



City of Lawrence

CITY COMMISSION

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MIKE AMYX

COMMISSIONERS
LESLIE SODEN
STUART BOLEY
MATTHEW J. HERBERT

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September 8, 2015

The Board of Commissioners of the City of Lawrence met in regular session at 5:45 p.m., in the City Commission Chambers in City Hall with Mayor Amyx presiding and Commission members Boley, Hebert and Vice Mayor Soden present.

A. RECOGNITION/PROCLAMATION/PRESENTATION:

1. Proclaim Tuesday, September 8, 2015 as International Literacy Day.

B. CONSENT AGENDA

It was moved by Vice Mayor Soden, seconded by Commissioner Herbert to approve the consent agenda as below. Motion carried unanimously.

1. Receive minutes from various boards and commissions:

Aviation Advisory Board meeting of 05/28/15
Horizon 2020 Steering Committee meeting of 07/20/15
Mental Health Board meeting of 07/28/15
Plumbing Code Board of Appeals meeting of 06/17/15

2. Approve claims to 237 vendors in the amount of \$1,186,960.00.
3. Approve licenses as recommended by the City Clerk's Office.

Drinking Establishment

Expiration

Louises Bar Downtown
Louises Inc
1009 Massachusetts St.

August 31, 2015

Longhorn Steakhouse
Rare Hospitality of Kansas Inc
3050 Iowa St.

September 9, 2015

Tortas Jalisco
Tortas Jalisco, LLC
534 Frontier Rd.

October 2, 2015

Cereal Malt Beverage – Off Premise



Circle K Store
Circle K Stores
602 W 9th St

New License

Circle K Store
Circle K Stores
1802 W 23rd St

New License

Circle K Store
Circle K Stores
2330 Iowa St

New License

Circle K Store
Circle K Stores
1030 N 3rd St

New License

4. Bid and purchase items:

- a) Approve purchase of Veeam Backup Essentials Enterprise (digital media storage, backup software, and support) for the Police Department from SHI for \$5,160, utilizing the State of Kansas Contract, and the purchase of an Imation Nexsan E48VT from Eagle, Inc., as a sole source purchase, for \$40,256.
5. Approve rezoning, Z-15-00329, approximately 4.87 acres from CN2 (Neighborhood Commercial Center) District to CS (Commercial Strip) District, located at 2100 W 25th St & 2435 Iowa St. Submitted by Landplan Engineering, for Holiday Lawrence LLC and 2435 Iowa Partners LLC, property owners of record. Adopt on first reading, Ordinance No. 9156, to rezone (Z-15-00329) 4.87 acres from CN2 to CS, located at 2100 W 25th St & 2435 Iowa St. (PC Item 4A; approved 9-0 on 8/24/15)
6. Approve rezoning, Z-15-00330, approximately 7.26 acres from CN2 (Neighborhood Commercial Center) District to CS (Commercial Strip) District, located at 2525 Iowa St. Submitted by Landplan Engineering, for 2525 Iowa LLC, property owner of record. Adopt on first reading, Ordinance No. 9157, to rezone (Z-15-00330) 7.26 acres from CN2 to CS, located at 2525 Iowa St. (PC Item 4B; approved 9-0 on 8/24/15)
7. Approve rezoning, Z-15-00332, approximately 2.66 acres from IG (General Industrial) District to IL (Limited Industrial) District, located at 808 E 28th St. Submitted by Allen Belot Architect, for Glenn E Bohmann Trustees, property owner of record. Adopt on first reading, Ordinance No. 9158, to rezone (Z-15-00332) 2.66 acres from IG to IL, located at 808 E 28th St. (PC Item 5; approved 9-0 on 8/24/15)
8. Approve Special Event Permits, SE-15-00439, SE-15-00441, & SE-15-00442, for two concerts and a Zombie Walk Watch Party at The Granada, located at 1040 Massachusetts St. Submitted by Mike Logan, for Allen Press Inc., property owner of record.

9. Authorize the Interim City Manager to sign an Agreement for Capital and Operating Assistance Funds from the State of Kansas for capital and operating expenses for the Lawrence Transit System.
10. Set the interest rate on the renovation loan to Peaslee Tech at a rate of 2.035%.

C. CITY MANAGER'S REPORT:

Diane Stoddard, Interim City Manager, presented the report regarding the City joining STAR Leadership Program to Measure Sustainability Progress; Oread Design Guidelines: Timeline and Future Steps for Adoption.

