



City of Lawrence

CITY MANAGER'S OFFICE

DIANE STODDARD
INTERIM CITY MANAGER

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

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

CITY COMMISSION

MAYOR
MIKE AMYX

COMMISSIONERS
LESLIE SODEN
STUART BOLEY
MATTHEW J. HERBERT
LISA LARSEN

February 16, 2016

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 Vice Mayor Soden presiding and Commission members Commissioner Boley, Commissioner Herbert, and Commissioner Larsen. Mayor Amyx was absent.

A. RECOGNITION/PROCLAMATION/PRESENTATION:

1. Recognition of the 2016 Boys & Girls Club of Lawrence Youth of the Year.

B. CONSENT AGENDA

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

1. Approve City Commission meeting minutes from 01/05/16.
2. **CLAIMS APPROVED SEPARATELY.** Approve claims to 169 vendors in the amount of 1,901,881.31, and payroll in the amount of \$2,999,600.01.
3. Approve licenses as recommended by the City Clerk's Office.

Drinking Establishment

Gaslight Gardens
Gaslight Gardens Inc.
317 N. 2nd St.

Expiration

February 9, 2016

Mariscos
RU Hungry Inc.
4821 W. 6th St. Suite A

February 14, 2016

Allstars
Lawrence Entertainment Inc.
913 N. 2nd St. Suites C

March 2, 2016

Bayleaf Indian Restaurant & Bar
IK Onkar Enterprises Inc.
947 New Hampshire St. Suite 120

New License

4. Bid and purchase items:
 - a) Award Bid No. B1600, for Iowa Street, 25th to 27th Street Waterline Replacement Project, to Westland Construction, Inc., in the amount of



\$482,570.00, and authorize the Interim City Manager to execute the construction contract.

- b) **REMOVED FROM THE CONSENT AGENDA FOR SEPARATE DISCUSSION.** Award the purchase and installation of 68 street trees for the Parks and Recreation Department, to American Lawn and Landscape, for a total price of \$20,940.00.
 - c) Approve the purchase of a John Deere 4066R Tractor for the Parks and Recreation Department from Deere & Company, in the amount of \$47,317.48, utilizing the State of Kansas cooperative purchasing agreement.
 - d) **REMOVED FROM THE CONSENT AGENDA FOR SEPARATE DISCUSSION.** Set a bid date of March 15, 2016, for construction of the Baldwin Creek Trail Project.
5. Adopt on first reading, the following ordinances:
- a) Ordinance No. 9202, establishing permanent ALL-WAY stop signs at the intersection of Ridge Court and 27th Street.
 - b) Ordinance No. 9201 establishing permanent ALL-WAY stop signs at the intersection of 27th Street and Louisiana Street.
6. Adopt on second and final reading, Ordinance No. 9198, rezoning (Z-15-00609) approximately 4.038 acres from RS7 (Single-Dwelling Residential) District to RM15-PD (Multi-Dwelling Residential with Planned Development Overlay) District, located at 5325 W 6th St. (PC Item 2A; approved 9-0 on 1/25/16)
7. Approve as “signs of community interest”, a request from the Pilot Club of Lawrence to place a temporary directional sign on the US Bank property at 1600 E. 23rd Street, from February 26 to February 27, 2016, for its Antique Show and Sale at the Douglas County Fairgrounds.
8. Authorize the Interim City Manager to execute an architectural/engineering services agreement for Fire Station No. 1 with Zimmerschied Architecture, PLLC.
9. Authorize the Interim City Manager to execute a Right of Way License Agreement with Kansas Fiber Network for installation of fiber optic facilities.

Commissioner Herbert removed consent agenda item number 4 b), regarding the purchase and installation of 68 street trees for the Parks and Recreation Department, to American Lawn and Landscape, for a total price of \$20,940.00.

Commissioner Herbert: On 4(b, I just had a quick clarification. I figure it goes without saying, but I think, just to be safe, on the purchase of those 68 street trees, I assume that we are not planting ash, is this correct?

Mark Hecker: Correct.

Assistant Director
Parks & Recreation

Commissioner Herbert: The memo didn't specify and I thought if we didn't take 10 seconds to clarify that that might be regretted later on.

Mark Hecker:
Assistant Director
Parks & Recreation We actually haven't purchased ash trees for probably 12 years.

Vice Mayor Soden: You might come to the microphone so people On TV can hear.

Commissioner Herbert: No, ash trees, huh?

Crystal Miles:
Horticulture/Forestry Manager No ash.

Commissioner Herbert: Perfect.

Crystal Miles:
Horticulture/Forestry Manager The street trees actually are planted per subdivision. The developer helps selects species and then we go with some of their ideas as well as availability that current year and do about 14 to 20 different species with that, but no ash.

Commissioner Herbert: Terrific.

Vice Mayor Soden: Any other questions of staff? Any comment from the public? All right, so I'll hear a motion to approve or disapprove.

