

CITY COMMISSION MINUTES

September 16, 2003

7:00 P.M.

The regular meeting of the Junction City City Commission was held on Tuesday, September 16, 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 Heldstab moved, seconded by Commissioner Taylor to approve the consent agenda. Ayes: Blanken, Heldstab, Talley, Taylor, Wunder, Nays: None. Motion carried. The consent agenda consisted of the following:

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- a. ~~Approval of Commission Minutes September 2, 2003.~~
 - b. Approval of Appropriation Ordinance A-39 dated September 5, 2003 in the amount of \$655,686.08 and A-40, dated September 15, 2003 in the amount of \$187,238.84..
 - c. Monthly Reports:
 - 1. Engineering Department Project Status Report.
 - 2. Inspection Report.
 - 3. U.S. Filter, Water, Wastewater and Public Works.
 - 4. Police Department.
 - 5. Fire/EMS
 - 6. Parks and Recreation
 - 7. Water Utility/Customer Service
 - 8. Administration Services
 - 9. Golf Course
 - d. Consideration of the following pay requests:
 - 1. Pay request #14 to Kaw Valley Engineering for Convention Center engineering and inspection services in the amount of \$2,669.80.
 - 2. Pay request #3 to Kaw Valley Engineering for the west interceptor sewer in the amount of \$3,345.30.
 - 3. Pay request #16 to Kaw Valley Engineering for Highway 77 and Jack Lacy widening in the amount of \$3,441.00
 - e. Resolution R-1923 – the addition of a street light at the intersection of Navajo and Cheyenne Streets.

- f. Consideration of a supplemental agreement for construction engineering services to Kaw Valley Engineering for McFarland Road improvements in the amount of \$8,159.36.
- g. Setting September 30, 2003 to receive bids for roadway improvements to Silvosky RV Park.
- h. Bid award for demolition at 536 W 9th to Pearson construction in the amount of \$1,840.00 and 1108 N Jefferson in the amount of \$1,940.00.
- i. Resolution 1924 authorizing KDOT to proceed with the Ash Street extension.
- j. Setting bid date of October 9th to receive bids for fairway mower for Rolling Meadows Golf Course.

SPECIAL PRESENTATIONS

Mayor Wunder proclaimed the week of September 15-21 2003 as POW/MIA RECOGNITION WEEK and September 20, 2003 as POW/MIA RECOGNITION DAY.

PUBLIC HEARING

Mayor Wunder opened a public hearing to consider the condemnation of the following properties:

- 1. 922 N Jefferson owned by Harold & Bernadine Eichman
- 2. 926 N Jefferson owned by Harold & Bernadine Eichman

City Engineer briefed the Commission on the condition of the properties located at 922 N Jefferson and 926 N Jefferson. Mr. Eichman, owner of the property stated that he had a potential buyer for the properties. The sale should be completed in a few weeks and the buyer knows of the timeframe to repair the property.

Mayor Wunder closed the Public Hearing.

Commissioner Talley moved, seconded by Commissioner Taylor to approve Resolution 1921 giving 120 days to repair or demolish the property located at 922 N. Jefferson. Ayes: Blanken, Heldstab, Talley, Taylor, Wunder. Nays: None. Motion carried.

Commissioner Talley moved, seconded by Commissioner Taylor to approve Resolution 1922 giving 120 days to repair or demolish the property located at 926 N. Jefferson. Ayes: Blanken, Heldstab, Talley, Taylor, Wunder. Nays: None. Motion carried.

Mayor Wunder opened the public hearing on the condemnation of property, located at 1606 Pierce.

City Engineer Neal briefed the Commission on the status of property located at 1606 Pierce owned by Robert Webb. Mr. Webb stated that he had been working on the property and would continue to work on it. He will replace the siding on the outside. Most of the work on the inside of the property had been completed. Commissioner Heldstab stated that good progress had been made on the property. Commissioner Taylor stated that Mr. Webb had made a good faith effort in bringing the property up to city code and felt that he would continue doing so.

Mayor Wunder closed the public hearing.

Commissioner Heldstab moved, seconded by Commissioner Taylor to approve Resolution 1920 giving 120 days to repair or demolish the property located at 1606 Pierce.. Ayes: Blanken, Heldstab, Taylor, Wunder. Nays: None. Abstain: Talley. Motion carried.

