



City of Lawrence

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CITY COMMISSION

MAYOR
ROBERT J. SCHUMM

COMMISSIONERS
MICHAEL DEVER
HUGH CARTER
MIKE AMYX
ARON E. CROMWELL

November 20, 2012

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 Schumm presiding and members Amyx, Carter, Cromwell and Dever present.

A. RECOGNITION/PROCLAMATION/PRESENTATION:

Recognition of the City of Lawrence obtaining a Class 7 in the National Flood Insurance Program's Community Rating System.

B. CONSENT AGENDA :

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

1. Approved claims to 232 vendors in the amount of \$2,933,707.23 and payroll from November 4, 2012 to November 17, 2012 in the amount of \$1,865,201.14.
2. Bid and purchase items:
 - a) Set a bid date of December 4, 2012 for 23rd Street and O'Connell Road Intersection, Geometric and Traffic Signal Improvements, Project No. PW1127.
 - b) Set a bid date of December 4, 2012 for 2013 Crack Sealing Program, Project No. PW1306.
 - c) Set a date of December 11, 2012 for 2012 Crosswalk Marking Project, Project No. PW1233.
 - d) Awarded the bid for a Deck Mower, to Heritage Tractor, for a total amount of \$15,936.52.
 - e) Approved as sole source purchase, the purchase and installation of three Motorola MW 810 Mobile Data Computers for the Animal Control Division

of the Lawrence Police Department, to Topeka FM for a total cost of \$18,650.70.

3. Adopted on first reading, Ordinance No. 8822, establishing the parking lot adjoining 700 New Hampshire Street as two hour parking for the duration of the lease agreement between the City of Lawrence and Lawrence Store No. 203, L.L.C.
4. Adopted on second and final reading, the following ordinances:
 - a) Ordinance No. 8821, adopted the 2013 Wholesale Water Rates.
 - b) Ordinance No. 8816, for text amendments (TA-12-00182 & TA-12-00183) to the City of Lawrence Land Development Code, Chapter 20, Article 4 to change the Truck Stop use from permitted to permitted with a Special Use Permit in the IG (General Industrial) District and to change the Recycle Processing Center use from permitted to permitted with a Special Use Permit in the IL (Limited Industrial) District.
5. Accepted dedication of easements and right-of-way for a Final Plat, PF-12-00247, for Lincoln Subdivision an 8-lot residential subdivision located in the 700 Block of Lincoln Street (east of Lyon Park on the north side of Lincoln Street). Submitted by Grob Engineering Services, LLC, for Bluejacket Ford, LLC, property owner of record.
6. Received Census 2010 analysis, authorized staff to proceed with Census Count Question Resolution appeal process and authorized the Mayor to execute related documents.
7. Authorized staff to develop a Scope of Services with Airport Development Group for the Airport Pavement Maintenance and Repair, Project No. PW1304.
8. Authorized endorsement of the Lawrence Arts Center National Endowment of the Arts grant application and approved grant writing support in the amount of \$2,000, and approved the Lawrence Arts Center request for support for a Final Friday's coordinator in the amount of \$3,600 for the next year.
9. Approved funding for 2012 longevity payments.

C. CITY MANAGER'S REPORT:

David Corliss, City Manager, presented the report.

D. REGULAR AGENDA ITEMS:

1. **Conduct public hearing regarding exterior yard conditions at 331 Johnson Avenue and consider adopting Resolution No. 6996, declaring the exterior to be in violation of the City's Environmental Code and ordering the property owner to remove all violations within a specified period of time. Should owner fail to comply, the City would contract for the removal of the exterior yard violations.**

Mayor Schumm stated that the property owner would have ten minutes to make her presentation after the staff presentation.

Patricia Sinclair said that she had trouble parking and needed a few minutes to get her papers in order.

Mayor Schumm said the Commission would consider Regular Agenda Item 2 first, then come back to Item 1.

After considering Regular Agenda Item No. 2, the City Commission returned to consideration of Regular Agenda Item No. 1.

