

## CITY COMMISSION MINUTES

7:00 p.m.

July 18, 2005

The regular meeting of the Junction City, City Commission was held on Monday, July 18, 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 was: City Manager Rod Barnes, City Attorney Charles Zimmerman, and City Clerk Colleen Woodruff.

### **PLEDGE OF ALLEGIANCE**

### **CONSENT AGENDA**

Commissioner Talley moved, seconded by Commissioner Wunder 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 July 5, 2005 City Commission Meeting.
- b. Monthly reports:
  - 1) Engineering/Project Status Report
  - 2) Fire
  - 3) EMS Department
  - 4) Inspection Department
  - 5) Personnel/EEO
  - 6) Police Department
  - 7) Water Administration
  - 8) Veolia Water
    - Wastewater Treatment Facilities
    - Water Treatment Plant
    - Public work
  - 9) Parks & Recreation
  - 10) Parks & Recreation & Forestry Report
  - 11) Rolling Meadows Golf Course
  - 12) Rolling Meadows Golf Course Maintenance Section Activity Report
  - 13) Self Help Housing

- c. The consideration of **S-2766** for the rezoning of 2323 N Jackson from Light Industrial (IL) to General Commercial (CG), (Final Reading)
- d. 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) (Final Reading).
- e. The consideration of approval of the certification of the 2005 Special Assessments for mowing, blights and demolitions to Geary County in the amount of \$ 27,302.32.
- f. The consideration of **R-2139** for an application on Certifying Legal Authority to apply for the Kansas Small Cities Community Development Block Grant Program (KANSTEP) to improve the Round-about Recreation Complex.
- g. The consideration of **R-2140** to assure the Kansas Department of Commerce that fund will be continually available from F.O.R.C.E. for the operation and maintenance of improvements at the Round-about Recreation Complex Block Grant Funds.
- h. The consideration of **R-2144** establishing a Residential Anti-Displacement and Relocation Assistance Plan of the Housing and Community Development Act of 1974 as amended under section 104(d).
- i. The consideration of the following Appropriations Ordinances: A-26 dated July 8, 2005 in the amount of \$ 152,095.70, A-27 dated July 14, 2005 in the amount of \$ 1,810,599.65 and Payroll Ordinance P-14 dated July 8th, 2005 in the amount of \$174,920.49.
- j. The consideration of **R-2142** authorizing streetlights in the Wheatland Hills Addition #4.
- k. The consideration for **R-2143** to authorize the mayor to sign a Mayor's Deed selling property to Terry Kidd Construction (Buffalo Soldier Addition)
- l. The consideration of an agreement for the construction observation for the Sanitary, Sewer & Water Line improvements on the Spring Valley Road Utility addition with Kaw Valley in the amount \$39,173.94.

- m. The consideration of a payment request to Kaw Valley for the Wheatland Hills Subdivision Unit #4 in the amount of \$3,930.80.
- n. The consideration of a payment request #9 to Kaw Valley for the Hunter's Ridge Addition On-Site Improvement Project in the amount of \$2,782.50.
- o. The consideration of the payment request to Burns & McDonnell for the Southwest Wastewater Treatment Plant Improvement Project in the amount of \$10,022.05.

#### **APPOINTMENTS**

Vice Mayor Heldstab stated that Wade Knight from the Human Relations Commission would like to request that Mrs. Desiree Andrews, a former Commission Member/Chairperson be re-appointed to the Human Relation Board for a (3) three-year term.

Commissioner Rhodes moved, seconded by Commissioner Talley to approve the appointment to the Human Relations Commission as requested. Ayes: Heldstab, Rhodes, Talley, Wunder. Nays: None. Absent: Taylor. Motion carried.

#### **SPECIAL PRESENTATIONS:**

Police Chief Bob Story presented a Letter of Accommodation to Police Officer John Berrios and a local citizen, Mrs. Cobb for outstanding service during the June 4, 2005 flood. Mr. Berrios rescued a mother and two children from a stranded car and Mrs. Cobb gave them refuge in her home until the rain subsided.

