

AGENDA  
MANHATTAN  
CITY COMMISSION MEETING  
TUESDAY, DECEMBER 18, 2012  
7:00 P.M.

The City Commission Meeting will be televised live on local Cox Cable Channel 3.

**I. PLEDGE OF ALLEGIANCE**

**II. PROCLAMATION**

- A. December 31, 2012, [Little Apple New Year's Eve Celebration Day](#), (Evan Tuttle, Event Coordinator, will be present to receive the proclamation.)

**III. COMMISSIONER COMMENTS**

**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, December 4, 2012.
- B. Approve Claims Register No. 2716 authorizing and approving the payment of claims from November 28, 2012, to December 11, 2012, in the amount of \$2,984,803.34.
- C. [Approve the following:](#)
1. Fireworks Display License for December 31, 2012, for Manhattan Festivals, Inc. LLC, 623 North Manhattan Avenue;



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.

2. Merchant Guard Agency Licenses for calendar year 2013 for AlliedBarton Security Services LLC, 161 Washington Street, Suite 600, Conshohocken, Pennsylvania; Securitas Security Services USA, Inc., 2942 B South West Wanamaker Drive, Suite 2A, Topeka, Kansas; and VendTech-SGI LLC, 7501 North West Tiffany Springs Parkway, Suite 400, Kansas City, Missouri;
3. Tree Maintenance Licenses for calendar year 2013 for Asplundh Tree Expert Company, 2901 Princeton Place; Capital City Tree Care Inc., 7920 North West 35<sup>th</sup>, Silver Lake, Kansas; Gudenkauf Tree Service, Inc., 102 North Street, Seneca, Kansas; Three Men Tree Service, 255 Ridge Drive; and 2 Big Feet Tree Pruning and Removal, 405 North 5<sup>th</sup> Street;
4. Annual Cereal Malt Beverages Off-Premises Licenses for Ampride, 215 East Poyntz Avenue; Daras #1, 1816 Claflin Road; Daras #2, 3210 Kimball Avenue; Daras #3, 472 East Poyntz Avenue; Daras #5, 1102 Laramie Street, Daras #6, 2707 Anderson Avenue; Daras #7, 1709 Fort Riley Boulevard; Daras #10, 2323 Tuttle Creek Boulevard; Daras #12, 1701 Anderson Avenue; Oppy's Service Inc., 605 South 3<sup>rd</sup> Street; Shop Quik #11, 3108 Anderson Avenue; Shop Quik #12, 430 Fort Riley Boulevard; Shop Quik #14, 529 Richards Drive; Shop Quik #16, 1127 Bluemont Avenue; Walgreens #7060, 325 Bluemont Avenue; and Walgreens #12814, 2719 Anderson Avenue; and
5. Annual Cereal Malt Beverages On-Premises Licenses for Hunan Express Restaurant, 1116 Moro Street; Tuttle Creek Pizza Hut, 1005 Hostetler Road; and Westloop Pizza Hut, 2931 Claflin Road.

D. [Final Plat of The Reserve Addition:](#)

1. Accept the easements and rights-of-way, as shown on the Final Plat of The Reserve Addition generally located west of an extension of Players Terrace and Grand Mere Parkway, based on conformance with the Manhattan Urban Area Subdivision Regulations; and
2. Authorize the Mayor and City Clerk to execute an Agreement Creating a Restrictive Covenant Upon Real Estate regarding construction and maintenance of travel easements.

E. [The Reserve Subdivision Public Infrastructure Improvements:](#)

1. Find the petitions sufficient;
2. Approve Resolution Nos. 121812-B and 121812-C finding the projects advisable and authorizing construction; and
3. Authorize the Mayor and City Clerk to execute an agreement with SMH Consultants, PA, to perform professional services for Sanitary Sewer and Water Improvements.

