

CITY OF SALINA, KANSAS
REGULAR MEETING OF THE BOARD OF COMMISSIONERS
September 19, 2016
4:03 p.m.

The City Commission convened at 3:45 p.m. for Citizens Forum.

The Regular Meeting of the Board of Commissioners was called to order at 4:03 p.m. in Room 107, City-County Building. Roll call was taken.

Mayor Crawford provided a statement to the Bethany College President William Jones and the students and staff of Bethany College regarding the recent incident and asked the community of Salina to keep the Bethany College staff, students and residents in their thoughts.

Pledge of Allegiance was said and followed by a moment of silence.

Those present and comprising a quorum: Mayor Kaye J. Crawford (presiding), Commissioners Jon Blanchard, Trent Davis, and Randall Hardy.

Also present: Jason Gage, City Manager; Michael Schrage, Deputy City Manager; Greg Bengtson, City Attorney; and Shandi Wicks, City Clerk.

Absent: Commissioner Karl Ryan.

AWARDS AND PROCLAMATIONS

- (3.1) The week of September 17 - 23, 2016 as "Constitution Week" in the city of Salina. Mayor Crawford read the proclamation.

CITIZENS FORUM

Jim Teutsch, General Services Operations Manager, acknowledged John Berry, Kirk Cibolski, Chris Watson and Jerry Weisendanger for their participation and performance in the 2016 APWA Snow Roadeo Competition and the participants will compete in the National APWA Snow Roadeo on September 28, 2016 in Loveland, Colorado.

John Melvin, 1125 Columbine Circle, provided information on the condition of the streets within the area he lives.

PUBLIC HEARINGS AND ITEMS SCHEDULED FOR A CERTAIN TIME

- (5.1) Community Improvement Districts.
 - (5.1a) Public hearing regarding the advisability of creating a community improvement district in the city of Salina, Kansas to be known as the Downtown Community Improvement District and regarding the City's intent to levy a Community Improvement District Sales Tax within such district (Downtown).
 - (5.1b) Public hearing regarding the advisability of creating a community improvement district in the city of Salina, Kansas to be known as the Alley Community Improvement District and regarding the City's intent to levy a Community Improvement District Sales Tax within such district (Alley).
 - (5.1c) Public hearing regarding the advisability of creating a community improvement district in the city of Salina, Kansas to be known as the Hotel

Community Improvement District and regarding the City's intent to levy a Community Improvement District Sales Tax within such district (Hotel).

- (5.1d) First reading Ordinance No. 16-10863 an ordinance authorizing the creation of the Downtown Community Improvement District in the city of Salina, Kansas (Downtown CID).
- (5.1e) First reading Ordinance No. 16-10864 an ordinance authorizing the creation of the Downtown Community Improvement District in the city of Salina, Kansas (Alley CID).
- (5.1f) First reading Ordinance No. 16-10865 an ordinance authorizing the creation of the Downtown Community Improvement District in the city of Salina, Kansas (Downtown Hotel CID).

Michael Schrage, Deputy City Manager, explained the community improvement district act, city's community improvement district policy, petitions submitted, downtown, alley and hotel community improvement districts and action options.

Commissioner Davis asked if there were any non-retail services within the district. Mr. Schrage stated the only businesses that would be affected within the districts would be businesses that collect sales tax.

Commissioner Davis asked what the development agreement would include. Mr. Schrage stated the development agreement would formalize the details that relate to the STAR Bond plan, the tax increment plan and the community improvement district plans.

Commissioner Blanchard asked what information was given to potential signers of the petition. Mr. Schrage stated the process the petitioner used was taken care of by a private group, that were in attendance today but he could not answer what the process was.

Commissioner Davis asked if the moneys were collected without the development agreement how would they be handled. Mr. Schrage stated the moneys would be collected and held by the City of Salina until the plan was developed in the future.

Mayor Crawford opened the public hearing for the Downtown Community Improvement District.

Guy Walker, 500 Graves Blvd, stated the petitioners indicated to the potential signers the entire package of the community improvement districts, STAR Bond Plan and TIF Plans and Development Agreement would be considered as a package deal. He continued to provide information on the districts, listed a portion of the supporters of the districts and the petitioners who helped collect the signatures.

Commissioner Blanchard asked for clarification on the action options. Mr. Schrage stated the commission could open each public hearing and close each public hearing or opening the public hearing and continue the public hearing to a specified date. There were also four action options on each ordinance available.

Jason Gage, City Manager, stated the action to moving the money that was specified by Mr. Walker would be given as an action item at the same time the STAR Bond Plan, TIF Plan, CID's and the Development Agreement would be considered.

