

## CITY COMMISSION MINUTES

November 29, 2005

7:00 PM.

The regular meeting of the Junction City City Commission was held on Tuesday, November 15, 2005 with Mayor Taylor presiding.

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

### **PLEDGE OF ALLEGIANCE**

### **CONSENT AGENDA**

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

- a. Approval of Commission Minutes of November 15, 2005 City Commission Meeting.
- b. The consideration of award of bid for rescue equipment to Weis Fire and Safety Equipment Company in the amount of \$50,151.00. The FEMA Grant will pay 90% and the City will match with 10% of the funds.
- c. The consideration of Ordinance S-2778 relating to un-platted land within the corporate limits of the City of Junction City, Kansas. The property owner, The Bluffs, L.L.C has requested final plat approval for property located in the northeast corner of the intersection of US 77 Highway and Golden Belt Blvd. (First Reading).
- d. The consideration of Ordinance S-2781 relating to certain un-platted land outside the corporate limits of the City of Junction City, Kansas. The property owner has requested annexation, rezoning and Final Plat Approval for property generally located in the southwest corner of the intersection of US 77 Highway and Old Highway 40. (First Reading).

- e. The consideration of Ordinance S-2783 relating to property located at 1738 North Jackson Street. The property owner, W&A Enterprises, Inc. has requested rezoning. The Metropolitan Planning Commission approved this on November 10. (First Reading).
- f. The consideration of Ordinance S-2784 relating to property generally located at 2618 Central Drive. The property owner, Country Hills Energy, has requested rezoning. The Metropolitan Planning Commission approved this on November 10. (First Reading).
- g. The approval of Payroll Ordinance P-24 dated November 22, 2005 in the amount of \$178,836.35.
- h. The consideration of payment to Union Pacific Railroad in the amount of \$42,999.32 for the Ash Street Extension.
- i. The consideration of Pay Request #4, submitted by Burns & McDonnell in the amount of \$29,925.66 for the Southwest Wastewater Treatment Plant for Resident services.
- j. The consideration of Pay Request #1, submitted by B&G Consultants in the amount of \$19,206.00 for North Jackson Drainage Ditch.
- k. The consideration of Pay Request #2, submitted by J&K Contracting, Inc., in the amount of \$60,540.17 for street, sewer and water improvements at the Peterson Addition.
- l. The consideration of Pay Request #6, submitted by Burns & McDonnell in the amount of \$11,658.03 for the Southwest Water Treatment Plant for professional services.
- m. The consideration of Pay Request #5, submitted by Walters Morgan in the amount of \$344,695.76 for work to improve the fecal coliform and suspended solids levels at Southwest Water Treatment plant.
- n. The consideration of award of contract to J&K Contracting in the amount of \$328,922.80. J&K Contracting, L.C. was the low bidder and was well below the Engineer's Estimate and below the petition amounts authorized by the owner.
- o. The consideration of award of contract to the low bidder,

Middle Creek Corporation in the amount of \$3,088,528.80 for asphalt surfacing improvements to the East Ash Street Extension.

p. The consideration of Resolution R-2186, an agreement between the City of Junction City, Kansas, a Municipal Corporation, and Spirit of '76, Inc., a not for profit Kansas Corporation guaranteeing the temporary financing for the Wahle Mobile Home Park acquisition.

q. The request for award of bid to the low bidder J&K Contracting, LC in the amount of \$782,338.90 for improvements to Ehlers Hilltop Addition.

### **SPECIAL PRESENTATIONS**

Mr. Frank Lisle stated that he was in the process of purchasing the property located at 304 E. 12<sup>th</sup> Street. He stated that the property was currently in the condemnation phase with the City. He stated that he and the owners were requesting a six (6) month extension so that he could close on the purchase of the property and bring it up to city code. City Attorney Zimmerman stated that an agreement signed by Mr. Lisle should be developed stating that if the repairs are not completed within six months the condemnation will continue.

