



***MINUTES  
CITY COMMISSION MEETING  
TUESDAY, MAY 5, 2020  
7:00 P.M.***

The Regular Meeting of the City Commission was held at 7:00 p.m. in the City Commission Room via a virtual format. Due to City Hall temporarily closed to the public as precautions associated with the COVID-19 pandemic, participating remotely were 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, Assistant to City Manager Jared Wasinger, and City Clerk Brenda K. Wolf.

Also participating remotely were City Attorney Katharine Jackson; Legal Counsel Bill Frost; Director of Public Works Rob Ott; Director of Community Development Eric Cattell; Airport Director Jesse Romo; Assistant Director of Public Works for Water and Wastewater Randy DeWitt; Environmental Compliance Manager Abdu Durar; Grant Administrator Christina L'Ecuyer; Manhattan Area Housing Partnership Executive Director Jill Jacoby; Shultz Construction, Inc., President Brett Ballou; McCownGordon Senior Project Manager Barry Schmidt; and Olsson, Inc., Office Manager Mark Bachamp.

**PLEDGE OF ALLEGIANCE**

Mayor Reddi led the Commission in the Pledge of Allegiance.

**PROCLAMATION**

Mayor Reddi proclaimed May 2020, *Manhattan Bike Month*.

**PUBLIC COMMENTS**

Mayor Reddi stated that due to no in-person public comments temporarily, the public was allowed to submit public comments through the City's website or by e-mailing or calling the City Commissioners directly.

## COMMISSIONER COMMENTS

Commissioner Morse reminded the Commission of the mission of the City, and was appreciative of the patience of the community during the pandemic.

Commissioner Estabrook recognized Mutual Aide MHK for the work they are doing during the pandemic. He stated that during the pandemic crisis he has observed a number of women who are in a leadership role. He recognized Julie Gibbs, Riley County Health Officer; Erin Freidline, Captain, Riley County Police Department; Vivienne Uccello, Public Information Officer, City of Manhattan, and Susie Stanfield, Sign Language Translator, for being role models to young girls, showing them how women can lead in difficult situations.

Commissioner Butler mentioned the T. Russell Reitz Animal Shelter has plenty of animals to adopt and to check its website if you have a pet missing.

City Manager Ron Fehr provided an update on COVID-19 locally, thanked the Manhattan Area Chamber of Commerce for the support they are providing to businesses, and stated all City facilities are closed to the public through May 17, 2020, and that City Staff is telecommuting and working in shifts.

Mayor Reddi stated the Manhattan Recovery Task Force was doing a nice job and would be meeting on Thursday, May 7, 2020, at 2:00 p.m. She also mentioned she would like to discuss on the next legislative agenda an ordinance requiring the public to wear masks.

## CONSENT AGENDA

(\* denotes those items discussed)

### MINUTES

The Commission approved the minutes of the Regular City Commission Meeting held Tuesday, April 21, 2020.

### CLAIMS REGISTER NO. 2943

The Commission approved Claims Register No. 2943 authorizing and approving the payment of claims from April 15, 2020 – April 28, 2020, in the amount of \$2,667,127.60.

### LICENSE

The Commission approved a Tree Maintenance License for the calendar year 2020 for Affordable Tree Care, 800 Laramie Street, Apartment B.

## CONSENT AGENDA (CONTINUED)

### AGREEMENT – WATER AND SEWER MASTER PLAN UPDATE (SP1909, CIP #WA186P)

The Commission authorized the Mayor and City Clerk to execute an Agreement for Professional Engineering Services, in an amount not to exceed \$422,754.00, with Olsson, Inc., of Manhattan, Kansas, for the Water and Sewer Master Plan Update (SP1909, CIP #WA186P).

### SECOND AMENDMENT - FISCAL AGENT - FLINT HILLS METROPOLITAN PLANNING ORGANIZATION (MPO)

Item was pulled from the agenda at the request of the Flint Hills Metropolitan Organization and City Administration.

### FISCAL AGREEMENT – FLINT HILLS METROPOLITAN PLANNING ORGANIZATION (MPO)

Item was pulled from the agenda at the request of the Flint Hills Metropolitan Organization and City Administration.

### OUTSIDE CITY SERVICE AGREEMENTS – GWALTNEY ADDITION

The Commission authorized the Mayor and City Clerk to execute amendments to previous agreements for outside city limits water service connections for the following real estate located in the Gwaltney Addition, Manhattan, Pottawatomie County, Kansas:

1. Lot 1 (C. Mark Robbins and Sheila L. Robbins); and
2. Lot 2 (Gerald L. Stallbaumer and Janet L. Stallbaumer).

### ASSIGNMENT AND ASSUMPTION – NQV8

The Commission consented to the Assignment and Assumption of Agreement for Option to Purchase Real Estate regarding Lot 10, Manhattan Corporate Technology Part, Unit 4, from NQV8, LLC, to ICAN RE, LLC, and authorized the Mayor to execute the Consent.

