



City of Lawrence

CITY MANAGER'S OFFICE

THOMAS M. MARKUS
CITY MANAGER

City Offices
PO Box 708 66044-0708
www.lawrenceks.org

6 East 6th St
785-832-3000
FAX 785-832-3405

CITY COMMISSION

MAYOR
LESLIE SODEN

COMMISSIONERS
STUART BOLEY
MATTHEW J. HERBERT
LISA LARSEN
MIKE AMYX

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. RECOGNITION/PROCLAMATION/PRESENTATION:

1. None.

A. CONSENT AGENDA:

A member of the public requested removal of item 11 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 07/18/17.
2. Receive minutes from various boards and commissions:

Affordable Housing Advisory Board meeting of 06/12/17
Homeless Issues Advisory Committee meeting of 04/11/17
Parks & Recreation Advisory Board meeting of 07/11/17
Public Transit Advisory Committee meeting of 05/08/17
Senior Resource Center for Douglas County Board meeting of 06/27/17
Sustainability Advisory Board meetings of 05/10/17 and 06/14/17
3. Approve claims and payroll in the amount of \$4,702,653.90 to 303 vendors.
4. Approve licenses as recommended by the City Clerk's Office.

Drinking Establishment	Expires
La Parilla La Parilla Inc. 724 Massachusetts St.	07/14/17
Zen Zero Zen Zero Inc. 811 Massachusetts St.	07/16/17
Henry Ts Duck Butter Drilling Inc. 3520 W. 6 th St.	07/19/19
The Wheel	08/03/17



Spare Tire LLC 507 W 14 th St.	
Street Vendor	Location
Kona Ice of Lawrence and Topeka	SW Corner of 8 th and Massachusetts

5. Approve appointments as recommended by the Mayor.

Senior Resource Center for Douglas County Board: Appoint Carol Bowen to a term that expires 12/31/19.

6. Bid and purchase items:

- a) Award Bid No. 1740, CIPP Project No. UT1704 – 2017 Sanitary Sewer Rehabilitation Project - to SAK Construction, LLC, in the amount of \$1,282,512, and authorize the City Manager to execute the construction contract.
- b) Authorize the purchase of equipment and a ten-year communication package for the GPS activated pre-emption system for signalized intersections (Project No. PW1708/CIP Project No. FM1705) in the amount of \$711,000 to Gades Sales Co. (Applied Information).

7. Adopt on first reading, the following ordinances:

- a) Ordinance No. 9384, for 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. (PC Item 5A; approved 7-3 on 4/24/17)
- b) Ordinance No. 9385 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. (PC Item 5B; approved 7-3 on 4/24/17)
- c) Ordinance No. 9386, to rezone (Z-17-00080) approximately 10.0 acres from IBP (Industrial/Business Park) District to RM12D (Multi-Dwelling Residential) District, 1100 Block of Biltmore Drive and Research Park Drive. (PC Item 5C; approved 7-3 on 4/24/17)
- d) Ordinance No. 9389, authorizing and providing for the construction of stormwater drainage improvements at the intersection of 23rd Street and Ousdahl Road, and authorizing the issuance of General Obligation Bonds for the project.

8. Adopt on second and final reading, Ordinance No. 9383, adopting the “2017 Standard Traffic Ordinance, Edition 2017”.

9. Adopt the following resolutions:

- a) Resolution No. 7218, authorizing the issuance of General Obligation Bonds for improvements on Kasold Drive, from 6th Street to Bob Billings Parkway, Project No. PW1505 - CIP PW17E1.
 - b) Resolution No. 7217, authorizing the issuance of General Obligation Bonds for the Community Health, CIP PW17B7 and Fire Medical Building improvements, CIP PW17B2.
 - c) Resolution No. 7219, authorizing the offering for sale of General Obligation bonds of the City of Lawrence, Kansas on September 12, 2017.
10. Approve a request to rezone, Z-17-00217, approximately 1.13 acres from RS5 (Single-Dwelling Residential) District to RS7 (Single-Dwelling Residential) District, located at 309, 321, 325, and 331 Indiana Street. Submitted by Summer Wedermyer on behalf of Philip R Jones, Jennifer M Padilla, Nathan R Littlejohn III, Lynette Littlejohn, Emily C H Hensley, Nate Wedermyer, and Summer Wedermyer, property owners of record. Adopt on first reading, Ordinance No. 9381, to rezone (Z-17-00217) approximately 1.13 acres from RS5 (Single-Dwelling Residential) District to RS7 (Single-Dwelling Residential) District, located at 309, 321, 325, and 331 Indiana Street. (PC Item 3; approved 8-0 on 6/28/17)
 11. **REMOVED FOR A SEPARATE VOTE:** Approve a Site Plan, SP-17-00220, for the conversion of the former Jayhawk Bookstore at 1420 Crescent Road to McClain's Market, *Fast Order Food or Quality Restaurant*, retaining the second story apartments, *Non-Ground Floor Apartments*. Submitted by BG Consultants, Inc. for Axiom-Jayhawk LLC, property owner of record.
 12. Authorize the Mayor to execute the Authority to Award Contract for the Wakarusa and Harvard Roundabout project and commitment of \$1,225,223 in City funds, Project No. PW1527, CIP No. PW17E2.
 13. Receive Bert Nash Community Mental Health Center 2017 First Quarter Performance Report.

