

CITY COMMISSION MINUTES

March 28, 2006

7:00 PM.

The regular meeting of the Junction City City Commission was held on Tuesday, February 7, 2006 with Vice Mayor Heldstab presiding.

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

PLEDGE OF ALLEGIANCE –Presented by Cub Scouts Pack 62

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. The consent agenda consisted of the following:

- a. Approval of Commission Minutes of March 7th, 2006 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; Parks, Grounds & Facilities Maintenance
 - 8) Veolia Water
 - Wastewater Treatment Facilities
 - Water Treatment Plant
 - Public work
 - 9) Rolling Meadows Golf Course
 - 10) Rolling Meadows Golf Course Maintenance Section Activity Report
 - 11) Self Help Housing
 - 12) Recreation

c. The consideration of Pay Request #1, submitted by LaFarge North America in the amount of \$189,815.71 for site surfacing to serve Spring Valley Road Addition #1.

d. The approval of the Junction City Fire Department's Mutual Aid agreement with the Abilene Fire Department.

e. The consideration of Resolution R-2198 authorizing the City of Junction City, Kansas to purchase property not to exceed \$1500.00 plus closing costs for property located at 425 W 12th Street for the City's Housing Program. The property is owned by James P. and Beatrice L. Meigs.

f. The consideration of Resolution R-2199 authorizing the City of Junction City, Kansas to purchase property not to exceed \$5000.00 plus closing costs for property located at 106 Snell. The property is owned by Audrey A. Sallman and Loretta L. Sallman.

g. The consideration of Pay Request #5, submitted by Sunflower Builders, Inc. in the amount of \$36,617.81 for the Traffic Building remodeling.

h. The consideration of Ordinance S-2806 requesting final plat approval for property located at the Southwest corner of K-18 Highway and Spring Valley Road. This is the Junction City Middle School Addition. (Second Reading).

i. The consideration of Ordinance S-2801 requesting final plat approval for Spring Valley Addition #2. (First Reading).

j. The consideration of Ordinance S-2808 requesting final plat approval for Doc
Hargreaves Hilltop #3 Addition. (First Reading).

k. The consideration of a request by the Lady's Reading Club to add two handicap parking spaces near their building. One on Jefferson Street and one on the side street.

l. The approval of Appropriation Ordinance dated 3-17-2006 in the amount of \$3,696,160.76 and Payroll Ordinance #6 dated 3-17-2006 in the amount of \$187,451.42.

m. The consideration of Resolution R-2211 requesting the Geary County Commission to annex property known as Falcon Meadows, owned by Dave Alexander into the city limits.

- n. The consideration of Resolution R-2212 requesting the Geary County Commission to annex property known as Turkey Hollow, owned by L.B.D. Properties, Inc into the city limits.
- o. The consideration of Resolution R-2213 requesting the Geary County Commission to annex property known as Turkey Ridge, owned by L.B.D. Properties, Inc., into the city limits.
- p. The consideration of Pay Request #10 from Burns & McDonnell in the amount of \$4,851.82 for professional services at the South Wastewater Treatment Plant.
- q. The consideration of Pay Request #8 from Burns & McDonnell in the amount \$30,494.24 for professional services for resident services at South Wastewater Treatment Plant.
- r. The consideration of Pay Request #2 from Burns & McDonnell in the amount of \$4,896.00 for professional services for the O&M Manual South Wastewater Treatment Plant.
- s. The consideration of Pay Request #4 from Burns & McDonnell in the amount of \$1,025.55 for professional services for Sludge Storage Tanks Designs South Wastewater Treatment Plant.
- t. The consideration of Pay Request #8 from Burns & McDonnell in the amount of \$5,913.00 for professional services for the Water Master Plan Update.
- u. The consideration of a request for payment from Bowman, Bowman and Novick in the amount of \$27,588.00 for the Junction City Opera House Renovation for the Schematic Design Phase and Design Development Phase.
- v. The consideration of a request for payment from Bowman, Bowman and Novick in the amount of \$2,254.88 for reimbursable expenses for copies/printing in the amount of \$43.88 and copies/plotter in the amount of \$2,211.00.
- w. The consideration of Pay Request #9 from Walters-Morgan in the amount of \$493,946.10 for the South Wastewater Treatment Plant.
- x. The consideration of Pay Request #4 from BG Consultants in the amount of \$10,476.00 for the enhancement of the North Jackson Drainage Ditch.