There being no further comments the public hearing for the Downtown Community Improvement District was closed.

16-0368

Greg Bengtson, City Attorney, provided information pertaining to the action options.
Moved by Commissioner Blanchard, seconded by Commissioner Hardy, to take no action on Ordinance No. 16-10863, at this time, and instruct staff to place the ordinance on a future City Commission agenda on a date that corresponds with City Commission consideration of the Development Agreement. Aye: (4). Nay: (0). Motion carried.

Mr. Schrage provided information pertaining to the Alley Community Improvement District.

Mayor Crawford opened the public hearing for the Alley Community Improvement District.

There being no further comments the public hearing for the Alley Community Improvement District was closed.

16-0369

Moved by Commissioner Blanchard, seconded by Commissioner Davis, to take no action on Ordinance No. 16-10864, at this time, and instruct staff to place the ordinance on a future City Commission agenda on a date that corresponds with City Commission consideration of the Development Agreement. Aye: (4). Nay: (0). Motion carried.

Mr. Schrage provided information pertaining to the Hotel Community Improvement District.

Mayor Crawford opened the public hearing for the Hotel Community Improvement District.

There being no further comments the public hearing for the Hotel Community Improvement District was closed.

16-0370

Moved by Commissioner Blanchard, seconded by Commissioner Hardy, to take no action on Ordinance No. 16-10865, at this time, and instruct staff to place the ordinance on a future City Commission agenda on a date that corresponds with City Commission consideration of the Development Agreement. Aye: (4). Nay: (0). Motion carried.

CONSENT AGENDA

- (6.1) Approve the minutes of September 9, 2016.
- (6.2) Approve the minutes of September 12, 2016.
- (6.3) Approve Resolution No. 16-7400 appointing members to various boards and commissions.
- (6.4) Authorize the submittal of the 2016 Justice Assistance Grant (JAG) program grant application, entering into a Memorandum of Understanding with Saline County and the acquisition of equipment as identified.
- (6.5) Award contract with Sirius Computer Solutions for an IBM Power System server, with software and installation, for a total cost of \$39,463.59.

16-0371

Moved by Commissioner Hardy, seconded by Commissioner Blanchard, to approve the consent agenda as presented. Aye: (4). Nay: (0). Motion carried.

ADMINISTRATION

16-0372

- (7.1) First reading Ordinance No. 16-10862 amending Salina Code Sections 2-235 and 2-239 pertaining to Public Improvement Procedures.

Michelle Meyer, Director of Finance & Administration, explained the amendments and action options.

Moved by Commissioner Blanchard, seconded by Commissioner Davis, to pass Ordinance No. 16-10862 amending Salina Code Sections 2-235 and 2-239 pertaining to Public Improvement Procedures on first reading. Aye: (4). Nay: (0). Motion carried.

- (7.2) Resolution No. 16-7394 providing for the advisability and authorization related to establishing special improvement district for water, sanitary sewer, street, and drainage improvements in Grand Prairie Addition, Phase II.

Dan Stack, City Engineer, explained the request, project, estimates, and funding.

Commissioner Blanchard asked if a certificate of completion was completed for Grand Prairie Addition, Phase I. Mr. Stack stated yes and the first phase was completed in 2010.

A conversation ensued between Mr. Stack, Commissioner Blanchard and Commissioner Hardy regarding the condition of the streets in the addition and the new street design standards.

Jason Gage, City Manager, stated microsurfacing was not a repair but preventative maintenance and the earlier you can seal the street the longer the street would last.

A conversation continued to ensue between the Commission, Mr. Stack and Mr. Gage regarding the street conditions, warranty period and repair and maintenance of streets.

Commissioner Blanchard asked about a clause that was in past development agreements but was not in the current agreement pertaining to a safeguard.

Greg Bengtson, City Attorney, stated the document was created by Gilmore & Bell and he was not directly involved with the completion of the document.

Mr. Gage stated that staff certifies the completion of the work and it would be difficult to go back and do an audit after the certification was complete.

A conversation ensued between the Commission, Mr. Stack, and Mr. Gage regarding the street conditions, audit time period and the development agreement content.

Mr. Gage stated the warranty would be included in the acceptance portion of the agreement. Mr. Stack stated the developer and the contractor would work together on the project. Mr. Gage stated he would like for staff to look into the agreement and bring the item back to the Commission at the next meeting.

Jim Kowach, Director of Public Works, provided information on his past experiences with the guarantee of work for developments and the future review of the condition of city streets. Commissioner Blanchard provided his thoughts on the condition of the streets.

