

CITY COMMISSION MINUTES

June 17, 2003

7:00 P.M.

The regular meeting of the Junction City City Commission was held on Tuesday, June 17, 2003 with Mayor Mick Wunder presiding.

The following members of the Commission were present: Kay Blanken, Terry Heldstab, Ken Talley, Jack Taylor, Mick Wunder. Staff present were: City Manager Rod Barnes, City Attorney Charles Zimmerman, City Engineer Thomas E. Neal and City Clerk Colleen Woodruff.

PLEDGE OF ALLEGIANCE

CONSENT AGENDA

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

- a. Commission Minutes
 1. Commission Minutes - June 3, 2003

- b. Approval of Appropriation and Payroll Ordinances:
 1. A-27 dated June 6, 2003 in the amount of \$373,853.97
 2. A-28 dated June 13, 2003 in the amount of \$123,398.02
 3. P-12 dated June 13, 2003 in the amount of \$175,868.02

- c. Monthly Reports:
 1. Engineering/Inspection/Project Status Report
 2. Fire/EMS Department
 3. Personnel/EEO
 4. Police Department
 5. Water Administration
 6. US Filter
 - Wastewater Treatment Facilities
 - Water Treatment Plant
 - Public Works
 7. Parks and Recreation
 8. Rolling Meadows Golf Course

- d. Request for payments as follows:

1. Pay estimate #6 to Smoky Hill, LLC for Riley Manor improvements in the amount of \$66,411.45
 2. Pay estimate #13 to Kaw Valley Engineering for engineering services at US 77 at Jack Lacy Drive in the amount of \$2,173.00.
 3. Pay estimate #12 to Kew Valley Engineering for Riley Manor improvements in the amount of \$3,385.30.
 4. Pay estimate #35 to Barber Construction for convention center site improvements in the amount of \$37,919.25.
- e. Change Order #1 to Barber Construction for site grading-John Q. Hammons Addition in the amount of \$37,919.25.

APPOINTMENTS

A request from the Human Relations Commission for the appointment of Teresa Johnson and Devra Ruiz to the Human Relations Commission was presented for consideration.

Commissioner Blanken moved, seconded by Commissioner Taylor to table the appointments of Teresa Johnson and Debra Ruiz to the Human Relations Commission for two weeks to allow time for a brief introduction and biography to the City Commission. Ayes: Blanken, Heldstab, Talley, Taylor, Wunder, Nays: None. Motion carried.

SPECIAL PRESENTATIONS

The June 2003 Curb Appeal Award was presented to the Alvin Babcock of 124 N. Jefferson.

PROCLAMATION-BUSINESS APPRECIATION MONTH

Mayor Wunder proclaimed the month of June, 2003 as BUSINESS APPRECIATION MONTH and presented a proclamation to Economic Development Director Larry Cope.

PUBLIC HEARINGS

RESOLUTION 1898-125 E 13th

Mayor Wunder opened the public hearing to consider Resolution 1898 for the condemnation and demolition of property located at 125 E. 13th City Engineer Neal gave a condition report on the property. He stated that a roofing permit had been issued. He also stated that the taxes are delinquent two years (\$585.00) and that there has been no water service since 1999..

The owner of the property was unable to attend the meeting. Mr. Rashad Nelson spoke on his behalf. He stated that the owner is using the property as storage and has been working on the structure for the past few weeks.

Commissioner Talley stated that he was appalled that the structure was still standing and also that there were back taxes.

Larry Powell, 129 E. 13th stated that he lives next door to the property and that he has improved and kept up his property and feels that the structure should be demolished.

Elzada Dutcher lives across the street and feels that the improvements to the structure are not being done correctly and feels that the property should be demolished.

Mayor Wunder closed the public hearing.

Commissioner Blanken moved to set the bid date for repair or demolition for October 17, 2003. Ayes: Blanken, Heldstab, Talley, Taylor, Wunder. Nays: None. Motion carried.

