



***MINUTES  
CITY COMMISSION MEETING  
TUESDAY, FEBRUARY 7, 2017  
7:00 P.M.***

The Regular Meeting of the City Commission was held at 7:00 p.m. in the City Commission Room. Mayor Usha Reddi and Commissioners Linda Morse, Michael L. Dodson, Wynn Butler, and Karen McCulloh were present. Also present were the City Manager Ron R. Fehr, Deputy City Manager Jason Hilgers, Assistant City Manager Kiel Mangus, City Attorney Katharine Jackson, City Clerk Gary S. Fees, 7 staff, and approximately 25 interested citizens.

**PLEDGE OF ALLEGIANCE**

Mayor Reddi led the Commission in the Pledge of Allegiance.

**PUBLIC COMMENTS**

Mayor Reddi opened the public comments.

Hearing no comments, Mayor Reddi closed the public comments.

**COMMISSIONER COMMENTS**

Commissioner McCulloh informed the community that the Manhattan Public Library has online courses available from computer technology to human resources through [lynda.com](http://lynda.com). She encouraged citizens to contact the Library for additional information.

Mayor Reddi stated that she attended the League of Kansas Municipalities Local Government Day with Commissioner Morse and two City staffers on January 25, 2017. She also said the Manhattan Public Library would be having their annual book sale February 24 - 26, 2017, and encouraged the community to check out the wonderful books for sale at bargain prices.

**CONSENT AGENDA**  
(\* denotes those items discussed)

**MINUTES**

The Commission approved the minutes of the Regular City Commission Meeting held Tuesday, January 17, 2017.

**CLAIMS REGISTER NOS. 2840 AND 2841**

The Commission approved Claims Register Nos. 2840 and 2841 authorizing and approving the payment of claims from January 11, 2017, to January 31, 2017, in the amounts of \$2,223,688.44 and \$4,211,239.80, respectively.

**LICENSES**

The Commission approved an annual Cereal Malt Beverages Off-Premises License for Walmart Supercenter #35, 101 East Bluemont Avenue.

**FINAL PLAT – HERITAGE SQUARE NORTH**

The Commission accepted the easements and rights-of-way, as shown on the Final Plat of Heritage Square North, generally located to the north of the intersection of U.S. Highway 24 and South Port Drive, based on conformance with the Manhattan Urban Area Subdivision Regulations.

**FINAL PLAT – GENESIS HEALTH CLUBS**

The Commission accepted the easements and rights-of-way, as shown on the Final Plat of Genesis Health Clubs, generally located approximately 350 feet to the west of the intersection of Seth Child Road (K-113) and Allison Avenue, on the north side of Allison Avenue, based on conformance with the Manhattan Urban Area Subdivision Regulations.

**ORDINANCE NO. 7272 – ISSUE TEMPORARY NOTES – UNIFIED DEVELOPMENT ORDINANCE (CIP #CD005P)**

The Commission approved Ordinance No. 7272 authorizing issuance of General Obligation Bonds to pay for the consulting services, in an amount not to exceed \$339,680.00, of Kendig Keast Collaborative, of Sugarland, Texas, to complete the Unified Development Ordinance (CIP #CD005P).

**FIRST READING – ANNEX – CITY-OWNED AIRPORT LAND**

The Commission approved first reading of an ordinance island annexing 6.44 acres of City-owned land associated with the Manhattan Regional Airport (consisting of the Manhattan Regional Airport's Fixed Base Operator Facility and the Former Armory Building) and adjacent South Airport Road right-of-way, based on conformance with the Manhattan Urban Area Comprehensive Plan, the Growth Vision, and the Capital Improvements Program.

## CONSENT AGENDA (CONTINUED)

### FIRST READING – REZONE – CITY-OWNED AIRPORT LAND

The Commission approved first reading of an ordinance rezoning 6.44 acres of City-owned land associated with the Manhattan Regional Airport (consisting of the Manhattan Regional Airport's Fixed Base Operator Facility and the Former Armory Building) and adjacent South Airport Road right-of-way from County C-4, Highway Business District, to AO, Airport Overlay District, based on the findings in the Staff Report (*See Attachment No. 1*) and the recommendation of the Planning Board.

### FIRST READING – LEVY SPECIAL ASSESSMENTS – GENERAL OBLIGATION BONDS 2017-A

The Commission approved first reading of an ordinance levying special assessments against the benefiting properties in the following 11 projects, which have been completed: *Grande Bluffs at Mill Pointe Addition, Unit Three – Sanitary Sewer (SS1316), Street (ST1321), and Water (WA1320); Ledge Stone Addition – Sanitary Sewer (SS1317), and Street (ST1323); Northlake Addition, Unit 2 – Sanitary Sewer (SS1321), Street (ST1326), and Water (WA1322); and Western Hills Addition, Unit Fourteen, Phase 2 – Sanitary Sewer (SS1314), Street (ST1320), and Water (WA1316).*

### RESOLUTION NO. 020717-A – DISPOSE – DAVIS DRIVE SANITARY SEWER LIFT STATION

The Commission approved Resolution No. 020717-A authorizing the disposal of the old Davis Drive sanitary sewer lift station.