POLICY RESOLUTION 03-03—HOUSING INSPECTION FEE

City Engineer Neal stated that there had been a misunderstanding of the fee structure used for housing safety inspections from Ft. Riley Housing. He stated that the staff was requesting that the fee be \$15.00 for the inspection by city staff.

Commissioner Heldstab moved, seconded by Commissioner Blanken to set the housing safety inspection fee at \$15.00 for the initial inspection and \$5.00 for any re-inspection that is needed. Ayes: Blanken, Heldstab, Talley, Taylor, Wunder. Nays: None. Motion carried.

REQUEST BY SPRINT—FRANCHISE FEE

Carolyn Gaston, representing Sprint stated that the Kansas Legislature passed a bill last year that clarified the definition of "gross receipts" as it applies to telecommunication franchise taxation. Previously, the only telecommunication service included in the franchise fee's taxable base was basic local service. The amendment to the law expands the services in the franchise fee's taxable base to include optional calling features, measured local service, local directory assistance and installation and reconnection of service. The Commission decided to leave the percentage as is. No action was needed.

ORDINANCE G-955 MOBILE HOME CRAFTSMAN LICENSE- (first Reading)

Ordinance G-955 concerning the mobile home craftsman license was presented on first reading.

ORDINANCE G-955

AN ORDINANCE CREATING CHAPTER 560 OF TITLE V OF THE CODE OF THE CITY OF JUNCTION CITY, KANSAS FOR THE PURPOSE OF LICENSING AND REGULATING THOSE PERSONS INSTALLING, REPAIRING AND MAINTAINING MOBILE HOMES.

Commissioner Talley moved, seconded by Commissioner Taylor to approve Ordinance G-955 on first reading. Ayes: Blanken, Heldstab, Talley, Taylor, Wunder. Nays: None. Motion carried.

ORDINANCE S-2695—ISSUANCE OF BONDS (2nd reading)

Ordinance S-2695 was presented for consideration on second reading.

ORDINANCE S-2695

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF \$6,135,000 PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING AND ECONOMIC DEVELOPMENT BONDS, SERIES DL AND \$540,000 PRINCIPAL AMOUNT TAXABLE GENERAL OBLIGATION REFUNDING BONDS, SERIES DM, OF THE CITY OF JUNCTION CITY, KANSAS; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON SAID BONDS AS THEY BECOME DUE; AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH; AND MAKING CERTAIN COVENANTS WITH RESPECT THERETO.

Dave Arteberry, Gilmore and Bell stated that by refunding the four outstanding bond issues with the borrowing of the new convention center debt, the City will accommodate new debt with no tax increase, reduce interest rate on refunded debt from 5.82% to approximately 2.57%, resulting in a savings of \$36,766, save issuance costs by combining refunding with new borrowing, and accomplishing a financing plan with no out of pocket costs to the City, all financing will be paid from the bond proceeds.

Commissioner Heldstab moved, seconded by Commissioner Blanken to approve Ordinance S-2695 as presented. Ayes: Blanken, Heldstab, Talley, Taylor, Wunder. Nays: None. Motion carried.

BOND RESOLUTION 1925

Resolution 1925 concerning Series DL, \$6,150,000 General Obligation and Economic Development Bonds was presented for consideration.

Commissioner Blanken moved, seconded by Commissioner Taylor to approve Resolution 1925 as presented. Ayes: Blanken, Heldstab, Taylor, Wunder. Nays: None. Abstain: Talley. Motion carried.

BOND RESOLUTION R-1926

Resolution 1926 Series DM, \$540,000 taxable general obligation refunding bonds was presented for consideration.

Commissioner Blanken moved, seconded by Commissioner Heldstab to approve Resolution 1926 as presented. Ayes: Blanken, Heldstab, Talley, Taylor, Wunder. Nays: None. Motion carried.

CHARTER ORDINANCE 32—COURT COSTS

Charter Ordinance #32- was presented for consideration.

