



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

November 1, 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.

A. RECOGNITION/PROCLAMATION/PRESENTATION:

1. Proclaim Thursday, November 10, 2016 as Celebrate Marine Corps Birthday.
2. Proclaim the month of November, 2016 as Alzheimer's Awareness month.

B. CONSENT AGENDA:

Consent Agenda items removed for separate vote:

Vice Mayor Soden requested removal of items 7(d) and 7(e) for a separate vote.

Dan Dannenberg, a member of the public, requested removal of item 9 for a separate vote.

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

1. Approve City Commission meeting minutes from 10/18/16.
2. Receive minutes from various boards and commissions:

Affordable Housing Advisory Board meeting of 09/12/16
Bicycle Advisory Committee meeting of 07/18/16
Horizon 2020 Steering Committee meetings of 06/13/16 and 08/08/16
Lawrence Cultural Arts Commission meetings of 05/11/16, 06/08/16, 07/13/16, and 09/14/16
Parks and Recreation Advisory Board meeting of 10/11/16
Public Health Board meeting of 08/15/16
Traffic Safety Commission meeting of 08/01/16
3. Approve claims and payroll in the amount of \$5,717,921.26 to 396 vendors.
4. Approve license as recommended by the City Clerk's Office.



Drinking Establishment

VFW Post #852
Alford Clarke Post #852
1801 Massachusetts

Expiration

10/20/16

5. Approve appointments as recommended by the Mayor.
Community Development Advisory Committee: Reappoint Jonathan Holley, Alex Delaney and Steven Koprince to additional terms that expire 09/30/19.
6. Bid and purchase items:
 - a) Award Bid No. 1601, Project No. UT1514 - Harper Street, 15th Street to East Glenn Drive and 15th Street, Prospect Avenue to Lindenwood Lane Waterline Replacement, to M CON, LLC, in the amount of \$525,285.00, and authorize the City Manager to execute the construction contract.
 - b) Approve Change Order No. 1 with SAK Construction, LLC for Project No. UT1508 - 2015 Sanitary Sewer Rehabilitation, increasing the construction contract by \$123,180.25 and 100 days.
 - c) Approve Change Order No. 1, in the amount of \$141,549.16 to Nowak Construction Company, Inc. for construction of the Maple Street Pump Station – Project No. PW1133.
7. Adopt on second and final reading, the following ordinances:
 - a) Ordinance No. 9297, annexing (A-16-00305) approximately 55 acres located at the SE corner of 31st and Michigan Streets.
 - b) Ordinance No. 9298, rezoning (Z-16-00306) approximately 30 acres from County A (Agricultural) District to RM15 (Multi-Dwelling Residential) District, located at the SE corner of 31st and Michigan Streets.
 - c) Ordinance No. 9299, rezoning (Z-16-00307) approximately 25.13 acres from County A (Agricultural) District to RM15-FP (Multi-Dwelling Residential with Floodplain Management Regulations Overlay) District, located at the SE corner of 31st and Michigan Streets.
 - d) **REMOVED FOR SEPARATE VOTE:** Ordinance No. 9300, for Comprehensive Plan Amendment (CPA-16-00309) to Chapter 14 of *Horizon 2020* to amend the Oread Neighborhood Plan Future Land Use Map.
 - e) **REMOVED FOR SEPARATE VOTE:** Ordinance No. 9301, rezoning (Z-16-00310) approximately .918 acres from RM32 (Multi-Dwelling Residential) District and U-KU (University of Kansas) District to RM32-PD (Multi-Dwelling Residential with Planned Development Overlay) District, located at 1029 and 1031 Mississippi Street and 0 Illinois Street.
8. Authorize the City Manager to execute a Professional Services Agreement with WSP | Parsons Brinckerhoff for professional travel demand modeling technical assistance.

