



***MINUTES
CITY COMMISSION MEETING
TUESDAY, OCTOBER 6, 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 Fehr, Deputy City Manager Jason Hilgers, Assistant City Manager Dennis Marstall, City Attorney Katharine Jackson, City Clerk Brenda K. Wolf, 3 City staff, and approximately 10 interested citizens.

Participating remotely were Director of Community Development Eric Cattell, Airport Director Jesse Romo, Director of Human Resources/Interim Director of Finance Tammy Galvan, Andre Biane, President and Chief Executive Officer, American Institute for Baking; and Rich Jankovich, Chair, Airport Advisory Board.

NOTE: The City Commission Meeting was open to the public. The public was able to make in-person comments but due to precautions associated with the COVID-19 pandemic, seating for the public was limited. In lieu of coming to City Hall, written public comments for any item on the agenda were able to be submitted through the City's website at <https://cityofmhk.com/> and were distributed to all members of the City Commission before the meeting, or by emailing or calling the Commissioners directly.

PLEDGE OF ALLEGIANCE

Mayor Reddi led the Commission in the Pledge of Allegiance.

PROCLAMATION

Mayor Reddi proclaimed October 6-12, 2020, *National Physician Assistant Week*. Dr. Autumn Caycedo, Medical Director, and Dr. Vivien Guevara, Academic/Admissions Director, Physician Assistant Program, Kansas State University, were present to receive the proclamation.

PUBLIC COMMENTS

Mayor Reddi opened the public comments and highlighted the process.

Stan Hoerman, 2021 Blue Hills Road, stated that he was organizing a class action lawsuit against the City of Manhattan for flooding along Wildcat Creek and recommended that the City should have a historian on staff.

Hearing no other comments, Mayor Reddi closed the public comments. No written public comments were submitted.

COMMISSIONER COMMENTS

Commissioner Estabrook mentioned that on September 30, 2020, the Commission signed a beam for the Douglass Recreation Center and that the Recreation Center is scheduled to be completed by the end of this year/first of 2021. He also mentioned that the Anthony Middle School and Eisenhower Middle School Recreation Centers are scheduled to be completed by mid/late spring 2021.

Commissioner Morse stated that she served on the Flint Hills Regional Council (FHRC) and that she would be attending the FHRC retreat on October 16, 2020. She mentioned that the FHRC has several large federal grants and that it is participating in the Wamego Match Day. She also mentioned she serves on the Wildcat Creek Resiliency Committee which met last week virtually and that a list of 30 tasks/projects were prepared by the Community Development staff, one which was to provide landlords with a notice to give to tenants to sign that they understood that their property they're renting might flood; something that McCullough Development has already done. She also mentioned that signs might be posted on city right-of-way calling attention to prior flood levels. She stated that the City Commission will receive an update on the Wildcat Creek Resiliency Committee at the October 13, 2020, Work Session.

Commissioner Butler provided an update on various upcoming annual holiday events. He stated that the Festival of Trees auction, which benefits the Flint Hills Volunteer Center, would be held online on Thursday, November 19, 2020, with the trees, wreaths, etc. placed in stores downtown and in the Manhattan Town Center Mall from November 10 – November 19. He mentioned that the Festival of Lights would have an online illumination ceremony on Friday, November 27, 2020. He also mentioned that on Friday, December 4, 2020, at 5:30 p.m., would be the annual Mayor's Holiday Lighted Parade and that the tree lighting ceremony in Triangle Park would be a virtual event.

COMMISSIONER COMMENTS (*CONTINUED*)

Mayor Reddi mentioned with regards to the upcoming election, that voter registration would end Tuesday, October 13, 2020; advanced voting would start on October 14, 2020; in-person voting would be at the K-State Union and at the Riley County office; that a drop box would be available at the Westloop Shopping Center; and that a sample ballot was available online. She stated that the Census deadline had been extended to October 31, 2020, and that flu shots were available at the Riley County Health Department and primary care offices. She thanked the community for the decrease in percentage of positive COVID cases from wearing masks, social distancing, and washing hands often.

