



City of Lawrence

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CITY COMMISSION

MAYOR
ROBERT J. SCHUMM

COMMISSIONERS
MICHAEL DEVER
HUGH CARTER
MIKE AMYX
ARON E. CROMWELL

June 12, 2012

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 Schumm presiding and members Amyx, Carter, Cromwell and Dever present.

A. RECOGNITION/PROCLAMATION/PRESENTATION

1. Proclaimed Tuesday, June 12, 2012 as Trei Dudley Day.

B. CONSENT AGENDA

KT Walsh asked that consent agenda item number 9 be pulled from consent agenda for separate discussion.

Sandra London asked that item number 6 be pulled from the consent agenda for separate discussion.

It was moved by Amyx, seconded by Dever to approve the consent agenda as below, minus items 6 and 9. Motion carried unanimously.

1. Approved City Commission meeting minutes from 06/05/12.
2. Approved claims to 181 vendors in the amount of \$1,520,494.98
3. Approved licenses as recommended by the City Clerk's Office.

Drinking Establishment licenses for 23rd Street Roadhouse, 1003 East 23rd, Carlos O'Kelly's Mexican Café, 707 West 23rd, Retail Liquor License for Myer's Liquor North, 1805 West 2nd and Scrap Metal Dealer's Registration for Lonnie's Recycling Inc., 501 Maple

4. Bid and purchase items:



- a) Set a bid opening date of July 3, 2012 for Bid Number B1239 Electrical Preventive Maintenance.
 - b) Authorized staff to defer bidding to Spring 2013 with construction from late May to August 1, 2013, for Wakarusa Drive, Research Park Way to Oread West Drive, Pavement Reconstruction, Geometric Improvements, Sidewalk and Pavement Marking, Project No. PW1202.
 - c) Authorized the City Manager to enter into a cost share agreement with the Kansas Water Office and approved payment to the Kansas Water Office in an amount of \$40,150, for raw water quality study and monitoring.
 - d) Authorized the City Manager to execute Change Order No.4 to the existing Construction Contract with Walters Morgan Construction for project WW0601 Anaerobic Digester Improvements increasing the contract amount by \$45,431.00 and increasing the contract times by 14 days.
5. Adopted the following ordinances on second and final reading:
- a) Ordinance No. 8745, for Special Use Permit (SUP-3-2-12) for Bishop Seabury Academy, located at 4120 Clinton Parkway. (PC Item 2; approved 9-0 on 5/21/12)
 - b) Ordinance No. 8744, for a text amendment (TA-4-2-12) to the City of Lawrence Land Development Code to create a mental health care use within an appropriately determined existing zoning district. (PC Item 3; approved 9-0 on 5/21/12)
 - c) Ordinance No. 8743 (revised 06/11/12), for Special Use Permit (SUP-2-1-12) for an Extended Care Medical Facility, located in the 1600 Block of Research Park Drive. (PC Item 4B; approved 8-0-1 on 5/21/12)
 - d) Ordinance No. 8746, authorizing the issuance of industrial revenue bonds to refinance existing bonds for Lawrence Memorial Hospital, not to exceed \$10,500,000.
6. THIS ITEM WAS PULLED FROM THE CONSENT AGENDA FOR SEPARATE DISCUSSION. Accepted dedication of easements for Minor Subdivision, MS-5-6-12, for Briggs Dodge, located at 2300 & 2320 W. 29th Terrace.
7. Initiated rezoning of 2000 Bluffs Drive from RSO (Single-Dwelling Residential-Office) District and CS (Commercial Strip) District to the CO (Office Commercial) District.
8. Authorized the City Manager to execute the Letter of Agreement and any other paperwork to receive a \$20,000 grant from KaBOOM! to replace playground equipment at John Taylor Park, 200 N. 7th Street.
9. THIS ITEM WAS PULLED FROM THE CONSENT AGENDA FOR SEPARATE DISCUSSION. Received request from Tony Krsnich to establish a Neighborhood Revitalization Area (NRA) on the parcel located at 810/812 Pennsylvania Street, referred

the item to the Public Incentive Review Committee and set June 26, 2012 as the date for a public hearing on the proposed NRA and Revitalization Plan.

