



City of Lawrence

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CITY COMMISSION

MAYOR
MIKE AMYX

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

October 14, 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 Riordan and Schumm present. Commissioners Dever and Farmer absent.

A. RECOGNITION/PROCLAMATION/PRESENTATION:

1. None.

B. CONSENT AGENDA

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

1. Approved City Commission meeting minutes of 09/09/14 and 09/16/14.
2. **PULLED FROM THE CONSENT AGENDA FOR SEPARATE VOTE.** Approved claims to 191 vendors in the amount of \$2,522,553.77.
3. Approved Retail Liquor licenses for Hillcrest Discount Liquor, 905 Iowa St. and Alvin's Wine & Spirits, 4000 West 6th St. Suite K, as recommended by the City Clerk's Office.
4. Approved re-appointment of Katrina McClure to a Human Relations Commission position that would expire 09/30/17, as recommended by the Mayor.
5. Bid and purchase items:
 - a) Set a bid date of November 4, 2014 for the Weatherization Grant Program.
 - b) Awarded Bid No. 1450, roof replacement of a salt dome located at 1120 Haskell Avenue, to Delta Innovative Services, in the amount of \$54,000.
 - c) Awarded Bid No. B1454, Project No., PW1312, Lawrence VenturePark Clean-up and Plugging of Water Production Wells, to R.D. Johnson Excavating Co., Inc., in the amount of \$14,850, provided the contractor can meet the terms established in the contract documents.



- d) Waived staff estimate and awarded the bid for the comprehensive rehabilitation project at 212 Lincoln Street, to T & J Holdings, Inc., for \$22,975 and reject the bid for the comprehensive rehabilitation project at 1215 Rhode Island Street as the bid amount exceeds the program limits of \$25,000.
 - e) Authorized expenditure of \$20,039.60 to IP Pathways to upgrade the City's existing backup software.
 - f) Authorized the City Manager to execute an Engineering Services Agreements with Professional Engineering Consultants, in the amount of \$122,581, for Project UT1427 - Michigan/Arkansas Street Waterline Replacement, and in the amount of \$28,604.40 for Project UT1426 - Cedarwood Avenue Waterline Replacement.
 - g) Authorized the City Manager to execute an Engineering Services Agreement with Professional Engineering Consultants, in the amount of \$26,620, for Project UT1428 – 10th Street and New York Street 24" Watermain Relocation.
 - h) Authorized the City Manager to execute a Supplemental Agreement, in the amount of \$1,260,880, with Burns & McDonnell, for Engineering Services for Phase 1 Process Improvements for Project UT1209 – Taste and Odor, and Algal Toxin Water Treatment Process Evaluation.
6. Adopted on first reading Ordinance No. 9029, exempting the Carma and CarmaHop ridesharing programs for a period of six (6) months from the provisions of STO 69(a).
7. Adopted the following ordinances on second and final reading:
- a) Ordinance No. 9042, to rezone (Z-14-00314) approximately .269 acres from RM12 (Multi-Dwelling Residential) District to RMO (Multi-Dwelling Residential-Office) District, located at 1106 Rhode Island.
 - b) Ordinance No. 9043, for Special Use Permit (SUP-14-00326) for Rhody Delahunty Complex, located at 1106 Rhode Island.
 - c) Ordinance No. 9044, for Special Use Permit (SUP-14-00262) for the Wakarusa Wastewater Treatment Plant, located at 2300 E. 41st Street.
8. Authorized the City Manager to enter into a License Agreement with Associated Environmental, Inc., to allow for the installation and maintenance of a ground water monitoring well within the right-of-way adjacent to 2220 Harper Street.
9. Directed staff to contract with Max Rieke Brothers to reconstruct approximately 500 LF of 31st Street, east of Ousdahl Road, with an estimated construction cost of \$120,000.
10. Approved a Street Event Permit for use of various city streets, including the rolling closure of the northbound lane of Massachusetts Street downtown from 7:30 a.m. – 8:00 a.m., on Saturday, November 1, 2014 for the 2014 Hunger Run 5K.

