



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 21, 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. Boys and Girls Club Youth of the Year recognition.

B. CONSENT AGENDA:

Items removed for a separate vote:

Commissioner Amyx requested removal of item 12 for a separate vote.

Vice Mayor Boley requested removal of item 20 for a separate vote.

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 02/14/17.
2. Receive minutes from various boards and commissions:

Community Development Advisory Committee meeting of 01/26/17.
3. Approve claims and payroll in the amount of \$3,223,026.14 to 168 vendors including a payment to Garney Companies Inc. for \$1,605,342.03.
4. Approve appointments as recommended by the Mayor.

Electrical Code Board of Appeals: Reappoint Chris King to a term that will expire 03/31/19.

Public Transit Advisory Committee: Appoint Sarah Trumble and Lance Fahy terms that will expire 12/31/19.

5. Bid and purchase items:



- a) Award bid for Bid No. B1703, Project No. PW1626 - Traffic Signal Improvements at K-10 Highway and Wakarusa Drive, to Wildcat Concrete Services, for \$108,770, provided the contractor can meet the terms established in the contract documents.
 - b) Approve the purchase of three (3) 2017 Chevrolet 4x4 9c1 Pursuit Tahoe's from Roberts Chevrolet Buick, in the amount of \$107,434.50, utilizing the Mid America Council of Public Procurement contract.
 - c) Award hourly rate and unit priced contractual services bids for electrical, carpentry, painting, plumbing, concrete, excavation, HVAC, engineering, and design services, for the Parks and Recreation Department, as outlined in the bid documents.
6. Adopt the following ordinances on first reading:
- a) Ordinance No. 9330, authorizing the possession and consumption of alcohol on the 100 block of E. 8th Street and the intersection of 8th Street and New Hampshire Street from 12:00 p.m. – 11:00 p.m. on Friday April 21, 2017 for the 2017 Downtown Shot Put Event.
 - b) Ordinance No. 9334, allowing the sale, possession, and consumption of alcohol on Sunday, May 7, 2017 at 10:00 a.m. to 5:00 p.m. in South Park and on Massachusetts Street between North Park and South Park Street, associated with the 2017 Art in the Park Event; provided the sale, possession, and consumption are pursuant to City of Lawrence and State of Kansas law.
7. Accept dedication of easements as shown on Final Plat, PF-17-00027, for Riverridge Addition No. 4, located at 1901 Riverridge Road. Submitted by CFS Engineers, for Larry D. and Linda R. Copp, property owners of record.
8. Accept dedication of easements and rights-of-way as shown on Final Plat, PF-16-00558, for Naismith Creek Addition, located at 751 W. 29th Terrace. Submitted by Landplan Engineering, PA, for Savannah Holdings, LLC, property owner of record.
9. Accept dedication of easements and rights-of-way, associated with Minor Subdivision, MS-16-00507, located at 3101 Iowa Street. Submitted by Landplan Engineering for Central Bank of the Midwest, property owner of record.
10. Accept dedication of new easements and vacation of existing right-of-way (alley) as shown on Final Plat, PF-16-00512, for HERE @ Kansas, located at 1029 and 1031 Mississippi Street and 0 Illinois Street. Submitted by Landplan Engineering, for STADPKG, LLC and 1029 Mississippi, LLC, property owners of record.
11. Approve a Special Event Permit, SE-17-00057, for the Kansas Relays Pole Vault Competition, located at 4931 W. 6th Street. Submitted by Salty Iguana, for Cherry Hill Properties, LLC, property owner of record.
12. **REMOVED FOR SEPARATE VOTE:** Authorize the Mayor to execute the City/State Agreement for the Wakarusa and Harvard Roundabout project, Project No. PW1527.

13. Authorize the City Manager to execute the license agreement with Lawrence Farmers Market, Inc., allowing the use of the Public Library Plaza Park and Vermont Street Parking Garage for Tuesday markets, and City Parking Lot 8 for Saturday markets, during the 2017 farmer's market season.
14. Approve the following items related to the Kansas Food Truck Festival:
 - a) Adopt on first reading Ordinance No. 9331, allowing the possession and consumption of alcohol on the 800 block of Pennsylvania Street, the 600 block of E. 9th Street, and the 600 block of E. 8th Street on Saturday, May 6, 2017, from 12:00 p.m. to 11:59 p.m. during this event for the Kansas Food Truck Festival.
 - b) Approve a Special Event Permit, SE-17-00048, for the Kansas Food Truck Festival at 810 Pennsylvania Street on May 6, 2017. Submitted by Cider Gallery LLC, property owner of record.
15. Approve the Planning and Development Services 2016 Year End Revenue and Expenditure Report for the Regulation of Building Permit Activity, pursuant to Section 5-174 of the City Code.
16. Authorize the City Manager to execute a Video Service Provider's Agreement with RG Fiber, LLC.
17. Authorize the City Manager to execute a contract with the law firm of Fletcher, Rohrbaugh & Chahine to continue indigent defense services in municipal court for an additional two years.
18. Authorize the City Manager to execute a Billing Agreement with Lawrence Memorial Hospital for persons in the custody of the Lawrence Police Department.
19. Approve a temporary six-month drinking establishment license for John Brown Underground, LLC, subject to conditions.
20. **REMOVED FOR SEPARATE VOTE:** Approve outside agency application for 2018 funding.
21. Receive the Affordable Housing Advisory Board Annual Report.

