

MINUTES
CITY COMMISSION MEETING
TUESDAY, APRIL 6, 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, 8 staff, and approximately 25 interested citizens.

PLEDGE OF ALLEGIANCE

Mayor Strawn led the Commission in the Pledge of Allegiance.

PROCLAMATIONS

Mayor Strawn proclaimed April 12-17, 2010, ***Week of the Young Child***. Linda Childress, Outreach Specialist; Kasey Kile, Outreach Specialist; and Patty Peschel, Program Coordinator, Flint Hills Child Care Resource and Referral, were present to receive the proclamation.

Mayor Strawn proclaimed April 2010, ***Child Abuse Prevention Month***. Jeri Greer, Oasis Runaway Prevention Program Coordinator, Kansas Children's Service League, and Jayme Morris-Hardeman, Executive Director, Sunflower CASA, were present to receive the proclamation.

Mayor Strawn proclaimed April 6, 2010, ***Lou Ann Getz Day*** as a 2010 Kansas Master Teacher recipient. Lou Ann Getz was present to receive the proclamation, with Bill Frost providing congratulations on a well-deserved honor and recognition.

PUBLIC COMMENTS

Mayor Strawn opened the public comments.

PUBLIC COMMENTS (CONTINUED)

Gina Scroggs, Executive Director, Downtown Manhattan, Inc. (DMI), asked the Commission to reinstate the proposed monument at the 4th Street and Bluemont Avenue roundabout with a less costly wayfinding monument during the construction phase. She stated that it is absolutely necessary that visitors find their way to the downtown area and stressed the importance of good wayfinding signage to the downtown area. She then responded to questions from the Commission and stated that a delay is a scary thought for the downtown core.

Mark Skochdopole, President, DMI, informed the Commission that the vision for downtown redevelopment was to bring people from the region and out of state into the area, and that it is imperative to the success of the investments made with wayfinder signage. He stated that he understood the fiscal concerns of the Commission for the proposed structure, but asked the Commission to approve signage that would direct people where they need to go.

Lyle Butler, President, Manhattan Area Chamber of Commerce, informed the Commission that we all have a vested interest in downtown and the redevelopment areas and the wayfinding component and signage is extremely important. He then responded to questions from the Commission.

Brent Bowman, BBN Architects, provided background information on the proposed sculpture for the roundabout at 4th Street and Bluemont Avenue and stated that he has collaborated with Kent Bloomer on his work with the Hale Library and the Manhattan Public Library. He informed the Commission that this is a collaborative effort and that the cost of the project could be reduced and that he was willing to donate \$5,000.00 towards the design drawings. He stated this feature is important at the roundabout location and has been an integral part of the planning efforts.

Jonathan Mertz, Chair, Flint Hills Human Rights Project, informed the Commission of an upcoming event in celebrating Flint Hills Pride in Manhattan on April 24, 2010, and invited citizens to attend. He then stated that Zeke Sorenson, a graduate student at Kansas State University, and his friend spoke to the Commission on March 2, 2010, regarding their experience with housing discrimination. He requested that this issue be considered and responded to questions from the Commission.

Mayor Strawn informed Mr. Mertz that he suggested earlier that this item go to the Human Rights and Services Board and asked that he take his concerns to this Board. He then asked Mr. Mertz to call him on Thursday regarding his concerns.

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

COMMISSIONER COMMENTS

Commissioner Snead informed the community of the Riley County-Manhattan Health Department annual Health Fair going on this week and encouraged those interested in preventative health screening services to contact the Riley County-Manhattan Health Department for additional information.

CONSENT AGENDA

(* denotes those items discussed)

MINUTES

The Commission approved the minutes of the Special City Commission Meeting held Tuesday, March 23, 2010.

CLAIMS REGISTER NOS. 2638 and 2639

The Commission approved Claims Register Nos. 2638 and 2639 authorizing and approving the payment of claims from March 17, 2010, to March 30, 2010, in the amounts of \$80,160.01 and \$3,350,141.99, respectively.

TREE MAINTENANCE LICENSE

The Commission approved a Tree Maintenance license for calendar year 2010 for Alfred's Superior Tree Service, 4631 W. 47th Street, Wichita.

ORDINANCE NO. 6822 – INSTALL – STOP AND YIELD SIGNS

The Commission approved Ordinance No. 6822 establishing traffic control devices at multiple intersections within the city limits of Manhattan (*See Attachment No. I*), based on the recommendations in the Manhattan Area Transportation Strategy Report and Manual of Uniform Traffic Control Devices (MUTCD), which will be consistent with current practices/policies of the City of Manhattan.

