



AGENDA
TUESDAY, AUGUST 15, 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://cityofmhk.com/Archive.aspx?ADID=8858>. 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. September 2023, [National Senior Center Month](#). (Liz Nelson, Director; Keri Dutch, Director of Friendship Meals Program; and Peggy Huxman, Board Member and Center Member, Manhattan Senior Center, 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, August 1, 2023.
- B. **CLAIMS/PAYMENTS**
1. Approve [Claims Register No. 3041](#) authorizing and approving the payment of claims from July 26, 2023 – August 8, 2023, in the amount of \$8,756,691.40.
- C. **LICENSES**
1. [Approve](#) a Tree Maintenance License for calendar year 2023 for Asplundh Tree Expert LLC, 708 Blair Mill Road, Willow Grove, Pennsylvania; and an annual Cereal Malt Beverage Off-Premises License for Short Stop #26, 8207 South Port Drive.
- D. **SECOND AND FINAL READING**
1. Having found 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, approve [Ordinance No. 7657](#) 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.
- E. **FIRST READINGS**
1. Approve first reading of an [ordinance amending Chapter 19, Article III, Division 1, Sec. 19-61](#) of the [Code of Ordinances](#) regarding licensing of massage therapy establishments and massage therapist.

F. **RESOLUTIONS**

1. Ratify acceptance of the best bid for the notes to Piper Sandler & Co, of Minneapolis, Minnesota, and [approve Resolution No. 081523-A, issuing \\$5,820,000.00 in 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).*

G. **PROFESSIONAL SERVICES**

1. Accept the Selection Committee’s recommendation and authorize City Administration to finalize and the Mayor and City Clerk to execute a Phase 1 Design-Build agreement with BHS Construction, Inc., of Manhattan, Kansas, for the [CiCo Park Improvements project](#) (PR2320, CIP #CP278P).
2. Authorize the City Manager and City Clerk to execute an Agreement for Professional Architectural Services with BBN Architects, of Manhattan, Kansas, in an amount not to exceed \$46,000 for the [Manhattan Town Center Plaza Improvements](#) (SP1804).

H. **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.

I. **APPOINTMENTS**

1. Approve the [re-appointment by Mayor Hatesohl](#) of Ed Klimek to the Partner City Advisory Committee.

7. ITEM REMOVED FROM CONSENT AGENDA

8. PUBLIC HEARING

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

A. **CONSIDER VACATING A PUBLIC UTILITY EASEMENT FOR LOT 2, CAMPUS VIEW ADDITION (1200 CENTENNIAL DRIVE)**

REQUESTED ACTION BY APPLICANT:

1. Conduct a public hearing; and
2. Find that no private rights will be injured or endangered by such vacation, and that the public will suffer no loss or inconvenience thereby, and approve first reading of an ordinance vacating a portion of a utility easement located at Lot 2 of Campus View Addition (also known as 1200 Centennial Drive) Manhattan, Riley County, Kansas (VA2301).

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 AMENDING GREENBRIAR PLANNED UNIT DEVELOPMENT TO ALLOW FOR NON-OWNER-OCCUPIED SHORT-TERM RENTALS AT STADIUM PLACE

[Manhattan Urban Area Planning Board recommends approval]

REQUESTED ACTION BY APPLICANT:

1. Approve the first reading on an ordinance amending Ordinance No. 4581 of Greenbriar PUD, to allow for non-owner-occupied short-term rentals, based on the findings in the Staff Report and the recommendation of the Manhattan Urban Area Planning Board.

B. CONSIDER A MEMORANDUM OF UNDERSTANDING WITH THE GREATER MANHATTAN COMMUNITY FOUNDATION (GMCF) ESTABLISHING A NEW GMCF FUND BEING THE MANHATTAN PARKS AND RECREATION FOUNDATION FUND

1. Approve, and authorize the Mayor, City Clerk, and City Manager to execute, a Memorandum of Understanding between the City of Manhattan and the Greater Manhattan Community Foundation regarding the Manhattan Parks and Recreation Foundation fund.

C. DISCUSSION: 2023 COMMUNITY SURVEY RESULTS AND ANALYSIS

10. ADJOURNMENT

- A. Move to adjourn the August 15, 2023, City Commission Meeting.