

## CERTIFICATION OF CLERK

I, Brenda K. Wolf, the duly appointed, qualified, and City Clerk of Manhattan, Kansas, do hereby certify that the foregoing Minutes from November 7, 2023, were duly adopted at a meeting of the City of Manhattan, Kansas, held on the 21<sup>st</sup> day of November, 2023, and that said Minutes have been compared by me with the original thereof on file and of record in my office, is a true copy of the whole of said original.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the City of Manhattan, Kansas, this 21<sup>st</sup> day of November, 2023.



*Brenda K. Wolf*  
Brenda K. Wolf, CMC, City Clerk



***MINUTES  
CITY COMMISSION MEETING  
TUESDAY, NOVEMBER 7, 2023  
6:00 P.M.***

**CALL TO ORDER**

At 6:00 pm, Mayor Hatesohl called the November 7, 2023, City Commission Meeting to order.

**ROLL CALL**

Present: Commissioner Wynn Butler, Commissioner John E. Matta, and Commissioner Linda Morse, with Mayor Mark J. Hatesohl presiding.

After roll call, the City Clerk announced there were 4 Commissioners present and that the quorum of 3 was met.

Also present were City Manager Ron R. Fehr, Deputy City Manager Jason Hilgers, Assistant City Manager Jared Wasinger, Assistant City Manager Wyatt Thompson, City Attorney Katharine Jackson, City Clerk Brenda K. Wolf, 6 staff, and approximately 3 interested citizens.

Attending virtually was Director of Community Development Stephanie Peterson.

**PLEDGE OF ALLEGIANCE**

Mayor Hatesohl led the Commission in the Pledge of Allegiance.

**PUBLIC COMMENTS**

Mayor Hatesohl opened the public comments and highlighted the process.

The Commission heard public comment on items and issues not scheduled on the agenda.

## PUBLIC COMMENTS (CONTINUED)

The following member of the public provided comments:

- Emily Thiesen, 830 Leavenworth Street

Hearing no other comments, Mayor Hatesohl closed the public comments.

## COMMISSIONER COMMENTS

Commissioner Morse mentioned that there would be a Community Thanksgiving meal, sponsored by the Flint Hills Breadbasket and the Common Table, on November 23, 2023, from 11 am – 2 pm, in Presby Place at the First Presbyterian Church located at 801 Leavenworth Street.

Commissioner Butler mentioned that the Veteran’s Day parade would be held on Friday, November 10, 2023.

Mayor Hatesohl mentioned that the public still had time to vote until 7 pm.

## CONSENT AGENDA

(\* denotes those items discussed)

### MINUTES

The Commission approved the minutes of the Regular City Commission Meeting held Tuesday, October 17, 2023.

### CLAIMS REGISTER NO. 3046

The Commission approved Claims Register No. 3046 authorizing and approving the payment of claims from October 11, 2023 – October 31, 2023, in the amount of \$3,580,593.66.

### ORDINANCE NO. 7673 – LEVY – 2024 AGGIEVILLE BUSINESS IMPROVEMENT DISTRICT SERVICE FEES

The Commission approved Ordinance No. 7673 levying existing business improvement service fees for 2024 on businesses located within the Aggieville Business Improvement District.

## CONSENT AGENDA (CONTINUED)

### ORDINANCE NO. 7674 – LEVY – 2024 DOWNTOWN BUSINESS IMPROVEMENT DISTRICT SERVICE FEES

The Commission approved Ordinance No. 7674 levying increased business improvement service fees for 2024 on businesses located within the Downtown Business Improvement District.

### ORDINANCE NO. 7675 – REZONE – TRACT EAST OF THE INTERSECTION OF MARTIN LUTHER KING JR. BOULEVARD AND YUMA STREET (IL, LIGHT INDUSTRIAL DISTRICT, TO PD, PLANNED DEVELOPMENT FLOATING ZONE DISTRICT)

The Commission approved Ordinance No. 7675 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 (*see October 17, 2023, Commission Minutes Attachment No. 2*) and recommendation by the Manhattan Urban Area Planning Board.

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### ORDINANCE NO. 7676 - AMEND - MANHATTAN URBAN AREA COMPREHENSIVE PLAN AND FUTURE LAND USE MAP

Stephanie Peterson, Director of Community Development, answered questions from the Commission.

The Commission approved Ordinance No. 7676 amending the Manhattan Urban Area Comprehensive Plan by amending the Future Land Use Map and eliminating the reference to two separately bound documents (The Poyntz Avenue Corridor District Plan and the Hartford Hill Master Plan).

