



REVISED AGENDA
TUESDAY, DECEMBER 20, 2022
CITY COMMISSION ROOM
CITY HALL
1101 POYNTZ AVENUE
MANHATTAN, KS 66502

City Commission Meeting
6:00 P.M.

NOTE: Agenda items are available on the City's website at <https://www.cityofmhk.com/Archive.aspx?ADID=8556>. If you would like to provide public comment at the meeting for an item on the agenda, you may sign up-in person at the meeting. The guidelines for public comments can be found in Resolution No. 062122-B, <https://cityofmhk.com/meetingspolicy>. If you would like to provide written comment for an item on the agenda in lieu of coming to City Hall, comments may be submitted through the City's website at <https://cityofmhk.com/contactcommissioners> or by emailing or calling the Commissioners directly. Contact information for each Commissioner is located on the City's website at <https://cityofmhk.com/202/City-Commission>.

The City Commission Meeting will be televised live on local Cox Cable Channel 3, on the City's website at <http://cityofmhk.com/tv>, and also on Facebook at <https://www.facebook.com/Cityofmanhattan>. A recording will be made available on the City's website after the meeting.

1. CALL TO ORDER

2. ROLL CALL AND ANNOUNCEMENT OF A QUORUM

3. PLEDGE OF ALLEGIANCE



This meeting is being held in the City Commission Room at City Hall, 1101 Poyntz Avenue. In accordance with provisions of the ADA, every attempt will be made to accommodate the needs of persons with disabilities. Please contact the Human Resources Department (587-2443) for assistance.

4. COMMISSIONER COMMENTS

5. CONSENT AGENDA

[Items on the Consent Agenda are those of a routine and housekeeping nature or those items which have previously been reviewed by the City Commission and may be approved in one motion. A Commissioner may request an item be removed for separate discussion and considered immediately following the Consent Agenda. [Comment from the public](#) related to any item on the Consent Agenda to the City Commission is allowed. Each person will be limited to one speaking opportunity for up to five (5) minutes for this section.]

A. *MINUTES*

1. Approve the [minutes](#) of the Regular City Commission Meeting held Tuesday, December 6, 2022.
2. Approve the [minutes of the Special City Commission Meeting held at 5:30PM](#) on Tuesday, December 13, 2023.
3. Approve the [minutes of the Special City Commission Meeting held at 6:00PM](#) on Tuesday, December 13, 2023.

B. *CLAIMS/PAYMENTS*

1. Approve [Claims Register No. 3018](#) authorizing and approving the payment of claims from November 30, 2022 – December 13, 2022, in the amount of \$5,818,128.58.

C. *LICENSES*

1. [Approve](#) a Merchant Guard Agency License for calendar year 2023 for Allied Universal Security Services, 161 Washington Street, Conshohocken, Pennsylvania, and Vendtech-SGI, LLC, 250 N Rock Road, Wichita; a Tree Maintenance License for calendar year 2023 for Shiver Me Timbers, LLC, 4521 Freeman Road; an annual Cereal Malt Beverage Off-Premises License for Daras #1, 1816 Claflin Road; Daras #2, 3210 Kimball Avenue; Daras #10, 2323 Tuttle Creek Boulevard; Walgreens #7060, 325 Bluemont Avenue; and Walgreens #12814, 2719 Anderson Avenue; and an annual Cereal Malt Beverages On-Premises License for The Village Geek, 105 N 3rd Street.

D. *SECOND AND FINAL READING*

1. Approve Ordinance No. 7620 amending the [Code of Ordinances](#) by adding a new article to Chapter 8, [establishing a process by which a development may pay a fee in lieu](#) of a requirement to provide detention of stormwater runoff caused by the development and approve Resolution No. 122022-A establishing a fee and service area for the Downtown East and West Watershed.
2. Approve Ordinance No. 7621 amending Ordinance Nos. 6254 and 6569 and the [Final Development Plan of the Townhomes at Miller Parkway residential PUD](#), to permit an enlarged and modified neighborhood

identification sign, based on the findings in the Staff Report and the recommendation of the Manhattan Urban Area Planning Board.

E. **RESOLUTIONS**

1. Approve [Resolution No. 122022-B](#) establishing and defining the boundaries of the city of Manhattan, Kansas, as of December 20, 2022.
2. Approve [Resolution No. 122022-C](#) authorizing the City of Manhattan, Kansas, to participate in Midwest Public Risk of Kansas Property, Automobile and Liability Insurance Programs.

