

MINUTES
CITY COMMISSION MEETING
TUESDAY, JULY 1, 2014
7:00 P.M.

The Regular Meeting of the City Commission was held at 7:00 p.m. in the City Commission Room. Mayor Wynn Butler and Commissioners Karen McCulloh, Usha Reddi, and Richard B. Jankovich were present. Also present were the City Manager Ron R. Fehr, Deputy City Manager Jason Hilgers, City Attorney Bill Raymond, City Clerk Gary S. Fees, 10 staff, and approximately 50 interested citizens.

PLEDGE OF ALLEGIANCE

Mayor Butler led the Commission in the Pledge of Allegiance.

PROCLAMATION

Mayor Butler proclaimed July 26, 2014, *Kansas All-Star Football Shrine Bowl Day*. Brandon Nowlin, Kansas Shrine Bowl Football participant from Manhattan, and Vincent Tracey, President; Rex Boatman, Secretary; Rod Kalivoda, Treasurer; and Dick Dunham, Director, Manhattan Shrine Club, and Sara Van Petten, Executive Director, Kansas Shrine Bowl, were present to receive the proclamation.

PUBLIC COMMENTS

Mayor Butler opened the public comments.

Mike Herman, 446 Edgerton Avenue, Chair, Flint Hills Human Rights Project, voiced concern with potential discrimination in the hiring policies in organizations and government entities in the area. He informed the Commission that Kansas State University and Unified School District (USD) 383 have included sexual orientation and gender identity in their hiring and employment policies. He asked the Commission to include protections for sexual orientation and gender identity in the hiring policies for the City of Manhattan. He provided background information on the item and read portions of a letter provided to Mary Beth Reese, Chair, Manhattan Human Rights and Services Board, dated May 8, 2014, from City Manager Ron Fehr regarding the request to review the City's internal hiring (EEO) policy regarding protections for sexual orientation and

PUBLIC COMMENTS (CONTINUED)

gender identity. He stated that he attended the June 26, 2014, Manhattan Human Rights and Services Board meeting and wanted to hear from the City Commission on what mechanism was input received regarding this item from City Manager Ron Fehr, what was the discussion on the item during a City Commission Discussion/Briefing Session, and the rationale by which the City Commission concluded they didn't have sufficient interest in reviewing this policy.

Mayor Butler stated that this item was discussed during a City Commission Discussion/Briefing Session which is an open public meeting. He clarified the way agenda items are determined with at least three commissioners wishing to place an item on a future agenda and stated that there were not three Commissioners that wanted to place it on an agenda. He informed Mr. Herman that the Commission discussed if there was a hiring problem at the City and determined that there was no evidence of a problem with the City of Manhattan's hiring practices and, by tinkering with it, could inadvertently cause a problem. He stressed the importance for 100 percent equality under the law in hiring practices.

Commissioner Jankovich reiterated the comments of Mayor Butler regarding the discussion of the item during a City Commission Discussion/Briefing Session and stated that this is an open public meeting and is attended periodically by the media. He said that the reply from City Manager Ron Fehr was in the same manner that the request from the Manhattan Human Rights and Services Board was made. He stated that the City Manager reports to the City Commission, and while this item is in the City Manager's purview, there are times when decisions like this need to be elevated to the City Commission.

Mike Herman, 446 Edgerton Avenue, Chair, Flint Hills Human Rights Project, informed the Commission that without establishing a policy, there are no mechanisms for people who are discriminated against based on their sexual orientation and gender identity.

Mayor Butler stated that this policy falls in the purview of the City Manager's responsibility and believed that the City Manager is doing a fine job with hiring practices and there is no reason to change the current policy.

Mike Herman, 446 Edgerton Avenue, Chair, Flint Hills Human Rights Project, respectfully urged the Commission to reconsider reviewing the City's policy and to add these protections that other government entities in the area have included in their hiring practices and policies.

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

COMMISSIONER COMMENTS

Commissioner Jankovich reminded the community that the first Citizen Forum regarding the Riley County Police Department (RCPD) would be held on Wednesday, July 2, 2014, from 6:00 p.m. to 7:00 p.m., in the Groesbeck Room in the Manhattan Public Library. He encouraged anyone wishing to talk about concerns or issues about RCPD to come to the Forum. He also congratulated David Baker, Douglass Community Center Director, for an outstanding job in bringing the neighborhood and community together at a recent event at the Community Center.

