



City of Lawrence

# City of Lawrence

## MINUTES

City Commission Meeting

Tuesday, March 16, 2021 @ 5:45 PM

City Commission Room

**PRESENT:** Mayor Finkeldei, Vice Mayor Shipley, City Commissioner Boley, Commissioner Larsen, and City Commissioner Ananda

**ABSENT:**

### **A. EXECUTIVE SESSION:**

1. Consider motion to recess into executive session.

**ACTION:** Approve motion to recess into executive session for approximately 30 minutes to discuss employer-employee negotiations pursuant to the employer-employee negotiations exception as set forth in K.S.A. 75-4319(b)(3). The justification for the executive session is to keep employer-employee negotiation matters confidential at this time. The City Commission meeting will resume in its virtual format in accordance with Resolution No. 7345, at the conclusion of the executive session.

Motion: City Commissioner Ananda

Second: Vice Mayor Shipley

<b><u>RESULT:</u></b>	<b>Motion carried unanimously 5-0</b>
Ayes:	Mayor Finkeldei, Vice Mayor Shipley, City Commissioner Boley, Commissioner Larsen, and City Commissioner Ananda

2. Consider motion to recess into executive session.

**ACTION:** Approve a motion to recess into executive session for approximately 15 minutes to discuss privileged legal communications from the City's attorneys regarding a contract and potential legal claims, pursuant to K.S.A. 75-4319(b)(2). The justification for the executive session is to keep attorney-client privileged matters confidential at this time. The City Commission meeting will resume in its virtual format in accordance with Resolution No. 7345, at the conclusion of the executive session.

Motion: City Commissioner Ananda

Second: Commissioner Larsen

<b><u>RESULT:</u></b>	<b>Motion carried unanimously 5-0</b>
Ayes:	Mayor Finkeldei, Vice Mayor Shipley, City Commissioner Boley, Commissioner Larsen, and City Commissioner Ananda

**B. APPROVE AGENDA**

1. The City Commission reserves the right to amend, supplement, or re-order the agenda during the meeting.

**ACTION:** Approve agenda  
Motion: Commissioner Larsen  
Second: City Commissioner Ananda

<b><u>RESULT:</u></b>	<b>Motion carried unanimously 5-0</b>
Ayes:	Mayor Finkeldei, Vice Mayor Shipley, City Commissioner Boley, Commissioner Larsen, and City Commissioner Ananda

**C. RECOGNITION/PROCLAMATION/PRESENTATION:**

1. Proclaim March 18, 2021 as National Natural Gas Utility Worker's Day.

**D. CONSENT AGENDA:****D.1 APPROVE CITY COMMISSION MEETING MINUTES:**

- a) Consider approving City Commission Meeting minutes of 03/09/21.

**D.2 BOARD AND COMMISSION MEETING MINUTES:**

- a) Receive Parks & Recreation Advisory Board meeting minutes.
- b) Receive Lawrence-Douglas County Health Board meeting minutes.  
(Added 03/12/21)

**D.3 CLAIMS:**

- a) Consider approving all claims in the amount of \$1,835,374.95 to 142 vendors.

**ACTION:** Approve claims.  
Motion: City Commissioner Ananda  
Second: Vice Mayor Shipley

<b><u>RESULT:</u></b>	<b>Motion carried unanimously 5-0</b>
Ayes:	Mayor Finkeldei, Vice Mayor Shipley, City Commissioner Boley, Commissioner Larsen, and City Commissioner Ananda

**D.4 MAYOR APPOINTMENTS:**

- a) Consider approving appointments as recommended by the Mayor.

Mental Health Board: Reappoint Gene Dorsey to an additional term that expires 04/30/25.

Public Health Board: Appoint Erika Dvorske to the Joint City/County position that expires 03/31/24.

