



MINUTES
CITY COMMISSION MEETING
TUESDAY, MARCH 3, 2020
7:00 P.M.

The Regular Meeting of the City Commission was held at 7:00 p.m. in the City Commission Room. Mayor Usha Reddi and Commissioners Wynn Butler, Linda Morse, Mark J. Hatesohl, and Aaron Estabrook were present. Also present were City Manager Ron R. Fehr, Deputy City Manager Jason Hilgers, Assistant City Manager Dennis Marstall, City Attorney Katharine Jackson, City Clerk Brenda K. Wolf, 10 staff, and approximately 16 interested citizens.

PLEDGE OF ALLEGIANCE

Mayor Reddi led the Commission in the Pledge of Allegiance.

PROCLAMATIONS

Mayor Reddi proclaimed March 8, 2020, *International Women's Day*. Mary Stamey and Marlene Verbrugge, Co-Presidents; and Connie Nobel, Usha Reddi and Rebecca Balman, Members, American Association of University Women, were present to receive the proclamation.

Mayor Reddi proclaimed March 2020, *March for Meals Month*. Anne Nielsen, Member, and Kay Taylor, Vice Chair, Executive Board, Riley County Council on Aging, were present to receive the proclamation.

PUBLIC COMMENTS

Mayor Reddi opened the public comments and highlighted the process.

Hearing no comments, Mayor Reddi closed the public comments.

COMMISSIONER COMMENTS

Commissioner Estabrook stated he attended a recent Metropolitan Planning Organization (MPO) meeting and that Flint Hills aTa ridership and K-18 ridership are up and that there are more Ogden riders coming into the community.

Commissioner Morse mentioned that on Saturday, February 29, 2020, the local American Legion held a formal program that recognized five veterans that served in the Battle of the Bulge and that some shared their stories from the war. She stated this may have been the final year for a formal program, but in the future informal programs may be held instead.

Mayor Reddi highlighted the Anthony Middle School Recreation Center groundbreaking ceremony that took place on Friday, February 28, 2020, at 4:00 p.m. She stated that the next groundbreaking would be the Douglass Recreation Center on Wednesday, March 4, 2020, at 4:00 p.m. She mentioned a Community Flood Conference would take place on Saturday, March 21, 2020, at the Hilton Conference Center, which is free to the public, but that they would need to register online if planning to attend.

CONSENT AGENDA

(* denotes those items discussed)

MINUTES

The Commission approved the minutes of the Regular City Commission Meeting held Tuesday, February 18, 2020.

CLAIMS REGISTER NOS. 2935 AND 2936

The Commission approved Claims Register Nos. 2935 and 2936 authorizing and approving the payment of claims from February 12, 2020 – February 25, 2020, in the amounts of \$1,026,701.36 and \$2,392,081.30, respectively.

LICENSES

The Commission approved a **Tree Maintenance License** for calendar year 2020 for Outdoors Unlimited Tree & Landscape, 7113 McGeorge Road, Milford; and an annual **Cereal Malt Beverages Off-Premises Licenses** for Aldi #96, 140 E. Poyntz Avenue, and Dillons #94, 1101 Westloop Place.

ORDINANCE NO. 7473 – AMEND - MANHATTAN URBAN AREA COMPREHENSIVE PLAN

The Commission approved Ordinance No. 7473 amending the Manhattan Urban Area Comprehensive Plan by adopting and incorporating the Bicycle & Pedestrian Systems Plan by reference as presented, and adding the necessary citations to Chapters 4, 7, 8, 9, and Appendix B, as proposed.

CONSENT AGENDA (CONTINUED)

ORDINANCE NO. 7474 – AUTHORIZE FINANCING - WILDCAT CREEK FLOODING STREAMBANK EROSION REPAIR (SP1902)

City Manager Ron Fehr highlighted the item as it pertained to a previous flooding event.

The Commission approved Ordinance No. 7474 authorizing financing for the Wildcat Creek Flooding Streambank Erosion Repair (SP1902) project.

FIRST READING – AMEND SECTION 23-89 - MICRO MOBILITY ON TRAILS

The Commission approved first reading of an ordinance amending Section 23-89 of the Code of Ordinances, relating to the use of certain vehicles within city park or recreation areas or open space areas.

* **FIRST READING – AMEND CHAPTER 9 – NATURAL BURIALS**

Commissioner Butler highlighted the item.

The Commission approved first reading of an ordinance amending Chapter 9 of the Code of Ordinances relating to the City-owned and operated cemeteries, regarding cemetery definitions (Section 9-1), condition of grave spaces (Section 9-16), and disinterment (Section 9-22).