### RESOLUTION NO. 110723-A - POLICY - CONSULTANT ON-CALL SERVICES

The Commission approved Policy Manual Resolution No. 110723-A related to Consultant On-Call Services.

### REQUEST FOR QUALIFICATIONS - 2024-2026 CONSULTANT ON-CALL SERVICES

The Commission authorized a Request for Qualifications (RFQ) for Consultant On-Call Services for 2024 through 2026.

## CONSENT AGENDA (CONTINUED)

### SELECTION COMMITTEE RECOMMENDATION/NEGOTIATE AGREEMENT - DESIGN SERVICES - STEPPING INTO THE PRAIRIE IMMERSIVE EXPERIENCE (PR2329)

The Commission accepted the Selection Committee's recommendation and authorized City Administration to enter into contract negotiations for exhibit design services with Trivium Interactive, of Boston, Massachusetts, for the Flint Hills Discovery Center Stepping Into The Prairie Immersive Experience (PR2329).

### CHANGE ORDER NO. 2 - 2022 LIME PIT SLUDGE REMOVAL PROJECT (WA2209)

The Commission authorized the Mayor to execute Change Order No. 2 for the 2022 Lime Pit Sludge Removal Project (WA2209), resulting in a net increase in the amount of \$340,800.00 (+373.7%), to the contract with Midwest Concrete Materials, Inc., of Manhattan, Kansas.

### AMENDED AND RESTATED AGREEMENT - CONCESSION BEVERAGE AGREEMENT

The Commission approved an Amended and Restated Agreement extending the concession beverage agreement with Pepsi-Cola Bottling Company of Manhattan for one year (2024) with an optional additional year (2025).

### SECOND AMENDMENT – PUBLIC UTILITY AGREEMENT – RURAL WATER DISTRICT NO. 1 – POTTAWATOMIE COUNTY – BLUE TOWNSHIP AREA WATER SERVICES

The Commission authorized the Mayor and City Clerk to execute a Second Amendment to the Public Utility Agreement with Rural Water District No. 1 of Pottawatomie County for Water Service to the Blue Township Area.

### PERMANENT UTILITY EASEMENT – HAYES DRIVE – KANSAS GAS SERVICES

The Commission authorized the Mayor and City Clerk to execute a Permanent Utility Easement over City-owned property to accommodate a Kansas Gas Service main along Hayes Drive.

### TERMINATION AND RELEASE OF RESTRICTIVE COVENANT – TREASURES OF THE HEART PLANNED UNIT DEVELOPMENT

The Commission approved and authorized the Mayor and City Clerk to execute a Termination and Release of Restrictive Covenant for the Treasures of the Heart Planned Unit Development (PUD).

## CONSENT AGENDA (CONTINUED)

### WRITE OFF – OUTSTANDING AGGIEVILLE BUSINESS IMPROVEMENT DISTRICT FEES

The Commission accepted the recommendation of the Aggieville Business Association and Aggieville Business Improvement District Advisory Board to write-off four (4) accounts totaling \$3,388.70, in outstanding ABID fees.

### WRITE OFF – OUTSTANDING DOWNTOWN BUSINESS IMPROVEMENT DISTRICT FEES

The Commission accepted the recommendation of the Downtown Manhattan Inc. and the Downtown Business Improvement District Advisory Board to write-off four (4) accounts totaling \$1,145.00 in outstanding DBID fees.

### BOARD APPOINTMENT – CICO PARK IMPROVEMENTS ADVISORY COMMITTEE

The Commission approved the appointment by Mayor Hatesohl of Angela Cardella, 1739 Cedar Crest Drive, to fill Jenn Edlund's Citizen At-Large term, which begins immediately.

Mayor Hatesohl opened the public comments.

Hearing no comments, Mayor Hatesohl closed the public comments.

Commissioner Butler moved to approve the consent agenda, Commissioner Matta seconded the motion. On a roll call vote, motion carried 4-0, with the exception of Item C4 (*ORDINANCE NO. 7676 – AMEND - MANHATTAN URBAN AREA COMPREHENSIVE PLAN AND FUTURE LAND USE MAP*) which carried 3-1 with Commissioner Morse voting against.

## ADJOURNMENT

Commissioner Matta moved to adjourn the November 7, 2023, City Commission Meeting. Commissioner Butler seconded the motion. On a roll call vote, motion carried 4-0.

At 6:08 p.m., Mayor Hatesohl announced the Commission meeting was adjourned.

  
Brenda K. Wolf, CMC, City Clerk