

CERTIFICATION OF CLERK

I, Brenda K. Wolf, the duly appointed, qualified, and City Clerk of Manhattan, Kansas, do hereby certify that the foregoing Minutes from April 18, 2023, were duly adopted at a meeting of the City of Manhattan, Kansas, held on the 2nd day of May, 2023, and that said Minutes have been compared by me with the original thereof on file and of record in my office, is a true copy of the whole of said original.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the City of Manhattan, Kansas, this 2nd day of May, 2023.



Brenda K. Wolf

Brenda K. Wolf, CMC, City Clerk



MINUTES
CITY COMMISSION MEETING
TUESDAY, APRIL 18, 2023
6:00 P.M.

CALL TO ORDER

At 6:00 pm, Mayor Hatesohl called the April 18, 2023, City Commission Meeting to order.

ROLL CALL

Present: Commissioner Usha Reddi, Commissioner Wynn Butler, Commissioner John E. Matta, and Commissioner Linda Morse, with Mayor Mark J. Hatesohl presiding.

On a roll call vote, the City Clerk announced there were 5 Commissioners present and that the quorum of 3 was met.

Also present were City Manager Ron R. Fehr, Deputy City Manager Jason Hilgers, Assistant City Manager Jared Wasinger, City Attorney Katharine Jackson, City Clerk Brenda K. Wolf, 11 staff, and approximately 32 interested citizens.

PLEDGE OF ALLEGIANCE

Mayor Hatesohl led the Commission in the Pledge of Allegiance.

RECOGNITION

Mayor Mark J. Hatesohl, City Manager Ron Fehr, Director of Public Works Rob Ott, Utility Superintendent Norm Francis, Environmental Compliance Manager Abdu Durar, and Maintenance Crewleader I Mike Edwards recognized Victor Ibarra-Labra for receiving Municipal Supervisor of the Year Award at the Kansas Rural Water Association (KRWA) annual conference on March 29, 2023.

PROCLAMATIONS

Mayor Hatesohl proclaimed April 2023, ***Child Abuse Prevention Month***. Meagan Cramer, Board President, and Carson Kober, Executive Director; Tyleshia Brown, Victim Advocate; Katie Maga, Training & Program Coordinator; and Erine Porter, Forensic Interviewer/Victim Advocate, Sunflower Children’s Collective (formerly Sunflower CASA), were present to receive the proclamation.

Mayor Hatesohl proclaimed April 23-29, 2023, ***National Library Week***. Eric Norris, Director, Manhattan Public Library, and Elaine Shannon, President, Manhattan Public Library Board of Trustees, were present to receive the proclamation.

COMMISSIONER COMMENTS

Commissioner Butler stated the Go Green Match Day through the Greater Manhattan Community Foundation was Friday, April 21, 2023, and was a way for the public to show support for the charitable organizations in the community.

Commissioner Reddi mentioned that Governor Kelly just signed a bill amending the statute of limitations for child sexual abuse. She said the bill wasn’t a prevention for child abuse, but it provided another option for survivors.

CONSENT AGENDA

(* denotes those items discussed)

MINUTES

The Commission approved the minutes of the Regular City Commission Meeting held Tuesday, April 4, 2023.

CLAIMS REGISTER NO. 3032

The Commission approved Claims Register No. 3032 authorizing and approving the payment of claims from March 29, 2023 – April 11, 2023, in the amount of \$110,975.22.

CLAIMS REGISTER NO. 3033

The Commission approved Claims Register No. 3033 authorizing and approving the payment of claims from March 29, 2023 – April 11, 2023, in the amount of \$4,693,909.61.

CONSENT AGENDA (CONTINUED)

RESOLUTION NO. 041823-A – AUTHORIZE SALE – GENERAL OBLIGATION BOND SERIES 2023-A AND 2023-B

The Commission approved Resolution No. 041823-A authorizing the offering for sale not to exceed \$41,000,000.00 of General Obligation Bonds Series 2023-A and General Obligation Bond Series 2023-B.

