



# City of Lawrence

## CITY MANAGER'S OFFICE

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### CITY COMMISSION

**MAYOR**  
STUART BOLEY

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

August 7, 2018

The Board of Commissioners of the City of Lawrence met in regular session at 5:00 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. EXECUTIVE SESSION:

1. Consider motion to recess into executive session.

**Moved by Vice Mayor Larsen, seconded by Commissioner Herbert,** to approve motion to recess into executive session for approximately 35 minutes to discuss the current employer-employee negotiations between the City's administrative staff and representatives of the City's police officers and detectives, pursuant to the employer-employee negotiations exception set forth in K.S.A. 75-4319(b)(3). The justification for the executive session is to keep employer-employee negotiations matters confidential at this time. At the end of the executive session, the City Commission will resume its regular meeting in the City Commission Room. Motion carried unanimously.

The Commission returned from executive session at 5:35 p.m. and had nothing to report.

### B. RECOGNITION/PROCLAMATION/PRESENTATION:

1. Proclaim the week of August 1 – 7, 2018 to be World Breastfeeding Week.

### C. CONSENT AGENDA:

A member of the public requested removal of item 7 for a separate vote.  
A member of the public requested removal of item 10 for a separate vote.

**Moved by Commissioner Ananda, seconded by Commissioner Herbert,** to approve the consent agenda as below except for items 6a, 7 and 10. Motion carried unanimously.

1. Approve City Commission meeting minutes from 07/17/18.
2. Receive minutes from various boards and commissions:

Affordable Housing Advisory Board meeting of 06/04/18  
Building Code Board of Appeals meeting of 06/06/18  
Fire Code Board of Appeals meeting of 05/23/18  
Homeless Issues Advisory Committee meeting of 01/09/18  
Horizon 2020 Steering Committee meetings of 04/30/18 and 07/16/18  
Lawrence Douglas County Advocacy Council on Aging meeting of 06/19/18



Lawrence Douglas County Housing Authority meeting of 06/25/18  
 Mental Health Board meetings of 06/26/18  
 Public Health Board meeting of 05/21/18  
 Senior Resource Center for Douglas County, Inc., meeting of 06/26/18  
 Sustainability Advisory Board meeting of 06/13/18

3. Approve claims in the amount of \$7,856,428.87 to 369 vendors.
4. Approve licenses as recommended by the City Clerk's Office.

<b>Drinking Establishment</b>	<b>Expires</b>
Hy-Vee Market Grille 1377 Hy-Vee Restaurants, LLC 3504 Clinton Pkwy	08/09/2018
Ladybird Diner Diner, LLC 721 Massachusetts	07/07/2018
Spin Neapolitan Pizza Top Spin, LLC 525 Wakarusa Dr. Suite A	08/31/2018
Crystal's Spot Crystal Clear Holdings, LLC 704 ½ Massachusetts Street	New
<b>Retail Liquor</b>	
Mass Beverage Red Star Investments LLC 3131 A Nieder Rd	08/24/2019
<b>Cereal Malt Beverage Pending Department Approval</b>	<b>Address</b>
Country Inn & Suites by Radisson Lawrence	2176 23 <sup>rd</sup> Street

5. Approve appointments as recommended by the Mayor.

BZA/Sign Code Board of Appeals: Appoint Travis Harrod to a term that expires 09/30/21.

Parks & Recreation Advisory Board: Appoint Pat Phillips to a term that expires 12/31/19.  
 Appoint Marilyn Hull, Nathan "Bart" Littlejohn and Valerie Renault to terms that expire 12/31/21.

Sustainability Advisory Board: Appoint Jessica Lee to a term that expires 12/31/18.

6. Bid and purchase items:

- a) **DEFERRED UNTIL 08/14/18.** Award Bid No. 1838, Project No. PS1701CIP, for Tenant Finish related to the relocation of the Planning and Development Services Department and Municipal Court to the 3rd floor, west wing of the Riverfront Mall. Please Note: Bids will be opened on Tuesday, August 7. The agenda will be updated late afternoon on August 7 with the bid information.

