



City of Lawrence

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CITY COMMISSION

MAYOR
ARON E. CROMWELL

COMMISSIONERS
ROBERT J. SCHUMM
MICHAEL DEVER
HUGH CARTER
MIKE AMYX

November 8, 2011

The Board of Commissioners of the City of Lawrence met in regular session at 6:35 p.m., in the City Commission Chambers in City Hall with Mayor Cromwell presiding and members Amyx, Carter, Dever and Schumm present.

A. RECOGNITION/PROCLAMATION/PRESENTATION

1. Proclaimed Thursday, November 10, 2011 as Celebrate Marine Corps Birthday.
2. Proclaimed the week of November 14 – 18, 2011 as International Education Week.

B. CONSENT AGENDA

It was moved by Schumm, seconded by Dever to approve the consent agenda as below. Motion carried unanimously.

1. Received minutes from various boards and commissions:

Parks & Recreation Advisory Board meeting of 10/25/11
Traffic Safety Commission meeting of 10/03/11
2. Approved payroll from 10/23/11 to 11/5/11 in the amount of \$1,810,976.14 and claims to 170 vendors in the amount of \$1,577,218.15.
3. Approved licenses as recommended by the City Clerk's Office.

Drinking Establishment Licenses for The Mad Greek, 907 Massachusetts and Crimson & Brews, 925 Iowa, Ste: Q
4. Bid and purchase items:
 - a) Awarded bid for the Master Street Tree Program for the Parks and Recreation Department to Rosehill Gardens for \$28,490.
 - b) Awarded the construction contract for Bid No. B1143; Project UT1003CS, 23rd Street Bridge Replacement Utilities Relocation to the second low bidder Redford



Construction in the amount of \$1,216,000 and authorized the City Manager to execute the contract.

- c) Awarded the Bid for Bid No. B1150 Materials Purchases for Project UT1003CS - 23rd Street Bridge Replacement Utilities Relocation to the low bidders Ferguson Enterprise for items 1 -21 and 23 – 40 in the amount of \$212,627.21 and Oldcastle Precast for item 22 in the amount of \$4,880.
 - d) Authorized the City Manager to Execute Supplemental Agreement No.1 in the amount of \$31,894.00 to the Engineering Services Agreement with Professional Engineering Consultants for Construction Phase Engineering Services for Project UT1003CS, 23rd Street Bridge Replacement Utilities Relocation.
 - e) Authorized City Manager to execute an agreement with Bartlett & West Engineering in an amount of \$55,000 for engineering design services for Delaware Street, 8th Street to 9th Street, Street, Storm Sewer and Waterline Improvements (PW1126).
 - f) Waived bidding requirements and authorized City Manager to execute Purchase Order with Broyles, Inc. in an amount of \$35,435.68 for the replacement of the fuel canopy at 11th and Haskell Ave.
 - g) Waived bidding requirements and approved sole-source purchase of additional LED lighting from Stanion Wholesale Electric Company, Inc. in the \$153,705 to complete the Massachusetts LED lighting upgrade. This money is from the Energy Efficiency and Conservation Block Grant program (EECBG) funded through the American Recovery and Reinvestment Act of 2009 (ARRA).
- 5. Adopted on first reading, Ordinance No. 8681, annexing approximately 45 acres of City owned park property.
 - 6. Approved unanimous recommendations from the Traffic Safety Commission for the following:
 - a) Approved recommendation from the Traffic Safety Commission to install Yield Signs on Overland Drive at Sierra Drive and adopted on first reading Ordinance No. 8686 to install Yield Signs on Overland Drive at Sierra Drive.
 - b) Approved recommendation from the Traffic Safety Commission to establish No Parking along both sides of Sunnyside Avenue between Indiana Street and Louisiana Street and adopted on first reading, Ordinance No. 8685 to establish No Parking along both sides of Sunnyside Avenue between Indiana Street and Louisiana Street.
 - 7. Approved request to extend the purchase agreement feasibility period to October 28, 2012 for North Mass Redevelopment L.L.C. to purchase City parcels near N 2nd & Lyons.
 - 8. Authorized the Mayor to sign a Release of Mortgage for Joe and Mercy Jaimez, 1218 New York.

