



MINUTES
CITY COMMISSION MEETING
TUESDAY, JUNE 2, 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. City staff participating remotely were City Manager Ron R. Fehr, Deputy City Manager Jason Hilgers, Assistant City Manager Dennis Martstall, Assistant to the City Manager Jared Wasinger, City Clerk Brenda K. Wolf, City Attorney Katharine Jackson, Director of Public Works Rob Ott, Director of Community Development Eric Cattell, Director of Parks & Recreation Eddie Eastes, Airport Director Jesse Romo, Director of Human Resources/Interim Director of Finance Tammy Galvan, and Director of Recreation Randi Clifford.

Also participating remotely were Donna Jacobson, Senior Asset Manager, Principal Real Estate Investors, LLC, Investment Advisor for UrbanCal Manhattan Town Center, LLC; James Neeld, Sandberg Phoenix & von Gontard, P.C.; Bill Frost, Legal Counsel for the City; and Aaron Oleen, Chair, Arts and Humanities Advisory Board.

PLEDGE OF ALLEGIANCE

Mayor Reddi led the Commission in the Pledge of Allegiance.

PROCLAMATION

Mayor Reddi proclaimed June 5, 2020, *National Gun Violence Awareness Day*.

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 Hatesohl promoted the Blood Mobile donations. He stated there is always a need for life saving blood.

Commissioner Estabrook mentioned that the Kaw River Cleanup happened on Monday, June 1, 2020, along the Kansas River. He recognized and thanked the 15 volunteers and staff of the Friends of the Kaw and the Department of Wildlife and Tourism. He stated that 3,260 pounds of old discarded battery cases, tires, and trash were removed from the Kansas River and that this was going to be an ongoing event and if anyone was interested in participating to e-mail info@kansasriver.org.

Commissioner Morse mentioned all the activity and protest rallies that have been taking place all over the United States and in Manhattan regarding the tragic death of George Floyd and racism. She commended the Mayor for her recent statement and Kansas State University President Richard Meyers and Chief of Police Dennis Butler, Governor Laura Kelly and others for comments made regarding racism. She stated this would be a good time to do some soul searching and really think about how things can be changed so that everybody is equal and all are represented.

Mayor Reddi mentioned that June 5 is Wear Orange day in honor of National Gun Violence Awareness Day. She encouraged the public to complete the Census 2020 survey. She asked the Director of Parks and Recreation to speak to the openings of playgrounds and the City Park Splash Park.

Eddie Eastes, Director of Parks and Recreation, stated that the parks and trails have been open. He mentioned that they will be taking fences down and opening the playgrounds and outdoor restrooms as well as opening the Sunset Zoo soon. He mentioned that the sports fields are open but are not taking rentals or reservations but will be progress with those. He stated that there will be an increase in signage and cautioned people that there is still a “use at your own risk” aspect for use of those facilities. He also mentioned the City Park Splash Park will be opening later in June.

CONSENT AGENDA (* denotes those items discussed)

MINUTES

The Commission approved the minutes of the Regular City Commission Meeting held Tuesday, May 19, 2020.

CONSENT AGENDA (CONTINUED)

CLAIMS REGISTER NO. 2945

The Commission approved Claims Register No. 2945 authorizing and approving the payment of claims from May 13, 2020 - May 26, 2020, in the amount of \$2,845,221.47.

LICENSE

The Commission approved an annual Cereal Malt Beverages On-Premises License for Axe to Grind, 925 Enoch Lane.

* CHANGE ORDER NO. 2 – NORTH CAMPUS CORRIDOR, PHASE VI (ST1916, ST1718)

Rob Ott, Director of Public Works, answered questions from the Commission.

The Commission approved and authorized the Mayor to execute Change Order No. 2 resulting in a net increase in the amount of \$333,230.83 (+4.6%) to contract with Wildcat Construction Company, Inc., of Wichita, Kansas, for the North Campus Corridor, Phase VI, (ST1916, ST1718) project adding the removal and replacement of the southbound lanes on College Avenue between Dickens Avenue and Vaughn Drive.

