



# City of Lawrence

CITY COMMISSION

**MAYOR**  
LISA LARSEN

**COMMISSIONERS**  
JENNIFER ANANDA, JD, MSW  
MATTHEW J. HERBERT  
LESLIE SODEN  
STUART BOLEY

THOMAS M. MARKUS  
CITY MANAGER

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February 5, 2019

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

**A. RECOGNITION/PROCLAMATION/PRESENTATION:**

1. Proclaim February 4 – March 3 as Read Across Lawrence.
2. Recognition of Jack Tell, a regional winner of the annual Kansas League of Municipalities “If I were Mayor” memo contest.

**B. CONSENT AGENDA:**

Commissioner Herbert requested removal of item 22.

Vice Mayor Ananda requested removal of item 20.

Commissioner Soden requested removal of item 12 and 8(a).

Mayor Larsen requested removal of item 15.

Members of the public requested removal of items 11 and 8(a).

**Moved by Vice Mayor Ananda, seconded by Commissioner Herbert,** to approve the consent agenda as listed below except for items 8(a), 11, 12, 15, 20 and 22. Motion carried unanimously.

1. Approve City Commission meeting minutes from 01/14/19.
2. Receive minutes from various boards and commissions:
  - Affordable Housing Advisory Board meeting of 12/10/18
  - Bert Nash Governing Board meeting of 10/30/18
  - Community Development Advisory Committee meetings of 09/27/18 and 01/10/19
  - Community Police Review Board meeting of 12/05/18
  - LMH Health Board meeting of 12/19/18
  - Public Health Board meeting of 10/25/18
  - Public Transit Advisory Committee meeting of 12/10/18
  - Sustainability Advisory Board meeting of 12/12/18
3. Approve claims in the amount of \$11,762,030.49 to 420 vendors.



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

<b>Cereal Malt Beverage</b>	<b>Address</b>
La Estrella	2449 Iowa St, Suite D
<b>Drinking Establishment</b>	<b>Expires</b>
Abe & Jake's Landing 8 East 6 <sup>th</sup> St	1/31/2019
Kaw Valley Public House 444 Locust	New
Luckyberry Juice Café 845 Massachusetts	New
Milton's 901 New Hampshire	1/16/2019
Mount Oread Aerie 309 Fraternal Order of Eagles of Lawrence 530 Wisconsin St	New Location
<b>Mobile Food Vendor</b>	<b>Expired</b>
LR Development LP Hog Wild Pit BBQ	12/31/2018

5. Approve appointments as recommended by the Mayor.

Affordable Housing Advisory Board: Appoint Patrick Kelly as the County Commission representative, with a term expiration of 12/31/21.

Bodywork Advisory Board: Appoint Paula Schumacher to the at-large position that expires 09/30/20.

Lawrence Cultural Arts Commission: Reappoint Jerry Johnson, Kristina Walker, and Joshua Falleaf to additional terms that expire 01/31/22. Appoint Marlo Angell to a position that expires 01/31/22.

Lawrence Douglas County Planning Commission: Appoint Sharon Ashworth to a position that expires 05/31/22.

Library Board: Reappoint Ursula Minor and David Vance to additional terms that expire 04/30/23.

Parks & Recreation Advisory Board: Appoint Jackie Becker to a term that expires 12/31/19.

Public Incentives Review Committee: Reappoint Aron Cromwell to an additional term that expires 01/31/22.

6. Bid and purchase items:

- a) Approve the purchase of one (1) VT 651 street sweeper, for the Streets Division, from Johnston North America in the amount of \$277,700.00, utilizing the HGAC

cooperative contract as part of the 2019 CIP (PW19F9CIP) replacement schedule.

- b) Approve the purchase of one (1) Automated Side Load Refuse Truck, for the Solid Waste Division, from Chastang Autocar in the amount of \$262,836.31, utilizing the HGAC cooperative contract as part of the 2019 CIP (PW19F3CIP) replacement schedule.
  - c) Award Bid No. B1860 for one (1) Rear Load Refuse Truck, for the Solid Waste Division, to Downing Sales and Service in the amount of \$121,214.00, as part of the 2019 CIP (PW19F5CIP) replacement schedule.
  - d) Approve UtiliWorks Consulting, LLC to proceed with Task Order 3 for Advanced Metering Infrastructure to provide contracting support services during negotiations with the selected AMI vendor in the amount of \$41,220.0
7. Adopt on first reading, Joint City Ordinance No. 9637/County Resolution No. \_\_\_\_\_, reestablishing the Douglas County Food Policy Council as a joint advisory board and updating the bylaws to govern the Council's work.
8. Adopt on second and final reading, the following ordinances:
- a) **REMOVED FOR SEPARATE VOTE:** Ordinance No. 9617, ordering through the exercise of eminent domain, the condemnation of certain property interests commonly located at 2305 Vermont Street, and authorizing the filing of a petition in Douglas County District Court.

