

MINUTES
CITY COMMISSION MEETING
TUESDAY, FEBRUARY 1, 2005
7:00 P.M.

The Regular Meeting of the City Commission was held at 7:00 p.m. in the City Commission Room. Mayor Brad Everett and Commissioners Ed Klimek, Bruce Snead, Mark Hatesohl, and Mark Taussig were present. Also present were the City Manager Ron R. Fehr, Deputy City Manager Diane Stoddard, Assistant City Manager Jason Hilgers, City Attorney Bill Frost, City Clerk Gary S. Fees, Youth in Government Representative Felix Wang, 9 staff, and approximately 28 interested citizens.

PLEDGE OF ALLEGIANCE

Mayor Everett led the Commission in the Pledge of Allegiance.

PROCLAMATION

Mayor Everett proclaimed February, *American Heart Month*. Vera Hintz, "A Dress the Heart" Gala, Committee Chair, and fellow committee members were present to receive the proclamation.

PUBLIC COMMENTS

Mayor Everett opened the public comments.

Helen Roser, P.O. Box 1814, Manhattan, thanked the City Commissioners for their time and efforts in serving our community.

Matt Wagner, Governmental Relations Director, Kansas State University Student Government Association, 809 Kansas State University Student Union, read a resolution from the Student Government Association that encouraged additional lighting of City Park to address safety concerns. He then answered questions from the Commission.

Mayor Everett asked City Manager Ron Fehr to follow-up with the Riley County Police Department for additional information.

Phyllis Pease, 1905 Leavenworth Street, announced that Radina's is selling a special blend of coffee with proceeds being distributed to the local schools. She then provided the Commission with a package of coffee and encouraged the community to help support the effort.

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

COMMISSIONER COMMENTS

Mayor Everett thanked Helen Roser for her comments.

CONSENT AGENDA

(* denotes those items discussed)

MINUTES

The Commission approved the minutes of the Regular City Commission Meeting held Tuesday, January 18, 2005.

CLAIMS REGISTER NO. 2522

The Commission approved Claims Register No. 2522 authorizing and approving the payment of claims from January 12, 2005, to January 25, 2005, in the amount of \$859,158.92 and \$979,211.38.

RESOLUTION NO. 020105-B – CONVEYANCE OF LAND – COUNTRY MEADOWS RESIDENCES, LC

The Commission approved Resolution No. 020105-B authorizing the conveyance of certain land by the City of Manhattan, Kansas, to Country Meadows Residences, LC.

PUBLIC HEARING - SPECIAL ASSESSMENTS

Mayor Everett opened the public comments.

Hearing no comments, Mayor Everett closed the public comments.

FIRST READING - SPECIAL ASSESSMENTS

The Commission approved first reading of an ordinance levying special assessments against the benefiting property in the following eight (8) projects, which have been completed: *Brookfield Addition, Unit 3 – Sanitary Sewer (SS0405), Street (ST0405), Water (WA0407); Hackberry Addition – Sanitary Sewer (SS0403), Water (WA0404); Stone Valley Addition, Phase I – Street (ST0306) The Browning Project – Street (ST0206); Miller Ranch Addition, Unit 3 – Landscaping (SP0405).*

AWARD CONTRACT - 900 BLOCK ALLEY BETWEEN LEAVENWORTH AND HUMBOLDT STREETS

The Commission accepted the Engineer's Estimate in the amount of \$30,454.61 and awarded a contract in the amount of \$29,240.00 to Sunflower Builders, Inc., of Manhattan, Kansas.

CONSENT AGENDA (CONTINUED)

DESIGN AGREEMENT – K-18/WILDCAT CREEK ROAD INTERSECTION IMPROVEMENT

The Commission authorized the Mayor and City Clerk to enter into an agreement with BG Consultants, of Manhattan, Kansas, to complete the design of the K-18 and Wildcat Creek Road intersection improvements.

DESIGN AGREEMENT – FORT RILEY BOULEVARD/11TH STREET TRAFFIC STUDY

The Commission authorized the Mayor and City Clerk to enter into an agreement with BG Consultants, of Manhattan, Kansas, to complete the design of the Fort Riley Boulevard and 11th Street traffic study.

* **PURCHASE VEHICLES – STATE BID TAB**

Item was moved to the end of the General Agenda at the request of Commissioner Taussig.

* **EMPLOYMENT AGREEMENT – CITY MANAGER**

Ron Fehr, City Manager, provided clarification that the effective date should be February 2, 2005.

