

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 May 6, 2025, were duly adopted at a meeting of the City of Manhattan, Kansas, held on the 20th day of May, 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 20th day of May, 2025.



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



MINUTES
CITY COMMISSION MEETING
TUESDAY, MAY 6, 2025
6:00 P.M.

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 May 6, 2025, City Commission Meeting to order.

2. ROLL CALL AND ANNOUNCEMENT OF A QUORUM

Present: Commissioner Susan E. Adamchak, 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, Deputy City Attorney Rachel Sherck, City Clerk Brenda K. Wolf, seven (7) staff, and approximately 54 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. PROCLAMATIONS

- A. Mayor McCulloh proclaimed May 4-10, 2025, National Travel and Tourism Week. Marcia Rozell, Director of Visit Manhattan; Jen Alley, Convention Sales Manager; Lauren Chart, Sports Sales Manager; and Julie Valldeperas, Service Coordinator; Manhattan Area Chamber of Commerce Convention and Visitors Bureau, and Scott Sieben, Chair, Visit Manhattan Steering Committee, were present to receive the proclamation.
- B. Mayor McCulloh proclaimed May 4-10, 2025, Public Service Recognition Week. Danielle Dulin, City Manager, City of Manhattan, was present to receive the proclamation.

5. 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:

- Tim Weisbender, 1812 Fair Lane, Tuttle Creek Lake Association

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

6. COMMISSIONER COMMENTS

Commissioner Oppelt mentioned that he received a lot of emails from folks and that he would respond to everyone. He stated that on Saturday, May 17, 2025, at 9:30 a.m. in the Groesbeck Room at the Manhattan Public Library, he and Commissioner Matta would have coffee and donuts with anyone who wanted to chat.

Mayor McCulloh stated that Friends of the Kaw would be picking up trash along the Kansas River with the Manhattan Rotary Club on Saturday, May 10, 2025, at 10 a.m. at the Big Blue River Boat Ramp/Linear Park on Highway 24.

7. CONSENT AGENDA

(* denotes those items discussed)

A. MINUTES

1. Approve the [minutes](#) of the Regular City Commission Meeting held Tuesday, April 15, 2025.

B. CLAIMS/PAYMENTS

1. Approve [Claims Register No. 3093](#) authorizing and approving the payment of claims from April 9, 2025 – April 29, 2025, in the amount of \$4,156,340.69.

C. LICENSES

1. Approve an annual [Cereal Malt Beverages Off-Premises License](#) for Short Stop #12.

D. FINAL PLATS

1. Accept the easements and rights-of-way on the [Final Plat of Autumn Ridge](#) and authorize Mayor and City Clerk to execute a restrictive covenant related to the drainage easement and a restrictive covenant related to the cul-de-sac islands.

E. SECOND AND FINAL READINGS

- * 1. Item was removed from the Consent Agenda at the request of Mayor McCulloh.

Approve [Ordinance No. 7745](#) amending the ~~Code of Ordinances, Section 31-33 Parking and Standing of School Buses, Section 31-53 No Parking During Designated Times Zones, Section 31-54 No Parking at any Time Zones, and Section 31-221 Established School Zones, all located around USD 383's Lincoln Education Center (former East Manhattan High School Campus).~~

2. Approve [Ordinance No. 7746](#) annexing approximately 1.07 located at the western terminus of Joseph Drive acres into the city limits.
3. Approve [Ordinance No. 7747](#) rezoning an approximately 1.07-acre tract located at the western terminus of Joseph Drive from Riley County, Agricultural (AG) District to Low-Density Residential-Attached (RL-A) District.
4. Approve [Ordinance No. 7748](#) rezoning 1801 Anderson Avenue and 615 Denison Avenue from Low-Density Residential (RL) District with Established Neighborhood Overlay (O-EN) and University Fringe Overlay (O-UF) to Low-Density Residential-Attached (RL-A) District with O-EN and O-UF.

F. **FIRST READINGS**

1. Approve first reading of a charter ordinance repealing Charter Ordinance Nos. 58 and 59 and setting costs and fees in Municipal Court by ordinary ordinance, and approve first reading of an ordinance codifying the authorization of costs and fees in Municipal Court.
- * 2. **Item was removed from the Consent Agenda at the request of Mayor McCulloh.**

~~Approve first reading of an ordinance amending Section 2-18 of the Code of Ordinances, regarding the consideration and adoption of ordinances.~~

3. Approve first reading of an ordinance amending Sections 31-37 and 31-108 of the Code of Ordinances relating to the Aggierville Parking Garage.

