



City of Lawrence

CITY MANAGER'S OFFICE

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INTERIM CITY MANAGER

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CITY COMMISSION

MAYOR
JEREMY FARMER

COMMISSIONERS
LESLIE SODEN
STUART BOLEY
MATTHEW J. HERBERT
MIKE AMYX

August 11, 2015

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

A. RECOGNITION/PROCLAMATION/PRESENTATION: None

B. CONSENT AGENDA

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

1. Receive minutes from various boards and commissions:
2. Approve claims to 183 vendors in the amount of \$3,527,237.65.
3. Approve licenses as recommended by the City Clerk's Office.

Drinking Establishment

Expiration

Decade
Cellar Door LLC
920 Delaware

New License

Sandbar Subs
Sandbar Subs LLC
745 New Hampshire

July 31, 2015

Tres Mexicanos
Tres Mexicanos Inc.
1800 E. 23rd St.

July 31, 2015

The Basil Leaf Café
The Basil Leaf Café LLC
616 W. 9th St.

August 21, 2015

Theatre Lawrence
Theatre Lawrence Inc.
4660 Bauer Farm Dr.

August 21, 2015



Empire Bar & Billiards
CCLH, LLC
925 Iowa

New License

4. Bid and purchase items:
 - a) Set a bid date of September 1, 2015 for the construction of the Maple Street stormwater pump station, Project No. PW1133, New Bid No. B1542.
 - b) Approve the purchase for annual software maintenance for Logic's Wonderware SCADA Software for the Utilities Department to Logic, Inc. in the amount of \$31,581, for the period September 30, 2015 to September 30, 2016.
 - c) Approve sale of surplus equipment on GovDeals.
 - d) Authorize the Interim City Manager to execute Supplemental Agreement No. 3, in the amount of \$50,046, to the Engineering Services Agreement with Black & Veatch for additional Engineering Services for Project UT1417 Clinton Water Treatment Plant Raw Water Pump Station Improvements.
5. Adopt on second and final reading, the following ordinances:
 - a) Ordinance No. 9143, for at Text Amendment (TA-15-00253) to the Land Development Code, Chapter 20, Article 12 of the Code of The City of Lawrence, KS to reference 2015 effective dates for new Floodplain Overlay District Maps and related regulation changes.
 - b) Ordinance No. 9122, establishing a two-year schedule for 2016 and 2017 water and wastewater service rates, effective November 15, 2015 and November 15, 2016, respectively.
6. Approve Special Use Permit, SUP-15-00241, for an *Institutional Development Plan* for the Douglas County Fairgrounds Master Plan located at 2110 Harper St. The plan includes the removal of several existing buildings, barns and the baseball fields and construction of a new Open Pavilion Building, Meeting Hall, Outdoor Meeting Area and restrooms. The plan also includes removal and replacement of the Outdoor Arena. Parking and interior circulation areas will also be modified and improved. Improvements are being made to provide code compliant facilities to serve a variety of *Community Facility* activities that take place at the fairgrounds. Submitted by Landplan Engineering & Treanor Architects on behalf of Douglas County, property owner of record. Adopt on first reading, Ordinance No. 9135, for Special Use Permit for an *Institutional Development Plan* for the Douglas County Fairgrounds Master Plan located at 2110 Harper St. (SUP-15-00241) (PC Item 2; approved 7-0 on 7/22/15)
7. Approve rezoning, Z-15-00243, approximately 9.818 acres from PRD (Planned Residential Development) District to RM15 (Multi-Dwelling Residential) District, located at 2101 Exchange Ct. Submitted by CFS Engineers, for Southwind Capital LLC, property owner of record. Adopt on first reading, Ordinance No. 9136, to rezone (Z-15-00243)

approximately 9.818 acres from PRD (Planned Residential Development) District to RM15 (Multi-Dwelling Residential) District, located at 2101 Exchange Ct. (PC Item 3; approved 7-0 on 7/22/15)

