

CITY COMMISSION MINUTES

September 18, 2006

7:00 P.M.

The regular meeting of the Junction City City Commission was held on Tuesday, August 15, 2006 with Mayor Heldstab presiding.

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

PLEDGE OF ALLEGIANCE

Mayor Heldstab stated that item g was removed from the consent agenda.

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

CONSENT AGENDA

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

- a. Approval of the September 5th City Commission meeting minutes and September 8th, 2006 Special 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
 - Water Treatment Plant
 - Public Works
 - 9) Rolling Meadows Golf Course
 - 10) Rolling Meadows Golf Course Maintenance Section Activity Report
 - 11) Self Help Housing
 - 12) Recreation

- c. The consideration of Ordinance S-2864 changing the name of North Park Drive to Patriot Drive. (Second Reading)
- d. The consideration of Ordinance S-2865 changing the name of Dogwood Lane to Victory Lane. (Second Reading)
- e. The consideration of Ordinance S-2866 changing the name of Sumac Street to Independence Avenue. (Second Reading)
- f. The consideration of Ordinance S-2867 changing the name of Prairie Court to Colonial Court. (Second Reading)
- g. The consideration of Ordinance S-2868 changing the name of Prairie Drive to Freedom Drive. (Second Reading) **REMOVED FROM AGENDA**
- h. The consideration of Ordinance S-2861, requesting rezoning from Multiple-family Residential (RM) District to Service Commercial Restricted (CSR) for the Railroad Property Addition (T. Michael Fegan). (Second Reading).
- i. The consideration of a request, submitted by Rolling Meadows Golf Course for invitation to bid on 60 golf carts to replace existing golf cart fleet. Bid date from September 20th through October 11, 2006 at 5:00 p.m.
- j. The consideration of Pay Request, submitted by Middlecreek Corporation, in the amount of \$152,696.95 for construction of water main extension to the Middle School.
- k. The consideration of Pay Request #2, submitted by Smoky Hill LLC, in the amount of \$338,722.20 for construction on the Northwest Interceptor Sewer.
- l. The consideration of 7, submitted by Nowak Construction, in the amount of \$126, 003.87 for work completed to Hickory Hill Addition.
- m. The consideration of Pay Request #4, submitted by Middlecreek Corporation, in the amount of \$130,453.29 for street, sewer and water improvements to the Deer Creek Addition.
- n. The consideration of Pay Request #3, submitted by Meadows Construction, in the amount of \$259,793.57 for the Northwest Interceptor Sewer improvements.
- o. The from Kaw Valley Engineering to provide Construction Inspection services for the improvements to Deer Creek #2. The fee is not to exceed \$193,097.74.

- p. The consideration of a request, submitted by Chuck Zimmerman, to dedicate a utility easement on City property adjacent to Johnson's 2nd addition.
- q. The consideration of Resolution R-2264, authorizing the mayor to sign a deed selling property to Rachel Jones as part of the City's Self Help Housing Program.
- r. The consideration of a letter of agreement, submitted by Kaw Valley Engineering, for construction inspection on Falcon Ridge Addition. Total proposed fee is \$12,000.00.
- s. The consideration of a letter of agreement, submitted by Kaw Valley Engineering, for construction inspection services at Russell J Johnson Addition. The proposed fee is \$19,800.00.
- t. The consideration of a letter of agreement, submitted by Kaw Valley Engineering, for construction inspection services at Mann's Ranch, Unit #1 Addition. The proposed fee is \$98,500.00.
- u. The consideration of a letter of agreement, submitted by Kaw Valley Engineering, for construction inspection services at River Walk Landing landscaping. The proposed fee is \$9500.00.
- v. The consideration of a letter of agreement, submitted by Kaw Valley Engineering, for construction inspection services at Doc Hargreaves Hilltop #5. The proposed fee is \$114,000.00.
- w. The consideration of authorizing street, storm sewer, sanitary sewer and water improvements to the Junction City Middle School Addition.
- x. The consideration of Resolution R-2270 authorizing street, sanitary sewer and water improvements to the Doc Hargreaves #4.
- y. The consideration of Resolution R-2271 authorizing street, storm sewer, sanitary sewer and water improvements to the Indian Ridge #6.
- z. The consideration of Resolution R-2272 authorizing street, storm sewer, sanitary sewer and water improvements to the Village at Freedom Place.
- aa. The consideration of Resolution R-2273 authorizing street, storm sewer, sanitary sewer and water improvements to the Falcon Ridge Addition.

