



AGENDA
TUESDAY, JULY 18, 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=8798>. 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. July 22, 2023, [National Day of the Cowboy](#). (Kyleigh Winn, Advertising Chair, Kansas State Rodeo Club; and Jonathan Mertz, Event Supervisor, and Sally Dreher, Curator of Education, Flint Hills Discovery Center; a will be present to receive the proclamation.)

5. COMMISSIONER COMMENTS

6. 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, July 11, 2023.
- B. **CLAIMS/PAYMENTS**
1. Approve [Claims Register No. 3039](#) authorizing and approving the payment of claims from July 5, 2023 – July 11, 2023, in the amount of \$8,140,684.82.
- C. **SECOND AND FINAL READING**
1. Approve [Ordinance No. 7656](#) authorizing the acquisition of temporary and permanent easements by exercise of the power of eminent domain proceedings to acquire the subject property interest needed for the Anderson Avenue Waterline Project (WA1909).
- D. **RESOLUTIONS**
1. Approve [Resolution No. 071823-A](#) authorizing the offering for sale of General Obligation Temporary Notes Series 2023-02 to finance the following eight (8) capital projects: *Kimball Expansion – Vanesta to Berkshire (ST1910, WA2304); Amherst Property Acquisition (FR2301); Design costs associated with North Campus Corridor (North Manhattan Avenue Improvements) – NCC (ST1510, ST1719); US24 & Levee Drive Improvements (ST2101); Rebuild WWTP Clarifier No. 3 (SS1808); and Sewer Outfall & Bank Stabilization (SS2208).*
 2. Approve [Resolution No. 071823-B](#) authorizing the sale and conveyance of property to Genesis Health Clubs of Manhattan LLC and authorizes the Mayor and City Clerk to execute the necessary documents and take actions necessary to complete the conveyance of property in accordance with Ordinance No. 7582 and the Trust Indenture dated as of August 3, 2022, the

City of Manhattan, Kansas (the “Issuer”) having previously issued Taxable Industrial Revenue Bonds, Series 2022.

E. ***BID AND AWARD***

1. Find that Jueneman Excavation Inc., of Hanover, Kansas, is the lowest responsible bidder who submitted a responsive bid; authorize City Administration to finalize and the Mayor and City Clerk to execute the necessary easements; and authorize the Mayor and City Clerk to execute a construction contract in the amount of \$204,097.53 with Jueneman Excavation Inc., of Hanover, Kansas, for the [Windsong Lane Bank Stabilization project \(SW2204\)](#).

F. ***APPOINTMENTS***

1. Approve the [appointment by Mayor Hatesohl](#) of Joe Knopp to the Parks and Recreation Advisory Board.

7. ITEM REMOVED FROM CONSENT AGENDA

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 AUTHORIZING A CONSTRUCTION CONTRACT WITH EBERT CONSTRUCTION CO. INC. IN THE AMOUNT OF \$2,943,360.24 AND A RESOLUTION TO FINANCE A PORTION OF THE NORTH CAMPUS CORRIDOR, PHASE XI IMPROVEMENTS PROJECT (ST2207)**

1. Approve an alternative delivery method per Charter Ord. No. 62, Section 3, to authorize City Staff to finalize, and the Mayor and City Clerk to execute, a construction contract with Ebert Construction Co. Inc., of Wamego, Kansas, in the amount of \$2,943,360.24, and approve Resolution No. 071823-C authorizing the project and issuing of bonds for a portion of the North Campus Corridor Phase XI, Project (ST2207), all contingent upon the City obtaining the necessary right-of-way from Kansas State University to accommodate the extension of the frontage road, and also contingent upon a legal determination that the City has bonding authority from the Project to finance the construction. If these contingencies are not met to the satisfaction of City legal staff, the Mayor and City Clerk shall not execute the Contract and the Resolution shall be void.

9. 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 conduct a mid-year review of the City Manager, pursuant to the exception set forth in K.S.A. 75-4319(b)(1) allowing for discussion of personnel matters of non-elected personnel, and to resume the open meeting at _____ p.m. in the City Commission Room.

10. ADJOURNMENT

- A. Move to adjourn the July 18, 2023, City Commission Meeting.