



# City of Lawrence

## CITY MANAGER'S OFFICE

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CITY MANAGER

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### CITY COMMISSION

**MAYOR**  
MIKE AMYX

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

April 15, 2014

The Board of Commissioners of the City of Lawrence met in regular session at 6:35 p.m., in the City Commission Chambers in City Hall with Mayor Amyx presiding and members Dever, Farmer, Riordan and Schumm present.

### A. RECOGNITION/PROCLAMATION/PRESENTATION

1. Recognition of CadreLawrence and Lawrence Business Magazine Foundation Award winners.

Mayor Amyx recognized Brad Allen, Executive Director of the Lawrence Public Library. The new public library located at 707 Vermont has scheduled their grand opening on Saturday, July 26, 2014 and the public was welcomed.

Mayor Amyx recognized Bob Schumm, owner of Buffalo Bob's Smokehouse, for his dedication in the restaurant business in Lawrence's downtown area. Schumm would close his business of 37 years on April 29, 2014.

### B. CONSENT AGENDA

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

1. **PULLED FROM THE CONSENT AGENDA FOR SEPARATE VOTE.** Approved claims to 182 vendors in the amount of \$3,027,537.62.
2. Approved licenses as recommended by the City Clerk's Office.

#### **Drinking Establishment License**

The Bottleneck  
MT Bottle Enterprises Inc.  
737 New Hampshire St.

#### **Expiration Date**

New License

Franks North Star Tavern

April 8, 2014



Dormat LLC  
508 Locust St.

3. Approved appointments as recommended by the Mayor.

**Jayhawk Area Agency on Aging:**

Reappoint Tamara Cash (785.331.8434) to an additional term that would expire 09/30/16.

**Mechanical Code Board of Appeals:**

Reappoint Eric Epperson (785.840.5570) to an additional term that would expire 03/31/17.

**Traffic Safety Commission:**

Reappoint John Zigelmeyer, Jr., (785.843.4265) to an additional term that would expire 04/30/17.

4. Bid and purchase items:

- a) Set a bid date of April 29, 2014, for City Bid No. B1427, Project Number PW1314, Vermont Street, 21<sup>st</sup> Street to 22<sup>nd</sup> Street, Brick Street Reconstruction.
- b) Set a bid date of May 6, 2014, for Bid No. B1425, for project UT1405 Large Valve Replacement.
- c) Set a bid date of May 13, 2014 for the Comprehensive Rehabilitation Program Projects at 937 LaSalle Street and 2565 Ridge Court.
- d) Awarded the Bid for Bid No. B1414, 872 Oak Street Sanitary Sewer Extension, Project No. UT1404, to the low bidder RD Johnson Excavating Co., Inc. in the amount of \$45,837 and authorized the City Manager to execute the construction contract.
- e) Approved the purchase of service desks, computer tables, furniture and miscellaneous accessories for the Lawrence Public Library from Designed Business Interiors, Inc. of Topeka, KS for a total of \$173,875.11, funded from the \$18 million library renovation debt issuance.
- f) Awarded City Bid No. B1418, Project No. PW1403 – 2014 Overlay and Concrete Rehabilitation Program to Sunflower Paving, Inc. in the total amount of \$1,466,901.75.
- g) Authorized payment to Joe W. Peng in the amount of \$28,000 for acquisition of right-of-way for E. 1600 Road and N. 1175 Road for the Wakarusa Wastewater Treatment Plant site improvements.

5. Adopted the following ordinances on second and final reading:

- a) Ordinance No. 8970, allowing the possession and consumption of alcohol on the 700 and 800 blocks of Vermont Street and west 100 block of 8<sup>th</sup> Street from Massachusetts Street to Vermont Street, including the intersection of 8<sup>th</sup> Street

and Vermont Street and the plaza area between the Vermont Street parking garage and the Public Library on Friday, June 27, 2014 from 4 p.m. until 11 p.m. and the 600, 700 and 800 blocks of Massachusetts Street and Vermont Street and on the east and west 100 block of 7<sup>th</sup> Street and west 100 block of 8<sup>th</sup> Street from Vermont Street to Massachusetts Street, on Sunday, June 29, 2014, from 11 a.m. until 6 p.m. as part of the 2014 Tour of Lawrence.