**Moved by Commissioner Boley, seconded by Vice Mayor Ananda,** to adopt on second and final reading Ordinance No. 9617, ordering through the exercise of eminent domain, the condemnation of certain property interests commonly located at 2305 Vermont Street, and authorizing the filing of a petition in Douglas County District Court. Aye: Mayor Larsen, Vice Mayor Ananda, Commissioner Boley. Nay: Commissioner Herbert, Commissioner Soden. Motion carried 3-2.

- b) Ordinance No. 9619, rezoning, Z-18-00495, approximately 2.7 acres from IBP (Industrial/Business Park) District to IL (Limited Industrial) District, located at 1900 Wakarusa Drive. Submitted by Home Sweet Home on behalf of Larry McElwain, property owner of record. (PC Item 5; approved 9-0-1 on 12/19/18)
  - c) Ordinance No. 9620, rezoning, Z-18-00508, approximately 0.18 acres from PCD (Planned Commercial Development) District to CS (Strip Commercial) District, located at 3235 Ousdahl. Submitted by Paul Werner Architects, for Fraternal Investors LLC, property owner of record. (PC Item 2; approved 10-0 on 12/19/18)
  - d) Ordinance No. 9621, for a Special Use Permit/Institutional Development Plan, SUP-18-00518, for the development of residential housing to include a 12-bedroom Group Home and 10 one-bedroom apartments, located at 1000 W. 2nd Street. Submitted by TreanorHL, for Douglas County, property owner of record. (PC Item 7; approved 9-0-1 on 12/19/18)
9. Adopt the following resolutions:

- a) Resolution No. 7279, a resolution of the City of Lawrence, Kansas repealing Resolution No. 6951, thereby dissolving the Homeless Issues Advisory Committee.
  - b) Resolution No. 7278, setting a public hearing date of March 19, 2019, pursuant to K.S.A 12-1750 et. seq., to consider ordering the structure at 1116 New Jersey Street to be repaired or demolished.
  - c) Resolution No. 7280, authorizing various public improvements and the issuance of general obligation bonds and/or temporary notes to finance all or a portion of the costs of certain improvements.
10. Approve a Text Amendment, TA-18-00430, to the City of Lawrence Land Development Code, to define and clarify the use of conditional zoning and adopt on first reading, Ordinance No. 9618. Initiated by Planning Commission on 8/22/18. (PC Item 4; approved 10-0 on 12/19/18)
11. **REMOVED FOR SEPARATE VOTE:** Accept dedication of easements associated with Minor Subdivision, MS-18-00567, for W. Morris Addition No. 1 (Starbucks), located at 1801 W. 23rd Street and 1807 W. 23rd Street and the tract of land known as Ridge Court. Submitted by Landplan Engineering for Team Players LLC and Emira-One LLC, property owners of record.

Sandra Day, Planner, presented the staff report.

**Moved by Commissioner Herbert, seconded by Vice Mayor Ananda,** to accept dedication of easements associated with Minor Subdivision, MS-18-00567, for W. Morris Addition No. 1 (Starbucks), located at 1801 W. 23rd Street and 1807 W. 23rd Street and the tract of land known as Ridge Court. Submitted by Landplan Engineering for Team Players LLC and Emira-One LLC, property owners of record; and, direct staff to look into signage exiting onto 23<sup>rd</sup> Street. Motion carried unanimously.

12. **REMOVED FOR SEPARATE VOTE:** Approve a Special Event Permit, SE-19-00009, for The Kansas Food Truck Festival at 810 Pennsylvania Street on May 4, 2019. Submitted by The Cider Gallery, with permission of Codi Bates of Bates Co. Investments LLC, property owners of record.

**Moved by Commissioner Soden, seconded by Vice Mayor Ananda,** to approve a Special Event Permit, SE-19-00009, for The Kansas Food Truck Festival at 810 Pennsylvania Street on May 4, 2019. Submitted by The Cider Gallery, with permission of Codi Bates of Bates Co. Investments LLC, property owners of record. Motion carried unanimously.

