



City of Lawrence

DAVID L. CORLISS
CITY MANAGER

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

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

CITY COMMISSION

MAYOR
ROBERT J. SCHUMM

COMMISSIONERS
MICHAEL DEVER
HUGH CARTER
MIKE AMYX
ARON E. CROMWELL

November 13, 2012

The Board of Commissioners of the City of Lawrence met in regular session at 6:35 p.m., in the City Commission Chambers in City Hall with Mayor Schumm presiding and members Amyx, Carter, Cromwell and Dever present.

A. RECOGNITION/PROCLAMATION/PRESENTATION

1. Presented award from the Kansas Emergency Management Association.
2. Proclaimed the week of November 12 – 16, 2012 as International Education Week.
3. Proclaimed Wednesday, November 14, 2012 as Geographic Information Systems Awareness Day.
4. Proclaimed Saturday, November 17, 2012 as the Salvation Army Christmas Kettle Kick-Off Day.
5. Proclaimed the month of November, 2012 as Alzheimer's Awareness Month.

B. CONSENT AGENDA

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

1. Approved City Commission meeting minutes from 10/23/12 and 11/06/12.
2. Received minutes from the Board of Zoning Appeals meeting of 10/04/12.
3. Approved claims to 178 vendors in the amount of \$2,205,348.21.
4. Approved licenses as recommended by the City Clerk's Office.

Drinking Establishment Licenses for El Matador Café, 446 Locust and Intorno Classic Italian Restaurant, 801 Massachusetts. Retail Liquor Licenses for Cork and Barrel Downtown, 901 Mississippi, Cork and Barrel, 2000 West 23rd St and Roy's Wine & Spirits, 721 Wakarusa No. 107.



We are committed to providing excellent city services that enhance the quality of life for the Lawrence Community

5. Bid and purchase items:
 - a) Awarded bids for the 2012 Weatherization program as follows:
 - i) Attic insulation to A+ Insulation for \$12,166;
 - ii) Storm windows to Ziegler Glass for \$12,475.88; and
 - iii) Weather-stripping doors to Airtight, Inc., for \$1,787.89
 - b) Waived staff estimates and awarded bids for the comprehensive rehabilitation projects at 1315 E. 21st Street to Schmidt Contracting, Inc., for \$26,928 and 1024 Iowa Street to T & J Holdings, Inc., for \$24,785.
6. Adopted on first reading, Ordinance No. 8821, adopting the 2013 Wholesale Water Rates.
7. Adopted the following ordinances on second and final reading:
 - a) Ordinance No. 8818, to rezone (Z-12-00147) approximately .1 acre from CS (Strip Commercial) to RS5 (Single-Dwelling Residential), located at 833 Connecticut Street.
 - b) Ordinance No. 8819, to rezone (Z-12-00194) approximately 14,317 square feet from IG (General Industrial) to RS7 (Single-Dwelling Residential), located at 513 N 7th Street.
 - c) Ordinance No. 8820, to rezone (Z-12-00196) approximately 7,887 square feet from IG (General Industrial) to RS7 (Single-Dwelling Residential), located at 529 N 7th Street.
8. Approved text amendments, TA-12-00182, to the City of Lawrence Land Development Code, Chapter 20, Article 4 to change the Truck Stop use from permitted to permitted with a Special Use Permit in the IG (General Industrial) District. (PC Item 5; approved 8-0 on 10/22/12).
9. Approved text amendments, TA-12-00183, to the City of Lawrence Land Development Code, Chapter 20, Article 4 to change the Recycle Processing Center use from permitted to permitted with a Special Use Permit in the IL (Limited Industrial) District. Adopted on first reading, Ordinance No. 8816, for text amendments (TA-12-00182 & TA-12-00183) to the City of Lawrence Land Development Code, Chapter 20, Article 4 to change the Truck Stop use from permitted to permitted with a Special Use Permit in the IG (General Industrial) District and to change the Recycle Processing Center use from permitted to permitted with a Special Use Permit in the IL (Limited Industrial) District. (PC Item 6; approved 8-0 on 10/22/12)

C. CITY MANAGER'S REPORT:

David Corliss, City Manager, presented the report.

