

CITY COMMISSION MINUTES

August 2, 2005

7:00 PM.

The regular meeting of the Junction City City Commission was held on Tuesday, August 2, 2005 with Mayor Taylor presiding.

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

PLEDGE OF ALLEGIANCE

CONSENT AGENDA

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

- a. Approval of Commission Minutes of July 18, 2005 City Commission Meeting.
- b. The consideration of **Resolution 2145** authorizing the mayor to sign a Mayor's deed selling property to Silver Star No. X Inc. for residential development. (235 E. 11th)
- c. The consideration on a Noise Waiver at Play ground Park, 5th and Eisenhower. The 1st South Baptist Church is hosting a Back to School Rally for their youth. This event will be hosted on August 20, 2005 from 5:00 to 11:00
- d. The consideration of setting a bid date of August 16, 2005 to receive bids for an irrigation system at the Cleary Park softball fields.
- e. The consideration of **ordinance G-983** amending the Zoning Regulations in the Parking and Accessory Use sections (Final Reading)
- f. The consideration of award of bid to the low bidder L. Blixt Construction in the amount of \$66,306.00 to do the Ditch Improvements to Serve GSC Distribution Site.

- g. The consideration to set a bid date of August 11, 2005 for the Spring Valley Addition Unit No 1 Street, water and sewer improvements.
- h. The consideration of a Temporary Construction Easement from Kaw Valley, for the construction of a private drive into Sherwood Village.
- i. The consideration of **ordinance S-2769** rezoning from Service Commercial Restricted (CSR) to Light Industrial (IL) property located at 1120 S. Madison. *(First Reading)*
- j. The consideration of **ordinance S-2770** approving the final plat for Peterson Addition. *(First Reading)*
- k. Approval of Ordinance Payroll Ordinance P-15 July 22, 2005 dated for the amount of \$187,634.64 and Appropriation Ordinance A-28 for July 29, 2005 in the amount of \$65,539.12.
- l. The consideration of a payment request # 1 (Final payment) to Kaw Valley for the West Triangle Project in the amount of \$42,662.80
- m. The consideration to accept the proposal for the Water Master Plan Update Project from Burns and McDonnell this service will be completed approximately six months.
- n. The consideration of payment request#1 to Kaw Valley for the Wheatland Hills Subdivision #4 Project in the amount of \$117,410.85.
- o. The consideration of payment request #1 to Kaw Valley for the Buffalo Soldier Addition Project in the amount of \$53,716.05.
- p. The consideration of accepting an executed Grant of Utility Easement from Kaw Valley on Lot 4, Block 4, Replat of Riley Manor.
- q. The consideration of **Resolution 2147** requesting the Geary County Commission to make certain findings regarding annexation of land not adjoining the City of Junction City. *(Faith Tabernacle Church)*
- r. The consideration of **Ordinance S-2721** increasing tax revenue for the budget year 2006 *(first reading)*
- s. The consideration of accepting a petition for Hargreaves Hilltop Addition Unit #1 to Junction City, KS for including street, sanitary sewer and water improvements in the City.

APPOINTMENTS

Mayor Taylor requested that the resignation of Daisy McTavish from the Public Housing Authority Board be accepted and to appoint Commissioner Wunder to fill her position.

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

PUBLIC HEARINGS- RESOLUTION 2148 AUTHORIZING STAFF TO EXECUTE NECESSARY DOCUMENTS

Mayor Taylor opened a public hearing to confirm that the city has filed an application with the US Department of Agriculture, Rural Development for financial assistance to develop a parking lot for retail, restaurants, Bartell Hotel and the Opera House. City Manager Barnes stated that the parking lot will have approximately 30 parking spaces and they lot will be designed as to fit with the façade of the Bartell Hotel. Mayor Taylor closed the Public Hearing.

Commissioner Wunder moved, seconded by Commissioner Heldstab to approve Resolution 2148 as presented. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

UNFINISHED BUSINESS

Fire Chief Ryan stated that all of the repairs on property located at 905 N. Perry, owned by John Grant had not been completed. Chief Ryan states that the electrical service still needs to be completed. Commissioner Wunder stated that Mr. Grant had already been granted one year to complete the work. Mark Edwards, Attorney for Mr. Grant stated that Mr. Grant had some health problems that were preventing him from completing the work as soon as he had hope. Mr. Edwards stated that he was also working on the property at 228 E. 5th Street. The only repairs left on that property was the roof. Mr. Grant stated that he had a contractor lined up to do the roof and an electrician ready to start on the electric work at 905 N. Perry. Mr. Edwards stated they were asking for a 60-day extension to complete the repairs.