C. CITY MANAGER'S REPORT:

David Corliss, City Manager, presented the City Manager's Report.

Mark Thiel, Assistant Director of Public Works, presented the city's snow removal and ice control plan.

Amyx said some of the calls we get are regarding blading snow to the middle of the street instead of the sides.

Thiel says if we do that we have to come back and pick it up, and that costs money and time. We try to blade it to the non-sidewalk side when possible. We have identified locations where we end up putting snow back on sidewalks and we will try to take care of those sidewalks. He says he knows it is a burden when there is a windrow in front of someone's driveway, and it is more problematic because we don't get to residential areas until later in the process.

Tom Orzulak, Street Division Manager, said blading to the center takes up more room in the middle than on the sides, it causes drainage problems as the snow melts and refreezes, and it makes it impossible to turn across the street.

Amyx said he appreciated staff's work and said growing up we didn't have as much equipment as we do know. Back then everyone had rear wheel drive cars too. Equipment is better today and cars are better today.

Cromwell said he appreciated the work of staff on plowing operations.

D. REGULAR AGENDA ITEMS:

1. **Conduct public hearing to consider Ordinance No. 8679 and Ordinance No. 8680, establishing the maximum assessments for improvements to Fairfield East Addition No. 1, Street, Storm Sewer, Waterline Improvements (PW0915), Sanitary Sewer Improvements (09S003), and Pump Station (09S004).**

Chuck Soules, Director of Public Works, presented the staff report.

Schumm asked if everyone was in agreement with the method of assessment.

Soules said yes, the method had been proposed to us when we received the petition for assessment.

Amyx asked if we were comfortable with the 20 year payment.

Soules said yes. Typically we did 10 years but due to the economy the owners had asked for 20 and we are okay with that.

Mayor Cromwell opened the public hearing. No public comment was received.

It was **moved by Schumm, seconded by Amyx**, to close the public hearing. Motion carried unanimously.

Amyx said he understood that 100% of the costs were assessed to the property owners and there was no public participation.

Moved by Amyx, seconded by Carter, to adopt on first reading, Ordinance No. 8679, and Ordinance No. 8680. Motion carried unanimously.

2. **Receive public comments and consider direction to staff concerning Parks and Recreation facility needs and proposed Westside recreation center, as follow-up to the study session on October 25.**

David L. Corliss, City Manager, presented the staff report.

Schumm asked about the potential location of the facility.

Corliss said we have looked at the site at Overland and Wakarusa that is owned by the city. It has streets and utilities. Any number of sites could be evaluated. We could task the architect to do that. We see some concerns with the Corps site on the SW side of the community with traffic. Mr. Anderson suggested some other property just outside the city. We would have to look at pros and cons of the use of different sites, both the costs and whether they would achieve the intended purposes. It was helpful for us to look at a site we owned because we were able to evaluate various factors. It was not the only site that could be considered.

Amyx asked if we have to own the facility.

Corliss said no. There are many sites we use but don't own, such as the Corps property, the Carl Knox Natatorium. We would look at whether we achieved the recreation purpose.

Amyx said he had concerns with debt and other costs. Another question he had was with memberships and whether we projected 500 memberships and \$100,000 per year.

Corliss said that was correct.

Amyx said if we came up short, where would the money come from.

Corliss said we had a cushion and were estimating conservatively. In any case when revenue comes in short we try to match it with reduced expenditures. We balance the budget every year and would make whatever changes were necessary.

Carter said he had a question about Resolution 94-42, number 2 talks about the Bert Nash and Health Facility, and he asked whether there were certain percentages to be paid on each item.

Corliss said there was no allocation of percentages.

Mayor Cromwell called for public comment.

