

AGENDA  
MANHATTAN  
CITY COMMISSION MEETING  
TUESDAY, MAY 18, 2021  
7:00 P.M.

NOTE: Agenda items are available on the City's website at <https://cityofmhk.com/Archive.aspx?ADID=7631>. If you would like to provide public comment at the meeting for an item on the agenda, you may sign up through the City's website by 3 p.m. the day of the meeting at <https://cityofmhk.com/publiccommentsignup> or in person at the meeting. The guidelines for public comments can be found in Resolution No. 050118-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.

## **I. PLEDGE OF ALLEGIANCE**

## **II. PROCLAMATIONS**

- A. May 16–22, 2021, [\*National Public Works Week\*](#) (City of Manhattan Public Works Department Employees will be present to receive the proclamation.)
- B. May 2021, [\*National Preservation Month\*](#) (Linda Glasgow, President, Riley County Preservation Alliance, and Kevin West, Chair, Historic Resources Board, will be present to receive the proclamation.)

## **III. 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.

## IV. 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. A Commissioner may request an item be moved to the end of the General Agenda.]

- A. Approve the [minutes](#) of the Regular City Commission Meeting held Tuesday, May 4, 2021.
- B. Approve [Claims Register No. 2974](#) authorizing and approving the payment of claims from April 28, 2021 – May 11, 2021, in the amount of \$8,633,459.41.
- C. Approve an annual [Cereal Malt Beverages On-Premises License](#) for Axe to Grind, 925 Enoch Lane.
- D. [General Obligation Bond Sale 2021-A](#):
  - 1. Approve accepting the best bid for selling the bonds to Robert W. Baird & Co., Inc., of Redbank, New Jersey;
  - 2. Approve Ordinance No. 7536 issuing \$4,940,000.00 in General Obligation Bonds (Series 2021-A) to finance the following seven (7) public improvement districts projects; ***Heritage Square North Addition, Unit Two*** – Sanitary Sewer (SS1701), Street (ST1701), and Water (WA1701); and ***Northwing Addition, Unit Two*** – Sanitary Sewer (SS1718), Storm Drainage (SM1709), Street (ST1709), and Water (WA1712); and three (3) capital projects: ***Old Big Blue Ditch***, Phase V – Storm Drainage Improvements (SM1605); ***Denison Avenue and Marlatt Avenue Roadway*** – Street Improvements (ST1612); and ***Manhattan Housing Authority*** – Building Improvements (SP1706); and
  - 3. Approve Resolution No. 051821-A ratifying delivery of the Series 2021-A bonds to the low bidder.
- E. Approve [Resolution No. 051821-B](#) deeming it necessary to acquire the subject easements on the properties listed by the power of eminent domain for the Safe Routes to School, Phase 2C, project (PD2001) and directing the Director of Public Works/City Engineer or the City’s designated consultant engineers to complete and file with the City Clerk surveys of the necessary easements.
- F. Accept the easements and rights-of-way, as shown on the [Final Plat of Henry Addition](#), generally located west of Elijah Addition and Chapel Hill Addition on Victory Drive and Goheen Drive extended, based on conformance with the Manhattan Urban Area Subdivision Regulations.
- G. [Henry Addition Sanitary Sewer \(SS2107\), Street \(ST2104\), and Water \(WA2106\) improvements](#):
  - 1. Find the Petitions sufficient;
  - 2. Approve Resolution Nos. 051821-C, 051821-D and 051821-E finding the projects advisable and authorizing construction; and
  - 3. Authorize the Mayor and City Clerk to execute an Agreement for Professional Engineering Services, in an amount not to exceed \$59,800.00, with SMH Consultants, of Manhattan, Kansas, for the improvements.

