

CITY COMMISSION MINUTES

March 7, 2006

7:00 PM.

The regular meeting of the Junction City City Commission was held on Tuesday, February 7, 2006 with Vice Mayor Heldstab presiding.

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

PLEDGE OF ALLEGIANCE

CONSENT AGENDA

Commissioner Rhodes moved, seconded by Commissioner Wunder to approve the consent agenda as presented. Ayes: Heldstab, Rhodes, Wunder. Nays: None. Abstain: Talley. Absent: Talley. Motion carried. The consent agenda consisted of the following:

- a. Approval of Commission Minutes of February 21, 2006 City Commission Meeting.
- b. The consideration of Pay Request #7, submitted by Burns & McDonnell in the amount of \$12,257.50 for professional services through January 31, 2006 for the Water Master Plan Update.
- c. The consideration of Ordinance S-2804 relating to certain un-platted land outside the corporate city limits (Rucker Rd & US 77 Hwy) rezoning property from agricultural (A) district and rural residential (RR) to city duplex residential general (RD) and to incorporate into the city limits. Hargreaves Addition (Second Reading).
- d. The consideration of Ordinance S-2805 requesting annexation, rezoning and final plat approval for property located West of Rucker Road and East of Hwy 77. Property is owned by Robert Munson. Prairie Ridge Addition (Second Reading).
- e. The consideration of an agreement for use of the 12th Street Community Center as a Mass Care Shelter for the Red Cross.

- f. The consideration of Resolution R-2204 to install a street light in Ehlers Addition.
- g. The consideration of Pay Request #7 submitted by Burns and McDonnell in the amount of \$31,064.96 for the South Wastewater Treatment Plant (Professional Services For Residence)
- h. The consideration of Pay Request #3, submitted by Burns and McDonnell in the amount of \$18,298.37 for professional services at the South Wastewater Treatment Plant through January 31, 2006.
- i. The consideration of Change Order #2, submitted by Middlecreek Corporation in the amount of \$13,400.00 for street, sewer and water improvements to serve Round House Addition.
- j. The consideration of Pay Request #3, submitted by BG Consultants, Inc. in the amount of \$20,952.00 for the Enhancement of North Jackson Drainage Ditch.
- k. The consideration of Pay Request #6, submitted by Midlands Contracting Inc. in the amount of \$6,151.25 for grading and utilities to serve Spring Valley Road Addition #1.
- l. The consideration of Pay Request #6 submitted by Midlands Contracting, Inc. in the amount of \$28,548.14 for sanitary sewer and waterline improvements to serve Spring Valley Addition.
- m. The consideration of the Emergency Shelter Grant Application for 2006 submitted by the Open Door Community House, Inc.
- n. The consideration of Pay Request #2 submitted by Middlecreek Corporation in the amount of \$1,261,793.56 for work completed at East Ash Street.
- o. The consideration of payment for aerial mapping of the City, submitted by the Department of the Army in the amount of \$17,997.00.
- p. The approval of a request to hold bid lettings for demolition of the structure located at 622 West 8th Street. Bids will be accepted until 3:30 p.m., March 20, 2006.

- q. The award of demolition bid to the lowest bidder (Blixt Construction) in the amount of \$1,700.00 for property located at 734 W 14th Street.
- r. The award of demolition bid to lowest bidder (Glessner) in the amount of \$1,495.00 for property located at 514 W 14th, \$1,495.00 for property located at 516 W. 14th, \$2,405.00 for properties located at 712 and 712 ½ W 14th Street and \$1,905.00 for properties located at 706 and 708 W 14th Street.
- s. The consideration of the petition and cost estimate in the amount of \$196,464.69 for street, sewer and water improvements to serve the Prairie Ridge Addition to include approval of a bid date of March 21, 2006.
- t. The consideration of Resolution R-2205 authorizing street, sanitary sewer, storm sewer and water main improvements to the Deer Trail Addition.
- u. The consideration of Resolution R-2206 authorizing street, sanitary sewer, storm sewer and water main improvements to Hickory Hill Addition.
- v. The consideration of Resolution R-2207 amending and supplementing Resolution R-2067 which authorized the improvements or re-improvements of East Ash Street within the City and provided for the payment of the costs thereof.
- w. The consideration of Resolution R-2208 authorizing sanitary sewer and water main improvements at the Tom Neal Industrial Park.
- x. The consideration of Pay estimates #2 and #3 submitted by LaFarge North America in the amounts of \$18,064.34 and \$17,499.87 for work completed on City access streets (GSC).
- y. The consideration of requesting a bid date beginning March 8th 2006 and ending March 21st at 4:00 p.m. for painting the Municipal swimming pool.
- z. 18th and Jackson improvements (Moved to March 28th Agenda)
- aa. The consideration of Pay Estimate #4, submitted by J & K Contracting in the amount of \$207,339.13 for street, sewer, and water improvements to serve the Peterson Addition.

