



**MINUTES**  
**CITY COMMISSION MEETING**  
**TUESDAY, JANUARY 4, 2011**  
**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 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 11 interested citizens.

**PLEDGE OF ALLEGIANCE**

Mayor Snead led the Commission in the Pledge of Allegiance.

**PROCLAMATIONS**

Mayor Snead proclaimed January 15, 2011, ***Battle of the Bulge Remembrance Day***. Jim Sharp, President, Northeast Kansas Veterans of Battle of the Bulge, and Carl Sell, representing Kansas Veterans of Battle of the Bulge, were present to receive the proclamation.

Mayor Snead proclaimed January 17, 2011, ***Dr. Martin Luther King, Junior Day of Service***. Lynda Bachelor and Darryl Martin, Martin Luther King, Junior Community Committee members, were present to receive the proclamation.

**PUBLIC COMMENTS**

Mayor Snead opened the public comments.

Mayor Snead announced that General Agenda A, FIRST READING – REZONE - 2216 CLAFLIN RESIDENTIAL PLANNED UNIT DEVELOPMENT, was removed from the agenda at the request of the applicant.

## PUBLIC COMMENTS (CONTINUED)

Tim Davenport, 3004 Pecanwood Drive, President, Local 2275 Firefighters Union, provided additional information on the Fact Finding Report for the Manhattan Firefighters, requested that the Commission reconsider the findings in the Report, and urged the Commission to support the local firefighters. He then responded to questions from the Commission regarding the budget and availability of adequate funds.

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

Mike Nelson, 722 Humboldt Street, asked about the proposed change in time for the Fourth of July and shooting of fireworks.

Mayor Snead informed Mr. Nelson that he can comment on the item when it is discussed during the General Agenda.

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

## COMMISSIONER COMMENTS

Commissioner Pepperd voiced support in welcoming The Big Red One, Major General Brooks, and headquarters staff back to Fort Riley.

Commissioner Strawn mentioned the recent salute by a Kansas State University football player during the bowl game in New York City. He stated that it is perfectly appropriate to salute as we pledge allegiance to the United States of America flag and to let people know that you are a veteran.

Mayor Snead provided an overview of items mentioned during the Discussion/Briefing Session held prior to the City Commission Legislative Meeting. The Commission discussed agenda changes with General Agenda A being removed from the agenda at the request of the applicant; discussed the annual Legislative Breakfast event scheduled for January 6, 2011, at 7:30 a.m., in the City Commission Room; discussed the Commission Retreat and Goal Setting Session scheduled for Friday, January 7, 2011, starting at 9:00 a.m., at Colbert Hills; discussed agenda items for the upcoming Joint City/County meeting scheduled for Thursday, January 20, 2011; discussed the National League of Cities Conference in March; expressed a desire to attend Riley County Commissioner Mike Kearns recognition on Thursday, January 6, 2011; received an update from Commissioner Morris-Hardeman on the upcoming transit meeting; discussed gender identity and scheduling related to the discrimination ordinance; and discussed various meeting and calendar related items.

## COMMISSIONER COMMENTS (*CONTINUED*)

Commissioner Morris-Hardeman announced that she has enjoyed her service on the City Commission, but would not seek re-election in April 2011. She stated that she spends approximately 50 hours a month as a City Commissioner and needs to spend more time with her family.

### CONSENT AGENDA

(\* denotes those items discussed)

#### MINUTES

The Commission approved the minutes of the Special City Commission Meeting held Tuesday, December 14, 2010.

#### CLAIMS REGISTER NO. 2657

The Commission approved Claims Register No. 2657 authorizing and approving the payment of claims from December 15, 2010, to December 28, 2010, in the amount of \$5,609,112.37.

#### LICENSES

The Commission approved an annual Cereal Malt Beverage On-Premises License for Hunam Chinese Restaurant, 1304 Westloop Place; and an annual Cereal Malt Beverage Off-Premises License for Kangolf, Inc., 800 Anneberg Circle.

#### \* ORDINANCE NO. 6872 – 2011 SALARY RANGES

The Commission did not approve Ordinance No. 6872 establishing the City employees' salary ranges for 2011.

#### FIRST READING – EMINANT DOMAIN PROCEEDINGS – 3<sup>RD</sup> STREET OPENINGS (ST0806, ST0807)

The Commission approved first reading of an ordinance authorizing the commencement of eminent domain proceedings to acquire the property interests by condemnation for the opening of 3<sup>rd</sup> Street at Leavenworth and Pierre Streets (ST0806, ST0807).

#### \* RESOLUTION NO. 010411-A – CONSENT TO AMEND INTEREST RATES – GTM SPORTSWEAR, INC. BONDS

Commissioner Strawn stated that he would abstain from the item as his son is President of GTM Sportswear.