G. **RESOLUTIONS**

1. Approve Resolution No. 050625-A to issue General Obligation (G.O.) bonds for the acquisition of a Pierce Enforcer 107 foot Ascendant Quint apparatus (Unit #50529) and a Pierce Enforcer Rescue apparatus (Unit #50489) (CIP #FR056E, FR044E), and mobile data terminals for the fire department (CIP #FR073P), and authorize City Administration to dispose of a 2003 E-One 75-foot Quint (Unit #100) and a 2004 Freightliner Rescue (Unit #147) once the new vehicles are delivered.
2. Approve Resolution No. 050625-B, determining the City's intent to issue Industrial Revenue Bonds (IRBs) and authorizing a sales tax exemption for Zachary J. Burton and Michelle E. Burton's 330 Vattier Townhomes project.
3. Approve Resolution No. 050625-C, determining the City's intent to issue Industrial Revenue Bonds (IRB's) and authorizing a sales tax exemption for Zachary J. Burton and Michelle E. Burton's Goheen Townhomes project.
4. Approve Resolution No. 050625-D, supporting the sole enforcement of the City's animal-related ordinances by the Riley County Police Department.

H. **PROFESSIONAL SERVICES**

1. Approve an Agreement for Professional Services for part-time construction observation and material testing in an amount not to exceed \$473,216.00 with BG Consultants, Inc., for the Anderson Avenue, from Harris Avenue to Connecticut Avenue, Water, Street, & Stormwater Improvements Project (WA1909, ST2203, SW2206, PD2401; CIP #'s WA086P, WA177P, WA178P, WA179P, WA180P, WA181P).
- * 2. Wyatt Thompson, Interim Director of Public Works/Assistant City Manager, answered questions from the Commission.

Authorize City Administration to finalize and the Mayor the City Clerk to execute a Professional Services Agreement in an amount not to exceed \$81,385.20 with International Cybernetics Company, LP, and authorize the City Manager to approve contract amendments up to 5% (\$4,069.26) of the

contract amount for pavement condition and right-of-way asset data collection and analysis services.

- * 3. Wyatt Thompson, Interim Director of Public Works/Assistant City Manager, answered questions from the Commission.

Authorize [Contract Amendment No. 3](#) in the amount of \$10,852.00 to the Professional Services Agreement with Schwab-Eaton, for the Walters Drive Reconstruction Project (ST2309) and Walters Drive Waterline Improvements (WA2408).

I. **BID AND AWARD**

1. Award a [construction contract](#) in the amount of \$1,550,773.64 to T&M Concrete Construction Company, and authorize the City Manager to approve change orders up to 5% (\$77,538.68) of the contract amount for the 2025 Concrete Maintenance Contract Phase II (Allen Road, Browning Avenue, Candlewood Drive, and Kimball Avenue) Project (ST2502).
2. Authorize the Mayor and City Clerk to execute a [Development Agreement](#) with Schultz Construction, LLC for public improvements at Cypress Ridge Subdivision (ST2507, WA2507, SS2507).

J. **GRANTS**

1. Authorize the Mayor to sign an application for [2025 Emergency Solutions Grant funds](#) and the Mayor and City Clerk to execute a grant agreement with the Kansas Housing Resources Corporation (KHRC); authorize the City Manager to execute agreements with the Manhattan Emergency Shelter, Inc., and The Crisis Center Inc. if funding is approved; and authorize the Director of Community Development to execute reimbursement requests.
2. Approve the [2025–2029 Consolidated Plan for the Community Development Block Grant \(CDBG\) program](#); authorize the Mayor and City Administration to execute a grant agreement with the U.S. Department of Housing and Urban Development (HUD) upon receipt; and authorize City Administration to execute the Annual Action Plan and subrecipient agreements.

K. **APPOINTMENTS**

1. Approve the [Mayor's recommendations for appointment](#) to external and/or City boards and committees.
 - a. Re-appointment of Richard Jankovich to the Airport Advisory Board.
 - b. Re-appointment of Karen Rogers to the Airport Advisory Board.
 - c. Appointment of Jacqueline Spears to the Historic Resources Board.
 - d. **Item was removed from the Consent Agenda at the request of Commissioner Oppelt and Commissioner Minton.**

~~Appointment of Linda Morse to the Manhattan Urban Area Planning Board.~~

Mayor McCulloh opened the public comments.

Hearing no comments, Mayor McCulloh closed the public comments.

