



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

June 6, 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 Friday, June 9, 2017 as Relay for Life Day.

B. CONSENT AGENDA: 6:25

Commissioner Larsen requested removal of items 11, 12, and 13 for a separate vote.

Commissioner Amyx requested removal of item 8 for a separate vote.

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

1. Approve City Commission meeting minutes from 05/16/17.
2. Receive minutes from various boards and commissions:

Lawrence Douglas County Housing Authority meeting of 04/24/17
Mental Health Board meeting of 03/28/17
Parks and Recreation Advisory Board meeting of 05/09/17
Planning Commission meetings of 03/15/17 and 04/24-26/17
Public Health Board meeting of 03/20/17
Senior Resource of Douglas County Advisory Board meetings of 04/25/17 and 03/28/17
Social Services Funding Advisory Board meetings of 04/26/17 and 05/18/17

3. Approve claims and payroll in the amount of \$7,837,463.29 to 445 vendors.
4. Approve licenses as recommended by the City Clerk's Office.

Drinking Establishment	Expires
Slim Chickens Restaurant American Slims Iowa St. LLC 2412 Iowa St.	New



The Roost The Roost LLC 920 Massachusetts St.	05/31/17
Leroys Lawrence 2013 LLC 729 New Hampshire St.	06/09/17
Bullwinkles Tom and Pete LLC 1344 Tennessee St.	06/17/17

5. Approve appointments as recommended by the Mayor.

Electrical Code Board of Appeals: Reappoint Alben Stilley and Robert Heacock to additional terms that would expire 03/31/20. Appoint John Delfeder to a term that would expire 03/31/20 and Michael Wessel to fill an unexpired term which expires 03/31/18.

Social Services Funding Advisory Board: Appoint Lea Roselyn to a term that expires 08/31/18.

6. Bid and purchase items:

- a) Award Bid No. B1642, for the purchase of two (2) Ford F550 Trucks and spreaders for the Streets Division of Public Works, to Laird Noller Ford, in the amount of \$103,164.
- b) Award Bid No. 1735, Project No. UT1702 – 10th Street – Arkansas Street to Illinois Street and Maine Street – 10th Street to Fambrough Drive Waterline Replacement, to Banks Construction, LLC in the amount of \$368,939.20, and authorize the City Manager to execute the construction contract.

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

- a) 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.
- b) 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.
- c) 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.
- d) 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.

- e) Ordinance No. 9358, allowing the sale, possession, and consumption of alcohol in the public right-of-way during the “2017 Live on Mass” event to be held on Saturday, June 24, 2017, from 11:00 a.m. – 11:00 p.m. in the 1000 block of Massachusetts Street.
 - f) Ordinance No. 9348, allowing for the sale, possession, and consumption of alcohol in the public right-of-way during the “2017 Live on Mass” event to be held Sunday, July 2, 2017, from 11:00 a.m. – 11:00 p.m. in the 1000 block of Massachusetts Street.
8. **REMOVED FOR SEPARATE VOTE:** Accept dedication of right-of-way associated with Final Plat, PF-17-00162, for Fambrough Addition, located at 1101 Mississippi. Submitted by Landplan Engineering, for the University of Kansas, property owner of record.
 9. Approve Special Event Permit, SE-17-00254, for grand opening of Taking Root at 1501 Learnard Avenue on Saturday, June 17, 2017 between the hours of 5:00 p.m. and 8:00 p.m. Submitted by Sunrise Green LLC, property owner of record.
 10. Concur with the following recommendation from the Transportation Commission:
 - a) To deny the request for traffic calming on Prescott Drive between 8th Street/Goldfield Street and Harvard Road (TC item #3A; denied 9-0 on 4/3/17).
 - b) To deny the request for traffic calming on Kensington Road between 25th Terrace and 27th Street (TC item #3B; denied 9-0 on 4/3/17).
 11. **REMOVED FOR SEPARATE VOTE:** Receive VanTrust application for the Catalyst Program and set a public hearing date of July 11, 2017 for consideration of the Catalyst Program incentive package.
 12. **REMOVED FOR SEPARATE VOTE:** Authorize the purchase of Block 1, Lot 9, and the donation of Tract A, in the Burroughs Creek 2nd Addition Subdivision from Struct/Restruct, LLC, in the amount of \$58,000, for preservation of the majestic bur oak tree and addition of open park land to Brook Creek Park
 13. **REMOVED FOR SEPARATE VOTE:** Authorize the City Manager to execute a Lease Agreement for the lease of 2.5 miles of dark fiber in the City’s conduit, running between Wakarusa Drive and Iowa Street on 6th Street, with Community Wireless Communications Co., d/b/a Wicked Broadband.
 14. Authorize the Mayor to sign a Subordination Agreement for Mary Ann Frevert, 805 Locust Street.

Items removed for a separate vote:

8. Accept dedication of right-of-way associated with Final Plat, PF-17-00162, for Fambrough Addition, located at 1101 Mississippi. Submitted by Landplan Engineering, for the University of Kansas, property owner of record.