D. REGULAR AGENDA ITEMS:

1. **Receive staff report regarding the proposed recreation center.**

Schumm said we have had some difficulty at the Varsity House project. We received a letter tonight indicating a willingness to work with us and gives us enough information to resolve this issue. I'll put it on the agenda next week. It's a positive step in this situation and I think we can amend the site plan but we need to have a city commission discussion about it. We aren't taking any comment on that tonight, but we will next week.

David L. Corliss, City Manager, presented the staff report.

Amyx asked about the commitment from the city for west of K10 improvements.

Corliss said we didn't have a commitment. KDOT had been committed for a diverging diamond. We had been talking about improvements west of K10 on 6th, but we didn't have a dollar amount on that. I don't have a funding source to participate with KDOT on any work west of K10.

Amyx said there will be a need for improvements west of K10. It's going to have to happen for safety.

Schumm said we could look at a benefit district.

Corliss said yes. He said we have \$4 million in the debt budget for the rec center site; if that is freed up it is available for other uses.

Ernie Shaw, Interim Director of Parks and Recreation, and Mark Hecker, Assistant Director of Parks and Recreation, presented the floor plans of the proposed recreation center.

Schumm asked if the design was our decision, tailoring to our needs.

Hecker said yes, it was city designed to meet our needs.

Jana Dawson, Parks and Recreation Advisory Board, said the board recommended proceeding with the Rock Chalk Park project. A lot of work and thought went into this by many different partners. This went all the way back to the mid-1990s when the need for gym space was identified. We are still 20 gyms short for our current needs. We don't have space for kids to practice every week. We only have space to accommodate 6 youth basketball games in a season. It is a shame that we don't have the space to accommodate girls' sports in particular.

They are going to other cities to play volleyball and other sports at a higher level. We started having public forums in 2009, this is not new. We have tried to hit a lot of different areas and people. These plans are the culmination of those discussions. We have tried to address seniors with walking space and weights. This doesn't touch just one segment of the community. You have the opportunity to not only meet your primary needs but also bring outside dollars to the community to provide a return on investment. She said there had been concerns about having the center out west. As a parent and coach before we lived in Lawrence we came for events and we went downtown for food and shopping. We aren't going to lose that by having the center out west. It's a no brainer that we can get so much more for the dollars we are investing, by partnering with KU Endowment. On behalf of the advisory board she encouraged moving forward on the Rock Chalk Park site.

Mayor Schumm called for public comment. He asked that speakers not monopolize the speaking time.

David Reynolds read a statement. Several key questions needed to be answered. The project was moving fast and the relationships and arrangements were not clear to the taxpayers. The primary question is why is KUEA asking for an IRB. There is significant concern among taxpayers that the Commission has not responded to the KUEA proposal. They have no idea for the tax benefits of an IRB. Who will own leases on the property and who will benefit from the IRB? Will it be KUEA or Bliss Sports? There is no direct benefit to the community if Bliss Sports is the beneficiary of the IRBs. These questions need to be answered before proceeding.

Debbie Van Saun, KU Athletics, said there would be five short presentations from KU athletes.

Madi Hillis said the complex was a huge win for the community. She said she had the chance to train and play at great facilities and they can do great things for young players. She

believed this facility can give back to Lawrence youth the kind of support she received as a youth.

Carolyn Castor said she had memories from her youth in Wichita which revolved around opportunities to play at great facilities, and allowed her to be a part of something bigger than herself. She could recall teammates that went on to compete at high levels, and develop good character. She said the community benefitted from having facilities that competed with what could be found in other communities. It would be amazing to see this collaborative partnership.

