



MINUTES
CITY COMMISSION MEETING
TUESDAY, NOVEMBER 21, 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 Linda Morse and Commissioners Michael L. Dodson, Wynn Butler, Karen McCulloh, and Usha Reddi 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, 16 staff, and approximately 30 interested citizens.

PLEDGE OF ALLEGIANCE

Mayor Morse led the Commission in the Pledge of Allegiance.

RECOGNITIONS

Kansas State University Interim Associate Provost – International Programs Grant Chapman; Mayor Linda Morse; and City Manager Ron Fehr recognized Commissioner Usha Reddi, recipient of the 2017 Innovative Educator of the Year Award from Kansas State University, Office of International Programs.

Mayor Linda Morse, City Manager Ron Fehr, and Kansas Government Finance Officers Association President Lisa Santa Maria, Finance Director, City of Prairie Village, recognized Bernie Hayen, Director of Finance, recipient of the Government Finance Officers Association (GFOA) Lifetime Achievement Award.

PROCLAMATIONS

Mayor Morse proclaimed November 24, 2017, *Festival of Lights*. Brad Everett and Colin Noble, Original Founders, and Belinda K. McMillan-Snyder, Whoville, Inc., were present to receive the proclamation.

PROCLAMATIONS (CONTINUED)

Mayor Morse proclaimed November 25, 2017, ***Small Business Saturday***. Dustin Taylor, owner, Kansurance, and Small Business Council of the Manhattan Area Chamber of Commerce representative, was present to receive the proclamation.

COMMISSIONER COMMENTS

Commissioner Reddi wished everyone a happy Thanksgiving and safe travels. She stated there would be a Community Thanksgiving Dinner on Thursday, November 23, 2017, at Old Chicago and that Mayor Morse would be at the event to welcome those attending and encouraged everyone to attend. She reminded citizens to shop locally on Saturday, November 25, 2017, and every day.

Commissioner McCulloh also encouraged everyone to shop locally and support the community. She said the Community Thanksgiving Dinner at Old Chicago is a wonderful event and encouraged everyone to attend.

Commissioner Butler stated that Johnny Kaw in City Park would be decorated with a Santa Claus hat and festive lights this year. He encouraged everyone to attend the Festival of Lights event on Friday, November 24, 2017, and stated that if anyone is interested in contributing to this worthy cause, please contact the Greater Manhattan Community Foundation and make a contribution to Whoville.

Mayor Morse encouraged citizens to watch the newspaper and websites for all the upcoming events this holiday season. She stated that Friday, December 1, 2017, is the Mayor's Spirit of the Holidays Lighted Parade and will start at 5:30 p.m. from the Manhattan Town Center to Aggieville. She said that Friday, November 24, 2017, is the tree lighting ceremony at the Blue Earth Plaza and Small Business Saturday is on November 25, 2017.

CONSENT AGENDA

(* denotes those items discussed)

MINUTES

The Commission approved the minutes of the Regular City Commission Meeting held Tuesday, November 7, 2017.

CLAIMS REGISTER NO. 2864

The Commission approved Claims Register No. 2864 authorizing and approving the payment of claims from November 1, 2017 - November 14, 2017, in the amount of \$3,068,257.47.

CONSENT AGENDA (CONTINUED)

LICENSES

The Commission approved a Merchant Guard Agency License for calendar year 2018 for G4S Secure Solutions (USA), Inc., 1100 Main Street, Suite 1340, Kansas City, Missouri; PBP Management Group, Inc., 2102 East 21st Street, Suite C, Wichita, Kansas; Prudential Security, Inc., 20600 Eureka Road, Suite 900, Taylor, Michigan; and VendTech Enterprise, LLC, 250 North Rock Road, Suite 360, Wichita, Kansas; a Tree Maintenance License for calendar year 2018 for Capital City Tree Care, Inc., 7920 Northwest 35th Street, Silver Lake, Kansas; Tree Biologics, Inc., 2880 Zeandale Road; and Tree Man-MHK, 2104 Fox Meadows; and an annual Cereal Malt Beverages Off-Premises License for Dillon's #15, 130 Sarber Lane, and Hop-N-Skip, 2233 Tuttle Creek Boulevard.

