

**MINUTES**  
**CITY COMMISSION MEETING**  
**TUESDAY, MAY 18, 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 Bruce Snead and Commissioners James E. Sherow, Loren J. Pepperd, Jayme Morris-Hardeman and Bob Strawn 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, 9 staff, and approximately 10 interested citizens.

**PLEDGE OF ALLEGIANCE**

Mayor Snead led the Commission in the Pledge of Allegiance.

**COMMISSIONER COMMENTS**

There were no Commissioner comments.

**CONSENT AGENDA**

(\* denotes those items discussed)

**MINUTES**

The Commission approved the minutes of the Regular City Commission Meeting held Tuesday, May 4, 2010.

**CLAIMS REGISTER NO. 2642**

The Commission approved Claims Register No. 2642 authorizing and approving the payment of claims from April 28, 2010, to May 11, 2010, in the amount of \$3,096,784.45.

\* **FINAL PLAT – GRANDE BLUFFS AT MILL POINTE, UNIT ONE**

The Commission accepted the easements and rights-of-way, as shown on the Final Plat of Grande Bluffs at Mill Pointe, Unit One, generally located south of an extension of the existing dead-end of Leone Ridge Drive, based on conformance with the Manhattan Urban Area Subdivision Regulations.

## CONSENT AGENDA (CONTINUED)

\* **RESTRICTIVE COVENANT – GRANDE BLUFFS AT MILL POINTE, UNIT ONE**

The Commission authorized the Mayor and City Clerk to execute the Agreement regarding provision of in-home fire sprinklers in exchange for allowing one means of access.

\* **ORDINANCE NO. 6827 – ISSUE – GENERAL OBLIGATION BOND SERIES 2010-A**

Ron Fehr, City Manager, provided an update on the bond sale, bond ratings, and presented an overview on the item.

The Commission approved Ordinance No. 6827 issuing \$6,700,000.00 in general obligation bonds (Series 2010-A) to finance 14 special assessment projects (*Lee Mill Heights Addition, Unit Four, Phase One – Storm Drainage (SM0703); Sanitary Sewer (SS0705); and Water (WA0706); Northwing Addition, Unit One – Storm Drainage (SM0808); Sanitary Sewer (SS0811); Street (ST0818); and Water (WA0807); Silo Townhomes – Storm Drainage (SM0805); Sanitary Sewer (SS0803); Street (ST0808); and Water (WA0802); and Gary Avenue, Treemill Circle and Treemill Drive (Effingham) Drainage, Phase Two – Storm Drainage (SM0807)*) and 4 capital improvement projects (*City Park Pavilion (CPX04P; Wildcat Creek Lift Station, Phase I (SP0905); Konza Sanitary Sewer Extension (SS1002; and 2007 New and Parallel Water Lines (WA0703)*)).

**RESOLUTION NO. 051810-B – DELIVERY –GENERAL OBLIGATION BOND SERIES 2010-A**

The Commission approved Resolution No. 051810-B authorizing delivery of the Series 2010-A bonds to the low bidder, UBS Financial Services, Inc., of New York, New York.

**RESOLUTION NO. 051810-A – ISSUE – TEMPORARY NOTE SERIES NO. 2010-02**

The Commission approved accepting the best bid for selling the notes to UMB Bank, n.a., of Kansas City, Missouri, and approved Resolution No. 051810-A issuing Temporary Note Series No. 2010-02 in the amount of \$1,610,000.00 to finance the two (2) projects to be debt financed: *Lee Mill Heights Addition, Unit 4 Phase 1, Street Improvements (ST0710) (City-at-Large) and Lowery Settlement (RM1001)*.

\* **NEGOTIATE AGREEMENT – ENGINEERING SERVICES – WILDCAT SEWER BASIN MODELING (SS1007)**

Item was removed from the agenda at the request of City Administration.

## CONSENT AGENDA (CONTINUED)

### NEGOTIATE AGREEMENT – ENGINEERING SERVICES – WATER SYSTEM MODELING AND IMPROVEMENTS (WA1005)

The Commission accepted the recommendation of the Selection Committee and authorized City Administration to negotiate an agreement for Engineering Services with Bartlett and West and SMH, of Manhattan, Kansas, for Water System Modeling and Water System Improvement recommendations (WA1005).

