



***MINUTES***  
***CITY COMMISSION MEETING***  
***TUESDAY, DECEMBER 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 Linda Morse, 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, 5 staff, and approximately 19 interested citizens.

**PLEDGE OF ALLEGIANCE**

Mayor Butler led the Commission in the Pledge of Allegiance.

**COMMISSIONER COMMENTS**

Commissioner Reddi wished everyone a Merry Christmas and Happy Holidays. She stated she hoped that no one sustained serious damage from the storm on December 15, 2021.

Commissioner Morse welcomed in winter and wished everyone a happy holiday.

Mayor Butler wished everyone a Merry Christmas. He said there was still plenty of events happening in the city and they are listed on the Convention and Visitors Bureau's website.

Commissioner Hatesohl moved to approve a Call for a Special City Commission Meeting to be conducted in the City Commission Room, City Hall, 1101 Poyntz Avenue, Manhattan, Kansas, on Tuesday, January 4, 2022, at 5:30 p.m., and shall be open to the public for the purpose of proclaiming January 15-17, 2022, as Dr. Martin Luther King, Jr. Community Celebration and Day of Service; also for approving the minutes from the Regular City Commission Meeting held on Tuesday, December 21, 2021; also for approving Claims Register No. 2989; and also for conducting the reorganization of the City Commission; and do hereby cancel the regularly scheduled legislative meeting for January 4, 2021, at 7:00 p.m. as set by the Charter Ordinance. Commissioner Morse seconded the motion. On a roll call vote, motion carried 5-0.

**CONSENT AGENDA**  
(\* denotes those items discussed)

**MINUTES**

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

**CLAIMS REGISTER NO. 2988**

The Commission approved Claims Register No. 2988 authorizing and approving the payment of claims from December 1, 2021 – December 14, 2021, in the amount of \$3,743,056.74.

**LICENSES**

The Commission approved a **Merchant Guard Agency License** for calendar year 2022 for Securitas Security Services USA, LLC, 3641 South West Plass Avenue, Suite 150, Topeka, Kansas; and Vendtech-SGI, LLC, 250 North Rock Road Suite 360, Wichita, Kansas; a **Tree Maintenance License** for calendar year 2022 for Blueville Nursery, Inc, 4539 Anderson Avenue; Done Right, LLC, PO Box 1924; Gier Tree Service, 3507 Musil Dr; and Hummel Tree Service, Inc, 608 Pottawatomie Avenue; an annual **Cereal Malt Beverages Off-Premises License** for Dillon's #15, 130 Sarber Lane; and an annual Cereal Malt Beverages On-Premises License for Axe to Grind, 1222 Moro Street.

\* **ORDINANCE NO. 7561 - AMEND - 2022 SALARY ORDINANCE**

The Commission approved revised Salary Ordinance No. 7561 establishing a new range of salaries for 2022 for City Commissioners and City employees.

**ORDINANCE NO. 7562 - ISSUE - INDUSTRIAL REVENUE BONDS - BEV HUB**

The Commission approved Ordinance No. 7562 issuing up to \$1.665 million in Industrial Revenue Bonds for Bev-Hub.

\* **ORDINANCE NO. 7563 - AMEND - SPECIAL EVENTS WITH ALCOHOL - AGGIEVILLE, DOWNTOWN, CITY PARK, AND TWIN OAKS**

The Commission approved Ordinance No. 7563 amending Sections 4-2, 31-157, 31-159, and 31-160 of the Code of Ordinances relating to special events and possession of alcoholic liquor and cereal malt beverages in Aggieville, Downtown, City Park and Twin Oaks.

**RESOLUTION NO. 122121-A – 2021 CITY BOUNDARY**

The Commission approved Resolution No. 122121-A establishing and defining the boundaries of the city of Manhattan, Kansas, as of December 21, 2021.

## CONSENT AGENDA (CONTINUED)

### RESOLUTION NO. 122121-B - TEMPORARY ALCOHOL PERMIT - DOWNTOWN SIDEWALK PLATFORMS

The Commission approved Resolution No. 122121-B establishing a permit process and regulations for the temporary use of City platforms in the C-4 Central Business District, to include the sale, service, possession, and consumption of alcoholic liquor or cereal malt beverages.

