

REVISED AGENDA  
MANHATTAN  
CITY COMMISSION MEETING  
TUESDAY, DECEMBER 3, 2019  
7:00 P.M.

The City Commission Meeting will be televised live on local Cox Cable Channel 3, on the City's website at <http://cityofmhk.com/ty>, and also on Facebook at <https://www.facebook.com/Cityofmanhattan>.

**I. PLEDGE OF ALLEGIANCE**

**II. PUBLIC COMMENTS**

**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, November 19, 2019.
- B. Approve [Claims Register No. 2926](#) authorizing and approving the payment of claims from November 13, 2019 – November 26, 2019, in the amount of \$3,253,959.61.
- C. [Approve a Tree Maintenance License](#) for the calendar year 2020 for Asplundh Tree Expert, LLC, 10575 Widmer Road, Lenexa, Kansas; Gier Tree Service, 213 East North Street, Smolan, Kansas; Grogg's Stump Grinding Service, 5007 Vista Acres Drive; Out on a Limb Tree & Home Care, 105 East Valley Street Lot 7, Wamego, Kansas; and TreeMan-MHK, 2104 Fox Meadows.



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.

- D. Accept the easements and rights-of-way, as shown on the [Final Plat of Northwing Addition, Unit Three](#), generally located at the northeast corner of Waxwing Drive and Swift Court, based on conformance with the Manhattan Urban Area Subdivision Regulations.
- E. Having found that no private rights will be injured or endangered by such vacation and that the public will suffer no loss or inconvenience thereby, approve Ordinance No. 7466 [vacating a portion of utility easement on Lot 16, Hillview Tract](#).
- F. Approve Ordinance No. 7467 [changing the current expiring Mayor's and Commissioner's term to expire January 7, 2020](#); setting any future Mayoral or Mayor Pro Tem terms to run from the first working Tuesday in January to the following year's first working Tuesday in January; and amending Section 2-12 of the [Code of Ordinances](#) relating to the terms of newly-elected City Commissioners.
- G. Approve first reading of an ordinance amending Section 6-52, [decreasing the required holding period from five \(5\) days to three \(3\) days](#), and Section 6-54 of the [Code of Ordinances](#), setting a minimum adoption fee of \$25 and removing Section 6-54(c).
- H. Approve Resolution No. 120319-A [authorizing the disposal of City surplus property](#).
- I. Approve Resolution No. 120319-B, authorizing the Mayor and City Clerk to execute [a Notice of Potential Noise Impacts from Fort Riley, Kansas](#), Military Installation and Recommended Noise Attenuation Building Methods.
- J. [Chapel Hill Addition Sanitary Sewer \(SS1814\), Water \(WA1817\), and Street \(ST1815\) Improvements](#):
1. Find the Amended Petitions sufficient;
  2. Approve Resolution Nos. 120319-C, D, E, finding all the projects advisable and authorizing construction, and repealing Resolution Nos. 041619-A, 041619-B, and 041619-C;
  3. Accept the Engineer's Opinion of Probable Cost in the total amount of \$2,023,049.00 (*Sanitary Sewer-\$303,795.00; Water-\$306,767.00; and Street-\$1,412,487.00*); and
  4. Award and authorize the Mayor and City Clerk to execute a construction contract in the total amount of \$1,990,728.95 (*Sanitary Sewer-\$293,017.45; Water-\$299,520.80; and Street-\$1,398,190.70*) to Bayer Construction Company, Inc., of, Manhattan, Kansas, for the improvements.
- K. [Judson Street and Nutmeg Waterline Improvements \(WA1808, CIP #WA144P\) and Nutmeg Street Replacement \(ST1918\) projects](#):
1. Accept the Engineer's Opinion of Probable Cost in the amount of \$600,525.00 (*Total Base Bid in the amount of \$648,770.00 less Total Alternate Bid of \$48,245.00*);
  2. Award and authorize the Mayor and City Clerk to execute a construction contract, in the amount of \$553,452.00 (*Total Base Bid in the amount of*

*\$582,160.00 less Total Alternate Bid of \$28,708.00*), with Larson Construction, Inc., of Manhattan, Kansas, for the Judson Street and Nutmeg Waterline Improvements (WA1808, CIP #WA144P) and Nutmeg Street Replacement (ST1918) projects; and

3. Approve Resolution No 120319-F authorizing the issuance of temporary notes to finance the Judson Street and Nutmeg Waterline Improvements Project (WA1808).

