



City of Lawrence

CITY MANAGER'S OFFICE

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CITY COMMISSION

MAYOR
JEREMY FARMER

COMMISSIONERS
LESLIE SODEN
STUART BOLEY
MATTHEW J. HERBERT
MIKE AMYX

June 9, 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 Commission members Amyx, Boley, Herbert, and Vice Mayor Soden present.

A. STUDY SESSION: (3:00 – 5:15 p.m.)

1. City Commission Study Session.
 - Strategic Planning Discussion
 - Affordable Housing
 - Economic Development

B. RECOGNITION/PROCLAMATION/PRESENTATION:

1. Proclaim the week of June 7 – 13, 2015 as Relay for Life Week.

C. CONSENT AGENDA

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

1. Approve City Commission meeting minutes from 03/10/15 and 03/24/15.
2. Receive minutes from various boards and commissions:

Lawrence Cultural Arts Commission meetings of 02/11/15, 03/11/15, 04/15/15, and 05/13/15

Mental Health Board meetings of 03/03/15 and 03/24/15

3. Approve claims to 201 vendors in the amount of \$1,348,978.74.
4. Approve licenses as recommended by the City Clerk's Office.

Retail Liquor

City Wine Market
CWM II LLC
900 New Hampshire St., Suite C

Expiration

New License

City Wine Market
City Wine Market LLC
4821 W. 6th St., Suite N

June 10, 2015



Barleys Retail Liquor
Barleys Retail Liquor LLC
1805 W. 2nd St.

June 12, 2015

5. Approve appointments as recommended by the Mayor.

Lawrence Douglas County Housing Authority Board:

Appoint Joshua Powers (816.718.6300) to a term that will expire 06/30/19.

Lawrence Douglas County Advocacy Council on Aging:

Reappoint Ellen Paulsen (785.312.0801), Brenda Joyce Nunez (785.393.9138), Saunny Scott (785.749.1316), and Megan Poindexter (913.568.4424) to additional terms that will expire 12/31/17.

6. Bid and purchase items:
 - a) Award the base bid, alt #1 and alt #2 "Community Health Building Improvements" (PW1343) in the amount of \$98,498.00 to Simplex Grinnell LP provided they meet the requirements of the signed contract.
 - b) Award City Bid No. B1528, Project No. PW1501 (KLINK) for the Iowa Street Project, North of 23rd Street to Irving Hill Road Bridge and South of Harvard Road to south of 6th Street, to Bettis Asphalt & Construction, Inc. in the amount of \$796,227.35, provided the contractor can meet the terms established in the contract documents.
7. Accept dedications of right-of-way and easement, and vacation of right-of-way associated with Minor Subdivision, MS-15-00215, for Commerce Park East No. 2, located at 1100 & 1200 E 25th Street. Submitted by Grob Engineering Services, LLC, for Hedge Tree LLC, property owner of record.
8. Approve a Special Event Permit, SE-15-00271, for Fire in the Hole, a fundraiser BBQ event, located at 1803 W 6th St. The event will occur June 13, 2015. Submitted by Mount Oread Aerie #309 FOE, Inc., property owner of record.
9. Approve the increase of 2015 golf fees by \$1.00 on all green fees and \$2.00 on all cart fees for Eagle Bend Golf Course.
10. Authorize the Interim City Manager to notify Berkeley Plaza, Inc. and execute necessary documents for a one year lease extension for municipal court located at 1006 New Hampshire, extending the term to April 2017, at an annual base rent of \$94,049.
11. Approve revisions to City of Lawrence Administrative Policy 83 to increase the fee collected by the City for each required street tree from \$245.00 to \$365.00 (including an administrative fee increase from \$20.00 to \$25.00), with an effective date of September 14, 2015, and to update City Code references and Department names.
12. Approve agreement with North Lawrence Sandrat group to place a brick memorial at 2nd and Locust Streets.

D. CITY MANAGER'S REPORT:

Diane Stoddard, Interim City Manager, presented the report regarding Outside Agency reports being available on the City's Website; and, Parks and Recreation Department announced as a finalist for the National Gold Medal Award; eh Health Department Community Celebration related to their accreditation will be June 18th, 5:00 to 6:00 p.m., in the Community Health Facility, 2nd Floor.

