



# City of Lawrence

## CITY MANAGER'S OFFICE

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CITY MANAGER

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**CITY COMMISSION**

**MAYOR**  
LESLIE SODEN

**COMMISSIONERS**  
STUART BOLEY  
MATTHEW J. HERBERT  
LISA LARSEN  
MIKE AMYX

March 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](http://www.lawrenceks.org/agendas).

**A. RECOGNITION/PROCLAMATION/PRESENTATION:**

1. None.

**B. CONSENT AGENDA:**

Commissioner Amyx requested removal of item 6 for a separate vote.

Commissioner Larsen requested removal of items 6 and 5a for a separate vote.

Commissioner Herbert requested removal of item 13 for a separate vote.

Eric Struckhoff, a member of the public, requested removal of item 9 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 03/06/17 and 03/07/17.
2. Receive minutes from various boards and commissions:
  - Affordable Housing Advisory Board meeting of 02/13/17
  - Community Development Advisory Board meeting of 02/23/17
  - Public Transit Advisory Committee meeting of 02/14/17
3. Approve claims and payroll in the amount of \$5,264,436.92 to 210 vendors including payments to Garney Companies Inc. for \$1,733,699.18 and State Treasurer for \$1,456,908.76.
4. Approve licenses as recommended by the City Clerk's Office.

Drinking Establishment	Expires
Jayhawk Club	New



Eagle 1968, L.C. 1809 Crossgate Drive	
HuHot Mongolian Grill CCW Kansas LLC 2525 Iowa St	New

5. Bid and purchase items:
  - a) **REMOVED FOR SEPARATE VOTE:** Award Bid No. B1720 to RD Johnson Excavating Co., LLC in the amount of \$226,580.75 for Project No. PW1613, 2016 Sidewalk Gap Program.
  - b) Approve the sole source purchase of 24 Mobile Data Computers for the Police Department and 26 Mobile Data Computers for the Lawrence Douglas County Fire Medical Department, for a total amount of \$339,879.50, from BMS/Data911.
6. **REMOVED FOR SEPARATE VOTE:** Adopt on second and final reading, Ordinance No. 9335, specifying that yard waste will be collected the same day as residential trash, establishing 6 a.m. as the set out time for trash, recycling, and yard waste, and revising allowable containers for yard waste collection.
7. Approve a Special Use Permit, SUP-16-00547, to allow a building addition for Bullwinkle's, located at 1340 Tennessee Street in the MU (Mixed Use) zoning district. Submitted by Paul Werner Architects on behalf of Sorrentino Investments LLC, property owner of record. Adopt on first reading, Ordinance No. 9338, for a Special Use Permit (SUP-16-00547) to allow a building addition for Bullwinkle's, located at 1340 Tennessee Street (PC Item 4; approved 9-0 on 2/22/17).
8. Approve a request to rezone, Z-16-00545, approximately 1.07 acres located at 3215 Ousdahl Road from PCD-[Pine Ridge Plaza] (Planned Commercial Development) District to CS (Commercial Strip) District, for a Boat and Mini-Storage facility. Submitted by Paul Werner Architects on behalf of Jayhawk Acquisitions LLC, property owner of record. Adopt on first reading, Ordinance No. 9337, to rezone (Z-16-00545) approximately 1.07 acres located at 3215 Ousdahl Road (PC Item 3; approved 9-0 on 2/22/17).
9. **REMOVED FOR SEPARATE VOTE:** Approve a License Agreement to permit existing structures to remain under the sidewalk in the W. 11<sup>th</sup> Street, Massachusetts Street, and the west alley right-of-way associated with the existing building located at 1101 Massachusetts Street. Current property owner of record: Mary J. Moore. Purchaser: 1101 Mass, LLC.
10. Approve the installation of two additional downtown bike corrals (20 bike parking spaces) and removal of two associated parking spaces based on recommendations from Transportation Commission and the installation of five inverted U bike racks (10 bike parking spaces) in no parking zones.
11. Accept the Bike Share Feasibility Study.

12. Approve an amendment to the Parks and Recreation Sponsorship Policy, adding additional items provided to the City Commission for review when considering naming rights for a City of Lawrence parks and recreation asset.
13. **REMOVED FOR SEPARATE VOTE:** Authorize the City Manager to execute a six month extension on the City's agreement with the National Development Council to complete economic development analysis and affordable housing consulting services for a retainer amount of \$6,150 monthly.
14. Approve as "Signs of Community Interest" a request from the Lawrence Metaphysical Fair to place signs at various locations promoting their event to be held Saturday April 29 through Sunday April 30, 2017, with the condition that signs be placed on private properties with permission of the property owners.
15. Approve appointments as recommended by the Mayor.  
  
MPO Bicycle Advisory Committee: Appoint Leslie VonHolten.

**Items removed for a separate vote:**

5. Bid and purchase items:
  - a) Award Bid No. B1720 to RD Johnson Excavating Co., LLC in the amount of \$226,580.75 for Project No. PW1613, 2016 Sidewalk Gap Program.

Chuck Soules, Public Works Director, presented the staff report.

**Moved by Commissioner Herbert, seconded by Commissioner Larsen,** to award Bid No. B1720 to RD Johnson Excavating Co., LLC in the amount of \$226,580.75 for Project No. PW1613, 2016 Sidewalk Gap Program. Motion carried unanimously.

6. Adopt on second and final reading Ordinance No. 9335 specifying that yard waste will be collected the same day as residential trash, establishing 6 a.m. as the set out time for trash, recycling, and yard waste, and revising allowable containers for yard waste collection.