Question from Vice Mayor Soden, regarding the memo for the Oread Design Guidelines and the Joint Planning Commission/Historic Resources Commission subcommittee:

Vice Mayor Soden: It says on here that they were appointed, if I'm reading right, in January 2013. Do we have to do a new round of appointments? Do we do that, or does each commission do it on their self?

Diane Stoddard:
Interim City Manager See if Scott can help with that.

Scott McCullough:
Planning and Development
Services Director Each commission has been doing that on their own. It's just a subcommittee to help steer the project through the planning commission and historic resource commission. The full bodies of the planning commission and historic resource commission will be making recommendations to the city commission. It's really a rezoning effort. We treat it like a rezoning effort.

Vice Mayor Soden: So there is a joint meeting that they have. I assume that's open to the public.

Scott McCullough:
Planning and Development
Services Director Yes. It will be a formal joint meeting. They've already had one of them in the past to talk about this issue. There will be another one. We'll treat that as the hearing. Take public testimony that will all go in the record, which will be available for the city commission to digest at the time.

Interim City Manager Stoddard continues with the City Manager Report, introduces the 2015 Summer Construction Projects Status and asks Chuck Soules, Public Works Director, to give a summary of their project status.

Chuck Soules, Public Works Director, presented a summary of their project status.

Mayor Amyx: 27th Street and Louisiana Street, are we doing traffic counts now?

Chuck Soules:
Public Works Director Yes.

Mayor Amyx: We are? We'll have that in the next several weeks timeframe?

Chuck Soules:
Public Works Director Yeah. David Woosley, our Traffic Engineer, extended these stop signs for 90 days, so we intended to have something back to you before then.

Mayor Amyx: Okay.

Commissioner Boley: How many stop signs are there now on 27th Street between Iowa and Louisiana?

Mayor Amyx: There's one at Alabama. There's one at the bridge, Ridge Court. We still have the one at the raised crosswalk. That one and we have the one at 27th Louisiana.

Commissioner Boley: Are they all going to stay, or...?

Chuck Soules:
Public Works Director We'll bring that back. We don't know that the one at Naismith Valley Park is necessary. We've got the raised crosswalk, and we're going to be putting in the hybrid beacon. We don't have it yet. When that gets installed then people could go ahead and press that button, but whether that's needed or not. We'll have a report on that. We'll bring that back.

Commissioner Boley: What about Ridge?

Chuck Soules:
Public Works Director That will be part of that.

Mayor Amyx: We had the two installed, one where the beacon is going to be and the raised crosswalk, and the one at Ridge Court. I think that those will be the two that we'll be talking about, and maybe the one up at Louisiana?

Chuck Soules:
Public Works Director And the one on Louisiana.

Mayor Amyx: On whether or not the warrants are still there to keep...

Chuck Soules:
Public Works Director We'll have to let them know at that time too.

Commissioner Boley: Is 27th Street still on the traffic calming list?

Chuck Soules:
Public Works Director Yes.

Commissioner Boley: Okay.

Mayor Amyx: Other questions? We look forward to getting those reports

back. Are there any other questions of Diane on any of the city manager's report? Okay. Thank you, Chuck.

PUBLIC COMMENT:

Melinda Henderson:

Good evening, Mayor, Commissioners and staff. I live in Brook Creek neighborhood, and I'm here tonight for a couple of different items that I want to run by you. I've been waiting until we had a short agenda so this was my first opportunity. First item, I want to thank staff for hearing my plea for improved bus service in my neighborhood. I heard Diane comment a few weeks ago, when I was listening to the meeting, that they were working on improving service to Brook Creek so I fired off an e-mail to her and said, "Really?" We had our monthly neighborhood meeting last week, and so I checked back, and she had Bob Nugent respond with a proposed route. It's still in the early stages, but I mapped it out, and I took it to the Brook Creek neighborhood meeting, and everyone there was really thrilled with the way that it looks. Just keep us informed. We'll probably want to have Bob come to one of our meetings. I also mentioned it at the land meeting on Thursday, and East Lawrence, because the route does hit an area in East Lawrence that hasn't been served before. So East Lawrence might, we might want to do some kind of joint meeting with East Lawrence to get community feedback. There were about 15 people at our Brook Creek meeting, and they all promised that they would be very supportive and everything. So thank you so much for hearing my plea. I can't wait to ride the bus to downtown without traveling through Perry Park. Not that anything's wrong with Perry Park, but it does add about 20 minutes onto the trip. So thank you very much for that. The second item, I wanted to wait until you all finished with the budget hearing, and then practically after that, we had the, losing Jeremy as commissioner. This is about the fireworks ban enforcement. This was the second year that I did a ride-along on the evening of the 4th of July, and I had done one last year, too. I want to thank staff. I don't know if you were involved in making that happen. I know Jeremy was, and Sergeant McKinley. I was paired with Officer Hicks, who just is an absolute dream, as far as an officer explaining what goes on during a ride-along. He was just great. I really enjoyed that. I was disappointed that we only had 3 patrol cars assigned specifically for fireworks calls that night. The year before, I think we had at least 4, and it was broken up into quadrants. This year was a little different. I did hear a lot of calls about fireworks on the west side of town this year. I know we had some other issues with fireworks on the west side of town this year. There was no way that 3 cars could respond to all the calls. I think fewer citations were issued too. What I would like to do. Actually, I talked to Jeremy about it after the ride-along, because I was curious why we didn't have more officers like

