



REVISED AGENDA
TUESDAY, APRIL 16, 2024
CITY COMMISSION ROOM
CITY HALL
1101 POYNTZ AVENUE
MANHATTAN, KS 66502

City Commission Meeting
6:00 P.M.

NOTE: Agenda items are available on the City's website at <https://www.cityofmhk.com/Archive.aspx?ADID=9131>. 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. 022024-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.

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, Manhattan, KS 66502. Public participation is solicited without regard to race, sex, familial status, military status, disability, religion, age, color, national origin, ancestry, sexual orientation, or gender identify. In accordance with the Americans with Disabilities Act, persons with disabilities needing special accommodation to participate in this meeting, or those requiring language assistance (free of charge) should contact the City of Manhattan ADA Coordinator, Robyn Dreher, no later than forty-eight (48) hours prior to the meeting, at (785) 587-2443 or 7-1-1 (Relay).

4. PROCLAMATIONS

- A. May 4, 2024, [Poppy Day](#). (Britany Nowland, Poppy Princess, and Susan Bergsten, Second Vice and Poppy Chairman, American Legion Auxiliary, will be present to receive the proclamation.)
- B. April 18, 2024, [Ron R. Fehr Day](#).

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, April 2, 2024.
- B. **CLAIMS/PAYMENTS**
 - 1. Approve [Claims Register No. 3063](#) authorizing and approving the payment of claims from March 27, 2024 – April 9, 2024, in the amount of \$120,217.19.
 - 2. Approve [Claims Register No. 3064](#) authorizing and approving the payment of claims from March 27, 2024 – April 9, 2024, in the amount of \$4,355,169.38.
- C. **LICENSES**
 - 1. Approve a [Tree Maintenance License](#) for calendar year 2024 for Spillman Tree Care, 1404 5th Street, Clay Center.
- D. **FINAL PLATS**
 - 1. Accept the easements and rights-of-way, as shown, on the [Final Plat of Willis Addition, Unit 1](#), based on conformance with the Manhattan

Development Code and approval by the Manhattan Urban Area Planning Board; and authorize City Administration to finalize and the Mayor and City Clerk to execute an agreement creating the restrictive covenant imposed related to the drainage easements.

2. Accept the easements and rights-of-way, as shown, on the [Final Plat of Beckett Addition, Unit 1](#), based on conformance with the Manhattan Development Code and approval by the Manhattan Urban Area Planning Board; and authorize City Administration to finalize and the Mayor and City Clerk to execute an agreement creating the restrictive covenant related to the drainage easement.
3. Accept the easements and rights-of-way, as shown, on the [Final Plat of Braelyn Addition, Unit 1](#), based on conformance with the Manhattan Development Code and approval by the Manhattan Urban Area Planning Board.
4. Accept the easements and rights-of-way, as shown, on the [Final Plat of Wrenn Addition, Unit 1](#), based on conformance with the Manhattan Development Code and approval by the Manhattan Urban Area Planning Board; and authorize City Administration to finalize and the Mayor and City Clerk to execute an agreement creating a restrictive covenant related to the drainage easement.
5. Accept the easements and rights-of-way, as shown, on the [Final Plat of Maren Addition, Unit 1](#) based on conformance with the Manhattan Development Code and approval by the Manhattan Urban Area Planning Board; and authorize City Administration to finalize and the Mayor and City Clerk to execute an agreement creating the restrictive covenant related to the drainage easement.

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

1. Approve [Ordinance No. 7695](#) rezoning a 13.5-acre tract of land (1115 Charles Little Road), generally located southeast of the intersection of Claflin Road and Wharton Manor Road, from RH, High-Density Residential District with O-UF, University Fringe Overlay, to PI-2, Public/Institutional District, based on findings in the Staff Report and recommendation by the Manhattan Urban Area Planning Board.
2. Approve [Ordinance No. 7696](#) rezoning a 0.2-acre tract of land (2010 Tecumseh Road), located northwest of the intersection of Tecumseh Road and Charles Little Road, from RH, High-Density Residential District with O-UF, University Fringe Overlay, to PI-2, Public/Institutional District, based on findings in the Staff Report and recommendation by the Manhattan Urban Area Planning Board.

F. ***FIRST READINGS***

1. Approve first reading of an ordinance renumbering provisions related to the [Community Support Funds Advisory Board](#).

G. ***RESOLUTIONS***

1. Approve Resolution No. 041624-A authorizing the offering for [sale of General Obligation Temporary Notes Series 2024-01](#) to finance the

following six (6) capital projects: *North Campus Corridor, Ph XI – Kimball/Denison (ST2207)*; *Houston Street & 4th Street Improvements – Street (ST2205)*, *Storm Drainage (SW2211)*, and *Water (WA2402)*; and *Levee – Base (SM1813) and Betterments 1-3 (SM1813)*.

