



**REVISED AGENDA**  
**TUESDAY, SEPTEMBER 6, 2022**  
**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://cityofmnhk.com/Archive.aspx?ADID=8402>. 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://cityofmnhk.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://cityofmnhk.com/contactcommissioners> or by emailing or calling the Commissioners directly. Contact information for each Commissioner is located on the City's website at <https://cityofmnhk.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://cityofmnhk.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**



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.

#### 4. PROCLAMATIONS

- A. September 11, 2022, 9/11 Day of Remembrance. (Lori Bishop, Executive Director; Sue Simmons, Board President; Ronnie Grice, Board Vice-President; and Matt Walters, Board of Directors, The Flint Hills Volunteer Center Board of Directors, will be present to receive the proclamation.)
- B. September 17-23, 2022, Constitution Week. (Melanie Horton, Regent, Polly Ogden Chapter, Daughters of the American Revolution, will be present to receive the proclamation.)
- C. September 2022, Recovery Month. (Robbin Cole, Executive Director, Pawnee Mental Health, will be present to receive the proclamation.)

#### 5. PUBLIC COMMENTS

[Public Comment is for comments from the public to the City Commission, which is not related to an item on the agenda. As a general practice, the City Commission will not discuss or debate these items, nor will the City Commission make decisions on items presented during this time. Individuals should address all comments and questions to the Commission. Each person will be limited to one speaking opportunity for up to five (5) minutes for this section.]

#### 6. COMMISSIONER COMMENTS

#### 7. 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, August 16, 2022.
- B. **CLAIMS/PAYMENTS**
  - 1. Approve Claims Register No. 3011 authorizing and approving the payment of claims from August 10, 2022 – August 30, 2022, in the amount of \$5,796,125.01.
- C. **LICENSES**
  - 1. Approve a Tree Maintenance License for calendar year 2022 for Guzman Tree Service, 301 South Merchant Street, Emporia, Kansas.

D. ***SECOND AND FINAL READING***

1. Approve [Ordinance No. 7589](#) amending the Manhattan Urban Area Comprehensive Plan by adopting and incorporating the amended Bicycle & Pedestrian Systems Plan by reference.
2. Having found that no private rights will be injured or endangered by such vacation and that the public will suffer no loss or inconvenience, approve [Ordinance No. 7590](#) vacating a portion of a utility and travel easement of 521 Richards Dr. (VA2202).
3. Having found that no private rights will be injured or endangered by such vacation and that the public will suffer no loss or inconvenience, approve [Ordinance No. 7591](#) vacating an alley located between Third Street and Fourth Street and between Pierre Street and Houston Street (VA2203).
4. Having found that no private rights will be injured or endangered by such vacation and that the public will suffer no loss or inconvenience, approve [Ordinance No. 7592](#) vacating a public right-of-way located in Lots 333 and 334, Ward 1, City of Manhattan, Riley County, Kansas (VA2204).

E. ***FINAL PLATS***

1. Accept the easements and rights-of-way as shown on the [Final Plat of Museum of Art and Light](#), based on conformance with the Manhattan Development Code.
2. Accept the easements and rights-of-way as shown on the [Final Plat on the Manhattan Town Center 6](#), based on conformance with the Manhattan Development Code.

F. ***FIRST READING***

1. Approve first reading of an [Ordinance amending Article XIX of Chapter 15 of the Code of Ordinances, establishing a contract franchise and authorizing MCImetro, LLC](#), to construct, maintain, and operate as a provider of telecommunications services in the public right-of-way.

G. ***RESOLUTIONS***

1. Approve [Resolution No. 090622-A authorizing a Special Event with Alcohol Permit for KS Society of Human Resource Management Social](#) to occur on September 15, 2022, at the Blue Earth Plaza.
2. Approve [Resolution No. 090622-B amending Resolution No. 070621-A regarding Commission's intent to issue up to \\$8 million in Industrial Revenue Bonds](#) for the construction of up to three 12-bed senior "Home Plus" facilities to be leased to Foundation Park HomePlus, LLC and authorize execution of related documents.
3. Approve [Resolution No. 090622-C authorizing the sale of City real estate](#) and the Mayor and City Clerk to execute the necessary documents for the land transfer.

H. ***PROFESSIONAL SERVICES***

1. Accept the [Selection Committee's recommendation and authorize City Administration to negotiate a professional services agreement](#) with JEO Consulting Group, of Lawrence, Kansas, for the Tributary Stream and Detention Basin Maintenance Policies Study (SW2212, CIP #SW096P).

