



# City of Lawrence

CITY COMMISSION

MAYOR  
MIKE AMYX

COMMISSIONERS  
LESLIE SODEN  
STUART BOLEY  
MATTHEW J. HERBERT

DIANE STODDARD  
INTERIM CITY MANAGER

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September 1, 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 Amyx presiding and Commissioners Boley, Hebert and Vice Mayor Soden present.

**A. STUDY SESSION:**

1. Joint City/County meeting with the Kansas Department of Transportation on the West leg of K-10.

**B. RECOGNITION/PROCLAMATION/PRESENTATION:**

1. Proclaim the week of September 6 – 12, 2015 as First Responder Appreciation Week.
2. Proclaim Sunday, September 27, 2015 as Gracias Choir Day.

**C. CONSENT AGENDA**

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

1. Receive minutes from various boards and commissions:

Bicycle Advisory Committee meeting of 07/20/15  
 Board of Zoning Appeals meeting of 07/09/15  
 Fire Code Board of Appeals meeting of 08/19/15  
 Historic Resources Commission meetings of 05/21/15, 06/18/15, and 07/16/15  
 Human Relations Commission meeting of 05/21/15  
 Planning Commission meeting of 07/22/15

2. Approve claims to 133 vendors in the amount of \$2,285,959.47
3. Approve licenses as recommended by the City Clerk's Office.

**Drinking Establishment**

**Expiration**

Kobe Japanese Steakhouse  
Bao Fa LLC  
2907 W. 6<sup>th</sup> St.

August 14, 2015

Johnny's Tavern North Lawrence  
Johnny's North Lawrence, Inc.

August 15, 2015



401 N. 2<sup>nd</sup> St.

Slow Ride Roadhouse  
The Better Half LLC  
1350 N. 3<sup>rd</sup> St.

August 31, 2015

Alumni Association of KU  
The Kansas University Alumni Association  
1266 Oread Ave.

August 21, 2015

4. Approve appointments as recommended by the Mayor.

**DMI Board:**

Appoint Commissioner Boley as the City Commission representative.

**Douglas County Emergency Management Board:**

Reappoint Truman "Bud" Waugh to an additional term that expires 07/01/16.

**Historic Resources Commission:**

Appoint Kent Fry (785.423.6720) to a term that expires 03/01/18.

**Sustainability Advisory Board:**

Appoint Michael Steinle (785.832.8586) to a term that expires 12/31/16.

5. Bid and purchase items:
  - a) Set bid date of September 22, 2015 for #B1547 and the Comprehensive Rehabilitation Program at 1014 Lawrence Ave.
  - b) Approve the purchase of a John Deere 1570 TerrainCut Commercial Mower for the Parks & Recreation Department from Deere & Company for \$22,521.27, utilizing the State of Kansas Contract #4425-5.
6. Adopt on second and final reading, the following ordinances:
  - a) Ordinance No. 9145, renaming that portion of old "Haskell Avenue" between 29<sup>th</sup> Street and Horizon Drive to "Haskell Lane" and renaming that portion of old 31<sup>st</sup> Street remaining open to public travel to 30<sup>th</sup> Terrace.
  - b) Ordinance No. 9149, "2015 Standard Traffic Ordinance, Edition 2015."
  - c) Ordinance No. 9133, allowing the sale, possession and consumption of alcohol on Saturday, September 19, 2015, at 5:00 a.m. to Saturday, September 19, 2015, at 11:59 p.m. in South Park, and on Massachusetts Street between North Park and South Park Street associated with the 2015 Bike MS Event
  - d) Ordinance No. 9134, allowing the sale, possession, and consumption of alcohol on the public right-of-way on the 900 block of New Hampshire Street during the Lawrence Arts Center 40<sup>th</sup> Anniversary Event.

7. Initiate a Text Amendment to the City of Lawrence Land Development Code to review the *Personal Convenience Services* and *Personal Improvement Service* uses and determine if amendments are necessary to permit salons as a use in the RSO (Single-Dwelling Residential-Office) zoning district.
8. **PULLED FOR SEPARATE DISCUSSION.** Authorize \$8,000 in funds from the Guest Tax Fund to support the 2015 Lawrence Old-Fashioned Christmas Parade.
9. Approve a sign permit for a mural installation at 901 Delaware Street, as recommended by the Lawrence Cultural Arts Commission.

Marty Kennedy, President, Old-Fashioned Parade.

Marty Kennedy:  
President  
Old-Fashion Parade

Former Mayor City Commission. As president of this group, I really appreciate this funding. This will be our 23<sup>rd</sup> year in the City of Lawrence to present this parade to the City of Lawrence, on the first Saturday in December as it always is. We look forward this year to some good weather or course and cooperation with the County as they're improving their facility out there for a long term relationship with the Douglas County Fairgrounds and the Douglas County group out there. We very much support all of what you have done for use. We also have a very large support of maybe almost 100 businesses in town that also give us some funds so that we can bring these people into town, house them, feed them, for the Friday night. Let them have a little band, little dance and then we get out and have the greatest parade. One of a kind, in the Country, is what the USA Today said. This was a destination point to make and they did that about 6 years ago so we're very proud of that. We look forward to having some good weather, great event and we have a lot of entries coming in already so it's not until December, but we're working on it real hard for the City of Lawrence. Thank you all for your support. Commissioners, I appreciate it.

Mayor Amyx:

Marty, thank you for all your hard work and I know that you've been doing this quite a few years now. With that, I'll put the Vice Mayor in charge of weather. It's a great event for everyone. We attract people from everywhere.

#### **D. CITY MANAGER'S REPORT:**

Diane Stoddard, Interim City Manager, presented the report regarding the 900 Block of New Jersey Public Meeting on changes to school and on-street parking; Transit Shuttle from Downtown to Memorial Stadium for KU home football games; Eagle Scout Project at Lawrence Nature Park; Moody's Investors Service Credit Rating for the Series 2015 A General Obligation Improvement Bonds; and, Rental Licensing Reports: Sales Tax Distributions:

Mayor Amyx:

Yesterday during the agenda review, we had talked about the results of the retail sales weren't from April and May, they were

actually from June, is that right?

Diane Stoddard:  
Interim City Manager

Yes, I apologize. I think that we have that corrected now. The original report there had it being from a different timeframe, but it's corrected on the online report now. These August sales that have come in were really from mid-May to mid-June.

**E. PUBLIC COMMENT:**

Candice Davis:  
Oread Neighborhood  
Association

I live at 947 Louisiana Street. You've heard so many nice things. I love the parade and our first responders, so now here's a neighborhood concern. Sorry. I'm here to bring attention to our Oread neighborhood guidelines and the need to complete that process. That guideline process began 4 years ago with a \$50,000 grant awarded to the city. The overlay district was recommended by our neighborhood plan, and that neighborhood plan took 2 years to develop. It was complicated and involved many, many different stakeholders that own property and make money in the Oread neighborhood. The Oread plan, the intention of that neighborhood plan is and was to stabilize the neighborhood, including preserving and increasing owner occupancy, historic preservation, planned sites for high density development, as well as preserving our lower-density areas. Zoning in the Oread neighborhood is the highest density in the city due to what I consider to be misguided efforts on the part of KU and the city years ago to add dormitories to the area. So, I'd like all of you to imagine, this is a complicated neighborhood, but imagine your single family neighborhoods suddenly being zoned highest density, and think about what would happen to your neighborhood. Our neighborhood, by and large, has single-dwelling units, and of course that has evolved. We all know it's a largely rental neighborhood, but to me it needs to be a combination, and to me, that represents more of what you'd call new urbanism where you have renters, you have home owners, you have families living in an area. Just think about it. I think that was a mistake. I think it's hurtful to our neighborhood, and we are hoping that this overlay district will help remediate some of those problems so that we can have a more livable and healthy neighborhood. Generally, we believe this process has been going on for 4 years with our overlay, and we believe it's time to move that forward and complete it. The neighborhood is continually being threatened by the demolition of historic homes as well as damaging infill and redevelopment that discourages home ownership. I believe in the Oread neighbors, the residents, believe that an overlay district will help us, renters and homeowners alike, and live in a healthier, safe neighborhood. I have a letter that I wrote to all the commissioners. I had emailed it over 2 weeks ago, so I have copies here. I know you've been really busy, so I appreciate that, but I just wanted to poke you a little bit because this is

really important to us.

Scott McCullough:  
Planning & Development  
Services Director

Mayor, that effort lies in our shop, Planning and Development Services, and I think it has been a lengthy time. I'm glad that we had the opportunity to start it 4 years ago with a grant that we received, or it probably wouldn't be started today. What I think may be prudent is to put together the last of our schedule, present that to the commission and the public, and to Candice and let people know what the status of that is.

Mayor Amyx:

Okay, thank you. Other public comment?

Marci Francisco:

Marci Francisco, 1101 Ohio. I am also here to say thank you for the work that you've done with regard to the Oread neighborhood but to say as well that I would appreciate some work on the continuation of the proposal for overlays. It was some years ago that the university thought that the Oread neighborhood lying between campus and downtown would be a perfect place for dormitories to be built, and the zoning was changed to allow that, but the properties were never put together in large enough parcels, and the residential dormitories were built on Daisy Hill. Since that time, we've struggled to say what would work for this neighborhood. There are some areas within the neighborhood that the neighborhood association and Oread residents have supported higher density. Certainly we came out and talked about the hotel, and we now have a large apartment complex being built, but there's other areas within that neighborhood that were traditionally single-family and areas that have historic homes. We have asked on various occasions for an original town site zoning or overlay so that the development policies would reflect the neighborhood that was built. We have alleys. We have narrow lots and some other issues that are different from the neighborhoods that are being developed, that have been developed since the 40s and 50s in this town. Again, we would very much appreciate that. We're pleased to see that other neighborhoods feel that this would be a good way to deal with issues that they have, and so we think getting on with this proposal in Oread would free up the opportunity for other neighborhoods to see what happened as use this tool as well. Thank you.

