



***MINUTES  
CITY COMMISSION MEETING  
TUESDAY, NOVEMBER 17, 2020  
7:00 P.M.***

The Regular Meeting of the City Commission was held at 7:00 p.m. in the City Commission Room. Commissioners Wynn Butler, 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, Assistant to the City Manager Jared Wasinger, City Clerk Brenda K. Wolf, 4 City staff, and approximately 4 interested citizens.

Participating remotely were Mayor Usha Reddi, Commissioner Linda Morse, City Attorney Katharine Jackson, and Grant Administrator Christina L'Ecuyer.

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 November 28, 2020, ***Small Business Saturday***. Jan Miller, Owner, Steve's Floral, was present to receive the proclamation.

## COMMISSIONER COMMENTS

Commissioner Butler mentioned that on Friday, November 27, 2020, the Festival of Lights event done virtually this year; on December 4 and 5, 2020, will be the Mayor's Spirit of the Holidays Lighted Parade; and on December 5, 2020, the City of Manhattan Parks and Recreation Department will host the Red Cedar Holiday Harvest at the Roger Schultz Community Park. He encouraged the public to take part in these events.

Commissioner Estabrook stated that he was thankful for first responders, healthcare workers, teachers, and everyone putting in so much effort during COVID. He commented that he had questions and concerns regarding quarantine, food, and schools transitioning to remote only. He stated that it felt a lot like March 2020 in the sense that universities were pulling back on things, games and graduation were being cancelled, schools were going in a different way, people were stocking up on food and toilet paper but the good news was that so much had been learned since March and that the community is better prepared for this wave.

Commissioner Morse encouraged public to shop local and early. She stated the local merchants needs the community's support. She commented that since the community and the state were entering a time of high number of positive cases again, she urged everyone to wear masks, wash hands, and stay six feet apart.

Mayor Reddi also encouraged the public to shop local. She stated that Manhattan was at a peak in the number of positive COVID-19 cases so that is a reason to be cautious in movement due to community spread. She stated that staff at Kansas State University and USD 383 were being affected and that the healthcare professionals were being greatly impacted due to the number of positive cases. She mentioned that she hoped that the surrounding counties would adopt a face mask order. She urged caution in community for the next few holidays. She mentioned she was glad there were a lot of things going on in the community for the holidays encouraged the public to take advantage of what's going on in community.

## CONSENT AGENDA

(\* denotes those items discussed)

### MINUTES

The Commission approved the minutes of the Regular City Commission Meeting held Tuesday, November 3, 2020.

### CLAIMS REGISTER NO. 2956

The Commission approved Claims Register No. 2956 authorizing and approving the payment of claims from October 28, 2020 – November 10, 2020, in the amount of \$5,817,769.71.

## CONSENT AGENDA (CONTINUED)

### LICENSES

The Commission approved a Tree Maintenance License for the calendar year 2021 for Blueville Nursery Inc., 4539 Anderson Avenue; Done Right LLC, PO Box 91, Riley, Kansas; Grogg's Stump Grinding Service, 5007 Vista Acres Drive; KCAT Tree Service, LLC, 22420 Overland Road, Onaga, Kansas; Native Tree Works, LLC, 8840 Norlin Road, Randolph, Kansas; and Wright Tree Service, 5930 Grand Avenue, West Des Moines, Iowa.

### FINAL PLAT – THE HIGHLANDS AT GRAND MERE, UNIT TWO

The Commission accepted the easements and rights-of-way, as shown on the Final Plat of The Highlands at Grand Mere, Unit Two, generally located East of Grand Mere Parkway on the north and south side of MacLeod Drive, based on conformance with the Manhattan Urban Area Subdivision Regulations.

### RESOLUTION NO. 111720-A - ADOPT - REGION I MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN

The Commission approved Resolution No. 111720-A adopting the Region I Multi-Jurisdictional Hazard Mitigation Plan.

### RESOLUTION NO. 111720-B - AMENDED PETITION - K-STATE RESEARCH PARK, UNIT 4 - SANITARY SEWER (SS2006) IMPROVEMENTS

The Commission found the amended petition for the Sanitary Sewer (SS2006) improvements sufficient, and approved Resolution No. 111720-B, finding the project advisable and authorizing construction for the K-State Research Park, Unit 4, Sanitary Sewer Improvements (SS2006).