E. PUBLIC COMMENT: None.

F. REGULAR AGENDA ITEMS:

1. Received presentation from the Aviation Advisory Board with update on activities and 2016 projects.

Richard Haig
Chairman
Airport Advisory Board

A few of our board members were able to make it tonight so if they want to stand up and recognize some of those guys along with also, Lloyd Hetrick, that runs the FBO (Fixed Base Operator) for the City out at the airport and without it most of our projects and things wouldn't be done without it. These guy's help, but especially Lloyd and his staff keep us going. Dan Born, Lloyd Hetrick, John Becker and Cheri Thompson with us tonight so these are part of our board members.

Mayor Farmer

Farmer thank you all for your hard work

Richard Haig
Chairman
Airport Aviation Board

We did get our Leadership Lawrence flights in and our summer camp around all the weather that we've had. We didn't have to reschedule any of the flights this year so that worked out really well. I just finished up the youth aviation camp this past weekend and everything went great. We had a thunderstorm roll in just before the camp was starting and we're able to wait it out and get everything in. It worked well and that's part of the reason, Parks and Rec has that award because they worked with us. City staff was great to help and everything went smoothly along with quite a few volunteers to make the camp a success. We did complete a Wildlife Hazard Study as required by the FAA in 2014 that addressed and identified some wildlife hazards out there, at our airport. This was prompted by some animal strikes and accidents involving animals at other airports in the Country and they wanted to step up and make sure these accidents don't happen anywhere else. So the Wildlife Hazard Study did identify some species creating hazards at the airport and they did recommend, at that time, that a wildlife security fence be put up around the perimeter of the airport. The biggest thing was deer and coyote, but there are a bunch of other animals that have been identified. The biggest shocker was that we have badger out there and their not a danger for running into the airport as much as they are digging under the runways and tunneling through. City staff has done a lot to mitigate some of these by eliminating brush and some habitat around the airport,

but with that the next step with the FAA was to do an environmental assessment study. What is the impact that the development of the airport has on the environment as well as future development and the fence project as well? That study was just completed. We're having a public hearing June 17th for that to get public comment on what their findings were. Part of that study was an archeological study to check for artifacts and things in the ground around the airport since there's a lot of Native American activity in this area. They wanted to make sure we weren't building on something we shouldn't. Before they invest money in our airport, we wanted to make sure everything was in good shape there. The biggest portion of this is, in 2016, if the discretionary funds are available with the FAA, we've been identified as one of the projects that they want to fund as far as putting this fence up, around the airport. If that funding does come through, it will be a 90-10 split with the FAA. The FAA will pay 90% of it and the City would be responsible for 10% of it. They anticipate with all the security gates and everything that to go in, it would be about a \$900,000 project. The City's portion would be about \$90,000 for that and that depends on a lot with the FAA. If that funding comes available, the discretionary funding, if we don't accept it, it goes away and we may not get that back. Part of our grant program for funds that we received in the past, is making sure the airport runs in a safe manner. If they have identified a safety issue, with the wildlife and we don't act on it and something happens, then it becomes 100%, the City's responsibility to mitigate it. This is an opportunity for us to have the Federal Government, take a good portion of that. Since we are a major portion of the National Transportation System, is only fair for that to happen that way. So this would be something that may pop up next year, should the funding come available. It wouldn't be this year, but it would be in 2016, FAA Budget. We did just finish up with a risk management exercise with Douglas County Emergency Management. We had some of the board members participate. We had members from Bert Nash, LMH, Lawrence Police, Lawrence Fire, Sheriff, and Highway Patrol. Basically, there were not any procedures in place or plan in place if we ever did have an accident at the airport. If there was ever an accident at the airport, they would just come out and kind of wing it up, what we needed to do. There was some grant money available through Emergency Management for a HAZMAT exercise. The exercise kind of grew to where we included 19 passenger aircraft, a semi containing jet being delivered to the airport and incorporated a lot of entities all at once, including the University of Kansas, some of the passengers on the airplane were proposed to be KU Students so that we got everybody involved with it. Everybody from the Chaplain Corps to counseling agencies to the hospital, to see what procedures we needed to have in place in case a large event happened like this. This just doesn't hit the airport, but it's anywhere in Douglas County. We just wrapped that up and one