Mayor Amyx:

Thank you. Any other public comment? Okay. Thank you all very much, and Scott, you'll be preparing that report, then. Okay, thank you. Then we are on to the regular agenda.

**F. REGULAR AGENDA ITEMS:**

1. **Consider the appointment of Joe Harkins to serve as the Chair of the Advisory Committee on the City Commission Vacancy, as recommended by the Mayor.**

Mayor Amyx presented his recommendation of Joe Harkins to serve as Chair of the Advisory Committee on the City Commission Vacancy

Vice Mayor Soden: Sounds good to me.

Mayor Amyx: Really?

Vice Mayor Soden: Mm-hmm (affirmative)-

Mayor Amyx: I forgot to ask him if he'd...No I didn't. He said he would do it. Anyway, any public comment on this item? Mr. Harkins, any concerns?

Joe Harkins: No sir.

Mayor Amyx: Okay. Well, we appreciate you and the other 11 people willing to step forward and be a part of something that, needless to say, we don't do very often, but this is such a very important time and a very important appointment to this commission and what it means to so many people in this community, so I appreciate the opportunity that you had today to visit with the city's attorney and being able to put together for the first meeting that's coming up very quickly, I believe that's on Thursday night. I'd suggest you get a good night's sleep tonight and get ready to go. Anyway, if there are no other questions or comments, I would entertain a motion to approve the appointment of Joe Harkins to serve as the chair of the advisory committee on the city commission vacancy.

**Moved by Vice Mayor Soden, seconded by Commissioner Boley,** to approve appointment of Joe Harkins to serve as the Chair of the Advisory Committee on the City Commission Vacancy. Motion carried unanimously.

2. **Receive staff's recommendation for amendments to the Fire Code related to animal housing facilities.**

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

James King, Fire Marshall, presented the staff report.

James King:  
Fire Marshall Any questions that you have about the requirements?

Commissioner Herbert: I have 2 questions for you. First of all, how are we going to define "renovation?" If we have a veterinary clinic that decides to replace the vinyl flooring with tile, are we calling that "renovation?" Or do we have to knock out a wall?

James King:  
Fire Marshall No. Renovation would fall under the international existing build code, the IEBC. Within the IEBC then, we recognize that different levels of renovation exist. Something that's cosmetic, painting, changing wallpaper, changing flooring, things like that,

would not fall under the realm that would push you across the threshold to requiring the upgrade and the protection. Once you start making structural changes, equipment changes, or the scope of work exceeds 50% of an existing building or you begin to add new construction to an existing building that would be where the threshold would exist to require the automatic sprinkler protection.

Commissioner Herbert: Okay. My second question, which is going to lead to a 3rd question, sorry, when we talk about Crystal Canine and Pet World, did either of these facilities have central monitoring systems in place at the time of their fires?

James King:  
Fire Marshall They did not.

Commissioner Herbert: Would central monitoring at these 2 locations have prevented the tragedies?

James King:  
Fire Marshall It would not have prevented them because they were accidental fires. However, because the fire occurred within a building, had it had smoke detection that was integrated into an automatic fire alarm system, that smoke generated by the fire would have been detected, a signal transmitted to our dispatch center, and we would have been dispatched much, much earlier than we were. So, our arrival much earlier in the incident would have reduced the loss in terms of animal life and property damage.

Commissioner Herbert: What would your guess be with a central monitored ... and obviously it's situational, it depends on where you have trucks and whatnot, but with a central monitored facility, what would you say your response time to Pet World's fire would have been?

James King:  
Fire Marshall Not being able to account for the length of time that the fire burned prior to detection and then any delays that may occur with the transmittal from that site to the monitoring center to our dispatch, once we received notification from our dispatch center, 90% of the time, we're going to be on scene in 6 minutes or less.

Commissioner Herbert: Okay.

Mayor Amyx: Other questions? Was any consideration given to sprinkling only the areas where animals are housed and that require them to be in own separate rooms, or are those kind of things- where it's allowed. Obviously in a store, that's something that can't happen, but in some of the veterinarian shops where the kennel portion is in a room by itself, and allow only the sprinkling system to happen there?

James King:  
Fire Marshall

The fire code looks at sprinkling requirements in a fire area, and fire area is defined by the occupancy type where we might be able to separate occupancies with walls, so let's say a night club on one side, a mercantile on the other, maybe by a business office. The code would have separation requirements between those different types of occupancy. Once you have occupancy, that's your fire area, and the sprinkling requirement is for the entire fire area.

Mayor Amyx:

Okay, so our goal here is to protect that animal and give it the opportunity to be saved or get it out in healthy form. Let me back up a second here, we're writing our own code, right, because none exists?

James King:  
Fire Marshall

We're amending the code. It exists, but what we're doing is looking for a way to bridge the gap between the IFC where there's minimal requirements until you get on mercantile past the 12,000 square footage, and not be quite as stringent as following the NFPA 150, which is not referenced in the fire code.

Mayor Amyx:

Okay, maybe that's where I was a little bit confused. Okay, so then I guess I ask this then. Do we have the latitude, if we want to make wholesale amendments to it, do we have that opportunity? Wholesale in that if we wanted to require, somebody has a 10,000 square foot veterinary shop or whatever it may be and they have 1,000 square feet or 3,000 square feet of housing these animals and you have all the fire requirements on the walls, those kinds of things, can we do something like that?

James King:  
Fire Marshall

You have the latitude through local amendment to do that very thing.

Mayor Amyx:

That's what I wanted to know. Okay, thank you. Any other questions.

Commissioner Herbert:

I do have one more question, I'm sorry. I want to go back to your under 6 minute response. You said that with a centralized monitoring system, that we could have had firefighters there in less than 6 minutes. Do we have any idea, I don't know how much the investigation of the Pet World fire uncovered, or the Crystal Canine uncovered, but do we have any idea what our response time was relative to the start of the fire, given that there was no monitoring system?

James King:  
Fire Marshall

Not in relation to the start of the fire because that's the unknown for us. We don't know at what time ... we can account for the length of time employees were within the store. We have a solid idea when they left the store, but what we don't know is from that time, when there was no longer anybody in the store to detect that fire, when that fire occurred and how long it took to

grow to the point that it was noticed.

Mayor Amyx:

Any other questions of Brandon? Okay, thanks Brandon. Chief thanks. Okay, we're going to start public comment, and I assume that we have a number of people that want to speak to this item this evening. I would ask, just so that we can hear everybody's comments this evening, if you could limit your comments to about 5 minutes. That would be great. If we need a little extra time, we might probably allow, but anyway if we could do that, I would appreciate it, okay? It is open for public comment. Any member of the public that would like to make comments on this, please come forward. Yes, ma'am.

Christina Mackie:

Good evening Mayor and commissioners. I live at 302 Alabama Street. I am a veterinary technician. I work in an emergency and specialty hospital in Overland Park, and I have been working in the veterinary and animal welfare communities for about 15 years now. I really feel like until you have been personally affected by a tragedy like this, it's very hard to understand the implications, so I just wanted to share my personal experience with you guys. Last year, following the Crystal Canine fire, several of the animals were brought to our facility for treatment. I have, aside from that, treated many, many animals that have smoke inhalation injuries. I think we've all probably taken a sip of a cup of coffee that was way too hot. We didn't wait long enough and we've burned our mouth. If you can imagine that times 100 in your entire nasal passage, all over your mouth and your throat, that's what smoke inhalation does to an animal. I'm sorry. I've sat on the kennel with these animals for an hour trying to get them just to eat a little baby food because that's all they can swallow. They can't eat, they can't drink. It hurts to breathe. Every breath is a struggle because the lungs fill with fluid. I've seen animals that are blinded for life because it ulcerates their corneas so severely. I've seen owners who have entrusted us with their animals for weeks at a time, who spend thousands of dollars trying to get their animals better. I've seen the hope in their eyes when they start to turn around, and then I've seen it fade away again when they get a secondary bacterial infection and we lose them anyway because sometimes our best isn't good enough. I don't ever want to see that happen to Lawrence animals again. I feel like if we're basing our regulations on anything other than the potential risk of harm to these animals, we're failing them. We can't base it on the size of the facility. We can't base it on the cost of installing these sprinklers. If you're getting into a business where lives are in your hands and you can't afford to take the necessary precautions to protect those lives, then you need to find another business. This isn't like a grocery store where you're stocking merchandise. We're referring to these places as mercantile, but this isn't inventory. These are living, breathing animals, and I have personally worked with them, and I have personally watched them die from

this. I don't ever want that to happen to my neighbors' pets again, and I don't ever want my neighbors to suffer like that again. I would just urge you guys all to take that into consideration when you are thinking about adopting this code. Thank you.

Mayor Amyx:

Thanks Christy. Other comment? Any other public comment on this item? Okay.

