



***MINUTES
CITY COMMISSION MEETING
TUESDAY, FEBRUARY 2, 2021
7:00 P.M.***

The Regular Meeting of the City Commission was held at 7:00 p.m. in the City Commission Room. Mayor Wynn Butler and Commissioners, Linda Morse, Mark J. Hatesohl, Aaron Estabrook, and Usha Reddi 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 Attorney Katharine Jackson, City Clerk Brenda K. Wolf, 4 City staff, and approximately 12 interested citizens.

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 Butler led the Commission in the Pledge of Allegiance.

PUBLIC COMMENTS

Mayor Butler opened the public comments and highlighted the process.

Hearing no comments, Mayor Butler closed the public comments. There were eleven (11) written public comments submitted through the City's website.

COMMISSIONER COMMENTS

Commissioner Reddi mentioned that the vaccine distribution was going well and that over 5,200 vaccines have been distributed in the County. She stated that the trend was going down regarding the number of positive cases, and that the public still needed to take precautions even after being vaccinated.

COMMISSIONER COMMENTS (CONTINUED)

Commissioner Morse asked the public to be considerate of others, especially of the senior citizen population, by wearing masks, keeping six (6) feet apart, and washing hands.

Mayor Butler stated that the Flint Hills Breadbasket would be taking donations for Souper Bowl on Sunday, February 7, 2021, to restock their supplies and that Riley County Police Department would be collecting donations as well on Saturday, February 6, 2021.

CONSENT AGENDA (* denotes those items discussed)

MINUTES

The Commission approved the minutes of the Regular City Commission Meeting held Tuesday, January 19, 2021.

CLAIMS REGISTER NOS. 2962 AND 2963

The Commission approved Claims Register Nos. 2962 and 2963 authorizing and approving the payment of claims from January 13, 2021 – January 26, 2021, in the amounts of \$931,895.97 and \$2,531,527.46, respectively.

LICENSE

The Commission approved an annual Cereal Malt Beverages Off-Premises License for Wildcat Creek Fitness & Fun, 800 Anneberg Circle.

RESOLUTION NO. 020221-A – SALE OF GENERAL OBLIGATION TEMPORARY NOTES SERIES 2021-01

The Commission approved Resolution No. 020221-A authorizing the offering for sale of General Obligation Temporary Notes Series 2021-01 to finance the seven (7) special assessment projects: **Smith Channel** Stormwater Improvements (SM1806); **Scenic Crossing, Unit 4**-Sanitary Sewer Improvements (SS1922); Street Improvements (ST1917); and Water Improvements (WA1922); and **KSU Research Park, Unit 4**-Sanitary Sewer Improvements (SS2006); Street Improvements (ST2003); and Water Improvements (WA2007); and six (6) capital projects: **Westwood Road** Stormwater Improvements (SW094P/SW1910); **Levee Improvements** (SM1813); **Aggieville 12th Street from Moro Street to Bluemont Avenue** Street Improvements (AG1901); **Aggieville Laramie Street, from North Manhattan Avenue to 14th Street**, and the **14th Street and Anderson Avenue** Street Improvements (AG1902); **Aggieville Parking Garage** (AG1903); and **Rosencutter Road Box** Stormwater Improvements (SW008P/SM1808) to be debt financed.

CONSENT AGENDA (CONTINUED)

AGREEMENTS - TRACTS 14 AND 22 – MANHATTAN LEVEE ACQUISITION (SM1813/SP1908)

The Commission approved acquisition of Tracts 14 and 22, as set forth in the recommendations of the City's acquisition agent and the attorney for the City; and authorize the Mayor and City Clerk to execute the finalized agreements on behalf of the City. (SM1813/SP1908).

BOARD APPOINTMENTS

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

Arts and Humanities Advisory Board

Appointment of Mike McCarty, 321 Southwind Road, to a three-year term, which will begin on April 1, 2021, and will expire on March 31, 2024.

Re-Appointment of Dr. Michaeline Chance-Reay, 3026 Cherry Hill Road to a three-year term, which will begin on April 1, 2021, and will expire on March 31, 2024.

Re-Appointment of Hillary Wahlen, 3140 Bermuda Lane, to a three-year term, which will begin on April 1, 2021, and will expire on March 31, 2024.

Downtown Business Improvement District Advisory Board

Appointment of Dan Engle, 301 South 4th Street, Suite 130, to two-year term, which begins immediately, and will expire on December 31, 2022.

Housing Authority Board of Commissioners

Re-Appointment of Commissioner Morse, 2118 Spain Drive, to a four-year City Commissioner term, which will begin on March 4, 2021, and will expire on March 3, 2025.

Human Rights and Services Board

Appointment of Tucker Graff, 3106 Heritage Court, Apt. 145, to fill the unexpired term of Janet Dean plus a full three-year term. Tucker Graff's term begins immediately, and will expire March 9, 2024.

Mayor Butler opened the public comments.

Hearing no comments, Mayor Butler closed the public comments. There were no written public comments submitted through the City's website for any of the items.

CONSENT AGENDA (*CONTINUED*)

Commissioner Morse moved to approve the consent agenda as distributed. Commissioner Hatesohl seconded the motion. On a roll call vote, motion carried 5-0 with the exception of Item F4, Reappointment of Commissioner Morse to the Housing Authority Board of Commissioners, which carried 4-0-1 with Commissioner Estabrook abstaining.