11. Authorized staff to advertise a Request for Proposals, RFP R1415, for Design and Construction Phase Engineering Services for the 2016-2017 Watermain Relocation/Rehabilitation Program.
12. Authorized the Mayor to sign a Mortgage Release for Patricia A. Smith, 255 North Michigan Street, #14-85.
13. Approved a traffic control plan for The University of Kansas to close lanes on Iowa Street for the Irving Hill Bridge Improvement Project, between 9:00 a.m. and 4:00 p.m. after the intersection at 23rd and Iowa Street is open to traffic.

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

Moved by Schumm, seconded Riordan, to approve non-Rock Chalk Park related claims to 183 vendors in the amount of \$2,405,694.18. Aye: Amyx, Riordan and Schumm. Motion carried unanimously.

Moved by Schumm, seconded by Riordan, to approve Rock Chalk Park related claims to 8 vendors in the amount of \$116,859.59. Aye: Riordan, and Schumm. Nay: Amyx. Motion carried.

C. CITY MANAGER'S REPORT:

David Corliss, City Manager, presented the report regarding KDOT City Connecting Links "KLINK" Resurfacing Program.

Mayor Amyx stated that two items have been deferred for one week.

D. REGULAR AGENDA ITEMS:

1. **Receive a report from the City Auditor regarding Performance Audit: 2014 Sidewalk Data.**

Michael Eglinski, City Auditor presented a performance audit regarding 2014 Sidewalk Data.

Mayor Amyx asked if the Commission has any questions.

Schumm asked how many peer cities you contacted.

Eglinski stated I looked at the 15 college towns that I commonly use. I talked to people in probably 5 of those cities where I could find some different approach.

Schumm asked, is Manhattan, Kansas one of them? People keep citing Manhattan, Kansas and how wonderful the sidewalks are there so I was wondering how they handle their situation. I'm not sure that is exactly true but people keep citing Manhattan as the model.

Corliss stated we can look at it.

Eglinski stated being under the same state statutes would be an interesting comparison.

Amyx asked but the biggest majority of the cities that you contacted is doing similar to what we do in that it's a property owner responsibility.

Eglinski stated yes.

Amyx stated one of them I saw had 80 cent fee attached to a utility bill. Was that something that was approved by voters?

Eglinski stated yes. The cities where they have any dedicated funding it was all the result of an election.

Amyx stated there's a pretty good, wide range here. It's the property owner, or the city's, doing it, but the cities got a fee that's dedicated to it.

Eglinski agreed.

Schumm asked, in the sidewalk survey, are the properties divided into multi-family and single family?

Eglinski stated, not exactly. You can sort of overlay the land use maps over the locations of the defects and get a rough idea of that.

Schumm stated the distinction is there are people who own duplexes and rent them, and 4-plexes, apartments, etc., is for profit. So, we should be leaning on them to have their sidewalks fixed.

Amyx stated, Dave this is probably for you. How many complaints per year do we receive for sidewalk defects and how many orders do we send down to have them repaired, on an annual basis?

Corliss stated we don't get a huge amount. Maybe 2 or 3 a month that we inspect, send them a letter and we do some level of follow up. We don't do anything beyond that. We've talked about being a little more aggressive in proceeding with condemnation, but it's a fairly time intensive process. We try and work with the property owner and we have some level of success with that. It's on a complaint basis, it's not comprehensive. We don't do some of the other practices that might lend itself toward better compliance.

Amyx asked if the Commission had any other questions.

Mayor Amyx called for public comment.