Dr. Christy Roland:  
Owner  
Wakarusa Veterinary  
Hospital

I am the owner of Wakarusa Veterinary Hospital. Mayor Amyx and Commissioners thank you for your time this evening, and that's an extremely emotional and very tough act to follow. I am also the current secretary/treasurer of the Douglas County Veterinary Medical Association. Our group has been actively meeting with city staff, Fire Marshall King, the Douglas County Emergency Management Group, and the Lawrence Humane Society. We do absolutely love the proposed changes and think they are fantastic, except for one small piece, which is the Part B and all new facilities or facilities undergoing renovation mandating the automatic fire sprinklers. Here is why I'm concerned about that part of the piece. Number one, in the 2 previous fires, neither facility had a monitored fire or smoke detection system in place. In conversations with Fire Marshall King, response times would have been significantly less, and loss of life projected to have been minimized. Number two, for most small mammals, especially our birds, smoke inhalation is a very severe condition, and it is possible significant damage may be done prior to sprinkler system activation, and that's the utmost importance in that monitored detection is in place. Number 3, other than the 2 corporate chain pet stores in town, every other facility in the city of Lawrence is a small business, mom and pop shop, and the cost of installing and retrofitting our facilities will be significant. For our facility alone, our potential estimate has been a possible 6 figures. Many clients already complain about the rising cost of the animal care. Lawrence is not growing in significant leaps and bounds currently. Generating an additional \$500,000 in revenue to pay for \$100,000 system is going to be a hardship for most of us. There are several veterinarians and doggy day care providers who do have current intent to expand their facilities at this time, and by passing the ordinance as it is, it may drastically affect those plans to grow our small businesses for this community. Many citizens have also expressed a need for a 24-hour emergency animal care facility in Lawrence, KS, and this would directly impact a decision for an expansion of that care, either from our current group trying to do this together, or possibly an outside source coming in. Building insurance costs are also going to significantly increase. A veterinarian hospital is different from that of a doggy day care or a grooming facility. We have thousands of dollars in equipment, ultrasound, x-ray, anesthesia machines, and other things. One accidental discharge of a fire

sprinkler is going to be a big loss for any of our facilities as well. It is my understanding that some incentives were in place for many of the downtown merchants for potential installation of sprinkler systems in their older buildings. We would like to have more consideration in regards to some similar incentives be put in place or working a little closer with our humane society for possible grants in helping us offset those costs before a sprinkler system is just automatically mandated. Also too, our Douglas County Veterinary Medical Association is working with our Douglas County Emergency Management to set up a county-wide response team for all disasters, fire included, in order to offset a future loss of life. We would be the first and only county state-wide animal emergency group in the state of Kansas once we get this put together. Dr. Miranda Lyon, our president, is also here with us this evening. Thank you guys so much for your time and consideration. We would like to ask that the sprinkler portion of the ordinance either be removed at this time or tabled for the potential further discussion, as we've gone from 2 disasters from absolutely zero monitoring to the opposite end of this spectrum that will add a significant cost and may affect our ability to provide good after-hours care within our own hospitals. Many times we are left with animals on IV fluids. We may not have that many in our kennels. This may affect our ability to continue to hospitalize and keep things in our facilities. So please, thank you for your time and consideration.

Mayor Amyx:

Thank you. Questions?

Commissioner Herbert:

Can I ask you, what's the square footage of your facility?

Dr. Christy Roland:  
Owner  
Wakarusa Veterinary  
Hospital

Approximately 5500 square feet.

Commissioner Herbert:

If you don't mind me asking, what was the exact bid to install sprinklers there?

Dr. Christy Roland:  
Owner  
Wakarusa Veterinary  
Hospital

It's been an estimated bid at this point, and it's somewhere between \$75,000 and \$100,000 to retrofit.

Commissioner Herbert:  
Dr. Christy Roland:  
Owner  
Wakarusa Veterinary  
Hospital

Okay. Thank you.  
You're welcome. Thank you.

Mayor Amyx:

Other public comment? Yes sir.

Jared Christian:  
New Era Roofing &  
Restoration

I believe that we will actually be doing the restoration project on Pet World. I just kind of wanted to respond with what was just said. We've actually prepared some estimates on the sprinkler system in Pet World, which is about 13,000 square feet. I believe the sprinkler system was bid somewhere around \$25,000, so I don't think that the costs are quite that high. As someone in the restoration business, we run into this quite a bit. A fire is a big issue. I think that this is a wonderful thing. I believe that one of the biggest issues we have in the world today is that people are choosing cost over saving lives, and I think that that's a pretty big problem we're facing in our time today. I don't think that the cost should have any weigh in on protecting and preserving life, whether it's human or not. That's pretty much it.

Mayor Amyx:

Jared, did the bid at Pet World that you just had, did that include a fire line?

Jared Christian:  
New Era Roofing &  
Restoration

What's that?

Mayor Amyx:

Did that include a fire line?

Jared Christian:  
New Era Roofing &  
Restoration

To be honest with you, I'm not positive on the specific on that. I just know what the numbers were. As far as what actually all the components that went into it, I know that it is an automatic fire sprinkler system that is linked to the alarm. It's an alarm system, and it has an automatic fire sprinkler system. Other than that, honestly my supervisor has been in charge of that part. I just wanted to address that the cost is not quite that high. I think that maybe some other estimates should have been collected on that.

Mayor Amyx:

Okay. Other questions? Another comment? Thank you Jared. Yes, sir.

Gary Olson:  
Veterinarian  
Co-owner of Clinton Parkway  
Animal Hospital

I'm the senior member of this group. My opinions tonight are based on over 41 years of providing veterinary care and managing a small business in the community. I think number one, one of the most important things that need to be addressed is to acknowledge the cooperation and the community effort that was involved with these 2 tragedies. The Lawrence Fire Department, Lawrence Memorial Hospital gave us facilities. Veterinarians throughout the city volunteered their time on their days off. Emergency facilities in Kansas City did what they could. The majority of this community doesn't realize that, and I want that to be recognized tonight. I totally support staff recommendations. We have those already in place at our veterinary facility. In an ideal world, I think installing sprinklers would be great. We would love to have sprinklers in our facility.

However, based on my experience over these 41 years in managing a business, and this is a business, and providing veterinary care and we are here because we care for pets, I think it may have a negative impact on the total effect of pet safety in our community. Number one, and it's not the most important, but it's financial. Regardless of what you say about cost, larger full-service hospitals probably, if they're profitable, if they're at the high end, for every dollar in expense, they have to generate 5 times that in revenue. Secondly, a veterinary hospital is an entirely different animal than a pet store or a boarding facility. We can't do comps when we want to value our real estate because there's nothing like that. It's not like building McGrew Real Estate or Pet World. We have thicker concrete. We have different floors. We have different walls. We have different ventilation systems. We have different oxygen requirements. The only way a true appraiser can value a veterinary facility is not on comps because there's no other facility- we're more expensive to build than Ortho Kansas because we have a surgery facility, we have a dental facility. We have a lead-protected x-ray facility. We have isolation wards and to do hospital construction in the Midwest, probably \$300 or more a foot. Addition, remodeling would be higher than that. I, as a veterinarian, want to do the best for these pets, but I have to generate \$500,000 in new revenue for a \$100 expense. It's not \$25,000. I have an estimate from Dr. Bradley, and he's not getting an estimate to make it high. His bill is over \$100,000 for a similar-sized facility. Nobody in this community other than maybe Dr. Roland or somebody else understands the complexities of this facility. In the last 15 years, according to US Census, we've averaged less than 1,000 people increase in population in Lawrence. I remember the good years when we built 300-500 single family homes. That doesn't exist anymore. We have had zero job growth until the last recent months, for 5 years. If those 1,000 new people come to town every year, how many of them will have pets? Maybe 30%. You're going to divide them into 8-9 different veterinary facilities in town. Where am I ... do I want to have sprinkling? Absolutely. Tell me how I'm going to generate \$500,000 in new revenue. We recently invested well over \$100,000 in 2 different equipment purchases. One was digital x-ray and one was an ultrasound. Last Tuesday about this time at our hospital, we were able, with that investment, able to diagnose, get a radiology digital report back within 30 minutes from a board-certified radiologist, do an ultrasound on both pets, and do emergency surgery and remove obstructions from their abdomen, 2 pets, 1 day, that's pet safety. That's using an investment that helps pets and their safety and their health that occurs every week in veterinary facilities in this community. You make me take my profit, and we have to have profit to invest in our staff, in our equipment, in patient monitoring, and if I've got to use all that profit to put in a sprinkling system, what has more power? I'd love to do both, but

we can't. We can do a whole lot more for pet safety by allowing us to invest in total care of pet health, not through a sprinkler system. I'd love to have it, but we can affect pets every day in this town. Secondly, boarding facilities; don't compare us to boarding facilities, different structure. If you tell me if I want to do a 500 foot addition and you tell me it's going to cost me \$100,000 over and above that, I'll quit boarding. Where will those pets go? I'm not the only one in town that'll quit. They'll go to the county. What kind of codes do you have in the county? How quick is the fire response? I'm sorry, am I done?

Mayor Amyx:

Yeah. Well...

Gary Olson:  
Veterinarian  
Co-owner of Clinton Parkway  
Animal Hospital

Third thing is veterinary care. I can't keep pets at night. The pet is sick. Their options are to go home without IV fluids or go to an expensive emergency facility in Kansas City. I thank you for your time. I think it's a great idea, but we can't do both.

Mayor Amyx:

Thank you. Other comment? Other public comment? Okay.

Amber Nicole:  
Co-owner Pawsh Wash and  
Pet Health Market

I live at 310 Northwood Lane. I just wanted to address, I'm appreciative of everybody that's making their comments tonight, and I appreciate you guys listening to what we have to say. I just wanted to voice my position that is very fluid at this time, if you will. I just don't agree with the proposed definition of "animal housing facility." I think that needs a little work. I think it needs to be more defined than it is. It seems like any place that ever had an animal in it right now would be included in that, which makes me curious then if, for instance, the fairgrounds would be considered an animal housing facility at times, and is the city or county going to be responsible for sprinkling those barns? These are just the things that I think we need to consider when we're talking about changing these codes. Pawsh Wash is a 1600-square foot facility. We're open 9am to 9pm. No animals are ever left alone in our facility, and we have smoke detectors, fire extinguishers, and an evacuation plan in place, practiced and posted. Cleanliness and safety are our two most high priorities, and I would argue that our facility is safer than most homes that pets actually live in. If our customers and/or employees told us they would choose another business because we were not, in their opinion, safe enough, we would do whatever necessary to restore their confidence in doing business with us. I just go back to what I think the position of a city involved in setting these codes for businesses is, and that is to protect the safety of the citizens and set a standard that businesses can meet responsibly and reasonably, so thank you.