### RESOLUTION NO. 020717-B – PETITION – WELLS LANDING ADDITION/WELLS LANDING ADDITION, UNIT TWO – SANITARY SEWER IMPROVEMENTS (SS1629)

The Commission found the petition sufficient, and approved Resolution No. 020717-B, in the amount of \$88,000.00, finding the project advisable and authorizing construction for the Wells Landing Addition and Wells Landing Addition, Unit Two, Sanitary Sewer Improvements (SS1629).

### AGREEMENT – ENGINEERING SERVICES – WELLS LANDING ADDITION/WELLS LANDING ADDITION, UNIT TWO – SANITARY SEWER IMPROVEMENTS (SS1629)

The Commission authorized the Mayor and City Clerk to execute an agreement in an amount not to exceed \$7,669.95 with SMH Consultants, of Manhattan, Kansas, to perform professional services for the Wells Landing Addition and Wells Landing Addition, Unit Two, Sanitary Sewer Improvements (SS1629).

## CONSENT AGENDA (CONTINUED)

### NEGOTIATE CONTRACT – ENGINEERING SERVICES – OLD BIG BLUE RIVER BEAUTIFICATION STORMWATER, PHASE 5, AND MULTI-USE TRAIL (SM1605)

The Commission accepted the recommendation of the Selection Committee, and authorized City Administration to negotiate a professional services contract with Amec Foster Wheeler Environment and Infrastructure, Inc., of Topeka, Kansas, for the Old Big Blue River Beautification Stormwater, Phase 5, and Multi-Use Trail Project (SM1605).

### AGREEMENT – ENGINEERING SERVICES – K-113 CORRIDOR STUDY (ST1507, CIP #EN090P)

The Commission authorized City Administration to finalize and the Mayor and City Clerk to execute an agreement for professional services in an amount not to exceed \$395,014.95, with Alfred Benesch & Company, of Manhattan, Kansas, for the K-113 Corridor Study (ST1507, CIP #EN090P).

### AWARD CONTRACT – WASTEWATER TREATMENT PLANT BLOWER BUILDING NO. 1 HVAC REPLACEMENT PROJECT (SS1611, CIP #WW131E)

The Commission accepted the Engineer's Opinion of Probable Cost in the amount of \$140,365.00; awarded a contract in the amount of \$121,834.00 to RM Baril, General Contractor, of Manhattan; Kansas; and authorized the Mayor and City Clerk to execute the contract for the Wastewater Treatment Plant Blower Building No. 1 heating/ventilation/air conditioning (HVAC) Replacement Project (SS1611, CIP #WW131E) project, to be paid from the Wastewater Fund.

### AWARD CONTRACT – CITY PARK POOL ULTRA VIOLET DISINFECTING SYSTEM (CP1602)

The Commission awarded and authorized the Mayor and City Clerk to execute a contract in the amount of \$173,876.00 with Capri Pools & Aquatics, of Edwardsville, Illinois, for the installation of an ultra violet disinfecting system at City Park Pool (CP1602).

### AWARD CONTRACT – CDBG HOUSING REHABILITATION PROGRAM – 512 SOUTH 12<sup>TH</sup> STREET

The Commission accepted the bids for 512 South 12<sup>th</sup> Street and awarded the bid in the amount of \$13,700.00 to Ben Kitchens Painting Co., Inc., of Junction City, Kansas; authorized the Mayor and City Clerk to execute agreements with the applicable contractor and property owner for expenditure of Community Development Block Grant (CDBG) Housing Rehabilitation funds; and, authorized City Administration to approve any necessary change orders.

## CONSENT AGENDA (CONTINUED)

\* **AWARD CONTRACT – CDBG HOUSING REHABILITATION PROGRAM – 1319 COLORADO STREET**

Commissioner Butler stated that he had a conflict of interest and would be abstaining on the item.

The Commission accepted the bids for 1319 Colorado Street and awarded the bid in the amount of \$14,150.00 to Economy Carpentry Painting & Concrete, of Manhattan, Kansas; authorized the Mayor and City Clerk to execute agreements with the applicable contractor and property owner for expenditure of CDBG Housing Rehabilitation funds; and, authorized City Administration to approve any necessary change orders.

**SECOND SUPPLEMENTAL AGREEMENT – SANITARY SEWER LIFT STATION MAINTENANCE – CARSON MOBILE HOME PARK (RIVERCHASE)**

The Commission authorized City Administration to finalize and the Mayor and City Clerk to execute the Second Supplemental Agreement with the Carson Mobile Home Park (Riverchase) Sanitary Sewer Benefit District (Riley County) for the maintenance of the District's sanitary sewer lift station.

**AGREEMENT – 2017 CITY-UNIVERSITY SPECIAL PROJECT FUND PROJECTS**

The Commission authorized City Administration to finalize and the Mayor and City Clerk to execute an Agreement between the City of Manhattan and Kansas State University to administer City-University Funds in the amount of \$700,000.00 for 2017 projects (*See Attachment No. 2*).

