



City of Lawrence

CITY MANAGER'S OFFICE

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CITY MANAGER

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CITY COMMISSION

MAYOR
MIKE AMYX

COMMISSIONERS
LESLIE SODEN
STUART BOLEY
MATTHEW J. HERBERT
LISA LARSEN

July 5, 2016

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

A complete video recording of this meeting is available on the City's website at www.lawrenceks.org/agendas.

A. RECOGNITION/PROCLAMATION/PRESENTATION:

1. None.

B. CONSENT AGENDA:

Consent Agenda items removed for separate vote:

Vice Mayor Soden requested removal of items 6(e) and 11 for a separate vote.

Commissioner Larsen requested removal of items 10 and 15 for a separate vote.

Commissioner Herbert requested removal of item 2 for a separate vote.

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

1. Approve City Commission meeting minutes from 06/21/16.
2. **REMOVED FOR SEPARATE VOTE:** Receive minutes from various boards and commissions:

Aviation Advisory Board meeting of 04/13/16
Bicycle Advisory Committee meeting of 04/18/16
Historic Resources Commission meeting of 05/19/16
Mental Health Board meeting of 03/29/16
Planning Commission meeting of 05/23/16
3. Approve claims in the amount of \$3,275,600.61, manual checks in the amount of \$14,855.02 and payroll in the amount of \$2,907,218.47 for a total claim amount of \$6,197,674.10 to 306 vendors.
4. Approve licenses as recommended by the City Clerk's Office.



Drinking Establishment

Royal Crest Lanes Wayne & Larry's Sports Bar
Pins Inc.
933 Iowa

Expiration

June 15, 2016

KOKORO
KOKORO Inc.
601 Kasold

June 23, 2016

Hog Wild Pit BarBQ
LR Development LLC
1516 W 23rd St.

June 22, 2016

Ladybird Diner
Diner LLC
721 Massachusetts

July 7, 2016

Caterer

KU Memorial Unions
University of Kansas Memorial Corporation
1301 Jayhawk Blvd

June 14, 2016

Retail Liquor

Micro Liquor
Micro LLC
601 Kasold B105

New License

Roy's Wine and Spirits
PNP Enterprises LLC
721 Wakarusa Dr Suite 107

New Owner

Street Vendor

Coney Island Hot Dogs L.C.
Southwest Corner of 10th & Mass

New License

5. Approve appointments as recommended by the Mayor.

Building Code Board of Appeals: Appoint Michael Brunin to a term that expires 11/30/18.
Douglas County Emergency Management Board: Reappoint Truman Waugh to a term that expires 07/01/17.
Human Relations Commission: Appoint Kait Perry to a term that expires 09/30/17.

6. Bid and purchase items:

- a) Set a bid date of July 26, 2016, for Bid No. 1618, Project No. UT1517, El Dorado Drive, Bob Billings Parkway (east) to Bob Billings Parkway (west) Waterline Replacement Project.
- b) Approve purchase of 2016 Chevrolet Tahoe Pursuit Rated SUV for the Lawrence Douglas County Fire Medical Department, to Robert's Chevrolet for \$38,521, utilizing the KC Metro Cooperative purchasing contract.