GRANT – DESIGN AIRPORT RUNWAY (AP030P)

The Commission authorized City Administration to apply for a federal Design grant for the future 3/21 Runway Reconstruction Project (AP030P) for a total amount of \$3,240,320.00; authorized the Mayor and City Clerk to accept and execute a grant offer (AIP 3-20-0052-051-2020) and related documents in the amount of \$3,190,862.00 with a City share of \$49,458.00; and, subsequently authorized the Mayor and City Clerk to execute Task Order No. 6 with Olsson Inc., of Manhattan, Kansas, in the amount of \$3,169,700.00 for Runway design, contingent upon the receipt of the federal grant.

ORDINANCE NO. 7479 – ISSUE GENERAL OBLIGATION BONDS (SERIES 2020-A)

The Commission accepted the bid from Capital One for selling the bonds; and approved Ordinance No. 7479 issuing \$18,670,000 in General Obligation Bonds (Series 2020-A) to finance the following 20 public improvement districts; the 3 projects related to The Highlands at Grand Mere, Unit One/Prairie Village at The Highlands, Unit One and 5 capital projects: ***Pinehurst Addition*** – Sanitary Sewer (SS1619), Street (ST1604), and Water (WA1617); ***Scenic Crossing Addition*** – Sanitary Sewer (SS1603), Street (ST1601), and Water (WA1602); ***West Anderson Avenue*** – Street (ST1601); ***Lansdowne Addition, Unit Three*** – Sanitary Sewer (SS1604), Street (ST1602), and Water (WA1603); ***Ledge Stone Addition*** – Street

CONSENT AGENDA (CONTINUED)

ORDINANCE NO. 7479 – ISSUE GENERAL OBLIGATION BONDS (SERIES 2020-A) (CONTINUED)

(ST1615) and Water (WA1623); Ledgestone Ridge Addition – Sanitary Sewer (SS1623), Street (ST1620), Multi-Use Trail (SW1601), and Water (WA1628); Legacy Ridge Addition – Sanitary Sewer (SS1627), Street (ST1616), and Water (WA1624); and Wells Landing – Sanitary Sewer (SS1629); The Highlands at Grand Mere, Unit One/Prairie Village at The Highlands, Unit One – Sanitary Sewer (SS1715), Street (ST1705), and Water (WA1710); West Anderson Avenue – Street and Roundabout Improvements (ST0810/ST1621); West Anderson Avenue Stormwater Improvements – Stormwater (SM1604); Airport Commercial/Military Entrance Improvements – Stormwater (SM1407); Eureka Valley Transmission Waterline Improvements – Water (WA1406); and K113 & K18 Interchange – Street Improvements (ST1214); and refunding of General Obligation Bond Series 2009-D.

RESOLUTION NO. 060220-A – AUTHORIZE DELIVERY - GOB SERIES 2020-A

The Commission approved Resolution No. 060220-A authorizing delivery of the Series 2020-A bonds to Capital One.

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

GENERAL AGENDA

FIRST AMENDMENT TO AMENDED AND RESTATED LAND LEASE - MANHATTAN TOWN CENTER – COVID-19 IMPACTED RENT PAYMENT

Jason Hilgers, Deputy City Manager, introduced the item and Donna Jacobson, Senior Asset Manager, Principal Real Estate Investors, LLC, Investment Advisor for UrbanCal Manhattan Town Center, LLC; and James Neeld, Sandberg Phoenix & von Gontard, P.C. He answered questions from the Commission.

Donna Jacobson, Senior Asset Manager, Principal Real Estate Investors, LLC, Investment Advisor for UrbanCal Manhattan Town Center, LLC, presented the request and the reason for the request to waive the last three quarterly lease payments. She then answered questions from the Commission.

Ron Fehr, City Manager, answered questions from the Commission.

