CITY COMMISSION MINUTES

April 5, 2005
7:00 p.m.

The regular meeting of the City of Junction City, City Commission was held on Tuesday, April 5, 2005 with Mayor Wunder presiding.

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

PLEDGE OF ALLEGIANCE

CONSENT AGENDA

Item I **Ordinance S-2753** was removed and was considered as a regular agenda item.

Commissioner Talley moved, seconded by Commissioner Blanken to approve the consent agenda as amended. **Ayes: Blanken, Heldstab, Talley, Taylor, and Wunder. Nays: None Motion carried: Ken Talley, Kay Blanken 2nd, and Abstain Jack Taylor. The consent agenda consisted of the following: 4-0-1**

a. Approval of Commission Minutes of March 15, 2005 City Commission Meeting

b. Approval of Payroll Ordinance P-6 dated March 18, 2005 for the amount of $184,648.91.

c. The consideration of the **Ordinance S-2750** for 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 Development and Construction of a Distribution Facility to be located in the City by Gilmore & Bell. *(Second Reading)*.

d. The consideration of the G.R.E.A.T Grant from the U.S. Department of Justice/Bureau of Justice Assistance for the Gang Resistance Education and Training Program, in the amount of $9,268.00.

e. The consideration of the Special Assessments for 2005 for the amount of $198,488.48

f. The consideration of the **Resolution R-2099** for authorizing the City of Junction City to purchase certain property as part of the City Self-Help Housing Program. Railroad Addition common known as block 21, 29 & 38.

g. The consideration of the 2005 Justice Assistance Grant in the amount of $41,051.00.

h. Approval of Appropriation Ordinances A-11 dated March 18, 2005 in the amount of $655,907.72 and A-12 dated March25, 2005 in the amount of $61,856.15. The Payroll Ordinance P-6 dated March 18, 2005 in the amount of $184,648.91 and P-7 dated April 1, 2005 in the amount of $156,901.93.

i. The consideration of **Ordinance S-2753** for rezoning of the Westwood Triangle to General Residential from Neighborhood Commercial. (First Reading) **REMOVED-PLACED ON REGULAR AGENDA. Motion: Blanken, 2nd: Talley, abstain Taylor. Vote 4-0-1**

j. The consideration of **Ordinance S-2754** for rezoning of the West 14th St. & Westwood Boulevard to General Residential from Mobile Home District. (First Reading)

k. The consideration of **Ordinance S-2755** for rezoning of the West 14th St. and Calhoun St to General Residential from Mobile Home District. (First Reading)

l. The consideration of **Ordinance S-2756** for rezoning of the West 18th St. & Adams Street to General Residential from Neighborhood Commercial District. (First Reading)

m. The consideration of **Resolution R-2098** for Streetlights on Malstead Addition in the Cul-de-sac of the addition.

n. The consideration of award of contract to Smoky Hill, LLC for the Ash Street Extension East for the amount of $389,851.07

o. The consideration to authorize the purchase of property 226 E 15th ST. From property owner is Marcus and Sonja Gomez in the amount of $13,800.00.

p. The consideration to authorize the purchase of an aerial truck from the low bidder, Altec Industries for the amount of $50,386.00.

q. The consideration of a request to set a bid date for 14th Street Commons Infrastructure Improvements. Bid date will be held April 29th and award the bid on May 3rd 2005.

r. The consideration to approve payment to Westar for the relocation of utility lines on the East Ash Extension Project in the amount of $27,465.22.

s. The consideration of the approval of an Easement agreement with Kansas Gas Company for the upgrade on the I-70 Industrial Park West Addition.

t. The consideration to pay Westar for the underground easement in the amount of $60,880.98 for relocated portion of its electric distribution facility in Buffalo Soldier Park Addition.

u. The consideration of pay estimate #5 to Burns & McDonnell for the 2004 Southwest Treatment Plant design project in the amount of $14,152.81.

v. The consideration of pay estimate #5 to Bayer Construction Company for the Hunter's Ridge On-site Improvement-Const. In the amount of $98,164.89

w. The consideration of pay estimate #5 to J & K Contracting, L.C. for the project at Wheatland Hills #3 Construction in the amount of $42,692.17.

x. The consideration to authorize payment to Burns & McDonnell for out of scope services for the Southwest Wastewater Treatment Plant Improvements in the amount of $46,220.00

y. The consideration of the **Ordinance No S-2751** authorizing the City to execute a revolving loan agreement between Junction City Kansas and the Kansas Department of Health

and Environment for the Southwest Wastewater Treatment Plant improvements.

