



City of Lawrence

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CITY COMMISSION

MAYOR
ROBERT J. SCHUMM

COMMISSIONERS
MICHAEL DEVER
HUGH CARTER
MIKE AMYX
ARON E. CROMWELL

February 26, 2013

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: None

B. CONSENT AGENDA:

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

1. Received the Community Development Advisory Committee meeting minutes of November 8, 2012 and January 10, 2013; the Lawrence Douglas County Bicycle Advisory meeting minutes of January 15, 2013; and the Hospital Board meeting minutes of January 16, 2013.
2. Approved claims to 175 vendors in the amount of \$3,115,057.59 and payroll from February 10, 2013 – February 23, 2013, in the amount of \$ 1,910,761.34.
3. Bid and purchase items:
 - a) Set bid opening date of 03/12/13 for the 2013 district mowing contracts.
 - b) Approved sale of surplus equipment on Gov Deals.
 - c) Awarded bid for the Pennsylvania Street, 8th to 9th Streets, Brick Street Reconstruction, and 9th Street, Pennsylvania to Delaware Streets, Concrete Reconstruction, Project No. PW1220, Bid No. B1303, to R. D. Johnson Excavating Company, Inc., for a total amount of \$608,964.18, provided the contractor can meet the terms established in the contract documents.
 - d) Authorized the City Manager to execute an agreement with KanRen for a one-year contract for \$22,800.00 for 100MB bi-directional Internet services for the City of Lawrence.
4. Adopted Resolution No. 7017, establishing a cultural district task force.



5. Approved a temporary use of public right-of-way permit for the closure of Massachusetts Street from 11th Street to 13th Street from 6:00 a.m. – 6:00 p.m. on Saturday, September 28, 2013, for the Rev it Up Hot Rod Hullabaloo, as well as the use of parking along North Park Street and New Hampshire Street adjacent to South Park.
6. Authorized the City Manager to execute a First Amendment to Agreement with Sprint Communications Company, L.P., a Delaware limited partnership, allowing Sprint to maintain existing fiber optic cables and facilities located underground in the City's right of way through December 31, 2023, for a one-time payment of Two Thousand Dollars (\$2,000), all in accordance with the terms of the Agreement and First Amendment to Agreement.
7. Authorized staff to finalize a scope of services with CTC Technology & Energy, to complete a report about community technology infrastructure conditions, needs, and possible future actions for consideration, in an amount not to exceed \$24,000.
8. Approved submitting a letter of interest on behalf of the City of Lawrence, the Lawrence Arts Center and Callahan Creek to the Kansas Creative Arts Industries Commission's Creative Economy Project Support program due March 6, 2013 requesting grant assistance in the amount of \$75,000 to support the development of a cultural plan for Lawrence and the development and production of marketing materials to support the Cultural District and the recommendations supported in the cultural plan.

C. CITY MANAGER'S REPORT:

David Corliss, City Manager, presented the report.

D. REGULAR AGENDA ITEMS:

1. **Consider a request from the Lawrence Farmers Market to use parking stalls in city parking lot #8 (west side of 800 block of New Hampshire) and/or adjacent public right-of-way for the Tuesday markets.**

Jonathan Douglass, Assistant to the City Manager/City Clerk, presented the staff report.

Mayor Schumm called for public comment.

Cole Cottin, Lawrence Farmers Market, thanked the Commission for consideration of their request. She said that their reasons for the request were outlined in the agenda materials. The decision to unite the weekend and weekday markets had a couple main points; strengthening the market strengthened downtown and it strengthened the city as a whole.

Avery Lominska said he completely depended on the farmers market for his revenue. He said they were not using much, just 18 spots. The vast majority of downtown businesses and the people of Lawrence agree that a successful Farmer's Market was worth more than a few parking spots.

KT Walsh, East Lawrence Neighborhood Association, said ELNA completely supported this request. It was a short amount of time and a small number of spaces. There was temporary extra parking pressure due to the library. She said they were always losing parking for other events, but this was so nominal.

Mike Riling said they had an office in the area and this was their parking. All of their employees park at that location. He said they were not opposed to the farmers market, but were opposed to the location. DLI did vote to oppose this proposal. When the Farmers Market first moved to that location, they were told it was just Saturdays. He asked that the Commission look at other alternatives. There were other locations that wouldn't create huge problems. If the market continued to grow at this location things would continue to get worse. The library area was a good place for the Farmers' Market to go in the future.

Natalia Lauther said she was interested to hear that that lot was only 65% full on average. It seemed like there would be plenty of space for what they were asking for. They were not asking for 5 years, because everything would be different then. During the period of the year when the market was operational parking demand was lessened by people biking and students being out of town for the summer.

Pam Harold said she had been a vendor since she was 19 years old. She also worked downtown part-time and finds parking easily. The area they were asking for was often the place least utilized.

