



# City of Lawrence

## CITY MANAGER'S OFFICE

THOMAS M. MARKUS  
CITY MANAGER

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**CITY COMMISSION**

**MAYOR**  
STUART BOLEY

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

November 6, 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. Proclaim Thursday, November 8, 2018 as Celebrate Marine Corps Birthday.
2. Proclaim the month of November 2018 as Alzheimer's Awareness Month.

**B. CONSENT AGENDA:**

**Mayor Boley removed item 8 for a separate vote.**

**Moved by Commissioner Soden, seconded by Commissioner Ananda,** to approve the consent agenda as below except for item 8. Motion carried unanimously.

1. Approve City Commission meeting minutes from 10/16/18.
2. Receive minutes from various boards and commissions:  
  
 Aviation Advisory Board meeting of 05/17/18 and 08/16/18  
 Community Police Review Board meeting of 09/17/18  
 Lawrence Cultural Arts Commission meetings of 08/08/18 and 09/12/18  
 Lawrence Douglas County Advocacy Council on Aging meeting of 09/18/18  
 Lawrence Douglas County Housing Authority meeting of 09/24/18  
 Public Health Board meeting of 08/20/18  
 Public Transit Advisory Committee meeting of 08/13/18  
 Transportation Commission meetings of 08/06/18, 08/15/18, and 09/19/18
3. Approve claims in the amount of \$8,738,070.68 to 455 vendors.
4. Approve licenses as recommended by the City Clerk's Office.

<b>Class A Club</b>	<b>Expires</b>
VFW Post 852 Deon Johnson 1801 Massachusetts	10/20/2018
<b>Drinking Establishment</b>	



Tokyo Steakhouse Leo Jack Inc. 601 Kasold Dr #D102	New
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5. Approve appointments as recommended by the Mayor:

Mental Health Board: Appoint Gene Dorsey as the Joint City/County appointment to a term that expires 04/30/21.

Public Transit Advisory Committee: Reappoint Nick Kuzmyak to an additional term that expires 12/31/18.

Social Service Funding Advisory Board: Reappoint Lea Roselyn to an additional term that expires 08/21/21. This position is designated as the United Way Representative.

Sustainability Advisory Board: Reappoint Jessica Lee, Rachel Krause, and Travis Robinett to additional terms that expire 12/31/21. Appoint Tresa McAlhaney to a term that begins 01/01/19 and expires 12/31/21.

6. Bid and purchase items:

a) Award bids for the 2018 Weatherization Grant Program for installation of storm windows - Bid No. B1849, to Kennedy Glass; installation of blown attic insulation - Bid No. B1850, to Green Factor Insulation and weather-stripping of entry doors - Bid No. B1851, to Green Factor Insulation. Total amount of all bids not to exceed \$43,250.45.

b) Approve the following items related to the 19th Street Reconstruction Project - Phase B and Iowa Street and 19th Street Pedestrian Tunnels (CIP #PW18E7):

1. Award Bid No. B1823 for the 19th Street Reconstruction – Phase B and Iowa Street and 19th Street Pedestrian Tunnels (CIP #PW18E7) to RD Johnson Excavating Company, in the amount of \$6,033,878.95.
2. Approve Amendment No. 7, in the amount of \$65,000, to Professional Engineering Consultants, for additional services related to CIP No. PW18E7.
3. Authorize the Mayor to execute a Supplemental City/State agreement between the City of Lawrence and the Kansas Department of Transportation for the construction of the 19th Street and Iowa Street Pedestrian/Bicycle Tunnel Project.
4. Adopt Resolution No. 7273 authorizing repair, reconstruction and replacement of the pavement at Fire Station No. 5, pursuant to Charter Ordinance No. 40, and the issuance of General Obligation Bonds to pay the costs thereof, as part of the 19th Street Reconstruction Project - Phase B.

