



# City of Lawrence

## CITY MANAGER'S OFFICE

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CITY MANAGER

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### CITY COMMISSION

MAYOR  
MIKE AMYX

COMMISSIONERS  
LESLIE SODEN  
STUART BOLEY  
MATTHEW J. HERBERT  
LISA LARSEN

September 6, 2016

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

A complete video recording of this meeting is available on the City's website at [www.lawrenceks.org/agendas](http://www.lawrenceks.org/agendas).

#### A. RECOGNITION/PROCLAMATION/PRESENTATION:

1. Proclaim Thursday, September 8, 2016, as International Literacy Day.
2. Proclaim the week of September 11 – 17, 2016, as First Responder Appreciation Week.
3. Proclaim the month of September, 2016, as Lawrence ACTION Civitan Club Month.
4. Proclaim the month of September, 2016, as National Preparedness Month.

#### B. CONSENT AGENDA:

**Moved by Commissioner Herbert, seconded by Commissioner Larsen,** to approve the consent agenda as below. Motion carried unanimously.

1. Approve City Commission meeting minutes from 08/16/16.
2. Receive minutes from various boards and commissions:  
  
Affordable Housing Advisory Board meeting of 07/11/16  
Aviation Advisory Board meeting of 05/18/16  
Citizen Advisory Board for Fair and Impartial Policing meetings of 04/11/16 and 06/13/16  
Human Relations Commission meetings of 02/18/16 and 05/19/16  
Mental Health Board meeting of 06/28/16  
Parks & Recreation Advisory Board meeting of 08/09/16  
Planning Commission meetings of 06/20/16 and 07/25/16  
Public Health Board meeting of 06/20/16  
Public Incentives Review Committee meeting of 05/17/16
3. Approve claims and payroll in the amount of \$21,626,237.27 to 366 vendors.
4. Approve licenses as recommended by the City Clerk's Office.



<b>Drinking Establishment</b>	<b>Expiration</b>
Bon Bon! Bistro LLC	New License
Spin! Neopolitan Pizza Top Spin LLC	New License
Dorsey Liberty Post American Legion Post #14	09/06/2016
Lawrence Country Club Lawrence Country Club Inc	09/06/2016

5. Approve appointments as recommended by the Mayor.

BZA/Sign Code Board of Appeals: Reappoint Major General Greg Gardner to an additional term that would expire 09/30/19. Appoint Nathan Clark to a term that would expire 09/30/19.

Electrical Code Board of Appeals: Reappoint Eric Hethcoat and Verlon Myers to additional terms that would expire 03/31/18. Please note: Mr. Myers has completed two full terms on this board and serves as the Electrical Board representative on the Contractor Licensing Board. Since the board requires expertise in this field and the lack of parties interested in serving, I am recommending him for reappointment to a third term.

Historic Resources Commission: Appoint Dave Evans to a term that expires 03/01/19.

Joint Economic Development Council: Appoint Shelly Barnhill to a term that expires 10/31/18.

Plumbing Code Board of Appeals: Reappoint Daniel Poull to an additional term that would expire 04/30/19.

Social Service Funding Advisory Board: Appoint Lori Johns as the United Way Representative, to a term that expires 08/31/19.

6. Bid and purchase items:

- a) Set a bid date of September 27, 2016, for the Comprehensive Rehabilitation Program at 4110 W. 13<sup>th</sup> Street.
- b) Award Bid No. B1629, Project No. UT1603 – Pump 5 Station Improvements, to Crossland Heavy Contractors, Inc., in the amount of \$389,375, and authorize the City Manager to execute the construction contract. Award Bid No. B1631, Project No. UT1603 – Procurement of electrical equipment for Pump 5 Station Improvements, to French Gerleman, in the amount of \$65,798. Authorize the City Manager to execute Supplemental Agreement No. 8, in the amount of \$75,264, to the Engineering Services Agreement with Black & Veatch for construction phase services for the Pump 5 Station Improvements.

