

CITY COMMISSION MINUTES

November 4, 2003

7:00 P.M.

The regular meeting of the Junction City City Commission was held on Tuesday, November 4, 2003 with Mayor Mick Wunder presiding.

The following members of the Commission were present: Kay Blanken, Terry Heldstab, Ken Talley, Jack Taylor, and 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 as amended. Ayes: Blanken, Heldstab, Taylor, Wunder, Nays: None. Abstain: Talley (item j) Motion carried. The consent agenda consisted of the following:

- a. Approval of Commission Minutes October 21, 2003
- b. Approval of Appropriation Ordinance A-46 dated October 23, 2003 in the amount of \$732,267.76 and A-47, dated October 30, 2003 in the amount of \$114,090.47, and Payroll Ordinance P-22 dated October 31, 2003 in the amount of \$167,899.12
- c. Consideration of Ordinance S-2696-authorizing the issuance of general obligation bonds for an economic development grant in the amount of \$2,594,000 to UPU Industries. (final reading)
- d. The consideration of a request from Platinum Broadcasting to hold the annual Christmas Parade on Friday, November 28, 2003 and waive the noise ordinance from 5:30 p.m. to 9:00 p.m.
- e. The consideration of setting a bid date for November 14, 2003 for the purchase of two (2) replacement process influent pumps for the Southwest Wastewater Treatment Facility.
- f. The consideration of the following pay estimates:
 1. Pay estimate #4 to Walters Morgan Construction for the Sewer interceptor project in the amount of \$24,306.97.
- g. The award of bid for demolition of substandard structures located at 116 S. Washington Street to the low bidder, Glessner Excavation in the amount of \$2,210.00
- h. The consideration of Ordinance S-2698- rezoning Lot 7 Block 3 Haven Hills Addition from Commercial to General Residential)First Reading) (Habitat for Humanity building site)

- i. The consideration of Ordinance G-957 changing the definition of gross receipts for the Sprint Franchise (First reading)
- j. The consideration of Resolution R-1932 authorizing temporary notes in the amount of \$2,250,000.
- k. Consideration of bid for Fairway mower for Rolling meadows Golf \ Course.

PUBLIC HEARINGS

PROPERTY TAX EXEMPTION FOR UPU INDUSTRIES.

Mayor Wunder opened the public hearing concerning the proposed property tax exemption for Economic Development purposes for UPU Industries.

Larry Cope, Economic Development Director stated that UPU Industries, Inc had submitted a Tax Abatement application for the new development of a plastics manufacturer to be located at 3002 Industrial Street. The tax abatement is a 10 year, 100% tax abatement on approximately \$15 million . This project meets the terms and conditions of the tax abatement program. The request was approved by the Economic Development Commission.

Mayor Wunder closed the public hearing.

Commissioner Talley moved, seconded by Commissioner Taylor to approve the property tax exemption for UPU Industries. Ayes: Blanken, Heldstab, Talley, Taylor, Wunder. Nays: None. Motion carried.

AMENDMENTS TO THE NEIGHBORHOOD REVITALIZATION PLAN

Mayor Wunder opened the public hearing concerning two amendments to the Neighborhood Revitalization Plan.

Larry Cope, Economic Development Director recommended the addition of the following areas to the Neighborhood Revitalization Plan. The areas are Eisenhower and Ash Street and Old Highway 40 and Highway 77.

Mr. Harold Becker, 728 S Eisenhower stated that he was opposed to the area on Ash and Eisenhower becoming multiple family residential.

Mayor Wunder closed the Public Hearing.

Commissioner Talley moved, seconded by Commissioner Heldstab to approve the amendments to the Neighborhood Revitalization Plan. Ayes: Heldstab, Talley, Taylor, Wunder. Nays: Blanken. Motion carried.

STATUS REPORT ON REPAIR OF SUBSTANDARD STRUCTURES

City Engineer Neal briefed the City Commission on the status of property located at 716 West 9th. He stated that the owners of the property have been working on the home and that several of the items that needed to be repaired have been completed. He stated that the owners have not called for an inspection.

Mayor Wunder moved, seconded by Commissioner Talley to grant an extension until December 31, 2003 with the stipulation that further improvements to the structure begin by December 1, 2003 or the demolition process will proceed. Ayes: Blanken, Heldstab, Talley, Taylor, Wunder. Nays: None. Motion carried.