**LEASE PURCHASE – STREET DIVISION – NEW MECHANICAL STREET SWEEPER (CIP #ST031E)**

The Commission authorized the purchase of a new mechanical street sweeper (CIP #ST031E) for the Street Division to Sellers Equipment, of Salina, Kansas, in the amount of \$200,435.00, to be paid from the Stormwater Fund, and authorized the Mayor and/or City Clerk to execute the lease purchase agreement once the sweeper is delivered.

**PURCHASE - RECREATION DIVISION - REPLACE UNIT 70 - COMPACT SPORT UTILITY VEHICLE (CIP #RC046E)**

The Commission authorized the purchase of Recreation Division Unit 70, a compact sport utility vehicle (CIP #RC046E), in the amount of \$23,173.20 (\$23,000.00 budgeted to be paid from the General Fund and \$173.20 over budget to be paid from the Parks and Recreation General Operation Budget) utilizing State vehicle bids.

## CONSENT AGENDA (CONTINUED)

### **PURCHASE – TRAFFIC DIVISION – UNIT 41 – ¾-TON HEAVY DUTY TRUCK (CIP #TR018E)**

The Commission authorized the purchase of Traffic Division Unit 41, a ¾-ton 4x4 Heavy Duty Truck (CIP #TR018E), in the amount of \$29,710.66 (to be paid from the General Fund) utilizing State vehicle bids.

### **PURCHASE – WATER ENVIRONMENTAL DIVISION – REPLACE UNIT 57 – ½-TON, 2-WHEEL DRIVE, EXTENDED CAB TRUCK (CIP #WA065E)**

The Commission authorized the purchase of Water Environmental Division Unit 57, a ½-ton, 2-wheel drive, extended cab truck (CIP #WA065E), in the amount of \$18,811.37 (to be paid from the Water Fund) utilizing State vehicle bids

### **PURCHASE – UTILITIES DIVISION – REPLACE UNIT 37 – ¾-TON PICKUP WITH UTILITY BED (CIP #WA158E)**

The Commission authorized the purchase of Utilities Division Unit 37, a ¾-ton, 2-wheel drive, utility bed truck (CIP #WA158E), in the amount of \$21,612.58 (to be paid 50% from Water Fund and 50% from Wastewater Fund) utilizing State vehicle bids.

### **PURCHASE – PUBLIC WORKS UTILITY DIVISION – NEW ½-TON, 2-WHEEL DRIVE, EXTENDED CAB TRUCK (CIP #WW160E)**

The Commission authorized the purchase of Utilities Division new ½-ton, 2-wheel drive, extended cab truck (CIP #WW160E) in the amount of \$18,811.37 (to be paid 50% from the Water Fund and 50% from the Wastewater Fund) utilizing State vehicle bids.

### **DISPOSAL – PUBLIC WORKS WATER DIVISION UNITS 21 AND RECREATION DIVISION 70**

The Commission authorized the disposal of excess property Public Works Water Division Unit 21 and Recreation Division Unit 70 once replacement vehicles have arrived.

### **BOARD APPOINTMENTS**

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

#### *Partner City Advisory Committee*

Appointment of Vern Wirka, 3305 Musil Drive, to fill the unexpired term of Sara Vytlačil. Mr. Wirka's term begins immediately, and will expire August 31, 2018.

## CONSENT AGENDA (*CONTINUED*)

### BOARD APPOINTMENTS (*CONTINUED*)

#### *Riley County Solid Waste Management Committee*

Recommendation of Kevin Schindlbeck, 1100 North 17<sup>th</sup> Street, to the Riley County Solid Waste Committee as a City Representative to fill the unexpired term of John Woods.

After discussion, Commissioner Dodson moved to approve the consent agenda. Commissioner McCulloh seconded the motion. On a roll call vote, motion carried 5-0, with the exception of Item O.2., AWARD CONTRACT – CDBG HOUSING REHABILITATION PROGRAM – 1319 COLORADO STREET, which carried 4-0-1 with Commissioner Butler abstaining on the item.

## GENERAL AGENDA

### RESOLUTION NO. 020717-C - SUPPORT TO ISSUE INDUSTRIAL REVENUE BONDS - GENESIS HEALTH CLUB

Jason Hilgers, Deputy City Manager, introduced the item.

Korb Maxwell, Polsinelli, representing Genesis Health Club, presented an overview of the item. He highlighted the existing conditions of the property, the proposed facility, the site layout, the project cost, the economic impact and other benefits to the community, and asked that the Commission support the request to issue Industrial Revenue Bonds. He then responded to questions from the Commission regarding the number of employees projected at the new facility and where building materials would be purchased.

Rodney Steven II, President and Owner, Genesis Health Clubs, responded to questions from the Commission regarding exercise equipment and the number of pool lanes planned at the facility. He informed the Commission that the site could potentially be developed to accommodate long-term growth.

Jason Hilgers, Deputy City Manager, provided additional information on the item and highlighted the use of industrial revenue bonds by other Manhattan companies.

Sarah Steele, Gilmore & Bell, informed the Commission that their firm prepared the resolution for consideration. She provided additional information about Industrial Revenue Bonds and the process. She then responded to questions from the Commission regarding the qualifications for sales tax exemptions.

Mayor Reddi opened the public comments.

