

CITY COMMISSION MINUTES

October 17, 2006

7:00 P.M.

The regular meeting of the Junction City City Commission was held on Tuesday, October 17, 2006 with Mayor Heldstab presiding.

The following members of the Commission were present: Terry Heldstab, Ken Talley (arrived at 7:07 p.m.), Mike Rhodes, Jack Taylor and 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 Wunder moved, seconded by Commissioner Taylor to approve the consent agenda as amended Ayes: Heldstab, Taylor, Wunder. Nays: None. Abstain: Rhodes. Absent: Talley. Motion carried. Motion carried. The consent agenda consisted of the following:

a. Approval of the October 3rd, 2006 Commission meeting minutes and the City Commission meeting.

b. Monthly reports:

- 1) Engineering/Project Status Report
- 2) Fire
- 3) EMS Department
- 4) Inspection Department
- 5) Personnel/EEO
- 6) Police Department
- 7) Water Administration; Parks, Grounds & Facilities Maintenance
- 8) Veolia Water
 - Water Treatment Plant
 - Public work
- 9) Rolling Meadows Golf Course
- 10) Rolling Meadows Golf Course Maintenance Section Activity Report
- 11) Self Help Housing
- 12) Recreation

c. The consideration of three ordinances for street name changes, requested by Gary & Mary Devin. Spring Valley Addition #2

- a. Ordinance S-2876 from Stonybrooke Lane to Forest Park Lane. (Second Reading).

- b. Ordinance S-2877 from Osage Drive to Devin Drive. (Second Reading).
- c. Ordinance S-2878 from Fox Drive to Anderson Drive. (Second Reading).
- d. The consideration of Ordinance S-2879 street name change from Riverbend South to Deerfield Boulevard. (Second Reading). Rothfuss Additon #2.
- e. The consideration of Ordinance S-2872, requesting final plat approval for Oakwood Village Addition. (Second Reading).
- f. The consideration of Ordinance S-2873, requesting final plat approval for Junction City Middle School Addition. (Second Reading).
- g. The consideration of Ordinance S-2880 requesting final plat approval for Mann's Ranch #1. (Second Reading).
- h. The consideration of Charter Ordinance #36, exempting the City of Junction City from provisions relating to public building commissions and the issuance of revenue bonds and providing substitute and additional provisions relating thereto. (Second Reading).
- i. The consideration of Ordinance S-2871 requesting annex and rezone from County agricultural to City General Residential for Property Mann's Ranch #1. (Second Reading).
- j. The consideration of Pay Request #14, submitted by Burns & McDonnell, in the amount of \$35,457.93 for Professional Resident Engineering Services at the SWWTP. For period July 31, 2006 to August 31, 2006.
- k. The consideration of Pay Request #8, submitted by Burns & McDonnell, in the amount of \$11,193.26 for Professional Engineering Design Services at SWWTP through August 31, 2006.
- l. The consideration of an **agreement for construction engineering services with Kaw Valley Engineering at Indian Ridge #6, in an amount not to exceed \$28,000.00.**
- m. The consideration of Pay Request #5, submitted by Middlecreek Corporation in the amount of \$324,769.37 for infrastructure improvements to Deer Creek Addition.
- n. The consideration of Pay Request #3, submitted by Middlecreek Corporation, in the amount of \$17,393.05 for work completed at the Water Main Extension to the Middle School.
- o. The consideration of a request authorizing the Mayor to sign a Communication System Right-of-Way and Easement Deed), requested by Bud Harlow of United Telephone for

property located along Grant Avenue and Hoover Road.

