



City of Lawrence

CITY MANAGER'S OFFICE

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CITY COMMISSION

MAYOR
STUART BOLEY

COMMISSIONERS
LISA LARSEN
JENNIFER ANANDA, JD, MSW
MATTHEW J. HERBERT
LESLIE SODEN

September 4, 2018

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

A. RECOGNITION/PROCLAMATION/PRESENTATION:

1. Receive presentation from Haskell Indian Nations University regarding the Keeping Legends Alive Event on September 21 – 22, 2018.

B. CONSENT AGENDA:

Vice Mayor Larsen requested removal of item 13 for a separate vote.

Moved by Commissioner Herbert, seconded by Commissioner Ananda, to approve the consent agenda as below except for item 13. Motion carried unanimously.

1. Approve City Commission meeting minutes from 08/21/18.
2. Receive minutes from various boards and commissions:

Affordable Housing Advisory Board meeting of 07/09/18
Building Code Board of Appeals meeting of 07/11/18
Human Relations Commission meeting of 05/17/18
Mechanical Code Board of Appeals meeting of 06/28/18
Public Health Board meeting of 06/18/18
Social Services Funding Advisory Board meeting of 05/22/18
Sustainability Advisory Board meeting of 07/11/18
3. Approve claims in the amount of \$5,789,045.40 to 341 vendors.
4. Approve licenses as recommended by the City Clerk's Office.

Drinking Establishment	Expires
Wingstop Hawkhorn LLC 2233 Louisiana Street Suite G	6/29/2018
India Palace KDB Company, Inc. 129 E. 10 th Street	09/30/2019

5. Bid and purchase items:



- a) Authorize the City Manager to execute Supplemental Agreement No. 5 to the existing Engineering Services Agreement, in the amount of \$619,742 with TREKK Design Group, LLC for CIP UT9909 Rapid Inflow and Infiltration Reduction.
 - b) Authorize the City Manager to execute the Engineering Services Agreement for RFP #R1810, CIP UT1892CIP Naismith Valley Interceptor and Pump Station 8 Abandonment, with Black & Veatch, in the amount of \$118,425.
6. Adopt on first reading Ordinance No. 9559, amending the term expirations so that no more than two-fifths of the Affordable Housing Advisory Board's terms shall expire each year (approved by AHAB 11-0 on 08/13/18).
7. Adopt on second and final reading the following ordinance(s):
 - a) Ordinance No. 9561, to rezone (Z-18-00242) approximately 0.27 acres from RSO (Single-Dwelling Residential-Office) District to CS (Commercial Strip) District, located at 1710 W 7th St and 1711 W 6th St. (PC Item 3A; approved 9-0 on 7/25/18)
 - b) Ordinance No. 9557, amending Section 4-113 and repealing Section 4-206 of the Code of the City of Lawrence, removing the restriction on location for the sale of alcohol and cereal malt beverage within 400 feet of a school or church.
8. Approve a request to install approximately 3,369 square feet of artificial turf for a fenced outdoor play area associated with a Site Plan, SP-18-00356, for Woof's, a dog day care/kennel use, at 1519 W. 23rd Street. Submitted by Ben Moore Studio, LLC for Westgate, LC and Radol, LC property owners of record.
9. Approve a Text Amendment, TA-18-00199, to the City of Lawrence Land Development Code, Articles 8 and 13, to update requirements for recording subdivision documents with the Douglas County Register of Deeds Office and adopt on first reading, joint Ordinance No. 9515/County Resolution No. ____, and Ordinance No. 9562. Initiated by Planning Commission on 5/23/18. (PC Item 3; approved 10-0 on 6/27/18)
10. Accept the dedication of utility easements on thirteen lots at the Cedar Grove Development in West Lawrence.
11. Approve Cost-Sharing Agreement with the University of Kansas for the 19th Street and Iowa Street Pedestrian Tunnel Project and the 19th Street Reconstruction Project.
12. Approve Amendment to the Memorandum of Understanding between the University of Kansas and City of Lawrence to share costs regarding the installation of a new 12" diameter water main on the north side of 19th Street from Stewart Avenue to Naismith Drive.
13. **REMOVED FOR SEPARATE VOTE:** Authorize the City Manager to execute a Second Amendment License Agreement, permitting Larsen and Associates, Inc., a Kansas corporation, to install one (1) additional monitoring well (for a total of 5) within the City's

rights of way near the intersection of 23rd Street and Naismith Drive in order to assess possible groundwater and soil contamination in the area.

14. Receive recommendations from the Public Incentives Review Committee and adopt Resolution No. 7257, authorizing the issuance of up to \$3,000,000 in Industrial Revenue Bonds for Heritage Tractor to obtain a sales tax exemption on construction materials for rebuilding their facility at 1110 E. 23rd Street.
15. Approve Affordable Housing Advisory Board amended bylaws as approved by the Board at its August 13, 2018 meeting (approved by AHAB 11-0 on 08/13/18).