EXCHANGE OF FEDERAL FUNDS 2020

The Commission authorized City Administration to accept the Federal Funds exchange for 2020, in the amount of \$983,263.43, for future transportation projects; and authorized the Mayor and City Clerk to execute an agreement and any related documents necessary to facilitate the Federal Funds exchange.

* **AWARD CONTRACT - SCENIC DRIVE BRIDGE SCOUR REPAIRS (SW1911)**

City Manager Ron Fehr highlighted the item as it pertained to a previous flooding event.

The Commission accepted the Engineer's Opinion of Probable Cost in the amount of \$169,125.00; accepted the Director's recommendation to award the project although all bids exceed seven percent of the estimated cost; found that Hamm, Inc. of Perry, Kansas, is the lowest and best responsible bidder; and authorized the Mayor and City Clerk to execute a construction contract, in the amount of \$187,254.85, with Hamm, Inc., of Perry, Kansas.

CONSENT AGENDA (CONTINUED)

EASEMENTS – KIMBALL AND COLLEGE AVENUE INTERSECTION IMPROVEMENTS (NCC, PH. VI) (ST1718)

The Commission authorized the Mayor and City Clerk to execute a Contract for Purchase of Interests in Real Estate for easements for the Kimball Avenue and College Avenue Intersection Improvements/North Campus Corridor (NCC), Phase VI, Project (ST1718).

LAND LEASE AMENDMENT – STAR A, INC.

The Commission authorized the Mayor and City Clerk to execute a First Amendment to Agreement with Star A, Inc.

Mayor Reddi opened the public comments.

Hearing no comments, Mayor Reddi closed the public comments.

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

GENERAL AGENDA

NEGOTIATE AGREEMENT - MICROMOBILITY SERVICES - ZAGSTER, INC.

Jared Wasinger, Assistant to the City Manager, introduced Adam Greenstein, Micro-Mobility Director, Zagster, Inc., and presented the item. Jared Wasinger, Assistant to the City Manager, and Adam Greenstein, Micro-Mobility Director, Zagster, Inc., answered questions from the Commission.

Linda Cook, Chief of Staff and Director of Community Relations, Kansas State University, stated that the University appreciated working with the City on providing this type of transportation and fully endorsed moving forward with Zagster.

Mayor Reddi opened the public comments.

Dennis Cook, Executive Director, Aggieville Business Association, stated that he met with his Board and that the presentation answered the Board's concerns as to keeping e-scooters off the sidewalks. He requested to continue to have the ability to provide input as to where the e-scooters will be allowed to be parked in Aggieville.

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

GENERAL AGENDA (*CONTINUED*)

NEGOTIATE AGREEMENT - MICROMOBILITY SERVICES - ZAGSTER, INC. (*CONTINUED*)

Commissioner Hatesohl moved to authorize City Administration to negotiate an agreement with Zagster, Inc., of Boston, Massachusetts, for the operation as a micromobility network company on city streets, sidewalks and rights-of-way. Commissioner Butler seconded the motion.

Jared Wasinger, Assistant to the City Manager, provided additional information regarding data sharing.

After Commissioner comments, on a roll call vote, motion carried 5-0.

DISCUSSION: UNIFIED DEVELOPMENT ORDINANCE – OVERVIEW AND REVIEW OF ARTICLES 1, 2, AND 3

Chad Bunger, Assistant Director of Community Development, presented an overview of Articles 1-3 of the Unified Development Ordinance.

Chad Bunger, Assistant Director of Community Development; Katie Jackson, City Attorney; Eric Cattell, Director of Community Development, and Ron Fehr, City Manager, answered questions from the Commission.

Mayor Reddi opened the public comments.

Hearing no comments, Mayor Reddi closed the public comments.

As this was a discussion item, the Commission took no formal action.

EXECUTIVE SESSION

Commissioner Butler moved to recess into Executive Session to discuss legal strategy on contract negotiations pursuant to K.S.A. 75-4319(b)(2), the exception for consultation with the City Attorney on matters that would be deemed privileged in an attorney-client relationship, and to resume the open meeting at 10:00 p.m. in the City Commission Room. Commissioner Morse seconded the motion. On a roll call vote, motion carried 5-0.

At 10:03 p.m., the Commission reconvened with Mayor Reddi and Commissioner Butler, Commissioner Morse, Commissioner Hatesohl, and Commissioner Estabrook in attendance. Mayor Reddi stated that no binding action was taken during Executive Session; therefore, no vote in the open meeting is needed.

ADJOURNMENT

At 10:03 p.m. the Commission adjourned.



Brenda K. Wolf, CMC, City Clerk