



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
STUART BOLEY

COMMISSIONERS
LISA LARSEN
JENNIFER ANANDA, JD, MSW
MATTHEW J. HERBERT
LESLIE SODEN

February 20, 2018

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 Boley presiding and Vice Mayor Larsen, Commissioner Ananda, Commissioner Herbert and Commissioner Soden present.

A. RECOGNITION/PROCLAMATION/PRESENTATION:

1. None.

B. CONSENT AGENDA:

Commissioner Ananda requested removal of item 4(b) for a separate vote.

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

1. Approve City Commission meeting minutes from 02/13/18.
2. Approve claims in the amount of \$2,051,458.37 to 210 vendors.
3. Approve appointments as recommended by the Mayor.

Public Transit Advisory Committee: Appoint Phyllis Farrar to a term that expires 12/31/20.

4. Bid and purchase items.
 - a) Award Bid No. B1802, Project No. UT1716 – Connecticut Street, E. 10th Street to E. 11th Street Waterline Replacement Project, to Hettinger Excavating, in the amount of \$196,215, and authorize the City Manager to execute the construction contract.
 - b) **REMOVED FOR SEPARATE VOTE:** Authorize the purchase of three (3) 2018 Chevrolet 4x4 9c1 Pursuit Tahoe's, in the amount of \$107,942.80, from Roberts Chevrolet, utilizing the Mid America Council of Public Procurement contract.
 - c) Award Bid No. B1800, for 10 2018 Ford Police Utility Interceptors, to Laird Noller Ford, in the amount of \$286,456.00.
5. Adopt on first reading, Ordinance No. 9439, amending certain sections of Chapter V, Article 18 of the City Code, which pertains to the regulation of signs (Sign Code).



6. Adopt Resolution No. 7242, appointing Commissioner Matthew Herbert to the Board of Directors of the Bioscience and Technology Business Center.
7. Approve a request to rezone (Z-17-00602) approximately 8.434 acres from RSO (Single-Dwelling Residential-Office) District to RM15 (Multi-Dwelling Residential) District, located at 4500 Overland Drive. Submitted by Barber Emerson LC on behalf of Fox Run KS LLC, property owner of record. Adopt on first reading, Ordinance No. 9438, rezoning (Z-17-00602) approximately 8.434 acres from RSO (Single-Dwelling Residential-Office) District to RM15 (Multi-Dwelling Residential) District, located at 4500 Overland Drive. (PC Item 1; approved 8-0 on 1/24/18)
8. Approve a revised Preliminary Development Plan (PDP-17-00663) for the Lawrence Humane Society located at 1805 E. 19th Street. Submitted by Grob Engineering Services LLC on behalf of Lawrence Humane Society Inc, property owner of record. (PC Item 2; approved 8-0 on 1/24/18)
9. Approve a Special Event Permit (SE-18-00045) for Kaw Valley Greenhouses at 2300 Louisiana Street from March 24, 2018 to June 30, 2018. Submitted by Kaw Valley Greenhouses Inc on behalf of Hillcrest Foods, Inc. for 2300 Louisiana Co LLC, property owner of record.
10. Accept dedication of utility, drainage, and landscape easements for VenturePark Subdivision No. 1, associated with Minor Subdivision (MS-17-00667) located at 2325 and 2425 Venture Park Drive. Submitted by Bartlett & West, Inc., for City of Lawrence, property owner of record.
11. Accept vacation of easements and right-of-way as shown on Minor Subdivision/Replat (MS-17-00677) for Collegiate at Lawrence, a one-lot subdivision on approximately 36.17 acres located at 1601 W. 33rd Street, 3425 Ousdahl Road, and 3100 Block, Ousdahl Road. Submitted by CFS Engineers for Utah State Retirement Investment Fund, property owner of record.
12. Accept the Lawrence Loop Alignment Study.
13. Initiate a text amendment to the City of Lawrence Land Development Code to incorporate short-term rental uses and direct staff to develop an ordinance for the licensing, inspecting and regulating of short-term rental properties.
14. Receive the Public Incentives Review Committee's (PIRC) recommendation and consider Hillary's (DEW—Drink Eat Well) request for an expansion assistance grant, to be funded equally from the City, County, and the Chamber/Economic Development Corporation of Lawrence, Kansas and authorize the City Manager to execute a performance agreement with the Company based on the provisions in the staff report and provide \$10,000 in City economic development funds for the City's grant contribution. (PIRC recommendation 6-0 in favor on 2/13/18)
15. Approve a request from Natural Grocers for an exterior mural on the north side of the Natural Grocers Building, located at 1301 W. 23rd Street, as recommended by the Lawrence Cultural Arts Commission.
16. Receive the Affordable Housing Advisory Board 2017 Annual Report.

ITEMS REMOVED FOR A SEPARATE VOTE:

4. Bid and purchase items.
 - b) Authorize the purchase of three (3) 2018 Chevrolet 4x4 9c1 Pursuit Tahoe's, in the amount of \$107,942.80, from Roberts Chevrolet, utilizing the Mid America Council of Public Procurement contract.

Bill Cory, Captain Lawrence Police Department, presented the staff report.

Moved by Commissioner Ananda, seconded by Vice Mayor Larsen, to authorize the purchase of three (3) 2018 Chevrolet 4x4 9c1 Pursuit Tahoe's, in the amount of \$107,942.80, from Roberts Chevrolet, utilizing the Mid America Council of Public Procurement contract. Motion carried unanimously.

