



MINUTES
CITY COMMISSION MEETING
TUESDAY, JANUARY 16, 2018
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, Usha Reddi, Wynn Butler, and Jerred McKee 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 10 interested citizens.

PLEDGE OF ALLEGIANCE

Mayor Morse led the Commission in the Pledge of Allegiance.

COMMISSIONER COMMENTS

Commissioner McKee stated that this is his first official, full meeting and thanked the voters of Manhattan. He said that he is looking forward to working with the City Commission in the coming years and in working in the best interests for Manhattan.

Commissioner Butler stated the Chamber's Leaders Retreat is January 19 and 20, 2018, in Olathe, Kansas, and said that he would not be attending. He asked the Manhattan Chamber of Commerce to change the venue and move to the Flint Hills region, because the location is out of alignment with shopping local, bringing conventions to town and economic development as well as forces local officials and staff members to attend at taxpayer expense. He encouraged all the elected officials and Riley County Law Board members to not attend the Retreat to help force the Chamber to change the location. He discussed the Riley County Law Board and voiced support for more citizens on the Board. He encouraged citizens that are qualified to submit their application to Riley County and to the City of Manhattan for consideration when the Law Board appointments come up.

Commissioner Reddi thanked the Manhattan Martin Luther King, Jr. (MLK) Committee and highlighted the MLK events on January 13-15, 2018. She stated that Barbara Hartnett and Richard Pitts were awarded the Spirit of Martin Luther King, Jr. Community Service Award. She thanked the Ogden elementary students for participating and all students that

COMMISSIONER COMMENTS (*CONTINUED*)

participated in the art and writing contest. She stated that Barry Wilkerson spoke at the MLK breakfast about hope and hope for our children. She stated that Manhattan was recognized as the second best place to live in the United States and this speaks to the residents and Kansas State University. She also said that Manhattan is a great place to live in the Midwest.

Commissioner Dodson informed the community that the Riley County Law Board met earlier in the day and thanked the Riley County Police Department (RCPD) for their actions on Friday, January 5, 2018, regarding a domestic situation in the area of the 3700 block of Hawthorne Woods Circle where an active shooter was barricaded in his house for hours and fired shots at the police, hitting a police officer. He stated that this event could have been a far worse tragedy and said citizens should take a lot of pride in the reaction and conduct of RCPD in their efforts and all of the first responders, including the Manhattan Fire Department.

Mayor Morse complimented the Manhattan Martin Luther King, Jr. Planning Committee for their efforts and program offerings to the community. She also congratulated the recipients of the Martin Luther King, Jr. Community Service Awards.

CONSENT AGENDA

(* denotes those items discussed)

MINUTES

The Commission approved the minutes of the Special City Commission Meeting held Monday, January 8, 2018.

CLAIMS REGISTER NOS. 2868 and 2869

The Commission approved Claims Register Nos. 2868 and 2869 authorizing and approving the payment of claims from January 3, 2018 – January 9, 2018, in the amounts of \$818,603.13 and \$2,894,504.67, respectively.

LICENSE

The Commission approved a Tree Maintenance License for the calendar year 2018 for Two Big Feet Tree Pruning & Removal, 1734 Kings Road.

CONSENT AGENDA (CONTIUED)

ORDINANCE NO. 7336 – ISSUE GENERAL OBLIGATION BONDS - OLD BIG BLUE BEAUTIFICATION, PHASE 5/STORMWATER IMPROVEMENTS AND MULTI-USE TRAIL PROJECT (SM1605, CIP #SW077P)

The Commission approved Ordinance No. 7336 authorizing the issuance of general obligation bonds to finance the City's share (\$230,000.00) of the \$1,128,149.00 Old Big Blue Beautification, Phase 5/Stormwater Improvements and Multi-Use Trail Project (SM1605, CIP #SW077P).

PUBLIC HEARING – VACATE – SOUTH 15TH STREET

Mayor Morse opened the public hearing.

Hearing no comments, Mayor Morse closed the public hearing.