of the benefits of that is, is the different levels of response, for instance, one of them was when Pet World just had their incident a few weeks ago. A lot of the people that visited that store were familiar with it basically being like a petting zoo for most people and it really hit them hard. They went ahead and activated some of the counseling services on that point which were brought out in this exercise. We'll have the final report coming out and final, kind of a hot wash to go over the policy and procedures. I'm sure that they'll come through some very active parts for the City and it's really been helpful with procedures in that area. We just finished that up. We do have the street department working on the west apron. We did have an airplane damaged from rocks coming up into a propeller over there, so they're going to rebuild the west apron which is where the KU jet has it's access, where Lifestar's located, where Steve Craig's Enterprises is. It's an active area for local smaller businesses that use that side of the ramp. Because that's not on the public side of the ramp, we weren't eligible for FAA funding to match any of the repairs over there. That's part of the money you were asking about the other day. That's the repair on the west ramp. We are just finishing up through FAA funding new street center, taxiway signs and lighting at the airport. That's coming through and everything is looking great there. The airport, whenever you land at night, it looks like a first class airport, with good illumination. It kind of brings everything up to where we are, but the biggest one is, is if this fence project comes through, just giving you a heads up that that may be up. Are there any questions you guys have about the airport or any activities or things going on out there?

Mayor Farmer:

Any questions for Rich? (None) Don't go away we'll take public comment then I want to ask you a couple of questions. Any public comment on this item? (None) Well come right back up Rich, I've got a couple of questions for you. What I heard you say just to make sure that I understand is if you don't get the \$90,000 next year, the funding goes away.

Richard Haig:
Chairman
Airport Aviation Board

No. If they offer it to us and we don't accept it and have our match to go with it, then it does go away, but depending on their budget, if other large projects come up, they take that discretionary money away because this isn't money that we're promised. If that money's offered to us and we don't accept it, then it does go away. If it is not offered to us, then it would roll over to the next year, next year, until it is the top priority on their list.

Mayor Farmer:

Chuck, is this in our Public Works budget for next year?

Chuck Soules
Public Works Director

You can put it into the Airport Budget.

Commissioner Amyx: I just want to thank Rich and the entire board for the service that they provide and a special that you to Lloyd Hetrick, Fixed Base Operator since about 1984 or 1985 Lloyd. It's been quite a while. Our air services, we give great work from Lloyd and the people that he has working there and just does a great job from the days of the old KU Hanger out there to today. The development has been incredible. It's done by a lot of work by our staff, Rich and fixed base operators. Thank you all very much for the work you do.

Richard Haig:
Chairman
Airport Aviation Board

Thank you.

Mayor Farmer: Rich, thank you and to all the great work that the advisory board does and we're very grateful so thank you.

Moved by Commissioner Amyx, seconded by Commissioner Herbert, to receive the presentation from the Aviation Advisory Board with update on activities and 2016 projects. Motion carried unanimously.

2. **Received updates and adopt on first reading, Ordinance No. 9092, amending section 6-108.17, repealing existing Chapter VI, Article 6, and enacting in its place Chapter VI, Article 6 of the Code of the City of Lawrence, Kansas, 2015 Edition and amendments thereto, pertaining to taxicabs businesses and taxicab vehicles.**

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

Commissioner Herbert: Do you have any idea the cost differential between, under the old program I'm looking at the comparison of current taxicab code to proposed taxicab code, line 9, versus what are the minimum insurance requirements for taxicab vehicles, under the old system or I guess our current system, \$25,000 for any injury to or death of any one person. We're modifying that to \$300,000 per occurrence. Any idea of what we're looking at there in terms of cost to the taxicab company, the difference there?

Brandon McGuire:
Assistant to the
City Manager

The difference in the premiums?

Commissioner Herbert: Yeah.

A person from the audience: About a \$1,000 a year.

Commissioner Herbert: Herbert Per Vehicle, \$1,000 a year.

A person from the audience: Something like that.

