



MINUTES
CITY COMMISSION MEETING
TUESDAY, DECEMBER 18, 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, City Attorney Katharine Jackson, City Clerk Gary S. Fees, 10 staff, and approximately 20 interested citizens.

PLEDGE OF ALLEGIANCE

Mayor Dodson led the Commission in the Pledge of Allegiance.

COMMISSIONER COMMENTS

Commissioner McKee highlighted the City's Snow Partners Program to connect volunteers with Manhattan residents that need help clearing public sidewalks during snow events. He encouraged those interested to sign-up on the City's website.

Commissioner Butler stated that the Snow Partners Program is a good excuse to purchase a snow blower and help your neighbors. He discussed the pet adoption program at the T. Russell Reitz Animal Shelter and stated that if you want to adopt a pet for the holidays, visit the Animal Shelter and take a look at the animals needing a good home.

Commissioner Morse asked for a brief update on the Labor Day flood event.

Ron Fehr, City Manager, responded to questions from the Commission and provided an update on the activities related to the flood event. He highlighted the consent agenda item for professional services for the Wildcat Creek 2-D Flood Model and Memorandum of Understanding to participate in the Resilient Riley County - Wildcat Creek Watershed plan. He also highlighted another consent agenda item to accept the Hazard Mitigation Grant award, execute the Kansas Emergency Mitigation Program Grant Agreement, and execute Agreements for the sale of real estate with three property owners participating in the program.

COMMISSIONER COMMENTS (*CONTINUED*)

Commissioner Morse expressed her appreciation for the new pavement and work on the streets in Knoxberry and those streets nearby in the Northview area.

Commissioner Reddi stated there would not be a City Commission meeting for the next three Tuesday's and wished everyone a Merry Christmas and Happy New Year as well as safe travels to those visiting family and friends.

Mayor Dodson informed the community that the City offices would be closed Christmas Eve, Christmas Day and New Year's Day. However, he stated fire and police personnel will be working and City crews will be ready in case of snow and ice. He highlighted the food baskets that were provided by the Flint Hills Breadbasket and thanked the many volunteers that helped with the food delivery and those that contributed funds for this event. He also thanked the officers at the Riley County Police Department for donating funds to purchase toys for children in the community as well as providing guidance in picking out the toys.

CONSENT AGENDA

(* denotes those items discussed)

MINUTES

The Commission approved the minutes of the Regular City Commission Meeting held Tuesday, December 4, 2018.

CLAIMS REGISTER NO. 2897

The Commission approved Claims Register No. 2897 authorizing and approving the payment of claims from 11/28/2018-12/11/2018, in the amount of \$3,348,847.22.

LICENSES

The Commission approved a Merchant Guard Agency License for calendar year 2019 for Securitas Security Services USA, Inc., 3641 Southwest Plass Avenue Suite 150, Topeka, Kansas; Smart Security, Inc., 625 South Anna Street, Wichita, Kansas; Vendtech-SGI, LLC, 250 N Rock Road, Suite 360, Wichita, Kansas; and VendTech Enterprise, LLC, 250 N Rock Road, Suite 360, Wichita, Kansas; and an annual Cereal Malt Beverages Off-Premises License for Hop-N-Skip, 2233 Tuttle Creek Boulevard; K-State Union Bowling Center, 311 K-State Union; Shop Quik #11, 3108 Anderson Avenue; Shop Quik #12, 430 Fort Riley Boulevard; Shop Quik #14, 529 Richards Drive; Shop Quik #16, 1127 Bluemont Avenue; and Shop Quik #18, 1105 Scenic Landing.

CONSENT AGENDA (CONTINUED)

ORDINANCE NO. 7389 – AMEND – WATER RATES AND CHARGES

The Commission approved Ordinance No. 7389 amending Sections 32-49 and 32-52 of the Code of Ordinances increasing water rates and charges, effective January 1, 2019.

ORDINANCE NO. 7390 – AMEND – SEWER RATES AND CHARGES

The Commission approved Ordinance No. 7390 amending Sections 32-116 and 32-117 of the Code of Ordinances increasing sewer rates and charges, effective January 1, 2019.

ORDINANCE NO. 7391 – AMEND – LOCAL LIMITS PRETREATMENT REGULATIONS – PH UPPER LIMIT

The Commission approved Ordinance No. 7391 amending various sections of Chapter 32 of the Code of Ordinances, including the Local Limits Pretreatment Regulations and pH upper limit.

ORDINANCE NO. 7392 – AMEND – STORMWATER RATE

The Commission approved Ordinance No. 7392 amending Section 32-185 of the Code of Ordinances setting the commercial stormwater rate at \$4.65 per month, per Equivalent Unit and the residential stormwater rate at \$5.82 per month, effective January 1, 2019.

ORDINANCE NO. 7393 – FRANCHISE AGREEMENT – MW TOWERS, LLC

The Commission approved Ordinance No. 7393 amending Article XI of Chapter 15 of the Code of Ordinances, authorizing a competitive infrastructure provider franchise with MW Towers, LLC, and authorized the Mayor and City Clerk to execute the Franchise Agreement.

FIRST READING – REPEAL – PUBLIC USE OF PEACE MEMORIAL AUDITORIUM AND COMMUNITY BUILDING

The Commission approved first reading of an ordinance amending Chapter 23 of the Code of Ordinances by repealing Article III regarding Public Use of the Peace Memorial Auditorium and Community Building.

FIRST READING – AMEND – CEMETERY FEES

The Commission approved first reading of an ordinance amending Chapter 9 of the Code of Ordinances relating to the City-owned and operated cemetery fees.

CONSENT AGENDA (CONTINUED)

RESOLUTION NO. 121818-A – AMEND – PARKS AND RECREATION PROGRAM FEES – USE OF FACILITIES

The Commission approved Resolution No. 121818-A setting fees for Parks and Recreation programs and for the use of designated Parks and Recreation facilities.

RESOLUTION NO. 121818-B – CITY BOUNDARY

The Commission approved Resolution No. 121818-B establishing and defining the boundaries of the city of Manhattan, Kansas, as of December 18, 2018.