FIRST READING – VACATE – SOUTH 15TH STREET

The Commission approved first reading of an ordinance vacating portions of South 15th Street from the Union Pacific Railroad right-of-way to the south city limits, and establishing a utility easement of said vacated public right-of-way.

RESOLUTION NO. 011618-A – POLICY – RECORD RETENTION AND DISPOSITION SCHEDULE

The Commission approved Resolution No. 011618-A authorizing the City Manager, or his/her designee, to adopt, periodically review, and amend a City record retention and disposition schedule and policy.

* **RESOLUTION NO. 011618-B – HOUSING TAX CREDIT SUPPORT – BIRCHWOOD VILLAS, PHASE II (LOT 36, LEDGESTONE RIDGE, UNIT TWO)**

Commissioner Dodson requested that this item be moved to the end of the General Agenda.

SET PUBLIC HEARING DATE – LEVY SPECIAL ASSESSMENTS (GOB 2018-A)

The Commission set February 6, 2018, as the date to hold the public hearing levying special assessments against the benefiting properties in the following 29 projects, which have been completed: *Enclave Addition, Unit 1 – Sanitary Sewer (SS1411), Street (ST1410), and Water (WA1409); Grand Estates Addition – Sanitary Sewer (SS1508), Street (ST1508), and Water (WA1508); Grand Luxe Addition – Sanitary Sewer (SS1408), Street (ST1407), and Water (WA1407); Grand Mere Parkway, Phase 1 – Street (ST1411); The Highlands at Grand Mere, Unit One, and Prairie Village at the Highlands, Unit One – Sanitary Sewer (SS1714); Interlachen*

CONSENT AGENDA (CONTIUED)

SET PUBLIC HEARING DATE – LEVY SPECIAL ASSESSMENTS (GOB 2018-A) (CONTINUED)

Addition – Sanitary Sewer (SS1318), Street (ST1325), and Water (WA1321); Interlachen Villas Addition, Unit 1 – Sanitary Sewer (SS1318), Street (ST1325), and Water (WA1321); Lee Mill Heights Addition, Unit Nine – Sanitary Sewer (SS1412), Street (ST1412), and Water (WA1410); Lot 2, Downtown Entertainment District, Unit Three – Street (ST1318); Merion Addition – Sanitary Sewer (SS1414), Street (ST1417), and Water (WA1412); Muirfield Addition, Phase 1 – Sanitary Sewer (SS1417); Scenic Meadows Addition, Unit 3, Phase 3 – Street (ST1421); Stone Valley Addition, Unit 2 – Sanitary Sewer (SS1413), Street (ST1413), and Water (WA1411); and Turnberry Addition – Sanitary Sewer (SS1416), Street (ST1419), and Water (WA1414).

AGREEMENT – PROFESSIONAL SERVICES – FLINT HILLS REGIONAL TRANSIT AUTHORITY SIDEWALK PROJECTS (SP1604, SP1605, SP1606)

The Commission authorized the Mayor and City Clerk to execute a Professional Services Agreement, in an amount not to exceed \$19,660.00, with SMH Consultants, of Manhattan, Kansas, for the Easement Acquisition Services for Flint Hills Regional Transit Authority Sidewalk projects [*Fremont Pedestrian Crossing (SP1604), Claflin Sidewalk (SP1605), and Tuttle Creek Boulevard/Bluemont Pedestrian Crossing (SP1606)*].

AGREEMENT – KDOT – JULIETTE AVENUE, PH 3, OSAGE STREET TO POYNTZ AVENUE (ST1801)

The Commission authorized the Mayor and City Clerk to execute City-State Agreement No. 184-17 for the Juliette Avenue, Phase 3, Osage Street to Poyntz Avenue, Brick Street Rehabilitation (ST1801) project, with a cost of \$1,235,800.00 and City participation of \$327,160.00.

AGREEMENT – KDOT – SAFE ROUTES TO SCHOOL INFRASTRUCTURE, PHASE IIB (ST1802)

The Commission authorized the Mayor and City Clerk to execute City-State Agreement No. 188-17 for the Safe Routes to School, Phase II, Infrastructure project (ST1802), with a cost of \$575,800.00 and City participation of \$175,800.00.

