3a.

CITY COMMISSION MINUTES

November 1, 2005 7:00 PM.

The regular meeting of the Junction City City Commission was held on Tuesday, November 1, 2005 with Mayor Taylor presiding.

The following members of the Commission were present: Terry Heldstab, Ken Talley, Mike Rhodes, Jack Taylor, Mick Wunder. Staff present were: City Manager Rod Barnes, Assistant City Manager Mike Guinn, City Attorney Charles Zimmerman, and City Clerk Colleen Woodruff.

PLEDGE OF ALLEGIANCE

CONSENT AGENDA

Commissioner Rhodes moved, seconded by Commissioner Talley to approve the consent agenda as presented. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

a. Approval of Commission Minutes of October 18, 2005 City Commission Meeting.

b. The consideration of Resolution R-2167authorizing the mayor to sign a deed selling property to Stephanie Garcia as part of the Self-Help Housing program.

c. The consideration of Resolution R-2168 authorizing the mayor to sign a deed selling property to Shyteaest Bryant as part of the Self-Help Housing program.

d. The consideration of Resolution R-2169 authorizing the mayor to sign a deed selling property to Christina R. Brown as part of the Self-Help Housing program.

e. The consideration of Resolution R-2170 authorizing the mayor to

sign a deed selling property to Shenetha Cullins as part of the Self-Help Housing program.

f. The consideration of an amendment to the joint resolution/ordinance between the board of County Commissioners of Geary County, Kansas and the City of Junction City, KS, concerning the Junction City-Geary County joint board of health. Geary County Resolution #6192H. Junction City ordinance S-2512.

g. The consideration of Pay Request #1 in the amount of $15,281.55, submitted by Burns & McDonnell for Professional Services through August 31, 2005 for the Water Master Plan Update. The original amount of contract is $113,000.00.

h. The consideration of Pay Request #3 in the amount of $30,999.03, submitted by Burns & McDonnell for Professional (Resident Services) through September 30, 2005 for the SWTP Improvement Project. The original amount of contract is $268,000.00.

i. The consideration of Pay Request #5 in the amount of 15,446.23, submitted by Burns & McDonnell for Professional Services through September 30, 2005, for the SWTTP Improvement Project. The original amount of contract is $125,000.00.

j. The consideration of Pay Request #4 in the amount of $281,647.02, submitted by Walters-Morgan Construction, Inc. for construction work completed through October 19, 2005 on the SWTP Upgrade Project. The original amount of contract is $3,396,000.00.

k. The consideration of Pay Request #1 in the amount of $14,491.24, submitted by J&K Contracting for work done through October 7, 2005 for installing new sewer main in alley on Snell Ave. The original amount of contract is $14,491.24.

l. The consideration of Pay Request #2 (Final) in the amount of $15,342.71, submitted by J&K Contracting for Wildcat Lane Water

Line Extension and Street construction through 10/1/05. The original amount of contract is $83,827.14.

m. The consideration of Pay Request #1 in the amount of $127,240.20, submitted by J&K Contracting for work through October 17, 2005 for street, sewer and water improvements for Doc Hargreaves Addition #1. The original amount of contract is $276,078.20.

n. The consideration of Change order #1 submitted by Midlands Contracting for additions to the water and sanitary sewer improvements along Spring Valley Rd to serve the new development. The total estimated cost of change is $29,835.00.

o. The consideration of the Petition for street, water and sanitary total estimated project improvement cost is $356,762.96.

p. The consideration of Pay Request #3 in the amount of $11, 590.94, submitted by J&K Contracting, Inc. for construction services for street, sewer and water improvements through October 18, 2005 for the Buffalo Soldier Park addition. The original amount of the contract is $158,244.30.

q. The consideration of Pay Request #2 in the amount of $2,398.60, submitted by Midlands Contracting, Inc., for the water and sewer main installation at the GSC Food Distribution Center for work completed through October 20, 2005. The original amount of contract is $48,536.00.

r. The consideration of Pay Request #3 in the amount or $79,730.66, submitted by Midlands Contracting, Inc., for sanitary sewer and waterline improvements along Spring Valley Rd. for work completed through October 20, 2005. The original amount of contract is $439,462.70.

s. The consideration of Pay Request #3 in the amount of $43,643.70, submitted by Midlands Contracting, Inc., for street, sewer and water improvements to serve the 14th Street Commons for work

done through October 20, 2005. The contract amount, including change orders is $469,573.00.

t. The consideration of Pay Request #4 in the amount of $45,069.47,submitted by Midlands Contracting, for street, sewer and water improvements through October 20, 2005 at Wheatland Hill Subdivision #4. The original amount of contract including change orders is $366,415.15.

u. The consideration of Round House Addition gas service extension agreement with Kansas Gas Service. The upfront cost to extend gas service to the addition will be $9284.92.