Brian Jimenez, Code Enforcement Manager, presented the staff report.

Schumm asked how long we had been working with this property.

Jimenez said 3-4 years or longer.

Schumm said we would hear from the property owner at this time. We didn't want to hear about previous enforcement actions, we want to focus on July of this year to date.

Patricia Sinclair said she was grumpy because she was up until 4:00 a.m. and she only found out she would have 10 minutes to speak a few hours ago. Maybe she should develop the corner of 9th and New Hampshire so she could have an hour. She was very upset that she had to deal with this when the weather was beautiful and she would rather do other things. This is an ongoing situation. She wanted to use her yard and porch for legitimate reasons. It was her understanding the statute didn't apply. Second, here is the notice of violation. They messed up the first one and had to come back and trespass to give a new one. The notice said nothing specific. If you read the CDAC minutes, which are very inaccurate, they specifically say the violation only applies to the porch. The resolution lists a whole list of things not in the notice. She said she fully expects to lose tonight and she has lost money, dignity, slander, and beautiful weather days. In the middle of a municipal court case she was forced to defend herself in a very

irregular case. She said the repeat insistence that she was a repeat offender was slander. It is selective enforcement. Across the street there were illegal occupations. She said she does not have any hazardous conditions. Some of the complaints were so hideous. Brian uses the word "stored" for items on the porch. Chairs are not "stored" on the porch. You made the wrong decision in April 2010. You relied on staff. She said this was not due process. She couldn't do this in 10 minutes. She said you can't just make me come in here and talk about her spying, trespassing on her property. The photos taken by staff concealed what really was going on at other properties. There has been a truck backed up for many months. They don't go after that. The case you decided in 2010 said you were supposed to consider the condition of the adjacent properties. The issue was how the properties looked at the time. That went all the way to district court. She said unfortunately she had an attorney who wouldn't show the pictures she had in court. She had a terminally ill cat, and she's going to court. She had such a nice good lawyer and all she wants is for you to leave her alone. She has been killed by the storage bills. She said she had three yard sales last year and three the year before, and her house is all modern.

Schumm asked if Sinclair had some pictures to show. He said her time was up but she could show some pictures if she wanted.

Sinclair said the night before a hearing in August the city dismissed a case. She was convinced she would have won. When will it end?

Schumm said we were dealing with an issue from this July through today. He said she had until 15:00 on the clock to finish showing some photos.

Sinclair displayed some photos. She said her home looked nice in 2001. She said nothing was good enough for Jimenez. He wanted her to move a lawn mower under the porch but across the street they had two mowers on the porch. She said in 1998 she decided the city didn't care because she couldn't even get the city to lock up the vacant building across the street. She said you received scanned photos from other properties. How come they haven't been closed down? They are operating construction companies in a residential neighborhood.

She said there was an illegal tenant across the street that was not registered. There was a freezer in the driveway the whole time. That property was not registered as a rental. There are the two lawn mowers. She said she never left her car out overnight. This is 329 Johnson. It has an illegal fence. There is some sort of play thing. There is a huge tangle of poison ivy. She said she has given them letters asking about that. Every year it is the same. Inspectors went out and never even noticed it.

Schumm said we had seen these pictures.

Sinclair said the complainants say her property looks abandoned, but just because people say that doesn't mean it is real. She said she was just trying to show you she is not a monster. It is odd in this department that nothing is a crime or has a fine and she doesn't understand. Here is a house they submitted to CDAC. This is across the street.

Schumm said she had 30 seconds.

Sinclair said this is her home. She digs up these plants.

Schumm said her time was up. He had extended her time twice.

Sinclair said she wanted to show various relevant things.

Schumm asked Sinclair to take a seat please.

Sinclair said she couldn't believe she couldn't show her pictures.

Schumm asked Sinclair to take a seat. We are going to take public comment.