ORDINANCE NO. 7324 – ISSUE – GENERAL OBLIGATION BOND SERIES 2017-D

The Commission accepted the bid from Robert W. Baird and Co., Inc., of Red Bank, New Jersey, and approved Ordinance No. 7324 issuing \$9,230,000.00 in general obligation improvement and refunding bonds (Series 2017-D) for the following ten (10) capital projects (\$5,530,000.00): *Marlatt Bridge Channel (SM1307)*; *Manhattan Public Library Children's Expansion (SP1301)*; *Wildcat Creek Lift Station, Phase 2 (SS1211)*; *Wildcat Creek Lift Station Bank Stabilization Project (SS1424)*; *2012 Waterline Improvements (WA1202)*; *Westwood/Elm/Walnut Water Line Replacement (WA1308)*; *Fourth Street and Pottawatomie Avenue Water Line Replacement (WA1309)*; *900 Block of Old Claflin Sanitary Sewer Line Replacement (SS1307)*; *Wildcat Ridge Sanitary Sewer System Replacement (SS1308)*; and *Poliska Lane Stormwater Improvements (SM1606)*; and the refunding of Series 2008-C (\$450,000.00) and the refunding of Series 2010-B (\$3,250,000.00).

RESOLUTION NO. 112117-A – DELIVERY OF BONDS – GENERAL OBLIGATION BOND SERIES 2017-D

The Commission approved Resolution No. 112117-A authorizing delivery of the Series 2017-D bonds.

PUBLIC HEARING – INDUSTRIAL REVENUE BONDS – MEADOWLARK HILLS

Mayor Morse opened the public hearing.

Hearing no comments, Mayor Morse closed the public hearing.

CONSENT AGENDA (CONTINUED)

* **ORDINANCE NO. 7325 – ISSUE INDUSTRIAL REVENUE BONDS – MEADOWLARK HILLS**

Commissioner McCulloh commented on the item and voiced concerns with the amount requested and the use of Industrial Revenue Bonds for this project.

Ron Fehr, City Manager, responded to questions from the Commission. He provided clarification on the use of Industrial Revenue Bonds, highlighted Meadowlark Hills history and performance with the City of Manhattan, and stated that Meadowlark Hills receives a property tax exemption by state statute.

The Commission approved Ordinance No. 7325 issuing \$3 million in Industrial Revenue Bonds to fund the 2017A Series IRBs, and approved certain documents and actions in connection with the issuance for the purpose of acquiring two group homes for seniors located at 120 N. Scenic Drive, Manhattan, and 7621 Falcon Road, Riley.

RESOLUTION NO. 112117-B – ISSUE – TEMPORARY NOTE SERIES NO. 2017-04

The Commission accepted the bid from Country Club Bank, of Prairie Village, Kansas, and approved Resolution No. 112117-B issuing Temporary Note Series No. 2017-04 in the amount of \$2,495,000.00 to finance: *Heritage Square South, Unit Two - Sanitary Sewer (SS1701), Street (ST1701), and Water Improvements (WA1701); and Northwing Addition, Unit Two - Stormwater (SM1709), Sanitary Sewer (SS1718), Street (ST1709), and Water Improvements (WA1712).*

* **RESOLUTION NO. 112117-C – ESTABLISH – FOOD AND FARM COUNCIL**

Ron Fehr, City Manager, informed the Commission that the City received a request from the Flint Hills Wellness Coalition and the Food and Farm Taskforce to table the item for further review. He stated they would ask them to present the item at a future Joint City/County/County Commission meeting.

The Commission tabled Resolution No. 112117-C authorizing the establishment of a Food and Farm Council for Riley County and Manhattan.