ORDINANCE S-2753

Ordinance S-2753 rezoning of the Westwood Triangle to General Residential to Neighborhood Commercial was presented for consideration on first reading.
Commissioner Blanken moved, seconded by Commissioner Talley to approve Ordinance S-2753 on first reading. Ayes: Blanken, Heldstab, Talley, and Wunder. Nays: None. Abstain: Taylor. Motion carried.

APPOINTMENTS

Commissioner Talley moved, seconded by Commissioner Taylor to appoint Micheline Fields to a 2-year term on the Tree and Flower Board. **Ayes: Blanken, Heldstab, Talley, Taylor, and Wunder. Nays: None. Motion carried. Vote 5-0**

Commissioner Blanken moved, seconded by Commissioner Heldstab to appoint David Walker and Charles Ballentine to a 3-year term on the Airport Advisory Board. **Ayes: Blanken, Heldstab, Talley, Taylor, and Wunder. Nays: None. Motion carried. Vote 5-0**

Commissioner Talley moved, seconded by Commissioner Taylor to appoint John Majerus and Mike Guinn to 3-year terms on the Economic Development Board. **Ayes: Blanken, Heldstab, Talley, Taylor, Wunder. Nays: None. Motion carried. Vote 5-0**

SPECIAL PRESENTATIONS

Connie Hall, Flint Hills Morning Rotary Club outlined a club project that they needed City Commission support for. Ms Hall stated that the project would be digital welcome signs for the enhancement of entrances to Junction City. The first sign will be placed at the South Washington Street entrance. She stated that the present sign would be moved to another location. The club was asking for permission to use the City's right of way for the placement of the sign. Ms Hall stated that the City would not be responsible for maintaining the sign. City Manager Barnes asked who would decide what messages could be placed on the sign. Ms Hall stated that the Rotary Club would have the final decision. City Attorney Zimmerman stated that the club would go by the guidelines that the City of Junction City uses for the government channel.

Commissioner Heldstab moved, seconded by Commissioner Talley to authorize the Flint Hills Morning Rotary Club to proceed with the project, use the City's right of way after getting approval from KDOT. Ayes: Heldstab, Talley, Taylor, and Wunder. Nays: None. Abstain Blaken Motion carried. Vote 4-0-1

Galynn Childs, Junction City Historic Preservation Board presented an award to the Neighborhood Day Care 338 W 5th, owned by Susan Shell.

UNFINISHED BUSINESS

STATUS REPORT FOR PROPERTY AT 523 W. 14TH

Dave Hurley stated that Mr. Nelson, owner of the property located at 523 W. 14th, has completed all of the repairs to the house except for the so fits, painting and fascia over the windows. Mr. Nelson could not attend the meeting due to eye surgery. Mr. Hurley stated that Mr. Nelson asked to be granted a 60-day extension to complete the work. **Commissioner Blanken moved, seconded by Commissioner Heldstab to grant a 60-day extension as requested. Ayes: Blanken, Heldstab, Talley, Taylor, and Wunder. Nays: None. Motion carried. Vote 5-0**

DEVELOPMENT AGREEMENT-JC LOGISTICS, LLC

Economic Development Director Larry Cope brought a development agreement between the City of Junction City and JC Logistics, LLC before the Commission. Mr. Cope stated that JC Logistics was a sister company of Kansas City Piggy Back transportation Company. He stated that the company would purchase the second half of the foundry property including the office and farmhouse. The company will have the capability to park 400 trailer trucks. They will also have a 5000 square foot maintenance building. Mr. Cope stated that the company would benefit Con Agra, Footlocker and UPU Industries.
Commissioner Blanken moved, seconded by Commissioner Taylor to approve the Development Agreement as presented. Ayes: Blanken, Heldstab, Talley, Taylor, and Wunder. Nays: None. Motion carried. Vote 5-0

ORDINANCE S-2752

Ordinance S-2752 was presented for consideration on first reading.