Sinclair said she wasn't receiving due process. She said this is awful. This is wrong. If she were here with a lawyer it would be different. She invited any lawyers to write to her at her infamous address.

Mayor Schumm opened the public hearing.

Jake Trybom said he was a neighbor and wanted his voice to be heard. He showed a photo. This has been going on for several years. Everyone was tired of it. This has been before several commissions without resolution. There have been too many appeals, extensions and deferrals. We have heard the washing machine was broken down and she had permission to

move stuff to the front porch. Was that permanent? Secondly, the water damage in the basement, she claimed it was due to a faulty gutter on his house. Water would have to run uphill to do that. Her entire property is a blight. She is a drain on resources for many city departments, not just in this building, but the Police Department and Animal Control even. The property is not good for property values. We put a security fence between the yards and she called Fish and Game on us. There is all kind of stuff of that nature. She claims other people get preferential treatment but it is not true. Just this summer I was doing some work inside my home. She made a call and the city shut me down because I didn't have the permit I needed. But you have received 40+ complaints on her and nothing has been done.

Sinclair asked if she could make rebuttals.

Schumm said no.

It was moved by Cromwell, seconded by Amyx, to close the public hearing. Motion carried unanimously.

Cromwell said he was disappointed that we may have to abate the property. This was a pet peeve of his. He firmly believes that home ownership comes with responsibilities to obey codes and rules, and responsibility to your neighbors. It is ridiculous that we have to force someone to clean up their mess. He was in favor of adopting the resolution. He said he was sorry this has gone on so long. He hoped to get it resolved as quickly as we could.

Amyx said he agreed. We had dealt with this for a long time. Our staff has spent a lot of time dealing with this.

Schumm said one of the points the staff memo made is that Sinclair made numerous records requests. We had expended so many resources on one person. This is not fair to the rest of the neighborhood and the rest of the city.

Moved by Amyx, seconded by Cromwell, to adopt Resolution No. 6996, declaring the exterior of the property located at 331 Johnson Avenue in violation of the City's Environmental Code and order the property owner to remove all violations within a specific time period. Motion

carried unanimously.

Sinclair asked if she could make a comment.

Schumm said she could wait until general public comment at the end of the regular agenda items.

2. **Receive update on Multi-Dwelling project, including the Varsity House, located at 1043 Indiana Street.**

Scott McCullough, Planning Director, presented the update.

Amyx said there were items that still didn't meet the site plan, were those correctable?

McCullough said he believed they were solvable issues.

Amyx asked about the preservation fund.

McCullough said Chapter 22 of the code spoke regarding that fund. He didn't think we had ever used it. The provision provided for establishing a preservation fund and its intention. When we began negotiations with Fritzel, a third party holding the settlement funds seemed like the best solution, so we didn't utilize this provision.

Schumm asked if we know if this fund is tax deductible if a donation is made to it.

McCullough said he did not know.

Paul Werner said he was here to answer questions. The biggest item on the site was adding a lot of landscaping. The plan looks good. The few items are solvable.

Schumm said the site looks nice.

Dennis Brown, Lawrence Preservation Alliance, said he commended the commission for recognizing there was a problem and trying to rectify and mitigate it. The job is not done without a good follow through. The LPA board was in favor of fine tuning some parts. As far as the timeline, the developer wants to take all of 2013. The longer the process takes the less likely the developer will follow through. Six months is enough time. Regarding the pledges, over how long are they? Is there a time limit? We really object to the developer having control of the

distribution of funds. We have a developer who played fast with the site plan, he isn't admitting fault, and he wants to sit at the head of the table determining where the funds go. A lot of people don't like that. In the spirit of gift giving, does the giver tell the receiver how to use it? The foundation itself should put it in a fund and determine where the funds go. The preservation fund had a beginning balance of zero and still has zero. It has eleven broad guidelines and would benefit any aspect of a preservation project that came along. HRC would recommend and the City Commission would approve where the money is dispersed. The fund wouldn't be tax deductible, but maybe the Community Foundation or the LPA could pass the funds through to the City.

