



City of Lawrence

CITY MANAGER'S OFFICE

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CITY COMMISSION

MAYOR
MIKE AMYX

COMMISSIONERS
LESLIE SODEN
STUART BOLEY
MATTHEW J. HERBERT
LISA LARSEN

May 10, 2016

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

A complete video recording of this meeting is available on the City's website at www.lawrenceks.org/agendas.

A. RECOGNITION/PROCLAMATION/PRESENTATION:

1. Proclaim the week of May 15 – 21, 2016 as Police Week and Sunday, May 15, 2016 as Peace Officers' Memorial Day.

B. CONSENT AGENDA:

Moved by Commissioner Larsen, seconded by Commissioner Herbert, to approve the consent agenda as below. Motion carried unanimously.

1. Approve City Commission meeting minutes from 05/03/16.
2. Receive minutes from various boards and commissions:

Affordable Housing Advisory Board meeting of 03/21/16
Community Development Advisory Committee meeting of 04/14/16
Lawrence Cultural Arts Commission meeting of 03/09/16
Parks and Recreation Advisory Board meeting of 04/12/16
Sister Cities Advisory Board meeting of 03/09/16
3. Approve claims to 227 vendors in the amount of \$1,817,567.21 and payroll related items in the amount of \$2,755,724.22, for a total claim amount of \$4,573,291.43.
4. Bid and purchase items:
 - a) Authorize the City Manager to sign a Memorandum of Agreement between the University of Kansas and the City of Lawrence, in an amount not to exceed \$90,000, for storm sewer improvements along West Campus Road for Project No. PW1608.
 - b) Authorize the Mayor to sign a City/State Agreement for Project No. PW1601 - KLINK Project, Iowa Street from North of 31st Street to South of 23rd Street and set a bid date of June 21, 2016 for the project.



5. Adopt on second and final reading, the following ordinances:
 - a) Ordinance No. 9226, designating 643 Indiana Street, Wilder-Clark House (L-15-00631) as a Landmark on the Lawrence Register of Historic Places.
 - b) Ordinance No. 9227, designating 2301 Massachusetts Street, Carl A. Preyer House (L-15-00632) as a Landmark on the Lawrence Register of Historic Places.
 - c) Ordinance No. 9228, designating 402 N 2nd Street, Union Pacific Depot (L-16-00053) as a Landmark on the Lawrence Register of Historic Places.
 - d) Ordinance No. 9229, designating 839 Vermont Street, Carnegie Building (L-16-00054) as a Landmark on the Lawrence Register of Historic Places.
 - e) Ordinance No. 9230, designating 745 Vermont Street, Fire Station No. 1 (L-16-00055) as a Landmark on the Lawrence Register of Historic Places.
 - f) Ordinance No. 9231, designating 1605 Oak Hill Avenue, Oak Hill Cemetery (L-16-00121) as a Landmark on the Lawrence Register of Historic Places.
 - g) Ordinance No. 9232, designating 901 W. 5th Street, Clinton Park (L-16-00122) as a Landmark on the Lawrence Register of Historic Places.
6. Authorize the City Manager to waive the cost of a 5/8" water meter for the Common Ground site at Peterson Park.
7. Receive Bert Nash Community Mental Health Center 2015 4th Quarter Performance Report.
8. Authorize the Mayor to sign Releases of Mortgage for the following:

Robin Kidney, 1621 Cadet Avenue
Timothy L. Baxter, 132 Michigan Street
Charles A. Bemis, 1515 Vermont Street
David and Julia Atwood, 216 Alabama Street

C. PUBLIC COMMENT:

Melinda Henderson addressed the commission regarding public Budget Hearing sessions.

KT Walsh addressed the commission regarding a program to assist citizens with costs incurred for the removal of trees affected by the Emerald Ash Borer.

D. REGULAR AGENDA ITEMS:

1. Discussion of Fireworks ban enforcement.

Melinda Henderson presented the request.

Tarik Khatib, Police Chief, presented the staff report.

The Commission directed the City Manager and Police Chief to present, at a future date, additional information about Police enforcement and resources related to the City fireworks prohibition.

2. Consider the following items related to the Alvamar Planned Development:

Sandra Day, Planner II, presented the staff report for items 2 a, b and c.