Diane Stoddard:
Interim City Manager Mayor, you might consider separately including the claims.

Vice Mayor Soden: I'm going to do that separately.

Diane Stoddard:
Interim City Manager Okay, very good.

Vice Mayor Soden: I'm a little nervous.

Diane Stoddard:
Interim City Manager Sorry about that.

Vice Mayor Soden: This is my second meeting ever. I accidently skipped the claims.

Diane Stoddard:
Interim City Manager You're doing a great job as always.

Commissioner Larsen: Nobody's getting paid?

Vice Mayor Soden: That was good.

Commissioner Herbert: We'll get there.

Diane Stoddard:
Interim City Manager We just wanted to slip that in there.

Commissioner Herbert: If it's that much of a problem.

Moved by Commissioner Herbert, seconded by Boley, to award the purchase and installation of 68 street trees for the Parks and Recreation Department, to American Lawn and Landscape, for a total price of \$20,940.00. Motion carried unanimously.

Moved by Commissioner Boley, seconded by Commissioner Larsen, to approve claims to 169 vendors in the amount of 1,901,881.31, and payroll in the amount of \$2,999,600.01. Motion carried unanimously.

Commissioner Boley removed from the consent agenda, item number 4 d), setting a bid date of March 15, 2016, for construction of the Baldwin Creek Trail Project.

Mark Hecker: What this is basically moving this project forward. I think you've seen this two to three times as we've progressed through. This is actually a grant application. It's a \$400,000 project and we're getting funded \$320,000 from the State, so we're putting \$80,000 into this project. It's a really nice project match and I really love this trail. It's going to be a big asset for the city because it goes right down the Baldwin Creek area. Any questions I can answer?

Commissioner Boley: Yeah, on the reimbursement for the city how long will it take? We do the \$400,000 and then they pay us back. How long do you think that'll take to get?

Mark Hecker:
Assistant Director
Parks and Recreation That's a good question. I don't know that. I would have to check with them on timetables. Usually we have to submit and completed project and then reimburse us.

Commissioner Boley: We have the grant already. We just need to do the work and then put in to get the grant back.

Mark Hecker:
Assistant Director
Parks and Recreation Correct, right. The grant has already been approved and they're waiting for us.

Commissioner Boley: Okay, I think it's a great project. I want to do it, but I'm concerned about the funding. We're talking about taking money from the sales tax reserve and I would prefer to take the money from the recreation fund 211. We have \$487,000 which is transferred to other funds in 2016. We could just go ahead and use that instead of the sales tax reserve. I'd really like to have the Commission have a conversation about how we'll be using the sales tax reserve. Before we use any more

of those resources, I'd like to just go ahead and do this, but let's use that 211 the recreation fund. I would move that we do the project, get the grant and tap 211 instead of the sales tax reserve.

Vice Mayor Soden: Do the Commissioners have any comment or discussion on that? Any questions of staff?

Diane Stoddard:
Interim City Manager Vice Mayor, if I might just make a suggestion.

Vice Mayor Soden: Mm-hmm (affirmative).

Diane Stoddard:
Interim City Manager If you would all give us the opportunity to maybe take a look at that fund and then perhaps if we can then get back on that? I think with setting the bid date is the action this evening and then that'll give us the opportunity to provide a little background information for the Commission just for us to double check the numbers and that kind of thing if you don't mind. Then, we can just have that as another consent agenda item regarding where we'll pay for that.

Commissioner Boley: So we don't need to deal with the funding at this point?

Diane Stoddard:
Interim City Manager Right.

Mark Hecker:
Assistant Director
Parks and Recreation We'll be back one more time once we get the bid, so at that time.

Diane Stoddard:
Interim City Manager Right, actually we could have it as part of that where we're awarding the bid if that sounds acceptable.

Commissioner Boley: I would like to underline that the Commission needs to have a conversation about how we utilize the sales tax fund in 2016.

Commissioner Larsen: Yeah, I agree with that. I think definitely we've got a lot of items that we're wanting to fund. I want to start seeing us look at it differently that tax, looking at it differently.

Diane Stoddard:
Interim City Manager What we could do is have there be a separate discussion on that particular fund and schedule that as well.

Commissioner Boley: I'm up for that.

Commissioner Larsen: Yeah. That would be great.

Vice Mayor Soden: Do we go ahead and move for the bid date now?

Commissioner Boley: I would be apt to move that we do the bid date for March 15, 2016.

Moved by Commissioner Boley, seconded by Commissioner Herbert, to set a bid date of March 15, 2016, for construction of the Baldwin Creek Trail Project. Motion carried unanimously.

C. CITY MANAGER’S REPORT:

Diane Stoddard, Interim City Manager, presented the report regarding the upcoming events and services hosted by the Solid Waste Division; residential curbside yard waste collection on Monday’s begins February 22nd; Electronic Recycling & Secure Document Shredding Event – Saturday, March 19th; Compost and Woodchip Sale Event – March 24th through 26th; Earth Day Parade and Celebration – Saturday, April 23rd; and, follow-up on drones and downtown cameras.

