



City of Lawrence

CITY COMMISSION

MAYOR
LISA LARSEN

COMMISSIONERS
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February 19, 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.

Mayor Larsen announced Municipal Court and Planning & Development Services will permanently move from their current locations to the new City Hall Riverfront at One Riverfront Plaza on February 25th, 2019.

A. RECOGNITION/PROCLAMATION/PRESENTATION:

1. Presentation of the Honor in Procurement Award by the Center for Procurement Excellence.

B. CONSENT AGENDA:

Commissioner Hebert requested removal of item 5(b) for a separate vote.

Mayor Larsen requested removal of items 5(a) and 5(c) for a separate vote.

A member of the public requested removal of item 11.

Items 6 (a) and 6 (b) were deferred for staff revision and will return to the City Commission for consideration on March 5, 2019.

Moved by Commissioner Herbert, seconded by Vice Mayor Ananda, to approve the consent agenda as listed below except for items 5(a), 5(b), 5(c), 6(a), 6(b) and 11. Motion carried unanimously.

1. Approve City Commission meeting minutes from 02/12/19.
2. Approve claims in the amount of \$1,408,337.48 to 136 vendors.
3. Approve licenses as recommended by the City Clerk's Office.

Caterer	Expires
Culinaria Food and Wine, Inc	02/16/2019
Retail Liquor	Expires
Jayhawk Liquor and Spirits 701 West 9 th St	02/28/2019



4. Approve appointments as recommended by the Mayor.

Douglas County Food Policy Council: Appoint Christina Ostmeyer and Tyler Lindquist to terms that expire 12/31/20.

Historic Resources Commission: Reappoint Brenna Buchanan Young to an additional term that expires 03/01/22.

Sustainability Advisory Board: Appoint Allison Koonce and Deb Ford to terms that expire 12/31/19.

5. **REMOVED FOR SEPARATE VOTE:** Bid and purchase items:

- a) Approve budget enhancements for the 2018 ADA Sidewalk and Ramp Project (2018 CIP# CI09) and 2017 CDBG Ramp and Haskell Pedestrian Crossing Project (2017 CIP# PW17E7) by allocating \$200,000 from the 2019 Bike/Ped Program (CIP# CI09) and increasing CDBG funding by \$37,000. Waive the requirement to rebid Bid No. B1900 for 2018 ADA Sidewalks and Ramps and 2017 CDBG Ramps and Haskell Pedestrian Crossing projects and award bid to Phoenix Concrete and Underground, LLC in an amount of \$550,456.28, which upon City Engineer review is confirmed to be a responsive bid.
- b) Award Bid No. B1903 for janitorial services for several divisions throughout the City of Lawrence, to Services Systems, in the amount of \$177,192.00.
- c) Authorize the City Manager to execute Supplemental Agreement No. 1 to the Engineering Services Agreement with GHD Inc., for the Farmland Remediation Project, in the amount of \$143,738.00.

6. **DEFERRED:** Adopt on first reading, the following ordinances:

- a) Ordinance No. 9647 prohibiting the possession of glass bottles and other glass containers in the downtown district during specified hours.
- b) Ordinance No. 9651, prohibiting access to rooftops along Massachusetts Street during specified dates and times.

7. Adopt on second and final reading, Ordinance No. 9638, allowing the sale, possession and consumption of alcohol on the 800 block of Pennsylvania and the 600 block of E. 8th Street (New Jersey St. to Delaware St.) on Saturday May 4, 2019 from 4:00 P.M. to 10:00 P.M. associated with 2019 Kansas Food Truck Festival event.

8. Approve a Special Use Permit, SUP-18-00556, for a non-owner-occupied short-term rental located at 508 Florida Street in RM24 (Multi-Dwelling Residential) Zoning District and adopt on first reading, Ordinance No. 9640. Submitted by Carrie Jackson on behalf of Jose Velasco, property owner of record. (PC Item 9; approved 9-0 on 1/23/19)

9. Approve a Special Use Permit, SUP-18-00563, for a non-owner-occupied short-term rental located at 815 Alabama Street in RS5 (Single-Dwelling Residential) Zoning District and adopt on first reading, Ordinance No. 9641. Submitted by Angela Nascimento on behalf of William Price, property owner of record. (PC Item 10; approved 9-0 on 1/23/19)

10. Approve a Special Event Permit, SE-19-00050, for Kaw Valley Greenhouses at 2300 Louisiana Street from March 24, 2019 to June 30, 2019. Submitted by Kaw Valley Greenhouses Inc on behalf of Hillcrest Foods, Inc. for 2300 Louisiana Co LLC, property owner of record.
11. **REMOVED FOR SEPARATE VOTE:** Receive letter from the Historic Resources Commission about the need for design guidelines for East Lawrence.
12. Receive the Planning and Development Services 2018 Year End Revenue and Expenditure Report for the Regulation of Building Permit Activity, pursuant to Chapter 5, Article 5-174 of the City Code.
13. Authorize letter of City support and permission for the Douglas County Historical Society to submit a grant application on behalf of the City of Lawrence to the Douglas County Heritage Grant program for signage at the Grover Barn Underground Railroad site, a city facility located at 2819 Stonebarn Terrace.
14. Receive 2018 Annual Report from the Affordable Housing Advisory Board.