- b) Authorize the City Manager to execute an Engineering Services Agreement with Black & Veatch Corporation, in the amount of \$171,611.00 for the Kansas River Wastewater Treatment Plant mechanical bar screen replacement.
7. **REMOVED FOR SEPARATE VOTE:** Adopt on first reading, Ordinance No. 9522, adopting the "2018 Standard Traffic Ordinance, Edition 2018".
  8. Adopt on second and final reading, the following ordinance(s):
    - a) Ordinance No. 9485, removing the 4-way STOP at 18th Street and Indiana Street.
    - b) Ordinance No. 9511, allowing the sale, possession, and consumption of alcohol in the 1000 block of Massachusetts Street on the public right-of-way during the Live on Mass #3 event on Friday, September 21, 2018 from 6:00 p.m. to 11:30 p.m.
    - c) Ordinance No. 9514, for a Text Amendment (TA-18-00150) to the City of Lawrence Land Development Code, Articles 4, 5, 9 and 17 to define certain types of storage uses; Mini-Warehouse, self-storage, climate controlled self-storage and similar uses and to permit some uses in the IBP (Industrial/Business Park) District. (PC Item 2; approved 10-0 on 6/27/18)
  9. Accept dedication of easement associated with Minor Subdivision, MS-18-00198, Alvarar Estates No. 2, located at 2111 Kasold Drive. Submitted by BG Consultants, for Quail Creek LLC, property owner of record.
  10. **REMOVED FOR SEPARATE VOTE:** Accept the Consolidated Planning Grant funds for a 23rd Street Multi-modal Corridor Study (Learnard Avenue to eastern City Limits) and direct staff to issue Requests for Proposals to complete the proposed planning and design work.
  11. Accept dedication of easements associated with Minor Subdivision, MS-17-00704, for Fairfield Apartments Addition No. 1, located at 2115 Exchange Court. Submitted by CFS Engineers P.A., on behalf of BJ North County Medical Dental Center LLC and Southwind Capital LLC, property owners of record.
  12. Authorize the City Manager to execute a Public Mural Agreement between the City of Lawrence and Connie Fiorella Fitzpatrick.
  13. Authorize the City Manager to execute a contract with Valley Collection Service, LLC, for collections services for the Lawrence Municipal Court.
  14. Receive proposals from the City and members of the Lawrence Police Officers' Association (LPOA) concerning wages and/or fringe benefits and/or working conditions and schedule public hearings on August 14, 2018 for the purpose of receiving explanation and supporting documentation for each party's proposal pursuant to Resolution No. 6817.
  15. Authorize the addition of regular agenda items to the August 14, 2018 City Commission meeting.

16. Authorize the addition of regular agenda items to the September 11, 2018 City Commission meeting.
17. Receive Bert Nash Community Mental Health Center 2017 Fourth Quarter Performance Report and 2018 First Quarter Performance Report.
18. Authorize the Mayor to sign Releases of Mortgage for Willard and Ruth Remmers, 501 Mississippi Street.

**Items removed for separate vote:**

7. Adopt on first reading, Ordinance No. 9522, adopting the “2018 Standard Traffic Ordinance, Edition 2018”.

**Moved by Commissioner Herbert, seconded by Vice Mayor Larsen,** to adopt on first reading, Ordinance No. 9522, adopting the “2018 Standard Traffic Ordinance, Edition 2018”. Motion carried unanimously.

10. Accept the Consolidated Planning Grant funds for a 23rd Street Multi-modal Corridor Study (Learnard Avenue to eastern City Limits) and direct staff to issue Requests for Proposals to complete the proposed planning and design work.

Jessica Mortinger, Senior Transportation Planner, presented the staff report.

**Moved by Commissioner Herbert, seconded by Commissioner Ananda,** to accept the Consolidated Planning Grant funds for a 23rd Street Multi-modal Corridor Study (Learnard Avenue to eastern City Limits) and direct staff to issue Requests for Proposals to complete the proposed planning and design work. Motion carried unanimously.

**D. PUBLIC COMMENT:**

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

**E. REGULAR AGENDA ITEMS:**

1. **Conduct a public hearing regarding a distance limitation waiver request for the 2018 Kansas State Fiddling and Picking Championships event to be held on Sunday, August 26, 2018, from 8:00 a.m. to 6:30 p.m. and consider adopting on first reading, Ordinance No. 9518, allowing the sale, possession and consumption of alcohol on the public right-of-way on Massachusetts Street between North Park and South Park Streets on Sunday, August 26, 2018 from 8:00 a.m. to 6:30 p.m. during the event. The public hearing would apply to Massachusetts Street between North Park and South Park Streets.**

Mark Thiel, Assistant Public Works Director, 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 Herbert, seconded by Commissioner Ananda,** 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. 9518. Motion carried unanimously.

2. **Consider approving a Comprehensive Plan Amendment, CPA-18-00168, to Horizon 2020, Chapter 8, Transportation. Consider adopting on first reading, joint City Ordinance No. 9520/County Resolution No. \_\_\_\_\_, for Comprehensive Plan Amendment (CPA-18-00168) to Horizon 2020, Chapter 8, Transportation. (PC Item 4; approved 9-1 on 6/28/18)**

Jeff Crick, Planning Manager, presented a staff report.