8. **DEFERRED** Approve rezoning, Z-15-00244, approximately .193 acres from CN2 (Neighborhood Commercial Center) District to OS (Open Space) District, located at 6300 W Bob Billings Pkwy. Submitted by Tim A Herndon, for RSR Holdings LLP, property owner of record. Adopt on first reading, Ordinance No. 9139, to rezone (Z-15-00244) approximately .193 acres from CN2 (Neighborhood Commercial Center) District to OS (Open Space) District, located at 6300 W Bob Billings Pkwy. (PC Item 7A; approved 6-0-1 on 7/22/15)
9. **DEFERRED** Approve rezoning, Z-15-00245, approximately .992 acres from OS (Open Space) District to CN2 (Neighborhood Commercial Center) District, located at 6300 W Bob Billings Pkwy. Submitted by Tim A Herndon, for RSR Holdings LLP, property owner of record. Adopt on first reading, Ordinance No. 9140, to rezone (Z-15-00245) approximately .992 acres from OS (Open Space) District to CN2 (Neighborhood Commercial Center) District, located at 6300 W Bob Billings Pkwy. (PC Item 7B; approved 6-0-1 on 7/22/15)
10. **DEFERRED** Approve rezoning, Z-15-00251, approximately 11.15 acres from RM24 (Multi-Dwelling Residential) District, RM12D (Multi-Dwelling Residential) District, RS7 (Single-Dwelling Residential) District to RS5 (Single-Dwelling Residential) District, located at 6300 Bob Billings Pkwy. Submitted by Tim Herndon, for RSR Holdings LLP, property owner of record. Adopt on first reading, Ordinance No. 9141, to rezone (Z-15-00251) approximately 11.15 acres from RM24 (Multi-Dwelling Residential) District, RM12D (Multi-Dwelling Residential) District, RS7 (Single-Dwelling Residential) District to RS5 (Single-Dwelling Residential) District, located at 6300 Bob Billings Pkwy. (PC Item 7C; approved 6-0-1 on 7/22/15)
11. **DEFERRED** Approve rezoning, Z-15-00252, approximately 3.255 acres from RM12D (Multi-Dwelling Residential) District to RS5 (Single-Dwelling Residential) District, located at 6304-6323 Serenade Ct. Submitted by Tim Herndon, for RSR Holdings LLP, property owner of record. Adopt on first reading, Ordinance No. 9142, to rezone (Z-15-00252) approximately 3.255 acres from RM12D (Multi-Dwelling Residential) District to RS5 (Single-Dwelling Residential) District, located at 6304-6323 Serenade Ct. (PC Item 7D; approved 6-0-1 on 7/22/15)
12. Adopt Addendums 1-5 to the Stormwater Management Criteria.
13. Authorize staff to advertise a Request for Proposals, RFP R1505, for Advance Meter Infrastructure Assessment.
14. Approve as signs of community interest, a request from Downtown Lawrence Inc. to place signs promoting Lawrence Restaurant Week at various requested locations from September 1 through September 20, 2015.
15. Authorize the Mayor to sign a Subordination Agreement for John W. Rasmussen and Shannon C. Rasmussen, 1406 New Jersey Street.

Commissioner Boley removed consent agenda items no's 8-11

Diane Stoddard:
Interim City Manager

I can elaborate on that Vice Mayor. We had an inquiry regarding the applicant on consent agenda items 8-11 and it was brought to our attention and we are recommending deferral in advance of the meeting. I think there was a question with regard to the name on the application and this will give us time to work with the applicant to get that back before you, and I believe that Mr. McCullough had an opportunity to inform the applicant of that prior to the meeting.

Scott McCullough:
Planning and Development
Services Department

Tim Herndon is here on the applicant's behalf. They're in transition of changing the company name and so once they get that put together, we will place this back on your consent agenda

C. CITY MANAGER'S REPORT:

Diane Stoddard, Interim City Manager, presented the report regarding School Crossing Control Policy and Indian Hills Neighborhood School Crossing and Sidewalk Project Updates; Kids make a splash with Aquatics; July Sales Tax Distributions Report; and, March Rental Licensing and Inspection Report.

D. PUBLIC COMMENT: None

E. REGULAR AGENDA ITEMS:

1. **Conduct public hearing to consider the vacation of the east 15' of the 30' drainage easement located on 109 Fall Ridge Lane, as requested by property owner Jason Todd Construction, LLC.**

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

Moved by Commissioner Amyx, seconded by Commissioner Boley, to open the public hearing. Motion carried unanimously.

Vice Mayor Soden called for public comment. None.