RESOLUTION NO. 121818-C - PETITION - LOTS 126-134, SCENIC MEADOWS, UNIT 5, SANITARY SEWER (SS1812) IMPROVEMENTS

The Commission found the petition sufficient and approved Resolution No. 121818-C, finding the project advisable and authorizing construction for Lots 126-134, Scenic Meadows, Unit 5, Sanitary Sewer (SS1812) improvements.

RESOLUTION NO. 121818-D - PETITION - LOTS 126-134, SCENIC MEADOWS, UNIT 5, WATER (WA1814) IMPROVEMENTS

The Commission found the petition sufficient and approved Resolution No. 121818-D, finding the project advisable and authorizing construction for Lots 126-134, Scenic Meadows, Unit 5, Water (WA1814) improvements.

RESOLUTION NO. 121818-E - PETITION - LOTS 126-134, SCENIC MEADOWS, UNIT 5, STREET (ST1812) IMPROVEMENTS

The Commission found the petition sufficient and approved Resolution No. 121818-E, finding the project advisable and authorizing construction for Lots 126-134, Scenic Meadows, Unit 5, Street (ST1812) improvements.

RESOLUTION NO. 121818-F - PETITION - LOTS 34-39, 68-72, 80- 89, AND 143, SCENIC MEADOWS, UNIT 3, SANITARY SEWER (SS1813) IMPROVEMENTS

The Commission found the petition sufficient and approved Resolution No. 121818-F, finding the project advisable and authorizing construction for Lots 34-39, 68-72, 80- 89, and 143, Scenic Meadows, Unit 3, Sanitary Sewer (SS1813) improvements.

RESOLUTION NO. 121818-G - PETITION - LOTS 34-39, 68-72, 80- 89, AND 143, SCENIC MEADOWS, UNIT 3, WATER (WA1815) IMPROVEMENTS

The Commission found the petition sufficient and approved Resolution No. 121818-G, finding the project advisable and authorizing construction for Lots 34-39, 68-72, 80- 89, and 143, Scenic Meadows, Unit 3, Water (WA1815) improvements.

CONSENT AGENDA (CONTINUED)

RESOLUTION NO. 121818-H - PETITION - LOTS 34-39, 68-72, 80- 89, AND 143, SCENIC MEADOWS, UNIT 3, STREET (ST1813) IMPROVEMENTS

The Commission found the petition sufficient and approved Resolution No. 121818-H, finding the project advisable and authorizing construction for Lots 34-39, 68-72, 80- 89, and 143, Scenic Meadows, Unit 3, Street (ST1813) improvements.

AGREEMENT - PROFESSIONAL SERVICES - LOTS 126-134, SCENIC MEADOWS, UNIT 5, SANITARY SEWER (SS1812), WATER (WA1814) AND STREET (ST1812) IMPROVEMENTS AND FOR LOTS 34-39, 68-72, 80- 89, AND 143, SCENIC MEADOWS, UNIT 3, SANITARY SEWER (SS1813), WATER (WA1815), AND STREET (ST1813) IMPROVEMENTS

The Commission authorized the Mayor and City Clerk to execute an Agreement for Professional Engineering Services, in an amount not to exceed \$96,755.00, with SMH Consultants, of Manhattan, Kansas, for Lots 126-134, Scenic Meadows, Unit 5, Sanitary Sewer (SS1812), Water (WA1814) and Street (ST1812) improvements and for Lots 34-39, 68-72, 80- 89, and 143, Scenic Meadows, Unit 3, Sanitary Sewer (SS1813), Water (WA1815), and Street (ST1813) improvements.

*** REQUEST FOR QUALIFICATIONS – WILDCAT CREEK 2-D FLOOD MODEL (SM1818)**

Mayor Dodson stated that Commissioners Butler and Morse would serve on the Selection Committee for the Wildcat Creek 2-D Flood Model.

The Commission authorized City Administration to seek qualifications for professional services and appointed Commissioners Butler and Morse to serve on the Selection Committee for the Wildcat Creek 2-D Flood Model (SM1818).

MEMORANDUM OF UNDERSTANDING - PARTICIPATION - RESILIENT RILEY COUNTY - WILDCAT CREEK WATERSHED PLAN

The Commission authorized the Mayor and City Clerk to execute a Memorandum of Understanding to participate in the Resilient Riley County - Wildcat Creek Watershed plan.

CONTRACT AMENDMENT NO. 2 – PROFESSIONAL SERVICES – KIMBALL AVENUE AND COLLEGE AVENUE INTERSECTION (ST1718)

The Commission approved and authorized the Mayor and City Clerk to execute Contract Amendment No. 2, in an amount not to exceed \$22,500.00, with BG Consultants, Inc., of Manhattan, Kansas, for the Kimball Avenue and College Avenue Intersection project (ST1718).

CONSENT AGENDA (CONTINUED)

2019 CONTRACT – MANHATTAN ARTS CENTER FOR THE ARTS

The Commission approved the contract as budgeted in the 2019 City Budget and authorized the Mayor and City Clerk to execute said contract with the Manhattan Center for the Arts.

2019 CONTRACT – WOLF HOUSE MUSEUM

The Commission approved the contract as budgeted in the 2019 City Budget and authorized the Mayor and City Clerk to execute said contract with the Wolf House Museum.

2019 CONTRACT – DOWNTOWN MANHATTAN, INC.

The Commission approved the contract as budgeted in the 2019 City Budget and authorized the Mayor and City Clerk to execute said contract with the Downtown Manhattan, Inc.

2019 CONTRACT – AGGIEVILLE BUSINESS DISTRICT

The Commission approved the contract as budgeted in the 2019 City Budget and authorized the Mayor and City Clerk to execute said contract with the Aggieville Business District.

2019 CONTRACT – FLINT HILLS AREA TRANSPORTATION AGENCY

The Commission approved the contract as budgeted in the 2019 City Budget and authorized the Mayor and City Clerk to execute said contract with the Flint Hills Area Transportation Agency.

2019 CONTRACT – SOCIAL SERVICES ADVISORY BOARD AGENCIES

The Commission approved the contract as budgeted in the 2019 City Budget and authorized the Mayor and City Clerk to execute said contract with the Social Services Advisory Board agencies (*See Attachment No. 1*).