The Commission authorized the Mayor and City Clerk to execute the Modified Employment Agreement between the City of Manhattan and City Manager Ronald R. Fehr.

BOARD APPOINTMENTS

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

Aggieville Business Improvement District Board

Appointment of Keith Eystone, 518 S. 18th St., to a three-year term. Mr. Eystone's term begins immediately and will expire December 31, 2007.

Downtown Business Improvement District Advisory Board

Appointment of Mark Claussen, 410 Poyntz Avenue, Suite A, to a two-year term. Mr. Claussen's term begins immediately and will expire December 31, 2006.

Appointment of Brad Streeter, 2412 Marion Avenue, to a two-year term. Mr. Streeter's term begins immediately and will expire December 31, 2006.

CONSENT AGENDA (CONTINUED)

BOARD APPOINTMENTS (CONTINUED)

Housing Authority Board of Commissioners

Appointment of Bruce Snead, 810 Pierre Street, to a four-year City Commissioner term. Commissioner Snead's term will begin March 4, 2005, and will expire March 3, 2009.

Riley County-Manhattan Health Board

Re-appointment of Tim Bagby, 1409 Westwind Drive, to a two-year Citizen-at-Large term. Mr. Bagby's term begins immediately and will expire January 31, 2007.

Re-appointment of Mary Beth Reese, 2008 Ivy Drive, to a two-year Citizen-Public Health/Environment Expertise term. Ms. Reese's term begins immediately and will expire January 31, 2007.

Re-appointment of Cheryl Wiegert, 4912 Lakewood Drive, to a two-year Nurse term. Ms. Wiegert's term begins immediately and will expire January 31, 2007.

After discussion, Commissioner Snead moved to approve the consent agenda with the exception of Item G, *Purchase Vehicles – State Bid Tab*, which was moved to the end of the General Agenda. Commissioner Taussig seconded the motion. On a roll call vote, motion carried 5-0.

GENERAL AGENDA

MANHATTAN-OGDEN SCHOOL DISTRICT REQUEST - SALES TAX BALLOT INITIATIVE - INTERLOCAL AGREEMENT

Diane Stoddard, Deputy City Manager, introduced the item.

Bill Frost, City Attorney, provided an overview of the Interlocal Agreement proposed between the City of Manhattan and Unified School District 383. He then answered questions from the Commission.

Dr. Robert Seymour, Associate Superintendent, U.S.D. 383, provided additional information and clarification on the item. He informed the Commission that the School Board requests that this item be placed on the April 2005 ballot. He then answered additional questions.

GENERAL AGENDA (CONTINUED)

MANHATTAN-OGDEN SCHOOL DISTRICT REQUEST - SALES TAX BALLOT INITIATIVE - INTERLOCAL AGREEMENT (CONTINUED)

Bill Frost, City Attorney, provided clarification on the agreement.

Dave Colburn, U.S.D. 383 School Board Member, informed the Commission that this initiative is seen as a bridge loan to see what will happen with Fort Riley. He said that he has no desire to see sales taxes becoming a permanent funding factor for our schools and if there is not growth in our District, we will need to downsize in the future.

After discussion, Commissioner Snead moved to accept the Board of Education's request and approve the interlocal agreement between the City and the Board of Education specifying the use and other details concerning a special quarter-cent retailer's sales tax to be used by U.S.D. 383 to support education and approve first reading of an ordinance calling for the special sales tax question to be placed on the April 5, 2005, ballot. Commissioner Hatesohl seconded the motion.

Bill Frost, City Attorney; Ron Fehr, City Manager; and Dr. Robert Seymour, Associate Superintendent, U.S.D. 383, provided additional clarification on the item and answered questions from the Commission.

Commissioner Klimek made a formal amendment to the motion, to cap the sales tax revenue at Five Million Four Hundred Thousand Dollars (\$5.4 million) over the period of the sales tax, and that the City Commission, in its sole discretion, may terminate the sales tax at any time after the distribution of proceeds to the Unified School District 383 is equal to, or in excess of, the total sum of \$5.4 million. Mayor Everett seconded the formal amendment.

After discussion, on roll call vote, the formal amendment carried 4-1, with Commissioner Snead voting against the amendment.

After discussion, the original motion carried 4-1, with Commissioner Taussig voting against the motion.

The Commission took a brief recess.

LEASE AGREEMENT AMENDMENT NO. 5 - GENERAL AVIATION TRAINING AND TESTING SERVICES, INC.

Russ Johnson, Airport Director, presented the item.