10. Authorized the Mayor to sign a Release of Mortgage for Penna Piper, 929 Illinois.

Sandy Day, Planner, presented item number 6, Minor Subdivision, MS-5-6-12, for Briggs Dodge, located at 2300 & 2320 W. 29th Terrace.

Sandra London, Advanced Home Care, said it was her understanding that the use of the easement was to park cars. If it is for a sidewalk she had no problem with that, but if it is to park cars she did.

Scott McCullough said this was not related to the other project in the area for parking of cars on what is now right-of-way. This is a separate project.

Moved by Cromwell, seconded by Carter, to accept dedication of easements for Minor Subdivision, MS-5-6-12, for Briggs Dodge, located at 2300 & 2320 W. 29th Terrace. Motion carried unanimously.

Diane Stoddard, Assistant City Manager, provided an overview of item number 9, a request from Tony Krsnich to establish a Neighborhood Revitalization Area (NRA) on the parcel located at 810/812 Pennsylvania Street.

KT Walsh said Stoddard had provided the information she had been hoping to hear. She just wanted everyone to know what was going on.

Moved by Dever, seconded by Amyx to receive request from Tony Krsnich to establish a Neighborhood Revitalization Area (NRA) on the parcel located at 810/812 Pennsylvania Street, refer the item to the Public Incentive Review Committee and set June 26, 2012 as the date for a public hearing on the proposed NRA and Revitalization Plan. Motion carried unanimously.

C. CITY MANAGER'S REPORT:

David Corliss, City Manager, presented the report.

Dave Wagner, Director of Utilities, presented information regarding taste and odor issues in the water.

Schumm said that it had gotten a little better already.

D. REGULAR AGENDA ITEMS:

1. Receive public comment concerning 2013 City budget issues

Schumm stated that we have a 5 minute limit on public comments.

David L. Corliss, City Manager, and Casey Toomay, Budget Manager, presented the staff report.

Mayor Schumm called for public comment.

Rob Chestnut spoke on behalf of the Lawrence Children's Choir. He said he had a great passion for the choir and his daughter had been in it for several years. The choir lost its entire funding from the Kansas Art Commission, which represented about 10% of its budget. They are investigating as many avenues as possible for recovering funding. The choir worked from ages pre-K through 96 years old and had been recognized for its intergenerational work. It serves elementary and middle schools and provided scholarships for at risk kids. He said he had tremendous experiences with the choir. They had made requests in the alcohol and non-alcohol tax funds. He said he hoped the commission would consider their request.

Jane Graves said on Friday choral professionals would honor various choirs, including Lawrence. The high school choirs are filled with former members of the Lawrence Children's Choir. For 22 years they had brought recognition to Lawrence on a small budget, no office overhead, and mostly volunteer staff. For 22 years they had maintained a balanced budget, until this year after the loss of the Kansas Arts Commission funding. It is a tragedy that the program for which we are being honored is perhaps most at risk due to our loss of funding. The program expands the arts to people who might not otherwise be able to attend. Their senior citizen program brings no income and cannot be supported without outside funding. No other agency does what we do. We believe that every child that wants to sing should be able to regardless of

financial means. 12% of our students are below the poverty line. Students from different backgrounds come together in the choir. Lawrence needs the choir and we need help from Lawrence. Please help us make a difference.

Schumm asked how much money they had received from KAC.

Graves said \$14,000.

Carter said he couldn't help but wonder, from a funding standpoint, if it wouldn't be more appropriate to look at parks and rec rather than social services.

Karen Welch, Lawrence Children's Choir, said she wanted to talk about the choir from an artistic standpoint. Students got from the choir something they couldn't get anywhere else. Support for music in the schools has declined over the years. Today only two elementary schools have choirs. In the middle schools budgets have been eliminated and they now borrow materials from the children's choir. Next summer we will be going to Missoula Montana to represent Lawrence at an international choral festival. We are one of two choirs representing the U.S. We have seen a lot of opportunities for students cut from the schools. We are looking for ways to serve our community and hope you'll help.

