



***MINUTES
CITY COMMISSION MEETING
TUESDAY, SEPTEMBER 21, 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 Mark J. Hatesohl, Aaron Estabrook, and Usha Reddi were present. Also present were City Manager Ron R. Fehr, Deputy City Manager Jason Hilgers, Assistant to the City Manager Jared Wasinger, City Attorney Katharine Jackson, City Clerk Brenda K. Wolf, 9 staff, and approximately 6 interested citizens.

Participating remotely were Commissioner Linda Morse, Director of Community Development Eric Cattell, Assistant Director of Community Development Chad Bunger, and Project Manager Melanie Luthi, McCownGordon.

PLEDGE OF ALLEGIANCE

Mayor Butler led the Commission in the Pledge of Allegiance.

COMMISSIONER COMMENTS

Commissioner Morse mentioned Riley County Police Department was sponsoring a National Night Out on October 5, 2021, from 4:00 p.m. – 8:00 p.m., in City Park. She also mentioned the passing of Cheryl Collins, Director of the Riley County Historical Museum.

Commissioner Reddi mentioned that the Eisenhower Recreation Center Ribbon Cutting would be on Sunday, September 26, 2021, at 2:00 pm. She stated that October 12, 2021, would be the last day to register to vote, advanced voting would begin October 13, 2021, and that the public could view status of their registration on the Riley County website. She said that she attended the last Downtown Third Thursday event on Thursday, September 16, 2021, and that it was fantastic and a huge success. She also mentioned the passing of Judy Davis, former Director of The Crisis Center, several months ago and congratulated Kathy Ray who was named the new Director of The Crisis Center.

COMMISSIONER COMMENTS (CONTINUED)

Commissioner Estabrook stated that the Food and Farm Council was working on their system plan and seeking community input. He said that so far 1500 people have completed the survey, that took approximately eight minutes to complete, and that the survey was available on website Nourishtogether.org.

Mayor Butler mentioned he was looking forward to the Eisenhower Recreation Center Ribbon Cutting but requested that there be no basketball competition at this event like there was at the Anthony Recreation Center Ribbon Cutting.

CONSENT AGENDA (* denotes those items discussed)

MINUTES

The Commission approved the minutes of the Regular City Commission Meeting held Tuesday, September 7, 2021.

MINUTES

The Commission approved the minutes of the Special City Commission Meeting held on Tuesday, September 14, 2021.

CLAIMS REGISTER NO. 2982

The Commission approved Claims Register No. 2982 authorizing and approving the payment of claims from September 1, 2021 – September 14, 2021, in the amount of \$4,176,367.14.

PAYMENT - EMINENT DOMAIN - SAFE ROUTES TO SCHOOL, PHASE IIC (PD2001)

The Commission authorized City Administration to pay \$4,427.15 to the Clerk of the Riley County District Court to acquire a temporary easement for the Safe Routes to School, Phase IIC (PD2001), and determined that no appeal of the award was necessary.

* ORDINANCE NO. 7548 - ADOPT - 2022 CITY BUDGET

The Commission approved Ordinance No. 7548 adopting the 2022 City Budget.

* RESOLUTION NO. 092121-A – ADOPT – 2022-2026 CAPITAL IMPROVEMENT PROGRAM

The Commission approved Resolution No. 092121-A adopting the 2022-2026 Capital Improvement Program.

CONSENT AGENDA (CONTINUED)

* **FIRST READING – 2022 SALARY ORDINANCE**

The Commission approved first reading of a Salary Ordinance establishing a new range of salaries for 2022 for City employees.

* **RESOLUTION NO. 092121-B – MEMORANDUM OF AGREEMENT – LOCAL 2275 INTERNATIONAL ASSOCIATION OF FIREFIGHTERS**

The Commission approved Resolution No. 092121-B adopting changes to the Memorandum of Agreement with Local 2275 of the International Association of Firefighters.

RESOLUTION NO. 092121-C - AMEND ADMISSION FEES - SUNSET ZOO

The Commission approved Resolution No. 092121-C increasing the admission fee for Sunset Zoo by \$0.50 for adults, and \$0.50 for children 3-12, effective January 1, 2022.

