



City of Lawrence

CITY MANAGER'S OFFICE

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CITY COMMISSION

MAYOR
LESLIE SODEN

COMMISSIONERS
STUART BOLEY
MATTHEW J. HERBERT
LISA LARSEN
MIKE AMYX

April 4, 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. Proclaim Tuesday, April 4, 2017 as National Service Recognition Day.
2. Proclaim the week of April 4 – 10, 2017 as Public Health Week.
3. Proclaim the month of April, 2017 as Reuter Organ Month, in honor of the 100th Anniversary for Reuter Organ Company.
4. Proclaim the month of April, 2017 as the National Mayor's Challenge for Water Conservation.
5. Proclaim the month of April, 2017 as Parkinson's disease Awareness Month.
6. Proclaim the month of April, 2017 as Child Abuse Prevention Month.
7. Proclaim the month of April, 2017 as Sexual Assault Awareness Month.

B. CONSENT AGENDA:

Commissioner Larsen requested removal of items 5(a) and 10.

Commissioner Herbert requested removal of item 15.

Commissioner Amyx requested removal of item 5(c).

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

1. Approve City Commission meeting minutes from 03/14/17 and 03/21/17.
2. Receive minutes from various boards and commissions:



Building Code Board of Appeals meeting of 12/15/16
 Public Health Board meeting of 01/17/17

3. Approve claims and payroll in the amount of \$5,386,969.29 to 331 vendors.
4. Approve licenses as recommended by the City Clerk's Office.

Drinking Establishment	Expires
Slim Chickens Restaurant American Slims-Wakarusa LLC 701 Wakarusa Dr.	New
Pioneer Ridge Independent Living Pub Pioneer Ridge Pub Ops LLC 1000 Wakarusa	New
K Liquor K Liquor LLC 1910 Haskell Ave, Ste. D11	03/31/17

5. Bid and purchase items:
 - a) **REMOVED FOR SEPARATE VOTE** Award Bid No. 1725, Project No. UT1606 - Clinton Raw Water Pump Station Copper Ion Generation Equipment Installation Project, to ONG Consulting LLC, in the amount of \$79,958.90.
 - b) Award Bid No. 1704, Project No. UT1504 – 23rd Street, Ousdahl Road to Alabama Street, Waterline Replacement Project to M CON, LLC, in the amount of \$432,214.00, and authorize the City Manager to execute the construction contract.
 - c) **REMOVED FOR SEPARATE VOTE** Approve the purchase of one (1) Closed-Circuit Television (CCTV) van for Storm Water video inspection in the amount of \$204,071.24 and additional safety/ communication equipment in the amount of \$4,730 for a total cost of \$208,801.24, from Key Equipment & Supply, utilizing the National Joint Powers Alliance Cooperative contract.
6. Adopt on second and final reading, the following ordinances:
 - a) Ordinance No. 9337, to rezone (Z-16-00545) approximately 1.07 acres located at 3215 Ousdahl Road from PCD (Planned Commercial Development District) to CS (Commercial Strip District), for a Boat and Mini-Storage facility.
 - b) Ordinance No. 9338, for a Special Use Permit (SUP-16-00547) to allow a building addition for Bullwinkle's, located at 1340 Tennessee Street.
7. Accept dedication of easements and rights-of-way associated with North Lawrence Addition No. 18 Minor Subdivision, MS-17-00095, located at 772 North Street. Submitted by Grob Engineering Services, LLC, for Roxanna Todd, property owner of record.
8. Authorize the Mayor to execute a Stormwater Detention Waiver Agreement for the property located at 1801 W. 23rd Street (Hobby Lobby site).