Cody VanCamp said he had attended the choir for a few years. He said his mom drives him from Topeka to attend LLC. They are one of the best choirs in the country. In March we had the opportunity to perform at Carnegie Hall. He said that every week when they make the drive his mom spends money in Lawrence.

Jerry Jose said he was here with his wife and son. Healthy communities give many different paths to success. The arts are an important track to success. He said he can't carry a tune, but he has discovered in other settings that music is one of the best avenues to reduce conflict among different cultures.

Jim Mullins, Americans for Prosperity, said he noticed you were keeping the Sustainability Coordinator. He said he hoped you would cut that entirely. Other organizations in Kansas had done that. Another thing Johnson County did that he suggested for Lawrence was

dropping membership in ICLEI. Lawrence is a member of that organization and should drop it. We need to make sure we never, ever, become an entity that makes individual property rights into community rights.

Schumm asked if Mullins was talking about eminent domain.

Mullins said it was usually through zoning or other manners. One thing that others had done was via stormwater mitigation, and fees charged for stormwater quality and quantity.

Paul Winn, Ecumenical Fellowship, said they worked with many others for the Martin Luther King Day activities. For 25 years they had worked for that program. He asked that the city continue to fund that in the amount of \$4000. We have had that holiday in concert with state and national programs. We do work with the schools and churches and others in the community. Our effort is to remind people of our history. We need help bringing in speakers and quality facilities. We educate the community. The program reaches about a 1000 people each year. Those people would touch at least 3 to 5 more each. He asked for continued funding.

John Tacha said he wanted to thank the advisory board for their recommended allotment to the Lawrence Community Shelter, and to the City Commissioners for their \$100,000 of support earlier this year. He said he would like to suggest that you look at a challenge grant of up to \$45,000 above the \$55,000 allocated. If we raise up to \$45,000 you could match up to that amount. That would help the level of giving we hope to secure. Finally he would ask the Commission to consider the shelter a vendor of the city.

Carter asked him to repeat the last part.

Tacha said he asked the Commission to make the shelter a vendor.

Schumm said that would mean they wouldn't compete with other social service funding dollars.

Jeannie Pees, Sunset Hills Neighborhood Association, said they were in dire need of curbs and gutters. The Public Works Department gets a list from us every year of things that need to be fixed throughout the neighborhood, but there is still a lot to be done. A lot of the

curbs are crumbling. The other thing that has been stressful for us is that we are still not able to get community block grant money. This year some of that money was taken to repair sidewalks. She asked that the commission look at allowing some money for fixing sidewalks in our neighborhood, especially in front of some homes of senior citizens. Last year a resident fell and broke his wrist. She asked that you look at the curbs, gutters and sidewalks in our neighborhood.

Alan Cowles, West Lawrence Neighborhood Association asked for funding for traffic calming devices. Such devices had been approved as far back as 2004. He recommended putting some funding for traffic calming on Harvard and Congressional. Other things that came along later had been funded but not this.

Loring Henderson, Lawrence Community Shelter, said the challenge grant was spelled out in the application they had submitted. Regarding the shelter relocation, they hoped to break cement in the next couple of weeks and be in the building by the end of the year.

Alan Cowles, speaking on behalf of himself, said he hoped you could be as generous as possible on the homeless shelter.

Leslie Soden, East Lawrence Neighborhood Association, said she had submitted a letter regarding the conversion of the part time historic resources planner to full time.

Carter said regarding the CDBG funds, was it correct that Sunset Hills couldn't get them.

McCullough said for several years we had used such funds to fill gaps in neighborhoods, and they would get an answer regarding eligibility.

Corliss said the neighborhood was large but we might be able to see if there are certain parts of that neighborhood that would qualify.

Schumm asked about the challenge grant. The additional \$45,000 would be leveraged to raise additional funds.

Henderson said yes.

Schumm asked what it took to run that organization for a year.

Henderson said their expense budget was \$700,000. Two thirds of that is individual contributions.

Schumm asked if all that is needed this year.

