



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 20, 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 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. None.

B. CONSENT AGENDA:

Mayor Soden requested removal of items 10 and 13 for a separate vote.

Moved by Vice Mayor Boley, seconded by Commissioner Larsen, to approve the consent agenda as below with the exception of items 10 and 13. Motion carried unanimously.

1. Approve City Commission meeting minutes from 06/13/17.
2. Receive minutes from various boards and commissions:

Affordable Housing Advisory Board meeting of 04/17/17
3. Approve claims and payroll in the amount of \$6,700,069.00 to 262 vendors including a payment to Garney Companies Inc. for \$1,209,475.89.
4. Approve licenses as recommended by the City Clerk's Office.

Retail Liquor	Expires
Barleys Retail Liquor Barleys Retail Liquor LLC 1805 W 2 nd St.	06/12/17
Caterer	Expires
Cider Gallery LLC Cider Gallery LLC 810 Pennsylvania St.	07/05/17

5. Bid and purchase items:



- a) Award Bid No. B1738 – Outdoor Aquatic Center Pool Painting, to J.F. McGivern, Inc., in the amount of \$137,845.
 - b) Approve change order in the amount of \$101,345.31 to Sunflower Paving Inc. for work performed on Project No. PW1503 - Bob Billings Parkway, Kasold Drive to K-10 Corridor Traffic Improvements.
 - c) Approve change orders for private property I/I repairs associated with Project No. UT1305 - Rapid Inflow and Infiltration Reduction Program, increasing the existing purchase orders by a maximum of \$120,000 per pre-qualified plumbing contractor.
 - d) Authorize the expenditure of \$165,000 from the Eagle Bend Golf Course fund balance for the construction of the first two phases of the Eagle Bend Pro Shop Addition (2017 CIP# PR1708) and direct staff to sign a partnership agreement with the Kansas Golf Association and Eagle Bend Golf Course.
6. Adopt on first reading Ordinance 9373 pertaining to seat belts and the fines associated with failure to wear a seatbelt.
7. Adopt on second and final reading, the following ordinances:
- a) Ordinance No. 9359, rezoning (Z-17-00098) 79 properties from RM24 (Multi-Dwelling Residential) District to RS5 (Single-Dwelling Residential) District.
 - b) Ordinance No. 9360, rezoning (Z-17-00099A) 21 properties from RM24 (Multi-Dwelling Residential) District to RM12D (Multi-Dwelling Residential) District.
 - c) Ordinance No. 9366, rezoning one (1) property (Z-17-00099) from RM24 (Multi-Dwelling Residential) District to RS5 (Single-Dwelling Residential) District.
 - d) Ordinance No. 9361, rezoning (Z-17-00100) 10 properties from RSO (Single-Dwelling Residential-Office) District to RS5 (Single-Dwelling Residential) District.
 - e) Ordinance No. 9362, rezoning (Z-17-00101) two (2) properties from RSO (Single-Dwelling Residential-Office) District to RM12D (Multi-Dwelling Residential) District.
 - f) Ordinance No. 9363, rezoning 627 Connecticut from RSO (Single-Dwelling Residential-Office) District to RS5 (Single-Dwelling Residential) District.
 - g) Ordinance No. 9364, rezoning (Z-17-00103) four (4) properties from CS (Strip Commercial) District to RS5 (Single-Dwelling Residential) District.
 - h) Ordinance No. 9365, to rezone (Z-17-00104) 738 Rhode Island from CS (Strip Commercial) District to RM12D (Multi-Dwelling Residential) District.
8. Approve a request to rezone, Z-17-00157, approximately 8.566 acres from PRD (Planned Residential Development) District to RM15 (Multi-Dwelling Residential) District, located at 2115 Exchange Court. Submitted by Paul Werner Architects on behalf of Southwind Capital LLC, property owner of record. Adopt on first reading, Ordinance No.