KT Walsh said last Saturday a lot of volunteers dug up buried brick sidewalks. Some were in front of developers' properties. We challenge developers sometimes but we also serve them. She said there is another preservation need that could use the funds. The Historic Preservation Planner has a half time intern, and the workload is very heavy. In order to move projects through expeditiously, the half time position could be made full time. It is inappropriate for Fritzel to determine where the funds went. Mr. Fritzel also wants to take time to raise the pledges. There are honest pursuits such as garage sales and selling plasma that some people resort to in order to raise money in a short time, and the developer could too.

Ted Boyle, NLIA, said that individuals had to adhere to the code and he would like to see that extended to the big developers. The money is like giving a traffic ticket, then begging money, then saying specifically that you want the funds used for tires, gas, etc. instead of the ticket. That was inappropriate.

Dan Dannenberg said \$50,000 was a joke. This developer could scrape that amount of money from under the seat cushions. Having a say in how the money is spent also plays the city for a chump. The money should start at \$150,000 and should be paid by the developer

himself by January 30. This arrangement is pathetic. The oligarchs have a different set of rules than the rest of us.

Schumm said this is not a fine, it is a donation in order to settle a situation that is unsettled. The applicant wrote a letter and offered this for us to consider. We have not approved it. This is the first time we have considered it. He asked if the preservation fund is a charitable fund for donations.

Toni Wheeler, City Attorney, said we hadn't used that fund in the past yet. She said she would have to do research to determine if it was tax deductible or not.

Schumm said the letter that was delivered to us was lacking in terms of the structure of the donation and the timing. Personally he didn't care where the money came from as long as it was there. He didn't know how the property was titled anyway, it may belong to several people. He said it ought to be \$50,000 donation made to the Community Foundation, and it ought to be in the fund by July 1, 2013 and dispersed by December 31, 2013. The Community Foundation Board should administer it.

Amyx said we took the rules of site planning seriously. He said his feelings were that it should be a fine. It was a violation of the site plan. If we come to an agreement of what that fine should be, whatever the amount is, it should be the responsibility of the City Commission to determine how the money would be used. Because of the seriousness of the violation, he thought we shouldn't be talking about the occupancy permit on the development, until the money was deposited where it should be.

Schumm said he was not sure we had authority to levy a fine. The maximum fine in the State of Kansas for tearing down a historic structure was \$25,000, so he didn't know if we could levy a "fine" higher than that. He would like to get a commitment from the developer to pay, and he said he didn't disagree with the Commission deciding on the recipients

Cromwell said the decision on where to spend the money could rest with the Preservation Alliance. What we have is that we are trying to reach an agreement. Whatever we term the money is a matter of semantics, but we are talking about something to allow this project to move forward. We don't have a lot in our arsenal but holding up occupancy. We can't let the money wait until the end of 2013. We had a deal that was violated, we have had to babysit the project through to get it taken care of. The amount is the other thing. He was hoping for \$100,000 on this grant or donation or settlement. He wouldn't dream of having occupancy until we have the money in hand.

Dever asked what our options were as far as legal rights to impede occupancy.

Corliss said the city could deny physical occupancy if the structure has not been built in conformance with our development code which includes site plan compliance. The city determined that the site plan was not complied with. We have the ability to deny the occupancy permit. We could also start a municipal court prosecution. That has a maximum \$500 fine. We have certain limited ability to set fines because of municipal court jurisdiction. The state law regarding a \$25,000 fine for demolishing a historic structure would be levied by a court. Prosecution in a municipal court was a criminal prosecution. What has been offered as he understood it, was to settle this by donating money to the community. The developer has made an offer and we are now considering it.

Dever asked when they might seek a certificate of occupancy.

McCullough said to resolve the site plan they have to amend it and come into compliance. As we conclude those processes it would pave the way toward occupancy. Werner may know better when they would request occupancy. We can issue that when all conditions are met.