- c) Award Bid No. 1622, Project No. PW1601 – KLINK Iowa Street (U.S. 59 Highway) from north of 31st Street to south of 23rd Street - Mill and Overlay, to Hamm, Inc., for \$790,867.15.
 - d) Authorize the City Manager to execute a supplemental agreement with BG Consultants in the amount of \$19,500.00 for the design of the necessary Utility Relocations (UT1505) related to the 23rd and Ousdahl Storm Sewer Project (PW1134).
 - e) **REMOVED FOR SEPARATE VOTE:** Authorize the City Manager to execute Change Order No. 2 with Crossland Heavy Contractors for the Clinton Water Treatment Plant Phase 1 Improvements Project No. UT1209 increasing the construction contract by \$64,213.00 and 14 days.
 - f) Approve the purchase of five (5) used fixed-route vehicles as replacements for six (6) existing fixed-route transit vehicles for \$11,900 each, or a total of \$59,500 from Master's Transportation, Inc. Funding for these vehicles will be provided by the State of Kansas Comprehensive Transportation Program and there is no local match required for these funds.
 - g) Authorize the Parks and Recreation Department to make asphalt repairs to the parking lots at Clinton Lake Softball Complex, the Rotary Arboretum, and the Youth Sports Complex, and the roads at Memorial Park Cemetery, using unit pricing from the 2016 Microsurfacing, Patch, Overlay, and Concrete Maintenance Program, City Bid No. PW1612 awarded to Sunflower Paving Inc., using the Sales Tax Reserve to fund \$50,000's worth of repairs.
 - h) Authorize the Parks and Recreation Department to use the City Park Memorial Fund to fund a \$24,100.00 mill and overlay project at the 8th and Oak Boat Ramp, using the unit price bid provided by Sunflower Paving Inc. from the 2016 Microsurfacing, Patch, Overlay, and Concrete Maintenance Program, City Bid No. PW1612. The City will be reimbursed by the Kansas Department of Wildlife, Parks & Tourism once the project is completed.
7. Adopt on first reading, the following Ordinances:
- a) Ordinance No. 9261, amending Sections 9-412.1, 9-412.2, 9-412.3, 9-412.4, 9-412.6, and 9-413 of the Code of the City of Lawrence, Kansas, 2015 Edition, and amendments thereto, pertaining to the collection, removal, transportation, and disposal of solid waste.
 - b) Ordinance No. 9265, amending Section 16-504 of the Code of the City of Lawrence, Kansas, 2015 Edition, and amendments thereto, pertaining to the equivalent residential unit (ERU) rate in determining the stormwater drainage charge and repealing existing Section 16-504.
8. Approve rezoning, Z-16-00145, approximately .78 acres from RM32 (Multi-Dwelling Residential) District to GPI (General Public and Institutional Use) District, located at 1220 Oread Avenue to accommodate replacing City water tanks. Submitted by the City of Lawrence, property owner of record. (PC Item 2; approved 9-0 on 6/20/16) Adopt on

first reading, Ordinance No. 9263, to rezone (Z-16-00145) approximately .78 acres from RM32 (Multi-Dwelling Residential) District to GPI (General Public and Institutional Use) District, located at 1220 Oread Avenue.

9. Approve rezoning, Z-16-00154, approximately 1.56 acres located at 706 E. 23rd Street from IG (General Industrial) District to CS (Strip Commercial) District, to accommodate a microbrewery. Submitted by Lockwood Craft Brewing, Co. LLC, for Lawrence Brothers LLC, property owner of record. (PC Item 4; approved 9-0 on 6/20/16) Adopt on first reading, Ordinance No. 9262, to rezone (Z-16-00154) approximately 1.56 acres located at 706 E 23rd St from IG (General Industrial) District to CS (Strip Commercial) District.
10. **REMOVED FOR SEPARATE VOTE:** Initiate a Text Amendment to the Land Development Code regarding Public Notice Procedures.
11. **REMOVED FOR SEPARATE VOTE:** Approve a 90 day extension of the 6th Street and New Hampshire turn out to service the Greyhound Bus Stop until September 28, 2016.
12. Authorize the Mayor to execute Supplemental Agreement No. 5 with the Kansas Department of Transportation for reimbursement of state funds in the amount of \$5,695.50, for 23rd Street Access Management Improvements at 2246 Ohio Street.
13. Authorize staff to negotiate an Engineering Services Agreement with EmNet for the Wastewater Flow Optimization, Project No. UT1605.
14. Authorize the City Manager to execute the Third Amendment to Commercial Lease Agreement with Riverfront Plaza, L.L.C., extending the lease of office space for the Development Services Division at One Riverfront Plaza, Suite 110, through August 31, 2017.
15. **REMOVED FOR SEPARATE VOTE:** Authorize the City Manager to execute a Lease Agreement with Community Wireless Communications Co., d/b/a Wicked Broadband, permitting Wicked Broadband to lease five (5) miles of strands of dark fiber in the City's Verizon conduit, in accordance with the City's Fiber Policy, but subject to an audit being done on all existing agreements between the City and Wicked Broadband to ensure that Wicked Broadband is in compliance with those agreements.
16. Authorize the Mayor to sign Releases of Mortgage for:
 - Shirley Mae Walker, 2735 Maverick Lane
 - Kendra E. Hatfield, 1603 Bullene Avenue
 - Roger A. Thomas and Irene H. Thomas, Ethel D. Unfred, Stephen C. Thomas and Virginia L. Thomas, 706 Lincoln Street.

