

CITY COMMISSION MINUTES

February 3, 2004

7:00 P.M.

The regular meeting of the Junction City Commission was held on Tuesday, February 3, 2004 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 Greg Adams and City Clerk Colleen Woodruff.

PLEDGE OF ALLEGIANCE

CONSENT AGENDA

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

- a. Approval of Commission Minutes January 20, 2004.
- b. Approval of Appropriation Ordinance A-3 dated January 23, 2004 in the amount of \$354,453.32, A-4, dated January 30 2004 in the amount of \$356,056.14, and Payroll Ordinance P-2 dated January 23, 2004 in the amount of \$147,002.89.
- c. Request for Payment- Payment #2 to Bayer Construction for site grading for the UPU Manufacturing Facility in the amount of \$32,586.88.
- d. Set bid date for February 5, 2004 for a new hangar door at the maintenance hangar of Freeman Field Airport.
- e. Consideration of bid recommendation for demolition of the following:
 1. 331 W. 11th Street
 2. 335 W. 11th Street
 3. 835 W. 12th Street
- f. Consideration of Neighborhood Revitalization Applications for the Self Help Program.
 1. 205 W 16th Mary E. Lowe
 2. 209 E 16th Veronica Woodward
 3. 202 E. 15th Stephanie McIlvaind

4. 219 E. 15th Louis & Margaret Snipes
- g. Consideration of award of bid for lease purchase financing of the police vehicles to Central National Bank at 3.63%.
 - h. Consideration of Ordinance S-2702 Rezoning 1531 St. Mary's Road from Commercial Residential to Restricted Commercial (final reading).

PUBLIC HEARINGS-CONDEMNATION OF THE FOLLOWING PROPERTIES

Resolution 1949 concerning setting the date for demolition or repair of the structure located at 1306 N. Washington. The property is owned by John and Francis Bryant. City Engineer Adams stated that the staff had no contact with the owners.

Commissioner Talley moved, seconded by Commissioner Heldstab to approve Resolution 1949 giving 120 days for demolition or repair of structure at 1306 N. Washington. Ayes: Blanken, Heldstab, Talley, Taylor, Wunder. Nays: None. Motion carried.

Resolution 1950 concerning the setting the date for demolition or repair of the structure located at 1108 N. Washington and 103 Snell. The property is owned by Pok Yun Pierobello who is selling on contract to Mr. Robert Shields. Mr. Shields requested an eight (8) month extension to complete the repairs on both properties. City Engineer Adams stated that staff suggested that efforts be focused on the 1108 N. Washington property.

Commissioner Blanken moved, seconded by Commissioner Talley to table Resolution 1950 until the February 24, 2004 Commission meeting to allow Mr. Shields time to get a written cost estimate and develop a schedule for getting the work completed. Ayes: Blanken, Heldstab, Talley. Nays: Taylor, Wunder. Motion carried.

Resolution 1951 concerning setting the date for demolition or repair of the structure located at 104 Snell. The property is owned by Mr. Robert Shields. City Engineer Adams stated that Mr. Shields had signed a waiver of a public hearing and will have the structure demolished.

Commissioner Blanken moved, seconded by Commissioner Taylor to approve Resolution 1951 for the demolition of property at 104 Snell. Ayes: Blanken, Heldstab, Talley, Taylor, Wunder. Nays: None. Motion carried.

Resolution 1952 concerning setting the date for demolition or repair of structures located at 707 W 1st. The property is owned by Edward and Hwa Mitura. City Engineer Adams stated that they had received no contact from the owners. Commissioner Taylor stated that the property is for sale.

Commissioner Blanken moved, seconded by Commissioner Heldstab to approve Resolution 1952 giving 120 days for demolition or repair of the structure located at 704 W. 1st. Ayes: Blanken, Heldstab, Talley, Taylor, Wunder. Nays: None. Motion carried.

