



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

September 18, 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. Recognition of Eutin, Germany student delegation.
2. Proclaim the week of September 16 - 22, 2018 as Keeping Legends Alive Week.

B. CONSENT AGENDA:

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

1. Approve City Commission meeting minutes from 09/11/18.
2. Receive minutes from various boards and commissions:

Board of Zoning Appeals meetings of 06/07/18, 07/05/18, and 08/02/18
Transportation Commission meeting of 07/09/18

3. Approve claims in the amount of \$3,047,085.76 to 208 vendors.
4. Approve licenses as recommended by the City Clerk's Office.

Retailer	Expires
On the Rocks Discount Liquor Storm Management LLC 1818 Massachusetts St	09/21/2018
The Wine Cellar Steven A. Berger 2100 W 25 th St Suite A	10/01/2018
Drinking Establishment	
Mi Ranchito Mi Ranchito #8 LLC 707 W 23 rd St	10/02/2018
Applebees Apple Central LLC 2520 S Iowa St	09/11/2018



5. Approve appointments as recommended by the Mayor.

eXplore Lawrence: Appoint Donease Smith to a term that expires 12/31/20.

Human Relations Commission: Reappoint Caleb Stephens to an additional term that expires 09/30/21.
6. Bid and purchase items:
 - a) Award Bid No. B1834, 23rd Street from Massachusetts Street to Louisiana Street, PW18E9 – 23rd Street Mill & Overlay, from Iowa Street to Ousdahl, PW18E10 – 23rd Street center turn lane, from Massachusetts Street to Louisiana Street, and UT9902 – waterline replacement from Louisiana Street to Barker Avenue, to Sunflower Paving, in the amount of \$2,077,599.20
7. Adopt on first reading Ordinance No. 9110 amending Chapter VI, Article 13, Sections 6-1301, 6-1302, 6-1303, 6-1305, 6-1309, 6-1310, 6-1320 and 6-1326 of the Rental Licensing Ordinance and approve revisions to the Residential Rental Property Ordinance Administrative Regulations (Policy Number AP-113).
8. Adopt on second and final reading Ordinance No. 9517, repealing existing Chapter 6, article 18 of the Code of the City of Lawrence, Kansas 2018 edition and amendments thereto pertaining to scrap metal dealer registration.
9. Adopt the following resolution(s):
 - a) Resolution No. 7264, authorizing the remodel of the Riverfront facility for use by Municipal Court and Planning and Development Services of the City of Lawrence, Kansas, pursuant to Charter Ordinance No. 40, and the Issuance of General Obligation Bonds to pay the costs thereof.
 - b) Resolution No. 7265, authorizing the issuance of water and sewage system revenue bonds for the purpose of paying the costs thereof and related bond reserves and financing costs; and providing for the giving of notice of said intention.
 - c) Resolution No. 7266, authorizing the offering for sale of water and sewage system improvement revenue bonds, Series 2018, of the City of Lawrence, Kansas.
10. Approve Site Plan SP-18-00327 and Sidewalk Dining and Hospitality License for Lark A Fare located at 900 New Hampshire Street.
11. Approve a request to rezone, Z-18-00255, approximately .81 acres from RS7 (Single-Dwelling Residential) District to RSO (Single-Dwelling Residential-Office) District, located at 708 Elm Street and adopt on first reading, Ordinance No. 9565. Submitted by TreanorHL, for Elizabeth B. Ballard Community Center Inc., property owner of record. (PC Item 2; approved 8-0)

12. Approve a request to install approximately 6,110 square feet of artificial turf for a fenced outdoor play area associated with a Site Plan, SP-18-00408, for Wagmore Canine Enrichment, a dog day care/kennel use, at 1735 Haskell Avenue. Submitted by Grob Engineering Services LLC, for Big J. Properties, LLC, LC property owner of record.
13. Authorize the City Manager to execute a License Agreement, permitting Brown Eye Girl, L.L.C., a Kansas Limited Liability corporation, to install a stone retaining wall and rock landscape area in the right of way at a property they own along the south side of 1145 Pennsylvania Street.
14. Receive report on payment of \$92,744.73 to R.D. Johnson Excavating Company for emergency waterline repairs on Bob Billings Parkway.
15. Authorize the City Manager to execute a City/County Cooperation Agreement renewing Dr. Caleb Trent, M.D. as Medical Director for the Lawrence-Douglas County Fire Medical
16. Call a special meeting for October 19, 2018, commencing at 12:00 p.m. in the City Commission Room, to convene a joint meeting with the Lawrence-Douglas County Metropolitan Planning, Commission and the Board of Douglas County Commissioners to receive a presentation on "Plan 2040," the draft comprehensive Plan for the City and the County. The City Commission will transact no public business at the joint meeting.
17. Authorize the Douglas County Historical Society to submit a grant to fund interpretive signage at the Grover Barn Underground Railroad Site, on behalf of the City of Lawrence.