Moved by Commissioner Amyx, seconded by Vice Mayor Boley, to accept dedication of right-of-way associated with Final Plat, PF-17-00162, for Fambrough Addition, located at 1101 Mississippi. Motion carried unanimously.

11. Receive VanTrust application for the Catalyst Program and set a public hearing date of July 11, 2017 for consideration of the Catalyst Program incentive package.

Britt Crum-Cano, Economic Development Coordinator, presented the staff report.

Moved by Commissioner Larsen, seconded by Commissioner Herbert, to receive VanTrust application for the Catalyst Program and set a public hearing date of July 11, 2017 for consideration of the Catalyst Program incentive package. Motion carried unanimously.

12. Authorize the purchase of Block 1, Lot 9, and the donation of Tract A, in the Burroughs Creek 2nd Addition Subdivision from Struct/Restruct, LLC, in the amount of \$58,000, for preservation of the majestic bur oak tree and addition of open park land to Brook Creek Park.

Mark Hecker, Assistant Director Parks and Recreation, presented the staff report.

Moved by Commissioner Larsen, seconded by Vice Mayor Boley, to defer authorization of the purchase of Block 1, Lot 9, and the donation of Tract A, in the Burroughs Creek 2nd Addition Subdivision from Struct/Restruct, LLC, in the amount of \$58,000, for preservation of the majestic bur oak tree and addition of open park land to Brook Creek Park. Motion carried unanimously.

13. Authorize the City Manager to execute a Lease Agreement for the lease of 2.5 miles of dark fiber in the City's conduit, running between Wakarusa Drive and Iowa Street on 6th Street, with Community Wireless Communications Co., d/b/a Wicked Broadband.

Randy Larkin, Senior Assistant City Attorney, presented the staff report.

Moved by Commissioner Larsen, seconded by Commissioner Amyx, to authorize the City Manager to execute a Lease Agreement for the lease of 2.5 miles of dark fiber in the City's conduit, running between Wakarusa Drive and Iowa Street on 6th Street, with Community Wireless Communications Co., d/b/a Wicked Broadband. Motion carried unanimously.

C. PUBLIC COMMENT:

Nicole Allensworth addressed the Commission regarding stricter texting and driving laws.

Steven Watts addressed the Commission to request written correspondence be included in agenda packets and minutes.

Brendy Latare addressed the Commission to request the existing stop signs at 18th and Indiana Street be retained.

D. REGULAR AGENDA ITEMS:

1. **Conduct public hearing regarding a benefit district for 6th Street and Queens Road and consider adopting Resolution No. 7209, establishing the benefit district and ordering the improvements to the intersection of 6th Street and Queens Road.**

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

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

The Commission took a 10-minute break at 8:00 p.m.

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

Moved by Mayor Soden, seconded by Commissioner Larsen, to defer adoption of Resolution No. 7209 setting out the finding and ordering the construction of Queens Road from 6th Street to Eisenhower Drive and the construction of improvements to the intersection of 6th & Queens Road; and, direct staff to look at alternate methods of assessment and funding options for increasing the City's level of participation. Motion carried unanimously.

The Commission took a break at 8:55 p.m.

2. **Consider approving rezoning of multiple properties in East Lawrence to align the properties' current use with the zoning districts that contain the appropriate density and intensity standards to support the uses. Please note: The properties to be rezoned are in an area of the East Lawrence neighborhood, generally bound by 9th Street to the south, Rhode Island Street to the west, various streets to the east but no farther than the alley between New Jersey Street and Pennsylvania Street, and the Kansas River to the north. This item received a hearing before the Planning Commission with notice to all affected properties and to owners within 400 feet of the affected properties. Initiated by City Commission on 12/6/16. (PC Item 10; approved 10-0 on 4/26/17)**
 - a) **Rezone 79 properties (Z-17-00098) from RM24 (Multi-Dwelling Residential) District to RS5 (Single-Dwelling Residential) District. Adopt on first reading, Ordinance No. 9359, rezoning (Z-17-00098) 79 properties from RM24 (Multi-Dwelling Residential) District to RS5 (Single-Dwelling Residential) District.**
 - b) **Rezone 21 properties (Z-17-00099A) from RM24 (Multi-Dwelling Residential) District to RM12D (Multi-Dwelling Residential) District. Adopt on first reading, Ordinance No. 9360, rezoning (Z-17-00099A) 21 properties from RM24 (Multi-Dwelling Residential) District to RM12D (Multi-Dwelling Residential) District.**
 - c) **Rezone one (1) property (Z-17-00099) from RM24 (Multi-Dwelling Residential) District to RS5 (Single-Dwelling Residential) District. Adopt on first reading, Ordinance No. 9366, rezoning one (1) property (Z-17-00099) from RM24 (Multi-Dwelling Residential) District to RS5 (Single-Dwelling Residential) District.**

