

## **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 January 21, 2025, were duly adopted at a meeting of the City of Manhattan, Kansas, held on the 4<sup>th</sup> day of February, 2025, 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 4<sup>th</sup> day of February, 2025.



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

***MINUTES***  
***CITY COMMISSION MEETING***  
***TUESDAY, JANUARY 21, 2025***  
***6:00 P.M.***

*(Refer to Policy Resolution No. 022024-B – Section C. MEETING POLICIES AND PROCEDURES, Subsection 1, b. Time limits)*

*This meeting was recorded and is available [online](#) for full viewing.*

**1. CALL TO ORDER**

At 6:00 p.m., Mayor Karen McCulloh called the January 21, 2025, City Commission Meeting to order.

**2. ROLL CALL AND ANNOUNCEMENT OF A QUORUM**

Present: Commissioner Susan E. Adamchak (virtually), Commissioner Peter Oppelt, Commissioner John E. Matta, and Commissioner Jayme Minton, with Mayor Karen McCulloh presiding.

Absent: None.

After roll call, the City Clerk announced there were five (5) Commissioners present and that the quorum of three (3) was met.

Also present were City Manager Danielle Dulin; Deputy City Manager Jason Hilgers, Assistant City Manager Jared Wasinger, Interim Director of Public Works/Assistant City Manager Wyatt Thompson, City Attorney Katharine Jackson, City Clerk Brenda K. Wolf, 8 staff, and approximately 18 interested citizens.

**3. PLEDGE OF ALLEGIANCE**

Mayor McCulloh led the Commission in the Pledge of Allegiance.



This meeting was held in the City Commission Room at City Hall, 1101 Poyntz Avenue. Public participation was solicited without regard to race, sex, familial status, military status, disability, religion, age, color, national origin, ancestry, sexual orientation, or gender identity. In accordance with the Americans with Disabilities Act, persons with disabilities needing special accommodation to participate in the City Commission Meeting or access meeting minutes, or those requiring language assistance (free of charge) should contact the City of Manhattan ADA Coordinator, Deann Tiede, no later than forty-eight (48) hours prior to the meeting, at (785) 587-2442 or 7-1-1 (Relay).

#### **4. PUBLIC COMMENTS**

Mayor McCulloh opened the public comments and highlighted the process.

The Commission heard public comment on items and issues not scheduled on the agenda. The following member of the public provided comments:

- Mel Borst, 1918 Humbolt Street

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

#### **5. COMMISSIONER COMMENTS**

Commissioner Oppelt stated he attended the Flint Hills Metropolitan Planning Organization (FHMPO) Policy Board meeting on Wednesday, January 15, 2024, in which interesting statistics were discussed. He shared that the highway crash data showed that 2023 had the lowest number of fatalities on Kansas highway systems since the 1940's when that data started to be tracked. He mentioned that FHMPO would be hosting a series of open houses on Wednesday, February 5, 2025, at the Manhattan Public Library at 11:00 a.m. and 5:00 p.m.; on Tuesday, January 28, 2025, at Oliver Brown Elementary School at 6:00 p.m.; and at other locations in Ogden, Junction City, Wamego, and St. George to discuss the regions long-term transportation plan. He stated that on Saturday, January 18, 2025, he attended the Manhattan Martin Luther King Jr (MLK) Community Celebration where he heard Curtis Pitts, President and Chief Executive Officer of the International Institute to Improve Race Relations, speak and was reminded on the amount of progress that had been made in Kansas and how important it was to care for our neighbors and to keep moving forward. He reminded the public that Saturday, January 25, 2025, would be the MLK Day of Service and encouraged everyone to sign up and volunteer

Mayor McCulloh mentioned that having been away from City Commission for seven (7) years that not much has changed. She appealed to the public to find new ways of addressing some of our actions. She said that the cost of crime was significant and that there needs to be new and interesting ways to lower the cost of catching, trying, and housing criminals to cut down the number of personnel in the Riley County Police Department and to help facilitate the job of city services.

