

MINUTES
CITY COMMISSION MEETING
TUESDAY, AUGUST 17, 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 Pro-Tem James E. Sherow and Commissioners 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, 8 staff, and approximately 15 interested citizens.

PLEDGE OF ALLEGIANCE

Mayor Pro-Tem Sherow led the Commission in the Pledge of Allegiance.

COMMISSIONER COMMENTS

Commissioner Pepperd provided information on the new Rental Inspection Program and stated that approximately 800 people have registered their rental units so far. He encouraged property owners to register their rental properties with the City of Manhattan's Code Services Department by October 1, 2010.

Ron Fehr, City Manager, informed the community on the city-wide cleanup efforts that will begin on Wednesday, August 18, 2010. He then provided a map explaining the cleanup schedule and asked that tree limbs be placed near the curb. He thanked the various City departments, responding agencies, and Westar Energy for their efforts and response to those impacted by the storm. He also thanked the community for their cooperation in conserving water until the electric utility services were restored and operational at the water and wastewater treatment facilities.

Mayor Pro-Tem Sherow informed the community that during the Discussion/Briefing Session prior to the Commission meeting, the Commission discussed the relocation of Megastarter and its plans to open a facility in Wamego; discussed agenda items for the August 19, 2010, Joint City/Riley County/Pottawatomie County meeting; discussed the Intergovernmental meeting to be held on August 23, 2010, at the Holiday Inn in which they will discuss and receive an update on public transit; reviewed upcoming meetings and conferences including the Association of the United States Army, the Flint Hills Regional

COMMISSIONER COMMENTS (*CONTINUED*)

Council retreat, the Housing Summit at Fort Riley on August 23, 2010, and a Regional Growth Seminar on August 23, 2010, from 2:00 p.m. to 4:00 p.m., at the Headquarters Fire Station; discussed quorum and conflicts of interest issues; and discussed the Take Charge Energy Challenge proposed between the City of Manhattan/Kansas State University and the City of Lawrence/University of Kansas.

CONSENT AGENDA

(* denotes those items discussed)

MINUTES

The Commission approved the minutes of the Regular City Commission Meeting held Tuesday, August 3, 2010.

CLAIMS REGISTER NO. 2648

The Commission approved Claims Register No. 2648 authorizing and approving the payment of claims from July 28, 2010, to August 10, 2010, in the amount of \$1,269,613.61.

* FINAL PLAT – FLINTHILLS HOSPITALITY ADDITION

Commissioner Morris-Hardeman voiced concern with the low number of members from the Manhattan Urban Area Planning Board voting on this item and asked that there be some discussion on increasing the quorum for the Planning Board.

Commissioner Strawn and Mayor Pro-Tem Sherow agreed that this item needs to be discussed and should be placed on an upcoming City/County meeting agenda.

The Commission accepted the easements and rights-of-way, as shown on the Final Plat of Flinthills Hospitality Addition, a Commercial Planned Unit Development, generally located west of the intersection of Allison Avenue and Seth Child Road, based on conformance with the Manhattan Urban Area Subdivision Regulations.

RESTRICTIVE COVENANTS – FLINTHILLS HOSPITALITY ADDITION

The Commission authorized City Administration to finalize and the Mayor and City Clerk to execute the Agreement regarding construction and maintenance of the storm water facilities and travel easement for Flinthills Hospitality Addition.

CONSENT AGENDA (CONTINUED)

FIRST READING – NO PARKING – ALLISON AVENUE

The Commission approved first reading of an ordinance removing parking on the north and south sides of Allison Avenue from its intersection with K-113 (Seth Child Road), west for a length of 1,020 feet to the top of the hill on Allison Avenue.

* **FIRST READING – NO PARKING – BELLEHAVEN ROAD AND LOOKOUT DRIVE**

This item was removed from the agenda at the request of City Administration.

Maurey Rose, 1001 Michael Road, voiced concern and asked when the item would be on an agenda for public comment.

Ron Fehr, City Manager, stated that there will be an opportunity for public comment when the item is on the City Commission agenda.

