

CITY COMMISSION MINUTES

June 1, 2004

7:00 P.M.

The regular meeting of the Junction City City Commission was held on Tuesday, June 1, 2004 with Mayor 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, and City Clerk Colleen Woodruff. Absent: City Engineer Greg Adams.

PLEDGE OF ALLEGIANCE

CONSENT AGENDA

Item 3-b was removed from the consent agenda and placed on the regular agenda.

Commissioner Talley moved, seconded by Commissioner Blanken 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. Approval of City Commission Minutes of May 18, 2004.
- b. Approval of Appropriation Ordinance A-20 dated May 21, 2004 in the amount of \$396,946.67. and Payroll P-11 dated May 28, 2004 in the amount of \$155,178.84. (REMOVED TO REGULAR AGENDA)
- c. The consideration of a request to allow the discharge of fireworks within the City of Junction City following the guidelines established by the State for the designated period prior to July 4, 2004. 
- d. The consideration of Ordinance S-2715 replat of Lot 3 Block 2 Jack Lacy Industrial Park (Upland Mutual Insurance) (Final reading)

- e. The consideration of Ordinance G-965 amending the noise ordinance of the City of Junction City (Final reading).
- f. The consideration of Ordinance S2716 rezoning and accepting the final (replat) plat of Malstead Addition to Junction City, Kansas (First Reading).
- g. The consideration of Ordinance S2717 annexing, rezoning and accepting the final plat of Fausnett Wetland Addition to Junction City, Kansas (First Reading).
- h. The consideration of Ordinance S2718 annexing and rezoning Hunter's Ridge subdivision to Junction City, Kansas (First Reading).
- i. The consideration of setting a public hearing for July 20, 2004 to hear objections why building and structures on the following real estate should not be condemned and ordered repaired or demolished:
 - a. 228 E. 5th Street, owned by John A. Grant, 905 N. Perry Street, Junction City, Kansas (Resolution R2004).
 - b. 639 W. 11th Street, owned by Larry & Jodell Delay, 215 S. Adams Street and Merchantile Bank, 9900 W. 8th Street, Overland Park, KS (Resolution R2005).
 - c. 404 N. Webster Street, owned by Clifford & Anna McMillan, 2939 Union Road, Chapman, Kansas and PSB Credit Services, 508 3rd Street, Prinsburg, Kansas (Resolution R2006).
 - d. 125 W. 2nd, owned by Nathaniel & Phildena Gilliard, P. O. Box 12892, Charleston, S.C. (Resolution R2007).
- j. The consideration of the following pay estimates:
 - a. Payment #5 to Burns & McDonnell for the Southwest Wastewater Treatment Plant study in the amount of \$15,686.17.
 - b. Payment #6 to Burns & McDonnell for the Water Treatment Plant Chemical Study in the amount of \$5,902.50.
 - c. Payment #2 to Boyd Excavating for the McCluskey's Hill Addition, Unit #4 in the amount of \$14,117.95.
- k. The consideration of approval of a noise waiver for Chautauqua events in Heritage Park beginning June 3rd through June 8th.

- l. The consideration of approval of the temporary cereal malt beverage permit to the Junction City Area Chamber of Commerce and a waiver to serve cereal malt beverage in Heritage Park at the June 3rd Chautauqua.

- m. The consideration of ordinance S2721 authorizing the issuance of up to \$1,000,000 taxable industrial revenue bonds Series 2004 for Upland Mutual Insurance Inc. (First Reading)

Commissioner Talley moved, seconded by Commissioner Heldstab to approve Appropriation Ordinance A-20 dated May 21, 2004 in the amount of \$396,946.67 and Payroll Ordinance P-11 dated May 28, 2004 in the amount of \$155,178.84. Ayes: Heldstab, Talley, Taylor, Wunder. Nays: None. Abstain: Blanken. Motion carried.

SPECIAL PRESENTATIONS

Mayor Wunder proclaimed June 12, 2004 as JUNETEENTH DAY

YOUTH COMMISSION COMMENTS

Angel Romero stated that the formal sessions of the Youth Commission ended in May with the conclusion of the school year. He stated that they are working on a neon light parade for July 2nd to coincide with the Sundown Salute event.

BID AWARD FOR HIGHWAY 77 WIDENING PROJECT

City Manager Barnes briefed the City Commission on the bid process for the Kansas Department of Transportation Highway 77 widening project. Three bids were received with the low bidder being Smoky Hill, L.L.C., Salina, Kansas. The City is responsible for 25% of the construction and construction engineering costs which is \$270,168.68.

