



REVISED AGENDA
TUESDAY, JUNE 6, 2023
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=8752>. 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. PROCLAMATION

- A. June 17, 2023, [Juneteenth](#). (David Baker, Douglass Center Director and City Liaison to the Manhattan Juneteenth Committee, will be present to receive the proclamation.)

5. PUBLIC COMMENTS

[Public Comment is for [comments from the public](#) to the City Commission, which is not related to an item on the agenda. As a general practice, the City Commission will not discuss or debate these items, nor will the City Commission make decisions on items presented during this time. Individuals should address all comments and questions to the Commission. Each person will be limited to one speaking opportunity for up to five (5) minutes for this section.]

6. COMMISSIONER COMMENTS

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 Special City Commission Meeting held Tuesday, May 16, 2023.
- B. **CLAIMS/PAYMENTS**
1. Approve [Claims Register No. 3036](#) authorizing and approving the payment of claims from May 10, 2023 – May 30, 2023, in the amount of \$5,333,967.34.
- C. **LICENSES**
1. Approve an annual Cereal Malt Beverage Off-Premise [License](#) for Short Stop #12, 2010 Tuttle Creek Boulevard.
- D. **FINAL PLATS**
1. Accept the easements, as shown, on the [Final Plat of North 3rd Street 151 Coffee](#), based on conformance with the Manhattan Development Code and approval by the Manhattan Urban Area Planning Board.
- E. **SECOND AND FINAL READING**
1. Approve [Ordinance No. 7647](#) 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.

2. Approve [Ordinance No. 7648](#) 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, and authorize the Mayor and City Clerk to execute a Franchise Agreement with Delta Communications, LLC dba Clearwave Fiber.
3. Approve [Ordinance No. 7649](#) 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.

F. ***FIRST READINGS***

1. Approve first reading of an ordinance amending the Code of Ordinances, Section 31-54, [No Parking, Stopping or Standing at Any Time](#).
2. Approve first reading amending Article I of Chapter 2 of the Code of Ordinances updating the City's policies and procedures related to [open public records](#).
3. Find that the public interests to be served by the [multiuse trail and parking lot at the USD 383 Central Kitchen](#) outweigh the impacts upon legitimate community interests and approve first reading of an Ordinance authorizing the reduction of landscaping requirements pursuant to Sec. 26-9D-4 of the Manhattan Development Code and K.S.A. 12-748 for the USD 383 Central Kitchen based on the recommendation of the Manhattan Urban Area Planning Board and the findings in the Staff Report.

G. ***PROFESSIONAL SERVICES***

1. Authorize City staff to advertise a [Requests for Qualifications for the Sunset Zoo African Plains and Americas Habitats](#) (PR2322) and appoint a City Commissioner to serve on the Selection Committee.
2. Authorize City Staff to seek [Request for Proposals for Animal Shelter Operations](#) and appoint a City Commissioner to serve on the Selection Committee.

H. ***BID AND AWARD***

1. Award and authorize the Mayor and City Clerk to execute a construction contract, in the total amount of \$1,390,975.21, with T&M Construction, of Junction City, Kansas, for the [2023 Concrete Maintenance Phase II Project](#) (ST2304).
2. Authorize the Mayor to execute Change Order No. 1, resulting in a net increase in the amount of \$67,236.40 (+10.9%) to the construction contract with Bayer Construction Company, Inc., of Manhattan, Kansas, for the [2023 Concrete Maintenance, Phase 1, Project \(ST2301\) for Browning Avenue from Pecanwood Drive to Lawrence Road](#).

I. **GRANTS**

1. Accept the [Tourism Attraction Sub-Grants for Kansas \(TASK\) grant for the “Stepping into the Prairie”](#) immersive experience and authorize the Mayor and City Clerk to execute the TASK grant agreement.

J. **MISCELLANEOUS AGREEMENTS**

1. Approve the application for the [Flint Hills Discovery Center Vigilance Bison Sculpture](#) and authorize City staff to finalize and the Mayor and City Clerk to execute a donation agreement.

K. **PURCHASES**

1. Authorize 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 107 foot Ascendant Quint Apparatus \(CIP #FR056E\) and a Pierce Enforcer Rescue Apparatus \(CIP #FR044E\)](#).

L. **APPOINTMENTS**

1. Approve the following [appointments](#) by Mayor Hatesohl to various boards and committees of the city.
 - a. Appointment of Dana Bronson to the Aggieville Business Improvement District Advisory Board.
 - b. Re-appointment of Roger Sink to the Airport Advisory Board.
 - c. Appointment of Debra Rodenbaugh-Schaub to the Airport Advisory Board.
 - d. Re-appointment of Steve Kirby to the Code Appeals Board.
 - e. Appointment of Hayley Piroutek to the Partner City Advisory Committee.
 - f. Re-appointment of Nicholas Lander to the Parks and Recreation Advisory Board.

8. ITEM REMOVED FROM CONSENT AGENDA

9. PRESENTATION

- A. Jack Lindquist, President, and Lesley White, Director, Flint Hills Discovery Center Foundation, will make a presentation to the City for the Vigilance sculpture at the Flint Hills Discovery Center.

10. 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 THE COUNTRY CLUB ESTATES FROM PUD, PLANNED UNIT DEVELOPMENT DISTRICT, TO RH, HIGH-DENSITY RESIDENTIAL DISTRICT**

[Manhattan Urban Area Planning Board recommends approval]

1. Approve first reading of an ordinance rezoning an approximately 2.98-acre tract of land, generally located southeast of the Manhattan Country Club and north of the intersection of Mulligan Place and Meadow Lane, from PUD, Planned Unit Development District, to RH, High-Density Residential District, based on findings in the Staff Report and recommendation by the Manhattan Urban Area Planning Board.

B. **CONSIDER REZONING 407 POTTAWATOMIE AVENUE FROM RL, LOW-DENSITY RESIDENTIAL DISTRICT, TO BC, BUSINESS COMMERCIAL DISTRICT**

[Item failed 3-3 at Manhattan Urban Area Planning Board Meeting on 05/25/23]

1. Override the recommendation of the Manhattan Urban Area Planning Board and adopt first reading of an ordinance rezoning 407 Pottawatomie Avenue from RL, Low-Density Residential District, to BC, Business Commercial District, based on findings in the Staff Report.

11. EXECUTIVE SESSION

[Executive Sessions are closed meetings held in accordance with the provisions of the Kansas Open Meetings Act. Discussion is limited to topics listed in KSA 75-4319.]

- A. Recess into Executive Session to discuss the purchase of property for public works purposes, pursuant to the exception set forth in K.S.A. 75-4319(b)(6) related to preliminary discussions related to the acquisition of real estate, and to resume the open meeting at _____ p.m. in the City Commission Room.

12. ADJOURNMENT

- A. Move to adjourn the June 6, 2023, City Commission Meeting.