Moved by Commissioner Amyx seconded by Commissioner Herbert, to close the public hearing. Motion carried unanimously.

Vice Mayor Soden: Do we bring it back for Commission discussion now?

Diane Stoddard:
Interim City Manager

Yes.

Vice Mayor Soden: Would the Commission like to discuss the matter?

Commissioner Amyx: It seems like it's pretty clear cut. Staff had made good recommendation on what easement we have left to be able to use

Moved by Commissioner Amyx, seconded by Commissioner Boley, to approve the vacation of the east 15' of the 30' drainage easement located on 109 Fall Ridge Lane. Motion carried unanimously.

2. **Consider adopting Resolution No. 7130, setting a public hearing date of September 22, 2015, pursuant to K.S.A. 12-1750 et. seq., to consider ordering the house at 912 Chalk Hill Court to be repaired or demolished.**

Diane Stoddard, Interim City Manager, presented the staff report.

Commissioner Herbert: I didn't realize this was step one and so my request was made simply to give the owner of the property, a chance to speak if they choose and if not, we'll move it to phase 2, if that's okay with fellow Commissioners.

Diane Stoddard:
Interim City Manager: If there're any questions we certainly will be able to answer any of those that you might have.

Vice Mayor Soden: Any other questions for staff?

Vice Mayor Soden called for public comment.

Commissioner Herbert: Is the owner of the property present?

Commissioner Amyx: The resolution that we have before us this evening is to set a public hearing date so my suggestion is, is that we go ahead and take that action, notifying the public and the owner that this public hearing is established and that is the appropriate time for the public comment. It's the legal deal, I guess.

Vice Mayor Soden: Okay, is there a motion for this resolution?

Moved by Commissioner Boley seconded by Commissioner Hebert, to adopt Resolution No. 7130, setting a public hearing date of September 22, 2015, pursuant to K.S.A. 12-1750 et. seq., to consider ordering the house at 912 Chalk Hill Court to be repaired or demolished. Motion carried unanimously.

3. **Consider adopting on second and final reading, Ordinance No. 9146, approving and appropriating the 2016 City of Lawrence Operating and Capital Improvement Budget.**

Commissioner Boley: If I may, Vice Mayor. After last week's City Commission meetings some citizens voiced concerns about the process we went through to add an additional \$100,000 to the 2016 Budget for transitional housing assistance. The City Commission discussed this issue on July 21st and I expressed my interest in adding the amount into the budget, at that time. Information on the transitional housing program was also included as part of the standard agenda process through an agenda update on August 4. I was available via the City's website and email distribution list. Before the public hearing on the budget on

August 4th, I mentioned that I had something to add and was asked by the Commission and staff to hold the item until later in the meeting. I believe that the process we followed on August 4th was appropriate. However, due to the concerns expressed after our last meeting, I requested that the second reading of the ordinance become a regular agenda item and I welcome all citizens' comments on our 2016 Budget.

Vice Mayor Soden: Any other Commission discussion or questions for staff. None.

Vice Mayor Soden called for public comment. None

Vice Mayor Soden: Bring it back to the Commission.

Commissioner Amyx: The item that we had talked about that Commission Boley brought up last week. You know, I think we need to have a little bit of discussion about, you know, about procedure on the use of that money because I do know that we had concerns as Shannon brought up last week. We can put stipulations of what we think or how the money... if somebody has a job or you know what level of assistance that we may give. It seems to me that rather than giving...you know, my commitment here is to help, I want everybody to understand that, but where we are right now in this process is being able to have a plan of some kind rather than just signing over \$100,000 for the Housing Authority. Let's have some kind of plan in place and we can approve the final expenditure some time in December if we want, but that give us the time to get that program in place on what it's going to look like and what that's going to be and I don't mind doing that. Plus, it does one other thing. I think it's important that we have this discussion since it's been brought up many times, you know, with another group and that is the money that's available in the Housing Trust Fund. I think that we need to be contacting Justice Matters and say, where are we in this process and get some kind of idea as to where they are and what is their plan going to look like. You know, that give more than enough time that I think that we can get at least some kind of feedback on that also.

Commissioner Boley: Okay Mike, my understanding is, what we said was, we're going to put \$100,000 into the Housing Trust Fund in January of 2016.