Commissioner Reddi informed citizens that the Manhattan Municipal Band will have a performance at City Park on the Fourth of July and encouraged everyone to attend the Sunset Zoo or the Flint Hills Discovery Center over the holiday weekend. She also reminded the community of the voter and election deadlines and dates. She wished everyone a safe and Happy Fourth of July.

Commissioner McCulloh also wished everyone a safe Fourth of July with fireworks. She encouraged citizens to join the regional communities of Junction City and Wamego with their fireworks celebrations or enjoy the neighborhood displays in Manhattan. She encouraged those shooting fireworks to be sure to clean-up their fireworks debris on July 5.

Mayor Butler encouraged those enjoying fireworks to be careful. He stated that the Thunder Over Manhattan fireworks display has always been a privately funded event and extended his appreciation to those businesses in the past that have sponsored the event. He encouraged those interested to step up and coordinate the event if it were to take place in the future and informed the community that this item is not on the City agenda.

CONSENT AGENDA

(* denotes those items discussed)

MINUTES

The Commission approved the minutes of the Regular City Commission Meeting held Tuesday, June 17, 2014.

CLAIMS REGISTER NO. 2765

The Commission approved Claims Register No. 2765 authorizing and approving the payment of claims from June 11, 2014, to June 24, 2014, in the amount of \$3,463,033.76.

LICENSE

The Commission approved a Tree Maintenance License for the calendar year 2014 for Well Done Tree Trimming LLC, 716 Franklin Avenue, Lexington, Missouri.

CONSENT AGENDA (CONTINUED)

FINAL PLAT – STONE VALLEY, UNIT TWO

The Commission accepted the easements and rights-of-way, as shown on the Final Plat of Stone Valley, Unit Two, a Residential Planned Unit Development, generally located north of Stone Valley Drive and Stone Valley Landing and south of Willow Grove Lane, based on conformance with the Manhattan Urban Area Subdivision Regulations.

FINAL PLAT – HEARTLAND ADDITION

The Commission accepted the easements and rights-of-way, as shown on the Final Plat of the Heartland Addition, located at 2711 Rangeview Lane, based on conformance with the Manhattan Urban Area Subdivision Regulations.

ORDINANCE NO. 7077 – VACATE EASEMENT – LOT 1, MILLER RANCH, UNIT SIX

The Commission approved Ordinance No. 7077 vacating a portion of a drainage easement on Lot 1 in Miller Ranch, Unit Six, an addition to the City of Manhattan, Riley County, Kansas.

PUBLIC HEARING – LEVY - SPECIAL ASSESSMENTS (GOB 2014-C)

Mayor Butler opened the public hearing.

Hearing no comments, Mayor Butler closed the public hearing.

* FIRST READING – LEVY – SPECIAL ASSESSMENTS (GOB 2014-C)

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

The Commission approved first reading of an ordinance levying special assessments against the benefiting properties in the following 15 public improvement districts which have been completed: *Bellerive Addition - Sanitary Sewer (SS1119); Lee Mill Heights Addition, Unit Seven – Sanitary Sewer (SS1117), Street (ST1110), and Water (WA1112); Lee Mill Heights Addition, Unit Eight – Sanitary Sewer (SS11306), Street (ST1307), and Water (WA1306); Miller Ranch Addition, Unit Five – Sanitary Sewer (SS1209), Street (ST1211), and Water (WA1214); Prairie Lakes Addition, Unit Six – Sanitary Sewer (SS1207), Street (ST1209), and Water (WA1208); and Scenic Meadows, Unit Three, Phase Two – Sanitary Sewer (SS1004) and Water (WA1004).*

CONSENT AGENDA (CONTINUED)

REQUEST FOR QUALIFICATIONS – EUREKA VALLEY TRANSMISSION WATER MAIN, PH II (WA1406, CIP #WA125P)

The Commission authorized City Administration to solicit statement of qualifications for professional design services for the project and appointed Commissioner Jankovich to serve on the Selection Committee for the Eureka Valley Transmission Water Main, Phase II, project (WA1406, CIP #WA125P).

NEGOTIATE CONTRACT – ENGINEERING SERVICES – WATER TREATMENT PLANT CLEARWELL AND PUMP STATION IMPROVEMENTS (WA1403, CIP #WA015P)

The Commission accepted the recommendation of the Selection Committee and authorized City Administration to negotiate a contract for engineering services with Carollo Engineers, of Kansas City, Missouri, for the Water Treatment Plant Clearwell and Pump Station Improvements (WA1403, CIP #WA015P).