- bb. The consideration of Pay Estimate #1 submitted by J & K Contracting in the amount of \$139,626.36 for street, sewer and water improvements to serve Ehlers Hilltop Addition.
- cc. The consideration of Pay Estimate #2 submitted by Middlecreek Corporation in the amount of \$73,990.72 for street, sewer and water improvements to serve Round House Addition.
- dd. Removed from consent agenda-included in 3N.
- ee. Moved to new business 9e
- ff. The consideration of a request for declaration of emergency requesting final passage of Ordinance S-2807 designating Strauss Blvd within the City of Junction City, Kansas as a main traffic way.
- gg. The consideration of Resolution R-2099 authorizing the improvement and re-improvement of Strauss Blvd and providing for the payment of the costs.

SPECIAL PRESENTATIONS

City Clerk Colleen Woodruff administered the oath of office to the following Police Officers: Jeremy P. Covert, David M. Gilbert, Jerod B. Hartle, Lisa R. Hiesterman, Jennifer A. Johnson, Jeffrey W. Miller, Christopher M. Ricard, Nicole D. Steckler.

PROCLAMATION

Vice Mayor Heldstab proclaimed March 21, 2006 as "Freedom Is Not Free Day" and presented a proclamation to Beverly Johnson, President of Ladies Auxiliary #8773.

PUBLIC HEARING

Vice Mayor Heldstab opened the public hearing concerning the application for the Edward Byrne Memorial Justice Assistance Grant. Police Chief Story stated that the City was the recipient of \$21,259.00. The funds are required to be split between the City and the County. The County will receive \$7,121.00 and the City will receive \$14,138.00. One of the requirements of the grant was to state what the funds will be used for. The County will purchase an image scanning station and the city will

purchase radios for patrol officers, equipment for the Community Involvement Unit and Rage supplies.

Vice Mayor Heldstab closed the Public Hearing.

Commissioner Talley moved, seconded by Commissioner Wunder to approve the JAG Grant application as requested. Ayes: Heldstab, Rhodes, Talley, Wunder. Nays: None. Absent: Taylor. Motion carried.

AWARD OF BID-MOWING CONTRACT

City Manager Barnes stated that two bids were received for the blight and parks mowing contract. F & R Mowing-\$148,628.00 and Rothwell - \$92,300.00. City Manager Barnes stated that there was a communication problem, whereby one of the contractors did not know that it was mandatory to attend a pre-meeting before turning in a bid.

Commissioner Wunder felt that the project should be re-bid in a matter of fairness. Commissioner Rhodes asked what the City would gain by doing this,

Commissioner Rhodes moved to approve the bid submitted by Rothwell Landscaping.

Motion died for lack of a second.

Commissioner Talley moved, seconded by Commissioner Wunder to reject all bids and re-bid the mowing contract. Ayes: Heldstab, Talley, Wunder. Nays: Rhodes. Absent: Taylor. Motion carried.

A bid date of March 28, 2006 at 3:00 p.m. was set.

PROTEST PETITION

Ordinance S-2799 was presented for consideration on first reading.

ORDINANCE NO. S-2799

AN ORDINANCE RELATING TO CERTAIN UNPLATTED LAND OUTSIDE THE CORPORATE LIMITS OF THE CITY OF JUNCTION CITY, KANSAS: REZONING SAID PROPERTY FROM COUNTY AGRICULTURAL (A) DISTRICT AND COUNTY SERVICE COMMERCIAL (CS) DISTRICT TO CITY MULTIPLE-FAMILY RESIDENTIAL GENERAL (RM) DISTRICT AND TO INCORPORATE SAID PROPERTY INTO THE CITY LIMITS OF THE CITY OF JUNCTION CITY, KANSAS.