- H. [The Highlands at Grand Mere, Unit 2, Street \(ST2012\), Sanitary Sewer \(SS2014\), and Water \(WA2024\) Improvements:](#)
1. Find the Amended Petition sufficient;
  2. Approve Resolution No. 051821-F finding the project necessary and authorizing construction for the Street Improvement Project (ST2012) and repealing Resolution No. 010521-B;
  3. Find the Petition sufficient;
  4. Approve Resolution No. 051821-G finding the new Sanitary Sewer (SS2014) project necessary and authorizing construction, and repealing Resolution No. 010521-A for the previous Sanitary Sewer project;
  5. Find that Larson Construction Company, Inc., of, Manhattan, Kansas, is the lowest and best responsible bidder, based on staff's recommendation, and is in the best interest of the City;
  6. Accept the Engineer's Opinion of Probable Cost in the total amount of \$299,800.00 (*\$176,000.00 for Street, \$76,400.00 for Sanitary Sewer, and \$47,400.00 for Water*); and
  7. Award and authorize the Mayor and City Clerk to execute a construction contract in the total amount of \$375,103.00 (*\$212,486.00 for Street, \$115,889.00 for Sanitary Sewer, and \$46,728.00 for Water*) with Larson Construction Company, Inc., of Manhattan, Kansas, for the improvements.
- I. Award and authorize the Mayor and City Clerk to execute a contract in the amount of \$915,216.70 to Shilling Construction Company, Inc., of Manhattan, Kansas, for the [2021 Asphalt Street Maintenance project, Phase I \(ST2103\)](#), to be paid from the Special Street and Highway Fund which is funded by gasoline tax reimbursements from the State of Kansas.
- J. [2021 Street Sweeper – Unit #235 \(CIP #SW104E\):](#)
1. Authorize the purchase of a 2021 Global M4HSD Street Sweeper, Unit #235 (CIP #SW104E), in the net amount of \$239,223.00 (*Base Bid in the amount of \$289,223.00 less trade-in value in the amount of \$50,000.00*) from Berry Tractor and Equipment, of Wichita, Kansas, to replace the current 2014 model Street Sweeper (Unit #235); and
  2. Authorize the Mayor and/or City Clerk to execute a lease purchase agreement.
- K. Approve [Resolution No. 051821-H](#) declaring it is necessary to acquire the subject easements on the properties listed by the power of eminent domain for the Utility Relocations necessitated by the Manhattan Levee Flood Risk Management Project (SM1813/SP1908) and directing the Director of Public Works/City Engineer or SMH Consultants, of Manhattan, Kansas, to complete, and file with the City Clerk, surveys of the necessary easements.

- L. [Dedicate Flood Protection Easements and Temporary Work Area Easements over Various City-Owned Tracts:](#)
1. Approve dedication of easements from eight (8) City-Owned tracts for the Manhattan Levee Flood Risk Management Project (SM1813/SP1908);
  2. Authorize the Mayor and City Clerk to execute the finalized easements on behalf of the City; and
  3. Authorize the City Manager to sign the final authorization for entry by the U.S. Army Corps of Engineers (USACE) once the attorney certification has been made.
- M. [Kansas Gas Easements – Manhattan Levee \(SM1813/SP1908\):](#)
1. Ratify and Confirm two Easements that were conveyed to ONEOK, Inc., as part of the Utility Relocations necessitated by the Manhattan Levee Flood Risk Management Project (SM1813/SP1908); and
  2. Authorize the Mayor and City Clerk to execute the Ratification.
- N. [Authorize City Administration to pay \\$57,735.75 to the Clerk of the Riley County District Court](#) to acquire easements from the subject properties within Riley County associated with the Manhattan Levee Flood Risk Management Project (SM1813/SP1908) and determine no appeal of the awards is necessary.
- O. [Approve appointments by Mayor Butler to various boards and committees of the City.](#)
1. Re-appointment of Emily Koenig to the City/University Special Projects Fund Committee;
  2. Appointment of Vincent Tracey to the City/University Special Projects Fund Committee;
  3. Appointment of Jason Suther to the Downtown Business Improvement District Advisory Board;
  4. Re-appointment of Allyn Weddle to the Housing Appeals Board;
  5. Re-Appointment of Jamie Morris-Hardeman to the Joint Corrections Advisory Board;
  6. Re-Appointment of Sue Maes and Tom Ruzicka to the Social Services Advisory Board;
  7. Appointment of Shannon Horton and Christina Stratman to the Social Services Advisory Board;
  8. Re-Appointment of Scott Seel to the Special Alcohol Funds Advisory Board; and
  9. Appointment of Christina Robinson to the Special Alcohol Funds Advisory Board.
- P. [Approve the appointment by Mayor Butler of Glee Myers to the Housing Authority Board of Commissioners.](#)

## **V. GENERAL AGENDA**

- A. **CONSIDER FIRST READING OF AN ORDINANCE REZONING LOT 35, EUREKA ADDITION, UNIT TWO, FROM C-6/AO, HEAVY COMMERCIAL DISTRICT WITH AIRPORT OVERLAY DISTRICT TO I-3/AO, LIGHT INDUSTRIAL DISTRICT WITH AIRPORT OVERLAY DISTRICT**

*[Manhattan Urban Area Planning Board recommends approval]*

- B. **DISCUSS THE DRAFT MANHATTAN DEVELOPMENT CODE AND REVIEW OF ARTICLES 26-6 AND 26-7**

## **VI. EXECUTIVE SESSION**

Recess into Executive Session to discuss the terms of the agreement between City Administration and Local 2275, International Association of Fire Fighters that presently need to remain confidential, pursuant to the exception set forth in K.S.A. 75-4319(b)(3) related to employer-employee negotiations, and to resume the open meeting at \_\_\_\_\_ p.m. in the City Commission Room.