## GENERAL AGENDA (CONTINUED)

### RESOLUTION NO. 020717-C - SUPPORT TO ISSUE INDUSTRIAL REVENUE BONDS - GENESIS HEALTH CLUB

Hearing no comments, Mayor Reddi closed the public comments.

After discussion and additional comments from the Commission, Commissioner Dodson moved to approve Resolution No. 020717-C, finding the issuance of \$12 million in IRB's for Genesis Health Club advisable. Commissioner McCulloh seconded the motion. On a roll call vote, motion carried 5-0.

### AUTHORIZATION TO BID - MUNICIPAL COURT SECURITY IMPROVEMENTS (SP1701)

Katie Jackson, City Attorney, introduced the item and provided background information on the security improvements being proposed at Municipal Court. She then responded to questions regarding funding and clarified the use of funds received from the Riley County Police Department (RCPD).

Jason Hilgers, Deputy City Manager, provided additional information on security staffing provided by RCPD.

Patrick Schaub, Bowman Bowman Novick, Inc., presented an overview of the floor plan and the addition proposed for the Manhattan Municipal Courthouse. He informed the Commission that the project estimate for design and construction is \$210,572.00, with an alternate to add three exterior windows.

Katie Jackson, City Attorney, responded to questions from the Commission regarding the definition of adequate security and hours of operation.

Patrick Schaub, Bowman Bowman Novick, Inc., and Jason Hilgers, Deputy City Manager, provided additional information on the floor plan, glass window over the clerks' desk, flooring repairs, and window additions being proposed.

Brad Schoen, Director, RCPD, provided additional information on security staffing, timeline and prior discussions with the Riley County Law Board. He informed the Commission that the goal is to make security staffing as efficient and effective as possible.

Mayor Reddi opened the public comments.

Marvin Rodriguez, 3000 Creighton Terrace, Riley County Commissioner, asked if there was handicapped parking in front of Municipal Court.



## GENERAL AGENDA (CONTINUED)

### AUTHORIZATION TO BID - MUNICIPAL COURT SECURITY IMPROVEMENTS (SP1701) (CONTINUED)

Patrick Schaub, Bowman Bowman Novick, Inc., responded to questions about handicapped parking and stated that the proposed windows at this facility would be commercial quality.

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

After discussion and additional comments from the Commission, Commissioner Dodson moved to authorize City Administration to advertise and receive construction bid proposals for security improvements to the Manhattan Municipal Courthouse (SP1701). Commissioner Butler seconded the motion. On a roll call vote, motion carried 5-0.

### DISCUSSION - AIRPORT SECURITY IMPROVEMENTS REQUIRED FOR LARGER AIRCRAFT

Jesse Romo, Airport Director, presented background information and an overview of the item. He informed the Commission that ExpressJet Airlines notified the City of their intent to begin operations at Manhattan Regional Airport (MHK) on behalf of American Airlines to operate a CR7 twice daily on routes to Dallas-Fort Worth Airport (DFW), starting May 5, 2017. He highlighted the security programs; the requirements for a Complete Program; equipment and security upgrades that would be needed; and discussions with the Riley County Police Department (RCPD) regarding security staffing requirements as well as additional Airport personnel, equipment facility improvements, perimeter road improvements, and projected costs that would be required. He also discussed the need for legislative advocacy regarding security requirements of the Transportation Security Administration (TSA). He highlighted revenue impacts, financing options to consider using the Economic Development Fund, and economic impacts of the Manhattan Regional Airport. He then responded to questions and concerns from the Commission regarding the short timeframe, financial impacts and budget considerations for the City, marketing efforts, catchment area, alternative options for the perimeter road requirements, and potential areas to reduce security costs.

After discussion and comments from the Commission, Mayor Reddi stated that there is a consensus for the larger planes; however, the concern is with the additional security costs that would be required and the short timeframe to make a decision.

Ron Fehr, City Manager, and Jesse Romo, Airport Director, responded to additional questions from the Commission regarding concerns expressed with the short timeframe, funding and budget considerations for both the short and long term, number of passengers currently using the Airport and the potential for additional travelers, Airport catchment area, potential regulatory changes, and funding strategies.

## GENERAL AGENDA (*CONTINUED*)

### DISCUSSION - AIRPORT SECURITY IMPROVEMENTS REQUIRED FOR LARGER AIRCRAFT (*CONTINUED*)

After additional comments from the Commission, Mayor Reddi opened the public comments.

Rich Jankovich, 2021 Somerset Square, Member, Airport Advisory Board, provided background information on the item and prior discussions with the Airline. He stated that if the City declines now, it will probably go to the bottom of the pile for future expansions and there could be a potential of losing a flight. He understood the concerns with TSA giving the City zero options for security and the airline giving the City only 90 days. He informed the Commission that it may be able to wait and hope that the regulations change. He provided options to consider to lower the costs associated with the perimeter fence security and asked that Administration continue to negotiate what is in the plan for the larger planes and decide how to implement the plan. He then responded to questions from the Commission and stated that the Airport Advisory Board has not discussed the item yet, but was provided the information.