**ACTION:** Approve appointments as recommended by the Mayor.  
 Motion: City Commissioner Ananda  
 Second: Vice Mayor Shipley

<b><u>RESULT:</u></b>	<b>Motion carried unanimously 5-0</b>
Ayes:	Mayor Finkeldei, Vice Mayor Shipley, City Commissioner Boley, Commissioner Larsen, and City Commissioner Ananda

**D.5 BID AND PURCHASE ITEMS:**

- a) Consider authorizing the City Manager to execute Supplemental Agreement No. 1 to the Engineering Services Agreement with George Butler Associates, Inc., in the amount of \$68,874, for the addition of waterline replacement design to the existing project 20th Street East Storm Sewer System, 17th & Alabama, (CIP# MS-20-0009).

**ACTION:** Authorize the City Manager to execute Supplemental Agreement No. 1 to the Engineering Services Agreement with George Butler Associates, Inc., in the amount of \$68,874, for the addition of waterline replacement design to the existing project 20th Street East Storm Sewer System, 17th & Alabama.  
 Motion: City Commissioner Ananda  
 Second: Vice Mayor Shipley

<b><u>RESULT:</u></b>	<b>Motion carried unanimously 5-0</b>
Ayes:	Mayor Finkeldei, Vice Mayor Shipley, City Commissioner Boley, Commissioner Larsen, and City Commissioner

Ananda
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- b) Consider awarding RFP #R2103 for On-Call Engineering Services for 2021-2025 Street Maintenance Program associated projects to BG Consultants, Inc., and consider authorizing the City Manager to execute the Engineering Services Agreement.

**ACTION:** Award RFP #R2103 for On-Call Engineering Services for 2021-2025 Street Maintenance Program associated projects to BG Consultants, Inc., and authorize the City Manager to execute the Engineering Services Agreement.

Motion: City Commissioner Ananda

Second: Vice Mayor Shipley

<b><u>RESULT:</u></b>	<b>Motion carried unanimously 5-0</b>
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Ayes:	Mayor Finkeldei, Vice Mayor Shipley, City Commissioner Boley, Commissioner Larsen, and City Commissioner Ananda
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- c) Consider awarding RFQ# Q2101 to Wendel Companies and authorizing the City Manager to execute an Engineering Services Agreement in the amount of \$143,220 for community engagement and preliminary design services for the Multimodal Transfer Facility and Downtown Transfer Improvements project, CIP# TR-21-01.

**ACTION:** Award RFQ# Q2101 to Wendel Companies and authorize the City Manager to execute an Engineering Services Agreement in the amount of \$143,220 for community engagement and preliminary design services for the Multimodal Transfer Facility and Downtown Transfer Improvements project, CIP# TR-21-01.

Motion: City Commissioner Ananda

Second: Vice Mayor Shipley

<b><u>RESULT:</u></b>	<b>Motion carried unanimously 5-0</b>
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Ayes:	Mayor Finkeldei, Vice Mayor Shipley, City Commissioner Boley, Commissioner Larsen, and City Commissioner Ananda
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#### **D.6 ADOPT ON FIRST READING, THE FOLLOWING ORDINANCES:**

- a) Consider adopting on first reading, Ordinance No. 9841, allowing the sale, possession, and consumption of alcohol on the public right-of-way on Saturday, April 24, 2021, in the Alley Way behind the property at 608 Louisiana Street from 4:30 p.m. – 9:30 p.m. for a private outdoor wedding.

**ACTION:** Adopt on first reading, Ordinance No. 9841.

Motion: City Commissioner Ananda  
Second: Vice Mayor Shipley

<b><u>RESULT:</u></b>	<b>Motion carried unanimously 5-0</b>
Ayes:	Mayor Finkeldei, Vice Mayor Shipley, City Commissioner Boley, Commissioner Larsen, and City Commissioner Ananda

**D.7 ADOPT ON SECOND AND FINAL READING, THE FOLLOWING ORDINANCES:**

- b) Consider adopting on second and final reading Ordinance No. 9840 amending Sect. 1-108 of the City Code pertaining to meetings of the governing body.

