



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

May 17, 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 Commissioner Boley, Commissioner Herbert, Commissioner Larsen and Vice Mayor Soden 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. Proclaim the week of May 15 – 21, 2016 as Public Works Week.
2. Proclaim the month of May, 2016 as Mental Health Month.

B. CONSENT AGENDA:

Vice Mayor Soden removed consent agenda item 7 for a separate vote.

Commissioner Boley removed consent agenda items 3 and 5(a) for a separate vote.

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

1. Approve City Commission meeting minutes from 05/10/16.
2. Approve claims to 219 vendors in the amount of \$1,954,011.50 and payroll related items in the amount of \$437,842.55, for a total claim amount of \$2,392,502.05.
3. **REMOVED FOR SEPARATE VOTE:** Approve licenses as recommended by the City Clerk's Office.

Drinking Establishment

The Merc Co-op
The Community Mercantile Inc.
901 Iowa St.

Expiration

New license

4. Bid and purchase items:



- a) Set a bid date of June 7, 2016, for Bid No. B1621 – Project No. UT1304, Purchase 14 Magnetic Flow Meters for the Wakarusa Wastewater Treatment Plant and Pump Station 10.
 - b) Set bid date for June 14, 2016, for Bid No. B1620- Project No. PW1612, Salt Dome Roof Replacement at 1901 Wakarusa.
 - c) Award bid for Project No. PW1611, 19th Street & Ousdahl Road, Intersection Improvements, to R.D. Johnson Excavating Co., Inc. in the amount of \$685,629.40, provided the contractor can meet the terms established in the contract documents.
 - d) Accept the proposal submitted by ECOTURF Surfacing, a division of Taylormade Co, for \$58,064 for the installation of poured-in-place rubber playground surfacing at Holcom Park and Centennial Park.
5. Adopt on second and final reading, the following ordinances:
- a) **REMOVED FOR SEPARATE VOTE:** Ordinance No. 9233, repealing the existing Chapter 1 Article 2 of the City of Lawrence Code, pertaining to the Governing Body.
 - b) Ordinance No. 9234, amending Chapter 1, Article 1, Section 1-108 of the Code of the City of Lawrence, pertaining to meetings of the Governing Body and repealing existing Section 1-108.
 - c) Charter Ordinance No. 42, repealing Charter Ordinance No. 15 and Charter Ordinance No. 41.
 - d) Charter Ordinance No. 43, pertaining to vacancies on the Governing Body.
 - e) Charter Ordinance No. 44, pertaining to primary elections.
6. Approve the purchase of one Velocity PUC Engine for the Fire/Medical Department from Pierce Manufacturing for \$736,030.01 and adopt Resolution No. 7163, providing for the acquisition of Fire-Fighting equipment and providing for issuance of General Obligation Bonds of the City to pay the cost of such equipment.
7. **REMOVED FOR SEPARATE VOTE:** Receive request to annex approximately 159.67 acres, A-16-00135, located at the southwest corner of N 1500 Rd & K-10 Highway, and authorize the City Manager to notify utility companies and Douglas County Rural Water District #1 of the request. Submitted by Landplan Engineering PA on behalf of D & S Land, LLC, property owner of record.
8. Approve rezoning, Z-16-00066, approximately 3.82 acres from IG (General Industrial) District to CS (Strip Commercial) District, located at 1235 N 3rd Street for a proposed Event Center. Submitted by Allen Belot Architect, for Don E. Westheffer Trustee and Wanda L. Westheffer Trustee, property owners of record. Adopt on first reading, Ordinance No. 9235, to rezone (Z-16-00066) approximately 3.82 acres from IG (General Industrial) District to CS (Strip Commercial) District, located at 1235 N 3rd Street, for a proposed Event Center. (PC Item 7; approved 9-0 on 4/25/16)

9. Approve a street event temporary use of right-of-way permit for Savor Lawrence to close a portion of the 700 block of Vermont Street adjacent to the Library on Sunday, October 23, 2016, from 10:00 a.m. to 6:00 a.m., for their 2016 Fall Food Truck Festival Event.
10. Approve the following items related to the 2016 Tour of Lawrence:
 - a) Approve a street event temporary use of right-of-way permit for the use of various city streets on July 15-17, 2016 for the Tour of Lawrence;
 - b) Adopt on first reading, Ordinance No. 9221, allowing the sale, possession and consumption of alcohol on the 700 and 800 blocks of Vermont Street and west 100 block of 8th Street from Massachusetts Street to Vermont Street, including the intersection of 8th and Vermont Street and the plaza area between the Vermont Street parking garage and the Public Library on Friday, July 15, 2016 from 4:00 p.m. until 11:00 p.m., and the 700, 800 and 900 blocks of Massachusetts Street and the east & west 100 blocks of 8th Street from Vermont Street to New Hampshire Street, on Sunday, July 17, 2016, from 11:00 a.m. until 6:00 p.m., provided the sale, possession and consumption of alcoholic liquor are pursuant to City of Lawrence and State of Kansas law; and
 - c) Approve the donation of various city services in support of the 2016 Tour of Lawrence.
11. Concur with the recommendation of the Traffic Safety Commission to add an adult crossing guard beginning with the 2016-17 school year, to be placed at the intersection of 6th Street & Schwarz Road (TSC item#4; approved 7-0 on 3/7/16).
12. Approve as signs of community interest, a request from the K-State Research and Extension-Douglas County office, for two temporary promotional banners on the Lawrence Public Library property at 707 Vermont Street, promoting the Summer Food Program. The signs would be displayed Tuesday, May 31 through Friday, June 24, 2016.

