

MINUTES
CITY COMMISSION MEETING
TUESDAY, APRIL 5, 2005
7:00 P.M.

The Regular Meeting of the City Commission was held at 7:00 p.m. in the City Commission Room. Mayor Brad Everett and Commissioners Ed Klimek, Bruce Snead, Mark Hatesohl, and Mark Taussig were present. Also present were the City Manager Ron R. Fehr, Deputy City Manager Diane Stoddard, Assistant City Manager Jason Hilgers, City Attorney Bill Frost, City Clerk Gary S. Fees, Youth in Government Representative Brandon Malone, 9 staff, and approximately 25 interested citizens.

PLEDGE OF ALLEGIANCE

Mayor Everett led the Commission in the Pledge of Allegiance.

PRESENTATIONS

Colonel Bart Howard and Sergeant Major Moore, Fort Riley, presented the American Flag flown over their camp in Iraq to Mayor Everett and City Manager Ron Fehr.

Dave Lewis, Chair, Celebrate 150! Committee, and members of the Committee provided an update on future events and presented a montage to the Commission.

MAYOR'S EMPLOYEE EFFICIENCY AWARD

Mayor Everett recognized City Manager Ron Fehr, recipient of the Mayor's Employee Efficiency Award.

PROCLAMATIONS

Mayor Everett proclaimed April 2005, *Child Abuse Prevention Month*. Tina Long, Director of Communications, Kansas Children's Service League, was present to receive the proclamation.

PROCLAMATIONS (CONTINUED)

Mayor Everett proclaimed April 2005, *Occupational Therapy Month*. Roy J. Fowler, Registered Occupational Therapist, was present to receive the proclamation.

PUBLIC COMMENTS

Mayor Everett opened the public comments. Hearing no comments, Mayor Everett closed the public comments.

COMMISSIONER COMMENTS

There were no Commissioner comments.

CONSENT AGENDA

(* denotes those items discussed)

MINUTES

The Commission approved the minutes of the Special City Commission Meeting held Tuesday, March 22, 2005.

CLAIMS REGISTER NO. 2526

The Commission approved Claims Register No. 2526 authorizing and approving the payment of claims from March 16, 2005, to March 29, 2005, in the amount of \$11,703.97 and \$3,481,737.27 respectively.

LICENSE – TREE MAINTENANCE

The Commission approved the application from Allscapes, 415 Fair Lane, for a Tree Maintenance license for calendar year 2005.

ORDINANCE NO. 6466 – AMEND - NUISANCES

The Commission approved Ordinance No. 6466 amending the procedure for the City to abate and remove nuisances.

CONSENT AGENDA (CONTINUED)

ORDINANCE NO. 6467 – VACATE UTILITY EASEMENT – 531 OAKDALE DRIVE

The Commission approved Ordinance No. 6467 vacating a portion of the utility easement as described within the attached ordinance on Lot 3, Soderberg Addition (a.k.a. 531 Oakdale Drive) an addition to the City of Manhattan, Riley County, Kansas.

PUBLIC HEARING – MEADOWLARK HILLS RETIREMENT COMMUNITY – HEALTH CARE FACILITY REVENUE BONDS

Mayor Everett opened the public comments.

Hearing no comments, Mayor Everett closed the public comments.

ORDINANCE NO. 6468 – MEADOWLARK HILLS RETIREMENT COMMUNITY – HEALTH CARE FACILITY REVENUE BONDS

The Commission approved Ordinance No. 6468 authorizing the issuance of Health Care Facility Revenue Refunding Bonds for Meadowlark Hills Retirement Community in a principal amount not to exceed \$6.485 million.

FIRST READING – RENAME – BROOKSPRINGS DRIVE TO NORTHFIELD ROAD

The Commission approved the first reading of an ordinance to rename Brooksprings Drive to Northfield Road as described within the attached ordinance.

AWARD CONTRACT – LEE MILLS HEIGHTS ADDITION, UNIT 1 – SANITARY SEWER (SS0412) AND WATER IMPROVEMENTS (WA0407)

The Commission accepted the Engineer's Estimate in the amount of \$395,400.00 and awarded a construction contract in the amount of \$358,770.80 to Middle Creek Corporation, of Peabody, Kansas, for the Lee Mill Heights Addition, Unit 1, Sanitary Sewer and Water Improvements:

AWARD CONTRACT – 2005 STREET MAINTENANCE PROJECT, PHASE I

The Commission accepted the Engineer's Estimates in the amount of \$199,425.00; and awarded a construction contract in the amount of \$185,648.20 to Vance Bros Inc., of Kansas City, Missouri.