Werner said they would request a CO right after the first of the year.

Corliss asked if that was the new structure and the Varsity House.

Werner said it was for everything.

Cromwell asked what kind of loss of revenue they would experience by being delayed a semester.

Werner said they had 53 units but he didn't have the number.

Carter said it was a little uncomfortable as far as timing. The project wasn't done yet. When you look at the materials fact sheet and when he first toured the facility it was difficult to know what was possible. A point of reference was difficult because the property hadn't been well maintained before. When you are talking about the first ten items on the fact sheet it was difficult to know. He said he hasn't heard of anything that was new that could have been reused instead. They are saying the challenges associated with moving the house were underestimated. It is early to say we are going to fine him for this. I can't say for certain that I disagree. Things weren't handled properly by being specific enough on the site plan. What was the intent on this? Did the developer save some money? My understanding is that this is more expensive, more costly than planned. His feeling was not to talk about a fine at all. If that's what we want to do let's finish the project and see what really is built. He said he would be willing to accept the \$50,000 and move forward. As far as where the money goes he was fine with what others said already. A deadline of July was reasonable. He said he would be inclined to accept the \$50,000 with a July deadline. If we wanted to do more he wouldn't support it until we wait until completion and really ferret out what is completed. Moving forward we need to be more specific, and hopefully the developer has learned a little about managing perceptions.

Schumm said the other option to a settlement is that the developer decides to go to court, and we don't know how it comes out. He said he would take the offer with some

modifications, and maybe you get it all done before occupancy. One of the concerns was the donation being made in 2013 for tax purposes.

Dever said there was a discussion that was needed with the applicant, and why they proposed the end of the year. He heard questions about whether it would happen and whether we could trust the developer. He said the CO was a powerful tool. Looking that this was 100 times more than we could get in municipal court and twice what district court could get, it seemed reasonable. He knew there were other issues to resolve and he would like to see them done properly. The structure now is something that can be a relic that is useful and livable, and that is a good goal. The developer fell short in his promises to the city. There were some mutual failures, from us monitoring and dictating the expectations and the developer failing to communicate what was needed. There is a reasonable outcome here and he was satisfied with the dollar amount and he wanted to have the money in hand faster.

Schumm said it sounded like you were suggesting the money should be paid before issuing the CO.

Dever said if we know the money is there, we should get clarity on why we would wait for the middle or end of the year.

Cromwell said he was happy waiting for the end of the year as long as we withheld occupancy. We have already determined there is a violation. Therefore we can't have occupancy without a deal. If we choose to go that way I don't think there will be occupancy in January, or maybe not even in September. There is power held by this body now. We can't give up the little bit of power we have at this time.

Schumm asked if we withheld the occupancy permit, and it was in the courts, might they ask for an injunction saying it was unduly punitive?

Wheeler said it was possible the court could direct us to issue the occupancy permit.

Schumm said that was another situation where we could draw a line in the sand and it may not be very effective. He thought he heard that \$50,000 was acceptable, that the donation should be paid before the certificate of occupancy was issued, and a party other than the donor should decide where the funds should be dispersed. Who do we want to direct where the money is used? He suggested the community foundation. The money would be paid to them, and then who directs where it will be spent?

Amyx asked how that generally worked. He thought the City Commission should make the final determination.

Corliss said it could be structured that way.

Schumm said we could ask different preservation groups to advise us where to spend the funds.

Corliss said he was hearing that the CO would be withheld until a donation agreement was reached, the applicant would provide \$50,000 before the issuance of the CO, the donation would be made to the DCCF in a fund with the City Commission being the advisory body.

McCullough asked if the Commission wanted to see the site plan back.

Schumm said he wanted the commission to see it.

Amyx asked if we want the settlement written out in a consent agenda item.

Corliss said he would recommend communicating the action in writing to the applicant. We can draft a letter and put it on an agenda or we can just send it.

Schumm said he thought this was our final decision. He didn't see us considering this again.