Kris Adair spoke on behalf of the Lawrence Pedestrian Coalition. She stated we just want to thank you, the City Auditor and the City Manager for this audit. It's something we have been asking for. We were not so surprised, the amount of defects that were in the sidewalks, and we want to point out that doesn't include locations that don't have sidewalks that might benefit from them. I was pleasantly surprised to learn that Lawrence is 17th in 366 metropolitan cities in terms of people who walk for transportation. We really do need to improve our sidewalks. Improvements can be made at relatively minimal expense. Corvallis, Oregon did an addition to their utility bill and was able to make improvements to their sidewalks for less than \$10.00 per address, per year. We have a choice regarding our sidewalks. Ann Arbor, Michigan did not have a choice because they were sued under the Americans with Disabilities Act and are under consent decree with the Justice Department to get their sidewalks repaired. Let's make this a budget priority. We shouldn't have to do a mill increase or utility fee. We can do this through economic growth and economic development. There are a number of businesses that have made Lawrence home. There are new businesses downtown. Yantra and DriverDo have both located downtown because they found those locations to be pedestrian friendly.

Amyx asked, Dave I was under the impression the Ann Arbor, Michigan had to do with ramps where the curbs existed.

Corliss said I would have to study it a little more. Manhattan, Kansas has law suits in regards to the Americans with Disabilities Act and compliance with sidewalks. We'll look at both of those. This is an active area of study.

Michael Almon, Lawrence Sustainability Action Network, stated I want to thank you also. It's valuable for the city in a number of ways. You are going to be appointing a bicycle/pedestrian taskforce soon. This will be very valuable information for that taskforce to use to set the priorities and decide how to spend that money. Now we have a handle on the issue. We know where some of the problems are. We know how to address it, to some extent. We need to do similarly for the bicycle issues as well. There are a number of bicycle plans, but not a whole lot of measurement. Without adequate facilities for pedestrians or bicycles the counts are artificially low. We have to start somewhere. This kind of data is going to be very useful.

Mayor Amyx asked if there was any other public comment. There was none.

Schumm stated this will good data for the Task Force.

Moved by Riordan, seconded by Schumm, to receive the report. Motion carried unanimously.

2. **Consider a request from Douglas County to enter into agreement concerning continuing discussions with the Delaware tribe.**

Dave Corliss, City Manager, presented the staff report.

Schumm stated, I attended two, two day sessions, about 15 hours or something like that of discussion and facilitation. It's been a very good experience. What we're trying to do is all work together to come up with some kind of agri-business that will be appropriate for the site where the Pine's sod farm was. The one issue I had, when they said a cooperative agreement, was if we're talking cash, we need to do that at budget time. The Delaware Nation has indicated that they are going to seek grants. So, the work the city would be involved with might be grant writing. There are a good number of groups involved in it and it's been a very positive

meeting. I think it looks like a good agreement to sign, move it along, and see what happens. So, I would encourage you to vote for it, and sign it, see if we can't get some kind of state-of-the-art agri-business started there.

Mayor Amyx stated we appreciate the work you and the Vice Mayor did. Of the agencies that were there, did everybody participate?

Schumm stated, yes, they were all represented and they were all represented each time. It was very well attended and everyone participated. There was good discussion, good commentary, and we all arrived at a plan.

Amyx asked, so then it is the goal of the current ownership to look at the agri-business as a use for this.

Schumm stated that's correct. There are several different ideas where we go from here. There's interest in a food hub, there's interest in an agri-tourism facility where they would grow different kinds of crops that would be of interest to people in the area. There would be an education component. There's a variety of interest in terms of what the agricultural use would be. There is a question of whether it is sustainable. Will there be enough money to keep the program going without continued infusion of dollars. There's another two day meeting at the end of October.

Amyx asked if Commissioner Riordan has any questions.

Riordan stated he appreciates all the work that has been done. This is a very important issue and of interest to a lot of people in Lawrence. This is the best use and cooperative effort is very appropriate.

Amyx asked, Dave you're comfortable that we can enter into this kind of agreement.

Corliss stated, it's not binding in regards to any funding but I think it's binding in regards to time and attention which is in keeping with the commissions goals in regards to this issue.

Mayor Amyx called for public comment.

