

## CITY COMMISSION MINUTES

December 19, 2006

7:00 P.M.

The regular meeting of the Junction City City Commission was held on Tuesday, December 19, 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 was: City Manager Rod Barnes, Assistant City Manager Mike Guinn, City Attorney Charles Zimmerman and City Clerk Colleen Woodruff.

**PLEDGE OF ALLEGIANCE****CONSENT AGENDA**

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

- a. Approval of the December 1, 2006 Special Meeting Minutes and the December 5th, 2006 Commission meeting minutes.
- 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 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 Ordinance S-2874, requesting a street name change from Stonybrooke Land to Forest Park Lane in the Spring Valley Addition #2. (Second Reading).
- d. The consideration of Ordinance G-1011, deleting Section 600.240 eliminating the regulation of amusement devices. (Second Reading).
- e. The consideration of Ordinance G-1012, amending section 310.010 and Table 1, speed limits to change the school zone in the vicinity of Eisenhower School. (Second Reading).
- f. The consideration of Street name changes in the Prairie Ridge Addition #2:

1. S-2899 from Linden Court to Eagle Court. (Second Reading).
  2. S-2900 from Poplar Court to Glory Drive. (Second Reading).
  3. S-2901 from Prairie Way to Yankee Lane. (Second Reading).
  4. S-2903 from Prairie Drive to Veterans Drive. (Second Reading).
- g. The consideration of Ordinance S-2904, requesting rezoning from duplex residential to multiple-family residential for property located at 928 and 932 W 8<sup>th</sup> Street, property is owned by Boland/Nabus. MPC-unanimous vote to recommend. Timmons Family Addition. (Second Reading).
- h. The consideration of Ordinance G-1007, regulating the carrying of concealed weapons in the City. (Second Reading).
- i. The consideration of Ordinance S-2905, a home rule ordinance authorizing the issuance of general obligation bonds to provide funding for economic development grants for development and construction of commercial and office facilities. (Second Reading).
- j. The consideration of a Letter of Agreement, submitted by Kaw Valley Engineering, in the amount of \$18,500.00 to supplement the City's engineering and inspection department at The Interceptor Sewer to serve Mann's Ranch Addition.
- k. The consideration of Pay Request #2, submitted by Midlands Contracting, in the amount of \$300,953.48 for work completed at Deer Creek Addition #2.
- l. The consideration of a drainage and utility easement across a portion of the Deer Creek Addition. The easement signed by Scott Lehner, Member of Perfection Builders, LLC.
- m. The consideration of Pay Request #16, submitted by Walters-Morgan Construction, in the amount of \$76,062.00 for work completed through November 20, 2006 at the SWWTP Upgrade.
- n. The consideration of Pay Request #6(Final), submitted by Middlecreek Corporation in the amount of \$297,613.55 for work completed at Deer Creek Addition.
- o. The consideration of renewal of linear park license # DACA-41-3-05-2017 for a five mile nature trail along the Republican River to expire on March 31, 2007.
- p. The consideration of Pay Request #7, submitted by Midlands Contracting, in the amount of \$359,068.80 for work completed through November 29<sup>th</sup>, 2006 at the Prairie Ridge #1 addition.
- q. The consideration of a utility easement across a portion of the Deer Trail Addition.
- r. The consideration of Pay Request #2, submitted by Rothwell Landscaping, in the amount of \$22,642.53 for Landscape Plans for Riverwalk Landing.

s. The consideration of Appropriation Ordinance dated December 15, 2006 in the amount of \$4,086,878.77.

## APPOINTMENTS

Items 4 B & C were removed from the agenda for consideration at a later date.

Mayor Heldstab asked for consideration of the appointment of Steve Pringle and Jeremy Stenstrom to the Tree and Flower advisory board with terms for three years from January 1, 2007 to December 31, 2009.

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

Mayor Heldstab asked for consideration of the re-appointment of Michelene Fields and Jenny Mae Heck each to serve two year terms from January 1, 2007 to December 31, 2008.

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

## SPECIAL PRESENTATIONS

Kathy Vesom, Intern for the City of Junction presented a sales tax analysis requesting the staff to continue monitoring economic growth and foster economic growth in low revenue contributing sectors. She stated that sales tax revenues for Junction City have been increasing due to the influx of soldiers and families. The influx has caused the city to economically flourish at an increasingly steady rate by the appearance of new businesses and housing to accommodate demand.