John Currie, 5000 Heartland Court, voiced his appreciation for the Manhattan Regional Airport and its importance for the recruitment of Kansas State University faculty, students, coaches, athletes, and others to the community. He informed the Commission that the Airport is a lifeline, not a luxury, and understood the 90 day deadline as well as the opportunities that larger aircraft would provide. He highlighted the benefits of a larger plane and asked that the City figure out a way to lower the security costs. He reiterated the significant economic impact of the Airport and the annual amount K-State Athletics spends with the airline.

Lyle Butler, President, Manhattan Area Chamber of Commerce, informed the Commission that the Chamber has been a partner of the Airport and was supportive when the current air service was recruited to the marketplace. He stated that his pledge was to put all hands on deck to help anyway possible and, if needed, pursue elected officials to change the current rules. He informed the Commission that he knows of two businesses that have said if air service goes away, they would leave. He asked that Administration continue to work with American to resolve this issue.

Jim Gordon, Chair of the Board, Manhattan Area Chamber of Commerce, informed the Commission that they support the Airport, but voiced concern using economic development funds, as approved by the voters, for the purpose of operating expenses.

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

## GENERAL AGENDA (CONTINUED)

### DISCUSSION - AIRPORT SECURITY IMPROVEMENTS REQUIRED FOR LARGER AIRCRAFT (CONTINUED)

After further discussion and questions from the Commission, Ron Fehr, City Manager, responded to questions and stated that security improvements could be exempt from the tax lid, but stated he was not advocating for that. He then provided additional information on the item.

Commissioner McCulloh asked that the Airport Advisory Board discuss the item and provide the City Commission with a recommendation. She voiced concern with using economic development dollars for this purpose and was not ready to make a decision.

Brad Schoen, Director, RCPD, provided an update on the emergency communication equipment and approximate costs being discussed with Riley County. He informed the Commission that the use of overtime is a potential for the short-term security requirements since the 2017 Budget is already set, but the use of overtime would not be viable in the long term. He then responded to additional questions from the Commission.

Commissioner Dodson provided additional perspectives on the item and asked about the potential to do this in stages. He said that he wanted to find a way to make this work and turn this around in a quick timeframe. He asked what was going to be told to American Airlines following the Commission meeting tomorrow. He stated that the Airport provides an economic impact to the city and is a gateway to the community.

Jesse Romo, Airport Director, responded to additional questions from the Commission. He reiterated that there is not a lot of time for the City to respond and react; the airlines want to know either yea or nay.

After further comments and questions from the Commission, Ron Fehr, City Manager, provided additional information on the item, associated costs, potential funding sources, and asked for feedback from the Commission.

Commissioner Butler stated there are two courses of action, either say no and delay, or do the security improvements as economically as possible. He stated that he would not support a mill levy increase, but would consider using economic development funds or increasing the Transient Guest Tax to fund Airport operations.

Commissioner Morse stated that she wanted to protect the economic development money. She stated that her consternation is with the security that we have to pay for in the city and in the county, causing a huge distraction of our time and our money. She stated that she supports moving forward because it is important to the community. However, she said it adds to the increased need for security across the community, including additional police officers required at the county and municipal courts.

## GENERAL AGENDA (CONTINUED)

### DISCUSSION - AIRPORT SECURITY IMPROVEMENTS REQUIRED FOR LARGER AIRCRAFT (CONTINUED)

Commissioner McCulloh stated that she was most concerned with the long-term costs. She also voiced concern with the tax lid and the potential of reducing other items in 2018.

Commissioner Dodson provided additional comments on the item. He stated that the annual long-term cost, depending on TSA requirements, is daunting, but said he sees no alternatives with the potential harm from passing on the larger planes.

Ron Fehr, City Manager, responded to additional questions from the Commission.

Mayor Reddi stated that she did not like committing this level of funding without knowing what the entire 2018 budget will require. She stated that the Commission would typically take at least a year to make a decision about something this size and said that a 90 day timeframe does not seem adequate. She wanted to look at all funding possibilities and budget options, including asking Geary County and Riley County to contribute to the Airport. She stated that there appears to be support from the Commission to proceed with the larger planes, but was reluctant given the short timeframe and associated long-term costs.

Commissioner Butler voiced concern with any additional increases to the mill levy. He reiterated that he would support the item as long as it can be done without a future increase in the mill levy; otherwise, he was against the item.

As this was a discussion item, there was no formal motion provided.

### ADJOURNMENT

At 9:44 p.m., the Commission adjourned.



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Gary S. Fees, MMC, City Clerk

**STAFF REPORT**

**ON AN APPLICATION TO REZONE PROPERTY**

**FROM:** Riley County C-4, Highway Business District.

**TO:** AO, Airport Overlay District

**APPLICANT/OWNERS:** City of Manhattan – Ron Fehr, City Manager

**ADDRESS:** 1101 Poyntz Avenue, Manhattan, KS

**LEGAL DESCRIPTION:** A tract of land associated with the Manhattan Regional Airport's Fixed Base Operator facility, the adjacent armory building and adjacent Airport Road right-of-way located in the Northwest Quarter of Section 33, Township 10 South, Range 7 East; and road-right-of-way at the intersection of S. Airport Road and Skyway Drive in the Northeast Quarter of Section 32, Township 10 South, Range 7 East.

