

MINUTES
CITY COMMISSION MEETING
TUESDAY, JANUARY 5, 2010
7:00 P.M.

The Regular Meeting of the City Commission was held at 7:00 p.m. in the City Commission Room. Mayor Bob Strawn and Commissioners Bruce Snead, James E. Sherow, Loren J. Pepperd, and Jayme Morris-Hardeman were present. Also present were the City Manager Ron R. Fehr, Assistant City Manager Jason Hilgers, Assistant City Manager Lauren Palmer, City Attorney Bill Frost, City Clerk Gary S. Fees, 7 staff, and approximately 18 interested citizens.

PLEDGE OF ALLEGIANCE

Mayor Strawn led the Commission in the Pledge of Allegiance.

PROCLAMATION

Mayor Strawn proclaimed January 18, 2010, *Dr. Martin Luther King, Junior Day of Service*. Lynda Bachelor, Sara Weber, LeAnn Meyer, and other members of the Martin Luther King, Jr. Community Committee, were present to receive the proclamation. He then thanked the Committee for their work and provided additional information on the item.

PUBLIC COMMENTS

Mayor Strawn opened the public comments. Hearing no comments, Mayor Strawn closed the public comments.

COMMISSIONER COMMENTS

Commissioner Sherow voiced appreciation for the City's Public Works and Parks and Recreation crews for cleaning the streets during the recent snow storm.

Dale Houdeshell, Director of Public Works, informed the Commission that the clean-up was a team effort and appreciated those comments.

COMMISSIONER COMMENTS (*CONTINUED*)

Mayor Strawn also voiced his appreciation to the City crews that worked to repair a water main break during the extremely cold conditions.

CONSENT AGENDA

(* denotes those items discussed)

MINUTES

The Commission approved the minutes of the Regular City Commission Meeting held Tuesday, December 15, 2009.

CLAIMS REGISTER NO. 2627

The Commission approved Claims Register No. 2627 authorizing and approving the payment of claims from December 9, 2009, to December 29, 2009, in the amount of \$2,605,153.89.

* LICENSES

Ron Fehr, City Manager, responded to questions from the Commission regarding tree licensing requirements.

The Commission approved a **Tree Maintenance** License for calendar year 2010 for Creed Construction, Inc. D/B/A Allscapes, 115 Messenger Road; and an annual **CMB License Off-Premises** for Matola, Inc. D/B/A The Little Apple Express, 809 N. 3rd Street.

ORDINANCE NO. 6807 – VACATE UTILITY EASEMENT – LOT 5, GRAND MERE VANESTA ADDITION, UNIT ONE

The Commission approved Ordinance No. 6807 vacating a portion of a utility easement on Lot 5, Grand Mere Vanesta Addition, Unit One, City of Manhattan, Riley County, Kansas.

ORDINANCE NO. 6808 – DAY CARE REGULATIONS

The Commission approved Ordinance No. 6808 establishing regulations for family day care homes.

* FIRST READING – KDHE LOAN AGREEMENT – BLUE TOWNSHIP SEWER EXTENSION (SS1001)

Commissioner Snead provided background information on this item and congratulated the parties involved for their work on this significant improvement and on the KDHE Loan Agreement.

Ron Fehr, City Manager, provided additional information on the Agreement.

CONSENT AGENDA (CONTINUED)

* **FIRST READING – KDHE LOAN AGREEMENT – BLUE TOWNSHIP SEWER EXTENSION (SS1001) (CONTINUED)**

The Commission, in accordance with the Interlocal Agreement with Pottawatomie County, concur with the award of a construction contract; and approved first reading of an ordinance authorizing the execution of a new loan agreement between the City of Manhattan, Kansas, and the State of Kansas, acting by and through the Kansas Department of Health and Environment, for the purpose of obtaining a loan from the Kansas Water Pollution Control Revolving Loan Fund in order to finance the City's portion of the Blue Township Sewer Extension Improvements project (SS1001); establishing a dedicated source of revenue for repayment of such loan; authorizing and approving certain documents in connection therewith; designating Dale Houdeshell, Director of Public Works, as the Authorized Representative for the City of Manhattan for the loan; and authorizing certain other actions in connection with the loan agreement.

REQUEST FOR QUALIFICATION – NORTHVIEW (CP0903) AND CICO POOLS RENOVATIONS (CP0902)

The Commission authorized City Administration to advertise Requests for Qualifications for the design of Northview Pool (CP0903) and CiCo Pool renovation (CP0902) and appointed Commissioner Pepperd to serve on the Selection Committee.

