



City of Lawrence

CITY MANAGER'S OFFICE

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CITY COMMISSION

MAYOR
MIKE AMYX

COMMISSIONERS
LESLIE SODEN
STUART BOLEY
MATTHEW J. HERBERT
LISA LARSEN

April 12, 2016

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 Commissioner Boley, Commissioner Larsen and Vice Mayor Soden present. Commissioner Herbert was absent.

A. RECOGNITION/PROCLAMATION/PRESENTATION:

1. Proclaim the week of April 10 – 16, 2016 as The Week of the Young Child.
2. Proclaim the week of April 10 – 16, 2016 as National Library Week.

B. CONSENT AGENDA

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

1. Approve City Commission meeting minutes from 03/29/16.
2. Receive minutes from various boards and commissions:

Parks and Recreation Advisory Board meeting of 03/08/16
3. Approve claims to 189 vendors in the amount of \$1,612,285.29; and payroll related items in the amount of 2,663,760.40, for a total claim amount of \$4,276,045.69.
4. Approve licenses as recommended by the City Clerk's Office.

Drinking Establishment

23rd Street Brewery
23rd Street Brewery Acquisition LLC
3512 Clinton Pkwy.

Expiration

April 7, 2016

5. Adopt Joint City Resolution No. 7153/County Resolution, amending Resolution 1957 and repealing Joint City Resolution No. 6878/County Resolution No. 10-6, making miscellaneous changes regarding the Lawrence Douglas County Health Board.
6. Approve a Special Event Permit, SE-16-00099, for Bullwinkles fundraiser, April 21, 2016, located at 1344 Tennessee St. Submitted by Tom & Pete LLC, for Sorrentino Investments LLC, property owner of record.



7. Approve a Special Event Permit, SE-16-00113, for Bullwinkles fundraiser, April 29, 2016, located at 1344 Tennessee St. Submitted by Tom & Pete LLC, for Sorrentino Investments LLC, property owner of record.
8. Approve a revised Comprehensive Plan Amendment, CPA-14-00005, to *Horizon 2020* Chapter 7: Industrial Land Use, and Chapter 14: Specific Plans – *K-10 & Farmer’s Turnpike Plan* to revise the Future Land Use map. Submitted by B.G. Consultants, Inc. *Planning Commission recommended denial on 6/23/14, City Commission returned to Planning Commission on 12/08/15. The revised Comprehensive Plan Amendment has been reduced in scope; retaining the request to reclassify approximately 13.5 acres from Residential/Office to Office/Research but removing the request to include adjacent parcels for additional residential land use.* Adopt on first reading, Joint City Ordinance No. 9220/County Resolution No. _____, for Comprehensive Plan Amendment (CPA-14-00005) to *Horizon 2020* Chapter 7: Industrial Land Use, and Chapter 14: Specific Plans – *K-10 & Farmer’s Turnpike Plan* to revise the Future Land Use map. (PC Item 6; approved 8-0 on 3/21/16)
9. Accept dedications of easements and rights-of-way associated with Final Plat, PF-15-00239, for The Links at Kansas, 1st Addition, a 2 lot residential subdivision containing approximately 51.96 acres, located at 251 Queens Road. Submitted by Blew & Associates, PA, for Links at Kansas and Links at Kansas Phase II, property owners of record.
10. Authorize staff to solicit proposals for the rehabilitation of the elevators in City Hall and include alternate bid pricing for security cameras, card readers, ceiling lighting, wall, and floor covering upgrades.
11. Approve a street event temporary use of public right-of-way permit for the 2016 Paw Valley Festival and 5K on Saturday, May 7, 2016, benefitting the Lawrence Humane Society from 9:30 a.m. to 11:30 a.m.
12. Approve a street event permit for the Kansas Half Marathon and 5K to close various streets in downtown and throughout Lawrence from 6:30 a.m. to 12:00 p.m. on Sunday, November 6, 2016 and approve the donation of city services from Fire Medical and Police Departments for this event.
13. Approve a street event permit for Downtown Lawrence, Inc., annual downtown sidewalk sale on July 21, 2016, from 5:00 a.m. to 9:00 p.m. Approve exclusive use of the public sidewalk adjacent to both sides of Massachusetts Street from 6th Street to 11th Street on July 21, 2016, from 5:00 a.m. to 9:00 p.m.