Mayor Amyx:

Thank you. Other comment? Anyone else?

Sherry Emerson:  
Owner

Good evening Mayor and commission. I appreciate the opportunity to address you tonight. We put a few things on

## Pet World

slides to make it easier and to keep me on point. I just want to start with first of all, we as an animal housing facility, as a business, and as a member of the community, we failed. We failed the Lawrence community. We are ashamed, and we are sorry. Had we known better, we would have done better, and we want to make things better. We don't want anybody else in Lawrence to make the same mistake we made and fall into this complacency trap of thinking because nothing has happened, nothing will happen. We're just going to show you just a few things. I promise it's nothing too gruesome. This just shows inside the building. This is the ceiling you can see. If you look toward the front corner, that's the southwest corner of the building. That's 100 foot away from the fire. The fire is kind of, if you're standing taking this picture, the fire is over your right shoulder. That was the source of the fire. You can see the wobbling, the warping in the metal, how it's straight toward the front of the building. That's because the heat didn't get to the front. The heat was concentrated in the back. Eventually this fire got so big, it did leave the corner, and it made it across the ceiling, and that's all the charring that you can see. If that helps to give you a little bit of perspective, that's the west wall, the side door. The fire is back over your right shoulder looking to the south. This is just a diagram of the store. The fire happened in the back corner. This is kind of laid out like a map, its north at the top, and south at the bottom. In the northwest corner, that's where the fire broke out. Those blue lines are solid walls. You can see that the fire was in the electrical area in the back corner of the store. The other blue lines, that's a room next to the back room where you see "M." Then there are 2 bathrooms, the 2 matching squares, and then the boarding room is over in the right corner where you see the "M," "B," and "R." The building is 100 foot to the front, 100 foot across. It's basically a 10,000 foot square. The letters indicate which kind of animals died in the fire from smoke. There were animals right next to the fire that died from the fire itself, but all the rest of the animals that died in the fire were from smoke. I want you to look at the distance from the fire and see where the animals were. "M" is mammal. "B" is bird. "F" is fish, and "R" is reptile. You can see that we lost mammals, reptiles and birds in the boarding room. That's 100 feet away, 4 walls away, and 1 closed fire door away from the fire. We also lost mammals in the front of the building. That's right by where the front doors would be; all the glass in the front on the south end there, mammals and birds. One of the vets, which, if you don't know how great our vets are in Lawrence, they were so quick to respond, and I will say I am caught completely off guard because I had no idea that all our vets weren't sprinkled, and so I'm a little bit between a rock and a hard place. I wasn't quite aware of that early on. It would not have changed my position, but perhaps I would've had conversations with the vets prior to going public with our position. What we want to take into consideration is that the fire started in the back corner. All these

animals died from smoke, and this is how far away they were from the fire. Now, I want you to see what it would look like if this same thing happened in a 3,000 foot space. You can see why the city staff is dead on when they recommend sprinklers in a 10,000 foot facility because these animals died from smoke, and look how far away they were. Imagine how close the animals would be to the fire in a smaller facility. I just want to give you a little bit of perspective on why the city is right in that suggestion that a large facility needs it. To give you another perspective, you can see, remember the straight lines versus the melted metal? That front wall is 100 feet away from the fire. That's 3,000 feet away, that's 57 foot from the fire. So those animals would be tremendously closer, much more at risk than the ones that are 100 feet away, yet we need to protect the ones that are 100 feet away. There are the other lines to show you within 1000 feet, you're right next to ground zero. There's no way they're going to survive smoke. 6 minutes is a fabulous response time, and if we ... that first part of the proposal, getting monitored detection, especially going with dual path, so even if the phone line burns, you still have cellular, that's brilliant. I can't imagine anybody ever arguing that. That is absolutely the first and foremost thing that has to pass because that makes so much sense, but in that 6 minutes, this is what you're dealing with, so you've got 100 feet away, and look how close you are at less than 3,000 feet. In that 6 minutes response time, I can't imagine it would have made any difference because the birds, first of all, we all know one of the vets on the scene said that the birds were dead within minutes, literally less than 6 minutes is the second ... you can kill a bird with Teflon fumes in your kitchen. If you overheat your Teflon pan, your bird that's sitting 20 feet away will die. That's how sensitive birds are, so birds wouldn't stand a chance even if it had a monitored system; the mammals, maybe. 6 minutes, maybe they would've made it. In a 3,000 foot space, no way. 6 minutes confined that close to a fire in a 3,000 foot space, there's no way the mammals would've made it. That's our biggest concern is that the animals being boarded all over town are mammals primarily. Our second biggest concern is that most of these boarding areas have mammals that are pets, so the biggest losses that we faced were the boarding animals in the back, and that's exactly what we're talking about in anything under 3,000 feet. I'd be happy to answer any questions that you have. We do have some numbers if you want numbers.

Mayor Amyx:

Sherry, one question. The boarding area that you have up there, you said that it had a fire door?

Sherry Emerson:  
Owner  
Pet World

Yeah, the door was a solid fire door, but it would only, of course, do any good if there was actually a fire trying to get through the door. The fire was in the other part of the building.

Mayor Amyx: Okay, so then the smoke got in there, is that what I understood?

Sherry Emerson:  
Owner  
Pet World Mm-hmm (affirmative). It had a drop ceiling, and so the smoke went over the top of the drop ceiling and spread. You would think the animals under this drop ceiling would have been safe and the smoke would've stayed up there, but they weren't.

Mayor Amyx: Okay. Okay, questions of Sherry? Other questions?

Commissioner Herbert: Sherry, do you happen to know the answer to the question Mayor Amyx asked for the renovation. The \$25,000 cost estimate that he had mentioned; is that just to rig your building, or does that connect the water line from the building?

Sherry Emerson:  
Owner  
Pet World The bids we received were between \$26,000 - \$37,000 and those were comprehensive, so those would include everything: the water line and getting it ... now, they don't include fire monitoring, like smoke alarms. It doesn't include that, so it's an independent system that operates independently. For us, it's about \$26,000. Our first idea estimate was \$50,000. We had \$500,000 in property loss, so it seems very insignificant now compared ... usually about 2 months' rent is about the equivalent of what you can put a sprinkler system in for.

Commissioner Herbert: Do you know ... and I apologize for asking this question. I understand that it's very upsetting.

Sherry Emerson:  
Owner  
Pet World It's okay.

Commissioner Herbert: Do you know if those bids ... we've heard numbers \$100,000. I've spoken to John Bradley who had had an estimate of \$100,000 and they said the bulk of it was not the actual sprinkling within the facility but connecting.

Sherry Emerson:  
Owner  
Pet World Right.

Commissioner Herbert: Because you have to tear up concrete and everything else. Do you happen to know if yours came in cheaper than those 2 bids because of, for lack of a better word, the blank slate they're working with?

Sherry Emerson:  
Owner  
Pet World Right. The actual variable was \$14,000 and that was, "Do we have to bring a line over, or do we not?" The high bid allowed for bringing a line over, allowed \$14,000 for that, and the low bid only allowed \$1,000 and then the other 25 was for the sprinkler.

Commissioner Herbert: Thank you.

Sherry Emerson:  
Owner  
Pet World

You bet.

Mayor Amyx:

Sherry, on the sheet that you have here, at the bottom it talks about rather than adding a size exemption, it talks about a risk assessment seems more appropriate. Is it a risk assessment on each business that's going to have to go through this? I'm trying to get an idea what we're talking about.

Sherry Emerson:  
Owner  
Pet World

What I meant is that I actually had this conversation with Amber. A bunch of wet dogs who don't stay overnight at a groomer's aren't at the same risk. There are 6 dogs, there are 6 groomers and they're wet. The fire alarm goes off, everybody gets a dog out. Mandating a sprinkler system in a place like that doesn't seem even logical to me. I'm sure it would help, but differentiating between what about all the animals that are left unattended or are way outnumbering the humans? I have 30 employees, but they're not all there at once, and there are a lot more than 30 animals in that store. At 3:00 in the morning, if there's a fire, we're completely outnumbered. That's where I feel like during that 6 minute response time, what's your best shot at putting out that fire or at least controlling it to keep the smoke down while the animals are awaiting rescue in the event they have to? If there are never any animals there that need to be rescued, I can't imagine that the risk is very high. That's where I feel like instead of size, I would hate to think that Pawsh Wash can't expand to 4,000 feet even though they never have unattended animals but then Crystal Canine is reopening at 2900 feet with no sprinklers and they have all dogs. To me, the size thing just isn't working for me. It would make more sense to consider the animal and the risk.

Mayor Amyx:

Okay. Any other questions? Okay. Thanks Sherry.

Sherry Emerson:  
Owner  
Pet World

Thank you.

Mayor Amyx:

Other public comment? Any other public comment?