In addition the City is responsible for 100% of the utility relocations which should be approximately \$30,000. Mr. Barnes stated that construction will begin this year and last approximately one year.

Commissioner Blanken moved, seconded by Commissioner Taylor to approve the award of bid as recommended. Ayes: Blanken, Heldstab, Talley, Taylor, Wunder. Nays: None. Motion carried.

ENGINEERING AGREEMENT-HIGHWAY 77 HIGHWAY WIDENING PROJECT

City Manager Barnes asked for approval of an engineering agreement with Kaw Valley Engineers for the Kansas Department of Transportation Highway 77 widening project engineering inspection. The State will pay Kaw Valley for the services they provide.

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

AGREEMENT WITH EDAW FOR JOINT LAND USE STUDY

City Manager Barnes asked for consideration of an agreement with EDAW for professional planning and design services for the Flint Hills Joint Land Use Study. The total cost for the project will be \$123,170.00. Mr. Barnes stated that the Department of Defense will pay for the project. The city is responsible for a match. Most of that match will be for in-kind services. A grant is being applied for to pay any remaining costs.

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

ORDINANCE S-2720 FINAL PLAT WHEATLAND HILLS ADDITION #3

Ordinance S-2720 accepting the final plat for Wheatland Hills Addition #3 was presented on first reading.

ORDINANCE S-2720

AN ORDINANCE RELATING TO CERTAIN UNPLATTED LAND OUTSIDE THE CORPORATE LIMITS OF THE CITY OF JUNCTION CITY, KANSAS: APPROVING AND ACCEPTING THE PUBLIC

DEDICATIONS, STREETS, BUILDING LIMIT LINES AND UTILITY EASEMENTS SHOWN THEREON AS WHEATLAND HILLS SUBDIVISION UNIT #3 TO THE CITY OF JUNCTION CITY, GEARY COUNTY, KANSAS ALL WITHIN THE CORPORATE LIMITS OF THE CITY OF JUNCTION CITY, KANSAS.

City Manager Barnes stated that the MPC approved the request for final plat approval for the property located in the 2100 to 2200 block of McFarland Road.

Commissioner Talley moved, seconded by Commissioner Taylor to approve Ordinance S-2720 on first reading. Ayes: Blanken, Heldstab, Talley, Taylor, Wunder. Nays: None. Motion carried.

ACCEPTANCE OF A PETITION FOR WHEATLAND HILLS #3 IMPROVEMENTS

City Manager Barnes requested the acceptance of a Petition for improvements for Wheatland Hills Addition #3 requesting that street, sewer and water be installed by the City and assessed to the lots. The City at large will be assessed 21% of the cost of improvements, the remaining 79% will be divided among the lot owners. The unusual split is being requested because of the problems with the Robinhood lift station and when repairs are made to it, the city will benefit not just the lot owners.

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

SET BID DATE TO RECEIVE BIDS FOR WHEATLAND HILLS UNIT #3 IMPROVEMENTS

City Manager Barnes requested to set a bid date for June 11, 2004 to receive bids for Wheatland Hills Unit #3 improvements.

Commissioner Talley moved, seconded by Commissioner Taylor to approve June 11, 2004 as the bid date to receive bids for Wheatland Hills Addition Unit #3. Ayes: Blanken, Heldstab, Talley, Taylor, Wunder. Nays: None. Motion carried

ORDINANCE G-966-SEA LAND CONTAINERS TEXT AMENDMENT

Ordinance G-966 relating to Sea-land containers amending Chapter 400, Article I, Section 400.030: Definitions and Chapter 410, Article 1, Section 410.030: permitted accessory uses, C. of the Junction City, Kansas zoning regulations was presented on first reading.

ORDINANCE G-966

AN ORDINANCE AMENDING CHAPTER 400, ARTICLE 1, SECTION 400.030: DEFINITIONS AND CHAPTER 410, ARTICLE 1, SECTION 410.030; PERMITTED ACCESSORY USES. C. OF THE JUNCTION CITY, KANSAS ZONING REGULATIONS.