Jana Dobbs thanked the Commission for the study session. She said almost 700,000 people visited a Parks and Rec facility last year. We had over three years of public comment and process on this item. Holcom Rec Center in 1988 was the last gym space built. We had seen a lot of growth over the years. We had lost gym space over the past few years and had to turn down various teams and events. We had large teams, too little practice space for indoor soccer, a lost tournament, and other lost opportunities and unmet needs. This would address various community concerns and would have a positive economic impact. There would be a balance between local use and tournament uses. We had a great opportunity here to approve the project.

Johnny Paradise, Lawrence Adult Soccer Association, said they had approximately 350 members. An indoor soccer field would be great if that could be included in this project. The association had revenues of over \$50,000. There is a ton of interest in indoor soccer but just no

space. If we could use the facility on a contractual basis they would be happy to do that. We would play throughout the year and provide a lot of revenue for operating the facility. We have contributed approximately 20 to 25 thousand dollars to the school district for use of their turf facilities.

Fred DeVactor said he had been heavily involved in this when he was working for the city. In 1992 the parks and rec comprehensive plan had a keystone project which was a community rec center. After a lot of discussion a one cent sales tax was proposed to fund it. After the sales tax passed the city worked on a project for a center at Centennial Park, but when it was presented to the city commission it did not materialize. There were several other sites then considered. Then it was decided that a large stand alone aquatic center would be built, and that was the site at Free State High School. This was an important project to move forward. The need has become more acute. Now is the time to approve beginning the process again. He urged the commission to approve the project.

Alan Cowles, West Lawrence Neighborhood Association, said he didn't have an official position to report for the Association, but a quick poll of people in the area found 100% enthusiasm. Two concerns raised were that current facilities were overloaded and where would the funding come from. Citizens on the west side of town were very interested in health.

Michelle Sidener said she asked for inclusion of a gymnastics gym. There are over 1200 kids per year involved in those programs, and they all used the basketball sized room at the East Lawrence Center. There wasn't even enough room for all of their equipment. She hoped gymnastics would be included in the planning of the facility.

Marcus Dudley, Kaw Valley Soccer Association, said that for over 30 years the Association had been the primary provider of soccer for youths in the community. The popularity of soccer had grown substantially and they served around 3000 young athletes per year. They provided camps and tournaments also. Many participants were year round and many were involved in indoor soccer leagues. Many of our players have to travel outside of Lawrence to

compete in indoor soccer activities. The lack of indoor athletic space forces us to cap the number of people who can participate, and forces people to travel to other communities. He said potential tournaments provided an economic benefit to the city. 85% of the tournament participants are from outside of this area. A new indoor facility would allow us to offer indoor tournaments that would bring in revenues and tourists. The KVSA fully supports a building to increase the amount of indoor athletic space.

Schumm asked how large an indoor soccer field was.

Dudley said it depended on the age. He said there was futsal and indoor soccer which were different. Any indoor facility would be an improvement. It doesn't necessary have to be grass, it could be hard floor. Any basketball sized court would work just fine.

Paradise said 200 by 100 feet was a good rule of thumb for adults.

Mary Chapel said she came to Lawrence in 1982 and enjoyed everything Parks and Rec provides. The staff was second to none. Things had not progressed as they should have. This was a need and not a want. Professionally, she said she came to KU Recreational Services, and students had recognized they needed an enhanced facility and they committed to a 15 year bond to build a facility. We need to be on the cutting edge to keep our community healthy and well. Our facility had only been open 6 months when students decided an expansion was needed and another phase was approved. She asked that the commission really look at the operational costs and you had to provide adequate resources to do it right. She said she gets a call at least once a month that we need more indoor track walking spaces.

Doug Vance, KS Recreation and Parks Association, said that traveling around the state looking at recreational facilities, he was comfortable saying this was a real need here. We need to emphasize health and active living in our community. Health costs were growing and had to be included in the calculations. Surveys show that people are dependent on Parks and Rec facilities especially during recessions. The distance a person lives from a recreational

opportunity has a dramatic impact on how much they will participate. This building would impact many people for years to come.