Fire Chief Bradford:

I do want to address a couple items because I think people are keying in on the 6 minutes. Our goal is to arrive 90% of the time in this community within 6 minutes of a structural fire response. That is, if everything is perfect. All stations are staffed. No other alarms are going on in town, whether that's a medical call or a fire-type call, that we're all prepared. We're in our districts, ready to go, so when somebody asks about an average response time that's in a so-called perfect world. We know that with our 13,000 calls a year and staffing 5 stations the way we do it, 6

ambulances are staffed, so our call volume for ambulances and having them available for firefighting activities continually goes down. So the number of firefighters, there's 4 on a truck, there's 5 fire trucks staffed in town with 1 rescue. Your firefighting forces, is somewhat limited. Our goal is also to look at staffing to increase, which has been presented to various commissions, that we can fight 2 structure fires by going interior on those fires. That's residential-type fires. In these particular cases where we're asking for a fire alarm system that is 1, audible at the site, and 2, is monitored that it will call into a dispatch center that will then call our dispatch center at Douglas County, then we'll radio out to the stations to tell us to go, then we go from wherever we're at in the stations, go out and get on the trucks, put on your gear, start the truck, drive to the scene. That's when those 6 minutes, that's our goal. We still have to stop the truck. You have to pull the equipment off the truck. You have to hook up to a city hydrant. You turn it on and wait for water to get to the truck. The apparatus operator has to pump the truck to get the water to the hose. You have to make entry. You have to make sure that there's backup people there so that if you go in and there's structural collapse or whatever happens to a firefighter, we can do rescue, that happens way outside of those 6 minutes. I don't want anybody to think that we're flowing water on a fire in 6 minutes. It will not happen. Fire will grow at 10% for every minute that it's in free-flame stage. We have smoldering fires. That's what will occur prior to free flame, and that's what the detection system is for. It's audible. So, right now, we've had this some time ago, we have an alarm go off in this building; all of us are going to know about it. Most of us are going to go out this door and out the front door because that's the way we came in. The alarm system is going to be called, and in a few minutes, you'll see a fire truck pull up, but we've all left the building. In these particular cases, these animals are caged. They're not going anywhere. They know there's an alarm going off because they're scared to death and because they can hear this audible alarm, but they can't get out. They can't leave like we can. That's the purpose of the alarm system is to notify the people locally, a local alarm, and for it to automatically call somebody so we don't have to do it ourselves. That's the purpose of that alarm system. The purpose of the sprinkler system is to contain the fire as small as it can, or to extinguish it to reduce property damage and also to protect egress that if the fire is between you and the way you're going to get out, it's a way for you to exit the building safely. That's the purpose of the sprinkler system. Only a head around the fire that's heated enough is going to go off. 25 gallons per minute of water is what they're set at, and you won't have multiple. It's not like the movies where the sprinkler system goes and every head in the building goes off. That doesn't happen. That's what you see on TV. I want people to understand the purpose of the alarm system and the purpose of a sprinkler system. In these particular cases, we're talking about

people that cannot egress on their own because they're in cages. That's where you're going to have the time from an incipient fire, where carbon monoxide and smoke, byproducts of combustion, are starting to go. Most people in residential fires, and that's where most of our people die in this country are residential fires. Most of the people, 97% of the people will die because of carbon monoxide poisoning, not because of being burned in a fire. Most of them are deceased prior to their bodies being burned. It's that early detection, that's why we push smoke alarms and CO alarms. It's an audible alarm, it goes off; you get out of the house. You practice exit drills. Again, these animals can't get out, they're caged. The time that we have from the incipient phase of that fire until we can get there to again, then start carrying all these people out, or all these cages out, is going to be in the 20 and 30 minutes. All that time, they're breathing in carbon monoxide and incomplete products of combustion. That's what's going to kill them. Those are the facts of what we do in the fire service and what we run into. That's why we want to prevent these things from occurring and have those items, those safety items, those fixed fire protection systems in place prior to the event occurring so when they do occur, your chances of survivability, whether it's a human or an animal, are at its highest. If we want to reduce that, then we can reduce it, but we are going to reduce the chances of survivability when a fire occurs.

Mayor Amyx:

Chief, is there a difference between a veterinarian hospital and a pet store? I'm not saying ... I'm just asking the question.

Fire Chief Bradford:

There is a difference between what I would consider to be a box store. You have concrete walls, you have a steel roof on it, and then you'd put a suspended ceiling, and say a veterinary clinic that has, as mentioned, an operating room and a dental clinic and an x-ray machine and so forth. Every hospital in the United States of America is sprinkled.

Mayor Amyx:

Okay.

Fire Chief Bradford:

They have the same thing.

Mayor Amyx:

Thank you. Any other questions? Okay. Was there any other public comment before we close the public comment section? Okay, thank you all. One of the things that I can't imagine in this particular case is as a business owner, having to tell somebody who entrusted their pet to you that something happened the way that it obviously happened, or having as a shop owner lose an entire store and the pets and everything that went along with it. As a member of this body, these decisions are tough. But, anyway ... discussion by the commission. I know everybody's had a hard time dealing with this.

Vice Mayor Soden:

I do agree the square footage of the building, to me, is definitely

more arbitrary. What you're actually doing with pets, if pets are staying there overnight unsupervised, to me that is definitely something that's more important than just the size of your facility.

Mayor Amyx: So you believe that there should not be a square footage requirement when it comes to the renovation?

Vice Mayor Soden: No. I think it's arbitrary. Just to continue this thought, the sprinkler systems themselves that we've heard the different bid amounts, that is a very big undertaking. I have a lot of concerns about that. That's why I asked Brandon to put in there about the grant program. We had some kind of program for downtown businesses for sprinklers, installing them downtown, which is obviously a very different arrangement as well. All those buildings are connected together in a short strip and share common walls, so it's not the same as this, but I did want to see what was done last time and how we handled that. That's something I'm interested in, but the dollar amounts is just spectacular, and not in a good "spectacular", bad "spectacular."

Mayor Amyx: Matt, you had something?

Commissioner Herbert: I've had an opportunity to talk to quite a few people about this, and I've got to tell you, this has got to be probably the hardest decision since being placed on the commission. Sherry, I can't look at you without being upset. That sounded wrong, I apologize. I'm not upset at you. It's a tough deal. It's a really tough deal, and I think about the comments, Gary, that you made, about the fact that in a veterinary facility, you're saving pets every single day. If we're putting you in a situation where we're causing wide-spread closings of veterinary clinics, we are not doing a service to animals. I think about the comment that Amber Nicole made, "please set a standard that businesses can meet." I think that was your quote. I'm sorry if I miss-quoted you. I'm really afraid that in an effort to do the right thing, the thing that I'm emotionally driven to do, that we're going to do the wrong thing. This is one of those moments where you wish you hadn't knocked on so many doors. You wish somebody else was up here to make this choice, that's a fact. I will say this. No matter what we decide on the sprinklers, we have to have centralized monitoring in these facilities, period. Both of our tragedies occurred in facilities that had no centralized monitoring, and that can never happen again. One of my big concerns though, and I raised this concern the very first time this issue came up, was how many facilities are we actually affecting with this ordinance. Are we passing an ordinance for emotional value that doesn't actually carry any weight? If we look at this ordinance, if we have a 3,000 square foot requirement and we grandfather in every existing facility, and we only apply it to facilities over 3,000 square feet that have 50% of

their structure being remodeled, as was our definition, as I understand it, we're essentially making what I will call the "Pet World Ordinance" because as I understand it, this applies to you, Sherry, correct, and no one else?

Female Audience Member: Humane Society.

Commissioner Herbert: Okay, the Humane Society.

Male Audience Member: It would apply to John Bradley.

Commissioner Herbert: John- okay. I stand corrected then. I guess where I'm going to turn the conversation over to the 3 of you to convince me is that I do fully 100% support an ordinance which is going to require centralized monitoring in 100% of animal facilities. I do not know that I'm ready to say that about sprinklers.

Vice Mayor Soden: Does No.1 include what you're talking about here? It has the "monitored fire alarm." Do you like No.1? I guess is what I'm saying? Is it up on the screen?

Mayor Amyx: The one that says, "Retroactively require that all animal housing facilities provide smoke detection with integration into the monitored fire alarm system?" That one?

Vice Mayor Soden: Yeah, that one.

Mayor Amyx: That's the one?

Commissioner Herbert: As I understand it, yes.

Vice Mayor Soden: Okay. I just wanted to make sure I was hearing the same thing.

Commissioner Herbert: I would fully support point 1 without question. To be perfectly honest with you, I'm a little bit taken back that that didn't already occur in facilities that take care of animals.

Mayor Amyx: Okay. How about all of item number 3? Which are the extinguishers and extinguisher training for staff, CO detection when fuel-fired appliances are in use, and then develop and provide disaster emergency management plans and provide drills for staff? You'd include all of that?

Commissioner Herbert: I would say all of 3 should apply to every business in Lawrence. To me, as a small business owner that seems to be common sense that you have fire extinguishers on hand and you have staff trained how to use them. Now, given our two tragedies where staff wasn't on hand in either situation, obviously point 3 doesn't avoid Crystal Canine or Pet World.

Fire Chief Bradford: Item number 3 is required already by code.

Mayor Amyx: Okay, it's already in there? Okay.

Fire Chief Bradford: Yes, sir.

Commissioner Herbert: I'm certainly open to listening to the 3 ... I frankly need your help, the 3 of you, on this. As it stands right now, I'm fully prepared to support 1 and 3, and I need some guidance on 2.

Commissioner Boley: Is 3 redundant?

Mayor Amyx: 3 is already in. It would happen on any size facility. Is that what you're saying, Mark?

Fire Chief Bradford: Even though I highly disagree with not including sprinkler systems, but what I would recommend as a minimum is that item number 3 would be included in whatever you're going to do, which is basic. Then I would recommend that you do the retro requirement of facilities having smoke and carbon monoxide alarms integrated into a monitoring system, as a minimum.

Mayor Amyx: Okay. Mark, I'm going to be honest with you, I don't know if we're ready to not think about the sprinkling part this evening.

Fire Chief Bradford: I don't want to be ... I'll just be very blunt like I normally am. I would think that we would want to do at least the minimum for animals as we try to do for us, and CO alarms are not required. However, again, in most of these cases as I mentioned, they can't get out. They're there, and again, most people die because of carbon monoxide poisoning. That's what's going to get them. A smoke alarm will not detect carbon monoxide. So, you can have carbon monoxide in the building because of a plugged flu on a furnace, a variety of different reasons, and I would just think, because they can't get out, of any reason that we would provide that as a minimum.

Mayor Amyx: Okay.