* **AMENDMENT – ARCHITECTURAL SERVICES – PARKS AND RECREATION EXPANSION AND CITY AUDITORIUM RENOVATION (SP1206)**

The Commission discussed the item and thanked Mayor Butler for his presentation during the City Commission Discussion/Briefing Session and his ideas for the foyer of City (Peace Memorial) Auditorium.

The Commission authorized the Mayor and City Clerk to execute Contract Amendment No. 3 in the amount of \$135,890.00 with Bruce McMillan Architects, of Manhattan, Kansas, to complete the final design of the City Hall Expansion to accommodate Parks and Recreation as well as heating, ventilation, and air conditioning/electrical improvements to City Auditorium (SP1206).

AWARD CONTRACT - REFUSE COLLECTION SERVICES

The Commission awarded an annual collection service contract in the total amount of \$32,004.00 to A-1 Trash Service, of Manhattan, Kansas, for a term of August 1, 2014, to July 31, 2015, with the option of renewal for two additional 12 month terms, and authorized the Mayor and City Clerk to execute the contract.

GRANT/CONTRACTS - 2014 EMERGENCY SOLUTIONS

The Commission accepted the award of a 2014 Emergency Solutions Grant, and authorized the Mayor and City Clerk to execute contracts with the Kansas Housing Resources Corporation for allocation of the grant as well as with the Manhattan Emergency Shelter, Inc., and The Crisis Center for distribution of the funds.

CONSENT AGENDA (CONTINUED)

SUBORDINATION AGREEMENT – GTM SPORTSWEAR

The Commission authorized the Mayor and City Clerk to execute the *Subordination Agreement* for the Dreiling Real Estate mortgage to refinance Industrial Revenue Bonds issued for GTM Sportswear from UMB Bank to Wells Fargo.

PURCHASE – REPLACEMENT FILTERS – WASTEWATER TREATMENT PLANT BLOWER BUILDING NO. 1 (SS1410)

The Commission authorized the purchase of three (3) Replacement Filters which appear to provide the best value to the City for use at the Wastewater Treatment Plant Blower Building No. 1, in the amount of \$20,355.00, from Endustra Filter Manufacturers, of Schererville, Indiana.

PURCHASE/LEASE AGREEMENT – TRAFFIC DIVISION – DUAL PURPOSE SIGN/STENCIL MARKING TRUCK CIP #TR028E)

The Commission authorized City Administration to purchase a Dual Purpose Sign/Stencil Marking Truck (CIP #TR028E) with a Single Parallelogram lift in the amount of \$98,000.50 from Flannegan Western, of Emmetsburg, Iowa, and authorized the Mayor and/or City Clerk to execute the lease purchase agreement.

BOARD APPOINTMENTS

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

Airport Advisory Board

Re-appointment of Jackie Hartman, 110 Anderson Hall, to a three-year KSU term. Ms. Hartman's term begins immediately, and will expire June 26, 2017.

Historic Resources Board

Appointment of Cameron Tross, 1000 Colorado Street, to a three-year Architect term. Mr. Tross' term begins immediately, and will expire April 30, 2017.

Social Services Advisory Board Board

Appointment of Jerred McKee, 1622 Humboldt Street, to a three-year term. Mr. McKee's term begins immediately, and will expire June 30, 2017.

Appointment of Patrick McLaughlin, 504 Fremont Street, to a three-year term. Mr. McLaughlin's term begins immediately, and will expire June 30, 2017.

Appointment of Stan Ward, 1828 Virginia Drive, to a three-year term. Mr. Ward's term begins immediately, and will expire June 30, 2017.

CONSENT AGENDA (CONTINUED)

After discussion and comments from the Commission, Commissioner Jankovich moved to approve the consent agenda. Commissioner McCulloh seconded the motion. On a roll call vote, motion carried 4-0.

GENERAL AGENDA

RESOLUTION NO. 070114-A - PROHIBIT OPEN CARRY OF FIREARMS WITHIN DESIGNATED CITY BUILDINGS

Katharine Jackson, Assistant City Attorney, presented an overview of the item and highlighted the proposed resolution. She then responded to questions from the Commission and highlighted designated City-owned buildings.

Ron Fehr, City Manager, provided additional clarification of the item and buildings designated in the resolution.

Katharine Jackson, Assistant City Attorney, responded to questions from the Commission regarding signage and the evaluation of the entrance at Sunset Zoo.

