



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

March 20, 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. None.

B. CONSENT AGENDA:

Commissioner Soden requested removal of item 9 for a separate vote.

Commissioner Ananda requested removal of item 21 for a separate vote.

A member of the public requested removal of item 18 for a separate vote.

Moved by Commissioner Herbert, seconded by Commissioner Ananda, to approve the consent agenda as below except for items 9, 18 and 21. Motion carried unanimously.

1. Approve City Commission meeting minutes from 03/06/18.

2. Receive minutes from various boards and commissions:

Affordable Housing Advisory Board meeting of 01/08/18

Board of Zoning Appeals meetings of 08/03/17, 09/07/17, 10/20/17, 12/07/17, and 01/04/18

Community Development Advisory Committee meeting of 01/25/18

Historic Resources Commission meetings of 08/17/17, 09/21/17, 10/19/17, 11/16/17, and 01/18/18

Mental Health Board meeting of 01/23/18

Planning Commission meetings of 11/15/17 and 01/24/18

Public Incentives Review Committee meeting of 11/14/17

Public Transit Advisory Committee meeting of 01/08/18

Senior Resource Center for Douglas County, Inc. Board meeting of 01/23/18

Sister Cities Advisory Board meetings of 11/08/17, 12/13/17, and 01/10/18

Social Services Funding Advisory Board meeting of 10/23/17

Sustainability Advisory Board meeting of 01/10/18

Transportation Commission meetings of 12/04/17 and 12/14/17

3. Approve claims in the amount of \$7,509,526.89 to 348 vendors.



4. Approve licenses as recommended by the City Clerk's Office.

Drinking Establishment	Expires
Tres Mexicanos El Sol Lawrence LLC 1800 E 23 rd St, Ste H	03/10/18
Jazzhaus of Lawrence Richard E McNeely 926 ½ Massachusetts St	03/16/18
The Hawk Jayhawk Café Inc 1340 & 1342 Ohio St	03/21/18
The Bottleneck MT Bottle Enterprises INC 737 New Hampshire	03/31/18
Retail Liquor Store	Expires
Kansas Crown Discount Liquor Jennifer L Ankenbauer 1215 W 6 th St	03/11/18

5. Approve appointments as recommended by the Mayor.

Lawrence Cultural Arts Commission: Appoint Rachel Black to a position that expires 01/31/19.

Public Health Board: Appoint Verdell Taylor to a term that expires 03/31/21. Reappoint Sandy Praeger to an additional term that will expire 03/31/21. Ms. Praeger is a Joint City/County appointment. The County appointed Ms. Praeger on March 6, 2018.

Public Library Board: Reappoint Kevan Vick and Judy Keller to additional terms that expire 04/30/22.

6. Bid and purchase items.

- a) Authorize the purchase of one (1) articulated loader for the Public Works Department, from Roadbuilders Machinery, in the amount of \$162,595.00, utilizing the HGAC purchasing contract.
- b) Authorize the sole source purchase for the VirTra Systems 180 degree LE-5 Simulator, in the amount of \$205,609.41, for Project No. PD1802CIP, and authorize the City Manager to execute the contract.

7. Adopt on first reading, Ordinance No. 9448, authorizing the sale, possession and consumption of alcoholic liquor on the 100 block of E 8th Street and the intersection of 8th St and New Hampshire Street from 12:00 p.m. – 11:00 p.m. on Friday April 20, 2018, associated with the Downtown Shotput event.

8. Adopt on second and final reading, Ordinance No. 9447, prohibiting the possession of glass bottles and other glass containers in the downtown district during specified hours.