Brandon McGuire:
Assistant to the

We had conversations about that and I should have jotted some notes down. Taxi delivery type insurance is going to be

City Manager	inherently more expensive because that's a commercial transportation service. It's going to be more expensive when you compare it to your personal auto. So a \$300,000 policy is going to be more than you'd pay for your personal auto insurance.
A person from the audience:	It's going to be about \$500 a month.
Brandon McGuire: Assistant to the City Manager	That is one question we had extensive conversation on when we had our stakeholder meeting previously, was just identifying. We had originally started at \$1,000,000 similar to the TNC (Transportation Network Companies) bill that the State passed. Obviously, that was too high. That's what we heard from the companies here locally. It came down to \$500,000 and then eventually, we landed probably \$300,000 limit. That's a confined limit so that would apply to property if it was just property damage as opposed to a divided limit or a divided coverage.
Commissioner Farmer:	Any questions for Brandon?
Commissioner Boley:	Is there any regulations the City can do of TNC's or has the State taken it all.
Brandon McGuire: Assistant to the City Manager	I'll defer to Randy on this question, but really the State has a fairly thorough policy in place. I'll let Randy talk a little more about that.
Randy Larkin: Senior City Attorney	They have preempted us from doing anything within in the taxicab code. There is a possibility that we could do it somewhere else and another regulation possibly. I have to look at it a little more detail to have preempted some regulation of it, but they haven't preempted all regulations.
Commissioner Boley:	Who's responsible for enforcing the insurance provisions of that?
Randy Larkin: Senior City Attorney	That would be the State for the TNC's.
Commissioner Boley:	There's no opportunity for us to do anything on that.
Randy Larkin: Senior City Attorney	We wouldn't have any authority, at this point in time to do it, that would be for the State to do it.
Mayor Farmer:	Thank you Randy. Any other questions for Brandon?
Commissioner Boley:	Is this the time to talk about the proposed ordinance?
Commissioner Farmer:	Sure, we can or we can finish up with questions, take some public comment and then talk about whatever you guys want to do, is great with me.

Commissioner Boley: I'm looking at 6-607(a) 4, 5 and (c). I can understand the rational for 4. I'd like to understand what the rational for 5 is, given that if somebody takes care of an outstanding arrest warrant, they then can apply for an application for another year.

Randy Larkin:
Senior City Attorney If an applicant has an outstanding arrest warrant in this jurisdiction or any other jurisdiction, they make the application and that will come back to the police department. The police department will say they have an outstanding warrant and they would have to take care of it, but we would deny. Under the code, they don't receive the license and then whatever happens after that, happens after that.

Commissioner Boley: If there isn't, then we've penalized them for having an arrest warrant. Right?

Randy Larkin:
Senior City Attorney We have several other provisions. There are several other code provisions that have that language.

Commissioner Boley: Can you explain the rational for doing it that way?

Brandon McGuire:
Assistant to the
City Manager Again, take the attorney's word for it. This is for an outstanding arrest warrant.

Commissioner Boley: Right.

Brandon McGuire:
Assistant to the
City Manager I think that this is fairly transparent in that if you're an applicant and you're familiar with the code, which we provide that at the time of application. We always provide that at the City Clerk's Office. If you're familiar with the code, then if I'm looking at this, then I would try to get my affairs in order before I apply. I think it's important to have some type of level playing field for everybody and set a rule that you can hold folks accountable too.

Randy Larkin:
Senior City Attorney There are a number of other licenses that you can't obtain from the City without standing arrest warrants, whether it be a solicitors licenses or an alcoholic beverage license. There are several provisions within the city code that has that requirement.

Commissioner Boley: It's just trying to get people to deal with their outstanding arrest warrants before they go through this process.

Randy Larkin:
Senior City Attorney Right, before they go through the process, yes.

Brandon McGuire:
Assistant to the
City Manager You said you had a question on (c) as well.

Commissioner Boley: Well, I mean it's the interaction of (c) with (a)5.

Brandon McGuire:
Assistant to the
City Manager So we want to address public safety with this section obviously and compared to some other codes and ordinances and then some of the TNC regulations at the State, I'd say these are a little bit more lenient.

Commissioner Boley: Does this TNC regulation have that outstanding arrest warrant?

Brandon McGuire:
Assistant to the
City Manager Yeah, they have an extensive list. It goes back further than ours. Ours is, I believe, 5 years.