ORDINANCE NO. S-2752

AN ORDINANCE AUTHORIZING THE CITY OF JUNCTION CITY, KANSAS TO ISSUE ITS TAXABLE INDUSTRIAL REVENUE BONDS, SERIES 2005 (SPIRIT OF '76 PROJECT) IN AN AGGREGATE PRINCIPAL AMOUNT NOT EXCEEDING $1,500,000 FOR THE PURPOSES OF ACQUIRING AN EXISTING COMMERCIAL WAREHOUSE FACILITY FOR FURTHER INDUSTRIAL OR COMMERCIAL DEVELOPMENT; AUTHORIZING EXECUTION OF A BOND AGREEMENT BY AND BETWEEN THE CITY, SPIRIT OF '76, INC., AS TENANT AND FIRST NATIONAL BANK & TRUST COMPANY OF JUNCTION CITY; AUTHORIZING THE CITY TO LEASE SUCH FACILITY TO SPIRIT OF '76, INC. AND AUTHORIZING EXECUTION OF A LEASE BETWEEN SAID CITY AND SPIRIT OF '76, INC.; APPROVING A LIMITED GUARANTY AGREEMENT BY AND BETWEEN THE CITY AND FIRST NATIONAL BANK & TRUST COMPANY OF JUNCTION CITY WITH RESPECT TO A CERTAIN PROMISSORY NOTE OF SPIRIT OF '76, INC., AND AUTHORIZING THE EXECUTION OF ADDITIONAL DOCUMENTS NECESSARY OR DESIRABLE TO EFFECT THE TRANSACTION CONTEMPLATED HEREBY.

Economic Development Director, Larry Cope stated that this Ordinance would allow for the issuing of $1,500,000 taxable Industrial Revenue Bonds Series 2005 for the Spirit of 76 to acquire the former Bitterman and Button Distribution Center.
Commissioner Talley moved, seconded by Commissioner Taylor to approve Ordinance S-2752 on first reading. Ayes: Blanken, Heldstab, Talley, Taylor, and Wunder. Nays: None. Motion carried. Vote 5-0

DEVELOPMENT AGREEMENT C. G. & G. INC.

Economic Development Director, Larry Cope presented a development agreement between the City of Junction City and C.G. & G. Inc. He stated that the Company. The company restores antique aircraft and builds airplanes. They will assist clients with building kit planes. The company employees are three full timer and one part timer employee. Mr. Cope stated that there will be a ten-year agreement and the company will have certain requirements that need to be met.
Commissioner Taylor moved, seconded by Commissioner Talley to approve the development agreement with C.G. &G., Inc as presented. Ayes: Blanken, Heldstab, Talley, Taylor, and Wunder. Nays: None. Motion carried. Vote 5-0

ORDINANCE S-2758

Ordinance S-2758 was presented for consideration on first reading.

ORDINANCE NO. S-2758

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 LOAN/GRANT TO BE USED IN CONNECTION WITH THE ACQUISITION AND CONSTRUCTION OF A TERMINAL FACILITY TO BE LOCATED IN THE CITY.

Commissioner Talley moved, seconded by Commissioner Heldstab to approve Ordinance S-2758 on first reading. Ayes: Blanken, Heldstab, Talley, Taylor, and Wunder. Nays: None. Motion carried. Vote 5-0

ORDINANCE S-2757

Ordinance S-2757 was presented for consideration on first reading.

ORDINANCE NO. S-2757

AN ORDINANCE RELATING TO PROPERTY GENERALLY LOCATED AT 204 EAST 4TH STREET AND MORE PARTICULARLY DESCRIBED AS LOT 11 AND THE WEST 3' OF LOT 12, BLOCK 41, JUNCTION CITY ADDITION TO JUNCTION CITY, GEARY COUNTY, KANSAS: REZONING SAID PROPERTY FROM MULTIPLE-FAMILY RESIDENTIAL (RM) DISTRICT TO LIGHT INDUSTRIAL (IL) DISTRICT ALL WITHIN THE CORPORATE LIMITS OF THE CITY OF JUNCTION CITY, KANSAS.