9367, rezoning (Z-17-00157) approximately 8.566 acres from PRD (Planned Residential Development) District to RM15 (Multi-Dwelling Residential) District, located at 2115 Exchange Court. (PC Item 3; approved 8-0 on 5/24/17)

9. Approve a Special Event Permit, SE-17-00272, for a temporary parking area at 6200 W. 6th Street to accommodate the 2017 USATF Junior Olympics National Championship from July 22, 2017 through July 30, 2017 between the hours of 6:00 a.m. to 7:00 p.m. Submitted by Lawrence Sports Corporation with permission from Kentucky Place, LC; Tanglewood, LC; JDS Kansas, LC; Venture Properties, Inc.; Scotsdale Properties, LC; Tat Land Holding Company, LC; Sojac Land Company, LC, property owners of record.
10. **REMOVED FOR SEPARATE VOTE:** Receive a request to annex, A-17-00265, approximately 95.442 acres for the proposed KTen Crossing project, located at 3500 Iowa Street, and, refer the request to the Lawrence-Douglas County Planning Commission for consideration and recommendation and authorize the City Manager to give statutory notice to Westar Energy of the City's intent to annex the subject property.
11. Accept dedication of easements and rights-of-way, and the vacation of portions of existing access easements, associated with Minor Subdivision, MS-16-00549, located at 545 Wakarusa Drive, 565 Wakarusa Drive, and 4950 W. 6th Street. Submitted by TreanorHL on behalf of 6Wak Land Investments LLC, property owner of record.
12. Receive update on final reconciliation and payment related to the 31st Street construction project (CIP No. 18P075) from Haskell Avenue to O'Connell Road.
13. **REMOVED FOR SEPARATE VOTE:** Approve submission of Transportation Alternative Applications to the Kansas Department of Transportation for the 19th and Iowa pedestrian and bicycle underpass and Safe Routes to School Phase II.
14. Approve a Street Event Permit for the Lawrence Field Day Festival event, on Friday, July 14, 2017, from 4:00 p.m. – 11:59 p.m., on the sidewalk from 1016 Massachusetts Street to 1040 Massachusetts Street. Adopt on first reading, Ordinance No. 9372, allowing for the sale, possession, and consumption of alcohol in the public right-of-way during the event.
15. Authorize the City Manager to execute licenses for use of city properties as part of the Common Ground Program community gardening program to: Beau Stude (12th & Oregon), Denise Ditomasso (739 Illinois), and Aimee Polson (John Taylor Park -7th & Walnut).

Items removed for a separate vote;

10. Receive a request to annex, A-17-00265, approximately 95.442 acres for the proposed KTen Crossing project, located at 3500 Iowa Street, and, refer the request to the Lawrence-Douglas County Planning Commission for consideration and recommendation and authorize the City Manager to give statutory notice to Westar Energy of the City's intent to annex the subject property.

Scott McCullough, Planning Director, presented the staff report.

Moved by Vice Mayor Boley, seconded by Commissioner Herbert, to receive a request to annex, A-17-00265, approximately 95.442 acres for the proposed KTen Crossing project, located at 3500 Iowa Street, and, refer the request to the Lawrence-Douglas County Planning Commission for consideration and recommendation and authorize the City Manager to give statutory notice to Westar Energy of the City's intent to annex the subject property. Aye: Vice Mayor Boley, Commissioner Herbert, Commissioner Larsen. Nay: Mayor Soden. Motion carried 3-1.

13. Approve submission of Transportation Alternative Applications to the Kansas Department of Transportation for the 19th and Iowa pedestrian and bicycle underpass and Safe Routes to School Phase II.

David Cronin, City Engineer, presented the staff report.

Moved by Vice Mayor Boley, seconded by Commissioner Larsen, to approve submission of Transportation Alternative Applications to the Kansas Department of Transportation for the 19th and Iowa pedestrian and bicycle underpass and Safe Routes to School Phase II; and, direct staff to work with the University of Kansas on a shared funding plan for the pedestrian and bicycle underpass. Motion carried unanimously.