- p. The consideration of Pay Request #15, submitted by Burns & McDonnell, in the amount of \$26,257.12 for Professional Resident Engineering Services at the SWWTP from August 31, 2006 to September 30, 2006.
- q. The consideration of Pay Request #5, submitted by Midlands Contracting, in the amount of \$234,066.65 for work completed at Prairie Ridge Addition.
- r. The consideration of Pay Request #6, submitted by Midlands Contracting, in the amount of \$144,830.72 for street, sewer and water improvements for the Tom Neal Industrial Park.
- s. The consideration of Pay Request #4, submitted by J&K Contracting, Inc in the amount of \$434,627.37 for street, sewer and water improvements to serve Spring Valley Addition #2.
- t. The consideration of Pay Request #7, submitted by Ebert Construction, in the amount of \$106,049.59 for street, sewer and water improvements to the Deer Trail Addition.
- u. The consideration of Pay Request #4, submitted by Meadows Construction, in the amount of \$98,120.35 for construction of the Northwest Interceptor sewer, section #2.
- v. The consideration of Pay Request #2, submitted by J&K Contracting, in the amount of \$14,054.94 for services to Doc Hargreaves #2. (Final Payment).
- w. The consideration of Resolution R-2288 authorizing the offering for sale of temporary notes 2006-D and 2006-E of the City of Junction City, Kansas.
- x. The consideration of Pay Request #12, submitted by Konza Construction, in the amount of \$310,269.90 for change orders 1,2 and 3.
- y. The consideration of Pay Requests, submitted by Bowman, Bowman and Novick for Professional Services, in the amount of \$24,200.00 for the design phase, \$1800.00 for soil investigation and reimbursable expenses of \$2705.36 for a total of \$28,705.36 for the renovation and rehabilitation of the Junction City Opera House.
- z. The consideration of a Cost Estimate in the amount of \$238,775.00 for the interceptor sewer to serve Sutter Woods sub-division and requesting a bid date of November 1st.
- aa. The consideration of Resolution R-2289 amending and supplementing

Resolution R-2232 which determined the advisability of making street, sanitary sewer, storm sewer and water main improvements to the Turkey Hollow Addition.

- bb. The consideration of Resolution R-2290 amending and supplementing Resolution R-2230 which determined the advisability of making street, sanitary sewer, storm sewer and water main improvements to Turkey Ridge Addition.

APPOINTMENTS

STEERING COMMITTEE

City Manager Barnes requested the appointment of a steering committee to coordinate the City's 150th birthday celebration on February 10, 2009.

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

APPOINTMENT TO THE HUMAN RELATIONS COMMISSION

Mayor Heldstab stated that a request from Desiree' Andrews, Junction City Human Relations Commission requesting the appointment of Mr. Robert Hard to the Human Relations Commission.

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

PUBLIC HEARING- TAXABLE REVENUE BONDS

Mayor Heldstab opened a public hearing concerning the issuance of taxable revenue bonds. Josh McKim, Economic Development Director asked for Commission approval to issue taxable revenue bonds Series 2006 (Rimrock Project). The bonds will allow Central National Bank to add an addition to the existing building on Rimrock Street. City Manager Barnes stated that the City is acting as a conduit for the funds at no financial obligation to the City.

Commissioner Wunder moved, seconded by Commissioner Taylor to approve the issuance of taxable revenue bonds in an amount not to exceed \$1,500,000.00. Ayes: Heldstab, Rhodes, Taylor, Wunder. Nays: None. Absent: Talley. Motion carried.

SUBDIVISION UPDATE-LEON OSBOURN

Leon Osbourn, Kaw Valley Engineering updated the City Commission on subdivision development.

City Commissioner Talley arrived at 7:07 P.M.

ORDINANCE G-1005—ELIMINATING LUNCH TIME SCHOOL ZONES

City Manager Barnes stated requested that Ordinance G-1005 be approved on first reading. The ordinance will eliminate lunch time school zones except for the high school and will add a school zone by Eisenhower School. The School District recommended the change.

Commissioner Rhodes moved, seconded by Commissioner Talley to approve Ordinance G-1005 on first reading. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

CHANGE ORDER #4 KONZA CONSTRUCTION—2005 STREET MAINTENANCE

City Manager Barnes asked for consideration of change order #4, submitted by Konza Construction in the amount of \$105,209.00 for streets added to the 2005 Street Maintenance Project.

Commissioner Talley moved, seconded by Commissioner Wunder to approve the change order as requested. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

AWARD OF BID—EAST WASTE WATER TREATMENT PLANT UDGRADES

City Manager Barnes stated that Veolia Water had recommended the award of bid for upgrades to the East Waste Water Treatment Plant to Shelley Electric, Inc. in the amount of \$39,117.12.