REAL ESTATE TRANSFER AGREEMENT – LEE MILL VILLAGE COMMON AREA – USD 383

The Commission approved the land transfer of an approximately five-acre tract of land (Common Area south of Lots 26A-D, 27A-D, 28A-D, and 29A-D) in Lee Mill Village to USD 383 for access to a future elementary school site, and authorized the Mayor and City Clerk to execute the Real Estate Transfer Agreement.

CONSENT AGENDA (CONTIUED)

AGREEMENT – EMERGENCY COMMUNICATION RADIOS

The Commission authorized the Mayor and City Clerk to execute a Radio Communication Systems User Agreement, stipulating that the City will purchase emergency communication radios in an amount not to exceed \$462,772.80 for the Manhattan Fire Department, through the Riley County, Kansas, Board of County Commissioners contract with Harris Corporation, and agree to use the proposed radio system.

OUTSIDE CITY SEWER AGREEMENT – 2620 TUTTLE CREEK BOULEVARD (ABBOTT)

The Commission authorized the Mayor and City Clerk to execute an agreement with Martha Catherine Abbott, Trustee of the Martha Catherine Abbott Trust dated February 12, 1993, and Ruth Abbott for an outside city limits sanitary sewer service connection for the property at 2620 Tuttle Creek Boulevard, Riley County, Kansas, to the City's sanitary sewer collection system and treatment works.

PURCHASE – ANIMAL SHELTER DIVISION – UNIT 176 (CIP #AS008E)

The Commission authorized the purchase of a half-ton 4x4 extended cab pickup truck in the amount of \$25,244.37 for the replacement of Animal Shelter Division Unit #176 (CIP #AS008E) utilizing the State vehicle bid.

PURCHASE – RECREATION DIVISION – UNIT 753 (CIP #RC014E)

The Commission authorized the purchase of a half-ton standard cab pickup truck in the amount of \$19,601.37 for replacement of Recreation Division Unit #753 (CIP #RC014E) utilizing the State vehicle bid.

PURCHASE – WASTEWATER DIVISION – UNIT 50 (CIP #WW106E)

The Commission authorized the purchase of a half-ton 4x4 extended cab pickup truck in the amount of \$23,794.37 for the replacement of Wastewater Division Unit #50 (CIP #WW106E), utilizing the State vehicle bid.

PURCHASE – STREET DIVISION – UNIT 22 (CIP #ST043E)

The Commission authorized the purchase of a one-ton truck 4x4 with bed and plow mount in the amount of \$49,712.00 from Shawnee Mission Ford, of Shawnee, Kansas, for the replacement of Street Division Unit #22 (CIP #ST043E) by lease purchase.

LEASE PURCHASE AGREEMENT - STREET DIVISION – UNIT 22 (CIP #ST043E)

The Commission authorized the Mayor and/or City Clerk to execute the lease purchase agreement for the replacement of Street Division Unit #22 (CIP #ST043E).

CONSENT AGENDA (CONTIUED)

PURCHASE – STREET DIVISION – UNIT 54 (CIP #ST050E)

The Commission authorized the purchase of a one-ton truck 4x4 with bed and plow mount in the amount of \$49,712.00 from Shawnee Mission Ford, of Shawnee, Kansas, for the replacement of Street Division Unit #54 (CIP #ST050E) by lease purchase.

LEASE PURCHASE AGREEMENT - STREET DIVISION – 54 (CIP #ST050E)

The Commission authorized the Mayor and/or City Clerk to execute the lease purchase agreement for the replacement of Street Division Unit #54 (CIP #ST050E).

BOARD APPOINTMENTS

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

Arts and Humanities Advisory Board

Appointment of Karen McCulloh, 1516 Leavenworth, to fill the unexpired term of Hannah Kleopfer. Ms. McCulloh's term begins immediately and will expire March 31, 2020.

Appointment of Sujatha Prakash, 440 Wickham, to fill the unexpired term of RoShanna Robinson. Ms. Prakash's term begins immediately and will expire March 31, 2020.

