



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

April 17, 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 Commissioner Ananda, Commissioner Herbert and Commissioner Soden present.

A. RECOGNITION/PROCLAMATION/PRESENTATION:

1. Proclaim the week of April 23 – 27, 2018 as Tree City USA Week and Friday, April 27, 2018 as Arbor Day.
2. Proclaim the week of April 16 – 20, 2018 as The Week of the Young Child.

B. CONSENT AGENDA:

Commissioner Soden requested removal of item 13 for a separate vote.
Commissioner Herbert requested removal of item 11 for a separate vote.
Commissioner Ananda requested removal of item 6(c) for a separate vote.
Mayor Boley requested removal of item 9 for a separate vote.
A member of the public requested removal of items 5(a) and 6(b) for a separate vote.

Moved by Commissioner Herbert, seconded by Commissioner Soden, to approve the consent agenda as below except for items 5(a), 6(b), 6(c), 9, 11 and 13. Motion carried unanimously.

1. Approve City Commission meeting minutes from 04/10/18.
2. Receive minutes from various boards and commissions:

Fire Code Board of Appeals meeting of 02/21/18
Public Transit Advisory Committee meeting of 02/12/18
3. Approve all claims. Approve claims in the amount of \$6,013,612.47 to 204 vendors including a payment to Garney Companies Inc. for \$2,653,904.44.
4. Approve licenses as recommended by the City Clerk's Office.

Drinking Establishment	Expires
23 rd Street Brewery 23 rd Street Brewery Acquisition LLC 3512 Clinton Pkwy	04/07/17
Jeffersons	04/07/17



Jeffersons Downtown LLC 743 Massachusetts St	
Caterer	Expires
Burge Student Union University of Kansas Memorial Corporation 1565 Irving Hill Rd	New

5. Bid and purchase items.
 - a) **REMOVED FOR SEPARATE VOTE:** Award Bid for Safe Routes to School, Phase 2 (Project No. PW1614), to Freeman Concrete Construction, LLC, in the amount of \$317,392.20, and authorize the City Manager to enter into an agreement.
 - b) Authorize the City Manager to execute a Software License Agreement with Advanced Utility Systems for a Customer Information System in the amount of \$1,752,294, as well as a Software as a Service Agreement with SmartWorks for a Meter Data Management system in the amount of \$169,063. These contracts are part of the Automated Meter Reading Installation Project UT1898.

6. Adopt on first reading, the following ordinance(s):
 - a) Ordinance No. 9452, allowing the sale, possession and consumption of alcohol in the public right-of-way on Saturday, October 6, 2018 on E. 7th Street, from New York Street to the southern property line of Van Go (715 New Jersey Street), from 6:00 p.m. – 10:00 p.m., for the Dinner on the Curve event.
 - b) **REMOVED FOR SEPARATE VOTE:** Ordinance No. 9456, designating Louisiana Street within the corporate limits of the City as a major or main Trafficway, and repealing existing Chapter XVII, Article 5, Section 17-501 of the Code of the City of Lawrence.
 - c) **REMOVED FOR SEPARATE VOTE:** Ordinance No. 9458, clarifying the appointment of the representative of the Economic Development Corporation (EDC) of Lawrence/Douglas County on the Public Incentives Review Committee.

7. Adopt on second and final reading, Ordinance No. 9457, adding one additional city appointee to the Affordable Housing Advisory Board (AHAB recommend approval 11-0 on 03/12/18).

8. Adopt the following resolution(s):
 - a) Resolution No. 7226, dissolving the Lawrence Alliance.
 - b) Resolution No. 7247, amending the scope of projects adopted with Resolution 7240 and authorizing the issuance of general obligation bonds in the amount of \$520,000.00.

9. **REMOVED FOR SEPARATE VOTE:** Receive a request to annex, A-18-00068, approximately 97.4 acres for a proposed residential development located along E 902

Road, extended, south of N 1700 Road, 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 Rural Water District No. 1 of the City's intent to annex the subject property.