2019 CONTRACT – SPECIAL ALCOHOL FUND AGENCIES

The Commission approved the contract as budgeted in the 2019 City Budget and authorized the Mayor and City Clerk to execute said contract with the Special Alcohol Fund agencies (*See Attachment No. 2*).

2019 CONTRACT – AGGIEVILLE BUSINESS IMPROVEMENT DISTRICT

The Commission authorized the Mayor and City Clerk to execute the 2019 Aggieville Business Improvements District contract.

CONSENT AGENDA (CONTINUED)

2019 CONTRACT – DOWNTOWN BUSINESS IMPROVEMENT DISTRICT

The Commission authorized the Mayor and City Clerk to execute the 2019 Downtown Business Improvements District contract.

* **GRANT AGREEMENT/PURCHASE – HAZARD MITIGATION – 157 BETHANY DRIVE**

Commissioner Morse voiced her pleasure with the Hazard Mitigation Grant to purchase three homes as a result of the recent flood with FEMA funds.

The Commission accepted the Hazard Mitigation Grant award; authorized the Director of Community Development to execute the Kansas Emergency Mitigation Program Grant Agreement (CFDA 97.039) as the Authorized Applicant Agent; and authorized City Administration to finalize and the Mayor and City Clerk to execute the Agreement for Sale of Real Estate with the property owner of 157 Bethany Drive.

* **GRANT AGREEMENT/PURCHASE – HAZARD MITIGATION – 700 FAIRMAN DRIVE**

Commissioner Morse voiced her pleasure with the Hazard Mitigation Grant to purchase three homes as a result of the recent flood with FEMA funds.

The Commission accepted the Hazard Mitigation Grant award; authorized the Director of Community Development to execute the Kansas Emergency Mitigation Program Grant Agreement (CFDA 97.039) as the Authorized Applicant Agent; and authorized City Administration to finalize and the Mayor and City Clerk to execute the Agreement for Sale of Real Estate with the property owner of 700 Fairman Drive.

* **GRANT AGREEMENT/PURCHASE – HAZARD MITIGATION – 945 VILLAGE DRIVE**

Commissioner Morse voiced her pleasure with the Hazard Mitigation Grant to purchase three homes as a result of the recent flood with FEMA funds.

The Commission accepted the Hazard Mitigation Grant award; authorized the Director of Community Development to execute the Kansas Emergency Mitigation Program Grant Agreement (CFDA 97.039) as the Authorized Applicant Agent; and authorized City Administration to finalize and the Mayor and City Clerk to execute the Agreement for Sale of Real Estate with the property owner of 945 Village Drive.

APPROVE – CITY PARK MASTER PLAN

The Commission approved the City Park Master Plan, dated December 2018.

CONSENT AGENDA (*CONTINUED*)

* **BOARD APPOINTMENTS**

Commissioner Butler stated that he was pleased to see two citizens appointed to the Riley County Law Enforcement Board and encouraged Riley County to appoint a citizen as well.

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

Aggieville Business Improvement District Advisory Board

Appointment of Jennifer Kuntz, 1212 Bluemont Avenue, to a three-year term. Ms. Kuntz's term will begin January 1, 2019, and will expire December 31, 2021.

Bicycle and Pedestrian Advisory Committee

Appointment of Julie Gibbs, 2216 Butternut Lane, to the unexpired At-Large term of Karen Hawes. Ms. Gibbs' term begins immediately and will expire October 31, 2019.

Board of Zoning Appeals

Re-appointment of La Barbara James Wigfall, 2602 Georgetown Place, to a three-year term. Ms. Wigfall's term will begin January 1, 2019, and will expire December 31, 2021.

Re-appointment of Sara Fisher, 811 Osage, to a three-year term. Ms. Fisher's term will begin January 1, 2019, and will expire December 31, 2021.

Cemetery Board

Re-appointment of Albert Hamscher, 2910 Tatarax Drive, to a three-year term. Mr. Hamscher's term will begin January 1, 2019, and will expire December 31, 2021.

Downtown Business Improvement District Advisory Board

Appointment of Angela Stokes, 424 Stone Grove Drive, to a two-year term. Ms. Stokes' term will begin January 1, 2019, and will expire December 31, 2020.

Re-appointment of Daniel Crouch, 3304 Pinewood Lane, to a two-year term. Mr. Crouch's term will begin January 1, 2019, and will expire December 31, 2020.

CONSENT AGENDA (CONTINUED)

BOARD APPOINTMENTS (CONTINUED)

Downtown Business Improvement District Advisory Board (CONTINUED)

Re-appointment of Kate Narrow, 2687 Blue Mesa Road, to a two-year term. Ms. Narrow's term will begin January 1, 2019, and will expire December 31, 2020.

Flint Hills Area Transportation Agency Board

Appointment of Jerred McKee to the City Commissioner position, per the new Flint Hills Area Transportation Agency Interlocal Agreement and having served as the City Commissioner's position on the recently terminated Flint Hills Regional Transportation Agency Board. Commissioner McKee's term begins immediately.

Flint Hills Discovery Center Advisory Board

Appointment of James Laverty, 2937 Nevada Street, to a three-year term. Mr. Laverty's term will begin February 1, 2019, and will expire January 31, 2022.

Re-appointment of John Pecoraro, 404 Bluemont Avenue, to a three-year term. Mr. Pecoraro's term will begin February 1, 2019, and will expire January 31, 2022.

Riley County Law Enforcement Board

Appointment of Linda Morse, 2118 Spain Drive, to a two-year City At-Large term. Ms. Morse's term will begin January 1, 2019, and will expire December 31, 2020.

Appointment of Robert Ward, 311 Rosewalk Place, to a two-year City At-Large term. Mr. Ward's term will begin January 1, 2019, and will expire December 31, 2020.

Re-appointment BeEtta Stoney, 805 Gillespie Drive, to a two-year City-Rotating term. Ms. Stoney's term will begin January 1, 2019, and will expire December 31, 2020.