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

NEIGHBORHOOD REVITALIZATION APPLICATIONS

Rose Palmer, Economic Development Specialist stated that Gini and Davitt Harold have submitted a Neighborhood Revitalization application to rehabilitate a home located at 128 East 15th Street, Junction City, Kansas. Rehabilitation construction costs are approximately \$26,500. This project meets the terms and conditions of the Neighborhood Revitalization Plan #13 under residential development. Thereby, qualifying for a tax rebate on the aforementioned property of 95% for years 1 thru 3; 80% for year 4; 70% for year 5; 60% for year 6; 50% for year 7; 40% for year 8; 30% for year 9; and 20% for year 10.

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

Rose Palmer, Economic Development Specialist stated that the Self-Help Housing Program of Junction City has submitted a Neighborhood Tax Revitalization application to construct new home at 332 16th Street Circle, Junction City, Kansas. New construction

costs are approximately \$103,590. This project meets the terms and conditions of the Neighborhood Revitalization Plan #13 under residential development. Thereby, qualifying for a tax rebate on the aforementioned property of 95% for years 1 thru 3; 80% for year 4; 70% for year 5; 60% for year 6; 50% for year 7; 40% for year 8; 30% for year 9; and 20% for year 10.

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

Rose, Palmer, Economic Development Specialist stated that William Self has submitted a submitted a Neighborhood Revitalization application to rehabilitate a commercial building located at 110 East 8th Street (former Stahl Law Office Building), Junction City, Kansas. Rehabilitation construction costs are approximately \$50,000. This project meets the terms and conditions of the Neighborhood Revitalization Plan #13 under commercial development. The project qualifies for a tax rebate of 95% for years 1 and 2; 85% for years 3 and 4; and 75% for year 5.

AWARD OF BID –LIBERTY HALL ROAD WATER MAIN EXTENSION

Leon Osbourn, Kaw Valley Engineering recommended award of bid to Middlecreek Corporation in the amount of \$248,620.00 for construction of the Liberty Hall Road Water Main Extension. He stated that five (5) bids were received.

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

CHANGE ORDER #6-REPAIRS TO THE DIKE ON EAST ASH STREET EXTENSION

Leon Osbourn, Kaw Valley Engineering requested approval of Change Order #6 to Middlecreek Corporation for work on repairs to the dike at the pond in the new development on the East Ash Street Extension, in the amount of \$11,675.50. The change order was necessary to correct an erosion problem.

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

CHANGE ORDER # 1 WATER MAIN EXTENSION-MIDDLE SCHOOL

Leon Osbourn, Kaw Valley Engineering recommended approval Change Order #1, submitted by Middlecreek Corporation, in the amount of \$7,000.00 for relocating a fire hydrant and lowering 1200 feet of water main at Water Main Extension to the Middle School.

ORDINANCE S-2885 ANNEXATION –SUTTER WOODS

Ordinance S-2885 was presented for consideration on first reading. Ordinance S-2885 requested annexation, rezoning and final plat approval for Sutter Woods located West of Spring Valley Road and North of K-18 Highway. Property owned by Sutter/Freeman/Big D Development.

Commissioner Wunder moved, seconded by Commissioner Taylor to approve Ordinance S-2885 on first reading. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

ORDINANCE S-2886 REZONING RIVERFRONT PROPERTY

Ordinance S-2886 requesting rezoning from Service Commercial (CS) to Multiple-family Residential (RM) approval for property generally located at River Front Drive. The property is owned by JC Landco/Tom Abbott was presented for consideration on first reading.

Commissioner Wunder moved, seconded by Commissioner Rhodes. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

ORDINANCE S-2887 REZONING 440 W 5TH STREET

Ordinance S-2887 requesting rezoning approval from Multi-Family Residential (RM) to Special Commercial (CSP) for property located at 440 W 5th Street. Property owned by Alexander Real Estate was presented on first reading. The property will be used as a drive through coffee shop.