- c) Approve the sole source purchase of laboratory instrumentation and related components for analytical testing of lead and other metals to Perkin Elmer Health Sciences, Inc., for the City's Lawrence H2O Lead Awareness Program, in the total amount of \$120,173.85 pursuant to government contract.
- d) Authorize the City Manager to execute the Engineering Services Agreement with EmNet in the amount of \$177,770.39 for the Wastewater Flow Optimization - Project No. UT1605.
- e) Authorize the City Manager to execute Supplemental Agreement No. 1, in the amount of \$39,300, to the Engineering Services Agreement with Walter P. Moore for additional Engineering Design Services for the Kaw Water Treatment Plant Structural Condition Assessment - Project No. UT1503.

7. Adopt on second and final reading, the following ordinances:

- a) Ordinance No. 9267, allowing the sale, possession and consumption of alcohol on W. 29<sup>th</sup> Terrace (between Iowa Street frontage road and Four Wheel Drive) on Friday, October 7, 2016 from 6:00 p.m. to 10:00 p.m. for the Rock the Block – Kick Cancer Event.
- b) Ordinance No. 9270, allowing the sale, possession, and consumption of alcoholic liquor on public property on the 100 block of East 8<sup>th</sup> Street on Friday, October 21, 2016 from 12:00 p.m. – 11:00 p.m., for the KU Homecoming Pep Rally event.
- c) Ordinance No. 9273, allowing the sale, possession, and consumption of alcohol on 700 block of Vermont Street adjacent to the Library on Sunday, October 23, 2016 from 1:00 p.m. to 5:00 p.m. for the 2016 Fall Food Truck Festival Event.
- d) Ordinance No. 9275, relating to No Parking on Kentucky Street and Vermont Street adjacent to Cordley Elementary School.
- e) Ordinance No. 9276, relating to No Parking on Diamondhead Drive adjacent to Langston Hughes Elementary School.
- f) Ordinance No. 9278, rezoning (Z-16-00147) approximately 7.7 acres located at 711 E. 23<sup>rd</sup> Street from GPI (General Public and Institutional Use) District to IG (General Industrial) District.
- g) Ordinance No. 9279, for a Special Use Permit (SUP-16-00217) for Seeds From Italy, located at 1501 Learnard Avenue.
- h) Ordinance No. 9280, rezoning (Z-16-00219) approximately 13.268 acres from RM12D (Multi-Dwelling Residential) District to RS5 (Single-Dwelling Residential) District, located at 751 W. 29<sup>th</sup> Terrace.
- i) Ordinance No. 9281, Ordinance No. 9283, and Ordinance No. 9284, rezoning (Z-16-00220) approximately 1.262 acres from RM12D-FP (Multi-Dwelling Residential-Floodplain Overlay) District to RS5-FP (Single-Dwelling Residential-Floodplain Overlay) District, located at 751 W. 29<sup>th</sup> Terrace.