City Engineer Neal briefed the City Commission on the status of property located at 734 West 9th Street. He stated that the owners of the property have completed all of the items that needed repaired. They have called for inspection during the repair process. He stated that city staff was requesting that the property be release from the demolition list.

Commissioner Blanken moved, seconded by Commissioner Heldstab to release the property from the demolition list as requested by city staff. Ayes: Blanken, Heldstab, Talley, Taylor, Wunder. Nays: None. Motion carried.

City Engineer Neal briefed the City Commission on the status of property located at 124 E 13th Street. He stated that the owners have been working on the house. Most of the items that needed repaired have been completed. He stated that the house will be used for storage.

Mayor Wunder stated that he felt that residences should not be used for storage purposes.

Mayor Wunder moved, seconded by Commissioner Taylor to grant an extension until December 31, 2003 with the stipulation that further improvements to the structure begin by December 1, 2003 or the demolition process will proceed. Ayes: Blanken, Heldstab, Talley, Taylor, Wunder. Nays: None. Motion carried.

ORDINANCE S-2697

Ordinance S-2697 was presented on final reading.

ORDINANCE S-2697

A HOME RULE ORDINANCE OF THE CITY OF JUNCTION CITY, KANSAS AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE CITY TO PROVIDE FUNDS FOR AN ECONOMIC DEVELOPMENT GRANT TO BE USED IN CONNECTION WITH THE ACQUISITION, REMODELING AND RENOVATION OF AN EXISTING BUILDING LOCATED IN THE CITY FOR USE AS SENIOR RESIDENCES.

Commissioner Talley moved, seconded by Commissioner Taylor to approve Ordinance S-2697 on final reading. Ayes: Heldstab, Talley, Taylor, Wunder. Nays: Blanken. Motion carried.

AWARD of BID FOR HOME PROJECT 1206 N ADAMS

City Engineer Neal stated that staff had reviewed the engineers estimate for the HOME project at 1206 North Adams. HE stated that some of the item, such as windows were more costly than first anticipated. He stated that the engineers estimate was now \$15,010. Staff requested the award of bid be awarded to Ben Kitchens Painting at a cost of \$15,000.00.

Commissioner Blanken moved, seconded by Commissioner Talley to approve the award of bid for the HOME project at 1206 North Adams at a cost of \$15,000.00 to Bern Kitchens Painting. Ayes: Blanken, Heldstab, Talley, Taylor, Wunder. Nays: None Motion carried.

ORDINANCE G-956—PUBLIC INTOXICATION

Ordinance G-956 concerning amending Section 220.705 of the code of the City of Junction City concerning the misdemeanor of public intoxication by eliminating the defense of being an alcoholic was presented for consideration on first reading.

ORDINANCE G-956

AN ORDINANCE AMENDING SECTION 220.705 OF THE CODE OF THE CITY OF JUNCTION CITY CONCERNING THE MISDEMEANOR OF PUBLIC INTOXICATION BY ELIMINATING THE DEFENSE OF BEING AN ALCOHOLIC.

City Attorney Zimmerman stated that the current statutes states that it is a defense to public intoxication that the defendant is an alcoholic. The city's definition of public intoxication contains the additional element that the person must be a danger to himself/herself or to others. By eliminating the defense of being an alcoholic, the police will be able to continue to arrest known alcoholics when their public behavior presents such a danger.

Commissioner Blanken moved, seconded by Commissioner Talley to approve Ordinance G-856 on first reading. Ayes: Blanken, Heldstab, Talley, Taylor, Wunder. Nays: None. Motion carried.

POLICY RESOLUTION 03-02 AFFIRMATIVE ACTION PLAN

Administrative Services Director Tricia Gowen briefed the City Commission on the Affirmative Action Policy of the City of Junction City. She stated that the main change was that the City was going to a calendar year for the plan.. Ms Gowen stated that the Human Relations commission had met and approved the plan.

Commissioner Talley stated that he appreciated all of the time and effort that went in to the report. Commissioner Blanken stated that the report was clear and easy to understand.

Commissioner Talley moved, seconded by Commissioner Blanken to adopt Police Resolution 03-02 as presented. Ayes: Blanken, Heldstab, Talley, Taylor, Wunder. Nays: None. Motion carried.