Items Removed for Separate Vote:

2. Receive minutes from various boards and commissions:
 - Aviation Advisory Board meeting of 04/13/16
 - Bicycle Advisory Committee meeting of 04/18/16
 - Historic Resources Commission meeting of 05/19/16
 - Mental Health Board meeting of 03/29/16

Planning Commission meeting of 05/23/16

Moved by Commissioner Boley, seconded by Commissioner Herbert, to receive minutes from various boards and commissions. Motion carried unanimously.

6. Bid and purchase items:

- e) Authorize the City Manager to execute Change Order No. 2 with Crossland Heavy Contractors for the Clinton Water Treatment Plant Phase 1 Improvements Project No. UT1209 increasing the construction contract by \$64,213.00 and 14 days.

Moved by Commissioner Herbert, seconded by Commissioner Boley, to authorize the City Manager to execute Change Order No. 2 with Crossland Heavy Contractors for the Clinton Water Treatment Plant Phase 1 Improvements Project No. UT1209 increasing the construction contract by \$64,213.00 and 14 days. Motion carried unanimously.

10. Initiate a Text Amendment to the Land Development Code regarding Public Notice Procedures.

Moved by Commissioner Boley, seconded by Commissioner Herbert, to initiate a Text Amendment to the Land Development Code regarding Public Notice Procedures. Motion carried unanimously.

11. Approve a 90 day extension of the 6th Street and New Hampshire turn out to service the Greyhound Bus Stop until September 28, 2016.

Moved by Vice Mayor Soden, seconded by Commissioner Herbert, to approve a 90 day extension of the 6th Street and New Hampshire turn out to service the Greyhound Bus Stop until September 28, 2016. Motion carried unanimously.

15. Authorize the City Manager to execute a Lease Agreement with Community Wireless Communications Co., d/b/a Wicked Broadband, permitting Wicked Broadband to lease five (5) miles of strands of dark fiber in the City's Verizon conduit, in accordance with the City's Fiber Policy, but subject to an audit being done on all existing agreements between the City and Wicked Broadband to ensure that Wicked Broadband is in compliance with those agreements.

Moved by Commissioner Herbert seconded by Vice Mayor Soden, to authorize the City Manager to execute a Lease Agreement with Community Wireless Communications Co., d/b/a Wicked Broadband, permitting Wicked Broadband to lease five (5) miles of strands of dark fiber in the City's Verizon conduit, in accordance with the City's Fiber Policy, but subject to an audit being done on all existing agreements between the City and Wicked Broadband to ensure that Wicked Broadband is in compliance with those agreements. Motion carried unanimously.

C. PUBLIC COMMENT:

None.

D. REGULAR AGENDA ITEMS:

1. **Presentation by Tenants to Homeowners of a monetary donation to the Affordable Housing Trust Fund.**

Rebecca Buford, Executive Director Tenants to Homeowners, and Steve Ozark, donor, presented the donation.