Leon Osborn, Kaw Valley Engineering stated that a protest petition had been received concerning the rezoning of the property to multiple family residential. Mr. Osborn stated that the rezoning was necessary for USD 475 to sell the property.

Mr. Justin Hoover, 830 N. Spring Valley Road stated that he and other residents that would be impacted by the rezoning were opposed to the multiple family residential zoning. He stated that single family dwelling would not be a problem.

Commissioner Rhodes stated that he understood the concerns of the residents that would be impacted by the zoning change, but the Commission would need to do what was best for the City.

Commissioner Rhodes moved, seconded by Commissioner Talley to approve Ordinance S-2799 on first reading. Ayes: Heldstab, Rhodes, Talley, Wunder. Nays: None. Absent: Taylor. Motion carried.

ORDINANCE S-2806

Ordinance S-2806 was presented for consideration on first reading.

ORDINANCE NO. S-2806

AN ORDINANCE RELATING TO UNPLATTED LAND WITHIN THE CORPORATE LIMITS OF THE CITY OF JUNCTION CITY, KANSAS: APPROVING AND ACCEPTING THE FINAL PLAT OF SAID LAND, THE PUBLIC DEDICATIONS, STREETS, BUILDING LIMIT LINES AND UTILITY EASEMENTS SHOWN THEREON AS THE FINAL PLAT OF JUNCTION CITY MIDDLE SCHOOL ADDITION TO JUNCTION CITY, KANSAS.

Leon Osborn stated that Ordinance S-2806 approved the final plat for the new Junction City Middle School Addition.

Commissioner Rhodes moved, seconded by Commissioner Wunder to approve Ordinance S-2806 on first reading. Ayes: Heldstab, Rhodes, Talley, Wunder. Nays: None. Absent: Taylor. Motion carried.

AWARD OF BID –HICKORY HILLS ADDITION

Leon Osborn stated that four (4) bids were received for water, street and sewer improvements to the Hickory Hills Addition. The low bidder Nowak Construction, Inc. was the low bid at a cost of \$1,050,334.56. Mr. Osborn stated that the company was well qualified for the project.

Commissioner Talley moved, seconded by Commissioner Rhodes to approve the award of bid as requested. Ayes: Heldstab, Rhodes, Talley, Wunder. Nays: None. Absent: Taylor. Motion carried.

PETITION AND COST ESTIMATE-DEER TRAIL ADDITION

City Manager Barnes presented the petition and cost estimate for street, water and sewer improvements to serve Deer Trail Addition at a cost of \$264,200.13.

Commissioner Rhodes moved, seconded by Commissioner Talley to approve the petition and cost estimate as presented. Ayes: Heldstab, Rhodes, Talley, Wunder. Nays: None. Absent: Taylor. Motion carried.

ORDINANCE S-2807-STRAUSS BLVD.

Ordinance S-2807 designating Strauss Blvd. as a main traffic way in Junction City was presented on final reading.

ORDINANCE NO. S-2807

AN ORDINANCE DESIGNATING STRAUSS BOULEVARD WITHIN THE CITY OF JUNCTION CITY, KANSAS, AS A MAIN TRAFFICWAY.

Commissioner Talley moved, seconded by Commissioner Rhodes approve Ordinance S-2807 on final reading. Ayes: Heldstab, Rhodes, Talley, Wunder. Nays: None. Absent: Taylor. Motion carried.

GENERAL DISCUSSION

Vice Mayor Heldstab opened the meeting for general discussion.

General Seitz, 1252 Miller Drive asked about the traffic signals on Washington. He stated that they needed to be coordinated due to the growing traffic. Assistant Cit Manager Mike Guinn stated that a traffic study was being done. Mr. Seitz also asked about the Bartell Hotel project and why it was not moving forward. He felt that it was a safety issue. City Manager Barnes stated that that Mr. Bishop, owner of the property had contacted him and that the structural damage is fixable and they have a contractor ready to start work.

Commissioner Wunder asked why the City could not issue a blight notice and see if that would motivate the owner to speed up the process of the project. City Manager Barnes stated that the issue isn't one of blight, since a building permit has been issued. The building permit is valid for one year.