Commissioner Amyx: Right, but I wanted to be understood, is we're going to put in there, but we're going to be waiting on that...we're just not transferring the money on January 2nd without having some kind of idea on how it's to be exact. I can't do that Stuart. I want you to know that.

Commissioner Boley: No, we need to agree on how it's going to be used. I want the money in the budget so then we can agree on how it's going to be spent.

Commissioner Amyx: And that's fine, we transferred it from, you know, the savings account if you will and the fund balance and placed it the housing trust fund. I just want to make sure that we're all on the same page, that a plan will be put in place on our expectations of how that expenditure is going to be by the Housing Authority.

Commissioner Boley: I agree completely.

Commissioner Herbert: Commissioner Amyx and I had talked after the meeting and we expressed some interest in placing some regulations on, we'll just call it the limitation on an amount per bedroom expenditure, the idea being to maximize that \$100,000. I'm a little bit weary of the notion of using that \$100,000 for the benefit of only three families or four families.

Commissioner Boley: We want to make a good program.

Commissioner Herbert: I'm all in on that and I just want to make sure that the plan that comes before us has regulations in place to make sure that the money that is being spent can maximize the number of families affected so we don't end up spending \$100,000 to house three people for two years. That's just not a good use.

Commissioner Boley: I want a program that everybody can support on the Commission.

Commissioner Amyx: It sounds like we're pretty much all on the same page.

Commissioner Herbert: Commissioner Boley, I want to thank you for your comments at the start. I really appreciate you re-opening it tonight. I don't think you had any ill intention whatsoever, so I appreciate you bringing it back tonight. It's real important that we always give as much opportunity as we can so thank you for that.

Commissioner Boley: Thanks Matt.

Vice Mayor Soden called for public comment.

Reverend Matthew
Sturtevant:
First Baptist Church

I'm here tonight representing the 21 partner and congregations of Justice Matters. As I hear the conversation that has happened tonight, I just want to speak a word about what Justice Matters is prioritizing and now we'd like to move forward. I want to first begin by saying thank you. Thank you to all of you for your participation in last month's conferences we had here with Tenants to Homeowners. Thank you for your time, thank you for being a part of an important conversation as we continue to do work that is critical in finding the message and finding the purpose as we go forward. Your participation was crucial. As well, I do want to say a special word of thanks Commissioner Boley and also to Shannon Oury of the Housing Authority. Thank you all for your work on these last weeks to

continue to bring affordable housing to Lawrence. As a pastor and somebody who consistently has to look in the eye of a senior adult that just doesn't have anywhere to go or a woman who is fleeing an abuser who simply cannot find a place to live in Lawrence. Thank you, thank you for making those conversations easier and of course, thank you for making their lives easier. The first message that I share loud and clear is thank you to all of you for your work. Meanwhile, my second message tonight is this, let's just keep it up. Let's keep up the work to build Affordable Housing Trust Fund, one that would be sustainable, one that will find a consistent revenue source that allows for funds to be leveraged and then used by builders and organizations to continue to build affordable housing here in Lawrence. Let's keep up that work to form an advisory board. That's a good steward of those resources, one that has the best interest at heart for those who need the housing most. And of course, let's keep up the work of generating broad public support for affordable housing. For our part we've been working hard sitting down with those employers and representative of corporate and business interests over these last few months to share our ideas and for the most part, they get it. There struggling in hiring to keep a workforce here in town, in face of an incredibly high turnover caused by the lack of Affordable Housing. When their employees come and say, "You know I'd love to keep working for you, I just can't afford to keep living in Lawrence", employers understand. Also, to build that support we've been creating video to share with hundreds of individuals in our current upcoming house weeding process. A video that's going to share coming from the mouth of those who are in the middle of the waiting list process, what it's like to wait and where they have to find places to sleep in the midst of that process. And of course, the linchpin of the creation of public support is the wise use of these funds available in order to create a demonstration project that will show our community what creative and effective options there are for housing, housing that's sustainable, housing that's affordable. So last month's conference with Tenants to Homeowners, hopefully got those creative juices flowing and continue the conversation so let's keep it up, keep up the good work toward more affordable housing and more in just Lawrence.

Vice Mayor Soden:

Any other public comment.