Brian Johnson, Principal Civil Engineer, provided additional information on the item and informed Mr. Rose that it would be brought back to the neighborhood for discussion and then scheduled for a future City Commission meeting.

FIRST READING – KDHE LOAN AMENDMENT – WATER TREATMENT PLANT AND WELLFIELD IMPROVEMENT PROJECT (WA0611)

The Commission approved the first reading of an ordinance authorizing the execution of a first amendment to the 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 increasing the loan amount to fully fund the construction of the Water Treatment Plant and Wellfield Improvement Project (WA0611).

RESOLUTION NO. 081710-A – TEMPORARY NOTE SERIES 2010-03

Bernie Hayen, Director of Finance, presented the results from the Temporary Note Sale, with UMB Bank, n.a., being the lowest bid with a true interest cost of 0.93%. He also discussed comments received from Moody's Investors Service, the rating agency for the notes.

The Commission approved accepting the best bid from UMB Bank, n.a., of Kansas City, Missouri, for selling the notes and approved Resolution No. 081710-A issuing Temporary Note Series No. 2010-03 in the amount of \$2,520,000.00 to finance the following two (2) capital projects to be debt financed: *2007 New and Parallel Waterlines, Phase 2, (WA0703), and South End Downtown Redevelopment – K-177 at Third and Pierre Streets (ST0910).*

CONSENT AGENDA (CONTINUED)

* **RESOLUTION NO. 081710-B – TAX CREDIT – STONE POINTE TOWNHOMES ADDITION**

Ron Fehr, City Manager, provided additional information on the item and the application process for tax credits. He then responded to questions from the Commission.

The Commission approved Resolution No. 081710-B indicating the City of Manhattan's support for the Manhattan Area Housing Partnership to apply for tax credits from the State of Kansas to pursue an affordable housing development in Stone Pointe Townhomes Addition.

AWARD CONTRACT – GRANDE BLUFFS AT MILL POINTE – STREET (ST1008), WATER (WA1007), AND SANITARY SEWER (SS1008) IMPROVEMENTS

The Commission accepted the Engineer's Estimate in the amount of \$529,700.00 and awarded a construction contract in the amount of \$358,209.50 to Manhattan Trenching Inc., of Manhattan, Kansas, for Grande Bluffs at Mill Pointe Street (ST1008), Water (WA1007), and Sanitary Sewer (SS1008) Improvements.

AWARD CONTRACT – LEE MILL HEIGHTS, UNIT 4, PHASE 2 – STREET (ST1012), WATER (WA1008), AND SANITARY SEWER (SS1009) IMPROVEMENTS

The Commission accepted the Engineer's Estimate in the amount of \$472,200.00 and awarded a construction contract in the amount of \$375,945.50 to Pavers Inc., of Salina, Kansas, for the Lee Mill Heights, Unit 4, Phase II, Street (ST1012), Water (WA1008), and Sanitary Sewer (SS1009) Improvements.

* **RESOLUTION NO. 081710-C – KDOT AGREEMENT – KIMBALL AVENUE AND CANDLEWOOD DRIVE INTERSECTION (ST1002)**

Brian Johnson, Principal Civil Engineer, provided additional information on the item and the application to be forwarded to the Kansas Department of Transportation. He then responded to questions from the Commission on intersection improvements and traffic signals.

The Commission approved Resolution No. 081710-C authorizing the Mayor and City Clerk to execute the agreement with Kansas Department of Transportation for safety improvements to the intersection of Kimball Avenue and Candlewood Drive (ST1002).

CONSENT AGENDA (CONTINUED)

AMENDMENT NO. 1 – ENGINEERING SERVICES – WESTERN INTERCEPTOR RELIEF SEWER (SS0913)

The Commission authorized the Mayor and City Clerk to execute Amendment No. 1 in the amount of \$32,253.44 with Olsson Associates, of Manhattan, Kansas, for the Western Interceptor Relief Sewer (SS0913).