### RESOLUTION NO. 122121-C - RELEASE AND ASSIGN CLAIMS TO KANSAS ATTORNEY GENERAL - OPIOID LITIGATION FUNDS

The Commission adopted Resolution No. 122121-C approving the execution and delivery of an agreement to release and assign the City's opioid claims to the Kansas Attorney General and certifying costs attributable to substance abuse and addiction mitigation in excess of \$500.00.

### AWARD CONTRACT - STAGG HILL GOLF COURSE WATERLINE IMPROVEMENTS (WA2109)

The Commission awarded and authorized the Mayor and City Clerk to execute a sole source construction contract in the amount of \$70,775.00, with Larson Construction Company, Inc., of Manhattan, Kansas, for the Stagg Hill Golf Course Waterline Improvements (WA2109) with the contractor selected and contract financed by the golf course.

### \* AWARD CONTRACT - NORTH CAMPUS CORRIDOR, PHASE IX, IMPROVEMENTS (ST1908)

Ron Fehr, City Manager, provided information regarding funding sources for this project and information regarding the remaining phases of the North Campus Corridor.

The Commission found that Ebert Construction, of Wamego, Kansas, was the lowest and best responsible bidder, based on staff recommendation; accepted the Engineer's Opinion of Probable Cost in the amount of \$9,581,700.42; and awarded and authorized the Mayor and City Clerk to execute a construction contract with Ebert Construction, of Wamego, Kansas, in the amount of \$9,474,379.20 for the North Campus Corridor, Phase IX Improvements (ST1908).

### CONTRACT AMENDMENT NO. 3 - CONSTRUCTION ENGINEERING AND ARCHITECTURAL SERVICES - NORTH CAMPUS CORRIDOR, PHASE IX IMPROVEMENTS (ST1908)

The Commission authorized the Mayor and City Clerk to execute a supplemental services agreement with BG Consultants, of Manhattan, Kansas, for additional Construction Engineering and Architectural services in the amount of \$135,154.00 for the North Campus Corridor, Phase IX Improvements (ST1908).

## CONSENT AGENDA (CONTINUED)

### **RESOLUTION NO. 122121-D – AUTHORIZE FINANCING - NORTH CAMPUS CORRIDOR, PHASE IX IMPROVEMENTS (ST1908)**

The Commission approved Resolution No. 122121-D amending Resolution No. 052819-B which authorized the project for construction and financing for the North Campus Corridor, Phase IX Improvements (ST1908).

### **AMENDMENT NO. 1 - CMAR - NORTH MANHATTAN AVENUE, FROM BLUEMONT AVENUE TO FREMONT STREET, IMPROVEMENTS (AG1904)**

The Commission amended the Construction Manager At Risk (CMAR) contract with McCown Gordon, of Manhattan, Kansas, and accepted the guaranteed maximum price (GMP) of \$6,017,391.00 for the North Manhattan Avenue, from Bluemont Avenue to Fremont Street, Improvements (AG1904).

### **AGREEMENT - CONSTRUCTION ADMINISTRATION SERVICES - NORTH MANHATTAN AVENUE, FROM BLUEMONT AVENUE TO FREMONT STREET, IMPROVEMENTS (AG1904)**

The Commission authorized City Administration to finalize and execute a construction administration services agreement with Olsson, of Manhattan, Kansas, in the amount of \$71,540.00, for the North Manhattan Avenue, from Bluemont Avenue to Fremont Street, Improvements (AG1904).

### **RESOLUTION NO. 122121-E - AUTHORIZE FINANCING - NORTH MANHATTAN AVENUE, FROM BLUEMONT AVENUE TO FREMONT STREET, IMPROVEMENTS (AG1904)**

The Commission approved Resolution No. 122121-E authorizing construction and financing in the amount of \$6,730,000.00 for the North Manhattan Avenue, from Bluemont Avenue to Fremont Street, Improvements (AG1904).

### **AGREEMENT - EMPLOYMENT - CITY MANAGER**

The Commission authorized the Mayor and City Clerk to execute a modified Employment Agreement between the City of Manhattan and City Manager Ronald R. Fehr, beginning with the first pay period of 2022.

### **2022 CONTRACT - FLINT HILLS AREA TRANSPORTATION AGENCY**

The Commission approved a contract as budgeted in the 2022 City Budget and authorized the Mayor and City Clerk to execute said contract with the Flint Hills Area Transportation Agency.