Henderson said yes.

Schumm said this didn't need to be answered now, but what if there was a way to have a \$100,000 challenge grant rather than a \$55,000 grant and a \$45,000 challenge grant.

Tacha said we would have to think about that.

Schumm said he thought that was the case but wanted to get the idea out there.

2. **Receive report on roll out cart implementation for residential solid waste services, and consider authorizing staff to proceed with bidding carts.**

Tammy Bennett, Assistant Public Works Director, presented the staff report.

Dever asked if the proposal indicates that even citizens that have carts currently would get new ones.

Bennett said that was not her expectation, what is out there would stay.

Dever said the recycling of containers was for regular trash cans.

Bennett said yes.

Dever asked how long it took to build up the reserve fund.

Bennett said about three years. It has been clear that change has been coming but the change was not clear. We had set aside funds to be able to capitalize on the front end.

Amyx said he had noticed that on days we pick up trash that there are a lot of households where the amount of solid waste was getting smaller. There are a lot of small households that don't generate a lot of trash and they have a real need for a smaller container. It seems to me that the fair part, and a challenge for us, is a lower rate. We have a lot of people on a fixed income or limited means, and there is no incentive to use a smaller cart if there is not a financial benefit. There are a lot of people that can live with a smaller cart and they should have an option to save money on it.

Bennett said she didn't recommend it at the initial roll out, because other communities have found that people underestimate the amount of trash they produce. The container manufacturers have also told us that people often don't like that smaller container. Some people we have tested it with a pilot program have also not liked it. Give us a year to test with the 65 gallon first, and not give a financial incentive to undersize.

Amyx asked if it was appropriate for a person with one trash bag to pay the same amount as someone who fills a 65 gallon cart.

Bennett said a lot of the solid waste costs were not landfill related, such as the truck, crew, recycling programs, etc, which make up 85% of the costs. A lot of the costs are not dependent on the volume.

Cromwell said it was correct to question the equity. One of the things that has been done is to utilize the pay structure to encourage the behavior you want. He said he supported the idea of rolling it in but he wanted to go in that direction. We don't want to order too many too small carts at the beginning, but we should be focused on going that direction.

Mayor Schumm called for public comment.

Bill Mitchell said he long ago realized carts were a predetermined outcome of the task force. Incentivizing trash reduction was ostensibly a goal. Let's not lose sight of that. You can still provide a monetary incentive to reduce. A 35 gallon cart is loaded faster and the tipping fee would be lower. Our two member household has been using a 35 gallon cart since March. It has been picked up once every six weeks. If we generate five gallons of trash a week, you might induce other users to reduce their output. He said he would adapt to the new system as he had with past changes. What he didn't love were the outrageous rate schedules and the listening sessions where no one listened.

Barbara Beck said there were no city containers for recycling in public areas. The rates were also high. Regarding the size of the containers, what kind of bag would be allowed for overflow. Many people already recycle. The city is putting the burden on the residential home

owner. Businesses are not part of the program. A large out of town contractor already provides curbside, yet when I go to Walmart they say they will only accept certain things. What happens to local contractors, and our current city employees?

Jim Mullins said there is a great quote from Mario Cuomo that said it is not the business of government to provide services, it is to see that they are provided. He said he thought that was right. What I hear is that Mr. Dever and Mr. Chestnut said let's get a competitive choice for solid waste, and I think that the current commissioners have failed in their duty. My situation is that why don't you see what private industry can do compared to your city employees. Elected officials forget that their first duty is to taxpayers, not city or county employees. There is a company in Hutchison, Kansas whose general manager has said he can provide once a week solid waste and yard waste, and every two weeks recycling, for less than \$13 per month. We are looking at another \$4-\$6 per month. In Johnson County they are paying \$25-\$28/month. We need to step back. You bought into this thing with Ripple Glass. This guy in Hutchinson is single stream. If you are going to go with recycling, it needs to be single stream. If the city solid waste department can answer an RFP for a lesser rate than private companies, then great, go with them. I wish you would look out for the taxpayer, and lower their costs, not raise it.

