



**EXECUTIVE COMMITTEE
AGENDA ITEMS**

December 10, 2021

**APPROVAL OF ADDENDUM TO
ATHLETIC EMPLOYMENT CONTRACT**

REQUEST:

Approval of an Addendum to the Athletic Employment Contract between Western Kentucky University and John Pawlowski.

FACTS:

The University and Coach Pawlowski have negotiated an Addendum to the Athletic Employment Contract which outlines revised terms and conditions of his employment as head baseball coach and extends his employment until June 30, 2025. A copy of the Addendum is included with this agenda material.

BUDGETARY IMPLICATIONS:

John Pawlowski will receive two months' salary for a conference regular season championship or NCAA tournament bid. Further, if the University terminates the contract without cause prior to the expiration date, the University shall pay the coach \$100,000 in equal installments over 12 months.

RECOMMENDATION:

President Timothy C. Caboni requests approval of an Addendum to the Athletic Employment Contract between Western Kentucky University and John Pawlowski.

MOTION:

Approval of the Addendum to the Athletic Employment Agreement between Western Kentucky University and John Pawlowski.

**ADDENDUM NO. 1
TO
WESTERN KENTUCKY UNIVERSITY
ATHLETIC EMPLOYMENT CONTRACT**

This Addendum No. 1 to the Employment Contract between **WESTERN KENTUCKY UNIVERSITY** (the "University") and **JOHN PAWLOWSKI** ("Coach") is entered into for the following purposes:

The parties agree that **ARTICLE III, "TERM OF EMPLOYMENT"** is hereby amended to read as follows:


The term of the Employment Contract executed by the parties on June 3, 2015, shall be amended to provide for a period beginning on the day this Addendum No. 1 is fully executed by all parties and expiring on the 30th day of June, 2025, as follows. The parties agree that if circumstances do not exist that would justify dismissal for cause as defined in 5.01 of the Employment Agreement during any year of this Contract, the term of this Contract shall be extended under the same terms and conditions by one additional year at the end of each year, with the term of employment together with extensions not to extend beyond June 30, 2025.

Article IV, 4.02 Coach's Bonus is amended to add the following provision: Coach Pawlowski will receive two month's salary for a conference regular season championship or NCAA Tournament bid.

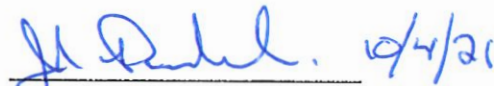
Article V, 5.04 Liquidated Damages Upon Termination By University Without Cause is amended to the following: If the **University** terminates this Contract without cause prior to its expiration date in accordance with the provisions of Section 5.03 hereof, the **University** shall pay to **Coach**, as liquidated damages, a sum equal to \$100,000 to be paid in equal installments over 12 months.

Unless otherwise specifically amended herein, the parties agree that all terms, conditions, agreements, and provisions of the Employment Contract dated June 3, 2015, shall continue in full force and effect for the term as established herein. The parties agree that this Addendum No. 1 is contingent upon subsequent approval by the University's Governing Board of Regents which will be sought by the University on October 22, 2021.

This Addendum entered into this 4th day of October, 2021 by:



Todd Stewart
Director of Athletics
Western Kentucky University



John Pawlowski
Head Coach
Western Kentucky University

APPROVE LEASE OF 1566 NORMAL STREET

REQUEST:

The President requests that the Board authorize the University to lease 1566 Normal Street for \$30,000 annually (\$2,500/month).

FACTS:

The WKU Real Estate Corporation purchased 1566 Normal St in the Fall of 2021. This property is in the campus master plan and strategically located across from the Music Hall and Grise Hall. The house was purchased from Alpha Omicron Pi, which used the property for their chapter residents and activities prior to building a new sorority house on Chestnut Street. Prior to serving as the sorority house, the property was previously used by the University as a guest residence. The home was built in 1938, has 4,865 square feet, and is located on a .38 acre lot.

WKU proposes to lease this property for use by National Pan-Hellenic Council member organizations for offices, member events, and a communal gathering space. The WKU Real Estate Corporation has made some needed repairs, but as would be expected for a property of its age, some minor additional work may be needed for it to be ready for NPHC use.

BUDGETARY IMPLICATIONS:

WKU proposes to lease the property from the WKU REC as a triple-net-lease for \$30,000/year for five years. All costs, including maintenance and operations, will be paid through the division of Enrollment and Student Experience. Off-setting revenues may be generated through member organizations, leasing living space and/or public parking.

RECOMMENDATION:

President Timothy C. Caboni recommends that the Board of Regents approve the lease of 1566 Normal Street from the WKU Real Estate Corporation.

MOTION:

Move that the Board authorize the University to lease 1566 Normal St property from the WKU Real Estate Corporation for \$30,000 annually.

Figure 1. The University is proposing to lease 1566 Normal Street for \$30,000 annually.