Maggie Hull said she was a graduate of Free State High School. She said Sport to Sport existed back then and had a great connection to KU. The camps and clinics held there, and being able to form relationships with KU athletes as a 6th grader was very important to her. The relationship is beneficial to student athletes who are able to give back as mentors. In her own life athletics taught her important values such as team work and hard work. As a community it is important to support our youth and their dreams and aspirations. She said on behalf of KU Athletics she has seen great improvements over the last few years and the Rock Chalk Park would go even further.

Taylor Tolefree said she grew up in Lawrence, and finding gym space then was difficult. She was excited about this project. There is not a lot of promotion for the sport of volleyball. She had to travel to Topeka and Kansas City to compete as she grew up. When KU wants to run a basketball camp currently it takes every gym in the city and doesn't leave space for sports such as volleyball. This would be a great project.

Tania Jackson said growing up they had Sport to Sport until it showed up. There wasn't enough gym space for the kids. There are no AAU teams here and she had to go elsewhere to find them growing up. This will help the people like her that didn't have those kinds of opportunities, and allow them to play here locally. It is a great opportunity for kids to become better athletes and people in general. She was blessed to be able to travel for AAU teams but

many kids don't have the money to do so. They could get the same opportunities if we had the recreation center here.

Diamond Dixon said she runs track at KU. She said she came from Houston and in the neighborhood she came from there was no recreation facility to run at. She had to travel long distances to run. The rec center would be a great thing for kids that aspire to be competitive athletes.

Debbie Van Saun said a lot of the kids had to leave now for tutoring so she didn't want the commission to think they were being rude. She thanked the commission for their time.

Laura Routh said she was going to be a buzz stopper after those last speakers. She said she wanted to note the size of the facility at either site, which is larger than all other park and rec facilities combined. Specifically, the Rock Chalk Proposal's financial commitments were not equally distributed. Local taxpayers were on the hook for a disproportional amount. We would lose sales tax revenue. She wanted to know the value of the free water, snow removal, and other services. She was also concerned about other park and rec needs. She said it appears this project can only be achieved through deficit spending. The projections about tournaments and sponsorships were speculative. That KU is demanding a no bid process is troubling. The proposal that the city maintain the outdoor space for 99 years is troubling. Commitments to maintain the facility should be limited to one generation at most. The size and scope of the project is more about KU recruiting than community need. We need to save for a rainy day. We need a rec center, but not perpetual debt. Let's pursue the Overland site.

Richard Hird said he was a representative of Jack Graham, a neighboring property owner. It was inspirational to hear the students address the commission, but he wanted to raise a couple issues for consideration. Last night the Planning Commission voted to recommend GPI zoning. His concern regarding that was the uncertainty of the relationships among KU Endowment, KU Athletics, and Bliss Sports. Generally GPI is for institutional use, but it also allows general entertainment. An earlier version of the site plan included an amphitheater. He

urged the commission to restrict those uses. Another troubling aspect of GPI is that it is primarily for non-profit use. If Bliss Sports is going to operate this on a for profit basis then GPI is improper. That would be a misuse of that zoning category. The information he had was that the property was going to be turned over the developer for operation and that was concerning.

Carter said assuming we get answers regarding profit vs. non-profit, and the operation of the facility, for the most part GPI looks like a good fit. He said they were on the Planning Commission together and he respected Hird's opinion on these things, and he was asking about conditional zoning. He thought GPI was a good fit but he thought Hird's concern was specifically about the amphitheater.

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Hird said his concern was the use that was allowed. If you zone this property and this project doesn't go forward what happens to it then? Last night at the planning commission meeting we requested conditional zoning and he sent a letter to the planning commission outlining exactly what they were requesting. The planning commission last night did not agree to do conditional zoning. It was suggested by the director that this would be more appropriate for discussion at the site plan, but Hird said he thought you had to deal with the underlying use and exclude uses not contemplated by a sports village. He said that is all he was asking for.

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Schumm said that was a question we could talk about at zoning time when it comes to us.

