



City of Lawrence

CITY MANAGER'S OFFICE

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CITY MANAGER

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CITY COMMISSION

MAYOR
LESLIE SODEN

COMMISSIONERS
STUART BOLEY
MATTHEW J. HERBERT
LISA LARSEN
MIKE AMYX

August 15, 2017

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 Soden presiding and Vice Mayor Boley, Commissioner Amyx, Commissioner Herbert and Commissioner Larsen present.

A. RECOGNITION/PROCLAMATION/PRESENTATION:

1. Recognition and letter of support for the City of Charlottesville, VA.

B. CONSENT AGENDA:

Commissioner Larsen and a member of the public requested removal of item 9 for a separate vote.

Moved by Commissioner Amyx, seconded by Vice Mayor Boley, to approve the consent agenda as below except for item 9. Motion carried unanimously.

1. Approve City Commission meeting minutes from 08/08/17.
2. Receive minutes from various boards and commissions:

Mental Health Board meeting of 06/27/17
3. Approve claims and payroll in the amount of \$10,421,462.84 to 207 vendors, including 3 payments over \$1,000,000.00 to 360 Energy Engineers for \$1,314,283.00, Kansas Department of Transportation for \$1,225,233.00 and Garney Companies, Inc. for \$1,121,612.55.
4. Approve licenses as recommended by the City Clerk's Office.

Drinking Establishment	Expires
Lawrence Beer Company Lawrence Beer Company LLC 826 Pennsylvania St.	New
Empire Bar & Billiards CCLH LLC 925 Iowa St. Ste P	08/02/17
Kobe Japanese Steakhouse Boa Fa LLC 2907 W 6 th St.	08/14/17
Johnny's Tavern North Lawrence	08/15/17



Johnny's North Lawrence Inc. 401 N. 2 nd St.	
Lucia Milk Truck Productions LLC 1016 Massachusetts St.	08/15/17

5. Bid and purchase items:
 - a) Award Bid No. B1745, Project No. UT1503, Kaw River Water Treatment Plant Basin Repairs, to John Rohrer Contracting Company, in the amount of \$1,058,526, and authorize the City Manager to execute the construction contract. Authorize the City Manager to execute Supplemental Agreement No. 3, in the amount of \$75,500, to the Engineering Services Agreement with Walter P Moore for construction phase engineering services.
 - b) Award Bid No. B1744, Project No. UT1714, Kansas River Wastewater Treatment Plant Protective Maintenance Coating, Chemical Storage and Feed Building, and Excess Flow Building, to MVP Painting, in the amount of \$148,740, and authorize the City Manager to execute the construction contract.
6. Adopt Resolution No. 7221, declaring the City's intent to reimburse costs up to \$185,000 for the purpose of acquiring certain equipment (328 Tandem Axle Dump Truck) from proceeds of a lease purchase agreement.
7. Approve a Special Event Permit, SE-17-00384, for "Live on Mass" event to be held Friday, September 1, 2017 from 11:30 a.m. (set-up) to 11:30 p.m. in the 1000 block of Massachusetts Street. Submitted by The Granada.
8. Concur with the following recommendations from the Transportation Commission:
 - a) Approve Traffic Calming on Learnard Avenue, between 15th Street and 19th Street.
 - b) Deny request for a 4-way stop intersection at 10th Street and Indiana Street.
 - c) Deny request for Traffic Calming on Carson Place and Campbell Drive.
 - d) Deny request for Speed Limit Reduction and Intersection Ahead Signage on Kasold Drive, from Tam O'Shanter Drive to Clinton Parkway.
9. **REMOVED FOR SEPARATE VOTE:** Authorize the City Manager to execute a Construction and Access Agreement with the University of Kansas and HERE Lawrence Property Owner, LLC, for the construction of the HERE parking lot to be completed in August 2018.
10. Approve second amendment to the lease agreement between the City of Lawrence, Douglas County, and the Bioscience Technology Business Center (BTBC) to extend the lease repayment schedule for the BTBC expansion facility located at 4950 Bob Billings Parkway, for one year through 2018, as requested by the BTBC.
11. Approve a drinking establishment license to expire contemporaneously with the existing State drinking establishment license for John Brown Underground, LLC.

Items removed for a separate vote:

9. Authorize the City Manager to execute a Construction and Access Agreement with the University of Kansas and HERE Lawrence Property Owner, LLC, for the construction of the HERE parking lot to be completed in August 2018.

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

Moved by Commissioner Amyx, seconded by Commissioner Larsen, to authorize the City Manager to execute a Construction and Access Agreement with the University of Kansas and HERE Lawrence Property Owner, LLC, for the construction of the HERE parking lot to be completed in August 2018. Motion carried unanimously.

C. PUBLIC COMMENT:

The Commission heard public comment on items and issues not scheduled on the agenda.