### RESOLUTION NO. 111720-C - AMENDED PETITION - K-STATE RESEARCH PARK, UNIT 4 - WATER (WA2007) IMPROVEMENTS

The Commission found the amended petition for the and Water (WA2007) improvements sufficient, and approved Resolution No. 111720- C, finding the project advisable and authorizing construction for the K-State Research Park, Unit 4, Water Improvements (WA2007).

### AWARD CONTRACT - K-STATE RESEARCH PARK, UNIT 4 - SANITARY SEWER (SS2006), STREET (ST2003) AND WATER (WA2007) IMPROVEMENTS

The Commission accepted the Engineer's Opinion of Probable Cost in the amount of \$1,193,820.00, and awarded and authorized the Mayor and City Clerk to execute a construction contract in the amount of \$997,891.25 to Wildcat Construction Company, Inc., of Wichita, Kansas, for the K-State Research Park, Unit 4, Sanitary Sewer (SS2006), Street (ST2003) And Water (WA2007) Improvements.

## CONSENT AGENDA (*CONTINUED*)

### GRANT FUND ADVANCE AGREEMENT - FLINT HILLS METROPOLITAN ORGANIZATION (MPO)

The Commission authorized the Mayor and City Clerk to execute a Grant Fund Advance Agreement with the Flint Hills Metropolitan Organization (MPO) in the amount of \$100,000.00.

### PLANNED UNIT DEVELOPMENT (PUD) AMENDMENT APPLICATION - MEADOWLARK HILLS PUD

The Commission authorized the Mayor to sign the needed Planned Unit Development (PUD) Amendment application for the Meadowlark Hills PUD amendment.

### BOARD APPOINTMENTS

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

#### *Cemetery Board*

Re-appointment of Richard Akins, 2304 Hillview Drive, to a three-year term, which will begin on January 1, 2021, and will expire on December 31, 2023.

Re-appointment of Melanie Nord, 312 South 8<sup>th</sup> Street, to a three-year term, which will begin on January 1, 2021, and will expire on December 31, 2023.

#### *Downtown Business Improvement District Advisory Board*

Re-appointment of Angela Stokes, 424 Stone Grove Drive, to a two-year term, which will begin on January 1, 2021, and will expire on December 31, 2022.

Re-appointment of Nichole Proffitt, 2509 Nutmeg, to a two-year term, which will begin on January 1, 2021, and will expire on December 31, 2022.

#### *Partner City Advisory Committee*

Appointment of Christine Benne, 4420 Leone Terrace, to fill the unexpired term of William Smriga, which begins immediately, and will expire on August 31, 2022.

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*)

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

### PUBLIC HEARING

#### **PUBLIC HEARING - “PROGRAM YEAR 2020 MANHATTAN CARES ACT SECOND AMENDMENT” - COMMUNITY DEVELOPMENT BLOCK GRANT 2020-2024 CONSOLIDATED PLAN AND THE 2020 ANNUAL ACTION PLAN - ROUND-3 CARES ACT FUNDING AND HUD’S CORRECTED 2020 ANNUAL ALLOCATION**

Dennis Marstall, Assistant City Manager, presented the item.

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.

Dennis Marstall, Assistant City Manager, and Christina L’Ecuyer, Grant Administrator, answered questions from the Commission.

After discussion, Commissioner Morse moved to approve the “2020 Manhattan CARES Act Second Amendment” to the 2020 - 2024 Consolidated Plan and the 2020 Annual Action Plan; and, authorize execution of applicable HUD forms and any new or revised 2020 Sub-Recipient Grant Agreements, and authorize submission of the corrected SF-424 and Certifications for the 2020 Annual Action Plan. Commissioner Estabrook seconded the motion. On a roll call vote, motion carried 5-0.

#### **PUBLIC HEARING - VACATE - UTILITY EASEMENT - 204 TUTTLE CREEK BOULEVARD (VA2006)**

Ben Kearns, Public Works Management Assistant, presented the item.

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.