D. PUBLIC COMMENT:

Mary Newberg:
Associate Pastor
1st Presbyterian Church
Member of Justice Matters
Housing Steering Committee

Thank you for the opportunity to speak. I'm hoping to take some time tonight to speak on behalf of Justice Matters and the work we've done in the area of affordable housing and homelessness. Around this time last year Justice Matters discovered an uncomfortable truth that in this city that we each love very much there are hundreds of people who don't have what they need to keep a roof over their head. There are hundreds of people in this city that have to choose between buying food or medicine and paying their rents. Last year we counted 624 families and individuals on waiting lists for assistance with housing. At our most recent count at the beginning of February the number has grown to 671 families and individuals still waiting for housing. We have an affordable housing shortage. This is not news to any of you. I know this because when the City Commission approved the 2016 budget you established five major goals and objectives to guide the work of the Commission in 2016. Affordable housing is one of those five priorities. In the last comprehensive housing study conducted by the city in 2005 the CHAT report identified a need for 4,000 more affordable homes. An affordable home in Lawrence, by the city's own definition, is a home that costs \$130,000 or less or one which rents for \$700 a month or less. When Justice Matters talks about affordable housing this is exactly what we are speaking about. I know that you have been listening as a Commission and that you were listening when we gathered 1,700 people of faith together last May, to take action on this housing crisis. That evening at the Lead Center we called for the creation of an affordable housing trust fund with a dedicated revenue source to be established by January 1, 2016. We called for the creation of an Affordable Housing Advisory Board and we set the goal that together as a city we would eliminate the waiting list for the most vulnerable people in transition by the first of January 2019. I believe that you all were listening when we brought 200 people and delivered 1,800 signed postcards in

this room following that assembly. We asked you to make affordable housing a priority and you have said that it is. Since we've gathered here a year ago though many things have changed even in this room we have a new Mayor, a new Commissioner and now a new City Manager. Also, in that time you've established an Affordable Housing Advisory Board. Soon that Board will bring recommendations for an affordable housing demonstration project. It is our hope that this demonstration project would inspire public support for dedicated revenue streams for the affordable housing trust fund. However, we know that establishing dedicated revenue source will not happen without your leadership. We believe that you care about the people of this city. You have shown it in things that you have done. From our conversations with you each individually, we have every reason to believe and trust that you are the right Commission, at the right time, to find the right consensus around solutions to the crisis that we face. But, like those that are still waiting for housing we're still waiting. We're waiting to see how you take that \$207 million budget and show the city what you care about. Public record shows that less than 1%, truthfully less than one-fourth of 1%, was spent on affordable housing in the 2015 budget. We also know that the city itself has said it's going to take \$90 million to turn this train around. We believe that with a significant investment of funds, leveraged at an average rate of one local dollar bringing in \$6.50 from other sources we could eliminate that housing shortage in five years. Tonight, we have gathered here to remind you of the priorities that you established. We know that now is the time to impact discussions around the 2017 budget, so we are here to urge you to take advantage of the growing momentum in the community around affordable housing. To give some of your Commission meet time and your Commission meetings over the next few weeks to discussion around the possible revenue sources for the trust fund. Discussions that could lead to decision, change and hope in this community. We know that momentum can only be sustained when we take action and we see progress. We are asking you to take bold action and we have gathered here as a visible reminder that we are with you. We support you. We are praying for you and all in our city who need your very best wisdom and leadership. We need that leadership not next year, not sometime in the indefinite future, but now. Hundreds of families need safe and decent houses right now. Thank you for your time.

Vice Mayor Soden:

Thank you Mary. When is the next Affordable Housing Advisory Board meeting?

Casey Toomay:
Assistant City Manager

They are meeting on the 22nd.

Vice Mayor Soden: That's here in these chambers?

Casey Toomay:
Assistant City Manager At 11:00.

Vice Mayor Soden: Definitely an important point for all of us. Any other public comment that we have?