- b) Ordinance No. 8971, approving the North Project Redevelopment Plan and the Redevelopment Agreement.
  - c) Ordinance No. 8974, allowing the possession and consumption of alcohol on Wednesday, June 25, 2014 from 5:00 p.m. – 12:00 a.m. and Saturday, June 28, 2014 from 5:00 p.m. – 12:00 a.m. in the 900 block of New Hampshire Street, from north of the south entrance of the parking garage to 9<sup>th</sup> Street, for events associated with the Free State Arts Festival.
  - d) Ordinance No. 8975, allowing the possession and consumption of alcohol on Pennsylvania Street, from 8<sup>th</sup> to 9<sup>th</sup> Streets on Saturday, May 10, 2014 for the Kansas Food Truck Festival.
  - e) Ordinance No. 8976, establishing maximum assessments for the Yankee Tank Estates Benefit District.
  - f) Ordinance No. 8977, for Special Use Permit (SUP-14-00007) for a Pump Station located at 547 Maple Street and 500 Perry Street (PC Item 1; approved 10-0 on 3/24/14).
  - g) Ordinance No. 8978, allowing the possession, and consumption of alcoholic liquor on public property on Friday, May 30, 2014, from 12:00 p.m. to 1:00 p.m., on Saturday May 31, 2014 in the 900 block of New Hampshire Street, from north of the south entrance of the parking garage to 9<sup>th</sup> Street for events associated with the Final Friday/Art Tougeau event.
  - h) Ordinance No. 8979, authorizing the creation of a Transportation Development District in the area of 9<sup>th</sup> and New Hampshire Streets.
6. Adopted Resolution No. 7069, authorizing the Mayor to sign the application and related grant documents for the 2014 Emergency Solutions Grant from the State of Kansas.
7. Approved rezoning, Z-13-00513, approximately .5 acre from IG (General Industrial) District to RS5 (Single-Dwelling Residential) District, located at 830 E 13<sup>th</sup> St. Submitted by William Price, property owner of record. Adopted on first reading, Ordinance No. 8965, to rezone (Z-13-00513) approximately .5 acre from IG (General Industrial) District to RS5 (Single-Dwelling Residential) District, located at 830 E 13<sup>th</sup> St. (PC Item 2; approved 10-0 on 2/24/14)
8. Accepted dedication and vacation of easements and rights-of-way associated with Final Plat, PF-14-00091, for KMAH and Lawrence 27 Iowa Addition, located at the northeast corner of Iowa Street and W. 27<sup>th</sup> Street [2620 Iowa Street, 2626 Iowa Street, 2600 Redbud Lane, and 2032 W. 27<sup>th</sup> Street]. Submitted by Landplan Engineering for KMAF LLC and Lawrence 27 Iowa, LLC, property owners of record.

9. Received a proposal for the purchase and rehabilitation of 1106 Rhode Island Street property. Refer to staff for analysis of requested economic development support and the Public Incentives Review Committee for review and recommendation.
10. Authorized the City Manager to sign a letter of understanding with 3840 Greenway Circle LLC, Screen-It-Graphics of Lawrence, Inc. (Grandstand Sportswear and Glassware), clarifying their tax abatement compliance schedule.
11. Authorized the Lawrence Cultural Arts Commission Community Arts Grants as recommended by the Lawrence Cultural Arts Commission.
12. Lawrence Home Builders Association requested “signs of community interest” for the Spring Parade of Homes.

Amyx pulled consent agenda item no. 1 regarding claims for a separate vote.

**Moved by Schumm, seconded Dever,** to approve non-Rock Chalk Park related claims to 181 vendors in the amount of \$3,026,962.62. Aye: Amyx, Dever, Farmer, Riordan and Schumm. Nay: None. Motion carried unanimously.

**Moved by Farmer, seconded by Schumm,** to approve Rock Chalk Park related claims to 1 vendor in the amount of \$575.00. Aye: Dever, Farmer, Riordan, and Schumm. Nay: Amyx. Motion carried.

**C. CITY MANAGER’S REPORT:**

David Corliss, City Manager, presented the report.

