



# City of Lawrence

## CITY MANAGER'S OFFICE

THOMAS M. MARKUS  
CITY MANAGER

City Offices  
PO Box 708 66044-0708  
www.lawrenceks.org

6 East 6<sup>th</sup> St  
785-832-3000  
FAX 785-832-3405

### CITY COMMISSION

**MAYOR**  
LESLIE SODEN

**COMMISSIONERS**  
STUART BOLEY  
MATTHEW J. HERBERT  
LISA LARSEN  
MIKE AMYX

November 21, 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. Proclaim Tuesday, November 21, 2017 as Pattie Johnston Day.
2. Proclaim the month of November 2017 as National Home Care and Hospice Month.
3. Proclaim Saturday, November 25, 2017 as Small Business Saturday.

### B. CONSENT AGENDA:

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

1. Approve City Commission meeting minutes from 11/14/17.
2. Receive minutes from various boards and commissions:

Community Development Advisory Committee meeting of 09/14/17  
Mental Health Board meeting of 09/26/17  
Parks & Recreation Advisory Board meeting of 10/10/17  
Public Incentives Review Committee meeting of 09/14/17  
Public Transportation Advisory Committee meeting of 10/09/17  
Transportation Commission meeting of 10/02/17

3. Approve claims and payroll in the amount of \$5,330,732.08 to 209 vendors including payments over \$1,000,000.00 to Garney Companies for \$1,008,043.00.
4. Approve licenses as recommended by the City Clerk's Office.

Drinking Establishment	Expires
Sushi Ko You Jung LLC 811 New Hampshire	New
Tokyo Sushi Tokyo Dream Sushi LLC	11/06/17



We are committed to providing excellent city services that enhance the quality of life for the Lawrence Community

619 Massachusetts St.	
Regal Southwind Stadium 12 Regal Licensing LLC 3433 Iowa St.	11/08/17
Buffalo Wild Wings Real Wing Inc 2624 Iowa St, Ste A	11/28/17
WA Restaurant WA Restaurant INC 740 Massachusetts St.	12/05/17
<b>Sidewalk Dining &amp; Hospitality</b>	<b>Address</b>
8 <sup>th</sup> Street Taproom	801 New Hampshire
Sandbar	17 E 8 <sup>th</sup> St.

5. Approve appointments as recommended by the Mayor.

eXplore Lawrence: Appoint Commissioner Lisa Larsen to a term that will expire 12/31/18. Commissioner Larsen will replace Vice-Mayor Boley as the City Commission Representative.

Douglas County Community Corrections Advisory Board: Appoint Kyle Brittingham to a term that expires 05/31/18.

Fire Code Board of Appeals: Appoint Jarrod Mann to a term that expires 01/31/22. Reappoint Dan Wilkus to an additional term that would expire 01/31/22.

Public Incentives Review Committee: Appoint Rebekah Gaston to a term that expires 01/31/21.

6. Bid and purchase items:

- a) Approve change order in the amount of \$119,449.47 to Miles Excavating Inc., for work performed on the 19<sup>th</sup> Street Reconstruction, Naismith to Alabama, Phase A project (Project No. PW1535 - 2017 CIP Project No. PW17E10.)

7. Adopt on second and final reading Ordinance No. 9419 authorizing the codification of ordinances of the City of Lawrence, Kansas.
8. Accept vacation of existing cross access easement associated with Minor Subdivision (lot combination), MS-17-00554, for Casey's Subdivision, located at 1703 and 1711 W. 6<sup>th</sup> Street. Submitted by Casey's Retail Company on behalf of Harold Shephard and Marla J. Webster, property owners of record.
9. Authorize the City Manager to enter into an agreement with the Kansas State Historic Preservation Officer to allow the Historic Resources Commission to perform project reviews as required by K.S.A. 75-2724, as amended.
10. Consider the following items recommended by the Transportation Commission:

- a) Approve a request for one (1) disabled parking spot at 1909 Edgelea Road and adopt on first reading, Ordinance No. 9294, establishing one (1) reserved disabled parking spot on the west side of Edgelea Road, in front of 1909 Edgelea Road.
  - b) Approve request for traffic calming on Kensington Road between 27<sup>th</sup> Street and 28<sup>th</sup> Street and deny a request to replace the Yield Sign with a Stop Sign at 28<sup>th</sup> Street and Kensington Road.
  - c) Deny a request for the addition of no parking on Surrey Drive between 24<sup>th</sup> Terrace and 25<sup>th</sup> Terrace.
  - d) Deny a request for traffic calming on Cedarwood Avenue from 25<sup>th</sup> Street to 26<sup>th</sup> Street.
  - e) Accept Highway Safety Improvement Program Monies for a lane reconfiguration and mill and overlay project on Massachusetts Street from 11<sup>th</sup> to 14<sup>th</sup> Street contingent on the approval of final design.
- 11. Authorize the City Manager to execute a lease with Amarr Garage Door Group/Entrematic for temporary storage space within the former Farmland bag warehouse, located at 2425 E. 15th Street.
  - 12. Authorize the acceptance of donation from Alvamar, Inc. of Block 2, Tract D, Alvabet Addition, to the City of Lawrence as park land/open space.
  - 13. Authorize distribution of agreements to outside agencies for 2018 City funds.
  - 14. Authorize the City Manager to execute a Right of Way License Agreement with Mobilitie, LLC, a Nevada limited liability company, whereby, in exchange for five percent (5%) of its gross revenues, Mobilitie will be granted the right to locate, subject to various conditions, small cells in the City's Rights of Way in order to boost and improve data and wireless connectivity in the City.

