



# City of Lawrence

## CITY MANAGER'S OFFICE

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CITY MANAGER

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### CITY COMMISSION

MAYOR  
MIKE AMYX

COMMISSIONERS  
LESLIE SODEN  
STUART BOLEY  
MATTHEW J. HERBERT  
LISA LARSEN

August 2, 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 Vice Mayor Soden, Commissioner Boley, Commissioner Herbert, and Commissioner Larsen present.

A complete video recording of this meeting is available on the City's website at [www.lawrenceks.org/agendas](http://www.lawrenceks.org/agendas).

#### A. RECOGNITION/PROCLAMATION/PRESENTATION:

1. None.

#### B. CONSENT AGENDA:

##### **Consent Agenda items removed for separate vote:**

David Hamby, Lawrence-Douglas County Bicycle Advisory Committee, requested removal of item 8 for a separate vote.

Ted Boyle, President of the North Lawrence Improvement Association, requested removal of item 7(a) for a separate vote.

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

1. Approve City Commission meeting minutes from 07/19/16.
2. Receive minutes from various boards and commissions:  
  
Affordable Housing Advisory Board meeting of 06/06/16  
Lawrence Douglas County Bicycle Advisory Committee meeting of 06/20/16
3. Approve claims and payroll in the amount of \$7,756,081.67 to 303 vendors.
4. Approve licenses as recommended by the City Clerk's Office.

##### **Drinking Establishment**

Alvamar Liquor's  
R&B Enterprise LLC  
1410 Kasold Dr.

##### **Expiration**

New License



Spirit Liquor 07/31/16  
Benner Beverage LLC  
600 Lawrence Ave.

Levee Cafe New License  
The Levee LLC  
239 Elm St

Ingredient 07/18/16  
Wysong 5 LLC  
947 Massachusetts St

Mass Beverage 08/24/16  
Red Star Investments LLC  
3131 A Nieder Road

5. Bid and purchase items:

- a) Set a bid date of August 16, 2016, for Bid No. B1632 – purchase sludge distribution piping materials for the Wakarusa Wastewater Treatment Plant, Project No. UT1304.
- b) Set a bid date of August 16, 2016, for Bid No. 1631 – procurement of electrical equipment for Pump Station 5 improvements; a bid date of August 30, 2016 for Bid No. 1629 – Pump Station 5 improvements, Project No. UT1603; and authorize construction of a new primary electrical feed and transformers by Westar Energy at Pump Station 5 in an amount not to exceed \$48,000.
- c) Authorize the City Manager to approve purchase order for design services for PW1528, Queens Road 6th to North City Limits – Street, Storm, and Waterline Improvement Project to BG Consultants, Inc. in the amount of \$10,067.50 for the design of 6th and Queens Road Intersection Improvements and \$180,359.00 for Queens Road Benefit District Improvements (North of 6th Street) for a total of \$190,426.50
- d) Authorize the City Manager to execute Change Order No. 2 with Westland Construction for the Iowa Street Waterline Replacement - Project No. UT1511 increasing the construction contract by \$16,285.00 and eight (8) days.
- e) Authorize the sole source purchase of process instrumentation equipment and controllers from Hach Company for the combined total purchase price of \$55,007.22 for Wakarusa River Wastewater Treatment Plant (UT1304).
- f) Award Bid No. B1618, Project No. UT1517 - El Dorado Drive Waterline Replacement, to Banks Construction LLC, in the amount of \$448,400, and authorize the City Manager to execute the construction contract.
- g) Authorize the City Manager to execute a supplemental agreement with Zimmerschied Architecture in the amount of \$17,900 for site planning, construction and topographical survey services, and landscape architecture

related to Fire Station No. 1 and Douglas County Senior Services – Project FM 1601.

- h) Award bid for 49 Point Blank Alpha Elite Ballistic Vests from the low bidder, Southern Uniform & Equipment, for \$812.15 each, or a total of \$39,795.35.
6. Adopt on first reading, Ordinance No. 9269, correcting Section 18-304 of the Lawrence City Code to replace text that was inadvertently omitted with the Incorporation by Reference Document (IBR) for TA-15-00346 – Text Amendment to the Land Development Code to add Urban Agriculture as a permitted use and establish standards.
7. Adopt on second and final reading, the following ordinances:
- a) **REMOVED FOR SEPARATE VOTE:** Ordinance No. 9252, enacting amendments to the City of Lawrence Building Code to require submittal of storm water grading and drainage plans for residential building construction projects on RS5 and RS3 zoned lots classified as “Zone X, Protected by Levee” on the city’s Flood Insurance Rate Map.
  - b) Ordinance No. 9253, allowing the sale, possession and consumption of alcohol on Saturday September 17, 2016 at 5:00 a.m. to Sunday September 18, 2016 at 12:00 p.m. in South Park and on Massachusetts Street between North Park and South Park Street for the 2016 Bike MS Event.
  - c) Ordinance No. 9254, allowing the sale, possession and consumption of alcohol on Sunday August 28, 2016 from 8:00 a.m. to 9:00 p.m. in South Park and on Massachusetts Street between North Park and South Park Street for the 2016 Kansas State Fiddling and Picking Championship.
  - d) Ordinance No. 9268, allowing the sale, possession and consumption of alcohol on the east side of Massachusetts Street, from 1016 Massachusetts Street south to 11th Street (sidewalk only) on Friday, August 19, 2016 from 5:00 p.m. to 11:59 p.m. for the Live on Mass Event.
8. **REMOVED FOR SEPARATE VOTE:** Receive letter from the Lawrence - Douglas County Bicycle Advisory Committee regarding the Kansas Department of Transportation report on alternatives for the E. 1200 Road/Kasold Drive and K-10 intersection.
9. Receive and approve the 2016 Planning and Development Services Fee Report and Schedule. Adopt on first reading, Ordinance No. 9272, adopting the Planning Fee Schedule, and adopt on first reading, Ordinance No. 9271, amending the City of Lawrence Code Section 5-176 relating to adding a plan review fee for commercial and multi-family structures.
10. Approve Text Amendments, TA-15-00461, to the joint city/county subdivision regulations in the City of Lawrence Land Development Code, Chapter 20, Article 8 and the Douglas County Code, Chapter 11, Article 1 to allow Accessory Dwelling Units on property divided through a Certificate of Survey in the unincorporated portion of the county. Initiated by Board of County Commissioners on 9/2/15. Adopt on first reading, Joint City Ordinance No. 9264 /County Resolution No. \_\_\_\_, for Text Amendments (TA-15-00461)

