

***MINUTES***  
***CITY COMMISSION MEETING***  
***TUESDAY, JUNE 2, 2009***  
***7:00 P.M.***

The Regular Meeting of the City Commission was held at 7:00 p.m. in the City Commission Room. Mayor Bob Strawn and Commissioners Bruce Snead, James E. Sherow, Loren J. Pepperd, and Jayme Morris-Hardeman 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 18 interested citizens.

**PLEDGE OF ALLEGIANCE**

Mayor Strawn led the Commission in the Pledge of Allegiance.

**PROCLAMATION**

Mayor Strawn proclaimed June 6, 2009, *D-Day Remembrance Day*. Matthew Pennell, Mrs. Matthew Pennell, Sam Reniker, and Dick Miller were present to receive the proclamation.

**PUBLIC COMMENTS**

Mayor Strawn opened the public comments.

Hearing no comments, Mayor Strawn closed the public comments.

**COMMISSIONER COMMENTS**

Commissioner Sherow commented about his recent trip with Ron Fehr, City Manager, and Karen Davis, Director of Community Development, and others from the region that attended the National Association of Regional Councils. He informed the community that this was an opportunity to learn from other communities and regions that have developed a regional planning organization, as our region considers this endeavor related to the growth associated with Fort Riley.

## **COMMISSIONER COMMENTS (*CONTINUED*)**

Mayor Strawn stated that a steering committee of regional partners has been formed and is charged to find out if the region wants to proceed forward with a regional planning organization and, if so, what shape that organization would be.

Commissioner Snead highlighted upcoming events with Manhattan Day, Wine in the Wild at Sunset Zoo, and the County Stampede.

Commissioner Pepperd highlighted the cost of living and housing index recently reported in the Manhattan Area Chamber of Commerce newsletter.

Mayor Strawn reported that a portion of the latest City employee newsletter focused on the Code of Ethics that was established by the Commission.

## **CONSENT AGENDA**

(\* denotes those items discussed)

### **MINUTES**

The Commission approved the minutes of the Regular City Commission Meeting held Tuesday, May 19, 2009.

### **CLAIMS REGISTER NO. 2613**

The Commission approved Claims Register No. 2613 authorizing and approving the payment of claims from May 13, 2009, to May 26, 2009, in the amount of \$2,386,495.08.

### **LICENSES**

The Commission approved an annual Cereal Malt Beverage License for Valentino's of Manhattan, 3003 Anderson Avenue, Suite 901, and a 4<sup>th</sup> of July Fireworks Display for Dara's Fast Lane, 1115 West Port Road.

### **ORDINANCE NO. 6761 – LEVY SALES TAXES – CITY PARK, CICO, AND NORTHVIEW POOLS AND SUNSET ZOO EDUCATION BUILDING**

The Commission approved Ordinance No. 6761 levying a .10% sales tax to reconstruct the current swimming pool located in City Park, Ordinance No. 6762 levying a .10% sales tax to reconstruct the swimming pools located in Northview and CICO Parks, and, Ordinance No. 6763 levying a .05% sales tax to construct an education building at Sunset Zoo.

## CONSENT AGENDA (CONTINUED)

### ORDINANCE NO. 6764 – NO PARKING – FAIR LANE (SOUTH DELAWARE AVENUE TO SOUTH MANHATTAN AVENUE)

Bud Valerius, 1849 Fairchild Avenue, inquired about the no parking item on Fair Lane and asked what affects it would have on those properties.

Ron Fehr, City Manager, provided additional information on the item and responded to questions regarding the no parking zone being proposed.

The Commission approved Ordinance No. 6764 removing parking along Fair Lane from South Delaware Avenue to South Manhattan Avenue.

### PUBLIC HEARING – VACATE PEDESTRIAN EASEMENT – GRAND MERE VILLAGE ADDITION

Mayor Strawn opened the public hearing.

Hearing no comments, Mayor Strawn closed the public hearing.

### FIRST READING – VACATE PEDESTRIAN EASEMENT – GRAND MERE VILLAGE ADDITION

The Commission approved first reading of an ordinance vacating a portion of the pedestrian easement located in Tract A along Lot 4, Grand Mere Village Addition.

### FIRST READING – RENAME – VANESTA PLACE AND MARKET PLACE TO CLOCK TOWER PLACE

The Commission approved first reading of an ordinance renaming Vanesta Place and Market Place, located in Tract C, Grand Mere Village Addition, to Clock Tower Place, as requested by the developer.

### \* AWARD CONTRACT – DEMOLITION OF CITY-OWNED PROPERTY – SOUTH REDEVELOPMENT DISTRICT (SP0904)

Jason Hilgers, Assistant City Manager/Redevelopment Coordinator, provided the Commission with an overview of the demolition of City-owned property in the South Redevelopment District. He then responded to questions from the Commission regarding the timeline, dust, noise, seeding, and signage related to the redevelopment project.