9. **REMOVED FOR SEPARATE VOTE:** Approve bicycle signage policy as recommended by the Bicycle Advisory Committee for the future installation of “Bikes May Use Full Lane” and “3-Foot Passing” signs.
10. Rescind the motion to adopt Resolution No. 7172 establishing the Transportation Commission carried at the October 18, 2016 City Commission meeting. Adopt amended Resolution No. 7172 establishing the Lawrence Transportation Commission.
11. Authorize the City Manager to execute a License Agreement with Jared R. Simons, permitting him to reconstruct a parking area in the City’s Right of Way at 1503 and 1507 West 22nd Terrace in accordance with the terms and conditions of the License Agreement.
12. Approve summary publications of regular ordinances in accordance with K.S.A. 12-3007, effective January 1, 2017.
13. Concur with the following recommendations from the Traffic Safety Commission:
 - a) Establish Traffic Calming on 24th Street between Crossgate Drive and Kasold Drive (TSC item #2; approved 6-0 on 8/1/16).
 - b) Establish Reserved Parking for persons with disabilities in front of 832 Pennsylvania Street and adopt of first reading, Ordinance No. 9302, establishing Reserved Parking for persons with disabilities in front of 832 Pennsylvania Street (TSC item #3; approved 6-0 on 8/1/16).
 - c) Deny the request to establish No Parking on the south side of Elm Street between 7th Street and 8th Street (TSC item #4; denied 6-0 on 8/1/16).
14. Authorize the City Manager to execute a License Agreement for the use of Right-of-Way with the property owner of 415 Illinois Street, Benjamin P. Gleeson for the installation of drainage pipes.
15. Authorize the Mayor to execute a 2016 Engagement Letter with Mize Houser & Company for Independent Financial Audit Services.
16. Receive Bert Nash Community Mental Health Center 2016 2nd Quarter Performance Report.
17. Adopt the amended Citizen Participation Plan for the Community Development Block Grant (CDBG) and HOME Investment Partnership programs.

Items Removed for Separate Vote:

7. Adopt on second and final reading, the following ordinances:
 - d) Ordinance No. 9300, for Comprehensive Plan Amendment (CPA-16-00309) to Chapter 14 of *Horizon 2020* to amend the Oread Neighborhood Plan Future Land Use Map.

- e) Ordinance No. 9301, rezoning (Z-16-00310) approximately .918 acres from RM32 (Multi-Dwelling Residential) District and U-KU (University of Kansas) District to RM32-PD (Multi-Dwelling Residential with Planned Development Overlay) District, located at 1029 and 1031 Mississippi Street and 0 Illinois Street.

Scott McCullough, Planning & Development Services Director, presented the staff report.

Moved by Vice Mayor Soden, seconded by Commissioner Herbert, to defer adoption, on second and final reading, of Ordinance No. 9300 and Ordinance No. 9301. Motion carried unanimously.

- 9. Approve bicycle signage policy as recommended by the Bicycle Advisory Committee for the future installation of “Bikes May Use Full Lane” and “3-Foot Passing” signs.

Jessica Mortinger, Senior Transportation Planner, presented the staff report.

Moved by Commissioner Boley, seconded by Commissioner Larsen, to approve bicycle signage policy as recommended by the Bicycle Advisory Committee for the future installation of “Bikes May Use Full Lane” and “3-Foot Passing” signs. Motion carried unanimously.

C. PUBLIC COMMENT:

Patrick Wilbur and Scott Criqui, Voter Education Coalition Co-Chairs, thanked the City Commission and staff for their support of the coalition.

Ted Boyle, North Lawrence Improvement Association, addressed the Commission regarding the closure of Fire Station No. 1 during the remodel project; and, noise generated by the grain elevators located in North Lawrence.

Dan Dannenberg addressed the Commission regarding code enforcement issues at rental properties.

KT Walsh addressed the Commission regarding the plans for a Conference Center at 7th and New Hampshire Street.

D. REGULAR AGENDA ITEMS:

- 1. **Consider the following items related to a Neighborhood Revitalization Area at 826 Pennsylvania Street:**

- a) **Receive request from Williams Management, LLC for a Neighborhood Revitalization Area (NRA) and Industrial Revenue Bond (IRB) financing for a mixed-use project at 826 Pennsylvania Street.**
- b) **Receive recommendations from the Public Incentives Review Committee and the Affordable Housing Advisory Board.**

- c) **Conduct public hearing on the establishment of a NRA at 826 Pennsylvania Street and consider adopting on first reading, Ordinance No. 9304, establishing the revitalization area and approving the NRA Plan, and consider adopting Resolution No. 7174, authorizing IRB financing for the purpose of accessing a sales tax exemption on project construction materials.**

Britt Crum-Cano, Economic Development Coordinator, presented the staff report.

