



REVISED AGENDA
TUESDAY, OCTOBER 17, 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=8907>. 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. October 24, 2023, [World Polio Day](#). (Dr. Christopher Culbertson, Vice President, PolioPlus Chair; and Shelley Carver, Board of Director Member, Manhattan Rotary Club, will be present to receive the proclamation.)
- B. October 28, 2023, [Buddy Poppy Day](#). (Mike Riley, Commander, Veterans of Foreign Wars (VFW) Post 1786, and Janice Woodyard, President, Veterans of Foreign Wars (VFW) Post 1786 Auxiliary, will be present to receive the proclamation.)
- C. November 11, 2023, [Veterans' Day](#). (Vernon Turner, President, Flint Hills Veterans Coalition, 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, October 3, 2023.
- B. **CLAIMS/PAYMENTS**
 - 1. Approve [Claims Register No. 3045](#) authorizing and approving the payment of claims from September 27, 2023 – October 10, 2023, in the amount of \$6,424,965.76.
 - 2. Authorize [payment to the Clerk of the Riley County District Court](#) in the total amount of \$8,665.95 for the Court-Appointed Appraiser's Award and Appraisers' Fees related to the Eminent Domain Acquisition of Easements at 2314 Wildwood Lane for the Anderson Avenue Waterline Improvements Project (WA1909).
- C. **BUDGET RELATED**
 - 1. [Approve the following](#):
 - a. Ordinance No. 7665 amending applicable sections of Chapter 32 of the [Code of Ordinances](#) to charges for water service installations, rates and charges for monthly services for water [4% increase], effective January 1, 2024; and

- b. Ordinance No. 7666 amending applicable sections of Chapter 32 of the Code of Ordinances to charges for monthly sewer services [*3% increase*] and system development charges [*3% increase*], effective January 1, 2024.
2. Approve [Ordinance No. 7667](#) amending Section 32-185 of the Code of Ordinances to increase User Fees [*from \$10.00/month to \$10.75/month*] for the Stormwater management system.

D. ***SECOND AND FINAL READING***

1. Approve [Ordinance No. 7668](#) adopting and incorporating by reference the Standard Traffic Ordinance for Kansas Cities, 50th Edition (2023), with certain amendments and omissions as set forth in the ordinance.
2. Approve [Ordinance No. 7669](#) annexing an approximately 0.07-acre tract of land, generally located adjacent to the northwestern boundary of the Manhattan city limits at the southwestern terminus of Victory Drive, into the city limits.
3. Approve [Ordinance No. 7670](#) rezoning an approximately 0.07-acre tract of land, generally located adjacent to the northwestern boundary of the Manhattan city limits at the southwestern terminus of Victory Drive, from Riley County AG, Agriculture District, to City of Manhattan, RL, Low-Density Residential District, based on findings in the Staff Report and recommendation by the Manhattan Urban Area Planning Board.
4. Approve [Ordinance No. 7671](#) rezoning a 4.77-acre tract of land, generally located north of the intersection of Casement Road and Knox Lane, from RL, Low-Density Residential District, to RL-A, Low-Density Residential Attached District, based on findings in the Staff Report and recommendation by the Manhattan Urban Area Planning Board.
5. Approve [Ordinance No. 7672](#) rezoning Lots 2, 3, & 4 of MP Addition, Unit Two, from IL Light Industrial District, to ICS, Industrial/Commercial Services District, based on findings in the Staff Report and recommendation by the Manhattan Urban Area Planning Board.

E. ***FINAL PLATS***

1. Accept the easements and rights-of-way, as shown, on the [Final Plat of Henry Addition, Unit Two](#), based on conformance with the Manhattan Development Code and approval by the Manhattan Urban Area Planning Board.
2. Approve the following:
 - a. Accept the easements and rights-of-way, as shown, on the Final Plat of [MP Addition, Unit Three](#), based on conformance with the Manhattan Development Code and approval by the Manhattan Urban Area Planning Board;
 - b. Authorize the Mayor and City Clerk to execute an Agreement Creating a Restrictive Covenant with the owner of Lots 1 and 2, requiring that property to maintain the drainage easement and the structures therein; and
 - c. Authorize the Mayor and City Clerk to execute an Agreement Creating a Restrictive Covenant with the owner of Lots 1 and 2, requiring that property to maintain the travel easement.

3. Approve the following:
 - a. Accept the easements and rights-of-way, as shown, on the Final Plat of [Stonehaven Village by Americare](#), based on conformance with the Manhattan Development Code and approval by the Manhattan Urban Area Planning Board; and
 - b. Authorize the Mayor and City Clerk to execute an Agreement Creating a Restrictive Covenant with the owner of Lot 1, requiring that property to maintain the drainage easement and the structures therein.