Ron Fehr, City Manager, provided additional information on the guidance received from the Attorney General's Office regarding this new law and signage considerations.

After discussion and comments from the Commission, Commissioner Jankovich moved to approve Policy Resolution No. 070114-A, prohibiting unconcealed firearms within certain City buildings. Commissioner Reddi seconded the motion. On a roll call vote, motion carried 4-0.

PRESENTATION - MCGRATH CONSULTING GROUP - COMPENSATION SYSTEM UPDATE AND MARKET STUDY

Cathy Harmes, Director of Human Resources, introduced the item.

Victoria McGrath, Ph.D, McGrath Consulting, presented the Commission with a historical perspective and development of the merit-based schedule, an update of the 2014 schedule, an overview of the salary schedule analysis, the movement within salary range considerations, proposed recommendations for the non-union and Fire Department, and provided an overall summary of the item. She then responded to questions from the Commission regarding the proposed step system, merit systems, range of salary wages and schedules, and provided an analysis on wages.

GENERAL AGENDA (CONTINUED)

PRESENTATION - MCGRATH CONSULTING GROUP - COMPENSATION SYSTEM UPDATE AND MARKET STUDY (CONTINUED)

Ron Fehr, City Manager, provided additional information on the salary schedules, proposed step system, and evaluation process. He reiterated the importance of establishing a consistent program for both Union and non-union employees.

Cathy Harnes, Director of Human Resources, responded to additional questions from the Commission and provided clarification of the current workforce.

After comments from the Commission, Ron Fehr, City Manager, responded to questions from the Commission about succession planning and the goals of each department head to ensure employees are properly trained and knowledgeable.

After additional discussion and comments from the Commission, Commissioner Jankovich moved to accept the final report of McGrath Consulting Group and adjust the minimum salaries for the 119 non-union positions with a 2015 budget impact of \$38,800.00, and allow City Administration time to develop a step system implementation strategy with both Union and non-union employees in the 2016 budget process. Commissioner McCulloh seconded the motion. On a roll call vote, motion carried 4-0.

At 8:25 p.m., the Commission took a brief recess.

SECOND QUARTERLY REPORT - CONVENTION AND VISITOR'S BUREAU (CVB) AND 2015 BUDGET REQUEST - MANHATTAN CONVENTION & VISITORS BUREAU

Lyle Butler, President, Manhattan Area Chamber of Commerce, introduced the item.

Kelly Loub, Chairperson, Manhattan Convention and Visitors Bureau (CVB) Steering Committee, presented the second quarterly report, introduced members present of the CVB Steering Committee, and highlighted the contract with the City of Manhattan.

Karen Hibbard, Director, Manhattan Convention and Visitors Bureau, presented activity and performance measures for conferences; research activities for conferences; groups hosted from January 1 through March 15, 2014; activity measures for leisure; activity measures for marketing and communications; performance measures for inquiries and fulfillment; activity measures for book direct; performance measures for youth sports and special events; activity measures for Little Apple Corps; Manhattan's hotel growth showing average rooms occupied, hotel occupancy, hotel average daily rate, hotel revenue per available room, weekly occupancy, number of hotel rooms, and current challenges and opportunities for the CVB.

GENERAL AGENDA (*CONTINUED*)

SECOND QUARTERLY REPORT - CONVENTION AND VISITOR'S BUREAU (CVB) AND 2015 BUDGET REQUEST - MANHATTAN CONVENTION & VISITORS BUREAU (*CONTINUED*)

Kelly Loub, Chairperson, Manhattan Convention and Visitors Bureau (CVB) Steering Committee, presented the CVB 2015 Budget request and projected \$1,234,860.00 in transient guest tax collections for 2015 and CVB 2015 Budget request of \$940,660.00. She informed the Commission that the CVB Steering Committee voted 8-2 in favor of not increasing the current transient guest tax and stated the Manhattan Area Chamber of Commerce Board of Directors concurred. She informed the Commission that the CVB Steering Committee strongly believes the money should go to the CVB for the purpose of expanding the marketing efforts of Manhattan.

Karen Hibbard, Director, Manhattan Convention and Visitors Bureau, responded to questions from the Commission regarding the visitor profile study and plans to engage a consultant to evaluate the CVB's marketing plan and then develop a strategic plan. She then responded to additional questions and informed the Commission that supplementary information would be provided at their third quarter report to the Commission.

