

**CITY OF LAWRENCE**  
**Common Council**  
**September 7, 2021**  
**Regular Meeting**

MEMBERS PRESENT: Lisa Chavis, Tom Shevlot, Sherron Freeman, William Tyrrell Giles, Lauren Russel (left the meeting prior to the vote on Case No. 2021-LUV-08), Shawn Denney, Maria Rusomaroff, Deborah Whitfield, and Rick Wells

MEMBERS BY ZOOM: None

MEMBERS ABSENT: None

ALSO PRESENT: Clerk Kathleen Walton, Attorney Kristina Wheeler (Bose McKinney & Evans LLP)

STAFF PRESENT: Deputy Chief of Staff Korn, Police Chief Hofmann, Park Superintendent Martin, Director of Economic Development Zuerner, Director of Engineering Venugopalan, Sergeant Raftery, and Sergeant Sharpe

STAFF BY ZOOM: City Attorney Voller

Council President Lisa Chavis called the meeting to order at 6:30 p.m. and announced a quorum was present.

COMMENTS OF COUNCIL MEMBERS: Councilor Rusomaroff thanked the Street Department for filling the potholes on Bogey Drive; Director of Engineering Venugopalan for the streetlights within her district; and the Administration for the work of the butterfly environment steering committee. She concluded by acknowledging the upcoming 20<sup>th</sup> anniversary of the September 11, 2001, attacks on the United States. Councilor Whitfield expressed concern about lingering issues with trash removal. Councilor Denney thanked the Parks Department for their planting and maintaining of the landscape features around the city building and within city parks. He went on to acknowledge those individuals working within the COVID-19 parent liaison program.

APPROVAL OF MINUTES: Councilor Freeman moved to approve the minutes of the regular meetings on August 2, 2021, and August 18, 2021. Councilor Whitfield seconded the motion. By a show of hands, the motion carried by a unanimous vote of the Council.

APPROVAL OF VOUCHERS 9-7-21: Councilor Denney moved to approve Payroll Claims for \$917,149.83 [August 15, 2021, payroll] and Invoices [for vendors] as presented today [for \$897,814.91]. Councilor Rusomaroff seconded the motion. By a show of hands, the motion to approve the vouchers carried unanimously.

REPORTS OF COMMITTEES: Councilor Denney said the Administration, Budget, and Finance Committee met and recommended a do-pass for Proposal No. 7, 2021 and Resolution No. 13, 2021. Councilor Freeman said the Parks Committee met and recommended a do-pass for Resolution No. 12, 2021. Councilor Giles said the Code Committee met and recommended a do-pass for Proposal No. 6, 2021.

UNFINISHED BUSINESS: Proposal No. 6, 2021, amending the Lawrence Municipal Code to establish an all-way stop intersection at Cork Road and Cork Place, was read only by title by Clerk Walton. Councilor Russel moved to adopt Proposal No. 6, 2021. The motion was seconded by Councilor Rusomaroff. By a show of hands, the motion carried unanimously.

Proposal No. 7, 2021, amending the Civil Salary Ordinance to add City Attorney position, was read only by title by Clerk Walton. Councilor Shevlot moved to adopt Proposal No. 7, 2021. The motion was seconded by Councilor Russel. By a show of hands, the motion carried unanimously.

Resolution No. 12, 2021, providing funding for habitats in Lawrence Parks, was read only by title by Clerk Walton. Councilor Denney moved to adopt Resolution No. 12, 2021. The motion was seconded by Councilor Rusomaroff. By a show of hands, the motion carried unanimously.

Resolution No. 13, 2021, approval of Collective Bargaining Agreement between the City of Lawrence and the Fraternal Order of Police Lodge 159, effective January 1, 2021, was read only by title by Clerk Walton. Councilor Denney moved to adopt Resolution No. 13, 2021. The motion was seconded by Councilor Shevlot. Discussion centered on whether resources will be available to meet the proposed 3% salary increase for 2023. Accordingly, new language was proposed that “the annual compensation for 2023 shall be increased by 3% contingent on the budget process (page 28 B.)”. After discussion about the proposed language, the council voted with a show of hands 9-0.

NEW BUSINESS: Proposal No. 9, 2021, amending the Lawrence Municipal Code to establish an all-way intersection at Bogey Drive, Half Mile Drive and High Grass Lane, was introduced and read only by title by Clerk Walton. Councilor Chavis assigned Proposal No. 9, 2021 to the Code Committee.

Proposal No. 10, 2021, amending the Lawrence Municipal Code regarding requirements for City towing providers, was introduced and read only by title by Clerk Walton. Councilor Chavis assigned Proposal No. 10, 2021 to the Code Committee.