we had the year before. His theory was that most of them were assigned to the fireworks celebration at the park, which makes sense. When I voiced my concern about that, I think he felt like, that's what the citizens expect for public safety, for an event like that. I don't want to quote him directly, but I really do want to see what we can do between now and next 4th of July to improve the enforcement. I know there are a lot of other people in the community who are not at the fireworks celebration, who were really upset this year. I do have to say, it was a little quieter this year, so I appreciated that. I really think we need to visit this issue and have a serious discussion on it. Maybe a study, I don't know. I'm happy to work with staff and the chief to see what we can come up with. I want to wait until we have a full commission again. Right now, I just want to give you guys a heads up that, thank you for letting me do the ride-along again, and as soon as possible after we have a full commission, could we make it an agenda item to at least get started on this and figure out what we need to do?

Mayor Amyx:

Melinda, why don't we do this to? Diane, why don't you visit with Tarik about ... I don't have any ideas about the number of cars, and maybe the rest of the commission can look at what all we had available and at least get some idea on information that we could use. So if you could just work with Tarik and find out all that information and then we can be at least, ahead in the process that way and then after we get a full commission I promise we'll get this back out there, okay?

Melinda Henderson:

Thank you very much. I appreciate that. That was what I was thinking, at least start gathering the data, and I'll contact you and give you some ideas of some of the numbers I'm looking for, and that kind of thing. You can pass it on. Then we'll be ready to go and figure out. I really appreciate that, too. Thank you very much.

Mayor Amyx:

Thank you. Other public comment, anyone else? Okay. Let's move ahead to the regular agenda.

D. REGULAR AGENDA ITEMS:

1. **Conduct public hearing. Consider adopting on first reading, Ordinance No. 9159, levying the maximum assessments for the construction of public improvements, including signalization of the intersection at 6th Street and Champion Lane. Consider authorizing staff to submit a Request for Qualifications for design work of 6th & Champion Street Traffic Signal Improvements, Project No. PW1507.**

Mayor Amyx called a public hearing levying the maximum assessments for the construction of public improvements, including signalization of the intersection at 6th Street and Champion Lane.

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

Moved by Commissioner Herbert, seconded by Vice Mayor Soden, to open the public hearing. Motion carried unanimously.

Jeffrey Knapp:
Manager
Meadowlark Estates

We just wondered, you said it's an assessment over 10 years. Does that mean you take that amount that you have assessed and spread it out over 10 years, or do you assess that amount every 10 years or every year for 10 years?

Chuck Soules:
Public Works Director

I can answer these questions, but do you want to get them all first and then answer them?

Mayor Amyx:

Did you have another question?

Jeffrey Knapp:
Manager
Meadowlark Estates

No. I think that's the last question.

Mayor Amyx:

Let's answer that now.

Chuck Soules:
Public Works Director

That's an easy answer. The cost that you received in your notice is the total, and it will be split over 10 years. So you'll get one tenth of that plus whatever interest.

Jeffrey Knapp:
Manager
Meadowlark Estates

Okay. The only thing that the company that I work for has asked me to mention is that it would have an overall negative impact on 135 senior residents that we have living with us. Their income levels in some cases are at their maximum, and so it's not a situation that we feel that they could really absorb. I wanted to share that with you. Maybe take that into consideration when you make your decision. Thank you for your time.