FIRST READING – ISSUE – GENERAL OBLIGATION BOND SERIES 2023-A

The Commission approved first reading of an ordinance issuing \$29,335,000.00 of General Obligation Bonds Series 2023-A to finance the following seventeen (17) public improvement districts: *Chapel Hill – Sanitary Sewer (SS1814), Street (ST1815), and Water (WA1817)*; *Scenic Meadows, Unit Five (Fossilridge) – Sanitary Sewer (SS1812), Street (ST1812), and Water (WA1814)*; *Scenic Meadows, Unit Three (Plumthicket) – Sanitary Sewer (SS1813), Street (ST1813), and Water (WA1815)*; *St. Luke’s Waterline – Water (WA1920)*; *Browning Avenue and Kelly Drive Storm Drainage (SM1807)*; *Colbert Hills Addition, Unit Five – Sanitary Sewer (SS1917), Street (ST1907), and Water (WA1917)*; and *Stonehaven Addition, Unit Two (Amherst Avenue) – Sanitary Sewer (SS1915), Water (WA1914), and Storm Drainage (SM1902)*; and fourteen (14) capital projects totaling \$25,110,000 as follows: *Chapel Hill – Street (ST1815) City-At-Large*; *St. Luke’s Waterline – Water (WA1920) City-At-Large*; *Kimball Avenue Widening – Hudson and Vanesta (ST1715)*; *North Manhattan Avenue from Kimball to College – Street and Water Improvements (ST1719)*; *Kimball Avenue and College Avenue Intersection - Street, Water, and Storm Drainage Improvements (ST1718)*; *South Downtown Storm System Improvements (Houston/6th) (SM1701)*; *South Downtown Waterline Improvements – Houston Street/6th Street (WA1711), Pierre Street (WA1807), and Juliette Phase IV (WA1923)*; and *Airport Parking Lot Phase I (AP1201, AP1502, AP1801)*.

FIRST READING - ISSUE - GENERAL OBLIGATION BOND SERIES 2023-B

The Commission approved first reading of an ordinance issuing \$9,205,000.00 of Taxable General Obligation Bonds Series 2023-B to finance the following two (2) capital projects: *Conference Center Expansion (CC1901)* and *Acquisition of Biosolids Land (SP2004)*.

FIRST READING - ISSUE INDUSTRIAL REVENUE BONDS - FOUNDATION PARK HOMEPLUS, LLC

The Commission approved first reading of an ordinance to issue up to \$8 million in Industrial Revenue Bonds for the acquisition, construction and equipping of up to

CONSENT AGENDA (CONTINUED)

FIRST READING – ISSUE INDUSTRIAL REVENUE BONDS - FOUNDATION PARK HOMEPLUS, LLC (CONTINUED)

three 12-bed senior “Home Plus” facilities to be leased to Foundation Park HomePlus, LLC and authorizing certain other related document and actions.

FIRST READING – AMEND CHAPTER 24 – CANVASSING REGULATIONS

The Commission approved first reading of an Ordinance amending Chapter 24 of the Code of Ordinances, removing regulations relating to canvassing within the corporate limits of the city of Manhattan, Kansas.

RESOLUTION NO. 041823-B – AUTHORIZE SALE – TEMPORARY NOTES SERIES 2023-01

The Commission approved Resolution No. 041823-B authorizing the offering for sale of General Obligation Temporary Notes Series 2023-01 not to exceed \$11,255,000 to finance the following seven (7) capital projects: *North Campus Corridor Detention Ponds (SW2207)*; *12th Street and Laramie Street Electrical (AG2202)*; *Fremont Street Improvements (SP1604, ST2202, SW2201, WA2205)*; and *College Heights Waterline (WA2214)*; and the following six (6) special assessment projects: *Stonehaven Addition, Unit Two BMP (SM1904)*; *Stonehaven Addition, Unit Two Lift Station (SS1914)*; *Stonehaven Addition, Unit Two Amherst Avenue (ST1903)*; *Stonehaven Addition, Unit Two Roundabout (ST1904)*; *Stonehaven Addition, Unit Two Detention Pond (SM1903)*; and *Stonehaven Addition, Unit Two Amherst Avenue Change Order (ST1903)*.