Resolution 1953 concerning setting the date for demolition or repair of structures located at 722-728 W 1st. The property is owned by Hugh and Elaine Dill. City Engineer Adams stated that the owners had contacted the city staff and acknowledges the deficiencies. They stated that they will complete the repairs in a timely fashion. Commissioner Heldstab stated that most of the repairs are cosmetic and not structural.

Commissioner Talley moved, seconded by Commissioner Heldstab to approve Resolution 1953 giving 180 days for demolition or repair of structures located at 722-728 W. 1st. Ayes: Blanken, Heldstab, Talley, Wunder. Nays: None. Abstain: Taylor. Motion carried.

Resolution 1954 concerning setting the date for demolition or repair of structures located at 58-64 Riley Manor. The property is owned by Robert and Kim Dipierno. Mr. Dipierno stated that he will contact a contractor and make the necessary repairs.

Commissioner Heldstab moved, seconded by Commissioner Blanken to table Resolution 1954 until the February 24, 2004 Commission meeting allowing the owners of the property time to get a contractors cost estimate and a timeline for the repairs. Ayes: Blanken, Heldstab, Talley, Taylor, Wunder. Nays: None. Motion carried.

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ORDINANCE G-951 SPEED LIMITS ON GOLDEN BELT BLVD AND EAST CHESTNUT (FIRST READING)

Ordinance G-951 concerning the change in speed limits on Golden Belt Blvd was presented for consideration on first reading.

ORDINANCE G-951

AN ORDINANCE AMENDING SCHEDULE O OF SECTION 310.010, MAXIMUM SPEED LIMITS OF THE CODE OF THE CITY OF JUNCTION CITY, KANSAS, 1994.

City Engineer Adams stated that after monitoring Golden Belt Blvd. the staff recommended that the speed limit be 30 MPH from Washington Street to 610 feet past the intersection of Jackson Street, past the last apartment building and 40 MPH on the remainder of Golden Belt to Highway 77.

Commissioner Blanken moved, seconded by Commissioner Talley to approve Ordinance G-951 on first reading. Ayes: Blanken, Heldstab, Talley, Taylor, Wunder. Nays: None. Motion carried.

City Engineer Adams stated that after monitoring the traffic on East Chestnut Street, the staff recommended that the speed limit be left as it is currently 30 MPH. He stated that with all of the development occurring in that area and the increased traffic would warrant the 30 MPH for safety of citizens.

Commissioner Heldstab moved, seconded by Commissioner Talley to keep the speed limit at 30 MPH on East Chestnut Street. Ayes: Blanken, Heldstab, Talley, Taylor, Wunder. Nays: None. Motion carried.

ORDINANCE G-961—ADULT ENTERTAINMENT ZONING AMENDMENT (first reading)

Ordinance G-961 concerning the Adult Entertainment Zoning Amendment was presented for consideration on first reading.

ORDINANCE G-961

AN ORDINANCE AMENDING CHAPTER 405: DISTRICT REGULATIONS, ARTICLE II.; COMMERCIAL DISTRICTS, SECTION 405.140: "CSS: COMMERCIAL SERVICE SPECIAL DISTRICT, B. PERMITTED USES; SECTION 405.140: "CSS: COMMERCIAL SERVICE SPECIAL DISTRICT, E. USE LIMITATIONS; CHAPTER 400, ARTICLE 1; SECTION 400.030: DEFINITIONS; OF THE JUNCTION CITY, KANSAS ZONING REGULATIONS.

City Attorney Zimmerman briefed the City Commission on the addition of the Commercial Service Special (CSS) District. The ordinance establishing the CSS District sets up specific uses for the district. They include the following: Adult

book/novelty store, adult entertainment facility, adult theatres, indoor only, adult entertainment drinking establishment and adult video/.DVD rental store. The ordinance also provides for a non-conforming use of existing facilities not zoned CSS. The owners of those properties will have 60 days in which to register their business if they can prove that they held an adult event during the previous six months

Commissioner Taylor moved, seconded by Commissioner Blanken to approve Ordinance G-951 on first reading. Ayes: Blanken, Heldstab, Taylor, Wunder. Nays: Talley. Motion carried.