C. PUBLIC COMMENT:

John Blosick addressed the City Commission to commend the staff at Sports Pavilion Lawrence.

William McCauley addressed the Commission to inquire about the draft proposal for skydiving and parachute activities at Lawrence Municipal Airport and the Aviation Advisory Board.

Brad Gibson addressed the Commission regarding Safe Routes to School in the East Lawrence Neighborhood and the Neighborhood Revitalization District.

Michael Almon addressed the Commission regarding the City Manager's report.

Ted Boyle addressed the Commission regarding the North Lawrence pump station.

Dan Dannenberg addressed the Commission regarding the status of the City Auditor position and to recommend the City engage an external forensic audit firm.

Jeremy Roth addressed the Commission regarding the candidates for the Chief of Police position.

Frank Jansen addressed the Commission to acknowledge the month of Ramadan.

D. REGULAR AGENDA ITEMS:

1. **Consider approving the design concept for E. 9th Street, from New Hampshire to Pennsylvania Street, and consider authorizing staff to negotiate a design contract with Bartlett & West.**

Dave Cronin, City Engineer, presented the staff report.

Moved by Vice Mayor Boley, seconded by Mayor Soden, to approve the design concept for E. 9th Street, from New Hampshire to Pennsylvania Street, with the provision to remove bike lanes from the design to maintain green space; and, authorize staff to negotiate a design contract with Bartlett & West. Motion carried unanimously.

The Commission took a short break at 8:01 p.m.

2. Consider the following items related to Lawrence Memorial Hospital:

Sandra Day, Planner, presented the staff report for items a, b and c.

The Commission declared Ex Parte communications.

- a) **Consider approving a Special Use Permit/Institutional Development Plan, SUP-17-00153, for a new parking lot at Lawrence Memorial Hospital and a master plan for the Hospital uses, located at 3rd & Michigan St. Submitted by Landplan Engineering for LMH Board of Trustees and City of Lawrence, property owners of record. Adopt on first reading, Ordinance No. 9368, for Special Use Permit/Institutional Development Plan (SUP-17-00153) for a new parking lot at Lawrence Memorial Hospital and a master plan for the Hospital uses, located at 3rd & Michigan St. (PC Item 1A; approved 6-2 on 5/24/17)**

Moved by Vice Mayor Boley, seconded by Mayor Soden, to approve Special Use Permit (SUP-17-00153) for 3rd & Michigan, and adopt Ordinance No. 9368 on first reading. Aye: Mayor Soden, Vice Mayor Boley, Commissioner Herbert. Nay: Commissioner Larsen. Motion carried 3-1.

- b) **Consider approving a request to rezone, Z-17-00158, approximately 1.38 acres from RS5 (Single-Dwelling Residential) District to H (Hospital) District, located at 302 Michigan St, 306 Michigan St, 310 Michigan St, 314 Michigan St, 318 Michigan St, and 322 Michigan St. Submitted by Landplan Engineering PA on behalf of Lawrence Memorial Hospital and LMH Board of Trustees, property owners of record. Adopt on first reading, Ordinance No. 9369 to rezone (Z-17-00158) approximately 1.38 acres from RS5 (Single-Dwelling Residential) District to H (Hospital) District, located at 302 Michigan St, 306 Michigan St, 310 Michigan St, 314 Michigan St, 318 Michigan St, and 322 Michigan St. (PC Item 1A; approved 6-2 on 5/24/17)**

Moved by Vice Mayor Boley, seconded by Mayor Soden, to approve rezoning (Z-17-00158) 1.38 acres from RS5 to H, located at 302 Michigan St, and adopt Ordinance No. 9369 on first reading. Aye: Mayor Soden, Vice Mayor Boley, Commissioner Herbert. Nay: Commissioner Larsen. Motion carried 3-1.