REQUEST FOR PROPOSALS – WATER DISTRIBUTION SYSTEM MODELING (WA1005)

The Commission authorized City Administration to solicit Request for Proposals for Water Distribution System Modeling (WA1005).

REQUEST FOR PROPOSALS – SEWER MODELING FOR WILDCAT SEWER BASIN INFILTRATION AND INFLOW STUDY (SS1007)

The Commission authorized City Administration to solicit Request for Proposals for Sewer Modeling for Wildcat Sewer Basin Infiltration and Inflow Study (SS1007).

CONSENT AGENDA (CONTINUED)

NEGOTIATE CONTRACT – CICO PARK STORM WATER DRAINAGE STUDY (SM1001)

The Commission accepted the recommendation of the Selection Committee and authorized City Administration to negotiate a contract with Olsson Associates, of Manhattan, Kansas, for the CiCo Park Storm Water Drainage Study (SM1001).

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NEGOTIATE CONTRACT – MANHATTAN LEVEE CERTIFICATION (SM1003)

Ron Fehr, City Manager, provided an overview on the item.

Mayor Strawn provided additional information on the item and encouraged citizens to voice their concerns about this unfunded mandate to our congressional representatives.

The Commission authorized City Administration to negotiate a contract with AMEC Consultants, of Topeka, Kansas, to begin the process of a new Certification of the Manhattan Levee as mandated by FEMA.

CONTRACT – CURED-IN-PLACE PIPE SEWER LINING (SS1005)

The Commission authorized the Mayor and City Clerk to execute a contract in the amount of \$343,418.15 with Re-pipe Construction of Houston, Texas, for the Cured-in-Place Pipe Sewer Lining Project (SS1005) to rehabilitate approximately 15,383 lineal feet of 8" sanitary sewer pipe diameter and 1,028 lineal feet of 18" diameter sanitary sewer pipe.

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AGREEMENT – SANITARY SEWER MANHOLE REHABILITATION (SS1006)

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

The Commission authorized the Mayor and City Clerk to execute an agreement to a maximum amount of \$54,000.00 with Midlands Contracting, Inc., of Kearney, Nebraska, for the Sanitary Sewer Manhole Rehabilitation Project (SS1006).

AGREEMENT – KSU VETERINARY SERVICES – SUNSET ZOO

The Commission authorized the Mayor to execute the Veterinary Services agreement with Kansas State University in the amount of \$16,200.00.

MEMORANDUM OF AGREEMENT – FAA – NAVAID EQUIPMENT

The Commission authorized the Mayor and City Clerk to execute the Memorandum of Agreement with the Federal Aviation Administration for locating Navigational Aid equipment on the Manhattan Regional Airport.

CONSENT AGENDA (CONTINUED)

AGREEMENT – DOWNTOWN FARMER'S MARKET

The Commission authorized the Mayor and City Clerk to execute an agreement with the Downtown Farmer's Market of Manhattan, Inc., for the use of the City's public parking lot at the corner of 5th Street and Humboldt Street for the 2010 season.

* **PURCHASE – TANDEM-AXLE 10-YARD DUMP TRUCK – STREET DEPARTMENT (UNIT #36)**

Ron Fehr, City Manager, responded to questions from the Commission and provided an overview of the item and funding source.

The Commission authorized the purchase of a tandem-axle 10-yard dump truck for the Public Works Department in the amount of \$78,539.00 from Diamond International, of Kansas City, Missouri, utilizing Water Funds.

* **REJECT BIDS – SINGLE –AXLE 5-YARD DUMP TRUCK – UTILITIES DIVISION (UNIT #440)**

Ron Fehr, City Manager, responded to questions from the Commission and provided an overview of the item and funding source.

The Commission rejected the bids for a single-axle 5-yard dump truck.

* **PURCHASE – ZERO-TURN MOWERS – CEMETERY SECTION (UNITS #701 AND 887)**

Ron Fehr, City Manager, provided additional information on the item and responded to questions from the Commission.

The Commission approved the purchase of two 72" zero-turn mowers (Units #701 and #887) for the Cemetery Section in the amount of \$18,998.00 from Smitty's Lawn and Garden Equipment, of Olathe, Kansas, utilizing Special Parks and Recreation Funds.