D. REGULAR AGENDA ITEMS:

1. **Consider approving a Site Plan, SP-17-00220, for the conversion of the former Jayhawk Bookstore at 1420 Crescent Road to McClain's Market, Fast Order Food or Quality Restaurant, retaining the second story apartments, Non-Ground Floor Apartments. Submitted by BG Consultants, Inc. for Axiom-Jayhawk LLC, property owner of record. Deferred by City Commission on 8/1/17.**

Mary Miller, Planner, presented the staff report.

Moved by Commissioner Herbert, seconded by Vice Mayor Boley, to approve Site Plan (SP-17-00220) for McClain's Market, located at 1420 Crescent Road with the addition of the following conditions: use of the outdoor patio shall cease at 10:00 PM and this area shall be unoccupied by patrons by this time; and, alcohol sales shall cease at 9:00 PM, Sunday through Thursday, and at 10:00 PM Friday and Saturday; and, outdoor speakers, including speakers on the outdoor patio, are not allowed; and, if the City receives complaints regarding odors from the Fast Order Food use, the property owner shall work with the Planning Director to develop mechanical or other measures to minimize the negative impact to nearby properties; and, the Commission directed staff to work with the applicant to review the rooftop drainage that was noted in a communication to the Commission and take measures to resolve the issue if necessary. Motion carried unanimously.

The commission took a 10-minute break at 8:17 p.m.

2. **Conduct public hearing to consider a vacation request, submitted by Dean Grob with Grob Engineering Services, LLC for David C. & Stephanie L. Hentges, to vacate a portion of a 20' utility easement along the south side of Lot 7, Amended Plat of Heritage No. 2 at Alvarado, also known as 4413 Nicklaus Drive.**

David P. Cronin, P.E., City Engineer, presented the staff report.

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

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

Moved by Commissioner Amyx, seconded by Vice Mayor Boley, to approve Order of Vacation request. Motion carried unanimously.

3. **Consider proposed Sign Code regulations and consider adopting on first reading, Ordinance No. 9391, deleting and replacing current regulations, as set forth in City of Lawrence Code, Chapter V, Article 18.**

Kurt Schroeder, Assistant Director of Planning & Development Services, presented the staff report.

Moved by Commissioner Amyx, seconded by Commissioner Larsen, to approve Sign Code regulations and adopt on first reading, Ordinance No. 9391, deleting and replacing current regulations. Motion carried unanimously.

4. **Receive application and request from Treanor Investments, LLC for incentives related to a proposed mixed-use grocery store project at 700 New Hampshire and consider authorizing the City Manager to enter into a study funding agreement for the developer to fund the required studies and other documents which may be required related to the project.**

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

Moved by Vice Mayor Boley, seconded by Commissioner Herbert, to receive application and request from Treanor Investments, LLC for incentives related to a proposed mixed-use grocery store project at 700 New Hampshire Street, and refer to staff to process in accordance with the City's economic development policies and procedures; authorize the City Manager to enter into a study funding agreement for the developer to fund the required studies and other documents. Aye: Vice Mayor Boley, Commissioner Amyx, Commissioner Herbert, Commissioner Larsen. Nay: Mayor Soden. Motion carried 4-1.

5. **Consider adopting on first reading, Ordinance No. 9390, revising City Code Section 16-1201 to permit limited access (right-in only) on the north side of 6th Street between Congressional Drive and Wakarusa Drive and consider granting the City Manager the authority to negotiate the purchasing of the break in access by the applicant as determined by an appraisal of the value of the access.**

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

Moved by Commissioner Herbert, seconded by Commissioner Amyx, to adopt on first reading, Ordinance No. 9390, revising City Code Section 16-1201 to permit limited access (right-in only) on the north side of 6th Street between Congressional Drive and Wakarusa Drive and grant the City Manager the authority to negotiate the purchasing of the break in access by the applicant as determined by an appraisal of the value of the access. Motion carried unanimously.

E. COMMISSION ITEMS:

Vice Mayor Boley thanked the contractor and staff who worked to get pedestrian access through the Hobby Lobby parking lot to 23rd Street.

F. CITY MANAGER'S REPORT:

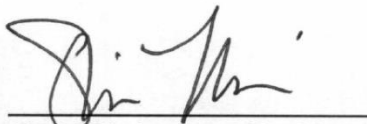
Tom Markus, City Manager, presented information on the following items: Conference Center Work Session Request, Police Department Safety Initiative, Bloomberg Philanthropies 2017 Mayors Challenge, Solid Waste Division work hours, Planning & Development Services Monthly Project Report, update on short-term rentals (AirBnB), Comprehensive Plan Update, Emerald Ash Borer Strategic Readiness Plan Update, Monthly Utility Billing Report, Fire Station No. 1 and Senior Resource Center Construction Delay Update, Former Farmland Site Update, Future Agenda Items and Future Work Session Items.

G. CALENDAR:

The Commission reviewed calendar items.

Moved by Commissioner Herbert, seconded by Commissioner Amyx, to adjourn at 11:08 p.m. Motion carried unanimously.

MINUTES APPROVED BY THE CITY COMMISSION ON SEPTEMBER 5, 2017.



Sherri Riedemann, City Clerk