



MINUTES
CITY COMMISSION MEETING
TUESDAY, APRIL 21, 2009
7:00 P.M.

The Regular Meeting of the City Commission was held at 7:00 p.m. in the City Commission Room. Mayor Mark J. Hatesohl and Commissioners Bob Strawn, Bruce Snead, James E. Sherow, and Tom Phillips were present. Also present were Commissioners elect Loren J. Pepperd and Jayme Morris-Hardeman, City Manager Ron R. Fehr, Assistant City Manager Jason Hilgers, Assistant City Manager Lauren Palmer, City Attorney Bill Frost, City Clerk Gary S. Fees, Youth in Government Representative Beniah Wilson, 10 staff, and approximately 85 interested citizens.

PLEDGE OF ALLEGIANCE

Jessica and Georgia Hatesohl led the Commission in the Pledge of Allegiance.

PROCLAMATIONS

Mayor Hatesohl proclaimed April 20-25, 2009, ***Week of the Young Child***. Michelle Bemiller, Vice President, K-State Center for Child Development Advisory Board; and Anya Martin, President, Center for Child Development Parent Teacher Organization, were present to receive the proclamation.

Michelle Bemiller, Vice-President, K-State Center for Child Development Advisory Board, recognized Commissioner Snead for his ongoing efforts to bring awareness and to improve the child care issues in the Manhattan community.

Mayor Hatesohl proclaimed April 24-26, 2009, ***Global Youth Service Day***. Lynda Bachelor, Director, K-State Volunteer Center, was present to receive the proclamation.

Mayor Hatesohl proclaimed April 30, 2009, ***Arbor Day***. J. David Mattox, Forestry Supervisor, City of Manhattan, was present to receive the proclamation.

Mayor Hatesohl proclaimed May 2, 2009, ***Poppy Day***. Judy Roland, American Legion Auxiliary volunteer, and Elizabeth Wilson, Poppy Princess, were present to receive the proclamation.

COMMISSIONER COMMENTS

Mayor Hatesohl introduced Youth in Government representative Beniah Wilson.

Commissioner Tom Phillips expressed his appreciation to the community, to his colleagues, to City staff, and to his family during his tenure as City Commissioner.

MINUTES

Commissioner Snead moved to approve the minutes of the Special City Commission Meeting held Tuesday, March 31, 2009, and the Regular City Commission Meeting held Tuesday, April 7, 2009. Commissioner Sherow seconded the motion. On roll call vote, motion carried 5-0.

REORGANIZATION

Mayor Mark J. Hatesohl provided highlights during his term in office and thanked those that he worked with in the community and at Fort Riley.

Gary S. Fees, City Clerk, administered the Oath of Office to Commissioners-elect James E. Sherow, Loren J. Pepperd, and Jayme Morris-Hardeman.

Gary S. Fees, City Clerk, called for the election of the new Mayor. Commissioner Bruce Snead moved that Commissioner Bob Strawn be appointed to serve as Mayor until the second legislative meeting in April 2010. Commissioner James E. Sherow seconded the motion. On vote, motion carried 5-0.

Newly elected Mayor Bob Strawn called for the election of the new Mayor Pro-Tem. Commissioner James E. Sherow moved that Commissioner Bruce Snead be appointed to serve as Mayor Pro-Tem until the second legislative meeting in April 2010. Commissioner Loren J. Pepperd seconded the motion. On vote, motion carried 5-0.

Newly elected Mayor Strawn and City Manager Ron Fehr presented outgoing Mayor Hatesohl and Commissioner Phillips with plaques, a photograph, a book, and engraved candy dishes commemorating their terms in office.

Mayor Strawn presented the Commission and the community with his vision for the next year and thanked his family and fellow and past Commissioners. He asked that citizens become involved and provided several goals for the upcoming year.

At 8:40 p.m., the Commission took a ten minute recess.

CONSENT AGENDA
(* denotes those items discussed)

CLAIMS REGISTER NO. 2610

The Commission approved Claims Register No. 2610 authorizing and approving the payment of claims from April 1, 2009, to April 14, 2009, in the amount of \$1,311,839.19.

LICENSE – TREE MAINTENANCE

The Commission approved a Tree Maintenance license for calendar year 2009 for Capital City Tree Care, Inc., 7920 NW 35th Street, Silver Lake, Kansas.