9. **REMOVED FOR SEPARATE VOTE:** Adopt on first and second reading, Ordinance No. 9454 restricting rooftop access on Massachusetts Street from 6th Street to 11th Street, during specified hours for the final four celebrations.
10. Approve a Special Event Permit, SE-18-00094, for the sale of KU merchandise beginning on March 25, 2018 through April 8, 2018 in the Checkers parking lot located at 2300 Louisiana Street. Submitted by Sun Creations, Inc., on behalf of 2300 Louisiana Co, LLC, property owner of record. The event will include a sales stand in the event that the University of Kansas Basketball team reaches the NCAA Final Four.
11. Approve a Special Event Permit, SE-18-00010, for the Grinder Nationals bike races at 400 N. 1st Street Block 3, 300 Massachusetts Street, 100 Elm Street Block 1, and Plate N06425B on April 7, 2018, from 6:00 a.m. - 6:00 p.m. Submitted by Troy Farrar of United States Endurance Cycling Federation, with permission of the City of Lawrence, KS, property owner of record.
12. Approve a Special Event Permit, SE-18-00103, for an outdoor event adjacent to The Granada, located at 1020 Massachusetts Street, on March 31, April 2 and April 5, 2018. Submitted by Mike Logan, on behalf of Allen Press, property owner of record. The weekend event on the dates listed will include a small band, video screens, local vendors, food truck, and beer garden.
13. Approve rezoning, Z-17-00471, approximately 2.5 acres from UR (Urban Reserve) District to RM12-PD (Multi-Dwelling Residential-Planned Development Overlay) District, located at 5275 W. 6th Street. Submitted by Grob Engineering Services, LLC, on behalf of Beckmeisters LLC, property owner of record. Adopt on first reading, Ordinance No. 9442, rezoning (Z-17-00471) approximately 2.5 acres from UR (Urban Reserve) District to RM12-PD (Multi-Dwelling Residential-Planned Development Overlay) District, located at 5275 W. 6th Street. (PC Item 3A; approved 9-0 on 2/21/18)
14. Approve a Preliminary Development Plan, PDP-17-00695, for a multi-family residential development located at 5275 W. 6th Street. Submitted by Grob Engineering Services LLC on behalf of Beckmeisters LLC, property owner of record. (PC Item 3B; approved 9-0 on 2/21/18)
15. Accept dedication of easements associated with Minor Subdivision/Replat, MS-17-00692, for Monterey No. 8 Addition, a two-lot commercial subdivision of approximately 4.26 acres located at 3900 and 4000 W. 6th Street. Submitted by George Butler Associates, LLC for Lawrence Monterey Investors, LLC, property owners of record.
16. Approve rezoning, Z-17-00688, approximately 1.33 acres located at 3900 W. 6th Street from CN2 (Neighborhood Commercial Center) District & PCD (Planned Commercial Development-Monterey Center) District to CN2 (Neighborhood Commercial Center) District. Submitted by Wild Pines Ventures LLC, for Lawrence Monterey Investors LLC, property owner of record. Adopt on first reading, Ordinance No. 9443, rezoning (Z-17-00688) approximately 1.33 acres located at 3900 W. 6th Street from CN2 (Neighborhood Commercial Center) District & PCD (Planned Commercial Development-Monterey Center) District to CN2 (Neighborhood Commercial Center) District. (PC Item 4A; approved 9-0 on 2/21/18)

17. Approve a Special Use Permit, SUP-17-00690, for a car wash use, on approximately 1.33 acres located at 3900 W. 6th Street. Submitted by Wild Pines Ventures LLC, for Lawrence Monterey Investors LLC, property owner of record. Adopt on first reading, Ordinance No. 9444, for Special Use Permit (SUP-17-00690), on approximately 1.33 acres located at 3900 W. 6th Street. (PC Item 4B; approved 9-0 on 2/21/18)
18. **REMOVED FOR SEPARATE VOTE:** Approve rezoning, Z-17-00694, approximately 1.768 acres from RS10 (Single-Dwelling Residential) District to CS (Commercial Strip) District, located at 1105 E. 23rd Street. Submitted by Grob Engineering Services LLC on behalf of Hedge Tree, LLC, property owner of record. Adopt on first reading, Ordinance No. 9445, rezoning (Z-17-00694) approximately 1.768 acres from RS10 (Single-Dwelling Residential) District to CS (Commercial Strip) District, located at 1105 E. 23rd Street. (PC Item 2A; approved 9-0 on 2/21/18)
19. Approve Site Plan SP-17-0562, and sidewalk dining and hospitality license for Alchemy Coffee and Bake House located at 816 Massachusetts Street. Submitted by Hernly Associates, Inc., for Alan Terry, property owner of record.
20. Receive request from the Affordable Housing Advisory Board to add one (1) additional City appointee to the Board with requested attention to diversity with the appointment. Direct staff to prepare an ordinance to consider this change.
21. **REMOVED FOR SEPARATE VOTE:** Receive a request from the Economic Development Corporation of Lawrence/Douglas County regarding its appointment to the Public Incentives Review Committee (PIRC) and authorize staff to prepare an ordinance to consider the change requested and authorize the continuation of its current representative to PIRC until the requested change is processed.
22. Approve Public Incentive Review Committee bylaws as approved by the Public Incentive Review Committee by unanimous vote on February 13, 2018.
23. Approve 2018 Community Arts Grants as recommended by the Lawrence Cultural Arts Commission.
24. Authorize the City Manager to execute a 6-month lease extension for Municipal Court, located at 1006 New Hampshire.
25. Authorize the Mayor to sign a letter to EPA Administrator, Scott Pruitt, with 240 other Mayors from U.S. Cities and territories, urging him to reconsider his actions to dismantle the Clean Power Plan.
26. Authorize the Mayor to sign a Release of Mortgage for Chester Schmitendorf, 2014 Hillview Road.

