



AGENDA
TUESDAY, MAY 21, 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=9194>. 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 19-25, 2024, [National Tourism Week](#). (Marcia Rozell, Director; Jenn Alley, Convention Sales Manager; and Lauren Chard, Sports Sales Manager; Visit Manhattan; Scott Sieben, Chair, Visit Manhattan Steering Committee and Business Owner, will be present to receive the proclamation.)
- B. May 2024, [Mental Health Month](#). (Michael Rezkalla, Chief Executive Officer, Pawnee Mental Health Services, 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, May 7, 2024.
- B. **CLAIMS/PAYMENTS**
 - 1. Approve [Claims Register No. 3066](#) authorizing and approving the payment of claims from May 1, 2024 – May 14, 2024, in the amount of \$5,133,204.31.
- C. **LICENSES**
 - 1. [Approve](#) an annual Cereal Malt Beverages Off-Premises License for Short Stop #12, 2010 Tuttle Creek Boulevard; and a Tree Maintenance License for calendar year 2024 for Asplundh Tree Expert LLC, 11056 South Green Road, Olathe, and Up Keep LLC, 1980 Lincoln Drive, Apartment 2.

D. **SECOND AND FINAL READING**

1. Ratify acceptance of the best bid for selling the bonds to Piper Sandler & Co., of Leawood, Kansas; approve Ordinance No. 7699 issuing \$11,995,000.00 of [General Obligation Refunding and Improvement Bonds Series 2024-A](#); and approve Resolution No. 052124-A ratifying the delivery of the Series 2024-A bonds to the best bidder 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); and Meadowlark/US 24 – Street (ST2110);** and the following four (4) capital projects: **Douglass Recreation Center (PR1706); and Kirkwood Drive Extension – Water (WA1820), Storm Drainage (SM1816), and Street (ST1811);** and refund \$60,000.00 of the November 1, 2033 maturity of General Obligation Bond Series 2013-A.
2. Approve [Ordinance No. 7700](#) amending the Manhattan Urban Area Comprehensive Plan by adopting the Beyond Tomorrow Downtown Plan.
3. Approve [Ordinance No. 7701](#) amending City Code Sec. 22-47, Disorderly Conduct.

E. **RESOLUTIONS**

1. Ratify acceptance of the best bid for the temporary notes to Piper Sandler & Co., of Leawood, Kansas; and approve Resolution No. 052124-B issuing \$41,405,000.00 in [General Obligation Temporary Notes Series 2024-01](#) to finance the following nine (9) capital projects: **Houston Street & 4th Street Improvements – Street (ST2205), Storm Drainage (SW2211), and Water (WA2402); and Levee – Base (SM1813) and Betterments 1-3 (SM1813); Aggieville 12th Street and Moro Street (AG1901); Laramie Street, 14th Street, and Anderson Avenue (AG1902); Aggieville Garage (AG1903); and Westwood Storm Sewer (SW1910).**

F. **PROFESSIONAL SERVICES**

1. Authorize the Mayor and City Clerk to execute an On-Call Professional Engineering Services Agreement in the amount not to exceed \$42,412.00 with Schwab-Eaton, of Manhattan, Kansas, for the [Casement Road & Hayes Drive Improvement Project. \(ST2302\).](#)
2. Authorize the Mayor and City Clerk to execute Contract Amendment No. 1 for a net increase in the amount not to exceed \$64,386.00, for a total not to exceed amount of \$129,465.00, in the contract for engineering design services with Schwab-Eaton, of Manhattan, Kansas, for the [Walters Drive Reconstruction Project \(ST2309\).](#)

G. ***BID AND AWARD***

1. Authorize a net increase in the amount of \$84,724.28 to the construction contract with Ebert Construction Co., of Wamego, Kansas, for a new contract amount of \$4,556,136.45, for the [North Manhattan Avenue, Campus Creek Road, & Bayberry Lane Infrastructure Improvements Project \(ST2208\)](#).
2. Authorize a net increase in the amount of \$27,794.00 to the construction contract with Walters Morgan Construction, Inc. (WMCI), of Manhattan, Kansas, for a new contract amount of \$2,658,643.00, for the [Water Treatment Booster Station Upgrades Project \(WA2021, CIP #WA135P, #WA152E and #WA032E\)](#).
3. Authorize a net increase in the amount of \$64,522.56 to the construction contract with ESI Contracting Corp., of Kansas City, Missouri, for a new contract amount of \$324,406.77, for the [Sewer Outfall & Bank Stabilization Project \(SS2208, CIP #WW221P\)](#).

H. ***GRANTS***

1. Authorize the Mayor and City Clerk to execute City-State Supplemental Agreement No. 1 with the [Kansas Department of Transportation for the Juliette Brick Restoration, Phase IV, Project \(ST1902\)](#).

I. ***MISCELLANEOUS AGREEMENTS***

1. Authorize the Mayor and City Clerk to execute a contract with Evergy Central Kansas, Inc. for the relocation of overhead electric transmission lines for the [CiCo Park Improvement Project \(PR2320\)](#).
2. Authorize the City Administration to exchange and accept the [Federal Funds Exchange for 2024](#), in the amount of \$673,647.35, and the Mayor and City Clerk to execute an agreement and any related documents necessary to facilitate the Federal Funds Exchange with the Kansas Department of Transportation.
3. Approve the [2025 special alcohol fund grant agreement](#) with the Riley County Police Department and the Riley County Law Enforcement Agency.

J. ***MISCELLANEOUS***

1. Approve the [cancellation of the May 28, 2024, Work Session, and call a Special Meeting for Tuesday, May 28, 2024](#), at 6 p.m., in the City Commission Room, City Hall, 1101 Poyntz Avenue, as set out in the Call for Special Meeting.

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 AMENDING THE ANDERSON VILLAGE PLANNED UNIT DEVELOPMENT TO ALLOW SHORT-TERM RENTALS**

[Manhattan Urban Area Planning Board recommends approval] **REQUESTED ACTION BY APPLICANT:**

1. Approve the first reading on an ordinance amending Ordinance No. 6027 of the Anderson Village PUD, to allow for short-term rentals, based on the findings in the Staff Report and the recommendation of the Manhattan Urban Area Planning Board.

B. **CONSIDER AMENDING SECTIONS OF THE CITY CODE REGARDING CITY-OWNED PARKING GARAGES AND DISCUSS FEES FOR THE DOWNTOWN PARKING GARAGE AND POSSIBLE USE OF TRANSIENT GUEST TAX TO OFFSET GROUP RATE FEES**

1. Approve first reading of an ordinance amending Sec. 31-37 and Sec. 31-108 of the Code of Ordinances related to City-owned parking garages.

C. **CONSIDER DISCUSSING FUNDING FOR THE PARKS AND RECREATION DEPARTMENT**

D. **DISCUSS FILLING VACANT CITY COMMISSIONER POSITION, VACANT MAYOR PRO-TEM POSITION, AND VACANT CITY COMMISSION POSITION ON THE RILEY COUNTY LAW BOARD AND OTHER BOARDS/COMMITTEES COMMISSIONERS SERVE ON**

1. Provide direction or action on the process to fill the Commissioner vacancy.
2. Make a motion that Commissioner _____ be appointed to serve as Mayor Pro Tem until the first working Tuesday in January 2025.
3. Make a motion to appoint Commissioner _____ to fill the remainder of Wynn Butler's unexpired rotating Commissioner term which begins immediately and will expire on December 31, 2024.

10. ADJOURNMENT

- A. Move to adjourn the May 21, 2024, City Commission Meeting.