Chris Davis said the constant request for gym space was unbelievable. He said there is a misconception about how the gym space can be used now. There has to be a custodian on duty or the gyms at the schools are not open. He said he sat on the Lawrence Sports Association board for a number of years. The relationships between the schools and city had been stressed because of the great demand for space. He had traveled well over 100 times outside the community to participate in sports in other communities and he hoped this facility could help bring some of that stuff back to Lawrence.

Alan Thompson said 4-5 years ago he tried to meet with people regarding private partnership to provide more space. He said we need to act on this before the next generation passes along and another group of parents and kids goes through this. He coaches and knows the space is needed.

Marilyn Hull, Live Well Lawrence, said a study stated that the percent of Douglas county adults that are obese had increased by 7% over just 3 years. This was a serious problem. How can we make progress on the program? A University of Wisconsin study found that one of the most effective strategies was to increase access to facilities. Douglas County currently ranks below average in the number of facilities per capita. We are far below the recommended benchmarks for optimizing health. From a health perspective this proposal makes a lot of sense.

Jim Buddy said he would like to give a personal example of how recreation and health affects him. His exercise involves 1.5 hours, 45 minutes on a track and 45 in a weight room. He uses Holcom. He has to be there at 7:00 a.m. to get out before classes start. We have a situation where there is a track but it is not available a lot of times and it is not low impact, which is important for seniors. The weight room does not have enough equipment to handle the people who use it. He said even though Holcom was far from his home it was the best option for him. People in his neighborhood would use a facility on the west side. He didn't want to be self

serving, and his neighborhood was also filled with a lot of young people without a safe place to go. It seems to him with Bill Self making a donation it was important to pursue this and it seemed doable. He said he would be willing to pay to use the facilities. He urged the commission to take advantage of this opportunity.

A man said he thought what was being proposed would be a wonderful addition to our community. When he grew up he played a lot of ball games in cow fields and hoops against barns. He had been a dedicated runner until some injuries. Several people had discussed health issues. He said he was a little concerned about equity issues. He said there were many people below poverty levels and he thought you had to keep that in mind. He wanted to know what memberships would entail. He said this was tax money funding the facility. He said regarding health issues, there were agencies providing free services, and we had seen various agencies have their funding gutted by the state. He said a city government should provide basic services and everything else was not a need but was a want. He said he grew up in a community without these kinds of programs and they were just wants. He was not satisfied with the city manager's response to the question about how any shortfall would be made up.

Mayor Cromwell said the man's time was up.

The man asked if someone could concede him their time to speak.

Cromwell said we do not run our meetings that way.

The man continued speaking and said the commission was not going to hear other people voicing his viewpoint.

Ray Petty said his organization sponsored wheel chair sports programs. He said his team had been hosting an annual wheelchair basketball conference at Holcom. He knew he would be arranging access to the gym for the next year the very day after this year's event because there is not enough space for games or practices. He supported the proposal.

Pat O'Toole said he had a different perspective as someone involved professionally in parks and recreation. When he came back to Lawrence he was amazed how far west the city

had grown. He consulted in the parks and recreation field and had been a part of PLAY. He was well aware of what information was available to the commission. In his opinion everything was in alignment. The standard was one public gym per 5000 population. There were four gyms in Lawrence. Geographically the map speaks for itself. Economic impact hasn't been mentioned as much but this facility would have that impact. How do you bring new businesses and residents and retirees to town? This was a way to do that. People want to know where they can walk and recreate in the winter. There was nothing on the west side of town. You had the Assists Foundation and Bill Self with great fundraising power. He would hope you would consider this golden opportunity.

Scott Robinson said he didn't represent any organization except maybe the taxpayer. He echoed concerns about the lack of facilities on the west side of town. We were constantly looking for gym space. We went to Eudora last year for basketball. There was certainly a need for this and it was overdue. His concern was the financial impact. From a taxpayer standpoint, for the city to be spending this kind of money, we need to have a pause and examine the alternatives. Is there a private or non-profit that would like to come in and operate this. We need to be very astute about how we are spending money. He would like to see something come about but we needed to be prudent about how we do it.

Amyx asked Mr. O'Toole about his comments about the needs assessment, and when he looked at the location, was that location near Free State appropriate.