Commissioner Boley: Thank you for the explanation.

Brandon McGuire:
Assistant to the
City Manager I think that it's important to strike the balance between public safety and permanently restricting someone from getting a second chance.

Mayor Farmer: Any other questions for Brandon or Randy? (None) Good thoughts. Public comment on this item?

Rob Tabor:
President
Jayhawk Chapter of the
National Federation of the
Blind, Kansas Chapter My colleague Bob Mikesic is also here and may wish to speak on the matter. Bob is the Executive Co-Director of Independence Incorporated. Bob and I appeared for the first time on this Ordinance 9092, back on March 10th. When I learned that the ordinance was coming up for a major overhaul, I felt it appropriate to address issues of accessibility and non-discrimination with respect to customers who seek and receive taxicab services with disabilities when you're dealing with things like adaptive equipment, wheelchairs, canes, walkers, that kind of thing. Also, service animals, which as near as I can tell has not been a large issue here in Lawrence, but it has been an issue in other places. We thought appropriate to add some accessibility and some non-discriminatory language into the ordinance. We want to give our thanks and appreciation to Brandon for his work and coming up with the language that you'll see there in Section 615. My organization goes on record as supporting the adoption of the ordinance now that the non-discrimination language in 615 has been added. One other thing I do want to say is to emphasize the importance of training in regard to this matter. One can have the best intentions yet one can make a very innocent slip up that can none-the-less result in a mishandling of a customer with a disability. We believe in an ounce of prevention is worth a pound of cure. I have been working on a PowerPoint presentation that follows the pocket guide that will be distributed to taxicab licenses that within a matter of a few weeks, we will be standing ready to offer training to taxicab operators in the form of what I hope to be a very well done and meaningful PowerPoint slide presentation, not only to assure compliance with the letter of the new

ordinance, but with compliance with the spirit of the new ordinance as well. Appreciate your time and would stand for any questions.

Mayor Farmer:

Thank you Mr. Tabor. Any questions? I'm glad you guys showed up at the last meeting to get this in there. Thank you. Other public comment?

Bob Mikesic:
Executive Co-Director
Independence Inc.

I also just wanted to thank Brandon for his work and the City Commission's support of ordinance changes. Independence Inc. has been providing transportation throughout Douglas County since 1986. We also have a lot of mixed grants, providing transportation for people with a wide variety of disabilities. I'd be glad to be part of the training that Rob developed, to compliment that.

Mayor Farmer:

Thank you Bob. Other public comment? (None) Alright, back to the Commission.

Commissioner Amyx:

Mayor, this ordinance has been quite a while in the process and Brandon thank you for all the work that you've done and other members of the staff. I think it reflects a number of the obvious changes that was brought forth by stakeholders and commission members, both current and past. I appreciate all the works that's been done. I do want to say one thing, it's been such a while. We need to get this approved now, just so everybody knows what the rules are and what the playing field is. I appreciate all the work and I'm ready to support it.

Mayor Farmer:

Okay. Other thoughts?

Commissioner Herbert:

I think it will be interesting to see how the role of independent operators through such things as Uber and Lift ends up. Obviously, right now, the way that the State law is written, we don't really play a role in that. It would be interesting to see how that plays out. It's such a new model that it's certainly going to have an impact on the market place and at some point, the discussions is going to have to be had about how ultimately that's different than me taking a ride with somebody through Uber is different than me taking a ride through Lawrence Taxi Company. That will be a discussion that I think is going to surface at some point, depending on how the State plays out. As it is the way it is, I think were left with really no choice, but to adopt it as it's written.

Mayor Farmer:

Okay. Other thoughts? (None) Let me ask one question. Randy, would it be helpful if we just had you guys see what City regulations we could do and what State Statutes permit us to do and not permit us to do? Would that be good reduction on the TNC issue?

Randy Larkin:
Senior City Attorney

With that direction we can look into it a little bit deeper and determine what regulations would be allowed.

Moved by Commissioner Amyx, seconded by Commissioner Boley, to receive the updates and adopt on first reading, Ordinance No. 9092, amending section 6-108.17, repealing existing Chapter VI, Article 6, and enacting in its place Chapter VI, Article 6 of the Code of the City of Lawrence, Kansas, 2015 Edition and amendments thereto, pertaining to taxicabs businesses and taxicab vehicles. Motion carried unanimously.