- c) Authorize the City Manager to execute an agreement for the Clinton Reservoir and Kaw River water treatment plants lime reuse program, Proposal No. R1816, with RD Johnson Excavating Company, in the estimated amount of \$135,000.
7. Adopt on first reading, the following ordinance(s):
- a) Ordinance No. 9558, setting forth the duties and responsibilities of the Finance Department Director.
  - b) Ordinance No. 9564, repealing existing Chapter 1, Article 4A, of the Code of the City of Lawrence, Kansas, regarding the position of City Auditor.
  - c) Ordinance No. 9569, for a Text Amendment (TA-18-00121) to the City of Lawrence Land Development Code, Article 17, to permit Group Homes in the GPI district. This is a correction for a Text Amendment approved by City Commission on 5/15/18.
  - d) Ordinance No. 9572, authorizing the issuance of Industrial Revenue Bonds, in the amount of \$3,000,000, for Heritage Tractor to obtain a sales tax exemption on construction materials to rebuild their facility at 1110 E. 23rd Street.
  - e) Ordinance No. 9573, authorizing the issuance of Industrial Revenue Bonds, in the amount of \$10,200,000, for the KCI Lawrence 153, LLC (VanTrust) Phase I project located on Block B, Lot 1 in Lawrence VenturePark. Authorize the Mayor to sign the performance agreement between the City of Lawrence and KCI Lawrence 153, LLC related to the Phase I project in Lawrence VenturePark.
8. **REMOVED FOR SEPARATE VOTE:** Approve the following items related to the sale of Water and Sewage System Improvement Bonds, Series 2018, to J.P. Morgan Securities, LLC:
- a) Declare an emergency and adopt on first and second reading, Ordinance No. 9574 providing for the issuance of Water and Sewage System Improvement Bonds, Series 2018 of the City of Lawrence, to J.P. Morgan Securities, LLC.
  - b) Adopt Resolution No. 7270 prescribing the forms and details of and authorizing and directing the sale and delivery of Water and Sewage System Improvement Bonds, Series 2018, of the City of Lawrence, Kansas.
9. Adopt on second and final reading, Charter Ordinance No. 46, exempting the City of Lawrence, Kansas, from the provisions of K.S.A. 13-1024a and providing substitute and additional provisions on the same subject relating to general improvements and the issuance of bonds for the purpose of paying for said improvements; and repealing Charter Ordinance No. 27.
10. Approve and execute an amended and restated sanitary sewer easement for a sanitary sewer line located the structure at 1519 W. 23rd Street, associated with Site Plan, SP-18-00356, for Woofs, a dog day care.
11. Initiate rezoning, Z-18-00481, approximately 1.6 acres from IL (Limited Industrial) District to IBP (Industrial/Business Park) District, located at 1314 Research Park Drive.

12. Approve a request to rezone, Z-18-00355, approximately .150 acres from CS (Commercial Strip) District to RS5 (Single-Dwelling Residential) District, located at 829 Mississippi Street. Submitted by Homes with Heart LLC, property owner of record and adopt on first reading, Ordinance No. 9570. (PC Item 1; approved 9-0 on 9/26/18)
13. Approve a Special Use Permit/Institutional Development Plan, SUP-18-00363, for Lawrence Memorial Hospital for a 6,924 square foot Sterile Processing and Distribution addition on the east side of the hospital building, located at 325 Maine Street. Submitted by Landplan Engineering on behalf of Lawrence Memorial Hospital, property owner of record and adopt on first reading, Ordinance No. 9571. (PC Item 2; approved 9-0 on 9/26/18)
14. Authorize the City Manager to execute a License Agreement, permitting Climate Storage, L.L.C., a Kansas Limited Liability Corporation, to use an existing sign in the right of way at a property they own along the south side of 1547 E. 23rd Street, associated with Site Plan, SP-18-00270.
15. Approve statement of maximum costs, assessment roll, and notice of Public Hearing. Establish December 4, 2018, as the date of the Public Hearing for the purpose of hearing written and oral objections to the maximum amount of special assessments to be levied against properties in the Queens Road benefit district and the 6th and Queens Road intersection benefit district. Adopt on first reading, Ordinance No. 9607, levying the assessments.
16. Authorize the Mayor to dedicate right of way located on the northeast and northwest corners of 23rd Street and Massachusetts Street at Lot 12 in Block 4, in Haskell Place, an addition to the City of Lawrence and the South one-half of the East one-half of Lot 8 in Moreland Place, an addition to the City of Lawrence.
17. Receive the economic development Catalyst program application from Screen-It Graphics of Lawrence, Inc., dba Grandstand Glassware + Apparel to assist with its expansion project at 3840 Greenway Circle in East Hills Business Park and establish November 20, 2018 as the public hearing date to consider a property tax abatement in conjunction with the project.
18. Approve Social Service Funding Advisory Board recommendations for use of 2019 City funds.
19. Authorize changing the start time of the November 13, 2018 City Commission Meeting/Work Session to 5:00 p.m.