ITEMS REMOVED FOR SEPARATE VOTE:

9. Adopt on first and second reading, Ordinance No. 9454 restricting rooftop access on Massachusetts Street from 6th Street to 11th Street, during specified hours for the final four celebrations.

Moved by Vice Mayor Larsen, seconded by Mayor Boley, to adopt on first and second reading, Ordinance No. 9454 restricting rooftop access on Massachusetts Street from 6th Street to 11th Street, during specified hours for the final four celebrations. Motion carried unanimously.

18. Approve rezoning, Z-17-00694, approximately 1.768 acres from RS10 (Single-Dwelling Residential) District to CS (Commercial Strip) District, located at 1105 E. 23rd Street. Submitted by Grob Engineering Services LLC on behalf of Hedge Tree, LLC, property owner of record. Adopt on first reading, Ordinance No. 9445, rezoning (Z-17-00694) approximately 1.768 acres from RS10 (Single-Dwelling Residential) District to CS (Commercial Strip) District, located at 1105 E. 23rd Street. (PC Item 2A; approved 9-0 on 2/21/18)

Mary Miller, Planner, presented staff report.

Commissioners declared Ex Parte Communications.

Moved by Commissioner Herbert, seconded by Vice Mayor Larsen, to approve rezoning, Z-17-00694, approximately 1.768 acres from RS10 (Single-Dwelling Residential) District to CS (Commercial Strip) District, located at 1105 E. 23rd Street. Submitted by Grob Engineering Services LLC on behalf of Hedge Tree, LLC, property owner of record. Adopt on first reading, Ordinance No. 9445, rezoning (Z-17-00694) approximately 1.768 acres from RS10 (Single-Dwelling Residential) District to CS (Commercial Strip) District, located at 1105 E. 23rd Street. (PC Item 2A; approved 9-0 on 2/21/18). Motion carried unanimously.

21. Receive a request from the Economic Development Corporation of Lawrence/Douglas County regarding its appointment to the Public Incentives Review Committee (PIRC) and authorize staff to prepare an ordinance to consider the change requested and authorize the continuation of its current representative to PIRC until the requested change is processed.

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

Moved by Commissioner Herbert, seconded by Commissioner Ananda, to receive a request from the Economic Development Corporation of Lawrence/Douglas County regarding its appointment to the Public Incentives Review Committee (PIRC) and authorize staff to prepare an ordinance to consider the change requested and authorize the continuation of its current representative to PIRC until the requested change is processed. 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. **Conduct a public hearing regarding a Cereal Malt Beverage license for Archibowls, 125 E. 10th Street.**

Sherri Riedemann, City Clerk, presented the staff report.

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

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

Moved by Commissioner Herbert, seconded by Commissioner Soden, to find that the proximity of the sale of cereal malt beverages are not averse to the public welfare or safety, and grant a distance limitation waiver. Motion carried unanimously.

2. **Consider approving a request for rezoning (Z-17-00689) for approximately 1.685 acres from IBP (Industrial/Business Park) District to IL (Limited Industrial) District, located at 1300 Research Park Drive. Submitted by Landplan Engineering PA on behalf of Wakarusa Plaza LC, property owner of record. Consider adopting on first reading, Ordinance No. 9446, rezoning (Z-17-00689) approximately 1.685 acres from IBP (Industrial/Business Park) District to IL (Limited Industrial) District, located at 1300 Research Park Drive. (PC Item 1; approved 7-2 on 2/21/18) Commissioners will need to declare Ex Parte Communications. A protest petition was not submitted for this application.**

Commissioners declared Ex Parte Communications. A protest petition was not submitted for this application.

Sandra Day, Planner, presented the staff report.