C. PUBLIC COMMENT:

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

D. REGULAR AGENDA ITEMS:

The Mayor read a statement in response to public comment received regarding the demonstrations that occurred on February 3, 2018 in Downtown Lawrence.

1. Receive staff reaction regarding downtown protests.

Toni Wheeler, City Attorney, and Gregory Burns, Chief of Police, presented staff reports.

Commissioners made individual statements regarding the downtown protests.

2. Consider request pertaining to outdoor LED lighting installed in, or at the direction of, or owned by the City of Lawrence, including Westar lights.

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

Sonia Jordan, Epidemiology and Preparedness Coordinator, Lawrence-Douglas County Health Department, presented a report.

Dr. Adrian Melott and Reed Nelson, Lawrence Alliance for Responsible Lighting (LARL), presented reports.

Justin Rush, Westar Energy Engineer, presented a report.

The Commission took a 5-minute break at 7:55 p.m.

The Commission reconvened at 8:00 p.m. and took public comment on this item.

Moved by Commissioner Herbert, seconded by Vice Mayor Larsen, to direct staff to draft ordinance language with regards to the remaining 36% of City street lights, including street lights the city owns, that street lights that have not yet been converted to LED be 3000 Kelvin

color temperature; and, direct the City Attorney's office to determine costs associated with this change; and, direct staff to enter into discussions with Westar regarding the change. Motion carried unanimously.

3. **Consider authorizing the expansion of the Low-Income Elderly Utility Rate (Lifeline) program in 2019 by lowering the percentage discount from sixty-five percent (65%) to thirty-five percent (35%) for low-income elderly customers and adding a \$5.00 per month discount for populations that are low-income with a disability, or low income and a U.S. Veteran regardless of age.**

Kristy Webb, Utility Billing Manager, presented the staff report.

4. **Conduct a public hearing on a proposed amendment to the 2018 Budget increasing the expenditure authority in the Housing Trust Fund to \$600,000 and consider adopting on first reading, Ordinance No. 9440, amending the 2018 City Operating and Capital Improvement Budget.**

Bryan Kidney, Finance Director, presented the staff report.

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

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

Moved by Commissioner Soden, seconded by Commissioner Ananda, to adopt on first reading Ordinance No. 9440, amending the 2018 City Operating and Capital Improvement Budget. Motion carried unanimously.

5. **Open the public hearing established by Resolution No. 7234, which set the public hearing date of February 20, 2018 to consider the blighted property located at 541 Perry Street. Defer the public hearing at the request of Berniece Garber until March 6, 2018 at which time Resolution No. 7238 will be considered for adoption, which would declare the structure located at 541 Perry Street to be an unsafe and dangerous structure thereby ordering the repair or demolition of the structure within a specified date.**

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

Moved by Commissioner Ananda, seconded by Vice Mayor Larsen, to open the public hearing established by Resolution No. 7234. Motion carried unanimously.

Moved by Commissioner Herbert, seconded by Vice Mayor Larsen, to defer the public hearing until March 6, 2018. Motion carried unanimously.

6. **Consider adopting on second and final reading, Charter Ordinance No. 45, specifically enabling the City to utilize alternative construction methods, and repealing Charter Ordinance No. 19.**

Melinda Harger, Utilities Engineer, presented the staff report.

Moved by Commissioner Herbert, seconded by Vice Mayor Larsen, to adopt on second and final reading, Charter Ordinance No. 45, specifically enabling the City to utilize alternative construction methods, and repealing Charter Ordinance No. 19. Aye: Mayor Boley, Vice Mayor Larsen, Commissioner Ananda, Commissioner Herbert. Nay: Commissioner Soden. Motion carried 4-1.

E. COMMISSION ITEMS:

Commissioner Soden discussed appointments to the Public Incentives Review Committee.

Commissioner Ananda discussed Safe Bars training for individuals applying for a City liquor license.

Mayor Boley and Vice Mayor Larsen discussed the Summer Food Service Program.

Commissioner Herbert discussed a Proclamation for National Speech Education Day.

Mayor Boley discussed the upcoming celebration of the Chinese New Year at the Lied Center.

F. CITY MANAGER'S REPORT:

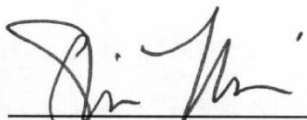
Tom Markus, City Manager, presented information on the following items: January 2018 Utility Billing Report, January 2018 Monthly Building Permit Report, Community Development 2017 Weatherization Program, Lawrence Affordable Housing Efforts to be included in National Building Museum Exhibition on Affordable Housing in Washington, D.C., Santa Fe Station Restoration Project Commencing Construction, Emergency Management Training Follow-up, Lawrence Douglas County Health Department Annual Report, Department of Utilities to Publish Annual Update to Standards and Details, Inter-City Visit and Leadership Conference from Chapel Hill, North Carolina to be held in Lawrence in September 2018, Future Agenda Items and Future Work Session Items.

G. CALENDAR:

The Commission reviewed calendar items.

Moved by Commissioner Herbert, seconded by Vice Mayor Larsen, to adjourn at 10:11 p.m. Motion carried unanimously.

MINUTES APPROVED BY THE CITY COMMISSION ON MARCH 6, 2018.



Sherril Riedemann, City Clerk