Amyx said regarding the Wakarusa/Inverness Roundabout follow up information, he said he thought they were at a point of considering the roundabout. He said the Commission had been asked to reconsider that decision that the Commission made late last year. He said he was in an awkward position because he was the descending vote on whether or not to proceed with the roundabout and it was an action he couldn’t take. He said he could probably vote if a motion was made for reconsideration. He asked if there were members of the City Commission that would like to have the roundabout reconsidered and placed on a future agenda for design of that intersection.

Schumm said he did not want to reconsider.

Riordan said the information from the public was very interesting and City staff addressed the information. He said he didn't see enough information to reconsider. He said there were some good and important points, but it did not rise to the level of reconsidering.

Amyx said there would be no action on that item to be taken.

**D. REGULAR AGENDA ITEMS:**

1. **Considered concurring with the recommendation of the Traffic Safety Commission to establish "No Parking" 7:00 a.m.–5:00 p.m. Monday–Friday, along the west side of Hilltop Drive between Harvard Road and Oxford Road and considered adopting on first reading, Ordinance No. 8973, establishing the No Parking (TSC item #3; approved 8-0 on 3/3/14).**

David Woosley, Transportation/Traffic Engineer, presented the staff report.

Mayor Amyx called for public comment.

Robert Wilson, owner of an Alzheimer Group Home, said he opposed the no parking on both sides. Hillcrest School was the cause for this no parking because buses lined up and parking by the buses was not allowed, yet parents needed to pick up their children and if the City Commission adopted this ordinance, he assumed the parents that drove to pick up their children would continue to pick up their kids and park on that street which was no parking anyway. He said the parents would most likely stay in the car rather than walking to pick up their elementary child. He said it was a safety issue with the parent staying in the car and the children going to their parents and for that reason, he opposed this ordinance.

Sarah Martin said she put forward the proposal to limit the parking. She said she lived closer on the north end of Hilltop Drive. She said the Traffic Safety Commission unanimously supported her proposal with the recommendation that they limit it to the daytime, weekday hours. The TSC recommendation was reasonable, especially given parking regulations around the neighboring blocks. Parking was limited 24 hours a day to one side of the street, along Sunset which was directly east, one block. No parking was allowed at all during weekdays in the ten hundred blocks of both Hilltop and Highland, directly around the school and pushed the traffic parking, particularly related to the school into their neighborhood. She said she brought

forward this proposal specifically for 3 reasons. One, she believed emergency vehicles and service vehicles needed to be able to move along that narrow street with ease. Maneuvering in and out of driveways along Hilltop was challenging especially when cars were parked at both ends and across the street from the driveway. She knew of fender benders actually occurring on their end of the block because of this very reason. She said she was also concerned with the safety of pedestrians and school children and just anecdotally, on Friday afternoon when she was coming home from work she was attempting to turn south on Hilltop at the intersection of Harvard and Hilltop at 5:15 in the evening. She said she had to stop and backup into the intersection to allow two north bound cars passage through that intersection before she could continue down the street. She said this was occurring while people were in the adjacent crosswalk and she was concerned about safety of pedestrians as well. She said she realized there was concern among property owners south of her and this was primarily a problem on the north end of the block, but she would let the City Commission determine “where” if this proposal was approved.

David Willig said the Alzheimer Group Home provided a valuable service and in its rights, were mandated by the State. It was unique as a neighbor in that it caused more traffic at times and people visiting their loved ones. He said he was concerned that those people were going to have a hard time finding parking and visiting their loved ones. Quite frankly, he found this process very rushed. He said they had notice on a Friday before a Monday TSC meeting. Originally, this item was supposed to be on the April 1<sup>st</sup> agenda and was moved again with about a three day notice. He said they had to look at the Hillcrest area collectively because there were traffic issues around the area and thank goodness they had a neighborhood school and the citizens like the library item earlier supported the bond issue and they could get rid of the trailers at Hillcrest School. He said they were also in great proximity to KU. He said with sour came sweet or vice versa. He said he was concerned that this process had been rushed. Hillcrest School had been under construction and would be as far as the bond issue. He said