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Alan Cowles said the West Lawrence Neighborhood Association didn't have an official position. He thought there was a long standing interest in having a rec center out west. Beyond that there are lots of questions regarding the market analysis, whether it would create the demand that is projected, and whether this will be a financial burden. The homework hasn't been done yet. There is a long standing interest for a rec center and he thought all the options needed more consideration. He recommended keeping all the options open and be prepared to do a lot more homework before making a decision.

Schumm said part of this was a chicken and egg situation. Our action could be to direct staff to negotiate contracts. That's the next step, where you work out those details people want to know. We'll get a lot more details if we move forward.

Hubbard Collinsworth said he was always interested in transportation needs and the ability to get out to the facility. He wondered about the traffic partners. When you discussed the Wal-Mart site that was a concern for people. This facility will also need security. Is our police department going to do it or will it be private security?

Schumm said we would provide public transportation to the site.

Tom Harper said he felt nervous about the enormity of the project and its cost. In the paper he read we spent 30 million dollars in 28 years from this tax. Here we would spend 25 million in a year. It seems a little like going to Vegas. He is heartened that everyone is trying to be mindful of the importance of the decision. There are so many moving parts though. One part that bugged him was the lack of a bidding process. Why not open it up? He hasn't heard why KU wants Fritzel and he thought the public needs to know why. It seems like this is going fast. Rental registration is coming up in December. If we spend 25 million here, he said he wants us to spend money there.

Dane Oldridge said he travels a great deal for work. When he tells people he is from Lawrence they always associate it with KU. The opportunity for the city and KU to partner, as a parent of children, and as a taxpayer of Lawrence he thought Option A was the best. Lawrence and KU are one and the same regionally and nationally. Missing this opportunity would be a tragedy.

Doug Vance, Kansas Recreation and Park Association, said the project would help our community be more livable. This is a quality of life issue. He had seen recreation centers in other communities. Nearly 60 years ago people had a vision of building a large recreation center in Lawrence and people questioned it, but building Allen Fieldhouse then was the right decision.

Dan Dannenburg said this project is really a big concern. There is a quote in the paper that one commissioner said the voters had voted on this project in 1994. Citizens had not voted on this. No one in 1994 saw this kind of partnership then. People should have the opportunity to vote on this today. The impact is too great. The other concern is this recreation center is a quasi commercial enterprise. The essence of this is to get the maximum amount of fees to offset operation costs. More use equals more maintenance costs. Whether or not we have adequate marketing through the CVB, we don't know. The tournaments will require more staffing. The keyword at this time is transparency. We have had so called public input but we need the negotiations to be absolutely transparent. Citizens, not staff or commissioners, need to be in on those negotiations to monitor that the public interest is protected. We cannot rely on city staff to represent the citizens at large.

Gary Rexroad said this is a really big deal. It's fantastic. Incredible. He was here in support of the partnership with KU. We have heard tonight that the need is clear. He was pleasantly surprised to hear the students talk about the impact of sports on kids. The impact represents a really rare opportunity. You have an obligation to make sure we capture the best we can in this really rare opportunity. He said he was absolutely convinced that this commission had been transparent. This is a clear positive for the community. We elected you to represent us and he trusted that they did a great job of that. He asked the commission to support the Rock Chalk site.

Kevin Loos said he had coached a multitude of youth teams over the last 6 years. If you are skeptical of the economic impact, he invited people to go to other cities and see how many people showed up every single weekend. Locally you only have to look at the Indoor Aquatic Center to see how many meets we have held there. There are teams from all over the state and Missouri that come in for tournaments. From a recreational standpoint he favored the Rock Chalk site over the Overland site. The site appeals to multiple demographics. You offer the opportunity for multi-generations to be there together. When you are at some of the other cities'

facilities there is nothing else to do, and in comparison this site is much better. The Rock Chalk site offers much more. There are opportunities for future growth also.

The Commission recessed for a break at 8:29 p.m.

The Commission resumed the regular session at 8:42 p.m.