City Manager Barnes stated that the text amendment would be used as a method of controlling the use of sea and land containers within the Junction City. Sea land containers are generally of steel construction and come in standard sizes of 8 feet high with lengths varying from 10 feet up to 40 feet. They are usually designed with one or more access doors and are also usually accessible through the top and are capable of stacking one on top of another. The amendment includes a definition of a sea-land container and lists restrictions on utilization of such containers limiting them to commercial and industrial districts and specifying they are to be treated as structures under the building code.

Signage on the containers would fall under the existing sign ordinance of the city.

Commissioner Talley moved, seconded by Commissioner Blanken to approve Ordinance G-966 on first reading. Ayes: Blanken, Heldstab, Talley, Taylor, Wunder. Nays: None. Motion carried.

ORDINANCE G-967

Ordinance G967, amending the Junction City/Geary County subdivision regulations, Chapter 455, Article VIII, Section 450.37: required improvements for underground utilities in all new industrial and commercial subdivisions was presented on first reading.

ORDINANCE G-967

A JOINT RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF GEARY COUNTY, KANSAS AND THE ORDINANCE OF THE CITY OF JUNCTION CITY, KANSAS AMENDING THE JUNCTION CITY-GEARY COUNTY SUBDIVISION REGULATIONS, CHAPTER 455, ARTICLE VIII, SECTION 450.37: REQUIRED IMPROVEMENTS 8., TO REQUIRE UNDERGROUND UTILITIES IN ALL NEW SUBDIVISIONS.

City Manager Barnes stated that at the MPC meeting held on May 13, 2004 they considered a text amendment to the Junction City-Geary county subdivision regulations to require all electrical, telephone and cable service lines to be put underground in all new subdivisions. They recommend approval of the text amendment to extend the requirement for underground utilities to all new commercial and industrial subdivisions.

Commissioner Talley moved, seconded by Commissioner Taylor to approve Ordinance G-967 on first reading. Ayes: Blanken, Heldstab, Talley, Taylor, Wunder. Nays: None. Motion carried.

GENERAL DISCUSSION

Mayor Wunder opened the meeting for general discussion.

A citizen addressed the Commission on the cocaine problem in Junction City.

George Terry thanks all of the City staff involved in the Memorial Day events.

COMMISSIONER COMMENTS

Mayor Wunder opened the meeting for Commissioner comment.

Commissioner Taylor congratulated Commissioner Blanken for running in the senate race.

Commissioner Heldstab congratulated George Terry and all involved in the Memorial Day events.

Commissioner Talley wished his wife a happy anniversary.

Mayor Wunder congratulated Commissioner Blanken for running in the Senate race. He also commended everyone involved in the Memorial Day events.

STAFF COMMENTS

City Manager Barnes extended sympathy to the family of Ruth Carroll. He stated that there would be a Town Hall Meeting at Johnson Furniture on June 3, 2004 at 5:30 p.m.

He stated that the City would be hosting a Housing Summit on June 10th at the Junction City Country Club from 8:00 a.m. to noon.

He stated that the George Smith Library Building auction will be June 17, 2004 at 6:30 p.m.

EXECUTIVE SESSION

Commissioner Heldstab moved, seconded by Commissioner Talley to adjourn into executive session at 7:50 to reconvene at 8:20 to discuss matters pertaining to land acquisition. Ayes: Blanken, Heldstab, Talley, Taylor, Wunder. Nays: None. Motion carried.

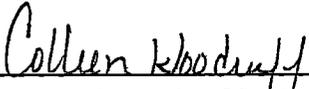
Included in the executive session were the City Manager and City Attorney. Commissioner Talley moved, seconded by Commissioner Blanken to reconvene into regular session at 8:20 having made no decisions nor taken any action while in executive session. Ayes: Blanken, Heldstab, Talley, Taylor, Wunder. Nays: None. Motion carried.

Commissioner Heldstab moved, seconded by Commissioner Taylor to enter into a purchase agreement with S & S Mobile Homes at a purchase price of \$200,000. Ayes: Blanken, Heldstab, Talley, Taylor, Wunder. Nays: None. Motion carried.

ADJOURNMENT

Commissioner Heldstab moved, seconded by Commissioner Talley to adjourn at 8:21 p.m. Ayes: Blanken, Heldstab, Talley, Taylor, Wunder. Nays: None. Motion carried.

APPROVED AND ACCEPTED THIS 15th DAY OF JUNE 2004 AS THE OFFICIAL COPY OF THE JUNCTION CITY CITY COMMISSION MINUTES FOR JUNE 2, 2004.



Colleen Woodruff, City Clerk



Mick Wunder, Mayor