Commissioner Adamchak mentioned that she heard a report where the number of tickets issued for people exceeding 100 miles per hour on Kansas highways has continued to increase. She urged people to be safe on the highways and stated that highways were not places for drag races.

## **6. CONSENT AGENDA**

(\* denotes those items discussed)

### **A. MINUTES**

1. Approve the [minutes](#) of the Regular City Commission Meeting held Tuesday, January 14, 2025.

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

1. Approve [Claims Register No. 3082](#) authorizing and approving the payment of claims from January 1, 2025 – January 14, 2025, in the amount of \$2,383,335.19.
2. Approve [Claims Register No. 3083](#) authorizing and approving the payment of claims from January 1, 2025 – January 14, 2025, in the amount of \$4,932,165.41.

### **C. LICENSES**

1. [Approve](#) an annual Cereal Malt Beverages Off-Premises License for Dillons #94 and Wildcat Fitness & Fun; and a Tree Maintenance License for calendar year 2025 for Hummel Tree Service Inc., and Two Big Feet Tree Pruning & Removal LLC.

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

1. [Set February 4, 2025, as the date to hold a public hearing levying special assessments](#) against the following benefitting property in 14 public improvement districts: ***Candlewood Shopping Center Turn Lane*** Transportation Improvements (ST1914); ***The Highlands at Grand Mere, Unit Two*** – Sanitary Sewer (SS2014), Street (ST2012), and Water (WA2024); ***Stagg Hill Golf Course*** Waterline Improvements (WA2109); ***Elijah Addition*** – Sanitary Sewer (SS1916), Street (ST1906), and Water (WA1916); ***Henry Addition*** – Sanitary Sewer (SS2107), Street (ST2104), and Water (WA2106); ***Genesis Health Club*** Sidewalk Improvements (SW1603); and ***Stagg Hill Business Community Addition*** Sewer (SS2307) and Water (WA2311) Extension.

### **E. SECOND AND FINAL READING**

1. Approve [Ordinance No. 7738](#) rezoning approximately 26 lots south of downtown to either Downtown Commercial (CD) District or Business Commercial (BC) District. ***[See Attachment No. 1 of the January 14, 2025, agenda item within the provided link.]***
2. Approve [Ordinance No. 7739](#) rezoning 10 tracts west of downtown to Downtown Commercial (CD) District. ***[See Attachment No. 1 of the January 14, 2025, agenda item within the provided link.]***
3. Approve [Ordinance No. 7740](#) rezoning a tract of land located at 330 and 326 Vattier Street from RL/O-EN, Low-Density Residential District with Established Neighborhood Overlay District, to RM, Medium-Density

Residential District. *[See Attachment No. 1 of the January 14, 2025, agenda item within the provided link.]*

F. **RESOLUTIONS**

1. Adopt Policy Manual [Resolution No. 012125-A](#) for Reinvestment Housing Incentive Districts-(RHID) Infill, repealing and replacing Resolution No. 080624-C.
2. Adopt Policy Manual [Resolution No. 012125-B](#) for Industrial Revenue Bonds (IRB) for Housing Projects, repealing and replacing Resolution No. 080624-A.
3. Approve [Resolution No. 012125-C](#) authorizing the redemption and payment of Industrial Revenue Bonds and the Sale and Conveyance of property to CP Building, LLC and CivicPlus, LLC.

G. **PROFESSIONAL SERVICES**

1. Authorize City Administration to finalize and the Mayor and City Clerk to execute a Contract Amendment No. 1 to an engineering services agreement between the City of Manhattan and Olsson, Inc. (Olsson) for the [Water Treatment Plant Lime Sludge Lagoon Improvements Project \(WA1907\)](#).
2. Authorize Contract Amendment No. 2 in the amount of \$5,800.00 to the Professional Services Agreement with Schwab-Eaton, for the [Walters Drive Reconstruction Project \(ST2309\) and Walters Drive Waterline Improvements \(WA2408\)](#).