ORDINANCE S-2704 REZONING 136 GRANT AVENUE (FIRST READING)

Ordinance S-2704 concerning the rezoning of 136 Grant Avenue, Jack's Cabaret was presented for consideration on first reading.

ORDINANCE S-2704

AN ORDINANCE RELATING TO PROPERTY GENERALLY LOCATED AT 136 GRANT AVENUE AND MORE PARTICULARLY DESCRIBED AS A PART OF GOVERNMENT LOT 5; SPECIAL SECTION 11, T-12-S, R-5E OF THE SIXTH PRINCIPAL MERIDIAN, GEARY COUNTY, KANSAS; REZONING SAID PROPERTY FROM SERVICE COMMERCIAL (CS) DISTRICT TO COMMERCIAL SERVICE SPECIAL (CSS) DISTRICT ALL WITHIN THE CORPORATE LIMITS OF THE CITY OF JUNCTION CITY, KANSAS.

Commissioner Blanken moved, seconded by Commissioner Heldstab to approve Ordinance S-2704 on first reading. Ayes: Blanken, Heldstab, Taylor, Wunder. Nays: Talley. Motion carried.

ORDINANCE S-2705 REZONING 384 GRANT AVENUE TO COMMERCIAL SERVICE SPECIAL (FIRST READING)

Ordinance S-2705 concerning the rezoning of 384 Grant , Excalibur to Commercial Service Special was presented on first reading.

ORDINANCE S-2705

AN ORDINANCE RELATING TO PROPERTY GENERALLY LOCATED AT 384 GRANT AVENUE AND MORE PARTICULARLY DESCRIBED AS LOT 1, BLOCK 1, GRANT AVENUE ADDITION, UNIT #2, SS #3 TO JUNCTION CITY, GEARY COUNTY, KANSAS: REZONING SAID PROPERTY FROM SERVICE COMMERCIAL (CS) DISTRICT TO COMMERCIAL SERVICE SPECIAL (CSS) DISTRICT ALL WITHIN THE CORPORATE LIMITS OF THE CITY OF JUNCTION CITY, KANSAS.

Commissioner Heldstab moved, seconded by Commissioner Blanken to approve Ordinance S-2705 on first reading. Ayes: Blanken, Heldstab, Taylor, Wunder. Nays: Talley. Motion carried.

ORDINANCE S-2706- REZONING 1014 GRANT AVENUE TO COMMERCIAL SERVICE SPECIAL (FIRST READING)

Ordinance S-2706 concerning the rezoning of 1014 Grant Avenue, G-Spot was presented for consideration.

ORDINANCE S-2706

AN ORDINANCE RELATING TO PROPERTY GENERALLY LOCATED AT 1014 GRANT AVENUE AND MORE PARTICULARLY DESCRIBED AS LOT 5, BLOCK 3, REVISED PLAT OF VALLEY FORT ADDITION TO JUNCTION CITY, GEARY COUNTY, KANSAS: REZONING SAID PROPERTY FROM GENERAL COMMERCIAL (CG) DISTRICT TO COMMERCIAL SERVICE SPECIAL (CSS) DISTRICT ALL WITHIN THE CORPORATE LIMITS OF THE CITY OF JUNCTION CITY, KANSAS.

Mayor Wunder moved, seconded by Commissioner Taylor to approve Ordinance S-2706 on first reading. Ayes: Blanken, Heldstab, Taylor, Wunder. Nays: Talley. Motion carried.

ORDINANCE S-2707 REZONING 1206 GRANT AVENUE TO COMMERCIAL SERVICE DISTRICT (FIRST READING)

Ordinance S-2707 concerning the rezoning of 1206 Grant Avenue, After Dark Video to Commercial Service District was presented on first reading.