Commissioner Herbert: Now, as I understand it, our code for personal property with CO alarms is that in the event of an installation of a new water heater, CO alarms are required, correct? Every time we've done that, we've had to have that ... I'm speaking as a rental property owner, that every time we've installed a water heater at a property, the inspection has included, proving that we have a CO monitor.

Fire Marshall King: CO detection is required anytime that you have a fuel-fired appliance. Whether it's a gas appliance, wood-burning fireplace, or you have an attached garage that a vehicle could pull into, that's where CO detection comes in.

Commissioner Herbert: Okay.

Fire Chief Bradford: What I'm talking about is to make it retro in all these.

Commissioner Herbert: Right.

Fire Marshall King: I'd like to also point out, where number 3 is currently required in code, this is not a redundancy. This is, what we're talking about here are a set of code requirements that are specific to animal housing facilities. It would be an addition to the fire code that addresses animal housing facilities specifically.

Commissioner Boley: Chief, are you talking about a CO detection system that is integrated and monitored?

Fire Chief Bradford: Yes.

Commissioner Boley: Okay, so that's not really what we've got in this language here?

Fire Chief Bradford: No. I'm saying I would add that, as a minimum.

Commissioner Boley: So, you would just throw that into number 1?

Fire Chief Bradford: That is correct.

Commissioner Boley: Okay.

Commissioner Herbert: Are we okay with that? I'm fully supportive of doing that right now.

Vice Mayor Soden: I think that's fine.

Commissioner Herbert: I think we ought to have that at a minimum.

Mayor Amyx: We can do that, but ... and I don't know if this is Scott. I don't know if it's the chiefs, I don't know. Is there a difference in the way that this can be written for the hospital, the boarding house as it stands alone, the pet store, the groomer, I'm trying to think of everybody here because I do think that there's a difference in these kinds of uses and the level of sprinkle or whatever we're going to require. One being strictly a commercial facility, it's got to come under the international building codes, correct? And there are requirements that are there?

Fire Chief Bradford: Correct.

Mayor Amyx: The second one, the small, the Pawsh Wash kind of store, that is setting in the middle of a shopping center or wherever it may be, that does want to expand, that has, as it was suggested here, where it has a 1:1 relationship with, no pets unattended at any one time, they're going to be able to probably get that pet

out anytime they need it. Is there a difference there in the requirements and in how it should be taken care of?

Fire Chief Bradford:

My answer is no, but to me the whole fallacy with our entire system is whether you have a strip center that you can go in and you're now leasing a suite or number of suites, the requirement for sprinkler systems depends on the type of occupancy you're going to put in there. We deal every day with somebody saying, "I want these 3 suites, and I want to put a restaurant in there." Well, you need a sprinkler system. "Now I want to take those out, and I want to put in a dentist office and an insurance office and something else." Those wouldn't require a sprinkler system, but you know what? If it's already there, it doesn't matter. Or, "Now I want to put in a kennel." If it was sprinkled, we're taken care of, it doesn't matter. We try, because of money, we want to make it cheap, to have a greater profit and have less fire protection in place. That's why we're always fighting these things back and forth. Now you have a standalone building that's an animal hospital. Under the previous code, it didn't require sprinkling. We think the new codes and what we're trying to do would require it if it was newly built. It's back to how much money do you want to spend, or how much money do you all believe is appropriate for somebody to spend for safety in the community, whether it's attached or standalone, because you have to think about the properties around it that may be damaged, of whether or not there should be a sprinkler system in it or not. That's where we're at, and it's the bottom dollar. So, to me, we either require it retro, we don't require it retro and we require it on all new, and then we have the issue about the renovation of whether or not you want to include that as being retro or grandfathered or not, and make the decision. I don't think that, to me, again, with an animal hospital, with all due respect, yes it is different than a box store, but every hospital for human beings has a sprinkler system in it, with the exact same features in it. The bottom line is, retro, whether it's \$15,000, \$20,000, or \$100,000 and stay in business if it's profitable or not. That's the question. It's not the safety issues. It's not what we think is right. It's whether or not it's going to be profitable for the person in that business to do it, plain and simple. There are no other factors here. It's all money, and it's risk management. That's the decision that has to be made. Are we, as staff or elected officials, going to tell people, "You've got to spend the money to be safe," and if they go out of business, they go out of business. If they don't, they don't. Or, are we going to manage our risk and say, "We're going to Band-Aid it with an alarm system and pray nothing happens?"

Mayor Amyx:

Mark, I appreciate your comments. I want you to know that before I say what I'm about to say. I do think that your job is to make sure that we take care of the public health, safety and welfare of people in the community, the same oath that each

one of us take. Lord knows, I know that you all take that very serious, as we went through the first responder appreciation. Our side here, on this side of the dais, is to make sure that we are able to take care of that balance between the business owners that may be barely making it and whether he or she is doing the deal the best they can but one more regulation may take care of it.

Fire Chief Bradford:

That's the risk management that has to be done. We do it every day.

Mayor Amyx:

It absolutely is. I do appreciate your comments, I want you to know that, but we need to make sure that we understand that those people out there just doing their best maybe can't do that one other level. I do appreciate the comments of the commission though, and I want you to know I appreciate your comments. I think that we should direct staff to go ahead and prepare ordinance or whatever is necessary to include the things that we've talked about but to give the commission the opportunity and the time to do thinking, ask additional questions, specifically how it deals with the hospital portion, whether or not you could recommend if there is a way for the housing to be sprinkled itself, that portion of the building, that you can actually build a fire-safe room that allows for that sprinkling of that portion. Maybe there is a way to be of assistance through a grant program to assist with part of the fire line, I don't know. There are things we do all the time that maybe don't make the best of sense, but here again; it's the safety of this community. I think that there are things that we can do, but my recommendation to the commission at this point is that we start this by doing the CO things that were recommended in item number 3 and also the monitored fire alarm system.

Vice Mayor Soden:  
Mayor Amyx:

How about the carbon monoxide?

Yeah, the carbon monoxide stuff and the management plans and all the stuff that are required there that need to be placed in this code, but that we do, over the next several weeks, as this is being prepared, we get answers to additional questions that we may have about the sprinkler. Commissioner Herbert, there is no way I can tell you what the best way to go. I can tell you probably what the right way to go, because what my heart says, you know that cat of mine, I just can't imagine what would happen. Am I a soft-hearted person? No. That Beagle or that Chihuahua we've got? Lord have mercy, but you know, you just don't want anything to happen to them. I don't know.

Commissioner Herbert:

I'll tell you, the one thing that I hope is going to happen out of this discussion, regardless of the direction the 4 of us go, is that I hope the community gets an understanding of what exists and maybe what doesn't exist that they thought existed. I've got a couple dogs at home, and we leave town for this or that, and I

wouldn't have even thought twice boarding a pet, board them wherever, right? Surely places that board animals and take care of animals have these precautions. The biggest wake-up to me is that they don't. Regardless of the direction we go, I hope that the community puts pressure on people to do these themselves, regardless of the regulation. I hope that we can get to a point where I'm able to look for boarding, and I call up Company X and say, "Hey, I want to drop my 2 dogs off for the weekend. Do you have a centralized monitoring system? Do you have sprinklers? No? Well, I'm going to find somebody who does." The question became, "How do I make up \$100,000, or how do I make up \$500,000?" I hope the answer to that is, you be one of the animal housing facilities that does the right thing and provides adequate protection so that people choose your business over a business that does not provide adequate protection. I hope that's the answer for you.

Vice Mayor Soden:

I certainly support 1 and 3, with the carbon monoxide monitored smoke alarm. Sorry, I don't have the full name in front of me. I definitely do want to look at the sprinklers a little more, how we might be able to handle that perhaps in different ways. I do want to investigate that, but I completely understand, as someone who has a pet-related business. You don't do it for the money, that's for sure. You do it because you love pets. I understand there's a big gap in funding those sprinklers, so I get that. It's a tough one. I think we should discuss it further, but I would be satisfied with 1 and 3 now.

Mayor Amyx:

So, at this point, we're all on board on directing staff, and this would be done by ordinance, right? Direct staff to prepare ordinances at this point that would include the smoke detection, item number 1, the retroactively requiring that all animal housing facilities; and do we need to work on the definition as was suggested of that?

Fire Chief Bradford:

Mayor, I would recommend that this be part of the 2015 code adoption, which should be around January 1. That would be a time frame between now and then to allow them to put these systems in if they obviously don't meet the code today, that once we adopt the code they're not in violation, that it gives us some time to do that, and that it could be written into the amendments to the 2015 code set that would be adopted. I think we're still in line to do that around the first of the year.

Mayor Amyx:

Would the commission have the opportunity if it saw fit in doing that, if we were to require a sprinkling system, that we would put a time frame that would allow businesses ... well, no. If we kept the 3000 foot in there, it doesn't matter because it would only come into play if they were going to do a remodel, something that required a permit.

Fire Chief Bradford:

Correct.

Mayor Amyx: If businesses are in the pipeline now, being considered for expansion, and I don't know if anybody is, would they fall under the current set of rules?

Scott McCullough:  
Planning & Development  
Services Director Typically, those would be or the current rules would apply.

Mayor Amyx: Okay, part of 2015, when we do the new code?

Fire Chief Bradford: Yes sir, which will be January 2016.

Mayor Amyx: Okay.

Vice Mayor Soden: Do we need to make a motion to add that, or is this just going to be added that way?

Mayor Amyx: We'll make a motion to direct staff to start with those amendments for the 2015 code, is that right? Okay. Sir, you had a final question?

Male member of the audience: Yes. What is the definition of a "housing facility?"

Brandon McGuire:  
Assistant to the City  
Manager We can pull the definition up. It begins here. It defines the animal housing facilities as an area of a building or structure including interior and adjacent exterior spaces where animals are fed, rested, worked, exercised, treated, exhibited or used for production. They include but are not limited to animal hospitals, kennels, pounds, mercantile, or business occupancies with animals.