13. Approve travel request for one Planning Commissioner to attend the 2019 National American Planning Association conference in San Francisco, April 13-16, 2019.
14. Authorize the City Manager to execute an Engineering Services Agreement, in the amount of \$246,547.00 with George Butler Associates, Inc. for the City of Lawrence 2019 Flow Monitoring Program which is part of the Rapid I/I Reduction Program (UT9909CIP).

15. **REMOVED FOR SEPARATE VOTE:** Authorize the City Manager to execute an Engineering Services Agreement, in the amount of \$280,209.50, with BG Consultants for the design of 19th Street, from Harper Street to O'Connell Road (CIP# PW17E3).

**Moved by Commissioner Herbert, seconded by Vice Mayor Ananda,** to authorize the City Manager to execute an Engineering Services Agreement, in the amount of \$280,209.50, with BG Consultants for the design of 19th Street, from Harper Street to O'Connell Road (CIP# PW17E3). Motion carried unanimously.

16. Authorize the City Manager to execute the First Amendment to the Site Agreement with Verizon Wireless to extend the current lease at the Stratford Water Tower for the Cell Phone Communication Equipment.
17. Authorize the City Manager to execute an agreement with Tenants to Homeowners, Inc. and The Willow Domestic Violence Center in the amount of \$90,000 in Housing Trust Funds to fund a partnership between KU Endowment, Tenants to Homeowners, Inc. and The Willow Domestic Violence Center to create transitional housing and affordable permanent rentals for survivors of domestic violence and adults aging out of foster care; and authorize the City Manager to execute an agreement with the Lawrence-Douglas County Housing Authority and Family Promise of Lawrence in the amount of \$110,000 in Housing Trust Funds to fund the New Horizons Transitional Housing Program for tenant based rental assistance, rent and utility deposits and case management services for low income residents, as previously approved by the City Commission and recommended by the Affordable Housing Advisory Board.
18. Receive recommendation from the Affordable Housing Advisory Board to not allocate an additional \$90,000 in funding for the Lawrence-Douglas County Housing Authority/Family Promise of Lawrence in order to fully fund its \$200,000 proposal to provide rental assistance and case management services for low income families in Lawrence from 2019 Housing Trust Funds.
19. Approve updated bylaws for the Community Police Review Board as recommended by the Community Police Review Board.
20. **REMOVED FOR SEPARATE VOTE:** Receive recommendations from the Community Police Review Board regarding proposed changes to the ordinance creating the Community Police Review Board.

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

**Moved by Vice Mayor Ananda, seconded by Commissioner Boley,** to defer receiving recommendations from the Community Police Review Board regarding proposed changes to the ordinance creating the Community Police Review Board and place on a future agenda as a regular agenda item. Motion carried unanimously.

21. Authorize the City Manager to finalize and execute a Host Site License Agreement with Westar Energy, Inc., for placement of one (1) DC FastCharge and one (1) Level Two Electric Vehicle Charging Station at Sports Pavilion Lawrence.
22. **REMOVED FOR SEPARATE VOTE:** Authorize the City Manager to enter into a letter of understanding with Douglas County to jointly fund consulting services related to the

Lawrence Community Shelter and authorize the City Manager to enter into an agreement with the Lawrence Community Shelter for 2019, providing one hundred percent (100%) of their 2019 budget allocation by March 1, 2019.

Casey Toomay, Assistant City Manager, presented the staff report.

**Moved by Commissioner Boley, seconded by Commissioner Soden,** to authorize the City Manager to enter into a letter of understanding with Douglas County to jointly fund consulting services related to the Lawrence Community Shelter and authorize the City Manager to enter into an agreement with the Lawrence Community Shelter for 2019, providing one hundred percent (100%) of their 2019 budget allocation by March 1, 2019. Motion carried unanimously.

23. Authorize the Mayor to sign the following Releases of Mortgage:

- a) Norma J. Gunn, 320 N. Crestline Drive.
- b) Carol Klinknett, 500 Indiana Street.