ORDINANCE NO. 7549 – AMEND SECTIONS OF CHAPTER 31 CODE OF ORDINANCES

The Commission approved Ordinance No. 7549 amending Sections 31-31, 31-51, 31-53, 31-54, 3-71, and 31-221 of Chapter 31 of the Code of Ordinances (*See Attachment No. 1*).

FIRST READING – ADOPT – STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES, EDITION OF 2021

The Commission approved first reading of the ordinance incorporating by reference the Standard Traffic Ordinance for Kansas Cities, Edition of 2021, with amendments as set forth in the ordinance.

RESOLUTION NO. 092121-D - TEMPORARY NOTES SERIES 2021-02

The Commission ratified acceptance of the best bid for the notes to Morgan Stanley & Co., LLC, of New York, New York, and approved Resolution No. 092121-D, issuing \$25,765,000.00 in temporary notes (Series 2021-02) to finance the following four (4) special assessment projects: *The Highlands at Grand Mere, Unit 2 - Sanitary Sewer (SS2014), Street (ST2012), and Water (WA2021) Improvements and the Candlewood Shopping Center Turn Lane (ST1014)*, and the following seven (7) capital projects: *AAB Meter Replacement Project (WA2101), Frank Anneberg Park Parking Lot FEMA Mitigation Project (FM1903), Frank Anneberg Park Trail FEMA Mitigation Project (FM1914), Fire Station Headquarters Generator (FR042P), Joint Maintenance Facility (SP1601), Kimball Avenue/Candlewood K-113 Project (ST2102), and Kimball Avenue Reconstruction project (SW2003)* to be debt financed.

CONSENT AGENDA (CONTINUED)

RESOLUTION NO. 092121-E – PROGRAM AGREEMENT PROPOSAL – KANSAS MUTUAL AID PROGRAM

The Commission authorized the Mayor and City Clerk to execute Kansas Mutual Aid Program for Utilities (KSMAPS) Resolution, Resolution No. 092121-E, and Program Agreement Proposal.

* **RESOLUTION NO. 092121-F - POLICY - DONATED ART**

The Commission approved Policy Resolution No. 092121-F creating a process for donors and artists to initiate public art projects to be located on City property.

AWARD CONTRACT - NORTH CAMPUS CORRIDOR, PHASE 10 (ST2001)

The Commission found that Bayer Construction, of Manhattan, Kansas, was the lowest and best responsible bidder, based on staff recommendation; accepted the Engineer's Opinion of Probable Cost in the amount of \$5,463,441.23; and awarded and authorized the Mayor and City Clerk to execute a construction contract with Bayer Construction, of Manhattan, Kansas, in the amount of \$4,070,170.61 for the North Campus Corridor, Phase 10 project (ST2001).

CONTRACT AMENDMENT NO. 4 - CONSTRUCTION ENGINEERING SERVICES - NORTH CAMPUS CORRIDOR, PHASE 10 (ST2001)

The Commission authorized City Administration to finalize and the Mayor and City Clerk to execute a supplemental services agreement with BG Consultants, of Manhattan, Kansas, for additional Construction Engineering services, with a not to exceed amount (*not to exceed \$49,265.00*), for the North Campus Corridor, Phase 10 project (ST2001).

AWARD CONTRACT – 2021 CONCRETE PANEL REPLACEMENT – ALLISON AVENUE/DEHOFF DRIVE (ST2111)

The Commission awarded and authorized the Mayor and City Clerk to execute a construction contract, in the amount of \$522,960.00, with T & M Concrete Construction Company, of Junction City, Kansas, for the 2021 Concrete Panel Replacement project at Allison Avenue and Dehoff Drive (ST2111).

* **AMENDMENT NO. 2 – AGGIEVILLE PARKING GARAGE (AG1903)**

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

The Commission approved Amendment No. 2 with McCown Gordon for the fire suppression system in the Aggieville Parking Garage project (AG1903).

CONSENT AGENDA (CONTINUED)

* **RESOLUTION NO. 092121-G - AMEND AUTHORITY TO FINANCE - AGGIEVILLE PARKING GARAGE (AG1903)**

The Commission approved the bond resolution amendment, Resolution No. 092121-G, to gain additional bonding capacity for the Aggieville Parking Garage project (AG1903).