## PUBLIC HEARING (CONTINUED)

### **ORDINANCE NO. 7510 - VACATE - UTILITY EASEMENT - 204 TUTTLE CREEK BOULEVARD (VA2006)**

Ben Kearns, Public Works Management Assistant, and Rob Ott, Director of Public Works, answered questions from the Commission.

After discussion, Commissioner Estabrook moved to find that no private rights will be injured or endangered by the proposed vacation, and that the public will suffer no loss or inconvenience thereby; and approve Ordinance No. 7510 vacating a utility easement for 204 Tuttle Creek Boulevard (*VA2006*). Commissioner Butler seconded the motion. On a roll call vote, motion carried 5-0.

## GENERAL AGENDA

### **ORDINANCE NO. 7511 – SALE, SERVICE AND CONSUMPTION OF ALCOHOL - CERTAIN CITY PROPERTIES DESIGNED FOR USE AS A SIDEWALK CAFÉ - ADJACENT TO 12<sup>TH</sup> STREET IN THE C-3, AGGIEVILLE BUSINESS DISTRICT**

Jason Hilgers, Deputy City Manager, presented the item.

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

There were 2 written public comments submitted for this item.

After discussion, Commissioner Hatesohl moved to approve Ordinance No. 7511 authorizing the sale, service and consumption of alcohol on certain City properties adjacent to 12<sup>th</sup> Street in the C-3, Aggieville Business District, designed for use as a sidewalk café. Commissioner Butler seconded the motion. On a roll call vote, motion carried 5-0.

### **PRESENTATION - 2018 AND 2019 CITY AUDITS**

Rich Jankovich, Member, Municipal Audit Committee, presented the item.

Ron Fehr, City Manager, and Tammy Galvan, Interim Director of Finance, answered questions from the Commission.

Mayor Reddi opened the public comments.

## GENERAL AGENDA (CONTINUED)

### PRESENTATION - 2018 AND 2019 CITY AUDITS (CONTINUED)

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

After discussion, Commissioner Estabrook moved to receive the Municipal Audit Committee's reports for the 2018 City Audit and the 2019 City Audit. Commissioner Butler seconded the motion. On a roll call vote, motion carried 5-0.

### LEVEE IMPROVEMENT PROJECT (SM1813) - DESIGN SERVICES PAYMENT - UNITED STATES ARMY CORPS OF ENGINEERS; ORDINANCE NO. 7512 AND RESOLUTION NOS. 111720-D AND 111720-E - AUTHORIZE CONSTRUCTION AND GENERAL OBLIGATION BOND FINANCING - ADDITIONAL LEVEE IMPROVEMENTS (BETTERMENTS)

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.

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 payment of the invoice in the amount of \$1,005,800.00 to the United States Army Corps of Engineers, related to the Levee Improvement Project (SM1813) and approve the appropriation of the funds for that purpose; also approve Ordinance No. 7512 authorizing the construction and financing of costs for stormwater drainage improvements (*a new outfall thru the Levee for additional stormwater capacity in the McCall Road storm sewer system, enlarge an existing outfall near Casement Road and Hayes Drive, and replace existing rock rip-rap along the Levee in the Kansas River portion*); also approve Resolution No. 111720-D authorizing the construction and financing of costs for a new ramp for access to Hayes Drive and the Linear Trail and the widening of the existing embankment for Casement Road and Hayes Drive intersection for future intersection expansion; and also approve Resolution No. 111720-E authorizing the construction and financing of costs for the reconstruction of an existing ramp near the Northeast Community Park, as part of the betterments for the Levee Improvement Project (SM1813). Commissioner Butler seconded the motion. On a roll call vote, motion carried 5-0.

## GENERAL AGENDA (CONTINUED)

### DISCUSSION - PHASE 1 AGGIEVILLE PARKING MANAGEMENT PLAN – JANUARY 2021 THROUGH JANUARY 2022

Jared Wasinger, Assistant to the City Manager, presented the Aggieville Parking Management Plan and the creation of the new fuchsia color parking permit zone.

Jared Wasinger, Assistant to the City Manager, and Jason Hilgers, Deputy 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.

Commissioners were in agreement with the proposed temporary parking plan.

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

### ADJOURNMENT

At 9:01 p.m., the Commission adjourned.

  
Brenda K. Wolf, CMC, City Clerk