Schumm said there were some things he couldn't get his arms around yet. He said there has got to be people out there with small amounts of trash because he is one of them. On the other hand you don't want people to have carts that are too small and trash overflows. Is there a way of knowing how much trash people actually put out by household.

Carter said as far as switching containers, they are talking about a 30 day period.

Bennett said we don't have empirical dating saying how many households have small amount of trash. We do know that 85% of households put out trash each week.

Dever said he knew there is information you have read and the task force studied, and he is not sure how that relates specifically to Lawrence. Do we have a higher recycling rate?

How do we know if we aren't different? How do we handle the swapping out of carts? Do we pay for the difference if people request a swap?

Bennett said she did think we were different than other communities. Other places have 95 gallons as their base cart. The recommendation that we start at 65 gallons is a leap of faith. She hears arguments for both 35 and 95 as the base size. She said regarding the swap out, we will get more firm numbers on the front end through outreach. The people that will want to swap out for 35's, those 65's will become our backstop for replacements or people who want an additional cart for yard waste.

Dever asked if there was a way to do a 10 percent test and pick a representative neighborhood and see what their use is and then extrapolate it out. We are talking about a huge roll out. Identifying a couple neighborhoods could help us ascertain how many of each cart we need.

Schumm said a simple way would be to have someone drive down the street on trash day and count.

Cromwell said the trash collectors could help us identify already how many very small users there are.

Dever said if we are wrong and have a ton of extra capacity we could have tens of thousands of dollars worth of excess carts. It would make him more comfortable to have a sample neighborhood study and see how that goes.

Carter said we could just charge staff to go around and see who would qualify for a 35 gallon cart for a month. Has line level staff had much input, and why wouldn't we use them to do this?

Bennett said first we need to know if you want to go to carts at every house. Then we can get a number estimate of how many households would qualify for the small cart.

Carter said the line level staff are the experts and he didn't want to overlook their input.

Bennett said we have definitely given them opportunities to comment.

Schumm said we had a loader on the task force.

Jim Touchere suggested a hybrid type of program. To offer people the 35 gallon can at a reduced rate but require them to buy 5 or 10 tags for those times they have more trash than fits in the carts. That would give you the opportunity to put more 35 gallon carts out there.

Schumm said the questions tonight are whether we are going the cart route, and if so, to have staff come back with more analysis on the size needed by customers. Mike also had the issue on the table of an incentive for smaller carts.

Amyx said one of the things we looked at was the workers comp question for our employees. This is a tough job. As far as taking into consideration all the input we get, all the surveys indicate we have a super program, and we are just trying to make it better. One of the important things is that we don't want to end up with a number of carts that are unusable. As I drive around maybe I am blind and don't see the times when there is just one bag set out. As we go to a cart situation we don't want to make a million dollar mistake. The size and costs are important considerations.

Carter said he knows we are just deciding carts, but he wanted to clarify a few things that had been asked of him. Within the report we had sources to show workers comp savings that had been realized elsewhere, and savings on the new trucks. Was that correct?

Bennett said yes.

Carter said he heard everyone saying we should move toward a smaller rate for those who generated less trash. We are not raising anyone's rate by going to carts and that is important. The group I get the most concerns from is from users with small amounts, but this proposal doesn't raise their rate. Maybe in two years when we went to recycling that could perhaps be added with no increase for the small generators. Immediately out of the gate we don't need to reduce rates maybe, but anything we can do to reduce the burden on those with fixed incomes. Sustainability is important to the retiring generation.

Cromwell said we have a program in place for seniors who meet income qualification guidelines. That would not change. Folks haven't taken advantage of that as much as they ought to. Seniors are the demographic more likely to use the smaller carts and if it makes sense to reduce the rates for small trash generators we need to get there.

Bennett said one of the things we can do is to go with the estimated numbers we have and do the bid, and the numbers won't be set in stone. The numbers could be adjusted closer to delivery. There is a cart manufacturer we have talked to and they would deliver carts at about 1000 a day, so it would take a month to get them all delivered and we could fine tune throughout the delivery process.