- bb. The consideration of Resolution R-2274 authorizing street, storm sewer, sanitary sewer and water improvements to the Russell J Johnson Addition.]
- cc. The consideration of Resolution R-2275 authorizing street, sanitary sewer and water improvements to the Hidden Valley Addition.
- dd. The consideration of Ordinance S-2869 authorizing and providing for the construction of storm water drainage improvements in the city and authorizing the issuance of general obligation bonds. (First Reading).
- ee. The consideration of letter of agreement, submitted by Kaw Valley Engineering, for inspection services for street, sewer and water improvements to serve the Sutter Woods Addition, total fees not to exceed \$125,000.00.
- ff. The consideration of letter of agreement, submitted by Kaw Valley Engineering, for inspection services for street, sewer and water improvements to serve the Sutter Highlands Addition.
- gg. The consideration of approval for a cereal malt beverage license for Louisiana Purchase Pizza Inc. 631 W 6th Street, Junction City, owned by James G. Milliken.

PROCLAMATION WALK A MILE DAY

Mayor Heldstab proclaimed October 4, 2006 as "Walk a Mile Day" and presented a proclamation to Dr. Dixon of USD 475 and Kay Deever of the Geary Community Healthcare Foundation.

CONFIRMATION OF APPROVAL OF NEIGHBORHOOD REVITALIZATION REBATES PERCENTAGES

City Manager Barnes asked for confirmation of approval of Neighborhood Revitalization rebates percentage for the following projects.

- 1.) Eagle Landing
 - a. 95% for 10 years.
- 2.) Buffalo Court
 - a. 95% for 10 years.
- 3.) Village at Freedom Place Phase 2
 - a. 95% for 10 years.

City Manager Barnes stated that the County Appraiser needed clarification on the tax rebate percentages for the above subdivisions. He stated that when Eagle Landing and Buffalo court originally applied for the rebate, they were done as one project. The developer is now selling individual units and that is usually on a sliding percentage scale.

Commissioner Rhodes moved, seconded by Commissioner Talley to reconfirm the percentages for Neighborhood Revitalization rebates as requested and direct EDC staff to study the NRP and develop solutions. Ayes: Heldstab, Rhodes, Talley. Nays: Taylor, Wunder. Motion carried.

NEIGHBORHOOD REVITALIZATION APPLICATIONS

Rose Palmer, EDC Retail Specialist asked for consideration of 13 Neighborhood Revitalization applications, submitted by BCS Design, Inc. to construct new homes at the addresses listed below. New construction costs are \$110,925.00 per home. This project meets the terms and conditions of the Neighborhood Revitalization Plan #13 under residential development. Thereby, qualifying for a tax rebate on each individual address/unit of 95% for years 1 thru 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.

- 1.) 702, 706, 710, 714, 718, 722, 726, 730, 734 and 738 W 14th Street.
- 2.) 1510, 1514 and 1516 N. Clay Street.

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

NEIGHBORHOOD REVITALIZATION APPLICATIONS – SELF HELP

Rose Palmer, EDC Retail Specialist asked for consideration of five Neighborhood Revitalization applications, submitted by Self-Help Housing program to construct new homes at the addresses listed below. Thereby, qualifying for a tax rebate on each individual address unit of 95% for years 1 thru 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.

- 1.) 305 16th Street Circle-\$102,419.00
- 2.) 310 16th Street Circle-\$74,125.00
- 3.) 321 16th Street Circle-\$113,259.00
- 4.) 322 16th Street Circle-\$113,259.00
- 5.) 329 16th Street Circle-\$113,259.00

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

DECLARATION OF EMERGENCY ORDINANCE S-2869-AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS (FIRST AND FINAL READING)

City Manager Barnes asked for City Commission approval of a declaration of an emergency to approve Ordinance S-2869 on second reading due to time constraints. The Ordinance was approved on first reading on the consent agenda.

REQUEST OF THE MAYOR OF THE CITY OF JUNCTION CITY, KANSAS FOR HE DECLARATION BY THE CITY COMMISSION OF SAID CITY OF THE EXISTANCE OF A PUBLIC EMERGENCY REQUIRING THE FINAL PASSAGE OF AN ORDINANCE BELOW DESIGNATED.

Ordinance G-2869 was presented for consideration on final reading.