O'Toole said it was the perfect location. If you moved out to the Corps property you would get a little lopsided geographically. There is a lot of synergy that could go on with the other facilities and activities near Free State. It does border a lot of houses and retirees. The walking track would be phenomenal. This could be a great location to balance everything.

Cromwell said as far as location goes, he wasn't prepared to talk about it this evening. The Free State site could be good but there could be other good ones also. There may be opportunities for some professional input.

Carter said if we do this it would be ideal to have something that could be expanded down the road. Several people had brought up the 7 hours a day kids were spending in front of the TV, and that was concerning. If we have space for not only the gym but maybe in later phases hockey rinks or outdoor uses, we may want to leave room for phases to other things at the one site.

Schumm said one issue to direct staff on was the size and dollar amount. What is the commission willing to support. The minimum the Assists Foundation would support was 5 courts. The second issue was leveraging the funding. 5 courts had a projected price of \$13-15 million. The idea was that the Self organization would raise \$3 million. If we move forward we should condition the project on the fundraising with a percentage of city funding vs private funding. The bonds that give us capacity don't free up until 2017 so there were two years where we would need other monies for the capital funding. He said it also wasn't fair just to have basketball. In the feasibility study we needed to consider other activities such as soccer and gymnastics. He came down tonight skeptical about whether he would support this. He was convinced now that we should move forward with the next steps, and that this was a need for the community.

Dever said from the public input there was desire and perceived needs and wants for a facility. We have been talking about this for a long time. We have been putting it off for close to 20 years. The ratio of gym space per capita, the unmet needs, and the geographical concerns were all important. He thought the community spent \$10 million on an aquatic center and we were close to paying it down. We needed to have a vision for the future about what our community needs and what we would do with this sales tax funding. Tonight we really needed to talk about whether we could support allocating the resources to a facility. Our Parks and Rec department and board and others are in favor of this. He said he could support setting aside money for this and he was not as concerned about the layout at this stage. Eventually that decision, as well as the location, would be considered by the Commission. Leveraging other

resources such as offices, hotels, etc. that may benefit and utilize the facility should be considered. If we put this in the right spot it will pay for itself. He said he would like to come up with an amount we are willing to spend but didn't think we were able to do more than that tonight.

Cromwell said we had to be good stewards of the community's tax dollars. Here we had a sales tax that was put forward to the voters with a primary use to be for Parks and Rec. Now it was time for a next generation of facilities. The advisory board says this is where they want to spend the money. It was very clear that this is the facility that the advisory board thinks should be the focus of our efforts. We want to get the right location but also make it large enough to be effective. We needed to make sure we could get the most for our money and we didn't have a good idea about the cost estimates yet. At some point we had to say this was our bottomline and we would spend \$X. The community as a whole with the help of our most able fundraiser could come up with the resources. The direction from us at this point would be for staff to collect this type of info. He said he was in favor of a facility with enough space and opportunities for expansion. Tonight we need to approach a dollar figure and advise on getting additional help on what that will buy us and if it will meet the needs of the community.

Carter said he thought we could do considerably better than the estimates provided earlier based on current conditions. We want to get as much as we can for the dollars we are willing to spend. He thought it should be a moving amount if outside fundraising was able to raise more. If we were in a place where more work could be done that could be utilized. He said we had heard some comments about seniors and equity. He said we threw out some rough numbers but they were way conservative regarding the revenues that could come from tournaments. He didn't think there would be any challenge in the operation of the facility. He said we should consider whether fees would be on an ability to pay basis to make sure everyone could use the facility. From a retiree standpoint it was important to make sure we had both a wellness center and walking track. That would be a huge asset for seniors. He would

support setting a dollar amount tonight but didn't know how increased private funds would impact that.

