



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

May 16, 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 the week of May 21 – 27, 2017 as Public Works Week.
2. Proclaim the month of May, 2017 as Mental Health Month
3. Proclaim Friday, June 2, 2017 as National Gun Violence Awareness Day.

B. CONSENT AGENDA:

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

1. Approve City Commission meeting minutes from 05/09/17.
2. Receive minutes from various boards and commissions:

Lawrence Cultural Arts Commission meetings of 01/08/17, 02/08/17, and 03/08/17
Parks& Recreation Advisory Board meetings of 02/14/17, 03/14/17, and 04/11/17
Public Transit Advisory Committee meeting of 03/13/17
Sister Cities Advisory Board meetings of 01/11/17 and 02/08/17
Sustainability Advisory Board meetings of 01/11/17, 02/18/17, and 03/08/17
Transportation Commission meetings of 02/06/17, 03/06/17, and 04/03/17
3. Approve claims and payroll in the amount of \$4,033,192.93 to 202 vendors including a payment over \$1,000,000.00 to Garney Companies, Inc. in the amount of \$1,416,044.93.
4. Approve licenses as recommended by the City Clerk's Office.

Retail Liquor	Expires
City Wine Market CWM II LLC	05/14/17



900 New Hampshire, Ste. C	
Sidewalk Dining & Hospitality	Address
Harold's	918 Massachusetts St.

5. Approve appointments as recommended by the Mayor.

Mechanical Code Board of Appeals: Reappoint Doug Gaston to an additional term that expires 03/31/20.

Plumbing Code Board of Appeals: Reappoint Doug Dillon to an additional term that expires 04/30/20.

6. Bid and purchase items:

- a) Approve the purchase of 3,500 tons of de-icing salt from Central Salt, in the amount of \$153,965 (\$43.99 per ton), utilizing Douglas County's Cooperative Bid No. 17-F-0013.
- b) Award Bid No. 1736, Project No. UT1513 - Naismith Drive and Crescent Road Street, Sidewalk, Storm Sewer and Sanitary Sewer Improvements to Freeman Concrete Construction, in the amount of \$669,031, and authorize the City Manager to execute the construction contract.

7. Adopt on first reading, the following ordinances:

- a) Ordinance No. 9356, allowing the sale, possession and consumption of alcohol in the public right-of-way on Friday, August 11, 2017 and Saturday, August 12, 2017 from 4:00 p.m. to 11:59 p.m. in the 100 block of E. 8th Street for the Sandbar "birthday bash" block party event.
- b) Ordinance No. 9357, establishing no parking on both sides of George Williams Way, from 6th Street north to Rock Chalk Parkway (private street) and establishing no parking on both sides of Rock Chalk Drive from George Williams Way to E. 902 Road.

8. Adopt the following resolutions:

- a) Resolution No. 7205, authorizing the issuance of General Obligation Bonds in the amount of \$400,000 for Project No. PW1619 – 2016/2017 Traffic Calming (CIP# PW17E8).
- b) Resolution No. 7207, establishing Tuesday, June 6, 2017, for a public hearing on the creation of a benefit district for the construction of Queens Road and the signalization of the intersection at 6th Street and Queens Road.

9. Accept vacation of easement and dedication of right-of-way associated with the Mercato Final Plat, PF-17-00182, located at 6200 W. 6th Street. Submitted by Landplan Engineering, for Kentucky Place LC, JDS Kansas LC, Venture Properties Inc., Tat Land Holding Co LC, Sojac Land Company LC, Scotsdale Properties LC, property owners of record.