RESOLUTION 1899-716 W 9th

Mayor Wunder opened the public hearing to consider Resolution 1899 for condemnation and demolition of the property located at 716 W 9th. City Engineer Tom Neal gave a condition report on the property. He stated that a permit has been issued for repairs to the roof. He stated that the taxes are current. The owner of the property, Rashad Nelson stated that he wants to use the property as an office for his business. He stated that he purchased the property approximately 60 days ago. He feels that the foundation is sound. He stated that all repairs except for the foundation could be completed in two months.

Commissioner Taylor stated that he was concerned that if the building was to be used for storage, that it not look like a warehouse yard. Mr. Nelson stated that nothing would be stored outside.

City Engineer Neal stated that the property would need to be rezoned if it was to be used as a business, since the area is zoned as residential multiple. Since Mr. Nelson would not be living in the home, it could not qualify for a home occupation business.

Mayor Wunder closed the public hearing.

Commissioner Blanken moved, seconded by Commissioner Talley to set the date for repair or demolition of 716 W 9th for October 12, 2003. Ayes: Blanken, Heldstab, Talley, Taylor, Wunder. Nays: None. Motion carried.

RESOLUTION 1900-734 W 9th

Mayor Wunder opened the public hearing to consider Resolution 1900 for condemnation and demolition of property located at 734 W 9th. City Engineer Tom Neal gave a status report of the condition of the property. He stated that taxes are delinquent three (3) years in an amount of \$720.00. There has been no water service since 1992. The owner of the property Robert Webb stated that

the back taxes can be paid in full in August. He estimates that the cost to repair the structure would be \$12,000.00. He asked the City Commission to grant him a 6 month extension to do the outside repairs and another 6 months to finish the inside and bring it up to city code.

Commissioner Wunder closed the Public Hearing.

Commissioner Blanken moved, seconded by Commissioner Talley to set October 17, 2003 as the date for repair or demolish 734 W. 9th. Ayes: Blanken, Heldstab, Talley, Taylor, Wunder. Nays: None. Motion carried.

NEXTEL TOWER LEASE

City Engineer Neal stated that the City Commission had requested answers to some questions concerning the tower lease from Nextel Communications. He stated that there were no plans to install microwave dishes on the tower. There will be three (3) whip antennas approximately 14 feet high. The antennas will meet all FCC and FAA regulations. He stated that the rent paid will be \$1000.00 per month and that the contract is for a five (5) year term and is renewable.

Commissioner Heldstab moved, seconded by Commissioner Taylor to approve the lease agreement from Nextell Communications. Ayes: Blanken, Heldstab, Talley, Taylor, Wunder. Nays: None. Motion carried.

AWARD OF BID TO REPLACE OBSOLETE SIGNS

City Engineer Neal stated that the Inspection Department requested bids on removal or panel replacement on seven signs determined to be obsolete under the sign ordinance. The owner of three of the properties have agreed to pay the higher cost of panel replacement rather than have the signs removed to the ground

Commissioner Blanken moved, seconded by Commissioner Wunder to award the bid for sign replacement to Custom Neon at a cost of \$9691.00 for properties located at 630 Grant Ave., 819 Grant Avenue and 843 Grant Ave. Ayes: Blanken, Heldstab, Talley, Taylor, Wunder. Nays: None. Motion carried.

Commissioner Blanken moved, seconded by Commissioner Talley to award the bid for sign removal at a cost of \$150.00 for 548 Grant Avenue to Schurle Signs. Ayes: Blanken, Heldstab, Talley, Taylor, Wunder. Nays: None. Motion carried.

Commissioner Talley moved, seconded by Commissioner Heldstab to award the bid to Schurle Signs for the removal of signs located at 227 W. 18th and 333 Grant Avenue with work to begin after thirty (30) days. Ayes: Heldstab, Talley, Taylor, Wunder. Nays: Blanken. Motion carried.