Items removed for separate vote:

20. **REMOVED FOR SEPARATE VOTE:** Approve the following items related to the sale of Water and Sewage System Improvement Bonds, Series 2018, to J.P. Morgan Securities, LLC:
  - c) Declare an emergency and adopt on first and second reading, Ordinance No. 9574 providing for the issuance of Water and Sewage System Improvement Bonds, Series 2018 of the City of Lawrence, to J.P. Morgan Securities, LLC.

- d) Adopt Resolution No. 7270 prescribing the forms and details of and authorizing and directing the sale and delivery of Water and Sewage System Improvement Bonds, Series 2018, of the City of Lawrence, Kansas.

**Moved by Commissioner Herbert, seconded by Vice Mayor Larsen,** to declare an emergency and adopt on first and second reading, Ordinance No. 9574; and, adopt Resolution No. 7270. 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 adopting Resolution No. 7269, adopting a revised ethics policy for City employees, elected officials, and appointed officials.**

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

**Moved by Commissioner Ananda, seconded by Commissioner Herbert,** to adopt Resolution No. 7269. Motion carried unanimously.

2. **Consider the following items related to employee longevity compensation:**

- a) **Consider approving a discretionary longevity payment in December 2018 to employees who have completed five or more continuous years of regular employment as of January 1 of the current fiscal year; and**

- b) **Consider adopting the Longevity Compensation Policy, effective January 1, 2019.**

Lori Carnahan, Human Resources Manager, and Thomas M. Markus, City Manager, presented the staff report.

**Moved by Commissioner Soden, seconded by Commissioner Herbert,** to approve a discretionary longevity payment in December 2018 to eligible employees. Motion carried unanimously.

**Moved by Commissioner Ananda, seconded by Commissioner Herbert,** to adopt the Longevity Compensation Policy, effective January 1, 2019. Motion carried 4-1. Aye: Mayor Boley, Vice Mayor Larsen, Commissioner Ananda, Commissioner Herbert. Nay: Commissioner Soden.

The Commission took a 7-minute break at 6:51 p.m.

3. **Consider authorizing the City Manager to enter into a contract with First Transit, Inc., to provide public transportation services from January 1, 2019 through December 31, 2023.**

Robert Nugent, Transit Administrator, presented the staff report.

**Moved by Commissioner Herbert, seconded by Ananda,** to authorize the City Manager to enter into a contract with First Transit, Inc., to provide public transportation services. Motion carried unanimously.

**E. COMMISSION ITEMS:**

Commissioner Soden discussed her interest in having a conversation about residency requirement for City of Lawrence employees. The Commission directed staff to provide a City Manager's report on the issue.

Mayor Boley asked staff to look into traffic issues at the intersection of 19<sup>th</sup> & Iowa.

Commissioner Herbert encouraged residents to check in on their neighbors this time of year.

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


Thomas M. Markus, City Manager, presented information on the following items: Announcement Regarding City Use of Carl Knox Natatorium, Executive Search Firm Update for Hiring a City Manager, Employee Relations Policies, Police Department Body Worn Camera Program Update, Downtown Master Plan Steering Committee Diversity Analysis, September Monthly Building Permit Reports, Effects of Off-Campus College Students on Poverty Rates, State of 2018 Joint Legislative Transportation Vision Task Force, City Owned Street Lights, Lifeline Program Expansion Proposal, Future Agenda Items, and Future Work Session Items.

**F. CALENDAR:**

The Commission reviewed calendar items.

**Moved by Commissioner Herbert, seconded by Vice Mayor Larsen,** to adjourn at 7:31 p.m. Motion carried unanimously.

**MINUTES APPROVED BY THE CITY COMMISSION ON NOVEMBER 13, 2018.**



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Sherri Riedemann, City Clerk