F. **PROFESSIONAL SERVICES**

1. Accept the Selection Committee's recommendation and authorize City Administration to negotiate a [five-year agreement \(2023-2027\) for architectural and engineering services for the Manhattan Regional Airport with Olsson, Inc. of Lincoln, Nebraska.](#)

G. **MISCELLANEOUS AGREEMENTS**

1. [Approve contracts as budgeted in the 2023 City Budget and authorize the Mayor and City Clerk to execute said contracts with the following agencies:](#) *Flint Hills Area Transportation Agency; Aggieville Business Association; Downtown Manhattan Inc.; the Manhattan Arts Center; the Riley County Historical Society (Wolf House Museum); Social Services Advisory Board agencies: Be Able, Big Brothers Big Sisters, Boys and Girls Club, Crisis Center, Flint Hills Community Clinic, Good Shepherd Homecare and Hospice, Kansas Legal Services, K-State Center for Child Development, Manhattan Emergency Shelter, Morning Star, Shepherd's Crossing, Sunflower CASA, and Thrive!; and the Special Alcohol Programs agencies: Be Able, Big Brothers and Big Sisters, Boys and Girls Club, Friends of Recovery, K-State Alcohol and Other Drug Related Services, Manhattan Emergency Shelter, Midwest Educational Center (Wonder Workshop), Pawnee Mental Health Services, RCCC Adult Services, RCCC Juvenile Services, Restoration Center, Riley County Court Services Probation, Sunflower CASA, Thrive!, UFM, and USD 383.*
2. Authorize the Mayor and City Clerk to execute the [2023 Aggieville and Downtown Business Improvement District contracts.](#)
3. Authorize the Mayor and City Clerk to execute an [Agreement for Construction of Public Infrastructure](#) by Owner and Contractor, with Kevin D. Neitzel and Beth M. Neitzel, Trustees for the Kevin D. Neitzel and Beth M. Neitzel Living Trust, Dated June 3, 2019, and Larson Construction, Inc., a Kansas Corporation, for the Lots 4-5 Lee Mill, Unit 13, (1113 Lesmer Court) Sanitary Sewer (SS2214) and Storm Sewer (SW2213) Improvements Project.
4. Authorize 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 2023.
5. Authorize the Mayor and/or City Clerk to execute a [lease purchase agreement and all necessary documents with Clayton Holdings, LLC, for five trucks](#) (BM032E-New for Building Tech, CP015E to replace City Parks

Division Unit 76, CP056E to replace City Parks Division Unit 771, CP140E to replace City Parks Division Unit 81, and CP210E to replace City Parks Division Unit 69).

H. **PURCHASES**

1. Authorize the [purchase of an International/Palfinger Forestry Knuckleboom Loader Truck for the Forestry Division \(CP132E\)](#), in the amount of \$181,290.00 (with trade-in), from Rush Truck Center, of Kansas City, Missouri, and authorize the Mayor and/or City Clerk to execute a lease purchase agreement and all necessary documents with Clayton Holdings, LLC.
2. Authorize the [purchase of a 1-Ton Ram 3500 Chassis and KUVcc Utility bed for the Fire Department \(FR049E\)](#), in the amount not to exceed \$79,000.00 from Valor Ford, of Junction City, Kansas, and Knapheide Truck Equipment, of Kansas City, Missouri, and approve the remaining \$11,000.00 for the additional emergency equipment installation; and authorize the Mayor and/or City Clerk to execute a lease purchase agreement and all necessary documents with Clayton Holdings, LLC.
3. Authorize the [purchase of the ¾-ton truck in the amount of \\$55,620.00 from Cable Dahmer, of Topeka, Kansas, to replace Recreation Division Unit 763 \(RC051E\)](#) and authorize the disposal of excess property once the replacement vehicle has arrived.

