



AGENDA
TUESDAY, MAY 6, 2025
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.cityofmnhk.com/AgendaCenter/City-Commission-20>. 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://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.

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 identity. 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, Deann Tiede, no later than forty-eight (48) hours prior to the meeting, at (785) 587-2442 or 7-1-1 (Relay).

4. PROCLAMATIONS

- A. May 4-10, 2025, [National Travel and Tourism Week](#). (Marcia Rozell, Director of Visit Manhattan, Manhattan Area Chamber of Commerce, will be present to receive the proclamation.)
- B. May 4-10, 2025, [Public Service Recognition Week](#). (Danielle Dulin, City Manager, City of Manhattan, 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 three (3) minutes for this section, with an initial period of thirty (30) 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 three (3) minutes for this section, with an initial period of thirty (30) minutes for this section.]

- A. **MINUTES**
 - 1. Approve the [minutes](#) of the Regular City Commission Meeting held Tuesday, April 15, 2025.
- B. **CLAIMS/PAYMENTS**
 - 1. Approve [Claims Register No. 3093](#) authorizing and approving the payment of claims from April 9, 2025 – April 29, 2025, in the amount of \$4,156,340.69.
- C. **LICENSES**
 - 1. Approve an annual [Cereal Malt Beverages Off-Premises License](#) for Short Stop #12.

D. ***FINAL PLATS***

1. Accept the easements and rights-of-way on the [Final Plat of Autumn Ridge](#) and authorize Mayor and City Clerk to execute a restrictive covenant related to the drainage easement and a restrictive covenant related to the cul-de-sac islands.

E. ***SECOND AND FINAL READINGS***

1. Approve [Ordinance No. 7745](#) amending the [Code of Ordinances](#), Section 31-33 Parking and Standing of School Buses, Section 31-53 No Parking During Designated Times Zones, Section 31-54 No Parking at any Time Zones, and Section 31-221 Established School Zones, all located around USD 383's Lincoln Education Center (former East Manhattan High School Campus).
2. Approve [Ordinance No. 7746](#) annexing approximately 1.07 located at the western terminus of Joseph Drive acres into the city limits.
3. Approve [Ordinance No. 7747](#) rezoning an approximately 1.07-acre tract located at the western terminus of Joseph Drive from Riley County, Agricultural (AG) District to Low-Density Residential-Attached (RL-A) District.
4. Approve [Ordinance No. 7748](#) rezoning 1801 Anderson Avenue and 615 Denison Avenue from Low-Density Residential (RL) District with Established Neighborhood Overlay (O-EN) and University Fringe Overlay (O-UF) to Low-Density Residential-Attached (RL-A) District with O-EN and O-UF.

F. ***FIRST READINGS***

1. Approve first reading of a charter ordinance repealing Charter Ordinance Nos. 58 and 59 and [setting costs and fees in Municipal Court by ordinary ordinance](#), and approve first reading of an ordinance codifying the authorization of costs and fees in Municipal Court.
2. Approve first reading of an ordinance amending Section 2-18 of the [Code of Ordinances](#), regarding the [consideration and adoption of ordinances](#).
3. Approve first reading of an ordinance [amending Sections 31-37 and 31-108 of the Code of Ordinances](#) relating to the Aggieville Parking Garage.

G. ***RESOLUTIONS***

1. Approve [Resolution No. 050625-A](#) to issue General Obligation (G.O.) bonds for the acquisition of a Pierce Enforcer 107 foot Ascendant Quint apparatus (Unit #50529) and a Pierce Enforcer Rescue apparatus (Unit #50489) (CIP #FR056E, FR044E), and mobile data terminals for the fire department (CIP #FR073P), and authorize City Administration to dispose of a 2003 E-One 75-foot Quint (Unit #100) and a 2004 Freightliner Rescue (Unit #147) once the new vehicles are delivered.
2. Approve [Resolution No. 050625-B](#), determining the City's intent to issue Industrial Revenue Bonds (IRBs) and authorizing a sales tax exemption for Zachary J. Burton and Michelle E. Burton's 330 Vattier Townhomes project.

3. Approve [Resolution No. 050625-C](#), determining the City's intent to issue Industrial Revenue Bonds (IRB's) and authorizing a sales tax exemption for Zachary J. Burton and Michelle E. Burton's Goheen Townhomes project.
4. Approve [Resolution No. 050625-D](#) supporting the sole enforcement of the City's animal-related ordinances by the Riley County Police Department.

H. **PROFESSIONAL SERVICES**

1. Approve an [Agreement for Professional Services for part-time construction observation and material testing](#) in an amount not to exceed \$473,216.00 with BG Consultants, Inc., for the Anderson Avenue, from Harris Avenue to Connecticut Avenue, Water, Street, & Stormwater Improvements Project (WA1909, ST2203, SW2206, PD2401; CIP #'s WA086P, WA177P, WA178P, WA179P, WA180P, WA181P).
2. Authorize City Administration to finalize and the Mayor the City Clerk to execute a [Professional Services Agreement](#) in an amount not to exceed \$81,385.20 with International Cybernetics Company, LP, and authorize the City Manager to approve contract amendments up to 5% (\$4,069.26) of the contract amount for pavement condition and right-of-way asset data collection and analysis services.
3. Authorize [Contract Amendment No. 3](#) in the amount of \$10,852.00 to the Professional Services Agreement with Schwab-Eaton, for the Walters Drive Reconstruction Project (ST2309) and Walters Drive Waterline Improvements (WA2408).

