



MINUTES
CITY COMMISSION MEETING
TUESDAY, MAY 15, 2012
7:00 P.M.

The Regular Meeting of the City Commission was held at 7:00 p.m. in the City Commission Room. Mayor Loren J. Pepperd and Commissioners John Matta, Wynn Butler, Richard B. Jankovich, and James E. Sherow 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, 11 staff, and approximately 40 interested citizens.

PLEDGE OF ALLEGIANCE

Mayor Pepperd led the Commission in the Pledge of Allegiance.

PROCLAMATIONS

Mayor Pepperd proclaimed May 2012, ***Mental Health Month***. Robbin Cole, Executive Director, Pawnee Mental Health Services; and Stan Wilson and Carroll Hess, Board of Directors of Pawnee Mental Health Services, were present to receive the proclamation.

Mayor Pepperd proclaimed May 2012, ***National Preservation Month***. Kathy Dzewaltowski, President, and Sara Fisher, Vice President, Manhattan/Riley County Preservation Alliance, were present to receive the proclamation.

Mayor Pepperd recognized the 2012 Manhattan High School Forensics Coach Shawn Rafferty and team members for winning the Kansas 6A State High School Championship recently and qualifying for Nationals and the Manhattan High School Debate Team for its third place at State earlier in the year.

City Manager Ron Fehr and Mayor Pepperd recognized City Attorney Bill Frost on his distinguished service and retirement from the City of Manhattan, with this being his last legislative meeting as City Attorney.

COMMISSIONER COMMENTS

Mayor Pepperd informed the community that he attended the Manhattan Area Chamber of Commerce Board Meeting on May 15, 2012, and stated that there would not be a Joint City/County/County Meeting on Thursday, May 17, 2012. He stated that the League of American Bicyclists announced that Manhattan has earned the bronze-level Bicycle Friendly Community award and thanked those that have worked on this project.

Ron Fehr, City Manager, announced that the Flint Hills Discovery Center had their 10,000th visitor over the weekend and that attendance and revenues received to-date are ahead of projections.

CONSENT AGENDA

(* denotes those items discussed)

MINUTES

The Commission approved the minutes of the Regular City Commission Meeting held Tuesday, May 1, 2012.

CLAIMS REGISTER NO. 2702

The Commission approved Claims Register No. 2702 authorizing and approving the payment of claims from April 25, 2012, to May 08, 2012, in the amount of \$4,331,654.86.

LICENSE

The Commission approved a Tree Maintenance License for calendar year 2012 for Randy's Tree Service, 110 Castle Street, Grandview Plaza.

* ORDINANCE NO. 6949 – GENERAL OBLIGATION BOND SERIES 2012-A

Ron Fehr, City Manager, provided an update on the results of the general obligation bond sale and temporary note sale.

The Commission approved Ordinance No. 6949 issuing \$1,465,000.00 in General Obligation Bonds Series 2012-A to finance six (6) special assessment projects (*Grande Bluffs at Mill Pointe, Unit One – Sanitary Sewer (SS1008), Street (ST1008), and Water (WA1007); and Lee Mill Heights Addition, Unit Four, Phase Two – Sanitary Sewer (SS1009), Street (ST1012), and Water (WA1008)*) and two (2) capital improvement projects (*Fire Station #3 (FRX75P) and Fire Station #5 (FR775P)*).

CONSENT AGENDA (CONTINUED)

RESOLUTION NO. 051512-A – DELIVERY OF BONDS – GENERAL OBLIGATION BOND SERIES 2012-A

The Commission approved Resolution No. 051512-A authorizing delivery of the General Obligation Bond Series 2012-A to the low bidder, Hutchinson, Shockey, Erley & Co., of Chicago, Illinois.

* **RESOLUTION NO. 051512-B – ISSUE – TEMPORARY NOTE SERIES 2012-02**

The Commission approved accepting the best bid for selling the notes from UMB Bank, of Kansas City, Missouri, and approved Resolution No. 051512-B issuing Temporary Note Series 2012-02 in the amount of \$2,150,000.00 to finance the Tecumseh-Quivera Storm Sewer System, Phase I, Improvements (SM0813).

RESOLUTION NO. 051512-C – RENTAL FEES – BLUE EARTH PLAZA AND SUNSET ZOO FACILITIES

The Commission approved Resolution No. 051512-C setting fees for the rental of the Blue Earth Plaza and Sunset Zoo facilities.