Aaron Paden said he lived in East Lawrence and supported the idea of moving the market to the same location as the Saturday market. He said he had looked at the lot a few times since the proposal came up and the 65% capacity number seemed correct. He said this would not kill anyone to do this for a year and might be a good test period. Regarding the growth of the market, the Tuesday market had been the same size for about 16 years. The idea that the weekday market was growing rapidly didn't seem like a big concern.

Schumm asked what time the market started.

Cottin said 4-6 p.m.

Schumm said they needed an hour before that to set up?

Cottin said yes. Some vendors needed to get home before dark.

Schumm said they needed 18 spaces for the market.

Lominska said yes.

Amyx asked if the Farmer's Market hours could be changed to 4:30 – 7:30. It's a balancing act that comes with parking.

Cottin said it would benefit the market to take that to their vendors and see if they would be willing to participate at those times.

Amyx said he didn't know the farmers market business and how that would affect them.

Cottin said it might also be a good question for the folks whose parking was affected with that half hour or hour, if it would help to make them happier with the situation. She said it was also a question for the vendors on whether or not they could be at the Farmer's Market during those times.

Schumm asked who owns the property at the northeast corner of 9th and Rhode Island. He said he doesn't often see very many people there and it looks like it could accommodate the farmers market well.

Corliss said his understanding was that it was owned by US Bank.

Schumm said he would be interested in knowing how they would feel about allowing the farmers market to use that space for the Tuesday market. It seemed like that would take care of a lot of issues.

Corliss said we could find that out.

Cottin asked for clarification of where they were talking about.

Schumm pointed it out on the map and said he would really like to know if it is available. He said he would like to direct staff to find out if that lot is available. It seemed like a good compromise.

Lominska said he appreciated that the mayor was trying to get them as close as possible to the Saturday market location, but their recent experience with being on a private lot in west Lawrence was that they had the lot yanked out from under them at the last minute and they were reluctant to do that again. He said they felt like they had a better relationship with the city.

Schumm said his thought was that the city would negotiate for the lot on behalf of the farmers market.

Corliss said his speculation was that the property owners would want to indemnify themselves. If we had to insure the lot and its use it probably wouldn't be a great expense to the city. The property owner may not want to do it for any number of reasons.

Carter asked if we were talking about Saturday and Tuesday.

Schumm said only Tuesday.

Carter asked if we had received any correspondence from DLI.

Corliss said he was not aware of anything.

Schumm said we would continue the request for one week and direct staff to contact the owner of the parking lot on the northeast corner of 9th and Rhode Island regarding their interest in allowing the Farmers Market to use that lot.

Cottin said during that time she would reach out to the vendors as well. She said she had heard that the construction project in the area may have some impact on the lot on Rhode Island.

Corliss said the lot south of the city's lot would be a construction laydown area.

Cottin said she was meeting with city planners on Monday to discuss those issues.

2. **Consider authorizing the Mayor to execute an agreement with the Kansas Department of Transportation for the 9th Street, Tennessee Street to Kentucky Street improvements and consider adopting on first reading, Ordinance No. 8815, removing street parking on the south side of 9th Street, between Tennessee and Kentucky Streets.**

David Cronin, City Engineer, presented the staff report.

Schumm said staff had gotten all the numbers on the turn movements and it looked good. Bottlenecks would occur if going to one through lane instead of two. He said it was a good compromise with Todd Thompson.

Carter said it was a great job.

Amyx said it was a great job also.

Mayor Schumm called for public comment. None was received.

Moved by Cromwell, seconded by Carter, to authorize the Mayor to execute an agreement with the Kansas Department of Transportation for the 9th Street,

Tennessee Street to Kentucky Street improvements, and adopt on first reading, Ordinance No. 8815, removing street parking on the south side of 9th Street, between Tennessee and Kentucky Streets. Motion carried unanimously.

E. PUBLIC COMMENT:

None.

F. FUTURE AGENDA ITEMS:

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

G: COMMISSION ITEMS:

Amyx said Don Austin was being recognized for a lifetime achievement award and he wanted to recognize him.

Corliss said staff had been directed to work up a letter.

H: CALENDAR:

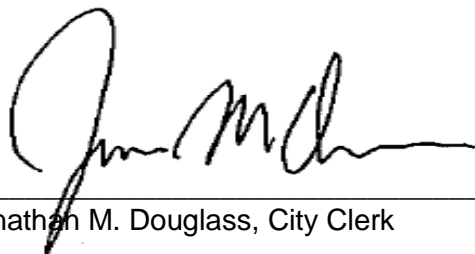
David Corliss, City Manager, reviewed calendar items.

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 Dever, to adjourn at 7:23 p.m. Motion carried unanimously.

MINUTES APPROVED BY THE CITY COMMISSION ON MARCH 12, 2013.



Jonathon M. Douglass, City Clerk