2. Approve Resolution No. 041624-B [authorizing the offering for sale not to exceed \\$35,500,000.00 and approve first reading of an ordinance issuing \\$32,590,000.00 of General Obligation Bonds Series 2024-A](#) to finance the following thirteen (13) public improvement districts: *KSU Research Park, Unit 4– Sanitary Sewer (SS2006)*, *Street (ST2003)*, and *Water (WA2007)*; *Scenic Crossing, Unit 4– Sanitary Sewer (SS1922)*, *Street (ST1917)*, and *Water (WA1922)*; *Smith Channel– Storm Drainage (SM1806)*; *Stonehaven Addition, Unit 2 (Amherst) – Street (ST1903)*; *Stonehaven Storm Drainage Improvements (SM1904)*; *Stonehaven Addition, Unit 2 (Detention Pond) – Storm Drainage (SM1903)*; *Stonehaven Addition, Unit 2 (Lift Station) – Sanitary Sewer (SS1914)*; *Stonehaven Addition, Unit 2 (Roundabout) – Street (ST1904)*; *Meadowlark/US 24– Street (ST2110)*; and the following eight (8) capital projects: *Douglass Recreation Center (PR1706)*; *Kirkwood Drive Extension – Water (WA1820)*, *Storm Drainage (SM1816)*, *Street (ST1811)*; *Aggieville 12th Street and Moro Street (AG1901)*; *Laramie Street, 14th Street, and Anderson Avenue (AG1902)*; *Aggieville Garage (AG1903)*; and *Westwood Storm Sewer (SW1910)*.
3. Approve Resolution No. 041624-C [establishing parking rates and max fees for the Aggieville Garage](#) beginning April 17, 2024.
4. Approve Resolution No. 041624-D [authorizing a Special Event with Alcohol Permit for Friday Alley at MBC Series](#), from April 19, 2024, through December 27, 2024.

H. **PROFESSIONAL SERVICES**

1. Authorize the Mayor and City Clerk to execute Contract Amendment No. 1 for a net increase not to exceed in the amount of \$19,410.00, for a total not to exceed contract amount of \$263,060.00, to the contract for engineering design services with Alfred Benesch & Company, of Manhattan, Kansas, for the [Anderson Avenue Reconstruction Project \(ST2308\)](#).

I. **BID AND AWARD**

1. Find that it is in the City’s best interest to award a construction contract to Ebert Construction Co. Inc. as the lowest responsible bidder who submits a responsive bid; authorize the Mayor and City Clerk to execute a construction contract in the amount of \$667,503.16 with Ebert Construction Co. Inc., of Wamego, Kansas, for the [Hudson Avenue Reconstruction Project \(ST2403\)](#); and authorize the City Manager to approve up to an additional \$50,000.00 in change orders, pursuant to the change order process in the contract documents.
2. Approve a net increase in the amount of \$14,561.50 to the contract with Midwest Homes Construction, of Topeka, Kansas, for a final contract amount of \$103,717.21 for the [Department of Homeland Security offices relocation project \(SP2003\)](#).

3. Approve and authorize the Mayor to execute Change Order No. 2, resulting in a net increase in the amount of \$50,135.84 to the construction contract with Olgoonik Enterprises, of Fort Riley, Kansas, for a new contract amount of \$3,183,937.84 for the [Houston Street Improvements Project \(ST2205, SW2211\)](#).
4. Approve a net increase in the amount of \$177,768.90 to the construction contract with Ebert Construction Co., of Wamego, Kansas, for a new contract amount of \$4,511,593.68; and authorize the City Manager to approve up to an additional \$50,000.00 in Change Orders for Part A for the [Manhattan Avenue, Campus Creek Road, and Bayberry Lane Infrastructure Improvements Project \(ST2208\)](#).

J. **MISCELLANEOUS AGREEMENTS**

1. Authorize City Administration to finalize and the Mayor and City Clerk to execute an [Agreement with the Downtown Farmers' Market of Manhattan, Inc.](#), for use of the City's public parking lot at the southeast quadrant of North Fourth Street and Leavenworth Street, in Lot 3, Manhattan Town Center 5 for Saturdays from May 1, 2024 – December 31, 2024.
2. Approve and authorize the Mayor to execute an [Agreement for Special Race Event Coordination Services](#) with Red Dirt Management, Inc., of Manhattan, Kansas, for a one year term, with up to four automatic renewal, one year terms.

K. **MISCELLANEOUS**

1. Approve the [rescheduling of the April 23, 2024, work session to April 30, 2024](#), at 6:00 p.m., in the City Commission Room, City Hall, 1101 Poyntz Avenue.

L. **PURCHASES**

1. Authorize payment to Evergy in the amount of \$88,691.40 for the purchase and installation of street lights for the [North Campus Corridor, Phase XI Project \(ST2207\)](#).

8. ITEM REMOVED FROM CONSENT AGENDA

9. GENERAL AGENDA

[[Comment from the public](#) related to any item on the General agenda to the City Commission is allowed. Each person will be limited to one speaking opportunity for up to five (5) minutes for each item in this section.]

A. **CONSIDER REZONING LOTS IN LEE MILL HEIGHTS, BELLERIVE ADDITION, AND GRAND CHAMPIONS DEVELOPMENT FROM RH, HIGH-DENSITY RESIDENTIAL DISTRICT, TO RL-A, LOW-DENSITY RESIDENTIAL ATTACHED DISTRICT.**

[*Manhattan Urban Area Planning Board recommends approval*]

REQUESTED ACTION:

1. Approve first reading of an ordinance rezoning 42 lots within the Lee Mill Heights, Bellerive Addition, and Grand Champions Development subdivisions from RH, High-Density Residential District, to RL-A, Low-Density Residential Attached District, based on findings in the Staff Report and recommendation by the Manhattan Urban Area Planning Board.

B. CONSIDER CANDIDATE PROFILE FOR RECRUITMENT OF A CITY MANAGER

REQUESTED ACTION:

1. Authorize publication of the candidate profile for the City Manager recruitment.

C. RECONSIDER LOW-INCOME HOUSING TAX CREDIT FOR MANHATTAN AREA HOUSING PARTNERSHIP'S CYPRESS RIDGE PROJECT AND THE OIKOS DEVELOPMENT CORPORATION'S SUNFLOWER FLATS PROJECT

REQUESTED ACTION:

1. Consider repealing previous Resolutions granting City incentives for Low Income Housing Tax Credits and consider alternative Resolutions.

10. ADJOURNMENT

- A. Move to adjourn the April 16, 2024, City Commission Meeting.