Re-appointment of Michael Dodson, 4109 Wellington Drive, to a two-year City Commissioner term. Mr. Dodson's term begin January 1, 2019, and will expire December 31, 2020.

CONSENT AGENDA (CONTINUED)

BOARD APPOINTMENTS (CONTINUED)

Social Services Advisory Board

Appointment of Brandon Savage, 3118 Amherst Avenue, to a three-year term. Mr. Savage's term begins immediately and will expire June 30, 2021.

Appointment of Sue Maes, 428 Wickham Road, to a three-year term. Dr. Maes' term begins immediately and will expire June 30, 2021.

Appointment of Jay Spencer, 2083 Tecumseh Road, to fill the unexpired term of Alexander Puderbaugh. Ms. Spencer's term begins immediately and will expire June 30, 2021.

Special Alcohol Funds Advisory Committee

Appointment of Alexander Van Dyke, 3309 Effingham Street, to fill the unexpired term of Bryce Swanson. Mr. Van Dyke's term begins immediately and will expire June 30, 2020.

Mayor Dodson opened the public comments.

Hearing no comments, Mayor Dodson closed the public comments.

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

GENERAL AGENDA

FIRST READING - REZONE - 1810-1812 TODD ROAD (FROM R-3, MULTIPLE-FAMILY RESIDENTIAL DISTRICT, TO R-3/UO, MULTIPLE-FAMILY RESIDENTIAL DISTRICT WITH UNIVERSITY OVERLAY DISTRICT)

Chad Bunger, Assistant Director of Community Development, presented an overview of the item and highlighted the subject site map. He then responded to questions from the Commission.

Mayor Dodson opened the public comments.

Emily Koenig, 6550 Harbour Haven, representing Lutheran Campus Ministries, asked if there were any specific questions from the Commission regarding this project.

GENERAL AGENDA (CONTINUED)

FIRST READING - REZONE - 1810-1812 TODD ROAD (FROM R-3, MULTIPLE-FAMILY RESIDENTIAL DISTRICT, TO R-3/UO, MULTIPLE-FAMILY RESIDENTIAL DISTRICT WITH UNIVERSITY OVERLAY DISTRICT) (CONTINUED)

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

After discussion, Commissioner Butler moved to approve first reading of an ordinance rezoning 1810-1812 Todd Road from R-3, Multiple-Family Residential District, to R-3/UO, Multiple-Family Residential with University Overlay District, based on the findings in the Staff Report (*See Attachment No. 3*) and the recommendation of the Manhattan Urban Area Planning Board Planning Board. Commissioner McKee seconded the motion. On a roll call vote, motion carried 5-0.

2018 CHAMBER OF COMMERCE YEAR-END REPORTS AND 2019 CONTRACTS

Lyle Butler, President, Manhattan Area Chamber of Commerce, introduced the item and members of his leadership team.

Karen Hibbard, Director, Manhattan Convention and Visitors Bureau (CVB), introduced the CVB's fourth quarter report.

Ben Siegel, Co-Chair, CVB, provided the mission statement of the Manhattan CVB and highlighted activities during the fourth quarter of 2018.

Karen Hibbard, Director, Manhattan Convention and Visitors Bureau (CVB), presented a meetings video that will be used in 2019.

Ben Siegel, Co-Chair, CVB, highlighted the fourth quarter sport events, the Smith Travel Research year to date through October 2018, and monthly hotel occupancy numbers. He presented the Visit Manhattan website number of visits and page views, Social Media followers on Facebook, Twitter and Instagram, and provided an update on the Johnny Kaw bobble heads for sale.

Karen Hibbard, Director, Manhattan Convention and Visitors Bureau (CVB), highlighted a new video for social media campaigns next year called, "Willie Wanders Manhattan".

Ben Siegel, Co-Chair, CVB, presented the Kansas Tourisms Conference awards received by the CVB staff and highlighted the Learfield/K-State Sports and events in the fourth quarter.

Karen Hibbard, Director, Manhattan Convention and Visitors Bureau (CVB), highlighted the 2019 Visitors Guide cover and features in the Guide. She presented a video highlighting

GENERAL AGENDA (CONTINUED)

2018 CHAMBER OF COMMERCE YEAR-END REPORTS AND 2019 CONTRACTS (CONTINUED)

the holiday events and discussed the design to be used on the CVB website, social media, and advertising outlets in the region. She then responded to questions from the Commission regarding the number of people attending the Festival of Lights, the activity levels and analytics of social media, the number of hotel rooms in Manhattan, and the occupancy levels and room inventory for the fourth quarter.

Mayor Dodson opened the public comments on the CVB portion of the item.

Hearing no comments, Mayor Dodson closed the public comments.

Lyle Butler, President, Manhattan Area Chamber of Commerce, thanked Karen Hibbard and her staff for the great work that they do. He then introduced the economic development item and highlighted the funding sources received for economic development initiatives, with over 70 percent of the revenue coming from private sources for the “Power Our Potential” campaign. He also presented economic development funding trends and responded to questions from the Commission regarding the military affairs program and past private and public funding sources.

John Pagen, Director, Community Development, Manhattan Area Chamber of Commerce, presented sales activity for Manhattan, comparable cities for employment, job gain/loss, and ranking in the state. He highlighted a Department of Labor force graph, discussed workforce initiatives, and stated they participated in the USD 383 Meet and Greet with Manhattan Area Technical College. He also highlighted a mailer with K-State alums for Return to the Flint Hills, discussed talent attraction and retention, and provided recent accolades.

Janet Nichols, Military Community Liaison, Manhattan Area Chamber of Commerce, discussed several new initiatives including the Advise program and the Kansas Military Alliance. She highlighted Military Appreciation Day, General Milley at the Association of the United States Army (AUSA) Annual Meeting in Washington, DC, and the Veterans Day Parade. She also provided a brief update on the First Infantry Division at Fort Riley and activities associated with the Military Relations Committee.

Trent Armbrust, Director, Economic Development, Manhattan Area Chamber of Commerce, spoke about partnerships in economic development. He highlighted the Kansas Entrepreneurial Center (KEC) and its tenants, activities at the Manhattan Business Park, the Entrepreneurial Ecosystem, and the future of incentives nationally with reduced capital and on-demand talent.