K.T. Walsh

Good evening Vice Mayor and Commissioners. I'm speaking only for myself tonight. Diane, thank you so much for your responses on the drone policy and the downtown cameras. Briefly on the drones, I realize we don't own them yet, but we will very soon Sheriff's and Police, the City and the County. We will own drones because they're such useful tools. I think it's important to have a preemptive policy. Also, the video that we all enjoyed about bringing the fabulous, is it a baseball thing that's going to be happening at Rock Chalk in a couple of years that Explore Lawrence is bringing to us? Yeah, that was all that wonderful filming by Explore Lawrence was done by a drone, so I'm just saying. The only thing on the downtown cameras, my memory is, and I could be not remembering this correctly but we did get a Federal grant to our police department because the Feds kept giving out money to police departments for all kinds of tools for downtown cameras. Now, it could be that we sent the money back or the grant never came, I don't know. I was at a public discussion at a City Commission meeting while lawyers from the American Civil Liberties Union, local Civil Rights and Privacy group, and many people came to speak about their civil rights and privacy. They were concerned about the cameras. There have been abuses in other police departments. People track their ex or do weird stalking things and so they've had to have strict policies in place. A police representative was there and said that they would create a policy to manage this so they would be used correctly. I may have imagined all that, but let me just tell you that. The other thing I wanted to tell you about is that the local NAACP has just come out with a survey that they would like the community to support and fill out. You can go to policestops@gmail.com or Lawrencekansasnaacp.com. They're very interested in whether or not you've ever been stopped by the Lawrence Police and what your experience has been. This is because we still don't have stats on the racial stops in our town which the NAACP has asked for. Just anecdotally, I have a friend who's a great-grandmother who saved and saved to get the car of her dreams and has been stopped four times, not by longtime Lawrence cops, but by rookies to see whether the car is stolen. She doesn't want to come forward. People are afraid of repercussions. We know this is not Ferguson, but we know there's unconscious bias. Let's talk and let's deal with it. Please fill out the survey and they'll be some to pick up at the library too. Thank you.

Vice Mayor Soden: Thank you KT. You want to check to see about the drones and apparently we may or may not have received a grant from them.

Diane Stoddard:
Interim City Manager I believe she's discussing the downtown cameras. I understand that there had been a discussion about a possible grant in the past on those, but that did not end up going forward. Those cameras were not purchased. There was some discussion in the past about them though.

Vice Mayor Soden: The downtown cameras aren't owned by the Police Department?

Diane Stoddard:
Interim City Manager Right and the Police Department does not use downtown cameras. We don't have any regularly downtown with the exception that I mentioned that are security cameras. If we have an NCAA event we have them up for a temporary period so we can keep tabs on large crowd's downtown.

Vice Mayor Soden: Any other questions? Any other general public comment?
None.

E. REGULAR AGENDA ITEMS:

1. **Conduct a public hearing to consider the sidewalk dining and hospitality license for RND Corner Grill, located at 801 Massachusetts Street.**

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

Moved by Commissioner Boley, seconded by Commissioner Herbert, to open the public hearing. Motion carried unanimously.

Vice Mayor Soden called for public comment. (None)

Moved by Commissioner Boley, seconded by Commissioner Herbert, to close the public hearing. Motion carried unanimously.

Moved by Commissioner Herbert, seconded by Commissioner Boley, to approve the sidewalk dining and hospitality license for RND Corner Grille. Motion carried unanimously.

2. **~~DEFERRED INDEFINATELY Consider authorizing staff to implement the Emerald Ash Borer Management Plan and authorize additional expenditures from the Sales Tax Reserve Fund in the amount of \$238,540 for 2016.~~**

3. **~~DEFERRED INDEFINATELY Consider approving the updates to the City of Lawrence Administrative Guidelines on City Travel and Expenses.~~**

4. **Receive information on custodial services for the City of Lawrence.**

Mark Thiel, Assistant Public Works Director, presented the staff report.

Commissioner Herbert: First of all, as I look over the contract with ISS, I note that the

billing address for ISS this is a Topeka based company correct?

Mark Thiel:
Assistant Public Works
Director

That's correct.

Commissioner Herbert:

When we originally sent out requests for bids did we receive any from local companies?

Mark Thiel:
Assistant Public Works
Director

I have the original tab here, just a minute.

Commissioner Herbert:

I asked that I don't know the business inside and out by any means, but I've got to think in a community of 100,000 people it seems strange to me that we have to farm our janitorial out of city.

Mark Thiel:
Assistant Public Works
Director

The original bid document showed ISS, Stratis Building Solutions, Smart Building Services, BPI Building Services, Jani-King of Kansas City, Bob's Janitorial, ServiceMaster and Citywide Maintenance. I'm sorry I won't be able to tell you quickly if any of those are local. I know a number of them for a fact are not, but I'm not sure if all of them are not.

Commissioner Herbert:

The second question I have I think I may have misheard you and so I'm just trying to clarify. When we had the City employee retire that had previously been servicing three buildings what did you say the cost was to do a change order in that contract to replace that employee or obviously to not replace that employee but to replace the services with ISS Services?

Vice Mayor Soden:

\$36,000.

Commissioner Herbert:

36, okay.

Mark Thiel:
Assistant Public Works
Director

That employee left, I'm sorry, he resigned. The savings was for about \$18,000. The increase to the contract was \$28,398 to add three facilities, so if you do the math. Was that?

Commissioner Herbert:

Yeah, no, that's perfect.

Commissioner Larsen:

Has the contract increased in price at all? It's stayed flat the whole time since 2012?

Mark Thiel:
Assistant Public Works
Director

It has except for the change order when we added the three facilities.

Commissioner Larsen: Okay.

Commissioner Herbert: I know what my other question was, sorry, the workers that ISS contracts to do the cleaning, these are not full-time employees, is that correct?