to the joint city/county subdivision regulations in the City of Lawrence Land Development Code, Chapter 20, Article 8 and the Douglas County Code, Chapter 11, Article 1 to allow Accessory Dwelling Units on property divided through a Certificate of Survey in the unincorporated portion of the county. (PC Item 6, approved 8-0, on 4/25/16; Board of County Commissioners approved on 5/25/16)

11. Approve an extension request for the Final Development Plan for Miracon Plaza Planned Commercial Development - Phase 1 [FDP-01-02-07, FDP-14-00397] generally located at the northeast corner of Wakarusa Drive and Clinton Parkway. Submitted by Timothy W. Schmidt of OFF-PISTE, Inc., property owner of record. The approved plan proposes construction of a two-story retail/office/bank building containing approximately 8,000 square feet and associated site improvements. The request proposes extension of the approval for this project for an additional 24 months.
12. Authorize the sale of approximately 63,000 square feet of city owned property that is a portion of Lawrence VenturePark to Cave Inn, LLC for \$1.19 per square foot, for a sale price of \$74,970, for the purpose of redeveloping the former Don's Steakhouse and Diamond Everley Roofing tracts fronting 23rd Street for hotel and restaurant uses, and authorize the City Manager to negotiate and execute the legal documents required to complete the land sale, conditioned on the property being rezoned, replatted and redeveloped for hotel and restaurant uses.
13. Authorize the City Manager to execute a Professional Services Agreement with Treanor Architects, P.A. for a Historic Preservation Fund grant project to document Oak Hill Cemetery.
14. Authorize the Mayor to sign a Mortgage Subordination for Thomas M. Hilger, 133 Florida Street.

**Items removed for separate vote:**

7. Adopt on second and final reading, the following ordinances:
  - a) Ordinance No. 9252, enacting amendments to the City of Lawrence Building Code to require submittal of storm water grading and drainage plans for residential building construction projects on RS5 and RS3 zoned lots classified as "Zone X, Protected by Levee" on the city's Flood Insurance Rate Map.

**Moved by Commissioner Herbert, seconded by Vice Mayor Soden,** to adopt on second and final reading Ordinance No. 9252. Motion carried unanimously.

8. Receive letter from the Lawrence - Douglas County Bicycle Advisory Committee regarding the Kansas Department of Transportation report on alternatives for the E. 1200 Road/Kasold Drive and K-10 intersection.

**Moved by Vice Mayor Soden, seconded by Commissioner Larsen,** to receive the letter and refer to staff for further review. Motion carried unanimously.

**C. PUBLIC COMMENT:**

Crystalee Protheroe addressed the commission regarding the treatment of victims of domestic violence by the court system.

**D. REGULAR AGENDA ITEMS:**

1. **Conduct public hearing regarding the 2017 Budget and consider adopting on first reading, Ordinance No. 9274, approving and appropriating the 2017 City of Lawrence Operating and Capital Improvement Budget.**

Tom Markus, City Manager, presented the staff report.

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

The City Commission received public comment on the 2017 City of Lawrence Operating and Capital Improvement Budget.

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

Toni Wheeler, City Attorney, presented a report on Charter Ordinance No. 16.

**Moved by Vice Mayor Soden, seconded by Commissioner Boley,** to adopt on first reading, Ordinance No. 9274, approving and appropriating the 2017 City of Lawrence Operating and Capital Improvement Budget. Motion carried unanimously.

**E. COMMISSION ITEMS:**

Commissioner discussion of items not scheduled on the agenda.

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

Tom Markus, City Manager, presented the report.

**G. CALENDAR:**

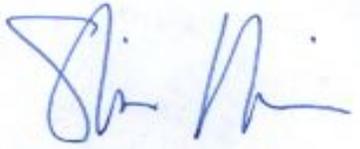
Review of calendar items.

**H. CURRENT VACANCIES – BOARDS/COMMISSIONS:**

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

**Moved by Vice Mayor Soden, seconded by Commissioner Larsen,** to adjourn at 7:26 p.m. Motion carried unanimously.

**MINUTES APPROVED BY THE CITY COMMISSION ON AUGUST 9, 2016.**

A handwritten signature in blue ink, appearing to read "Sh. Riedemann". The signature is stylized and written on a light blue background.

Sherri Riedemann, City Clerk