AGREEMENT - PIERCE MANUFACTURING - HAZMAT TRUCK - FIRE UNIT 107 (CIP #FR013E)

The Commission authorized the Mayor and City Clerk to execute a contract with Pierce Manufacturing, Inc, of Appleton, Wisconsin, through Conrad Fire Equipment, of Olathe, Kansas, for the direct purchase of a Pierce Enforcer Hazmat Truck and related equipment, in the amount of \$1,050,000.00, utilizing the H-GAC buying program for a HazMat Truck (Unit 107-CIP #FR013E).

LEASE PURCHASE - HAZMAT TRUCK - FIRE UNIT 107 (CIP #FR013E)

The Commission authorized the Mayor and City Clerk to execute a ten (10) year Lease Purchase Agreement with an annual payment of \$114,135.42 at a 1.46% interest rate, and all documents necessary with Commerce Bank/Clayton Holdings, Inc., to be paid from the Fire Equipment Reserve Fund, for a HazMat Truck (Unit 107-CIP #FR013E).

* **ACCEPT GRANT – ONE GAS – “WARM AND LIGHT THE HEART OF EXPEDITION ASIA AT SUNSET ZOO”**

The Commission accepted the “Warm and Light the Heart of Expedition Asia at Sunset Zoo” grant from the ONE Gas Foundation in the amount of \$57,500.00.

PRIVATE SEWER EASEMENT - USD 383

The Commission granted a private sewer easement to USD 383 at 510 Griffith Drive (Northview Park Pool), Manhattan, KS, 66502.

* **APPOINT - MANHATTAN HOUSING STUDY STEERING COMMITTEE**

Commissioner Reddi suggested adding a Fort Riley and a Chamber of Commerce representative to the Steering Commission.

Mayor Butler agreed to adding the two additional appointments as suggested.

The Commission approved appointed members to the Manhattan Housing Study Steering Committee, as recommended by Mayor Butler. *(See Attachment No. 2)*

BOARD APPOINTMENTS

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

CONSENT AGENDA (CONTINUED)

BOARD APPOINTMENTS (CONTINUED)

Douglass Center Advisory Board

Re-appointment of Constance Birdsong, 811 Yuma St., Apt. B, to a three-year Geographical term, which will begin October 3, 2021, and will expire October 2, 2024.

Downtown Business Improvement District Advisory Board

Appointment of Misty Johnson, 433 Stone Grove Dr., to fill the unexpired term of Scott Augustine, which begins immediately, and will expire December 31, 2022.

Social Services Advisory Board

Appointment of Brandon Savage, 3118 Amherst Ave., to fill the unexpired term of Jessica Elmore, which begins immediately, and will expire June 30, 2023.

Special Alcohol Funds Advisory Committee

Appointment of Christine Benne, 1004 Brianna Ct., to fill the unexpired term of Jurdene Coleman, which begins immediately, and will expire June 30, 2022.

Mayor Butler opened the public comments.

Hearing no comments, Mayor Butler closed the public comments.

After discussion, Commissioner Estabrook moved to approve the consent agenda. Commissioner Reddi seconded the motion. On a roll call vote, motion carried 5-0 with the exception of Item C1, ORDINANCE NO. 7548 – ADOPT - 2022 CITY BUDGET and RESOLUTION NO. 092121-A – ADOPT – 2022-2026 CAPITAL IMPROVEMENT PROGRAM, which carried 3-2 with Mayor Butler and Commissioner Hatesohl voting against; Item C2, FIRST READING – 2022 SALARY ORDINANCE, which carried 4-1 with Mayor Butler voting against; and Item G3a, AMENDMENT NO. 2 – AGGIEVILLE PARKING GARAGE (AG1903), and Item G3b, RESOLUTION NO. 092121-G – AMEND AUTHORITY TO FINANCE - AGGIEVILLE PARKING GARAGE (AG1903), which carried 4-1 with Commissioner Hatesohl voting against.

GENERAL AGENDA

LEVEE PROJECT – BID CONCURRENCE, BETTERMENT AND OPTIONS - PAYMENT AUTHORIZATION (SM1813)

Brian Johnson, City Engineer, presented the item.

GENERAL AGENDA

LEVEE PROJECT – BID CONCURRENCE, BETTERMENT AND OPTIONS, AND PAYMENT AUTHORIZATION (SM1813) (CONTINUED)

Brian Johnson, City Engineer, and Rob Ott, Director of Public Works, answered questions from the Commission.