Re-appointment of Dr. Michaeline Chance-Reay, 3026 Cherry Hill Road, to a three-year term. Ms. Chance-Reay's term will begin April 1, 2018, and will expire March 31, 2021.

Cemetery Board

Re-appointment of Mike Carlson, 116 N. Dartmouth Drive, to a three-year term. Mr. Carlson's term begins immediately and will expire December 31, 2020.

Convention and Visitors Bureau Steering Committee

Appointment of Michael Dodson, 4109 Wellington Drive, to a Commissioner term. Commissioner Dodson's term begins immediately.

Downtown Business Improvement District Advisory Board

Re-appointment of Joe Stock, 411 Edgerton Avenue, to a two-year term. Mr. Stock's term begins immediately and will expire December 31, 2019.

CONSENT AGENDA (CONTIUED)

BOARD APPOINTMENTS (CONTINUED)

Flint Hills Metropolitan Planning Organization (MPO) Policy Board

Appointment of Commissioner Jerred McKee, 730 Allen Road, to fill the Manhattan City Commissioner permanent position and Commissioner Usha Reddi, 1801 Westbank Way, to fill the Alternate position.

Flint Hills Regional Transit Administration Board

Appointment of Commissioner Jerred McKee, 730 Allen Road, to fill the Manhattan City Commissioner permanent position and Commissioner Usha Reddi, 1801 Westbank Way, to fill the Alternate position.

Flint Hills Regional Council

Appointment of Mayor Linda Morse, 2118 Spain Drive, to fill the Manhattan City Commissioner permanent position.

Human Rights and Services Board

Re-appointment of Janet Dean, 1832 Concord Lane, to a three-year term. Ms. Dean's term will begin March 10, 2018, and will expire March 9, 2021.

Municipal Audit Committee

Re-appointment of Mike Dodson, 4109 Wellington Drive, to a one-year Commissioner term. Commissioner Dodson's term will begin April 1, 2018, and will expire March 31, 2019.

Re-appointment of Eric Higgins, 3316 Woods Drive, to a three-year Citizen-At-Large term. Mr. Higgins' term will begin April 1, 2018, and will expire March 31, 2021.

Social Services Advisory Board

Appointment of Lucas Shivers, 4016 Coachman Road, to a three-year term. Mr. Shivers' term begins immediately and will expire June 30, 2020.

Appointment of Tara Coleman, 826 Yuma Street, to the unexpired term of Jerred McKee. Ms. Coleman's term begins immediately and will expire June 30, 2020.

Mayor Morse opened the public comments.

Hearing no comments, Mayor Morse closed the public comments.

CONSENT AGENDA (CONTIUED)

After discussion, Commissioner Dodson moved to approve the consent agenda and to move Item G, RESOLUTION NO. 011618-B – HOUSING TAX CREDIT SUPPORT – BIRCHWOOD VILLAS, PHASE II (LOT 36, LEDGESTONE RIDGE, UNIT TWO), to the end of the General Agenda. Commissioner Reddi seconded the motion. On a roll call vote, motion carried 5-0.

GENERAL AGENDA

RESOLUTION NO. 011618-C – SET HEARING DATE - DETERMINE WHETHER THE STRUCTURE AT 719 BLUEMONT AVENUE IS UNSAFE OR DANGEROUS

Brad Claussen, Building Official, presented an overview of the item. He highlighted background information on the structure, explained the statutory procedure and publication requirements, discussed the action required to set a hearing date, and highlighted the public hearing process. He responded to questions from the Commission regarding the subject property, the public hearing process and information that will be provided, and informed the Commission of notices and letters sent as well as efforts to contact the owner of record.

Ron Fehr, City Manager, provided additional information regarding the process and evidence that will be submitted for consideration at the public hearing. He then responded to questions from the Commission and provided additional information on the item.

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 accept submission of the Building Official's written report for 719 Bluemont Avenue and approve Resolution No. 011618-C setting Tuesday, March 6, 2018, as a hearing date to determine whether the structure at 719 Bluemont Avenue is unsafe or dangerous. Commissioner Butler seconded the motion. On a roll call vote, motion carried 5-0.