USD 497 was not involved in this process and he reached out to the principle. He said they had some parking changes in the last few months and there was no parking around the school. He said they were going to push those issues into other areas. He said he was concerned that once signs go up, they would never go away. He said it was a little bit of heavy handed approach. He said he knew Martin lived closer to the school and the school had been at that location longer than any of them and Martin probably gets more of a brunt of it, but to take parking out 270 days a year for the entire block, he was concerned that was a heavy handed approach and he would like to hear from staff and would direct the City Commission to the comments he made in writing before the email. He said he had a lot of questions about the process of gaging traffic around the school and its future improvements, parking additions, and traffic flows because it was a bigger issue. If the body ultimately came down to approve this proposal that was fine, but he really thought they should take a step back and look at the area as a whole around the school to see if this was the best approach and also the Alzheimer Group Home which was mandated by state rules that the City couldn't interfere with its operation as well. He said he appreciated the City Commission's time and service to this community.

Schumm said in the discussion at the TSC meeting, he asked if they looked at part of the block as opposed to the whole block eliminating parking on one side.

Woosley said no, that did not come up at the meeting. The request was for the entire block and there was no one present that indicated that only a portion of the block would be reasonable.

Schumm asked if staff observe different rates of parking more often and closer to the school and less often further away from the school.

Woosley said it seemed like there was more of a concentration toward the north end of the block but when restricting the north end, then those vehicles were likely to move to the south end and both sides would be park along the south end. He said they wouldn't know until it actually took place, but staff thought that was what would happen.

Schumm asked if Woosley had seen the school site plan for the remodel and asked if Woosley knew what the parking opportunities would be like.

Woosley said they were increasing some parking around the northeast corner of their property. He said he wasn't sure how many spaces they were increasing, but there was some increase in parking for their staff.

Schumm said the topographical photo in their packet showed that most of the parking spaces were taken up to the south of the school, off of Harvard Road. He said there might be 4 or 5 empty spaces out of 25.

Woosley said that was typical.

Schumm asked if Woosley agreed with the fact that probably most of the people parking at the north end would be employees, teachers or parents who were visiting the school for one reason or another.

Woosley said that was possible. He said staff hadn't taken license plates to find out where those vehicles might be registered. Since the vehicle were along the north end and along both sides of the street that seemed somewhat reasonable.

Amyx asked if Schumm was thinking about the possibility of looking at part of the block rather than the entire block.

Schumm said Willig had some interesting points. He said obviously there was a parking problem. He said what they didn't know was what the school would do and it wasn't included in their information. Perhaps, the school would solve the issue or solve a lot of the issue. It was difficult to say if you didn't know the makeup of the parkers. He said if they were KU students then it was not going to do anything, but if it was mostly school generated parkers then there could be some impact. He said he didn't know what the rest of the streets were like around that area and the opportunity was to lessen the pressure on Hilltop. He said that could be an approach but as the City's engineer suggested, you might just move the problem south.

Amyx asked if staff tried to get information from the school and did staff send a request asking for input from the school.

Woosley said the school administration was on staff's mailing list for all Traffic Safety Commission Agenda's, which they requested several years ago so they could coordinate any responses that they might have back to the City rather than each individual school. It was sent to the school.

Farmer asked McCullough if they had a site plan for Hillcrest.

McCullough said yes.

Farmer asked what the parking was like.

McCullough said he had to review that site plan. He said staff had a meeting scheduled tomorrow to review all of the school sites to a higher degree and coordinate comments to the schools. He said there were adjustments in many of the sites, but not all of the sites.

Schumm asked if the City Commission approved those site plans.

McCullough said it was an administrative function and there might be some agreements coming to the City Commission related to on-street parking. Some of the site plans had proposed some shifts and adjustments in how they parked on the street.

Schumm said by code there was a relationship to how many parking spaces they had to have based on square footage or classrooms.

McCullough said correct.

Amyx said from looking at the maps, a majority of those cars that were parked, he couldn't image them going to K.U. It seemed they were either generated by the school or by the residents along that area. He said he thought it was more likely to come from the school.

Schumm asked if there was any discussion to have a limit of 2 hours. He said that would take out the all day parkers.

Woosley said no one brought that idea up.