AGREEMENT WITH UNION PACIFIC RAILROAD

City Engineer Neal requested approval of an agreement with Union Pacific Railroad, City of Junction City and Kansas Department of Transportation to install a signalized crossing at the intersection of East Vine Street. The cost of these improvements will be financed through funding from the Federal Highway Administration. The City will be responsible for the installation and maintenance of advanced warning signs. The engineering staff have discussed the possibility of this installation being made at the proposed location of the extension of east Ash Street in lieu of at Vine Street.

Commissioner Blanken moved, seconded by Commissioner Talley to approve the agreement as presented and authorize the Mayor to sign the necessary documents. Ayes: Blanken, Heldstab, Talley, Taylor, Wunder. Nays: None. Motion carried.

AGREEMENT FOR SANITARY SEWER SERVICE

City Engineer Neal stated that the state is planning to construct a sanitary sewer to collect the wastewater from the I-70 rest stop west of Junction city. They are going to connect to the City interceptor sewer at Spring Valley Road west of the industrial Park. The City will be responsible for the maintenance once the rest area is on city service. The City presently provides potable water to the area so the sewer service charges will be added to the water bill.

Commissioner Talley moved, seconded by Commissioner Taylor to approve the agreement as presented and authorized the Mayor to sign the necessary

documents. Ayes: Blanken, Heldstab, Talley, Taylor, Wunder. Nays: None. Motion carried.

PETITION-JOHNSON CREEK ADDITION

City Engineer Neal stated that a petition had been presented to the city for construction of a sanitary sewer extension to serve four lots in the Johnson Creek addition. The estimated cost to prepare plans and construct these improvements is approximately \$15,000.00. The cost will be assessed to the property owners.

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

GENERAL DISCUSSION

Mayor Wunder opened the meeting for general discussion.

Steve Messick stated that the citizens of Junction City needed to get all of the information from both sides of the gambling issue before they make a decision.

Desiree Andrews asked if the Human relations Commission would still review the Affirmative Action plan each year. City manager Barnes stated that they would. She also asked if the City Commissioner had been to Topeka to lobby for the development of a casino in Geary County. Mayor Wunder stated that they had not. A private developer was lobbying the legislature.

Ruby Stevens asked what impact the Affirmative action Plan had on Junction City. City Manager Barnes stated that the plan that was approved was just for the City of Junction City organization not the city-at-large.

COMMISSIONER COMMENTS

Mayor Wunder opened the meeting for Commissioner comments.

Commissioner Heldstab stated that there will be a meeting at the George Smith Library on November 20, 2003 at 5:00 to discuss parking issues in the downtown area.

Commissioner Talley thanked Us Filter and their staff for their efforts in cleaning up trees for a citizen in Junction City.

Mayor Wunder stated that he wanted to see the Inspection Department issue blight notices for some of the landlords in Riley Manor that were not living up to the agreement to maintain the Riley Manor Area.

He also invited citizens to the 2nd Annual Veterans Appreciation dinner and dance and pancake feed on November 7 and 8.

STAFF COMMENTS

Mayor Wunder opened the meeting for staff comments.

City Manager Barnes stated that there will be a Special City Commission meeting on November 11, 2003 at 12:00 noon to discuss UPU Industries. He stated that there will also be a work session on adult entertainment issues.

City Attorney Zimmerman stated that the city would issue no building permits for any sexually oriented business during the time that the City commission is addressing the change in zoning issue.

NEIGHBORHOOD REVITALIZATION APPLICATION.

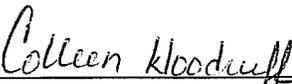
Larry Cope, Economic Development Director stated that an neighborhood revitalization application had been submitted from David and Linda Alexander for a project they are undertaking to build a new structure at 429 West 6th Street. They are building a facility for a business that will employ 7 people within ten years. Construction Costs are approximately \$315,000.00. The project meets the terms and conditions of the Neighborhood Revitalization Plan.

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

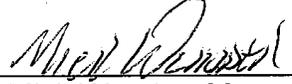
ADJOURNMENT

Commissioner Blanken moved, seconded by Commissioner Talley to adjourn at 9:00 p.m. Ayes: Blanken, Heldstab, Talley, Taylor, Wunder, Nays: None. Motion carried.

APPROVED AND ACCEPTED THIS 11th DAY OF NOVEMBER 2003 AS THE OFFICIAL COPY OF THE JUNCTION CITY CITY COMMISSION MINUTES FOR November 4, 2003



Colleen Woodruff, City Clerk



Mick Wunder, Mayor