



City of Lawrence

CITY MANAGER'S OFFICE

DAVID L. CORLISS
CITY MANAGER

City Offices
PO Box 708 66044-0708
www.lawrenceks.org

6 East 6th St
785-832-3000
FAX 785-832-3405

CITY COMMISSION

MAYOR
JEREMY FARMER

COMMISSIONERS
LESLIE SODEN
STUART BOLEY
MATTHEW J. HERBERT
MIKE AMYX

June 2, 2015

The Board of Commissioners of the City of Lawrence met in regular session at 5:45 p.m., in the City Commission Chambers in City Hall with Mayor Farmer presiding and members Commissioners Amyx, Boley, Herbert, and Vice Mayor Soden present.

A. STUDY SESSION: (3:00 – 5:15 p.m.)

1. City Commission Study Session.

- Infrastructure
- Non-Motorized Transportation/Public Transit
- Strategic Planning Discussion

B. RECOGNITION/PROCLAMATION/PRESENTATION:

1. Proclaim Friday, June 19, 2015 as the 150th Juneteenth Anniversary.

C. CONSENT AGENDA

It was moved by Commissioner Amyx, seconded by Commissioner Herbert, to approve the consent agenda as below. Motion carried unanimously.

1. Receive minutes from various boards and commissions:

Board of Zoning Appeals meeting of 04/02/15
Historic Resources Commission meeting of 04/16/15
Human Relations Commission meeting of 02/19/15
Plumbing Code Board of Appeals meeting of 04/15/15

2. Approve claims to 195 vendors in the amount of \$2,270,719.19, and payroll from May 17, 2015 to May 30, 2015 in the amount of \$2,175,588.16.

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

Cereal Malt Beverage – On Premise

Wheat State Pizza
Wave the Wheat Pizza LLC
711 W. 23rd St.

Expiration

New License

4. Bid and purchase items:



- a) Award Bid No. B1530, Project No. PW1521, Lighting for 31st and O'Connell Intersection, to J. Warren Co., Inc. in the amount of \$53,000, provided the contractor can meet the terms established in the contract documents.
- b) Award Bid No. B1526, Project No. PW1412, 2014 CDBG Sidewalk Gap Program, to R.D. Johnson Excavating Co., Inc. in the amount of \$161,868.50, provided the contractor can meet the terms established in the contract documents.
- c) Award Bid No. B1531, Project No. PW1522, Cedarwood Parking Lot Improvements, to R.D. Johnson Excavating Co., Inc. in the amount of \$25,800, provided the contractor can meet the terms established in the contract documents.
- d) Approve Change Orders in the amount of \$221,060.25 to R.D. Johnson Excavating Co., for Project No. PW1341, Wakarusa Drive, Oread West Drive to just north of Legends/Inverness Drive.
- e) Award Bid No. B1535 for four (4) 40-yard roll-off dumpsters for the Public Works Department, to Downing Sales and Service, in the amount of \$18,023.
- f) Approve Change Order No. 1, in the amount of \$210,343, to R.D. Johnson Excavating Inc., in order to complete the contract (Project No. PW1330) for construction of the regional detention basin at Lawrence VenturePark.

5. Adopt on second and final reading, the following ordinances:

- a) Ordinance No. 9113, amend Chapter V, Article 5-18 of the City of Lawrence Code to allow limited off-premise advertising signs for businesses located on lots within multi-lot unified developments of five (5) acres or more.
- b) Ordinance No. 9114, establish a Multi-Way Stop at the intersection of 9th Street & Crestline Drive (TSC item #2; approved 6-0 on 4/6/15).
- c) Ordinance No. 9115, establish Reserved Parking for persons with disabilities in front of 3920-22 Overland Drive (TSC item #3; approved 6-0 on 4/6/15).
- d) Ordinance No. 9116, establish No Parking in front of 4 Westwood Road (TSC item #4; approved 6-0 on 4/6/15).
- e) Ordinance No. 9117, establish No Parking along the north side of 24th Place, the south side of 25th Place and the west side of Jacob Avenue, west of Inverness Drive (TSC item #5; approved 6-0 on 4/6/15).

6. Authorize the transfer of Clinton Park property to USD 497 (following 30 day public comment period).
7. Approve as “signs of community interest”, a request from Lawrence Metaphysical Fair to place signs at requested locations from July 10 - July 12, 2015.

D. CITY MANAGER’S REPORT:

Diane Stoddard, Interim City Manager, presented the Rental Licensing and Inspection Program Report.

E. PUBLIC COMMENT: None

F. REGULAR AGENDA ITEMS:

1. **Conducted a public hearing and approve order of vacation for a portion of the right-of-way at 424, 428, and 432 Louisiana Street.**

Chuck Soules, Public Works Director, presented the staff report

Mayor Farmer opened the public hearing. (No comments received)

Moved by Commissioner Amyx, seconded by Commissioner Herbert, to close the public hearing.

Moved by Commissioner Amyx, seconded by Commissioner Boley, to approve the order of vacation for a portion of the right-of-way at 424, 428, and 432 Louisiana Street. Motion carried unanimously.

2. **Received a proposal from Commissioner Boley regarding Ad-Hoc Working Group on issue of Community Needs for Police Facilities.**

Commissioner Boley presented his proposal regarding the issue of Community Needs for Police Facilities.

Commissioner Boley:

Thank you, Mayor. We have police facility needs and police resource needs in our community. Our commission needs to solve this problem. As a new commissioner, I'm struggling with balancing resources and needs. I'm balancing resources and needs and would like to have a full picture of the resources that will be needed for law enforcement, public safety for the next 15 years. I appreciate the work that our police force does. We need to solve this problem and get an understanding of this as a community and in the background of our community we have the November vote that failed. Our community is not an island. We see national police issues in our media. Our police force is not the Baltimore police force or the Ferguson police force. We know that. We need to come to a common understanding of our resource needs, our facility needs and solve this problem. My draft resolution is an effort to take a step forward towards that solution.

Mayor Farmer: All right, do we have questions of Commissioner Boley regarding his proposal and proposed resolution.

Commissioner Boley: Let me say a couple of other things. I would like to say thank you to Interim City Manager Diane Stoddard for her assistance in drafting this, and I've also talked to a number of members of the community. I appreciate their help as well.

Commissioner Amyx: Questions of Commissioner Boley, if I could. I appreciate the work that you've done here and you know I understand the intent of making sure that we do what process you feel is the best to come up with a new facility. One of the questions that I have has to do with Section 2, Item E, and that is to review any other appropriate topics that relates to other group's report, the recommendations to the subject. Can you broaden that out a little bit?

Commissioner Boley: I have confidence in whomever we select for this that they will act appropriately in their consideration of these issues. That's why the word appropriate is in there. The resource needs for staffing and equipment and pay are all issues that could affect the resources that are available for a facility. It's a balance of all these things. I think we can rely on the staff to work with these individuals on this group, Diane and Chief Khatib on this question.

Commissioner Amyx: Along with that, the question of the committee, I'm always taking great pride as being a member of that committee that decides these kinds of issues. There have been times that I have asked for help in probably a similar way that you have, but in this particular case, I believe that we're talking about a new facility and what that need is. We have so much information that is at our fingertips and I'm wondering what else could a committee bring, a committee other than the governing body bring.

Commissioner Boley: Well, I feel that there are significant segments of the community who have not accepted the facility that was proposed, as evidenced by the November vote. This is an attempt to further discuss and consider the topics in an effort to bring general community support for the solution that we as this body decide upon, and the process. That's another question. Is it going to be a vote of this commission on the facility? Is it going to be a public vote? I don't know. These are some of the questions that I think we need to figure out too.

Commissioner Herbert: Mayor Farmer, one of the questions I have, as I understood the resolution prior to actually viewing, as I understood in our study session, this was going to be a resolution to create an ad hoc working group on the issues specifically of the police facility. As I looked at the resolution since it's been submitted, there are a

couple of areas of concern to me where I see the ad hoc group veering very far away from the police facility. For instance, B, Section 2B consider assumptions made related to staffing needs. When you're talking staffing needs, are we asking an ad hoc working group to discuss issues related to officer pay, to officer benefits, to number of employees? Is this what we're tasking this group to do with Section B there?

Commissioner Boley: Well, part of the benchmark survey showed that Lawrence is spending less than the median benchmark community on police. We have resources that we need to try to utilize to the best possible way to achieve community public safety. The facilities we have now are inadequate. We know that. We need to find a solution for that, and this is a draft. If there are other ways to say this or other ideas on how to consider this problem and achieve a solution that can be generally accepted by the community, that's my goal. If there's another way to do it, I'm happy to do it.

Commissioner Herbert: I hate to break it down to like a yes/no but, yes or no, would you see this ad hoc working group dealing with issues outside of the frame of a police facility?

Commissioner Boley: Well, I think there are a lot of questions that go into a police facility, yes.

Commissioner Herbert: Anything beyond police facility? Well, let me phrase it another way. If tonight, we declare we're scrapping the facility, it's never happening. Will this working group...

Commissioner Boley: You can do that, I'm not doing that.

Commissioner Herbert: I'm trying to get hypothetical here because you're not giving me yes or no. If the police facility were not even on the table, if we were not building a new police facility, or counterpoint, if we had already built, let's imagine we already built the police facility, would this group have a purpose as you envision?

Commissioner Boley: No. I mean we are faced with the problem that was left by the failed November vote. We need to figure a solution to that. I'm trying to get to that point where we get to that solution.

Commissioner Herbert: If the facility is the only concern this group is working on, is there a need for Section 2B and Section 2E?

Commissioner Boley: What resources are available to public safety for the community? How much of that should go to facilities? How much of that should go to staffing? These are questions that the public needs to understand that we're considering. Resources are a huge issue for this community. We just were in a study session where we're learning of more about the limits of our resources. Public safety is incredibly important for our

community. For our community to be what we want it to be, we have to have good public safety. I understand that there are challenges in recruiting and retaining police officers. We need to meet those challenges. I'm interested in doing that, and again, if there's a better way to do this, I'm open.

Commissioner Herbert: Mayor, are we taking just questions at this point or are we taking comment?

Mayor Farmer: We're going to take some public comment as soon as you're all ready to move forward.

Commissioner Amyx: Just one other question. Commissioner, if we were looking at this group, the ad hoc committee deciding location, a funding mechanism and maybe a program to sell off unused property that we have to help lower the cost of whatever the facilities are going to look like, what it's going to cost, is that appropriate to have this committee do?

Commissioner Boley: I think they can look at that stuff.

Commissioner Amyx: Look at that or only that?

Commissioner Boley: I think there were issues that came out in the listing sessions that we have not addressed about how we will configure, approve this facility as it's built. This is an attempt to bring the folks that had those concerns and say, "We heard what you said. This is an answer to those concerns." I'm interested in a solution. The facilities are inadequate. We're charged with figuring it out. I'm a new commissioner. I've got concerns about resources and I'm asking for some help.

Commissioner Herbert: To what level are we bound by the recommendations of this group?

Commissioner Boley: Not at all. We are the decision makers.

Commissioner Herbert: This is a question more for perhaps the City Manager. Feel free to chime in if anyone else knows. When it comes to expenditures on public safety issues, be it fire stations, be it water treatment facilities, anything that you could lump into public safety, is there any historical precedent for the use of an ad hoc group in making those expenditure decisions?

Diane Stoddard:
Interim City Manager: Not in my history that I'm aware of, Commissioner, but there're others that may have some more history than I do.

Commissioner Amyx: Not that I'm aware of.

Diane Stoddard:
Interim City Manager: I think usually, consultants are involved in technical facilities as well as staff is typically how those would come to the

commission.

Casey Toomay:
Assistant City Manager

This is something that may not be directly related but at one point, the Alcohol Board that existed before the Social Service Funding Advisory Board that looked at how to allocate those alcohol dollars, we did look at the idea of using those dollars for the school resource officers at one point. That was part of their materials that they reviewed. When that board went away, that money for those school resource officers was allocated off the top and then the remainder of those funds was considered by the Social Service Advisory Board, so kind of indirectly a board opining on how to allocate some resources.

Commissioner Amyx:

Commissioner, again I guess one of the big concerns that I have here is that you see this committee being involved with questions about the operations of the police department.

Commissioner Boley:

I think that operations are further than we want to go with this, to the extent that the community raised questions about operations in listening sessions. We should probably answer and if we have the resource to do that, we can do that.

Commissioner Herbert:

At the point in which we give them a voice over staffing, don't we automatically give them a voice over operating. I don't think we can remove operations, operational input if we allow Section 2 Part B. That inherently directly affects operations, right? If I give Chief Khatib 50 less officers, that's going to directly impact his operational capacity, right?

Commissioner Boley:

If you look at the consultant's report, I'm not sure that it showed what efficiencies the combined facility would provide that might have an impact on staffing. Maybe it did and maybe I missed it, but that's the kind of thing I would think the staffing questions would be about.

Mayor Farmer:

I know you'd spoken at the first one. I don't know if you were at the second one, but you were there at the listening sessions. I basically wrote down a word for word transcript of both listening sessions and I just was reviewing it today and I'm reviewing it again now. What is it that you remembered here?

Commissioner Boley:

There were questions about one facility, two facilities. There were questions about are there opportunities to share resources with other government entities. That's what I'm thinking of.

Mayor Farmer:

Any other questions for Commissioner Boley?

Commissioner Herbert:
Mayor Farmer:

No.

All right. We don't have a shot clock anymore. However, please be mindful of the fact that many of you are here to speak tonight and we want to give everybody an opportunity to do so about

this issue, so please be mindful of that and try to keep your comments brief, if that's in fact doable. Public comment's open about this issue.