Moved by Vice Mayor Soden, seconded by Commissioner Herbert, to open the public hearing. Motion carried unanimously.

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

Moved by Commissioner Larsen, seconded by Vice Mayor Soden, to receive request from Williams Management, LLC for a NRA and IRB financing for a mixed-use project at 826 Pennsylvania Street and recommendations from the Public Incentives Review Committee and the Affordable Housing Advisory Board; and, adopt on first reading Ordinance No. 9304 establishing the revitalization area and approving the NRA Plan to include a maximum rebate amount of 50% and direct staff to examine mechanisms to place in the plan that would secure the affordability of the rental units for a period of 30 years; and, adopt Resolution No. 7174, authorizing IRB financing. Motion carried 4-1. Aye: Mayor Amyx, Vice Mayor Soden, Commissioner Boley, Commissioner Larsen. Nay: Commissioner Herbert.

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

2. **Open public hearing on the establishment of a Neighborhood Revitalization Area (NRA) at 800-815 Vermont Street for the Vermont Place project and consider deferring the public hearing to the December 6, 2016 City Commission meeting.**

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

Moved by Vice Mayor Soden, seconded by Commissioner Larsen, to open public hearing on the establishment of a NRA at 800-815 Vermont Street for the Vermont Place project and consider deferring the public hearing to the December 6, 2016 City Commission meeting. Motion carried unanimously.

3. **Consider approving changes to the court use policy at Sports Pavilion Lawrence, allowing use of all eight courts for a select number of large signature events/tournaments.**

Tim Laurent, Recreation Operations Manager, presented the staff report.

Moved by Commissioner Herbert, seconded by Commissioner Boley, to approve changes to the court use policy at Sports Pavilion Lawrence. Maximum of 20 days and all other facilities are open for open play. Motion carried 3-2. Aye: Commissioner Boley, Commissioner Herbert, Commissioner Larsen. Nay: Mayor Amyx, Vice Mayor Soden.

4. **Consider authorizing the City Manager to execute a two year concessions agreement with Sandbar Subs LLC, to be the concessions provider to the Parks & Recreation Department, beginning in November of 2016.**

Mark Hecker, Assistant Director, Parks & Recreation, presented the staff report.

Moved by Commissioner Herbert, seconded by Commissioner Boley, to authorize the City Manager to execute a two year concessions agreement with Sandbar Subs, LLC. Motion carried unanimously.

5. **Consider extending the temporary stop at 6th Street and New Hampshire Street for the Greyhound Bus until January 15, 2017, at which time the Greyhound stop will need to cease using the City right-of-way at 6th and New Hampshire Street.**

Dave Cronin, City Engineer, presented the staff report.

Moved by Commissioner Boley, seconded by Commissioner Larsen, to extend the temporary stop at 6th Street and New Hampshire Street for Greyhound Bus until January 15, 2017. Motion carried unanimously.

6. **Consider 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 City Commission Room at the conclusion of the executive session.**

Moved by Commissioner Boley, seconded by Commissioner Herbert, to approve 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 at 10:00 p.m. Motion carried unanimously.

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

E. COMMISSION ITEMS:

Commissioner Herbert stated he will be participating in the Muscular Dystrophy Association Lock-up event on Wednesday, November 2nd.

F. CITY MANAGER'S REPORT:

Tom Markus, City Manager, recommended moving the November 8th City Commission meeting to an earlier time since it falls on election night and presented information on the following items: Old Fashioned Christmas Parade; Downtown Holiday Lighting & Santa Rescue; Updated Utility Rates to take effect November 15, 2016; September and October 2016 Sales Tax Reports; August and September 2016 Financial Reports; Intersection of 23rd and Massachusetts Street; Lawrence-Douglas County Fire Medical Department Monthly Activity Report; 2016 Water Production Report; Lawrence Douglas County Housing Authority wins National Award; future agenda items; and future work session items.

Moved by Commissioner Boley, seconded by Commissioner Herbert, to move the November 8th City Commission meeting to 4:00 p.m. Motion carried unanimously.

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 Vice Mayor Soden, seconded by Commissioner Herbert, to adjourn at 10:20 p.m. Motion carried unanimously.

MINUTES APPROVED BY THE CITY COMMISSION ON NOVEMBER 15, 2016.



Sherri Riedemann, City Clerk