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 with regard to short-term rental units:**
 - a) **Consider approving a Text Amendment, TA-18-00079, to the City of Lawrence Land Development Code regarding short-term rental and consider adopting on first reading, Ordinance No. 9481. Initiated by City Commission on 2/20/18. (PC Item 6; approved 9-0 on 5/23/18)**
 - b) **Consider adopting on first reading, Ordinance No. 9560, establishing a licensing and inspection program for short-term rentals.**

Jeff Crick, Planning Manager, presented the staff report.

Moved by Vice Mayor Larsen, seconded by Commissioner Soden, to approve Text Amendment, TA-18-00079, to the City of Lawrence Land Development Code regarding short-term rental; and, adopt on first reading, Ordinance No. 9481; and, Ordinance No. 9560 with an amendment to notify property owners within 200 feet for an owner-occupied short-term rental. Aye: Mayor Boley, Vice Mayor Larsen, Commissioner Soden. Nay: Commissioner Ananda, Commissioner Herbert. Motion carried 3-2.

The Commission took a 10-minute break at 7:36 p.m.

2. **Consider proposed Property Maintenance Code regulations and consider adopting on first reading, Ordinance No. 9563, deleting and replacing current regulations, as set forth in City of Lawrence Code, Chapter IX, Article 6.**

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

Moved by Commissioner Herbert, seconded by Commissioner Ananda, to approve Property Maintenance Code regulations and adopt on first reading, Ordinance No. 9563, deleting and replacing current regulations; and, direct staff to address the use of tarps for covering fire wood and permissible exterior storage uses. Motion carried unanimously.

3. **Consider authorizing the City Manager to execute a professional services agreement with Aqua Backflow Inc., to provide administrative services for the City of Lawrence Cross Connection Control Program.**

Dave Wagner, Director of Municipal Services & Operations, and Tom Hogan, Utilities Specialist Municipal Services & Operations, presented the staff report.

Moved by Commissioner Herbert, seconded by Vice Mayor Larsen, to authorize the City Manager to execute the professional services agreement with Aqua Backflow Inc. Motion carried unanimously.

4. **Consider approving the Settlement Agreement and Full and General Release resolving the lawsuit, William E. Gibson and Sandra L. Gibson v. Lawrence Hamilton, et al. in the District Court of Douglas County, Kansas, Case No. 18-CV-000011 and authorize payment in the amount of \$67,500 to plaintiffs.**

Toni R. Wheeler, City Attorney, presented the staff report.

Moved by Commissioner Ananda, seconded by Vice Mayor Larsen, to approve Settlement Agreement and Full and General Release resolving the lawsuit, and authorize payment in the amount of \$67,500 to plaintiffs. Motion carried unanimously.

E. COMMISSION ITEMS:

Commissioner Ananda announced her participation in a Sexual Violence Prevention Work Group.

F. CITY MANAGER'S REPORT:

Tom Markus, City Manager, presented information on the following items: Common Ground Community Garden Program Update and Garden Tour Invitation, Planning & Development Services Monthly Project Report, August Monthly Building Permit Reports, Monthly Utility Billing Report, Animal Code Update, MSO/Utilities Staff Recognition, and Future Agenda Items and Future Work Session Items.


Tom Markus, City Manager, announced that he will resign in the Spring of 2019.

G. CALENDAR:

The Commission reviewed calendar items.

Moved by Commissioner Herbert, seconded by Commissioner Ananda, to adjourn at 8:49 p.m. Motion carried unanimously.

MINUTES APPROVED BY THE CITY COMMISSION ON OCTOBER 2, 2018.



Sherril Riedemann, City Clerk