Amyx thanked the advisory board, staff and others for the mountains of information provided. He said he did have concerns with the operations numbers. He didn't want to see a shortfall in a couple of years. His concern was with assessed valuation and the pressures put on other funding sources. There was not a doubt in his mind that we need space and that the money from the sales tax could pay off a bond issue. His main concern was the money for operations. He didn't want to come up short. As conservative as the estimates are he worried about the impact of a drop in assessed valuation. He said he just didn't want to be short. A few weeks ago he met with the Employee Relations Committee and it was hard to look people in the eyes and say we could spend \$15 million dollars on this but we couldn't do anything for them. At this point he didn't want to put the community in a bad situation.

Dever said he shared the concerns about operations and maintenance costs, which were hard to put a firm price on from the start. He said we had been pretty austere. There had not been a dramatic amount of fun activities for the community for the last four years. It was a hard job. Part of the benefit for planning for higher operation costs was considering the other costs to the community as a whole for traveling to other communities for sports. Assessed valuation was a concern. We had been careful with our money. We need to look to the future and hopefully the flat line in evaluation we may see next year may be benefitted by the buffer of a couple years before these expenditures would take place. This was a tool to bring people to the community. He said he thought there would be ways to raise additional money that we haven't even considered tonight. We need to think big. If we want to people to come here we need to have something to attract them. He said the Assists Foundation would donate maybe a lump sum the first couple years for operations, and other sponsorships and other opportunities would become apparent in future years.

Cromwell said he thought we could look any city employee in the eye and know we have done the best possible for them. Every year we had increased compensation for them. He didn't know that this really relates to that. He felt like we had been good stewards and it was time to look at the next generation of parks and recreation. If the economic situation was really dire we would maybe have to look at using the funds to reduce the mill levy but we weren't that dire yet. We were not talking about raising taxes; we were directing current funds. He said he used to have his office in Belton, MO, and they had a very nice facility similar to what we were considering. It was a great facility and well used for a variety of purposes. He said he had a 14 year old son and he knew there wasn't free gym space available. Regarding fees, that was one thing Belton did, but it was important with respect to cardio to recognize that there are other businesses in town with which we would be competing. We needed to have ample free opportunities for low income people that wouldn't be in competition for paid facilities anyway. He would not feel comfortable requiring people to pay to play basketball.

Carter said he was not convinced the operational costs were conservative but he thought the revenue estimates were conservative. This was an investment. Our best days are ahead of us but it takes vision to look forward and do some things that would have long term positive effects. It was important to do this right because we could generate as much revenue as we wanted. He would be worried about thinking small and not doing something that would give us the biggest bang for the buck that is possible. If we cut it short he wouldn't be as comfortable with those operating expenses.

Amyx said he appreciated everyone's comments. He said there was not going to be a problem paying for the facility; he just didn't feel comfortable paying for the operations.

Schumm said he wanted to make his position clear. He saw the fundraising as a challenge grant type of situation where the city would fund it if the outside fundraising raised enough. It was important to him that there was an obligation on the part of the private fundraising.

Carter said he agreed with that. He said he had heard a commitment for a million dollars but not a commitment for more than that.

Dever said tonight the recommended action was to direct staff to develop an agreement. He hated to sell the fundraising short. He would suggest giving staff the ability to negotiate with the Assists Foundation regarding fundraising commitments. We needed to commit to building something and the details of where and how big would come later.

Corliss said it was important either to talk about a dollar amount or a facility size so we could say what the Commission supported. As part of that we would spend money with an architect to see what we could build and the costs and also the location. He thought we had to be able to talk about what the project is when we talk with the Assists Foundation.

Schumm said what he heard at the study session was 5 gyms. Looking at \$140/sf as an estimated cost, there was reason to believe we could come up a little better than that. If you look at the 75,000 sf model to give you five gyms and an option to complete another one in the future, that is projected to be \$13-15 million at \$140/sf. If that is the framework we could say the city would put in \$12 million and fundraising would contribute \$3 million and if more was raised more could be done.

Corliss said for a \$15 million dollar facility and a 15 year bond, it would be about \$1.2 million per year.

Schumm said if we bonded \$12 million we didn't use up all of our capacity. If the fundraising is successful and the city puts in \$12 million and then bids came in better or fundraising came in better that would be a starting point.

Carter asked if the version with the 5 gyms had the wellness center.