Items removed for a separate vote:

11. Approve a Site Plan, SP-17-00220, for the conversion of the former Jayhawk Bookstore at 1420 Crescent Road to McClain's Market, *Fast Order Food or Quality Restaurant*, retaining the second story apartments, *Non-Ground Floor Apartments*. Submitted by BG Consultants, Inc. for Axiom-Jayhawk LLC, property owner of record.

Moved by Mayor Soden, seconded by Commissioner Herbert, to defer approval of a site plan, SP-17-00220, for the conversion of the former Jayhawk Bookstore at 1420 Crescent Road to McClain's Market, *Fast Order Food or Quality Restaurant*, retaining the second story apartments, *Non-Ground Floor Apartments*. Submitted by BG Consultants, Inc. for Axiom-Jayhawk LLC, property owner of record until the August 15th City Commission Meeting. Motion carried unanimously.

C. PUBLIC COMMENT:

The Commission heard public comment on items and issues not scheduled on the agenda.

D. REGULAR AGENDA ITEMS:

1. Consider the following items related to the VanTrust Real Estate, LLC Catalyst incentive package:

- a) **Consider adopting Resolution No. 7210, a Resolution of Intent to issue industrial revenue bonds in one or more series in the aggregate principal amount of approximately \$31,000,000 to support a three-phased development project in Lawrence VenturePark.**
- b) **Consider adopting Resolution No. 7211, a Resolution of Intent to issue industrial revenue bonds not to exceed \$10,200,000 and grant a 10-year fifty percent (50%) or seventy percent (70%) (if constructed to LEED Silver equivalency) property tax abatement for Phase I development on Block B, Lot 1 in Lawrence VenturePark.**
- c) **Consider authorizing the Mayor and City Clerk to execute a Land Transfer and Development Agreement with VanTrust Real Estate, LLC., setting forth the requirements for transfer of Lawrence VenturePark lots to accommodate project phased development.**

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

Moved by Mayor Soden, seconded by Commissioner Herbert, to adopt Resolution No. 7210, Resolution No. 7211, and authorize the Mayor and City Clerk to execute a Land Transfer and Development Agreement. Motion carried unanimously.

2. Conduct a public hearing regarding a distance limitation waiver request for the 2017 Final Friday event in the 900 block of New Hampshire Street, to be held on Friday, September 29, 2017, from 9:00 a.m. to 11:59 p.m.

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

Moved by Commissioner Amyx, seconded by Commissioner Herbert, 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 Amyx, 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. 9379 allowing the sale, possession and consumption of alcohol in the public right-of-way in the 900 block of New Hampshire Street on Friday, September 29, 2017, from 9:00 a.m. to 11:59 p.m. during the event. Motion carried unanimously.

3. Conduct a public hearing regarding a distance limitation waiver request for the 2017 Kansas State Fiddling and Picking Championships event in the public right-of-way on Massachusetts Street, between North Park and South Park Streets, on Sunday, August 27, 2017 from 9:00 a.m. to 6:00 p.m.

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

Moved by Vice Mayor Boley, 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. 9378 allowing the sale, possession and consumption of alcohol in the public right-of-way on Massachusetts Street, between North Park and South Park Streets, on Sunday, August 27, 2017 from 9:00 a.m. to 6:00 p.m. during the event. Motion carried unanimously.

4. **Conduct a public hearing regarding a distance limitation waiver request for the 2017 Live on Mass event in the 1000 block of Massachusetts Street, Friday, September 1, 2017, from 11:00 a.m. to 11:00 p.m.**

Mark Thiel, Assistant Public Works Director, 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 Herbert, to close the public hearing. Motion carried unanimously.