CONSENT AGENDA (CONTINUED)

NEGOTIATE AGREEMENT – PROFESSIONAL SERVICES – SANITARY SEWER COLLECTION SYSTEM MAINTENANCE AND MANAGEMENT ASSESSMENT (SS1705, CIP #WW163P)

The Commission accepted the recommendation of the Selection Committee, and authorized City Administration to negotiate a professional services contract with HDR Engineering, Inc., of Olathe, Kansas, for the project Sanitary Sewer Collection System Maintenance and Management Assessment Project (SS1705, CIP #WW163P).

Mayor Morse opened the public comments.

Hearing no comments, Mayor Morse closed the public comments.

After discussion and comments from the Commission, Commissioner Dodson moved to approve the consent agenda and table Item G: RESOLUTION NO. 112117-C – ESTABLISH – FOOD AND FARM COUNCIL. Commissioner McCulloh seconded the motion. On a roll call vote, motion carried 5-0, with the exception of Item E: ORDINANCE NO. 7325 – ISSUE INDUSTRIAL REVENUE BONDS – MEADOWLARK HILLS, which carried 4-1 with Commissioner McCulloh voting against the item.

GENERAL AGENDA

TABLE CONTRACT/CONTRACT AMENDMENT NO. 9 - CONSTRUCTION ADMINISTRATIVE SERVICES - PEACE MEMORIAL AUDITORIUM IMPROVEMENTS (PR1704)

Eddie Eastes, Director of Parks and Recreation, presented an overview of the item. He highlighted the project timeline, bid summary and alternates of the Parks and Recreation Peace Memorial Auditorium improvements, discussed alternatives and options for consideration, and highlighted fundraising efforts by the Friends of Peace Memorial Auditorium. He asked the Commission to table the item and allow City staff to continue to evaluate the bid pricing and then bring the item back to the Commission with additional information.

After comments from the Commission, Eddie Eastes, Director of Parks and Recreation, responded to questions from the Commission. He stated that the Friends of Peace Memorial Auditorium would prefer the project be fully completed rather than only the basic audio component. He informed the Commission that the contractors have agreed to extend their bids for 30 days and provided clarification that the \$65,000.00 in the Capital Improvements Program from the Special Parks and Recreation Fund was intended to be used for stage curtain replacement, stage floor repair and refinish, and replacement of tables and chairs.

GENERAL AGENDA (CONTINUED)

TABLE CONTRACT/CONTRACT AMENDMENT NO. 9 - CONSTRUCTION ADMINISTRATIVE SERVICES - PEACE MEMORIAL AUDITORIUM IMPROVEMENTS (PR1704) (CONTINUED)

He then responded to questions from the Commission regarding pricing options, bids and alternates, and the amount of funds raised by the Friends of Peace Memorial Auditorium.

Bruce McMillan, Bruce McMillan AIA Architects, provided additional information and clarification on the base bid amounts received and the bid alternates.

Jason Hilgers, Deputy City Manager, provided additional information and funding required regarding the two audio only options and the audio and lighting option presented.

Eddie Eastes, Director of Parks and Recreation, informed the Commission that the initial goal was to fundraise \$500,000.00 for both the auditorium and the foyer improvements. He stated that the preference from the Friends of Peace Memorial Auditorium is to do both the audio and lighting improvements. He then responded to additional questions from the Commission and stated that he was looking for direction from the Commission.

Mayor Morse opened the public comments.

Dave Fiser, President, Friends of Peace Memorial Auditorium, recognized the Friends of Peace Memorial Auditorium Board members in attendance. He informed the Commission that the group is very proud of the Peace Memorial Auditorium foyer and provided approximately \$100,000.00 for the foyer project as well as design fees. He presented an update on the item and stated that the original estimate is not sufficient to complete the total project the way the group believes it should be completed. He provided background information on working with Bruce McMillan, the City Commission, and City staff and said the group would prefer to get the audio and lighting done at the same time. He provided an update on fundraising efforts and informed the Commission that the group has raised \$347,039.00 in cash to date and have additional pledges for the project. He stated that the Friends of Peace Memorial Auditorium are willing to continue to work on fundraising, desire to see one of the bids move forward, and want to continue to work with the City Commission and City staff to complete the project. He then responded to questions from the Commission and thanked the Commission for their support.

