

MINUTES
CITY COMMISSION MEETING
TUESDAY, SEPTEMBER 21, 2004
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, Assistant City Manager Diane Stoddard, Assistant to the City Manager Jason Hilgers, City Attorney Bill Frost, City Clerk Gary S. Fees, 11 staff, and approximately 24 interested citizens.

PLEDGE OF ALLEGIANCE

Mayor Everett led the Commission in the Pledge of Allegiance.

PROCLAMATIONS

Mayor Everett proclaimed September 17-23, 2004, ***Constitution Week***. Linda Weis, Regent, and Rebecca Rose, Vice-Regent, Polly Ogden Chapter, Daughters of the American Revolution, Dixie Roberts, Mary Lindquist, Ruth Martenson, and Terri Heally were present to receive the proclamation.

Mayor Everett proclaimed September 26-October 1, 2004, ***Community Cultural Harmony Week***. Candi Hironaka, Co-Chair, Racial Ethnic Harmony Week Planning Committee, was present to receive the proclamation.

Mayor Everett proclaimed October 3-9, 2004, ***Fire Prevention Week***. Jim Woydziak, Director of Fire Services, and James McDiffett, Fire Marshal, were present to receive the proclamation.

COMMISSIONER COMMENTS

Mayor Everett thanked Ron Fehr, City Manager, and City Staff for their efforts on the recent U.S. Census Bureau challenge.

Ron Fehr, City Manager, reported that the U.S. Census Bureau has adjusted the previously recorded Census data for 2003 population from 44,733 to 46,803.

CONSENT AGENDA

(* denotes those items discussed)

MINUTES

The Commission approved the minutes of the Regular City Commission Meeting held Tuesday, September 7, 2004.

CLAIMS REGISTER NO. 2513

The Commission approved Claims Register No. 2513 authorizing and approving the payment of claims from September 1, 2004, to September 14, 2004, in the amount of \$908,471.60.

LICENSE – CEREAL MALT BEVERAGE

The Commission approved the Cereal Malt Beverage application for Silverado Saloon, 531 N Manhattan Avenue.

ORDINANCE NO. 6431 – ISSUE INDUSTRIAL REVENUE BONDS – COUNTRY MEADOWS RESIDENCES, L.C.

The Commission approved Ordinance No. 6431 issuing up to \$6.25 million in Industrial Revenue Bonds for Country Meadows Residences, L.C.

AWARD CONTRACT – HACKBERRY ADDITION – STREET IMPROVEMENTS (ST0403)

The Commission accepted the Engineer's Estimate in the amount of \$246,800.00; and awarded a construction contract in the amount of \$266,836.50 to Manhattan Trenching, of Manhattan, Kansas, for Hackberry Addition Street Improvements (ST0403).

AWARD CONTRACT – WOODLAND HILLS, UNIT 5 – STREET IMPROVEMENTS (ST0402)

The Commission accepted the Engineer's Estimate in the amount of \$201,000.00 and awarded a construction contract in the amount of \$196,331.26 to Manhattan Trenching, of Manhattan, Kansas, for Woodland Hills, Unit 5, Street Improvements (ST0402).

AWARD CONTRACT – HOUSING REHABILITATION PROJECTS

The Commission accepted the bids for 825 Bertrand Street, 2053 Hayes Drive, and 1901 Ranser Road; awarded the bid to the lowest responsible bidder; authorized City Administration to approve any necessary change orders; and authorized the Mayor and City Clerk to enter into agreements with the contractor and property owner for expenditure of Housing Rehabilitation Funds.

CONSENT AGENDA (CONTINUED)

CONTRACT – WASTEWATER TREATMENT PLANT FILAMENT CONTROL SYSTEM

The Commission authorized the Mayor to enter into a contract with BG Consultants, Inc., of Manhattan, Kansas, for Developing an Improved and Cost Effective Filament Control System at the City's Wastewater Treatment Plant.

RESOLUTION NO. 092104-B – GEOMETRIC IMPROVEMENT PROJECT – RIGHT TURN LANES ALONG SETH CHILD ROAD

The Commission approved Resolution No. 092104-B authorizing the Mayor and City Clerk to execute the agreement with the Kansas Department of Transportation for the Geometric Improvement Project along Seth Child Road providing right turn lanes at Southwind Road and at Amherst Avenue.

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RESOLUTION NOS. 092104-C & D – URBAN BOUNDARY LINES AND FUNCTIONAL CLASSIFICATION SYSTEMS

Jeff Hancock, City Engineer, answered questions from the Commission.