Male member of the audience: Is that for overnight stay, or ...

Mayor Amyx: That would be anytime. Then we would have the opportunity, if a majority of the commission wanted to consider the sprinkling part of that any time between now and the time that we make the code amendment, we would have the opportunity to do that, right?

Male member of the audience: Yes, sir.

**Moved by Commissioner Boley, seconded by Commissioner Herbert,** to direct staff to draft an ordinance to retroactively require that all animal housing facilities provide smoke detection with integration into a monitored fire alarm system; require all facilities to provide fire extinguishers and extinguisher training for staff; provide CO detection where fuel fired appliances are in use; and, develop and provide disaster/emergency management plans and provide drills for staff to incorporate in the 2015 fire code. Motion carried unanimously.

3. **Consider forgiving \$44,937.81 in special assessments for Lot F in the East Hills Business Park for the PROSOCO expansion project, contingent upon Douglas County Commission action to donate the lot to PROSOCO for the project.**

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

Vice Mayor Soden: Did they know how many jobs they were going to add?

Diane Stoddard:  
Interim City Manager I will see if Mr. Boyer might be able to help us with that.

Mayor Amyx: Any other questions of Diane?

Stuart Boley: Our forgiveness of this outstanding special assessments to the county is contingent upon their donating the property, is that correct?

Diane Stoddard:  
Interim City Manager Yes, that would be our recommendation. Yes, commissioner.

Mayor Amyx: Matthew, do you have any? Diane, thank you. Bruce? Welcome to City Hall.

Bruce Boyer: Thank you Mayor, City Commissioners. I'm a Lawrence resident. I've been a Lawrence resident since my brother and law relocated Prosoco to Lawrence back in 1999. Both my kids went to Langston Hughes for opening day. They both graduated from Lawrence High. Suffice it to say, Lawrence has been very good to Prosoco. We have grown multiple times since we've been up here. We have an opportunity now to grow again, and hoping to turn a real deficit for the city with Kinedyne's departure into an advantage moving forward. We are under contract to acquire the Kinedyne property. I am not going to stand up here and say it's entirely dependent upon getting the slot next door. It's expansion space for Prosoco in addition to our new business venture in BuildSmart. What acquiring the lot next door to the Kinedyne property will do for us is be able to better suit the Kinedyne property for this new business venture. The new business venture, is like I said, called BuildSmart. We're going to be manufacturing highly energy efficient building panels for use in the Midwest here and also for export all across the country. These building panels take it to kind of a new level. They're used frequently just out of the box in constructing homes that are reducing energy requirements, 50-75% of our standard stick-built home. They are also used in some homes where the real goal is a net zero construction. It's a really exciting new area that Prosoco has expanded into in the last 8 years. With our current partnership with kind of an eccentric architect and designer in what's known as the passive house movement, we

have an opportunity to bring this manufacturing here into Lawrence. What acquisition of the lot next door to the Kinedyne property would facilitate to us, and if you refer to the map, I'm going to call this, for lack of a better term, a topographically challenged lot. If you're really familiar with this lot, it's sitting right outside our corporate conference room, and I'm staring at it every time we have a meeting. Kinedyne elevation and what I'll call the top shelf of this lot, which is the eastern portion of this lot, are currently about 50 feet above the operating elevation for the Prosoco lot. Then this lot steps down very rapidly, as does the topographical lines between the Kinedyne lot and the Prosoco lot do also. We pretty much call them Mount Prosoco, or Mount Kinedyne, out of our parking lot. It doesn't really lend itself to a major manufacturing development. It doesn't lend itself to really a usable - I think it's a 5.5 acre lot, I'm really not sure - for anybody to come in and put any size building on. What it would facilitate for us, for the BuildSmart venture, is the addition of a drive-around, or a circle driveway, if you will, to handle the flatbed trucks, both in raw materials and in the finished panels, to be able to easily access the back of the current Kinedyne property. These types of panels and these types of raw materials don't load well through a traditional dock door, if you will. They need large overhead doors and on-grade access, and by picking up this additional lot, that's going to facilitate that driveway to go around the side. The only other plans we would have for this what has been called by many as an unbuildable lot, in the near future, would really be to improve the green space between the Prosoco facility and the future BuildSmart facility and sometime in the future, facilitate us doing more training, which we really excel at doing contractor training. With the advent of these new construction panels, we're going to need more space than we've currently got on our little 50' by 50' concrete pad behind Prosoco, to bring contractors into town and instruct them on how to build these homes and these multi-family homes using this new technology. I'd appreciate the consideration of the commission. If you have any questions, feel free to ask.

Vice Mayor Soden:

Do you have any estimates for how many jobs you think you might add with the new venture?

Bruce Boyer:

Estimates on how many jobs to add for a new startup company are really difficult. I can tell you right now, we're going to have at least 5 Prosoco employees in the Kinedyne property when we would occupy it immediately. I expect there to be at least 15 manufacturing line positions during the setup process and the prototyping process. From that point forward, I would be making a future-looking statement that I'm not really comfortable making at this time, but it could be really big.

Leslie Soden: I ask that question because of course, that's a big one for me for incentives, is permanent full-time jobs with benefits, so I'm excited for your new venture.

Bruce Boyer: Other questions?

Mayor Amyx: I've got to say one thing. It was sometime last year, and I can't remember which month it was. I had the opportunity to go on one of our monthly visits to Prosoco, and it's quite an operation to see. The products that you make there have helped any number of buildings probably some of our most protected locally, or should be protected locally, from, just call it what it is, some vandalism that have happened, so I appreciate you and David your company stepping forward and helping with products that can take care of that problem. Prosoco is a great company for Lawrence, KS and something to really enjoy seeing, as somebody who works in a 3rd generation business. It's really exciting when we stop and think about, talking about one of the greenest technologies in the market today with the new BuildSmart plan. I think that's pretty exciting unto itself, so I think it would be a great project for Lawrence, KS, and we have obviously a proven business that's doing this, and Bruce, David and all the folks that work at Prosoco, they just keep making better and better things. Anyway, I appreciate all the hard work, and I'm one of your big fans.

Bruce Boyer: Thank you, Mayor. I appreciate that.

Mayor Amyx: You bet. Any other questions? Thank you Bruce.

Bruce Boyer: Thank you.

Mayor Amyx: Public comment? KT, you've got to be excited about this.

KT Welsh: I'll say something. I love Prosoco and they're leaders in the historic preservation movement worldwide and understand brick, understand masonry and finishes and preservation. It blows people away when I tell them, "Yeah, it's right in the town I live in" when I travel. The other thing, it looks like an opportunity to get them hooked up with Tenants to Homeowners and Habitat for Humanity with their new venture. Thank you.

Mayor Amyx: Thanks KT. Any other public comment?

Deanna Ambrose: I have a question.

Mayor Amyx: Please, come forward.

Deanna Ambrose:  
KU Student

I just had a question about how the \$44,000 about that the city is owed from the county, am I understanding that correctly. So, with the donation of the lot that's still not completely known if that's going to happen or not from the county, basically is the city going to miss out on that revenue, or will the inclusion of the new addition to Prosoco, the business, will that spur more economic growth than what the \$44,000 payment will be worth?

Mayor Amyx:

I appreciate your questions. As somebody who's been around during the time of those contracts probably being signed from the county, and I used to be a member of the County Commission, so my name may be on those things. The thing that happened was that we did a venture with the city, as Diane explained, where the county had the land. The city obviously has the utilities. We were looking for new industrial space for Lawrence, KS for employment center. It was an opportunity to be able to add new space fairly close to the city boundary, city limits, and it worked out very well. The city sold bonds, put in the infrastructure that was there, and then made payments on our part of the deal of the infrastructure. When the property was to be sold, the county was to collect the infrastructure costs, and we would've got our money back here, but in this particular case, we have a situation- then you start talking about public incentives and all the stuff that goes along with it. There's an opportunity, and Bruce is right. You need to go walk this. This is quite a site. It's probably something that the only properties here that would actually be able to use this lot would be the Kinedyne building or the Prosoco building, and now they're owned by the same people, so it's an obvious extension of their business. It's an opportunity for us to help invest with an incentive, if you will. The vice mayor is exactly right. It's something we're investing in. We'll call it a known commodity. We have a very good corporate partner that's come forward, has a use for a piece of property. We're going to forgive money that technically it is owed to us, but the truth of the matter is, this is an investment. The vice mayor brings up a point about jobs, the number of jobs that are going to be created, very good. They're going to be good paying jobs. They're going to provide benefits to the employee, on and on and on. We're fortunate to not have that guess work with this employer that's provided and the job that they do. Is this a good deal? It absolutely is, but it's a great question. Thank you. Anyone else? Back to the commission. I already played my hand.

Matt Herbert:

I'll tell you, I met with Bruce, and he was talking about BuildSmart, and I'm a bit of a construction hobbyist. It led me down a wormhole you can't imagine. There were many hours lost watching the YouTube videos of your very excitable creator, we'll call it that.

Bruce Boyer: I'm going to use the term "eccentric."

Matt Herbert: Okay, yeah, let's change it, let's put that on the record, eccentric. It's a fascinating product. Like I said, I spent a whole lot of time looking into it, probably way more than I should have. It led me down a path of time I will never get back. It's a fascinating product, and I'll tell you today, if we're able to help you make this happen, you are opening yourself up to a great deal of time spent with me showing me around because I'm going to be bugging you considerably in the future because I'm really intrigued by this. I wish you well, and I hope the business takes off. KT, I appreciate your comments about Prosoco being known throughout the country, not just in Lawrence. That's something I was not familiar with, so I appreciate your comments on that. That makes me feel better about my decision to support it, so thank you for that.