24. Authorize the reinstatement of the March 12, 2019 City Commission Meeting, with a start time of 4:00 p.m.

**Moved by Vice Mayor Ananda, seconded by Commissioner Boley,** to amend the order of business to hold the Executive Session after the City Managers Report. 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. **Receive 2018 Health Equity Report from Dan Partridge, Lawrence Douglas County Health Department.**

Dan Partridge and Sonia Jordan, Lawrence Douglas County Health Department, presented the report.

2. **Receive report from McGrath Human Resources Group on the Classification and Compensation Study and consider authorizing an amendment to the 2019 Budget, if necessary, to implement the following recommended changes:**

- **Establish a new Primary Pay Plan Structure, including placement of positions within the pay plan;**
- **Establish new pay ranges for each position; and**
- **Provide salary adjustments for employees who are not at the minimum of their new pay grades to the minimum in 2019.**

Marlo Cohen, Compensation Analyst, presented the staff report.

Victoria McGrath, McGrath Human Resources Group, presented the report.

**Moved by Commissioner Herbert, seconded by Vice Mayor Ananda**, to authorize an amendment to the 2019 Budget if necessary, to implement the recommended changes. Motion carried unanimously.

The Commission took a 10-minute recess at 8:12 p.m.

**3. Consider adopting Resolution No. 7281, authorizing the sale of general obligation temporary notes and general obligation bonds.**

Jeremy Willmoth, Finance Director, presented the staff report.

**Moved by Vice Mayor Ananda, seconded by Commissioner Herbert**, to adopt Resolution No. 7281. Motion carried unanimously.

**E. COMMISSION ITEMS:**

The following assignments were made to City Commissioner Boards and Commissions:

- Dwayne Peaslee Technical Training Center – Mayor Larsen
- The EDC of Lawrence – Douglas County (Economic Development Corporation) – Mayor Larsen
- Bioscience and Technology Business Center (BTBC) – Commissioner Herbert
- Destination Management Inc. (DMI) – Commissioner Boley
- eXplore Lawrence Board: – Commissioner Soden
- Lawrence-Douglas County Metropolitan Planning Organization (MPO) Policy Board – Vice Mayor Ananda, Commissioner Herbert
- Criminal Justice Coordinating Council – Vice Mayor Ananda
- Sister Cities Lawrence – Mayor Larsen
- Lawrence Public Library Board – Mayor Larsen

Vice Mayor Ananda requested a proclamation to recognize Black History Month.

Mayor Larsen discussed potential changes to the layout of the agenda.

Commissioner Soden discussed the Downtown Master Plan process.

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

Thomas M Markus, City Manager, presented information on the following items: Federal Opportunity Zone Informational Session, EMS Agreement Discussion Update, Draft Comprehensive Plan 2040 Update, December 2018 Monthly Building Permit Reports, Downtown Lawrence Master Plan Workshops Announced, Municipal Services and Operations Design and Construction Standards – 2019 Update, Leadership Exploration and Development (LEAD) Graduation Ceremony, Gender Diversity in Employee Recruitments, Food Policy Council and Common Ground Annual Reports, Inquiry about City-owned park property for

affordable housing, Tobacco 21 Update, Sales Tax Collections Update, Future Agenda Items, and Future Work Session Items.

**G. EXECUTIVE SESSION.**

**Moved by Vice Mayor Ananda, seconded by Commissioner Boley,** to approve motion to recess into executive session at 9:23 p.m. for approximately 25 minutes to discuss pending and possible litigation deemed privileged in the attorney-client relationship as set forth in K.S.A. 75-4319(b)(2). The justification for the executive session is to keep attorney-client privileged 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. Motion carried unanimously.

**Moved by Commissioner Boley, seconded by Vice Mayor Ananda,** to approve motion to recess into executive session at 9:48 for approximately 5 minutes to discuss pending and possible litigation deemed privileged in the attorney-client relationship as set forth in K.S.A. 75-4319(b)(2). The justification for the executive session is to keep attorney-client privileged 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. Motion carried unanimously.

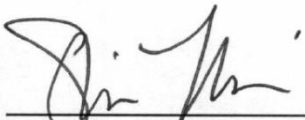
The Commission returned at 9:53 p.m. and had nothing to report.

**H. CALENDAR:**

The Commission reviewed calendar items.

**Moved by Commissioner Herbert, seconded by Vice Mayor Ananda,** to adjourn at 9:56 p.m. Motion carried unanimously.

**MINUTES APPROVED BY THE CITY COMMISSION ON FEBRUARY 12, 2019.**

  
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Sherril Riedemann, City Clerk