



**REVISED AGENDA**  
**TUESDAY, AUGUST 1, 2023**  
**CITY COMMISSION ROOM**  
**CITY HALL**  
**1101 POYNTZ AVENUE**  
**MANHATTAN, KS 66502**

**City Commission Meeting**  
**6:00 P.M.**

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NOTE: Agenda items are available on the City's website at <https://www.cityofmhk.com/Archive.aspx?ADID=8816>. 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.

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**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. 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.]

#### 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 18, 2023.

B. ***CLAIMS/PAYMENTS***

1. Approve [Claims Register No. 3040](#) authorizing and approving the payment of claims from July 12, 2023 – July 25, 2023, in the amount of \$4,436,466.42.

C. ***LICENSES***

1. Approve an annual [Cereal Malt Beverage Off-Premises License](#) for Hy-Vee Gas, 206 Leavenworth Street.

D. ***FINAL PLATS***

1. Accept the easements, as shown, on the [Final Plat of Northwing Addition, Unit Four](#), based on conformance with the Manhattan Development Code and approval by the Manhattan Urban Area Planning Board; and authorize the Mayor to execute an Agreement Creating A Restrictive Covenant for drainage easements.

E. ***PROFESSIONAL SERVICES***

1. Authorize City Administration to seek Statements of Qualifications/Proposals for a Construction Manager at Risk for the [Wastewater Treatment Plant \(WWTP\) Solids Treatment Upgrade and Expansion Project](#) (SS2207, CIP #WW202P, WW204P), and appoint a Commissioner to serve on the Selection Committee.
2. Accept City staff's recommendation and authorize City Administration to negotiate an agreement with the Frontier Group, of Manhattan, Kansas, for the [development of Lots 1-10 of Lee Mill Village](#).

3. Accept the Selection Committee's recommendation and authorize City staff to negotiate an Agreement with Prairie Paws Animal Shelter, Inc., of Ottawa, Kansas for [animal shelter operations and lease of the animal shelter facilities](#), subject to the approval of the City Commission.

F. ***BID AND AWARD***

1. Find that Ebert Construction Co, of Wamego, Kansas, is the lowest responsible bidder who submitted a responsive bid; authorize the Mayor and City Clerk to execute a contract in the amount of \$4,333,824.78 (*Base Bid only*) with Ebert Construction Co., of Wamego, Kansas; authorize the Mayor and City Clerk to execute Contract Amendment No. 2 with Olsson, Inc., in an amount not to exceed \$125,125.00; and approve Resolution No. 0801234-A authorizing the project and issuing temporary notes for the [Manhattan Avenue, Campus Creek Road and Bayberry Lane Infrastructure Improvements Project \(ST2208\)](#).
2. Approve an alternative procurement process and authorize the Mayor to execute a Work Authorization in the amount of \$125,016 with Splashtacular, LLC, of Paola, Kansas, for the [Renovation and Maintenance of Waterpark Slides, Phase 2 \(CIP #RC052P\)](#).

G. ***MISCELLANEOUS AGREEMENTS***

1. ~~Authorize the Mayor and City Clerk to execute an Agreement for Reimbursement of Costs Associated with Environmental Review with the Manhattan Housing Authority.~~ **Item has been removed from the agenda at the request of City Administration.**

H. ***PURCHASES***

1. Authorize a sole source [purchase of a 2024 Ford Expedition Special Service Vehicle \(SSV\)](#) and related equipment for the Fire Department (CIP #FR048E), in an amount not to exceed \$60,000.00, from Shawnee Mission Ford of Shawnee, Kansas, and \$22,000.00 for the additional emergency equipment installation; and authorize the disposal of Unit #167 utilizing Purple Wave Auction, Inc., Manhattan, Kansas.

I. ***APPOINTMENTS***

1. Approve the following [appointments by Mayor Hatesohl](#) to various boards and committees of the city.
  - a. Appointment of Kirk Crabtree to the Airport Advisory Board.
  - b. Re-appointment of Jim Jacobs to the Airport Advisory Board.

<b>8. <u>ITEM REMOVED FROM CONSENT AGENDA</u></b>
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## 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 REDUCING LANDSCAPING REQUIREMENTS AND SETBACKS FOR MANHATTAN HIGH SCHOOL PARKING LOT AS PART OF THE MANHATTAN DEVELOPMENT CODE MUNICIPAL FACILITY REVIEW PROCESS**

*[Manhattan Urban Area Planning Board recommends approval]*

**REQUESTED ACTION BY APPLICANT:**

Find that the public interests to be served by the parking lot expansion at the USD 383 Manhattan High School outweighs the impacts upon legitimate community interests and approve first reading of an Ordinance reducing landscaping requirements and setbacks pursuant to Sec. 26-9D-4 of the Manhattan Development Code and K.S.A. 12-748 for the USD 383 Manhattan High School based on the recommendation of the Manhattan Urban Area Planning Board and the findings in the Staff Report.

**B. CONSIDER CREATING A BENEFIT DISTRICT FOR WATER (WA2312) AND SANITARY SEWER IMPROVEMENTS (SS2307) AND APPROVE AN AGREEMENT AUTHORIZING THE PROPERTY OWNER TO CONSTRUCT THE ASSOCIATED PUBLIC INFRASTRUCTURE TO CITY STANDARDS ALONG WITH OUTSIDE THE CITY WATER AND SANITARY SEWER SERVICE AGREEMENTS FOR THE STAGG HILL BUSINESS COMMUNITY ADDITION**

**REQUESTED ACTION BY APPLICANT:**

Find the Petitions sufficient; approve Resolution No. 080123-B and Resolution No. 080123-C, finding the projects advisable and authorizing construction for water (WA2311) and sanitary sewer (SS2307) improvements, respectively; authorize the Mayor and City Clerk to execute an Agreement for the Construction of Public Infrastructure by Owner and Contractor for the Stagg Hill Business Community Public Water (WA2311) and Sanitary Sewer (SS2307) Improvements; and authorize the Mayor and City Clerk to execute an outside city water and sanitary sewer service agreements with Joseph D. and Darlene R. McGraw, to connect the structures for Lots 1 and 2 of the Stagg Hill Business Community Addition, Riley County, Kansas, otherwise known as 4701 and 4703 Stagg Hill Road.

## 10. ADJOURNMENT

- A. Move to adjourn the August 1, 2023, City Commission Meeting.