NEGOTIATE CONTRACT – DESIGN – WESTERN INTERCEPTOR RELIEF SEWER (SS0913)

The Commission accepted the recommendation of the Selection Committee and authorized City Administration to negotiate a contract with Olsson Associates, of Manhattan, Kansas, for design of the Western Interceptor Relief Sewer (SS0913).

AWARD CONTRACT – SCENIC MEADOWS, UNIT 2, PHASE 2 – STREET AND STORM SEWER IMPROVEMENTS (ST0820)

The Commission accepted the Engineer's Estimate for Scenic Meadows, Unit 2, Phase 2, Street and Storm Sewer (ST0820) improvements in the amount of \$475,662.70 and awarded a contract to the low bidder, Manhattan Trenching, Inc., in the amount of \$429,301.80.

* **RESOLUTION NO. 010510-A – KDOT AGREEMENT – US 24 AND MCCALL ROAD INTERSECTION (ST0907)**

Ron Fehr, City Manager, provided additional information on the item.

CONSENT AGENDA (CONTINUED)

* **RESOLUTION NO. 010510-A – KDOT AGREEMENT – US 24 AND MCCALL ROAD INTERSECTION (ST0907) (CONTINUED)**

The Commission approved Resolution No. 010510-A, authorizing the Mayor and City Clerk to execute the Authority to Award Contract and Commitment of City Funds and Construction Engineering Agreement with KDOT and HWS Consulting Group, Inc., respectively, for an ARRA (Stimulus) project consisting of improvements to the US-24 (East Poyntz) and McCall Road intersection (ST0907) (Bid award to Pavers Inc., of Salina, Kansas in the amount of \$1,228,703.71 and construction engineering contract with HWS Consulting Group, Inc., of Manhattan, Kansas, in the amount of \$203,790.68).

RESOLUTION NO. 010510-B – GENERAL OBLIGATION BONDS – US 24 AND MCCALL ROAD INTERSECTION (ST0907)

The Commission approved Resolution No. 010510-B, authorizing the issuance of General Obligation Bonds in the amount of \$1,200,000.00 (\$471,000.00-KDOT Match; \$528,119.00-Land/Easement Acquisitions; \$176,099.00-Design Engineering plus miscellaneous financing costs).

* **RESOLUTION NO. 010510-C – KDOT AGREEMENT – 4TH STREET AND BLUEMONT AVENUE INTERSECTION IMPROVEMENT (ST0703)**

Ron Fehr, City Manager, responded to questions from the Commission. He then provided information on the anticipated construction timeframe proposed, landscaping, roundabout costs, associated design components, and consideration of alternate routes during the construction period.

The Commission approved Resolution No. 010510-C, authorizing the Mayor and City Clerk to execute the Authority to Award Contract and Commitment of City Funds and Construction Engineering Agreement with KDOT and HWS Consulting Group, Inc., respectively, for the 4th Street and Bluemont Avenue Intersection Improvement project (ST0703). (Bid award to Pavers, Inc., of Salina, Kansas, in the amount of \$1,059,121.98 and construction engineering to HWS Consulting Group, Inc., of Manhattan, Kansas, in the amount of \$141,254.75.)

* **AWARD CONTRACTS – HOUSING REHABILITATION PROJECTS**

Karen Davis, Director of Community Development, provided additional information on the item and responded to questions from the Commission.

CONSENT AGENDA (CONTINUED)

* **AWARD CONTRACTS – HOUSING REHABILITATION PROJECTS
(CONTINUED)**

The Commission rejected the bids for 1712 Kenmar Drive; accepted the bids for 1003 Yuma Street and 2212 Sloan Street; awarded the bids to the lowest responsible bidders; authorized the Mayor and City Clerk to enter into agreements with the contractors and property owners for expenditure of Housing Rehabilitation Funds; and authorized City Administration to approve any necessary change orders.

RESOLUTION NO. 010510-D – EXPANDED INVESTMENT POWERS

The Commission approved Resolution No. 010510-D reaffirming expanded investment powers for the City of Manhattan based on final approval from the Pooled Money Investment Board.

BOARD APPOINTMENTS

The Commission approved appointments by Mayor Strawn to various boards and committees of the City.

Aggieville Business Improvement District Advisory Board

Appointment of Kevin Peirce, 1731 Humboldt Street, to a three-year term. Mr. Peirce's term begins immediately, and will expire December 31, 2012.