**ACTION:** Adopt on second and final reading Ordinance No. 9840.  
Motion: City Commissioner Ananda  
Second: Vice Mayor Shipley

<b><u>RESULT:</u></b>	<b>Motion carried unanimously 5-0</b>
Ayes:	Mayor Finkeldei, Vice Mayor Shipley, City Commissioner Boley, Commissioner Larsen, and City Commissioner Ananda

**D.8 ADOPT THE FOLLOWING RESOLUTIONS:**

- a) Consider adopting Resolution No. 7356 authorizing various public improvements and the issuance of general obligation bonds and/or temporary notes to finance all or a portion of the costs of certain improvements.

**ACTION:** Adopt Resolution No. 7356.  
Motion: City Commissioner Ananda  
Second: Vice Mayor Shipley

<b><u>RESULT:</u></b>	<b>Motion carried unanimously 5-0</b>
Ayes:	Mayor Finkeldei, Vice Mayor Shipley, City Commissioner Boley, Commissioner Larsen, and City Commissioner Ananda

- b) Consider adopting Resolution No. 7357 authorizing the sale of general obligation temporary notes and general obligation bonds for several capital projects authorized in the Capital Improvement Plan.

**ACTION:** Adopt Resolution No. 7357.  
Motion: City Commissioner Ananda  
Second: Vice Mayor Shipley

<b><u>RESULT:</u></b>	<b>Motion carried unanimously 5-0</b>
Ayes:	Mayor Finkeldei, Vice Mayor Shipley, City Commissioner Boley, Commissioner Larsen, and City Commissioner Ananda

**D.9 GENERAL CONSENT ITEMS:**

- a) Receive the Planning & Development Services 2020 Year-End Revenues and Expenditures Report for the Regulation of Building Permit Activity, pursuant to Chapter 5, Article 5-172 of the City Code.

**ACTION:** Receive the Planning & Development Services 2020 Year-End Revenues and Expenditures Report for the Regulation of Building Permit Activity, pursuant to Chapter 5, Article 5-172 of the City Code.

Motion: City Commissioner Ananda  
Second: Vice Mayor Shipley

<b><u>RESULT:</u></b>	<b>Motion carried unanimously 5-0</b>
Ayes:	Mayor Finkeldei, Vice Mayor Shipley, City Commissioner Boley, Commissioner Larsen, and City Commissioner Ananda

- b) Consider authorizing staff to re-open the 2021 Community Development Block Grant (CDBG) public service application for one week, March 17, 2020, through March 24, 2020.

**ACTION:** Authorize staff to re-open the 2021 Community Development Block Grant public service application for one week, March 17, 2020, through March 24, 2020.

Motion: City Commissioner Ananda  
Second: Vice Mayor Shipley

<b><u>RESULT:</u></b>	<b>Motion carried unanimously 5-0</b>
Ayes:	Mayor Finkeldei, Vice Mayor Shipley, City Commissioner Boley, Commissioner Larsen, and City Commissioner Ananda

- e) Consider authorizing the City Manager to enter into a Memorandum of Understanding with several community partners to explore the potential future use of the historic Grover Barn site, located at 2819 Stonebarn Terrace, as a public historical research and digital storytelling center, and consider authorizing City staff to prepare a nomination of the site for the Register of Kansas Historic Places.

**ACTION:** Authorize the City Manager to enter into a Memorandum of Understanding regarding the historic Grover Barn site and

authorize City staff to prepare a nomination of the site for the Register of Kansas Historic Places.

Motion: City Commissioner Ananda  
Second: Vice Mayor Shipley

**RESULT: Motion carried unanimously 5-0**

Ayes: Mayor Finkeldei, Vice Mayor Shipley, City Commissioner Boley, Commissioner Larsen, and City Commissioner Ananda

- f) Consider authorizing the City Manager to execute a license agreement with Josh Hunt to install an underground stormwater drainage pipe on a portion of the City's Right-of-Way located at 1520 Haskell Ave. Parcel ID: 023-103-05-0-20-04-004.00-0

**ACTION:** Authorize the City Manager to execute a license agreement with Josh Hunt to maintain an underground stormwater drainage pipe on a portion of the City's Right of Way located at 1520 Haskell Ave.

