



***MINUTES  
CITY COMMISSION MEETING  
TUESDAY, NOVEMBER 20, 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 Michael L. Dodson and Commissioners Usha Reddi, Wynn Butler, Jerred McKee, and Linda Morse were present. Also present were the City Manager Ron R. Fehr, Deputy City Manager Jason Hilgers, Assistant City Attorney Rachel Zenger, City Clerk Gary S. Fees, 6 staff, and approximately 15 interested citizens.

**PLEDGE OF ALLEGIANCE**

Mayor Dodson led the Commission in the Pledge of Allegiance.

**PROCLAMATIONS**

Mayor Dodson proclaimed November 23, 2018, *Festival of Lights*. Brad Everett, Original Founder, and Belinda K. Snyder, organizer, Whoville, Inc., were present to receive the proclamation.

Mayor Dodson proclaimed November 24, 2018, *Small Business Saturday*. Alan Parker, President, Borck Brothers, was present to receive the proclamation.

**COMMISSIONER COMMENTS**

City Manager Ron Fehr provided an update on the activities associated with the flood event. He stated there remain approximately 70 individuals that were living in National Church Residences at Garden Grove that are still displaced from the flood event and are staying with family or at local hotels. He said the City has purchased three properties as part of the voluntary buyout program and applications are in the works for additional properties,

## COMMISSIONER COMMENTS (CONTINUED)

dependent on state and federal funds available for a voluntary buyout program. He stated that a long-term recovery committee was established by the Manhattan Community Foundation and, specifically, Catholic Charities has hired a case worker (Deb Abner) for a nine month assignment to assist flood victims and to help distribute funds raised through the Manhattan Community Foundation and guide future recovery efforts as well as a second Multi-Agency Resource Center (MARC) event area agencies and a future furniture drive. He also provided an update on the Manhattan Flood Recovery Fund and stated that private funds raised are \$38,937.00 and matched by the Manhattan Community Foundation for a total of \$77,874.00. He said \$15,000.00 has been distributed, with \$10,000.00 to Shepherd's Crossing and \$5,000.00 to United Way for those impacted by the floods. Also, Catholic Charities and The Salvation Army have each distributed nearly \$13,000.00 of their own funds to flood victims. He stated the Knights of Columbus gave away \$23,000.00 in Dillon's gift cards at the MARC event. He informed the community that FEMA and the Kansas Department of Emergency Management were working out of the Headquarters Fire Station and processing claims in the region for reimbursements for public emergency protective measures and damage reimbursements. He stated they were also working with the Natural Resources Conservation Service for three public projects eligible for funding. He provided an update from the Joint City/County/County meeting where the elected officials discussed establishing a Wildcat Creek Working Group that would involve a citizen committee and a technical committee established by the governing bodies as well as a request for proposals for the development of flood modeling and continue to work towards voluntary buy-outs. He then responded to questions from the Commission regarding the citizen group and technical committee appointments that would be formed and the notification process.

Commissioner Morse provided additional information on the Wildcat Creek Working Group and process that would include a citizen committee and a technical committee. She thanked the Manhattan Area Chamber of Commerce for the reception held earlier in the evening at the Chamber recognizing her public service as outgoing mayor.

Commissioner McKee provided an update on the Flint Hills Metropolitan Planning Organization and Flint Hills Area Transportation Agency (ATA) bus ridership. He stated ridership on the Flint Hills ATA bus has increased significantly the last three months with the fixed routes and had more than 11,000 people using the ATA bus during the month of October 2018. He said the investment the City Commission made in helping develop the fixed routes was a huge improvement in the community and helped to ensure access to affordable transportation.

Commissioner Butler noted the Festival of Lights proclamation and event would be on Friday, November 23, 2018, at 7:00 p.m. and the Mayor's Spirit of the Holidays Lighted Parade would be on Friday, December 7, 2018. He highlighted the event parade entries including the foot float and bike float entries. He encouraged those interested to sign up and participate in the Parade.

