

## CITY COMMISSION MINUTES

July 29, 2003

5:30 P.M.

A special meeting of the Junction City City Commission was held on Tuesday, July 29, 2003 with Mayor Mick Wunder presiding.

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

### **PLEDGE OF ALLEGIANCE**

### **CONSENT AGENDA**

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

- a. Commission Minutes
  1. Commission Minutes - July 15, 2003.
- b. Approval of Appropriation and Payroll Ordinances:
  1. A-33 dated July 18, 2003 in the amount of \$269,830.86.
  2. A-34 dated July 25, 2003 in the amount of \$333,154.47.
  3. P-15 dated July 25, 2003 in the amount of \$175,243.12.
- c. Consideration of a grant of right-of-way and utility easements for John Q. Hammons Addition, Lots I and 2.
- d. Pay estimates:
  1. Pay estimate for the Washington Street Roundabout to BG Consultants Inc. in the amount of \$23,100.00.
  2. Pay estimate #7 for Riley Manor improvements to Smoky Hill LLC in the amount of \$102,653.35.
  3. Pay estimate #1 and final for tennis court coatings to Riggs Recreation Equipment Inc. in the amount of \$17,975.00.
  - 4.
- e. Consideration of change order #1 for water and sewer improvements in the John Q Hammons Addition in the amount of \$967.50.
- f. Updated sign report for William Fader, Zoning Administrator.

- g. The consideration of setting a bid date of August 7, 2003 to receive bids for the surfacing of the entrance roads, parking lots and sidewalks in the John Q. Hammons Addition.
- h. The consideration of acceptance of a petition from Tom Silowsky and Tom Abbot for street improvements in the I70 Industrial Park North Addition (100% of the cost assessed to the petitioner).
- i. The consideration of a neighborhood tax rebate application from Ethel Bachand for home remodeling at 706 W. 9<sup>th</sup> Street.
- j. The consideration of a noise waiver for Geary County Relay for Life on August 1<sup>st</sup> and 2<sup>nd</sup> from 6:00 p.m. to 6:00 a.m. The waiver is for the Junction City High School Football Field.

### **APPOINTMENTS**

The consideration of the appointment of Wade Knight to the Junction City Human Relations Commission was requested to be tabled until further information is provided to the City Commission. Commissioner Talley moved, seconded by Commissioner Taylor to table the appointment as requested. Ayes: Heldstab, Talley, Taylor, Wunder, Nays: None. Absent: Blanken. Motion carried.

### **SPECIAL PRESENTATIONS**

Mayor Wunder presented a plaque to Dave Stover for outstanding service to the City for his work in assisting with the special events that are held in the City.

### **SUPPLEMENTAL AGREEMENT-KAW VALLEY**

Leon Osborne, Kaw Valley Engineering stated that due to negotiations between the City and the Developer of the John. Hammons Convention Center and hotel the engineers were asked to make several revisions and modifications to the site plan that were not anticipated in the original agreement. He further stated that the addition of the second access street required more surveying, design, drafting and cost estimating than was included in the original agreement. Because of the nature and the scope of the project changed numerous times all parties involved had to make unforeseeable revision to their scope of services. The estimated not to exceed expense is \$36,435.00.

Mr. Bob Spiteri stated that he felt that if a cost was agreed on in a contract, it should not be renegotiated.

Commissioner Talley moved, seconded by Commissioner Heldstab to approve the supplemental agreement with Kaw Valley in a not to exceed amount

of \$36,435.00. Ayes: Heldstab, Talley, Wunder. Nays: Taylor. Absent: Blanken. Motion carried.

### **ORDINANCE G-952 WATER RATE CHANGE**

Ordinance G-952 was presented on final reading

#### **ORDINANCE G-952**

AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 700-WATER AND WATERWORKS-OF TITLE VII OF THE CODE OF THE CITY OF JUNCTION CITY, KANSAS PERTAINING TO WATER RATES, METERS, INCREASES IN FEES AND THE COLLECTION OF DELINQUENT ACCOUNTS

Commissioner Heldstab asked if landlords would be charged the \$25.00 fee if they just wanted the water turned on for cleaning. Mr. Lazear stated that everyone would be charged the fee. Mr. Spiteri stated that he didn't feel that the landlord should be charged the fee if the water is just turned on for cleaning purposes. Commissioner Neal stated that he thought the ordinance should be passed and have the Water Administration Department monitor any problems that occur with landlords.

Commissioner Talley moved, seconded by Commissioner Taylor to approve Ordinance G-952 on final reading. Ayes: Heldstab, Talley, Taylor, Wunder. Nays: None. Absent: Blanken. Motion carried.

### **ORDINANCE G-953 SEWER RATE CHANGES**

Ordinance G-983 was presented on final reading.