John Ross:
Business Owner
Lawrence Kansas

Mayor, Vice Mayor, other Commissioners, thank you for your service. I appreciate you taking the time to revisit this decision. You have the opportunity to change a decades-old tradition. You can change the tradition of kicking the can down the road. Commissioner Boley, with all due respect, that's what I hear from your proposal. It has been kicked down the road. I was fortunate enough to participate in the third class of the Lawrence Police Department Citizens Academy back in 1993. My wife was in the fourth class in 1994. At that time, we needed new facilities. We've needed new facilities for well over 20 years now. Previous commissions have kicked this can down the road and kicked the can down the road and kicked that can down the road, yet the distinct opportunity to take the action necessary to show some genuine leadership. There had been numerous band aid solutions that have brought us to our current situation. This has been studied numerous times. Our police chief has brought this issue before the public but was voted down, not because this was not needed, simply because of dissatisfaction with the previous Commission. There are numerous viable solutions that have been presented that are viable still today. Make a decision to move forward. You have a police chief who has studied the issue at enormous depth. He's your expert on the law enforcement needs of this community, and he has laid everything out. Please get behind your police chief, your expert, your law enforcement professional, and build this facility. Figure out the funding mechanisms and please make this happen. Thank you very much.

Mayor Farmer:

Thank you, Mr. Ross. Other public comment?

Less Hanna:

My name's Les Hanna. I've lived in Lawrence since 1973 and when I was working, much of it was as a consultant working on facilities planning long range. I'd be very interested indeed in this question of what to do for the police. It may sound strange to say that Lawrence, since 1973, Lawrence has grown at 2% a year compounded. It doesn't sound very much, but it means going from 45,000 people to over 100,000 as we are now. It looks as if regardless of whether we have depressions or whatever, that Lawrence is going to continue growing and probably at the same rate. That means that if we consider, say 100,000 people now and go to 2015, 2030 would only be 15 years ahead and that would take us to 130,000 and so we will continue to grow at an increasing rate. I think that's been proved by what's happening with a city the size of Kansas City. The important thing to me is that the number of police that we have, I don't know the exact figures that we've gone through but I would say it probably has stayed fairly stable in relation to the number

of population in this city, and so our needs for police will increase, taking into account all the new developments of technology and everything else, the need for the police at all levels will continue to grow at probably the same kind of rate that it's been growing and we have not kept up with our facilities for that. I think the first plan that came up, the idea of the 45 acres up on the north side across from the card company was an excellent idea. One of the things we should look at is having one main central base planned for 5, 10, 15, 20, 25 years out into the future, not building it at once, but having the availability to build and then expand that building in relation to the growth that we would need. That doesn't mean that if we had one central place as our headquarters that we can't have precincts in different parts of this city, but this is all for the future. The important thing to me is for heaven's sake, keep in mind that we are growing and that we will need. Don't just work on the basis of what we need now and then look 5 years ahead or even 10 years ahead. You've got to look 15, 20, 25 years ahead. Otherwise, we're going to be facing this all over again with the problem of how to fund things and so on. I would strongly recommend that we take a long-term look at this and whatever the commission decides to do, if I could be of any help in any way, I'd be happy to do it. Thank you very much.

Mayor Farmer:

Thank you, Mr. Hanna. Other public comment?

Ted Boyle:
North Lawrence
Improvement Association

I like to refresh your memory on the last November vote. I think we had about 16% of the registered voters in Lawrence, Kansas. I believe there're a little over 60,000 registered voters in Lawrence, Kansas and only 16% showed up. That doesn't make me very proud. It doesn't make me very proud at all. Most of the deal on this police facility, what I heard was the public was dissatisfied with the commission at that time, certainly commissioners. That was a rec center that caused that. I was here at the first commission meeting after the election, and I can remember people getting up here and saying, "I believe that we need a police facility." We need a police facility. Then in the second wind, they go, "Didn't know how to get the commission's attention except to vote against the police facility." The research on the police facility has been done by experts. I don't know what this ad hoc group, the insurance commissioner and that type of thing, she's probably pretty good at what she does but I don't think she's worth a darn for planning a police department, police facilities. I think this ad hoc group is just a waste of time, and today, time is money. A good example of that is the North Lawrence Pump.

Mayor Farmer:
Ted Boyle:
North Lawrence
Improvement Association

There it is.
You know I was going to throw that in there.

Mayor Farmer:

Thank you, Mr. Boyle, have a wonderful evening.

Ted Boyle:
North Lawrence
Improvement Association

No, I'm not done, man, but it's a deal that we need to get serious about this police facility. The way it was going to be financed the last time through that sales tax, I mean people wouldn't even have noticed that amount of sales tax for that period of time and the sunset 7 or 8 years. I think that the community shot themselves in the foot and I don't think enough people got out and voted and they voted for the wrong reason. That's a pretty serious deal when the people think that they know that they need this facility but they need to get the attention of the commissioner, certain individuals, that they have to vote no, and was only defeated by 4%. That was around, somewhere around 500 people, 500 or 600 people, 4%, and I think with a little more education, that sales tax would have passed today, and we definitely need this facility. I think Mayor Farmer has probably got the best way to fund it since people don't want to do a sales tax. They don't want to do a property tax and we don't have a money tree out back, we need to cut something else, some parks and rec, some road projects and because the police facility is community safety and welfare and that should be the priority. If we delay a few projects for 2 or 3 years down the road to get this police facility, that's what we need to do, and I believe the information that is compiled from last year on this police facility, the new Commissioners, need to read it and you need to evaluate it because I don't think the insurance commissioner knows any more than you or you or you. You need to grab a hold of that hand rail and make a decision and accept the responsibility that you were voted in this office to do. Thank you.

Mayor Farmer:

Thank you, Mr. Boyle. Other public comment?

Harry Harrington:

Good evening and thank you for allowing us to give a public comment on this important matter. I'm a long time Lawrence resident. I'd like to thank you again for looking back into this. This is a very important issue. As a matter of fact, the real issue before the commission is in properly equipping the Lawrence Police Department to be effectively serving the citizens of this community. I'm going to have to take issue with Resolution 7122. I think what that does, as Mr. Ross stated earlier is kick the issue down the road. This is an issue that you need to address. It's been in front of you numerous times. I've had the opportunity to visit the current Lawrence police facilities on numerous occasions and I can attest that they do not provide the adequate environment that the citizens of this city deserve in the protection of their children and their businesses. The chief of police has provided you an assessment of the situation and the obvious deficiencies that will continue to hinder the department's ability to provide the level of service that is expected within this community. These deficiencies will obviously continue to grow

as this community continues to grow. Providing an appropriate police facility is the single most important decision you will make and the most invaluable investment that can be made to adequately secure the safety and welfare of the citizens and the businesses of Lawrence, Kansas. I beg you to take this matter seriously and timely. Pushing it down the road is going to cause us issues. Thank you.

Mayor Farmer:

Thank you, Mr. Harrington.

Joe Casad:

I'm a lifelong Lawrence resident. Like many of you here, I remember when you built that jail and that police headquarters. I totally agree with those who say it's inadequate for where our city is now. I remember how big our city was back then and then it's a lot bigger now with a lot more people and a lot of new problems. Having said that, I do want to ask what do we do now, how do we get that new police facility? As far as I can tell, this proposal doesn't kick the can down the road. The voters kicked the can off the road in the last election. You need to pick up the can and take it someplace. It's your job to figure out how to build consensus on this issue. I am sorry. I regret that it wasn't voted for and that the Rock Chalk facility was definitely confusing and annoying voters at the time. I will say nevertheless though that it sort of undervalues the Lawrence voter to assume that they would vote down a police station simply because they don't like a recreation center. I think there might be more to it. I think there might be more that needs to be done to build consensus around this issue and I believe that that is probably part of the solution. I've been around here a long time. No bond issue in this town is a sure thing. Anybody that puts something on up to the voters has got to do everything they can to see it gets passed. I've seen school bonds voted down. I've seen parks voted down. I've seen public buildings voted down. It happens all the time, and the best thing you can do is start a dialogue, an ongoing discussion that will bring voters into the discussion and address the needs. Somebody covering, talking about these issues in a public way that's covered in the press, that goes on to blogs, that appears on the journal world site, a discussion that continues, that's the sharing of ideas, that's how we build a consensus that would, I believe, lead to success. We do have to get more than 16% of the people to the polls. How do we get them to the polls? We get them interested. If this goes on the ballot again, you're going to want to remember that you took every possible step, make every possible action to provide the public with a thorough and vigorous explanation for why this project is needed. You'll want to remember that you made every effort to build a partnership that will lead to a strong consensus for passage of a new police station, something like this group that caused that discussion. If you want to vote against this group, say to the public here tonight what you're going to do to cause this public discussion that will lead to a consensus and

get us the new police station that we need so badly. Your job is to move forward with the strongest and broadest possible coalition. I hope you consider that carefully and support this resolution or provide an alternative that has the same effect. Thank you very much.

Mayor Farmer:

Thank you, Mr. Casad.

Kevin O'Malley:

Hello, Mayor and Vice Mayor and Commissioners. I appreciate you giving us the opportunity to talk here today. I live at 130 Wilderness Way and I was a member of the Citizens Academy where I got a detailed and a back office look into the department. One of the reasons I'm interested in the police work is I have a cousin that is married to or was married to a police officer in Atchison, Kansas, and he was ambushed and murdered in December of 2011. Mayor, Mrs. Vice Mayor and Commissioners, police officers, it's not easy and the facility and the resources that we give this department is lacking, woefully lacking. Lawrence deserves better. We put it out there to a vote and I was on the committee, Friends of the Lawrence Police, and we worked hard. We raised a lot of money but we didn't win, but it wasn't because the police officers and it wasn't because of our department. The issues and the rationale of the defeat have already been presented this evening. Now is not the time to form an ad hoc committee, and Commissioner Boley, I apologize for my feelings but I think you're headed down the wrong road. We've had so many town hall discussions on this very issue, so for the public to say we haven't had input is a public that doesn't want to get involved and get their hands dirty and get scuffed up a little bit and come forward and present your ideas. If we have a committee put together, it should be a committee that has one objective in mind and that is how do we build this facility? How do we fund it? Do we sell property that Lawrence owns, the vacant lands, should we sell that to help offset the cost? The longer this issue goes, the more expensive it's going to get. I was on the committee that actually looked through the proposals that the architects were bringing forward. Chief Khatib asked me to serve on it and I was glad to do it. This isn't just some pie in the sky program that we put forward. It's a solid program that is exactly what we need to be doing. The police department, the men and women that work for us everyday actually went door to door for our committee begging for votes. How many city employees have to go, beg for resources to be spent so that they can do their job and help protect our community? There's no other department, within city government, that touches every citizen, every visitor and helps economic development by the police department. People want to say, "Well, a police department should have a vehicle that protects our officers when they go into a confrontation." That is very short-lived. Just look around the world what we're seeing today. We're not Ferguson. We're not Baltimore. We're

Lawrence, Kansas. If you want to take a look at how the Lawrence Police Department treats our citizens and our visitors, go back to the last Final Four celebration on Mass Street. Did we have any looting going on? Did we have any broken windows? We didn't. That is a direct correlation between the respects that our department gives people that are celebrating down in Mass Street. I think it's time, guys, and I think this resolution's a step in the wrong direction and it's up to you guys to figure out how we're going to pay for it. Thank you very much for your time.

Commissioner Boley: I have a question for Mr. O'Malley.

Mayor Farmer: Okay, Mr. O'Malley, thank you for your comments. Commissioner Boley has a question.

Kevin O'Malley: Yes, sir?

Commissioner Boley: Would you support a property tax increase to fund this facility?

Kevin O'Malley: Well, when you look at what's going on with the state, Commissioner Boley, I don't know. I thought that the fairest way to do it was through sales tax. I really did, but now you look at what the state's thinking about doing or what the governor's thinking about doing, it throws it in a loop. Property taxes, I can attest to that. My company pays a lot of property taxes in this community. We have an operation in St. John, Missouri, and property taxes here are 2.5 times what they are in St. John, Missouri. My brother lives in St. John, Missouri and I'm the lucky one living here so I'm not complaining about the amenities we have here in Lawrence, but I will tell you that property taxes are high here.

Commissioner Boley: Would you support a property tax increase to fund this facility?

Kevin O'Malley: No, sir. I wouldn't. Not at this time.

Commissioner Boley: Thank you.

Kevin O'Malley: Any other questions? Ask me something easy.

Mayor Farmer: Do you envy the Missouri governor more than ours? Thank you, Mr. O'Malley. Other public comment please?

Mary Beth Bialek: Good evening, everyone. Thank you, Mayor, commissioners for listening to us one more time about a new police facility. I've been a resident here for 30-plus years. I also attended one of the very, very first Citizens Academies. I'm a member of Lawrence Police Foundation, The Valor Program and a former Crimestoppers member. I also am the mother of a 24-year member - well he's a Lawrence police officer, and in the next 2

years, there's going to be 20-plus officers that will be eligible for retirement, including my son. Yes indeed, these officers have to be replaced, but will new police applicants even want to consider Lawrence Police Department with the present working conditions of cramped workspace, leaky roofs, moldy buildings and it goes on and on. I think you all realize that because I think you've all taken the police facility tours. At least I hope you all have, and have seen the conditions of what our police officers are dealing with every day. While the possibility of a police facility has attracted some support, efforts to convince current commissioners and other Lawrence leaders to advance this effort continues to fall on deaf ears, especially since 2011 when Chief Khatib requested a facility needs assessment, and then the following May, I believe, he presented it to the commission, and then how many more meetings and presentations and tours went on after that. How many more meetings or time, discussion, money is going to be spent getting this extremely important project done? My bottom line question, would you as commissioners rather seek to provide an adequate police department so they can protect and serve our wonderful Lawrence community here or would you rather put funds into more parks and recreation and roundabouts? Thank you.