10. Approve Second Amendment to Cooperation Agreement between the City of Lawrence, Kansas, and the University of Kansas in association with providing enhanced notice to surrounding property owners for projects within 150 feet of the University's boundary as identified in the agreement.
11. Approve rezoning, Z-17-00087, approximately .52 acre from RM12 (Multi-Dwelling Residential) District and RS5 (Single-Dwelling Residential) District to CS (Strip Commercial) District, located at 508 Michigan. Submitted by The Johnson Group, for Jesson S. Ross, property owner of record. Adopt on first reading, Ordinance No. 9355, rezoning (Z-17-00087) approximately .52 acre from RM12 (Multi-Dwelling Residential) District and RS5 (Single-Dwelling Residential) District to CS (Strip Commercial) District, located at 508 Michigan. (PC Item 4; approved 10-0 on 4/24/17)
12. Approve rezoning, Z-17-00083, approximately .464 acre from RSO (Single-Dwelling Residential-Office) District to RM32 (Multi-Dwelling Residential) District, located at 1816 and 1822 W. 24th Street. Submitted by Paul Werner Architects, for Cherry Hill Properties LLC, property owner of record. Adopt on first reading, Ordinance No. 9354, rezoning (Z-17-00083) approximately .464 acre from RSO (Single-Dwelling Residential-Office) District to RM32 (Multi-Dwelling Residential) District, located at 1816 and 1822 W. 24th Street. (PC Item 6; approved 10-0 on 4/24/17)
13. Accept vacation of utility easement and dedication of new utility easement associated with Final Plat, PF-17-00161, for Alvamar Inc. One Addition No. 2. Submitted by Paul Werner Architects, for Eagle 1968 and Alvamar Apartments LC, property owners of record.
14. Adopt the 2017 Action Plan and Investment Summary of the 2013-2017 Consolidated Plan, and adopt Resolution No. 7204, authorizing the Mayor to execute the agreements for the 2017 CDBG and HOME programs.

C. PUBLIC COMMENT:

K.T. Walsh addressed the Commission regarding sign codes regulating murals.

D. REGULAR AGENDA ITEMS:

1. Receive draft Ordinance No. 9324 pertaining to a Community Police Review Board.

Maria Garcia, Assistant City Attorney, presented the staff report.

The Commission directed staff to add recommendations for term limits and a meeting schedule to draft Ordinance No. 9324; and, continue to obtain feedback from the Lawrence Police Officers Association regarding the ordinance.

2. Conduct a public hearing regarding blighted conditions of the property located at 2719 Rawhide Lane, and consider adopting Resolution No. 7206, requiring the property owner to abate the property within 20 days of adoption and further directs the City to abate the violations if the property owner fails to abate as ordered.

Commissioner Herbert recused himself.

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

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

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

Moved by Commissioner Amyx, seconded by Commissioner Larsen, to adopt Resolution No. 7206, requiring the property owner to abate the cited Property Maintenance Code violations within 20 days of adoption and directing the City to abate the violations if the property owner fails to abate as ordered. Aye: Vice Mayor Boley, Commissioner Amyx, Commissioner Larsen. Nay: Mayor Soden. Motion carried 3-1.

Commissioner Herbert returned to the meeting.

3. **Conduct a public hearing and consider approving a distance limitation waiver for Sully and Hanks located at 602 W. 9th Street.**

Sherri Riedemann, City Clerk, presented the staff report.

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

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

Moved by Commissioner Larsen, 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.

4. **Conduct a public hearing regarding distance limitation waiver request for the "2017 Live on Mass" event to be held Saturday, June 24, 2017 from 11:00 a.m. to 11:00 p.m. in the 1000 block of Massachusetts Street. Consider adopting Ordinance No. 9358, allowing the sale, possession, and consumption of alcohol in the public right-of-way during the event, and consider approving a Street Event Permit and a Special Event Permit (SE-17-00151) for the event.**

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

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

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

Moved by Commissioner Herbert, seconded by Commissioner Amyx, to find that the proximity of the temporary sale of alcoholic liquor for the event is not adverse to the public welfare or safety and a grant distance limitation waiver; and, adopt on first reading Ordinance

No. 9358, allowing the sale, possession and consumption of alcohol in the public right-of-way on Saturday, June 24, 2017 in the 1000 block of Massachusetts Street; and, approve a Street Event Permit and a Special Event Permit (SE-17-00151) for the event. Motion carried unanimously.

5. **Conduct a public hearing regarding distance limitation waiver request for the "2017 Live on Mass" event to be held Sunday, July 2, 2017 from 11:00 a.m. to 11:00 p.m. in the 1000 block of Massachusetts Street. Consider adopting Ordinance No. 9348, allowing for the sale, possession, and consumption of alcohol in the public right-of-way during the event, and consider approving a Street Event Permit and a Special Event Permit (SE-17-00150) for the event.**

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

Moved by Mayor Soden, seconded by Commissioner Herbert, 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 Larsen, seconded by Commissioner Herbert, to find that the proximity of the temporary sale of alcoholic liquor for the event is not adverse to the public welfare or safety and a grant distance limitation waiver; and, adopt on first reading, Ordinance No. 9348, allowing the sale, possession and consumption of alcohol in the public right-of-way on Sunday, July 2, 2017 in the 1000 block of Massachusetts Street; and, approve a Street Event Permit and a Special Event Permit (SE-17-00150) for the event. Motion carried unanimously.