#### **ORDINANCE G-953**

AN ORDINANCE AMENDING SECTION 705.230 OF CHAPTER 705, TITLE VII OF THE CODE OF THE CITY OF JUNCTION CITY, KANSAS, 1994 TO THE CHANGE THE USER CHARGES FOR CITY PROVIDED SERVICES.

City Engineer Neal stated that the increase was needed due to pay for improvements to the wastewater treatment plant and to help fund the unfunded federal and state mandates to protect quality of water. Commissioner Talley stated that the increased is not caused by Con Agra. Mr. Spiteri stated that he felt all sewer rates should be based on water usage and not just on water usage in December and January.

Commissioner Talley moved, seconded by Commissioner Heldstab to approve Ordinance G-953 on final reading. Ayes: Heldstab, Talley, Wunder. Nays: Taylor. None. Absent: Blanken. Motion carried.

#### **2004 BUDGET APPROVAL—ORDINANCE S-2693**

Ordinance S-2693 was presented for consideration.

AN ORDINANCE ATTESTING TO AN INCREASE IN TAX REVENUES FOR BUDGET YEAR 2004 FOR THE CITY OF JUNCTION CITY.

City Engineer Neal stated that the mill levy would be 56.247, down from 2003's mill levy at 56.329.

Commissioner Heldstab moved, seconded by Commissioner Talley to approve Ordinance S-2693. Ayes: Heldstab, Talley, Taylor, Wunder. Nays: None. Absent:: Blanken. Motion carried.

#### **ORDINANCE G-954 ADOPTING STANDARD TRAFFIC ORDINANCE**

Ordinance G-954 was presented for approval on first reading.

##### **ORDINANCE G-954**

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF JUNCTION CITY, KANSAS; INCORPORATING BY REFERENCE THE "STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES", EDITION OF 2003 PREPARED AND PUBLISHED IN BOOK FORM BY THE LEAGUE OF KANSAS MUNICIPALITIES, TOPEKA, KANSAS, CHANGING SECTION 320.010 OF THE CODE OF THE CITY OF JUNCTION CITY, 1994 AND REPEALING ORDINANCE G-943.

City Engineer Neal stated that annually the City of Junction City adopts the Standard Traffic Ordinances as prepared and published by the League of Kansas Municipalities. The ordinance updates the City's traffic laws with any changes and amendments made by the Legislature during the last session.

The following changes were made:

Section 30: was amended to give a Judge the power to impound the vehicle owned or leased by a person convicted of DUI. The Judge is to take into consideration the effect of impoundment on the defendant and his/her family's ability to remain employed or obtain medical treatment. Impoundment is with the discretion of the Judge and is not mandatory.

Section 105 which makes it an offense to knowingly allow an unlicensed driver to operate ones vehicle was changed to increase the punishment to a minimum of \$500.00 and possible impoundment of the vehicle/

Section 163 was changed to specifically allow for Neon ground effect lighting.

Commissioner Taylor moved, seconded by Commissioner Talley to approve Ordinance G-954 on first reading. Ayes: Heldstab, Talley, Taylor, Wunder. Nays: None. Absent: Blanken. Motion carried.

## **ORDINANCE S-2692-REPLATING LOTS IN GREENHILLS WEST ADDITION #2**

Ordinance S-2692 was presented for approval on first reading.

### **ORDINANCE S-2692**

AN ORDINANCE RELATING TO PLATTED LAND WITHIN THE CORPORATE LIMITS OF THE CITY OF JUNCTION CITY, KANSAS ACCEPTING THE FINAL (REPLAT) OF SAID LAND, THE PUBLIC DEDICATIONS, STREETS, BUILDING LIMIT LINES AND UTILITY EASEMENTS SHOWN THEREON AS A REPLAT OF LOTS A, B AND C OF THE REPLAT OF A PORTION OF LOT 4, GREENHILLS WEST ADDITION, UNIT #2 TO CITY OF JUNCTION CITY, GEARY COUNTY, KANSAS.

City Engineer Neal stated that this ordinance allowed for three lots to be platted into two lots for sale to two owners for a single family development. He stated that the Metropolitan Planning Commission had granted approval of the replat. Commissioner Heldstab moved, seconded by Commissioner Taylor to approve Ordinance S-2692 on first reading. Ayes: Heldstab, Talley, Taylor, Wunder. Nays: None. Absent: Blanken. Motion carried.

## **NEIGHBORHOOD REVITALIZATION –SILVER STAR #2 INC-917 DREILING**

City Engineer Neal stated that an application for Neighborhood Revitalization tax rebate for 917 Dreiling was presented for consideration. The tax rebate is just for the improvements made.

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

Commissioner Blanken arrived for the meeting at approximately 6:40 p.m..