Commissioner Wunder moved, seconded by Commissioner Heldstab to grant a six month extension for the purchase and rehabilitation of 304 E. 13<sup>th</sup> and have an agreement signed by Mr. Lisle stating that if the repairs are not completed within six months the condemnation will continue. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

### **AWARD OF BID-CONSTRUCTION OF PARKING LOT 118 W 6<sup>th</sup>**

Brett Deam, Deam and Deam Architects asked for approval of the award of bid for the demolition and construction of the parking lot at 118 W. 6<sup>th</sup> to Accel Construction at a cost of \$116,000.00. Commissioner Wunder asked what the time line was for the completion of the project. Mr. Dean stated that it would take approximately 120 days from the signing of the contract, weather permitting. Commissioner Rhodes moved, seconded by Commissioner Wunder to approve the award of bid as requested. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

### **ORDINANCE G-991-CERTIFIED SERVICE DOGS**

Ordinance G-991 was presented on first reading.

**G- 991**

**AN ORDINANCE PERMITTING THE OWNERSHIP, CUSTODY,  
AND HARBORING WITHIN THE CITY LIMITS OF PIT BULL  
DOGS CERTIFIED AS SERVICE DOGS.**

City Attorney Zimmerman stated that section I was added to the existing ordinance. The addition states that it shall be an exception to the prohibition on the ownership, custody or harboring of pit bulls for a disabled person to own, have custody or harbor a pit bull that is certified as a service dog as that term is defined in K.S.A. 39-1108.

Mr. Zimmerman stated that the Police Department will verify the certification of the pit bulls when the owner registers the dog.

Commissioner Rhodes moved, seconded by Commissioner Heldstab to approve Ordinance G-991 on first reading. Ayes: Heldstab, Rhodes, Taylor, Wunder. Nays: Talley. Motion carried.

**ORDINANCE G-990-JUNK YARD (SALVAGE ) REQUIREMENTS**

Ordinance G-990 was presented on first reading.

**G- 990**

**AN ORDINANCE AMENDING CHAPTER 625 JUNK YARDS OF  
THE CODE OF THE CITY OF JUNCTION CITY, KANSAS TO  
SPECIFY THE REQUIREMENTS FOR LICENSING AND  
INCREASING PENALTIES FOR NON COMPLIANCE**

Dave Hurley stated that the ordinance detailed the requirements that a salvage yard needed to comply with in order to receive a city license and increased the penalties for non-compliance.

Commissioner Wunder moved, seconded by Commissioner Talley to approve Ordinance G-990 on first reading. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

**NEIGHBORHOOD REVITALIZATION APPLICATION 200 GRANT AVENUE**

Margo Conley, Retail Specialist stated that a Neighborhood Revitalization Application had been received by SKAK Enterprise LLC to construct a new commercial shopping area at 200 Grant Avenue. The construction costs are approximately \$1,900,000.00. The project meets the terms and requirements of the neighborhood revitalization plan. Commissioner Wunder asked when the project would be completed. Mr. Kim stated that by August or September 2006. Commissioner Talley moved, seconded by Commissioner Wunder to approve the Neighborhood Revitalization application as presented. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

## **GENERAL DISCUSSION**

Mayor Taylor opened the meeting for general discussion.

Leon Osborne introduced Josh Mckim, Economic Development Director.

## **COMMISSIONER COMMENTS**

Mayor Taylor opened the meeting for Commissioner Comments.

Commissioner Talley thanked the Christmas parade participants. He also welcomed Josh Mckim to the city staff. He stated that Margo Conley will be missed.

Commissioner Rhodes welcomed Josh Mckim to the staff. He congratulated all that were responsible for the parade and the lighting of the park.

Commissioner Wunder welcomed Josh Mckim. He stated that the city was sorry to lose Margo Conley. He also asked that a letter be drafted to KDOT concerning the installation of traffic signalization at Ash and Highway 77. He also stated that he was still concerned with the salvage yard on E. 6<sup>th</sup>.

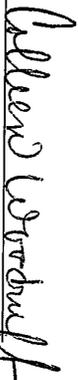
Vice Mayor Heldstab welcomed Josh Mckim. He also extended condolences to the family of Russell Johnson.

Mayor Taylor also offered condolence to the family of Russell Johnson.

**ADJOURNMENT**

Commissioner Wunder seconded by Commissioner Talley to adjourn at 7:30 p.m. Ayes: Heldstab, Talley, Taylor, Wunder. Nays: None. Motion carried.

APPROVED AND ACCEPTED THIS 6th DAY OF DECEMBER 2005 AS THE OFFICIAL COPY OF THE JUNCTION CITY CITY COMMISSION MINUTES FOR NOVEMBER 29, 2005.

  
Colleen Woodruff, City Clerk

  
Jack W. Taylor, Mayor