Schumm said he didn't know if that resolved the issue or not, but if it was long-term parking that they were being faced with, it seemed because the parking was restricted between 7:00 am to 5:00 p.m., it was a day time occurrence that took place during those times and most likely it would be a long-term parker during the day. He said that was why he wanted to find out about the site plan because if you push those people that had to have a long-term parking spot because they were employed at the school, out of that, that problem would end up somewhere else. He said he would like to wait to see what the school site plan looked like, see if there were any adjustments, work with the administration to see if they could accommodate more cars than what they were now, and take an inventory of the cars parking in that area to see if they were Douglas County cars that would most likely be employees or affiliated with the school to know what they were dealing with.

Amyx asked if they had any problem with anything visual at the intersection of Harvard and Hilltop.

Woosley said no. It was an all-way stop with a crosswalk and was not a problem.

Schumm said after the City Commission received a little more information back, he could see some kind of blended treatment where they would eliminate a few hundred feet just south of Harvard intersection onto one side and maybe put some 2 hour signage on the rest of the half of the block to see if that would help minimize some of the parking on that side.

Amyx said that could be done. He said they could ask the Traffic Safety Commission to reconsider the item or send it back for reconsideration with notes to reconsider the first 100 feet or some other recommendation based on the parking along that area.

Farmer asked if there was 2 hour parking on residential streets anywhere else in town.

Woosley said there was 2 hour parking in different areas around town. He said he didn't know if they had any that was strictly residential or not.

Farmer said if they did that, he asked who enforced it.

David Corliss, City Manager, said it would be the police officers.

Farmer said in his opinion, they couldn't give the police officers something else to do on top of already being strapped. He said he didn't think that would be a fair consideration for the Commission to put on those officers. He said he would like to see the site plan and see how much more parking was around that area. He said he agreed with Schumm that the cars parked along that area were not K.U. students. He said he saw the other side in the sense that this was tuff on close residential streets when there was parking on both sides, especially so close to a school. He said his concern was even after they looked at the site plan, it might not diminish the amount of traffic or the amount of cars that were on that street and they would be in the same boat. He said he was in favor of looking at the site plan and seeing how many more spaces they would have and look at the site plan again.

Amyx asked if the City Commission would rather have this item come back to them before going back to the Traffic Safety Commission.

Farmer and Schumm agreed to have it come back to the City Commission.

Riordan said the other information that he would like was when this problem first occurred. He said when backing into that street it would be very difficult to miss the cars behind the vehicles and it would be very difficult to see the children walking between the cars. He asked if it was mainly a problem around the time of pick up. He said that might change how the City Commission would approach this matter. He said if it was a pick up time, they wouldn't get enough parking spots on any site plan because there were too many kids and parents, but if it was staff then maybe a dent could be made into that. He said he would like to know when the problem was occurring and was it mainly at pick up, drop off or was it all day long.

Dever said he didn't think this item was a huge precedent. He said north of the school both streets east and west were no parking on one side of the road. It wasn't an unusual solution to a problem when there was a high traffic area. He said there were great recommendations, but he didn't think it was an extraordinary request given the pictures they had seen and the problem that could exist. He said it was all being pushed away right now and

there needed to be a solution at the school level obviously, but the street north of Harvard was no parking on one side and just west and in front of the school there was no parking on one side as well. He said he imagined there were good reasons to keep it that way in this neighborhood.

Amyx asked if the Commission would like to ask staff to come back with information from the school and the site plan, work with the administration to see if additional parking could be added on their site, consider 100 feet in that area to see what would happen, and look at the tags on the vehicles to determine if they were registered in Douglas County.

Schumm said more information would be helpful. He said he agreed with Dever because all of the other streets were treated that way, but in this case if those were staff people at the school then where would they go. He said maybe they could encourage the site plan to provide for more parking spaces.

Amyx said they could get all of that information back in the next couple of weeks and place it on the agenda the first meeting in May.

Corliss said that would be May 6<sup>th</sup>.

Schumm asked if staff could keep the citizens that spoke about wanting to be informed in the loop so they were up to speed.

Woosley said yes.