Mayor Butler opened the public comments.

Hearing no comments, Mayor Butler closed the public comments.

Ron Fehr, City Manager, clarified why the Commission was asked to waive second reading of the ordinance.

Commissioner Estabrook moved to waive the second reading of Ordinance No. 7550 due to exigent circumstances and allow for Ordinance No. 7550 to be considered for final action with one reading. Commissioner Hatesohl seconded the motion. On a roll call vote, motion carried 5-0.

Commissioner Estabrook moved to authorize City Administration to formally concur with the USACE (*U.S. Army Corps of Engineers*) on award of the Manhattan Levee Flood Risk Management project (SM1813) to the low bidder, ESI Contracting; to accept and contract for each of the optional betterment and utility relocations listed in the bid; to make \$12,432,381.00 in total payments to the USACE as currently invoiced and authorize staff to pay future contingency invoices from the USACE totaling \$1,907,208.00; approve Ordinance No. 7550 amending the financing of the betterments portion of the project; and approve Resolution Nos. 092121-H and 092121-I authorizing financing for the relocation of sewer (SS2013) and water (WA2017, WA2018) utilities related to the project. Commissioner Hatesohl seconded the motion. On a roll call vote, motion carried 5-0.

ADJOURNMENT

At 8:02 p.m. the Commission adjourned.



Brenda K. Wolf, CMC, City Clerk

Changes to Chapter 31 of the Code of Ordinances

The ordinance under consideration reflects the following changes to municipal parking regulations in the city of Manhattan, as well as the addition of a school zone near Eisenhower Middle School:

- **Hobbs Drive:** No parking on both sides of Hobbs Drive between Browning Avenue and Vaughn Drive from 8:00 am to 4:30 pm to accommodate Marlatt Elementary and buses.
- **Laramie Street:** Changing the two parking stalls on the north side Laramie Street, east of 12th Street, from 3-hour parking 8 am-5 pm to a 15-minute loading zone at all times of the day. This change was recommended by the Aggieville Business Association and Kansas State University for their Cats3D (Cats Don't Drink & Drive) campaign to create and encourage safe spot for ride share usage and pick-ups.
- **City Park Roads:** Currently, City Code lists all roadways within City Park as a 3-hour limit with no overnight parking. Many roadways are currently signed differently under the Parks and Recreation Directors authority. This ordinance change is cleanup to match existing signage and/or practice to have no curb parking along North Park Road, parts of Central Park Road, East Park Road, and Springboard Lane.
- **Marlatt Avenue School Zone near Kirkwood Drive:** requiring reduced speeds from 7:15 a.m. to 8:15 a.m. and 2:30 p.m. to 3:30 p.m., Monday through Friday, from August 10th through June 15th for Eisenhower Middle School.

Housing Study Steering Committee Appointments

Susmita Rishi, 1540 Waterford Pl. Apt. 8, Manhattan, KS 66502

Cam Ward, 1929 Bluestem Ter, Manhattan, KS 66502

Kirk Crabtree, 322 15th Street, Ogden, KS 66517

Scott Seel, 7800 Washington Blvd, Manhattan, KS 66502

Brynne Haverkamp, 315 N. Juliette Ave, Manhattan, KS 66502

Joshua Brewer, 514 Pillsbury Drive, MANHATTAN, KS 66502

Kennedy Clark, 3308 Effingham, Manhattan, KS 66502

Donna Schenck-Hamlin, 1922 Leavenworth Street, Manhattan, KS 66502

Tyler Holloman, 26759 Boothill Rd, Alma, KS 66401

Noah Rude, 926 Claflin Road, Manhattan KS 66502

Brad Hartenstein, 216 S. 4th St., Manhattan, KS 66502

James Genandt, 3801 Kates Court, Manhattan, KS 66503

Emily Thiesen, 830 Leavenworth St, Manhattan, KS 66502

Beth Klug, 3638 Everett, Manhattan, KS 66503

Bill Disberger, 4292 Flint Rock Road, Wamego, KS 66547

Representative for Chamber of Commerce

-Tom Phillips, 1530 Barrington Drive, Manhattan, KS 66503

Representatives for Fort Riley

-Benjamin R. VanBecelaere, Ex-Officio

-Kelley Pasko, Alternate Ex-Officio