Carter said in his earlier comments he was not saying that he didn't think there was a site plan violation, only that there was some give and take and we should wait until it was done.

Amyx said the final decision on how the money was spent would come back to this body.

Corliss said there would be an agreement between the city and the Douglas County Community Foundation to that end.

Amyx said one of the main concerns was that if there was not a violation why look at it again.

Carter said he agreed there was a violation; but the severity was the question.

Moved by Carter, seconded by Cromwell, to direct that the certificate of occupancy be withheld until a donation agreement was reached, with the applicant providing \$50,000 before the issuance of the certificate of occupancy, the donation being made to the Douglas County Community Foundation in a fund with the City Commission having the final determination on the dispersal of funds. Motion carried unanimously.

3. Consider the following recommendations concerning the library project:

- a) **Approve bid packages for \$5,274,345 for the Vermont Street parking garage and utility/site improvements. City staff did not recommend accepting the bid alternate for the additional 72 parking spaces at this time (\$834,806 bid versus the \$1million estimate), but recommended considering this at a future City Commission meeting along with a revised special assessment benefit district.**
- b) **Approve recommendation from the Public Art for the Library Expansion Project Selection Committee of the team of Dierk Van Keppel and John Shreve to complete the art for the library project within the budget of \$75,000, and authorize contract negotiations.**

David Corliss, City Manager, presented the staff report regarding the library project.

Amyx asked if the \$5 million was within the budget.

Corliss said yes. We may come back later on and do some of the items we took out once we get the bids on the library itself. We aren't spending any contingency at this point.

Schumm said on the items taken out of the original bid were they safety or lighting related?

Corliss said no. Nothing significant was changed from land use or historic preservation either.

Schumm asked if construction would be completed on the garage before the bids for the library were received.

Corliss said no. We have made some aesthetic changes to the interior of the garage. Nothing that would affect the safety or functionality of the garage.

John Wilkins, Gould Evans, said the items removed did not impact the functionality or safety of the facility. We identified some things to keep. Some of the things we are taking out were add alternates. What you have before you is a solid functional parking garage, a couple hundred thousand under budget.

Schumm asked how many feet would the additional level add to the structures.

Wilkins said 10-12 feet.

Dever said he didn't see our estimate.

Wilkins said it was around \$5,450,000. The number we have is \$200,000 below that estimate.

Corliss said we had good local participation in the bidding process.

Schumm called for public comment. None was received.

Moved by Cromwell, seconded by Carter, to approve the bid packages for the Vermont Street Parking Garage and utility/site improvements for \$5,274,345. Motion carried unanimously.

Diane Stoddard, Assistant City Manager, presented the recommendation regarding public art.

Grace Peterson said the committee got together and reviewed 71 proposals. Each committee member chose their top 5. There was a clear leader at that point. We went through the criteria of the RFP and in the end whittled it down to 4 artists. We submitted questions to them and reviewed their answers. After we reviewed those we voted and the recommended team was the clear leader. The team expressed a willingness to accommodate the committee's wishes. They also brought to the table the idea of using recycled glass and having a tactile component. We forwarded our recommendation to the Cultural Arts Commission which they affirmed.

Cromwell said it would be a great addition.

Schumm asked how many pieces would be placed in and around the library.

Grace Peterson said there was an atrium piece. Several parts were included as options. The atrium piece was what we settled on, and there were several other recycled glass pieces that the artist offered to the project for being imbedded in the concrete and interior parts such as light fixtures.

Carter asked about drawing #4, the outdoor piece.

Peterson said it was an example.

Carter asked if something of that size was proposed.

Peterson said no, that was not the selected piece, we settled on the atrium. The committee has decided to continue their work to help with future questions the artists might have. They wouldn't direct the artists but just be available to support the artists if they asked for it.

Carter said it was good that there was a clear consensus. He said he was interested in the sense of arrival at the site.

Peterson said this piece would offer that.

Schumm called for public comment. None was received.