After discussion, Commissioner Snead moved to approve the consent agenda, as presented. Commissioner Sherow seconded the motion. On a roll call vote, motion carried 5-0, with the exception of Item I, PURCHASE – TANDEM-AXLE 10-YARD DUMP TRUCK – STREET DEPARTMENT (UNIT #36), and Item O, PURCHASE – ZERO-TURN MOWERS – CEMETERY SECTION (UNITS #701 AND 887), which carried 3-2, with Mayor Strawn and Commissioner Pepperd voting against the items.

GENERAL AGENDA

PUBLIC HEARING – CDBG CONSOLIDATED PLAN

Shelley Carver, Grant Administrator, introduced the item.

Karen Davis, Director of Community Development, provided information on the item and the CDBG Consolidated Plan for 2010 – 2014.

Shelley Carver, Grant Administrator, presented the Consolidated Plan components, five-year strategic plan, strategic plan objectives, annual action plan, and the comprehensive annual performance and evaluation report.

Karen Davis, Director of Community Development, presented the first program year proposed projects, and considerations for additional funds. She then responded to questions from the Commission.

Shelley Carver, Grant Administrator, presented the 2010 timeline for the CDBG Consolidated Plan.

Mayor Strawn opened the public hearing.

Jane Gibson, 1427 Leavenworth Street, voiced her appreciation for the sidewalk completion project around City Park.

Karen Mayse, 3340 Newbury Street, informed the Commission that she appreciated the improvements being considered for the Riley County Senior Center facility and stressed the importance and need for public transportation and affordable housing.

Geri Simon, 1728 Little Kitten Avenue, asked that the Social Services Advisory Board be consulted about social service needs in the community as the CDBG Consolidated Plan moves forward. She also voiced the importance to sustaining quality jobs and employment in Manhattan.

Karen Davis, Director of Community Development, informed the Commission that the issue regarding jobs is a broad objective and goal and, will work with the Social Services Advisory Board in the coming year. She then responded to questions from the Commission regarding the program and budget.

Ron Fehr, City Manager, provided additional information on the program and grant funds.

Karen Davis, Director of Community Development, informed the Commission on the agencies surveyed and how the information was provided. She then responded to additional questions from the Commission.

GENERAL AGENDA (CONTINUED)

PUBLIC HEARING – CDBG CONSOLIDATED PLAN (CONTINUED)

Hearing no other comments, Mayor Strawn closed the public hearing.

After discussion from the Commission, Ron Fehr, City Manager; Karen Davis, Director of Community Development; and Jason Hilgers, Assistant City Manager, responded to additional questions from the Commission.

RESOLUTION NO. 040610-A – POLICY - RECOMMENDATIONS FROM THE ECONOMIC DEVELOPMENT MODEL TASK FORCE COMMITTEE

Lauren Palmer, Assistant City Manager, presented an overview on the Task Force recommendations, weight of scores, benefits, adjust base wage structure, and risk assessment and review. She then responded to questions from the Commission.

John Pagen, Vice President for Economic Development, Manhattan Area Chamber of Commerce, presented information from other economic development processes regarding base wages, wage thresholds, and other considerations. He then responded to questions from the Commission.

Jane Gibson, Chair, Manhattan Living Wage Coalition, requested that the Commission adopt an ordinance that requires businesses receiving economic development assistance from the City of Manhattan to pay all employees, at the very least, \$12/hour. She requested that the wage floor be adjusted annually based on federal poverty guidelines and, that the ordinance require employers to provide a health insurance plan comparable to that offered to the City of Manhattan employees and to pay 70 percent of the cost of that plan, as well as provide sick leave to employees.

Ron Fehr, City Manager, responded to questions from the Commission regarding the Economic Development Fund and informed the Commission that an annual review and report is conducted on each company receiving economic development assistance.

After discussion of the Commission, Commissioner Snead moved to approve Resolution No. 040610-A to accept the recommendations of the Economic Development Model Task Force, and direct City Administration to implement the recommendations. Commissioner Pepperd seconded the motion.

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

REJECT BIDS - ZOO EDUCATION CENTER

Curt Loupe, Director of Parks and Recreation, presented the item.

GENERAL AGENDA (CONTINUED)

REJECT BIDS - ZOO EDUCATION CENTER (CONTINUED)

Chris Kliewer, Associate Principal, WDM Architects, provided an overview of budget issues and challenges, schematic layout, proposed floor plan, and proposed elevation changes.

Scott Shoemaker, Director, Sunset Zoo, informed the Commission that WDM Architects has achieved construction savings without sacrificing much needed programming space. He stated that the goal is to get this building within budget with the redesign. He then responded to questions from the Commission.