9. Authorize the Mayor to execute the Federal Fund Exchange Agreement with the Kansas Department of Transportation for the City to receive funds to be allocated toward the construction of the 19th and Naismith intersection.
10. **REMOVED FOR SEPARATE VOTE** Authorize the City Manager to execute the Second Amendment to Purchase and Sale of Real Estate between the City of Lawrence, Kansas and North Mass Redevelopment, L.L.C.
11. **DEFERRED INDEFINITELY** Approve a License Agreement to permit existing to remain under the sidewalk in the W. 11th 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. **This item was deferred to the April 4, 2017 City Commission Meeting from the March 21, 2017 City Commission meeting. At the request of the applicant, this item is being deferred indefinitely.**
12. Authorize the City Manager to execute a License Agreement with the Roman Catholic Archdiocese of Kansas City in Kansas, a Kansas Not for Profit Corporation, for a portion of the Kentucky Street right-of-way for parking at St. John's Catholic Church.
13. Receive the *2016 Annual Report: Economic Development Support & Compliance* and refer to the Public Incentives Review Committee for review and recommendation.
14. Authorize the Mayor to sign a Release of Mortgage for Tanya Benton, 2227 Melholland Road.
15. **REMOVED FOR SEPARATE VOTE** Approve appointments as recommended by the Mayor.

Aviation Advisory Board: Reappoint Richard Haig to an additional term that will expire 05/31/20.

MPO Bicycle Advisory Committee: Appoint David Hamby.

Public Library Board: Reappoint Brady Flannery to an additional term that would expire 04/30/2011.

Sales Tax Audit Committee: Appoint Samantha Peterson to a term that expires 04/30/20. Reappoint Linda Jalenak to a term that expires 04/30/20.

Sister Cities Advisory Board: Appoint Diana Carlin Pierron to a term that expires 12/31/17.

Items removed for a separate vote:

5. Bid and purchase items:
 - a) Award Bid No. 1725, Project No. UT1606 - Clinton Raw Water Pump Station Copper Ion Generation Equipment Installation Project, to ONG Consulting LLC, in the amount of \$79,958.90.

Moved by Vice Mayor Boley, seconded by Commissioner Herbert, to award Bid No. 1725, Project No. UT1606 - Clinton Raw Water Pump Station Copper Ion Generation Equipment Installation Project, to ONG Consulting LLC, in the amount of \$79,958.90. Motion carried unanimously.

5. Bid and purchase items:

- c) Approve the purchase of one (1) Closed-Circuit Television (CCTV) van for Storm Water video inspection in the amount of \$204,071.24 and additional safety/ communication equipment in the amount of \$4,730 for a total cost of \$208,801.24, from Key Equipment & Supply, utilizing the National Joint Powers Alliance Cooperative contract.

Moved by Commissioner Amyx, seconded by Commissioner Larsen, to approve the purchase of one (1) Closed-Circuit Television (CCTV) van for Storm Water video inspection in the amount of \$204,071.24 and additional safety/ communication equipment in the amount of \$4,730 for a total cost of \$208,801.24, from Key Equipment & Supply, utilizing the National Joint Powers Alliance Cooperative contract. Motion carried unanimously.

- 10. Authorize the City Manager to execute the Second Amendment to Purchase and Sale of Real Estate between the City of Lawrence, Kansas and North Mass Redevelopment, L.L.C.

Moved by Commissioner Herbert, seconded by Commissioner Amyx, to authorize the City Manager to execute the Second Amendment to Purchase and Sale of Real Estate between the City of Lawrence, Kansas and North Mass Redevelopment, L.L.C. with the addition of a stop loss provision placing the value at no less than \$1.75 per square foot. Motion carried unanimously.

- 15. Approve appointments as recommended by the Mayor.

Aviation Advisory Board: Reappoint Richard Haig to an additional term that will expire 05/31/20.

MPO Bicycle Advisory Committee: Appoint David Hamby.

Public Library Board: Reappoint Brady Flannery to an additional term that would expire 04/30/2021.

Sales Tax Audit Committee: Appoint Samantha Peterson to a term that expires 04/30/20. Reappoint Linda Jalenak to a term that expires 04/30/20.

Sister Cities Advisory Board: Appoint Diana Carlin Pierron to a term that expires 12/31/17.

Moved by Mayor Soden, seconded by Commissioner Amyx, to approve appointments as recommended by the Mayor. Motion carried unanimously.

C. PUBLIC COMMENT:

Dan Dannenberg addressed the Commission to recommend a surtax to cover costs of police response to alcohol related incidents.

D. REGULAR AGENDA ITEMS:

1. Conduct a public hearing regarding a drinking establishment license for Stonewall Restaurant & Pizzeria, located at 1008 Massachusetts Street.