\* **AWARD CONTRACT – K-STATE CENTER FOR CHILD DEVELOPMENT PLAYGROUNDS (SP1007)**

Mayor Snead provided background information on the item and responded to questions on the selection process.

Lauren Palmer, Assistant City Manager, provided additional information on the item and responded to questions from the Commission on the process and results of the bids.

Karen Davis, Director of Community Development, provided additional information on the construction contract.

The Commission accepted the Engineer's Estimate in the amount of \$240,000.00 and awarded a construction contract to First Construction, LLC, of Lawrence, Kansas, in the amount of \$207,534.00 for the K-State Center for Child Development Playgrounds (SP1007) (Grant DR 2010-040).

### CHANGE ORDER NO. 4-FINAL – 2007 NEW AND PARALLEL WATER LINES, PHASE 1 (WA0703)

The Commission approved Change Order No. 4-Final for 2007 New and Parallel Water Lines, Phase I (WA0703), resulting in a net increase in the amount of \$40,709.00 (+7.8%) to the contract with Larson Construction, of Manhattan, Kansas.

\* **CHANGE ORDER NO. 2 – 402 BLUEMONT AVENUE FOUNDATION (SP0907)**

Ron Fehr, City Manager, responded to questions from the Commission regarding the house at 402 Bluemont Avenue.

Jason Hilgers, Assistant City Manager, informed the Commission that this item is associated with the roundabout construction project at Fourth Street and Bluemont Avenue. He then responded to questions from the Commission regarding the City's asset and potential uses of the building.

## CONSENT AGENDA (CONTINUED)

\* **CHANGE ORDER NO. 2 – 402 BLUEMONT AVENUE FOUNDATION (SP0907) (CONTINUED)**

The Commission approved Change Order No. 2 for the foundation re-establishment at 402 Bluemont Avenue (SP0907), resulting in a net increase in the amount of \$19,574.56 (+30.9%) to the contract with R.M. Baril, General Contractor, of Manhattan, Kansas.

\* **FINAL DESIGNS – CICO POOL RENOVATION (CP0902) AND NORTHVIEW POOL REPLACEMENT (CP0903)**

Curt Loupe, Director of Parks and Recreation, responded to questions from the Commission regarding the CiCo Pool renovation and Northview Pool replacements projects and core concrete samples.

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

The Commission approved the final designs for CiCo Pool renovation (CP0902) and Northview Pool replacement (CP0903) and directed Water's Edge Aquatics to proceed with construction drawings and documents for bidding.

\* **AMENDMENT NO. 3 – PROFESSIONAL SERVICES – FORT RILEY BOULEVARD STREETScape (3<sup>RD</sup> STREET TO 4<sup>TH</sup> STREET) (ST1011)**

The Commission authorized the Mayor and City Clerk to execute Professional Services Contract Amendment No. 3 with HWS Consulting Group, of Manhattan, Kansas, for the South Redevelopment area providing for streetscape design along Fort Riley Boulevard from the 4<sup>th</sup> Street to 3<sup>rd</sup> Street (ST1011).

### **BOARD APPOINTMENTS**

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

#### *Airport Advisory Board*

Re-appointment of Dick Hayter, 1920 Grandview Drive, to a three-year term. Mr. Hayter's term will begin June 27, 2010, and will expire on June 26, 2013.

#### *Joint Corrections Advisory Board*

Re-appointment of Brandi Griggs, 1346 Sunflower Road, to a three-year Juvenile term. Ms. Griggs' term will begin July 1, 2010, and will expire on June 30, 2013.

#### *Library Board*

Appointment of Tiffany Powell, 3112 Heritage Court, to a four-year term. Ms. Powell's term begins immediately and will expire on April 30, 2014.

## CONSENT AGENDA (CONTINUED)

### BOARD APPOINTMENTS (CONTINUED)

#### Library Board (CONTINUED)

Appointment of Karen Roberts, 2015 Pierre Street, to a four-year term. Ms. Robert's term begins immediately and will expire on April 30, 2014.

