



City of Lawrence

CITY MANAGER'S OFFICE

CITY COMMISSION

MAYOR
LESLIE SODEN

COMMISSIONERS
STUART BOLEY
MATTHEW J. HERBERT
LISA LARSEN
MIKE AMYX

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February 7, 2017

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 Soden presiding and Vice Mayor Boley, Commissioner Amyx, 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.

A. RECOGNITION/PROCLAMATION/PRESENTATION:

1. None.

B. CONSENT AGENDA:

Moved by Commissioner Amyx, seconded by Vice Mayor Boley, to approve the consent agenda as below. Motion carried unanimously.

1. Approve City Commission meeting minutes from 01/17/17.
2. Receive minutes from various boards and commissions:

Affordable Housing Advisory Board meeting of 12/12/16
Community Development Advisory Committee meetings of 09/22/16 and 01/12/17
Homeless Issues Advisory Committee meeting of 07/12/16
Public Health Board meeting of 11/21/16
Sustainability Advisory Board meetings of 11/09/16 and 12/14/16

3. Approve claims and payroll in the amount of \$8,712,838.99 to 445 vendors.
4. Approve licenses as recommended by the City Clerk's Office.

Drinking Establishment	Expires
Yacht Club Yacht Club LFK, LLC 530 Wisconsin	New License
Abe & Jake's Landing Barb Wire Building LLC 8 E 6 th St.	01/31/17
Miltons 901 New Hampshire LLC	12/15/16



901 New Hampshire St, Ste 102	
Hank Charcuterie VG2 LC 1900 Massachusetts St.	02/08/17
Cereal Malt Beverage	Address
Border Bandido	1528 W 23 rd St.
Street Vendor License	Location
Jacks Franks	NE Corner 9 th and Massachusetts
Torched Goodness	NE Corner 7 th and Massachusetts

5. Approve appointments as recommended by the Mayor.

Community Development Advisory Committee: Appoint Will Averill to a term that expires 09/30/18.

Parks & Recreation Advisory Board: Appoint Mandy Enfield to a term that expires 12/31/20.

Public Incentives Review Committee: Appoint Ken Easthouse to the at-large position, which expires 01/31/20.

6. Bid and purchase items:

- a) Award Bid No. B1645 for the purchase of one (1) rear load refuse truck for the Public Works Department, to Downing Sales and Service, in the amount of \$102,698. This purchase is part of the 2017 CIP replacement schedule.
- b) Award Bid No. B1646 for the purchase of one (1) roll off container truck for the Public Works Department, to Elliot Equipment Company, in the amount of \$108,118. This purchase is part of the 2017 CIP replacement schedule.
- c) Approve the purchase of one (1) Scorpion Automated Side Load Refuse truck for the Public Works Department from Chastang's Bayou City Auto Car, in the amount of \$242,019.05, utilizing the Houston-Galveston Area council cooperative purchasing contract. This purchase is part of the 2017 CIP replacement schedule.
- d) Award Bid No. B1701 for the purchase of 11 2017 Ford Police Utility Interceptors, to Laird Noller Ford, in the amount of \$297,479.00.
- e) Authorize the City Manager to execute an Engineering Services Agreement with Airport Development Group for the Design, Bidding, Administration, and Construction Engineering Services for Project No. PW1631, Construction of a Wildlife Fence at the Lawrence Municipal Airport, in an amount of \$192,575.00
- f) Authorize the City Manager to execute Change Order No. 2 with SAK Construction, LLC for Project No. UT1508 – 2015 Sanitary Sewer Rehabilitation, increasing the construction contract by \$71,436.50 and 102 days.