Proposal No. 11, 2021, reaffirming the adoption of the planning and zoning ordinances, rules, and regulations applicable within Lawrence, and establishing the Lawrence Plan Commission, was introduced and read only by title by Clerk Walton. Councilor Denney moved to suspend the rules and adopt Proposal No. 11, 2021 on first reading. The motion was seconded by Councilor Whitfield. Attorney Wheeler briefly explained specific elements of Proposal No. 11, 2021. Following that explanation, by a show of hands, the motion to suspend the rules carried unanimously. Councilor Freeman moved to adopt Proposal No. 11, 2021; the motion was seconded by Councilor Denney. By a show of hands, the motion carried unanimously.

Resolution No. 15, 2021, concerning approval of hearing procedures for appeals of decisions of the Lawrence Board of Zoning Appeals as allowed by IC 36-7-4-922(f), was read only by title by Clerk Walton. Councilor Denney moved to adopt Resolution No. 15, 2021; the motion was seconded by Councilor Freeman. Following discussion, the motion carried by a unanimous vote of the Council.

Proposal No. 12, 2021, appropriations and tax rates for the 2022 budget year, was introduced and read only by title by Clerk Walton. Councilor Chavis assigned Proposal No. 12, 2021 to the Administration, Budget, and Finance Committee

Proposal No. 13, 2021, fixing salaries of appointed officers and employees of the City of Lawrence, Indiana for the year 2022, was introduced and read only by title by Clerk Walton. Councilor Chavis assigned Proposal No. 13, 2021 to the Administration, Budget, and Finance Committee.

Proposal No. 14, 2021, establishing compensation for elected officials for the year 2022, was introduced and read only by title by Clerk Walton. Councilor Chavis assigned Proposal No. 14, 2021 to the Administration, Budget, and Finance Committee.

Proposal No. 15, 2021, fixing salaries of appointed officers and employees of the Police Department and Fire Department for the year 2022, was introduced and read only by title by Clerk Walton. Councilor Chavis assigned Proposal No. 15, 2021 to the Administration, Budget, and Finance Committee.

#### **Appeals of BZA decisions**

Clerk Walton administered an oath to all members of the audience in anticipation of any comments they would make to the Common Council during the appeals process.

1. Appeal of Lawrence Board of Zoning Appeals (BZA) decision for Case No. 2021-LSV-05 (6002 Sunnyside Rd.) – The Common Council affirmed based on the findings of fact presented to the BZA.
2. Appeal of Lawrence BZA decision for Case No. 2021-LSE-09 (4330 N. Post Rd.) - The Common Council affirmed based on the findings of fact presented to the BZA.
3. Appeal of Lawrence BZA decision for Case No. 2021-LSV-10 (5602 Caito Dr.) - The Common Council affirmed based on the findings of fact presented to the BZA.
4. Appeal of Lawrence BZA decision for Case No. 2021-LSE-12 (7650 Oaklandon Rd.) - The Common Council affirmed based on the findings of fact presented to the BZA.
5. Appeal of Lawrence BZA decision for Case No. 2021-LUV-08 (12024 E. 65th St.)

Joseph Calderon, representing the petitioner, began his presentation by providing members of the Common Council with 2 handouts. The first was a summary of the petition and the details of the proposal. The second was a binder containing multi tabs providing additional details. Tab #11 had been added by the petitioner for consideration by the Council and contained information not presented earlier to the BZA. Mr. Calderon's noted that the property is currently zoned C-3. The petitioner, Mr. Shawn Miller (Significant Cars Inc.), deals in classic antique cars. He seeks a variance of use to store and sell those cars in a C-3 zoning. He discussed the plan of operation and commitments filed in June. Mr. Calderon assured the Council that this is an appointments-only business; there will be no used car lot marketing.

Brad Klopfenstein, President of The Greater Lawrence Chamber of Commerce, spoke in favor of the petition; there were no remonstrators.

Director of Economic Development Zuerner recommended approval of the petition. He did stipulate that there would be no signage and that all transactions would be single sales.

After the presentations, the members of the Common Council engaged in discussion and asked questions of Mr. Calderon and Mr. Miller. After that discussion, Councilor Rusomaroff moved to deny the petition; Councilor Whitfield seconded the motion. The petition was denied by a vote of 7 to 1 (Shevlot).

ADMINISTRATION COMMENTS: Police Chief Hofmann, acting on behalf of Mayor Collier, introduced Cori Korn as Deputy Chief of Staff.

CITIZENS COMMENTS: The following citizen addressed the Council:

- JoAnn Wallis, 5814 Long Lake Lane

ADJOURNMENT: There being no further business to come before the Council, the meeting was adjourned at 9:30 p.m., by the unanimous vote of the Council.

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Lisa Chavis, President

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Kathleen A. Walton, Clerk

These minutes are not intended to be verbatim. They are a summary of discussions held, except for the motions. An audiotape is made which provides a detailed record.