Ted Boyle, President of North Lawrence Improvement, stated the residents in North Lawrence would encourage you to stay in discussion with the Delaware Tribe. We worked 2 years on the northeast sector plan to keep that land agricultural. We would like to see that land maintained as agricultural and have it be profitable for the Delaware tribe and our community. Also, keep an eye on the storm water problems. There is about 40 million dollars of storm water infrastructure that needs to be taken care of if there is any type of development done.

Michael Almon stated I came here specifically to thank Vice-Mayor Farmer for his work in this diplomacy along with county commissioner Nancy Thelman. Much to my chagrin, I questioned what was going on back then and Jeremy Farmer told me to stay out of the way, so I did, and I'm glad I did because this is really a phenomenal development for Lawrence. Yesterday was Indigenous Peoples Day in at least 4 states in the union and dozens of communities and it's very notable for Lawrence to be welcoming the Delaware Tribe back to their ancestral lands at this time. The agreement that has been worked up, it's a tentative agreement right now, but a very good indicator of what that land can be used for. It's fully in keeping with indigenous peoples' cultures, to be in touch with the land, and maintaining the land, and sustaining the land as part of their very culture. Once again I just wanted to thank Commissioner Farmer, and you Bob, for all your work on this.

Amyx asked if there was any other public comment.

Schumm stated I just wanted to reassure Ted that a lot of our discussion included storm water management and the challenge we have with that. So, that's all been the backdrop of what the uses intended. Everyone is paying very close attention to that situation.

Moved by Schumm, seconded by Riordan, to authorize the Mayor to enter into the agreement to continue in discussions with the Delaware Tribe as requested by Douglas County. Motion carried unanimously.

3. **DEFERRED UNTIL 10/21/14** ~~Consider approving a right of way permit for First Construction, LLC, to partially close a portion of the 800 block of New Hampshire Street and to partially close the 200 block of East 9th Street for a 24 month period for the~~

~~construction of a building on the northeast corner of the intersection of 9th Street and New Hampshire Street.~~

4. **Receive a petition from Corpus Christi Church to create a special assessment benefit district for a left turn lane on Bob Billings Parkway and adopt Resolution No. 7094, directing the improvement to be completed.**

Chuck Soules, Public Works Director, presented the staff report.

Amyx asked, the waiver of the 25%, in Section 5 where it talks about 100% of the cost, that shows the waiving of the 25%, correct?

Corliss stated I believe that is correct. They're paying for the engineering costs.

Soules stated yes, they're paying for the engineering up front.

Corliss stated up front. They've got financial participation in the project which is the intent of that requirement. It's probably not 25%. It's probably closer to 10% of the project.

Soules stated probably.

Amyx stated I didn't know if it needed to be spelled out in the resolution that we were waiving it somewhere.

Schumm stated it's pretty safe to say they're not going to go anywhere.

Soules stated they'll only pay the costs that are assessed to the project so we don't have to amend that section. The full cost of the project that the city bears that we'll assess back.

Amyx asked do we have to take a specific action to waiver the 25% or is it covered under the resolution.

Soules stated so long as the Commission is okay with that, I don't know that there is a specific action necessarily needed.

Mayor Amyx called for public comment.

Schumm stated, I am not an official member of that parish, but I do attend several times a year.

Riordan stated, I do too but I'm an official member.

Mayor Amyx stated duly noted in the record.

Schumm stated I don't regard this as any kind of benefit, well it's a benefit district, and it's not any kind of beneficial treatment at all. They're paying for a safety procedure so I don't have any problem with a question of conflict of interest. There's no benefit that goes to me whatever and it's going to improve the safety of the property. For the record, that's where I'm at.

Moved by Riordan, seconded by Schumm, to adopt Resolution No. 7094. Motion carried unanimously.