ORDINANCE S-2707

AN ORDINANCE RELATING TO PROPERTY GENERALLY LOCATED AT 1206 GRANT AVENUE AND MORE PARTICULARLY DESCRIBED AS LOT 2, BLOCK 1, CHEROKEE ADDITION TO JUNCTION CITY, GEARY COUNTY, KANSAS: REZONING SAID PROPERTY FROM GENERAL COMMERCIAL (CG) DISTRICT TO COMMERCIAL SERVICE SPECIAL (CSS) DISTRICT ALL WITHIN THE CORPORATE LIMITS OF THE CITY OF JUNCTION CITY, KANSAS .

Commissioner Blanken moved, seconded by Commissioner Taylor to approve Ordinance S-2707 on first reading. Ayes: Blanken, Heldstab, Taylor, Wunder. Nays: Talley. Motion carried.

ORDINANCE S-2708 REZONING 1322 AND 1330 GRANT AVENUE TO COMMERCIAL SERVICE SPECIAL (FIRST READING)

Ordinance S-2708 concerning the rezoning of 1322 and 1330 Grant Avenue, Alibi/Mustang Gentlemen's Club to Commercial Service Special was presented for consideration on first reading.

ORDINANCE S-2708

AN ORDINANCE RELATING TO PROPERTY GENERALLY LOCATED AT 1322 AND 1330 GRANT AVENUE AND MORE PARTICULARLY DESCRIBED AS LOT 7, LOT 8, LOT 9 AND THE NORTH 100 FEET OF LOT 4, BLOCK 2, CHEROKEE ADDITION TO JUNCTION CITY, GEARY COUNTY, KANSAS: REZONING SAID PROPERTY FROM GENERAL COMMERCIAL (CG) DISTRICT TO COMMERCIAL SERVICE SPECIAL (CSS) DISTRICT ALL WITHIN THE CORPORATE LIMITS OF THE CITY OF JUNCTION CITY, KANSAS.

Commissioner Blanken moved, seconded by Commissioner Heldstab to approve Ordinance S-2708 on first reading. Ayes: Blanken, Heldstab, Taylor, Wunder. Nays: Talley. . Motion carried

CONSIDERATION OF NO PARKING ZONES

City Engineer Adams stated that city staff had evaluated the request for no parking zones on 5th Street and 3rd Street.

Commissioner Heldstab moved, seconded by Commissioner Taylor to approve a no parking zone on the north side of 5th Street from Franklin, west to the first drive

on the north. Ayes: Blanken, Heldstab, Talley, Taylor, Wunder. Nays: None.
Motion carried.

Commissioner Blanken moved, seconded by Commissioner Talley to approve a no parking zone on the east side of Washington from 3rd Street north to the first drive on the east. Ayes: Blanken, Heldstab, Talley, Taylor, Wunder. Nays: None.
Motion carried.

GENERAL DISCUSSION

Mayor Wunder opened the meeting for general discussion.

There was no general discussion

COMMISSIONER COMMENTS

Mayor Wunder opened the meeting for Commissioner comments.

Commissioner Blanken requested that a written evaluation of the City Manager be completed.

Commissioner Heldstab stated that there was a lot of interest shown by local business owners in the JC Business Association.

Commissioner Taylor commended US Filter on the snow removal during the last snow storm. He also thanked Vice Mayor Talley on his stand on the Adult Entertainment issue.

Vice Mayor Talley also thanked US Filter for their efforts on snow removal, along with the Police and Fire Departments. He thanked City Attorney Zimmerman on the work done on the Adult Entertainment issue.

Mayor Wunder thanked US Filter for their efforts during the snow storm.

STAFF COMMENTS

Mayor Wunder opened the meeting for staff comments.

There were no staff comments.

ADJOURNMENT

Commissioner Blanken moved, seconded by Commissioner Talley to adjourn at 8:30 p.m. Ayes: Blanken, Heldstab, Talley, Taylor, Wunder. Nays: None. Motion carried.

APPROVED AND ACCEPTED THIS 17th DAY OF FEBRUARY 2004 AS THE OFFICIAL COPY OF THE JUNCTION CITY CITY COMMISSION MINUTES FOR February 3, 2004.



Colleen Woodruff, City Clerk



Mick Wunder, Mayor