- y. The consideration of Pay Request #4 from Boyd Excavating in the amount of \$73,617.21 for services to serve US-77 Industrial Park Addition.
- z. The consideration of Resolution R-2215 authorizing for sale temporary notes series 2006-B in the amount of \$6,513,505.23 for Doc Hargreaves #2, Deer Trail, Hickory Hill Addition, Strauss Boulevard and Tom Neal Industrial Park.
- aa. The consideration of Resolution R-2210 making certain findings and determinations as to the need for housing with the City of Junction City, Kansas.
- bb. The consideration of a construction inspection proposal submitted by Kaw Valley Engineering in the amount \$72,000.00 to provide construction observation for Tom Neal Industrial Park.
- cc. The consideration of a construction inspection proposal submitted by Kaw Valley Engineering in the amount of \$68,000.00 to provide construction observation for the Hickory Hill Addition.
- dd. The consideration of Change Order #4 submitted by J&K Contracting in the amount of \$3,450.00 for changes to the sanitary sewer for Ehlers Hilltop Addition.
- ee. The consideration of Pay Request #5(Final) submitted by J&K Contracting in the amount of \$45,847.74 for street, sewer and water improvements to the Peterson Addition.
- ff. The consideration of Final Pay Request submitted by J&K Contracting in the amount of \$22,056.29 for street, sewer and water improvements to serve Ehlers Addition.
- gg. The consideration of Pay Request #1 submitted by Ebert Construction in the amount of \$67,881.60 for street, sewer and water improvements to serve the Deer Trail Addition.
- hh. The consideration of Final Pay Request submitted by J&K Contracting in the amount of \$93,710.78 for street, sewer and water improvements to serve Doc Hargreaves Hilltop Addition #1.
- ii. The consideration of Resolution R-2214 to install one street light for in the Garfield Gardens Addition.

SPECIAL PRESENTATIONS

Mayor Taylor presented diplomas to Police Officers Shane P. Quigley and Avery T. Carter for graduating from the Kansas Law Enforcement Training Center.

Mayor Taylor proclaimed April 6, 2006 as NATIONAL ARBOR DAY and presented a proclamation to Ray Ibarra.

YOUTH COMMISSION COMMENTS

Angel Romero, Youth Commission stated that the Youth Commission has established goals for the remainder of the year to include: more publicity for the Youth Commission, to become more involved with the elementary and middle school students. He stated that the winner of the \$500 scholarship will be announced in April. He also said that there will be a community wide Easter Egg Hunt in April. They are preparing for the car show and other Sundown Salute activities.

ORDINANCE S-2799

Ordinance Gs-2799 was presented on second and final reading.

ORDINANCE NO. S-2799

AN ORDINANCE RELATING TO CERTAIN UNPLATTED LAND OUTSIDE THE CORPORATE LIMITS OF THE CITY OF JUNCTION CITY, KANSAS: REZONING SAID PROPERTY FROM COUNTY AGRICULTURAL (A) DISTRICT AND COUNTY SERVICE COMMERCIAL (CS) DISTRICT TO CITY MULTIPLE-FAMILY RESIDENTIAL GENERAL (RM) DISTRICT AND TO INCORPORATE SAID PROPERTY INTO THE CITY LIMITS OF THE CITY OF JUNCTION CITY, KANSAS.

Commissioner Rhodes moved, seconded by Commissioner Wunder to approve Ordinance S-2799 on final reading. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

NEIGHBORHOOD REVITALIZATION APPLICATIONS

Josh McKim, Economic Development Director stated that Robert Lettenbauer submitted a Neighborhood Tax Revitalization application to

rehabilitate a home at 413 West 9th Street. Rehabilitation construction costs are approximately \$15,000.00. This project meets the terms and conditions of the Neighborhood Revitalization Plan. The project qualifies for a tax rebate on the property of 95% for years 1-3; 80% for year 4; 70% for year 5; 60% for year 6; 50% for year 7; 40% for year 8; 30% for year 9; and 20% for year 10.