10. Initiate a Text Amendment, TA-18-00150, to the City of Lawrence Land Development Code, Articles 4, 5, 9 and 17 to define the types of Mini-Warehouse uses and to permit some uses in the IBP (Industrial/Business Park) District.
11. **REMOVED FOR SEPARATE VOTE:** Initiate a Text Amendment, TA-18-00150, to the City of Lawrence Land Development Code, Articles 4, 5, 9 and 17 to define the types of Mini-Warehouse uses and to permit some uses in the IBP (Industrial/Business Park) District.
12. Approve Special Event Permit, SE-18-00132, for KU Pole Vault Competition (related to KU Relays) at 4931 W. 6th Street, April 19, 2018 from 1:00 a.m. to 11:00 p.m. Application submitted by Salty Iguana, for Cherry Hill Properties, LLC, property owner of record.
13. **REMOVED FOR SEPARATE VOTE:** Approve adoption of a two-phased aquatics daily admission fee increase of \$1.00 effective May 1, 2018, and a subsequent \$1.00 increase effective January 1, 2020, and change the age range for the Child Daily Admission rate from 5-17 years of age to 3-17 years of age.
14. Authorize the acceptance of a donation of the remainder of Block 1, Tract A Fox Chase East addition from WE 1929 LLC to the City of Lawrence as an addition to De Victor Park.
15. Receive report on payment of \$57,962.52 to RD Johnson Excavating for emergency waterline repairs on Packer Court.
16. Receive application for Industrial Revenue Bond financing to obtain a sales tax exemption on project construction materials for the new Lawrence Humane Society facility to be built at 1805 E. 19th Street. Refer to Public Incentives Review Committee for review and recommendation.
17. Authorize the Mayor to execute the Consent and Ratification of Amended and Restated Declaration of Protective Covenants and Restrictions of East Hills Business Park related to Prosoco property in East Hills Business Park.
18. Receive 2017 Economic Development Annual Report and refer to Public Incentives Review Committee for review.
19. Receive the Lawrence Public Library Annual Report for 2017.
20. Authorize the Mayor to sign a Release of Mortgage for Cara Leigh Schuster, 1510 E. 13th Street.
21. Approve appointments as recommended by the Mayor.

Lawrence-Douglas County Metropolitan Planning Commission: Reappoint Rob Sands to an additional term that expires 05/31/21 and appoint David Carttar to a term that expires 05/31/21.

Mental Health Board: Appoint Tina Rosenthal to a term that expires 04/30/22.

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

ITEMS REMOVED FOR SEPARATE VOTE:

5. Bid and purchase items.

- a) Award Bid for Safe Routes to School, Phase 2 (Project No. PW1614), to Freeman Concrete Construction, LLC, in the amount of \$317,392.20, and authorize the City Manager to enter into an agreement.

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

Moved by Commissioner Herbert, seconded by Commissioner Ananda, to award Bid for Safe Routes to School, Phase 2 (Project No. PW1614), to Freeman Concrete Construction, LLC, in the amount of \$317,392.20, and authorize the City Manager to enter into an agreement. Motion carried unanimously.

6) Adopt on first reading, the following ordinance(s):

- b) Ordinance No. 9456, designating Louisiana Street within the corporate limits of the City as a major or main Trafficway, and repealing existing Chapter XVII, Article 5, Section 17-501 of the Code of the City of Lawrence.

Moved by Commissioner Herbert, seconded by Commissioner Ananda, to adopt on first reading Ordinance No. 9456. Motion carried unanimously.

- c) Ordinance No. 9458, clarifying the appointment of the representative of the Economic Development Corporation (EDC) of Lawrence/Douglas County on the Public Incentives Review Committee.

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

Moved by Commissioner Ananda, seconded by Commissioner Soden, to adopt on first reading Ordinance No. 9458 with amended language removing 'regardless of residence' from item (a)(4). Motion carried unanimously.

9. Receive a request to annex, A-18-00068, approximately 97.4 acres for a proposed residential development located along E 902 Road, extended, south of N 1700 Road, 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 Rural Water District No. 1 of the City's intent to annex the subject property.

Scott McCullough, Planning & Development Services Director, presented the staff report.

Moved by Commissioner Herbert, seconded by Commissioner Ananda, to receive a request to annex, A-18-00068, approximately 97.4 acres for a proposed residential development located along E 902 Road, extended, south of N 1700 Road, 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 Rural Water District No. 1 of the City's intent to annex the subject property. Motion carried unanimously.

11. Initiate a Text Amendment, TA-18-00150, to the City of Lawrence Land Development Code, Articles 4, 5, 9 and 17 to define the types of Mini-Warehouse uses and to permit some uses in the IBP (Industrial/Business Park) District.

Scott McCullough, Planning & Development Services Director, presented the staff report.

Moved by Commissioner Herbert, seconded by Commissioner Ananda, to initiate a Text Amendment, TA-18-00154, to the City of Lawrence Land Development Code, Article 13 to address conditional zoning. Motion carried unanimously.

13. Approve adoption of a two-phased aquatics daily admission fee increase of \$1.00 effective May 1, 2018, and a subsequent \$1.00 increase effective January 1, 2020, and change the age range for the Child Daily Admission rate from 5-17 years of age to 3-17 years of age.

Derek Rogers, Parks and Recreation Director, presented the staff report.

Moved by Commissioner Herbert, seconded by Commissioner Ananda, to approve adoption of a two-phased aquatics daily admission fee increase of \$1.00 effective May 1, 2018, and a subsequent \$1.00 increase effective January 1, 2020, and change the age range for the Child Daily Admission rate from 5-17 years of age to 3-17 years of age. Aye: Mayor Boley, Commissioner Ananda, Commissioner Herbert. Nay: Commissioner Soden. Motion carried 3-1.

C. PUBLIC COMMENT:

None.