Items removed for separate vote:

5. Bid and purchase items:
 - a) Approve budget enhancements for the 2018 ADA Sidewalk and Ramp Project (2018 CIP# CI09) and 2017 CDBG Ramp and Haskell Pedestrian Crossing Project (2017 CIP# PW17E7) by allocating \$200,000 from the 2019 Bike/Ped Program (CIP# CI09) and increasing CDBG funding by \$37,000. Waive the requirement to rebid Bid No. B1900 for 2018 ADA Sidewalks and Ramps and 2017 CDBG Ramps and Haskell Pedestrian Crossing projects and award bid to Phoenix Concrete and Underground, LLC in an amount of \$550,456.28, which upon City Engineer review is confirmed to be a responsive bid.

David Cronin, City Engineer, presented the staff report.

Moved by Commissioner Herbert, seconded by Vice Mayor Ananda, to approve budget enhancements for the 2018 ADA Sidewalk and Ramp Project (2018 CIP# CI09) and 2017 CDBG Ramp and Haskell Pedestrian Crossing Project (2017 CIP# PW17E7) by allocating \$200,000 from the 2019 Bike/Ped Program (CIP# CI09) and increasing CDBG funding by \$37,000. Waive the requirement to rebid Bid No. B1900 for 2018 ADA Sidewalks and Ramps and 2017 CDBG Ramps and Haskell Pedestrian Crossing projects and award bid to Phoenix Concrete and Underground, LLC in an amount of \$550,456.28, which upon City Engineer review is confirmed to be a responsive bid. Motion carried unanimously.

- b) Award Bid No. B1903 for janitorial services for several divisions throughout the City of Lawrence, to Services Systems, in the amount of \$177,192.00.

Jason Stowe, Facility Manager, presented the staff report.

Moved by Commissioner Herbert, seconded by Vice Mayor Ananda, to defer item 5(b), award Bid No. B1903 for janitorial services for several divisions throughout the City of

Lawrence, to Services Systems, in the amount of \$177,192.00 to allow the Commission time to review all bids submitted and the draft contract. Motion carried unanimously.

- d) Authorize the City Manager to execute Supplemental Agreement No. 1 to the Engineering Services Agreement with GHD Inc., for the Farmland Remediation Project, in the amount of \$143,738.00.

Sarah Graves, Project Engineer, presented the staff report.

Moved by Commissioner Herbert, seconded by Vice Mayor Ananda, to defer item 5(c), authorize the City Manager to execute Supplemental Agreement No. 1 to the Engineering Services Agreement with GHD Inc., for the Farmland Remediation Project, in the amount of \$143,738.00, until additional documentation is provided to commissioners. Motion carried 4-0. Commissioner Soden was not present for the vote.

11. Receive letter from the Historic Resources Commission about the need for design guidelines for East Lawrence.

Moved by Commissioner Herbert, seconded by Vice Mayor Ananda, to receive letter from the Historic Resources Commission about the need for design guidelines for East Lawrence. 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 to consider a vacation request submitted on behalf of Kurt K. Look and Melissa C. Moore, to vacate a platted reserved right to locate, construct and maintain pipes for sewerage purposes across 1513 Crescent Road, executing the Kansas Bill of Sale for the new service lateral to the property owner and approving the Order of Vacation.**

Nicholas Hoyt, Municipal Services & Operations, presented the staff report.

Moved by Commissioner Boley, seconded by Commissioner Herbert, to open the public hearing. Motion carried unanimously.

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

Moved by Commissioner Boley, seconded by Vice Mayor Ananda, to approve the order of Vacation and execute the Kansas Bill of Sale. Motion carried unanimously.

2. **Consider adopting on first reading, Ordinance No. 9566, requiring liquor and cereal malt beverage licensees to participate in sexual violence training.**

Maria Garcia, Assistant City Attorney, presented the staff report.

Moved by Vice Mayor Ananda, seconded by Commissioner Herbert, to refer Ordinance No. 9566 back to staff for revisions including required sexual violence training for on-site managers by a certified trainer; and, return to the City Commission for consideration in a timely manner. Motion carried unanimously.

3. Receive an update on Ordinance No. 9615 pertaining to the regulation of animals.

Maria Garcia, Assistant City Attorney, presented the staff report.

Moved by Commissioner Herbert seconded by Vice Mayor Ananda, to adopt on first reading Ordinance No. 9615. Motion carried unanimously.