Mayor Farmer:

Thank you, Miss Bialek. Other public comment?

Paul Carter:

This is a great community. We have a long, pretty much undisputed history I think of being the kind of community that has really high aspirations for what kind of place this is to live and what kind of services we get, and as far as I can tell, we also have a very long history of approving facilities that are judged by the people of Lawrence to be critical to making it the kind of community that we want it to be. The evidence in this particular situation I think, it seems to me is overwhelming of the community's support for the police department and the need for a facility. The vote itself was close. I attended one of the outreach or the community fora. The vast majority of speakers spoke against the process but in favor of the facility. I read the letters to the editor, a lot of concern about the process and so forth, a lot of support for the police department and recognition that they need better facilities, but a facility is not the issue. The issue here is this facility and there's a lot of evidence that the people of Lawrence are very dissatisfied with this particular proposal and I'll highlight two screaming loud data points. First is, last November, this very proposal came to a vote and lost. Second, in April, the only two incumbent commissioners who were up for reelection, against all odds, relatively unprecedented in Lawrence, lost. On the two occasions where the people of Lawrence, not just people who show up at events like this but the people of Lawrence, have had the opportunity to speak to this facility, it's lost. Why did these commissioners, what was it about the commissioners that caused them to lose?

I don't know, but we know them. They're our friends, our co-citizens. It wasn't their personalities. I'm inclined to believe that the reason the commissioners lost was because of the way they acted, the process that they employed that led to this particular facility being put on the ballot. We have a new commission and the question for you all is what do you do? I would respectfully suggest that a part of that answer, the easy part of the answer is don't just do what the last commission did in pushing this particular facility proposal that has already been voted down forward without any change or any explicit efforts to understand and act upon the very decisive demonstrated dissatisfaction of the people of Lawrence with this particular facility. I think the issue here is confidence. It's confidence. It's my own interpretation, confidence of the people of Lawrence around this facility. I think the sense is it's too expensive. The location may be an issue but there's this lack of confidence that this is the best that we can do in trying to meet the needs of this community to satisfy the requirements of our excellent police force and move our overall community forward in a way that's affordable. My advice to the commission would be, as you think about what you do now, don't just kick the can down the road. Solve the problem but do so in a way that builds the confidence of the people in Lawrence that we are in fact finding the right facility solution that we can afford, that truly does meet the needs of the police department and that we're doing so with a process that compliments all of you. Now, Commissioner Boley suggested one particular way to build that confidence and address that, the ad hoc committee. I was suggested as one of the potential members of that. I tell you, I don't know that the ad hoc committee, echoing what the two speakers ago said, I can't say with confidence the ad hoc committee is the best answer. There are other alternatives, as Commissioner Boley said today. There are other ways to go about building confidence. What I would strongly advise is that you think deeply about what is required here, recognize the limitations in the current facility proposal and the skepticism about the processes by which these come to pass and do what you have to do to find the best way to build confidence with the people in Lawrence that you have found a facility solution that helps us build the excellent police department that we have and require in a way that satisfies the confidence for the people of the City of Lawrence. Thank you.

Mayor Farmer:

Thank you, Mr. Carter. Other public comment?

Mike McAtee:
Chairman of the
Lawrence Police
Officer's Association

Good evening, Mayor, Vice Mayor and City I'm here tonight speaking on their behalf and I am very humble that we have these officers that are concerned and their family members that are here tonight. We've been closely following the discussion surrounding the police department's needs to replace outdated, cramped, unsafe structures which we presently call

home. Our members have expressed concern about the current proposed resolution. In front of you this evening is a draft resolution that reportedly intends to set up a committee to investigate the "committee needs for police facilities". The title given to this committee is in and of itself especially frustrating to our members. Chief Khatib and retired Chief Olin before him have stood in front of this body countless times and spoken of the credible needs of the Lawrence Police Department. Commission after commission has kicked the can down the road with proposed band aid while passing the ultimate responsibility onto the next commission. The need for a new police facility has been studied and studied and studied again. All the studies reveal the same thing. The police department's facilities are inadequate, unsafe, in a desperate need of replacement. The ability to renovate current facilities has been studied and rightfully dismissed as wasteful. Take for example the Kansas City, Missouri Police Department. They had budgeted \$24 million to \$28 million to renovate their existing headquarters. By the time their project was completed in November of 2014, the final building was over \$70 million. KCMO City Architect Eric Bosch said the following about the project's cost overruns to the Kansas City Star, "The original budget contemplated a partial renovation rather than complete building modernization. As design got underway, planners realized the project scope could not fix the building's deficiencies." In fact, many of the complaints about the KCMO headquarters are eerily similar to what's going on right here in our community. Working conditions were cluttered and outdated and, "it was embarrassing and depressing to bring victims, witnesses and visitors into the building." Sound familiar, doesn't it? Renovation worked for Kansas City, albeit at a high price. They did not have a choice. Their headquarters is located in the middle of a major metropolitan city. Lawrence has a choice. Numerous studies have shown in the past, renovation is likely to be a more expensive option over new construction and does not address any of the consolidation needs. Most of our members are residents of this city. We want the city to be good stewards of our money, just like any other paying, taxpaying citizen, and we feel strongly that renovating existing facilities is a bad investment and is merely chasing bad money with good money. Please do not waste more time and tax dollars studying the studies. Our membership has heard over and over again, anytime anyone tours our facilities, "Wow, I didn't realize it was this bad." Unfortunately, it's all too evident to us how bad it really is. We see it every single day we come to work. The public sees it anytime they have come to the police station to fill out a report, assuming they go to the correct facility. Applicants see it too, when they come during hiring process, which brings me to my next point, recruitment. Qualified applicant numbers are down across the board for law enforcement. It used to be you didn't have enough open positions for all the applicants you wanted to

hire. Now we have to find other agencies to hire the most qualified candidates. We are competing for recruits with Topeka, Overland Park, Lenexa, Kansas City, Kansas and Olathe, to name a few cities. They have a leg up when it comes to providing their employees with modern, safe and efficient facilities with which to operate. We should be doing everything humanly possible to recruit and retain the best employees possible for our police force. The community deserves no less. Our members have been asked, "Which would you rather have, more officers and detectives, equitable pay, or new facility?" That is like asking, "Do you want the ball and chain on your left foot or your right foot?" We need quality officers and detectives paid at a competitive rate, with the right equipment, training and facilities to do their job. We have heard the question, "What is the rush?" In 1993, the Lawrence City Commission purchased land in preparation for a new police facility to be built in 2000. However, it is now 2015, and now the idea, to form a committee to study it some more. Past commissions have addressed numerous needs and/or wants on many other areas within the city; waste water treatment, fire and medical buildings, the library, recreation centers, transportation and streets, just to name a few. In the last 10 years, the commission has approved a \$70 million waste water treatment facility, built fire facilities, built streets, built rec centers, all without the creation of an ad hoc committee. It may be politically popular at the moment nationally to criticize the police, to question our integrity, to cast unfair projections of other people who go out every day to serve your community, our community. A vast majority of the citizens of the city support us, as evident tonight. It is disingenuous to see a committee to be put together to "review any other appropriate topic", including the police department and immediately appoint six individuals, which appear to have their own personal agendas in regards to law enforcement. The statement, "Additionally, it would be appropriate for the representatives from the groups that will be working on advocacy for the police facility to be represented as well", seems to be thrown in as an afterthought. It would appear on the face that the ad hoc committee is using the pretext of the study of a police facility to push a political agenda. In closing, numerous studies have already been commissioned and completed on this topic. The information has been and is available on the city's website for all to see. We cannot imagine why you would want to acquiesce to an ad hoc committee which has no formal training, practical experience and/or knowledge on how to design or build a police facility. You have all the necessary information to make a sound decision to move forward on the needs of the department's facilities. The citizens of Lawrence, the great men and women of Lawrence Police Officers Association don't want or need an "ad hoc committee". We already have a committee. It's called the Lawrence City Commission. Thank you for your time and your service.

Commissioner Boley:	I have questions for Mr. McAtee.
Mayor Farmer:	Mr. McAtee, Commissioner Boley has a question.
Commissioner Boley:	Would your membership support property tax increase to fund this facility?
Mike McAtee: Chairman of the Lawrence Police Officer's Association	Our members would support taxpayers that the city has to review all its different ways of funding. I think it's a disingenuous argument to pick out one way because we all know that the city's budget is \$195 million and there's a 100 different ways to skin the cat. I think it is your job, and as the commissioner that has been elected, to find out a way to do.
Commissioner Boley:	Would your membership support property tax increase to fund this facility?
Mike McAtee: Chairman of the Lawrence Police Officer's Association	I would say that our members support the city commission. We expect and want you all to make the decision. Thank you.
Mayor Farmer:	Other public comment?
Brian Kingsley:	I'll be brief and I'll start out by saying I'm not here to attack anybody so everybody can sit back and relax. I'm a local business owner and an engineering architectural surveying and mechanical/electrical/plumbing design firm. I also like to point out we're not working on this project. We haven't worked on the planning on this project, my company. I have a personal interest in supporting Lawrence Police, and that's why I'm here tonight. I did address the commission prior to the sales tax ballot issue and I guess the observation that I'd make there is that those of us that were directly involved and were keeping track of things, there was a lot of discussion afterwards and the majority of what we heard was that the lack of support was for the sales tax, not for the facility. I think that the majority, if they were represented, I believe that's a fair comment at least in my opinion. Tonight, what I want to do is bring some of my engineering to the table and try to help you make an informed decision here, at least one that you can understand what's going on with the economy and the cost of construction right now, and made the observation back prior to the sales tax ballot that the cost of construction was increasing. The United States went through the recession in 2007/2008. That resulted in the cost of construction cost index decreasing, peaked out somewhere late in 2009/2010, about 12% lower than what it had been on a high. Basically, the cost of construction went down on average 12%. As an engineer, I saw some projects decrease as much as 40% for utility projects that were high in labor. People just want to keep their people

employed and keep their doors open. Even that started to fall off, and then materials-driven projects, which I would like more to a building, road construction buildings was more like a 20% decrease rather than a 40%. It wasn't really labor driven. I guess my point is there's a built in cost savings in doing a project, especially back in that 2009/2010 time period. Engineers and architects use a construction cost index as a way to help understand where construction costs is going and what's happening. I've pulled some numbers and these are Google-friendly. They're really easy to get to. I've got copies of what I've referenced in here, but the Engineering News Record, the ENR, keeps track of a construction cost index. So far this year, it's gone up 2.6%. We're in an inflating economy. The cost of construction is getting more expensive, and if you think about, I guess sometimes I try to illustrate, if you think about the stock market and you think about a linear trend, we were way below the linear trend. Inflation is going to drive it way above the linear trend in the coming years before it corrects itself and comes back down. I'm not going to get too far into that. I got off engineering there for just a minute. My crystal ball says that inflation is going to happen at a higher rate. Building something sooner rather than later is in the community's best interest, as long as the need's there. I think the need has been documented. I think there had even been some comments tonight that we all agree, we have a need. Additional study incrementally, you have professionals that deal with staff and they develop a plan and I think that's the standard in the industry. Incrementally, sooner or later you start tearing apart the pieces and the significant change becomes less than, especially in an inflating economy, what you potentially save. At some point, I think we need to move forward. I think that that point has probably actually passed. You guys, I don't envy your seat or the decisions that you have to make but I guess I would just encourage you to take that all into consideration when you make this decision about a facility that I think our community needs. Thank you for your time.

Mayor Farmer:

Thank you, Mr. Kingsley. Other public comment?

Commissioner Herbert:

Can I ask a question?

Mayor Farmer:

You can.

Commissioner Herbert:

Mr. Kingsley, you say we're looking at a 2.6% increase in construction costs, is that correct?

Brian Kingsley:

The construction cost index has gone up 2.6% this year so far.

Commissioner Herbert:

This might be an oversimplification, but effectively, could I take a project in June of 2015 and if I delay it to June of 2016, assuming that your numbers are accurate, can I add 2.6% to

that cost?

Brian Kingsley:

It could be potentially a lot more. If you look at the historical data, the construction cost index in 2006 rose 10.6%. So far this year we're at 2.6%, so now couple that with local economics. It's all relative. If you get contractors that aren't busy, you create bids and there's nothing about the construction cost index that directly correlates to a bid letting, but generally, my message is construction costs are rising so delaying the project years is going to compound.

Commissioner Herbert:

In your expert analysis, you have more expertise in construction costs than I do so I'm going to call it that, would a 2.6% increase be probably low compared to what we can actually expect it to be?

Brian Kingsley:

My crystal ball, I believe it's low. I think that we're in an inflating economy and that's been the trend since.

Commissioner Herbert:

Would you be willing to project an actual percentage increase for a 1-year delay?