- d) Rezone 10 properties (Z-17-00100) from RSO (Single-Dwelling Residential-Office) District to RS5 (Single-Dwelling Residential) District. Adopt on first reading, Ordinance No. 9361, rezoning (Z-17-00100) 10 properties from RSO (Single-Dwelling Residential-Office) District to RS5 (Single-Dwelling Residential) District.
- e) Rezone two (2) properties (Z-17-00101) from RSO (Single-Dwelling Residential-Office) District to RM12D (Multi-Dwelling Residential) District. Adopt on first reading, Ordinance No. 9362, rezoning (Z-17-00101) two (2) properties from RSO (Single-Dwelling Residential-Office) District to RM12D (Multi-Dwelling Residential) District.
- f) Rezone 627 Connecticut (Z-17-00102) from RSO (Single-Dwelling Residential-Office) District to RS5 (Single-Dwelling Residential) District. Adopt on first reading, Ordinance No. 9363, rezoning 627 Connecticut from RSO (Single-Dwelling Residential-Office) District to RS5 (Single-Dwelling Residential) District.
- g) Rezone four (4) properties (Z-17-00103) from CS (Strip Commercial) District to RS5 (Single-Dwelling Residential) District. Adopt on first reading, Ordinance No. 9364, rezoning (Z-17-00103) four (4) properties from CS (Strip Commercial) District to RS5 (Single-Dwelling Residential) District.
- h) Rezone 738 Rhode Island (Z-17-00104) from CS (Strip Commercial) District to RM12D (Multi-Dwelling Residential) District. Adopt on first reading, Ordinance No. 9365, to rezone (Z-17-00104) 738 Rhode Island from CS (Strip Commercial) District to RM12D (Multi-Dwelling Residential) District.

Commissioners declared Ex Parte Communications related to this item.

A protest petition was not submitted for this application.

Becky Pepper, Planner, presented the staff report.

Moved by Mayor Soden, seconded by Commissioner Larsen, to approve East Lawrence rezonings (Z-17-00098, Z-17-00099A, Z-17-00099B, Z-17-00100, Z-17-00101, Z-17-00102, Z-17-00103, Z-17-00104); and, adopt on first reading, Ordinance No. 9359, Ordinance No. 9360, Ordinance No. 9366, Ordinance No. 9361, Ordinance No. 9362, Ordinance No. 9363, Ordinance No. 9364, and Ordinance No. 9365 with the addition of adding to Ordinance No. 9359 and Ordinance No. 9366, related to the rezoning of properties from RM24 to RS5, the condition that occupancy for unrelated persons be reduced from 4 to 3 after a time period of 3 years from the effective date of the ordinance. Aye: Mayor Soden, Vice Mayor Boley and Commissioner Larsen. Nay: Commissioner Amyx, Commissioner Herbert. Motion carried.

The Commission took a break at 10:15 p.m.

Moved by Mayor Soden, seconded by Commissioner Herbert, to defer item 7 and item 8. Motion carried unanimously.

3. Receive the 2016 Financial Audit report.

Bryan Kidney, Finance Director, presented the staff report.

Sean Gordon, Audit Manager, Mize Houser and Company, P.A., presented the report.

Moved by Vice Mayor Boley, seconded by Commissioner Larsen, to receive the report. Motion carried unanimously.

4. Receive accounts receivable audit report.

Bryan Kidney, Finance Director, presented the staff report.

Christina Churchill, RSM, presented the report.

Moved by Mayor Soden, seconded by Commissioner Amyx, to receive the report. Motion carried unanimously.

5. Receive draft parking study.

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

Parking Consultants from DESMAN Design Management presented the study.

Moved by Mayor Soden, seconded by Commissioner Herbert, to receive study. Motion carried unanimously.

6. Conduct a public hearing regarding blighted conditions of the property located at 749 Lyon Street, and consider adopting Resolution No. 7208, which requires the occupant 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 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. 7208 requiring the occupant to abate code violations within 20 days of adoption. Motion carried unanimously.

7. DEFERRED: Consider possible expansion of the Catalyst Program beyond Lawrence VenturePark and East Hills Business Park to include all IG zoned properties within the City of Lawrence as of June 1, 2017 and a 25,000-square foot minimum new building requirement.

8. DEFERRED: Receive audit recommendation follow-up report.

E. COMMISSION ITEMS:

Mayor Soden provided a statement regarding the Paris Climate Agreement.

F. CITY MANAGER'S REPORT:

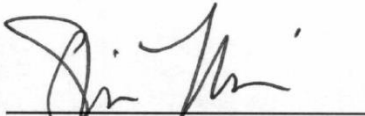
Tom Markus, City Manager, announced the four finalists for the Lawrence Police Chief position.

G. CALENDAR:

The Commission reviewed calendar items.

Moved by Mayor Soden, seconded by Commissioner Herbert, to adjourn at 12:17 a.m., Wednesday, June 7th. Motion carried unanimously.

MINUTES APPROVED BY THE CITY COMMISSION ON JUNE 13, 2017.



Sherri Riedemann, City Clerk