CITY COMMISSION MINUTES

July 5, 2005 7:00 PM.

The regular meeting of the Junction City Commission was held on Tuesday, July 5, 2005 with Vice Mayor Heldstab presiding.

The following members of the Commission were present: Terry Heldstab, Ken Talley, Mike Rhodes, and Mick Wunder. Absent: Jack Taylor Staff present were: City Manager Rod Barnes, City Attorney Charles Zimmerman, and City Clerk Colleen Woodruff.

PLEDGE OF ALLEGIANCE

CONSENT AGENDA

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

a. Approval of Commission Minutes of June 21, 2005.

b. The consideration of **Ordinance No. S-2760** relating to certain unplatted land outside the corporate limits of the City of Junction City, Kansas approving and accepting the final plat, the public dedications, streets, building limit lines and utility easements shown thereon as Spring Valley Addition Unit No. 1 to the City of Junction City and Geary County. (Final Reading)

c. The consideration of **Ordinance S-2764** for the rezoning to Multiple-family Residential (RM) District for property generally located at 1740 North Jefferson Street. (Final Reading)

d. The consideration of setting a bid date of July 15, 2005 for the utilities and surfacing for Water Line Extension and Street Construction on Wildcat Lane.

e. The consideration of award of contract with Kaw Valley Engineering for construction inspection services in the amount of $31,685.00.

f. The consideration of an easement agreement between the City of Junction City and Rural Water District No. 4.

g. The approval of a Utility Easement Vacation at the Wheatland Hills Subdivision Unit No. 3 Lot 6, block 2.

h. The consideration of a payment request to Burns & McDonald for the Southwest Waste Treatment Plant Improvement Project in the amount of $341.50.

i. The consideration for a payment to Mid-Continental Restoration Company for the Junction City Opera House Stabilization Project Invoice No 4 in the amount of $36,115.11.

j. The consideration for a payment to Mid-Continental Restoration Company for the Junction City Opera House Stabilization Project Invoice No. 5 final payment in the amount of $12,309.50.

k. The consideration for the Appropriations Ordinances A-24 dated June 24 2005 in the amount of $277,370.38, A-25 dated 30, 2005 in the amount of $118,374.57 and Payroll Ordinance P-13 dated 24, 2005 in the amount of $186,809.31.

l. The consideration of an engineering agreement between the City of Junction City and BG Consultant the 2006 System Enhancement Project on N. Jackson Drainage Ditch in the amount of $194,766.00.

m. The consideration for **R-2138** adding streetlights in the Wheatland Hills Addition #4.

n. The consideration of authorizing the sell of the following City properties as part of the Self Help Housing and authorize the Mayor to sign the deeds.

   a. **Resolution R-2131** to Bernadean Kidd.
   b. **Resolution R-2132** to Tori L. Lett.
   c. **Resolution R-2133** to Jarrell & Robin Baldwin.

d. **Resolution R-2134** to Charmaine J Jackson.
e. **Resolution R-2135** to Sandra L Riead.
f. **Resolution R-2136** to Willie T. & Mary E Snipes.

o. The consideration of **S-2766** for the rezoning of 2323 N Jackson from Light Industrial (IL) to General Commercial (CG), (First Reading)

p. The consideration of **S-2767** for the Hargreaves Hilltop #1 Addition Final Plat, Annexation and Rezoning from Rural Residential (RR) to District Duplex Residential (RD) (First reading)

q. The consideration of **S-2768** for the approval and accepting of the final replat of I-70 Industrial Park West Addition. (First Reading)

r. The consideration of the donation of City owned vacant lots at 511 W 12th Street, 515 W 12th Street, and 740 W 11th Street to the Habitat for Humanity of Junction City/Geary County; Inc.

s. The consideration of setting a bid date of July 15, 2005 for off-site ditch improvements on the GSC Food Distribution Center project.

APPOINTMENTS

Commissioner Talley moved, seconded by Commissioner Wunder to reappoint Abad Ruiz to the Human Relations Commission for an addition three (3) year term.

Ayes: Heldstab, Rhodes, Talley, Wunder. Nays: None. Absent: Taylor. Motion carried.