Patricia Hunter from the Health Department briefed the City Commission regarding the needs of the Junction City Health Department and proposed solutions. She stated that there was a need for expansion to the existing facility.

## PUBLIC HEARINGS

Mayor Heldstab opened a public hearing concerning budget amendments to the 2006 budget.

City Manager Barnes stated that the following funds needed to be amended:

General Fund	10,171,618	to	10,693,065
Bond and Interest	2,148,785	to	2,345,922
Utility Charges	447,046	to	560,665
Employee benefits	2,016,936	to	2,356,310
Water & Sewer	5,716,847	to	9,358,831
Special Highway	527,160	to	3,527,160
Special Law Enforce.	82,000	to	152,197
Military Affairs	125,000	to	167,474

Mayor Heldstab closed the public hearing.

Commissioner Talley moved, seconded by Commissioner Taylor to approve the 2006 budget amendments as presented. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

#### **YOUTH COMMISSION REPORT**

Police Chief Story stated that the Youth Commission was finalizing their plans for the New Years Celebration to hold at the high school on December 31, 2006 from 8:00 p.m. to 12:30 a.m.

#### **DEVELOPMENT AGREEMENT VENTRIA BIO-SCIENCE**

Josh McKim, Economic Development Director requested approval of the amended and restated development agreement between the City of Junction City, Spirit of 76 and Ventria Bio-Science. He stated that an escrow agent was added to the agreement so that Ventria would not withdraw any funds with approval from City officials. City Attorney Zimmerman stated that he was comfortable with the amendments to the agreement. Commissioner Wunder moved, seconded by Commissioner Rhodes to approve the development agreement with Ventria, Spirit of 76 and City of Junction City as requested. Ayes: Heldstab, Rhodes, Taylor, Wunder. Nays: None. Abstain: Talley. Motion carried.

#### **NEW BUSINESS**

Leon Osbourn, Kaw Valley Engineering briefed the City Commission on the status of sub-division development.

#### **RESOLUTION 2311**

Mike Guinn, Assistant City Manager asked for consideration Resolution R-2311, authorizing the City of Junction City to purchase property known as Schnells Addition Lot 8 Block 5, owned by Al and Debbie Gose, for the purpose of economic development in the City and to authorize the City Manager to sign appropriate documents and expend required monies not to exceed \$90,000.00.

Commissioner Talley moved, seconded by Commissioner Wunder to approve Resolution 2311 as requested. Ayes: Heldstab, Rhodes, Taylor, Wunder. Nays: None. Abstain: Talley. Motion carried.

#### **RESOLUTION 2312**

Mike Guinn asked for consideration of Resolution R-2312, authorizing the City of Junction City to purchase property known as Schnells Addition Lots 9&10 Block 5, owned by Terry & Peggy Heldstab, for the purpose of economic development in the City and to authorize the City Manager to sign appropriate documents and expend required monies not to exceed \$85,000.00.

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

#### **PETITION AND COST ESTIMATE-MANN'S RANCH**

Leon Osbourn, Kaw Valley Engineering asked for consideration of a petition and cost estimate for Mann's Ranch # 2, in the amount of \$1,152,847.68 to include street, sewer water, storm sewer and administration/ inspection services.

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

#### **RESOLUTION 2310**

City Manager Barnes asked for consideration of Resolution R-2310, approving amendment #1 to bond documents in connection with the issuance of taxable multifamily rental revenue bonds series 2005 for Hunters Ridge. He stated that the amendment was to change the dollar amount in an amount not to exceed \$10,000.00.

Commissioner Rhodes moved, seconded by Commissioner Wunder to approve Resolution 2310 as presented. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

#### **RESOLUTION 208**

City Attorney Zimmerman asked for consideration of Resolution R-2308 annexing Kansas Highway 18 adjoining the City of Junction City, KS. The annexation of K-18 would be from Rucker Road West to the Middle School Addition. City Manager Barnes stated that K-18 is a State roadway and that the State would be responsible for maintenance of the road.

Commissioner Wunder moved, seconded by Commissioner Taylor to approve Resolution 2308 as presented. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

#### **RESOLUTION 2309**

City Attorney asked for consideration of Resolution R-2309 annexing the Jehovah Witness Church Tract, Higgins Tract, Rothwell Tract, Thornberg Tract, Meyer Tract, Pringle Tract, Tholstrup Tract, Wells Tract and Gunderson Tract.