ORDINANCE NO. 6757 – AMEND – CEREAL MALT BEVERAGE LICENSE FEES

The Commission approved Ordinance No. 6757 amending Sections 4-58, 4-59, and 19-30 of the Code of Ordinances concerning the fees of Cereal Malt Beverage licenses.

ORDINANCE NO. 6758 – MILLER PARKWAY DESIGNATION – THROUGH STREET AND NO PARKING ANYTIME

The Commission approved Ordinance No. 6758 designating Miller Parkway as a “Through Street” and designating the entire length “No Parking Anytime.”

RESOLUTION NO. 042109-A – SET DATE/FIRST READING – GENERAL OBLIGATION BONDS 2009A

The Commission approved Resolution No. 042109-A setting May 19, 2009, as the date to sell \$3,830,000.00 in general obligation bonds (Series 2009-A) and approve first reading of an ordinance issuing \$3,830,000.00 in general obligation bonds for the following projects: *Cedar Glen Addition – Street (ST0618); Grand Mere Vanesta, Unit Two – Street and Storm Drainage (ST0629/SM0605); Hawthorne Woods Addition – Sanitary Sewer (SS0711), Street (ST0715), Water (WA0709), and Trail (SP0707); Scenic Meadows Addition, Unit Two, Phase I – Sanitary Sewer (SS0702), Sanitary Sewer – Lift Station (SS0703), Street (ST0701), and Water (WA0702), and; 1600 Block Alley between Houston and Pierre Streets– Street (ST0801).*

AWARD CONTRACT – ENGINEERING SERVICES – 17TH STREET TRANSPORTATION IMPROVEMENTS (ST0824)

The Commission awarded a contract in the amount of \$45,000.00 for engineering services for the 17th Street Transportation Improvements Project (ST0824) to Landplan Engineering, P.A., of Manhattan, Kansas.

CONSENT AGENDA (CONTINUED)

* **AWARD CONTRACT – ENGINEERING SERVICES – TECUMSEH-QUIVERA DRAINAGE SYSTEM (SM0813)**

Rob Ott, City Engineer, provided additional information on the item and responded to questions from the Commission regarding the project.

Nathan Bergman, Bartlett and West Engineers, provided additional information about the topographical survey, public involvement, and communication of the project.

Dale Houdeshell, Director of Public Works, responded to questions from the Commission and provided additional information on the item.

The Commission authorized the Mayor and the City Clerk to execute a contract, which will be split into two phases, with the first phase fee in the amount of \$155,200.00 and a second phase fee not to exceed the amount of \$444,800.00, with the team of Bartlett & West and Sloan, Meier, Hancock Engineers, of Manhattan, Kansas, for engineering services related to the study and design of the Tecumseh-Quivera drainage system project (SM0813).

* **AWARD CONTRACT – SALVAGE OF CITY-OWNED PROPERTY – SOUTH REDEVELOPMENT DISTRICT (SP0901)**

Ron Fehr, City Manager, provided additional information on the salvage efforts of the property in the South Redevelopment District.

Commissioner Pepperd stated that he would recuse himself from this item as a result of the award of contract to Blecha Construction, Inc.

The Commission awarded contracts to Cheney Construction, Inc., of Manhattan, Kansas, in the amount of \$1,500.00 and to Blecha Construction, Inc., of Manhattan, Kansas, for a credit in the amount of \$11,065.00, for salvage of property in the South Redevelopment District (SP0901).

After discussion, Commissioner Snead moved to approve the consent agenda. Commissioner Sherow seconded the motion. On a roll call vote, motion carried 5-0, with the exception of Item H, Award Contract – Salvage Of City-Owned Property – South Redevelopment District (SP0901), which carried 4-0, with Commissioner Pepperd recusing himself from the item.

GENERAL AGENDA

CITY PARK POOL DESIGN

Curt Loupe, Director of Parks and Recreation, provided background information on the item and introduced the project contractor and subcontractor.

Mike Hampton, Capri Pools & Aquatics, responded to questions from the Commission.

Scott Hester, Counsilman-Hunsaker, reviewed the program confirmation and concept design process for the three design proposals. He provided a summary of the original master plan layout; multiple user groups considered (recreation, competitive, instructional, wellness, and therapy); and reviewed the priority matrix, site study, concept development, and options that have been presented to-date. He then presented options 2.1, 2.2, and 3.1 for the Commission's consideration and features associated with each respective option.