Bruce McMillan, Bruce McMillan AIA Architects, responded to questions from the Commission and provided additional information on the Architect's Bid Estimate and clarification on the bid alternates. He stated that the proposal is the basic package.

Dave Fiser, President, Friends of Peace Memorial Auditorium, informed the Commission that the group is interested in a stage that is good enough for a production, at an economical price, and to make Peace Memorial Auditorium a community facility for everyday use.

GENERAL AGENDA (CONTINUED)

TABLE CONTRACT/CONTRACT AMENDMENT NO. 9 - CONSTRUCTION ADMINISTRATIVE SERVICES - PEACE MEMORIAL AUDITORIUM IMPROVEMENTS (PR1704) (CONTINUED)

After comments from the Commission, Dave Fiser, President, Friends of Peace Memorial Auditorium, responded to additional questions from the Commission about the project. He stated the group is working with family trusts and continuing to work with many different donors. He said the foyer project is very nice and the group is committed to work with the Commission, the project architect, and City staff to complete the entire project.

Barbara Poresky, 3905 Barbara Lane, Treasurer, Friends of Peace Memorial Auditorium, stated that she has spent a lot of time on the plans, bid specifications and reviewing the bids and information received. She then responded to questions from the Commission.

Eddie Eastes, Director of Parks and Recreation, responded to questions from the Commission and provided clarification on the costs for each option presented.

Dave Fiser, President, Friends of Peace Memorial Auditorium, reiterated that the group is committed to work further on the project, stated the bids are good bids, and encouraged the Commission to move forward.

Randi Dale, 2416 Rogers Boulevard, voiced her appreciation to the Commission and provided recent events and presentations held in Peace Memorial Auditorium. She stated that sound is very important and that the wiring on the stage needs to be updated. She informed the Commission that there would be a Holiday Musical Recital on December 8, 2017, at 7:30 p.m., with the Phi Mu Alpha Sinfonia Tau Chapter and encouraged the community to attend

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

Ron Fehr, City Manager, responded to questions from the Commission and potential funding options for consideration.

Eddie Eastes, Director of Parks and Recreation, responded to questions from the Commission and provided an overview of the 10 alternates, improvements and project funding considerations.

Commissioner Dodson requested additional information on the pricing and wanted City staff to come back with costs for each item, element by element. He voiced support for continuing to move forward with the project, but wanted additional information as well as prioritization on the items.

GENERAL AGENDA (CONTINUED)

TABLE CONTRACT/CONTRACT AMENDMENT NO. 9 - CONSTRUCTION ADMINISTRATIVE SERVICES - PEACE MEMORIAL AUDITORIUM IMPROVEMENTS (PR1704) (CONTINUED)

Commissioner McCulloh stated the group is not looking to do the Taj Mahal and are doing well with basic lighting and audio components. She voiced support to make the necessary improvement to Peace Memorial Auditorium so that more groups would use the Auditorium.

Commissioner Butler voiced his appreciation on an excellent job in completing the foyer and informed the Friends of Peace Memorial Auditorium group that they have done a great job on the private fundraising so far. He voiced concern with mission creep for the project and stated that he did not want to see another dollar of taxpayer money go into this project right now. He stated the costs could be cut down based on what end-users of the Auditorium would need and the criterion.

Bruce McMillan, Bruce McMillan AIA Architects, provided additional information on the specifications in consultation with the audio and theatrical consultant. He informed the Commission that this is a basic audio and lighting component package with some additional lights. He stated that he would re-evaluate the items and pricing with the Friends of Peace Memorial Auditorium and City staff and then bring the item back to the Commission with additional information.

Commissioner Reddi stated that she needs more information on the items and pricing. She also wanted to see what are the other options as a reference to the current pricing, based on a very basic option as well as what electrical issues are needed.