GENERAL AGENDA (CONTINUED)

2018 CHAMBER OF COMMERCE YEAR-END REPORTS AND 2019 CONTRACTS (CONTINUED)

John Pagen, Director, Community Development, Manhattan Area Chamber of Commerce, responded to questions from the Commission regarding communications with the Flint Hills Regional Council and provided an update on Region Reimagined.

Janet Nichols, Military Community Liaison, Manhattan Area Chamber of Commerce, responded to questions from the Commission regarding the Kansas Military Alliance and provided information on its meeting schedule and locations throughout the state of Kansas.

Trent Armbrust, Director, Economic Development, Manhattan Area Chamber of Commerce, responded to questions from the Commission regarding the Animal Health Corridor, the need for flex space for employers and on-demand labor, and the collaboration with community and regional partners. He provided additional information on the Manhattan Business Park and the need to start thinking about the location for the next business or industrial park. He also discussed the challenges with filling workforce gaps with skilled talent in the future.

Mayor Dodson opened the public comments on Economic Development, Fort Riley Promotion and 2019 contracts with the Manhattan Area Chamber of Commerce.

Hearing no comments, Mayor Dodson closed the public comments.

Mayor Dodson thanked Chamber President Lyle Butler for his leadership, teambuilding and confidentiality in working with businesses. He stated this will be his last formal presentation to the City Commission as Chamber President and said the growth of Manhattan has been significant. Mayor Dodson and the City Commissioners expressed their appreciation to Mr. Butler and his team.

After additional comments, Commissioner Morse moved to authorize the Mayor and City Clerk to execute the Economic Development, Fort Riley Promotion, and Tourism and Convention contracts for 2019 with the Manhattan Area Chamber of Commerce. Commissioner Reddi seconded the motion. On a roll call vote, motion carried 5-0.

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

ACCEPT LAND DONATION - SCENIC MEADOWS OPEN SPACE TRACTS

Wyatt Thompson, Assistant Director, Parks and Recreation, provided an overview of the item. He highlighted the location of the property and described Tract C, Tract D, and Tract H. He presented concerns with Tracts C and D and highlighted the opportunity to connect Tract H with the Roger Schultz Community Park and the VMI Tract, providing an

GENERAL AGENDA (*CONTINUED*)

ACCEPT LAND DONATION - SCENIC MEADOWS OPEN SPACE TRACTS (*CONTINUED*)

opportunity for a connected trail network. He highlighted the conceptual trail system and preliminary costs associated with the tracts of land; discussed public comments expressed from the August 27, 2018, public neighborhood meeting; and highlighted the Parks and Recreation Advisory Board recommendation to accept Tracts C, D and H, with two conditions as well as City staff recommendation to only accept Tract H. He responded to questions from the Commission and provided additional information on the item.

Jim Hollinger, 3547 Silver Creek Road, representing the current owner of Cedar Hills Development Corporation, informed the Commission that they would like to donate the land to the City. He stated that the value to the City as parkland is worth far more than the taxes that are ever going to be generated from the land. He then responded to questions from the Commission regarding the terrain, accessibility and the Military Trail.

Wyatt Thompson, Assistant Director, Parks and Recreation, responded to questions from the Commission on the potential for trails development, hiking paths, the existing Military Trail, and discussed the challenges with the existing terrain. He also discussed access and maintenance strategies and considerations.

After comments from the Commission and expressing their interest in the recommendation for Tract H, Wyatt Thompson, Assistant Director, Parks and Recreation, stated that typically the Parks Advisory Board doesn't receive a recommendation but are asked for their thoughts or opinions for how to proceed on certain initiatives. Then, staff take that into consideration and present to the City Commission. He then responded to questions from the Commission and stated that additional evaluation would be needed to determine if disc golf could potentially be considered with the Scenic Meadows tract, which is adjacent to the Roger Schultz Community Park.

Mayor Dodson opened the public comments.

Hearing no comments, Mayor Dodson closed the public comments.

After discussion and comments from the Commission, Commissioner Butler moved to accept the land donation from Cedar Hills Development Corporation of Tract H, Scenic Meadows, Unit 5, generally located directly adjacent to the Roger Schultz Community Park on the north and the VMI Tract on the east, and authorize City Administration to finalize and the Mayor and City Clerk to execute a Real Estate Transfer Agreement. Commissioner McKee seconded the motion. On a roll call vote, motion carried 5-0.

GENERAL AGENDA (CONTINUED)

DEVELOPMENT AGREEMENT/ DONATION CONTRACTS - STONEHAVEN, UNIT TWO

Brian Johnson, City Engineer, presented an overview of the item. He highlighted the Donation Contracts and Development Agreement. He then responded to questions from the Commission regarding the proposed projects for the Stonehaven Subdivision, potential connectivity to the VMI tract, the pond located on the property, and outlined the additional processes and future actions to be considered.

Neil Horton, Developer, BCC Development, LLC, thanked City staff and Bill Frost, City's Legal Counsel, for working together to create a collaborative agreement. He provided additional information about the pond on the site and stated they were waiting to receive a permit from the Kansas Department of Agriculture.

Mayor Dodson opened the public comments.

Hearing no comments, Mayor Dodson closed the public comments.

After discussion and comments from the Commission, Commissioner McKee moved to authorize City Administration to finalize and the Mayor and City Clerk to execute a Development Agreement for Public Infrastructure that will consist of nine projects for the Stonehaven Subdivision and a Contract for Donation of Real Estate with BCC Development, LLC, for Stonehaven Addition, Unit Two, Tracts A and B; and authorize City Administration to finalize and the Mayor and City Clerk to execute a Contract for Donation of Real Estate with Manhattan Properties, LLC, for Stonehaven Addition, Unit Two, Tract C. Commissioner Butler seconded the motion. On a roll call vote, motion carried 5-0.

ADJOURNMENT

At 9:35 p.m., the Commission adjourned.