Mayor Amyx:

Thank you. Sir, real quick, if you want to have a seat there a second, I was going to ask a question to staff that you might be interested. Correct me if I'm wrong, was part of the consideration for approval of the entire Bauer Farm site. Was this light being put there?

Chuck Soules:
Public Works Director

Yes. With the development of the whole area, the former property owner agreed not to protest benefit district for the installation of the signal at this location. Right now, Track 14 seems kind of secluded, but Bauer Farm Drive will connect, and then we'll have access directly to that signal. That's the benefit.

Mayor Amyx:

Sir, I just wanted you to be aware that that was part of the negotiations I guess you might call it, of approval of this entire piece of property. That's how this came about. Just so you're aware.

Jeffrey Knapp:
Manager
Meadowlark Estates

I appreciate it. Thank you so much.

Mayor Amyx:

You bet. Thanks for coming. Other comment?

Bill Fleming:
Treanor Architects

I work with Treanor Architects, and I've also been principal in the development of Bauer Farms. I don't have any issues with how the assessment's done. I think it's, kind of as you spoke, Mayor, it's something that we've executed agreements not to protest the formation of the special assessment district back when we did the project. Everybody that purchased lots out there was given that. It was in the title report. It was filed as public record, so everybody was given notice of that. I think the method and how we've done this is fine. My only question, I'd like to confirm that the first 250 will be paid out from the KDOT proceeds, and then it's only the excess over 250 that would be used to make the special assessment. Is that a correct understanding?

Chuck Soules:

That's correct.

Bill Fleming:
Treanor Architects

That will answer any questions.

Mayor Amyx:

Other public comment on this item? Any other public comment?

Moved by Commissioner Herbert, seconded by Vice Mayor Soden, to close the public hearing. Motion carried unanimously.

Mayor Amyx:

Any questions or comments on this? Again, I think it's pretty straight forward. It was something again that was...

Commissioner Herbert:

Can I actually ask, Jeff, are you still here?

Female:

I think he left.

Commissioner Herbert:

Okay, never mind.

Mayor Amyx:

Like I said, I think it's pretty straightforward. It's something that was being put together for quite a while now. I appreciate the work the staff's done, after bringing forward an earlier recommendation and taking it back and redoing after it was decided that it should be a flat assessment through all properties. I appreciate you doing that. So anyway, if there are no other questions or comments.

Moved by Commissioner Herbert, seconded by Commissioner Boley, to adopt on first reading, Ordinance No. 9159, levying the maximum assessments for the construction of public improvements, including signalization of the intersection of 6th Street and Champion Lane, and authorize staff to submit a Request for Qualifications for design work of 6th&

Champion Street Traffic Signal Improvements, Project No. PW1507. Motion carried unanimously.

F. FUTURE AGENDA ITEMS:

Diane Stoddard, Interim City Manager, outlined potential future agenda items.

G: COMMISSION ITEMS:

Diane Stoddard: Mike just mentioned that you and I discussed today a little bit about the various agreements that we'll be having.
Interim City Manager

Mayor Amyx: Mike: Yeah, I was going to bring that up in a little bit, but go ahead.

Diane Stoddard: Various agreements with social service agencies. In light of recent events, thinking of looking at those agreements with fresh eyes, and what should be provided in those agreements between the city and the social service agencies to ensure accountability of the taxpayer dollars. One of the things that we'd like to do is bring forward to you all some recommendations in conjunction with your consideration of those agreements for the 2016 budget year. This would be the time of the year that we'd be working on those.
Interim City Manager

Mayor Amyx: Diane, as you bring up the social service agencies, should it be any agency that we've fund and I know that's where you were going, because it's the same kind of agreement, right?

Diane Stoddard: Yes, exactly.
Interim City Manager

Mayor Amyx: So anybody that would be on our list of agencies that we fund would have to do that, so I think it's just a good idea to re-look those items.

Vice Mayor Soden: I did have a question. I'll go ahead and ask it here. If their City Commission nomination committee, if there's not more than 12, was there a meeting in there that the committee can skip if they don't have to take it down to 12? Was there an extra meeting, or...

Commissioner Herbert: They were taking it down to 6, weren't they?

Vice Mayor Soden: Yeah. I remember something about 12, though. I wanted to ask about that.

Mayor Amyx: There was a meeting to take it to 12, but...

Vice Mayor Soden: That's what I'm asking, Tony.