Mayor Morse stated that electrical upgrades is needed to be made to Peace Memorial Auditorium and that lighting and audio needs to be improved and prioritized. She wanted to continue to work with the Friends of Peace Memorial Auditorium and thanked them for their efforts. She stated that this is an important feature of City Hall, for the community and for the Parks and Recreation Department, and wanted to complete the project as economically as possible.

After discussion and additional comments from the Commission, Commissioner Butler moved to table the item for the Peace Memorial Auditorium construction contract and design contract until we can get further information. Commissioner McCulloh seconded the motion. On a roll call vote, motion carried 5-0.

At 8:40 p.m., the Commission took a brief recess.

GENERAL AGENDA (CONTINUED)

PETITION/RESOLUTION NO. 112117-D/AGREEMENT - PROFESSIONAL SERVICES - STONECREEK BUSINESS CENTER/CUMBERLAND ROAD IMPROVEMENTS (ST1710)

Rob Ott, Director of Public Works, presented an overview of the item. He highlighted the subject property area, the aerial maps of the property, the aerial map of the Blueville Addition, the petition request, the rules and regulations for consideration, and the recommendation from City Administration. He then responded to questions from the Commission regarding the Blueville Addition process, the petition process and benefit district, and the proposed improvements to the intersection of Cumberland Road and Scenic Drive.

After additional comments from the Commission, Rob Ott, Director of Public Works, responded to questions from the Commission regarding the alignment of Cumberland Road and Wildcat Creek Road, the width of Cumberland Road, speed limits, drainage, and future considerations for Transportation Development Districts in development areas.

After further discussion and comments from the Commission, Commissioner Butler moved to find the petition sufficient; approve Resolution No. 112117-D, finding the project advisable and authorizing construction; and authorize the Mayor and City Clerk to execute an Agreement for Professional Engineering Services with Alfred Benesch & Company, of Manhattan, Kansas, in an amount not to exceed \$253,000.00, for the Stonecreek Business Center/Cumberland Road Street Improvements (ST1710). Mayor Morse seconded the motion.

Mayor Morse opened the public comments.

Doug Hinkin, representing Stonecreek Family Physicians, 1426 Sharingbrook Drive, informed the Commission that the presentation covered all the points they were concerned about. He stated that they have a lot of employees and patients that want to make a left turn and this will help as well as provide an emergency access. He commented about drainage and stated that they are 100 percent behind this proposal.

Travis Wymer, Advanced Dental Arts, informed the Commission that he passed out the petition and received 100 percent approval.

Brad Waller, Alfred Benesch, provided clarification on the proposed 24-foot wide road and informed the Commission that no curb and gutter is planned right now. He responded to questions from the Commission and stated that the decision to use asphalt or concrete is yet to be determined.

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

GENERAL AGENDA (CONTINUED)

PETITION/RESOLUTION NO. 112117-D/AGREEMENT - PROFESSIONAL SERVICES - STONECREEK BUSINESS CENTER/CUMBERLAND ROAD IMPROVEMENTS (ST1710) (CONTINUED)

On a roll call vote, motion carried 5-0.

FIRST READING - AMEND - MANHATTAN URBAN AREA COMPREHENSIVE PLAN (ADOPT AND INCORPORATE THE FLINT HILLS/FORT RILEY JOINT LAND USE STUDY UPDATE, AUGUST 2017)

Chad Bunger, Assistant Director for Community Development, presented an overview of the item. He highlighted the process and history of the Joint Land Use Study (JLUS), presented a map of the study area boundary, provided a map of the Land Use Planning Zone and noise impact area, and presented a map of the Noise Disclosure Boundary. He outlined other recommendations including an implementation committee, the growth plan for Blue Township, the regional geographic information system database, the habitat-protection practices and initiatives, the Wildcat Creek flood risk reduction, and the housing market analysis. He then responded to questions from the Commission regarding measuring criteria for noise, notifications and educational efforts, and highlighted the Noise Disclosure Boundary map.