Motion: City Commissioner Ananda  
Second: Vice Mayor Shipley

**RESULT: Motion carried unanimously 5-0**

Ayes: Mayor Finkeldei, Vice Mayor Shipley, City Commissioner Boley, Commissioner Larsen, and City Commissioner Ananda

- g) Consider authorizing the City Manager to sign Addendums 7, 8 & 9 to the City/County Fiber Optic Network Agreement Memorandum of Understanding. The addendums memorialize two past fiber projects and approve a new fiber connection for the Community Health Building enabling the Lawrence Douglas County Health Department to improve internet connectivity and reduce costs.

**ACTION:** Authorize the City Manager to sign Addendums 7, 8 & 9 to the City/County Fiber Memorandum of Understanding.

Motion: City Commissioner Ananda  
Second: Vice Mayor Shipley

**RESULT: Motion carried unanimously 5-0**

Ayes: Mayor Finkeldei, Vice Mayor Shipley, City Commissioner Boley, Commissioner Larsen, and City Commissioner Ananda

**ACTION:** Approve the consent agenda except for items D7(a), D.9(c), D.9(d).

Motion: City Commissioner Ananda

Second: Vice Mayor Shipley

<b><u>RESULT:</u></b>	<b>Motion carried unanimously 5-0</b>
Ayes:	Mayor Finkeldei, Vice Mayor Shipley, City Commissioner Boley, Commissioner Larsen, and City Commissioner Ananda

**\*Items removed from the Consent Agenda were moved to the Regular Agenda.**

**F. PUBLIC COMMENT:**

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

**G. REGULAR AGENDA ITEMS:**

1. Consider adopting Joint City Resolution No. 7358/County Resolution No. \_\_\_\_, offering a formal apology on the behalf of the City and County to the people of the Kaw Nation for the appropriation of the Kaw Nation's sacred *In'zhúje'waxóbe* and agreeing to its unconditional return to the Kaw Nation.

**ACTION:** Adopt Joint City-County Resolution No. 7358.  
 Motion: City Commissioner Ananda  
 Second: Commissioner Larsen

<b><u>RESULT:</u></b>	<b>Motion carried unanimously 5-0</b>
Ayes:	Mayor Finkeldei, Vice Mayor Shipley, City Commissioner Boley, Commissioner Larsen, and City Commissioner Ananda

**\*E. ITEMS REMOVED FROM CONSENT AGENDA FOR SEPARATE VOTE:**

\*Items removed from the Consent Agenda were moved to the Regular Agenda.

- D.7(a) Consider adopting on second and final reading, Ordinance No. 9835, amending Section 1-302 and repealing Section 1-405 of the City Code, repealing the residency requirements for all city employees with the exception of the City Manager.

**ACTION:** Adopt on second and final reading, Ordinance No. 9835.  
 Motion: City Commissioner Ananda  
 Second: Vice Mayor Shipley

<b><u>RESULT:</u></b>	<b>Motion carried 4-1</b>
Ayes:	Mayor Finkeldei, Vice Mayor Shipley, City Commissioner Boley, and City Commissioner Ananda



Nays:	Commissioner Larsen
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- D.9(c) Receive recommendation from the Affordable Housing Advisory Board to send communication to the State of Kansas regarding regulatory barriers to affordable housing and consider authorizing the Mayor to sign a letter to the State Housing Workgroup regarding these issues.

**ACTION:** Authorize the Mayor to send correspondence to the State of Kansas Housing Workgroup regarding state regulatory barriers to affordable housing in Kansas.