C. PUBLIC COMMENT:

Melinda Henderson:

I had three things I wanted to follow up on. I thought tonight would be a good night to do it real quickly, since it was a short agenda. The first thing I wanted to do, I did send an email last week, but not everybody saw it. Back, a couple of months ago when I was testifying SB366 which was the inclusionary zoning bill. One of the things that I asked for was if it would be possible to get our legislative testimony on our website and I would have stayed last week and commented on this, but I didn’t notice that

the City Manager's report got moved to the end so I thought I missed it. I just wanted to come down and personally thank you all for taking my request to heart and making it happen. I don't know if Megan is here, but it was my understanding she was the one that pulled it all together. Once again, thank you. I really appreciate it. I think it's great and I may have to work on the County Commission now. I also wanted to say, a special thanks to Toni for continuing to work with Senator Holland on SB366 which was amended by the House, possibly making it a little better in case it actually does pass and it's now in Conference Committee. The rental inspection bill HB2665 was also modified by the House. We did get rid of the ridiculous search warrant part among a few other things. I don't know what's going to happen with that because it's now sitting in the Senate Conference Committee and I'm just hoping it stays there and dies a quiet death this year. They'll just have to start over. Hopefully, they have more important things to do than continuing to mess around with local control. The second thing I want to address was the issue of the two, one-half cent sales taxes that Greg Robinson brought up a couple of three weeks ago. I wasn't able to make the meeting so those were actually my comments that he was reading. I also spoke with Mayor Amyx about it. I promised I'd give the information to you to see if there was anything we could even look at, at this point and time. I just wanted to go on record tonight as bringing the information and just noting my concern that both sales taxes were specified only for fire and police services with a caveat that any additional revenue should go toward reducing property taxes which probably means it goes into the general fund and whatever. I don't know if we really need to do any research on this, at this point in time. It's a sales tax that seems to be in perpetuity, but I do have the documents here that I'll pass out to you, at the end. I've got the ballot language from County Clerk, Jamie Shew, and also copies of the ordinance and resolution that were passed to put it on the ballot so that you all have the official language. If you decide there's anything that we can do, that we want to do, please let me know. My biggest concern was that, I don't think a lot of people know about this and especially since we were talking about sales tax, last year or the year before to fund the Police facility. Anyway, maybe for the future this is something that if we're collecting, we can save a little bit of the money to start paying for more fire and police services. The last thing, I wanted to touch base on was I noticed that on future agenda items, May 10th, discussion of the fireworks ban enforcement so I'm assuming, unless that changes, that we'll have a discussion that night?

Mayor Amyx:

That's the item you asked me to put on and that's the night we're going to do it. Is that okay?

Melinda Henderson:

I think May 10th would be great. I've been waiting until we have

a full house again. I've been talking with various individuals and some groups about this so I would need an idea of what kind of information you would want me or anyone else to bring to present that night. I know the 4th of July party has been moved to Burcham Park this year and I know that Kurt McClure had said at a LAN meeting that they appreciated the police presence when it was in the train park, to make sure cars would be towed if they were parked in front of the driveways. I don't know what the parking situation is going to be like over at Burcham and I did speak with Megan about the request that Richard Renner submitted, because he didn't have any information about in-kind police services, safety services. She said she was working with him on that. I'm assuming some kind of police presents would be needed so maybe we could try to get that information by the 10th of May.

Mayor Amyx: Do we have information on that yet, that we've received about the party?

Diane Stoddard:
Assistant City Manager I don't know if I have that yet.