CONSENT AGENDA

(* denotes those items discussed)

MINUTES

The Commission approved the minutes of the Regular City Commission Meeting held Tuesday, September 15, 2020.

CLAIMS REGISTER NO. 2953

The Commission approved Claims Register No. 2953 authorizing and approving the payment of claims from September 9, 2020 - September 29, 2020, in the amount of \$6,593,047.61.

FINAL PLAT - AMERICAN INSTITUTE OF BAKING, UNIT THREE

The Commission accepted the easements and rights-of-way, as shown on the Final Plat of American Institute of Baking, Unit Three, generally located at the intersection of Bakers Way and North Manhattan Avenue, based on conformance with the Manhattan Urban Area Subdivision Regulations.

* REQUEST FOR PROPOSALS - STRATEGIC PLAN (CIP#MA010P)

The City Commission authorized City Administration to solicit consultants to conduct a Strategic Plan (CIP#MA010P) for the City of Manhattan, and appointed Mayor Reddi and Commissioner Estabrook to serve on the Selection Committee.

NEGOTIATE AGREEMENT – WATER TANK STORAGE ASSET MANAGEMENT AND MAINTENANCE (WA2016, CIP#WA201P)

The Commission accepted the Selection Committee's recommendation, and authorized City Administration to negotiate an Agreement for Asset Management Services with Suez Advanced Solutions, of Atlanta, Georgia, for the Water Tank Storage Asset Management and Maintenance (WA2016, CIP#WA201PO) Program.

CONSENT AGENDA (CONTINUED)

NEGOTIATE AGREEMENT – AUDIT SERVICES

The Commission accepted the recommendations of the Selection Committee and the Municipal Audit Committee, and authorized City Administration to negotiate and execute an Agreement for Professional Auditing Services with Berberich Trahan & Co., P.A., of Topeka, Kansas, for a one-year audit contract with the extension of annual renewals to this contract for a four-year period of time.

* **CONTRACT AMENDMENT NO. 4 – TUTTLE CREEK BOULEVARD NORTH DITCH (SM1814)**

The Commission authorized the Mayor and City Clerk to execute Contract Amendment No. 4, in an amount not to exceed \$271,260.00, with Olsson, of Manhattan, Kansas, for the Tuttle Creek Boulevard (TCB) North Ditch (SM1814) to include additional design services for the Water Treatment Plant Lime Sludge Lagoon Improvements (WA1907) project.

FIRST AMENDMENT TO CONSTRUCTION MANAGER AT-RISK AGREEMENT – LARAMIE STREET IMPROVEMENTS PROJECT (AG1902)

The Commission approved a First Amendment to the Construction Manager At-Risk Agreement with McCown Gordon Construction, of Manhattan, Kansas, to include the 14th Street and Anderson Avenue intersection improvements in the Laramie Street improvements project (AG1902).

CHANGE ORDER NO. 2 – AGGIEVILLE PARKING GARAGE (AG1903)

The Commission approved Change Order No. 2, in the amount of \$155,801.00, with McCown Gordon Construction, of Manhattan, Kansas, for pre-construction services on the Aggieville Parking Garage (AG1903).

* **RESOLUTION NO. 100620-A – AMEND BENEFIT DISTRICT – SMITH CHANNEL IMPROVEMENTS (SM1806)**

Ron Fehr, City Manager, provided an update on the project.

The Commission approved Resolution No. 100620-A, amending Resolution No. 061819-C, by increasing the Estimated Cost and by modifying the Apportionment of Costs to: Benefit District---35% and City-At-Large---65% for the Smith Channel Improvements (SM1806).

CONSENT AGENDA (CONTINUED)

AWARD CONTRACT – SMITH CHANNEL IMPROVEMENTS (SM1806)

The Commission accepted the Engineer's Opinion of Probable Cost in the amount of \$141,720.28; pursuant to Charter Ordinance No. 44, accepted the negotiated amount with the low bidder; and awarded and authorized the Mayor and City Clerk to execute a construction contract to Jueneman Excavation, Inc., of, Hanover, Kansas, in the revised amount of \$139,370.28 for the Smith Channel Stormwater Improvements project (SM1806).