Curt Loupe, Director of Parks and Recreation, provided additional information on the amenities being considered and approximate associated costs.

Scott Hester, Counsilman-Hunsaker, and Mike Hampton, Capri Pools & Aquatics, responded to questions from the Commission regarding opportunities for swim lessons, activities, opportunities for fitness, and uses and features associated with the three options presented.

Curt Loupe, Director of Parks and Recreation, provided additional information on the Flow Rider and anticipated upcharge to use this feature. He then responded to questions from the Commission about maintenance costs, life expectancy of equipment, and projected staffing costs.

Scott Hester, Counsilman-Hunsaker, provided information on the operational costs and general maintenance considerations associated with each option. He suggested that a sinking fund be established for annual maintenance.

Mike Hampton, Capri Pools & Aquatics, informed the Commission that they will try to find a local service for pool pumps.

Curt Loupe, Director of Parks and Recreation, provided additional information on the pool options and considerations of the 50-meter pool and the 25-meter pool.

Scott Hester, Counsilman-Hunsaker, responded to questions from the Commission regarding the 50-meter pool versus the 25-meter pool and program opportunities that would exist for both options.

GENERAL AGENDA (*CONTINUED*)

CITY PARK POOL DESIGN (*CONTINUED*)

Curt Loupe, Director of Parks and Recreation, responded to questions from the Commission regarding hosting competitive swimming events, existing uses of the K-State facilities, and the aquatic swim complex in Salina.

Scott Hester, Councilman-Hunsaker, and Curt Loupe, Director of Parks and Recreation, responded to concerns voiced about the proximity of the log cabin being close to the proposed pool and possible materials to be used for the bathhouse.

Vincent Tracey, 304 Knoxberry Drive, stated the importance to have a competitive 50-meter pool and asked the Commission whether the 50-meter pool could be considered for Northview Pool, since voters also approved improvements to the pools at Northview and at CiCo.

Curt Loupe, Director of Parks and Recreation, stated that the budget amounts approved for the different pools would not be financially probable to place the 50 meter pool anywhere else but at City Park.

Jane Winslow, 3103 Stagg Hill Road, informed the Commission that recreation facilities are needed for everyone and that the City Park Pool did have a 50-meter pool. She asked the Commission to consider a 50-meter pool at City Park for all citizens.

Tracey Turner, 3801 Stratford Drive, asked that the Commission consider a 25-meter pool with additional amenities for the children. She stated that the 50-meter pool would serve a smaller fraction of our population and that the 25-meter pool would be sufficient and provides the most amenities and opportunities to bring in the most revenue for our community.

Chris Banner, 618 Osage Street, informed the Commission that his children were involved with the Manhattan Marlins and asked that a 50-meter pool be built. He stated that Manhattan continues to grow and we need to build a facility that will accommodate future growth.

Stephanie Thomas, 1841 Virginia Drive, asked the Commission to support the 50-meter pool to meet the fitness needs of the community and stated that the facilities at Fort Riley are only available early in the morning. She stated the 50-meter pool will provide for the community and that the Flow Rider is rather exclusive and would rather see a 50-meter pool for all in the community.

GENERAL AGENDA (CONTINUED)

CITY PARK POOL DESIGN (CONTINUED)

Betty Banner, 618 Osage Street, endorsed a 50-meter pool with the opportunity for a year round enclosure to fit the needs of our community and senior citizens who seek out activities at local hotel pools for exercise. She stated that Manhattan has been too dependent on K-State facilities and this is an opportunity to provide a facility for the Manhattan community.

Cheryl Collins, 1724 Fairchild Avenue, Director, Riley County Historical Museum, informed the Commission that she was pleased to hear that the pool design would shift further away from log cabin and asked to consider enclosing the pool facility. She asked to ensure that the log cabin and the pool fit together.

Curt Loupe, Director of Parks and Recreation, provided additional information on the enclosure of the pool as a possible option in the future.

David Braddock, 100 Dix Drive, voiced concern with people not being able to be here tonight to speak and asked the Commission to consider the trend of water toys and play features for children. He stated the trend is not the 50-meter pool and encouraged the Commission to support version 3.1.