FIRST READINGS - REFUSE COLLECTORS' LICENSES AND CONSTRUCTION CONTAINERS/LARGE DUMPSTER WITHIN THE RIGHT-OF-WAY

Rob Ott, Director of Public Works, presented an overview of the item. He highlighted discussions with the stakeholders including the solid waste dumpster/container providers, Aggieville, Downtown, and the Flinthills Builders Association. He provided information on the general guidelines for placement in the public rights-of-way, permit requirements within the C-3 and C-4 zoning districts, insurance requirements, and the proposed fee and

GENERAL AGENDA (CONTINUED)

FIRST READINGS - REFUSE COLLECTORS' LICENSES AND CONSTRUCTION CONTAINERS/LARGE DUMPSTER WITHIN THE RIGHT-OF-WAY (CONTINUED)

application process. He then responded to questions from the Commission regarding requirements in the C-3 and C-4 Districts and provided clarification for dumpster/containers placed on private property.

Katie Jackson, City Attorney, provided clarification on the item and highlighted the need to comply with safety guidelines and regulations.

Rob Ott, Director of Public Works, and Ron Fehr, City Manager, responded to questions from the Commission on the Aggieville and Downtown Districts.

After discussion, Rob Ott, Director of Public Works, and Katie Jackson, City Attorney, responded to questions from the Commission regarding the permit application process, permit requirements, and enforcement provisions in the proposed ordinance.

Mayor Morse opened the public comments.

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

After discussion and comments from the Commission, Commissioner Dodson moved to approve first reading of an ordinance amending Section 16-20 of the Code of Ordinances regarding "Refuse Collector's License"; and, approve first reading of an ordinance regulating the placement of certain containers within the city's rights-of-way. Commissioner McKee seconded the motion. On a roll call vote, motion carried 5-0.

ITEM REMOVED FROM CONSENT AGENDA

RESOLUTION NO. 011618-B - HOUSING TAX CREDIT SUPPORT - BIRCHWOOD VILLAS, PHASE II (LOT 36, LEDGESTONE RIDGE, UNIT TWO)

This item was removed from the Consent Agenda at the request of Commissioner Dodson.

Eric Cattell, Director of Community Development, provided an overview of the item. He highlighted a map of the area, presented the current zoning of the subject site, and discussed the request received from Jim Moore, United Housing Partners. He then provided additional information on the item and addressed concerns received from an adjacent property owner. He informed the Commission that this item is not a statutory process that requires public notice.

ITEM REMOVED FROM CONSENT AGENDA (CONTINUED)

RESOLUTION NO. 011618-B – HOUSING TAX CREDIT SUPPORT –
BIRCHWOOD VILLAS, PHASE II (LOT 36, LEDGESTONE RIDGE, UNIT TWO)
(CONTINUED)

Commissioner Dodson highlighted the proposed project and provided additional information on the item.

Eric Cattell, Director of Community Development, provided additional information on the item and affordable housing projects. He stated that the site is in close proximity to the new Flint Hills ATA fixed-route serving this area of the community.

Jason Hilgers, Deputy City Manager, highlighted other tax credit housing projects completed in the community. He provided information on the request for a Resolution of Support and then responded to questions from the Commission.

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

Tim Schultz, Schultz Real Estate Development, provided additional information on the item and informed the Commission that this site was included in prior discussions. He provided examples of other similar projects in the community and stated that if a person was to drive around the city, these types of projects cannot be found. He responded to concerns about quality, energy efficiency and described the type of project that would be built. He encouraged the Commission to support this type of development in this area.

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

After discussion and comments from the Commission, Commissioner Dodson moved to approve Item G: Resolution of Support-Tax Credit Project (*see Consent Agenda motion*) that was moved from the Consent Agenda to the General Agenda. Commissioner Reddi seconded the motion. On a roll call vote, motion carried 5-0.

ADJOURNMENT

At 8:10 p.m., the Commission adjourned.



Gary S. Fees, MMC, City Clerk