L. St. Luke's Water Main Extension (WA1920) project:

1. Accept the Engineer's Opinion of Probable Cost in the amount of \$363,005.00; and
2. Award and authorize the Mayor and City Clerk to execute a construction contract to Larson Construction Company, Inc., of Manhattan, Kansas, in the amount of \$198,888.00 for the project.

M. 6<sup>th</sup> Street and Poyntz Avenue Stormwater System(SM1701, CIP #SW052P) and Waterline Improvements (WA1711) for 6<sup>th</sup> Street and Poyntz Avenue (DIP #WA164P), Pierre Street (CIP #WA145P), and Juliette Avenue, Phase IV, (CIP #WA167P):

1. Accept the Engineer's Opinion of Probable Cost in the total amount of \$6,509,606.00;
2. Authorize the Mayor and City Clerk to execute a construction contract in the total amount of \$6,190,066.10 with Amino Brothers Co., of Kansas City, Kansas, for the 6<sup>th</sup> Street and Poyntz Avenue Stormwater System Improvements project (SM1701, SW052P: \$5,317,238.65) and three Waterline Improvements (WA1711) including 6<sup>th</sup> Street and Poyntz Avenue (WA164P: \$288,732.85), Pierre Street (WA145P: \$282,892.00), and Juliette Avenue, Phase IV, (WA167P: \$301,202.60.00);
3. Approve first reading of an ordinance authorizing the 6<sup>th</sup> Street and Poyntz Avenue Stormwater System Improvements (SM1701) project, and the issuance of general obligation bonds to finance said project; and
4. Approve Resolution No. 120319-G authorizing the Waterline Improvements (WA1711) for 6<sup>th</sup> Street and Poyntz Avenue (WA164P), Pierre Street (WA145P), and Juliette Avenue, Phase IV, (WA167P) and further authorizing the issuance of general obligation bonds to finance said project.

N. Authorize the Mayor to execute a "Request for "Betterments" letter, and City Administration to finalize and the Mayor to execute a Memorandum of Agreement with the United States Army Corps of Engineers (USACE) for Betterments for the Raise Manhattan Levee project (SM1813).

O. Authorize the Mayor and City Clerk to execute Lease Amendment No. 2 to Lease No. GS-06P-LKS61033 with the General Services Administration for office space at the Manhattan Regional Airport, for a term of January 1, 2018-December 31, 2027.

- P. Approve the [final design and use of the Community House renovation](#).
- Q. [Approve appointment by Mayor Dodson](#) of Emily Koenig to the Downtown Business Improvement District Advisory Board.
- R. [Scenic Crossing Addition, Unit 4, Sanitary Sewer \(SS1922\), Water \(WA1922\), and Street \(ST1917\) Improvements](#):
  - 1. Find the Petitions sufficient;
  - 2. Approve Resolution Nos. 120319-H, 120319-I and 120319-J 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 \$138,955.00, with Alfred Benesch and Co., of Manhattan, Kansas for the improvements.

## **V. GENERAL AGENDA**

### **A. CONSIDER AWARDING DOUGLASS RECREATION CENTER (PR1706) CONSTRUCTION CONTRACT**

**This item has been delayed until the December 17, 2019, City Commission Meeting.**

### **B. CONSIDER REQUEST FOR WAIVER OF FEES FROM MANHATTAN AREA HOUSING PARTNERSHIP (MAHP) - LEE MILL VILLAGE**

### **C. CONSIDER FIRST READING OF AN ORDINANCE AMENDING ARTICLE IV, SECTION 4-205, C-5, HIGHWAY SERVICE COMMERCIAL DISTRICT OF THE MANHATTAN**

**ZONING REGULATIONS TO ADD GROUP DAY CARE AS A PERMITTED USE**

*[Manhattan Urban Area Planning Board recommends approval]*

**D. CONSIDER FIRST READING OF AN ORDINANCE AMENDING ORDINANCE NO. 7422 AND THE FINAL DEVELOPMENT PLAN FOR LOT 4, ABBOTT'S LANDING COMMERCIAL PUD**

*[Manhattan Urban Area Planning Board recommends approval]*

**VI. EXECUTIVE SESSION**

Recess into Executive Session to conduct the annual performance evaluation of the City Manager, pursuant to the exception set forth in K.S.A. 75-4319(b)(1) allowing for discussion of personnel matters of non-elected personnel, and to resume the open meeting at \_\_\_\_\_ p.m. in the City Commission Room.