Schumm said he thought we were in favor of implementing carts. We can authorize staff to go out to bid and staff could adjust the numbers as we get closer as we do surveys and studies. Last the rate differential, he said he was of the opinion that the small one should be a dollar cheaper a month than the 65 gallon.

Amyx said 60%. He thought the big thing as we try to increase recycling, we want people to recycle more and have less trash, and we want to encourage smaller amount put out. Maybe at the beginning we shouldn't do that, but in Lawrence we are a different community.

Dever said he agreed in principle but if the amount of trash you generate only represents 15% of the bill, I don't know how much room you have to reduce it. We only have so much room. I don't want to see too much money put out there.

Amyx said he would take \$5 off the rate of the 65 gallon to 35 gallon cart.

Carter said rolling out a significant discount like that without knowing the consequences wasn't responsible. If the trash only represents \$2.25 of the monthly price and we reduce it by \$5.00 we have to make that up somewhere.

Cromwell said if the initial 35 gallons has to be approved by Solid Waste, we can then wait a little time before rolling out more. We could make up the difference on the 95 gallon cart. Would a two dollar increase on the standard rate for 95 gallons accomplish that?

Schumm said why don't we direct staff to come back on pricing with some different options. We are kind of shooting in the dark here. We don't know how much of the cost is going to be reduced through the tipping fees. We can approve the rest of the thing tonight.

Dever said it is implicit in this that we should be realistic, and it is about making this safer, reducing costs, and opening the doors to charging based on volume. We need to move forward with giving them that opportunity.

Carter said he would like to see a count of those we know could use a 35 gallon.

Cromwell said the rate was a separate issue.

Corliss said he thought he knew what we needed to do to come back with a rate structure that would provide an incentive for a smaller cart and an estimate on the numbers of smaller carts that could be ordered, for a future city commission discussion.

Moved by Carter, seconded by Cromwell, to approve trash cart implementation recommendation and authorize staff to proceed with bidding carts. Motion carried unanimously.

At 8:50 p.m. the City Commission recessed for a short break.

At 9:00 p.m. the City Commission returned to regular session.

3. Receive report on curbside recycling services for the City of Lawrence and consider adopting Resolution No. 6976, a Resolution of Intent for an organized collection service for residential recycling.

Kathy Richardson, Waste Reduction and Recycling Operations Supervisor, presented the staff report.

Carter asked if there were any thoughts to challenging the state law.

Corliss said we looked at the law. In the Kansas law it looks like they apply it evenly to all cities so we can't charter out. We probably should follow it as written.

Cromwell asked when this information came to light.

Corliss said it was after the Solid Waste Task Force concluded. It was on the books but hadn't been used anywhere else as far as we know.

Mayor Schumm called for public comment.

Leslie Soden said East Lawrence Neighborhood Association had sent a letter.

Jim Touchere said he had mixed feelings about the proposal. He supported recycling and increasing the rates of recycling. His personal concern was the same as if he had a store front and you were going to widen the street, you would buy my store front. This proposal would be taking my business in a similar way and it would be nice if there was some recognition of that, if you could pay me for the thousands of trash cans we had.

Schumm said it was not his intent to take any businesses. It was his intent to see people working here now and keeping them involved in the situation. He said he didn't know how it would come out. It could be better for you.

Carter said he wanted to staff to clarify, if they only had capacity to serve a certain number of people they could still respond and handle a certain segment of the community and not necessarily the entire city.

Richardson said that was correct. Also private haulers would be involved in the development of the RFP. The State law also required a plan to minimize displacement of private haulers.

Amyx asked if staff wanted direction on each of the items outlined in the RFP.

Richardson said we wanted feedback on all those major issues.

Amyx said then we needed to discuss subscription based or mandatory pay.

Richardson said we had time, but if you wanted to provide feedback tonight that would be great.

Amyx said if we were to give direction to have multiple haulers that would be part of the RFP, and if we wanted it to be subscription based, and how the containers should look. Those are the kinds of things you want to know.

Richardson said yes.

Carter said that could also come over the next 90 days.