AMEND BYLAWS – AIRPORT ADVISORY BOARD

The Commission approved and authorized the Mayor and City Clerk to execute the amended bylaws of the Airport Advisory Board.

BOARD APPOINTMENTS

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

City/University Special Projects Fund Committee

Appointment of Bradley Behnke, 1090 Deep Creek Lane, to a one-year Faculty term, which begins immediately, and will expire on June 30, 2021.

Flint Hills Discovery Center Advisory Board

Appointment of Susan Rensing, 441 Edgerton Avenue, to fill the unexpired resident term of James Sherow, which begins immediately, and will expire on January 31, 2021.

Historic Resources Board

Appointment of Tanner James, 1127 Colorado Street, to a three-year term, which begins immediately, and will expire on April 30, 2023.

Manhattan Urban Area Planning Board

Appointment of Shelley Carver, 4416 Grande Bluffs Lane, to fill the unexpired City term of Debbie Nuss, which begins immediately, and will expire on April 30, 2021.

Mayor Reddi opened the public comments.

Hearing no comments, Mayor Reddi closed the public comments. There were no written public comments submitted for this item.

CONSENT AGENDA (CONTINUED)

After discussion, Commissioner Morse moved to approve the consent agenda as distributed, with the notation that Usha Reddi and Aaron Estabrook will serve on the Strategic Plan Selection Committee. Commissioner Estabrook seconded the motion. On a roll call vote, motion carried 5-0, with the exception of Item D, REQUEST FOR PROPOSALS - STRATEGIC PLAN (CIP#MA010P), which carried 4-1 with Commissioner Butler voting against.

GENERAL AGENDA

RESOLUTION NO. 100620-B/ECONOMIC DEVELOPMENT AGREEMENT/AGREEMENT FOR OPTION TO PURCHASE REAL ESTATE - BEV-HUB, LLC

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

Ron Fehr, City Manager, provided additional information regarding tax exemptions and the annual certification process.

Daryn Soldan, Director of Economic Development, Manhattan Area Chamber of Commerce, spoke in support of the item and thanked City staff for their assistance.

Mayor Reddi opened the public hearing.

Hearing no comments, Mayor Reddi closed the public hearing. There were no written public comments submitted for this item.

Commissioner Butler moved to approve and authorize the Mayor and City Clerk to execute an Economic Development Agreement and Real Estate Option Agreement in the Manhattan Business Park; and approve Resolution No. 100620-B authorizing Industrial Revenue Bonds and a Tax Abatement for an expansion for Bev-Hub, LLC. Commissioner Hatesohl seconded the motion. On a roll call vote, motion carried 5-0.

FIRST READING - PROCESS FOR PUBLIC IMPROVEMENTS

Katie Jackson, City Attorney, presented the background on the current Charter Ordinance No. 44 and the process to adopt a Charter Ordinance.

Dennis Marstall, Assistant City Manager, presented the proposed changes to City Manager spending authority and the process for bidding projects and purchasing items.

GENERAL AGENDA (CONTINUED)

FIRST READING - PROCESS FOR PUBLIC IMPROVEMENTS (CONTINUED)

Katie Jackson, City Attorney; Rob Ott, Director of Public Works; Jason Hilgers, Deputy City Manager; Ron Fehr, City Manager; and Dennis Marstall, Assistant City Manager, answered questions from the Commission.

Mayor Reddi opened the public comments.

Hearing no comments, Mayor Reddi closed the public comments. There were no written public comments submitted for this item.

After discussion, Commissioner Hatesohl moved to approve first reading of a Charter Ordinance amending Charter Ordinance No. 44 regarding the process for developing public improvement contracts and before the second reading, change to \$50,000 for City staff's spending authority. Commissioner Estabrook seconded the motion. On a roll call vote, motion carried 4-1 with Commissioner Butler voting against.

ADJOURNMENT

At 9:07 p.m., the Commission adjourned.



Brenda K. Wolf, CMC, City Clerk