### BOARD APPOINTMENTS

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

#### *Code Appeals Board*

Re-appointment of Daniel Barr, 15998 Pawnee Road, Olsburg, to a three-year Master Electrician term, which will begin June 1, 2020, and will expire on May 31, 2023.

Re-appointment of Steve Kirby, 8838 Quail Lane, to a three-year Journeyman Plumber term, which will begin June 1, 2020, and will expire on May 31, 2023.

## CONSENT AGENDA (*CONTINUED*)

### BOARD APPOINTMENTS (*CONTINUED*)

#### *Code Appeals Board (CONTINUED)*

Re-appointment of David Stevenson, 5410 Haddon Court, to a three-year Journeyman Mechanic term, which will begin June 1, 2020, and will expire on May 31, 2023.

#### *Historic Resources Board*

Re-appointment of Jana Fallin, 1801 Poyntz Avenue, to a three-year History term, which begins immediately, and will expire on April 30, 2023.

#### *Library Board*

Re-appointment of Stacy Kohlmeier, 3446 Vanesta Drive, to a four-year term, which begins immediately, and will expire on April 30, 2024.

Re-appointment of Medhat Morcos, 1513 Williamsburg Drive, to a four-year term, which begins immediately, and will expire on April 30, 2024.

#### *Municipal Audit Committee*

Re-appointment of Richard Jankovich, 2021 Somerset Square, to a three-year Citizen At-Large term, which begins immediately, and will expire on March 31, 2023.

#### *Special Alcohol Funds Advisory Committee*

Appointment of Scott Seel, 132 South Dartmouth Drive, to fill the unexpired term of Corbin Sedlacek, which begins immediately and will expire on June 30, 2021.

Commissioner Morse moved to approve the consent agenda minus Consent E, SECOND AMENDMENT – FISCAL AGENT - FLINT HILLS METROPOLITAN PLANNING ORGANIZATION (MPO), and FISCAL AGREEMENT – FLINT HILLS METROPOLITAN PLANNING ORGANIZATION (MPO) [*which was pulled from the agenda*]. Commissioner Hatesohl seconded the motion. On a roll call vote, motion carried 5-0.

## PUBLIC HEARING

### COMMUNITY DEVELOPMENT BLOCK GRANT 2020-2024 CONSOLIDATED PLAN - 2020 ANNUAL ACTION PLAN - 2020-2024 ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING - 2020 SUB-RECIPIENT GRANT AGREEMENTS - 2020 CDBG GRANT

Eric Cattell, Director of Community Development, presented the item. He then answered questions from the Commission.

Mayor Reddi opened the public hearing.

Mayor Reddi stated that the public was able to sign up through the City's website if they wanted to provide an oral or written testimony; no submissions were received.

Hearing no comments, Mayor Reddi closed the public hearing.

Commissioner Morse moved to approve and authorize submission of the 2020-2024 Consolidated Plan, the 2020 Annual Action Plan, and the 2020-2024 Analysis of Impediments to Fair Housing; and, authorize the Mayor and City Clerk to execute the 2020 Sub-Recipient Grant Agreements and the 2020 CDBG Grant Contract with HUD. Commissioner Estabrook seconded the motion. On a roll call vote, motion carried 5-0.

## GENERAL AGENDA

### AMEND REAL ESTATE AGREEMENT - MANHATTAN AREA HOUSING PARTNERSHIP (MAHP); RESOLUTION NO. 050520-A - AUTHORIZE THE SALE OF PROPERTY; DEVELOPMENT AGREEMENT (ST2006, WA2012, SS2008)

Jason Hilgers, Deputy City Manager, presented the item. He then answered questions from the Commission.

Jill Jacoby, Manhattan Area Housing Partnership, answered questions from the Commission.

After discussion, Commissioner Morse moved to authorize City Administration to finalize and the Mayor and City Clerk to execute an amended Real Estate Agreement with Manhattan Area Housing Partnership (MAHP); approve Resolution No. 050520-A authorizing the sale of real estate property to MAHP; and authorize City Administration to finalize and the Mayor and City Clerk to execute a development agreement for the construction of public infrastructure [Streets (ST2006), sanitary sewer (SS2008) and fire hydrants (WA2012)], all pertaining to Lee Mill Village, Lots 34-52. Commissioner Hatesohl seconded the motion. On a roll call vote, motion carried 4-1 with Commissioner Butler voting against.