Brian Kingsley:

I need to look at it in more detail. There is a trend since 2009/2010 at the bottom. There's been a fairly linear trim. I do think though that at any time, that's got the potential to increase, because what's happened is you're going to come out of this recession and people are going to start building projects again but there's fewer contractors, there's fewer labor. Contractors that took equipment depreciation, they have a backhoe; they took the equipment depreciation out so that they could be successful and get the bids. Their bid is artificially low. You start throwing all those things back in with a lot of projects, this year we have some projects that are actually - we're planning on bidding them but don't believe that there's enough contractors in Kansas to build all the road construction that's going on right now. We'll probably have to re-bid next year. Obviously, the price is going to go way up just because of the local geographic area. If we don't have a big enough road project to pull somebody in from a regional perspective, then you either build it at a really, really high cost or you wait until next year. I hope that kind of illustrates it.

Commissioner Herbert:

It does, and you may not be willing to answer this question and if you're not willing to, that's totally fine. I'm probably getting a little too intrusive, but in a world where your company was bidding this project, which I realize your preface to your speech was, "I'm not involved in this. I'm just a guy supporting Lawrence Police Department." In a world where your company was building this project, knowing that the original proposal was \$26.2 million, a year ago, what are you bidding for that project right now?

Brian Kingsley:

I believe that that project would have a contingency in it, and what's going to happen is typically, projects are bid with a base bid and then they have alternates, sort of want and needs long term, how far can we go? I would imagine that they'll end up with a base bid that they know that they can award based on the current economy, and then they're going to have alternates that they can add on and make some decisions on exactly how much space is finished out and so forth based on the bids. If bids come in really good, you have a contractor that wasn't busy, you beat the average. It might make sense to build a lot now. Busy contractors, your bid comes in really high, you may not get all the areas for the future necessarily finished off.

Commissioner Herbert:

Okay thank you.

Mayor Farmer:

Other public comment?

Jerry Harper:

Thank you for giving us this opportunity to talk about this. I do want to say that I'm here on my own nickel. I don't represent anybody but me. I used to practice law in the criminal law area. I used to be a prosecutor. I don't do any of those things. I haven't for a long time so I don't have any biases one way or the other. I think that the position that I'm going to argue for, which is that there's decisions, such as this, ought to be made after a rigorous examination of all the options, is a position that's shared by a lot of people in the community. Elections matter. That point's been made. I think among the lessons learned from the last election is that voters do not approve of the type of decision making that characterized the Rock Chalk Park episode, with the exception of the mayor, who I suspect was glad he wasn't on the ballot in April, those who voted for the Rock Chalk procedure aren't here at all. That's why I find it so difficult to understand why there is any opposition to really taking a careful objective look at our existing public safety regime for spending dollars, tax dollars that have become increasingly and increasingly scarce or taking money from other essential City services to fund this particular project. I think you'd want all the friends you can get and if this project is necessary as everyone believes it is then I certainly believe that. I can't imagine that an ad hoc committee would come to a different decision. I actually have done a little looking online. This is not the first community to reject a project on this. They tried to refine what they'd done before, come up with something that they thought they could sell to the public. I've lived in this community for close to 40 years. I can remember a few occasions when things have gone down to defeat, but mostly I remember things being approved by the voters in this town if you present them with a well thought out proposal, and I think that's what you want to do again. I don't know where you're going to get the money to do it. Before the legislature gets out of

town, I believe they're going to chop the budget and pass those costs onto you or they're going to raise sales tax. If they're raising sales tax, that's going to put us in this community close to 10%. In those strip malls where you allow the owners to tax the public, that would put you over 10% so you're looking at property tax, and if you're going to do this, you're going to have to make the case. Why wouldn't you look at all the options for a police facility instead of one proposed by a firm that stands to make \$2 million to \$3 million in architectural fees if you go to this option, especially when there are feasible alternatives? I agree that there's a need for a facility, unfortunately part of that need is because prior city commissions have deferred maintenance. We've almost had demolition by neglect in the public sector on some of these projects. I'm aware of at least four different studies. In 1998, Gould Evans did a study and said we needed 34,000 square feet of space. If you use the same logic that the Wilson project used, that would translate to about 40,000 square feet today, which coincidentally is just about the number of feet in space that's available at Wakarusa and Bob Billings even though 20,000 feet of it hasn't ever been used. In the summer of 2012, another group of experts, I'm sorry I don't know the name, said we needed around 40,000 square feet of space. Then Wilson here came along and said we needed 78,000 feet and the city commission thought so much of that study that they immediately told him to reduce it and so they cut it back to 65,000 square feet. The chief 3 or 4 years ago said that what he needed, using what he called national standards, was 16,500 square feet for each 50 officers. That was his expertise. That put you in about 40,000 square feet again. There's a real question of which study you believe and that determines the size of the building and that determines the cost of the building using the 16,500 square feet for 50 officers, you end up around 37,500 square feet. You've got figures that go from 37,500 up to 78,000. I'm not certain we can accomplish much with these studies and I think the reason why is that when you hire experts, no matter how objective they try to be, they have a financial interest in coming up with large facilities. You're just not going to have objective information. I'm sorry that's the way it is. I've practiced law for 35 years and you can always find an expert to say whatever you want them to say, if you pay them enough. Who's right? That's the best reason I could think of for having a committee look at this, and I think that committee needs to have money for some outside staff. I don't think the city staff should staff it. I don't think the police department should staff it. I think you ought to bring in experts who are here to do one thing and that's analyze it and you know they're not going to make 7.5% to 10% commission if they get the contract to build it. That way, you're going to get an objective opinion. What we do know is if we have a building with 40,000 square feet in it, on about a little over 4 acres and if you look at the Wilson study, that's actually one of their options was to build on 4.3 acres, so it's a big

enough size to do what needs to be done. We repurpose buildings all the time. You've had architects here before you who have told you that that can be done, and now we have a proposal for a 65,000 square foot building with enclosed parking, which is intriguing because that keeps the police department downtown where I still tend to think it ought to be. One is on the money situation. As the chamber's CEO has pointed out, our taxes are too high already. There hasn't been anybody up here that I've heard jumping up and down saying they're going to support a property tax, which is the most likely way of funding this, especially when you have a potential \$30 million jail to be built, which is going to be funded by property taxes. They've already created a public building commission to do that and if they do it, that's the way we get funded. It may be the way you want to fund yours. Lord knows what the legislature is going to do. As far as the panel, I personally think the panel should not have stakeholders on it. I don't think it should have a commissioner on it. It certainly shouldn't have me on it. I think you want some smart people. Commissioner Boley has suggested some, and there are others around. I like the idea of maybe trying to entice a retired judge into being on it. Judges spend their whole careers sorting through evidence in trying to come to a reasonable decision. I haven't talked to any of them but maybe one of them would be willing to participate and I would think a committee that came forward with a recommendation that included, that was headed by a judge would listen to. Lastly, just one other thing and I'll be quiet. The other side of this equation, ball on one leg and ball on the other, is personnel. I got into this by accident. I'm mostly retired and when you're retired and been in fights all your life, it's a living, you can get in trouble. I got to looking around and I ran across the benchmark survey and this is a program that Lawrence decided to join 5, 6, 7, 8 years ago whenever it was, so this is not something that somebody came in and just did to us. We volunteered to get into this. The chief has referred to it year in and year out as the reason that he needs more personnel, and the reason is because we don't show up very well on this benchmark survey. This benchmark survey includes towns like Columbia; Northern Oklahoma; Lincoln, Nebraska; Boulder, Colorado; all college towns like ours and it includes Johnson County. Frankly, on that survey, we end up year in and year out in the bottom 25%. We consistently are at the bottom of the barrel on crime being committed but more worse on clearances. I don't know whether more people are the answer. The benchmark survey shows we actually have about as many officers as other people too, so there maybe something else involved but I do know that the police chief asked back in 2012 for 20 new officers, 17 patrolmen and 3 sergeants and 10 civilians. How many were given to him? You, being not this particular group but the previous commissions, 7 out of the 20, and he's moved people out of the schools onto the street. We're

not doing a very good job on that. That costs money too. When the commission was getting ready to put the police headquarters on the ballot, the chief said he needed \$42 million. The rest of that money was for personnel. That commission said, "No, we're going to kick that can down the road." I don't know which is more important. I haven't found a study that says you solve crime problems by creating fancy new buildings or putting all the police in a bunker out on the edge of town. I have found studies that seem to say if you put the police in the neighborhoods, that that does help to reduce crime. It just seems to me there are tons of plans or questions. I've looked through the Wilson report. If you ever read it, read it again. It's full of innuendo. It dismisses precincts with one sentence. I don't call that an in-depth study and there are just so many questions. I think you put a group together and look at it, you're going to find you have friends in the end, and at some point, if you're going to raise taxes, I think you're going to have to have a vote on it by the public. If you're going to take money out of parks and recreation and don't fix the leak in Holcomb, where I do exercise, I'm going to be real unhappy, but there'll be people unhappy about any other areas of the city budget that you're pulling any items to. These are all important projects. Thank you for your time.

Mayor Farmer:

Thank you, Mr. Harper. Other public comment?

Michelle Derusseau:

I'd like to start by saying it saddens me that after all the months of trying to educate the community last year and the 7 months since the election, I find it very disappointing the misinformation I'm still hearing. I would love to sit here tonight, address all the issues that I heard that are not accurate, not factual but I'm going to stick to what I wrote and I apologize in advance. I'm just going to read it. I think this is really important so I don't want to leave anything out. Commissioner Boley stated that as a new commissioner, maybe an ad hoc group could help advise him on the police facility issue. He also said the people he has recommended for the ad hoc group were chosen because they're well respected members of the community. Yes, some of them are respected for offices or positions they have held while others are respected experts in their field. The issue at hand is a public safety facility and public safety facilities are different than other buildings. They're utilized 24/7, 365 days a year and are planned to serve a community for many decades. They have specific functional, security, durability, weather event survivability, material adjacency and planning needs. Codes for public safety buildings are generally higher than other buildings. They're built not only with the safety and security of law enforcement personnel in mind but the safety, security and confidentiality of the community it serves, witnesses, victims and their families and suspects. I completely agree with Commissioner Boley that this commission needs to be advised

by well-respected individuals. That being said, they should be well-respected individuals that are experts in the field of public safety design, planning and departmental needs. Wilson-Estes Police Architects have been dedicated to public safety planning since 1978. This firm came together after participating in a 4-year federal study to understand the limitations deficient facilities have on the delivery of police services. They're the only firm in the nation with an exclusive commitment to this type of project. Their professionals are not only architects but also public safety specialists. They're aware of current and emerging trends in public safety practices, which lead to the development of how facilities can respond to and reinforce those trends. Treanor Architects, a well-respected local firm committed to our community, was established in 1981. Their firm offers a professional knowledgeable staff and experience in the design of justice centers. A well-respected member of our community, Chief Khatib, who since 1992 has come up through the ranks of the Lawrence Police Department, is committed to our community. He not only understands the department and its needs but also has an understanding of the expectations of our community. Our city staff is experienced and knowledgeable on the city budget and working within a CIP. These are the well-respected experts that should be advising our commission on the matter of public safety facility needs. They're fully knowledgeable in their field of expertise and available to answer any and all questions the commission has. This ad hoc group of community members has a combined experience and working knowledge that these experts possess. I'd like to address some comments that I have heard recently. In regards to trying to convince people, engage them and answer their questions, the community has been offered numerous opportunities over the past year to have their questions answered at study sessions, commission meetings, town hall meetings, listening sessions, facility tours via email, online forums and personal meetings with the chief, commissioners and city staff. I see you've gone above and beyond. When is enough, enough? As far as the comment some people haven't agreed on the what, some people don't know the city is self-insured. They don't realize when hail or severe weather's forecast, time is wasted moving patrol cars to the parking garage so they aren't damaged. They don't know that in the event of a wintertime critical event, when every second counts, personnel could be wasting valuable time scraping their windshield. Some people don't realize that in a critical event, personnel are in a separate facility while necessary vehicles are stored in another facility and the equipment that goes into those vehicles is stored in still another facility. When seconds count, it could easily take 30 to 40 minutes to arrive at a critical event, simply because we lack a secured parking garage and personnel are running from facility to facility. Some people don't realize the police need shower facilities because they're exposed to blood, garbage, trash,

vomit, urine, spit and other nasty things, but basically, most people just don't understand the day to day operations of the police department. You can't force people to be engaged and you can't force them to listen and no matter what you do, some people are never going to agree on the what, and some people will never be convinced by the simple fact that it is the police. I'm not the only person that finds it disturbing and disrespectful that a proposal is before you to ask an ad hoc group with no law enforcement experience, to consider assumptions made related to staffing needs. I can't imagine what this proposed group does about the staffing needs of the Lawrence Police Department that the chief of police does not. In the past, Lawrence task forces have been formed for retail, the farmers' market, business retention, the cultural district, retiring attraction, and now pedestrian bicycle issues. It's perplexing and disconcerting that in regards to an issue as critical as a public safety facility, a task force had been proposed to seek the advice and opinion of a group of non-experts over the recommendations of not only local experts but also nationally recognized experts in the field. If we're going to consider these ad hoc members well respected because of their title or expertise in their field, then let's show that same measure of respect to the people who have earned the title and expertise in the field of public safety. This is not a new conversation that just started last year. It dates back to the early '90s. Finally, in 2011, the city approved a needs assessment study to be conducted. That study was presented to the commission in May 2012. Most recently, Commissioner Amyx has been participating in related study sessions and presentations since at least early 2011. Mayor Farmer had the study in front of him for the 2-plus years he has been on the commission and city staff has participated in the discussion since the beginning, as is Chief Khatib. These are the experienced, knowledgeable and well-respected individuals. Please take advantage of that knowledge. Finally, what we heard all during the campaign was don't buy land, use city-owned land and don't raise taxes. The city has land ready to go located behind Walmart. You have the experts who can advise you on working it into the CIP. A year ago, you started talking about selling excess property to help finance the project. Doing so would take some pressure off the CIP. It would give them time to review a new proposal to renovate a 25 year old building that is land and water-locked, and therefore would not allow room for future growth. It would also be fiscally irresponsible. I would hope that we have learned our lesson from the fiasco at the ITC building and the millions of taxpayer dollars that have been wasted there. We need a purpose-built facility. Years ago, when this conversation started, the estimated cost of a new facility was \$10 million. Now it's \$25.7 million and it's going to keep going up. You have the land. You have the means. You have the experts to advise you. Now is the time to act. Thank you.