RESOLUTION NO. 051512-D – GRAND VISTA ADDITION, UNIT 2 - SANITARY SEWER IMPROVEMENTS (SS1203)

The Commission found the petition sufficient and approved Resolution No. 051512-D finding the project advisable and authorizing construction for Grand Vista Addition, Unit 2, Sanitary Sewer (SS1203) Improvements.

RESOLUTION NO. 051512-E – GRAND VISTA ADDITION, UNIT 2 - WATER IMPROVEMENTS (WA1205)

The Commission found the petition sufficient and approved Resolution No. 051512-E finding the project advisable and authorizing construction for Grand Vista Addition, Unit 2, Water (WA1205) Improvements.

RESOLUTION NO. 051512-F – GRAND VISTA ADDITION, UNIT 2 - STREET IMPROVEMENTS (ST1202)

The Commission found the petition sufficient and approved Resolution No. 051512-F finding the project advisable and authorizing construction for Grand Vista Addition, Unit 2, Street (ST1202) Improvements.

RESOLUTION NO. 051512-G – GRAND VISTA ADDITION, UNIT 2 - STORMWATER IMPROVEMENTS (SM1201)

The Commission found the petition sufficient and approved Resolution No. 051512-G finding the project advisable and authorizing construction for Grand Vista Addition, Unit 2, Stormwater (SM1201) Improvements.

CONSENT AGENDA (CONTINUED)

AGREEMENT – ENGINEERING SERVICES – GRAND VISTA ADDITION, UNIT 2 – SANITARY SEWER (SS1203), WATER (WA1205), STREET (ST1202), AND STORMWATER (SM1201) IMPROVEMENTS

The Commission authorized the Mayor and City Clerk to execute an agreement with Schwab-Eaton, P.A., to perform professional services for Grand Vista Addition, Unit 2, Sanitary Sewer (SS1203), Water (WA1205), Street (ST1202), and Stormwater (SM1201) Improvements.

FIRST READING – VACATE PORTION OF RIGHT-OF-WAY – 6TH STREET (RATONE LANE TO BERTRAND STREET)

The Commission approved first reading of an ordinance vacating a portion of 6th Street right-of-way adjacent to 530 Bertrand Street, Manhattan Kansas 66502.

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AGREEMENT – DESIGN SERVICES – CENTRAL BASIN SANITARY SEWER IMPROVEMENTS (SS1113)

Bernie Hayen, Director of Finance, responded to questions from the Commission and provided additional information on the item.

The Commission authorized the Mayor and City Clerk to execute an agreement in the amount of \$74,548.00 with Bartlett and West Engineers, Inc., of Manhattan, Kansas, for design services related to the Central Basin Sanitary Sewer Improvements Project (SS1113).

AWARD CONTRACT – WELL REHABILITATION PROJECT (WA1203)

The Commission authorized the Mayor and City Clerk to execute a contract in the amount of \$47,860.00 to Layne Christensen Company, of Wichita, Kansas, for the Well Rehabilitation (wells 12, 22, and 24) Project (WA1203).

WORK AUTHORIZATION – WASTEWATER TREATMENT PLANT – WEST BAR SCREEN SLUICE GATE REPLACEMENT

The Commission authorized the Mayor and City Clerk to execute a Work Authorization in the amount of \$38,070.00 with Walters-Morgan Construction Company, Inc., of Manhattan, Kansas, to replace the west bar screen sluice gate at the Wastewater Treatment Plant.

PURCHASE – RUBBER TIRE LOADER (UNIT #230) – PUBLIC WORKS DEPARTMENT (CIP #ST020E)

The Commission authorized the purchase of a 2011 John Deere Model 542K Rubber Tire Loader in the net amount of \$99,000.00 after trade-in from Murphy Tractor Co., of Topeka, Kansas, for the Public Works Department (CIP #ST020E).

CONSENT AGENDA (CONTINUED)

LEASE PURCHASE AGREEMENT – RUBBER TIRE LOADER (UNIT #230)

The Commission authorized the Mayor and/or City Clerk to execute the lease purchase agreement once the rubber tire loader is delivered.

After discussion, Commissioner Sherow moved to approve the consent agenda. Commissioner Butler seconded the motion. On a roll call vote, motion carried 5-0.

GENERAL AGENDA

SECOND CONSIDERATION - ECONOMIC DEVELOPMENT APPLICATION - ICON ENTERPRISES, INC. D/B/A CIVICPLUS; PUBLIC HEARING/RESOLUTION OF INTENT - ISSUE - INDUSTRIAL REVENUE BONDS

Commissioner Jankovich announced that he had a conflict of interest with the applicant and would recuse himself on the item. He then stepped down from the dais.