D. REGULAR AGENDA ITEMS:

1. **Receive update on the University of Kansas football facility reconstruction project.**

Mark Reiske, University of Kansas Director of Facilities Planning/Development, provided the update.

2. **Conduct a public hearing and consider a recommendation from the Historic Resources Commission to designate the property at 1655 Mississippi Street (L-17-00123) as a Landmark on the Lawrence Register of Historic Places. Consider adopting on first reading, Ordinance No. 9437, designating the property at 1655 Mississippi Street as a Landmark on the Lawrence Register of Historic Places.**

Lynne Braddock Zollner, Historic Resources Administrator, presented the staff report.

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

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

Moved by Commissioner Soden, seconded by Commissioner Ananda, to adopt on first reading Ordinance No. 9437. Motion carried unanimously.

3. **Conduct a public hearing regarding a distance limitation waiver request for the 2018 Buskerfest event to be held on the 900 block of New Hampshire Street on Saturday, May 26, 2018, 12:00 p.m. to 11:00 p.m. and Sunday, May 27, 2018 from 12:00 p.m. to 7:00 p.m. Consider adopting on first reading, Ordinance No. 9451, allowing the sale, possession and consumption of alcohol on the 900 block of New Hampshire Street and on the 100 block of east 8th Street in the public right-of-way during the event.**

Mark Thiel, Assistant Public Works 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 Herbert, seconded by Commissioner Ananda, to find that the proximity of the temporary sale of alcoholic liquor for the 2018 Buskerfest is not averse to the public welfare or safety and grant a distance limitation waiver; and, adopt on first reading, Ordinance No. 9451. Motion carried unanimously.

4. **Conduct a public hearing regarding a distance limitation waiver for the 2018 Final Friday event to be held on the 900 block of New Hampshire Street, on Friday, May 25, 2018 from 4:00 p.m. to 11:00 p.m. Consider adopting on first reading, Ordinance No. 9450, allowing the sale, possession and consumption of alcohol on the 900 block of New Hampshire Street in the public right-of-way during the event.**

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

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

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

Moved by Commissioner Herbert, seconded by Commissioner Soden, to find that the proximity of the temporary sale of alcoholic liquor for the 2018 Final Friday event is not averse to the public welfare or safety and grant a distance limitation waiver; and, adopt on first reading, Ordinance No. 9450. Motion carried unanimously.

5. **Conduct a public hearing regarding a distance limitation waiver for the 2018 Hot Rod Hullabaloo event to be held on Massachusetts Street between 11th Street and South Park Street on Saturday, September 22, 2018 from 10:00 a.m. to 3:30 p.m. Consider adopting on first reading, Ordinance No. 9453, allowing the sale, possession and consumption of alcohol on Massachusetts Street between 11th Street and South Park Street in the public right-of-way during the event.**

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

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

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

Moved by Commissioner Herbert, seconded by Commissioner Ananda, to find that the proximity of the temporary sale of alcoholic liquor for the 2018 Hot Rod Hullabaloo is not averse to the public welfare or safety and grant a distance limitation waiver; and, adopt on first reading, Ordinance No. 9453. Motion carried unanimously.

6. Conduct a public hearing and consider adopting Resolution No. 7248, approving the issuance by the City of Wichita, Kansas of its health care facilities revenue bonds for the purpose of financing and refinancing the acquisition, construction, improvements, and equipping of the Presbyterian Manor facility, located at 1429 Kasold Drive in Lawrence.

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

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

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

Moved by Commissioner Soden, seconded by Commissioner Herbert, to adopt Resolution No. 7248. Motion carried unanimously.

E. COMMISSION ITEMS:

Commissioner Ananda discussed the Sunset Hill Neighborhood Association meeting she and Vice Mayor Larsen attended.

Mayor Boley discussed his interest in bringing walkability experts to Lawrence for a presentation.

F. CITY MANAGER'S REPORT:

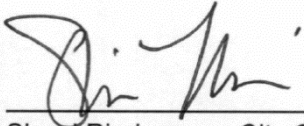
Tom Markus, City Manager, presented information on the following items: March Monthly Building Permit Reports, 2017 Residential Lot Inventory, March 2018 Utility Billing Report, March 2018 Sales Tax Report, Public Works Annual Report, Parks and Recreation Updates, Police Department Community Q&A on new Policy Facility, Lawrence-Douglas County Fire Medical Monthly Report for March 2018, Integrated Animal Health Update, BBC Consulting presents preliminary survey results to Affordable Housing Advisory Board, Hike through History, Future Agenda Items and Future Work Session Items.

G. CALENDAR:

The Commission reviewed calendar items.

Moved by Commissioner Soden, seconded by Commissioner Ananda, to adjourn at 8:04 p.m. Motion carried unanimously.

MINUTES APPROVED BY THE CITY COMMISSION ON MAY 1, 2018.

A handwritten signature in black ink, appearing to read "Sherril Riedemann", written over a horizontal line.

Sherril Riedemann, City Clerk