v. The consideration of Pay Request #3 in the amount of $365,452.60, submitted by Konza Construction Co., Inc. for work completed through October 20, 2005 for 2005 street maintenance project. The original contract price is $2,291,041.80.

w. The consideration of Pay Request #2 in the amount of $164,151.00, submitted by Midlands Contracting for grading and utilities to serve the Spring Valley Addition #1 for services through October 20, 2005. The original amount of the contract is $803,739.25.

x. The consideration of Pay Request #1 in the amount of $110,976.30, submitted by J&K Contracting, Inc. for street, sewer and water improvements for the Peterson Addition. The amount of original contract $264,742.15.

y. The consideration of Resolution R-2173 determining the availability of certain internal improvement in the City of Junction City. Kansas, street, sanitary sewer, storm sewer and water main improvements(Ehlers addition).

z. The consideration of Resolution R-2174 determining the availability of certain internal improvement in the City of Junction City, Kansas, street, sanitary sewer, storm sewer and water main

improvements(Round House addition).

aa. The consideration of Resolution R-2175 determining the availability of certain internal improvement in the City of Junction City, Kansas, street, sanitary sewer, storm sewer and water main improvements(US-77 Industrial Park addition).

bb. The consideration of Resolution R-2176 determining the availability of certain internal improvement in the City of Junction City, Kansas, street, sanitary sewer, storm sewer and water main improvements(Westwood Triangle addition).

cc. The consideration of Resolution R-2177 determining the availability of certain internal improvement in the City of Junction City, Kansas, street, sanitary sewer, storm sewer and water main improvements(Doc Hargreaves Hilltop Addition #1).

dd. The consideration of Resolution R-2178 determining the availability of certain internal improvement in the City of Junction City, Kansas, street, sanitary sewer, storm sewer and water main improvements(Peterson Addition #1).

ee. The consideration of Resolution R-2179 determining the availability of certain internal improvement in the City of Junction City, Kansas, street, sanitary sewer, storm sewer and water main improvements (Spring Valley Addition Unit #1).

ff. The consideration of setting a bid date of November 10, 2005 to receive bids for the demolition of buildings adjacent to the Bartell House.

gg. The consideration of setting a bid date of November 10, 2005 to receive bids for improvements of the Ehler's Hilltop addition.

hh. The consideration of Ordinance G-989 amending section 555.100 of Chapter 555, Mobile Homes and manufactured homes, of the code of the City of Junction City, Kansas by

making certain requirements for the moving of used mobile homes into and within the city. (First Reading).

ii. The consideration of award of low bid for street, water and sewer improvements to the following subdivisions:

1: Roundhouse addition, Middlecreek Corporation in the amount of $242,078.50.
2: US77 Industrial Park addition, Boyd Excavating in the amount of $232,290.10.

jj. The consideration of setting a bid date of November 17 for East Ash Street Extension.

APPOINTMENTS

Mayor Taylor requested that John Moyer be appointed to the Metropolitan Planning Commission. Commissioner Talley moved, seconded by Commissioner Heldstab. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

SPECIAL PRESENTATIONS

Administrative Service Director, Tricia Gowen presented service awards to the following city employees:

10 Years
Timothy Dokken, Fire Department
Mark Karmann, Inspection Department
Charles Leithoff, Police Department
Dennis Radley, Fire Department

15 Years
Thomas Ohm, Fire Department
Richard Rook, Fire Department

20 Years
Michael T. Brown, Fire Department
Judith White, Police Department

25 Years
George Beatty, Golf Course

William Rich, Police Department
Patricia Upham, Police Department

30 Years Richard Ross, Fire Department

CONSIDERATION OF DEVELOPMENT AGREEMENT-D.J. CHRISTIE

City Manager Rod Barnes briefed the City Commission on the final draft of the development agreement with the Bluffs L.L.C. The first phase of the development is for 600 units with September 30, 2006 as the deadline for the first 300 and December 31, 2007 for the remaining 300 units. At that time negotiations will begin for the final phase of 800 units. Mr. Barnes stated that there will be a 60 acre park, with a 10 acre lake. Mr. Barnes stated that the city's bond counsel still needs to make a decision as to using industrial revenue bonds to fund the park portion of the project. He stated that in order for the Commission to make a decision, they should wait until they hear from the bond counsel.
Commission Wunder moved, seconded by Commissioner Rhodes to hold a Special City of Junction City Commission meeting on Thursday, November 3, 2005 at 6:30 p.m. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

ADDING SERVICE DOG DEFINITION TO THE PIT BULL BAN ORDINANCE

City Manager Barnes stated that the City had received a request from a citizen to add service dogs to the existing pit bull ordinance. The citizen owns a pit bull that had been trained and certified to assist him with his day to day activities due to a back injury. City Manager Barnes stated that research had been done by city staff and as long as proof of certification and training can be provided, there should be no problem. Commissioner Rhodes moved, seconded by Commissioner Heldstab to direct the City Attorney to draft an ordinance adding service dogs to the existing pit bull ordinance. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