CHARTER ORDINANCE 32

A CHARTER ORDINANCE REPEALING SECTION 2 OF CHARTER ORDINANCE 30 AND EXEMPTING THE CITY OF JUNCTION CITY, KANSAS FROM THE PROVISIONS OF K.S.A. 12-4112 REGARDING COSTS ASSESSED IN MUNICIPAL COURT, PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT AND REPEALING EXISTING SECTION 120.010(AS ORDAINED BY SECTION 2 OF CHARTER ORDINANCE 30) OF CHAPTER 120, TITLE I OF THE ORDINANCES OF THE CITY OF JUNCTION CITY, KANSAS, 1994.

City Attorney Zimmerman stated that the Municipal Court Judge requested that a Charter Ordinance be prepared changing the amount of court costs for traffic offenses and ordinance violations. Currently the total costs (city and state) are \$39.40 for traffic offenses and \$49.50 for ordinance violations. The fifty cents is the result of a cost required by the State of Kansas to be collected. The judge

requested that the City increase its portion of court costs by fifty cents so that the total court costs become forty and fifty dollars. This will make accounting and collections of court costs easier and more certain.

Commissioner Blanken moved, seconded by Commissioner Heldstab to approve Charter ordinance #32 as presented. Ayes: Blanken, Heldstab, Talley, Taylor, Wunder. Nays: None. Motion carried.

AWARD OF BID-POLICE VEHICLES

Police Chief Story stated that staff was recommending the award of bid to Jim Clark Auto for six 2004 Chevrolet Tahoe special service vehicles at a cost of \$138,640.00. The vehicles will be kept in the fleet for three years instead of the usual two.

Commissioner Heldstab moved, seconded by Commissioner Talley to approve the award of bid as requested. Ayes: Heldstab, Talley, Taylor, Wunder. Nays: Blanken. Motion carried.

JOINT RESOLUTION R-1927—LOCAL OPTION GAMING AUTHORITY

City Manager Barnes stated that Resolution 1927 stated the City and County supports the efforts to develop local industries that capitalize on tourism and entertainment dollars from outside the State of Kansas. The resolution also gives support for local option gaming development in Kansas communities.

Commissioner Blanken moved, seconded by Commissioner Taylor to approve Resolution 1927 as presented. Ayes: Blanken, Heldstab, Talley, Taylor, Wunder. Nays: None. Motion carried.

NEIGHBORHOOD REVITALIZATION APPLICATION-BARTELL SENIOR RESIDENCES

Larry Cope, Economic Development Executive Director presented Homestead Affordable Housing's request for Neighborhood Revitalization tax rebate for the senior residences at the Bartell Hotel. Rehabilitation costs are approximately \$3.8 million. The project meets the terms of the Neighborhood Revitalization plan, thereby qualifying for a tax rebate on the improvements made to the property of 95% for ten (10) years.

Commissioner Talley moved, seconded by Commissioner Heldstab to approve the application as requested. Ayes: Heldstab, Talley, Taylor, Wunder. Nays: Blanken. Motion carried.

CONSIDERATION BY GEARY HISTORICAL SOCIETY TO HAVE THE CITY PARTICIPATE IN THE ACQUISITION OF THE BARTELL HOUSE

City Manager Barnes stated that the Homestead Affordable Housing, Geary County Historical Society and the owners of the Bartell House have been working on the redevelopment of the building. The redevelopment will include 32 senior citizen apartments on the second and third floors and retail space on the bottom floor. They have been awarded \$3,758,000 in tax credits and grants. The redevelopment plan includes the acquisition of the building by the Historical Society and donation to Homestead Affordable housing for the project. The staff is requesting an economic development grant of \$235,000.00 be awarded to Homestead for the project.

Commissioner Talley moved, seconded by Commissioner Taylor to approve the Economic Development Grant to Bartell Senior Residences in the amount of \$235,000.00. Ayes: Heldstab, Talley, Taylor, Wunder. Nays: Blanken. Motion carried.

2003 STREET MAINTENANCE CHANGE ORDER

City Engineer Neal stated that the staff had received several requests for additional improvements to streets and driveways within the city. Two requests are driveway improvements that have evolved since the completion of the McFarland Road widening project between Highway 77 and Spring Valley Road. Another Request was to make improvements in front of the high school on Eisenhower Drive.

The financing for these projects would come out of the Special Highway Fund.

Commissioner Blanken moved, seconded by Commissioner Heldstab to approve amending the 2003 Street Maintenance program by adding the projects. Ayes: Blanken, Heldstab. Nays: Talley, Taylor, Wunder. Motion failed.