Moved by Commissioner Herbert, seconded by Vice Mayor Soden, to accept monetary donation for the Affordable Housing Trust Fund from Tenants to Homeowners. Motion carried unanimously.

2. **Consider adopting on first reading, Ordinance No. 9266, concerning the penalties for certain overtime parking violations.**

Captain Adam Heffley, Lawrence Police Department, presented the staff report.

Moved by Commissioner Boley, seconded by Vice Mayor Soden, to adopt on first reading, Ordinance No. 9266, concerning the penalties for certain overtime parking violations. Aye: Vice Mayor Soden, Commissioner Boley, Commissioner Herbert and Commissioner Larsen. Nay: Mayor Amyx. Motion carried 4-1.

3. **Receive reconsideration request from Robert Schumm for economic development assistance to support a mixed-use development to be located at 815 Vermont Street.**

Britt Crum-Cano, Economic Development Coordinator, presented the staff report.

Moved by Vice Mayor Soden, seconded by Commissioner Boley, to receive request; refer to staff for gap analysis, specifying the Neighborhood Revitalization Area rebate percentage level and duration that can be examined; require the applicant to enter into a funding agreement with the City to cover the cost of gap analysis; and, refer request to the Affordable Housing Advisory Board and Public Incentives Review Committee for review and recommendation. Aye: Mayor Amyx, Vice Mayor Soden, Commissioner Boley and Commissioner Larsen. Nay: Commissioner Herbert. Motion carried 4-1.

4. **Receive request from Adam Williams for economic development assistance to support a mixed-use development to be located at 820-826 Pennsylvania Street.**

Britt Crum-Cano, Economic Development Coordinator, presented the staff report.

Moved by Vice Mayor Soden, seconded by Commissioner Larsen, to receive request; refer to staff for gap analysis, specifying the Neighborhood Revitalization Area rebate percentage level and duration that can be examined; require the applicant to enter into a funding agreement with the City to cover the cost of gap analysis; and, refer request to the Affordable Housing Advisory Board and Public Incentives Review Committee for review and recommendation. Motion carried unanimously.

After a short break, the City Commission resumed its regular meeting.

Tom Markus, City Manager, provided an update on an injured police officer.

5. **Receive report by the Sustainability Action Network on Bicycle Transportation and the Lawrence Budget.**

Michael Almon, Sustainability Action Network, presented the report.

6. **Consider motion to recess into executive session for approximately 50 minutes for the purpose of consultation with attorneys for the City deemed privileged in the attorney-client relationship. The justification for the executive session is to keep attorney-client matters confidential at this time. The City Commission will resume its regular meeting in the Commission Room upon completion of the executive session.**

Moved by Commissioner Herbert, seconded by Commissioner Boley, to recess into executive session at 8:18 for the purpose of consultation with attorneys for the City deemed privileged in the attorney-client relationship. Motion carried unanimously.

Moved by Vice Mayor Soden, seconded by Commissioner Boley, to extend the executive session for an additional 5 minutes. Motion carried unanimously.

The regular meeting reconvened at 9:15 p.m. The City Commission had nothing to report and took no action after the executive session.

E. COMMISSION ITEMS:

None.

F. CITY MANAGER'S REPORT:

Tom Markus, City Manager, presented the report.

G: CALENDAR:

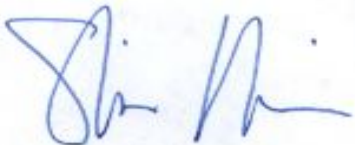
Review of calendar items.

H: CURRENT VACANCIES – BOARDS/COMMISSIONS:

Existing and upcoming vacancies on City of Lawrence Boards and Commissions were listed on the agenda.

Moved by Vice Mayor Soden, seconded by Commissioner Herbert, to adjourn at 9:24 p.m. Motion carried unanimously.

MINUTES APPROVED BY THE CITY COMMISSION ON JULY 12, 2016.



Sherri Riedemann, City Clerk