## COMMISSIONER COMMENTS (CONTINUED)

Commissioner Reddi highlighted the annual community Thanksgiving Dinner to be held at Old Chicago on Thursday, November 22, 2018, and said this is available to everyone in the community. She encouraged everyone to be safe if they are traveling the holiday weekend and to enjoy your families.

Mayor Dodson informed the community that the Riley County Law Board has selected Dennis Butler, the current Police Chief of Ottawa, Kansas, Police Department, as the next Director of the Riley County Police Department. He thanked Commissioner Butler for decorating Old Engine One for the Veteran's Day Parade and thanked the Manhattan Fire Department, Riley County Police Department, and all those that volunteered to make the Parade successful. He stated the Mayor's Spirit of the Holidays Lighted Parade will be December 7, 2018, and also encouraged everyone to enjoy the activities associated with the Festival of Lights at Blue Earth Plaza on Friday, November 23, 2018.

## CONSENT AGENDA

(\* denotes those items discussed)

### MINUTES

The Commission approved the minutes of the Regular City Commission Meeting held Tuesday, November 6, 2018.

### CLAIMS REGISTER NO. 2895

The Commission approved Claims Register No. 2895 authorizing and approving the payment of claims from October 31, 2018 - November 13, 2018, in the amount of \$3,185,327.08.

### LICENSE

The Commission approved a Merchant Guard Agency License for calendar year 2019 for Allied Universal Security Services, 161 Washington Street, Suite 600, Conshohocken, Pennsylvania; and PBP Management Group, Inc., 2102 East 21<sup>st</sup> Street Suite C, Wichita, Kansas; a Tree Maintenance License for calendar year 2019 for Tree Biologics, Inc., 2880 Zeandale Road; and an annual Cereal Malt Beverages Off-Premises License for Dara's #1, 1816 Claflin Road; Dara's #2, 3270 Kimball Avenue; Dara's #10, 2323 Tuttle Creek Boulevard; Dillon's #15, 130 Sarber Lane; Kwik Shop #733, 1337 Anderson Avenue; and Walgreen's #12814, 2719 Anderson Avenue.

## CONSENT AGENDA (CONTINUED)

### **ORDINANCE NO. 7387 – EXPAND STAR BOND DISTRICT**

The Commission, having found the expansion of the STAR District in Manhattan, Kansas, advisable, approved Ordinance No. 7387 establishing the new boundary of the STAR District to include the North Campus Corridor area and the site for an attraction such as the Bill Snyder Experience Center.

### **FIRST READING - AMEND - UNLAWFUL ASSEMBLY**

The Commission approved first reading of an ordinance amending Section 22-48 of the Code of Ordinances regarding a law enforcement officer's authority to require persons to depart from the place of an unlawful assembly.

### **RESOLUTION NO. 112018-A – INVESTMENT POLICY**

The Commission approved Resolution No. 112018-A re-affirming expanded investment powers for the City of Manhattan based on final approval from the Pooled Money Investment Board.

### **RESOLUTION NO. 112018-B – STREET LIGHT POLICY**

The Commission approved Resolution No. 112018-B amending the Street Light Policy with Westar by removing the reference to using high-pressure sodium light fixtures.

\* **AGREEMENT – FHDC PARKING LOT – ELECTRIC VEHICLE SUPPLY EQUIPMENT STATIONS**

Commissioner Butler highlighted the item and spoke in support of the proposal from Westar Energy, Inc., for the electric vehicle supply stations.

Mayor Dodson stated the project is a great addition to the few private enterprises that offer this service in Manhattan.

The Commission accepted the proposal from Westar Energy, Inc., to install and operate two (2) user-pay Electric Vehicle Supply Equipment Stations in the Flint Hills Discovery Center parking lot, and authorized City Administration to finalize and the Mayor and City Clerk to execute a Site License Agreement.