Jennifer Bulloch, 4441 Kitten Creek Road, asked what the lost opportunity for youth is to train at competitive levels and stated that option 2.1 meets all the needs. She stated that the Marlins have been in Manhattan for 40 years and competitive swimming will continue if you allow it.

Conner Loupe, 4426 Wildcat Creek Road, provided the Commission with results from an informal survey from different Manhattan schools that favored Option 3.1.

Austin Bulloch, 4441 Kitten Creek Road, encouraged the Commission to support the 50-meter pool and stated that ten lanes opens up more opportunities for swimmers to compete against other kids. He said that Option 2.1 provides amenities too.

Linda Glasgow, 2236 Snowbird Drive, representing Manhattan-Riley County Preservation Alliance, provided background information on the log cabin in City Park and asked that citizens that pioneered this structure in our community not be forgotten. She asked that the log cabin be provided the proper space away from the pool so that it does not visually distract from or damage the cabin.

Mayor Strawn stated that the Commission understands the significance of the log cabin and that it will not be damaged.

GENERAL AGENDA (CONTINUED)

CITY PARK POOL DESIGN (CONTINUED)

Helena Grinter, 1523 Givens Road, stated that the 50-meter pool would provide opportunities for exercise, competition, swim lessons, free play, and other options for our community and senior citizens. She stated the Wave Rider in Option 3.1 seemed like an additional cost.

Tim Musch, 3829 Kate's Court, stated that the 50-meter facility would provide the greatest opportunity for aerobic exercise and fitness for our children. He encouraged the Commission to build the 50-meter pool facility.

Bonnie McKenzie, 1416 Humboldt Street, informed the Commission that she spent a lot of time at City Park Pool and voiced support of Option 2.1 for its size and safety. She stated that during peak times, the pool does get quite crowded and was concerned for safety in the pool.

Nelli Bucholtz, 234 Ridge Drive, stated that she appreciated the efforts to make a compromise but said it would be a disservice not to build a full 50-meter pool with a bulkhead. She stated that some toys would be preferred, but we do not need to organize all activities in the pool.

Geralyn Tracz, 145 Bethany Drive, informed the Commission that Option 2.1 would be preferred and was interested in providing water aerobics for seniors. She stated that her daughter was not excited about the Flow Rider feature.

Barbara Poresky, 3905 Barbara Lane, employed at Riley County Historical Museum, voiced concern with the log cabin in City Park and stated that the smaller pool provides a more comfortable distance from the cabin. She asked that the pool design be moved further away so that it would not encroach the cabin.

Jeff Bulloch, 4441 Kitten Creek Road, President, Manhattan Marlins, voiced support for the 50-meter pool to encourage swimming and fitness. He voiced concern in building a lazy river over actual swimming components.

Kathy Musch, 3829 Kate's Court, informed the Commission that CiCo Pool was too crowded and with the growth of the City continuing, she asked that City Park Pool be built as a 50-meter pool.

Curt Loupe, Director of Parks and Recreation, responded to questions regarding water aerobics and the depth of water necessary for programming activities.

At 10:20 p.m., the Commission took a brief recess.

GENERAL AGENDA (CONTINUED)

CITY PARK POOL DESIGN (CONTINUED)

Bernie Hayden, Director of Finance, responded to questions from the Commission regarding the voter approved sales tax and financial options.

Curt Loupe, Director of Parks and Recreation, responded to questions from the Commission for a possible 50-meter pool and/or Flow Rider to be built at Northview and voiced concerns with the high water table and availability of parking. He then responded to questions about the potential to enclose the pool with the options presented.

After discussion, Commissioner Pepperd moved to approve Option 2.1, the 50-meter swimming pool/aquatic park concept, as presented. Mayor Strawn seconded the motion.

Commissioner Snead thanked everyone for their input and stated that he believed that Option 3.1 represents the best choice for the community for the long term. He stated that Option 3.1 presents attractions that would serve a mix of our population and serve as a regional attraction that would be paid for with sales tax dollars to provide the best financial and regional opportunities.

Commissioner Sherow preferred a compromised solution that would incorporate the desire for a 50-meter pool and incorporate the Flow Rider feature. He voiced support to establish a sinking fund for scholarships for those needing financial assistance.

Commissioner Morris-Hardeman thanked those that spoke and provided input. She stated that Option 3.1 meets the overall community needs better and is financially responsible.