REQUEST FOR QUALIFICATIONS - PROFESSIONAL SERVICES - SUNSET AVENUE, ANDERSON AVENUE TO PLATT STREET (WA2305, ST2303, SW2301, CIP #WA232P, CIP #WA085P)

The Commission authorized City Administration to seek qualifications for professional services for a Sunset Avenue, from Anderson Avenue to Platt Street, Water (WA2305), Street (ST2303) and Stormwater (SW2301) Improvements Project (CIP #WA232P, CIP #WA085P), and appointed Commissioner Butler to serve on the Selection Committee.

CONSTRUCTION CONTRACT - SANITARY SEWER ACOUSTIC INSPECTION PROJECT (SS2213)

The Commission authorized the Mayor and City Clerk to execute a contract, in the amount of \$122,600.00, with Duke’s Root Control, of Elgin, Illinois, for the Sanitary Sewer Acoustic Inspection Project (SS2213).

CONSENT AGENDA (CONTINUED)

AWARD CONTRACT – KIMBALL AVENUE IMPROVEMENTS, FROM VANESTA DRIVE TO BERKSHIRE CIRCLE (ST1910, SW2302, WA2304)

The Commission found that Bayer Construction was the lowest responsible bidder who submitted a responsive bid, and awarded and authorized the Mayor and City Clerk to execute a construction contract in the amount of \$2,381,585.80 with Bayer Construction, of Manhattan, Kansas, for Kimball Avenue Improvements, from Vanesta Drive to Berkshire Circle (ST1910, SW302, WA2304).

CONTRACT AMENDMENT NO. 2 – KIMBALL AVENUE AND VANESTA DRIVE INTERSECTION (ST1910)

The Commission approved and authorized the Mayor to execute Contract Amendment No. 2 in the amount not to exceed \$49,591.00 with Bartlett and West, of Manhattan, Kansas, for the Kimball Avenue and Vanesta Drive intersection (ST1910).

CHANGE ORDER NO. 1 – KIMBALL AVENUE AND VANESTA DRIVE INTERSECTION (ST1910)

The Commission approved and authorized the Mayor to execute Change Order No. 1, resulting in a net increase in the amount of \$117,375.50 (+4.9%) to the contract with Bayer Construction, for additional street repairs at the Kimball Avenue and Vanesta Drive intersection (ST1910).

RESOLUTION NO. 041823-C – AUTHORIZE PROJECT AND FINANCING – KIMBALL AVENUE IMPROVEMENTS, FROM VANESTA DRIVE TO BERKSHIRE CIRCLE (ST1910, SW2302, WA2304)

The Commission approved Resolution No 041823-C authorizing the improvements and issuance of General Obligation Bonds to finance the Kimball Avenue Improvements, from Vanesta Drive to Berkshire Circle (ST1910, WA2304).

AGREEMENT – DOWNTOWN FARMER’S MARKET, INC.

The Commission authorized City Administration to finalize and the Mayor and City Clerk to execute an Agreement with the Downtown Farmer’s Market, Inc., for use of the City’s public parking lot at the southeast quadrant of North Fourth Street and Leavenworth Street, in Lot 3, Manhattan Town Center 5 for Wednesdays from May 3, 2023 – September 27, 2023, and Saturdays from May 1, 2023 – April 30, 2024.

FIRST AMENDMENT TO PROJECT FUNDING AGREEMENT – NATIONAL CHURCH RESIDENCES - 1115 AND 1119 GARDEN WAY

The Commission authorized the Mayor and City Clerk to execute a First Amendment to Project Funding Agreement with the National Church Residences for the Federal Emergency Management Agency (FEMA) buy-out of Garden Grove Apartments located at 1115 and 1119 Garden Way.