Board of Zoning Appeals

Re-appointment of Ricci Dillon, 3068 Tamarak Drive, to a three-year term. Ms. Dillon's term begins immediately, and will expire December 31, 2012.

Appointment of Catherine Lavis, 721 Canyon Drive, to a three-year term. Ms. Lavis' term begins immediately, and will expire December 31, 2012.

Douglass Center Advisory Board

Appointment of Tyler Dreiling, 520 South Wreath Avenue, to fill the unexpired Youth At-Large term of Sharnee Hudgins. Mr. Dreiling's term begins immediately, and will expire October 2, 2010

Downtown Business Improvement District Advisory Board

Appointment of Noah Reagan, 312A Poyntz Avenue, to a two-year term. Mr. Reagan's term begins immediately, and will expire December 31, 2011.

Riley County-Manhattan Health Board

Re-appointment of Bob Strawn, 1551 Williamsburg Court, to a two-year City Commissioner term. Mr. Strawn's term begins February 1, 2010, and will expire January 31, 2012.

CONSENT AGENDA (CONTINUED)

After discussion, Commissioner Snead moved to approve the consent agenda, as presented. Commissioner Sherow seconded the motion, as presented. On a roll call vote, motion carried 5-0.

GENERAL AGENDA

CONFERENCE CENTER – ISSUING GENERAL OBLIGATION HOME RULE ECONOMIC DEVELOPMENT BONDS

Jason Hilgers, Assistant City Manager/Redevelopment Coordinator, presented the item. He then responded to questions from the Commission regarding the final design, bid process, and the property tax impact that would be reflected in an increased mill levy.

After discussion of the Commission, Jason Hilgers, Assistant City Manager/Redevelopment Coordinator, responded to additional questions from the Commission and stated that it would depend on how the City manages the remaining projects within this community the next three or four years, as to how the mill levy would be impacted. He informed the Commission that if they decided not to use as much City funds to pay for the Downtown Redevelopment, that decision would decrease the amount of money the City is receiving from the State of Kansas, due to the matching requirement. He then responded to additional questions from the Commission regarding the costs and potential savings of the project.

Ron Fehr, City Manager, provided additional information on the STAR Bonds received from the State of Kansas.

Jason Hilgers, Assistant City Manager/Redevelopment Coordinator, responded to questions from the Commission regarding the hotel financing forecast that was conducted earlier.

Commissioner Pepperd stated that he could not support a property tax increase for this item.

After additional discussion, Commissioner Sherow moved to approve first reading of an ordinance issuing up to \$9.5 million in general obligation bonds for the design and construction of the conference center. Commissioner Snead seconded the motion. On a roll call vote, motion carried 4-1, with Commissioner Pepperd voting against the motion.

GENERAL AGENDA (CONTINUED)

ENGINEERING AGREEMENT AMENDMENT- SOUTH REDEVELOPMENT DISTRICT PUBLIC INFRASTRUCTURE

Dale Houdeshell, Director of Public Works, presented the item and responded to questions from the Commission.

Ron Fehr, City Manager, provided additional information on the park design, parking considerations, and the importance in featuring the Discovery Center facility.

Dale Houdeshell, Director of Public Works, responded to questions from the Commission and informed them that South End features associated with the conference center and parking garage would be discussed at the January 26, 2009, City Commission Work Session.

The Commission expressed the importance of this entrance into the community and the desire to address this further in the design review process.

After discussion, Commissioner Snead moved to authorize City Administration to finalize and the Mayor and City Clerk to execute a Design Services Contract Amendment with HWS Consulting Group, Inc., of Manhattan, Kansas, for the South Redevelopment area and the 4th Street, 3rd Street, and Colorado Street corridors public infrastructure improvements (*4th Street Gateway (ST0813); 3rd Street Construction Phase Services (ST0909); 3rd Street and Pierre Intersection (ST0910); Colorado Street East of 3rd Street (ST0915); Parking Lot for Flint Hills Discovery Center (ST0916); Northern & Western One-Third of Public Park East of Third Street (ST0917)*). Commissioner Sherow seconded the motion. On a roll call vote, motion carried 5-0.

Ron Fehr, City Manager, informed the community that Manhattan is in a winter storm advisory and asked everyone to bundle up when outside due to the very cold temperatures expected.

Mayor Strawn stated that there would not be a City Commission Work Session meeting on Tuesday, January 12, 2010.

ADJOURNMENT

At 8:02 p.m. the Commission adjourned.



Gary S. Fees, MMC, City Clerk