Moved by Commissioner Larsen, seconded by Vice Mayor Boley, to conduct public hearing. Find that the proximity of the temporary sale of alcoholic liquor for the event is not adverse to the public welfare or safety and grant a distance limitation waiver; and adopt on first reading, Ordinance No. 9380, allowing the sale, possession and consumption of alcohol in the public right-of-way on Friday, September 1, 2017 in the 1000 block of Massachusetts Street for the Live on Mass event. Motion carried unanimously.

5. **Consider the following items related to the 2018 Operating and Capital Improvement Budget:**

a) **Conduct a public hearing for the 2017 City of Lawrence amended budget and consider adopting on first reading, Ordinance No. 9388, increasing the 2017 expenditure authority.**

Casey Toomay, Assistant City Manager, and Bryan Kidney, Finance Director, presented the staff report for a.

Moved by Mayor Soden, 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 Vice Mayor Boley, seconded by Commissioner Larsen, to adopt on first reading, Ordinance No. 9388, increasing the 2017 expenditure authority. Motion carried unanimously.

- b) **Consider adopting on first reading the following ordinances and adopt resolution establishing rates for City Utilities for 2018:**
- i. **Ordinance No. 9375, establishing 2018 water and sewer rates, and system development charges.**
 - ii. **Resolution No. 7212, amending the Development Policy for the financing of public improvements within the City of Lawrence, Kansas, and repealing certain provisions of Resolution No. 5614. Authorize staff to amend Administrative Policy No. 52 commensurate with Resolution No. 7212.**
 - iii. **Ordinance No. 9371, establishing 2018 stormwater service rates, effective November 15, 2017.**
 - iv. **Ordinance No. 9370, establishing 2018 solid waste rates, effective November 15, 2017.**

Dave Wagner, Utilities Director, and Mike Lawless, Utilities Deputy Director, presented the staff report on b.

Moved by Commissioner Herbert, seconded by Commissioner Larsen, to adopt on first reading, Ordinance No. 9375, establishing 2018 water and wastewater service rates and establishing 2018 water and wastewater system development charges; and, adopt Resolution No. 7212 amending the Development Policy for the financing of public improvements within the City of Lawrence, Kansas, and repealing certain provisions of Resolution No. 5614; and, authorize staff to amend Administrative Policy No. 52 to comply with Resolution No. 7212; and, adopt on first reading Ordinance No. 9371 establishing 2018 stormwater service rates, and Ordinance No. 9370 establishing 2018 solid waste rates. Motion carried unanimously.

- c) **Conduct a public hearing on the 2018 budget and consider adopting on first reading, Ordinance No. 9387, approving and appropriating the 2018 City of Lawrence Operating and 2018-2022 Capital Improvement Budget.**

Casey Toomay, Assistant City Manager, and Bryan Kidney, Finance Director, presented the staff report for c.

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

The Commission took a 5-minute break at 8:19 p.m.

The Commission resumed the public hearing.

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

Moved by Vice Mayor Boley, seconded by Commissioner Herbert, to adopt on first reading Ordinance No. 9387 approving and appropriating the 2018 City of Lawrence Operating and 2018-2022 Capital Improvement Budget. Aye: Vice Mayor Boley, Commissioner Amyx, Commissioner Herbert, Commissioner Larsen. Nay: Mayor Soden. Motion carried 4-1.

6. Receive update on Sales Tax Education and Communication Plan.

Porter Arneill, Interim Communications Manager, presented the staff report.

Moved by Commissioner Herbert, seconded by Vice Mayor Boley, to receive update. Motion carried unanimously.

E. COMMISSION ITEMS:

Commissioner Herbert and Commissioner Larsen thanked those who participated in the primary election.

F. CITY MANAGER'S REPORT:

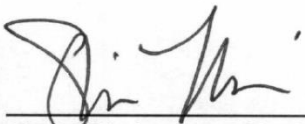
Tom Markus, City Manager, welcomed the new Parks and Recreation director.

G. CALENDAR:

The Commission reviewed calendar items.

Moved by Mayor Soden, seconded by Commissioner Larsen, to adjourn at 10:18 p.m. Motion carried unanimously.

MINUTES APPROVED BY THE CITY COMMISSION ON AUGUST 8, 2017.



Sherril Riedemann, City Clerk