Items removed for separate vote:

12. Authorize the Mayor to execute the City/State Agreement for the Wakarusa and Harvard Roundabout project, Project No. PW1527.

Moved by Vice Mayor Boley, seconded by Commissioner Herbert, to authorize the Mayor to execute the City/State Agreement for the Wakarusa and Harvard Roundabout project, Project No. PW1527. Motion carried 4-1. Aye: Mayor Soden, Vice Mayor Boley, Commissioner Herbert, Commissioner Larsen. Nay: Commissioner Amyx.

20. Approve outside agency application for 2018 funding.

Moved by Vice Mayor Boley, seconded by Commissioner Herbert, to approve outside agency application for 2018 funding including a change in the language of Section 2, Item D(1) to read 'impact your program'. Motion carried unanimously.

C. PUBLIC COMMENT:

Vivica Price addressed the Commission regarding her request for the City of Lawrence to become a sanctuary city.

Ted Boyle, North Lawrence Neighborhood Association, addressed the Commission regarding speed humps in North Lawrence.

D. REGULAR AGENDA ITEMS:

1. **Conduct appeal hearing initiated by Chris Black, the owner of an exterior wood-fired furnace located on the property at 1501 Learnard Avenue. Consider adopting Resolution No. 7190, declaring the use of the exterior wood-fired furnace to be a nuisance as defined by section 9-201 of the city code, and order the owner to remove or abate such nuisance by a specified timeframe.**

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

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

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

The City Commission declared ex-parte communications.

Moved by Mayor Soden, seconded by Commissioner Herbert, to direct staff to draft an agreement between the property owner and the City to include the following conditions: the City will refund the total amount of the permit fee, the City will allow the owner to operate the unit from March 1, 2017 through May 31, 2017, the property owner will cease to use the unit within the incorporated city limits after May 31, 2017, the property owner will convert to natural gas heating and the City will waive any permit fees associated with conversion to natural gas. Motion carried 4-1. Aye: Mayor Soden, Vice Mayor Boley, Commissioner Amyx, Commissioner Herbert. Nay: Commissioner Larsen.

2. **Consider approving the proposed Parks and Recreation Sponsorship Policy, establishing guidelines for sponsorships in support of Parks and Recreation programs and facilities.**

Roger Steinbrock, Parks and Recreation Marketing Supervisor, presented the staff report.

Moved by Commissioner Amyx, seconded by Commissioner Herbert, to approve the proposed Parks and Recreation Sponsorship Policy as written; and, direct staff to prepare amendments as requested by Vice Mayor Boley and bring those to the Commission for approval at a later date. Motion carried unanimously.

3. **Consider motion to recess into executive session for approximately 60 minutes for the purpose of consultation with attorneys for the City about matters deemed privileged in the attorney-client relationship in order to keep attorney-client 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.**

Moved by Mayor Soden, seconded by Commissioner Herbert, to approve motion to recess into executive session for approximately 60 minutes at 7:46 p.m. for the purpose of consultation with attorneys for the City about matters deemed privileged in the attorney-client relationship. Motion carried unanimously.

The regular meeting reconvened at 8:45 p.m. The City Commission had nothing to report.

E. COMMISSION ITEMS:

Mayor Amyx recognized the passing of David Guntert and his service as a Planner for the City of Lawrence.

F. CITY MANAGER'S REPORT:

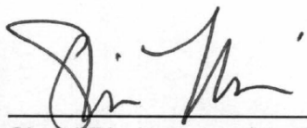
Tom Markus, City Manager, presented information on the following items: City Attorney appointed as member of the League of Kansas Municipalities Governing Body, Upcoming Street events – March – May 2017, North Lawrence Speed Humps Update, Sidewalk Program Status Update, Pavement Management Program Update & 2017 Comprehensive Street Maintenance Program, Homesharing/Short-Term Rental Report, Parks& Recreation Employee Receives Distinguished New Professional Award, Department of Utilities to Publish Annual Update to Standards and Details, Sustainable Rivers Project for the Kansas River, Future Agenda Items and Future Work Session Items.

G. CALENDAR:

Review of calendar items.

Moved by Commissioner Herbert, seconded by Commissioner Amyx, to adjourn at 9:05 p.m. Motion carried unanimously.

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



Sherr Riedemann, City Clerk