#### Neighborhood Grant Review Committee

Appointment of Donna Ekart, 411 Edgerton Avenue, to a one-year term. Ms. Ekart's term begins immediately and will expire on December 31, 2010.

Appointment of George Ham, 1028 Brianna Court, to a one-year term. Mr. Ham's term begins immediately and will expire on December 31, 2010.

Appointment of Chuck Jackson, 1917 Humboldt Street, to a one-year term. Mr. Jackson's term begins immediately and will expire on December 31, 2010.

Re-appointment of Carl Wilson, 2855 Kelly Drive, to a one-year term. Mr. Wilson's term begins immediately and will expire on December 31, 2010.

#### Parks and Recreation Advisory Board

Re-appointment of Linda Teener, 1900 Judson Street, to a four-year term. Ms. Teener's term will begin July 1, 2010, and will expire on June 30, 2014.

#### Social Services Advisory Board

Re-appointment of Larry Brockson, 2704 Candlewood Drive, to a three-year term. Mr. Brockson's term will begin July 1, 2010, and will expire on June 30, 2013.

Re-appointment of Debora Madsen, 1903 Tulip Terrace, to a three-year term. Ms. Madsen's term will begin July 1, 2010, and will expire on June 30, 2013.

Re-appointment of Sue Mountford, 3425 Gary Avenue, to a three-year term. Ms. Mountford's term will begin July 1, 2010, and will expire on June 30, 2013.

#### Special Alcohol Funds Advisory Committee

Re-appointment of Elaine Johannes, 2500 Nutmeg, to a three-year term. Ms. Johannes' term will begin July 1, 2010, and will expire on June 30, 2013.

After discussion, Commissioner Sherow moved to approve the consent agenda as read and amended. Commissioner Morris-Hardeman seconded the motion. On a roll call vote, motion carried 5-0, with the exception of Item C-FINAL PLAT/RESTRICTIVE COVENANT – GRANDE BLUFFS AT MILL POINTE, UNIT ONE, which carried 4-1, with Commissioner Pepperd voting against the item.

## GENERAL AGENDA

### FIRST READING – AMEND - ARTICLE X, FLOOD PLAIN REGULATIONS

Eric Cattell, Assistant Director for Planning, presented the item. He then responded to questions from the Commission regarding the flood plain map amendments.

After discussion, Commissioner Strawn moved to approve first reading of an ordinance amending Article X, Flood Plain Regulations of the Manhattan Zoning Regulations, as proposed, based on the findings in the Staff Memorandum (*See Attachment No. 1*). Commissioner Sherow seconded the motion. On a roll call vote, motion carried 5-0.

### AWARD CONTRACT - WATER TREATMENT PLANT AND WELLFIELD IMPROVEMENTS (WA0611); AMEND -ENGINEERING SERVICES AGREEMENT

Dale Houdeshell, Director of Public Works, presented the item. He then responded to questions from the Commission regarding the bidding process, financing of the project, and water rates.

After discussion, Commissioner Sherow moved to accept the Engineer's Estimate in the amount of \$17,800,000.00; award a contract in the amount of \$15,773,000.00 for its base bid and bid alternates 1, 2, 4 and 5 (*See Attachment No. 2*), subject to KDHE approval, to Grimm Construction, of Gardner, Kansas, and amend the agreement with Carollo Engineers, of Overland Park, Kansas, for additional engineering services in the additional amount of \$379,864.00 for the Water Treatment Plant and Wellfield Improvement (WA0611). Commissioner Pepperd seconded the motion. On a roll call vote, motion carried 5-0.

### FACILITIES CONSERVATION IMPROVEMENT PROGRAM: INVESTMENT GRADE AUDIT

Brian Williams, Assistant to the City Manager, presented the item and responded to questions from the Commission.

Bernie Hayen, Director of Finance, provided additional information on the item. He then responded to questions from the Commission on water meter testing and analysis to be completed.

Brian Williams, Assistant to the City Manager, provided additional information on the projects identified and associated costs. He then responded to questions from the Commission regarding the Investment Grade Audit Agreement with Trane and verification process for expected savings.