Commissioner Pepperd stated that the 25-meter pool is limited in its use and capacity and that a 50-meter municipal pool is needed. He said that he could understand the revenue producer Flow Rider, but felt a municipal pool should be for everyone and not limited to individuals that can pay for additional features.

Commissioner Sherow voiced support for a hybrid plan that would include the Flow Rider and a 50-meter pool. He stated that whatever we end up with, it will be an enhanced facility and amenities can be programmed as we build for the future and growing population.

Curt Loupe, Director of Parks and Recreation, responded to questions from the Commission regarding amenities, options, and the possibility of enclosing a 25-meter or the 50-meter pool.

Mike Hampton, Capri Pools & Aquatics, responded to questions from the Commission regarding features in the options provided.

GENERAL AGENDA (CONTINUED)

CITY PARK POOL DESIGN (CONTINUED)

Scott Hester, Councilman-Hunsaker, provided additional information in the operational costs and activities associated with a 25-meter and 50-meter pool. He then responded to additional questions from the Commission.

After additional discussion, on a roll call vote, motion failed 2-3, with Commissioners Snead, Sherow, and Morris-Hardeman voting against the motion.

After discussion, Commissioner Sherow moved to approve Option 2.3 with a full 50-meter swimming pool/aquatic center and a Wave Rider with the additional amenities, as the City can afford them, with direction provided to the consultant and staff. Commissioner Morris-Hardeman seconded the motion.

Mayor Strawn stated that he did not want to support building a pool half the size as the prior pool closed. He stated it is the City's responsibility to promote wellness and we need to invest in the 50-meter pool that supports health and wellness. He supported the alternative suggested by Commissioner Sherow.

Commissioner Morris-Hardeman stated that Option 3.1 offers more to the community and that we need to serve as many populations as possible. She said that the additional charge with using the Flow Rider could support a scholarship program.

Commissioner Pepperd stated that he supported the 50-meter pool with the bulkhead and said the new splash park feature will support amenities that we have not had before, along with the new City Park Playground. He stated that if the Flow Rider can pay for itself, then that would be fine.

Commissioner Snead said Option 3.1 provides the best overall option and an enclosure for wintertime swimming should also be considered. He stated that if there is a consensus for a 50-meter pool, it should include a bulkhead. He said the Flow Rider is a unique attraction that will bring benefits and will maximize other amenities, and provide revenue potential. He said that the tot pool could be added later, but needs to be included in the planning and design of the facility by the consultants.

Commissioner Sherow stated that a 50-meter pool would better serve community growth, especially as it could be enclosed for winter use. He stated the Flow Rider would provide a source of revenue to help cover operating costs and contribute to a maintenance fund and provide scholarships for disadvantaged users. He voiced future support to have the ability to accommodate tots and that a tot pool would be a first priority.

GENERAL AGENDA (CONTINUED)

CITY PARK POOL DESIGN (CONTINUED)

Scott Hester, Councilman-Hunsaker, provided additional information on the tot pool.

After additional discussion, on a roll call vote, motion carried 5-0.

Mayor Strawn thanked the consultants, staff, and the community for their work and input.

Commissioner Sherow stated that the Commission would do everything possible to protect the integrity of the cabin.

SANITARY SEWER COLLECTION SYSTEM MASTER PLAN UPDATE FINAL REPORT

Robert Pugh, Assistant Director of Public Works-Utilities, introduced the item.

Thaniel Monaco, BG Consultants, presented the item and responded to questions from the Commission.

Dale Houdeshell, Director of Public Works, informed the Commission that funding recommendations will be presented during the 2010 budget process.

Thaniel Monaco, BG Consultants, responded to questions from the Commission regarding the investment of infrastructure made to-date and those upgrades that are needed with the increasing growth of the community.

Ron Fehr, City Manager, and Dale Houdeshell, Director of Public Works, provided additional information on the item, informed the Commission of future improvements to the Wildcat Creek Lift Station, and then responded to questions from the Commission.

After discussion, Commissioner Sherow moved to approve the Sanitary Sewer Collection System Master Plan Update Final Report. Commissioner Snead seconded the motion. On a roll call vote, motion carried 5-0.

ADJOURNMENT

At 11:42 p.m. the Commission adjourned.



Gary S. Fees, MMC, City Clerk