconded by Dever, to adjourn at 7:38 p.m. Motion carried unanimously.

MINUTES APPROVED BY THE CITY COMMISSION ON OCTOBER 7, 2014.


Diane M. Trybom (City Clerk)