## CONSENT AGENDA (CONTINUED)

\* **RESOLUTION NO. 010411-A – CONSENT TO AMEND INTEREST RATES – GTM SPORTSWEAR, INC. BONDS (CONTINUED)**

The Commission approved Resolution No. 010411-A to consent to amend the interest rates of bonds issued for GTM Sportswear, Inc., and authorized the Mayor and City Clerk to execute the amended bond documents.

### **BOARD APPOINTMENTS**

Mayor Snead encouraged citizens from the dental community to participate on the Riley County-Manhattan Health Board.

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

#### *Aggieville Business Improvement District Advisory Board*

Appointment of Jeff Koenig, 1126 Moro Street, to a three-year term. Mr. Koenig's term begins immediately and will expire December 31, 2013.

Appointment of Jeff Denney, 3553 Dempsey Road, to a three-year term. Mr. Denney's term begins immediately and will expire December 31, 2013.

#### *Bicycle Advisory Committee*

Re-appointment of Susanne Kufahl, 2030 Tecumseh Road, to a three-year Riley County-Manhattan Health Department term. Ms. Kufahl's term begins immediately and will expire October 31, 2013.

#### *Municipal Audit Committee*

Appointment of Adam Glendening, 313 Brookway Drive, to a three-year Citizen-At-Large term. Mr. Glendening's term begins immediately, and will expire December 31, 2013.

#### *Riley County-Manhattan Health Board*

Re-appointment of Paul Benne, 1915 Crescent Drive, to a two-year Citizen-At-Large term. Mr. Benne's term will begin February 1, 2011, and will expire January 31, 2013.

Re-appointment of Doug Kinney, 2902 Tatarax Drive, to a two-year Public Health/Environmental term. Mr. Kinney's term will begin February 1, 2011, and will expire January 31, 2013.

## CONSENT AGENDA (CONTINUED)

After discussion, Commissioner Morris-Hardeman moved to approve the consent agenda, as read. Commissioner Pepperd seconded the motion. On a roll call vote, motion carried 4-0, with the exception of Item D, ORDINANCE NO. 6872 – 2011 SALARY RANGES, which failed 2 – 2, with Commissioners Pepperd and Strawn voting against the item, and with the exception of Item F, RESOLUTION NO. 010411-A – CONSENT TO AMEND INTEREST RATES – GTM SPORTSWEAR, INC. BONDS, which carried 3-0-1, with Commissioner Strawn abstaining from the item.

## GENERAL AGENDA

### FIRST READING – REZONE - 2216 CLAFLIN RESIDENTIAL PLANNED UNIT DEVELOPMENT

Item was removed from the agenda at the request of the applicant.

### FIRST READING - SPECIAL EVENTS AND RELATED PERMITS CHANGES

Lauren Palmer, Assistant City Manager, provided background information on the item and presented the proposed changes to the block party permit, special event permit, special event permit with alcohol, assembly permit, noise permit, fireworks display, fireworks stand, and insurance requirements. She then responded to questions from the Commission regarding the definition of a special event and stated that all applicants, including non-profits, will be charged the application fee for using City streets.

After discussion of the Commission, there was a consensus among the Commission to not allow any beverages served, provided, or consumed within the permitted area in glass containers (for special events with alcohol).

Ron Fehr, City Manager, and Lauren Palmer, Assistant City Manager, provided additional information and clarification on the special events permit with alcohol and potential locations. They then responded to additional questions from the Commission and provided clarification on block party permits.

Lauren Palmer, Assistant City Manager, provided clarification on the proposed hours for fireworks and enforcement provisions.

Ron Fehr, City Manager, responded to questions regarding fireworks display permits and clarified that the current permitting process is for the item to go before the City Commission for approval and stated that this process would continue.

## GENERAL AGENDA (CONTINUED)

### FIRST READING - SPECIAL EVENTS AND RELATED PERMITS CHANGES (CONTINUED)

Lauren Palmer, Assistant City Manager, responded to questions from the Commission regarding the discharge of fireworks and fireworks stands.

Mike Nelson, 722 Humboldt Street, asked about the proposed change in time for the Fourth of July and requested that fireworks be allowed to be discharged until 12:00 Midnight.

Lynda Bachelor, 3418 Treemill Drive, thanked the City for distinguishing between an assembly permit and a parade permit.

After additional discussion of the Commission, there was a consensus among the Commission to leave the discharge of fireworks until 12:00 Midnight.

Ron Fehr, City Manager, provided clarification on items supported by the Commission to be modified for the Commission's consideration at second reading.

After discussion, Commissioner Pepperd moved to approve first reading of various ordinances as recommended by City Administration for changes to the following: block party permit, parade assembly permit (special event permit), fireworks display permit, fireworks stand permit, and noise permit. Commissioner Strawn seconded the motion.

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

### ADJOURNMENT

At 8:08 p.m., the Commission adjourned.

  
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Gary S. Fees, MMC, City Clerk