Amyx thanked staff for the update on the sales tax revenues. He said he received a question regarding charter ordinance 19 and our bidding process. He asked what our process would have to be.

Toni Wheeler, City Attorney, said there is a state statute requiring certain public entities to fulfill certain bidding requirements. That is not a uniform statute, so cities can charter of that state law and adopt other requirements. Lawrence did that with Charter Ordinance 19, which does authorize the Commission to waive bidding requirements.

Schumm asked when that ordinance was adopted by this body.

Wheeler said it may have been 1984.

Schumm said in this case the relationship would be to partner with KU Endowment, and they select the contractor. It's a different kind of arrangement. How does it fit in this ordinance?

Wheeler said the improvements and the land would be turned over to the city. We are authorized to acquire public buildings under Charter Ordinance 40.

Amyx asked if we had chartered out of the statutes regarding authority for the public to protest the governing body's expenditures on public improvements.

Corliss said Charter Ordinance 32 was replaced by 40. The discussion at that time had been that we didn't want to have a public vote on every parks and recreation facility following the approval of the sales tax. With the library, we chose to seek voter approval. That was not a legal requirement but we chose to do it. There is not vote required under our laws.

Amyx said he was talking about the public's ability to protest. This is 25 million dollars. The Commission took that very seriously, but he said he would ask to discuss the ability of the public to come forward with a petition.

Corliss said similar to the library, or a different structure, we could do that. We could find a way to do it.

Schumm said the library was different because there was knowledge up front that there was going to be an increase in taxes. In this case we have a revenue stream to do it without raising taxes.

Corliss said the only additional comment he would make is that the revenue stream we are currently using to pay off for the health building and aquatic center are being would be paid off and then used for this project. We could try to retire the 4 million in infrastructure costs in a shorter time period, which would be his recommendation.

Carter said he tried to highlight the major questions that he has been asked by the community. There are recurring themes to address. First is the question of the need for the facility of this size. The presentations have been provided by staff and the advisory board, and have done a good job illustrating that need. He said he was thoroughly convinced of the need. It was first and foremost a community rec center. There was also an economic development benefit, secondarily. It is a community rec center that is absolutely needed. He commended the student athletes and the University for developing some great public speakers. To hear about their experiences and the shortage of space some of them experienced growing up was impactful. We voted on a tax in 1994 to address parks and recreation needs. Now we are 20 courts short and we have those revenues to address this need. The other location is a question that comes up. We have a good chart summarizing the costs. Either way it is a 19 million dollar facility. At Overland it is virtually the same costs. If you just looked at the costs at Overland, that is not necessarily a true cost, because there would still be infrastructure costs at the Rock Chalk Site. KU is our biggest economic driver and employer in Lawrence. To think that KU would do the project of that size and we wouldn't help in some way is not realistic. If we move to Overland there is still an investment at Rock Chalk Park, to get significantly less. There are things we can't measure that are important about being at this site, and others that you can measure. The

relationship with KU is very important as well. There is significant philanthropy involved at the Rock Chalk site as well. We are charged with making decisions that are best for all the citizens. We will have the controls to make sure we don't have problems that we can't deal with. Tonight we are giving direction to possibly negotiate contracts that would have the details people are looking for. The vast majority of citizens understand that. This sends a message that we are moving forward as a community, in partnership with KU. We have been involved with this for over a year. The majority believe we will act in their best interest. As people get more information their concerns wane. A lack of understanding and sometimes a lack of reading the materials lead to fears. People have questioned the affordability. He said he feared going too small rather than too large. Philanthropy helped, and interest rates were another issue in our favor. The rates we would be paying – now is the time to invest, to position ourselves to capture growth in the economy. He said he believed with the slow growth of the economy we are beginning to see, our best days are ahead. The completion of K10, the Farmland project, the 15th St exchange, the formation of the JEDC with a focus on jobs; these all poise us to compete. The collaboration with KU on this, and bioscience and technology, tell us that we are going to grow faster than the national economy. He said this will help our local economy grow and address the needs of the community. A lot of time, talents, and energy have gone into this. He supported moving forward and directing staff to work on the contracts.