Mark Thiel:
Assistant Public Works
Director I think it might be appropriate to let Derrick answer that he's the manager.

Commissioner Herbert: Please.

Derrick Mazurkewycz:
General Manager, ISS Typically we employ part-time employees when we're dealing with these custodial contracts. We always look at the people that we have on staff and people who excel and do a great job for us to where we don't have problems and things like that. We look to promote from within that type of thing and this particular contract we have done that with some employees. There is one full-time employee on the current staff right now and the rest are under the laws of full-time employees considered part-time employees. One full-time employee right now, the rest are part-time employees.

Commissioner Larsen: What does you full-time employee make per hour?

Derrick Mazurkewycz:
General Manager, ISS \$10 per hour.

Commissioner Larsen: You're part-timers?

Derrick Mazurkewycz:
General Manager, ISS There's one that makes \$12 per hour. There's one that makes \$9 per hour and then there's a few that make \$8 per hour.

Vice Mayor Soden: Any other questions for Derrick? Thank you Derrick. Any questions for staff? I guess it's time for public comment. Any public comment? Please come to the microphone and write your name and address down and tell us who you are.

Pat Roach Smith:
Chief Operating Office
Bert Nash Mental Health
Center Good evening Commissioners. I want to start my brief remarks by thanking the City of Lawrence and the County of Douglas for the Community Health facility. It is a wonderful facility and there aren't very many community mental health centers that have such an arrangement. I also would like to address concerns that we have about the custodial services at the Community Health facility. I have talked with the Douglas County Health Department and I would like to share their concerns as well which are the same. Mr. Thiel talked about our movement away from maximum cleanliness my words to minimum cleanliness. As you know we're a community mental health center and we're a health care

provider. We give injections to our consumers, as well as dispense medication. The respect that the building and those individuals that come into that building every day really is reflected by the cleanliness of the building. We feel strongly that our clinic should be vacuumed daily, all of the trash should be emptied daily and countertops, etc., wiped down. I know myself every Friday I wipe down my desk, my countertops and my door knobs, I'm a little bit paranoid, but still, with the antibacterial wipes. I ask that you consider an increase in the cleanliness of our facility. I really do. I think that you have an email from our Governing Board member Brad Bernstein addressing his issues. Any questions for me?

Vice Mayor Soden:

Any questions for Pat?

Commissioner Larsen:

You said that daily cleaning should be done. Is it not being done now?

Pat Roach Smith:
Chief Operating Office
Bert Nash Mental Health
Center

I don't see it. It may be happening in some of the rooms in terms of vacuuming. I believe the offices aren't vacuumed daily.

Commissioner Larsen:

Okay.

Vice Mayor Soden:

Any other questions for Pat?

Commissioner Herbert:

In your opinion would this be better handled in-house or do we just need to increase the level of service we receive from the company that we farm out to?

Pat Roach Smith:
Chief Operating Office
Bert Nash Mental Health
Center

Gosh, I really can't answer that. I'd like to see the increase in the service whether it's provided by an outside vendor or by the City.

Commissioner Herbert:

Thanks.

Pat Roach Smith:
Chief Operating Office
Bert Nash Mental Health
Center

Thank you.

Vice Mayor Soden:

Thank you Pat. Any other public comment?

KT Walsh:

Sorry to be up here again. One of the original concerns when the gentleman from Just Food brought these concerns to you all was that these employees had to do a couple hours and then drive or take a bus or walk, somehow get to another building over here. Then, maybe there'd be an hour off and they'd have to be over here and all the disruption to family life

and part-times jobs, maybe having another job someplace else in the city. These are low income positions. You probably have a crummy car, etc. that was another thing that was brought up. Also, the hourly wages are those before or after the firm takes their cut and are there any benefits at all? Thank you.

Commissioner Herbert:

Do you want to address that Derrick?

Derrick Mazurkewycz:
General Manager, ISS

Yeah, for the full-time employee there is health insurance, vision, and dental available to them if they elect to take it under the new ACA laws and stuff, for part-time employees there are not. With the wage rates, typically it is a bottom dollar type of business when you're going out to government entities and trying to sell your contract. With part-time labor it's, of course, cheaper than full-time labor and that's where some of this derives from. If you go down the road it's a little more, down the road saying down I-70 east. It's a little more cutthroat down there than it is in these areas, so we're able to pay a slightly better rate than you may see down the road a little bit as weird as that may sounds with the bigger city and stuff. Yeah, to answer her question.

Vice Mayor Soden:

Any other questions? Thank you Derrick.

Derrick Mazurkewycz:
General Manager, ISS

One more comment sorry. Typically, like I said, it is geared more towards part-time employees and that's what we advertise as and stuff. It's usually a second job for someone. When you mentioned the moving back and forth between buildings and stuff, some of the buildings are rather small and you just can't build a four hour, it's not financially right to put a four hour person in a building that can be cleaned in an hour and it would cost you guys extra money, us, everything. I just wanted to comment on that it's typically a part-time gig for people. They're picking it up as they're on their way home and they're getting some extra money for that stuff. That's what we're geared towards.