RENTAL FEES FOR CITY FACILITIES

Clarence Thomas, Recreation Director stated that the fees being charged for facility rentals have been the same for twenty years and it's time to raise the fees. The fees are for after hours only. If the facilities are being used during regular working hours, no fees are charged. The Recreation Commission feels that \$5.00 across the board increase would help. Even with the increase the fees are still lower than some of the surrounding communities. Mr. Thomas stated that everyone would be required to pay excluding the following: YMCA, USD 475, Girls Softball Association, Summer Basketball and Jr. Baseball Association.

Commissioner Heldstab moved, seconded by Commissioner Talley to approve the recommended fee increase. Ayes: Blanken, Heldstab, Talley, Taylor, Wunder. Nays: None. Motion carried.

NOISE WAIVER-JCPD GREAT SUMMER CAMP

Police Chief Story stated that a request for noise waiver was requested for June 20, 2003 at Sertoma Park from 10:00 am to 4:00 pm for a BBQ for the GREAT Summer Camp members and families.

Commissioner Talley moved, seconded by Commissioner Taylor to approve the noise waiver request. Ayes: Blanken, Heldstab, Talley, Taylor, Wunder. Nays: None. Motion carried.

NEIGHBORHOOD REVITALIZATION-820 S. WASHINGTON

Larry Cope, Economic Development Director stated that Jayaben Gandhi, Golden Wheat-Budget Host Motel, has submitted a Neighborhood Tax Revitalization application on a project they are undertaking to build an additional 12 room structure to the existing facility located at 820 South Washington Street. Construction costs will be approximately \$250,000. The project meets the terms and conditions of the Neighborhood Revitalization Plan. It qualifies for a 95% rebate in year 1 -3; 80% in year 4; 70% in year 5; 60% in year 6; 50% in year 7; 40% in year 8; 30% in year 9; and 20% in year 10.

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

NEIGHBORHOOD REVITALIZATION APPLICATION-AL & MX RENTALS 721 W 8th

City Manager Barnes stated that ALI and MX Rentals had applied for a neighborhood revitalization application for property located at 721 W. 8th. The property is a 4 unit apartment building. The total cost of the project is \$200,000 and will be completed by December 1, 2003. The project falls within the boundaries of the Neighborhood Revitalization Program. It qualifies for a 95% rebate in year 1 -3; 80% in year 4; 70% in year 5; 60% in year 6; 50% in year 7; 40% in year 8; 30% in year 9; and 20% in year 10. Commissioner Heldstab moved, seconded by Commissioner Taylor to approve the application as requested. Ayes: Blanken, Heldstab, Talley, Taylor, Wunder. Nays: None. Motion carried

APPROVAL TO DISCHARGE FIREWORKS IN THE CITY LIMITS

City Manager Barnes stated that each year the City Commission needed to make a motion to allow the discharge of fireworks in the City limits of Junction City, following the same regulations set by state statute. Commissioner Blanken asked if the Police Chief had any problems with fireworks in the city. Police Chief Story stated that he had none. Mayor Wunder stated that if the County had a burning ban in force then it would be illegal to shoot fireworks in the city as well. Carlena Lindsay stated that there was a problem in her neighborhood last year with fireworks. She stated that people were on her property shooting fireworks. She also stated that she was concerned with the Sundown Salute fireworks display. City Manager Barnes stated that all property owners in the area of the display had been notified prior to the final decision on location. Commissioner Taylor stated that if people are shooting fireworks from private property, then the Police could be called. Commissioner Blanken moved, seconded by Commissioner Heldstab to approve the discharge of fireworks in the city limits of Junction City coinciding with State statutes and ending at midnight. Ayes: Blanken, Heldstab, Talley, Wunder. Nays: Taylor. Motion carried.

QUIT CLAIM DEED

City Manager Barnes stated that the quit claim deed would deed over a parcel of 34 acres of the old landfill site to Geary County. Commissioner Talley moved, seconded by Commissioner Taylor to authorize the Mayor to sign the Quit Claim Deed as requested. Ayes: Blanken, Heldstab, Talley, Taylor, Wunder. Nays: None. Motion carried.

