



**AGENDA**  
**TUESDAY, JANUARY 16, 2024**  
**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.cityofmhc.com/Archive.aspx?ADID=9014>. 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://cityofmhc.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://cityofmhc.com/contactcommissioners> or by emailing or calling the Commissioners directly. Contact information for each Commissioner is located on the City's website at <https://cityofmhc.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://cityofmhc.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**

**4. COMMISSIONER COMMENTS**



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.

## 5. 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, January 2, 2024.

### B. **CLAIMS/PAYMENTS**

1. Approve [Claims Register No. 3051](#) authorizing and approving the payment of claims from December 27, 2023 – January 9, 2024, in the amount of \$3,759,097.57.
2. Approve [Claims Register No. 3052](#) authorizing and approving the payment of claims from December 27, 2023 – January 9, 2024, in the amount of \$2,840,901.69.

### C. **LICENSES**

1. [Approve](#) a **Merchant Guard Agency** License for calendar year 2024 for American Guard Services, Inc., 505 South Broadway Avenue, Suite 209, Wichita; and Vend-Tech Enterprise, LLC, 250 North Rock Road, Suite 360, Wichita; a **Tree Maintenance** License for calendar year 2024 for Blueville Nursery, Inc., 4539 Anderson Avenue; Hummel Tree Service, 608 Pottawatomie Avenue; and Witt’s Mowing and Tree Services, LLC, 2315 Elmdale Avenue, Junction City; and an annual **Cereal Malt Beverages Off-Premises** License for Walgreens #07060, 325 Bluemont Avenue and Wildcat Creek Fitness & Fun, 800 Anneberg Circle.

### D. **SET PUBLIC HEARING DATE**

1. [Set February 6, 2024, as the date to hold a public hearing levying special assessments](#) against the following benefitting property in thirteen (13) public improvement districts: **K-State Research Park, Unit Four** – Sanitary Sewer (SS2006), Street (ST2003), and Water (WA2007); **Scenic Crossing, Unit Four** – Sanitary Sewer (SS1922), Street (ST1917), and Water (WA1922); **Stonehaven Addition, Unit Two** – Amherst Street (ST1903), Stormwater (SM1903), Stormwater Quality (SM1904), Sanitary Sewer (Lift Station) (SS1914), and Roundabout (ST1904); **Smith Channel** Storm Sewer Improvements (SM1806); and **Meadowlark Entrance and US-24 Left Turn Lane/Frontage Road** Transportation Improvements (ST2110), all representing \$7,368,115.28 in total costs with \$5,981,296.60 attributable to the benefit districts and \$1,386,818.68 attributable to the City-At-Large.

### E. **RESOLUTIONS**

1. Approve [Resolution No. 011624-A](#) authorizing a Special Event with Alcohol Permit for MBC Alley Series occurring on January 25, 2024; February 17, 2024; March 17, 2024; May 5, 2024; July 6, 2024; August 22,

2024; September 19, 2024; October 24, 2024; November 21, 2024; and December 12, 2024, from 5:00 p.m. to 10:00 p.m.

2. Approve [Resolution No. 011624-B](#) declaring the support of the City of Manhattan for WTC's Advancing Digital Opportunities to Promote Technology (ADOPT) Program application to the Kansas Office of Broadband Development (KOBBD).

F. **PROFESSIONAL SERVICES**

1. Approve the use of the Construction Management/General Contractor (CMGC) process and authorize the Mayor and City Clerk to execute an Agreement for Professional Engineering Services in the amount not to exceed \$202,806.00, with Benesch, of Manhattan, Kansas, for the [Sunset Avenue Water \(CIP #WA232P, CIP #WA085P, WA2305\), Street \(ST2303\), and Stormwater \(SW2301\) Improvements](#).
2. Authorize the Mayor and City Clerk to execute Contract Amendment No. 1 to an Engineering Services Agreement with BG Consultants, Inc., of Manhattan, Kansas, in an amount not to exceed \$14,670.50, for the [1900 Block Poyntz Avenue Sanitary Sewer Improvements Project \(CIP #WW161P, SS1908\)](#).
3. Authorize the Mayor and City Clerk to execute Contract Amendment No. 4 to an Engineering Services Agreement with Bartlett & West, Inc., of Manhattan, Kansas, in an amount not to exceed \$6,221.00; and authorize the City Staff to finalize and the Mayor and City Clerk to execute an agreement with Wildcat Inns, LLC acquiring a permanent easement, acquiring a temporary construction easement and releasing an existing permanent easement, all at 914 Garden Way for the [Seth Child Sanitary Sewer Interceptor Improvements Project \(CIP #WW159P, SS1809\)](#).