Moved by Commissioner Herbert, seconded by Commissioner Ananda, to approve rezoning (Z-17-00689) 1.685 acres from IBP to IL located at 1300 Research Park Drive and adopt on first reading, Ordinance No. 9446; and, direct staff return to the commission a memo requesting the initiation of a text amendment adding interior storage to IBP and to consider options for rezoning the subject property back to IBP if the text amendment is approved. Aye: Mayor Boley, Vice Mayor Larsen, Commissioner Ananda, Commissioner Herbert. Nay: Commissioner Soden. Motion carried 4-1.

3. **Consider the following items related to the city leasing space at the Riverfront Mall, 1 Riverfront Plaza:**

- a) **Consider taking a walking tour of the west-side, top floor of the Riverfront Mall, 1 Riverfront Plaza. Commissioners, staff, and any public that want to participate, will be able to walk over to the Riverfront Mall to tour the space. The tour will take approximately 20-30 minutes and Commissioners and staff will return to the Commission Room for the remaining agenda items. Any members of the public who require accommodation, please contact the City Manager's Office by noon on March 20, 2018.**

Scott McCullough, PDS Director, presented the staff report on item a.

The Commission, staff and members of the public took a walking tour of the west-side, top floor of the Riverfront Mall, 1 Riverfront Plaza, at 7:44 p.m.

The Commission returned to the City Commission Chambers at 8:07 p.m.

- b) **Consider approving the City's lease of 21,385 square feet of the west-side top floor of the Riverfront Mall, 1 Riverfront Plaza, to establish City offices; and**
- c) **Consider authorizing the City Manager to enter into an agreement with TreanorHL for architectural design and construction management services to complete tenant improvements at the property at a cost not to exceed \$64,000.**

Scott McCullough, PDS Director, presented the staff report on items b and c.

Moved by Commissioner Herbert, seconded by Commissioner Ananda, to approve the City's lease of 21,385 square feet of the west-side top floor of the Riverfront Mall. Motion carried unanimously.

Moved by Commissioner Herbert, seconded by Vice Mayor Larsen, to authorize the City Manager to enter into an agreement with TreanorHL for architectural design and construction management services at a cost to not exceed \$64,000. Motion carried unanimously.

- 4. **Consider motion to recess into executive session for approximately 30 minutes for the purpose of consultation with attorneys for the City to discuss pending legal matters. The justification for the executive session is to keep attorney-client matters confidential at this time. At the end of the executive session, the City Commission will resume its regular meeting in the City Commission Room.**

Moved by Commissioner Ananda, seconded by Commissioner Herbert, to approve motion to recess into executive session for approximately 30 minutes at 8:38 p.m. for the purpose of consultation with attorneys for the City to discuss pending legal matters. Motion carried unanimously.

The regular meeting reconvened at 9:08 p.m. The City Commission had nothing to report.

E. COMMISSION ITEMS:

Commissioner Soden and Commissioner Ananda discussed their trip to the National League of Cities Congressional City Conference.

Commissioner Soden inquired about the status of a work session related to the use of cameras in the downtown area.

Commissioner Ananda discussed opportunities for attracting innovative and technologically driven businesses.

F. CITY MANAGER'S REPORT:

Tom Markus, City Manager, presented information on the following items: VanTrust Project in Lawrence VenturePark Commencing – Added 03/19/18, Update Statement of Substantial Interests Form, February Utility Billing Report, General Fund 2017 Activity, Advisory Board Membership Voluntary Demographic Survey Distributed, Benefit/Cost Model Update, February Monthly Permit Reports, Rental Licensing and Inspection Program 2017 Annual Report, Informational Briefing on Valuation of Large Commercial Properties, City of Lawrence signs on to

letter supporting expansion of KanCare, Common Ground Lease 2017 Annual Report, Douglas County Food Policy Council 2017 Annual Report, Future Agenda Items and Future Work Session Items.

G. CALENDAR:

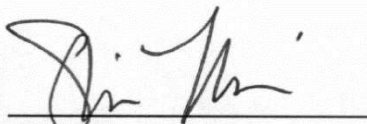
1. Receive request for a joint work session with the Transportation Commission and provide direction to staff.

Moved by Vice Mayor Larsen, seconded by Commissioner Soden, to direct staff to add a joint work session with the Lawrence Transportation Commission to a future agenda. Motion carried unanimously.

The Commission reviewed calendar items.

Moved by Vice Mayor Larsen, seconded by Commissioner Herbert, to adjourn at 9:36 p.m. Motion carried unanimously.

MINUTES APPROVED BY THE CITY COMMISSION ON APRIL 3, 2018.



Sherril Riedemann, City Clerk