Rick Dykstra presented footage on the Sundown Salute Event.

Vice Mayor Heldstab presented Fire Chief Mike Ryan a certificate from the Kansas Board of Emergency Medical Services for an outstanding service inspection on June 22, 2005.

**UNFINISHED BUSINESS:**

**AWARD OF BID FOR GSC DITCH IMPROVEMENTS**

City Manager Barnes stated that Bixt Construction was the low bidder for the GSC ditch improvements. The bid was 66,306.00 and was under the engineers estimate. The bid tabulation was not included in the Commissioners information.

Commissioner Wunder moved, seconded by Commissioner Talley to table any action on this item until the bid tabulation and all documentation could be provided to the Commission. Ayes: Heldstab, Rhodes, Talley, Wunder. Nays: None. Absent: Taylor. Motion carried.

**AWARD OF BID-WILDCAT LANE SURFACING & WATER MAIN IMPROVEMENTS**

City Manager Barnes stated that the low bid was from J & K Contracting at a cost of \$80,487.14. The bid was \$13,000. More than the engineer's estimate, but Kaw Valley stated that they didn't have some of the figures in their estimate and therefore recommended that the bid be awarded as submitted.

Commissioner Rhodes moved, seconded by Commissioner Talley to approve the bid as recommended. Ayes: Heldstab, Rhodes, Talley. Nays: Wunder. Absent: Taylor. Motion carried.

**NEW BUSINESS:**

**NEIGHBORHOOD REVITALIZATION APPLICATIONS**

Margo Conley, Interim Economic Development Director stated that a Neighborhood Revitalization Application was received from Jayaben Gandhi and Shree Bappa for the construction of a 44-unit hotel on East Chestnut Street. The investment amount for the project will be \$1,820,000.00. The EDC Board approved on July 14, 2005. The project meets all of the requirements for the Neighborhood Revitalization Program.

Commissioner Rhodes moved, seconded by Commissioner Talley to approve the neighborhood revitalization application as presented. Ayes: Heldstab, Rhodes, Talley. Nays: Wunder. Absent: Taylor. Motion carried.

Margo Conley, Interim Economic Development Director stated that a Neighborhood Revitalization Application was received from Chris Steven, BGS Companies to construct three (3) twelve unit apartments on Country Club Lane. The investment amount for the project will be \$2,100,000.00. The EDC Board approved on July 14, 2005. The project meets all of the requirements for the Neighborhood Revitalization Program.

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

Margo Conley, Interim Economic Development Director stated that a Neighborhood Revitalization Application was received from Randy Tholstrup to construct a paint ball store and course at 1805 N. Monroe. The investment amount for the project will be \$53,414.00. The EDC Board approved on July 14,, 2005. The project meets all of the requirements for the Neighborhood Revitalization Program.

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

Margo Conley, Interim Economic Development Director stated that Neighborhood Revitalization Applications were received from Scott Grubbs for rehabilitation of two properties. The EDC Board approved on July 14, 2005. The project meets all of the requirements for the Neighborhood Revitalization Program.

404 W 12th Street, Investment cost \$12,400.00

626 & 628 W 8th Street, Investment cost \$6,300.00

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

**EXECUTIVE SESSION:**

Commissioner Talley moved seconded by Commissioner Wunder to adjourn into executive session at 7:35 p.m. to reconvene at 7:55 p.m. to discuss confidential data relating to financial affairs or trade secrets of corporations, partnerships, trusts and individual proprietorships. Ayes: Heldstab, Rhodes, Talley, Wunder. Nays: None. Absent: Taylor. Motion carried. Includes in the executives session were: City Manager,

City Attorney, Interim Economic Development Director, Russell Johnson, Beth Mathis and Steve Struebinger, Commissioner Rhodes moved, seconded by Commissioner Wunder to reconvene into regular session at 7:55 p.m. having taking no action nor made any decisions while in executive session. Ayes: Heldstab, Rhodes, Talley, Wunder. Nays: None. Absent: Taylor. Motion carried.