Commissioner Wunder moved, seconded by Commissioner Talley to appoint Stanley Pearson, Richard Rothfuss, Randy Heldstab, Brett Deam and Leon Osbourn to the General Contractor Board.

Ayes: Heldstab, Rhodes, Talley, Wunder. Nays: None. Absent: Taylor. Motion carried.

Commissioner Wunder moved, seconded by Commissioner Talley to appoint Bob Small, Glenn Schmutz and Josef Marshall to the Plumbing

Board. **Ayes: Heldstab, Rhodes, Talley, Wunder. Nays: None. Absent: Taylor. Motion carried.**

Commissioner Talley moved, seconded by Commissioner Rhodes to appoint Dean Luthi, Darrell McCaleb and Steve Matthews to the Electrical Board.
Ayes: Heldstab, Rhodes, Talley, Wunder. Nays: None. Absent: Taylor. Motion carried.

PUBLIC HEARINGS

Vice Mayor Heldstab opened a public hearing to consider the issuing of Taxable Multifamily Residential Rental Revenue Bonds, Series 2005-2 in the amount of $20,000,000.00 for Hunter's Ridge LLC.
City Manager Barnes stated that this hearing was the second phase of the Hunter's Ridge project. There will be no financial obligation to the city.

Vice Mayor Heldstab closed the Public Hearing.

RESOLUTION 2137

Resolution 2137 determining the advisability of issuing the city's taxable multifamily residential revenue bonds for the purpose of financing the acquisition, construction and equipping of additional multifamily residential facilities to be located in the city. (Hunter's Ridge).
Commissioner Wunder moved, seconded by Commissioner Rhodes to approve Resolution 2137 as presented.
Ayes: Heldstab, Rhodes, Talley, Wunder. Nays: None. Absent: Taylor. Motion carried.

YOUTH COMMISSION COMMENTS

Angel Romero stated that the car light parade for Sundown Salute was a success. The Youth Commission is working on the New Years Eve Youth Gala and a resource directory for the youth of the community.

UNFINISHED BUSINESS

City Staff recommended that the property located at 523 W. 14th, owned by Levi Nelson be removed from the condemnation list. A final inspection revealed that Mr. Nelson had completed all of the repairs that were required by the city.

Commissioner Rhodes moved, seconded by Commissioner Talley to approve removing property at 523 W 14th be removed from the city's condemnation list.
Ayes: Heldstab, Rhodes, Talley, Wunder. Nays: None. Absent: Taylor. Motion carried.

NEW BUSINESS:

AWARD OF BID-RAILROAD SPUR

City Manager Rod Barnes stated that one bid had been received for raising the spur tract. The bid was $33,633.00 above the engineers estimate. Staff recommended that the project be awarded to Ronnie Deihl Construction at a cost of $114,745.00. Leon Osborne, Kaw Valley Engineering stated that it was difficult to find a contractor that could do this specialized type of project.

Commissioner Wunder moved, seconded by Commissioner Wunder to approve the bid to Ronnie Diehl Construction at a not to exceed cost of $114,745.00.
Ayes: Heldstab, Rhodes, Wunder. Nays: Talley. Absent: Taylor. Motion carried.

AWARD OF BID-SPRING VALLEY INTERCEPTOR SEWER

City Manager Barnes stated tat two bids had been received for the Spring Valley Addition Interceptor Serer project. They were: Midland Contracting, Nebraska at a cost of 439,462.70 and Middle Creek Contracting, Lincoln, KS at a cost of 678,392.00. The engineer's estimate for the project was 447,147.75.
Commissioner Rhodes moved, seconded by Commissioner Wunder to approve the award of bid as presented.
Ayes: Heldstab, Rhodes, Talley, Wunder. Nays: None. Absent: Taylor. Motion carried.

ORDINANCE G-983

Ordinance G-986 amending changes to the text of zoning regulations in the parking and accessory use sections was presented on first reading,

ORDINANCE NO. G-983

AN ORDINANCE AMENDING CHAPTER 400, ARTICLE I., SECTION 400.030: DEFINITIONS, CHAPTER 410, ARTICLE 1, SECTION 410.030: PERMITTED ACCESSORY USES B., CHAPTER 420, ARTICLE 1, SECTION 420.020: GENERAL PROVISIONS E., OF THE JUNCTION CITY, KANSAS ZONING REGULATIONS.