**LOCATION:** The subject site is generally located along S. Airport Road. The Manhattan Regional Airport's Fixed Base Operator facility is located on the Airport property, as is the former Armory Building located at 1709 S. Airport Road. The rezoning request is also for the adjoining portion of S. Airport Road generally located at the intersection of S. Airport Road and Murray Road, and at the intersection of S. Airport Road and Skyway Drive.

**AREA:** Total area is 6.44 acres  
Fixed Base Operator Facility, Old Armory Building and ROW site is 5.51 acres in area  
S. Airport Road and Skyway Drive ROW site is 0.93 acres in area

**DATE OF NEIGHBORHOOD MEETING:** August 15, 2016

**DATE OF PUBLIC NOTICE PUBLICATION:** September 15, 2016

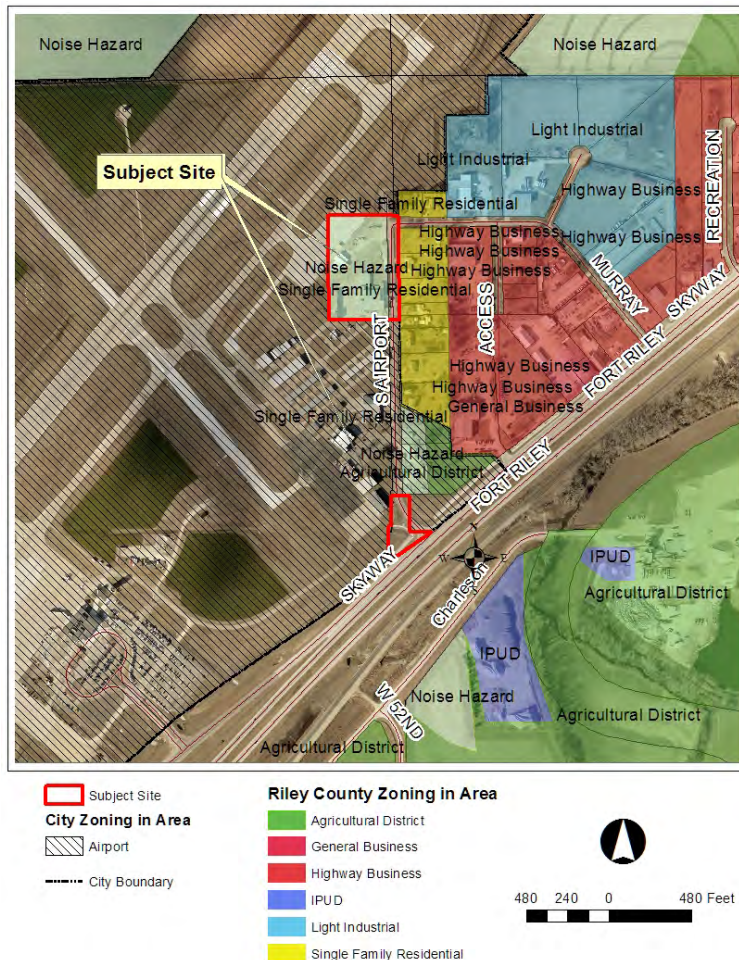
**DATE OF PUBLIC HEARING: PLANNING BOARD:** October 17, 2016  
**CITY COMMISSION:** November 1, 2016

**THIRTEEN MATTERS TO BE CONSIDERED WHEN REZONING**

- 1. EXISTING USE:** The Manhattan Regional Airport's Fixed Base Operator facility, the former Armory Building and adjacent Airport Road right-of-way

**2. PHYSICAL AND ENVIRONMENTAL CHARACTERISTICS:** The subject site is associated with the Manhattan Regional Airport's Fixed Base Operator facility, the former Armory Building and adjacent right-of-way. The land associated with the right-of-way at the intersection of S. Airport Road and Skyway Drive includes stormwater drainage infrastructure associated with the Airport, Skyway Drive and Kansas Highway 18. The subject site is generally flat. The Fixed Base Operator facility, the adjacent former Armory Building and adjacent right-of-way is outside of any mapped high risk floodplains (i.e. 1% Annual Chance Floodplain), but these floodplains are in proximity to this area. The intersection of S. Airport Road and Skyway Drive is in the 1% Annual Chance Floodplain, as it is part of the stormwater sewer infrastructure for the area.

**3. SURROUNDING LAND USE AND ZONING:**  
 A variety of land uses and zoning districts in Riley County surround the rezoning site. The Airport is zoned AO, Airport Overlay District. See the map below to gain an understanding of the various land uses and zoning districts in the area.