Commissioner Rhodes moved, seconded by Commissioner Wunder to approve Resolution 2309 as presented. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

#### **EXTENSION OF SERVICES**

City Attorney Zimmerman stated that an extension of services agreement would need to be approved by the City Commission.

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

#### **JUNCTION CITY GENERALS BASEBALL CLUB EVENT CONTRACT**

City Manager asked for consideration of the Junction City Generals Baseball Club Event Contract for the 2007 through 2011 seasons. HE stated that it was basically the same as the contract for 2006.

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

#### **AWARD OF BID-JUNCTION CITY MIDDLE SCHOOL ADDITION**

Leon Osbourn, Kaw Valley Engineering asked for approval of the award of bid to the low bidder J & K Contracting at a cost of \$459,609.70 for street, water, sewer project for the Junction City Middle School Addition.

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

#### **PETITION**

City Manager Barnes asked for consideration of a Petition requesting a re-plat of Lot 1 Block 5, Hickory Hills Addition in an amount not to exceed \$963,518.71 for street, sewer, water, storm sewer and administration/inspection. Kaw Valley is also requesting a bid date of January 9, 2007.

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

#### **RESOLUTION 2313**

City Manager Barnes asked for approval of Resolution R-2313, determining the advisability of issuing the City's Industrial Revenue Bonds to pay the costs of acquiring, constructing and equipping a multi-family residential rental complex not to exceed \$160,000,000. (The Bluffs).

Commissioner Wunder moved, seconded by Commissioner Rhodes to approve resolution 2313 as presented. Ayes: Heldstab, Rhodes, Wunder. Nays: Taylor. Abstain: Talley. Motion carried.

#### **FIRST AMENDMENT TO DEVELOPMENT AGREEMENT**

City Manager Barnes stated that the changes to the development agreement were changing some dates. This agreement also provides for the financing of the development of a public park.

Commissioner Rhodes moved, seconded by Commissioner Wunder to approve the amendment to the development agreement. Ayes: Heldstab, Rhodes, Wunder. Nays: Taylor. Abstain: Talley. Motion carried.

#### **FUNDING- 6<sup>TH</sup> & WEBSTER and 6<sup>TH</sup> & JACKSON**

Christina Cook stated that the preliminary budget presented to KDOT was low and the cost has changed for the 6<sup>th</sup> Street and Jackson and Webster intersections, submitted by Kaw Valley Engineering, 6<sup>th</sup> & Jackson in the amount of \$602,612.33 and 6<sup>th</sup> & Webster in the amount of \$508,509.51 including the design engineering, construction inspection, and contingencies. She stated that KDOT will pay 90% of the construction and inspection of the projects and will not pay for the design services. The City will be responsible for the design and 10% of the construction and inspections costs.

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

## **NEIGHBORHOOD REVITALIZATION APPLICATIONS**

Josh McKim, Economic Development Director stated that Wan Kyu Kang has submitted a Neighborhood Revitalization application to construct a new commercial building, approximately 7,000 square feet, located at 204 Grant Avenue. This facility will have Seoul Oriental Foods & Gifts (restaurant and store), a hair salon, and Papa John's Pizza. There is 677 sq ft of space available for one more business. New construction costs are approximately \$775,000. This project meets the terms and conditions of the Neighborhood Revitalization Plan #13 under commercial development. Thereby, qualifying for a tax rebate on the aforementioned property of 95% for years 1 and 6; 85% for years 7 and 8; and 75% for years 9 and 10. *(Eldon Hoyle moved, second by Mary Sanders that a recommendation of approval be forwarded to the Junction City Commission for the Neighborhood Revitalization application, submitted by Wan Kyu Wang on the aforementioned property. Motion carried 8-0. Charles McNeese, Mark Powers and Mick Wunder were absent)*

Commissioner Talley moved, seconded by Commissioner Taylor 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 Larry Ruiz has submitted a submitted a Neighborhood Revitalization application to rehabilitate a 2-unit housing structure located at 334-336 W. 5<sup>th</sup> Street, Junction City, Kansas. Rehabilitation construction costs are approximately \$80,000. This project meets the terms and conditions of the Neighborhood Revitalization Plan #13 under commercial development. Thereby, qualifying for a tax rebate on the aforementioned property of 95% for years 1 and 2; 85% for years 3 and 4; and 75% for year 5. This property is currently on the condemnation list. *(Carolyn Gaston moved, second by Ken Mortensen that a recommendation of approval be forwarded to the Junction City Commission for the Neighborhood Revitalization application, submitted by Larry Ruiz on the aforementioned property with the condition that Mr. Ruiz meet all the requirements and time lines the City has stipulated on the condemnation process. Motion carried 8-0. Charles McNeese, Mark Powers and Mick Wunder were absent)*