## GENERAL AGENDA (CONTINUED)

### FACILITIES CONSERVATION IMPROVEMENT PROGRAM: INVESTMENT GRADE AUDIT (CONTINUED)

Chad Remboldt, Comprehensive Solutions Consultant, Trane Commercial Systems, presented the process between Trane and members of City Staff. He then provided an overview of the project timeframe and responded to questions from the Commission.

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

Chad Remboldt, Comprehensive Solutions Consultant, Trane Commercial Systems, provided additional information on the State of Kansas Master Contract and associated terms and fees established.

Bill Frost, City Attorney, responded to questions from the Commission regarding the contract.

Chad Remboldt, Comprehensive Solutions Consultant, Trane Commercial Systems, responded to questions from the Commission and stated that his firm is part of Trane corporate.

Ron Fehr, City Manager, responded to questions from the Commission regarding budget considerations and the engineering analysis that will be conducted by Trane.

Brian Williams, Assistant to the City Manager, provided additional information on the item and stated that Trane will provide the expertise that the City does not have.

Chad Remboldt, Comprehensive Solutions Consultant, Trane Commercial Systems, informed the Commission that he looked forward to working with the City on this project.

After discussion, Commissioner Morris-Hardeman moved to authorize the Mayor and City Clerk to execute the Investment Grade Audit Agreement with Trane, of Lenexa, Kansas. Commissioner Sherow seconded the motion. On a roll call vote, motion carried 5-0.

### ADJOURNMENT

At 8:35 p.m., the Commission adjourned.

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Gary S. Fees, MMC, City Clerk



## INTER-OFFICE MEMORANDUM

**DATE:** April 27, 2010

**TO:** Manhattan Urban Area Planning Board

**MEETING DATE:** May 3, 2010

**FROM:** Chad Bunger, AICP, CFM, Planner II

**RE:** Amendment to Article X, Flood Plain Regulations, of the  
Manhattan Zoning Regulations

### **BACKGROUND**

The City of Manhattan began participating in the National Flood Insurance Program (NFIP), in 1981. In 1984, the Federal Emergency Management Agency (FEMA) prepared a Flood Insurance Study (FIS) and Flood Insurance Rate Maps (FIRMs) for Riley County and the incorporated cities, including the City of Manhattan. In 1984, the City of Manhattan adopted Flood Plain Regulations that incorporated the FIS and applicable FIRM panel. Article X, Flood Plain Regulations of the Manhattan Zoning Regulations has been amended several times since 1984 to reflect changes in the FIS and/or FIRMs, or to address changes in the requirements from FEMA. A Restudy of all the City's flood plains resulted in new FIRM panels, FIS, and amended Flood Plain Regulations, effective November 19, 2003. After November 2003, FEMA modified several FIRM panels. Revised FIRM, FIS, and amended Flood Plain Regulations were adopted, effective, February 3, 2005.

By participating in the NFIP and adopting FEMA approved Flood Plain Regulations, the community is eligible for flood insurance and disaster assistance. By not participating in the NFIP, property owners with structures in the 1% Annual Chance Flood Plain (commonly referred to as the 100-year flood plain) would not be able to receive federal financial assistance, such as federally backed mortgages or be able to receive federally subsidized flood insurance.

*Attachment No. 1*

Recently, FEMA and the Kansas Department of Agriculture, Division of Water Resources (DWR) completed an update of the FIS and six (6) FIRM panels in Riley County through the FEMA Map Modernization study. Four (4) of the six (6) new FIRM panels are within the jurisdiction of the City. The areas of the City affected by the new FIRMs are generally located east of Tuttle Creek Boulevard in the Blue River Valley between Marlatt Avenue and the industrial park area. One FIRM panel is in the Tattarx Hills area.