- c) **Consider accepting dedication of easements associated with Minor Subdivision, MS-17-00213, for Lawrence Memorial Hospital No. 2, located at 325 Maine. Submitted by Landplan Engineering, for the Lawrence Memorial Hospital Board of Trustees and the City of Lawrence, property owners of record.**

Moved by Vice Mayor Boley, seconded by Mayor Soden, to accept dedication of easements for Lawrence Memorial Hospital No. 2 Minor Subdivision (MS-17-00213), located at 325 Maine. Aye: Mayor Soden, Vice Mayor Boley, Commissioner Herbert. Nay: Commissioner Larsen. Motion carried 3-1.

The Commission took a short break at 9:17 p.m.

3. **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.**

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

Moved by Commissioner Herbert, seconded by Commissioner Larsen, to approve 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 have a 25,000-square foot minimum new building requirement; and, direct staff to bring back recommendations for incorporating additional requirements for existing businesses interested in participating in the Catalyst Program. Motion carried unanimously.

4. **Consider establishing July 11, 2017, as the public hearing date for Lawrence VenturePark special assessments. Consider adopting on first reading, Ordinance No. 9374, levying special assessments on certain property to pay the construction cost of internal improvements to Lawrence VenturePark, and consider approving the statement of final costs and assessment roll for Lawrence VenturePark streets and sanitary sewer.**

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

Moved by Commissioner Herbert, seconded by Vice Mayor Boley, to establish July 11, 2017 as public hearing date for Lawrence VenturePark special assessments. Adopt on first reading, Ordinance No. 9374, levying special assessments to pay the construction cost of internal improvements, and approve the statement of final costs and assessment roll for streets and sanitary sewer. Motion carried unanimously.

5. **Receive strategic plan progress report.**

Danielle Buschkoetter, Management Assistant, presented the staff report.

6. **Consider authorizing the purchase of Block 1, Lot 9, and the donation of Tract A, in the Burroughs Creek 2nd Addition Subdivision from Struct/Restruct, LLC, for \$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 Mayor Soden, seconded by Vice Mayor Boley, to refer the 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, for \$58,000 for preservation of the majestic bur oak tree and addition of open park land to Brook Creek Park back to staff. Motion carried unanimously.

7. Receive audit recommendation follow-up.

Michael Eglinski, City Auditor, presented the staff report.

Moved by Mayor Soden, seconded by Commissioner Herbert, to receive report; and, direct the City Auditor to close those audit recommendations categorized as implemented or not implemented with the exception of the recommendation to develop a brick streets maintenance policy. Motion carried unanimously.

8. Discuss City Commission monthly meeting schedule, per Mayor Soden's request.

The Commission directed staff to keep the current meeting schedule; and, utilize the 'shot clock' to place a time limit on public comment during City Commission monthly meetings.

E. COMMISSION ITEMS:

Commissioner Herbert commented on the draft proposal for skydiving and parachute activities at Lawrence Municipal Airport and the Aviation Advisory Board.

F. CITY MANAGER'S REPORT:

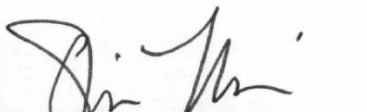
Tom Markus, City Manager, presented information on the following items: Report forthcoming on SPL Structure Evaluation, Funding for Bicycle, Pedestrian, and ADA Ramp Facilities, Santa Fe Station Update, May 2017 Monthly Utility Billing Report, Junior Olympics Monthly Summary, future agenda items and future work session items.

G. CALENDAR:

The Commission reviewed calendar items.

Moved by Commissioner Herbert, seconded by Mayor Soden, to adjourn at 11:22 p.m. Motion carried unanimously.

MINUTES APPROVED BY THE CITY COMMISSION ON JULY 18TH, 2017.



Sherri Riedemann, City Clerk