TRAFFIC CONTROL IMPROVEMENT OF SOUTH JACKSON

City Engineer Neal stated that the staff had received a request to provide a safety study at the reverse curve on South Jackson Street. He stated that the study had been completed and the recommendation of city staff will include no parking zones, advanced warning signs and a center line pavement stripe.

Commissioner Blanken moved, seconded by Commissioner Taylor to approve the traffic improvements as recommended by staff. Ayes: Blanken, Heldstab, Talley, Taylor, Wunder. Nays: None. Motion carried.

TRAFFIC CONTROL AT JUNCTION CITY MIDDLE SCHOOL

City Engineer Neal stated that staff prepared a traffic study for the Middle School. The study listed seven options for dealing with the traffic congestion at

the school. The school would like the City Commission to approve the placement of "No Parking" signs on the north side of 9th Street to allow the children to be picked up after school with minimal traffic congestion. The City staff recommends that the signs be placed along the north side of 9th street in the 300 block and restrict the parking between the hours of 9:00 a.m. to 3:00 p.m. Monday through Friday.

Commissioner Talley moved, seconded by Commissioner Heldstab to table any decision on this matter and send it back to the school for more discussion. Ayes: Blanken, Heldstab, Talley, Taylor, Wunder. Nays: None. Motion carried.

DEVELOPMENT AGREEMENT WITH UPU INDUSTRIES, INC.

Larry Cope, Economic Development Director presented a development agreement with UPU Industries, Inc. for consideration. The new manufacturing plant will bring approximately 70 new jobs to the city. Mr. Cope stated that the cost of the incentive package for the company was \$2,594,000. The company will have to meet certain performance criteria that will be monitored by the city on an annual basis or they will be required to pay back a portion of the funding. The company hopes to be in full production by April of 2004. Mr. Cope stated that the total economic impact to the community over the 15 year period will be \$41,215,580.

Commissioner Talley moved, seconded by Commissioner Taylor to approve the development agreement with UPU Industries as recommended. Ayes: Blanken, Heldstab, Talley, Taylor, Wunder. Nays: None. Motion carried.

CHANGE IN CITY COMMISSION MEETING DATE

City Manager Barnes requested that the regularly scheduled City Commission meeting of October 7, 2003 be rescheduled to Tuesday, September 30, 2003. Four members of the City Commission will be in Washington DC.

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

GENERAL DISCUSSION

Mayor Wunder opened the meeting for general discussion.

Brett Bishop, 1411 W 18th Street addressed the Commission concerning a sewer backup that occurred at his home.

Mayor Wunder stated that he would have city staff look into the matter and contact Mr. Bishop.

Ms. Jones asked where she would go to discuss discrimination complaints. City Attorney Zimmerman stated that he could help her.

COMMISSIONER COMMENTS

Mayor Wunder opened the meeting for Commissioner comments.

Commissioner Blanken stated that she was not anti police, but didn't want to spend more money than was needed on police vehicles.

Commissioner Heldstab thanked Mr. Charles Casper for bringing the 9-11 wall to Junction City.

Commissioner Taylor commented on the newspaper article on the city employee salaries and wanted an explanation of what the purpose was.

Mayor Wunder stated that the media needed to get of the facts before a story is written.

STAFF COMMENTS

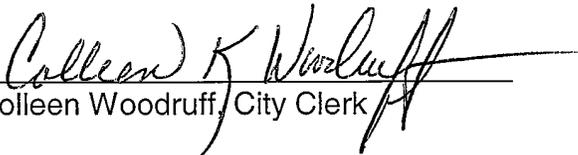
Mayor Wunder opened the meeting for staff comments.

City Manager Barnes complimented Larry Cope and all of the staff that helped to bring UPU Industries to Junction City.

ADJOURNMENT

Commissioner Talley moved, seconded by Commissioner Blanken to adjourn at 10:15 p.m. Ayes: Blanken, Heldstab, Talley, Taylor, Wunder, Nays: None. Motion carried.

APPROVED AND ACCEPTED THIS 30th DAY OF SEPTEMBER, 2003 AS THE OFFICIAL COPY OF THE JUNCTION CITY CITY COMMISSION MINUTES FOR September 16, 2003



Colleen Woodruff, City Clerk



Mick Wunder, Mayor