7. Adopt on second and final reading, the following ordinances:

- a) Ordinance No. 9326, establishing a multi-way stop at the intersection of 21st Street and Tennessee Street.
 - b) Ordinance No. 9327, establishing a 20 mph speed limit on East Glenn Drive between Harper Street and Maple Lane.
 - c) Ordinance No. 9328, amending the Building Code to require storm shelters for new K-12 educational and new critical emergency operations facilities.
 - d) Ordinance No. 9329, to amend the Existing Building code to require storm shelters for significantly expanded K-12 educational facilities.
8. Adopt Resolution No. 7189, setting a hearing date of February 21, 2017 to hear the appeal initiated by Chris Black, agent of property owner, Sunrise Green, LLC regarding the alleged nuisance condition cited by staff on January 5, 2017, for the use of a wood-fired furnace located at 1501 Learnard Avenue.
 9. Authorize one Planning Commissioner to travel to New York City to attend the 2017 National Planning Conference.
 10. Accept vacation of utility easements and dedication of utility easements for Rooker Addition, associated with Minor Subdivision, MS-16-00373, located at 1217 Biltmore Dr. Submitted by Grob Engineering Services, LLC, for RP Lawrence LLC, property owner of record.
 11. Accept easements as shown on Final Plat, PF-16-00541 for Johnston Addition, a one-lot subdivision on approximately 1.5 acres located at 706 E 23rd Street. Submitted by Grob Engineering Services, LLC for Johnston Investment Company, LLC, property owner of record.
 12. Approve a Special Event Permit, SE-17-00012, for seasonal garden sales at 2300 Louisiana Street from March 25, 2017 through June 30, 2017. Submitted by Kaw Valley Greenhouses, Inc. for 2300 Louisiana Co., LLC, property owner of record.
 13. Approve as "Signs of Community Interest" a request from the Lawrence Home Builders Association to place signs at various locations promoting their annual Lawrence Home Show from February 13 through February 20, 2017, with the condition that signs be placed on private properties with permission of the property owners.
 14. Receive Bert Nash Community Mental Health Center 2016 3rd Quarter Performance Report.
 15. Authorize the Mayor to sign a Mortgage Subordination Agreement for Michael W. Schmitz, 1634 Rose Lane.
 16. Authorize the Mayor to sign a Release of Mortgage for Stephanie Botteron, 4110 West 13th Street.

C. PUBLIC COMMENT:

Dan Dannenberg addressed the Commission regarding the number of City of Lawrence Boards and Commissions; and, asked for continued transparency regarding the Oread Inn litigation.

Ted Boyle, North Lawrence Neighborhood Association President, addressed the Commission regarding concerns over the speed hump traffic calming devices placed in North Lawrence.

D. REGULAR AGENDA ITEMS:

1. **Conduct a public hearing regarding the unsafe structure (single-family detached house) located at 1305 New Jersey Street. Consider adopting Resolution No. 7183, declaring the structure located on the property to be unsafe and dangerous, and ordering the property owner to commence and complete substantial repairs to the structure or to remove the structure by March 3, 2017.**

Brian Jimenez, Code Enforcement Manager, presented the staff report.

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

Moved by Commissioner Amyx, seconded by Commissioner Herbert, to close the public hearing. Motion carried unanimously.

Moved by Commissioner Amyx, seconded by Vice Mayor Boley, to adopt Resolution No. 7183, declaring the structure located on the property at 1305 New Jersey Street to be dangerous or unsafe, and ordering the property owner to commence and complete substantial repairs to the structure or to remove the structure by March 3, 2017. Motion carried unanimously.

2. **Consider requiring Greyhound to enter into a right-of-way agreement and establish a monthly fee of \$1,000 for the continued use of the City right-of-way.**

Charles F. Soules, P.E., Director of Public Works, presented the staff report.

Moved by Commissioner Amyx, seconded by Vice Mayor Boley, to extend the temporary Greyhound bus stop at 6th Street and New Hampshire until March 21st; and, direct staff to work with Greyhound and the Lawrence Public Library to determine the feasibility of relocating the bus stop to an area north or east of the library building. Motion carried unanimously.

3. **Consider approval of agreements and documents concerning the Santa Fe Station Project for the Depot located on east 7th Street.**

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

Moved by Commissioner Amyx, seconded by Commissioner Herbert, to authorize the City Manager to execute all necessary agreements with Burlington Northern Santa Fe Railway (BNSF) and Amtrak regarding the land transaction, lease arrangements, and Americans with Disabilities Act (ADA) cost reimbursements, on the Santa Fe Station project and authorize the project to proceed to construction. Motion carried unanimously.