PUBLIC HEARING

PUBLIC HEARING - LEVY SPECIAL ASSESMENTS (GOB 2021-A)

Rina Neal, Assistant Director of Finance presented the item. She then answered questions from the Commission.

Mayor Butler opened the public hearing.

Hearing no comments, Mayor Butler closed the public hearing. There were no written public comments submitted through the City's website.

No action was required.

GENERAL AGENDA

ORDINANCE NO. 7521 - RENAME 17TH STREET TO MARTIN LUTHER KING JR. DRIVE

Dennis Marstall, Assistant City Manager presented the item. He then answered questions from the Commission.

Mayor Butler opened the public comments.

Daniel Bosch, 318 N. 17th Street, stated that he was not objecting to honoring Dr. Martin Luther King, Jr. but there are financial costs, time and effort associated in changing an address. He suggested other ways in honoring someone that do not require changing addresses versus renaming a street.

Hearing no other comments, Mayor Butler closed the public comments. There were seven (7) written public comments submitted through the City's website.

GENERAL AGENDA (CONTINUED)

ORDINANCE NO. 7521 - RENAME 17TH STREET TO MARTIN LUTHER KING JR. DRIVE (CONTINUED)

After discussion, Commissioner Estabrook moved to approve Ordinance No. 7521 changing and designating the name of street right-of-way from 17th Street between Fort Riley Boulevard and Anderson Avenue to Martin Luther King Jr Drive. Commissioner Morse seconded the motion. On a roll call vote, motion carried 5-0.

DOWNTOWN MANHATTAN, INC. (DMI) REQUEST - TWO ADDITIONAL OUTDOOR DINING PLATFORMS

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

Ron Fehr, City Manager, stated that the City had a list of items and projects that are COVID eligible if additional money comes from the State or the Federal governments that the City would be more than likely to get reimbursed for those, depending on the eligibility factors.

Gina Scroggs, Executive Director, Downtown Manhattan, Inc., thanked the Commission for their consideration and answered questions raised by the Commission.

Mayor Butler opened the public comments.

Adam Peyton, 301 Poyntz Avenue, owner of AJ's Pizza, stated that for his business the platform would allow more dining for families outside.

Hearing no other comments, Mayor Butler closed the public comments. There were no written public comments submitted through the City's website.

After discussion, Commissioner Hatesohl moved to authorize City Administration to amend the current agreement with BHS Construction, of Manhattan, Kansas, and Architect One, of Manhattan, Kansas, to include the two (2) additional dining platforms downtown; and authorize the Mayor and City Clerk to execute any agreements and/or contracts necessary to facilitate this construction. Commissioner Estabrook seconded the motion. On a roll call vote, motion carried 5-0.

RECOVERY AGREEMENT – MANHATTAN HOUSING AUTHORITY

Commissioner Estabrook recused himself from the item.

Katie Jackson, City Attorney, introduced the item.

GENERAL AGENDA (CONTINUED)

RECOVERY AGREEMENT – MANHATTAN HOUSING AUTHORITY (CONTINUED)

JoAnn Sutton, Executive Director, Manhattan Housing Authority, presented the item. She then answered questions from the Commission.

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

Mayor Butler opened the public comments.

Hearing no comments, Mayor Butler closed the public comments. There were no written public comments submitted through the City's website.

After discussion, Commissioner Morse moved to authorize the Mayor and City Clerk to sign the Manhattan Housing Authority Recovery Agreement. Commissioner Hatesohl seconded the motion. On a roll call vote, motion carried 4-0.

Commissioner Estabrook rejoined the Commission.

DISCUSSION - AGGIEVILLE UPDATE (AG1901-AG1904)

Jason Hilgers, Deputy City Manager, provided an update on active current projects in Aggieville [*12th Street, Aggieville Parking Garage (AG1903), Laramie Street between 14th Street and North Manhattan Avenue (AG1902) and 14th Street and Anderson Avenue Intersection, design of North Manhattan Avenue from Fremont Street to Bluemont Avenue (AG1904)*]; future projects [*phased construction, City parking lot at 12th Street and Laramie Street, trash and grease regulations, parking management*]; and financing available. He then answered questions from the Commission.

Rob Ott, Director of Public Works, provided updated sequencing of Aggieville projects from 2020-2028. He then answered questions from the Commission.

Mayor Butler opened the public comments.

Hearing no comments, Mayor Butler closed the public comments. There were three (3) written public comments submitted through the City's website.

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

EXECUTIVE SESSION

Commissioner Hatesohl moved to conduct the annual performance evaluation of the City Manager, pursuant to the exception set forth in K.S.A. 75-4319(b)(1) allowing for discussion of personnel matters of non-elected personnel, and to resume the open meeting at 10:45 p.m. in the City Commission Room. Commissioner Morse seconded the motion. On a roll call vote, motion carried 5-0.

At 10:45 p.m., the Commission reconvened with Mayor Butler and Commissioners Morse, Hatesohl, Estabrook, and Reddi in attendance. Mayor Butler stated that no binding action was taken during Executive Session, therefore no vote in the open meeting was needed.

ADJOURNMENT

At 10:45 p.m., the Commission adjourned.



Brenda K. Wolf, CMC, City Clerk