Commissioner Larsen:

Is that case for all these employees in Lawrence?

Derrick Mazurkewycz:
General Manager, ISS

No, that's not the case for all of them. The full-time employee it's her first source of income. She was actually a part-time employee for us that did a fantastic job for us over a couple years, about a years and a half's time. We promoted her to a full-time position, but in order to do that there's only so many hours with, like I mentioned there's some smaller buildings. We have to put them in several different locations in order to achieve the 40 hour work week and to get her eligible for the benefits and stuff.

Commissioner Larsen:

The part-time folks you said that most of them are, this is

their second job or they just pick it up on the side. Is that the case for the Lawrence employees?

Derrick Mazurkewycz:
General Manager, ISS

I couldn't tell you exactly for each individual employee. I was just speaking in general terms that our work, the work we do, that's where we typically see people for a second income. It's not usually their first income being that it's part-time work.

Vice Mayor Soden:

Any other questions? Any other public comment?

Mark Thiel:
Assistant Public Works
Director

Excuse me one of the things too to think about and I failed to mention is with the service level that's provided the facilities themselves are the ones that determine the times that the facilities are cleaned. That was part of the original negotiation and some of the facility's times had to change because of staffing needs. For example, one of the fire stations was cleaned after hours, not the Fire Admin building. As a result of service level needs we determined that that building needed to be cleaned during the day. There had to be a change to meet the needs of the facility. There's always a tough balance on those types of issues.

Vice Mayor Soden:

Any other public comment? Back to the Commission. What do you guys think?

Commissioner Herbert:

When we hear about the issue of different buildings needing cleaned at different times. All of this to me points to the fact that it would be a whole lot more convenient for us with scheduling all of this if the services were moved internally. If we move the services internally I think that what we could ultimately do is actually give people full-time, meaningful living wage employment as opposed to farming out the services where we have people that are working 22 hours a week for \$8 an hour. Private businesses can pay what they want that's part of what the free market does, but ultimately as a city government, I think we have an obligation to take the lead and say that workers that work inside of city government buildings earn a living wage and do so at a job where they can support their family. It seems painfully ironic for our Commission to take charge in an affordable housing program at the same time that we allow our city government buildings to be cleaned by people working 22 hours for \$8 an hour.

Vice Mayor Soden:

I certainly agree with those thoughts.

Commissioner Larsen:

Yeah, I do too Matthew. I find it concerning that since 2012 we've had to contract for these three years and under the guise that we are allowing these folks to be paid the wages they're being paid. They can't live off these wages part-time, full-time or whatever. I agree with Matthew that here we are

getting ready to go into a budget cycle and we're talking about affordable housing and living wages that we need to walk the talk so to speak. I think we do. I know we've saved money these past several years doing that, but at what cost? It's cost to those families and to those individuals. I'm not for sure if that's something I would be very proud of.

Commissioner Boley:

I think that our community health building is very important to our community. I believe that it's getting to be a building of a certain age. We have an opportunity to really take care of it or we could let it go downhill. It's not just the janitorial/custodial work. There are a lot of things that we need to be on top of. We need to be in touch with Douglas County because I believe they're our partner in this enterprise, is that correct?

Casey Toomay:
Assistant City Manager

I believe the city owns the building.

Commissioner Boley:

We share some expenses or we do all the expenses on that.

Casey Toomay:
Assistant City Manager

It's 50/50.

Commissioner Boley:

They're a partner with us. We need to be ...

Casey Toomay:
Assistant City Manager

I believe that the costs of the building are 50/50 shared between the city and the County.

Commissioner Boley:

I think we need to reach out to the County, reach out to the folks at Bert Nash visiting nurses and say let's take a look at this building and what does it take to make sure that it is really a functional, good facility for our community for the years ahead of us. When do the bonds roll off on that?

Casey Toomay:
Assistant City Manager

I can't tell you off the top of my head.

Diane Stoddard:
Interim City Manager

Yeah, we can check on that Commissioner.

Commissioner Boley:

It's just another couple years I think, so that gives you an idea it is a building of a certain age. We really do need to take care of it.

Diane Stoddard:
Interim City Manager

Can I make a couple quick comments? One thing I do want the Commission to be aware as we talk about wages is we do have a number of part-time employees that we do employ that are in a lower wage. We regularly employ many, many employees in our parks and recreation activities throughout the entire summer that re paid at these sorts of levels that we're talking about. I want you to be aware of that because

obviously if you look at increasing all the wages to a certain threshold there's going to be a lot of cost for that. I want you to be cognizant of that. Then, I agree with you Commissioner Boley on the keeping up of our facilities, I would like to point out that not only is that a concern with regard to the community health facility, but we have many different facilities in the city as well that are also older than the community health facility that we need to be equally attentive to.