F. **RESOLUTIONS**

1. Approve [Resolution No. 101723-A authorizing the offering for sale of General Obligation Temporary Notes Series 2023-03](#) to finance the following three (3) capital projects: *North Manhattan Avenue/Campus Creek/Bayberry Lane (ST2208)*; *North Tuttle Creek Boulevard Channel Water Relocation Improvements (WA2013)*; and *North Campus Corridor-Kimball/Denison Ph. 11 Improvements (ST2207)*.
2. Approve [Resolution No. 101723-B authorizing a Special Event with Alcohol Permit for Christmas in the Alley](#) to occur on December 14, 2023.
3. Approve [Resolution No. 101723-C authorizing a Special Event with Alcohol Permit for Friendsgiving](#) to occur on November 16, 2023.

G. **BID AND AWARD**

1. Authorize the [purchase of a 2024 Malavasi Pavijet MG7 Mini Asphalt Paver Attachment](#) in the amount of \$59,100.00 from Hitek Equipment Inc., of Kenosha, Wisconsin.
2. Authorize the [purchase of a 2024 Kenworth T880S Tandem Axle Dump Truck](#) with snowplow and spreader in the total amount of \$408,397.00 from Master Tech Truck & Equipment, of Wichita, Kansas, and authorize the disposal of the current Street Division Unit 165 once the replacement has been received.

H. **MISCELLANEOUS AGREEMENTS**

1. Authorize the Mayor and City Clerk to execute a [Holiday Display Agreement](#) with Whoville, Inc. for the 2023 Festival of Lights.

I. **PURCHASES**

1. **Item has been pulled at the request of City Administration.**
Authorize a sole source purchase of a 2024 F-550 Brush Truck and related equipment for the Fire Department (CIP #FR080E), in an amount not to exceed \$207,000.00, from Weis Fire and Safety Equipment of Salina, Kansas, utilizing the H-GAC cooperative purchasing program, and \$13,000.00 for the additional equipment; and authorize the Mayor and/or City Clerk to execute a lease purchase agreement and all necessary documents with Clayton Holdings, LLC.

J. **APPOINTMENTS**

1. Appoint individuals to the [East Manhattan Gateway Plan Community Advisory Committee](#) as recommended by City staff.

2. Accept Connie Birdsong's resignation and appoint Adrian Cruz to the [Move MHK! Steering Committee](#) as the representative for the Frederick Douglass Recreation Complex Advisory Board.
3. [Approve the following](#):
 - a. Re-appointment of Debbie Nuss to Frederick Douglass Recreation Complex Advisory Board.
 - b. Appointment of Dantia MacDonald 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 EXPANDING THE AGGIEVILLE BUSINESS IMPROVEMENT DISTRICT AND LEVYING SERVICE FEES FOR 2024**
[Aggieville Business Improvement District Advisory Board recommends approval]
 1. Conduct a public hearing on expanding the District; and
 2. Approve first reading of an ordinance levying existing business improvement service fees for 2024 on businesses located within the Aggieville Business Improvement District.

- B. **CONSIDER EXPANDING THE DOWNTOWN BUSINESS IMPROVEMENT DISTRICT AND INCREASING SERVICE FEES TO BE LEVIED FOR 2024**
[Downtown Business Improvement District Advisory Board recommends approval]
 1. Conduct a public hearing on expanding the District; and
 2. Approve first reading of an ordinance levying increased business improvement service fees for 2024 on businesses located within the Downtown Business Improvement District.

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 CONSENTING TO THE SALE OF THE MANHATTAN TOWN CENTER

1. Approve Resolution No. 101723-D consenting to the sale of the Manhattan Town Center to Rockstep Capital, LLC and authorize the Mayor and City Clerk to execute all necessary documents to facilitate such sale.

B. CONSIDER REZONING THE FORMER AG PRESS SITE FROM IL, LIGHT INDUSTRIAL DISTRICT, TO PD, PLANNED DEVELOPMENT FLOATING ZONE DISTRICT TO CREATE A UNIQUE DINING, RECREATION, AND ENTERTAINMENT VENUE

[Manhattan Urban Area Planning Board recommends approval]

REQUESTED ACTION BY APPLICANT:

1. Approve first reading of an ordinance rezoning a 3.99-acre tract of land, generally located east of the intersection of Martin Luther King Jr. Boulevard and Yuma Street, from IL, Light Industrial District, to PD, Planned Development Floating Zone District, based on findings in the Staff Report and recommendation by the Manhattan Urban Area Planning Board.

C. CONSIDER AMENDING THE MANHATTAN URBAN AREA COMPREHENSIVE PLAN AND THE FUTURE LAND USE MAP

[Manhattan Urban Area Planning Board recommends approval]

1. Approve first reading of an ordinance amending the Manhattan Urban Area Comprehensive Plan, as presented.

D. DISCUSSION: WAREHAM HALL RENOVATION UPDATE AND REQUEST FOR POSSIBLE SALES TAX EXEMPTION ON CONSTRUCTION MATERIALS THROUGH ISSUANCE OF INDUSTRIAL REVENUE BONDS

10. ADJOURNMENT

- A. Move to adjourn the October 17, 2023, City Commission Meeting.