City Attorney stated that this ordinance would delete the maximum parking space requirement, alter the storage structure accessory use requirement. This will correct a defect in the existing ordinance without having a detrimental impact on development in the city.

Commissioner Rhodes moved, seconded by Commissioner Talley to approve Ordinance G-983 on first reading.

Ayes: Heldstab, Rhodes, Talley, Wunder. Nays: None. Absent: Taylor. Motion carried.

RESOLUTION 2129

PURCHASE AGREEMENT WITH KONZA CONSTRUCTION AT 2307 NORTH JACKSON STREET.

City Manager Barnes stated that the city wanted to purchase the property located at 2307 North Jackson Street to consolidate the parks department, the traffic department and facilities maintenance department. The building also would help alleviate a storage problem at the police department warehouse. The cost of the building is $325,000.00 and the financing would be either a lease purchase or a contract sale with the owner of the property.

Commissioner Talley moved, seconded by Commissioner Wunder to approve the purchase of the property as requested.

Ayes: Heldstab, Rhodes, Talley, Wunder. Nays: None Absent: Taylor. Motion carried.

PURCHASE A VACANT LOT-000 BLOCK E 15TH

City Manager Barnes stated that Gary Junghans had expressed an interest in purchasing the property owned by the City in the 200 Block E. 11th for the price of $1500.00. Hildegarde La Fountain donated the property to the City. Mr. Junghans will build residential housing.

Commissioner Wunder moved, seconded by Commissioner Rhodes to approve the sale of property as requested.

Ayes: Heldstab, Rhodes, Talley, Wunder. Nays: None. Absent: Taylor. Motion carried.

EXECUTIVE SESSION

Commissioner Talley moved, seconded by Commissioner Rhodes to adjourn into executive session at 7:30 p.m. to reconvene at 8:00 p.m. to discuss confidential data relating to financial affairs or trade secrets of corporations, partnerships, trusts and individual proprietorships. Included in the executive session were the City Manager, City Attorney Margo Conley, and Bond Counsel.

Commissioner Rhodes moved, seconded by neither Commissioner Wunder to reconvene into regular session at 8:05 p.m. having taken nor action nor made any decisions while in executive session.

Ayes: Heldstab, Rhodes, Talley, Wunder. Nays: None. Absent: Taylor. Motion carried.

MEMORANDUM OF UNDERSTANDING

City Manager Barnes stated that this memorandum of understanding was to negotiate with the developer of The Bluffs, a housing development. The memorandum is just a draft stating that the city is willing to negotiate with the developer.

Commissioner Wunder moved, seconded by Commissioner Rhodes to approve the memorandum of understanding as presented. **Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Absent: Taylor. Motion carried.**

GENERAL DISCUSSION

Vice- Mayor Heldstab opened the meeting for general discussion.

Scott Sanders thanked everyone that participated in the Sundown Salute celebration. He thanked his staff for all of the work they did.

COMMISSIONER COMMENTS

Vice Mayor Heldstab opened the meeting for Commissioner Comments.

Commissioner Rhodes thanked everyone that had a part in the Sundown Salute festivities.

Commissioner Wunder gave KUDOS to Rod Barnes and Bob Story, Co-Chairs for the Sundown Salute Committee.

Commissioner Talley stated that he had heard great comments from the public about the Sundown Salute.

Vice Mayor Heldstab commended all of the staff and volunteers for the Sundown Salute efforts.

STAFF COMMENTS

Vice Mayor Heldstab , opened the meeting for staff comments

City Manager Barnes stated the next City Commission meeting would be held on Monday, July 18, 2005. He also thanked everyone that helps with the Sundown Salute.

ADJOURNMENT

Commissioner Wunder seconded by Commissioner Rhodes to adjourn at 8:20 p.m.

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

APPROVED AND ACCEPTED THIS 18TH DAY OF July 2005 AS THE OFFICIAL COPY OF THE JUNCTION CITY COMMISSION MINUTES FOR JULY 5, 2005.

Colleen Woodruff

Colleen Woodruff, City Clerk

Terry Heldstab, Vice Mayor