5. **Consider designating Pennsylvania Street, from 8th Street to 9th Street, as a "No Truck" route and consider adopting on first reading, the following ordinances:**

- a) **Ordinance No. 9045, installing a stop sign on 9th Street at Delaware Street.**
- b) **Ordinance No. 9046, adding Delaware Street, from 8th Street to 11th Street, to the Truck Delivery Route Schedule.**
- c) **Ordinance No. 9047, rescinding Ordinance No. 8814 that was established on October 23, 2013 that established a yield on eastbound 9th Street at Delaware Street.**
- d) **Ordinance No. 9048, designating the speed limit of 20 mph on Delaware Street from 8th Street to 11th Street.**

Chuck Soules, Public Works Director, presented the staff report.

Mayor Amyx asked if the Commission had any questions.

Schumm asked, is 20 miles per hour the right speed? The reason why I ask is that is very slow. When you have a 20 mile an hour zone, I bet 80% of the people go through it at a faster rate than 20 miles per hour.

Soules stated, well you did see the Police report on speeding. The police department was out in the month of August and they did issue several citations. They were not for the commercial vehicles. At the same token, if you get one of those trucks going faster, it takes a long time for those trucks to stop. We can take a traffic count. We can check speeds. We can find out what that 85th percentile is but if it's posted at 20 that will keep those trucks driving a little bit slower which is the concern of the neighbors. We can re-visit that as well.

Schumm stated, well it's for everybody too.

Soules stated it's for everybody. No one is exempt.

Amyx asked, the average speed for this report, is that the 29 miles per hour? The fastest speed, is that the 37 miles per hour? There are about 10 different citations that were given on August 7th through September 1st.

Soules stated the average speed of vehicles was 29 miles an hour.

Schumm asked, what is the speed now, 30?

Soules stated it is 20 miles per hour.

Schumm asked 29 was the average with the 20 speed?

Soules stated yes.

Amyx asked had we changed the speed by August 7th. When did we change the speed limit?

Soules stated at the commission meeting we did a temporary.

Amyx asked on what date?

Soules stated August 12th.

Amyx stated, regarding the parking on Delaware Street, the item that will be coming to us is whether or not to remove the parking; the recommendation for denial of removal, the commission can take that action, send back, and do whatever, right?

Soules state yes. It's just a recommendation from the traffic safety commission.

Mayor Amyx called for public comment.

KT Walsh, East Lawrence Neighborhood Association, stated we support this. As per your question Commissioner Schumm, because of the development down in that area, cutting from 11th, down Delaware, to 8th has become quite a pass through and there really is a lot of speeding, and I think the concern of the neighbors was the concrete trucks but, also, the new 4-story apartment building that is going in at 9th and Delaware. There's going to be some 3 bedroom units, more children are already in the Poehler lofts and so there is concern for the

future about Delaware. Trying to vacate parking on Delaware Street, that would only be from 9th to 10th because there's not an issue on any other block with parking. Right now, the Recyclery and Decade Coffee Shop have opened on the east side of the street, but the parking's on the west side of the street so everybody is getting out, opening their car doors, while concrete trucks, and traffic, and they're trying to get across. The concerns of the neighbors were, either, no parking or move the parking over to the east side. It's a hard place for pedestrians to cross already, at 9th and Delaware, and so we, very much, appreciate the stop sign and lowered speed limits but once the apartment building is built we'll have to go back and see what all the foot traffic is and how safe it is.

Amyx stated KT is anyone going to come forward to talk about the no parking recommendation that is coming?

Welsh stated I missed that traffic commission meeting. East Lawrence has a meeting Thursday night and I'll touch on it and find out what's up. The neighbors who came to the meeting that he just described were all in favor of moving the parking across the street on that one block so we need to talk about who's against it, why, and figure it out.

Amyx stated we would appreciate some kind of input.