- a) **Consider a request to rezone (Z-16-00026) approximately 14.2 acres from RM24-PD (Multi-Dwelling Residential with Planned Development Overlay) District to RMO-PD (Multi-Dwelling Residential-Office with Planned Development Overlay) District, located at 1800, 1809, and 2021 Crossgate Drive. This rezoning applies only to Proposed Lot 3 of the Alvamar Planned Development. Submitted by Paul Werner Architects, for Eagle 1968, LC, (contract purchaser). Alvamar Inc. is the property owner of record (PC Item 5A; denied 8-0 on 3/21/16).**

Moved by Commissioner Herbert, seconded by Commissioner Larsen, to refer the RMO-PD rezoning request back to the Planning Commission with the following direction: That the Planning Commission consider the Applicant's proposed restrictions on the amount of square footage of office use on Lot 3; and, if the Planning Commission recommends approval of the rezoning request, that consideration be given to a requirement that the Owner enter a contractual arrangement with the City, in addition to the protections offered by the Planned Development overlay zoning, that prevents future requests from the Owner to expand the office uses beyond that which would be approved with the subject request; that the Planning Commission consider a requirement that the Owner enter a contractual arrangement with the City that prevents the owner from requesting in the future that Lot 4 be rezoned from RM24-PD to a different district type; and, that the Planning Commission discuss options to ensure that the entirety of the remaining 27-hole golf course is maintained as such for the benefit of residents adjacent to the course. Motion carried unanimously.

- b) **Consider approving a revised Preliminary Development Plan, PDP-16-00052, for Alvamar Planned Development, Lots 1, 2a, 2b, and 3, located at 1800, 1809, & 2021 Crossgate Dr. Submitted by Paul Werner Architects, for Eagle 1968, LC, (contract purchaser). Alvamar Inc. is the property owner of record. (PC Item 5B; approved 8-0 on 3/21/16)**

Moved by Commissioner Herbert, seconded by Vice Mayor Soden, to concur with Planning Commission/Staff recommendation to approve the preliminary development plan with the exclusion of the requested office use. Motion carried unanimously.

- c) **Consider accepting dedications of easements and rights-of-way for the Final Plat of Alvamar Inc. One Addition, PF-16-00051, for Alvamar Planned Development, a five (5) lot subdivision containing approximately 64.722 acres, located at 1800 and 1809 Crossgate Drive and associated easements. Submitted by Landplan Engineering, for Eagle 1968 L.C. and Stacia D. Fritzel, property owners of record.**

Moved by Commissioner Larsen, seconded by Commissioner Herbert, to accept the dedication of easements and rights-of-way, for the Final Plat, for public purposes. Motion carried unanimously.

3. **Consider awarding the bid for Project No. PW1534 and PW1417 for HERE Addition Public Improvements, to King's Construction, in the amount of \$1,520,790.50, provided the contractor can meet the terms established in the contract documents.**

David Cronin, P.E., City Engineer, presented the staff report

Moved by Commissioner Herbert, seconded by Commissioner Boley, to award the bid for Project No. PW1534 and PW1417 for HERE Addition Public Improvements, to Kings Construction, in the amount of \$1,520,790.50. Motion carried unanimously.

4. **Consider adopting on first reading, Ordinance No. 9233, repealing the existing Chapter 1 Article 2 of the City of Lawrence Code, pertaining to the Governing Body. Consider adopting on first reading, Ordinance No. 9234, amending Chapter 1, Article 1, Section 1-108 of the Code of the City of Lawrence, pertaining to meetings of the Governing Body and repealing existing Section 1-108. Consider adopting on first reading, Charter Ordinance No. 42, repealing Charter Ordinance No. 15 and Charter Ordinance No. 41. Consider adopting on first reading Charter Ordinance No. 43, pertaining to vacancies on the Governing Body. Consider adopting on first reading, Charter Ordinance No. 44, pertaining to primary elections.**

Toni Wheeler, City Attorney, presented the staff report.

Moved by Vice Mayor Soden, seconded by Commissioner Larsen, to adopt on first reading, Ordinance No. 9234, Charter Ordinance No. 42, Charter Ordinance No. 43, and Charter Ordinance No. 44. Motion carried unanimously.

Moved by Commissioner Herbert, seconded by Commissioner Larsen, to adopt on first reading, Ordinance No. 9233. Motion carried 4-1; Ayes: Mayor Amyx, Vice Mayor Soden, and Commissioners Herbert and Larsen; Nay: Commissioner Boley.

E. FUTURE AGENDA ITEMS:

Diane Stoddard, Assistant City Manager, outlined potential future agenda items.

F: COMMISSION ITEMS:

None.

G. CITY MANAGER'S REPORT:

Tom Markus, City Manager, presented the report.

H: CALENDAR:

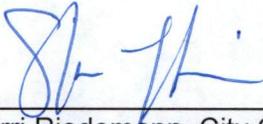
Review of calendar items.

I: CURRENT VACANCIES – BOARDS/COMMISSIONS:

Existing and upcoming vacancies on City of Lawrence Boards and Commissions were listed on the agenda.

Moved by Commissioner Boley, seconded by Commissioner Herbert, to adjourn at 8:44 p.m. Motion carried unanimously.

MINUTES APPROVED BY THE CITY COMMISSION ON MAY 17, 2016.



Sherri Riedemann, City Clerk