Cromwell said no.

Carter said he would walk to budget for a wellness center and walking track. We could commit to a minimum and communicate with the Assists Foundation, but he thought the wellness center was important to them.

Corliss said the \$13-15 million facility included the walking track. We could look for future opportunities to add the wellness center. He thought the Assists Foundation would be supportive of that.

Dever said he thought we couldn't cut up the multidimensional aspects of this and couldn't just do gym space. He thought the proposal in slide 19 could do both. He thought we could commit to 5 gyms and the wellness center at \$13-15 million.

Cromwell said he was comfortable with presenting slide 19 as a vision for a minimum facility. We need to spend some time on analysis to make sure that adding more gyms wouldn't pay for itself by opening us up to bigger tournaments.

Amyx said we would have to pay attention to the size of the courts.

Cromwell said there was a lot of room for change. There could be a more efficient building shape even. He liked what was in this particular layout but we had to take a hard look at getting the most for our money. At this point he would like to have staff move forward with additional work on design, fundraising assistance, and authorization to reach out to the Assists Foundation.

Moved by Carter, seconded by Dever, to direct staff to proceed with discussions with the Assists Foundation for possible support for a new Activity and Wellness Center (per slide number 19). Motion carried 4-1 with Amyx in dissent. .

The City Commission recessed at 9:15 p.m.

The City Commission resumed the regular session at 9:25 p.m.

3. Receive request from Cornerstone Construction Company of Lawrence and Sure Point Medical regarding City-owned property north of 2004 E. 23rd Street, the southwest corner of the former Farmland tract.

Diane Stoddard, Assistant City Manager, presented the staff report.

Mayor Cromwell called for public comment.

Mike Hultine said he got to know these guys as tenants. He did all of their tenant finishes. They were a first class operation, paid good wages, and treated employees well. In

solving the temporary parking needs, it gave you a chance to do your master planning and also gave Sure Point an opportunity to see how that fit in with the expansion plans and needs.

Cromwell said he appreciated Sure Point being in Lawrence.

Beth Johnson, Lawrence Chamber of Commerce, said staff had been great and the company was excited about the support. This was the kind of company we wanted in Lawrence and wanted to grow. She encouraged support of this request.

Cromwell said he had concerns about putting the cart before the horse but this was tucked away in a corner and wouldn't cause us to sacrifice the overall concept we had for Farmland.

Corliss said Dever and staff were interviewing teams for master planning proposals next week and hoped to have a recommendation for City Commission consideration in December. This is a primary job employer which is what we wanted at Farmland.

Carter thought it was great that this location allowed us to move forward without interrupting the planning for Farmland.

Dever asked if the terms of the lease were in the agenda materials.

Stoddard said the agreement would be negotiated and brought back to the Commission for approval.

Moved by Schumm, seconded by Carter, to authorize the City Manager to prepare an agreement with Cornerstone Construction Company of Lawrence/Sure Point Medical to allow for a temporary parking lot, a lease of the parking area and an option to purchase the parking area and a larger contiguous tract, and to direct staff to commence the appropriate planning processes to accommodate the temporary parking area and possible future building expansion area. Motion carried unanimously.

4. **Consider approving the following for Project PW1012, Iowa Street (US-59), 15th Street (Bob Billings Parkway) to Yale Road, Street, Reconstruction and Geometric Improvements: move the bid date to November/December 2012, phasing plan and closure of 15th Street (Bob Billings Parkway), liquidated damages of \$5,000/day for late completion and an incentive of \$5,000/day for early completion of the intersection (up to a maximum of \$50,000).**

Chuck Soules, Director of Public Works, presented the staff report.

Dever said August 1 had to be the completion date we shot for.

Carter said he had read about major construction projects in other university towns where cities worked with the university and local landlords about staggering move in days. He asked if an incentive to finish early would affect quality.

Soules said we would be careful about inspections and we would also have to choose a contractor would the capacity to do the project in a quality manner in the required time frame.

Dever said we need to shoot for a completion date that reflected reality of when people starting arriving in town.

Crowell said it had to be July 31.