16-0373

Moved by Commissioner Davis, seconded by Commissioner Hardy, to postpone adoption of Resolution No. 16-7394 providing for the advisability and authorization related to establishing a special improvement district for water, sanitary sewer, street, and drainage improvements in Grand Prairie Addition, Phase II to the October 3, 2016 meeting. Aye: (4). Nay: (0). Motion carried.

- (7.3) STAR Bond Project Plan & Tax Increment Financing Redevelopment Project Plan.
 - (7.3a) First reading Ordinance No. 16-10856 an ordinance adopting a STAR Bond Project Plan for the Downtown STAR Bond District.
 - (7.3b) First reading Ordinance No. 16-10857 an ordinance adopting a Tax Increment Redevelopment Project Plan for the Salina Downtown Redevelopment District.

Michael Schrage, Deputy City Manager, explained the project plans, upcoming community improvement district petitions pending, development agreement, fiscal impact and action options.

Commissioner Blanchard asked if there was a proposed timeframe on the streetscape improvements and if there was a timeframe set for the STAR Bond District. Jason Gage, City Manager, stated the timing was fine for the STAR Bond District through the Department of Commerce but there would be a timing question on the streetscape improvements.

Commissioner Blanchard asked what the timing was for Development Strategies. Mr. Schrage stated the feasibility study should be completed by November 8, 2016 or sooner.

Commissioner Blanchard also asked if there were ordinances that would need to be updated pertaining to the remodeling of the buildings within the district. Mr. Schrage stated the neighborhood revitalization area would need to be scaled back and a few modifications on the building codes could be required.

Mr. Gage stated the question has come recently why the feasibility study was not performed sooner. He continued to state there was a need for the project plan and the legislative action on the future of STAR Bonds.

16-0374 Moved by Commissioner Blanchard, seconded by Commissioner Hardy, to take no action on Ordinance No. 16-10856 an ordinance adopting a STAR Bond Project Plan for the Downtown STAR Bond District, at this time, and instruct staff to place the ordinance on a future City Commission agenda on a date that corresponds with City Commission consideration of the Development Agreement. Aye: (4). Nay: (0). Motion carried.

16-0375 Moved by Commissioner Blanchard, seconded by Commissioner Davis, to take no action on Ordinance No. 16-10857 an ordinance adopting a Tax Increment Redevelopment Project Plan for the Salina Downtown Redevelopment District, at this time, and instruct staff to place the ordinance on a future City Commission agenda on a date that corresponds with City Commission consideration of the Development Agreement. Aye: (4). Nay: (0). Motion carried.

DEVELOPMENT BUSINESS

None.

OTHER BUSINESS

Commissioner Blanchard thanked the Mayor for her comments to lead off the meeting pertaining to Bethany College.

- (9.1) Request for executive session (legal).

16-0376

Moved by Commissioner Davis, seconded by Commissioner Hardy, to recess into executive session for 45 minutes to discuss with legal counsel matters subject to the attorney-client privilege for the reason that public discussion of those matters would waive the privilege and adversely affect the City's interest in the matters and reconvene at 6:30 p.m. Aye: (4). Nay: (0). Motion carried.

The City Commission recessed into executive session at 5:45 p.m. and reconvened at 6:30 p.m. No action was taken.

16-0377

Moved by Commissioner Crawford, seconded by Commissioner Hardy, to extend the current executive session for an additional 20 minutes. Aye: (4). Nay: (0). Motion carried.

The City Commission recessed into executive session at 6:30 p.m. and reconvened at 6:50 p.m. No action was taken.

16-0378

Moved by Commissioner Hardy, seconded by Commissioner Blanchard, to extend the current executive session for an additional 35 minutes. Aye: (4). Nay: (0). Motion carried.

The City Commission recessed into executive session at 6:50 p.m. and reconvened at 7:25 p.m. No action was taken.

16-0379

Moved by Commissioner Hardy, seconded by Commissioner Blanchard, to extend the current executive session for an additional 48 minutes. Aye: (4). Nay: (0). Motion carried.

The City Commission recessed into executive session at 7:25 p.m. and reconvened at 8:13 p.m. No action was taken.

ADJOURNMENT

16-0380

Moved by Commissioner Hardy, seconded by Commissioner Blanchard, that the regular meeting of the Board of City Commissioners be adjourned. Aye: (4). Nay: (0). Motion carried. The meeting adjourned at 8:13 p.m.

[SEAL]

ATTEST:

Shandi Wicks

Shandi Wicks, CMC, City Clerk

Kaye J. Crawford
Kaye J. Crawford, Mayor