### **FIRST AMENDMENT – FISCAL AGENT SERVICES – FLINT HILLS METROPOLITAN PLANNING ORGANIZATION**

The Commission authorized the Mayor and City Clerk to execute the First Amendment to the Agreement for Fiscal Agent Services between the Flint Hills Metropolitan Planning Organization and the City of Manhattan allowing the Agreement to renew for another calendar year and successive one-year terms thereafter.

## CONSENT AGENDA (CONTINUED)

Mayor Dodson opened the public comments.

Hearing no comments, Mayor Dodson closed the public comments.

Commissioner McKee moved to approve the consent agenda. Commissioner Butler seconded the motion. On a roll call vote, motion carried 5-0.

## GENERAL AGENDA

### **RESOLUTION NO. 112018-C - ISLAND ANNEXATION - LOT 1, ST. LUKE'S ADDITION**

Chad Bunger, Assistant Director of Community Development, presented an overview of the item. He highlighted a site map, identified the subject property for the annexation and rezoning requests, and explained the process as well as the resolution requesting that the Board of Riley County Commissioners make certain findings regarding the proposed island annexation. He then responded to questions from the Commission regarding emergency response services for island annexations and flooding considerations.

After comments from the Commission, Chad Bunger, Assistant Director of Community Development, responded to questions from the Commission regarding notifications, floodplain regulations and the process of the item for the proposed development. He stated that Riley County does not have a set of regulations in place and would have a lower bar for development regulations than the City of Manhattan.

Commissioner Morse stated that the City is at the annexation stage, but will need to be sensitive to the development allowed along Wildcat Creek. She said the City will need to be very careful in the future and did not want to compromise any of our standards as we go forward with the next step.

Commissioner Butler stated he heard concerns from a nearby property owner that the annexation could lead to further annexations of property in Riley County that is currently agriculture property. He said the owner did not want that to occur because they did not want to pay the higher tax rate.

Chad Bunger, Assistant Director of Community Development, responded to questions from the Commission regarding notifications, stormwater management, and advantages the City may gain to annex this property.

## GENERAL AGENDA (CONTINUED)

### RESOLUTION NO. 112018-C - ISLAND ANNEXATION - LOT 1, ST. LUKE'S ADDITION (CONTINUED)

Mayor Dodson commented that Herbert Abel, Chief, Environmental Division, Department of the Army at Fort Riley, provided a letter in the packet regarding the proposed development of the site and the Land Use Planning Zone.

Ron Fehr, City Manager, stated that he does not see a scenario where the City actively pursues any annexations in the valley unless a property owner makes a similar request. He informed the Commission that it has been the City's history that it only annexes property that it's asked to annex.

Mayor Dodson opened the public comments.

Mark Hatesohl, representing St. Luke's Lutheran Church, provided additional information on the project and stated this will be a \$3.2 million facility that will include a fellowship hall, church office and a learning center. He also highlighted the sewer line and proposed water line in the area.

Matthew Kohls, BG Consultants, provided information on the existing sewer line identified as well as the building and parking area. He stated the floodplain is in the southern area and said the finished floor of the proposed building is roughly 10 feet higher than the floodplain elevation and out of floodplain with what they have planned. He then responded to questions from the Commission regarding the water line.

Rob Ott, Director of Public Works, informed the Commission that the water line would create a loop to help feed this area. He said the sanitary sewer line would help take the load off Little Kitten Avenue and eliminate a lift station. He stated the developer would pay for an eight-inch line and the City would pay for upsizing the water line to a 12-inch.

Mark Hatesohl, representing St. Luke's Lutheran Church, provided addition information on the lot and stated they have no plans for any buildings south of the sewer line.

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

Commissioner Morse stated that she had no concerns with the island annexation and said the perimeter of the community is where the future growth is. She voiced interest in anything that would add to potential flood impacts.