#### **CONSIDERATION-DEVELOPMENT AGREEMENT-MATLOCK JOHNSON DEVELOPMENTS FOR RIVERWALK LANDING**

City Manager Barnes stated that the city wanted to negotiate a development agreement with Matlock Johnson Developers for construction of Riverwalks Landing. Mr. Johnson stated that Briggs Auto, Manhattan would relocate to that area, Bottgers Marine, Manhattan would relocate there and Rothwell Landscaping would locate there.

Russ Briggs stated that he was looking forward to being in Junction City.

The owner of Bottgers Marine stated that he was excited to be locating in Junction City.

Commissioner Wunder moved, seconded by Commissioner Rhodes to authorize city staff to negotiate a development agreement with Matlock Johnson Developers. Ayes: Heldstab, Rhodes, Talley, Wunder. Nays: None. Absent: Taylor. Motion carried.

#### **CONSIDERATION OF A CONSTRUCTION EASEMENT**

City Manager Barnes requested approval of a construction easement with Matlock Johnson Developers for temporary easement rights to include access and use of adjoining land for staging and for the borrow and removal of soil until December 31, 2005.

Commissioner Wunder moved, seconded by Commissioner Rhodes to approve the temporary easement as requested. Ayes: Heldstab, Rhodes, Talley, Wunder. Nays: None. Absent: Taylor. Motion carried.

## **CONSIDERATION OF A PETITION FOR SPRING VALLEY ADDITION UNIT #1**

City Manager Barnes stated that Richard Rothfuss, Managing Partner of Spring Valley LLC for street, sewer and water improvements to Spring Valley Addition Unit #1, submitted a petition. The development will be in phases. Phase one will have 75 lots; phase 2 will have 130 lots. The City – at-large will be responsible for 20% of the cost of the improvements.

Commissioner Rhodes moved, seconded by Commissioner Wunder to approve the petition 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.

Russell Johnson, Matlock-Johnson Developers stated that the Riverwalks Landing project could not have happened without the support of Rod Barnes, City Manager and Leon Osborn, Kaw Valley Engineering.

## **COMMISSIONER COMMENTS**

Vice Mayor Heldstab opened the meeting for Commissioner Comments.

Commissioner Rhodes stated that he was pleased that new businesses are taking an interest in locating in Junction City.

Commissioner Wunder stated that he was against vendors selling on the corners in the city. He stated that they were not issuing receipts, not using a cash register. He stated that he felt several city departments weren't doing their part in enforcing the existing ordinance.

City Manager Barnes stated that the Attorney General's office would review the existing ordinance and any future ordinances. He stated that the Kansas Department of Revenue is aware of the situation also.

Commissioner Wunder stated that he was opposed to allowing metal buildings to be constructed in the city.

Commissioner Talley stated that great things are happening in Junction City and we all need to help opportunities keep moving.

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Vice Mayor Heldstab congratulated Police Officer Berrios and Mrs. Cobb on their help in a crisis situation.

He also congratulated Fire Chief Ryan on receiving an award for an inspection. He also welcomed the new business to Junction City.

#### **STAFF COMMENTS**

Vice Mayor Heldstab opened the meeting for staff comments

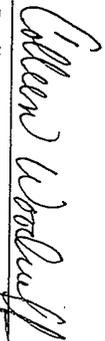
City Manager Barnes stated that the Joint City/County meeting would be held on Monday, July 25, 2005 at 4:00 p.m.

He also asked that a work session be set to finalize the 2006 budget. The work session will be held on July 25, 2005 at 5:00 p.m.

#### **ADJOURNMENT**

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

**APPROVED AND ACCEPTED THIS 2<sup>nd</sup> DAY OF August 2005 AS THE OFFICIAL COPY OF THE JUNCTION CITY COMMISSION MINUTES FOR JULY 18, 2005.**

  
Colleen Woodruff, City Clerk

  
Jack Taylor, Mayor