Moved by Mayor Soden, and seconded by Commissioner Herbert, to authorize the City Manager to execute all necessary documents to list the building on the historic register and apply for historic tax credits once the building transfer is complete. Motion carried unanimously.

4. **Consider adopting Resolution No. 7191, authorizing the City Manager to enter into a contract with 360 Energy Engineers in the amount of \$10,937,472, to complete energy efficiency projects at various city facilities, the Community Health Building, and the Lawrence Public Library, and authorizing the financing in the amount of \$11,033,159 plus issuance costs for the projects. Consider authorizing the City Manager to enter into agreements with Douglas County and the Lawrence Public Library regarding their respective financial participation in the Community Health and Library projects.**

Eileen Horn, Sustainability Coordinator, presented the staff report.

Moved by Commissioner Larsen, seconded by Commissioner Herbert, to adopt Resolution No. 7191, authorizing the City Manager to enter into a contract with 360 Energy Engineers in the amount of \$10,937,472, to complete energy efficiency projects at various city facilities, the Community Health Building, and the Lawrence Public Library, and authorizing the financing in the amount of \$11,033,159 plus issuance costs for the projects; and, authorize the City Manager to enter into agreements with Douglas County and the Lawrence Public Library regarding their respective financial participation in the Community Health and Library projects. Motion carried unanimously.

5. **Receive the Federal Aviation Administration memorandum regarding the Parachute Landing Area Assessment and refer to the Aviation Advisory Board for review and recommendation.**

Charles F. Soules, P.E., Director of Public Works, presented the staff report.

Moved by Commissioner Amyx, seconded by Commissioner Herbert, to refer to the City Attorney for the purpose of obtaining an opinion on the level of discretion the City Commission has in allowing a parachute landing area for sky diving activities at Lawrence Municipal Airport; and, refer to the Aviation Advisory Board for the purpose of developing a draft operations plan for a parachute landing area and sky diving activities at Lawrence Municipal Airport; and, bring item back to the City Commission within 90 days for review and recommendation. Motion carried unanimously.

6. **Consider motion to recess into executive session for a total of 80 minutes; the purposes of the executive sessions are (1) to consult for approximately 60 minutes with attorneys for the City about matters deemed privileged in the attorney-client relationship in order to keep attorney-client matters confidential; and (2) to discuss for approximately 20 minutes non-elected personnel matters in order to protect the privacy of the non-elected personnel involved. At the end of the executive session, the City Commission will resume its regular meeting in the City Commission Room.**

Moved by Vice Mayor Boley, seconded by Commissioner Herbert, to recess into executive session for approximately 80 minutes at 9:24 p.m. Motion carried unanimously.

Moved by Vice Mayor Boley, seconded by Commissioner Amyx, to extend the executive session for approximately 10 minutes at 10:29 p.m. Motion carried unanimously.

The Commission returned at 11:00 p.m. and Mayor Soden read the following statement: We will commence the February 14th, 2017 study session at 3:30 p.m. due to court ordered mediation in the Oread Inn litigation. Starting the study session early will permit the City Commission to recess the study session from time to time to go into executive session to confer with attorneys on matters privileged by the attorney client relationship. We have nothing else to report at this time.

E. COMMISSION ITEMS:

Mayor Soden discussed City Commission representation on various boards.

F. CITY MANAGER'S REPORT:

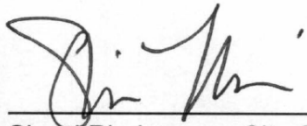
Tom Markus, City Manager, presented information on City of Lawrence Testimony on Legislative Issues.

G. CALENDAR:

Review of calendar items.

Moved by Commissioner Herbert, seconded by Commissioner Amyx, to adjourn at 11:10 p.m. Motion carried unanimously.

MINUTES APPROVED BY THE CITY COMMISSION ON FEBRUARY 14, 2017.



Sherril Riedemann, City Clerk