## GENERAL AGENDA (CONTINUED)

### AMENDMENT NO. 1 - CONSTRUCTION MANAGER AT-RISK - GUARANTEED MAXIMUM PRICE (GMP); REIMBURSEMENT AGREEMENT - MARRIOTT HOTEL - 12<sup>TH</sup> STREET, FROM MORO STREET TO BLUEMONT AVENUE (AG1901)

Jason Hilgers, Deputy City Manager, presented the item. He then answered questions from the Commission.

Barry Schmidt, Senior Project Manager, McCownGordon, answered questions from the Commission.

Mayor Reddi read a public comment submitted through the City's website from Dennis Cook, Executive Director, Aggieville Business Association, in support of the 12<sup>th</sup> Street project.

After discussion, Commissioner Hatesohl moved to accept the Guaranteed Maximum Price in the amount of \$2,043,395.00 for the construction of the 12<sup>th</sup> Street Improvements and authorize City Administration to finalize and the Mayor and City Clerk to execute a Phase II agreement, in an amount not to exceed \$2,043,395.00, with McCownGordon, of Manhattan, Kansas, for the 12<sup>th</sup> Street and Bluemont Avenue improvements, from Bluemont Avenue to Moro Street, (AG1901); and approve and authorize the Mayor and City Clerk to execute a reimbursement agreement, for a waterline from Moro Street to the alley, with the hotel developer at 12<sup>th</sup> Street and Bluemont Avenue. Commissioner Butler seconded the motion. On a roll call vote, motion carried 5-0.

### LEASE AGREEMENT AMENDMENT/ PURCHASE AGREEMENT - MARY J. SNEEGAS REVOCABLE TRUST - EXPAND THE CITY OF MANHATTAN BIOSOLIDS FARM (CIP #WW189P, #WW201P); FIRST READING - CHARTER ORDINANCE – AUTHORITY TO ISSUE GENERAL OBLIGATION BONDS TO FUND THE PURCHASE; AND, RESOLUTION NO. 050520-B - AUTHORIZE ISSUANCE OF BONDS

Randy D. DeWitt, P.E., Assistant Director of Public Works for Water and Wastewater, presented the item. He then answered questions from the Commission.

Rob Ott, Director of Public Works, and Abdu Durar, Environmental Compliance Manager, provided comments.

## GENERAL AGENDA (CONTINUED)

### LEASE AGREEMENT AMENDMENT/ PURCHASE AGREEMENT - MARY J. SNEEGAS REVOCABLE TRUST - EXPAND THE CITY OF MANHATTAN BIOSOLIDS FARM (CIP #WW189P, #WW201P); FIRST READING - CHARTER ORDINANCE – AUTHORITY TO ISSUE GENERAL OBLIGATION BONDS TO FUND THE PURCHASE; AND, RESOLUTION NO. 050520-B - AUTHORIZE ISSUANCE OF BONDS (CONTINUED)

After discussion, Commissioner Morse moved to approve the land purchase Agreement with the Mary J. Sneegas Revocable Trust; authorize the Mayor and City Clerk to execute the purchase agreement (SP2004, CIP #WW189P, CIP #WW201P); approve first reading of a charter ordinance allowing the City to issue general obligation bonds for wastewater treatment works projects; and approve Resolution of Intent No. 050520-B to issue the Bonds, once the Charter Ordinance is effective; and, approve an amendment to the lease agreement with the Mary J. Sneegas Revocable Trust and authorize the Mayor and City Clerk to execute the lease agreement. Commissioner Hatesohl seconded the motion. On a roll call vote, motion 5-0.

### GRANT AGREEMENT - FEDERAL AVIATION ADMINISTRATION (FAA) CARE ACT /AMEND - TENANT AGREEMENTS - MANHATTAN REGIONAL AIRPORT

Jesse Romo, Airport Director, presented the item. He answered questions from the Commission.

After discussion, Commissioner Hatesohl moved to accept, and authorize the Mayor and City Clerk to execute, a federal Grant Offer from the Federal Aviation Administration in the amount of \$2,106,072.00; and authorize City Administration to finalize, and the Mayor and City Clerk to execute tenant agreement amendments to provide three months of rent relief in calendar year 2020 for Kansas Jet Center (FBO), Bandit Coffee and Café, Hertz, Enterprise Holdings, and American Eagle. Commissioner Butler seconded the motion. On a roll call vote, motion carried 5-0.

### ADJOURNMENT

At 9:33 p.m., the Commission adjourned.

  
Brenda K. Wolf, CMC, City Clerk