



AGENDA
TUESDAY, MAY 16, 2023
CITY COMMISSION ROOM
CITY HALL
1101 POYNTZ AVENUE
MANHATTAN, KS 66502

Special City Commission Meeting
6:30 P.M.

NOTE: Agenda items are available on the City's website at <https://www.cityofmhk.com/Archive.aspx?ADID=8750>. 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. PROCLAMATIONS

- A. May 21-27, 2023, [National Public Works Week](#). (Rob Ott, Director of Public Works, will be present to receive the proclamation.)
- B. May 2023, [Mental Health Month](#). (Robbin Cole, Chief Executive Officer, Pawnee Mental Health Services, will be present to receive the proclamation.)

5. COMMISSIONER COMMENTS

6. REORGANIZATION

- A. Mayor Hatesohl calls for nomination of new Mayor Pro Tem.

7. 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, May 2, 2023.
- B. **CLAIMS/PAYMENTS**
 - 1. Approve [Claims Register No. 3035](#) authorizing and approving the payment of claims from April 26, 2023 – May 9, 2023, in the amount of \$6,264,423.18.
- C. **SECOND AND FINAL READING**
 - 1. Approve [accepting the best bid for selling the bonds](#) to Janney Montgomery Scott LLC, of Philadelphia, Pennsylvania; and approve Ordinance No. 7641 issuing \$27,545,000.00 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 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); Airport Parking Lot Phase I (AP1201, AP1502, AP1801); and Resolution No. 051623-A ratifying delivery of the Series 2023-A a to the low bidder. Approve accepting the best bid for selling the bonds to Robert W. Baird & Co., Inc., of Milwaukee, Wisconsin; and approve Ordinance No. 7642 issuing and \$8,965,000.00 of Taxable General Obligation Bonds Series 2023-B for the following two (2) capital projects: **Conference Center Expansion (CC1901) and Acquisition of Biosolids Land (SP2004)** and Resolution No. 051623-B ratifying delivery of the Series 2023-B bonds to the low bidder.*

2. Having found that the public interests to be served by the parking lot at Bluemont Elementary School outweigh the impacts upon legitimate community interests, approve [Ordinance No. 7643](#) authorizing the reduction of landscaping requirements pursuant to Sec. 26-9D-4 of the Manhattan Development Code and K.S.A. 12-748 for Bluemont Elementary School based on the recommendation of the Manhattan Urban Area Planning Board and the findings in the Staff Report.
3. Having found that the public interests to be served by the digital graphic sign at the Riley County Health Department outweigh the impacts upon legitimate community interests, approve [Ordinance No. 7644](#) authorizing a digital graphic sign for the Riley County Health Department, based on the recommendation by the Manhattan Urban Area Planning Board and findings in the Staff Report.
4. Approve [Ordinance No. 7645](#) amending Ordinance No. 6745, and the Final Development Plan of McCall Landing PUD, to establish a Culver’s restaurant with a drive-through, based on the findings in the Staff Report and the recommendation of the Manhattan Urban Area Planning Board.
5. Having found that no private rights will be injured or endangered by such vacation, and that the public will suffer no loss or inconvenience thereby, approve [Ordinance No. 7646](#) vacating a utility easement and drainage easement located at Lot 26 of the Final Plat of Lee Mill Heights, Unit Four (also known as 1037 Laussac Drive) Manhattan, Riley County, Kansas (VA2303).

D. **FIRST READINGS**

1. Approve first reading of an Ordinance amending Article XVII of Chapter 15 of the Code of Ordinances, [establishing a contract franchise and](#)

[authorizing Delta Communications, LLC dba Clearwave Fiber](#), to construct, maintain, and operate as a telecommunications service provider in the public right-of-way.

2. Approve first reading of an Ordinance [amending Chapter 26 of the Code of Ordinances, the Manhattan Development Code, regulating political signs](#) within the corporate limits of the city of Manhattan, Kansas.

E. **RESOLUTIONS**

1. Ratify acceptance of the best bid for the notes to Robert W. Baird & Co. Inc., of Milwaukee, Wisconsin, and [approve Resolution No. 051623-C, issuing \\$11,255,000 in temporary notes \(Series 2023-01\)](#) 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 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).
2. Approve [Resolution No. 051623-D authorizing a Special Event with Alcohol Permit](#) for Arts in the Park to occur on June 2, 9, 23, 30; July 7, 14, 21, and 28, 2023.
3. Approve [Resolution No. 051623-E modifying the 2023 City of Manhattan election](#) to elect four City Commissioners.