Melinda Henderson: His application for the grant money, that box was not checked and I talked to Megan about it and she said they weren't sure yet.

Diane Stoddard:
Assistant City Manager Okay.

Melinda Henderson: She said just leave it unchecked for now and then we'll figure out what it is that you need. That's all I know about that.

Mayor Amyx: Well find out on that but Melinda, you had come up last year and asked about having discussion about the fireworks ban and enforcement to be placed on the agenda and I figured a couple of months before we got to the 4th was a good time. You're going to bring ideas forward or things that you would like the Commission to consider.

Melinda Henderson: Yes. People have ideas. One of my main focuses has been on the increased veteran population that we have now that we didn't have when the ordinance was initially put into effect. The Post Commander at the VFW is also involved with KU Veterans Association and she's been getting some feedback from them. The last time I talked to her she said they really liked the idea of a stronger enforcement, but they didn't want to come across as trying to ruin anybody's holiday and Brook then pointed out that this is the law. It's not really ruining anybody's holiday. It's the law that needs to be followed. There's that and then some neighborhoods too are interested in getting some better enforcement. I've learned a lot; on my two ride-along that I've

done the two previous years too. If you can think of anything else that you might want to do, just let me know and I'll hand these out to you guys real quick.

Mayor Amyx

Look forward to seeing you on the 10th. If not, before. Any other general public comment?

K.T. Walsh

Good evening Mayor and Commissioners. I just wanted to say thank you to staff because the East 9th Street Plan has been out for two weeks now and we've been trying to get a grasp on all the engineering and the biking issues, just all the things that are packed into this design. I have to tell you that Chuck Soules, Dave Cronin and Lynn Zollner have given me a lot of time out of their days to carefully explain things, look things up for me and just really be bringing it down to a Sesame Street level. I really appreciate it. Also, Commissioner Larsen came to our special meeting and so thanks for being there.

Mayor Amyx:

Thanks K.T. Other public comment?

Ted Boyle:
President
North Lawrence
Improvement Association

Good evening Mr. Mayor, Vice Mayor and Commissioners. There're two things I want to talk to you about, one is the traffic calming device that we have installed at Elm Street. I'd like to thank you and Public Works for installing that, it works really well and I wrote a grant for another one. We're going to get another one on North Street. The problem is, is what determines the size of these traffic calming devices? The ones we have in North Lawrence, the one on Elm Street is smaller than the three on 9th Street out by the Flamingo Club, they're twice as wide and taller and I've driven around town. The ones on Lawrence Avenue, they've got paths going to them for the Fire Trucks to get through and stuff. I've driven around Lawrence at different speed humps and I want to tell you, they're all a different size. What determines the size of these traffic calming devices since we're going to have, at least, three or four more installed in North Lawrence? The one on North Street, that's a two-way street and residence over there requested it and I talked to Mark Thiel about it and said we want this one over here the size of the ones out on 9th Street, between Locust and Elm. There're three of them there and really, it's between Elm and Locust two blocks, 4 houses, and a bean field. There're traffic calming devices and we don't know how they got out there. What determines the size of it because this one on Elm Street is small, but it's adequate? It does make them, at least, slow down to the speed limit, 30 mph. We'd like to have larger ones on North Street and Walnut Street, because they're two-way streets and people over there say the traffic going east is faster than the traffic going west. I'm going "really." I figure it would be the same speed either way because the same people are speeding, but they said no. I guess people are more in a hurry to get home or they come down north and