Sherry Riedemann, City Clerk, presented the staff report.

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

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

Moved by Commissioner Amyx, seconded by Commissioner Herbert, to find that the proximity of the sale of alcohol is not adverse to the public welfare or safety, and grant a distance limitation waiver. Motion carried unanimously.

2. Conduct a public hearing to consider a request to vacate a portion of a 15' utility easement, described as Lot 1, Brandon Woods Addition No. 2, also known as 1600 Carmel Drive, submitted by Tim Hazlett with ADDCO LLC, for Dward Moore.

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

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

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

Moved by Commissioner Amyx, seconded by Commissioner Herbert, to approve a request to vacate a portion of a 15' utility easement located at 1600 Carmel Drive. Motion carried unanimously.

3. Consider amendments to the Lawrence Building Code to modify requirements for structural support of headers in exterior walls of one and two family dwellings and consider adopting on first reading, Ordinance No. 9342, making the amendments.

Kurt Schroeder, Planning & Development Services Assistant Director, presented the staff report.

Moved by Vice Mayor Boley, seconded by Commissioner Amyx, to adopt on first reading, Ordinance No. 9342, amending the Lawrence Building Code (Chapter V, Article 3). Motion carried unanimously.

4. Consider adoption of the Catalyst Program, a temporary economic development program aimed at spurring economic development activity in Lawrence VenturePark and East Hills Business Park.

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

Moved by Mayor Soden, seconded by Commissioner Amyx, to adopt the Catalyst Program, a temporary economic development program; and, direct staff to look at options for extending the program to all private properties with industrial zoning. Motion carried unanimously.

5. **Consider motion to recess into executive session for approximately 30 minutes for the purpose of consultation with attorneys for the City about matters deemed privileged in the attorney-client relationship. The justification for the executive session is 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 Commissioner Herbert, seconded by Commissioner Larsen, to approve motion to recess into executive session for approximately 30 minutes at 8:40 p.m. for the purpose of consultation with attorneys for the city about matters deemed privileged in the attorney-client relationship. Motion carried unanimously.

Moved by Vice Mayor Boley, seconded by Commissioner Amyx, to extend the executive session for approximately 10 minutes at 9:10 p.m.

The regular meeting reconvened at 9:20 p.m. The City Commission had nothing to report.

E. COMMISSION ITEMS:

Vice Mayor Boley discussed the KU POWWOW & Indigenous Culture Festival, an event sponsored by the City of Lawrence through the Transient Guest Tax Fund; and, an event to celebrate the anniversary of the Fair Housing Ordinance; and, recognized Neighborhood Resource Officer, Amber Rhoden.

Commissioner Herbert congratulated KU basketball coach Bill Self for a great season.

F. CITY MANAGER'S REPORT:

Bryan Kidney, Finance Director, presented information on the Neighborly Mini-Bond Marketing Campaign.

Tom Markus, City Manager, presented information on the following items: February 2017 Monthly Building Permit Report, 2016 Building Permit Trends Report, 2016 Rental Licensing and Inspection Reports, Budget Blueprint – cuts to HUD (CDBG/HOME), Planning and Development Services 2016 Annual Report, Aviation Advisory Board Update, Upcoming Street Events, Article of Interest – Google Fiber, Lawrence-Douglas County Fire Medical 2016 Annual Report, 2016 Utilities Annual Reports, Update on Junior Olympics, Future Agenda Items and Future Work Session Items.

Tim Laurent, Recreation Operations Manager, presented information on the Sports Pavilion Lawrence Basketball Tournament.

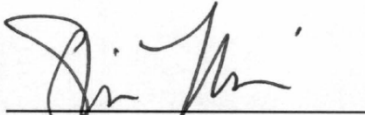
Rowan Green, Parks & Recreation District #2, presented information on the Mud Creek Boat Ramp Closure.

G. CALENDAR:

Review of calendar items.

Moved by Commissioner Herbert, seconded by Commissioner Amyx, to adjourn at 9:48 p.m. Motion carried unanimously.

MINUTES APPROVED BY THE CITY COMMISSION ON APRIL 18, 2017.



Sherril Riedemann, City Clerk