Consent Agenda Items Removed for Separate Vote:

3. Approve licenses as recommended by the City Clerk's Office.

Drinking Establishment

The Merc Co-op
 The Community Mercantile Inc.
 901 Iowa St.

Expiration

New license

Moved by Commissioner Herbert, seconded by Commissioner Boley, to approve the license as recommended by the City Clerk. Motion carried unanimously.

5. Adopt on second and final reading, the following ordinances:
 - a) Ordinance No. 9233, repealing the existing Chapter 1 Article 2 of the City of Lawrence Code, pertaining to the Governing Body.

Moved by Commissioner Herbert seconded by Commissioner Larsen, to adopt on second and final reading Ordinance No. 9233, repealing the existing Chapter 1 Article 2 of the City of Lawrence Code, pertaining to the Governing Body. Motion carried 4-1; Ayes: Mayor Amyx, Vice Mayor Soden and Commissioners Herbert and Larsen; Nay: Commissioner Boley.

7. Receive request to annex approximately 159.67 acres, A-16-00135, located at the southwest corner of N 1500 Rd & K-10 Highway, and authorize the City Manager to notify utility companies and Douglas County Rural Water District #1 of the request. Submitted by Landplan Engineering PA on behalf of D & S Land, LLC, property owner of record.

Moved by Commissioner Herbert, seconded by Mayor Amyx, to receive the request to annex approximately 159.67 acres, A-16-00135, located at the southwest corner of N 1500 Rd & K-10 Highway, and authorize the City Manager to notify utility companies and Douglas County Rural Water District #1 of the request. Motion carried 4-1; Ayes: Mayor Amyx and Commissioners Boley, Herbert and Larsen; Nay: Vice Mayor Soden.

C. PUBLIC COMMENT:

Eric Bloom addressed the commission regarding the KU Central District Development Project.

D. REGULAR AGENDA ITEMS:

1. Consider the following items related to the Freestate Festival:

Mark Thiel, Assistant Public Works Director, presented the staff report for items 1 a, b and c.

- a) **Conduct a public hearing regarding a distance limitation waiver request for the 2016 Freestate Festival to be held Friday June 24, 2016 to Sunday June 26, 2016 and find that the proximity of the temporary sale of alcoholic liquor for the event is not adverse to the public welfare or safety and grant a distance limitation waiver. The public hearing would apply to the 900 block of New Hampshire Street portion of the event.**

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

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

- b) **Consider adopting on first reading, Ordinance No. 9225, allowing the sale, possession and consumption of alcohol on Friday June 24, 2016, from 12:00 p.m. to Sunday June 26, 2016 at 11:59 p.m. in the 900 block of New Hampshire Street associated with the Freestate Festival.**

Moved by Commissioner Larsen, seconded by Commissioner Herbert, to adopt on first reading, Ordinance No. 9225, allowing the sale, possession and consumption of alcohol on Friday June 24, 2016, from 12:00 p.m. to Sunday June 26, 2016 at 11:59 p.m. in the 900 block of New Hampshire Street associated with the Free State Arts Festival event; and, find that the

temporary sale of alcoholic liquor for the event is not adverse to the public welfare or safety; and, grant a distance limitation waiver. Motion carried unanimously.

- c) **Consider approving the donation of various city services in support of the 2016 Freestate Festival.**
- d) **Consider approving a street event temporary use of right-of-way permit for the use of the 900 block of New Hampshire Street from Friday June 24, 2016 to Sunday June 26, 2016 for the Freestate Festival.**

Moved by Commissioner Boley, seconded by Commissioner Herbert, to approve the donation of various city services with reimbursement to come from transient guest tax; and, approve a street event temporary use of right-of-way permit for the use of New Hampshire Street from Friday June 24, 2016 to Sunday June 26, 2016 for the Freestate Festival. Motion carried unanimously.

- 2. **Consider a motion to recess into executive session for approximately 15 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 Boley, seconded by Commissioner Herbert, to approve motion to recess into executive session for approximately 15 minutes. Motion carried unanimously.

The regular meeting reconvened at 6:37 p.m. The City Commission had nothing to report and took no action after the executive session.

E. FUTURE AGENDA ITEMS:

Diane Stoddard, Assistant City Manager, outlined potential future agenda items.

F: COMMISSION ITEMS:

Commissioner discussion of items not scheduled on the agenda.

G. CITY MANAGER'S REPORT:

Tom Markus, City Manager, presented the report.

H: CALENDAR:

Review of calendar items.

I: 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 6:47 p.m. Motion carried unanimously.

MINUTES APPROVED BY THE CITY COMMISSION ON MAY 24, 2016.

A handwritten signature in blue ink, appearing to read "Sherri Riedemann", is written over a light blue rectangular background.

Sherri Riedemann, City Clerk