Items removed for separate vote:

13. Authorize the City Manager to execute a Second Amendment License Agreement, permitting Larsen and Associates, Inc., a Kansas corporation, to install one (1) additional monitoring well (for a total of 5) within the City's rights of way near the intersection of 23rd Street and Naismith Drive in order to assess possible groundwater and soil contamination in the area.

Vice Mayor Larsen recused herself.

Moved by Commissioner Ananda, seconded by Commissioner Herbert, to authorize the City Manager to execute a Second Amendment License Agreement, permitting Larsen and Associates, Inc., a Kansas corporation, to install one (1) additional monitoring well (for a total of 5) within the City's rights of way near the intersection of 23rd Street and Naismith Drive in order to assess possible groundwater and soil contamination in the area. Motion carried unanimously.

Vice Mayor Larsen returned to the meeting.

C. PUBLIC COMMENT:

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

D. REGULAR AGENDA ITEMS:

1. **Conduct a public hearing regarding a distance limitation waiver for Basil Leaf Café, located at 616 W. 9th Street.**

Sherri Riedemann, City Clerk, presented the staff report.

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

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

Moved by Commissioner Herbert, seconded by Commissioner Ananda, to find that the proximity of the sale of alcohol by Basil Leaf Café is not adverse to the public welfare or safety and grant a distance limitation waiver. Motion carried unanimously.

2. **Conduct a public hearing regarding distance limitation waiver request for the Lawrence Arts Center's Fall Fundraiser event being held on Saturday, October 20, 2018 from 12:00 p.m. to 11:30 p.m. The public hearing would apply to the 900 block of New Hampshire Street. Consider adopting Ordinance No. 9556, allowing for the sale, possession, and consumption of alcohol on the public right-of-way in the 900 block of New Hampshire Street on Saturday, October 20, 2018, from 12:00 p.m. – 11:30 p.m., during the event.**

Mark Thiel, MSO Assistant Public Works Director, presented the staff report.

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

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

Moved by Commissioner Herbert, seconded by Commissioner Ananda, to find that the proximity of the temporary sale of alcoholic liquor for the event is not adverse to the public welfare or safety and grant a distance limitation waiver, and adopt on first reading, Ordinance No. 9556, allowing for the sale, possession, and consumption of alcohol on the public right-of-way in the 900 block of New Hampshire Street on Saturday, October 20, 2018, from 12:00 p.m. – 11:30 p.m., during the event. Motion carried unanimously.

3. **Consider adopting Resolution No. 7263, establishing October 2, 2018 as the public hearing date for the formation of a benefit district for the construction of Queen's Road and the formation of a benefit district for the signalization of 6th Street and Queen's Road.**

Charles F. Soules, MSO Public Works Director, presented the staff report.

Moved by Commissioner Herbert, seconded by Commissioner Ananda, to adopt Resolution No. 7263, Option 1, including a City at large contribution of \$290,000, establishing Tuesday, October 2, 2018, for a public hearing on the creation of a benefit district for the construction of Queens Road and a benefit district for the signalization of the intersection at 6th Street and Queens Road. Motion carried unanimously.

4. **Receive report from MSW Consultants on the downtown solid waste shared dumpster service and consider approving the proposed downtown solid waste shared dumpster rate model.**

Tammy Bennett, MSO Assistant Public Works Director, presented the staff report.

5. **Direct staff regarding the use of the additional \$200,000 allocated to the Housing Trust Fund budget for 2018.**

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

Moved by Vice Mayor Larsen, seconded by Commissioner Soden, to send to the Affordable Housing Advisory Board for the purpose of creating a Request for Proposal that

would allow those non-capital programs, that were excluded from the 2018 application process, to apply for a grant. Motion carried unanimously.

E. COMMISSION ITEMS:

Commissioner Soden asked staff if the City's janitorial service contracts are public record.

Commissioners thanked Finance Director Bryan Kidney for his service to the City and wished him well in his new endeavors.

Vice Mayor Larsen asked if staff could look at options for linking video from previous meetings to current agenda items with related topics.

Commissioner Soden stated her interest in the City Commission providing input on the body camera policy.

F. CITY MANAGER'S REPORT:


Diane Stoddard, Assistant City Manager, presented information on the following items: Short-Term Residential Property Code (Airbnb) and 2018 International Property Maintenance Code Updates, July Building Permit Report, Moody's Investors Service Annual Comment on Lawrence, City Percent for Art Policy, July 2018 City Population Estimates and Projections, Jayhawk Watershed Stormwater Concerns, Kansas League of Municipalities Annual Conference, October 6-8, 2018, Topeka, Kansas Future Agenda Items and Future Work Session Items.

G. CALENDAR:

The Commission reviewed calendar items.

Moved by Commissioner Herbert, seconded by Commissioner Ananda, to adjourn at 9:17 p.m. Motion carried unanimously.

MINUTES APPROVED BY THE CITY COMMISSION ON SEPTEMBER 11, 2018.



Sherri Riedemann, City Clerk