3. **Authorized final retainer payment of \$50,000 to Gene Fritzel Construction for the Sports Pavilion Lawrence project.**

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

Commissioner Farmer: Thank you Diane. Any questions for Diane, from the Commission?

Commissioner Herbert: In light of the recent monsoon we faced here in Lawrence, has there been any indication whether or not Rock Chalk Park is a water type building at this point?

Mark Hecker:
Assistant Director
Parks and Recreation

It actually is. That was one of the punch list items we've actually been holding on and we wanted to have them make all the improvements and then let it set for a month or two to make sure we were waterproof. The last two months we've had zero leaks. We had on drip over the weight room, but the roof itself is actually warrantied for 20 years so we're not really worried about the little tiny one drip because that's a matter of adjusting flashing on top. Besides that, we're fine. We haven't had any leaks over wood. The only leaks we had early on were all over concrete so we feel pretty fortunate that's the leaks we were having and all have been corrected.

Mayor Farmer: Thank you. Other questions for Mark, Ernie, Diane?

Vice Mayor Soden: I have a question about the warranty, just because I'm new and I don't know if this goes to Diane or you. The punch list is done and then the warranty is up just within a couple of months. It seems really short, not only that time period itself, but we only have to begin with, one year warranty on the building. Is that normal?

Mark Hecker:
Assistant Director
Parks and Recreation

Basically, once we take the possession of the building everything that was not associated with the initial construction becomes a warranty item. If we can track it back to initial construction and say, "hey that wasn't done right, initially," that's on the punch list. If it's something that broke or we felt like, "hey, that really doesn't really work the way it was supposed to work," that's a warranty item. These things where the roof was all perfect and then all of a sudden we start having some drips, that's a warranty item as opposed to a punch list item. Some of

those were punch list, some were warranty. There's continuing things like the weight room floor we had an issue with. We got in there. We lived there three or four months. We were really not happy with the way the floor was performing. We called them and said "hey this really need to get corrected." The contractor came in and under warranty, replaced the whole floor. That really wasn't a punch list item, but a warranty item. I feel pretty good. We have some door issues we want to resolve here in the next couple of months. It's just hardware and adjustment so we'll push that on warranty. They installed what was supposed to be installed. Contractually they've done what their supposed to do, but it becomes more of an adjustment and tweak and make sure it's right.

Vice Mayor Soden:

Is the one year warranty normal for a new building.

Mark Hecker:
Assistant Director
Parks and Recreation

Pretty standard, yeah, on most major construction from the time you get it to the time they'll say "hey we'll warranty that for a year." Usually you'll have a chance to go through all the season's and say, the air conditioner is working, the heaters work; the humidity work well in the building. That kind of stuff is a lot of things you're looking for. Worked well under snow load; rain load.

Mayor Farmer:

Any other questions for Mark? Public comment on this item?

K.T. Walsh

This maybe off topic, which I'm good at but I just had a question because I read the article in the paper about future costs for Parks and Rec and they're working on a super tight budget. One of the costs was a glare out at Rock Chalk from one of the courts and they were going to have to buy a \$20,000 window shade to cut the glare. I'm not an architect or an engineer and I know things have to be fireproof and designed to last 20 years, but I talked to a couple of friend who are interior designers, professionally and they wondered, without seeing it, if the glass couldn't be etched or frosted or there's very inexpensive methods to cut glare on glass. I'm just brining that up because maybe it would be a cheaper solution. Thank you.

Mayor Farmer:

Thanks K.T. Mark can you address that for us please?

Mark Hecker:
Assistant Director
Parks and Recreation

Hecker The issue is kind of interesting because it's seasonal. All through the fall and winter we really didn't have a sun issue because the sun was actually further south in the sky. As we end the summer, it was further north so we're starting to get some sun in those north windows just for about two hours in the evenings from about 5:30 to 7:30 and it's between basically, until it gets behind the trees. It's only June and July. We are going to have to probably do something with motorized shades or something on those windows eventually. I kind of equate this to moving into a new house and as you live there for a while,

you start to realize that oh, I need current there, I need shade here. I think we'll have to address that. We had a Bill Self basketball camp going on. You watch the kids play basketball and if there going the wrong angle, there going right into the sun. I think that's something we'll want to address for our summer activities. It's really a non-issue through the fall and through the winter. Again, the motorized shades, they're expensive. In the grand scheme of things, I really think it would be a great investment. We want the windows open all the time so we can have them. We just want to be able to close it down when that sun is shining in there.