I. **APPOINTMENTS**

1. Approve the Mayor's appointments to the [Workforce Housing Steering Committee and appoint](#) City Commissioner John E. Matta to serve on the Committee.
2. Approve the [following appointments by Mayor Morse to various boards and committees](#) of the city.
 - a. Re-appointment of Dan Engle to the Downtown Business Improvement District Advisory Board.
 - b. Re-appointment of Aly Limbocker-Swanson to the Downtown Business Improvement District Advisory Board.
 - c. Re-appointment of Nichole Proffitt to the Downtown Business Improvement District Advisory Board.
 - d. Re-appointment of Jason Suther to the Downtown Business Improvement District Advisory Board.
 - e. Appointment of Caela Wood to the Historic Resources Board.
3. Approve the [following appointments by Mayor Morse to the Riley County Law Enforcement Board](#).
 - a. **Appointment of Betty Mattingly-Ebert to a Citizen-At-Large term.**
 - b. Appointment of Debra Rodenbaugh-Schaub to a Citizen-At-Large term.
 - c. Appointment of Mayor Morse to a Rotating City Commissioner term.
 - d. Appointment of Commissioner Reddi to a City Commissioner term.

6. ITEM REMOVED FROM CONSENT AGENDA

7. PUBLIC HEARING

[The hearing procedure and public participation will be based upon the legal requirements for the required hearing.]

- A. **CONSIDER K-STATE FOUNDATION REQUEST FOR INDUSTRIAL REVENUE BONDS AND TAX ABATEMENT FOR OFFICE PARK BUILDING NO. 3**
1. Conduct a public hearing; and
 2. Consider Resolution No. 122022-D authorizing the issuance of \$30 million in Industrial Revenue Bonds and a Property Tax Abatement for the K-State Foundation's Office Building No. 3.

8. GENERAL AGENDA

[**Comment from the public** related to any item on the General agenda to the City Commission is allowed. Each person will be limited to one speaking opportunity for up to five (5) minutes for each item in this section.]

- A. **CONSIDER ANNEXING LANDING BUSINESS PARK**
1. Approve Resolution No. 122022-E finding that annexation of an approximately 78.73-acre tract of land, generally located at the northeast corner of Skyway Drive and West 68th Avenue, west of the Manhattan Regional Airport, pursuant to K.S.A. 12-520c is advisable, based upon the information in the staff report, and requesting the Board of County Commissioners of Riley County find and determine that the proposed annexation will not hinder or prevent the proper growth and development of the area or that of any other incorporated city located within the county.
- B. **CONSIDER REZONING 2129 FORT RILEY LANE**
[*Manhattan Urban Area Planning Board recommends approval*]
1. Approve first reading of an ordinance rezoning 2129 Fort Riley Lane from IL, Light Industrial District, to CC, Community Commercial District, based on findings in the Staff Report and the recommendation of the Manhattan Urban Area Planning Board.

C. CONSIDER ANNEXING NORTH ENCLAVE ADDITION

[Manhattan Urban Area Planning Board recommends approval]

1. Approve first reading of an ordinance annexing an approximately 11.9-acre tract of land, generally located on the east side of Grand Mere Parkway extending between Grand Champions Drive and Enclave Ridge Circle, into the city limits.

D. CONSIDER REZONING NORTH ENCLAVE ADDITION

[Manhattan Urban Area Planning Board recommends approval]

1. Approve first reading of an ordinance rezoning an 11.9-acre tract of land, generally located on the east side of Grand Mere Parkway extending between Grand Champions Drive and Enclave Ridge Circle, from Riley County PUD, Planned Unit Development, to City of Manhattan, RL-A Low Density Residential Attached District, based on findings in the Staff Report and recommendation by the Manhattan Urban Area Planning Board.

E. CONSIDER 2023 CHAMBER OF COMMERCE ECONOMIC DEVELOPMENT AND FORT RILEY PROMOTION AGREEMENTS & 2022 YEAR END REPORT FOR ECONOMIC DEVELOPMENT; 2023 CONTRACT TOURISM AND CONVENTION CONTRACT & 2022 CONVENTION & VISITORS BUREAU FOURTH QUARTER REPORT

1. Receive the 2021 Joint Economic Development Report and 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 2023 with the Manhattan Area Chamber of Commerce.

F. CONSIDER RESOLUTION NO. 122022-F DISSOLVING THE SPECIAL ALCOHOL FUNDS ADVISORY COMMITTEE AND APPROVE RESOLUTION NO. 122022-G DISSOLVING THE SOCIAL SERVICES ADVISORY BOARD

1. Approve Resolution No. 122022-F dissolving the Special Alcohol Funds Advisory Committee and Approve Resolution No. 122022-G dissolving the Social Services Advisory Board

9. ADJOURNMENT

- A. Move to adjourn the December 20, 2022, City Commission Meeting.