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

Josh McKim, Economic Development Director stated that Waters True Value Hardware has submitted a Neighborhood Revitalization application to build two new buildings at 115 & 121 East 5th Street. Construction costs are approximately \$287,000.00. This project meets the terms and conditions of the Neighborhood Revitalization Plan. The project qualifies for a tax rebate on said property of 95% for years 1 and 2; 85% for years 3 and 4; and 75% for year 5.

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

Josh McKim, Economic Development Director stated that McAlexander Real Estate LLC has submitted a Neighborhood Revitalization application to rehabilitate a building at 710 North Washington Street. Rehabilitation construction costs are approximately \$80,000.00. This project meets the terms and conditions of the Neighborhood Revitalization Plan. This project qualifies for a tax rebate on said property of 95% for years 1 and 2; 85% for years 3 and 4; and 75% for year 5.

CONSIDERATION OF BID APPROVAL.

The consideration of a bid approval for the Round-A-Bout skating rink for termite treatment, submitted by Curt's Pest Control in the amount of \$2,800.00 and bid approval for a wet system, submitted by Jayhawk Fire Sprinkler Co. Inc, in the amount of \$66,995.00 was tabled until the April 4, 2006 City Commission meeting.

90 DAY EXTENSION TO REPAIR PROPERTY AT 622 W. 8th STREET

A ninety (90) day extension was requested by Darin Case to repair property located at 622 W 8th Street. Commissioner Heldstab moved, seconded by Commissioner Talley to approve the extension as requested.

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

APPROVAL OF PETITION, COST ESTIMATE AND BID DATE-SPRING VALLEY ADDITION #2

Leon Osborn, Kaw Valley Engineering requested the approval of the petition and cost estimate in the amount of \$2,184,610.29 for street, sewer and water improvements to serve Spring Valley Addition Unit #2. He also requested that a bid date of April 12, 2006 be set for the improvements. Commissioner Rhodes moved, seconded by Commissioner Talley to approve the petition, cost estimate and bid date as requested. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

PILOT PAYMENT-JC HOUSING AUTHORITY

The consideration of a formal request to have the City of Junction City Commission waive in it's entirety the Payment in Lieu of Taxes(PILOT) by the Junction City Housing Authority for the year 2002 in the amount of \$25,575.47 and for the year 2004 in the amount of \$26,028.16 was removed from the agenda.

AWARD OF BID-PRAIRIE RIDGE ADDITION

Leon Osborn, Kaw Valley Engineering stated that two bids were received for the street, sewer and water improvements for Prairie Ridge Addition. Midlands Contracting was the low bidder at a cost of \$1,428,920.50. The bid was well below the engineers estimate for the project.

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

APPROVAL OF PETITION AND COST ESTIMATE-SCHIPPERT'S ADDITION

Leon Osborn, Kaw Valley Engineering asked for City Commission approval for the petition and cost estimate in the amount of \$249,935.54 for Tackwell Addition, Empson Addition and part of John Schippert's Addition for sanitary sewer, street and water improvements.

Commissioner Heldstab moved, seconded by Commissioner Rhodes to approve the cost estimate and petition as presented. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

AWARD OF BID-DEER CREEK ADDITION

Leon Osborn, Kaw Valley Engineering stated that Middlecreek Corporation was the low bidder for street, sewer and water improvements to Deer Creek Addition at a cost of \$1,881,461.00. The bid was lower than the engineer's estimate.

The issue was tabled until the April 4, 2006 City Commission meeting.

ORDINANCE G-996

Ordinance G-996 was presented for consideration on first reading.

ORDINANCE NO. G-996

AN ORDINANCE AMENDING TITLE IV. LAND USE, CHAPTER 400:
ZONING – GENERAL PROVISIONS, CHAPTER 405, ARTICLE 1,
SECTION 405.040 OF THE MUNICIPAL CODE OF THE CITY OF
JUNCTION CITY, KANSAS.

City Manager Barnes stated that this ordinance allows duplexes and multiplexes to be sold to separate owners.

Commissioner Rhodes moved, seconded by Commissioner Wunder to approve Ordinance G-996 on first reading. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

MOWING CONTRACT

David Hurley, Codes Administrator recommended awarding the bid for mowing services to Rothwell Landscaping for part one at a cost of 1.00 per mow and an annual cost of \$56,680.00 and to F & A Services for Part II at a cost of \$2,890.00 per mow at and annual cost of \$37,570.00.