Mayor Farmer:

Thank you, Ms. Derusseau. Other public comment? Anybody else want to speak to this issue? Okay back to the commission. Good information, great feedback.

Commissioner Herbert:

I'll lead off here. I need a second to take this all and this is without question, I'm not sure which speaker said it but more than one speaker brought up to this is going to be the issue that defines our commission. For some of us, we have less time than others so this is definitely going to be the issue that defines my role in the commission. When I talk to a lot of people, one group that is specifically against the police station, has said over and over again, "Are you sure this is the sword you want to fall on?", the indication there being very clearly, support of this in a lot of people's eyes is political suicide. I want to say tonight very loudly and I'm very glad that the chief of police is here in the front row so he can hear me say this, if this is the sword that I fall on, I'm happy to fall on that sword. There are four comments that I want to make. The first comment is this. The city staff hires experts to run our various departments. Chief Bradford knows more about fire response than I do. Chief Khatib knows more about law enforcement than I do. He knows more about law enforcement than former Mayor Amyx knows. He knows more about law enforcement than Mayor Farmer knows. He knows more about law enforcement than anyone who's been recommended to be part of this ad hoc group. I respect him as a professional. If we believe the direction the Lawrence Police Department is going in is wrong, then you fire the expert. If the will of the commission is that we don't trust where the Lawrence Police Department is going, then we need to replace Chief Khatib, but I don't think that's what the will of this commission believes. I don't think that's what the will of this community believes. If you look at these listening sessions that we've had in the community, very few people stand up and say, "I hate what the Lawrence Police Department has done. I hate the approach we've taken." That removes in my mind the firing Chief Khatib role or route. So then the question becomes, "Why then do we not trust his expertise? Why then do we not take what's been said? Why then do we see the need to study this further?" I totally get the idea of studying something. I get the idea of wanting to put reason behind our action, which is why we've had 151 meetings to study this issue, which is why we've solicited community input at numerous meetings for this issue. What then is my role? I'm not a law enforcement expert. Mike Amyx is not a law enforcement expert. Mayor Farmer's not a law enforcement expert. What is my role? My role is literally to serve on an ad hoc committee. You want to put together an ad hoc committee. Here it is. We hold elections in a representative democracy and we choose people to represent us, to serve as our citizen voice. That's what we are. I'm not a law enforcement professional. I'll never be a law enforcement professional but I have day to day

interactions with law enforcement personnel. I did, or maybe not day to day, to be clear on that, but before I was a city commissioner and I will after. I literally am a member of your ad hoc group that you want to form. That's what we do every Tuesday night when we sit here. We give the citizen perspective on issues that our expert professionals control within the city. As Ted Boyle said when he stood up, and Ted Boyle's got a way of saying things, he gets right to the point and I respect that. He said, "Take responsibility for your job." If I had to sum up my entire speech in five words tonight as to why I'm going to vote against the ad hoc working group, it is because of those five words; take responsibility for your job. Tonight, I'm taking responsibility for my job. My job as a city commissioner, my job is to make decisions that directly affect public safety and infrastructure of our community. This qualifies as both pretty clearly. Next point I want to make and I apologize if I'm taking so much time but I don't have a shot clock. Mr. Carter stood up and he made one incredibly good point that I think actually feeds my argument. He said, "Don't make the mistakes the previous commission made." He's right. Let's face the reality. I got elected because people were angry with the incumbents. That 16% that showed up and voted some of them voted for me and I appreciate that greatly and I truly believe a lot of them didn't do it because I'm an amazing human being. They did it because my name wasn't Bob Schumm or Terry Riordan. That's a reality, and with all due respect to the two people to my right who were part of the previous commission, mistakes were made. The problem is I disagree with Mr. Carter about what the mistake was. Here's what I think the mistake was. It was a mistake of priorities. People in this community were angry with the commissioners that sat up here because they prioritized building a \$12 million basketball court over public safety and the fact that our citizens' safety was in jeopardy. I'm not going to make that same mistake. This is a number 1 priority for me, which brings me to my next point. The question was asked several times of speakers, are you willing to raise property taxes for this? No, I'm not going to. We have \$188 million budget and I intend to fit this within that budget because it is a priority, and if stuff has to fall off the end of the table so that that can happen, if I fall on my sword because of the stuff that falls off the end of the table, so be it, but it has to happen, because I was sent here for public safety and I was sent here for infrastructure, and this is both and so it fits within our budget. The next point I want to make as we talk about Ferguson and Baltimore and we said, we all admit that Lawrence is not Ferguson or Baltimore. The reality is we are creating an environment where we promote the idea of Ferguson or Baltimore within this community every minute that we delay, because what happens is when we provide inadequate facilities and we essentially make our police department a second rate citizen, we create no environment for no good law enforcement personnel to apply to work here. What

have we seen in places like Oklahoma City, where a man mistook his Taser for a gun? What have we seen in all these instances? We see a lack of training. We see a lack of qualified personnel doing the job of policing. If you delay this further and further and further, you're creating an environment in our city where we will have the least capable officers policing our city and you will create the environment to make Lawrence Ferguson. You will create the environment to make Lawrence Baltimore. We don't have that right now, but if we keep stalling and delaying, we create that environment. The last thing I want to say and then I'll quit talking because I've taken up more time than you guys care, the question of what's the rush? Why do we have to build this today? Here's the reality. Mayor Farmer and I were 10 years old when this discussion began. We were 10 years old. My only interaction with the police department when this discussion began was they busted me for some bottle rockets. I was 10 years old. I still hold that against you, by the way. What's the rush? It's been 22 years. I'm not 10 anymore. I still have the illegal bottle rockets but what's the rush? There is no rush. This is 22 years in the making. Its 151 meetings in the making. It's however many public input sessions we've solicited, and here's the reality as Brian Kingsley pointed out, every day that you waste on this, not building the police facility that we know we are going to need in our own community, Commissioner Boley, who proposes the ad hoc group, mentions in his very first sentence tonight that he knows we need the facilities. We know we need the facilities. That's not debated. Every minute we delay, we watch as construction prices go up. I realize for me there was some concern about whether or not this 2.6% number was accurate or not but I did a little math and it's not good but I did it anyway. A year ago, and I apologize to Michelle Derusseau, she said 25.7 million. I had the wrong number when I started my calculations, I had 26.2 million so there's a few here and there numbers that are off, but a year ago, if you build it, or 2 years ago when it was proposed and proposed to go to a vote, if you build it, it's 26.2 million. If you take that with a 2.6% increase based on the 1 year we delayed because of the failed vote that jumps up to \$26.88. If you delay it an additional year, which this proposal will, because under the ad hoc group conditions, it gives them until November to bring back a report, which cuts it completely out of the 2016 budget season, if you delay another year we're now at 27.58 million. We're just adding. We're just adding and it feeds upon itself. When I first moved to Lawrence, the debate was do we want a second high school, and one of the smartest things I heard anybody said is, "Are we ever going to have a second high school in Lawrence?" Everyone in the room said, "Yeah of course. The question is should we build now?" A man stopped and I can't remember who this was because this was 20 years ago and he said, "If we're ever going to build it, then you build it now because it's not getting cheaper tomorrow." That's the

reality we're faced with. For all those reasons, I can't support this, particularly because of Section 2B and Section 2E but overall, I cannot support this.

Vice Mayor Soden:

To me, I ran on a campaign of public safety as number 1 and basically, a global review of emergency services system and I got voted number 1 for that in spite of an anti-police endorsement. I don't see this as a fearful gesture. I see this as a community building dialogue gesture that the community wants and I still hear from people that they want. I put on Facebook, it's like, "Hey, check out the Riverfront Mall." I got, last I counted, 40 comments, almost all of them positive and a lot of them saying, "Hey, 5 million, yes we have to rehab it, blah blah blah.", but it sure beats \$26 million. To me, that's something that this committee could look at. We're also looking at perhaps changing the police in terms of mental health issues. On top of that, we need to look at that. That to me goes a little beyond what I expect from the police chief to completely redo everything he's doing but I think they could help him do that. I don't see this as erasing the police chief's role in what he's doing. I see these people as helping him, because the man's time is limited. I don't see this as a negative, which people are choosing to see. I see this as a positive step in creating a community consensus for our facilities. I'm all for it.

Commissioner Boley:

I guess I'd like to go next. I'd like to respond to Matt on the question of staff and citizen involvement in issues. My background is a little different because I've spent a number of years on the Traffic Safety Commission. David Woosley is a wonderful traffic engineer. We've got great staff. There is a Traffic Safety Commission that considers issues that are brought by the citizens and it's a step before it comes to the city commission. I'd like to think that the service that I provided this community on the Traffic Safety Commission had some value, and I respect the folks who serve on advisory boards for our city on a variety of issues. I'd also like to mention, it may not be clear but the folks that I recommended have not said that they would serve. These are folks that I have a great deal of respect for. I think the community does and I think they'd be a wonderful asset. That doesn't mean the commission would ask them to serve on this but it was just some folks that I thought would be good, and I appreciate their willingness to let their names be put forward, although they did not say that they would serve. Thank you.

Commissioner Amyx:

I wrote down a few notes and this has been kind of a tough week, I want you to know that, Stuart.

Commissioner Boley:

Sorry, Mike.

Commissioner Amyx:

That's okay. I do want you to know that I appreciate the thought

and the work that you put into the resolution and your run for city commission, I know that you put a lot forward as all three of you did and the Mayor, you also in making sure that you listened and heard what the public was telling you. I got to tell you something. I've spent a lot of my adult life behind this dais. I've spent a lot of time and a lot of elections and I've seen a lot of faces change in this crowd. I got to tell you folks, I take this job pretty serious and I know you do all too, but one of the things that's important, I look at the votes that I've made and I'm proud of every vote that I've taken. I want you to know that. I had supported some awfully good people that work on our staff. I supported a lot of good work in our neighborhoods. I've supported a lot of good things throughout this community and I'm proud of each and every one of these things. Several years ago, I was fortunately voted to be the mayor of the city of Lawrence for the fifth term. That's a huge deal, folks. That is a huge deal. I sit there and I think about that and the effect that I have on 88,000 lives. I mean, you better make them right. One of the things that happened was following the vote on the police facility, one of the things that were important to me, because I took that pretty personal. I take it pretty personal and I still take it personal because obviously, something that we did wasn't quite right and the one thing that wasn't quite right is we had let the public down. I've heard Mayor Farmer talk about regaining the public trust and Mayor; I appreciate you bringing that up the night that I believe you were seated as Mayor is earning that public trust as something that is important. One of the things that I think, as we look at this, is I've not changed in any way my support for a police facility. I think it is the number 1 item that we have in our community today. I think it is something that is important for us to be able to build and to be able to staff with the great officers and administrators that we have. There is so much talent here. I want everybody to know, but especially this commission to know, the question was brought up by Mr. Casad, what is my plan? What can I do if I'm not going to support the idea of the resolution? My pledge to you is to serve on that committee, is to be a member of this ad hoc group. We were voted by a portion of 88,000 people and they put us here with a responsibility of taking care of their money, of helping taking care of their day to day lives, of taking an oath of office to support the public health safety and welfare of this community, and folks, if that's not the most serious thing that you've done recently, I guarantee, it will make the hair on the back of your neck stand up when you think about it. I think that there're a number of things that we can do. We need to be that committee. We need to be the ones that go out and earn the public trust. We need to go out and be the ones that are selling the idea of a police facility. We're the ones that need to be doing that work. We need to be able to take the expertise and the talent that we have from our staff and being able to articulate that and be able to sell this idea to the public. We need to direct our staff to come

up with a way that - we have these listening sessions following the elections. You remember those and the number of people that came before us here and down at the art center and talked about this item. One of the things that they talked about, folks, live within your means, remember the folks that got up and said that. Diane, figure out a way to pay for this thing within our budget, you don't have to raise taxes. Figure out a way to do that. We got fund balances. I've been listening to this stuff for the last 4 or 5 weeks. There's ways of doing this someday. If this is our number 1 project, we can get it done, but before we get it done, we've got to make the sales pitch to the public. We've got to be able to gain their trust and say that we can do this. That we can live within our means in this community, that we can have the priorities necessary to be able to carry out those priorities and make sure that people understand this. We've gone through these priority sessions the last several weeks and we'll continue to do that as part of our budget process. Our priorities will be established in the budget process and in that document when it finally comes out because those items that we fund will be the things that happen. Are we going to make that decision next week? You know, Matt, we're probably not going to make that decision next week because there's a lot of work that's going to have to be done. Mayor, I would suggest that you work with the commission in establishing a date when that can happen because there is a lot of important information that has to happen. There's a lot of work that has to be done with the public's help in understanding how this can happen. If we don't have sales tax as an issue, if we don't have additional property tax as an issue, we've got to live within our means. It's got to happen but inside this budget. My suggestion, find the money. Thank you all very much.