I. **BID AND AWARD**

1. Award a [construction contract](#) in the amount of \$1,550,773.64 to T&M Concrete Construction Company, and authorize the City Manager to approve change orders up to 5% (\$77,538.68) of the contract amount for the 2025 Concrete Maintenance Contract Phase II (Allen Road, Browning Avenue, Candlewood Drive, and Kimball Avenue) Project (ST2502).
2. Authorize the Mayor and City Clerk to execute a [Development Agreement](#) with Schultz Construction, LLC for public improvements at Cypress Ridge Subdivision (ST2507, WA2507, SS2507).

J. **GRANTS**

1. Authorize the Mayor to sign an application for [2025 Emergency Solutions Grant funds](#) and the Mayor and City Clerk to execute a grant agreement with the Kansas Housing Resources Corporation (KHRC); authorize the City Manager to execute agreements with the Manhattan Emergency Shelter, Inc., and The Crisis Center Inc. if funding is approved; and authorize the Director of Community Development to execute reimbursement requests.
2. Approve the [2025-2029 Consolidated Plan for the Community Development Block Grant \(CDBG\) program](#); authorize the Mayor and City Administration to execute a grant agreement with the U.S. Department of Housing and Urban Development (HUD) upon receipt; and authorize City Administration to execute the Annual Action Plan and subrecipient agreements.

K. ***APPOINTMENTS***

1. Approve the [Mayor's recommendations for appointment](#) to external and/or City boards and committees.
 - a. Re-appointment of Richard Jankovich to the Airport Advisory Board.
 - b. Re-appointment of Karen Rogers to the Airport Advisory Board.
 - c. Appointment of Jacqueline Spears to the Historic Resources Board.
 - d. Appointment of Linda Morse to the Manhattan Urban Area Planning Board.

8. <u>ITEM REMOVED FROM CONSENT AGENDA</u>

9. <u>GENERAL AGENDA</u>

A. **CONSIDER GUARANTEED MAXIMUM PRICE FOR LARAMIE STREET, FROM NORTH MANHATTAN AVENUE TO 11TH STREET, AND PROFESSIONAL SERVICES AGREEMENT AND AMENDED FINANCING FOR 12TH STREET AND LARAMIE STREET PROJECTS (AG2202)**

1. Presentation of item.
2. [Comment from the public](#) related to the item is allowed. Each person will be limited to one speaking opportunity for up to three (3) minutes, with an initial period of thirty (30) minutes.
3. **ACTION:** Authorize the Mayor and City Clerk to execute Amendment No. 3 to the Construction Manager At-Risk Agreement accepting the Guaranteed Maximum Price for Phase 1 in the amount of \$5,439,282.00 and Amendment No. 4 to the Construction Manager At-Risk Agreement accepting the Guaranteed Maximum Price for Phase 2 in the amount of \$7,879,754.00, with BHS Construction; approve a Professional Services Agreement for Construction Inspection Services in the amount not to exceed \$353,960.00 with Bartlett & West, Inc.; and approve Resolution No. 050625-E amending Resolution No. 030425-B authorizing the project and the financing for the [12th Street and Laramie Street Improvements project, Phases 1 and 2 \(AG2202\)](#).

B. CONSIDER REZONING THE UNGER COMPLEX AT 2323 ANDERSON AVENUE

[Manhattan Urban Area Planning Board recommends approval]

1. Commission to disclose any ex parte communication and indicate if able to fairly, objectively, and impartially consider the measure based only on the evidence provided in the record.
2. Presentation of item.
3. [Comment from the public](#) related to the item is allowed. Each person will be limited to one speaking opportunity for up to three (3) minutes, with an initial period of thirty (30) minutes.
4. **REQUESTED ACTION BY APPLICANT:** Approve first reading of an ordinance [rezoning 2323 Anderson Avenue](#) from Business Commercial (BC) District to High-Density Residential (RH) District.

C. CONSIDER ISSUING SALES TAX EXEMPTION AND CITY INCENTIVES FOR EXCEL DEVELOPMENT GROUP'S AMBER POINTE LOW-INCOME HOUSING TAX CREDIT PROJECT

1. Presentation of item.
2. [Comment from the public](#) related to the item is allowed. Each person will be limited to one speaking opportunity for up to three (3) minutes, with an initial period of thirty (30) minutes. Each person will be limited to one speaking opportunity for up to five (5) minutes.
3. **REQUESTED ACTION BY APPLICANT:** Approve Resolution No. 050625-F, determining the City's intent to issue Industrial Revenue Bonds (IRB's) and authorizing a [sales tax exemption for the Excel Development Group's Amber Pointe Project](#); and approve Resolution No. 050625-G granting City incentives to waive building permit fee and water and sewer connection fees in support of the Project.

D. CONSIDER AMENDING THE MANHATTAN DEVELOPMENT CODE

[Manhattan Urban Area Planning Board recommends approval]

1. Presentation of item.
2. [Comment from the public](#) related to the item is allowed. Each person will be limited to one speaking opportunity for up to three (3) minutes, with an initial period of thirty (30) minutes.
3. **REQUESTED ACTION:** Override the recommendation of the Manhattan Urban Area Planning Board and approve first reading of an ordinance [amending the Manhattan Development Code](#) (MDC).

10. <u>ADJOURNMENT</u>

- A. Move to adjourn the May 6, 2025, City Commission Meeting.