- F. Accept the easements and rights-of-way, as shown on the [Final Plat of Miller Ranch Addition, Unit Five](#), generally located southwest of the intersection of Firethorn Drive and Amherst Avenue, based on conformance with the Manhattan Urban Area Subdivision Regulations.
- G. [Miller Ranch, Unit Five, Subdivision Public Infrastructure Improvements](#):
  - 1. Find the petitions sufficient;
  - 2. Approve Resolution Nos. 121812-D, 121812-E, and 121812-F finding the projects advisable and authorizing construction; and
  - 3. Authorize the Mayor and City Clerk to execute an agreement with Schwab-Eaton, PA, of Manhattan, Kansas, to perform professional services for Miller Ranch, Unit Five, and Barton Place Addition, Unit Two, Sanitary Sewer, Water, and Street Improvements.
- H. Approve Ordinance No. 6980 authorizing the [installation of stop and yield signs at multiple intersections](#).
- I. Approve first reading of an ordinance authorizing the [issuance of Hospital Refunding Revenue Bonds for Mercy Regional Health Center](#), of Manhattan, Kansas.
- J. Approve Resolution No. 121812-A [establishing and defining the boundaries of the City of Manhattan, Kansas](#), as of December 18, 2012.
- K. [Wildcat Creek Lift Station, Phase II](#):
  - 1. Authorize City Administration to advertise a Request for Qualifications (RFQ) for Engineering and Design Services; and
  - 2. Appoint a City Commissioner to serve on the selection committee.
- L. [Approve the following](#):
  - 1. Contracts as budgeted in the 2013 City Budget; and
  - 2. Authorize the Mayor and City Clerk to execute said contracts with the following agencies: Flint Hills Area Transportation Agency, Manhattan Center for the Arts, Wolf House Museum, Downtown Manhattan, Inc., Social Services Advisory Board agencies, and Special Alcohol Funds agencies.
- M. Authorize the Mayor and City Clerk to execute the [2013 Aggieville and Downtown Business Improvements District contracts](#).
- N. Authorize the Mayor and City Clerk to execute the [lease with University for Mankind \(UFM\) Community Learning Center for operation of the Community Gardens](#).
- O. Authorize the Mayor and City Clerk to [execute an outside city limits water service connection agreement with Clifford and Opal Carlson](#) for a single-family residence at 2520 Casement Road, Riley County, Kansas.

- P. [Air Service Revenue Guarantee Escrow Agreement for MHK:](#)
1. Authorize the Mayor and City Clerk to execute the escrow agreement with the State of Kansas Department of Commerce and the Manhattan Area Chamber of Commerce;
  2. Authorize the Mayor and City Clerk to execute the support agreement with the Manhattan Area Chamber of Commerce; and
  3. Authorize City Administration to allocate economic development funds in the amount of \$265,000.00 in order to satisfy the terms of the escrow agreement.
- Q. Authorize City Administration to finalize and the Mayor to [execute the technical support services agreement for a term of January 1, 2013, to December 31, 2013, in the amount of \\$21,600.00 with Networks Plus](#), of Manhattan, Kansas.
- R. [2012 Annual Action Plan Amendment:](#)
1. Approve the substantial amendment to the Community Development Block Grant (CDBG) 2012 Annual Action Plan; and
  2. Authorize the City Manager to execute agreements with the Manhattan Emergency Shelter, Inc. and The Crisis Center, Inc.
- S. Authorize the Mayor and City Clerk to [execute an Amendment to the Economic Development Incentives Agreement and Airport Armory Lease Agreement with Prathista International.](#)
- T. Authorize the Mayor and City Clerk to [execute Task Order No. 7 in the amount not to exceed \\$17,000.00 with Mead & Hunt, Inc., of Madison, Wisconsin, for a Fixed Base Operator \(FBO\) Services and Facility Analysis](#) at the Manhattan Regional Airport.
- U. Authorize City Administration to enter into a purchase agreement in the amount of \$34,285.00 with Conrad Fire Equipment, of Olathe, Kansas, for the [purchase and installation of a Bauer Legacy 18 breathing air compressor and fill station](#) to be located at the Headquarters Fire Station.
- V. Approve [appointments](#) by Mayor Pepperd to various boards and committees of the City.

## **V. GENERAL AGENDA**

- A. **FIRST READING OF AN ORDINANCE REZONING THE PROPOSED 1845 COLLEGE HEIGHTS ROAD PUD, FROM R-2, TWO-FAMILY RESIDENTIAL DISTRICT; R-M, FOUR-FAMILY RESIDENTIAL DISTRICT; AND, R-3, MULTIPLE-FAMILY RESIDENTIAL DISTRICT, ALL WITH UO, UNIVERSITY OVERLAY DISTRICT, TO PUD, RESIDENTIAL PLANNED UNIT DEVELOPMENT DISTRICT**  
*[Manhattan Urban Area Planning Board recommends denial]*

- B. **2012 CHAMBER OF COMMERCE YEAR-END REPORTS AND 2013 CONTRACTS**

## **VI. EXECUTIVE SESSION**

Recess into executive session until \_\_\_\_\_ p.m. for the purpose of discussions with the Attorney for the City regarding pending litigation that need to be confidential and that are deemed privileged in the attorney-client relationship. At the close of the Executive Session, the Governing Body will reconvene and take action as deemed appropriate.