Gary S. Fees, MMC, City Clerk

Social Services Advisory Board Agencies

	2019	
<i>Basic Human Needs (food, clothing, shelter, transportation)</i>	<i>Request</i>	<i>Allocated</i>
Crisis Center (intervention/shelter programs)	\$48,800	\$48,800
MESI	\$66,768	\$66,768
Shepherd's Crossing	\$50,000	\$50,000
<i>Prevention/Intervention (Youth)</i>		
Big Brothers/Big Sisters	\$37,000	\$37,000
Boys and Girls Clubs	\$30,605	\$30,605
Circles Manhattan	\$14,000	\$14,000
Morning Star Inc., CRO	\$12,000	\$12,000
Sunflower CASA	\$56,000	\$56,000
K-State Center for Child Development	\$50,000	\$44,132
<i>Prevention/Intervention (Elderly and Disabled)</i>		
Homecare and Hospice	\$58,000	\$50,812
Kansas Legal Services	\$37,000	\$37,000
Totals	\$460,173	\$447,117

Special Alcohol Fund Agencies

Big Brothers/Big Sisters
 Boys & Girls Club
 Friends of Recovery Association
 KSU - AODES
 Manhattan Emergency Shelter
 Pawnee Mental Health
 Riley County Comm. Corrections - Juvenile Services
 Riley County Comm. Corrections - Adult
 Riley County Court Services - Probation
 Sunflower CASA
 The Restoration Center
 Thrive! (formerly Circles Manhattan)
 UFM Learning Center
 Unified School Dist. #383
Total

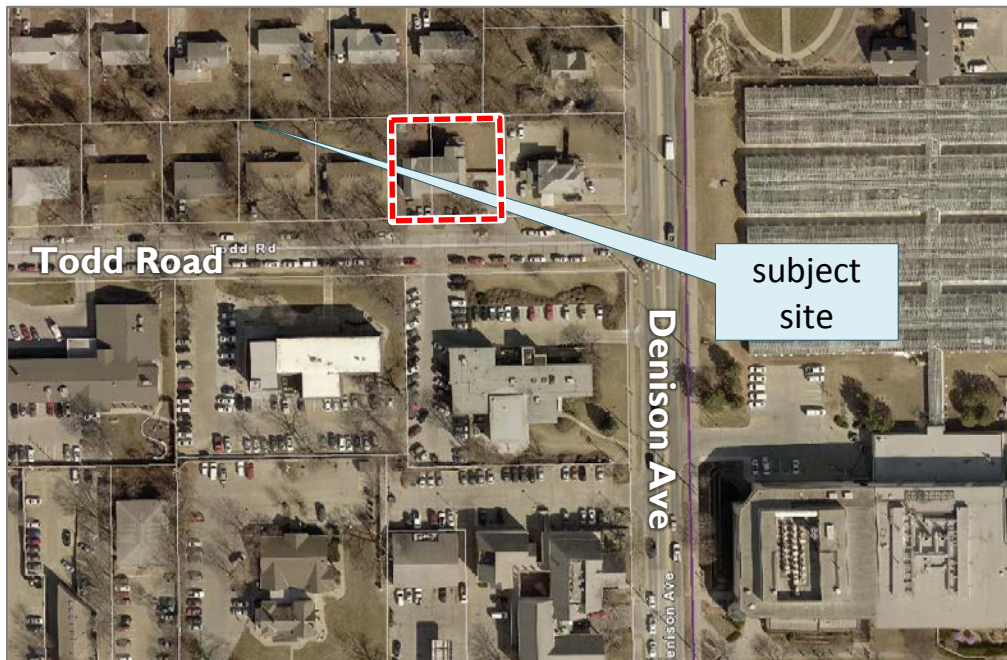
	2019	
	Requested	Allocated
Big Brothers/Big Sisters	\$19,000	\$16,000
Boys & Girls Club	\$29,011	\$18,000
Friends of Recovery Association	\$25,000	\$10,000
KSU - AODES	\$87,161	\$15,000
Manhattan Emergency Shelter	\$18,000	\$18,000
Pawnee Mental Health	\$123,148	\$75,000
Riley County Comm. Corrections - Juvenile Services	\$7,000	\$7,000
Riley County Comm. Corrections - Adult	\$28,720	\$18,000
Riley County Court Services - Probation	\$3,000	\$3,000
Sunflower CASA	\$56,000	\$40,000
The Restoration Center	\$75,000	\$40,000
Thrive! (formerly Circles Manhattan)	\$10,000	\$10,000
UFM Learning Center	\$ 20,000	\$20,000
Unified School Dist. #383	\$233,899	\$200,000
Total	\$734,939	\$490,000



Staff Report

Community Development Department

Rezoning	1810–1812 Todd Road	REZ-18-072
To:	Manhattan Urban Area Planning Board	
From:	John Adam, AICP, Senior Planner	
Meeting Date:	December 3, 2018	
Applicant/Owner:	ELCA Lutheran Campus Ministry at KSU	
Property Location:	1810–1812 Todd Road, 160 feet west of the intersection of Dennison Avenue and Todd Road	
Total Area:	11,763 square feet	
Current Zoning:	R-3, Multiple-Family Residential	
Requested Zoning:	R-3/UO, Multiple-Family Residential with University Overlay	
Neighborhood zoning:	north: R-3	south: R-3/UO
	east: R-3/UO & U	west: R-3



REQUEST

Applicant requests rezoning to apply the University Overlay (UO) to two lots currently zoned R-3, Multiple-Family Residential. The request area comprises Lots 1 and 2 of Tex Winter Addition, Unit 3, a two-lot subdivision platted in May 2000. The current underlying zoning would remain as is. The applicant intends to move Luther House, a campus ministry, to this location.

ANALYSIS

The following items will help to determine if the specific property is suitable for the rezoning request. These are the 13 matters to consider when rezoning found in Section 15-403 of the Zoning Regulations. The criteria are in bold print, followed by findings of fact and staff evaluations, when applicable.

A. Whenever the Planning Board or the Governing Body acts upon a proposed amendment to the Zoning Ordinance that is not a general revision of existing regulations and affects specific property, they shall address the following matters:

1. **The existing use of property.** The use is two-family residential.

Evaluation: The property is being used according to current zoning allowances.