Lauren Palmer, Assistant City Manager, presented an overview of the business expansion project for ICON Enterprises d/b/a CivicPlus. She then presented an overview of the economic development proposal; components of the Economic Development Fund (EDF) funding criteria; proposed incentives package, including a forgivable loan, partial tax abatement, and Industrial Revenue Bonds; capital investment requirements; annual accountability, and clawback provisions.

Mayor Pepperd opened the public hearing.

Hearing no comments, Mayor Pepperd closed the public hearing.

Ron Fehr, City Manager, responded to questions from the Commission regarding the availability of parking and stated that there would be plans to provide further analysis on parking in the area.

SECOND CONSIDERATION - ECONOMIC DEVELOPMENT APPLICATION - ICON ENTERPRISES, INC. D/B/A CIVICPLUS; RESOLUTION OF INTENT - ISSUE - INDUSTRIAL REVENUE BONDS

After discussion and comments from the Commission, Commissioner Sherow moved to authorize the Mayor and City Clerk to execute an economic development incentive agreement with ICON Enterprises, including the related promissory note and personal guaranty; and approve Resolution No. 051512-H to authorize the issuance of up to \$20 million of industrial revenue bonds for the purpose of financing, constructing, and

GENERAL AGENDA (CONTINUED)

SECOND CONSIDERATION - ECONOMIC DEVELOPMENT APPLICATION - ICON ENTERPRISES, INC. D/B/A CIVICPLUS; RESOLUTION OF INTENT - ISSUE - INDUSTRIAL REVENUE BONDS

equipping the company's downtown expansion project. Commissioner Butler seconded the motion. On a roll call vote, motion carried 4-0.

Commissioner Jankovich returned to the dais.

TASK ORDER NO. 3 - DESIGN - GENERAL AVIATION AIRCRAFT PARKING APRON

Peter Van Kuren, Director, Manhattan Regional Airport, presented the item.

Ron Fehr, City Manager, provided additional information on funding for the project.

Peter Van Kuren, Director, Manhattan Regional Airport, informed the Commission that the Airport provides significant value to the region. He then responded to questions from the Commission regarding the services provided by the Fixed Base Operator (FBO), maintenance of aircraft at the Airport, Transportation Security Administration (TSA) screening and security at the Airport, and future growth demands at the Manhattan Regional Airport.

Ron Fehr, City Manager, provided additional information on the FBO and current model. He then responded to questions from the Commission regarding funding and eligibility of federal funds.

Peter Van Kuren, Director, Manhattan Regional Airport, responded to additional questions from the Commission regarding parking for customers and for the FBO.

Ron Fehr, City Manager, and Peter Van Kuren, Director, Manhattan Regional Airport, provided additional information on the Capital Improvements Program, the Airport Department budget, and discussed future negotiations with the FBO and meetings with the Airport Advisory Board.

After discussion and comments from the Commission, Commissioner Jankovich moved to authorize City Administration to finalize and the Mayor and City Clerk to execute Task Order No. 3 in the amount of \$199,980.00 with Mead & Hunt, Inc., of Madison, Wisconsin, for the General Aviation Apron design at the Manhattan Regional Airport. Commissioner Sherow seconded the motion. On a roll call vote, motion carried 5-0.

GENERAL AGENDA (CONTINUED)

DISCUSSION: PRESENTATION FROM MANHATTAN PUBLIC LIBRARY - EXPANSION OF THE CHILDREN'S LIBRARY

Bryce Hobrock, President, Manhattan Public Library, presented background information on the request to expand the Children's Library.

Linda Knupp, Director, Manhattan Public Library, presented additional background information on Children's Services at the Public Library and the estimated costs for the expansion of the Children's Library. She stated with the growth in population and increased number of children and services offered, they have outgrown the current children's room.

Brent Bowman, Bowman Bowman Novick, Inc., presented background information on the Manhattan Public Library facilities and prior expansion projects, provided expansion plans for the Children's Library, and presented a computer generated diagram of the proposed expansion project. He then responded to questions from the Commission regarding the availability of parking for patrons and employees of the Library.

Linda Knupp, Director, Manhattan Public Library, responded to questions from the Commission and stated that the Library is organizing a capital campaign to raise one-third of the project costs and possibly more, with an estimated project cost of \$2.125 million, depending on final design. She said the intent would be to complete the capital campaign by the end of this year. She then responded to questions from the Commission regarding fundraising plans and provided additional information on the proposed project.

After further discussion and comments from the Commission, no formal action was taken on the item.

ADJOURNMENT

At 8:55 p.m., the Commission adjourned.



Gary S. Fees, MMC, City Clerk