After comments from the Commission, Chad Bunger, Assistant Director for Community Development, provided additional information on communication and education efforts with Fort Riley and discussions with a local abstract company and the Riley County Register of Deeds Office. He also highlighted the Land Use Planning Zone (LUPZ) map and movements in the LUPZ from 2005 to 2011 to 2015.

Eric Cattell, Director of Community Development, informed the Commission that the JLUS information is on the City's website and there is an interactive web page that also links to the Fort Riley web page with information regarding training events.

Mayor Morse opened the public comments.

Hearing no comments, Mayor Morse closed the public comments.

After discussion and comments from the Commission, Commissioner McCulloh moved to approve first reading of an ordinance amending the Manhattan Urban Area Comprehensive Plan by adopting and incorporating by reference the Flint Hills/Fort Riley Joint Land Use Study (JLUS) Update, dated August 2017, and adding the necessary citations to Chapter 4, Chapter 6, and Appendix B, and deleting the dates of the JLUS on page 123, as proposed. Commissioner Reddi seconded the motion. On a roll call vote, motion carried 5-0.

GENERAL AGENDA (CONTINUED)

DISCUSSION - PET LICENSING

Kiel Mangus, Assistant City Manager, presented an overview of the item. He provided information on the City's current licensing process, the annual license sales collected and license fees, the current enforcement process, and the number of animal control service calls dispatched to Animal Control. He informed the Commission that a public meeting was held on June 29, 2017, to receive feedback from the veterinary community on possible changes to the pet licensing process. He then responded to questions from the Commission and provided proposed and possible changes to the current process and ordinance.

Ron Fehr, City Manager, provided clarification on the number of pets licensed and those pets that are vaccinated.

Tom Lindquist, representing Little Apple Veterinary Hospital, 909 South Seth Child Road, provided information on licensing compliance of pet owners and voiced concerns regarding sharing private client information and vaccination information. He stated that maintaining client confidentiality is one of the standards, which must be met in order to maintain their accreditation. He then responded to questions from the Commission regarding client confidentiality and the potential to combine rabies vaccinations and licenses at their business. He stated that Wichita's model seems like the best way to increase compliance and make it easier for the client to get a license from the City.

Kiel Mangus, Assistant City Manager, informed the Commission that based on the public meeting with local veterinarians, there were concerns expressed about handling the license process and requiring veterinarians to provide vaccination records to the City. He informed the Commission that they would likely have to increase the current pet license costs. He then responded to questions from the Commission and provided clarification on the license costs for spayed/neutered and unsprayed/unneutered pets.

Tom Lindquist, representing Little Apple Veterinary Hospital, 909 South Seth Child Road, responded to questions from the Commission regarding cost of rabies vaccinations and the ability to microchip a pet versus having two separate tags.

Kiel Mangus, Assistant City Manager, informed the Commission that providing public health and safety is an important aspect of pet licensing. He responded to questions from the Commission about the current licensing fees established by ordinance and the potential for veterinarians to handle licensing of dogs and cats.

After comments from the Commission, Kiel Mangus, Assistant City Manager, informed the Commission that the City does not currently actively seek out those pet owners that are not in compliance or issue a violation. He responded to questions from the Commission regarding enforcement provisions and efforts to increase pet licensing compliance.

GENERAL AGENDA (CONTINUED)

DISCUSSION - PET LICENSING (CONTINUED)

Eddie Eastes, Director of Parks and Recreation, responded to questions from the Commission and stated that Fort Riley is providing their own animal control services.

After additional discussion and comments from the Commission, Kiel Mangus, Assistant City Manager, responded to questions from the Commission on the desire to improve the current pet licensing and enforcement process as well as to continue working with veterinarians to find a possible solution that will achieve greater efficiencies and compliance with pet licensing requirements.

Mayor Morse opened the public comments.

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

This was a discussion item only and the Commission took no formal action.

ADJOURNMENT

At 10:38 p.m., the Commission adjourned.



Gary S. Fees, MMC, City Clerk