Commissioner Butler stated that he was fine with the church's use, but expressed concern that the rezoning could lead to further residential development in the area. He said that it would be a mistake to put housing in this area because of noise concerns with Fort Riley.

## GENERAL AGENDA (CONTINUED)

### RESOLUTION NO. 112018-C - ISLAND ANNEXATION - LOT 1, ST. LUKE'S ADDITION (CONTINUED)

Commissioner Reddi discussed her initial concerns with flooding in the area. She stated if the City had more control over the area as far as flooding that makes her more engaged in that effort once the land is annexed.

After discussion of the Commission, Commissioner Reddi moved to approve Resolution No. 112018-C requesting that the Board of Riley County Commissioners make certain findings regarding the island annexation of the Lot 1, St. Luke's Addition. Commissioner McKee seconded the motion. On a roll call vote, motion carried 5-0.

### DIRECT RENEWABLE PARTICIPATION SERVICE AGREEMENT - WESTAR ENERGY, INC.

Jason Hilgers, Deputy City Manager, presented an overview of the item. He highlighted the proposal from Westar Energy for the City to purchase wind/green energy for the next 20 years, which locks in a rate for that 20-year period. He informed the Commission that the City spends about \$2.6 million - \$2.7 million with Westar for energy each year and highlighted the potential savings if the City dedicates 50% of the usage to wind/green energy. He discussed the proposed consideration of the item and action for the Commission.

Commissioner Butler asked why not commit 100 percent and what the downside may be.

Jason Hilgers, Deputy City Manager, informed the Commission that City staff recommended agreeing to 50 percent of its energy use with Westar. He stated there may be future options that the City could take advantage of a lower rate in five or ten years and this gives the City additional flexibility. He then responded to questions from the Commission about the rate, potential savings and wind energy.

Mike Solida, Customer Solutions Manager, Westar Energy, provided additional information on the item and status of the wind farm. He informed the Commission that if demand outpaces the available power output of the plant, they could look into constructing a new project to meet the demand at a future date. He then responded to questions from the Commission and clarified this is a Direct Renewable Participation Service Agreement.

Commissioner Reddi spoke in support of the agreement. She said this is a good position for the City of Manhattan and Kansas State University is already on board and it seems the way to go. She said hopefully, the City will reap more rewards towards being more energy efficient and achieve savings at some level.

## GENERAL AGENDA (CONTINUED)

### DIRECT RENEWABLE PARTICIPATION SERVICE AGREEMENT - WESTAR ENERGY, INC. (CONTINUED)

Commissioner McKee stated that he was pleased with the first step, but would continue to push for more of the City's energy to be drawn from renewable sources. He said that he was interested in whatever the City can do to reduce their carbon footprint and did not want to miss an opportunity because maybe in two or three years there may be a little bit of a lower rate.

Jason Hilgers, Deputy City Manager, responded to questions from the Commission regarding the percentage to be used and the unknowns of potential technology, future costs and the need for flexibility in the future.

Mike Solida, Customer Solutions Manager, Westar Energy, provided additional information on the item. He then responded to questions from the Commission regarding demand and growth opportunities.

Ron Fehr, City Manager, informed the Commission that another consideration may be new technology at the Wastewater Treatment Plant down the road as the process continues to grow and if the City makes a decision to potentially be an energy producer. He stated that leaving the agreement at 50 percent provides the City with additional options and flexibility.

Mayor Dodson opened the public comments.

Hearing no comments, Mayor Dodson closed the public comments.

Commissioner Morse moved to approve the use of renewable energy and authorize City Administration to finalize and the Mayor and City Clerk to execute an agreement with Westar Energy for 50% of the City's total energy use. Commissioner Butler seconded the motion. On a roll call vote, motion carried 5-0.

### ADJOURNMENT

At 8:00 p.m., the Commission adjourned.



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Gary S. Fees, MMC, City Clerk