**New FIRM Panels**

In 2007-2008, FEMA and DWR initiated the Map Modernization study for areas of Riley County and Pottawatomie County along the Blue River. The Map Modernization study is a nationwide project conducted by FEMA, state agencies and contracting engineering firms to produce digital floodplain maps that will eventually create seamless, nationwide flood data. These new maps are more accurate than the previous paper maps and will reduce cost and time for future updates. The Map Modernization study for the portion of the City of Manhattan, Riley County and Pottawatomie County re-delineated the effective models found in the FIS by incorporating new and more accurate topography. Using the current information found in the FIS, new maps were created that used more accurate topographic data and included new streets and city boundaries. The only changes on the new maps are the boundaries of the 1% and 0.2% Annual Chance Flood Plains (the 0.2% Annual Chance Flood is commonly known as the 500 year flood), which were altered to reflect the more accurate topographic data. The result is changes to the boundaries of the 1% and 0.2% Annual Chance Flood Plains in the study area. Some areas of the study show significant changes to the new mapped flood plains when compared to the current FIRMs. The new FIS and FIRM panels will become effective on July 6, 2010.

**Proposed Changes to Article X, Flood Plain Regulations**

By participating in the NFIP, communities are required to adopt Flood Plain Regulations that meet the minimum standards of the NFIP's Regulations. With the new FIS and FIRM panels being issued by FEMA, the City of Manhattan is required to update Article X, Flood Plain Regulations, to reflect the new information. FEMA and DWR have prepared Model Flood Plain Regulations that ensures the minimum standards of the NFIP are met. In general, communities adopt these model regulations and may modify them to fit local needs, but cannot be less restrictive than the minimum FEMA and DWR standards. The regulations ensure that construction conforms to minimum design standards to protect life and property. The FIS and FIRM panels are adopted, by reference in the Flood Plain Regulations. The panels identify the Floodway and those areas of the City that are affected by the 1% Annual Chance Flood Plain.

*Attachment No. 1*

A copy of the amendments to Article X is attached. Language to be deleted is lined through and new text is in bold italics. The changes reflect the language found in the Model Regulations provided by FEMA and DWR and address the new FIS and FIRM panels that will become effective July 6, 2010. The amendments to Article X will ensure compliance with the NFIP and state requirements. The Chief Engineer of the Division of Water Resources of the Kansas Department of Agriculture has reviewed the proposed amendments and approved them in draft form on April 14, 2010 (*see attached letter*). Those Sections that were revised are below.

Section 10-101 (A)(1) Statutory Authorization: Approval of Draft Ordinance by Kansas Chief Engineer Prior to Adoption, has been updated to reflect when the Chief Engineer approved the floodplain regulations in draft form.

Section 10-101 (B)(3)(a) Methods Used to Analyze Flood Hazards and Section 10-102 (A)(1) Official Flood Plain Map, were updated to cite the effective date of the new FIS and updated panels of the FIRM.

The term “or professional engineer” has been added to Sections 10-203 (C)(1), (3), (4), (8)(d), and (8)(e) to define who can certify the elevation of the lowest floor of a structure. This is a requirement of the state’s Model Regulations.

Section 10-203 (C)(9) Areas of Shallow Flooding (AO and AH zones), has been included to define how developments within flood hazards zones AO and AH will be constructed to protect lives and prevent damage to properties. This is a requirement of the state’s Model Regulations.

Section 10-203 (C)(10) Recreational Vehicles, has been added to state the requirements of recreational vehicles being parked in 1% Annual Chance Flood Plains. This section applies to all recreational vehicles parked in a 1% Annual Chance Flood Plain, regardless of if the area is intended as a recreational vehicle park, and includes private driveways and off-street parking lots. This is a requirement of the state’s Model Regulations.

Section 10-301 (A)(1) Authorization, has been changed to delete the requirement that the Chief Engineer of the Division of Water Resources, Kansas State Board of Agriculture would determine whether or not an increase in flood levels during a base flood would result from a development in a designated regulatory floodway that is seeking an Exception of the Flood Plain Regulations. The Section has been updated to require a professional engineer to make the determination in such cases. It will be the responsibility of the applicant(s) seeking the Exception of the Flood Plain Regulations to hire the services of the professional engineer to provide this information to the Board of Zoning Appeals. This is a requirement of the state’s Model Regulations.