MOTION:	Commissioner Oppelt.
ACTION:	<i>Approve the consent agenda with the exception of Items E1, F2, and K1d.</i>
SECOND:	Commissioner Minton.
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. ITEM REMOVED FROM CONSENT AGENDA

CONSENT ITEM E1. - ORDINANCE NO. 7745 - PARKING ALONG 9TH STREET AND 10TH STREET

The Commission discussed the item.

Brian Johnson, City Engineer, answered questions from the Commission.

Mayor McCulloh opened the public comments.

Hearing no comments, Mayor McCulloh closed the public comments.

MOTION:	Commissioner Minton.
ACTION:	<i>Approve Consent Item E1 [Ordinance No. 7745 amending the <u>Code of Ordinances</u>, Section 31-33 Parking and Standing of School Buses, Section 31-53 No Parking During Designated Times Zones, Section 31-54 No Parking at any Time Zones, and Section 31-221 Established School Zones, all located around USD 383's Lincoln Education Center (former East Manhattan High School Campus)].</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.

CONSENT ITEM F2. – FIRST READING – ADOPTION OF ORDINANCES

The Commission discussed the item.

Mayor McCulloh opened the public comments.

The following members of the public provided comments:

 Mel Borst, 1918 Humboldt Street
 Amber Starling, 408 Houston Street
 Chris Deetjen, 2315 Indian Mound Lane

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

MOTION:	Commissioner Oppelt.
ACTION:	<i>Approve Consent Item F2 [First reading of an ordinance amending Section 2-18 of the <u>Code of Ordinances</u>, regarding the consideration and adoption of ordinances].</i>
SECOND:	Commissioner Minton.
RESULT:	On a roll call vote, motion carried 4-1.
Ayes:	Commissioner Adamchak, Commissioner Oppelt, Commissioner Matta, and Commissioner Minton.
Nayes:	Mayor McCulloh.
Abstain:	None.

CONSENT ITEM K1d. – MANHATTAN URBAN AREA PLANNING BOARD APPOINTMENT

The Commission discussed the item.

Mayor McCulloh opened the public comments.

Hearing no comments, Mayor McCulloh closed the public comments.

MOTION:	Commissioner Adamchak.
ACTION:	<i>Approve the appointment of Linda Morse to the Manhattan Urban Area Planning Board.</i>
SECOND:	Commissioner Matta.
RESULT:	On a roll call vote, motion failed 1-4.
Ayes:	Mayor McCulloh.
Nayes:	Commissioner Adamchak, Commissioner Oppelt, Commissioner Matta, and Commissioner Minton.
Abstain:	None.

From the candidate pool, it was recommended for the Mayor to consider Shelley Carver or Katie Loughmiller.

9. GENERAL AGENDA

A. CONSIDER GUARANTEED MAXIMUM PRICE FOR LARAMIE STREET, FROM NORTH MANHATTAN AVENUE TO 11TH STREET, AND PROFESSIONAL SERVICES AGREEMENT AND AMENDED FINANCING FOR 12TH STREET AND LARAMIE STREET PROJECTS (AG2202)

Ashley Fuhrman, Strategy Director, Middle, and Access Aggieville Campaign Director, presented the website and social media campaign called Access Aggieville to bring the Commission up-to-speed and to help educate the public what was being done to support the Aggieville businesses and visitors during construction projects. She then answered questions from the Commission.

Jason Hilgers, Deputy City Manager, presented the item. He then answered questions from the Commission.

Mayor McCulloh opened the public comments.

MOTION:	Commissioner Adamchak.
ACTION:	<i>Authorize the Mayor and City Clerk to execute Amendment No. 3 to the Construction Manager At-Risk Agreement accepting the Guaranteed Maximum Price for Phase 1 in the amount of \$5,439,282.00 and Amendment No. 4 to the Construction Manager At-Risk Agreement accepting the Guaranteed Maximum Price for Phase 2 in the amount of \$7,879,754.00, with BHS Construction; approve a Professional Services Agreement for Construction Inspection Services in the amount not to exceed \$353,960.00 with Bartlett & West, Inc.; and approve Resolution No. 050625-E amending Resolution No. 030425-B authorizing the project and the financing for the <u>12th Street and Laramie Street Improvements project, Phases 1 and 2 (AG2202)</u>.</i>
SECOND:	Commissioner Minton.
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.

B. CONSIDER REZONING THE UNGER COMPLEX AT 2323 ANDERSON AVENUE

Stephanie Peterson, Director of Community Development, presented the item. She then answered questions from the Commission.

Fred Merrill, Co-Developer, Unger Housing, LLC, provided the Commission details regarding the project. He answered questions from the Commission.

Mayor McCulloh opened the public comments.