Ashley Myers, Transportation Planner, presented a staff report.

**Moved by Commissioner Herbert, seconded by Vice Mayor Larsen,** to approve Comprehensive Plan Amendment (CPA-18-00168) to Horizon 2020, Chapter 8, and adopt on first reading, Joint City Ordinance No. 9520/County Resolution No. \_\_\_\_\_. Motion carried unanimously.

3. **Consider the following items related to the 2019 Operating and Capital Improvement Budget:**

Danielle Buschkoetter, Strategic Projects Manager, presented a staff report.

- a) **Conduct a public hearing regarding the 2018 City of Lawrence amended budget and consider adopting on first reading, Ordinance No. 9553, increasing the 2018 expenditure authority.**

Bryan Kidney, Finance Director, presented the staff report.

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

**Moved by Commissioner Herbert, seconded by Vice Mayor Larsen,** to close the public hearing. Motion carried unanimously.

**Moved by Vice Mayor Larsen, seconded by Commissioner Ananda,** to adopt on first reading Ordinance No. 9553. Motion carried unanimously.

- b) **Consider adopting on first reading, the following ordinances related to the sales tax initiatives:**
- i. **Ordinance No. 9549, levying transit sales taxes;**
  - ii. **Ordinance No. 9550, levying infrastructure sales taxes;**
  - iii. **Ordinance No. 9551, levying affordable housing sales taxes; and**
  - iv. **Ordinance No. 9552, retaining the Sales Tax Audit Committee.**

Casey Toomay, Assistant City Manager, presented the staff report.

**Moved by Commissioner Ananda, seconded by Commissioner Herbert,** to adopt on first reading Ordinance No. 9549, Ordinance No. 9550, Ordinance No. 9551, and Ordinance No. 9552. Motion carried unanimously.

- c) **Consider adopting on first reading, the following ordinances establishing rates for City Utilities for 2019:**
  - i. **Ordinance No. 9521, amending identified City Code Sections to establish 2019 water and sewer rates and reflect the applicable guidelines for low-income, elderly person eligibility for reduced water and sewer charges; and**
  - ii. **Ordinance No. 9555, amending City Code Section 16-504 to adjust the rate for the stormwater system drainage charge.**

Mike Lawless, Municipal Services & Operations Deputy Director of Utilities, presented the staff report.

**Moved by Commissioner Herbert, seconded by Commissioner Ananda,** to adopt on first reading, Ordinance No. 9521 and Ordinance No. 9555. Motion carried unanimously.

- d) **Conduct a public hearing for the 2019 City of Lawrence budget and consider adopting on first reading, Ordinance No. 9554, approving and appropriating the 2019 City of Lawrence Operating and 2019-2023 Capital Improvement Budget.**

Bryan Kidney, Finance Director, presented the staff report.

**Moved by Commissioner Herbert, seconded by Commissioner Ananda,** 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 Ananda, seconded by Commissioner Herbert,** to adopt on first reading, Ordinance No. 9554. Motion carried unanimously.

## **F. COMMISSION ITEMS:**

Commissioner Herbert asked for an update on the skydiving policy.

Commissioner Ananda thanked staff who provided tours of City facilities.

Vice Mayor Boley asked staff to follow up on comments made during general public comment regarding historic brick and curbs; and, asked Commissioner Ananda if she would be interested in serving on the Senior Resource Center for Douglas County Board; and, informed the Commission of his desire to serve on the Sister Cities Lawrence Board; and, discussed options for combining advisory boards with overlapping priorities. Staff will schedule a future agenda item to discuss advisory boards.

**G. CITY MANAGER'S REPORT:**


Tom Markus, City Manager, presented information on the following items: 812 Ohio Status Update, June 2018 Sales Tax Report, SafeBar Update, Mental Health Board Update, Women's Foundation Appointments Project, June Monthly Building Permit Reports, Single-Use Plastics Update, Food Policy Council hosted statewide Symposium, Harvesting Opportunity in Kansas, US Senate Approves Appropriation Vote to Maintain Southwest Chief Train Services, Future Agenda Items and Future Work Session Items.

**H. CALENDAR:**

The Commission reviewed calendar items.

**Moved by Vice Mayor Larsen, seconded by Commissioner Herbert,** to adjourn at 8:20 p.m. Motion carried unanimously.

**MINUTES APPROVED BY THE CITY COMMISSION ON AUGUST 14, 2018.**



Sherril Riedemann, City Clerk