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

ORDINANCE G-994-UNLAWFUL USE OF WEAPONS

Ordinance G-994 was presented on first reading.

Police Chief Story stated that the current ordinance didn't mirror the state in allowing the tactical task force to carry use silencers. This change will allow this.

G- 994

AN ORDINANCE REPEALING SECTION 220.745 OF THE CODE OF THE CITY OF JUNCTION CITY, KANSAS REGARDING THE UNLAWFUL USE OF WEAPONS AND SUBSTITUTING THEREFORE AN NEW SECTION 220.745

Commissioner Wunder moved, seconded by Commissioner Talley to approve Ordinance G-994 on first reading. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

PURCHASE OF IN CAR DIGITAL VIDEO SYSTEMS—POLICE DEPARTMENT

Police Chief Story stated that in the past few years, the Police Department has been having many problems with the in-car video cameras. The systems are outdated. The Department currently has twelve systems installed and only five are working. Chief Story asked for approval to purchase ten new Digital Video Systems from McCoy's Marketing at a cost of \$48,575.00. The funding will be from the drug seizure funds. He proposed that the cameras be purchased lease/finance purchase program.

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

ORDINANCE S-2808

Ordinance S-2808 concerning the final plat for Doc Hargreaves Hilltop Addition #3 was presented on final reading.

ORDINANCE NO. S-2808

AN ORDINANCE RELATING TO UNPLATTED LAND WITHIN THE CORPORATE LIMITS OF THE CITY OF JUNCTION CITY, KANSAS: APPROVING AND ACCEPTING THE FINAL PLAT OF SAID LAND, THE PUBLIC DEDICATIONS, STREETS, BUILDING LIMIT LINES AND UTILITY EASMENTS SHOWN THEREON AS THE FINAL PLAT OF DOC HARGREAVES HILLTOP ADDITION UNIT NO. 3 TO JUNCTION CITY, KANSAS.

Commissioner Wunder moved, seconded by Commissioner Talley to declare a state of emergency and approve Ordinance S-2808 on final reading. Ayes: Heldstab, Rhodes, Talley, Wunder. Nays: None. Abstain: Taylor. Motion carried.

GENERAL DISCUSSION

Mayor Taylor opened the meeting for general discussion.

Albert Castro, 938 E. 4th thanked Josh McKim and Mike Guinn for the paving of streets. He asked about speed limit and caution signs. Staff stated that the signs have been ordered and will be installed. HE stated that Sertoma Park has only one street light and asked about placing additional lights in the area.

George Marcus, 1538 McFarland Road thanked the Commission for their assertive stance in the expansion and growth of Junction City.

COMMISSIONER COMMENTS

Mayor Taylor opened the meeting for Commissioner Comments.

Commissioner Rhodes congratulated the Self Help Housing families that moved this past weekend.

Commissioner Wunder stated that the property valuation is through the State and encouraged citizens to contest the process if unhappy with their valuation.

Commissioner Talley echoed Commissioner Wunder's views on the property valuation process. He commended the City Commission for not raising the mill levy in eight years.

Vice Mayor Heldstab stated that the trip to Washington D.C. was very beneficial to the City.

Mayor Taylor stressed that the city staff needs backup and assistance. He also stated that the trip to Washington DC was very beneficial.

QUESTIONS AND ANSWERS

Mayor Taylor asked City Manager Barnes how to determine the worth of a mill.

STAFF COMMENTS

Assistant City Manager Guinn stated that the Bartell Hotel windows have been ordered and hope to be installed by July 4, 2006. The roof repair will begin in two weeks.

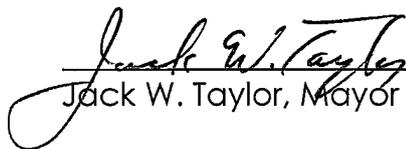
ADJOURNMENT

Commissioner Wunder moved, seconded by Commissioner Talley to adjourn at 8:00.m. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

APPROVED AND ACCEPTED THIS 4th DAY OF APRIL 2006 AS THE OFFICIAL COPY OF THE JUNCTION CITY CITY COMMISSION MINUTES FOR MARCH 28, 2006.



Colleen Woodruff, City Clerk



Jack W. Taylor, Mayor