Mayor Farmer:

I went back through today and looked at just all the feedback from the listening sessions just because I wanted to kind of relive getting the crap kicked out of me and I deserved it, but also because we did these two listening sessions in the hopes that people would show up and air how they felt and ultimately tell us why they didn't vote for it, although I think it was tell us how you voted or tell us why you voted the way that you did or what contributed to you voting the way that you did and it ended up being a lot of folks who showed up and shared some great ideas and ultimately expressed some frustration and some things that they need to get off their chest. I just want to highlight for the benefit of folks that weren't able to be there, like I said I was transcribing pretty much what was said at that meeting and then the meeting at the art center and then the meeting tonight, so I apologize for not making eye contact with you. I was trying to type what you were saying so I could remember it and read my notes. We had folks get up and talk about, Leslie you were the first one. You made some great points about dialing out to the big picture, how can we achieve the best emergency

services here in Lawrence, we need to remove the demand on city services, be proactive and not reactive, address emergency needs as a whole instead of a narrow lens is exactly what you said tonight.

Vice Mayor Soden:

My first campaign speech.

Mayor Farmer:

There you go. Vince Vannicola said, "It's a protest vote. I don't know how to get your attention. I'm so upset with Rock Chalk Park; I didn't know what else to do." Chuck Weiner said, "I toured the west facility.", and one thing that hit him right away is that we're only using half the available space there. He said, "But the big thing is we're paying for land we don't need. We only need a little bit of land and that you're irritated that the hallmark wouldn't sell us all the land we needed." William McCauley said, "Economic development in everything we do to cater certain groups in the community based upon what I read in the paper. A great deal of citizens in our community agrees with me, the cell tower debacle, the AstroTurf incident, the varsity house incident, the Rock Chalk Park debacle. I can't believe how big we fumbled on that." He talked a little bit about small businesses and how no matter what small businesses try to do, we don't help them. Austin Turney, Jr., the continuing debacle of Rock Chalk Park. He said, "The vote is moving away from you." He was right. Then he talked about some of the points that Mr. Harper made about very little crime clearance rates. It should have been shocking to us but we were more concerned with selling a sales tax issue. He said, "Efficiencies, you have to look at specific times in staffing issues." Greg Robinson got up after that and he said, "We got Rock Chalk tax Park crammed on our throat and everyone thought the next commission would take care of public safety.", and we didn't. He said, "How does a community get a seat at the table when we discuss the police department?" His fear is that we will listen to what he says and do what we want anyway. Jim Buddy said he became very interested in what's going on at Rock Chalk Park that we should involve our community in the process. Austin Turney, Sr. spoke, former school board member that we should plan better, talk about having some charrette where any parent or citizen could come and hear options and have the opportunity to comment on it. Erika Shear got up and said that the voters voted clearly, bringing this up is a slap in the face. We don't need a new police facility. To my recollection, she was the only one that said that in both meetings. Ted Boyle got up and said pretty much what he said tonight. Jeremy Roth Koushel got up and said, "This got voted on because there's a growing suspicion of graft, the efficiency and effectiveness of consolidating space with the important question of community police relations and a sense that our police department was becoming militarized." Rob Sands got up and talked about planning and how we didn't have various options, where was this in the capital improvement

plan? Michael Londeen voted against this because it was very difficult to separate what we wanted versus needed and then Mr. Carter got up, was the last one at that meeting and spoke about a lot of the same things that he did tonight. I won't go through the next meeting but there's a lot of things that I've sensed as I've read through these things and those things are clearly, we as a commission, and I'm not incriminating the three of you and I'm saying myself and I don't want to incriminate Mike and all but I don't believe we did a good job at engaging citizens in the conversation about why we needed a new police facility. It was the same kind of fear I think that a lot of people had in relationship to the 9th Street corridor that we were just going to go down the road and completely do everything we could to neglect any opportunity for citizen engagement and input. I will say that I will never make that mistake again and I don't believe this commission will either because a new majority was elected on the basis that we're going to do a better job of listening, and I think with all of the opportunities for public comment and all of the different meetings that we've been having and all the study sessions that we've been having, I think we've been doing a lot more listening than talking as a group, which I'm extremely proud of. I do agree with Commissioner Amyx. One of the things I wanted to address about your proposal, you kept talking about building consensus and I agree 100% with you, we have to get the community behind us on this issue but honestly, I want to just push that back to you and give the work back to you and say you are elected to do that. You were elected to do that. You were elected to do that. I think if we're going to build consensus and solve this facility issue, we need to do it as a team together. We don't need to pass the buck to someone else or another group. It's up to all of us who represent different people who voted for us to exercise leadership. Another thing that I'd say is that we have to find a way to innovatively engage our community in the conversation about solving the police facility needs. On Lawrence Listens, you've got a lot of great comments on your Facebook. You've got comments when you put something about police on Facebook. This is an issue that every time it's brought up, people seem to be interested in and they want to figure out how to solve and we've got to continue to engage our community in that conversation. We have to take that responsibility I think on ourselves, and then I don't get the feeling like we're going to shove the same proposal down people's throats. The hallmark land, we're not even engaged in any contract. That's completely off the table. We have now in the rearview mirror a lot of the things that was causing the community to be reticent to trust this commission, if nothing else by virtue of the fact that the three of you got elected and got elected pretty strongly. I think that says a lot and what my hope is, is that we, as a collected group, can move forward together and do it ourselves and engage a lot of the people that you talked about in the conversation. I'm not sure though giving

them the task of actually forming the recommendation is necessarily the smartest thing. If nothing else, then I believe it's our responsibility. We've heard time and time again how this has been an issue for a really long time and I've not heard anybody refute that. I think that if this is going to be an issue, the very group that needs to solve it once and for all is us as a city commission and us as a team. My sense is if you were to have told people last November that the five of us would be sitting up here and that the five of us would work together as a team to solve this issue, they would have said that, "There's no way the five of you will work together.", number one, and the second thing that they probably would have said is, number one they would have said probably won't happen. They would have thought the election would have gone out differently, which is obvious, and number 2, they would have said that there will be no way that we can all work together to do this. I feel very strongly that we need to send a message to our community that we're going to work on this together and that is exactly I think how we're going to build consensus is if we do it together as a team. That would just be what I would offer and there you go.

Commissioner Boley: I look forward to solving these issues with you.

Mayor Farmer: Any other thoughts on anything we want to do with this?

Vice Mayor Soden: Well, we should probably look at Riverfront Mall.

Commissioner Boley: I think we're talking about the resolution.

Vice Mayor Soden: Oh sorry.

Commissioner Boley: I can withdraw the resolution.

Mayor Farmer: Do you agree with the comments that were made?

Commissioner Boley: We need to solve this issue. We're going to do it together. Let's do it.

Mayor Farmer: Okay, excellent.

Commissioner Amyx: Thank you.

Commissioner Boley: Thank you. I appreciate all the comments and I appreciate the information that was provided tonight. Thank you very much and thank you for considering it and thank you, Diane.

Mayor Farmer: All right, thank you all for coming. We're going to move on to something that is very much different in nature. We'll recess and be back in 5 minutes. (Recessed at 7:52 pm)

The Commission reconvened at 8:03 pm.

3. **Discussion of codes related to animal housing facilities.**

Brandon McGuire, Assistant to the City Manager, presented the staff report.

Fire Marshal King:

All just touch over Brandon's statements just briefly, but just to provide a little background on the fire code aspect. As a result of the fire, Crystal K-9, last November and the review of City ordinances as staff was directed, we also conducted a review of the fire code. What we found was while Crystal K-9 and conversely, recently with Pet World, that they were complying with the code. We found a gap in the fire code, if you will. The City works under the international code and has adopted with local amendment, the 2012 Edition which we're currently operating under. In reviewing the international fire code aspect of that, we found that pet stores, veterinary clinics, kennel operations, animal housing facilities is the best definition for all of them, fall under a business or B occupancy group. Historically, those are the most fire safe group of all of them and so they have the fewest fire protection requirements. The basic requirements are that they have exit signage, that they provide extinguishers to protect the facility which is really more life safety oriented. As we dug a little bit deeper, looked a little bit further, we go into the National Fire Protection Association which is an organization that provides a broad spectrum of standards and guides to any particular industry or processes. Within the NFPA Standards, is NFPA-150 which deals with specifically with protection of animal housing facilities and within that standard we found a way to incorporate and improve protection to animal facilities within the city. So the recommendations that you see is a 3 part. The first is that we would retroactively require that all existing facilities within the City of Lawrence provide smoke detection with integration into a monitored fire line. This would give early detection of an event within the facility and provide early notification to the fire department for a direct response. Conversely then there would also be a requirement to provide fire extinguishers and extinguisher training for staff, provide CO detection as appropriate for facilities that are fuel fire appliances and then provide a disaster emergency management plan for these facilities. The second aspect is that on new facilities being constructed, or facilities that are remodeled, that they again, provide the smoke detection with the integration into a monitored system or all facilities and that any facility over 3,000 square feet also incorporate an automatic fire sprinkler suppression system. Again, these would work hand and hand, they both provide early notification, but they ultimately provide better protection to the animals. I would be happy to entertain any questions that you have.

Commissioner Amyx:

That's on new construction or on remodeled construction of 3,000 square feet or more or would that be on everything

existing also?

Fire Marshal King: No. That would only be on new construction or remodeled construction.

Commissioner Amyx: I just wanted to make sure I heard that right.

Commissioner Boley: How is that different from the retroactive requirement?

Fire Marshal King: The retroactive requirement is meant to address that the facilities that exist that don't have any protection services, understanding that under the current code set, animal housing facilities within the city of Lawrence, do not have a requirement for smoke detection or fire sprinkler protection. The retro-activity clause would address that in all facilities as they exist today in the city.

Commissioner Boley: That would be the same thing for facilities that are less than 3,000 square feet. We just move that retroactive requirement for any new or smaller?

Fire Marshal King: Then with any new construction or remodel that would continue to exist and anything greater than 3,000 square feet would be required to have sprinkler protection.

Mayor Farmer: Any questions for Chief King or Brandon? Okay. Thank you very much. Stay close. Public comments on this item?

Sherry Emerson: Good evening and thank you for giving us a chance to speak. I promise they're not going to comment. They're just here so I can remain standing. I think I sent this in written. I'll give you the shortened spoken version so you can hear. I appreciate everything that Fire Marshall King has done. He's been very patient and walked us through several scenarios. What could've made what sort of a difference and what wouldn't have mattered and we appreciate the effort of everything being proposed and think it's a great step forward. We also think that it's not adequate and in retrospect, if you could walk me back ten days ago, I would much rather have had somebody come in and say you got 30 days to fix this place and make it safer. No amount of expense would have been too much to avoid what just happened. I'll stick close to my words because these guys know maybe I'll wonder if I don't read what's in front of me. We, at Pet World, believe that monitored detection and sprinklers should be mandated in all animal facilities regardless of size and as soon as possible. This came before you six months ago or better. Not to repeat a phrase that became annoying but the whole "Kick the Can" thing, let's not, let's just not, because if we had acted really quickly on this before, perhaps this could have been avoided. On this one, because there's potential lives, can we just ... it's pretty simple really. It doesn't inconvenience anybody

except the business owners and the primary stakeholders involved are in favor. Monitored fire and smoke detection is a really good beginning but detection and warnings don't put out fires and that's where our concern is. We now know that modern strategically placed sprinklers that react one at a time, only in response to heat are extremely useful in extinguishing or at least reducing the quick spread of fire while fire fighters are on the way. Birds, small mammals, cats, dogs, they die from fumes and smoke so quickly that sprinklers keeping the fire under control, may be their only hope as they're awaiting rescue. In the case of the Pet World fire, monitored detection might have brought fire fighters to the scene in 20 minutes instead of 30 minutes but the animals that died were dead in 5. So while I am all for completely for, early detection and warning and that would have reduced the extent of building damage, I don't know that it would have saved any lives at all. Due to the nature of this fire, had there been people in the building running around trying to save animals and throwing doors open, possibly creating drafts and making everything worse. Again, sprinklers would have been the best option to keep things under control. Knowing our staff, repeatedly that some of the fire fighters said, you guys would have run back in. You guys wouldn't have run out and we would have had a lot more lives lost. The only thing that seems to be able to fix this is if there were some sprinklers going. In our industry, sprinklers used to be really controversial because we thought, one tripped or the wires burned. None tripped or they all tripped and everybody drowned. It's not like that anymore and Mr. King was gracious enough to explain this to me. Quite honestly, I wish somebody would have smacked me in the head with that about ten years ago. I really did not realize that sprinklers had come so far. The boarding animals though, are my primary concern and I know that's the path you started down and it ventured into this huge territory, not realizing the concept of boarding extended beyond just somebody's pet boarding at a vet's office. The reason this is of concern to me is the pets that died in our fire that have cause all of us the most grief, have been the very few boarders that we had in the boarding room. They were in a 120 square foot room. They weren't on the 8,000 square foot sales floor that we're mandating sprinklers for. They were back in this little tiny section, like all boarding facilities are tiny. Vets offices are tiny. Groomers are tiny. The big facilities like the shelter and like ours, those are all pets that don't belong to anybody. It's the tiny facilities that have pets that are already part of somebody's family. If sprinklers are important enough to save the lives of unwanted or UN-yet claimed pets then surely sprinklers are important enough to save the lives of pets that already belong to somebody's family. My only discrepancy is that I would like this to move a little faster. I would like it to be retroactive across the board. I am hoping that it won't be about size because the primary lives lost in small facilities that will be exempt, are pets and those are the ones that are hurting