Walter Germann stated his concern for the lack of signage showing the way to Fort Riley. He stated that new residents needed to have direction. He also stated that a Welcome Center would be an added

benefit to Junction City and Fort Riley residents. City Manager Barnes stated that there is a committee that is working on these issues. Mr. German also stated that the Kiwanians will be holding a conference in Junction City in August 2006.

COMMISSIONER COMMENTS

Mayor Taylor opened the meeting for Commissioner Comments.

Commissioner Rhodes asked what the status was on the parking lot at the Bartell Hotel.

City Manager Barnes stated that the asphalt plant was not operating yet.

Commissioner Wunder stated that several streets needed to have holes repairs.

City Manager Barnes stated that the asphalt plant had not opened for the season.

Commissioner Talley asked if anything had been heard on the traffic lights at Highway 77 and Ash Streets.

City Manager Barnes stated that Kansas Department of Transportation had no funding available for signalization.

Commissioner Wunder asked about doing a traffic count now, so when the time came for asking for assistance, from KDOT it would be ready.

Vice Mayor Heldstab stated that he understood the viewpoint of Mr. Hoover and thanked him for his input.

STAFF COMMENTS

City Manager Barnes stated that there would be a work session on March 9th, 2006 at noon to meet with the city's fiscal advisors, George K. Baum and Gilmore and Bell.

EXECUTIVE SESSION

Commissioner Talley moved, seconded by Commissioner Rhodes to adjourn into executive session at 8:05 p.m. to reconvene at 8:15 p.m. to discuss employer-employee relations and negotiations. Ayes: Heldstab, Rhodes, Talley, Wunder. Nays: None. Absent: Taylor. Motion carried. Included in the executive Session were the Police Chief, City Attorney City Manager, Assistant City Manager, Administrative Services Director.

Commissioner Talley moved, seconded by Commissioner Wunder to reconvene into regular session at 8:15 p.m. having taken no action nor made any decisions while in executive session. Ayes: Heldstab, Rhodes, Talley, Wunder. Nays: None. Absent: Taylor. Motion carried.

EXECUTIVE SESSION

Commissioner Wunder moved, seconded by Commissioner Talley to adjourn into executive session at 8:15 p.m. to reconvene at 8:25 p.m. for consultation with an attorney that would be deemed privileged in an attorney-client relationship. Ayes: Heldstab, Rhodes, Talley, Wunder. Nays: None. Absent: Taylor. Motion carried.

Included in the executive Session were the Police Chief, City Attorney City Manager, Assistant City Manager.

Commissioner Rhodes moved, seconded by Commissioner Talley to reconvene into regular session at 8:25 p.m. having taken no action nor made any decisions while in executive session. Ayes: Heldstab, Rhodes, Talley, Wunder. Nays: None. Absent: Taylor. Motion carried.

EXECUTIVE SESSION

Commissioner Talley moved, seconded by Commissioner Wunder to adjourn into executive session at 8:25 p.m. to reconvene at 9:25 p.m. to discuss financial matters related to corporations. Ayes: Heldstab, Rhodes, Talley, Wunder. Nays: None. Absent: Taylor. Motion carried.

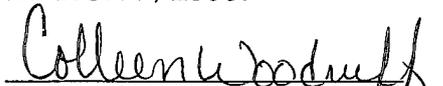
Included in the executive Session were the City Attorney, City Manager, Assistant City Manager and representatives of _____

Commissioner Rhodes moved, seconded by Commissioner Talley to reconvene into regular session at 9:25 p.m. having taken no action nor made any decisions while in executive session. Ayes: Heldstab, Rhodes, Talley, Wunder. Nays: None. Absent: Taylor. Motion carried

ADJOURNMENT

Commissioner Talley moved, seconded by Commissioner Rhodes to adjourn at 9:30 p.m. Ayes: Heldstab, Talley, Wunder. Nays: None. Absent: Taylor. Motion carried.

APPROVED AND ACCEPTED THIS 28th DAY OF MARCH 2006 AS THE OFFICIAL COPY OF THE JUNCTION CITY CITY COMMISSION MINUTES FOR MARCH 7, 2005.


Colleen Woodruff, City Clerk


Jack W. Taylor, Mayor