The following members of the public provided comments:

- Ken Ebert, 1218 Leone Ridge Drive. He then answered questions from the Commission.
- Bill Hughes, 2314 Indian Mound Lane. He then answered questions from the Commission.
- Chris Deetjen, 2315 Indian Mound Lane. He then answered questions from the Commission.
- Britney Petty, 2323 Indian Mound Lane
- Martin Courtois, 2126 College Heights Road
- John Ranum, 2308 Hillview Drive

- Mary Kris Roberson, 2120 College Heights Road
- Sarah Silva, 2210 College Heights Road
- Amber Myers, 1001 College Avenue. She then answered questions from the Commission.
- Kasey Kile, 2326 Indian Mound Lane
- Gary Olds, 3308 Frontier Circle
- Carol Baldwin, 755 College Heights Circle
- Mel Borst, 1918 Humboldt Street

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

MOTION: Commissioner Oppelt.

ACTION: ***Extend the public comment time for another 30 minutes.***

SECOND: Commissioner Minton.

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.

At 7:58 p.m., the Commission took a brief recess.

At 8:10 p.m., the Commission reconvened with Mayor Karen McCulloh and Commissioner Susan E. Adamchak, Commissioner Peter Oppelt, Commissioner John E. Matta, and Commissioner Jayme Minton in attendance.

Public Comments continued. The following member of the public provided comments:

- Amber Starling, 408 Houston Street

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

Mayor McCulloh asked each member of the City Commission who had engaged in ex parte communication with any individual either in favor of, or against, the matter being considered, to state what communication occurred and indicate that even in light of having engaged in the communication whether they were able to fairly, objectively, and impartially consider the measure based only upon the evidence provided on the record.

Ex parte communication was declared by Mayor Karen McCulloh and Commissioners Susan Adamchak, Peter Oppelt, John Matta, and Jayme Minton.

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

MOTION:	Commissioner Adamchak.
ACTION:	<i>Approve first reading of an ordinance <u>rezoning 2323 Anderson Avenue from Business Commercial (BC) District to High-Density Residential (RH) District.</u></i>
SECOND:	Commissioner Minton.
RESULT:	On a roll call vote, motion carried 4-1.
Ayes:	Commissioner Adamchak, Commissioner Oppelt, Commissioner Matta, and Commissioner Minton.
Nayes:	Mayor McCulloh.
Abstain:	None.

C. CONSIDER ISSUING SALES TAX EXEMPTION AND CITY INCENTIVES FOR EXCEL DEVELOPMENT GROUP'S AMBER POINTE LOW-INCOME HOUSING TAX CREDIT PROJECT

Stephanie Peterson, Director of Community Development, presented the item. She then answered questions from the Commission.

Wayne Mortensen, Vice President of Development, Excel Development Group, provided more details regarding project. He then answered questions from the Commission.

Mayor McCulloh opened the public comments.

The following member of the public provided comments:

- Gary Olds, 3308 Frontier Circle

Wayne Mortensen, Vice President of Development, Excel Development Group, answered questions from the public comments.

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

MOTION:	Commissioner Oppelt.
ACTION:	<i>Approve Resolution No. 050625-F, determining the City's intent to issue Industrial Revenue Bonds (IRB's) and authorizing a sales tax exemption for the Excel Development Group's Amber Pointe Project; and approve Resolution No. 050625-G granting City incentives to waive building permit fee and water and sewer connection fees, and to pay building permit fee out of the Workforce Housing Sales Tax dollars in support of the Project.</i>
SECOND:	Commissioner Adamchak.
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.

D. CONSIDER AMENDING THE MANHATTAN DEVELOPMENT CODE

John Adam, Assistant Director of Community Development, presented the item.

John Adam, Assistant Director of Community Development; Stephanie Peterson, Director of Community Development; and Rachel Sherck, Deputy City Attorney, answered questions from the Commission.

Mayor McCulloh opened the public comments.

The following member of the public provided comments:

- Mel Borst, 1918 Humboldt Street

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

MOTION:	Commissioner Minton.
ACTION:	<i>Override the recommendation of the Manhattan Urban Area Planning Board and approve first reading of an ordinance <u>amending the Manhattan Development Code</u> (MDC).</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.

10. ADJOURNMENT

MOTION:	Commissioner Oppelt.
ACTION:	<i>Adjourn the May 6, 2025, City Commission Meeting.</i>
SECOND:	Commissioner Minton.
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.

At 9:15 p.m., Mayor McCulloh announced the Commission meeting was adjourned.



Brenda K. Wolf, CMC, City Clerk