## CONSENT AGENDA (*CONTINUED*)

### 2022 CONTRACT - AGGIEVILLE BUSINESS ASSOCIATION

The Commission approved a contract as budgeted in the 2022 City Budget and authorized the Mayor and City Clerk to execute said contract with the Aggieville Business Association.

### 2022 CONTRACT - DOWNTOWN MANHATTAN, INC.

The Commission approved a contract as budgeted in the 2022 City Budget and authorized the Mayor and City Clerk to execute said contract with Downtown Manhattan, Inc.

### 2022 CONTRACT - MANHATTAN CENTER FOR THE ARTS

The Commission approved a contract as budgeted in the 2022 City Budget and authorized the Mayor and City Clerk to execute said contract with the Manhattan Center for the Arts.

### 2022 CONTRACT - THE WOLF HOUSE MUSEUM

The Commission approved a contract as budgeted in the 2022 City Budget and authorized the Mayor and City Clerk to execute said contract with the Wolf House Museum.

### 2022 CONTRACTS - SOCIAL SERVICES ADVISORY BOARD AGENCIES

The Commission approved contracts as budgeted in the 2022 City Budget and authorized the Mayor and City Clerk to execute said contracts with each Social Services Advisory Board agency (*See Attachment No. 1*).

### 2022 CONTRACTS - SPECIAL ALCOHOL FUND AGENCIES

The Commission approved contracts as budgeted in the 2022 City Budget and authorized the Mayor and City Clerk to execute said contracts with each Special Alcohol Fund agency (*See Attachment No. 2*).

### 2022 CONTRACT - AGGIEVILLE BUSINESS IMPROVEMENT DISTRICT

The Commission authorized the Mayor and City Clerk to execute a 2022 Aggieville Business Improvements District contract.

### 2022 CONTRACT - DOWNTOWN BUSINESS IMPROVEMENT DISTRICT

The Commission authorized the Mayor and City Clerk to execute a 2022 Downtown Business Improvements District contract.

### BOARD APPOINTMENTS

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

## CONSENT AGENDA (CONTINUED)

### BOARD APPOINTMENTS (CONTINUED)

#### Aggieville Business Improvement District Advisory Board

Re-appointment of George Matthews, 1002 Houston Street, to a three-year term which will begin January 1, 2022, and will expire December 31, 2024.

Appointment of Nicolette Unruh, 1632 McCain Lane, to fill the remainder of a three-year vacant term which begins immediately and will expire December 31, 2022.

#### Bicycle and Pedestrian Advisory Committee

Appointment of Shanika Rose, 2030 Tecumseh Road, to fill the unexpired Riley County Health Department term of Ed Kalas which begins immediately and will expire October 31, 2022.

#### Board of Zoning Appeals

Appointment of Andrew Dame, 3626 Everett Drive, to a three-year term which will begin January 1, 2022, and will expire December 31, 2024.

Appointment of George Matthews, 1002 Houston Street, to a three-year term which will begin January 1, 2022, and will expire December 31, 2024.

#### Cemetery Board

Appointment of Logan Robertson, 2117 Blaker Drive, to a three-year term which will begin January 1, 2022, and will expire December 31, 2024.

#### City/University Special Projects Fund Committee

Appointment of Ethan Pilchard, 1805 Claflin Road, Wefald Hall, to a one-year Student term which begins immediately and will expire June 30, 2022.

Appointment of Bently Taulbert, 4705, Kansas City, Missouri, to a one-year Student term which begins immediately and will expire June 30, 2022.

#### Downtown Business Improvement District Advisory Board

Re-appointment of Emily Koenig, 103 S. 4<sup>th</sup> Street, Suite 205B, to a two-year term which will begin January 1, 2022, and will expire December 31, 2023.

Appointment of Brad Simonsson, 4980 Auburn Drive, Wamego, Kansas, to a two-year term which will begin January 1, 2022, and will expire December 31, 2023.

## CONSENT AGENDA (*CONTINUED*)

### BOARD APPOINTMENTS (*CONTINUED*)

#### *Partner City Advisory Committee*

Appointment of Richard Foster, 219 14<sup>th</sup> Street, Ogden, Kansas, to fill the unexpired term of Christine Benne, which begins immediately, and will expire August 31, 2022.

Mayor Butler opened the public comments.

Hearing no comments, Mayor Butler closed the public comments.