Commissioner Talley moved, seconded by Commissioner Heldstab to grant a thirty (30) day extension to allow Mr. Grant to complete the repairs at 905 N. Perry. Ayes: Heldstab, Rhodes, Talley, Taylor. Nays: Wunder. Motion carried.

Commissioner Talley moved, seconded by Commissioner Heldstab to grant a thirty (30) day extension to complete the repairs at the property located at 228 E 5th owned by John Grant. Ayes: Heldstab, Rhodes, Talley, Taylor. Nays: Wunder. Motion carried.

City Staff recommended that the property located at 129 E 1st owned by Jeff and Kathy York be removed from the condemnation list. A final inspection revealed that Mr. and Mrs. York had completed all of the repairs that were required by the city.

Commissioner Heldstab moved, seconded by Commissioner Talley to approve removing property at 129 E. 1st Perry is removed from the city's condemnation list. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

NEW BUSINESS:

ORDINANCE G-980 –PUBLIC NUISANCES-FIRST READING

Ordinance G-980 changing the ordinance dealing with public nuisances was presented for consideration on first reading.

G-980

AN ORDINANCE AMENDING ARTICLE I OF CHAPTER 235 NUISANCES BY ADOPTING A NEW ARTICLE I AND REPEALING THE EXISTING ARTICLE I.

The main changes to this ordinance are:

Vehicles with non-highway tags cannot remain on private property. Inside furniture used as outside furniture is prohibited. Lists the conditions that are acceptable for fences. Police offices can issue citation for the property owner to appear in court.

Commissioner Rhodes moved, seconded by Commissioner Wunder to approve Ordinance G-980 on first reading. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

**ORDINANCE G-981 AMENDING ANNUAL WEED ORDINANCE –FIRST
READING**

Ordinance G-981 amending the annual weed ordinance was presented on first reading.

G - 981

**AN ORDINANCE AMENDING SECTION 235.120 DEFINITIONS OF
ARTICLE II ANNUAL WEED ORDINANCE OF THE CODE OF THE
CITY OF JUNCTION CITY, KANSAS**

The only change to this ordinance is the height of grass and weeds from 12 inches to 8 inches and addresses the grass that grows over the curbing and paved street right of way.

Commissioner Wunder moved, seconded by Commissioner Rhodes to approve Ordinance G-981 on first reading. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

**ORDINANCE G-982 AMENDING A SECTION OF THE ORDINANCE -NOXIOUS
WEEDS FIRST READING**

Ordinance G-982 amending a section of the existing city ordinance pertaining to noxious weeds was presented on first reading.

G-982

**AN ORDINANCE AMENDING SECTION 235.130 NOXIOUS WEEDS OF
ARTICLE II, CHAPTER 235 OF THE CODE OF THE CITY OF JUNCTION
CITY**

The only change to this ordinance is the height of grass and weeds from 12 inches to 8 inches and addresses the grass that grows over the curbing and paved street right of way.

Commissioner Wunder moved, seconded by Commissioner Rhodes to approve Ordinance G-982 on first reading. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

GENERAL DISCUSSION

Mayor Taylor opened the meeting for general discussion.

There was no general discussion.

COMMISSIONER COMMENTS

Mayor Taylor opened the meeting for Commissioner Comments.

Commissioner Rhodes thanked the staff for the work done on the ordinance changes. He also thanked the Police Department for their efforts for the Night Out against Crime.

Vice Mayor Heldstab congratulated the Police Department on a job well done at the Night Out Against Crime event. He also congratulated the Junction City Business Association on a successful 3rd Annual sidewalk sale. He introduced a Japanese Exchange Student that was staying with his family.

STAFF COMMENTS

Mayor Taylor opened the meeting for staff comments

City Manager Barnes stated that there would be a special meeting concerning the 2006 budget next Tuesday, August 9, 2005 at 7:00 p.m.

EXECUTIVE SESSION

Commissioner Heldstab moved, seconded by Commissioner Rhodes to adjourn into executive session at 8:20 p.m. to reconvene at 8:30 p.m. for discussion relating to the acquisition of real property. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried. Included in the executive session were the City Manager and City Attorney.

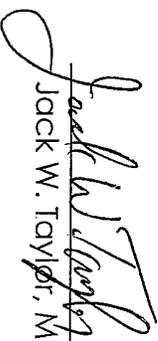
Commissioner Heldstab move, seconded by Commissioner Wunder to reconvene into regular session at 8:30 p.m. having taken no action nor made any decisions while in executive session. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

ADJOURNMENT

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

APPROVED AND ACCEPTED THIS 16th DAY OF AUGUST 2005 AS THE OFFICIAL COPY OF THE JUNCTION CITY CITY COMMISSION MINUTES FOR August 2, 2005.


Colleen Woodruff, City Clerk


Jack W. Taylor, Mayor