Richardson said yes.

Cromwell said a lot of these issues had been studied and there were recommendations from the solid waste task force, and that should be reviewed as we look at this.

Schumm said the resolution was a declaration of intent. It doesn't obligate the city to pursue city wide curbside, it just says we want to study it.

Cromwell said a recommendation from the task force was to implement a curbside program if financially feasible, and that is my position also. We need to go through an RFP process to determine if it is financially feasible.

Dever asked what was the date this rule went into place.

Corliss said July 1, 2011.

Dever said and none of us knew of this.

Corliss said my information was that the legal department sent this to Public Works and that we didn't think it impacted our discussions at this time.

Dever asked about out state representatives, why didn't they let us know about this, this is their job.

Amxy said just so he understands, we will establish what the RFP looks like during this 90 day period, we will then decide if we have a feasible program to move forward with.

Schumm said yes.

Moved by Cromwell, seconded by Carter, to adopt Resolution No. 6976. Motion carried unanimously.

Mayor Schumm said we had a request to have general public comment before the executive session, and at this time we would do that.

Alan Cowles said he wanted to alert commissioners of a situation at Lawrence Memorial Hospital that they should know about. From time to time he has people come to him with forms they had been asked to sign regarding disability benefits and representation from lawyers that would only receive compensation after they were approved. He had a concern that some of these people were under duress after medical procedures and when they were facing large

medical bills. To try to get more information he had written to Gene Meyer at the hospital and had received no response. He wrote back a second letter after taking a letter over in person. He was told that Meyer would not meet with him over this subject. He has submitted two open records request and had received no response. These are questions you should be concerned about. One is whether an employee at the hospital was soliciting business for lawyers outside the hospital. The other is whether the patients were under duress when they were solicited. Does this also present an unfair advantage over other lawyers? If this is happening is this something that is appropriate. Is the hospital administration trying to cover something up?

Amyx asked if Cowles had contacted the hospital board.

Cowles said no. The board is so concerned with finances he didn't think it would be effective. Others might have disagreed.

Amyx asked what he meant by that.

Carter said he thought he meant other people might have proceeded differently.

Amyx asked if we should make a request to the hospital board.

Corliss said his preference would be to contact Gene Meyer first.

Schumm said the city manager would contact Meyer and we would see where this would go.

Leslie Soden asked about the feasibility study for 900 New Hampshire.

Corliss said we received materials just this evening and we would post this tomorrow.

This will be a June 26 agenda item.

Schumm said he worked with Ron Schneider for an agenda date that worked for him, and we have established the date of June 26.

4. **Consider motion to recess into executive session for approximately 45 minutes for the purpose of discussing possible property acquisition and consultation with attorneys for the City deemed privileged under the attorney-client relationship. The justification for the executive session is to keep possible terms and conditions of property acquisition and discussions with the attorney for the City confidential at this time.**

Moved by Cromwell, seconded by Dever, to recess into executive session for approximately 45 minutes to discuss possible property acquisition and consultation with attorneys for the City deemed privileged under the attorney-client relationship, at 9:32 p.m. The justification for the executive session is to keep possible terms and conditions of property acquisition and discussions with the attorney for the City confidential at this time.

The City Commission returned to regular session at 10:13 p.m.

No action was taken following the executive session.

E. PUBLIC COMMENT:

General public comment was received prior to regular agenda item number 4.

F. FUTURE AGENDA ITEMS:

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

G. COMMISSION ITEMS:

Carter said that he would like to put on the agenda to authorize staff to put out an RFP and request for marketing services to go out to seniors.

Amyx asked if there were discussions with the senior center about their expertise.

Carter said he was meeting with them on Thursday. As far as the marketing plan the idea was to get the RFP out as soon as possible to get the costs established. To get this thing going we need to get the RFP going or it will be a long time before we will see a marketing piece we can actually use.

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 Cromwell, seconded by Amyx, to adjourn at 10:18 p.m. Motion carried unanimously.

APPROVED:

Robert J. Schumm, Mayor

ATTEST:

Jonathan M. Douglass, City Clerk