CONSIDERATION AWARD OF BID FOR PURCHASE OF VEHICLES

Luis Nater, Water Department Director addressed the Commission on the bids received for the purchase of four (4) trucks for the Water Department and the Parks Department. He stated that three bids were received for three (3) $\frac{1}{2}$ ton pickup trucks and one (1) ton 6 passenger truck. The vehicles will replace three existing vehicles that are in poor condition, which will be sold at auction. The bids were as follows:

Briggs Auto Center	$71,709
Jim Clark	$72,008
Dick Edwards	$89,924

Commissioner Rhodes stated that the low bid was only 299.00 less than the local bidder.

Commissioner Rhodes moved, seconded by Commissioner Talley to award the bid to Jim Clark at a cost of $72,008.00. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

PETITION FOR WATER AND SEWER IMPROVEMENTS-FAITH TABERNACLE ADDITION

Leon Osborne, Kaw Valley Engineering asked for approval of the petition for water and sewer improvements for the Faith Tabernacle Addition and to set a bid date of November 21, 2005 to receive bids. Mr. Osborne stated that the approximate cost was $486,000 with the city at large share 53.6% and the church's share 46.4%.

Commissioner Wunder moved, seconded by Commissioner Rhodes to accept the petition as presented and set a bid date of November 21, 2005. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

PETITION FOR EHLERS HILLTOP ADDITION

Leon Osborne, Kaw Valley Engineering asked for approval of the petition for street, sanitary sewer, storm sewer and water improvements for Ehlers Hilltop Addition and set a bid date of November 17th to receive bids.

Commissioner Rhodes moved, seconded by Commissioner Wunder to accept the petition as presented and set a bid date of November 17, 2005. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

GENERAL DISCUSSION

Mayor Taylor opened the meeting for general discussion.

Jeff Burton, American Dream thanked the city staff and Commission for all of their assistance with the housing development on Grant Avenue.

COMMISSIONER COMMENTS

Mayor Taylor opened the meeting for Commissioner Comments.

Commissioner Rhodes congratulated the city employees on receiving the service awards.

Commissioner Wunder congratulated the city employees on receiving the service awards.

QUESTION AND ANSWERS FOM CITY STAFF

Mayor Taylor stated that some citizens had asked him about the dirt moving on Rucker Road and why it had not been brought to the City Commissions attention.
City Manager Barnes stated that David Alexander, one of the developers on the Rucker site called and asked Mr. Barnes if the cit had any need for dirt. Mr. Alexander said that they had some that they had removed from the construction site. Mr. Barnes stated that the city could always use dirt. He stated that the city could stockpile it for use later and that the housing development on Grant Avenue could use some fill dirt City Manager Barnes stated that Mr. Alexander called and asked if the city could provide any assistance with the removal. Mr. Barnes stated that he agreed to pay for the hauling. Mr. Barnes stated that the City Commission approves a budget each and gives him the authority to spend within that budget. He stated that the funding for the hauling was from the capital improvement fund.
Commissioner Wunder stated that he had no problems with the way City Manager Barnes was handling the city business. He has stayed within the scope of responsibilities that the City Commission requires.

STAFF COMMENTS

Mayor Taylor opened the meeting for staff comments

City Manager Barnes stated that the Military Affairs Veteran Appreciation Brunch will be on Sunday, November 6, 2005 at 11:00 a.m. at the Convention Center. He also stated that Chief Bob Story's roast will be Saturday, November 5, 2005.

EXECUTIVE SESSION

Mayor Taylor asked for a motion to adjourn into executive session to discuss personnel matters related to non-elected personnel. No action was taken.

EXECUTIVE SESSION

Commissioner Wunder moved, seconded by Commissioner Rhodes to adjourn into executive session at 8:10 p.m. to reconvene 8:20 p.m. for discussion of financial matters related to the acquisition of real property. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

Included in the executive session were the City Manager and City Attorney and Leon Osborne.

Commissioner Wunder moved, seconded by Commissioner Talley to reconvene into regular session at 8:20 p.m. having taken no action nor made any decisions while in executive session. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

ADJOURNMENT

Commissioner Wunder seconded by Commissioner Rhodes to adjourn at 8:25 p.m. Ayes: Heldstab, Talley, Taylor, Wunder. Nays: None. Motion carried.

APPROVED AND ACCEPTED THIS 15 DAY OF NOVEMBER 2005 AS THE OFFICIAL COPY OF THE JUNCTION CITY CITY COMMISSION MINUTES FOR November 1, 2005.

Colleen Woodruff

Colleen Woodruff, City Clerk

Jack W. Taylor

Jack W. Taylor, Mayor