Soules said we could potentially do some aspects of the project early to get a head start before completely closing the road.

Schumm said KU kind of winds down and has a few days before graduation.

Soules said we thought of that too, but they have busses running and there were concerns about closing the intersection before finals. KU could also get information out to students regarding schedules but they had to know early enough.

Dever asked what we would do about the alternate routes.

Soules said we would have multiple detours to catch people everywhere we can before the final possible detour.

Schumm asked about the speed limit through the project.

Soules said 20 mph. He had concerns about the safety of the drivers and the workers.

Mayor Cromwell called for public comment. None was received.

Dever asked if we were supporting incentives and liquidated damages.

Cromwell said yes. He asked what we could consider as justification for the damages.

Toni Wheeler said the scope of the project and its impact on the community could be considered.

Cromwell said the impact on the community beyond August 1 was enormous, more than \$5,000.

Schumm said you were talking about 70 days to do the project, assuming 7 days/wk of work.

Soules said we would have to phase some initial work we could get done early to make it possible to get the project done. He said it wouldn't be working days, it would be calendar days.

Amyx said the contractor would have to demonstrate that they had done projects like this before.

Moved by Amyx, seconded by Schumm, to approve the following for Project PW1012, Iowa Street (US-59), 15th Street (Bob Billings Parkway) to Yale Road, Street, Reconstruction and Geometric Improvements: move the bid date to November/December 2012, phasing plan and closure of 15th Street (Bob Billings Parkway), liquidated damages of \$5,000/day for late completion and an incentive of \$5,000/day for early completion of the intersection (up to a maximum of \$50,000), with July 31 as the finish date for the intersection. Motion carried unanimously.

E. PUBLIC COMMENT:

K.T. Walsh said when we clear brick streets from snow, if the blades scrape the bricks it damages the surface and allows water to penetrate. She asked that the city make sure the drivers know to keep their blades up on the brick streets.

Brian Sultana said an individual is still in jail right now for being houseless and others are going to court for illegal camping violations. Members of Occupy Lawrence are circulating a

petition and finding that many community members are opposed to people going to jail for being houseless. He said he did not like spending money to jail people instead of house them. Another concern he had regarding real estate and business developments. In running the city as a business people get crushed or cut out. Gas Light Village on 31st St, people have received eviction notices related to development there. There were similar areas in East Lawrence. There are people with concerns that they won't be able to pay rents in those areas as property values rise. They have nowhere to go. He said his concern was that there might be increased houselessness in the community and not enough resources to deal with it.

Wade Briscoe said he would continue coming to Commission meetings every week. He said the price of dorm living at KU was about \$800 month, including utilities and food. To house Simon at the jail it costs Douglas County about \$400/week. That's enough to put two college students through KU dorms for a month. Is there really a need for that? Why not find another solution? Would it not be a better use of our money to get these people into a home rather than a jail cell? Right now you can't do anything in this town without an ID, and a lot of these people don't have IDs or the other documents needed to get IDs. Why not help these people be able to help themselves? We need to help these people come to a state of sustainability and putting them through the jail system continually was putting good money toward a bad cause.

Cromwell said there was more to Simon's story than you might know and you might want to dig more into that. People have to be willing to accept help. One of the functions of our homeless shelter was helping people get their IDs. There are a variety of resources put toward such initiatives.

Briscoe asked what qualifications were needed to serve on the homeless task force.

Cromwell said there were some qualifications such as living in the city.

Briscoe said you have to have a physical address and the homeless shelter didn't count.

Cromwell said that wasn't true and encouraged Briscoe to learn more about the services offered by the community.

F. FUTURE AGENDA ITEMS:

David Corliss, City Manager, outlined potential future agenda items.

G: COMMISSION ITEMS:

None.

H: CALENDAR:

David Corliss, City Manager, reviewed 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 Schumm, seconded by Amyx, to adjourn at 10:16 p.m. Motion carried unanimously.

APPROVED:

Aron E. Cromwell, Mayor

ATTEST:

Jonathan M. Douglass, City Clerk