*Attachment No. 1*

- 4. GENERAL NEIGHBORHOOD CHARACTER:** The area surrounding the subject site is a wide mix of commercial, industrial, and residential uses. The land to the west is the Manhattan Regional Airport property. The land to the east is a mix of single-family homes, highway commercial business and industrial uses. The commercial and industrial uses range from heavy commercial vehicle sales, service commercial business, contractor business and warehouses.
- 5. SUITABILITY OF SITE FOR USES UNDER CURRENT ZONING:** The site is currently located in Riley County, but is City owned property associated with the Manhattan Regional Airport, or is road right-of-way, on which the City recently completed roadway improvements for the Airport and County. Because of the unique conditions that the City owns the land associated with the Airport and has improved and maintains the roadway, keeping the subject site in Riley County under the current zoning district is not suitable.
- 6. COMPATIBILITY OF PROPOSED DISTRICT WITH NEARBY PROPERTIES AND EXTENT TO WHICH IT MAY HAVE DETRIMENTAL AFFECTS:** No changes to the existing uses are proposed at this time. The City is requesting the annexation and rezoning so that the City owned airport property and road right-of-way that is maintained by the City is within its jurisdiction. No development is proposed on the subject site. The land will stay devoted to the Manhattan Regional Airport or to provide adequate access to the area.

The applicant held a neighborhood meeting on August 15, 2016. Three (3) neighbors attended the meeting. The questions and concerns raised by the neighbors revolved around not wanting their land to be annexed or their property value to increase.

The proposed rezoning should not adversely impact the nearby properties.

- 7. CONFORMANCE WITH COMPREHENSIVE PLAN:** The unplatted City owned land and adjacent road right-of-way is shown on the Future Land Use Map of the Manhattan Urban Area Comprehensive Plan as Public/Semi-Public. No specific land use policies are established for this land category; however airports are listed as one of the public uses.

The proposed annexation of subject site conforms to the policy of the Manhattan Urban Area Comprehensive Plan.

- 8. ZONING HISTORY AND LENGTH OF TIME VACANT AS ZONED:**

*Attachment No. 1*

- February 1, 1999 Manhattan Urban Area Planning Board recommends approval of annexation of the Manhattan Regional Airport and a portion of S. Airport Road.
- February 16, 1999 City Commission adopts Resolution asking consent from Riley County, as owner, to annex South Airport Road and to make certain findings on annexing the Airport.
- March 22, 1999 Riley County Commission approves Consent To Annexation of its property and makes positive findings and adopts Resolution No. 032299-14 regarding island annexation.
- April 6, 1999 City Commission approves first reading of annexation.
- December 6, 1999 Manhattan Urban Area Planning Board recommends approval of rezoning of Manhattan Regional Airport from County C-4, County N-1, and County G-1 Districts to AO District.
- December 6, 1999 Manhattan Urban Area Planning Board approves Preliminary Plat of Lots 1-4, Manhattan Regional Airport Addition.
- December 21, 1999 City Commission approves first reading of Ordinance to rezone.
- January 4, 2000 City Commission approves of Ordinance No. 6117, annexing the Manhattan Regional Airport and portions of Wildcat Creek Road and South Airport Road, and Ordinance No. 6118, rezoning the same.
- April 3, 2000 Manhattan Urban Area Planning Board approves Final Plat of Lots 1-4, Manhattan Regional Airport Addition

**9. CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE:**

The intent and purpose of the Manhattan Zoning Regulations is to protect the public health, safety, and general welfare; regulate the use of land and buildings within zoning districts to assure compatibility; and to protect property values.

Article XI is the section of Zoning Regulations devoted to the AO, Airport Overlay District. The AO District is intended to promote the use and development of land in a manner that is compatible with the continued operation and utility of the Manhattan Municipal Airport so as to protect the public investment in, and benefit provided by the facility to the region. The district also protects the public health, safety,



*Attachment No. 1*

convenience, and general welfare of citizens who utilize the facility or live and work in the vicinity by preventing the creation or establishment of obstructions or incompatible land uses that are hazardous to the airport's operation or the public welfare.

Since the AO District, when used as an independent district, shall apply only to the property of the Manhattan Municipal Airport which is owned and operated by the City of Manhattan, permitted uses shall include any use that is compatible with the operation of the Airport and is approved by the Governing Body of the City, subject to the use limitations of the AO District. When combined with an underlying district, the permitted use or conditional uses are allowed by the underlying zoning district, subject to the height limitations and use limitations of this Article as well as all restrictions of the underlying zoning district.

The proposed rezoning meets the intent and purpose of the Zoning Ordinance.

**10. RELATIVE GAIN TO THE PUBLIC HEALTH, SAFETY AND WELFARE THAT DENIAL OF THE REQUEST WOULD ACCOMPLISH, COMPARED WITH THE HARDSHIP IMPOSED UPON THE APPLICANT:** There appears to be no gain to the public that denial would accomplish. There are no expected adverse affects on the public health, safety and welfare as a result of the rezoning. The purpose of the rezoning is to bring City owned property and adjoining road right-of-way recently improved by the City into its jurisdiction.

**11. ADEQUACY OF PUBLIC FACILITIES AND SERVICES:** Adequate street, sanitary sewer, water and fire services are available to serve the rezoning site.

**12. OTHER APPLICABLE FACTORS:** None.

**13. STAFF COMMENTS:** City Administration recommends approval of the proposed rezoning of City owned property associated with the Manhattan Regional Airport's Fixed Base Operator facility, the former Armory Building and adjacent S. Airport Road right-of-way from Riley County C-4, Highway Business District, to AO, Airport Overlay District, based on the findings in the Staff Report.