**Moved by Schumm, seconded by Dever**, defer until May 6, 2014, establishing “No Parking” 7:00 a.m.–5:00 p.m. Monday–Friday, along the west side of Hilltop Drive between Harvard Road and Oxford Road and the adoption of first reading of Ordinance No. 8973. Motion carried unanimously.

2. **City Auditor presented the audit recommendation follow-up memo.**

Michael Eglinski, City Auditor, presented the staff report.

Dever asked if there was only one audit recommendation that was implemented that the City Commission needed to close.

Eglinski said yes.

Mayor Amyx called for public comment.

After receiving no public comment, **it was moved by Schumm, seconded by Dever,** to receive the audit report and close the Solid waste portion of the audit.

Amyx scheduled May 13<sup>th</sup> at 4:00 p.m., for the auditors evaluation.

3. **Considered authorizing the distribution of request for proposals for professional services for the Solid Waste Facility on Kresge Road.**

Tammy Bennett, Assistant Public Works Director, presented the staff report.

Amyx said they were discussing a future zone for CNG (Compressed Natural Gas) and asked if they were not looking at putting in the facility at this time.

Bennett said correct. If staff were to guess at phases without having the full plan, the Household Hazardous Waste Facility was one of their first processes to have a home for City staff. She said trucks were the second phase and the third phase would be to get fuel at that location in the form of diesel. She said they had space designated, at least on their conceptual plan, for CNG. She said that would definitely be a future phase.

Farmer asked about the buried tanks and would they be able to use those tanks.

Bennett said they had envisioned an above ground storage tank at this site and diesel only not unleaded. She said those were details that would come through with the site plan.

Mayor Amyx called for public comment.

After receiving no public comment, **it was moved by Farmer, seconded by Riordan,** authorizing the distribution of request for proposals for professional services for the Solid Waste Facility on Kresge Road. Motion carried unanimously.

4. **Considered a motion to recess into executive session for approximately one hour for the purpose of discussing possible property acquisition. The justification for the executive session was to keep possible terms and conditions of property acquisition confidential at this time.**

**Moved by Schumm, seconded by Farmer,** to approve a motion to recess into executive session at 7:27 pm for approximately 30 minutes. Motion carried unanimously.

**Moved by Dever, seconded by Schumm,** to extend the recess into executive session at 7:53 pm for 15 minutes.

The City Commission returned from Executive Session at 8:10 pm

**D. PUBLIC COMMENT:**

K.T. Walsh said she needed help with a hazard on the river. She said she went canoeing on the Kaw the other day and coming from the 8<sup>th</sup> Street put in on the way to the dam there was an orange cord hanging from a pump and it was at decapitation level and was not marked. She said there were a lot of people boating, kayaking, and canoeing on the river. She said it should be flagged for people at night that fished. She said it probably wasn't a City issue, but the Corps of Engineers.

Corliss said the location was down stream

Walsh said yes, past the sand plant.

Corliss said that he would have Walsh show him the area on a map. He said to feel free to let city staff know about any hazards at any time.

**F. FUTURE AGENDA ITEMS:**

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

**G: COMMISSION ITEMS:**

Amyx said regarding the Commission appointments to the various boards and commissions, in particular the Joint Economic Development Committee (JEDC). He asked who the actual appointee to the committee at this time was.

Corliss said Schumm.

Amyx asked if Schumm wanted to remain in that position of JEDC.

Schumm said he could, but if Amyx was trying to establish a protocol of either the Mayor or the Vice Mayor, he had other meetings that he could attend. He said that committee was started during his time as Mayor. He said he didn't know if Amyx wanted to keep it that the

Mayor was the person which would be logical. He said he would be more than happy to step down and let the Mayor be in charge of this committee.

Amyx said at the last meeting he realized that Schumm was always scheduled to be at that meeting.

Schumm asked what Amyx thought.

Amyx said if Schumm would like to stay in that position that was fine. If they needed to re-establish the resolution naming the Mayor to that position, that was fine also.

Corliss said he understood the ordinance stated a City Commissioner appointed by the City Commission.

Amyx said right now Schumm was the appointee and they won't change the appointment.

**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 8:15 p.m. Motion carried**

**MINUTES APPROVED BY THE CITY COMMISSION ON AUGUST 12, 2014.**

  
Diane M. Trybom (City Clerk)