**AMENDMENTS TO THE TEXT OF THE ZONING REGULATIONS**

When a proposed amendment results in a change to the text of the Zoning Regulations, the report from the Planning Staff shall contain a statement as to the nature and effect of the proposed amendment, and determinations as to the following:

**WHETHER SUCH CHANGE IS CONSISTENT WITH THE INTENT AND PURPOSE OF THE ZONING REGULATIONS**

The intent and purpose of the Zoning Regulations is to protect the public health, safety, and general welfare; regulate the use of land and buildings within zoning district to assure compatibility; and to protect property values.

More specifically, the purposes of the Flood Plain Regulations are to promote the public health, safety and general welfare and to minimize flood losses resulting from periodic inundation of the base flood by applying provisions designed to:

- (1) Restrict or prohibit uses which are dangerous to health, safety or property in times of flood or cause undue increases in flood heights or velocities.
- (2) Require that uses vulnerable to floods, including public facilities, which serve such uses, be provided with flood protection at the time of initial construction.
- (3) Protect individuals from buying lands, which are unsuited for intended purposes because of flood hazard.
- (4) Minimize the need for rescue and relief efforts associated with flooding, generally undertaken at the expense of the general public.
- (5) Assure that eligibility is maintained for property owners in the community to purchase flood insurance in the National Flood Insurance Program.

In order to regulate development in the 1% Annual Chance Flood Plain, the proposed amendments must reference the FIRM panels and meet the requirements of the NFIP and Kansas statutes. The proposed amendments are consistent with these purposes and meet the requirements of the NFIP and Kansas statutes. The proposed amendments are mandatory and made necessary because of the completion of the Map Modernization Study that updated the FIS and created new FIRM panels for parts of the City of Manhattan, in both Riley County and Pottawatomie County, which will be effective July 6, 2010.

**AREAS WHICH ARE MOST LIKELY TO BE DIRECTLY AFFECTED BY SUCH CHANGE AND IN WHAT WAY THEY WILL BE AFFECTED**

The Flood Plain Regulations apply to those areas designated as 1% Annual Chance Flood Plain, which are located throughout the City as shown on the current and new FIRM panels. The new FIRM panels affect properties generally located east of Tuttle Creek Boulevard and north of McCall Road in the Blue River Valley. New construction, substantial improvements to existing structures and other developments in the 1% Annual Chance Flood Plain must conform to the requirements set out in Article X of the Zoning Regulations in order to protect life and property, as well as ensure the City's continued participation in the NFIP.

**WHETHER THE PROPOSED AMENDMENT IS MADE NECESSARY BECAUSE OF CHANGED OR CHANGING CONDITIONS IN THE AREAS AND ZONING DISTRICTS AFFECTED, OR IN THE CITY PLANNING AREA, GENERALLY, AND IF SO, THE NATURE OF SUCH CHANGED OR CHANGING CONDITIONS**

FEMA initiated the Map Modernization Study for the Blue River in 2007-2008, which was recently completed and will become effective on July 6, 2010. The Map Modernization Study updated the FIRM panels along the Blue River to include more accurate topographic data and updated street and city boundaries. FEMA requires that by the effective date, the City will have to adopt the proposed amendments to insure that the City's flood plain management regulations are legally enforceable, and meet the requirements of FEMA and Kansas statutes.

**WHETHER SUCH CHANGE IS CONSISTENT WITH THE INTENT AND PURPOSE OF THE POLICY AND GOALS AS OUTLINED IN THE ADOPTED COMPREHENSIVE PLAN OF THE CITY**

Chapter 4: Land Use and Growth Management, in The Manhattan Urban Area Comprehensive Plan, categorized the Floodway as a Flood Hazard Area, which consists of the FEMA designated Floodway and areas inundated by the 1993 flood event where development would be prohibited. The Floodway is within the 1% Annual Chance of Flood Plain. The Floodway Fringe or developable area of the 1% Annual Chance of Flood Plain, is generally identified as an Environmentally Sensitive Area. These areas are typically along streams and rivers. The 1993 flood event was due to man-made releases from Tuttle Creek Reservoir, which are known to occur under certain circumstances, and some of the affected areas might not be in 1% Annual Chance of Flood Plains.