H. **BID AND AWARD**

1. Authorize an increase to a construction contract in the amount of \$512,500.00 with Walters-Morgan Construction, Inc. for the [Water Treatment Plant Lime Sludge Lagoon Improvements Project \(WA1907\) to add the 2025 Lime Sludge Residuals Disposal Project \(WA2501\)](#) and authorize the City Manager to approve up to an additional \$25,000.00 in change orders for the Lime Sludge Residuals Disposal Project (WA2501).
2. Authorize an increase to a construction contract in the amount of \$10,014.00 with SAK Construction, Inc., and authorize the City Manager to approve up to an additional \$10,000.00 in change orders for the [2023 Sanitary Sewer Rehabilitation Project \(SS2303\)](#).

I. **MISCELLANEOUS AGREEMENTS**

1. Approve 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 2025 to establish a mobile food pantry.
2. Approve [Memorandum of Understanding \(MOU\) between Kansas State University](#) and the City of Manhattan regarding annual processes related to the City-University Projects Fund.
3. Approve the [City-University Special Projects Agreement](#) for 2025.

4. Authorize City Administration to finalize and the Mayor and City Clerk to execute a Second Amendment to the [Loan Agreement between the City of Manhattan and the Kansas Department of Health and Environment \(KDHE\)](#) for the Water Treatment Plant Lime Sludge Lagoon Improvements Project (WA1907).
5. Authorize the Mayor to execute a [Written Consent for JSG Properties, LLC, to sublease its Airport hangar](#) to Presidio, LLC.
6. Approve a [Memorandum of Agreement \(MOA\) with the Flint Hills Regional Council \(FHRC\)](#), Junction City Main Street, and the City of Herington for the Brownfield Assessment Coalition.
7. Approve [Change Order No. 1](#) in the amount of \$25,000.00 with Creal for implementation of Oracle Cloud Services for the City's new Enterprise Resource Planning (ERP) System (CIP #FI0001E).

J. **MISCELLANEOUS**

1. Approve the [2025-2029 Citizen Participation Plan \(CPP\)](#) for the Community Development Block Grant (CDBG) program.
2. Authorize City Administration to submit a [Passenger Facility Charge Application](#) to the Federal Aviation Administration (FAA).
3. Approve the selection of Huddle Up Group for the [Manhattan Area Chamber of Commerce, Inc. \(Chamber\) Convention and Visitor's Bureau Sports Market Assessment Study](#).

K. **APPOINTMENTS**

1. Approve [appointments](#) to external and/or City boards and committees.
  - a. Appointment of Mayor McCulloh to the Community Liaison Group for National Bio and Agro-Defense Facility.
  - b. Appointment of Mayor McCulloh to the Library Board.
  - c. Appointment of Mayor McCulloh to the Manhattan Area Chamber of Commerce Board of Directors.
  - d. Appointment of Commissioner Adamchak to the Visit Manhattan Steering Committee.

Mayor McCulloh opened the public comments.

Hearing no comments, Mayor McCulloh closed the public comments.

MOTION:	Commissioner Matta.
ACTION:	<i>Approve the consent agenda.</i>
SECOND:	Commissioner Oppelt.
RESULT:	On a roll call vote, motion carried 5-0.
Ayes:	Mayor McCulloh, Commissioner Adamchak, Commissioner Oppelt, Commissioner Matta, and Commissioner Minton.
Nayes:	None.
Abstain:	None.

## **7. GENERAL AGENDA**

### **A. CONSIDER AN AMENDMENT TO THE DEVELOPMENT AGREEMENT AND ISSUING INDUSTRIAL REVENUE BONDS FOR SALES TAX EXEMPTION FOR MIDTOWN, PHASE 1 PROJECT (12<sup>TH</sup> STREET AND LARAMIE STREET)**

Jason Hilgers, Deputy City Manager, and Stephanie Peterson, Director of Community Development, presented the item. They then answered questions from the Commission.

TJ Vilkaskas, Developer, Back 9 Development representing Midtown Land Company, LLC, provided additional background information and presented the hotel project. He then answered questions from the Commission.

Mayor McCulloh opened the public comments.