GENERAL AGENDA (CONTINUED)

FIRST AMENDMENT TO AMENDED AND RESTATED LAND LEASE - MANHATTAN TOWN CENTER – COVID-19 IMPACTED RENT PAYMENT (CONTINUED)

After discussion, Commissioner Butler moved to approve the amendment to the land lease agreement allowing for one quarter of the rent payments to be abated due to COVID-19 for the mall. Commissioner Estabrook seconded the motion. On a roll call vote, motion carried 3-2 with Commissioner Morse and Commissioner Hatesohl voting against the motion.

2020 JURIED PUBLIC ART EXHIBITION – ARTS AND HUMANITIES ADVISORY BOARD RECOMMENDATION

Randi Clifford, Director of Recreation, presented the item. He answered questions from the Commission.

Aaron Oleen, Chair, Arts and Humanities Advisory Board, thanked the Commission, City Staff, the Greater Manhattan Community Foundation, and Arts and Humanities Advisory Board members and the local selection committee members who devoted their time. He stated the art is something the public will enjoy and that this initial exhibition would not cost the Manhattan taxpayers any funds.

After discussion, Commissioner Morse moved to accept the recommendation of the Arts and Humanities Advisory Board for the selection of artists and installation of art works for the City of Manhattan Juried Public Art Temporary Outdoor Sculpture Exhibition. Commissioner Hatesohl seconded the motion. On a roll call vote, motion carried 5-0.

RESOLUTION NO. 060220-B - TEMPORARY EXPANSION OF BUSINESSES ON CITY PROPERTY AND PUBLIC RIGHTS OF WAY DUE TO COVID-19

Katie Jackson, City Attorney, presented the item.

Katie Jackson, City Attorney, and Jason Hilgers, Deputy City Manager, answered questions from the Commission.

After discussion, Commissioner Estabrook moved to approve Resolution No. 060220-B authorizing City Administration to administer a temporary permit program to expand retail and food service establishments onto City property through October 31, 2020. Commissioner Butler seconded the motion. On a roll call vote, motion carried 5-0.

GENERAL AGENDA (CONTINUED)

**AWARD CONSTRUCTION CONTRACT; CONTRACT AMENDMENT NO. 1 –
CONSTRUCTION ADMINISTRATION SERVICES; REAL ESTATE
AGREEMENT FOR PURCHASE OF RIGHT-OF-WAY; UTILITY
POLE RELOCATION AGREEMENT WITH EVERGY; ORDINANCE
NO. 7481- DESIGNATION OF MAIN TRAFFICWAY CONNECTIONS –
WALTERS DRIVE AND KIRKWOOD DRIVE; RESOLUTION NO. 060220-
C – AUTHORIZE FINANCING FOR PROJECT - KIRKWOOD DRIVE
IMPROVEMENTS (ST1811, SM1816, WA1820, PD2002)**

Rob Ott, Director of Public Works, presented the item.

Rob Ott, Director of Public Works, and Ron Fehr, City Manager, answered questions from the Commission.

After discussion, Commissioner Estabrook moved to find that Ebert Construction, of Wamego, Kansas, is the lowest and best responsible bidder; award and authorize the Mayor and City Clerk to execute a construction contract to Ebert Construction in the amount of \$1,593,539.29; authorize the Mayor and City Clerk to execute Contract Amendment No. 1 in the amount of \$39,450.00 with SMH Consultants for construction administration services; authorize City Administration to negotiate and finalize and the Mayor and City Clerk to execute a Real Estate Purchase Agreement with Walters-Morgan, as long as the purchase price does not exceed \$75,000.00; authorize the Mayor to execute a Utility Pole relocation agreement with Evergy; approve Ordinance No. 7481 designating Walters Drive and Kirkwood Drive as Main Trafficway Connections; and approve Resolution No. 060220-C authorizing the Kirkwood Drive Improvements project (ST1811, SM1816, WA1820, PD2002), and the issuance of general obligation bonds to finance said project. Commissioner Hatesohl seconded the motion. On a roll call vote, motion carried 5-0.

ADJOURNMENT

At 9:14 p.m., the Commission adjourned.


Brenda K. Wolf, CMC, City Clerk