Commissioner Boley: I think we have to have priorities too and for me this is a top priority.

Diane Stoddard:
Interim City Manager Very good.

Commissioner Larsen: What are some of these facilities you're talking about Diane? Are those ones along in the cleaning service, on the list of the cleaning service? Do we know?

Diane Stoddard:
Interim City Manager For example, this facility is one, but we have a number of them that yes some that are part of the cleaning contract. I just wanted to make generally I believe that all the facilities that we have and we serve a lot of people in a lot of different realms on a daily basis. That facilities and the upkeep of those are a large dollar item that we need to be cognizant of. I agree with the health facility and I think we can certainly have meetings with them. Today is the first that I've heard of those concerns. We'd be happy to sit down with them and visit about that. Try and address that and see what the incremental difference is to help provide that at a higher level.

Commissioner Boley: I'd be happy to be involved in those meetings.

Diane Stoddard:
Interim City Manager Very good.

Commissioner Larsen: Is this a situation where we should possibly think about rebidding the whole project?

Vice Mayor Soden: We've got four options here. I think one of them was rebidding.

Commissioner Larsen: That way we can make sure we have what, like Bert Nash, what they need for their cleaning criteria. Is this a time we think about doing that?

Vice Mayor Soden: We have four options continue the current contract vendor. Number two terminate the current contracts, add any additional requirements and rebid. Number three amend current contract with a change order to provide additional requirements and number four terminate the contract and

perform services with internal staff. We have four options.

Commissioner Boley: Can we think about it for a while? Do we have to act tonight?

Diane Stoddard:
Interim City Manager It's my understanding and I'm going to turn to Mark. This contract goes through the end of March. Is that correct?

Mark Thiel:
Assistant Public Works
Director It does. The current contract goes through the end of March but, the contract language that is currently in the contract if you were to extend that beyond March. Let's say we continued into the next option year we could, at any time, during that 12 month period end our relationship with ISS just because we wanted to.

Diane Stoddard:
Interim City Manager With a 30 day notice.

Mark Thiel:
Assistant Public Works
Director With 30 day notice, that's correct Diane.

Diane Stoddard:
Interim City Manager There's not necessarily anything magical about this March date coming up that really all the different options that are laid out in the memo would be options for the future.

Mark Thiel:
Assistant Public Works
Director That's correct.

Commissioner Herbert: Do we know how many, and Derrick this might be a question for you. Do we know how many billable hours a year the city's being charged for?

Derrick Mazurkewycz:
General Manager, ISS I have that information gathered. I don't know it off the top of my head. I think I provided it to Mark and Jason in the sheet where I put out the pay rates and all of that Mark.

Jason Stowe:
Building Maintenance
Manager It is an attachment.

Mark Thiel:
Assistant Public Works
Director Is this what you're talking about?

Derrick Mazurkewycz:
General Manager, ISS Yeah, it doesn't give total, but it does give total per...

Diane Stoddard:
Interim City Manager Jason, I think there was an error with that particular attachment. If you happen to have it printed? It's going to the wrong information online.

Mark Thiel:
Assistant Public Works
Director

Back when this originally came up with the wage discussion in 2015, we had asked when we were trying to come up with the cost estimate for doing the services in-house. We needed some kind of hourly comparison. We had asked Derrick and his company to provide.

Derrick Mazurkewycz:
General Manager, ISS

That doesn't include all of the special service items that are performed as far as hours go. The specialty work is not just general cleaning. The floor stripping and waxing; the carpet cleaning; the window cleaning, all of that stuff it doesn't. That's just the basic general clean.

Commissioner Herbert:

The reason I bring that up I'm looking at the \$57,000 change order to bump that to \$13 an hour. I guess just to be honest with you I'm just trying to the math to make sure that if we pay \$57,000 that that money is actually going to workers.

Mark Thiel:
Assistant Public Works
Director

I wanted you to have an idea of what ballpark range you were talking about. The contractual language that we have in this contract, as well as our other contracts, if that's a direction that we choose to go with this custodial is to do a change order not only for wages or for service level. We would actually go through the change order process. We would submit to them what our request is and then we would require them to submit a change order that would more than what I got for the estimate. It would have to be detailed out, so we could actually say, for example to your point Commissioner, that, the \$56,000 does equal the hours. It's not just a number they threw at it.

Commissioner Herbert:

That's what I want to make sure.

Mark Thiel:
Assistant Public Works
Director

You would see that change order with more detail at the time where it comes back to the Commission to approve the change order.

Commissioner Herbert:

Okay.

Vice Mayor Soden:

I might be the only one, but I'm interested in bringing this back internally into City Hall. I think that this memo states it perfectly because number four this portion would allow a total overall quality assurance and quality control of the service and also just responsibility as Matthew was saying. We have a responsibility to lead the way in this kind of thing and I think it's important. I appreciate the cost savings that's for sure, but I think it's time to think about bringing it back.