go out 7th to the highway and then back. I can't explain that. I just thought that what determines the size of a traffic calming device and maybe get some continuity so we know what to expect. We do appreciate the one we have installed and Public Works did a good job of putting it in there. It does its job for the size. The other thing I wanted to talk to you about was pedestrian and bicycles. This is an on-going problem. In North Lawrence, we encourage pedestrians and bicycles since we've got the levy trails right there. That is greatly used, but the bicyclists are inconsiderate. We've had numerous complaints where people have been walking up there, pedestrians and bicyclist will come through there. The rules of the road seem like they don't pertain to a majority of these bicyclists. I mean bike on the left, bike on the right. They'll come down through there and there will be people walking and they're full blast. There'll be a group of them coming down full blast, coming down the levy. I don't know whether they think that just because that's a levy trail and not a concrete path and they're on their way to the bike trails down on the other side of the boat ramp. The deal is, I get a lot of questions about, aren't the bicycles supposed to go by the rules of the road, stop signs, crosswalks, everything that a vehicle needs to do and they don't. What happens to the enforcement on the bicycle if they want the same privilege to drive or ride on the road that motor vehicles do and it is a privilege to drive on the streets and highways. They should follow the law and I understand that the law pertains to those too, but I don't see any enforcement anywhere. We encourage bicyclist and pedestrians and that levy trail, I sit out on my deck, sometimes I'm out there until 11:00 or 12:00 at night, until my wife comes out and wakes me up and tells me to go to bed. People are using that levy trail. It's kind of like people walk to it and then walk to the bridge and then come downtown. It gets well used, but it's kind of hazardous when the bicyclist comes through there. Thank you for your time.

Mayor Amyx:

Thank you. Chuck, can we get a report on how the determination is made on the speed humps, bumps and all that stuff.

Chuck Soules
Public Works Director

We have some standards and it does have to do with the size of the facility and speeds. We can also get with Ted, but we'll get you something on what our standard are. We want speed humps and speed bumps to control the traffic, but we don't want them to cause accidents. I realize people may be driving really fast and we want to slow them down, but we also don't want them to lose control. Over the years, when we started building these, we do have some that are bigger than others and those sometimes can cause problems. We don't want to tear up vehicles, but we do want to control traffic. We'll get you some information.

Mayor Amyx: Okay. Ted, just so you and anybody that's watching or are here this evening, on or about May 3rd, we're going to be receiving the final report from the Pedestrian Bicycle Issues Task Force so there's going to be a lot of information that's going to come there. Still, it's all about people understanding that public safety has got to be first. We'll see what we can do, okay?

Ted Boyle: Sometimes it's about public education. Thank you very much.

Mayor Amyx: Thanks Ted. Any other general public comment?

D. REGULAR AGENDA ITEMS:

1. None.

E. FUTURE AGENDA ITEMS:

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

F: COMMISSION ITEMS:

Commissioner Boley: This actually fits with the two proclamations that you presented tonight, The Week of the Young Child and National Library Week. The Lawrence Summer Food Program will offer free meals to all youth between the ages of one to eighteen, June 6th through August 5th, except for July 4th. The Library was the most popular site for that Free Lunch Program this last year. I appreciate them and their efforts. This is a really important program. I think we need to do everything we can to promote it and make sure that kids have plenty to eat this summer.

Vice Mayor Soden: Tables with shade will be really helpful instead of everyone crowding on to the slightly shaded part of that terrace.

Commissioner Boley: There're a number of different locations, East Lawrence Rec Center, South Park, Broken Arrow Park and the Public Library. They've also got breakfast and lunch at Hillcrest, New York and Woodlawn. There's a lot to be pleased about, about this program. It's a collaboration of the schools, the extension service, the City, the Library, all the folks that are coming together to get this done. There may be even people I haven't thought of. It also provides some employment to folks over the summer too. It's really an important program.

Mayor Amyx: Okay, great. Thanks Stuart. I do have a...well it's probably more of a calendar item or meeting list. Vice Mayor and I are invited to Justice Matters tomorrow evening. I don't know if any of the other Commissioner members are planning on attending. We don't have it listed on our meeting list so we need to advertise the fact that at least two of us are going to be there and a possibility that, I suppose, all 4 of us will be there. Toni, you had

sent out an email earlier talking about specific questions and concerns that you may have from your office and direction to making sure we follow the rules, under Kansas Open Meetings. I didn't know if you had any other advice.

