



DAVID L. CORLISS
CITY MANAGER

City of Lawrence

CITY MANAGER'S OFFICE

City Offices
PO Box 708 66044-0708
www.lawrenceks.org

6 East 6th St
785-832-3000
FAX 785-832-3405

CITY COMMISSION

MAYOR
MIKE AMYX

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

September 16, 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. Proclaim the week of September 17 – 23, 2014 as Constitution Week.
2. Recognized Thursday Sept 18, 2014 as the 160th Anniversary of the founding of Lawrence Kansas.

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

B. CONSENT AGENDA

1. Received the minutes from the Horizon 2020 Steering Committee meeting of 08/25/14 and the Homeless Issues Advisory Committee meeting of 03/11/14.
2. **PULLED FROM THE CONSENT AGENDA FOR A SEPARATE VOTE.** Approved all claims to 228 vendors in the amount of 2,920,730.37.
3. Approved the Drinking Establishment Licenses for Oh Boy Chicken/The Orient/Angler Seafood, 1006 Massachusetts St., Applebee's Neighborhood Grill & Bar, 3900 W. 6th St., Applebee's Neighborhood Grill & Bar, 2520 S. Iowa St., Papa Keno's, 1035 Massachusetts St. and a Retail Liquor License for On the Rock's Discount Liquor, 1818 Massachusetts St., as recommended by the City Clerk's Office.
4. Bid and purchase items:
 - a) Set a bid date of September 30, 2014 for the removal of the three (3) existing water production wells and the subsequent site cleanup and well plugging - Project No. PW1312.
 - b) Set a bid date of October 21, 2014 for Bid No. B1455 - Water and Wastewater Treatment Chemicals.
 - c) Authorized the City Manager to execute Supplemental Agreement No. 1, in the amount of \$408,881, with TREKK Design Group, LLC for Project UT1305 - Rapid Inflow and Infiltration Reduction for Phase 2 Services.



- d) Authorized the City Manager to execute a contract agreement in the amount of \$1,040,944.50 with SAK Construction, LLC, for Project UT1424 – 2014 Cured In Place Pipe Rehabilitation.
 - e) Authorized the City Manager to execute Change Order No.1 to the existing construction contract with Wolf Construction for Project UT1102 - Kaw Water Treatment Plant Raw Water Intake, increasing the contract amount by \$37,138.12 and extending Milestone 1 by 32 calendar days and extending Substantial and Final Completion each by 37 days.
5. Adopted on first reading, Ordinance No. 9011, prohibiting parking without a permit and providing resident parking on Edgehill Road, along the northerly side of Edgehill Road from 110 feet east of Louisiana Street, east 50 feet for properties located at 1647 and 1649 Edgehill Road.
 6. **DEFERRED FOR SEPARATE DISCUSSION.** Adopted on second and final reading, Ordinance No. 9036, to rezone (Z-14-00263) approximately 1.88 acres from IG (General Industrial) District to IL (Limited Industrial) District located at 720 E 9th St. (PC Item 2; approved 10-0 on 8/25/14)
 7. Adopted Resolution No. 7093, setting a public hearing date of October 28, 2014 to review the condition of the damaged front porch of the structure located at 608 Kentucky Street.
 8. **DEFERRED FOR SEPARATE DISCUSSION.** Approved a Special Use Permit, SUP-14-00259, for Pump Station No. 10 Addition, located at 3055 Louisiana St. Submitted by the City of Lawrence, property owner of record. Adopted on first reading, Ordinance No. 9037, for Special Use Permit (SUP-14-00259) for Pump Station No. 10 Addition, located at 3055 Louisiana St. (PC Item 1; approved 10-0 on 8/25/14)
 9. Approved a Special Event Permit, SE-14-00375, for the City of Lawrence employee appreciation party on October 3, 2014. The event will take place at Sports Pavilion Lawrence at Rock Chalk Park, 100 Rock Chalk Lane. Submitted by the City of Lawrence, property owner of record.
 10. **DEFERRED UNTIL SEPTEMBER 23, 2014.** Approved a street event permit allowing, with conditions, for the 2014 Color Run on Saturday, October 18, 2014.
 11. Received Bert Nash Community Mental Health Center 2014 First Quarter Performance Report and Second Quarter Performance Report.
 12. Authorized the City Manager to sign an Agreement for Capital and Operating Assistance Funds of the State of Kansas and the City of Lawrence (for the Lawrence Transit System) with the Kansas Department of Transportation, to utilize FY2015 state grant funds available from the Comprehensive Transportation Program.
 13. Authorized the Mayor to sign a Subordination Agreement for 1511 Davis.
 14. Authorized the Mayor to sign a Release of Mortgage for Dustin L. Wilson, 414 Locust.