4. Consider the following items related to the North Mass Redevelopment Project:

a) **Consider approving a request to rezone, Z-18-00505, approximately 16.116 acres from OS (Open Space) District, CS (Strip Commercial) District, & IG (General Industrial) District to CD-PD (Downtown Commercial with Planned Development Overlay) District, and to affirm the findings for publication of Comprehensive Plan Amendment, CPA-11-8-11, expanding the identified boundaries of Downtown Lawrence, located at 311, 317, 401, 409, 415, 501, and 505 N. 2nd Street and adopt on first reading, Ordinance No. 9622, Ordinance No. 9623, and Ordinance No. 9624. Submitted by Paul Werner Architects on behalf of Abfield Investments LLC, City of Lawrence, Douglas County Kaw Drainage District, D&D Rentals of Lawrence LLC, Exchange Holdings LLC, HDD of Lawrence LLC, Kaw River Estates LLC, Patience LLC, Loosehead Investments LLC, and Riverfront Properties of Lawrence LLC, property owners of record. (PC Item 2A; approved 9-1 on 12/19/18) Commissioners will need to declare Ex Parte Communications. A protest petition was not submitted for this application.**

b) **Consider approving a Preliminary Development Plan, PDP-18-00506, for North Lawrence Riverfront, located at 311, 317, 401, 409, 415, 501, and 505 N. 2nd Street. The project includes multiple phases and mixed residential and commercial development. Submitted by Paul Werner Architects on behalf of Abfield Investments LLC, City of Lawrence, Douglas County Kaw Drainage District, D&D Rentals of Lawrence LLC, Exchange Holdings LLC, HDD of Lawrence LLC, Kaw River Estates LLC, Patience LLC, Loosehead Investments LLC, and Riverfront Properties of Lawrence LLC, property owners of record. (PC Item 2C; approved 10-0 on 12/19/18)**

Commissioners declared Ex Parte Communications.

Sandra Day, Planner, presented the staff report.

Paul Werner, Paul Werner Architects, presented a report.

Moved by Commissioner Herbert, seconded by Commissioner Boley, to approve rezoning (Z-18-00505) 16.116 acres from OS, CS, & IG to CD-PD, affirm the findings for publication of Comprehensive Plan Amendment, CPA-11-8-11, and adopt on first reading, Ordinance No. 9622, Ordinance No. 9623, and Ordinance No. 9624. Aye: Mayor Larsen, Vice

Mayor Ananda, Commissioner Boley, Commissioner Herbert. Nay: Commissioner Soden. Motion carried 4-1.

Moved by Commissioner Herbert, seconded by Vice Mayor Ananda, to approve a Preliminary Development Plan, PDP-18-00506, for North Lawrence Riverfront, located at 311, 317, 401, 409, 415, 501, and 505 N. 2nd Street. Aye: Mayor Larsen, Vice Mayor Ananda, Commissioner Boley, Commissioner Herbert. Nay: Commissioner Soden. Motion carried 4-1.

5. Continue discussion from the November 20, 2018 City Commission meeting regarding the Community Development Advisory Committee, Affordable Housing Advisory Board, and the Social Service Funding Advisory Board.

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Danielle Buschkoetter, Budget and Strategic Initiatives Manager, presented staff report.

Moved by Commissioner Boley, seconded by Commissioner Soden, to defer adoption, on first reading, of Ordinance No. 9648. Motion carried unanimously.

Moved by Commissioner Boley, seconded by Commissioner Ananda, to adopt on first reading, Ordinance No. 9650, adding responsibilities to the Affordable Housing Advisory Board regarding recommendations of HOME investment partnership fund allocations, currently a responsibility of the Community Development Advisory Committee. Motion carried unanimously.

6. Consider approving recommended changes to the City Commission Meeting Agenda outline.

Sherri Riedemann, City Clerk, presented the staff report.

Moved by Vice Mayor Ananda, seconded by Commissioner Herbert, to approve recommended changes to the City Commission Meeting Agenda outline. Motion carried unanimously.

E. COMMISSION ITEMS:

Commissioner Soden asked for an update on the Kasold Street project timeline; and, asked about the Downtown Master Plan focus group timeline and notes.

Mayor Larsen requested additional notice for future focus groups on the Downtown Master Plan.

Commissioner Soden discussed options for Downtown Lawrence Inc. (DLI) and eXplore Lawrence co-locating.

F. CITY MANAGER'S REPORT:

Thomas M Markus, City Manager, presented information on the following items: January 2019 Monthly Building Permit Reports, 2020 Budget Calendar, RSM Audit Planning Letter, January 2019 Monthly Utility Billing Report, Affordable Housing Advisory Board Meetings to be Televised, Retail Liquor and Cereal Malt Beverage License – Discrepancy in Hours of Operation, Update Regarding The Cottages at Green Lake, 2019 Comprehensive Street Maintenance Program, Roadway Pothole Repairs January 2019 Summary Report, Update on

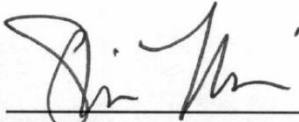
City Compost Facility Tree/Brach Grinder Replacement (2019 CIP# PW19SW1), Future Agenda Items, and Future Work Session Items.

G. CALENDAR:

The Commission reviewed calendar items.

Moved by Vice Mayor Ananda, seconded by Commissioner Herbert, to adjourn at 11:21 p.m. Motion carried unanimously.

MINUTES APPROVED BY THE CITY COMMISSION ON MARCH 5, 2019.



Sherril Riedemann, City Clerk