Commissioner Rhodes moved, seconded by Commissioner Wunder to approve Ordinance S-2887 on first reading. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

AWARD OF BID-IMPROVEMENTS TO RIVENDELL ADDITION

Leon Osbourn, Kaw Valley Engineer requested approval of the award of bid to J&K Contracting in the amount of \$447,192.60 for street, sewer and water improvements to serve the Rivendell Addition. He stated that five (5) bids were received.

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

AWARD OF BID- AC DEVELOPMENT #1

Leon Osbourn requested approval of award of bid to Emerson Contracting, in the amount of \$1,502,289.02 for improvements to AC Development #1.

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

AWARD OF BID-OAKWOOD VILLAGE IMPROVEMENTS

Leon Osbourn requested approval of award of bid to Emerson Contracting, in the amount of \$1,500,368.35 for improvements to Oakwood Village Addition. Commissioner Rhodes moved, seconded by Commissioner Talley to approve the award of bid as recommended. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

AWARD OF BID-PAINTING RATHERT STADIUM

Luis Nater, Parks Department stated that the low bidder, Angela's Painting for Phase 1 dropped out of the bidding process. Staff recommended awarding the bid for Phase 1 to Ben Kitchens at a cost of \$12,800.00 and Craig S. Wolfe Painting & Contracting for Phase 2, in the amount of \$16,685.00 for a total of \$29,485.00 Commissioner Wunder asked why the project was being split between two contractors. Luis Nater stated that both contractors were busy and by splitting the job up, it could be completed this fall. Commissioner Wunder asked why it needed to be finished this fall. City Manager Barnes stated that if the work were not completed this year, it probably would not be able to be painted until after baseball season next summer. No work will be done in Rathert stadium from the beginning of spring until baseball season in completed.

City Manager Barnes recommended that the City Commission table any action on the issue.

Commissioner Taylor moved to table any action on the issue. Ayes: Heldstab, Taylor, Wunder. Nays: Talley, Rhodes. (The vote was corrected during staff comments. City Attorney Zimmerman stated that no second was required for tabling an issue, but a vote did need to be taken).

JOINT SERVICE AGREEMENT-ANIMAL SHELTER

Assistant City Manager Guinn asked for approval of a joint service agreement with Geary County regarding the creation, organization and operation of the Junction city/Geary County Animal Shelter and Joint Board. The current city employees will become County employees for payroll and benefits. The County Commission approved the agreement at their last meeting.

Commissioner Wunder moved, seconded by Commissioner Rhodes to approve the joint service agreement with the County for the operation of the Junction City/Geary County Animal Shelter. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

GENERAL DISCUSSION

Mayor Heldstab opened the meeting for general discussion.

There was no general discussion.

COMMISSIONER COMMENTS

Mayor Heldstab opened the meeting for Commissioner Comments.

Mayor Heldstab stated that a reception will be held at the Municipal Building on Friday, October 20th from 3:00 p.m. to 6:00 p.m. to honor longtime employee Luis Nater who is retiring.

STAFF COMMENTS

Mayor Heldstab opened the meeting for staff comments

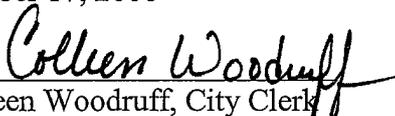
City Manager Barnes introduced Matt Hayes, a student who had been job shadowing in the city. He also invited the Commission to Riley's on Fort Riley on September 18 at 11:00 a.m. to hear the final presentation of the Emergency Grant.

City Attorney stated that a vote needed to be taken on item 9-O.

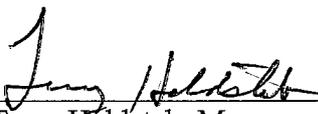
ADJOURNMENT

Commissioner Rhodes moved, seconded by Commissioner Wunder to adjourn at 8:15 p.m. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

APPROVED AND ACCEPTED THIS 31st _____ DAY OF OCTOBER 2006 AS THE OFFICIAL COPY OF THE JUNCTION CITY CITY COMMISSION MINUTES FOR October 17, 2006



Colleen Woodruff, City Clerk



Terry Heldstab, Mayor