F. **PROFESSIONAL SERVICES**

1. Authorize City staff to seek [Requests for Proposals for the East Manhattan Gateway Plan](#) planning initiative and appoint a City Commissioner to serve on the Selection Committee.

G. **BID AND AWARD**

1. Find that Josh Connet Excavating LLC, of Manhattan, Kansas, is the lowest responsible bidder who submitted a responsive bid and that entering into a contract with that bidder is in the best interests of the City even though it exceeds the Engineer's Opinion of Probable Cost; therefore, authorize the Mayor and City Clerk to execute a contract in the amount of \$332,333.00 with Josh Connet Excavating LLC, of Manhattan, Kansas, for the [2023 Hydrant and Valve Replacement Project \(WA2202\)](#).
2. Authorize the Mayor to execute [Change Order No. 1 for the College Heights Waterline Project \(ST2109, WA2214, SW2107\)](#), resulting in a net increase in the amount of \$85,000.00 (+10.2%) to the contract with Larson Construction Co. Inc., of Manhattan, Kansas.

H. **GRANTS**

1. Authorize the Mayor to execute a [Grant Agreement with the Kansas Division of Emergency Management](#) for the acquisition and demolition of 925 Village Drive (SW2305).

I. ***APPOINTMENTS***

1. Approve the following [appointments by Mayor Hatesohl](#) to various boards and committees of the city.
 - a. Re-appointment of Sean Durr to the City/University Special Projects Fund Committee.
 - b. Re-appointment of Marianne Korten to the City/University Special Projects Fund Committee.
 - c. Re-appointment of Ethan Pilchard to the City/University Special Projects Fund Committee.
 - d. Re-appointment of Vincent Tracey to the City/University Special Projects Fund Committee.
 - e. Appointment of Jacob Brown to the City/University Special Projects Fund Committee.
 - f. Appointment of Pete Frasco to the City/University Special Projects Fund Committee.
 - g. Appointment of Commissioner Butler to the Convention & Visitor's Bureau (CVB) Steering Committee.
 - h. Appointment of Commissioner Butler to the Flint Hills Area Transportation Agency Board.
 - i. Appointment of Commissioner Morse to the Flint Hills Metropolitan Planning Organization (MPO) Policy Board.

8. ITEM REMOVED FROM CONSENT AGENDA

9. 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 REZONING MCM LANDING BUSINESS PARK FROM RILEY COUNTY AG, AGRICULTURE DISTRICT, TO CITY ICS, INDUSTRIAL/COMMERCIAL SERVICES DISTRICT WITH AIRPORT OVERLAY](#)**

[Manhattan Urban Area Planning Board recommends approval]

REQUESTED ACTION BY APPLICANT:

Approve first reading of an ordinance rezoning 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, from Riley County AG, Agriculture District, to City of Manhattan ICS, Industrial/Commercial Services District with Airport Overlay, based on findings in the Staff Report and recommendation by the Manhattan Urban Area Planning Board.

- B. CONSIDER AMENDING THE ECONOMIC DEVELOPMENT AGREEMENT WITH THE MANHATTAN AREA CHAMBER OF COMMERCE TO CREATE THE ELEVATE FUND**
1. Approve and authorize the Mayor and City Clerk to execute a First Amendment to the annual Economic Development Agreement with the Chamber of Commerce.
- C. DISCUSSION FOR MANHATTAN AREA TECHNICAL COLLEGE REQUEST FOR FUTURE FUNDING**
- D. CONSIDER AUTHORIZING CONSTRUCTION OF THE AGGIEVILLE PEDESTRIAN WALKWAY BETWEEN RALLY HOUSE AND GOODCENT'S**
1. Authorize the Mayor and City Clerk to execute Contract Amendment No. 2 and all the necessary documents including the easements, covenants and additional contracts to construct the alley improvement between Rally House and Goodcent's; and approve Resolution No. 051623-F to finance the Aggieville Pedestrian Walkway (AG1904).
- E. DISCUSS POSSIBLE USE OF SPECIAL ALCOHOL FUNDS FOR RCPD CO-RESPONDER POSITIONS**

10. ADJOURNMENT

- A. Move to adjourn the May 16, 2023, City Commission Meeting.