Commissioner Boley:

There were a couple of other things on your list that had to do with Sports Pavilion. Can you talk about them a little bit too? My conversation with Diane was that they were not included in the original contract.

Mark Hecker:
Assistant Director
Parks and Recreation

Right. Again, it's kind of back to moving into new house and finding things that you wish we would have done already. We probably want to look into lighter curtains on the soccer fields because we're running three activities at one time and we thought we could put up a little divider fence, but we're finding balls are kicked back and forth between the fields. Eventually, we'll want to do drop curtains in there. Put shades on the back windows are another think. I think things are within budget range. There's no big items, but it's just we always want more furniture here or we want different things here. Again, none of these are real time sensitive things, but as we live there for a while, I think we'll want to continue to improve the facility to make it as good as it could be.

Diane Stoddard:
Interim City Manager

Commissioner Boley, as we have discussed, I just wanted to make sure that everyone knew that those were not items that were included in the original contract. Those are just things we've figured out since we've had it open.

Mark Hecker:
Assistant Director
Parks and Recreation

Sure, there's been a lot of little things like that, we want a net here or balls are going out of the soccer field into the gymnastics area, we want to put them up there, things that we learn as we live there.

Commissioner Amyx:

Mark, the soccer area, that netting that's up there. Is that the protection for the lights?

Mark Hecker:
Assistant Director
Parks and Recreation

Yeah, that net was on their also. We didn't think the balls were going to get up to that level, but we quickly found that balls were hitting the lights and hitting the sprinkler heads. In fact, we broke one sprinkler head, just the first month of operation. We went ahead and raised those lights and put netting up there to keep those balls from going up. We've also closed off a couple of the end cavities that went to gymnastics. We've had one ball

go up on the mezzanine so were kind of monitoring that one to see if we need to net more of that. We really didn't think the balls were going to go as high as they're going right now. People are having fun.

Commissioner Boley: I want to say that before we vote on this, I want to thank Commissioner Amyx for his principle and determined opposition to the process that brought us Rock Chalk Park. My vote is not to refute Mike's work on this issue but instead, recognition of the City's legal obligation to pay.

Commissioner Amyx: Thank you.

Commissioner Herbert: I would echo that sentiment that I think there's a lot of people that are sitting up here largely due to some of the things that happened in that process and I count myself as one of them. I don't think our vote today has anything to do with how we feel. That was a priority for the community, but rather the reality that we've made a deal with the contractor and we're going to hold up our end of the bargain.

Commissioner Amyx: Mayor, you and I have had a lot of debates about this over the last several years and had the opportunity to have a lot of discussions about it. My vote's not going to change, I want you to know. Stuart I appreciate your work and Matt. It's a great facility. Diane and I were there yesterday and kids everywhere. Not a bad deal, but process is process.

Moved by Commissioner Boley, seconded by Commissioner Herbert, to authorize the final retainer payment of \$50,000 to Gene Fritz Construction for the Sports Pavilion Lawrence project. Aye: Boley, Farmer and Herbert. Nay: Amyx and Soden. Motion carried.

4. **Considered motion to recess into executive session for approximately 15 minutes for the purpose of discussing possible property acquisition. The justification for the executive session is to keep possible terms and conditions of property acquisition confidential at this time.**

Moved by Vice Mayor Soden, seconded by Commissioner Amyx, to approve the motion to recess into executive session at 6:44 p.m. for approximately 15 minutes. Motion carried unanimously.

The City Commission reconvened at 7:01 pm.

G. FUTURE AGENDA ITEMS:

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

H: COMMISSION ITEMS: None

I: CALENDAR:


Diane Stoddard, Interim 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 7:05 p.m. Motion carried unanimously.

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


Diane M. Bucia, Acting City Clerk