Moved by Cromwell, seconded by Carter, to approve the recommendations of the team of Dierk Van Keppel and John Shreve to complete the art for the library project within the budget of \$75,000, and authorized contract negotiations. Motion carried unanimously.

4. Received presentation of 2012/2013 snow operation and preparations.

Mark Thiel, Assistant Public Works Director, presented the staff report.

Carter asked about the liquid pretreatment. He said going up 31st, we stop halfway between Iowa and Louisiana.

Corliss said the rest of 31st is in the unincorporated county and the county takes care of it. He wasn't sure if they did pretreatment.

Thiel said we had a good relationship with the county cooperating on adjacent areas. If we get into the operations with more pretreatment than last year we would learn a lot about it.

E. PUBLIC COMMENT:

Leslie Soden said last week at Leadership Lawrence we talked about wellness and we talked about the Mental Health First Aid program. That could be helpful to people at the city.

Corliss said it is a good program and we have participated in it in the past.

Cynthia Eubanks, Lawrence Tennis Association, said they were here to say they still need lights at the tennis center at Lawrence High. Several seasons ago they were promised to us. Please consider going back and looking at the request and promise and final agreement. We still need lights. We have heard about the potential for temporary lights and ask that you give that serious consideration. This community plays a lot of tennis. Competitive leagues come to Lawrence to play. Historically we have drawn lots of them because we are competitive tennis community.

Kay Petitt said it was June 2009 since we had an eight court facility with lights. It has impacted a lot of us quite a lot. The summers are very hot and it is hard to play early. It is hard to read about big rec center projects and partnerships but no one is partnering on tennis. We are going to have to show up at every City Commission and make a few statements.

Carter asked if she was aware that the current drafts of the rec center had 8 lighted courts.

Petitt said yes, but how long would that be? And could we consolidate at Jayhawk Tennis Center?

Carter said he didn't know exactly when it would be done, but he wanted her to know that we are trying to partner on the tennis needs.

Petitt said she wouldn't want to see it lost among all the other uses out there and she would prefer consolidation at JTC.

Sinclair said there was a conflict in the resolution. It is illegal what you are being asked to do. Regarding what Jake said, it is not true about the building code. I called one time when there was so much banging and plaster dust. She had called Barry Walthall and he contacted the home owners. When she saw that other work was going on she called Barry again. Working without a building permit is frightening and a health hazard. What Jake said about the fence was inaccurate. They had seven people working on the fence. I have photos of the gutters. It's not like I am the bad apple in this wonder land. I got the public records on 330 Johnson and all they did was talk to them. I appreciate the records. Scott was supposed to produce records before the district court hearing but they never did. They never gave me the stuff the commission said they were supposed to. I am not the one delaying this. I want to get work done. 1520 Rhode Island, why don't you do something about that? I need resolution. Please tell me, is he going to take my composting bin, my bricks?

Schumm said her time was up.

Sinclair said it was not illegal to have wood furniture on her porch.

Schumm said her time was up and asked her to take a seat.

Sinclair asked what she was supposed to do.

Schumm said we passed a resolution to clear the stored items on the porch and around the building.

Sinclair asked if she should take her wood furniture off the porch.

F. FUTURE AGENDA ITEMS:

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

G: COMMISSION ITEMS:

None.

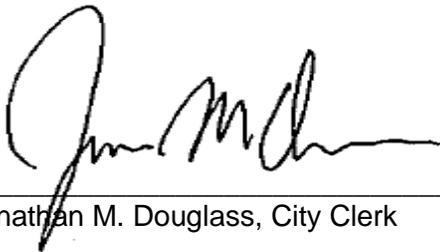
H: CALENDAR:

David Corliss, City Manager, reviewed calendar items

I: CURRENT VACANCIES – BOARDS/COMMISSIONS:

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

Moved by Amyx, seconded by Cromwell, to adjourn at 9:20 p. m. Motion carried unanimously.



Jonathan M. Douglass, City Clerk