CHANGE ORDER NO. 1 – NBAF WATER MAIN RELOCATION (WA0907)

The Commission approved Change Order No. 1 for the NBAF Water Main Relocation project, resulting in a net increase in the amount of \$17,910.00 (+2.53%) to the contract with Middlecreek Corporation, of Peabody, Kansas.

* CHANGE ORDER NO. 9 – RUNWAY 3/21 SAFETY AREA IMPROVEMENTS (AIP 37/38)

Ron Fehr, City Manager, responded to questions from the Commission.

The Commission approved Change Order No. 9 for the Runway 3/21 Safety Area Improvements project (AIP 37/38), resulting in a net increase in the amount of \$120,699.41 (+3.38%) to the contract with Smoky Hill, LLC, of Salina, Kansas.

* APPLICATION – COMMUNITY CHALLENGE PLANNING GRANT

Ron Fehr, City Manager, and Karen Davis, Director of Community Development, provided additional information on the item and on the application and match requirements of the Planning Grant.

The Commission authorized the Mayor and City Clerk to execute the application for a Community Challenge Planning Grant for the Manhattan Unified Development Ordinance Project and any grant agreement if funding is awarded.

BOARD APPOINTMENTS

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

Social Services Advisory Board

Appointment of Melodie Pooler, 130 Longview Drive, to a three-year term. Ms. Pooler's term begins immediately and will expire June 30, 2013.

Special Alcohol Fund Advisory Committee

Appointment of Stacy Cam, 2429 Buena Vista, to a three-year term. Ms. Cam's term begins immediately and will expire June 30, 2013.

CONSENT AGENDA (CONTINUED)

After discussion, Commissioner Morris-Hardeman moved to approve the consent agenda, as presented. Commissioner Pepperd seconded the motion. On a roll call vote, motion carried 4-0.

GENERAL AGENDA

SMALL COMMUNITY AIR SERVICE DEVELOPMENT GRANT REQUEST

Peter Van Kuren, Airport Director, presented the item and information on enplanements, Manhattan Regional Airport (MHK) airline schedules for Dallas/Fort Worth and Chicago O'Hare, the catchment area and true market estimate for MHK, and the Top 25 domestic market information. He then responded to questions from the Commission on the MHK flight schedules with American Eagle.

Ron Fehr, City Manager, provided additional information on the item and stated that the two jets and respective crews plan to remain overnight in Manhattan.

Peter Van Kuren, Airport Director, reiterated that having two jets overnight in Manhattan provides many benefits for us. He then responded to questions from the Commission regarding having coffee available at the Airport, equipment in the Air Traffic Control Tower, increased usage from Fort Riley and Junction City, and updated the Commission on the Minimum Revenue Guarantee activity.

Ron Fehr, City Manager, provided additional information on the Minimum Revenue Guarantee and informed the Commission that an amendment to the Agreement would be coming to the Commission.

The Commission discussed the importance in expanding the marketing campaign to specifically target Topeka residents, State employees and officials, and K-State graduates. They also discussed the success experienced with the Dallas/Fort Worth flights, the benefits in providing free parking to patrons of the Airport, and encouraged all players in the catchment area to have an opportunity to participate on the marketing program.

Peter Van Kuren, Airport Director, responded to questions from the Commission about free parking at the Airport and the Airport Terminal facility. He stated that a Terminal Master Plan is needed, instead of piecemeal improvements at the Airport.

GENERAL AGENDA (CONTINUED)

SMALL COMMUNITY AIR SERVICE DEVELOPMENT GRANT REQUEST (CONTINUED)

After discussion, Commissioner Strawn moved to authorize City Administration to submit a grant application requesting \$300,000.00 in U.S. Department of Transportation funding under the Small Community Air Service Development Program; and authorize City Administration to commit Economic Development Funds in the amount of \$100,000.00 and Airport insurance proceeds in the amount of \$50,000.00 as matching funds. Commissioner Pepperd seconded the motion.

After additional discussion, on a roll call vote, motion carried 4-0.

ADJOURNMENT

At 8:17 p.m. the Commission adjourned.



Gary S. Fees, MMC, City Clerk