Diane Stoddard:
Interim City Manager

Vice Mayor, may I also make a comment?

Vice Mayor Soden: Mm-hmm (affirmative).

Diane Stoddard:
Interim City Manager I think regarding that and we certainly presented that option and that is definitely an area that if you would like to go in that direction we can pursue that. I do want to point out that that's not a budgeted item for 2016 or beyond. It is quite a large cost differential based on our estimates. Those estimates that we have provided were current level of service. I just want to make sure that the Commission realizes that's going to be quite an additional cost for us to take on.

Mark Thiel:
Assistant Public Works
Director That is correct, based on current level of service, but it was also based on the numbers that you saw earlier. It wasn't based on the \$13 range. It was based on what we currently pay our custodial service provider our full-time people we have now.

Diane Stoddard:
Interim City Manager Perhaps when we bring it back we can, if you'd like us to look at that wage issue a little closer we can update these estimates based on that.

Commissioner Larsen: Because our cost, what I'm seeing on this table is what \$578,000 projected is that correct?

Diane Stoddard:
Interim City Manager Yes, it's correct.

Commissioner Larsen: You've got in here five full-time equivalents, but they're doing this with one full-time and three part-time? That's what I understand that they're doing. What was that Casey?

Casey Toomay:
Assistant City Manager I think it's because they can have somebody at multiple places at one time.

Diane Stoddard:
Interim City Manager They have part-time.

Commissioner Larsen: Okay, but we need five full-times for that versus three part-times and one full-time? Is that what we're saying we might need?

Diane Stoddard:
Interim City Manager Again, I'm going to turn to Mark and Jason to answer the questions.

Commissioner Larsen: And one supervisor on top of that.

Mark Thiel:
Assistant Public Works
Director Sure, we've based that estimate on full-time 40 hour employees. We didn't do an analysis using part-time employees. We could certainly do that. The difference between us doing the service in-house with full-time employees versus contract employees was one of the

questions that was brought up earlier about I think KT brought the point of about employees having to go and then wait an hour and then do more. We want to keep, if they were our employees, full-time, on the clock, we would want to keep them busy. There are some staffing requirements that we know of. For example, with the fire station and the police station that require certain things. I would imagine that those things would also take place at Bert Nash for timing of cleaning of services and those types of things. This was an attempt to get an estimate. If we were to actually be going down that road we would actually need to meet with each one of these agencies and find out when employees could be in the building, so we'd know what our workable hours were. Then, based on those workable hours in the facility and the estimated time that we would consider to clean those facilities we would have to determine if those are all full-time employees or some part-time employees. Anyway, for this purpose we took the approach that they'd all be full-time employees.

Commissioner Larsen:

Okay.

Derrick Mazurkewycz:
General Manager, ISS

I have something for Mark with the full-time.

Vice Mayor Soden:

Sure, just come to the microphone.

Derrick Mazurkewycz:
General Manager, ISS

When he's talking about five full-time employees just for your guys benefit. We have three managers and myself that are also involved with all of this stuff. They're not taking to account when we're looking at these. These are just the basic cleaning hours that we're talking about for the general cleaning, not the management, supervision, hiring, Work Comp, all that different type of stuff that goes into these contracts. I just wanted to add that. That may be where they're coming to five full-time because there's more involved to it than just the cleaners, so that's all I needed.

Vice Mayor Soden:

Do we have any other discussion or questions? Do you have clear direction to investigate other scenarios perhaps? It sounds like you need to check each facility and see if we need to boost the requirements for them.

Diane Stoddard:
Interim City Manager

We could certainly update these estimates if you would like us to do that and look a little closer at the FTE number that we have here. If there's any other direction that you have. Obviously, we will be meeting with folks that are in the community health building to address their concerns.

Commissioner Larsen:

Yeah, that sounds fine.

Vice Mayor Soden: Do we need to do any kind of motion or anything related to that or just give direction?

Diane Stoddard:
Interim City Manager I don't think so. Directions all we need at this point and then I think I understand that you want it as an agenda item later here once we get that information back.

Vice Mayor Soden: Okay, thank you. Anything else?

F. FUTURE AGENDA ITEMS:

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

G: COMMISSION ITEMS:

Commissioner Boley: I guess just to tell the Mayor we're thinking of him and hope he gets better soon. I guess I'd also like to say that I'm going to be out of town and I'm going to miss the Lawrence employee service awards. I hope that you will provide my congratulations to those who receive the awards and to thank the employees for their service. We really appreciate it. We have great employees and we rely on them and they come through for us.

Diane Stoddard:
Interim City Manager Thank you Commissioner, I'll certainly pass that on.

H: 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 Larsen, seconded by Commissioner Herbert, to adjourn at 7:08 p.m. Motion carried unanimously.

MINUTES APPROVED BY THE CITY COMMISSION ON MARCH 1, 2016.



Brandon McGuire, Acting City Clerk