Dever said there wasn't a whole lot to say after Hugh. This has been a difficult process. We have been working hard behind the scenes on behalf of the citizens of Lawrence. Throughout the country Lawrence and KU are synonymous. Our fates are tied whether we like it or not. Furthering our ability to partner with KU was important to him. He sees this park as an extension of his desire to partner with KU, to pool resources to make things better. This opportunity with KU came about because these commissioners were willing to stop and realign to make this a multiplicative benefit to the community. He has deeply considered if we want to invest this amount of money. We all think about the future and the investments we make as

commissioners. That brings him to the next question, whether we want a vote on this. He had been involved in several efforts to hold a vote when there were new monies needed with raised taxes. This is different. We were hired to make decisions like this. He said he had studied this and the one point everyone needs to understand is that we are not magnifying our debt, we are magnifying our resources through partnership. People ask why we would want to do something like this. Why wouldn't a private company come in and do this? He says, how can we expect others to invest in our community if we aren't willing to ourselves. Regarding the costs, this is roughly the same as what we have already been paying. We are just transferring the debt from some other spectacular opportunities to another one, and leveraging dollars that KU and private donors have committed. It is important for people to understand this is not a reckless use of tax payer dollars. For him, the best opportunity seemed to be a partnership at Rock Chalk Park.

Amyx said he thanked everyone that had worked on this project. The question we have tonight is where the site is going to be for the next rec center in Lawrence, Kansas. We had discussed a year ago where the site should be and he had concerns about the budget. As we look at the future, we need recreation facilities. There is no doubt in his mind about that. He has heard this from many people. What would be better for the long term is what he considered. He wanted every little kid to have access. There is a map in his shop showing the location of both sites. The Overland site is in the center of the neighborhood. Everyone can get there. Will it have all the energy around the site? It will have the shopping areas, the high school, the aquatic center. In this job we have to look into the future. At this point nobody has a better admiration for KU than he did. He said he had to look at the potential long term needs of the community. He said he can support the Overland site. We can design it to take care of the needs we have. One of the things we direct the city manager to do is to find the money to do the things we want to do. In the next 6 years we are going to have to take a look at transit. Social service agencies have shortfalls. We are going to have a lot of things to look at. This job is a balancing job. He would rather have us look at the Overland site.

Cromwell said he thanked everyone for participating in this. He recognized the hard work of the mayor and vice mayor. The job is a labor of love and is difficult at times. The correspondence he receives expresses confusion about the changes to the project. Part of that is because when something changes we put it out there to the public. We are at a point now where this has gone on for a long time and we are narrowing our focus. It is time for us to potentially narrow down to one site and get more details about it and get that out to the public. What he saw his role as was to look at the budget and our goals and vision for the city. It is very important to him to consider where we wanted to go and how this project would get us here. We have to have amenities; we have to play to our strengths. One of our strengths is KU. By combining with them successfully on other projects it has helped everyone. The other idea is the image of Lawrence as healthy and vibrant. We have to keep focusing on recreation. We can really help people get on the right track. When we talk about synergy, particularly at KU, by putting them together do we really need 800 parking spaces each within a mile of each other? That's just the parking lot. By combining these things together we can get more. We have a certain amount of money allotted to Parks and Rec. Neither one of these projects change that number. They aren't getting more than they had before. That is important. By putting our facility out with KU we get more for our money. If we do the project at Overland we'll still be looking at the infrastructure at Rock Chalk. Now we are tipping the scales further toward Rock Chalk. That is where he is leaning. This won't cost the citizens of Lawrence more money. He had been told by the advisory board that if they had one shot, this is where they would spend their money. This is a great opportunity. We had an opportunity to change at midstream and do something even better, and the correct decision here is to go with the Rock Chalk site and nail down some details there.