Motion: Vice Mayor Shipley

Second: Commissioner Larsen

<b><u>RESULT:</u></b>	<b>Motion carried unanimously 5-0</b>
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Ayes:	Mayor Finkeldei, Vice Mayor Shipley, City Commissioner Boley, Commissioner Larsen, and City Commissioner Ananda
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- D.9(d) Consider recommendations for outside agency General Fund awards for FY2021 and authorize the City Manager to execute funding agreements.

**ACTION:** Approve funding recommendations for General Fund outside agencies and authorize the City Manager to execute funding agreements as outlined in the staff report with the addition of funding the Children's Advocacy Center of Douglas County request of \$40,000.00, increasing the total funding to outside agencies to \$751,000.00.

Motion: Mayor Finkeldei

Second: City Commissioner Ananda

<b><u>RESULT:</u></b>	<b>Motion carried unanimously 5-0</b>
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Ayes:	Mayor Finkeldei, Vice Mayor Shipley, City Commissioner Boley, Commissioner Larsen, and City Commissioner Ananda
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## **G. REGULAR AGENDA ITEMS: (CONTINUED)**

2. Consider awarding RFQ #Q2005 to JEO Consulting Group and authorizing the City Manager to execute an Engineering Services Agreement in the amount of \$38,960 for community engagement services and preliminary engineering of the Youth Sports Complex Exit - 27th Street Extension Project.

**ACTION:** Remove this project from the CIP.

Motion: City Commissioner Ananda

Second: Vice Mayor Shipley

**RESULT: Motion carried unanimously 5-0**

Ayes: Mayor Finkeldei, Vice Mayor Shipley, City Commissioner Boley, Commissioner Larsen, and City Commissioner Ananda

3. Consider adopting Resolution No. 7346 setting forth procedures for the investigation of alleged violations of the City's Ethics and Professional Conduct Policy.

**ACTION:** Adopt Resolution No. 7346 with an amendment to Section A.1 removing language "or which puts the City in a bad light", and an amendment to Section B.3(a) adding language that the mayor shall cause a copy of the complaint to be forwarded to the remaining members of the Governing Body within 5 calendar days.

Motion: City Commissioner Ananda

Second: Commissioner Larsen

**RESULT: Motion carried unanimously 5-0**

Ayes: Mayor Finkeldei, Vice Mayor Shipley, City Commissioner Boley, Commissioner Larsen, and City Commissioner Ananda

4. Receive Utility Billing customer service survey conducted by ETC.

The City Commission received the report.

5. Consider adopting scorecard related to the strategic plan and direct staff to bring back related work plans.

The Commission provided feedback on the scorecard.

**H. COMMISSION ITEMS:**

1. Future agenda item to add.
2. Future work session item to add.
3. Other items.

Commissioner Ananda provided the presentation from CJCC will be at the first meeting in April.

Vice Mayor Shipley discussed issues and concerns around homelessness. The Commission directed staff to add a presentation in April that provides an overview of service providers and systems serving individuals experiencing homelessness, the impact within the park system and the downtown area, and

reports from City departments on their interactions with the public related to these issues.

Commissioner Larsen recognized the historical appointment of Deb Haaland to the Secretary of the Interior. The Commission directed staff to draft a letter to Secretary Haaland congratulating her on her appointment to the Secretary of the Interior.

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

1. Receive February 2021 Utility Billing Report.
2. Receive ex parte information regarding upcoming agenda items.
3. Review future agenda/work session items.

**J. CALENDAR:**

The Commission reviewed calendar items.

1. Review Calendar items.

**K. ADJOURNMENT:**

**ACTION:** Adjourn meeting at 10:53 p.m.


Motion: Commissioner Larsen

Second: City Commissioner Ananda

**RESULT:** Motion carried unanimously 5-0

Ayes: Mayor Finkeldei, Vice Mayor Shipley, City Commissioner Boley, Commissioner Larsen, and City Commissioner Ananda

**MINUTES APPROVED BY THE CITY COMMISSION ON APRIL 6, 2021.**

  
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Sherri Riedemann, City Clerk