Commissioner Talley moved, seconded by Commissioner Rhodes to approve Ordinance S-2869 on second reading. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

AWARD OF BID- HIDDEN VALLEY ADDITION IMPROVEMENTS

Leon Osborne, Kaw Valley Engineering stated that seven bids were received, ranging from \$1.37 million to the low bid of \$988,761.30 submitted by Midland Contracting for water, street and sewer improvements for the Hidden Valley Addition. The recommendation was to award the bid to Midland Contracting.

Commissioner Rhodes moved, seconded by Commissioner Talley to approve the award of bid to Midland Contracting in the amount of \$988,761.30. Ayes: Heldstab, Rhodes, Talley. Nays: Taylor, Wunder. Motion carried.

CHANGE ORDER #1 – APRON IMPROVEMENTS- FREEMAN FIELD

Assistant City Manager Guinn asked for approval of change order #1 for apron improvements at Freeman Field in the amount of \$32,361.62. He stated that the contractor found that the soil would not compact, addition work was needed. He said that the city would be responsible for 5% of the cost.

Commissioner Talley moved, seconded by Commissioner Rhodes to approve Change Order #1 as requested. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

SUPPLEMENTAL AGREEMENT—KDOT

City Manager Barnes requested authorization for the Mayor to sign the supplemental agreement for the roundabout on Washington Street, Goldenbelt Blvd and I-70. The

agreement called for an additional \$10,465.39. The City would be responsible for 20% of the cost.

Commissioner Rhodes moved, seconded by Commissioner Talley to authorize the Mayor to sign the Supplemental Agreement as requested. Ayes: Heldstab, Rhodes, Talley. Nays: Taylor, Wunder. Motion carried.

CHANGE ORDER #1- NW INTERCEPTOR SEWER

Leon Osborn, Kaw Valley Engineering asked for approval of Change Order #1 from Meadows Construction for work at the NW Interceptor Sewer in the amount of \$13,950.00. He stated that during work, they encountered fiber optic lines and needed an additional thirty (30) linear feet added to the project.

Commissioner Rhodes moved, seconded by Commissioner Taylor to approve Change Order #1 as requested. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

CHANGE ORDER – HICKORY HILL ADDITION

Leon Osborn, Kaw Valley Engineering asked that Change Order #2 submitted by Nowak Construction for erosion control improvements in Hickory Hill Addition in the amount of \$14,375.00 be approved. .

Commissioner Talley moved, seconded by Commissioner Rhodes to approve the change order as presented. Ayes: Heldstab, Rhodes, Talley. Nays: Taylor, Wunder. Motion carried.

RESOLUTION R-2266 –ANNEXATION OF ROADWAYS

Resolution R-2266 concerning annexation of roadways adjoining the City of Junction City was presented.

City Attorney Zimmerman briefed the City Commission on the areas of land that will be annexed. He stated that all property owners will be notified by certified mail as to the date of the public hearing, November 21, 2006.

Commissioner Talley moved, seconded by Commissioner Rhodes to approve Resolution R 2266 as requested. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

RESOLUTION R-2267-ANNEXATION OF LAND

Resolution R-2267 concerning annexation of platted and unplatted land adjoining the City of Junction was presented for consideration.

City Attorney Zimmerman briefed the City Commission on the areas of land that will be annexed. He stated that all property owners will be notified by certified mail as to the date of the public hearing, November 21, 2006. He further stated that an extension of city services plan needed to be approved.

Commissioner Talley moved, seconded by Commissioner Wunder to approve Resolution R-2267 and the extension of services plan as presented. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

ORDINANCE S-2856 – REZONING

Leon Osborn, Kaw Valley Engineering asked that Ordinance S-2856 requesting zoning changes to a portion of property located East of US-77 Highway and North of McFarland Road be approved on first reading. He stated that the land is currently zoned CSP (Commercial Special) and requested that it be changed to Residential Suburban. Gery Schoenrock, the developer of the land is planning on building 37 homes in the price range of \$200,000 to \$350,000.

Rod Pratt, 1803 Oakridge Drive stated that he felt that the cost and design of the new homes will not fit in the area where homes are valued from \$500,000 and higher. He stated that the less expensive homes will decrease the value of the existing homes.

David Walker, 1800 Oakridge agreed with Mr. Pratt.

Connie Mancinelli stated that her home is valued at \$1.4 million and all of the homes in the area should be valued the same.

Ms Koury felt that if more homes were built it could be a dangerous situation with the traffic.