Commissioner Talley moved, seconded by Commissioner Heldstab to approve Ordinance S-2757 on first reading. Ayes: Heldstab, Talley, Taylor, Wunder. Nays: None. Abstain: Blanken. Motion carried.

GENERAL DISCUSSION

Mayor Wunder opened the meeting for general discussion.

Pat Keefe, 403 S. Spring Valley Road thanked Commissioner Blanken for all of the work she has done as City Commissioner.

COMMISSIONER COMMENTS

Mayor Wunder opened the meeting for Commissioner comments.

Commissioner Blanken stated that she enjoyed her time as City Commissioner.

Commissioner Heldstab stated that he had enjoyed serving with Commissioner Blanken on the Commissioner. He also thanked the election worker for their hard work.

Commissioner Talley extended congratulations to Commissioner Blanken for her work as City Commissioner. He stated that she brought a different perspective to the Commission.

Commissioner Taylor stated that Commissioner Blanken is a valued member of the community and will continue to work for the citizens of Junction City.

Mayor Wunder stated that he had enjoyed the six years that he had served with Commissioner Blanken.

STAFF COMMENTS

Mayor Wunder opened the meeting for staff comments

City Manager Barnes stated that there will be a special meeting of the Junction City Commission on Friday, April 8, 2005, 7:30 am for an executive session to discuss confidential data relating to financial affairs or trade secrets of corporations, partnerships, trusts and individual proprietorships.

HE also stated that the Bartell Hotel project has the approval of the National Park Services and that the building permits can be issued and the project can begin.

EXECUTIVE SESSION

Commissioner Heldstab moved, seconded by Commissioner Talley to adjourn into executive session at 7:50 p.m. to reconvene into regular session at 8:10 pm to discuss confidential data relating to financial affairs or trade secrets of corporations, partnerships, trusts and individual proprietorships. **Ayes: Blanken, Heldstab, Talley, Taylor, and Wunder. Nays: None. Motion carried**.

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

Commissioner Talley moved, seconded by Commissioner Heldstab to adjourn into executive session at 8:20 p.m. to reconvene into regular session at 8:30 p.m. to discuss confidential data relating to financial affairs or trade secrets of corporations, partnerships, trusts and individual proprietorships. **Ayes: Blanken, Heldstab, Talley, and Taylor. Wunder. Nays: None. Motion carried.**
Included in the executive session were: City Attorney, City Manager, EDC Director Larry Cope, and David Christie.
Commissioner Talley moved, seconded by Commissioner Heldstab to reconvene into regular session at 8:30 p.m. having made no decisions nor taken any action while in executive session. **Ayes: Blanken, Heldstab, Talley, Taylor, and Wunder. Nays: None. Motion carried.**

EXECUTIVE SESSION

Commissioner Wunder moved, seconded by Commissioner Talley to adjourn into executive session at 8:30 p.m. to reconvene into regular session at 8:35 p.m. to discuss real estate acquisition. **Ayes: Blanken, Heldstab, Talley, and Taylor. Wunder. Nays: None. Motion carried.**
Included in the executive session were: City Manager, City Attorney, and EDC Director Larry Cope.
Commissioner Heldstab moved, seconded by Commissioner Blanken to reconvene into regular session at 8:35 p.m. having made no decisions nor taken any action while in executive session. **Ayes: Blanken, Heldstab, Talley, Taylor, and Wunder. Nays: None. Motion carried.**

ADJOURNMENT

Commissioner Blanken moved, seconded by Commissioner Taylor to adjourn at 8:35 p.m. **Ayes: Heldstab, Talley, Taylor, Wunder. Nays: None. Absent: Blanken Motion carried.**

APPROVED AND ACCEPTED THIS 19th DAY OF April 2005 AS THE OFFICIAL COPY CITY OF THE JUNCTION CITY, CITY COMMISSION MINUTES FOR APRIL 5, 2005.

Colleen Woodruff

Colleen Woodruff, City Clerk

Mick Wunder

Mick Wunder, Mayor