Michael Almon stated, about the 20 mile per hour speed limit, my neighborhood, Brook Creek, had been experiencing quite a bit of speeding on 13th from Haskell, up to Oak Hill, up to the cemetery as cut through traffic like Delaware is. The Traffic Safety Commission agreed to make it 20 miles an hour on several streets in there. Initially, people were stuck in their old habits, and went fast, but after a number of years now the prevailing speed limit is much closer to 20 miles an hour. In general, the posted speed limit is 30; you can pretty much count on people going over that. If you set it back to 20 then you bring them back a certain amount. I'd say it's a good idea, regardless. Potentially, and hopefully soon, we'll have money to build the bicycle track around Delaware Street from Hobbs Park down to 8th Street. It already is being used by a lot of bicyclists, particularly, since the Recyclery is there. There's a lot of potential

conflict there on the downhill for bicyclists, and large trucks, and fast moving cars. Design wise, it's probably a better idea to put the parking on the east side so there will be a protected bicycle lane where you have some kind of a barrier between the moving traffic and bicycle track. The parking would serve that function which is how some cities design it anyway. I say maybe get this back to the Traffic Safety Commission and go over that issue as well.

Amyx stated talking about 20 mile per hour Bob, you and I were involved with the Old West Lawrence 20 mile per hour speed limits, taking those down. It would be interesting to find out what the median speed limit is through Old West Lawrence at this time. That would give us a pretty good indication as to whether or not it works.

Amyx brought the discussion back to the Commission.

Amyx stated we have several items to deal with this evening, the ordinances. Is that recommendation for the parking going to be in the next couple of weeks?

Soules stated yes.

Amyx asked if there were any other questions on this item.

Riordan stated no. We had a good, and significant, discussion when we first went into this and asked for it to occur. This is the logical conclusion we should have, based on traffic and safety.

Amyx stated I want to thank everyone from the neighborhood and our staff that went down and held the meeting at Poehler Lofts and all the great input we received.

Moved by Schumm, seconded by Riordan, to designate Pennsylvania Street, from 8th Street to 9th Street as a "No Truck" route, and adopt on first reading, Ordinance No. 9045, Ordinance No. 9046, Ordinance No. 9047, and Ordinance No. 9048. Motion carried unanimously.

6. ~~DEFERRED until 10/21/14. Consider a request to revise the Preliminary Development Plan, PDP-14-00183, for HERE @ Kansas, located at 1101 & 1115 Indiana Street to reduce total parking spaces provided for the project from 683 to 583 (all 100 spaces requested to be removed are located within the onsite parking~~

~~structure) and to affirm staff's interpretation of the plan that the structure complies with the maximum height allowed per the zoning district.~~

E. PUBLIC COMMENT:

KT Walsh stated, I don't mean to put Scott on the hot seat but this east 9th street project is beginning, and the design team will be hired in November, and concurrently, it seems, that Mr. McCullough has driven east 9th street and has found some code violations some of which, I think, are common sensical and I have no issue with. There's a couple he though he has cited a couple of pole signs, which are no longer legal in Lawrence. Unfortunately, one of them is from the old Apple Valley Boat Company. It's on the corner of 9th and New Jersey in front of the Naremore building. There's another one on Marcia Hills property also at 9th and New Jersey. I realize these are against the law. Mr. Naremore has agreed to put one of his tenant's names in the old sign to make it legal. I'm not sure what Marcia Hill will do. The reason I'm bringing it up is that, incrementally, these little things go away. There's a brick chimney that leaves, a stone curb that leaves, and then a couple of pole signs, and when we're talking about the culture and the history of east 9th street, I just think it would be a really good time to slow down, leave some things in place for now. Let's talk about them as signifiers, what kind of story they tell.

Melissa Meyer, 922 Missouri Street, stated I'm not really sure how to go about this, but I have a petition to present to you. It's paper. Should I bring it up?

Mayor Amyx stated yes.

Schumm said we're going to talk about that in a few minutes. I have that on the commission discussion for Scott to address. If you want to stay we're going to have a discussion on it.

Mayor Amyx stated we will enter this into the record.