15. Authorized the Mayor to sign a Mortgage Reassignment for 908 LaSalle Street.
16. Approved as “signs of community interest”, a request from the United Way of Douglas County to place temporary banners at Community Partner Agency locations from September 15 – December 22, 2014.

Amyx pulled consent agenda item no. 2 regarding claims for a separate vote.

Moved by Schumm, seconded Dever, to approve non-Rock Chalk Park related claims to 224 vendors in the amount of \$2,793,543.72. Aye: Amyx, Dever, Farmer, Riordan and Schumm. Nay: None. Motion carried unanimously.

Moved by Schumm, seconded by Dever, to approve Rock Chalk Park related claims to 4 vendors in the amount of \$127,186.65. Aye: Dever, Farmer, Riordan, and Schumm. Nay: Amyx. Motion carried.

KT Walsh pulled consent agenda item No. 6, adopting on second and final reading, Ordinance No. 9036, to rezone (Z-14-00263) approximately 1.88 acres from IG (General Industrial) District to IL (Limited Industrial) District located at 720 E 9th St. Walsh stated in the letter we sent to the Planning Commission we asked for a no pay day loans, no car title loans, no bars and taverns and no drive through fast food. They listened it was a very cordial meeting, but when they asked about bars, I thought we would be protected by the 55% - 45% food rule and that's only accessory bars and I wasn't clear on the definitions. The neighborhood asked me to return and ask you if we could also exclude bars and taverns but allow accessory bars because it is an Arts District but we prefer not turn it into an entertainment district or a series of bars. They made a special exception on fast food drive through, thinking there might be a coffee shop or something other going in there. Someone could apply for a drive through with an SUP. We're good with all of that, but we would just also like to exclude bars and taverns.

Amyx stated is this something that would have to go back through the process again.

Scott McCullough, Planning and Development Services Director, stated the reason we didn't exclude it is because it's not a permitted use in IL District anyway. The record shows we did a comparison and there's no reason to condition the zoning to it because it's not an allowed

use IL. Accessory bars to a quality restaurant would be a permitted use so we had that discussion, but an out and out bar is not permitted in IL so there's no reason essentially to condition it.

Walsh stated so I didn't goof up.

McCullough stated you did fine.

Moved by Schumm, seconded by Farmer, to adopt on second and final reading, Ordinance No. 9036, to rezone (Z-14-00263) approximately 1.88 acres from IG (General Industrial) District to IL (Limited Industrial) District located at 720 E 9th Stree. Motion carried unanimously.

Schumm pulled consent agenda item no. 8 concerning the Special Use Permit, SUP-14-00259, for Pump Station No. 10 Addition, located at 3055 Louisiana Street. Schumm stated the only comment I had on this is that's going to be on a pretty visible corner and if there's a way that we might have some kind of nicer architecturally looking apparatus building. I don't know what's all involved in it, but I presume there's some kind of housing that goes over this as opposed to an institutional looking box. Maybe staff could answer that.

Amyx stated didn't we decide that that was built into a berm?

Dave Wagner, Utilities Director, stated it is definitely a special kind of pump station with the way it looks. We had public meetings in the area that were pretty well attended and took some comment on some various options for the facility and the feedback from the community was that they liked this option that was a berm and green option where it has an actual physical roof that is a long life roof that supplies some relief for some of the energy cost. It should also be somewhat blended in as kind of a gateway to the wetlands as well. We took a lot of that into consideration and tried to make look not like a typical industrial pump station.

Schumm stated I missed the elevation drawing and I was thinking in the back of my mind what other pump stations looked like and maybe we could be more creative, but you beat me to it.