- j) Ordinance No. 9282, adopting the 2016 Standard Traffic Ordinance, Edition 2016.
- 8. Adopt Resolution No. 7170, approving the Multi-Jurisdictional Debris Management Plan 2016 edition, as approved by the Federal Emergency Management Agency.
- 9. Authorize staff to issue a Request for Proposals for professional travel demand modeling technical assistance for a Travel Demand Model update and to perform on-call modeling work for a period of three years.
- 10. Approve rezoning (Z-16-00259) approximately 4.81 acres from RM12D (Multi-Dwelling Residential) District and RM12 (Multi-Dwelling Residential) District to RS7 (Single-Dwelling Residential) District, located at 6304, 6305, 6310, 6311, 6316, and 6317 Steeple Chase Court and 905, 911, 917, 923, 929, and 935 Renaissance Drive. Submitted by Wallace Engineering on behalf of NKR Properties LLC and Langston Heights Development LLC, property owners of record. Adopt on first reading, Ordinance No. 9288, rezoning (Z-16-00259) approximately 4.81 acres from RM12D (Multi-Dwelling Residential) District and RM12 (Multi-Dwelling Residential) District to RS7 (Single-Dwelling Residential) District, located at 6304, 6305, 6310, 6311, 6316, and 6317 Steeple Chase Court and 905, 911, 917, 923, 929, and 935 Renaissance Drive. (PC Item 1; approved 6-0 on 8/22/16)
- 11. Approve a Special Use Permit, SUP-16-00262, for a Manufacturing and Production, Limited use to accommodate a microbrewery, located at 706 E. 23<sup>rd</sup> Street. Submitted by Johnston Investments Company, LLC, for Lawrence Brothers, LLC, property owner of record. Adopt on first reading, Ordinance No. 9289, for Special Use Permit (SUP-16-00262) for a Manufacturing and Production, Limited use to accommodate a microbrewery, located at 706 E. 23<sup>rd</sup> Street. (PC Item 2B; approved 6-0 on 8/22/16)
- 12. Approve Site Plan, SP-16-00264, and sidewalk dining and hospitality license for Taco Zone located at 13 E. 8<sup>th</sup> Street. Submitted by Bradley Shanks for Aron Olivera, the property owner of record.
- 13. Approve a street event permit for use of various city streets from 6:30 - 9:00 a.m., including the rolling closure of the northbound lane of Massachusetts Street downtown from 6:30 – 8:30 a.m., on Sunday, September 25, 2016, for The Circle of Sisterhood 5K.
- 14. Approve a street event permit for the Louise's West 40<sup>th</sup> Anniversary Event to be held on Saturday, September 24, 2016, from 11:00 a.m. to 9:00 p.m. and allowing for the closure of 7<sup>th</sup> Street between Michigan Street and Arkansas Street. Adopt on first reading Ordinance No. 9285, allowing the sale, possession and consumption of alcohol on the public right-of-way on 7<sup>th</sup> Street between Michigan Street and Arkansas Street on Saturday, September 24, 2016 from 11:00 a.m. to 9:00 p.m., associated with the Louise's West 40<sup>th</sup> Anniversary Event.
- 15. Approve a street event permit for the 2016 Final Friday event on Friday September 30, 2016 from 9:00 a.m. to 11:59 p.m. for the closure of the 900 block of New Hampshire Street. Adopt on first reading Ordinance No. 9286, allowing the sale, possession and consumption of alcohol on the public right-of-way on the 900 block of New Hampshire Street on Friday September 30, 2016 from 9:00 a.m. to 11:59 p.m. during the Final

Friday event. Approve the donation of various City of Lawrence service from Parks and Recreation and Public Works Departments.

16. Approve a street event permit for the Lawrence Bicycle Club's 2016 Octoginta on Sunday, October 2, 2016 from 6:30 – 9:00 a.m. for the closure of Massachusetts Street, from 11<sup>th</sup> Street to 13<sup>th</sup> Street.
17. Authorize the City Manager to execute an agreement with the Kansas Department of Transportation for Capital and Operating Assistance Funds of the State of Kansas and the City of Lawrence, in the amount of \$1,165,364, for the public transit division to be used in expenses related to acquisition of busses and equipment and miscellaneous operating expenses.
18. Authorize the Mayor to sign a Release of Mortgage for Charles Piley, 1024 Iowa Street.

**C. PUBLIC COMMENT:**

Trinity Carpenter addressed the commission regarding a formal statement from the City Commission supporting the Black Lives Matter movement and the development of a letter of solidarity with the Standing Rock Sioux Nation and opposition to the Dakota Access Pipeline.

Crystalee Protheroe addressed the commission regarding the treatment of victims of domestic violence by the court system.

Community members addressed the commission regarding a formal statement from the City Commission supporting the Black Lives Matter movement and the development of a letter of solidarity with the Standing Rock Sioux Nation and opposition to the Dakota Access Pipeline.

**D. REGULAR AGENDA ITEMS:**

1. **Consider authorizing staff to proceed with design plans to construct a roundabout at the intersection of Wakarusa Drive and Harvard Road and to reconstruct Wakarusa Drive between Inverness and Harvard Road.**

Dave Cronin, City Engineer, presented the staff report.

The meeting was delayed for approximately one hour by community members calling for a letter from the City Commission supporting the Black Lives Matter movement, Standing Rock Sioux Nation and all those oppressed.

**Moved by Vice Mayor Soden, seconded by Commissioner Larsen,** to approve and sign as members of the Lawrence City Commission a letter supporting Black Lives Matter, Standing Rock and all those oppressed. Motion carried unanimously.

The City Commission resumed discussion of Regular Agenda Item 1.

**Moved by Vice Mayor Soden, seconded by Commissioner Larsen,** to authorize staff to proceed with design plans, to construct a roundabout at the intersection of Wakarusa Drive and Harvard Road and to reconstruct Wakarusa Drive between Inverness and Harvard Road. Aye: Vice Mayor Soden, Commissioner Boley, Commissioner Herbert and Commissioner Larsen. Nay: Mayor Amyx. Motion carried 4-1.