Michael Wasikowski:

I moved here about eight years ago to study computer science at the University of Kansas and after graduating with my Master's Degree, I earned a job offer from an Agency up in Fort Leavenworth as an analyst there. Our mission at this agency is to provide senior leaders, decision support when they face challenges in equipment training in organizing the army. So they come to us with problems and collectively, if we build a team that works together with the stakeholders to hone down

the promise statement, we come up with a study plan, consult with subject matter experts and execute analysis to gain insights in the problem. Finally, when that's all done, we boil down our results to send recommendations on how we can best make the army the best they can be. And finally, we affectively communicate the 'so what' of our result to senior leaders so that they know what we understand about the problem and they know why our recommendation are the best way to go forward and generally speaking they take our advice because we're credible and reliable. I've grown to love Lawrence, Kansas an now consider it my home and I wanted to do what I can to make a better place to live and that' why I'm here today. I noticed that we currently face an issue with our transit policy in the City. I know we have a pretty well used public transit system here from what I've seen on ridership, we currently rank somewhere in the top 40 in the Country and actually first in the state for the most used transit system so that's a great thing, but we need to continue that and grow it. We currently have some issues specifically that you guys, the Commissioners, have recently voted down the transit department's proposal to build a hub at 21st and Iowa and we also face in the near term future, a potential lapse in funding since the transit tax will need to be re-voted on. So those factors, to me, it seems like the community's vision for the future public transit in the city is kind of cloudy and I'd like to help you guys with that. I'd like to break out those clouds and help you come up with a plan that would take the City's transit system in the next decade. I'm open for any questions that you have now.

Commissioner Amy:

We can sign you up, right?

Michael Wasikowski

I'm happy to volunteer and help out, certainly.

Commissioner Amy:

Well that's great. We appreciate citizens stepping forward and want to help with any of the department's that we have. I know Diane would be glad to visit with you and anyway that you could be of service, we would appreciate.

Michael Wasikowski:

Thank you

Vice Mayor Soden:

When is the next Transit Advisory Board Meeting? The public is invited to attend those advisory meetings.

Diane Stoddard:
Interim City Manager

I can certainly follow-up with you on the schedule of that group and their function and that kind of thing as well so perhaps I can catch you after the meeting.

Vice Mayor Soden:

Are there any other advisory groups, we have, related to public transit? I mean we have the MPO (Metropolitan Planning Office), is that City transit or just regional?

Commissioner Herbert: MPO is more regional. No, I think the timing of this is good given, like you mentioned, our potential financial situation with public transit, the expiration of the sales tax. We really do need to kind of hone down and figure out a game plan moving forward so any assistance...I know you have quite a background with data analysis and to offer your services to the City, I truly appreciate so thank you for that.

Commissioner Amyx: And it's never early enough to start that process and being able that out would be good.

Vice Mayor Soden: Any other public comment on the budget? None.

Moved by Commissioner Amyx, seconded by Commissioner Herbert, to adopt on second and final reading, Ordinance No. 9146, approving and appropriating the 2016 City of Lawrence Operating and Capital Improvement Budget. Motion carried unanimously.

F. FUTURE AGENDA ITEMS:

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

G: COMMISSION ITEMS:

Consider a motion to recess into executive session for approximately 30 minutes for the purpose of consultation with attorneys for the City deemed privileged in the attorney-client relationship. The justification for the executive session is to keep attorney-client matters confidential at this time. The City Commission will resume its regular meeting in the Commission Room immediately following the executive session.

Moved by Commissioner Amyx, seconded by Commissioner Herbert, to recess into executive session at 6:14 p.m., for approximately 30 minutes for the purpose of consultation with attorneys for the City deemed privileged in the attorney-client relationship. The justification for the executive session is to keep attorney-client matters confidential at this time. Motion carried unanimously.

The City Commissioner reconvened at 6:42 and there was nothing to report.

H: CALENDAR:

Diane Stoddard, Interim City Manager, reviewed calendar items

I: CURRENT VACANCIES – BOARDS/COMMISSIONS:

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

Moved by Commissioner Amyx, seconded by Commissioner Boley, to adjourn at 6:45 p.m. Motion carried unanimously.

MINUTES APPROVED BY THE CITY COMMISSION ON NOVEMBER 17, 2015.



Brandon McGuire, Acting City Clerk