Mayor Amyx: Tony, please.

Toni Wheeler:
City Attorney

Yes, the resolution that was approved in August did have a couple of meetings for the advisory committee to work. The next meeting was September 17th. The plan for that meeting was to narrow the pool to up to 12 semi-finalists that would be invited back to a public forum on September 24th. One thought was, we could see how many people submit applications tomorrow. The deadline is tomorrow at 5. We could bring a report back to the commission and you could consider next week if you wanted to alter that structure. We did have a discussion on September 3rd when the advisory committee met for the first time that that might be a possibility, that we would have fewer applications than was contemplated in the resolution, and that the commission may be interested in altering the process slightly. They were all understanding of that and aware that that might be a possibility.

Mayor Amyx:

Vice Mayor, I appreciate you bringing that up, but one of the things that I do want to say is, let's wait until we see exactly how many we have.

Vice Mayor Soden:

Yeah, absolutely.

Mayor Amyx:

I think that that there's enough work here to be done that just going through the process that will give us the opportunity to have a discussion about the way that we wish to move forward. I think let's keep everything intact the way it is now, pending how many applications that we get in the next 24 hours.

Vice Mayor Soden:

Yeah, definitely. I'm just curious. I'm new to how these things go.

Commissioner Herbert:

I told Diane, she's going to have a long line tomorrow. Everyone's going to show up at 4:15.

Mayor Amyx:

That's right. It's not 24 hours, that's right. The hours just keep running together.

Commissioner Herbert:

There's going to be a parking crisis downtown with all the people wanting to turn it in.

Mayor Amyx:

I tell you, not to jump ahead as a commission item, but I guess this would be the time to do it. I really hope that that is the case.

Commissioner Herbert:

I do too.

Mayor Amyx:

I think we have an opportunity here to make a decision on behalf of this community. The appointment that we're about to make is so important for the next, what, 27 months or whatever it is. That's a long time. It is very important that we get good quality people to step forward. I know there are people out there that really want to do this. I know they really want to do it,

because every time I've run, there had been about 20 of them that have showed up. It's always been fun. I hope people do take the opportunity very seriously. Being part of this commission is, I still say, and I've heard other commissioners say it in the past this is the best job in Kansas, as far as being an elected official in Lawrence, Kansas. We get the opportunity to do so many things because of the great community that we live in. I think that we need to recognize that, and so again, if there are people that are thinking about it. You got time. Come fill out the paperwork. It might take you a little bit of time tomorrow, but it'll be good. If you're thinking about it, get it in here, okay?

Commissioner Herbert: Every minute's worth it, right?

Mayor Amyx: Absolutely.

Vice Mayor Soden: I tried to recruit the chancellor.

Mayor Amyx: It is a privilege.

Commissioner Herbert: That is true.

Mayor Amyx: It truly is. That it is. Other commission items, since we jumped on to commission items?

Vice Mayor Soden: Yeah. I was going to bring that up, but it was here, so... It's perfect.

Mayor Amyx: Want a special thank you to Peter, from the Journal World, and the weeks that he has had to endure as a writer for the Journal World, and thank him for the hard work and writing about decisions that we've made. Peter, thank you, I'm going to miss you, but anyway, a special thank you to you. Any other commission items?

Commissioner Boley: Yeah, I'd like to say thank you to the folks at the fire station. I think its number 3 on 6th Street. They had an open house on Sunday, I think it was. That was a real good opportunity to get to meet some people, to look at a quint to look at the fire safety house, I think they call it, and meet some of the folks who work there. I would like to encourage everybody to make it out to at least one of the fire stations as they do their open houses. I think you'll enjoy it. I think you'll learn and you'll see what some of our great staff does.

Mayor Amyx: There are 4 other opportunities for people to see this great group, as Commissioner Boley just said. And really to be able to see the sales tax initiative that was done several years ago and how it's been able to help and bring the quality of equipment that's necessary to be able to save people lives. This is some

serious equipment. Folks need to go out and look and see the investment that they've made.

Commissioner Boley: Take the kids. It's great.

Mayor Amyx: It's fun. Other commission items?

H: CALENDAR:

Diane Stoddard, Interim 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 Commissioner Boley, seconded by Commissioner Herbert, to adjourn at

6:31 p.m. Motion carried unanimously.

MINUTES APPROVED BY THE CITY COMMISSION ON DECEMBER 1, 2015.



Brandon McGuire, Acting City Clerk