**ALTERNATIVES:**

1. Recommend approval of the proposed rezoning of City owned property associated with the Manhattan Regional Airport's Fixed Base Operator facility, the former Armory Building and adjacent S. Airport Road right-of-way from Riley County C-4, Highway Business District to AO, Airport Overlay District, based on the findings in the Staff Report.

*Attachment No. 1*

2. Recommend denial of the proposed rezoning, stating the specific reasons for denial.
3. Table the proposed rezoning to a specific date, for specifically stated reasons.

**POSSIBLE MOTION:**

The Manhattan Urban Area Planning Board recommends approval of the proposed rezoning of City of Manhattan owned property associated with the Manhattan Regional Airport's Fixed Base Operator facility, the former Armory Building and adjacent S. Airport Road right-of-way from Riley County C-4, Highway Business District, to AO, Airport Overlay District, based on the findings in the Staff Report.

**PREPARED BY:** Chad Bunger, AICP, CFM, Senior Planner

**DATE:** October 11, 2016  
16022}SR}AirportCityOwnedLandAO

## **2017 City-University Special Project Fund Project**

### **University**

#### **Realignment of Intersection at Thurston Street and Lover's Lane (\$214,500) (Second of 2-year request)**

The University will use a maximum of \$214,500 on intersection improvements at Lover's Lane and Thurston Street. This project shifts Lover's Lane to the north in order to align directly across from Thurston Street. Two new crosswalks will be constructed with lights, street lighting, and Americans with Disability Act (ADA) curb cuts. Also included is a bicycle contra flow lane. Stormwater improvements are also included in this project.

The total amount proposed for University project management in 2017 is \$214,500.

### **City**

#### **North Manhattan Avenue Improvements (\$100,000) (Second of 3-year request)**

The City shall use a maximum of \$100,000 to construct curb and gutter, storm sewer, sidewalk, grading, retaining wall, signal, and road improvements to North Manhattan Avenue adjacent to K-State Research Park.

#### **Sunset Avenue Corridor Improvements (\$115,500)**

The City shall use a maximum of \$115,500 of the Grant Funds to assist with multiple pedestrian and traffic control improvements along the Sunset Avenue Corridor from Anderson Avenue to Claflin Road. This corridor is growing in population and traffic with the completion of the new Wefald Hall and the recent upzoning of the Hunting Avenue and Sunset Avenue area. The north-south street is a main corridor for pedestrian traffic. Improvements include a new pedestrian crossing, some new sidewalk, and some improved medians from the dorms area to Lafene Health Center. Two new pedestrian crossings and some completed sidewalk at Platt Street and Sunset Avenue and a new crossing at Hunting Avenue are included. Also includes approximately 265 linear feet of sidewalk connecting from the KSU parking lot to Anderson Avenue on the east side of Sunset Avenue between College Heights Road and Montgomery Drive.

#### **Colbert Hills Special Assessment Support (\$30,000) (Second of 3-year request)**

The City shall use a maximum of \$30,000 to assist in payment of special assessment tax funding associated with the construction of Grand Mere Parkway. Support payment will be contingent on Colbert Hills providing a profit-loss statement to City staff that shows no profit was made the year prior.

**2017 City-University Special Project Fund Project (CONTINUED)**

**Linear Trail Extension/Grant Sidewalk Project (Marlatt Avenue and Denison Avenue) (\$75,000)**

The City shall use a maximum of \$75,000 of the Grant Funds to assist in this project which includes installation of a new multi-use trail along the west side of Denison Avenue, extending from Marlatt Avenue to Kimball Avenue. This proposed multi-use trail would be a paved 10-foot-wide path that would accommodate pedestrians, bicyclists, and other alternative modes of transportation. This northern campus edge corridor is experiencing heavy growth, and will continue to grow as National Bio and Agro Defense Facility (NBAF) is completed in the area.

**Pedestrian and Bike Path Lighting Addition (Jardine) (\$100,000)**

The City shall use a maximum of \$100,000 of the Grant Funds to assist in this project which includes improving lighting along the trail from Jardine Drive to College Avenue. The existing bike path from Jardine Drive to College Avenue has inadequate lighting causing a safety concern. Area is very high traffic and is a key pedestrian connection to campus from multi-family areas. Project would add light poles along the path to brighten the area.

**Campus Perimeter Traffic Flow Study (\$30,000)**

The City shall use a maximum of \$30,000 of the Grant Funds for an engineering study looking at KSU Campus Perimeter Traffic flow areas. The study intends to assist with updating pedestrian crosswalk signalizations along campus corridors. Project would study appropriate pedestrian crossing alternatives and key on campus perimeter corridors (Denison Avenue, North Manhattan Avenue and Sunset Avenue were added by the Committee).

**Sidewalk Construction at Pioneer Lane (\$35,000)**

The City shall use a maximum of \$35,000 to install sidewalk on the north side of Pioneer Lane from Manhattan Avenue to McCain Lane. No sidewalk exists currently and pedestrians are forced to walk in the roadway.

The total amount for the City is \$485,500 with total funding for projects out of the City-University Fund set at \$700,000.