## **KDOT GRANT APPLICATION FOR GEOMETRIC IMPROVEMENTS AND ECONOMIC DEVELOPMENT STREET IMPROVEMENTS**

Assistant City Engineer, Greg Adams stated that each year the Kansas Department of Transportation solicits applications from Kansas cities with highway connecting links for improvement projects that fit into either the KLINK program, the Geometric Improvement Program or the Economic Development Program. He stated that the KLINK program is designed to provide the resurfacing of the State Highway System that traverses through Kansas cities. The annual maintenance of these road sections are provided by the cities with the State participating annually in the cost. Over the past 5 to 6 years, the City of Junction City has resurfaced all of the sections within the city limits under this program. Staff is not recommending the submission of an application under the KLINK program.

Mr. Adams stated that the City has applied for and received several grants over the past several years under the Geometric Improvements Program including improvements to 6<sup>th</sup> and Washington and 18<sup>th</sup> and Washington. This year the engineer staff is proposing the submission of an application for one of the following projects:

Striping and signal control of upgrades at 18<sup>th</sup> and Washington  
Intersection improvements for 6<sup>th</sup> and Franklin.

He stated that the grant is a 90/10 split. It was the consensus of the City Commission that the intersection at 6<sup>th</sup> and Franklin be submitted.

Mr. Adams stated the Economic Development program is designed to provide funding for street projects that will foster economic growth within the State. The City has applied for and received funding for the widening of Highway 77 and the realignment of Golden Belt Blvd. with Jack Lacy Drive. The engineering staff would like to suggest several possibilities for the application under the Economic Development Program for 2007:

- East Ash Street extension to Frontage Road
- Golden Belt Blvd widening
- 6<sup>th</sup> Street Corridor-widening to provide left turn lanes.

The City Commission agreed that the East Ash Street extension would be the one to apply for.

## **PROPOSAL-WALTERS MORGAN TO REPAIR SANITARY SEWER ASH AND BITTERSWEET**

City Engineer Neal stated that the City had received a proposal from Walters Morgan to repair the exposed 8 inch cast iron sanitary sewer located near the intersection of Ash and Bittersweet for a total of \$11,745.00. US Filter recommends that this work be performed as soon as possible since the pipe has several stress cracks that can allow sewage to leak during a high flow or blockage situations.

Commissioner Talley asked that a request for bid from other companies be completed before any decision is made.

## **GENERAL DISCUSSION**

Mayor Wunder opened the meeting for general discussion.

Ron Haynes stated that the controllers on the street signals need to be replaced. He also stated that it is an expensive project to replace masts and signals. City Engineer Neal stated that the controllers have been replaced. Mr. Haynes also stated that perhaps a non-biased firm needed to be asked what is really needed for fire protection in a city the size of Junction City.

## **COMMISSIONER COMMENTS**

Mayor Wunder opened the meeting for Commissioner comments.

Commissioner Blanken apologized for being late to the meeting.

Commissioner Heldstab recognized Sheila Smith from the Daily Union and stated that she would be missed.

Mayor Wunder asked Assistant City Engineer Adams to clarify what improvements would be done at 8<sup>th</sup> and Franklin. Mr. Adams stated that stop signs, and no parking signs would be placed there. He also stated that the largest expenditure would be the pavement marking.

## **STAFF COMMENTS**

Mayor Wunder opened the meeting for staff comments.

There were no staff comments.

## **EXECUTIVE SESSION**

Commissioner Talley moved seconded by Commission Taylor to adjourn into executive session for the purpose of consulting with staff in employer/employee negotiations with International Association of Firefighters, Local #3309. at 7:15 p.m. to reconvene at 7:45 p.m. Ayes: Blanken, Heldstab, Talley, Taylor, Wunder. Nays: None. Motion carried. The staff included in the executive session were the Acting Fire Chief .

The City Commission reconvened into regular session at 7:20 p.m. having made no decisions nor taken any actions while in executive session.

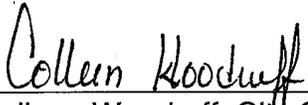
Commissioner Talley moved, seconded by Commissioner Taylor to adjourn into executive session at 7:21 p.m. to reconvene at 7:56 pm. Ayes: Blanken, Heldstab, Talley, Taylor, Wunder. Nays: None. Motion carried. Staff included in the executive session were the City Manager, City Attorney and Acting Fire Chief.

Commissioner Heldstab moved, seconded by Commissioner Talley to reconvene into regular session at 7:50 p.m. having made no decisions nor taken any actions while in executive session. Ayes: Blanken, Heldstab, Talley, Taylor, Wunder. Nays: None. Motion carried.

### **ADJOURNMENT**

Commissioner Talley moved, seconded by Commissioner Blanken to adjourn at 7:50 p.m. Ayes: Blanken, Heldstab, Talley, Taylor, Wunder, Nays: None. Motion carried.

APPROVED AND ACCEPTED THIS 5<sup>th</sup> DAY OF AUGUST 2003 AS THE OFFICIAL COPY OF THE JUNCTION CITY CITY COMMISSION MINUTES FOR July 29, 2003

  
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Colleen Woodruff, City Clerk

  
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Mick Wunder, Mayor