After discussion and comments from the Commission, Kelly Loub, Chairperson, Manhattan Convention and Visitors Bureau (CVB) Steering Committee, responded to additional questions from the Commission regarding the challenges in measuring the effectiveness of advertising. She stressed the importance in keeping your logo out there and shared her experience in asking customers at her restaurant what brings them to Manhattan.

As this was a discussion item, no formal action was taken on the item.

2015 BUDGET - CITY OF MANHATTAN TOURISM & CONVENTION PROMOTION AND FLINT HILLS DISCOVERY CENTER BUDGETS

Ron Fehr, City Manager, introduced the item.

Bernie Hayen, Director of Finance, provided an overview of Charter Ordinance No. 46, consideration to increase the transient guest tax, and provided an overview of the 2015 Budget. He informed the Commission that he is working on a business plan with Fred Goss, Director, Flint Hills Discovery Center, for the Discovery Center that would provide additional insight for the Commission to consider.

Ron Fehr, City Manager, provided additional information on the item. He informed the Commission that the Discovery Center's business plan would be provided during the next budget discussion.

GENERAL AGENDA (CONTINUED)

2015 BUDGET - CITY OF MANHATTAN TOURISM & CONVENTION PROMOTION AND FLINT HILLS DISCOVERY CENTER BUDGETS (CONTINUED)

Fred Goss, Director, Flint Hills Discovery Center, presented an overview of prior forecasts for the Flint Hills Discovery Center (FHDC), the 2009 master plan projections for the FHDC, the 2013 projections and actual revenues and expenses, options for consideration to fund the FHDC deficit, consideration to increase the transient guest tax, the annual bed tax receipts, the transient guest tax comparisons with other cities in Kansas, the FHDC proposed 2015 budget, and the initiatives and activities at the FHDC.

Ron Fehr, City Manager, provided additional information on the attendance at the FHDC. He also highlighted the volunteers, growth in event facility rentals, initial Discovery Center projections, and discussed the proposed 2015 budget for the Discovery Center.

After discussion and comments from the Commission, Fred Goss, Director, Flint Hills Discovery Center, informed the Commission that the consensus of the Flint Hills Discovery Center Advisory Board is for the City Commission to utilize what they see fit to fund the operational costs of the Discovery Center and did not reconsider increasing the transient guest tax. He also provided additional information on the position being requested and expressed the challenge in sharing a position with Sunset Zoo and its impact to generate additional revenues and expand programming.

After additional discussion and comments from the Commission, Mayor Butler stated the consensus from the Commission is to not raise the transient guest at this time and to use carryover funds for the 2015 Budget for the FHDC.

As this was a discussion item, no formal action was taken on the item.

2015 BUDGET REQUEST - MANHATTAN AREA CHAMBER OF COMMERCE ECONOMIC DEVELOPMENT AND FORT RILEY COMMUNITY RELATIONS SERVICES

Lyle Butler, Director, Manhattan Area Chamber of Commerce, introduced the item and provided background information. He informed the Commission that 68% of the 2014 revenue came from private sources for economic development initiatives; highlighted economic development funding trends; and discussed the core strategies for growth from 2012 to 2016.

Trent Armbrust, Existing Business Manager, Economic Development, Manhattan Area Chamber of Commerce, highlighted six companies that have recently expanded in Manhattan and provided information about the net new employees, capital investment, State assistance, and local assistance for these companies.

GENERAL AGENDA (CONTINUED)

**2015 BUDGET REQUEST - MANHATTAN AREA CHAMBER OF COMMERCE
ECONOMIC DEVELOPMENT AND FORT RILEY COMMUNITY RELATIONS
SERVICES (CONTINUED)**

John Pagen, Director, Economic Development, Manhattan Area Chamber of Commerce, presented labor force statistics for the top 16 Kansas cities by population, the annual new building permit values, and Manhattan retail sales from 1992 through May 2014.

Janet Nichols, Military Community Liaison, presented an update on the Military Relations Committee activities and events. She also highlighted the Leadership Manhattan program and the 2014 Leadership class.

Lyle Butler, Director, Manhattan Area Chamber of Commerce, highlighted the recent accolades for Manhattan and Riley County. He also emphasized the success of the economic development funds for companies to expand their operations locally and the success of the Advantage Manhattan program.

As this was a discussion item, no formal action was taken on the item.

ADJOURNMENT

At 10:20 p.m., the Commission adjourned.



Gary S. Fees, MMC, City Clerk