George Marcus stated that he was a neighbor of Ms. Mancinelli and he took offence in what was being said. He stated that his home was valued at \$250,000.

Ms. Mancinelli stated that nothing could be done about the existing homes, but she was concerned with new development.

Mr. Schoenrock stated that he had sent letters offering to sell the property to the current landowners.

Commissioner Wunder stated that he could see both positions, protecting their property and building new homes.

Commissioner Talley thought that the issue should be sent back to the MPC to study the density of the lot size.

Commissioner Rhodes felt that the rezoning of the land to residential from commercial would be better for the home owners. If it remained commercial any number of businesses could be located there.

Commissioner Talley moved, seconded by Commissioner Wunder to send Ordinance S-2856 back to the MPC to evaluate the density of lot size and to discuss adding covenants. Ayes: Heldstab, Talley, Wunder. Nays: Rhodes, Taylor. Motion carried.

SUBDIVISION UPDATE-KAW VALLEY

Leon Osborn, Kaw Valley briefed the City Commission on the status of the various subdivisions

AWARD OF BID TRIMMING TREES-PARKS AND CITY PROPERTIES.

Edward Lazear stated that staff had requested bids for tree trimming and removal at City Parks and other City owned properties. The bidders were taken on a tour to see exactly what needed to be done. Two bids were received:

| | |
|------------------------------|-----------|
| One Accord Enterprises, Inc. | 9,595.00 |
| Papa D's Tree Trimming | 45,000.00 |

It was staff's recommendation to award the bid to the low bidder One Accord Enterprises, Inc at a cost of \$9,595.00. The work will take 4 to 6 weeks to complete. Commissioner Talley moved, seconded by Commissioner Wunder to approve the bid as requested. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

REVOLVING LOAN APPLICATION

Josh McKim, Economic Development Director stated that John and Sandy Feldkamp, Feldcamp Furniture had submitted a Revolving Loan Fund Application in the amount of \$150,000.00. They are purchasing the Johnson Brothers Furniture Store, which will have job retention and create new jobs for a total of approximately 15 positions. The project meets the terms and conditions of the Revolving Loan Program. The project qualifies for a loan of \$150,000.00 at a 4% interest rate per annum for ten years.

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

DEVELOPMENT AGREEMENT-VILLAGE AT FREEDOM PLACE PHASE #2

City Manager Barnes presented a development agreement for Phase 2 of the Village at Freedom Place Development.

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

GENERAL DISCUSSION

Mayor Heldstab opened the meeting for general discussion.
There was no general discussion.

COMMISSIONER COMMENTS

Mayor Heldstab opened the meeting for Commissioner Comments.

Commissioner Wunder asked Mr. Marcus to take the signs down that he has located in the Industrial Park. Mr. Marcus said that he would take care of them.

Mayor Heldstab stated that he and the other city officials had a successful trip to the city's sister city, Hopkinsville, Ks.

STAFF COMMENTS

Mayor Heldstab opened the meeting for staff comments

Dave Hurley, Coded Administrator stated that the property located at Chestnut and Washington had been taken care of.

EXECUTIVE SESSION

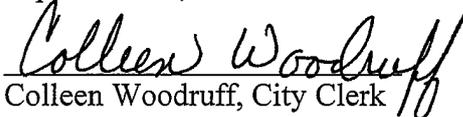
Commissioner Wunder moved, seconded by Commissioner Talley to adjourn into executive session at 9:10 p.m. to reconvene at 9:25 p.m. to discuss personnel matters of non-elected personnel. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried. . Included in the executive session were: City Manager Barnes.

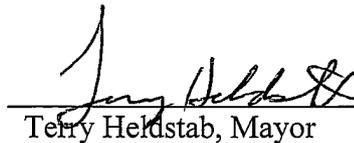
Commissioner Talley moved, seconded by Commissioner Rhodes to reconvene into regular session at 9:25 p.m. having made no decisions nor taken any action while in executive session. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

ADJOURNMENT

Commissioner Talley moved seconded by Commissioner Taylor to adjourn at 9:26 p.m. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

APPROVED AND ACCEPTED THIS 3rd ___ DAY OF OCTOBER, 2006 AS THE OFFICIAL COPY OF THE JUNCTION CITY CITY COMMISSION MINUTES FOR September 19, 2006


Colleen Woodruff, City Clerk


Terry Heldstab, Mayor