CONSENT AGENDA (CONTINUED)

AWARD CONTRACT – SEWER LINING PROJECT

The Commission accepted the low bid in the amount of \$24.85 per linear foot times 11,335 lineal feet of Cured-in-Place-Pipe 8” lining; and awarded a construction contract in the total amount of \$281,674.75 to Utility Maintenance Contractors, of Wichita, Kansas.

CHANGE ORDER NO. 1-FINAL – OAK HOLLOW, UNIT 9 – SANITARY SEWER IMPROVEMENTS (SS0404)

The Commission approved Change Order No.1 for Oak Hollow, Unit 9, Sanitary Sewer Improvements, resulting in a net increase in the amount of \$217.50 (0.4%) to the contract with Manhattan Trenching Inc., of Manhattan, Kansas.

CHANGE ORDER NO. 1-FINAL – OAK HOLLOW, UNIT 9 – WATER IMPROVEMENTS (WA0405)

The Commission approved Change Order No. 2 for Oak Hollow, Unit 9, Water Improvements, resulting in a net decrease in the amount of \$288.00 (-1.3%) to the contract with Manhattan Trenching, Inc., of Manhattan, Kansas.

AGREEMENT – ARCHITECTURAL SERVICES – FAMILY AND CHILD RESOURCE CENTER PROJECT

The Commission authorized the Mayor and City Clerk to sign an agreement with Bruce McMillan, AIA Architects, P.A., of Manhattan, Kansas, to provide architectural services for the Family and Child Resource Center Project.

AMENDMENT – ARCHITECTURAL SERVICES - NISTAC

The Commission authorized the Mayor and City Clerk to execute the contract amendment with Bowman, Bowman, Novick, Inc., of Manhattan, Kansas, for services related to site work for the NISTAC project, for up to an additional \$4,000.00.

RESOLUTION NO. 040505-C – EASEMENT – FARRAR CORPORATION, NORWICH, KANSAS

The Commission approved Resolution No. 040505-C consenting to the granting of an easement in Norwich, Kansas, to Haviland Telephone Company, Inc.

BOARD APPOINTMENTS

The Commission approved appointments by Mayor Everett to various boards and committees of the City.

CONSENT AGENDA (CONTINUED)

BOARD APPOINTMENTS (CONTINUED)

Social Services Advisory Board

Appointment of Geraldine Walton, 2110 Prairie Field, to a three-year term. Ms. Walton's term begins immediately and will expire June 30, 2007.

Special Alcohol Funds Advisory Committee

Appointment of Mary DeLuccie, 430 Shelle Road, to a one-year term. Ms. DeLuccie's term begins immediately and will expire December 31, 2005.

Appointment of Julie Govert Walter, 831 Pierre Street, to a three-year term. Ms. Govert-Walter's term begins immediately and will expire December 31, 2007.

Commissioner Snead moved to approve the consent agenda. Commissioner Taussig seconded the motion. On a roll call vote, motion carried 5-0.

GENERAL AGENDA

PUBLIC HEARING - DEMOLITION PERMIT - 821 POYNTZ AVENUE

Karen Davis, Director of Community Development, presented the item.

Mayor Everett opened the public hearing.

Jim McCullough, 210 North Fourth Street, Suite C, owner of property, provided additional information to the Commission.

Bernd Forester, 920 Ratone Street, Historic Resources Board, spoke in support of the item as proposed.

Hearing no other comments, Mayor Everett closed the public hearing.

After discussion, Commissioner Hatesohl moved to approve Resolution No. 040505-B, making certain findings of fact regarding the demolition of a structure located at 821 Poyntz Avenue and authorizing the issuance of a demolition permit no sooner than 31 days after this date. Commissioner Klimek seconded the motion. On a roll call vote, motion carried 5-0.

GENERAL AGENDA (CONTINUED)

**RESOLUTION NO. 040505-A - ARCHITECTURAL AND ENGINEERING
CONSULTANT SELECTION POLICY**

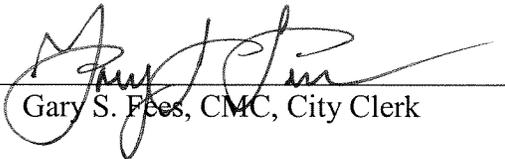
Diane Stoddard, Deputy City Manager, presented the item and answered questions from the Commission.

Mayor Everett introduced Brandon Malone, Youth in Government Representative.

After discussion, Commissioner Hatesohl moved to approve Resolution No. 040505-A adopting a revised consultant selection policy for architectural and engineering services. Commissioner Snead seconded the motion. On a roll call vote, motion carried 5-0.

ADJOURNMENT

At 7:45 p.m. the Commission adjourned.



Gary S. Fees, CMC, City Clerk