Mayor Everett moved to remove the item from the table. Commissioner Hatesohl seconded the motion. On a roll call vote, motion carried 5-0.

GENERAL AGENDA (CONTINUED)

LEASE AGREEMENT AMENDMENT NO. 5 - GENERAL AVIATION TRAINING AND TESTING SERVICES, INC. (CONTINUED)

Russ Johnson, Airport Director, answered questions from the Commission.

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

Diane Stoddard, Deputy City Manger, and Bill Frost, City Attorney, provided additional information on the item.

After discussion, Commissioner Taussig moved to authorize the Mayor and City Clerk to execute an amendment to the Airport lease agreement with General Aviation Training and Testing Services, Inc., of Manhattan, Kansas Commissioner Hatesohl seconded the motion. On a roll call vote, motion carried 3-2, with Mayor Everett and Commissioner Klimek voting against the motion.

RESOLUTION OF SUPPORT - BROOKFIELD SUBDIVISION TAX CREDIT PROJECT

Karen Davis, Director of Community Development, presented the item and answered questions from the Commission.

Matt Catanese, Investment Resources Corporation, of Wichita, Kansas, provided additional information on the item. He then answered questions from the Commission.

Jason Hilgers, Assistant City Manager, provided additional information on the item.

Teresa Luse, 208 Brookmont Drive, asked if this is the item regarding parking with the Schultz construction project.

After discussion, Commissioner Hatesohl moved to approve Resolution No. 020105-A indicating the City of Manhattan's support for Investment Resources Corporation to make application for tax credits to the State of Kansas to develop an affordable housing project in the Brookfield subdivision. Commissioner Snead seconded the motion. On a roll call vote, motion carried 5-0.

FUNDING REQUEST - SESQUICENTENNIAL COMMITTEE

Dave Lewis, Sesquicentennial Committee Chair, provided an update on the activities of the Celebrate 150! Committee and requested financial support from the City of Manhattan. He then answered questions from the Commission.

GENERAL AGENDA (CONTINUED)

FUNDING REQUEST - SESQUICENTENNIAL COMMITTEE (CONTINUED)

After discussion, Commissioner Snead moved to approve funding for the Sesquicentennial Celebration in the amount of \$50,000.00. Commissioner Hatesohl seconded the motion. On a roll call vote, motion carried 4-1, with Commissioner Taussig voting against the motion.

REQUEST FOR FUNDING - UNION PACIFIC DEPOT PROJECT

Karen Davis, Director of Community Development, introduced the item.

Dixie West, President, Manhattan/Riley County Preservation Alliance, provided additional information on the fundraising efforts to complete the Depot reconstruction.

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

Bruce McMillan, Bruce McMillan Architects, answered additional questions from the Commission.

After discussion, Commissioner Snead moved to approve an allocation of \$19,206.66 for the Union Pacific Depot Project. Mayor Everett seconded the motion. On a roll call vote, motion carried 3-2, with Commissioner Taussig and Klimek voting against the motion.

FIRST READING – ESTABLISH - “NO PARKING” IN THE BROOKFIELD ADDITION

Steve Hampton, Engineer II, presented the item and answered questions from the Commission.

Jeff Hancock, Director of Public Works, answered questions from the Commission.

Teresa Luse, 208 Brookmont Drive, informed the Commission that the streets are very narrow and was concerned about safety in the neighborhood.

Tim Schultz, Schultz Construction, developer, provided additional information on the item and answered questions from the Commission.

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

After discussion, Commissioner Hatesohl moved to approve first reading of an ordinance establishing a “No Parking” zone on one side of all streets in all current and future units of the Brookfield Addition. Commissioner Taussig seconded the motion. On a roll call vote, motion carried 5-0.

ITEM REMOVED FROM CONSENT AGENDA

STATE BID FOR VEHICLE REPLACEMENTS

Jeff Hancock, Director of Public Works, provided background information on the item and answered questions from the Commission.

Jim Woydziak, Director of Fire Services, presented background information on the two vehicles that he was recommending for replacement and answered questions from the Commission.

Jeff Hancock, Director of Public Works, and Jim Woydziak, Director of Fire Services, answered additional questions from the Commission and provided clarification on the item.

After discussion, Commissioner Klimek moved to table the item until bids are received from local dealers. Commissioner Hatesohl seconded the motion.

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

On a roll call vote, motion carried 4-1, with Commissioner Sncad voting against the motion.

ADJOURNMENT

At 10:30 p.m. the Commission adjourned.



Gary S. Fees, CMC, City Clerk