Tammy Bennett, Assistant Public Works Director, presented the staff report.

**Moved by Commissioner Amyx, seconded by Vice Mayor Boley,** to adopt on second and final reading Ordinance No. 9335; and, direct staff to extend payment plan options to customers for the purchase of the containers. Motion carried unanimously.

9. Approve a License Agreement to permit existing structures to remain under the sidewalk in the W. 11<sup>th</sup> Street, Massachusetts Street, and the west alley right-of-way associated with the existing building located at 1101 Massachusetts Street. Current property owner of record: Mary J. Moore. Purchaser: 1101 Mass, LLC.

The applicant requested deferral of the item to allow additional time to review the license agreement.

**Moved by Mayor Soden, seconded by Commissioner Herbert,** to defer the item until the April 4, 2017 City Commission meeting. Motion carried unanimously.

13. Authorize the City Manager to execute a six month extension on the City's agreement with the National Development Council to complete economic development analysis and affordable housing consulting services for a retainer amount of \$6,150 monthly.

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

**Moved by Commissioner Amyx, seconded by Commissioner Herbert,** to authorize the City Manager to execute a six month extension on the City's agreement with the National Development Council to complete economic development analysis and affordable housing consulting services for a retainer amount of \$6,150 monthly. Motion carried unanimously.

**C. PUBLIC COMMENT:**

Michael Monroe read a statement regarding the formal complaint made against the Chief of Police.

Greg Robinson addressed the Commission regarding the statement made by Michael Monroe.

**D. REGULAR AGENDA ITEMS:**

1. **Consider the Lawrence Parks and Recreation Department Comprehensive Master Plan, providing goals for the next 10 years.**

Ernie Shaw, Interim Director Parks and Recreation, presented the staff report.

**Moved by Vice Mayor Boley, seconded by Commissioner Larsen,** to accept the Lawrence Parks and Recreation Department Comprehensive Master Plan. Motion carried unanimously.

2. **Consider authorizing a new consultant-led transit transfer hub location study.**

Brandon McGuire, Assistant to the City Manager, presented the staff report.

**Moved by Vice Mayor Boley, seconded by Commissioner Herbert,** to authorize the initiation of a transit transfer hub location study. Motion carried 3-2. Aye: Vice Mayor Boley, Commissioner Herbert and Commissioner Larsen. Nay: Mayor Soden, Commissioner Amyx.

The City Commission took a 10 minute break.

3. **Conduct a public hearing regarding blighted conditions of the property located at 3724 Stetson Drive, and consider adopting Resolution No. 7194, which requires the occupant of the property to abate the cited Property Maintenance Code violations within 20 days of adoption, and further directs City staff to abate the violations if the occupant fails to abate as ordered.**

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

**Moved by Commissioner Amyx, seconded by Commissioner Larsen,** 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. 7194, which requires the occupant of the property to abate the cited Property Maintenance Code violations within 20 days of adoption, and further directs City staff to abate the violations if the occupant fails to abate as ordered. Motion carried unanimously.

4. **Conduct a public hearing regarding blighted conditions of the property located at 1728 Barker Avenue and consider adopting of Resolution No. 7195, which requires the property owner to abate the cited Property Maintenance Code violations within 20 days of adoption, and further directs City staff to abate the violations if the owner fails to abate as ordered.**

Commissioner Larsen recused herself from the discussion.

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 Herbert,** to close the public hearing. Motion carried unanimously.

**Moved by Commissioner Amyx, seconded by Vice Mayor Boley,** to adopt Resolution No. 7195, which requires the occupant of the property to abate the cited Property Maintenance Code violations within 20 days of adoption, and further directs City staff to abate the violations if the occupant fails to abate as ordered. Motion carried unanimously.

Commissioner Larsen returned to the meeting.

5. **Consider awarding Bid No. B1700 for the Solid Waste Facility Phase 2 – 2215 Kresge Road, in the amount of \$2,994,853.89 to First Construction, which includes no alternates.**

Tammy Bennett, Assistant Public Works Director, presented the staff report.

**Moved by Mayor Soden, seconded by Commissioner Larsen,** to delay awarding Bid No. B1700 for the Public Works Solid Waste Facility Phase 2 and consider Solid Waste facility needs as part of the 2018-2022 Capital Improvement Program. Motion carried unanimously.

6. **Consider adopting City Administrative Policy 117, related to sidewalk hazard maintenance and repair requiring the adjacent property owner to make the necessary sidewalk repair to eliminate identified hazards, as set forth in City Code, 16-105.**

Mark Thiel, Assistant Public Works Director, presented the staff report.

**Moved by Commissioner Amyx, seconded by Commissioner Herbert,** to defer approval of City Administrative Policy 117. Motion carried unanimously.

**E. COMMISSION ITEMS:**

Mayor Soden discussed her trip to the National League of Cities conference.

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

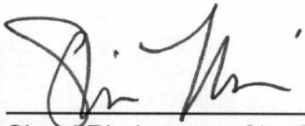
Tom Markus, City Manager, presented information on the following items: Update to Human Trafficking City Commission Discussion of 01/03/17, Bill Musick Deployed to Assist with Efforts Managing Kansas Wildfires, Aviation Advisory Board Subcommittee Update, Utility Billing Monthly Report, Future Agenda Items and Future Work Session Items.

**G. CALENDAR:**

Review of calendar items.

**Moved by Mayor Soden, seconded by Commissioner Herbert,** to adjourn at 10:25 p.m. Motion carried unanimously.

**MINUTES APPROVED BY THE CITY COMMISSION ON APRIL 4, 2017.**

  
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Sherril Riedemann, City Clerk