G. **BID AND AWARD**

1. Find that Olgoonik Enterprises is the lowest responsible bidder who submitted a responsive bid, and award and authorize the Mayor and City Clerk to execute a construction contract in the amount of \$3,119,843.53 with Olgoonik Enterprises, of Fort Riley, Kansas; authorize the Mayor and City Clerk to execute Contract Amendment No. 2 to the Engineering Services Agreement with Alfred Benesch and Company, of Manhattan, Kansas, in the amount not to exceed \$170,760.00 to provide construction engineering services; authorize staff to finalize and the Mayor and City Clerk to execute a Professional Services Agreement with Lighthouse Construction Guidance, of St. George, Kansas, in the amount not to exceed \$82,900.00; and approve Resolution No. 011624-C authorizing the project and the improvements and issuance of temporary financing for the [Houston Street Improvement project \(ST2205, SW2211\)](#).

H. **MISCELLANEOUS AGREEMENTS**

1. Authorize the Mayor and City Clerk to execute an [agreement with The Salvation Army](#) for use of the City's public parking lot at the southeast quadrant of North Fourth Street and Leavenworth Street at the Manhattan Town Center Mall on the fourth Tuesday of every month in 2024.

2. Authorize City Staff to enter into a [contract with Fifth Asset, Inc. d/b/a DebtBook](#) to utilize their software and allow the City Manager to execute the Order Form Amendment.

**6. ITEM REMOVED FROM CONSENT AGENDA**

**7. 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 501 EAST POYNTZ FROM CC, COMMUNITY COMMERCIAL DISTRICT, TO ICS, INDUSTRIAL/COMMERCIAL SERVICES DISTRICT**

*[Manhattan Urban Area Planning Board recommends approval]*

**REQUESTED ACTION BY APPLICANT:**

1. Approve first reading of an ordinance rezoning a 2.6-acre tract of land, generally located southwest of the intersection of East Poyntz Avenue and McCall Road, from CC, Community Commercial District, to ICS, Industrial/Commercial Services District, based on findings in the Staff Report and recommendation by the Manhattan Urban Area Planning Board.

**B. CONSIDER THE MANHATTAN CEMETERIES MASTER PLAN**

*[Cemetery Advisory Board recommends approval]*

1. Accept and approve the Manhattan Cemeteries Master Plan, dated January 2024, as presented.

**C. DISCUSS THE LEASE AND DRAFT INTERLOCAL AGREEMENT WITH KANSAS STATE UNIVERSITY REGARDING THE HEADQUARTERS FIRE STATION ALONG WITH PROPOSED IMPROVEMENTS AT THE FIRE STATION HEADQUARTERS AND MASTER PLANNING FOR THE NEW TRAINING AREA AT THE AMHERST AVENUE SITE**

## **8. 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 with the City Attorney to obtain legal advice related to replacing the retiring City Manager, pursuant to K.S.A. 75-4319(b)(2), the exception for consultation with legal counsel on matters that would be deemed privileged in an attorney-client relationship, and to resume the open meeting at \_\_\_\_\_ p.m. in the City Commission Room.

## **9. CITY MANAGER BRIEFING**

**[The purpose of this Briefing is for the City Manager to review future agenda items and provide general updates, Commissioners report on meetings attended as a City Commission Representative and seek feedback, discuss potential training/educational opportunities, and coordinate calendars, invitations/notices and scheduling. Public Comment is not permitted during this briefing period.]**

## **10. ADJOURNMENT**

- A. Move to adjourn the January 16, 2024, City Commission Meeting.