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

Josh McKim, Economic Development Director stated that Lexington Building Group, Jeff and Blaine Burton, has submitted 26 single applications to construct 26 new housing units in Phase II of the Freedom Place Development located on Fuller Court, near Grant Avenue. New construction costs are approximately \$161,539 per individual unit. These projects meet the terms and conditions of the Neighborhood Revitalization Plan #13 under residential development. Thereby, qualifying for a tax rebate on each property listed below 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.

*(Ken Mortensen moved, second by Carolyn Gaston that a recommendation of approval be forwarded to the Junction City Commission for the Neighborhood Revitalization applications submitted by Lexington Building Group on the properties listed below with*

the removal of 1 through 7 Fuller Court since framing has already started on them. Motion carried 7-0. Charles McNeese, Mark Powers and Mick Wunder were absent. Leon Osbourn abstained due to his involvement in the sight plan engineering work on the project)

Commissioners felt that the tax rebate should be on all of the units and were going to override the decision of the EDC Board.

Commissioner Talley moved, seconded by Commissioner Taylor to approve the NRP application on of the Units at Freedom Place. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

#### **SELLING PROPERTY OWNED BY THE City of Junction City**

Assistant City Manager Mike Guinn asked for consideration of selling five lots owned by the City of Junction City. He asked for approval accept the bids that were received.

1. 136 E 3 <sup>rd</sup>	\$1500.00	Junction City Transportation
2. 225 E 3 <sup>rd</sup>	\$1500.00	Junction City Transportation
3. 220 W Home	\$5125.00	Junghans Agency
4. 513 W 3 <sup>rd</sup>	\$10,026.00	Clint & Matthew Junghans
5. 425 W 12 <sup>th</sup>	\$8,125.00	Clint & Matthew Junghans

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

#### **RESOLUTION 2314**

Josh McKim, Economic Development Director asked for consideration of Resolution R-2314, determining the advisability of issuing industrial revenue bonds not to exceed \$6,500,000.00 to pay the costs of development and construction of commercial processing and office facilities located in the City.

Commissioner Wunder moved, seconded by Commissioner Taylor to approve Resolution 2314 as requested. Ayes: Heldstab, Rhodes, Taylor, Wunder. Nays: None. Abstain: Talley. Motion carried.

#### **GENERAL DISCUSSION**

Mayor Heldstab opened the meeting for general discussion.

Mr. Burton stated that he was at the ribbon cutting of the new bus service in Junction City and thanked the EDC and the City official on their help in assisting the owner get her business started.

George Marcus stated that contractors have a hard time building homes to sell at \$150,000 and less.

#### **COMMISSIONER COMMENTS**

Mayor Heldstab opened the meeting for Commissioner Comments.

Commissioner Taylor wished everyone Happy Holidays.

Commissioner Wunder echoed Holiday wishes. He also asked that the stop building rumors need to stop and to remember that the citizens and official wan an aggressive growth in Junction City.

Commissioner Talley wished everyone Happy Holidays and he commended the City Commission on the actions that were taken during 2006.

#### **STAFF COMMENTS**

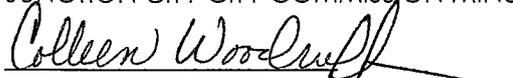
Mayor Heldstab opened the meeting for staff comments

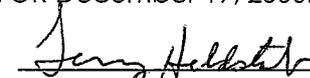
City Manager Barnes stated the City will be delivering meals to the elderly and shut in on Christmas Day. The Nazarene Church is furnishing the food.

#### **ADJOURNMENT**

Commissioner Talley moved, seconded by Commissioner Wunder to adjourn at 8:35 p.m. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

APPROVED AND ACCEPTED THIS 2<sup>nd</sup> DAY OF JANUARY 2007 AS THE OFFICIAL COPY OF THE JUNCTION CITY CITY COMMISSION MINUTES FOR December 19, 2006.

  
Colleen Woodruff, City Clerk

  
Terry Heldstab, Mayor