Michael Almon stated I noticed on the future agenda items is an issue about parking in bicycle lanes and how the city should deal with citations. As a parallel to that and it may take another initiative of some sort, I've noticed on a number of streets with bicycle lanes there is

aggressive territory grabbing by cars that drive in the bicycle lanes. Not necessarily large trucks or buses, but they drive half way into the bicycle lane for long distances. It strikes me as quite a dangerous thing to be doing. They're not always occupied by a bicyclist but that's not the point. I think that should be looked into along with the parking in the bicycle lane issue.

Candice Davis, Oread Neighborhood, stated, to Michael Almon's point, I visited my daughter in Portland lately and their bicycle lanes are noted, but everyone in the city knows they have to always give the right-of-way to the bicyclists. I don't know if that's the plan here. On behalf of Melissa Meyer, and the house on Missouri Street, I've been a champion of the Oread Neighborhood for a long time. Today I was giving a tour at the Spencer Art Museum to 4th graders and the whole thrust of what I had to say was how much you learn from art. You learn about history, culture, what people wore and the kinds of houses they lived in. I got to thinking, that's what our neighborhood does. We can't minimize how important that is to our community. Its richness, the beauty of the houses that are never going to be built this way again, the past history. Given the many things that go on in this commission around our neighborhood which are largely single dwelling units, yet zoned high density, it's kind of a paradox. How do they co-exist together? My feeling is they should be able to. I would love the city to help us support that. Good planning, tailoring codes that fit this unique area are really important. No one is ever going to go back to their community and say, I went back to Lawrence and they had those neat 4-plexes, and oversized duplexes, and apartment buildings that really stick in my mind. We can't underestimate the wonder of this community and these old buildings. Even KT talking about 9th street and just a sign, we have so much in that neighborhood and it could be fabulous. I'm just here to beg for mercy on Oread.

Schumm stated, please stay for a couple more minutes because I'm going to bring it up under commission discussion.

Ted Boyle stated I might as well get my two cents in on bicycles. I believe bicycle lanes are a plus on city streets but bicycles on the levy is a hazard. We've had numerous complaints

of bicyclists on the levy and, most of the time, it's the bicycle club, or the boys dressed up in Spandex, coming down through the levy full speed, people walking down through there. There are signs posted, people on the right, bikes on the left, bikes announce when you're coming up behind pedestrians, that's not happening. I walk that levy every day. Those bicycles come through there as fast as they can go. There is an alternative to that. In the old days we used to carry a car antenna. That will stop a bicycle quicker than heck. There has to be some type of education on that. The signs stated on the levy how to ride a bicycle on the levy. I sit out on my deck at night I watch the levy. A lot of people use it at night. I hear about cars not having respect for bicycles, let's have bicycles have some respect for pedestrians on the levy.

Amyx asked if there was any other public comment. There was none.

F. FUTURE AGENDA ITEMS:

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

G: COMMISSION ITEMS:

Schumm stated I have two commission items. One is the house at 920 Missouri and I sent an email to Dave and Scott and wanted to ask what the overall program is here and what can be done, if anything, to save that house.

Scott McCullough, Planning Director, stated we have received a permit to demolish a single family house at 920 Missouri on, or about September 22nd. The typical protocol for that, there is a 30 day waiting period and we publish notice in the newspaper that that is occurring. We wait 30 days. They work on disconnecting utilities. Then, as a ministerial function, we grant the demolition permit. The community got involved with this demolition request pretty early on and presented it to, not only us, but others in the city. My understanding is we have had some discussion with the owner about some different avenues they could take to keep the house there and add a second house. The property is zoned RM12D for duplex. It's a multi-family designation. It does allow, essentially, multiple single family residences on the property through the special use permit process. That is what we have advised the owner and his architect, to

my understanding. I don't have knowledge about a decision being made on that. The 30 days is coming up fairly quickly. That's the specific context for that property. I can talk, more generally, about the Oread area, the neighborhood plan, some other things going on in the area, if you like.

Schumm stated no. It's very specific to this piece of property. Is there any way, other than to try and encourage them, to alter their plan? Is there anything that we have that would stop it?