CONSENT AGENDA (*CONTINUED*)

BOARD APPOINTMENTS

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

Historic Resources Board

Appointment of Jeff Schober, 2933 Amherst Avenue, to a three-year Architect term, which will begin May 1, 2023, and will expire on April 30, 2026.

Library Board

Appointment of Lucas Loughmiller, 1621 Fishermans Lane, to a four-year term, which will begin May 1, 2023, and will expire on April 30, 2027.

Appointment of Melissa Rosso, 540 Oakdale Drive, to a four-year term, which will begin May 1, 2023, and will expire on April 30, 2027.

Riley County Solid Waste Management Committee

Recommendation of Jacob Larson, 3900 Snowy Reach, to the Riley County Commission to fill the unexpired City of Manhattan term of Judy Willingham.

Mayor Hatesohl opened the public comments.

Hearing no comments, Mayor Hatesohl closed the public comments.

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

PUBLIC HEARING

FIRST READING - VACATE TRAVEL AND UTILITY EASEMENT - LOT 22 OF GRAND MERE, UNIT 1 (2801 HEARTLAND VALLEY)

Ben Kearns, Project Manager, presented the item. He then answered questions from the Commission.

Mayor Hatesohl opened the public hearing.

Hearing no comments, Mayor Hatesohl closed the public hearing.

PUBLIC HEARING (CONTINUED)

FIRST READING - VACATE TRAVEL AND UTILITY EASEMENT - LOT 22 OF GRAND MERE, UNIT 1 (2801 HEARTLAND VALLEY) (CONTINUED)

Commissioner Butler moved to find that no private rights will be injured or endangered by such vacation, and that the public will suffer no loss or inconvenience thereby; and approve first reading of an ordinance vacating a portion of a utility easement located at Lot 22 of Grand Mere Unit 1 (also known as 2801 Heartland Valley) Manhattan, Riley County, Kansas (VA2302). Commissioner Matta seconded the motion. On a roll call vote, motion carried 5-0.

GENERAL AGENDA

DISCUSSION - HOUSING INCENTIVE PROGRAMS - RURAL HOUSING INCENTIVE DISTRICTS (RHID) AND MODERATE-INCOME HOUSING (MIH)

Stephanie Peterson, Director of Community Development, presented two housing incentive programs: Moderate Income Housing (MIH) [a grant or loan program from Kansas Housing Resources Corporation] and Rural Housing Incentive District (RHID) [a program through the Kansas Department of Commerce].

Stephanie Peterson, Director of Community Development, and John Verssue, Planner II, answered questions from the Commission.

Jason Hilgers, Deputy City Manager, and Ron Fehr, City Manager, provided additional information to the Commission and answered questions from the Commission.

Mayor Hatesohl opened the public comments.

The following members of the public provided comments:

- Josh Brewer, 410 Fremont Street, representing Manhattan Habitat for Humanity
- Scott Seel, 7800 Washington Boulevard, Realtor, member of Housing Steering Committee and Workforce Housing Steering Committee
- Nicolette Unruh, 7250 Troy Road

Hearing no other comments, Mayor Hatesohl closed the public comments.

Majority of the Commission appeared to be interested more in owner-occupied housing but not exclude rental properties based on extent and location, asked Community Development to bring forth questions and criteria to develop a mechanism to screen applicants, and there was possible support to bring back a request for proposals to the Commission for consideration.

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

ADJOURNMENT

Commissioner Morse moved to adjourn the April 18, 2023, City Commission Meeting. Commissioner Reddi seconded the motion. On a roll call vote, motion carried 5-0.

At 8:07 p.m., Mayor Hatesohl announced the Commission meeting was adjourned.



Brenda K. Wolf, CMC, City Clerk