GENERAL DISCUSSION

Mayor Wunder opened the meeting for general discussion.

Elzada Dutcher stated that she was concerned with the blight problems in her neighborhood. Mayor Wunder stated that he and the City Manager had driven through the area and that the process for cleanup will be started.

Carlena Lindsay stated that she was concerned with a blight problem at 811 N. Washington.

Barbara Smith, 1213 Skyline thanked Mr. Barnes for helping with the blight problem at St. Marys Cemetery. She also stated that she thought the City Manager was going a good job. She said that it would be hard to project what funding would come from the state. She encouraged citizens to attend the budget meetings.

COMMISSIONER COMMENTS

Mayor Wunder opened the meeting for Commissioner comments.

Commissioner Blanken asked if the City Attorney if he had an opportunity to read the parking ordinance that she had distributed. She also recognized new businesses in Junction City and encouraged citizens to frequent them. She also thanked the volunteers that helped with the Cabala's tournament.

Commissioner Heldstab commended Police Chief Story and staff for the work done for the concerts to raise funds for the Law Enforcement Memorial. He congratulated Fire Chief Ryan for his appointment to the EMS State Board. He stated that he was behind the work that City Manager Barnes was doing 100%. He stated that he felt that the Cabela's tournament was a spectacular event for Junction City.

Commissioner Taylor thanked the Commissioners and staff that went on the walk through of the George Smith Library Building.

Commissioner Talley congratulated Fire Chief Mike Ryan on his appointment to the State EMS Board. He suggested that the Commissioner's ride with the city inspectors to identify blight problems within the city. He welcomed Mr. Barnes back and thanked him for all of his hard work.

Mayor Wunder stated that the garage sale and garage sign regulations will be addressed. He also congratulated Police Chief Story and staff for all the work done on the concerts to raise funds for the Law Enforcement Memorial. He congratulated Fire Chief Mike Ryan for his appoint to the State EMS Board. He also stated that negativity is a problem and that a more positive approach is needed for success in the City.

STAFF COMMENTS

Mayor Wunder opened the meeting for staff comments.

City Manager Barnes stated that budget work sessions will begin Thursday, June 19, 2003 at 5:00 p.m., with US Filter presenting. He also stated that Monday, June 23 is the joint City/County commission meeting at 4:00 p.m. at the Geary County Annex. The Public Safety work session will follow immediately after that meeting. The regular City Commission work session is scheduled for Tuesday, June 24. The topics for discussion will be the animal control ordinance and street maintenance. Mr. Barnes thanked all city staff that were involved in the Cabela's tournament. He also stated that Sundown Salute has reached their fund raising goal..

EXECUTIVE SESSION

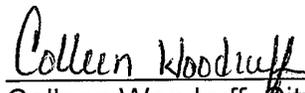
Commissioner Blanken moved, seconded by Commissioner Heldstab to adjourn into executive session to discuss matters relating to non elected personnel at 9:25 p.m. to reconvene at 9:45 p.m. Ayes: Blanken, Heldstab, Talley, Taylor, Wunder. Nays: None. Motion carried. Staff included in the executive session were the City Manager, and City Attorney.

Commissioner Blanken moved, seconded by Commissioner Talley to reconvene into regular session at 9:44 p.m. No actions was taken nor any decisions were made while in executive session. Ayes: Blanken, Heldstab, Talley, Taylor, Wunder. Nays: None. Motion carried.

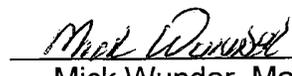
ADJOURNMENT

Commissioner Talley moved, seconded by Commissioner Heldstab to adjourn at 9:45 p.m. Ayes: Blanken, Heldstab, Talley, Taylor, Wunder, Nays: None. Motion carried.

APPROVED AND ACCEPTED THIS 1st DAY OF JULY 2003 AS THE OFFICIAL COPY OF THE JUNCTION CITY CITY COMMISSION MINUTES FOR June 17, 2003



Colleen Woodruff, City Clerk



Mick Wunder, Mayor