Brad Everett, representing Fairfield Inn, asked that during the demolition work on the South Redevelopment District, to be sensitive to those individuals that live nearby or who are sleeping at the Fairfield Inn as it relates to dust and noise.

## CONSENT AGENDA (CONTINUED)

\* **AWARD CONTRACT – DEMOLITION OF CITY-OWNED PROPERTY – SOUTH REDEVELOPMENT DISTRICT (SP0904) (CONTINUED)**

Jason Hilgers, Assistant City Manager/Redevelopment Coordinator, stated that the City has a good relationship with the contractor and will work with the Fairfield Inn and others to mitigate any issues. He said that they do not anticipate any weekend work on the project.

The Commission awarded a contract in the amount of \$370,070.00 to G & G Dozer, of Caney, Kansas, for demolition of City-owned property in the South Redevelopment District (SP0904).

**AWARD CONTRACT - WILDCAT RIDGE SANITARY SEWER REPAIR (SS0906)**

The Commission awarded a contract in the amount of \$25,500.00 to Larson Construction, of Manhattan, Kansas, to replace 300' of sanitary sewer main at the Wildcat Ridge Development.

**WORK AUTHORIZATION NO. 3 – AIRPORT TERMINAL IMPROVEMENTS (AP0901)**

The Commission authorized the Mayor and City Clerk to execute Work Authorization No. 3 with HWS Consulting Group, Inc., of Manhattan, Kansas, in the amount of \$27,500.00 for Airport Terminal Improvements (AP0901), contingent on concurrence from American Eagle Airlines, Inc.

**BOARD APPOINTMENTS**

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

*City/University Special Projects Fund Committee*

Re-appointment of Jo Brunner, 304 South Delaware, to a two-year Citizen term. Ms. Brunner's term will begin July 1, 2009, and will expire June 30, 2011.

Re-appointment of Eileen Meyer, 2429 Buena Vista Drive, to a two-year Citizen term. Ms. Meyer's term will begin July 1, 2009, and will expire June 30, 2011.

Appointment of Jonathan Mahorney, 2335 Grandview Terrace, to a two-year Citizen term. Mr. Mahorney's term will begin July 1, 2009, and will expire June 30, 2011.

## CONSENT AGENDA (CONTINUED)

### BOARD APPOINTMENTS (CONTINUED)

#### Code Appeals Advisory Board

Re-appointment of Pat Cox, 7228 Deer Trail Road, to a three-year Engineer term. Mr. Cox's term begins immediately, and will expire May 31, 2012.

Re-appointment of Todd Olson, 629 Pecan Circle, to a three-year Electrician term. Mr. Olson's term begins immediately, and will expire May 31, 2012.

Appointment of Tony Reid, 8962 Green Valley Drive, to a three-year Master Plumber term. Mr. Reid's term begins immediately, and will expire May 31, 2012.

#### Housing Appeals Board

Re-appointment of Gene Wiley, 1900 Kenmar, to a three-year term. Mr. Wiley's term will begin July 1, 2009, and will expire June 30, 2012.

Re-appointment of Tim Trubey, 2920 Hickory Court, to a three-year term. Mr. Trubey's term will begin July 1, 2009, and will expire June 30, 2012.

#### Parks And Recreation Advisory Board

Appointment of Stacy Mackey, 1616 Humboldt Street, to fill the remainder of the unexpired term of Reed Scott and a four-year term. Ms. Mackey's term begins immediately, and will expire June 30, 2013.

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

## GENERAL AGENDA

### FIRST READING – INCREASE - TRANSIENT GUEST TAX

Bernie Hayen, Director of Finance, presented the item.

Ron Fehr, City Manager, responded to questions from the Commission regarding the proposed increased transient guest tax and how the additional funds would be applied to the South Redevelopment District.

Bill Frost, City Attorney, provided clarification on the proposed charter ordinance and the process to adopt a charter ordinance.

## GENERAL AGENDA

### **FIRST READING – INCREASE - TRANSIENT GUEST TAX (CONTINUED)**

Jason Hilgers, Assistant City Manager/Redevelopment Coordinator, responded to questions from the Commission regarding the timeline to adopt a charter ordinance and the process to approve first and second readings of an ordinance to levy this tax. He then responded to additional questions regarding the use of the transient guest tax.

Ron Fehr, City Manager, and Bernie Hayen, Director of Finance, responded to questions about the cities listed as comparisons in the staff memorandum.

Karen Hibbard, Director, Manhattan Convention and Visitors Bureau, provided additional information to the Commission regarding the need for additional meeting space and stated that rarely do meeting planners ask what amount is the transient guest tax. She then answered additional questions from the Commission regarding the acceptable range for a transient guest tax given the collective properties that Manhattan has to market.

Ron Fehr, City Manager, provided additional information about the proposed use and hours of the Discovery Center, Conference Center, and Warren Theatres components and opportunity for these facilities to complement each other.

Karen Hibbard, Director, Manhattan Convention and Visitors Bureau, responded to additional questions from the Commission regarding what groups come and do not come to our city now due to size limitations, number of available rooms, and recent and historic occupancy rates for Manhattan.