everybody the most. I realize that the expenses for sprinkler systems are going to cause financial hardship for small business owners but no amount of expense is worth what just happened to this community. It doesn't matter. There is no sprinkler system too expensive to make it not worth putting in. I am here with my staff, at more financial risk than any animal facility in Lawrence. Nobody's got it worse financially than we do right now. We are saying to you, money should not be the deciding factor in the health and protection of animals, especially pets. I feel if we move forward, let's move forward all the way. What I know is that we have exceeded every expectation of us, every requirement, from every licensing, every suggestion. We've gone above and beyond on everything we do except one and it was fire safety. We still don't know how we dropped the ball on this. I have no idea. I'm the most micromanaging, nitpicky, control freak I've ever met. I have no idea how I missed this one. If I missed it, I promise you other business owners are going to miss it. If you set the bar low and hope that we just out of the goodness of our hearts go above and beyond and do more than what you're asking us to do, it's obviously not going to happen because if Pet World didn't go above and beyond, nobody's going above and beyond because that's what we do. I am asking you to please hold all of us to a higher standard. We know that the odds support our opposition. I get that. I have heard that a million times. My constituents are not pleased with what I'm doing right now. They didn't like it when I opposed puppy mills either but they got over it. Right now, not everybody is thrilled with this but I believe 10,000 days, we never had a fire. We know it's never going to happen again and all the opposition can say that was proof that the codes were fine. See they were fine. What are the odds of it happening? I am telling you the only day that matters now, is last Monday. The odds were 1 in 10,000 apparently that we would have a fire and on that 10,000th day we had one. I am asking you to hold us to a higher standard so this doesn't happen to anybody else. We are not fire prevention experts. We have people who are. I don't know that his decision should be left to me. My emotion should do nothing but just make you want to get to the bottom and solve this as fast as you can. I'm not an expert, Fire Marshall King is. We have his blessing to take our fire prevention system above and beyond no matter what you guys do. No matter what the city says, we're going to do better. What we're hoping is that you will mandate the same changes that we're going to implement. If they are too much of a financial burden and they put us out of business, then so be it. We're okay with that. It is a risk we're willing to take so the next Pet World that comes after us and anybody else that opens an animal facility will not have anything like this happen to them. Again, we are asking you if you could please, I don't know what the debate would be. Obviously, the previous codes were not safe. You can drive over to the building, what's left of it in front of Checkers, and look

inside if you want to see how safe those codes were. As a business owner it was my responsibility to dig deeper and do better. I am not disappointed with the city. You were right, it did keep us safe for 10,000 days. You were right. I'm not disappointed and I'm not pointing fingers but we teach our staff, once you know better you do better. We know better now. We're just asking you please, if we could just move this forward in a timely fashion and hold us all up to the same exact standard, especially the smaller facilities. Protect those pets in the way that you're going to protect the unwanted pets. That's all. Thank you.

Mayor Farmer:

Thank you, Sherry. This community has been rocked to its core by this event. I can't tell you the number of people who I've talked to, who are such faithful patrons of your store, myself included who have a big void in their hearts right now. I just want to say, I can't talk on behalf of the Commission. I can only say this on behalf of myself but we're with you and we want you back. We want to do whatever we can to help our hometown pet store come back. One of my mentors told me one time and I just offer this to you and your staff, every set back gives you an opportunity for a comeback. I'm looking forward to seeing that for you. Thank you for coming. I know this is hard. We're grieving with you. We again, I'm grieving with you and looking forward to this conversation so stick around. We may need you again, okay?

Sherry Emerson:

Okay. Thanks.

Mayor Farmer:

We're with you guys. I'm with you guys. I think we're with you guys. Your community is with you guys. I know that for a fact. Didn't mean to talk on your behalves, I apologize.

Commissioner Amyx:

You're supposed to. You did well.

Mayor Farmer:

All right. Other public comment.

Kate Meghji:
Executive Director
Lawrence Humane Society

Good evening. I've been really thrilled at the steps that have been taken by Brandon and Fire Chief King to really address a lacking in the codes to protect animals. However, I echo basically everything Sherry said. I think we should do more. Particularly, for the smaller facilities that are housing pets that do belong to people. Our facility houses over 1,600 city stray animals every year. I think we are the largest animal facility in the city and the county. While we do have monitored fire and smoke detectors, we do not have a sprinkler system. I agree with Sherry, I think we should all be held to a much higher standard to protect all of the animals. My primary concern, and you guys got my written concerns about the recommendations as they stand, and it really does come to eliminating the size requirement for the new and renovated facilities. I think all new

and renovated facilities should have sprinklers regardless of size. When you look at the number of animal facilities in this town, very few of them are larger than 3,000 square feet. Sherry's and mine and maybe the two other big pet stores, I think that's about it. I think that sprinklers should be required in all of our facilities. The other primary concern that I have about the recommendations is that, when this whole process started in November after the Crystal K-9 fire. It was initially the boarding facilities that the city went to and then the veterinarians climbed on board. There are 19 state licensed animal facilities in Lawrence, not including the vets. There're rescues, there're breeders, there're the shelter, there're the pet stores. I think that all of us need to have a role in determining the number of facilities that exist. What do they currently have in terms of the number of animals typically housed? How big are they? What current fire prevention systems are currently in place? Once we have an idea of the number of facilities and what they're currently doing, then we can quantify what else is lacking and what the potential financial and operational impacts will be on these businesses if the fire code is changed. Forgive me for the term that I'm about to use, okay? But, my request is to set up some kind of task force or committee. We need representation of these because there's a huge variance of the types of animal businesses in Lawrence. It's not just boarding facilities. It's not just vets. There're lots of us. I think we need to have representation of all of the different groups to talk about what's feasible for us to do? What should we do? What are we responsible for doing to care for these pets? I agree with Sherry. I think we need to move quickly, but I would like to make sure that the changes to the fire code make sense and will actually save more lives. Thank you.

Mayor Farmer:

Thanks, Kate. Other public comment. All right, I'll bring it back to the commission.

Commissioner Amyx:

Where are we in the original stakeholder process?

Brandon McGuire:
Assistant to the
City Manager

Okay, so admittedly this has moved along a little bit faster this week than we had planned. Chief King and I had planned on just continuing that process a little bit more. Going back to the stakeholders and then coming back with final recommendations later this year. We understand this is certainly top priority now. That's kind of where we stand at this point. I can say that anything in addition to the recommendations that are on the screen right now, had not been presented to any other stakeholders. That may be a valuable conversation to have with those stakeholders as well.

Commissioner Amyx:

Which would include discussion of mandatory requirement for any size facility?

Brandon McGuire
Assistant to the
City Manager

Correct.

Mayor Farmer:

Brandon, when you sent out the March 16th email, updates, City of Lawrence recommendations for animal boarding facilities, you sent it to many folks. What feedback did you get from that on No. 4, if adopted how the recommended fire safety code would be applied to my business? You've got the three recommendations there. What feedback did you get from that email?

Brandon McGuire
Assistant to the
City Manager

Really, this email wasn't intended to get feedback. Although, I think I did get feedback from Commissioner Soden at the time.

Vice Mayor Soden:

I was just a stakeholder at the time?

Brandon McGuire
Assistant to the
City Manager

Yeah, just a question on clarification based on the square foot threshold. That was, I believe, the only feedback that we received. This was actually sent after we had heard from the vets and the commercial boarding kennels, from those operators. We started identifying that there were some clear questions that everybody had so we wanted to try to put together this communication piece to address all of those questions at once.

Vice Mayor Soden:

On the two recommendations that are on here, the first recommended change is to adopt a local amendment to the fire code. The second recommended change is to eliminate the commercial boarding kennel license requirement in the city code. I'm not in favor of the second one just because in our city now, we have the liquor license. So we have a state liquor license and a city liquor license and what concerns me is that the state drops their requirements, you might say somehow, then we have no way to regulate it. I understand it is kind of a double up, but in light of a lot of changes happening with the state, you might say, I'm a little concerned about dropping that requirement, even though it may seem like it's just doubling up. I think we should keep that.

Mayor Farmer:

If we were to do that, who does the licensing and inspection? My understanding was that it hasn't been being done, correct?

Brandon McGuire
Assistant to the
City Manager

Correct. The City Clerk's Office would administer that license. Right now, the only requirement is that the premise is appropriately zoned for that use, which we've checked all of the premises that we're aware of. Although, as we're learning there are lots of others, but this license as it's written, specifically pertains to dogs so that is the only requirement of the license as it stands. It's just that the premise is properly zoned for that use.

Vice Mayor Soden:	As a pet sitter which is why I was a stakeholder. Of course, when people call me and a lot of times they call me looking for boarding and I say, "I don't do boarding, I do pet sitting, that's why I come to your house" and they say, "Well we're looking for boarders." I just say, make sure whoever you call, that they have the proper state license and you have to be zoned for that as well because there's a lot of people in this city that are doing it illegally, basically. I have a lot of issues with that too but that's different.
Brandon McGuire Assistant to the City Manager	We did talk to the state about that and learned more about what their process is. They do conduct on-site investigations or inspections. They have a schedule for that. We have heard mixed reviews from the licensees, just in terms of their view of the quality of those inspections and their regulatory processes. That is, I think, appropriate feedback. I'll just add this real quickly, we do have a great animal control division in our police department. They have the authority through the city code to respond to any issues with animal welfare, inhumane treatment, animal endangerment, as well as nuisance code issues also.
Mayor Farmer:	Let's say that I go to a boarding kennel or I see some place where pets are kept overnight and I want to file a complaint. What's the process currently and what will the process be under this proposed revision?
Brandon McGuire Assistant to the City Manager	With the city, if you had an issue with a concern about animal welfare, then animal control would be the appropriate division to contact for the city.
Mayor Farmer:	Would they go out and inspect?
Brandon McGuire Assistant to the City Manager	Yeah, they would.
Mayor Farmer:	Okay
Kate Meghji: Executive Director Lawrence Humane Society	Can I interject? We typically get those calls. If they call animal control, animal control refers them to Lawrence Humane Society. We have a humane investigator on staff that will go out and inspect. If it's a state licensed facility, such as a boarding facility, whatever, that goes to the state inspector. We have a state inspector. There are 4 state inspectors for the whole state of Kansas. We have one that serves Lawrence and she would go out there and see if there are any violations at the state level and handle it from there. If there are things that are of criminal interest or whatever, then they reach out to the police. The police works with our humane investigator to decide whether or not to prosecute, collect evidence, etc.

Mayor Farmer: Thanks, Kate.

Kate Meghji:
Executive Director
Lawrence Humane Society

You're welcome.

Vice Mayor Soden: I get those calls from people and my friends. I tell them to call the humane society and I know they'll do the job.

Commissioner Herbert: This question might be for Brandon and it might also be for Mr. King. Can you tell me why the 3,000 square foot number was picked? The point of my question is that it seems, that very few facilities actually would qualify for this regulation and so it seems to me that we're riding a regulation that doesn't actually affect anyone.

Fire Marshal King: The 3,000 square footage has roots in the NFPA 150 standard.

Commissioner Herbert: Okay.

Fire Marshal King: My soul justification for the 3,000 square footage was, as a code enforcement official for the city, trying to find that balance both politically for the Commission and staff and then in the economic interest of the facility owners was, where did there seem to be a line that delineated between larger facilities, maybe more on a corporate basis such as the Pet Smarts and Pet Cos and then the smaller homegrown facilities, not unlike Crystal K-9.

Commissioner Herbert: I thought it was going to be. Two follow up questions. One would be Crystal K-9 would not qualify under the 3,000 square foot guidelines, correct? My second one would be could we actually quantify how many would? You said we have 19 currently licensed within our community. Are we talking 2 or 3 that exceed 3,000 square feet?

Fire Marshal King: I don't have that information as far as square footage.

Kate Meghji:
Executive Director
Lawrence Humane Society

We think there are 4, maybe 5 that exceed 3,000 square feet.

Commissioner Herbert: Okay.

Kate Meghji:
Executive Director
Lawrence Humane Society

Out of 19 plus vets so, close to 30 facilities.

Commissioner Herbert: Okay, so the regulation as it stands before the City Commission right now, would affect approximately 25%.

Kate Meghji:
Executive Director
Lawrence Humane Society

If we renovate or build new.

Commissioner Herbert:

If you renovate or build new. Technically, the only person this is going to affect then would be Pet World, who clearly has to build new.

Sherry Emerson:

And we're already are.

Commissioner Herbert:

And you're already going to do it, with or without this regulation. Neat.

Commissioner Amyx:

Do we have any current facilities that already have sprinkler systems? Are they new enough that those building would have the equipment already there?

Fire Marshal King:

Pet Smart is currently sprinkled. They're sprinkled not because they're an animal housing facility. They're sprinkled because it's mixed use occupancy and that was a requirement of that occupancy.

Commissioner Amyx:

How about some of the veterinary clinics, are they new enough that they would have that because they have boarding also, but probably because they are a commercial entity of some kind?

Fire Marshal King:

I'm not aware of any veterinarian offices that are sprinkled within the city. I would estimate a fair number perhaps more than half have some type of detection and monitored system.

Commissioner Amyx:

So if the Commission was to take it upon themselves to direct staff to come back with the necessary changes to the code, how long a process is that? To adopt all these things that are recommended if it's going to be a retro fit or even if we just do the 3,000 plus? How long a process is this?

Fire Marshal King:

It would be time for staff to sit down and write a proposed amendment that would pass legal review. Once that's ready it could be submitted to you for acceptance and approval and adoption.

Commissioner Amyx:

Okay.