Commissioner Hatesohl 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 D1 [ORDINANCE NO. 7561 - AMEND - 2022 SALARY ORDINANCE] which carried 4-1 with Mayor Butler voting against and Item D3 [ORDINANCE NO. 7563 - AMEND - SPECIAL EVENTS WITH ALCOHOL - AGGIEVILLE, DOWNTOWN, CITY PARK] which carried 4-1 with Commissioner Morse voting against.

## GENERAL AGENDA

### 2020 JOINT ECONOMIC DEVELOPMENT ANNUAL REPORT; 2022 CHAMBER OF COMMERCE ECONOMIC DEVELOPMENT AND FORT RILEY PROMOTION AGREEMENTS; 2021 CONVENTION & VISITORS BUREAU FOURTH QUARTER REPORT; 2022 TOURISM AND CONVENTION CONTRACT

Jason Smith, President and Chief Executive Officer, Manhattan Area Chamber of Commerce; Daryn Soldan, Director of Economic Development, Manhattan Area Chamber of Commerce; Sarah Siders, Executive Director, Spark; Rebecca Robinson, Chief Corporate Engagement and Economic Development Officer, Kansas State University Innovation Partners; and Kent Glasscock, Chief Executive Officer, Kansas State University Innovation Partners; presented the unified economic development report.

Mayor Butler opened the public comments.

Hearing no comments, Mayor Butler closed the public comments.

Daryn Soldan, Director of Economic Development, Manhattan Area Chamber of Commerce, answered questions from the Commission.

Janet Nichols, Military Community Liaison, Manhattan Area Chamber of Commerce, presented the Military Relations Committee report for 2021.

## GENERAL AGENDA (*CONTINUED*)

### 2020 JOINT ECONOMIC DEVELOPMENT ANNUAL REPORT; 2022 CHAMBER OF COMMERCE ECONOMIC DEVELOPMENT AND FORT RILEY PROMOTION AGREEMENTS; 2021 CONVENTION & VISITORS BUREAU FOURTH QUARTER REPORT; 2022 TOURISM AND CONVENTION CONTRACT (*CONTINUED*)

Karen Hibbard, Director, Convention and Visitors Bureau (CVB), presented the fourth quarter CVB report. She then answered questions from the Commission.

Mayor Butler opened the public comments.

Hearing no comments, Mayor Butler closed the public comments.

Commissioner Hatesohl moved to receive the 2020 Joint Economic Development Report; authorize City Administration to finalize and the Mayor and City Clerk to execute the Fort Riley Promotion, Economic Development, and Tourism and Convention contracts for 2022 with the Manhattan Area Chamber of Commerce. Commissioner Estabrook seconded the motion. On a roll call vote, motion carried 5-0.

### ADJOURNMENT

At 9:44 p.m. the Commission adjourned.

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Brenda K. Wolf, CMC, City Clerk



*Attachment No. 1*

***2022 Social Services Advisory Board Agencies Funded***

<b><i>AGENCY</i></b>	<b><i>AMOUNT</i></b>
Big Brothers/Big Sisters	\$37,000
Boys and Girls Club of Manhattan, Inc.	\$45,865
Crisis Center	\$48,800
Good Shepherd Homecare & Hospice	\$54,222
Kansas Legal Services, Inc.	\$40,000
Manhattan Emergency Shelter	\$86,768
Morning Star Inc., CRO	\$12,000
Shepherd's Crossing	\$55,000
Sunflower CASA Project, Inc.	\$56,000
Thrive	\$14,000

***2022 Special Alcohol Fund Committee Agencies Funded***

<b><i>AGENCY</i></b>	<b><i>AMOUNT</i></b>
Be Able	\$10,000
Big Brothers/Big Sisters	\$16,000
Boys and Girls Club of Manhattan, Inc.	\$17,100
KSU-Alcohol & Other Drug Education	\$17,100
Manhattan Emergency Shelter	\$18,000
Midwest Educational Center	\$13,110
Pawnee Mental Health	\$82,750
Riley Co. Comm. Corrections-Adult	\$25,000
Riley Co. Comm. Corrections-Juvenile	\$6,300
Riley Co. Court Services-Probation	\$3,000
The Restoration Center	\$10,000
Sunflower CASA Project, Inc.	\$35,150
Thrive!	\$10,000
UFM Learning Center	\$20,000
Unified School District #383	\$182,500