Janet Paxton, General Manager, Holiday Inn at the Campus, voiced opposition to the proposed two percent (2%) increase in the transient guest tax and provided additional information to the Commission on their business and price sensitivity of their customers. She suggested that the Commission consider a hamburger tax, as done in bigger cities and responded to questions from the Commission.

Brad Everett, General Manager, Fairfield Inn, informed the Commission that the Manhattan Convention & Visitors Bureau (CVB) Steering Committee met to discuss the proposed increase in the transient guest tax and voted to recommend that the Commission direct \$72,000 of the Airport funds collected from the transient guest tax be returned back to the Manhattan CVB for the Discovery Center, as well as to increase the transient guest tax by one percent (1%) for collecting the necessary funds for the Discovery Center. He then responded to questions from the Commission.

## GENERAL AGENDA

### **FIRST READING – INCREASE - TRANSIENT GUEST TAX (CONTINUED)**

Jason Hilgers, Assistant City Manager/Redevelopment Coordinator, and Ron Fehr, City Manager, responded to questions from the Commission regarding the pledge to the Airport for these funds and use of economic development funds to assist with future improvements to the Airport terminal to accommodate new regional jet service with American Eagle Airlines.

Brad Everett, General Manager, Fairfield Inn, informed the Commission that occupancy rates have softened and reiterated that the CVB Steering Committee has approved a one percent (1%) increase in the transient guest tax. He voiced concern that the market needs to remain competitive and to not overprice ourselves.

After discussion, Commissioner Snead moved to approve first reading of a Charter Ordinance authorizing the levy of a transient guest tax, at a rate not to exceed seven percent (7%), upon the gross receipts derived from or paid by transient guests for sleeping accommodations. Commissioner Sherow seconded the motion. On a roll call vote, motion carried 5-0.

### **2009 CHAMBER OF COMMERCE MID-YEAR REPORT**

Lauren Palmer, Assistant City Manager, introduced the item.

Lyle Butler, President/Chief Executive Officer (CEO), Manhattan Area Chamber of Commerce, outlined the presentation and introduced members representing the Chamber of Commerce.

Karen Hibbard, Director, Manhattan Area Convention and Visitors Bureau, presented a mid-year presentation on activities associated with the Convention and Visitors Bureau and provided an update on conventions, leisure tourism, sports marketing, special events, occupancy trends, and transient guest tax information.

Lyle Butler, President/CEO, Manhattan Area Chamber of Commerce, responded to questions from the Commission regarding the proposed visitor's center near Interstate.

Mayor Strawn requested that the Chamber of Commerce assist in the marketing efforts associated with downtown redevelopment on the Chamber's web site.

Lyle Butler, President/CEO, Manhattan Area Chamber of Commerce, responded to questions from the Commission and informed the Commission that Varney and Associates, CPA, LLC, does their annual audit and if there are any financial questions, to contact him or Varney's directly.

## GENERAL AGENDA (CONTINUED)

### 2009 CHAMBER OF COMMERCE MID-YEAR REPORT (CONTINUED)

John Pagen, Vice President–Economic Development, Manhattan Area Chamber of Commerce, presented an overview to the Commission on workforce development, economic growth, and Market Manhattan campaign.

Bevin Landrum, Military Relations Manager, Manhattan Area Chamber of Commerce, provided an update on the activities and highlights associated with Fort Riley and local military related operations.

Lyle Butler, President/CEO, Manhattan Area Chamber of Commerce, responded to questions from the Commission related to job creation, the local unemployment rate, and wages. He stated that the Chamber, with the assistance from Don Wissman and others, will soon be re-evaluating the current economic development model used for economic development prospects.

The Commission took a brief recess.

## EXECUTIVE SESSION

At 10:15 p.m., Commissioner Snead moved to recess into Executive Session until 10:45 p.m. for the purpose of discussing matters related to employer-employee negotiations with Local 2275, International Association of Fire Fighters, the union representing certain members of the Manhattan Fire Department. Commissioner Sherow seconded the motion. On vote, motion carried 5-0.

At 10:45 p.m., the Commission reconvened with Mayor Strawn, and Commissioners Snead, Sherow, Pepperd, and Morris-Hardeman in attendance. Commissioner Snead moved to recess into Executive Session until 11:00 p.m. for the purpose of discussing matters related to employer-employee negotiations with Local 2275, International Association of Fire Fighters, the union representing certain members of the Manhattan Fire Department. Commissioner Sherow seconded the motion. On vote, motion carried 5-0.


At 11:00 p.m., the Commission reconvened with Mayor Strawn, and Commissioners Snead, Sherow, Pepperd, and Morris-Hardeman in attendance.



**ADJOURNMENT**

Commissioner Sherow moved to adjourn the meeting. Commissioner Snead seconded the motion. On vote, motion carried 5-0.

At 11:01 p.m., the Commission adjourned.



---

Gary S. Fees, MMC, City Clerk