After discussion, Commissioner Sherow moved to reject all bids and direct WDM Design, of Wichita, Kansas, to redesign the Zoo Education Center and Entrance Facility to reduce construction costs and to rebid the project. Commissioner Snead seconded the motion. On a roll call vote, motion carried 5-0.

AUTHORIZE PUBLIC BIDDING - SOUTH REDEVELOPMENT DISTRICT PUBLIC INFRASTRUCTURE (4TH STREET TO K-177 BRIDGE) (ST0910)

Dale Houdeshell, Director of Public Works, introduced the item.

Chuck Bartlett, HWS Consulting Group, presented an overview of the item, projected construction costs, and the project schedule. He then responded to questions from the Commission.

Dale Houdeshell, Director of Public Works, responded to questions from the Commission regarding access and future street closures.

Ron Fehr, City Manager, provided additional information on the item and responded to questions about street lighting.

Jason Hilgers, Assistant City Manager/Redevelopment Coordinator, provided information on the construction costs.

Chuck Bartlett, HWS Consulting Group, provided an overview image of the project area and responded to additional questions from the Commission.

Ron Fehr, City Manager, and Jason Hilgers, Assistant City Manager/Redevelopment Coordinator, responded to questions about sidewalks, pedestrian flow, greenspace areas, and ongoing discussions with Manhattan Town Center Mall management, Manhattan Town Center Mall ownership, and tenants.

Chuck Bartlett, HWS Consulting Group, responded to additional questions from the Commission regarding construction, signage, and water line locations.

GENERAL AGENDA (CONTINUED)

AUTHORIZE PUBLIC BIDDING - SOUTH REDEVELOPMENT DISTRICT PUBLIC INFRASTRUCTURE (4TH STREET TO K-177 BRIDGE) (ST0910) (CONTINUED)

Jason Hilgers, Assistant City Manager/Redevelopment Coordinator, and Ron Fehr, City Manager, provided additional information on the site design and the Flint Hills Discovery Center facility.

After discussion, Commissioner Sherow moved to authorize City Administration to publicly bid the 3rd Street and Pierre Street Intersection (ST0910). Commissioner Snead seconded the motion. On a roll call vote, motion carried 5-0.

EXECUTIVE SESSION

At 9:45 p.m., Commissioner Snead moved to recess into Executive Session until 10:30 p.m. for the purpose of discussing personnel matters of non-elected personnel pertaining to the evaluation of the City Manager. Commissioner Sherow seconded the motion. On a roll call vote, motion carried 5-0.

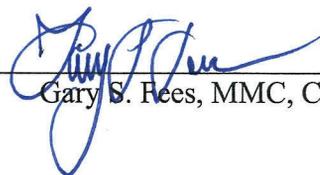
At 10:30 p.m., the Commission reconvened with Mayor Strawn and Commissioners Snead, Sherow, Pepperd, and Morris-Hardeman in attendance. Commissioner Snead moved to recess into Executive Session until 10:50 p.m., for the purpose of discussing personnel matters of non-elected personnel pertaining to the evaluation of the City Manager. Commissioner Sherow seconded the motion. On vote, motion carried 5-0.

At 10:51 p.m., the Commission reconvened with Mayor Strawn and Commissioners Snead, Sherow, Pepperd, and Morris-Hardeman in attendance.

ADJOURNMENT

Commissioner Snead moved to adjourn. Commissioner Sherow seconded the motion. On vote, motion carried unanimously.

At 10:52 p.m. the Commission adjourned.



Gary S. Fees, MMC, City Clerk

Attachment No. 1

INTERSECTION	CONTROLLED DIRECTION	TYPE OF CONTROL
Vanesta Drive and Little Kitten Avenue	North	Stop
Vanesta Drive and Everett Drive	North	Stop
Vanesta Drive and Churchill Street	West	Stop
Churchill Street and Gary Avenue	North	Stop
Churchill Street and Hawthorne Woods Terrace	South	Stop
Heartland Drive and Heartland Valley Drive	West and East	Yield
Vanesta Drive and Kauffman Drive	West and East	Yield
Highland Ridge Drive and Hunter Drive	North and South	Yield
Starlight Lane/Buckeye Circle and Firethorn Drive	North and South	Yield
Lobdell Drive and Laussac Drive	West and East	Yield
Snowbird Drive and Hillview Drive	West and East	Yield