2. **The physical and environmental characteristics of the property.** The two lots are flat and surrounded by urban development. They contain a residential structure and scattered paved parking areas.

Evaluation: This is a developed lot that has no physical or environmental factors that argue against rezoning.

3. **The zoning and land uses of nearby properties**

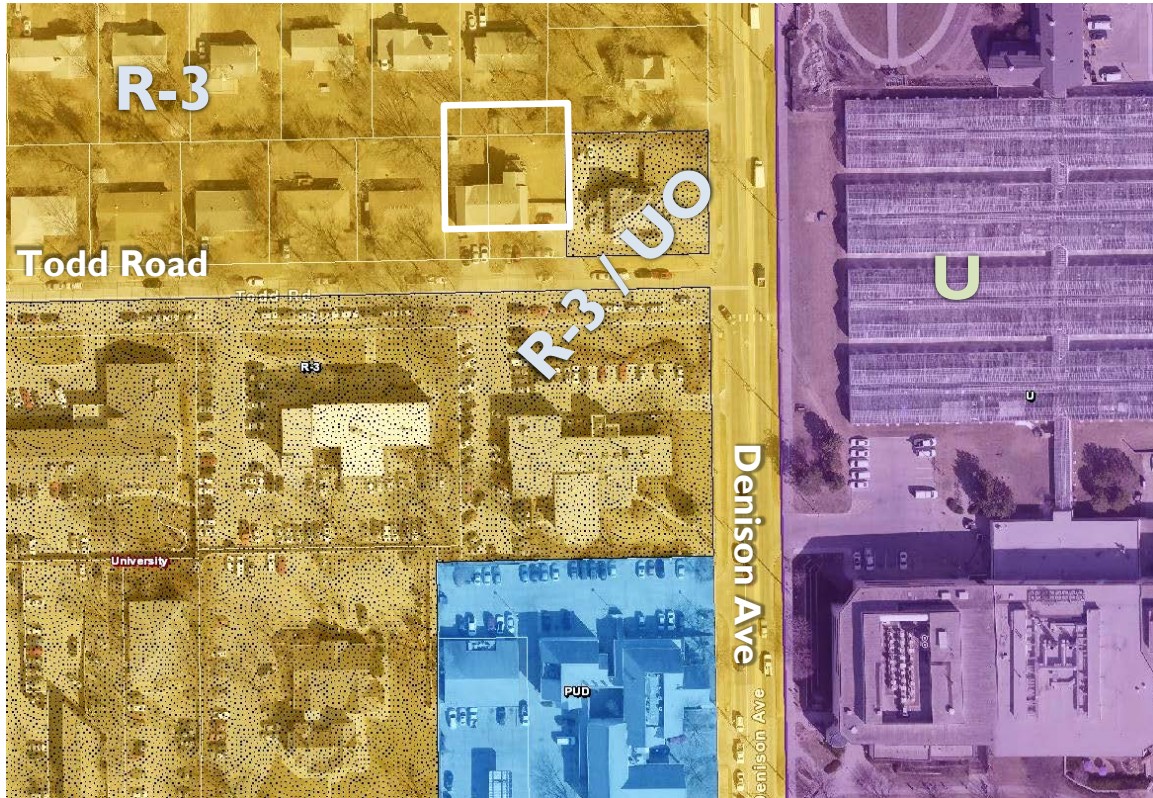
North R-3, Multiple-Family Residential. Single-family houses.

South R-3/UO, Multiple-Family Residential with University Overlay. Sororities and fraternities.

East R-3/UO, Multiple-Family Residential with University Overlay; U, University. Campus ministry building; KSU campus.

West R-3, Multiple-Family Residential. Single-family houses.

See map below for zoning context.



4. **The suitability of the property for land uses to which it is restricted under current zoning.** The lots contain a permitted medium-density residential use in a high-density residential zoning district. There are adequate public facilities to serve the use.

Evaluation: The lots are suitable for their current zoning. This consideration is not relevant to the question of applying an overlay zone.

5. **The character of the neighborhood.** The entire area across Todd Road from the subject site has the University Overlay on it, and there are Greek houses along much of the block face. There is a piece of University Overlay on the lot east of the subject site. Everything else to the north and west is single- or two-family housing.

Evaluation: Application of the UO designation would not be out of character for the neighborhood.

6. **The compatibility of the proposed zoning district with nearby properties and the extent to which it may detrimentally affect those properties.** See findings above for the character of the neighborhood.

Attachment No. 3

Evaluation: The UO district is intended to allow the “establishment of the types of uses which ordinarily locate close to a University, but which might not be located on University property. The University Overlay District regulations are to be applied in combination with any residential district.” The proposed rezoning would allow a number of uses that are allowed conditionally (excerpted from Sec. 4-109 (B) of the Zoning Regulations).

- Art galleries, libraries and museums
- Bed and breakfast homes
- Bed and breakfast inns
- Colleges, universities, vocational-technical institutions, theological schools, and other educational institutions and their associated activities
- Fraternal and service clubs
- Fraternities and sororities
- Lodging/boarding houses
- Offices, meeting rooms, laboratories and other facilities for educational, fraternal, professional, religious, and research organizations and institutions
- Private or public parking lots or garages
- Schools

The entire area across Todd Road from the subject site has the University Overlay on it, and there are Greek houses along much of the block face. There is a piece of University Overlay on the lot east of the subject site. Everything else to the north and west is single- or two-family housing. That area was upzoned to R-3 in 2015 based on the future land use map and Policy GM-1.1D, Infill and Redevelopment, in the 2015 Comprehensive Plan:

Encourage infill and redevelopment...in areas that have been specifically identified for redevelopment, such as...areas designated for Residential High Density or Urban Core Residential adjacent to the KSU campus. Infill and redevelopment opportunities may range in size from a single residential lot to multiple contiguous blocks within a neighborhood or commercial area (p. 19).