Amyx asked can we bring the administrative approval, to this body, for the demolition permit.

McCullough stated we'll probably need to consult with the City Attorney's office with what that process is.

Amyx stated, I would suggest that staff talk to the City Attorney's office and Dave you and I will have that conversation in the next day or so.

Corliss stated, I did sit in on the meeting with the property owner and their architect and encouraged them to explore alternatives such as what Scott is talking about. There was some discussion about keeping the existing structure and perhaps rehabilitating. Or, building a new structure along the alley so they could provide additional units in the property that they would be talking about that would require the special use permit that Scott is talking about.

Amyx asked is that similar to what happened on Illinois.

Corliss stated it might be. I don't know. It was something that Lynne Zollner was there from the Planning office. We looked at that but that's going to require Planning staff review, Planning Commission review and City Commission review. I think it was met with, let's explore that and see what that might be but that was the extent of it and I don't know that we've heard anything more.

Schumm asked can we communicate with the owner that we are most interested in seeing that house saved and for them to do whatever they need to do, less than tearing it down.

Corliss stated, we can reiterate that. I advised them of that, but we can do that again. See if we can't have Lynne do that tomorrow.

Schumm asked, so the special use permit would go through the Planning process.

Corliss stated yes, similar to a rezoning process so the neighborhood and others would be advised about it.

Schumm stated the request that we received from the pedestrian group, on the Breezedale renovation, the monument, and the compatible, or the associative, sidewalks, or lack of, that are in that area.

Corliss stated we are working on that. Chuck and Scott are both working on that. As you recall, we received a specific grant from KDOT to rehabilitate the Breezedale monuments that are located on the south side of 23rd Street, 23rd and Massachusetts. We've gone through the process of design. KDOT has to bid that project. Subsequent to that, we recently received the same communications from Carol Bowen and others that are interested in pedestrian issues. We're going to prepare a report and talk about some of the sidewalk improvement that we're going to make specifically on-site but we're not trying to do an entire sidewalk network. We don't have the budget for that project. It's a very specific budget. I think it was \$40,000 to do the rehabilitation of the Breezedale signs. That's the only reason why we're doing it is that we got this KDOT grant. We'll provide that background material for you, you can see it, and we'll transmit it on to the people that are interested in the issue. Scott, is that your understanding as well?

McCullough stated yes.

Mayor Amyx asked Melissa Meyer if she had another question about the item that was here.

Melissa Meyer stated I appreciate that you're going to do what you can to try and get them to save it. In the future, what's going to stop it from happening on the other side of our house? I think that you need to really think about the zoning for the whole neighborhood or

maybe our block, something, because we have very few homes left and we need to keep them. Otherwise, people like us are going to leave, and we already are. We've lost six neighbors that own their homes since 2008. Those homes are now rentals and it's kind of scary.

Chris Long, 920 Missouri, also one of the signers of the petition. I work in Kansas City and between here and Kansas City there are a lot of different communities that we do have the choice in living in; along K10, all the development there. There is new development in Bonner Springs. I know that I, along with other people that live in this general area, have different choices of where to live and one of the key considerations that we had when we decided to buy 922 Missouri Street was that we liked the community, the housing, the appearance, and the area. There weren't any, while they may be some rentals, and are ongoing more rentals, the appearance of these rentals and houses are the reasons why we bought the house. We didn't want to buy a house where we would be living next to duplexes. I would imagine there are other people, with similar lifestyles that we have, that decide to select places like Lawrence, or Old West Lawrence, or the Oread, or those types of communities, that have the unique things that Lawrence is known for, that you cannot find in Bonner Springs, or Eudora, or DeSoto.

Amyx asked if there are any other Commission items. There were 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 Riordan, to adjourn at 7:51p.m. Motion carried unanimously.

MINUTES APPROVED BY THE CITY COMMISSION ON OCTOBER 28, 2014.


Diane M. Trybom (City Clerk)