Schumm said all the comments had been thoughtful. It's been kind of a wild ride. This is the third site we have dealt with. There has been a steady evolution and progression. He had started out as very skeptical and he didn't believe as much as others. But over time he had

learned a lot and saw the value. Look at that site. It's a dramatic site, full of opportunity and beauty for the citizens of Lawrence. It's 150 acres. Being a partner with KU makes this even bigger and dynamic. We share a lot of facilities. By partnering we can save the public money. Looking at the economic development component points us at the Rock Chalk opportunity. We aren't done yet. The direction tonight is to negotiate contracts which everyone will have an opportunity to look at. It will be completely transparent. He supported the Rock Chalk site. He said he did have one thought on the contract negotiations. He believed it would be in our best interest to have a construction observer that would work for the city to monitor the progress on the facility and report back to us. If we had a person watching over this who could recommend changes on the fly, we would have a professional on site to give us that kind of information. This would be in the details of the contract, but parts of the construction would be bid on. He would like to see a list of the parts that would be bid on. He wanted to be careful to get the best value for the taxpayers. He thought there was good value here.

Corliss said we'll work on that.

Schumm said he was curious about how the buildings will be sequenced on the property, so we have an approximate ETA on the facilities. Also, over how long a period would it take to build out the whole site?

Dever said a project manager would be a good idea.

Moved by Dever, seconded by Carter, to direct staff to prepare necessary documents – for future City Commission review and approval – for a partnership with KU Endowment Association for the Rock Chalk park site. These documents would include, but not be limited to, City approval of all plans and specifications, review of bids and costs, property transfer, common area maintenance and access, and other necessary items related to the project.

Motion carried 4-1 with Amyx in dissent.

E. PUBLIC COMMENT:

Dan Dannenburg said with respect to economic development, has anyone heard from downtown Lawrence what their views on the project are? Sometimes to get a clean deal you have to throw a little mud on the wall. A few years ago there was a ticket scandal at KU, and before that a manager at the KU bus company made off with funds. Some years ago a new Green Hall was constructed and the law students then got some good old fashioned legal practice after they sued the contractor. Here we have \$25 million on the facility. What if the cost is \$30 million? I assume the city would pick up the costs. What if a couple years after the facility is completed there is a significant defect discovered? With respect to the mayor's comment about a project manager, that is a welcome comment. The city needs someone at the site at all times to make sure we are getting a quality project.

David Reynolds said there was a lot of discussion about the processes, meeting, etc. but when the location changed everything changed. The concern he has is that you answered none of the questions asked to you tonight. We have no feel for the relationships that will go on and who benefits. We have no control of our own destiny. We are going to buy a building and have no control over the parking lot. Who owns the ground? All of the costs in the KUEA letter, there is no way the city can cover them. The numbers in the brochure are flaky. What is the city's position on the issues in the KU endowment association letter? Those answers ought to be made public before directing staff to begin negotiations. What if 5 years down the road the ownership changes? What if they raise the rents?

Schumm said Reynolds was way off base.

Cromwell said we are putting the lease agreements together right now to make all those things clear.

F. FUTURE AGENDA ITEMS:

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

G: COMMISSION ITEMS:

Dever said we had a BTBC board meeting, and we are looking for a new manager of the facility, and they decided to keep the search going. They are hoping to find some good candidates and have received some great ones already. They also received a construction update and things are moving ahead.

H: CALENDAR:

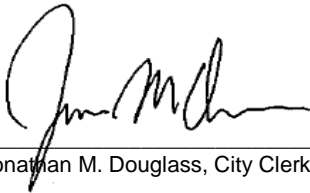
David Corliss, City Manager, reviewed calendar items

I: CURRENT VACANCIES – BOARDS/COMMISSIONS:

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

Moved by Cromwell, seconded by Carter, to adjourn at 9:54 p.m. Motion carried unanimously.

MINUTES APPROVED BY THE CITY COMMISSION ON 12/04/12.



Jonathan M. Douglass, City Clerk