Brandon McGuire
Assistant to the
City Manager

I would just add, on the business licensing side, if there is more clarification from the Commission on the specific licensing requirement standards, those sorts of things that you would want us to incorporate because we really haven't been in this business for a long time, apparently so we would have a learning curve to deal with there and we would want to be responsive to your desires.

Commissioner Amyx:

I think in all fairness, Mayor. I think the thing that I would

suggest is that, please I'm sorry, no task force, no committee. Go ahead and direct our staff to go ahead and bring the licensees in or offer them the opportunity to come in and discuss this kind of arrangement. Continue to do the follow up with the stakeholder group that you already have in place.

Kate Ibsen:
Chair
Lawrence Humane Society

Can I speak to that stakeholder group that you just mentioned?

Mayor Farmer:

Sure. Can you come to the microphone please?

Kate Ibsen:
Chair
Lawrence Humane Society

Thank you, Mayor Farmer and Commissioners for allowing me to speak out of turn. As a Chair of the Lawrence Humane Society Board, it was very dis-concerning to find that we were not included in the original stakeholders to discuss any of these codes. We are the largest animal boarding facility and you also help fund us as a vendor to the city to take in stray animals on your behalf. I would just say moving forward, I think any and all animal facilities, veterinarians, boarders, pet stores, should be considered stakeholders in these conversations. Thank you.

Commissioner Herbert:

I think that's fair.

Brandon McGuire
Assistant to the
City Manager

That was always the intent.

Mayor Farmer:

I realize I'm probably the minority on this. I mean, I'm with you on that we need to continue the licensing thing. I think it's good for us to know. Brandon, maybe you could just bring that back to us. It just says dogs right now, right?

Brandon McGuire
Assistant to the
City Manager

Brandon: Correct.

Mayor Farmer:

It should be including mammals and reptiles and etc...

Brandon McGuire
Assistant to the
City Manager

We could. I think really what we need to do is conduct some more research on this. It's included in the reports but, the City of Manhattan is the only city in Kansas that regulates animals at the local level or animal service businesses. Even there, they just focus on commercial boarding kennels. That's just my understanding of the situation. This would be something new so we would definitely want to do some research. I think maybe if you would allow us a couple weeks to work on that, then we could follow up with a report and just keep the dialogue going. That would be good. In that time, I'll call around to some folks who have more knowledge of that on these types of regulations and help to frame the issue for us.

Mayor Farmer:

My sense, and I don't know what you guys think about this but this has been two horrible tragedies within a matter of a number of months. I think if it happened again there would be mutiny at City Hall with people beating down our doors wanting to know why we haven't done anything. I think the more inclusive and proactive we can be with not necessarily over regulating but obviously there is an issue. I just picture and I'm not trying to be crass or sensationalize or emotion, especially when all of our friends from Pet World. I had a good friend whose animals were horrible injured in the Crystal K-9 and just the thought of the fact that they could do nothing but die or burn. We have to do something. The stringent requirements, making folks sprinkle, I'm of the opinion that we should even ask vets for their thoughts. Even if you already have a building, what would your thoughts be on sprinkling it if in fact, you do board animals? Because what is that worth? That's just my opinion and others may feel differently. There's a cost associated with that but I will not ever, ever, take my dogs to a boarding kennel, ever again. I won't.

Commissioner Herbert:

There're two comments I want to make to this. First of all, I understand the concern with we're got to act now. If this happens again, people are going to beat down our door and stuff like that and the tragedy is that government doesn't act quickly. It never does. My first comment to you guys and then I'll make one to you. The first thing we can do that can act quickly is utilize the free market to act quickly. Just like you said, if we can get people to quite sending their pets to places that are ill equipped, as a business owner, I'm going to react when I stop making money. So that's the quickest route. That being said, we do have to act as a Commission but what I'm afraid of is that we're about to pass something that has no actual ability to change anything. There's nothing worse than government regulation that doesn't actually regulate anything to any positive effect. I think, as presented, that's what this does. When we do that 3,000 square foot requirement and everything else, we find ourselves in a position where, of 19 facilities in town, we have one that would actually be affected and they're already taking that course of action. So literally, as presented, this does nothing at all. I'm not in favor of passing something that does nothing. At the same time, we're not putting together an ADHOC group, right? We're not going to have analysis paralysis. We need to have as quickly as possible, staffs act to put together a measure that actually does something.

Vice Mayor Soden:

I agree that the square footage size, I think is completely arbitrary. I can tell you the free market perspective from the Crystal K-9 fire, which I had 3 clients that had pets that were affected in that was over Thanksgiving and then, my Christmas bookings were down by almost half. The free market response,

you might say, was to not go anywhere for Christmas or just do something else with your pets, like take it to your family's house or something like that. I can tell you that were the response that I got.

Fire Marshal King:

Pardon me, I'd like to interject. Commissioner Herbert, forgive me if I'm misunderstanding you but I feel that there may be a little bit of a misunderstanding with the Commission with what we're proposing. We're not proposing addressing needs in facilities only over 3,000 square feet. We're talking about again, unfortunately the codes are minimums. I applaud Mrs. Emerson and her husband and their desire to go above and beyond no matter what's decided and what our direction is from you this evening. But understand, we're proposing a level of protection for all facilities irregardless of size. Okay. Not just over 3,000 square feet. Grant it, it's a more minimal approach but it's at least some type of protection for the animals in those facilities, to provide early notifications so that we can respond in the event of an emergency. Clearly, on a personal level and a professional, I would support enhancing or increasing the requirements by requiring all sprinklers. I mean I wouldn't be part of the Kansas Fire Sprinkler Coalition and work within this community and within my office to promote sprinklers within the community. Again, we're looking at providing at least some protection and some notification so that we can do the best we can with what we're provided. Thank you.

Scott McCullough:
Planning and Development
Services Director

May I interject as well on the licensing issue because I want to make sure to give a little bit of assumed context with I think why we have this. Its decades old type of standard but it's not atypical for cities to do a business license for dog kennels. Dogs bring with them certain zoning, neighborhood impacts, noise, activity outside, runs, that kind of stuff. So we essentially have a business license for dog kenneling. We don't do inspections. We don't look at any of the elements of the facility itself. It's a business license so that we can ensure that the zoning is compliant. If you're asking to pursue expanding that program in some facility, we probably need some better direction on that. Essentially, what we have and why we're proposing to delete it is because it is something that the state does. We have other means to ensure that it's zoned properly. We just saw it as over kill, if you will.

Brandon McGuire
Assistant to the
City Manager

That was going to be my feedback as well, Scott. Just in our evaluation, and again I'm not an expert on animal licensing or animal regulations, but the state pet animal act and then the separate state law that regulates veterinarians, are pretty comprehensive, from my perspective. The operators who are licensed through the state, the feedback we got from the state are that they're in good standing based on those regulations. We could implement something like that. There's the potential to

replicate something like that program here locally or go beyond those regulations if we can identify ways to do that. Those are pretty comprehensive regulations as they stand.

Vice Mayor Soden:

Yeah, I learned the hard way when I wanted to foster an animal that you had to be licensed by the state. That's how I learned all about it. Our double up, you might say, I don't actually have any specific objection to what we have now on the city level. We can leave it alone and I would have no problem with it because we do have the state regulations. I want to keep it in case the state does something because as you know, the Governor created the office of the repealer so I don't want to lose it completely. I have no objections to how our licensing operates now. I think that's fine. I don't feel like we need to change it but if the state were to get rid of it somehow, then I think that we would need to step ours up but I think it's fine how it is, unless the Humane Society or someone else thinks differently. That's my thought on it.

Scott McCullough:
Planning and Development
Services Director

That would entail simply doing nothing with the standard as it is.

Mayor Farmer:

Just no different than today?

Scott McCullough:
Planning and Development
Services Director

Accept we are probably receiving direction to actually practice it because it's not being practiced.

Brandon McGuire
Assistant to the
City Manager
Mayor Farmer:

Correct.

That's a pretty good call.

Diane Stoddard:
Interim City Manager

I think maybe what I might suggest is that we put together a staff report that has some additional information relating to the animal care facilities that we are knowledgeable about. The square footage of those and look a little bit closer at the square footage that was in the proposal. Bring that back to you and then I think, a good course would be, once we have some direction from you all, to kind of reconvene that stakeholder group because I think that there's probably a number of people who would be affected by it that maybe aren't aware of this evenings meeting or that kind of thing. That may be good. When we do bring back something for you, you have that information.

Mayor Farmer:

Does that sound good to everybody? Thank you all for being here tonight. We'll see you again in a couple weeks with a report, 2, 3, or 4 weeks.

G. FUTURE AGENDA ITEMS:

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

H: COMMISSION ITEMS:

Vice Mayor Soden: Riverfront Mall. Would you guys be interested in looking at it, or the police? I did also see in the paper today, I don't know if Chad is still here. Heartland Healthcare, I can't remember their full name but they also have a piece of that mall and they also have a loading dock that faces that other parking lot that's closer to Amtrak. They're going to be vacating that in the summer as well so I really want us to investigate that as an option. That was the one thing I was worried about before I heard about the health clinic moving out, was that the police didn't seem to have a really good loading zone, from what I could tell. I need to have a tour of that building, of course first or I'm just guessing. Then when I read that Heartland was moving out and they have a loading dock and another parking lot on top of that, next to them. I think it's something that we should strongly consider.

Mayor Farmer: Can I offer a suggestion?

Vice Mayor Soden: Absolutely.

Mayor Farmer: I think what might be the best thing with tonight's conversation, which was great. I think is to maybe have a separate time where we can get some of the feedback and basically in relationship to locations, kind of take a step back. Similar to what you had suggested tonight with the transit facility. Get them all back out on the table. Have some conversations about it and that was certainly an option, as were other locations too, probably not the Hallmark property. We'll probably leave that one alone. Just give really specific direction if we want to continue to use Wilson-Estes or if we all want to take a tour of the different places and facilities and have walk through or if we want to look at engaging in different architect. I mean, all those options I think are on the table. I think we all want to get something done in relationship to this but I don't know that we should just throw, necessarily, one on the table without having a conversation about all the rest.

Vice Mayor Soden: Yeah, and definitely one of the criticisms I heard frequently was that the Hallmark facility was seen as very much architect driven. As you heard some people saying they felt like the bigger facility they recommend, the bigger percentage they get so I definitely want to caution against an architect driven proposal.

Mayor Farmer: Sure.

Commissioner Amyx: Mayor, I'd be supportive of what you said just because if we're just going to look at one item coming out of nowhere, I wouldn't feel real comfortable about that. We're going to evaluate every

piece of property that we own. If we're going to be looking at the free sites that we have that we already own. I caution you on that word "free" because we have a lot of money tied up in these. I think we ought to be looking at all and everything that we have.

Vice Mayor Soden: We need to look at all of our options because of course one of them is perhaps, if we do decide to build something new or even if we use an existing building somehow, that perhaps the Municipal Court could be located next to it as well and then share the metal detector and stuff. There's a lot of conversation for us to have. I'm looking forward to it.

Commissioner Herbert: I think the one thing to leave tonight with is we're not building the thing tomorrow. I think Mike Amyx made that comment. He said, "We're not proposing it next Tuesday," and you're exactly right. Just because we opted to not go forward with an ADHOC group does not mean we opted to kill conversation. I want that to be very clear. I think it just means that we want the conversation to be more focused right here and that we want it to be more finish line center. In other word, we know where we need to get, let's find out the best route to get there.

Vice Mayor Soden: Especially since we're the ones paying for it.

Commissioner Herbert: Well, everybody's paying for it.

Vice Mayor Soden: Right, we're determining the funding for it so I think that helps.

Commissioner Amyx: About 80,000 of our friends are going to pay for it.
Commissioner Herbert: Yeah, there's a whole lot more people other than me that are going to pay for this things. I sure hope so, at least.

Vice Mayor Soden: I just stated that.

Commissioner Amyx: Just didn't want us to forget.

Vice Mayor Soden: I never forget.

Mayor Farmer: Any other Commission items?

Commissioner Boley: Yeah, I've got to say thanks. I had a great tour of the recycling facility on Friday with Cathy Richardson and Charlie Sedlock. They're a great team. That's a really amazing facility and it's just hats off to the folks at hand. To the folks at the city and also to the people who are doing their recycling. We're doing a really good job. You ought to hear Charlie talk about what a great rate of actual recycling materials we're getting. It's about 96, 97%, which is awesome.

Commissioner Herbert: I've never seen somebody so pumped up about cardboard. He's

fired up.

Commissioner Boley:

Yeah. It's really great to see those folks succeeding as they are. There's capacity for more recycling at that facility. Also, I want to say thanks to Dave Osborne and the guys at the utility department. They have done a really great job of dealing with the sewer blockage and keeping that line open and also keeping 9th Street open for the weekend. That was really great to watch and see those guys. They kept it open for the Art-to-Go Parade, all those festivities, the Buskerfest. I guess my last thank for tonight is to the police officers who helped out with the Art-to-Go Parade. I had a great time there. It was a good deal and they really kept the folks safe on the parade route and let everybody have a good time so thank you.

I: CALENDAR:

Diane Stoddard, City Manager, reviewed calendar items.

J: CURRENT VACANCIES – BOARDS/COMMISSIONS:

Existing and upcoming vacancies on City of Lawrence Boards and Commissions were listed on the agenda.

Moved by Commissioner Amyx, seconded by Commissioner Herbert, to adjourn at 9:04 p.m. Motion carried unanimously.

MINUTES APPROVED BY THE CITY COMMISSION ON OCTOBER 13, 2015.


Diane M. Bucia, Acting City Clerk