Attachment No. 3

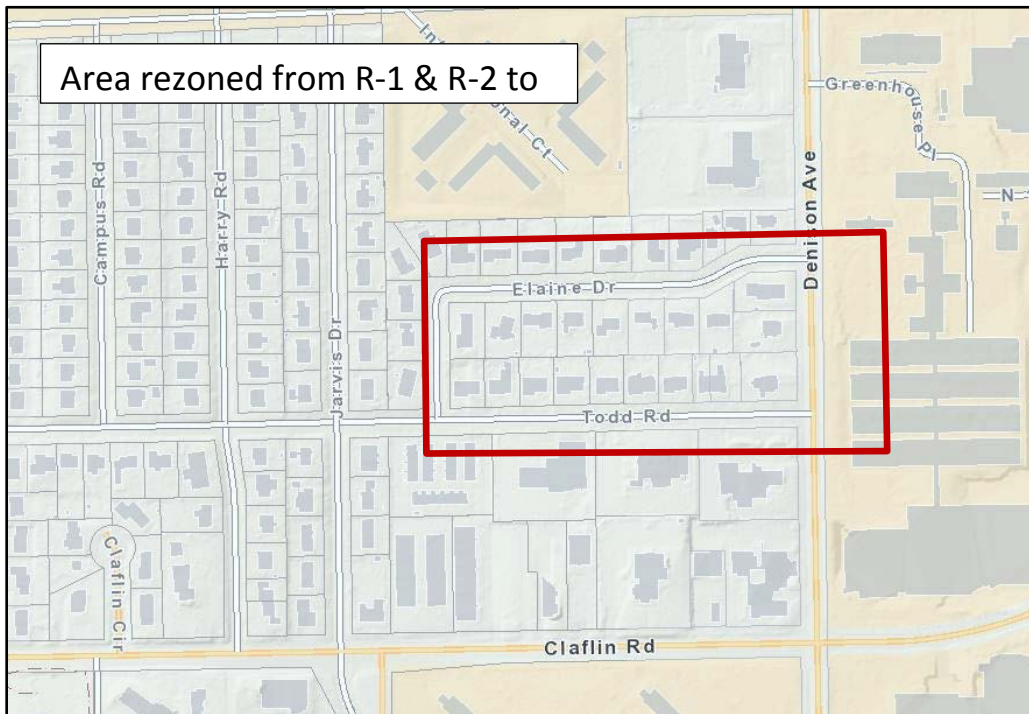
The aim of the upzoning was to intensify the residential density to increase the housing options close to campus. The addition of an overlay that permits a variety of university-associated activities would not be detrimental to the neighborhood.

7. **The conformance of the requested change to the adopted Comprehensive Plan for the City of Manhattan. (If the proposed amendment is in accordance with said Comprehensive Plan, it shall be presumed to be reasonable).** The subject site and vicinity was upzoned to R-3 in 2015 to accord with the future land use map. The Comprehensive Plan is silent on the University Overlay zone.

Evaluation: Guidance for the appropriateness of applying the University Overlay in this location is found in the intent of the overlay stated under criterion 6, above. The subject site is both close to the university and has underlying residential zoning. The rezoning is appropriate.

8. **The zoning history of the subject property and the length of time it has remained vacant as zoned.** The site is not vacant. A duplex has stood there for many years. The lot had been zoned R-1, Single-Family Residential, until 1990 when it was rezoned R-2, Two-Family Residential (Ord. no. 4644). In 2015 it was part of a block of upzoning undertaken by the City to R-3, Multiple-Family Residential. The lot to the east received the University Overlay in 2001 specifically for the purpose of establishing a ministry for students.

Evaluation: The zoning history shows a pattern of change toward greater intensity because of its proximity to the university. Applying a UO designation would be in character with that history. Vacancy is not relevant in this case.



9. **Whether the proposed district would be consistent with the intent and purpose of these regulations.** The purpose of the Manhattan Zoning Regulations includes: dividing the City into zones and districts; regulating and restricting the location and use of buildings and the uses of land within each district; protecting the public health, safety, and general welfare; protecting property values; and regulating and restricting the height, number of stories and size of buildings, the density of population, and the appearance of buildings (§2-101).

Evaluation: The proposed zoning district is consistent with the intent and purpose of the zoning ordinance.

10. **The relative gain to the public health, safety, and welfare that denial of the request would accomplish, compared with the hardship imposed upon the applicant that would result from denial.** If not rezoned the site may continue with the current levels and types of development. The applicant's intended use of the site requires the overlay.

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Evaluation: The requested overlay is not a drastic change to the area. Preceding evaluations demonstrate that the location is appropriate for UO designation, so there is no feasible gain to the public to deny the request and prevent the applicant from developing the land as desired.

- 11. Whether adequate sewer and water facilities, streets, and other needed public services exist, or can be provided, or serve the uses that would be permitted by the proposed zoning district.** The lot has been served adequately by municipal facilities for decades.

Evaluation: None of the uses allowed under the University Overlay would tax public utilities. Public services are adequate.

- 13. Such additional matters as may apply in individual circumstances**

There are no other identifiable factors.

- 12. The recommendations of permanent or professional staff**

The proposed zoning overlay is appropriate for this location, for the character of the vicinity, and it meshes well with the City's 2015 upzoning of the area because it increases the potential mix of uses.

Staff Conclusion: Based on the findings in this report, City Administration recommends approval of the proposed rezoning.

ALTERNATIVES

The MUAPB has the following alternatives concerning the **rezoning**. The Board may:

1. Recommend **approval** of the rezoning based on finding that it is suitable when measured against Section 15-403 of the Zoning Regulations.
2. Recommend **denial** of the rezoning based on finding that it is not suitable when measured against Section 15-403 of the Zoning Regulations.
3. **Table** a recommendation on the rezoning to a specific date, indicating the reasons for tabling.

RECOMMENDATION

City Administration recommends a recommendation of **approval** of the request to rezone from R-3, Multiple-Family Residential District, to R-3/UO, Multiple-Family Residential District with University Overlay District, based on the findings in this staff report.

POSSIBLE MOTIONS

Recommend **approval** of the request to rezone from R-3, Multiple-Family Residential District, to R-3/UO, Multiple-Family Residential District with University Overlay District, based on the findings in the staff report.

Dated: November 28, 2018

Attachments

1. General Location map
2. Application Packet