Moved by Schumm, seconded by Riordan, to approve a Special Use Permit, SUP-14-00259, for Pump Station No. 10 Addition, located at 3055 Louisiana St. Submitted by the City of Lawrence, property owner of record. Adopt on first reading, Ordinance No. 9037, for Special Use Permit (SUP-14-00259) for Pump Station No. 10 Addition, located at 3055 Louisiana St. (PC Item 1; approved 10-0 on 8/25/14). Motion carried unanimously.

C. CITY MANAGER'S REPORT:

Casey Toomay, Assistant City Manager, presented the report regarding the August Sales Tax Distribution; Sunflower Foundation Grant received to extend trail; and, Soil donation received from K-Mart.

D. REGULAR AGENDA ITEMS:

1. **Consider 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.**

Brandon McGuire, Assistant to the City Manager, presented the staff report.

Farmer stated when it's not between the hours of 8 a.m. to 6:00 p.m. or Saturday 9:00 a.m. to 12:00 noon, what happens?

McGuire stated those spaces are open to public parking.

Farmer stated are they going to be metered still.

McGuire stated they could be metered or opened. We actually haven't worked through that detail.

Schumm stated it could only be for 6 hours a week because after 6:00 p.m., Monday through Friday you don't have to pay to park anyway.

Paul Werner, Paul Werner Architects, stated glad you deferred it and we had a chance in the last couple of weeks to meet with Downtown Lawrence, Inc., and here their concerns. We worked though several different variation of the sign. As you know we're being displaced due to the new building that we're really excited about and hoped to get back to 9th and New

Hampshire, but this will really help the bank deal with their customers who are familiar with having a drive through.

Schumm stated it's not going to be a drive through and there's no mechanical.

Werner stated there's no mechanical. The concept is that the reason we picked these spaces on the west side is because they're going to come out the front door and in theory, you'll be able to pull up and the canopy will protect more the teller that may come out your door and just pick up the deposit and then go back in.

Mayor Amyx called for public comment.

After receiving no public comment, Amyx stated if everyone was happy with the language on the sign?

Schumm stated its progress.

Amyx stated when is the date that you're going to begin the other project.

Werner stated we moved out so they were already operating out of this facility and we were the last tenant to move out of the building and they should be ready to start any time.

Moved by Schumm, seconded by Farmer, to adopt on first reading, Ordinance No. 9035, amending the City's Schedule of No Parking Zones. Motion carried unanimously.

Moved by Schumm, seconded by Dever, to authorize 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. Motion carried unanimously.

E. PUBLIC COMMENT: None.

F. FUTURE AGENDA ITEMS:

Casey Toomay, Assistant City Manager, outlined potential future agenda items.

Farmer stated I had visited with Casey Toomay, Assistant City Manager, about the Boys and Girls Club having plans for their new teen center and they have some really neat plans for about 10 acres for a new space. They're going to need to begin fundraising for that facility and really need us to direct staff to come back with an agreement. Basically, they need our support

up or down either way for whether or not we're okay with gifting them 10 acres worth of land and they need us to have that conversation sooner rather than later.

Amyx asked if Farmer wanted that on the agenda next week.

Farmer stated yes, just a short presentation.

Schumm stated didn't we sign a contract that's contingent on voter approval.

Amyx stated we did.

Casey Toomay, Assistant City Manager stated with Hallmark.

Schumm stated I presume you're talking about a portion of the land across from Hallmark.

Farmer stated that's right.

Schumm stated so we won't know if we're going to buy the land until after the November election.

Farmer stated right, but basically they need to know from us if it passes, will we do it.

Schumm stated that's fine.

Farmer stated they just need from us that if all of that happens were we be willing to do that.

Schumm stated maybe they'll be interested in helping campaign for that.

Amyx stated let's go ahead and have that discussion next week.

G: COMMISSION ITEMS: None

H: CALENDAR:

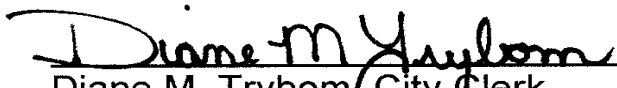
Casey Toomay, City Manager, reviewed calendar items

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 7:04 p.m. Motion carried unanimously.

MINUTES APPROVED BY THE CITY COMMISSION ON OCTOBER 14, 2014.


Diane M. Trybom (City Clerk)