After a short break, the City Commission resumed its regular meeting.

2. **Consider approving Kasold Drive reconstruction design and consider authorizing staff to develop the scope and fee for final design with Cook, Flatt & Strobel Engineers.**

Charles Soules, Director of Public Works, presented the staff report.

**Moved by Commissioner Herbert, seconded by Vice Mayor Soden,** to approve Kasold Drive reconstruction design and authorize staff to develop scope and fee for final design with Cook, Flatt & Strobel Engineers based on Option 1 as presented in the study. Aye: Mayor Amyx, Vice Mayor Soden and Commissioner Herbert. Nay: Commissioner Boley and Commissioner Larsen. Motion carried 3-2.

3. **Consider recommended Request for Proposals for comprehensive parking system strategic planning services.**

Brandon McGuire, Assistant to the City Manager, presented the staff report.

**Moved by Commissioner Boley, seconded by Commissioner Larsen,** to authorize staff to advertise the Request for Proposals for comprehensive parking system strategic planning services. Motion carried unanimously.

4. **Consider draft Investment Grade Energy Audit results and recommended energy conservation projects for city buildings.**

Eileen Horn, Sustainability Coordinator, presented the staff report.

**Moved by Commissioner Herbert, seconded by Vice Mayor Soden,** to receive report and concur with staff recommendation to proceed with development of performance contract to include the energy conservation projects recommended by 360 Energy Engineers. Motion carried unanimously.

5. **Consider approving a purchasing policy for the City of Lawrence and consider adopting on first reading, Ordinance No. 9287, changing the threshold for formal bidding from \$15,000 to \$50,000.**

Bryan Kidney, Director of Finance, presented the staff report.

**Moved by Commissioner Boley seconded by Commissioner Herbert** to adopt on first reading, Ordinance No. 9287, changing the threshold for formal bidding from \$15,000 to \$50,000. Motion carried unanimously.

6. **Consider a motion to recess into executive session for approximately 15 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 upon completion of the executive session.**

**Moved by Commissioner Boley, seconded by Commissioner Herbert,** to recess into executive session for approximately 15 minutes. Motion carried unanimously.

The City Commission had nothing to report and took no action after the executive session.

**E. COMMISSION ITEMS:**

Commissioner discussion of items not scheduled on the agenda.

It was noted by Tom Markus, City Manager, that manual checks were not reported in the reading of the claims.

**Moved by Commissioner Boley, seconded by Commissioner Herbert,** to approve manual checks in the amount of \$561,522.18. Motion carried unanimously.

**F. CITY MANAGER'S REPORT:**

Tom Markus, City Manager, presented the report.

**G. CALENDAR:**

Review of calendar items.

**H. CURRENT VACANCIES – BOARDS/COMMISSIONS:**

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

**Moved by Commissioner Boley, seconded by Commissioner Larsen,** to recess until Wednesday, September 7, 2016 at 11:30 a.m. Motion carried unanimously.

September 7, 2016 (continued from 09/06/2016)

The Board of Commissioners of the City of Lawrence reconvened at 11:30 a.m. in the City Commission Chambers in City Hall with Mayor Amyx presiding and Vice Mayor Soden, Commissioner Boley, Commissioner Herbert, and Commissioner Larsen present.

**1. Consider approving a letter of solidarity for Black Lives Matter.**

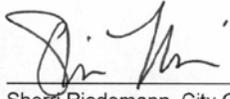
**Moved by Vice Mayor Soden, seconded by Commissioner Herbert,** to approve a letter of solidarity for Black Lives Matter. Motion carried unanimously.

**2. Consider approving a letter of solidarity for the Standing Rock Sioux Tribe.**

**Moved by Commissioner Herbert, seconded by Commissioner Larsen,** to approve a letter of solidarity for the Standing Rock Sioux Tribe.

**Moved by Commissioner Boley, seconded by Commissioner Herbert,** to adjourn at 12:03 p.m. Motion carried unanimously.

**MINUTES APPROVED BY THE CITY COMMISSION ON SEPTEMBER 20, 2016.**



Sherril Riedemann, City Clerk