**C. PUBLIC COMMENT:**

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

**D. REGULAR AGENDA ITEMS:**

**1. Receive presentation by the Lawrence Chamber of Commerce regarding Economic Development.**

Steve Kelly, Chamber of Commerce Vice President of Economic Development, delivered the presentation.

**2. Receive recommendations from the Public Incentives Review Committee and consider adopting Resolution No. 7230, authorizing the issuance of up to \$5,000,000 in Industrial Revenue Bonds for the Boys and Girls Club Center for Great Futures project to obtain a sales tax exemption on project construction materials.**

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

Colby Wilson, Boys & Girls Club of Lawrence Executive Director, presented the applicant report.

**Moved by Commissioner Amyx, seconded by Commissioner Larsen,** to receive recommendations from the Public Incentives Review Committee and adopt Resolution No. 7230, authorizing the issuance of up to \$5,000,000 in Industrial Revenue Bonds for the Boys and Girls Club Center for Great Futures project to obtain a sales tax exemption on project construction materials. Motion carried unanimously.

3. **Conduct a public hearing regarding blighted conditions of the property located at 1215 E. 19<sup>th</sup> Street, and consider adopting Resolution No. 7229, which requires the owner of the property to abate the cited Property Maintenance Code violations within 20 days of adoption, and further directs City staff to abate the violations if the occupant fails to abate as ordered.**

Brian Jimenez, Code Enforcement Manager, presented the staff report.

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

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

**Moved by Commissioner Amyx, seconded by Commissioner Herbert,** to adopt Resolution No. 7229, which requires the owner of the property to abate the cited Property Maintenance Code violations within 20 days of adoption, and further directs City staff to abate the violations if the occupant fails to abate as ordered. Motion carried unanimously.

4. **Conduct a public hearing, consider recommendations from the Historic Resources Commission, and adopt the following ordinances on first reading to designate properties as Landmarks on the Lawrence Register of Historic Places:**

- a) **Ordinance No. 9403, Landmark designation (L-16-00536) for 1645 Louisiana Street;**
- b) **Ordinance No. 9404, Landmark designation (L-16-00537) for 645 Mississippi Street;**
- c) **Ordinance No. 9405, Landmark designation (L-17-00036) for 200 Nebraska Street;**
- d) **Ordinance No. 9406, Landmark designation (L-17-00061) for 1509 Massachusetts Street; and**
- e) **Ordinance No. 9423, Landmark designation (L-17-00223) for 2110 Harper Street.**

Lynne Braddock Zollner, Historic Resources Administrator, presented the staff report.

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

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

**Moved by Commissioner Herbert, seconded by Commissioner Amyx,** to adopt ordinances on first reading. Motion carried unanimously.

5. **Consider adopting on first reading, Ordinance No. 9421, concerning the carrying of unconcealed firearms in any City-owned or City-leased building. Consider adopting on first reading, Ordinance No. 9425, authorizing the City Manager to designate and post the required signs in buildings owned or leased by the City as buildings where the carrying of unconcealed firearms is prohibited.**

Toni R. Wheeler, City Attorney, presented the staff report.

**Moved by Commissioner Herbert, seconded by Commissioner Amyx,** to adopt on first reading, Ordinance No. 9421, concerning the carrying of unconcealed firearms in any City-owned or City-leased buildings and Ordinance No. 9425, authorizing the City Manager to designate and post the required signs in buildings owned or leased by the City as buildings where the carrying of unconcealed firearms is prohibited. Motion carried unanimously.

6. **Receive update on environmental remediation project on the former Farmland property.**

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

**E. COMMISSION ITEMS:**

Vice Mayor Boley discussed attending the New Partners for Smart Growth meeting in San Francisco.

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

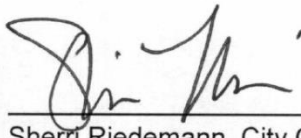
Diane Stoddard, Assistant City Manager, presented information on the following items: Federal Legislation – Tax Cuts and Jobs Act, October 2017 Monthly Utility Billing Report, Utility Billing Drop Box Update, Low-Income Elderly Reduced Rate Program, October 2017 Monthly Building Permit Reports, Thanksgiving Solid Waste Collection Times, Kansas Historical Society Heritage Trust Fund Grant, Parks and Recreation's Prairie Park Nature Center Receives Grant for Outreach to Youth, Future Agenda Items and Future Work Session Items.

**G. CALENDAR:**

The Commission reviewed calendar items.

**Moved by Mayor Soden, seconded by Commissioner Herbert,** to adjourn at 8:04 p.m. Motion carried unanimously.

**MINUTES APPROVED BY THE CITY COMMISSION ON DECEMBER 5, 2017.**

A handwritten signature in black ink, appearing to read "Sherril Riedemann", positioned above a horizontal line.

Sherril Riedemann, City Clerk