The Commission took a short break at 7:05 p.m.

6. **Consider a Comprehensive Plan Amendment, CPA-17-00135, to Horizon 2020, Chapter 7, to amend the boundary of the Oread West Research Park, related to rezonings Z-17-00079 and Z-17-00080 for the undeveloped properties north of Legends Drive and in the 1100 block of Biltmore Drive and Research Park Drive. Submitted by BG Consultants. (PC Item 5A; approved 7-3 on 4/24/17)**
7. **Consider a request to rezone, Z-17-00079, approximately 25.4 acres from IBP (Industrial/Business Park) District to RS7 (Single-Dwelling Residential) District, located in the 1100 Block of Biltmore Drive and Research Park Drive. Submitted by BG Consultants, for WE1929, LLC, property owner of record. (PC Item 5B; approved 7-3 on 4/24/17)**
8. **Consider a request to rezone, Z-17-00080, approximately 10 acres from IBP (Industrial/Business Park) District to RM12D (Multi-Dwelling Residential) District, located in the 1100 Block of Biltmore Drive and Research Park Drive. Submitted by BG Consultants, for WE1929, LLC, property owner of record. (PC Item 5C; approved 7-3 on 4/24/17)**

Commissioners declared Ex Parte Communications for items 6, 7 and 8.

Sandra Day, Planner, presented the staff report for items 6, 7 and 8.

Moved by Commissioner Amyx, seconded by Commissioner Larsen, to defer items 6, 7 and 8. And, direct staff to provide the following information: a review of the industrial inventory in the city and the impact of rezoning the requested land on the inventory; status of the University of Kansas master Plan as it related to the area designated for public-private research partnerships and whether businesses that locate there would be exempt from property taxes; information on the surrounding street system and the impact on surrounding neighborhoods; information on how neighborhood concerns are being addressed with the platting of the property. Motion carried unanimously.

The Commission took a short break at 8:30

9. Consider authorizing the City Manager to execute a Professional Services Agreement with a firm to conduct a Transit Center Location Analysis.

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

Moved by Vice Mayor Boley, seconded by Commissioner Larsen, to authorize the City Manager to execute Professional Services Agreement to conduct a Transit Center Location Analysis. Motion carried unanimously.

10. Receive information regarding the process to consider possible expansion of the Catalyst Program beyond Lawrence VenturePark and East Hills Business Park.

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

Moved by Commissioner Herbert, seconded by Commissioner Amyx, to place the expansion issue directly on a future City Commission meeting agenda without the review of the Public Incentive Review Committee. Aye: Vice Mayor Boley, Commissioner Amyx, Commissioner Herbert, Commissioner Larsen. Nay: Mayor Soden. Motion carried 4-1.

11. Consider motion to recess into executive session for approximately 15 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 Mayor Soden, seconded by Vice Mayor Boley, to approve motion to recess into executive session at 9:10 p.m. for approximately 15 minutes 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 resumed at 9:22 p.m. The commission had nothing to report.

E. COMMISSION ITEMS:

The Commission recognized the passing of Dick Raney, former Mayor and City Commissioner.

F. CITY MANAGER'S REPORT:

Tom Markus, City Manager, presented information on the following items: Parks and Recreation Director Selection Process Update to the City Commission, Chief of Police Selection Process Update to the City Commission, Affordable Housing Guidance related to City Economic Development Policy, Monthly Utility Billing Report, Lawrence-Douglas County Fire Medical Monthly Activity Report, Junior Olympics Monthly Summary, 29th Annual Outdoor Downtown Sculpture Exhibition, Future Agenda Items and Future Work Session Items.

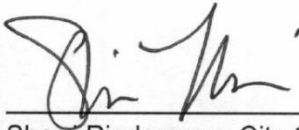
G. CALENDAR:

The Commission reviewed calendar items.

The City Commission will meet in regular session at 5:00 p.m. on July 18th at Watkins Museum of History to commemorate the signing of the Fair Housing Ordinance. The Commission will recess the meeting and return to City Hall where the regular meeting will resume at approximately 6:00 p.m.

Moved by Commissioner Herbert, seconded by Commissioner Amyx, to adjourn at 9:39 p.m. Motion carried unanimously.

MINUTES APPROVED BY THE CITY COMMISSION ON JUNE 6, 2017.



Sherril Riedemann, City Clerk