I. ***BID AND AWARD***

1. Award and authorize the Mayor and City Clerk to [execute equipment purchase contracts](#) with JCI Industrial Technologies, of Lee Summit, Missouri, in the amount of \$109,248.00 [*Bid Item 1*], with Fluid Equipment, of Riverside, Missouri, in the amount of \$331,535.45 [*Bid Item 2*], and with OJ Dupree Company, of Shawnee, Kansas, in the amount of \$98,559.44 [*Bid Item 4*], for a total amount of \$539,342.89; and reject one (1) bid from CK Power, of Wichita, Kansas, in the amount of \$157,875.30 [*Bid Item 3*] for the Water Treatment Booster Station Upgrades Project (WA2021).
2. Award the [purchase of Bulk Road Salt](#) in the amount of \$172,480.00 and authorize future deliveries at the alternate price of \$51.80 per ton as needed from Independent Salt, of Kanopolis, Kansas (SP2206).
3. Award and authorize the Mayor and City Clerk to [execute a construction contract](#) with Midwest Concrete Materials, Inc., of Manhattan, Kansas, in the amount of \$157,500.00 for the 2022 Lime Pit Sludge Removal Project (WA2209).
4. Authorize the Mayor to execute [Change Order No. 1](#), a net increase in the amount of \$59,347.00 (+5.5%) to the contract with Shilling Construction, of Manhattan, Kansas, which adds Willowood Circle and Ashwood Circle to the 2022 Asphalt Street Maintenance project (ST2206).

J. ***GRANTS***

1. Approve [Resolution No. 090622-D to support the City of Manhattan Safe Streets for All](#) grant application for the multimodal and signal improvements identified for North Manhattan Avenue from Bluemont Avenue to Claflin Road (ST2208).

K. ***MISCELLANEOUS AGREEMENTS***

1. Authorize the Mayor to [execute an Agreement for Waiver of Stormwater Detention with Chen Properties, LLC](#) for the 14<sup>th</sup> Street and Laramie Street stormwater detention.

L. ***PURCHASES***

1. Approve the [purchase of Rescue Equipment \(CIP #FR071E\)](#) from Weis Fire & Safety Equipment, of Salina, Kansas, in the amount of \$121,492.25 for Rope Equipment, Paratech Equipment, and Amkus Extrication Equipment; from United Rentals, of Manhattan, Kansas, in the amount of \$1,608.58 for a Trash Pump; from Salisbury Construction & Industrial Supply, of Manhattan, Kansas, in the amount of \$12,139.98 for Power Tools; and from Inmar Marine Group, of San Diego, California, in the amount of \$4,550.00 for an inflatable rescue boat; and authorize the Mayor and/or City Clerk to execute a Lease Purchase Agreement and all documents necessary with Commerce Bank/Clayton Holdings, Inc.

**8. ITEM REMOVED FROM CONSENT AGENDA**

## **9. PUBLIC HEARING**

[The hearing procedure and public participation will be based upon the legal requirements for the required hearing.]

### **A. CONSIDER 2023 BUDGET AND REVENUE NEUTRAL RATE AND AMENDING 2022 CITY BUDGET**

1. Conduct a public hearing on the Revenue Neutral Rate; and
2. Approve Resolution No. 090622-E to levy a property tax rate exceeding the revenue neutral rate.
3. Conduct a public hearing on the proposed 2023 City Budget; and
4. Approve first reading of an ordinance adopting the 2023 City Budget.
5. Conduct a public hearing on the proposed Amended 2022 City Budget; and
6. Approve first reading of an ordinance amending the 2022 City Budget for the Fire Pension KP&F Fund, Sales Tax Fund, Special Sunset Zoo Fund, Aggieville Business Improvement District Fund, and Downtown Business Improvement District Fund.

### **B. CONSIDER AN ORDINANCE REZONING THE MCM INDUSTRIAL PARK FROM POTTAWATOMIE COUNTY A1 AND CH TO CITY OF MANHATTAN ICS**

*[Manhattan Urban Area Planning Board recommends approval]*

1. Conduct a public hearing; and
2. Approve first reading of an ordinance rezoning the MCM Industrial Park from Pottawatomie County A1, Agricultural, and CH, Highway Commercial, to City of Manhattan ICS, Industrial/Commercial Service, based on findings in the Staff Report and recommendation by the Manhattan Urban Area Planning Board.

## **10. ADJOURNMENT**

- A. Move to adjourn the September 6, 2022, City Commission Meeting.