*Attachment No. 1*

Goal #1 in Chapter 5: Natural Resources and Environment is, “Preserve environmentally sensitive areas from development.” The Guiding Principle is “Identify and conserve environmentally sensitive areas, including wetlands, key wildlife habitats, steep slopes and riparian areas.” Policy NRE 6: Natural Hazards states that, “Development shall be prohibited in areas where natural hazards have been identified which have the potential to endanger life, resources, and property. Within the Manhattan Urban Area, these hazards include steep slopes (20% or greater slope), floodways or other special flood hazard areas.”

The 1% Annual Chance Flood Plain may consist of the Floodway, Floodway Fringe, or a combination of both. Within the Floodway, development is limited to low impact, non-structural activities, such as open parks and recreation areas, parking areas, trails and some structures such as railroads, bridges, utility transmission lines and pipelines. Any development in the Floodway is required to have a professional engineer demonstrate that there will be no increase to the base flood elevation. By restricting development in the Floodway, the proposed amendments will, in general, preserve the riparian character of those locations designated as Floodway.

The Floodway Fringe can be developed subject to the Flood Plain Regulations. The Flood Plain Regulations represent a balance between preserving the natural riparian areas along streams and rivers by limiting and restricting development in the Floodway, while allowing development in the Floodway Fringe, provided it follows FEMA and state standards.

The proposed amendments of Article X, Flood Plain Regulations, conform to the Comprehensive Plan.

**ALTERNATIVES**

It appears the MUAPB has the following alternatives concerning the issue at hand. The Board may:

1. Recommend approval of the proposed amendments to Article X of the Zoning Regulations, based on the findings in the Staff Memorandum.
2. Recommend denial of the proposed amendments, for specifically stated reasons.
3. Modify the proposed amendments and forward the modifications, along with an explanation, to the City Commission.
4. Table the public hearing to a specific date, and provide further direction to City Administration.

**RECOMMENDATION**

City Administration recommends approval of the amendments to the Manhattan Zoning Regulations, Article X, Flood Plain Regulations, based on the findings in the Staff Memorandum, and as approved in draft form by the Chief Engineer of the Division of Water Resources of the Kansas Department of Agriculture.

**POSSIBLE MOTION**

The Manhattan Urban Area Planning Board recommends approval of the proposed amendments to the Manhattan Zoning Regulations, Article X, Flood Plain Regulations, based on the findings in the Staff Memorandum, and as approved in draft form by the Chief Engineer of the Division of Water Resources of the Kansas Department of Agriculture.

CB/vr  
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*Attachment No. 2*

The bid documents for Water Treatment Plant and Wellfield Improvements Project (WA0611) also included seven (7) alternate bid items.

1. Replace the master telemetry controller used at the WTP that is responsible for monitoring and controlling each of the remote sites in the water system. The proposed cost is \$73,000.
2. Provide one soft start for each transfer pumps (6 total) in lieu of 2 variable frequency drives (VFDs) as currently specified. The proposed cost is \$0.
3. Provide generator and automatic transfer switch wired to administration building to run all 480 volt systems at the WTP, including two (2) 300 h.p. high service pumps, two (2) 25 h.p. transfer pumps, chemical feed systems, ammonia building, lime machines, basins, new disinfection building, office equipment and lighting, SCADA system, and all other plant facilities. Also, provide a second generator to run two 2400-volt low service pumps. The proposed cost of this alternate is \$918,000.
4. Provide additional automatic transfer switches (ATSs) for generator hookup to wells 10 and 11. Place ATSs on wells 19 and 20 in lieu of wells 21 and 22 as currently specified. The proposed cost of this alternate is \$14,000.
5. Replace two sludge pumps in the WTP basement pit. The proposed cost of this alternate is \$49,000.
6. Provide a 42" pipe with equivalent structural capacity to a 36" water transmission main pipe currently specified under Tuttle Creek Boulevard. The proposed cost of this alternate is \$48,000.
7. Paint interior and exterior surfaces of Lime Bins on the WTP Roof. The proposed cost is \$67,000.