Mayor Amyx: I also want to say thank you to KT for her comments. I knew that being a supporter of preservation, I knew that you had a very good idea of what Prosoco does with preservation, but one of the things I did want to ask you. If I remember in the visit that I was at, you guys are worldwide doing things, right?

Bruce Boyer: Getting there. We're having more and more export every year.

Mayor Amyx: That's what I was thinking by some of the pictures I saw. It was something to see. Anyway, thanks.

Commissioner Boley: I enjoyed my meeting with you, Bruce, and I've got to admit I didn't have the time to put in to study that Matthew did here.

Commissioner Herbert: I didn't either.

Commissioner Boley: So, I kind of delegated it out. I gave that stuff to my dad, and he looked at it for me, and he said he was pretty excited about it. That's kind of the acid test for me.

Mayor Amyx: Anything else, vice mayor?

Vice Mayor Soden: Hmm-mmm.

**Moved by Vice Mayor Soden, seconded by Commissioner Herbert,** to forgive \$44,937.81 in special assessments for Lot F in the East Hills Business Park for the PROSOCO expansion project, contingent upon Douglas County Commission action to donate the lot to PROSOCO for the project. Motion carried unanimously.

4. **City Auditor will present a performance audit on protecting personally identifiable information.**

Michael Eglinski presented his performance audit.

Mayor Amyx: Questions of Michael? Good report. Diane, did we meet all of this?

Diane Stoddard:  
Interim City Manager It definitely pointed out the importance of us being more diligent I think in developing some good practices, so I think the recommendations were very appropriate, and we'll certainly be working on those to follow up.

Mayor Amyx: The IT department is involved with 4 of the 5, I see.

Diane Stoddard:  
Interim City Manager A number, finance, and we really do, as Michael points out, we really have, almost every department has something that would be affected by this, so we're really working on it comprehensively, and we'll work to get that follow-up in place and pull those policies together.

Commissioner Boley: On the recommendations, are there any priorities? Anything you see more urgent than something else, or is it all just kind of a big package? We've got like 5 recommendations there.

Diane Stoddard:  
Interim City Manager I think it's good for us to start at the policy framework and then just begin to have that discussion with staff. Obviously, we'd need that prior to the training that we would need.

Commissioner Boley: Where does the record retention fall into this? Mike, can you go back to the policy? I was just curious about that first one that record retention schedule. Where does that fall in the priorities, do you think?

Diane Stoddard:  
Interim City Manager I would say that probably those first 2 items are important, and we would kind of almost really work our way down the list if you will. It's a little bit systematic, but we visited about the audit when Michael provided us the draft, and so staff has met about this. We've already talked about it. It's already been assigned as far as the staff person that's going to head up and coordinate our approach to going through all these things, but again, we agree with the recommendations and think they're good and appropriate.

Commissioner Boley: All right. Thank you.

Mayor Amyx: Other questions? Matthew? Vice Mayor?

Leslie Soden: Hmm-mmm.

Mayor Amyx: Okay.

Leslie Soden: Thank you.

Mayor Amyx: Thanks Michael. Public comment? Okay. Our only action is to

receive the report this evening, then?

**Moved by Commissioner Herbert, seconded by Commissioner Boley, to receive the report. Motion carried unanimously.**

5. **City Auditor will present the results of the external quality control review of the City Auditor.**

Michael Eglinski presented his performance audit.

Michael Eglinski:  
City Auditor

This is a report often referred to sort of casually as the audit of the auditor. It's something that's required by government auditing standards on a regular basis, 3 years. There's a little bit of wiggle room at the end of that. I had the previous one done in 2011. The review was through a process set up by the Association of Local Government Auditors. There was a team of 3 auditors from other places that are independent of me who did the review. One was the city auditor in Palo Alto, CA. One was the city auditor of Santa Fe, NM, and one was the internal audit manager from Los Angeles Police and Fire Pension System. Basically what they do is they come and rummage around in all of my written policies and procedures and make sure they're acceptable and then pull a bunch of my work and match it up to make sure that I am following the procedures. Their overall result was that the internal quality control system was suitably designed and operating effectively to provide reasonable assurance of compliance with government auditing standards during review period, which is good. I'm not surprised, but I'm glad. They also made 2 recommendations, however, and they took up a lot more text to make these 2 recommendations. I have implemented both of the recommendations. One was to add basically another item to a project checklist that I do for all of the work. It will better document my overall assessment of evidence. The other is really just adding a column to a spreadsheet that I use to track my continuing education. It will make it basically easier the next time one of these happens to document that the training was there. So, I am happy to answer any questions. This report like all my others is also available online. I'd welcome any questions.

Mayor Amyx:

Questions of Michael?

Vice Mayor Soden:

I just have general questions, not about that specific item, so I can wait.

Michael Eglinski:  
City Auditor

Questions to me?

Mayor Amyx:

Did he meet all the requirements?

Commissioner Boley: Yeah, I'm really pleased with Michael. I was very pleased to meet the folks who came in, 2 of the folks who came in from out of town, talked to them. I enjoyed that a lot and I appreciate your work, Michael, so thank you. I appreciate what you do for us.

Commissioner Herbert: The letter from Harriet Richardson from Palo Alto, CA, as I was reading through that, I just thought on the public record, I wanted to add this, that one of her positive comments for you. "City auditor often presents at professional conferences and writes articles for the Local Government Auditing Quarterly." It's not one that I subscribe to. However, that's the greatness of Lawrence right there. We can't even have a normal city auditor. We've got to have the best. We've got a guy going around presenting at conferences, writing for magazines, that's tremendous.

Michael Eglinski:  
City Auditor I'd be happy to get you a subscription.

Commissioner Herbert: Could you?

Mayor Amyx: I'm surprised you don't have it on your nightstand.

Commissioner Herbert: I was too busy reading about Prosoco.

Mayor Amyx: That's right. Okay, any other questions of Michael? Michael, we do appreciate your work. I have to admit, I've learned a lot while you have been here and the work that you've done about various things throughout the community, so thank you very much.

Michael Eglinski:  
City Auditor Thank you.

**Moved by Commissioner Boley, seconded by Commissioner Herbert, to receive the report. Motion carried unanimously.**

Vice Mayor Soden: Michael, I did want to ask you, I just didn't want to interrupt the flow of what we were doing. What are the projects that you're working on now? I'm just curious. I know you're doing the shelter.

Michael Eglinski:  
City Auditor That's what I'm spending my time on, although I spend a fair amount of time stressing about these presentations too. I've been doing that.

Vice Mayor Soden: Okay. Thank you.

Michael Eglinski: You're welcome.

City Auditor

Commissioner Boley: I just wanted to mention that I'm checking in with Michael on Fridays about his work on the shelter, so I appreciate him keeping me informed on what he's doing.

Michael Eglinski:  
City Auditor So I will need to get some more accomplished in the next day or two so come Friday...

Commissioner Herbert: As a former auditor, did you have a subscription to the local ...

Commissioner Boley: No. I audited taxes

6. **Receive update on City's arbitrage liability review and authorize remittance to the IRS in the amount of \$44,101 plus accrued interest of \$7,358 and a request to have \$44,101 refunded to the City.**

Bryan Kidney, Finance Director, presented the staff report.

Mayor Amyx: Bryan, I want to thank you and Diane and everybody else that was involved in this because I think it's important for the public to understand this is a self-reporting situation. I know that every member of this commission appreciates the work that everybody is doing to make sure that the public is aware in any way possible on anything that we do. I think this commission is taking great pride in making sure that the transparency that we have on anything that we do is going to happen. People request things, whatever it may be. We are going to make that happen, but at the same time too, we are going to be upfront on everything that we're doing, and Bryan, I just want you to know how much I appreciate it, not only as a member of the governing body, but as a taxpayer, to know that people are doing their job and doing it the best way that they can to make sure that we're on top of all these matters. Thanks. I'll ask for public comment? KT, you got anything? Okay. Diane, anything else that you needed to add on this?

Diane Stoddard:  
Interim City Manager I appreciate Bryan's work on this and his staff. I have great confidence that Bryan is on top of this matter. We are continuing to look at some of these past issuances and evaluate and see if there are any other calculations that we need to report. We'll be keeping you abreast of those things if any of those things develop.

Mayor Amyx: One of the things that are important and I want to thank the commission recognizing the importance of having this on our regular agenda to have this discussion. This is where this needs to happen so that the public understands we're making sure that we look after their money in the best way that we can. Brian, again, thank you to you and all the staff that was involved. We can't say enough about this. Anyway, thanks.

**Moved by Vice Mayor Soden, seconded by Commissioner Herbert,** to authorize remittance to the IRS in the amount of \$44,101 plus accrued interest of \$7,358 and a request to have \$44,101 refunded to the City. Motion carried unanimously.

**FUTURE AGENDA:**

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

**G. FUTURE AGENDA ITEMS:**

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

**H: COMMISSION ITEMS:**

Commissioner Boley: I had a really good time going around with the yard waste pick up crew and going out to the compost site and working with Carl. He let me run the drum grinder with a remote control and it was great. You ought to go out and take a look at that thing if you haven't seen it. I'm going to go back out there when they get the other machines going on some of that stuff so I can get a better idea of what it is. I really appreciate the folks who invited me to come and see what they do and made sure I didn't fall off the tract and explain to me how you get the poly cart to go and dump but not actually go into the trash truck. It's kind of neat and I really had a good time and I really appreciate it. I recommend that highly.

**I: CALENDAR:**

Diane Stoddard, Interim City Manager, reviewed calendar items

**I: CURRENT VACANCIES – BOARDS/COMMISSIONS:**

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

**Moved by Commissioner Herbert, seconded by Commissioner Boley,** to adjourn at

8:22 p.m. Motion carried unanimously.

**MINUTES APPROVED BY THE CITY COMMISSION ON DECEMBER 1, 2015.**

  
Brandon McGuire, Acting City Clerk