The following members of the public provided comments:

- Dennis Cook, 6854 Chickapin Circle, Executive Director, Aggieville Business Association. He answered questions from the Commission.
- Mark Bachamp, Olsson. He answered questions from the Commission.
- Gavin Schmidt, 155 South Dartmouth Drive
- Jason Smith, 904 Locharno Drive, President/Chief Executive Officer, Manhattan Area Chamber of Commerce
- Amber Starling, 508 Houston Street
- Gwyn Riffle, 1117 Hylton Heights. He answered questions from the Commission.
- Kaidy Smith, 701 North 4<sup>th</sup> Street

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

Jason Hilgers, Deputy City Manager, answered additional questions from the Commission.

MOTION:	Commissioner Minton.
ACTION:	<b><i>Approve a Second Amendment to the Development Agreement with Midtown Land Company, LLC for the <u>Midtown Phase 1 site (12<sup>th</sup> Street and Laramie Street)</u>.</i></b>
SECOND:	Commissioner Matta.
RESULT:	On a roll call vote, motion carried 5-0.
Ayes:	Mayor McCulloh, Commissioner Adamchak, Commissioner Oppelt, Commissioner Matta, and Commissioner Minton.
Nayes:	None.
Abstain:	None.

MOTION:	Commissioner Minton.
ACTION:	<b><i>Approve Resolution No. 012125-D authorizing the issuance of Industrial Revenue Bonds in the amount of \$20 million for the purpose of realizing a sales tax exemption on construction materials.</i></b>
SECOND:	Commissioner Matta.
RESULT:	On a roll call vote, motion carried 5-0.
Ayes:	Mayor McCulloh, Commissioner Adamchak, Commissioner Oppelt, Commissioner Matta, and Commissioner Minton.
Nayes:	None.
Abstain:	None.

## **8. PUBLIC HEARING**

### **A. CONSIDER ISSUING INDUSTRIAL REVENUE BONDS FOR PROPERTY TAX EXEMPTION FOR 827 MORO STREET HOUSING PROJECT**

Stephanie Peterson, Director of Community Development, presented the item.

Stephanie Peterson, Director of Community Development, and Jason Hilgers, Deputy City Manager, answered questions from the Commission.

Zac Burton, applicant, 3651 Victory Drive, provided information regarding the project.

Mayor McCulloh opened the public hearing.



Hearing no comments, Mayor McCulloh closed the public hearing.

MOTION:	Commissioner Oppelt.
ACTION:	<b><i>Approve Resolution No. 012125-E determining the advisability of issuing Industrial Revenue Bonds for the <u>827 Moro Street housing project</u> to Zachary and Michelle Burton.</i></b>
SECOND:	Commissioner Minton.
RESULT:	On a roll call vote, motion carried 4-1.
Ayes:	Mayor McCulloh, Commissioner Oppelt, Commissioner Matta, and Commissioner Minton.
Nayes:	Commissioner Adamchak.
Abstain:	None.


MOTION:	Commissioner Oppelt.
ACTION:	<b><i>Authorize City Administration to finalize and the Mayor and City Clerk to execute an Economic Development Agreement.</i></b>
SECOND:	Commissioner Matta.
RESULT:	On a roll call vote, motion carried 4-1.
Ayes:	Mayor McCulloh, Commissioner Oppelt, Commissioner Matta, and Commissioner Minton.
Nayes:	Commissioner Adamchak.
Abstain:	None.

At 7:58 p.m., Commissioner Adamchak left the meeting.

## 9. ADJOURNMENT

MOTION:	Commissioner Minton.
ACTION:	<i>Adjourn the January 21, 2025, City Commission Meeting.</i>
SECOND:	Commissioner Oppelt.
RESULT:	On a roll call vote, motion carried 4-0.
Ayes:	Mayor McCulloh, Commissioner Oppelt, Commissioner Matta, and Commissioner Minton.
Nayes:	None.
Abstain:	None.

At 7:58 p.m., Mayor McCulloh announced the Commission meeting was adjourned.



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Brenda K. Wolf, CMC, City Clerk