Toni Wheeler:
City Attorney

No. I did reach out to Pastor Sturdivant today to find out what the program was planned for tomorrow night because I knew the Commissioners had been invited. You may recall, last year, we had similar discussion about the applications for the Kansas Open Meeting Act. When three or more of you are present and there's an interactive discussion, and you're discussing the business of the body, then the open meetings act applies. It's my understanding from Pastor Sturdivant that the Mayor and the Vice Mayor have been invited and he has also has plans to invite you to the stage for you to participate in that manner. He said they intend to pose four questions to you and they generally relate to affordable housing endeavors and what level of commitment you're willing to state in those meetings in front of the audience there. I did discuss with him about the statutory laws that apply to your budgeting process. While the Commission can be invited and participate in these things, you really want to reserve making commitments on the budget until the budgeting process. We follow that process. As you know there are lots of public meetings. There's opportunity for all people to come and speak about whatever they may think is important for you all to consider and you really should keep an open mind to weigh all of the community's comments on your budget. As you know, we are required to publish a meeting or have a public hearing where the public can come in and actually comment on specific recommendations of your budget and then only after that public hearing, can you adopt your budget. I was informing Pastor Sturdivant about that and he said he appreciated knowing that and they were not trying to have you contradict those requirements, but also just wanted to refresh you of those obligations and make sure you're aware of that in your participation tomorrow night.

Mayor Amyx:

Any questions of Toni? (None)

Commissioner Larsen:

I have one question. I'm working on the Master Plan for Parks and Rec and I just wanted to announce that Thursday night from 7:00 pm to 8:30 pm, there's a public meeting at the Lawrence High School Commons. I would encourage anybody who is interested in our Parks and Rec, which I think would be everybody in Lawrence to come to that meeting and participate.

G: CITY MANAGER'S REPORT:

Diane Stoddard, Assistant City Manager, presented the report regarding 30.7 Tons of Electronics Recycled and 15.65 Tons of Documents for Shred Collected at Spring Event; 1,241 Tons of Compost and Woodchips Distributed during Spring Sale Event; Planning &

Development Services Monthly Project Report; Capital Improvement Projects 2015 Summary Report; and, 2015 Residential Lot Inventory.

Commissioner Boley: I've got a question on the recycling. Was this the first time we did a document shredding or was that something that we've done before but not recently?

Diane Stoddard:
Assistant City Manager I believe that we have done that before. I don't recall it being done for a while, but I just may have been losing track of it. I know that there have been a number of those events in the community lately, by a number of different organizations. It must be indicative of a lot of us having a lot of documents.

Commissioner Boley: I mean, I really appreciate this service by the City on this.

Diane Stoddard:
Assistant City Manager Kathy's here and she can comment more. Kathy do you have any comments on that?

Kathy Richardson:
Solid Waste Division
Manager We have had another event where we had the document shred component to the electronic recycling. What that creates is a lot of traffic. It's pretty popular. There are a lot of community shred events. We have always promoted those through our Facebook page and website, just letting citizens who call us to know that there are, at their local banks or other organized shredding events here in town. We had a great number of vehicles at this one as well.

Commissioner Boley: Including me, so thanks. I really appreciate that. I'm glad the City is doing that as well. It's great that you're publicizing the other ones. Keep it up. I appreciate that.

Chuck Soules:
Public Works Director Kathy's been doing these electronic events since 2008 and if you look at the total, it's almost a million pounds. That's a lot so we want to say thanks to Kathy and here group.

H: CALENDAR:

Diane Stoddard, Assistant 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 Larsen, seconded by Vice Mayor Soden, to adjourn at 6:48 p.m. Motion carried unanimously.

MINUTES APPROVED BY THE CITY COMMISSION ON APRIL 19, 2016.



Brandon McGuire, Acting City Clerk