The Commission approved Resolution Nos. 092104-C establishing the urban area boundary lines and 092104-D approving the urban functional classification systems, and approve the proposed map.

After discussion, Commissioner Hatesohl moved to approve the consent agenda. Commissioner Snead seconded the motion. On a roll call vote, motion carried 5-0, with the exception of Item B: Claims Register, as identified for Taussig Lawn Care, which carried 4-0 with Commissioner Taussig not participating on the item.

GENERAL AGENDA

AWARD - INSURANCE BROKER

Bernie Hayen, Director of Finance, presented the item. He introduced Phil Krug, Insurors and Investors; Leslie Webb, Insurors and Investors; Randy Anderes, President, Sunflower Bank; and Jim Williams, President, Insurors and Investors.

Bernie Hayen, Director of Finance, and Leslie Webb, Insurors and Investors, answered questions from the Commission.

After discussion, Commissioner Taussig moved to authorize the Mayor and City Clerk to sign a three-year agent-of-record agreement with the agency of Insurors and Investors, of Salina, Kansas. Commissioner Snead seconded the motion. On a roll call vote, motion carried 5-0.

GENERAL AGENDA (CONTINUED)

ARCHITECTURAL AND ENGINEERING CONSULTANT SELECTION POLICY

Diane Stoddard, Assistant City Manager, presented the item. She then answered questions from the Commission.

Ron Fehr, City Manager, provided clarification on the item in regards to working with Federal and State agencies.

Bruce McMillan, Bruce McMillan AIA – Architects P.A., appreciated the comments expressed by the Commission and said that State association representatives had already addressed the Commission at a prior Work Session. He said there are standards used by various associations and thought that a post audit report was an excellent idea.

Ron Fehr, City Manager, provided additional information on a broader ethics policy that would be for both elected and appointed officials.

After discussion, Commissioner Snead moved to approve Resolution No. 092104-A adopting a revised consultant selection policy for architectural and engineering services. Commissioner Hatesohl seconded the motion. On a roll call vote, motion failed 2-3, with Mayor Everett and Commissioners Klimek and Taussig voting against the motion.

Ron Fehr, City Manager, answered additional questions from the Commission.

After additional discussion, Commissioner Taussig moved to table the item; for City Staff to work on the policy and provide more specifics in terms of the negotiation with consultants; to provide a framework of the percentage of fees in the negotiation process; to include a post audit; to include a standardized agreement; and to bring the item back to the Commission. Commissioner Klimek seconded the motion.

Ron Fehr, City Manager, provided clarification on the item and informed the Commission that the evaluation of fee policy guidelines will take additional time to complete before the item comes back to the Commission.

On a roll call vote, motion carried 3-2, with Commissioners Snead and Hatesohl voting against the motion.

DOWNTOWN EAST WATERSHED STORM STORAGE

Jeff Hancock, City Engineer, presented the item and answered questions from the Commission.

GENERAL AGENDA (CONTINUED)

DOWNTOWN EAST WATERSHED STORM STORAGE (CONTINUED)

Chuck Williams, Director of Public Works; Ron Fehr, City Manager; Monte Prescott, BG Consultants; and Jeff Hancock, City Engineer, answered questions from the Commission.

After discussion, Commissioner Hatesohl moved to authorize City Administration to begin contract negotiations with BG Consultants, of Manhattan, Kansas, to complete the design of the storm storage facility at McCall Road and Tuttle Creek Boulevard for Option 4 and thereafter proceed with a construction project. Commissioner Snead seconded the motion. On a roll call vote, motion carried 4-1, with Commissioner Taussig voting against the motion.

REQUEST FOR PROPOSALS – DENISON AVENUE, FOURTH STREET, K-18 AND WILDCAT CREEK ROAD INTERSECTION, AND EASTSIDE DRAINAGE STUDY

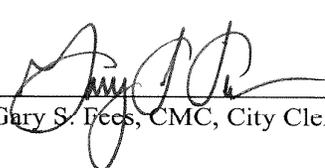
Jeff Hancock, City Engineer, presented the item and answered questions from the Commission.

Ron Fehr, City Manager, and Chuck Williams, Director of Public Works, answered questions from the Commission.

After discussion, Commissioner Taussig moved to authorize City Administration to request engineering design proposals for the following projects: Denison Avenue, Fourth Street, K-18 and Wildcat Creek Road intersection, and the Eastside Drainage Study, and appoint Commissioners Hatesohl and Taussig to serve on the selection committee. Commissioner Snead seconded the motion. On a roll call vote, motion carried 5-0.

ADJOURNMENT

At 9:30 p.m. the Commission adjourned.



Gary S. Fees, CMC, City Clerk