

CITY COMMISSION MINUTES

January 30, 2007

7:00 P.M.

The regular meeting of the Junction City City Commission was held on Tuesday, January 30, 2007 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 Rhodes moved, seconded by Commissioner Wunder 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 January 16, 2007 Commission meeting minutes.
- b. The consideration of Ordinance S-2912, requesting final plat approval for Tom Neal Industrial Park re-plat for property located west of south Spring Valley Road, property is owned by Spirit of 76. (Second Reading). MPC recommends acceptance.
- c. The consideration of Ordinance S-2913, requesting final plat approval for Mann's Ranch Addition #2, located south of Rucker Road and west of North Spring Valley Road. Property is owned by Dave Alexander/Alexander Land. (Second Reading). MPC recommends acceptance.
- d. The consideration of Ordinance S-2914, requesting final re-plat approval for BCS Addition located north of 14th Street and west of Jackson Street. Property is owned by Jeff Shinkle, BCS Design, Inc. (Second Reading). MPC recommends acceptance.
- e. The consideration of Ordinance G-1014, amending Title IV land use, chapter 405: Section 405.070, CN neighborhood commercial district to include medical and dental clinics. (Second Reading). MPC recommends approval.
- f. The consideration of Ordinance S-2915, requesting a street name change from Dawn Court to Carmen Court in the Doc Hargreaves Addition #5. (First Reading).
- g. The consideration of Pay Request #4, submitted by Rothwell Landscape, in the amount of \$15,804.00 for landscape plans for Riverwalk Landing.
- h. The consideration of a Letter of Agreement, submitted by Kaw Valley Engineering, in an amount not to exceed \$40,000.00 for construction observation and related services for the re-plat of Lot 1, Block 5 of Hickory Hill

Addition.

- i. The consideration of Pay Request #10, submitted by BG Consultants, in the amount of \$22,174.20 for basic engineering services on the Enhancement of N. Jackson drainage ditch.
- j. The approval of the 2007 ARTS Council Calendar of Events, submitted by Gail Parsons.
- k. The consideration of Pay Request #3, submitted by Midlands Contracting, in the amount of \$203,652.00 for Contracting services at Deer Creek Addition #2.
- l. The consideration of Pay Request #3, submitted by J&K Contracting, in the amount of \$42,763.77 for construction improves to Russell J Johnson Addition.
- m. The consideration of Pay Request #2, submitted by J&K Contracting, in the amount of \$108,053.95 for street, sewer and water to serve Indian Ridge #6.
- n. The consideration of Pay Request #1, submitted by J&K Contracting, in the amount of \$121,278.96 for construction services at Rivendell Addition.
- o. The consideration of Pay Request #2, submitted by Midlands Contracting, in the amount of \$294,463.80 for construction services at Hidden Valley Addition.
- p. The consideration of Pay Request #2, submitted by Middlecreek Corporation, in the amount of \$65,974.50 for construction services at Sutter Woods interceptor sewer.
- q. The consideration of Pay Request #3, submitted by J&K Contracting, in the amount of \$233,622.98 for construction improvements to Doc Hargreaves #5.
- r. The consideration of Pay Request #3, submitted by J&K Contracting, Inc. in the amount of \$253,661.39 for improvements to Prairie Ridge #2.
- s. The consideration of Resolution R-2323 amending and supplementing Resolution R-2244 determining the advisability of making street, sanitary sewer, storm sewer and water main improvements to the Prairie Ridge Addition #1.
- t. The consideration of Pay Request #1, submitted by Midlands Contracting, in the amount of \$153,517.50 for construction services on Mann's Ranch interceptor sewer project.
- u. The consideration of Appropriation Ordinance dated January 25, 2007 in the amount of \$2,595,957.38.
- v. The consideration of a request for bid date, submitted by Kaw Valley

Engineering for February 13, 2007 for Spring Valley Road and Rucker Road Water Main Extension. Probable engineer cost estimate is \$718,789.56.

- w. The consideration of a pay request, submitted by Jerry's Electric, in the amount of \$442.96, to provide five electrical outlets be use for removal of asbestos at the Opera House.
- x. The request for permission to apply for a fire and safety prevention grant in the amount of \$18,600.00 of which 20% would be paid by the City in an amount of \$3,720.00.

APPOINTMENTS

Mayor Heldstab asked for consideration of the appointment of Jeff Burton to serve on the Junction City Arts Council Advisory Board from January 1, 2007 through December 31, 2007.

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

ZONING CHANGE 10TH & FILLEY

Dave Hurley, Codes Administrator stated that Mr. Blevins property is zoned industrial and has been for many years. Commissioner Talley stated that he did not like the idea of spot zoning.

Commissioner Taylor moved, seconded by Commissioner Talley to reject the requested zoning change. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

ORDINANCE S-2911

Ordinance S-2911 was presented for consideration on second reading.

ORDINANCE NO. S-2911

AN ORDINANCE RELATING TO PROPERTY GENERALLY LOCATED WEST OF THE INTERSECTION OF US-77 HIGHWAY AND RUCKER ROAD AND MORE PARTICULARLY DESCRIBED AS A TRACT OF LAND IN THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 11 SOUTH, RANGE 5 EAST OF THE SIXTH PRINCIPAL MERIDIAN, IN GEARY COUNTY, KANSAS. REZONING SAID PROPERTY FROM MULTIPLE-FAMILY RESIDENTIAL (RM) DISTRICT TO PLANNED DEVELOPMENT (PDD) DISTRICT ALL WITHIN THE CORPORATE LIMITS OF THE CITY OF JUNCTION CITY, KANSAS.

Janelle Phillips, Land Plan Engineering requested approval of Ordinance S-2911, rezoning approval from multiple-family residential to planned development for Olivia Farms. The property is owned by Fort Development, LLC. The MPC recommended approval. The development will have 352 units in a price range of \$99,000.00 to \$150,000.00.

Commissioner Rhodes moved, seconded by Commissioner Talley to approve Ordinance S-2911 on first reading. Ayes: Heldstab, Rhodes, Talley. Nays: Taylor, Wunder. Motion carried.

ORDINANCE S-2906

Ordinance S-2906 was presented for consideration on first reading.

ORDINANCE NO. S-2906

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 TO CITY GENERAL RESIDENTIAL (RG) DISTRICT AND TO INCORPORATE SAID PROPERTY INTO THE CITY LIMITS OF THE CITY OF JUNCTION CITY, KANSAS

Leon Osborn, Kaw Valley Engineer stated that the ordinance requested annexation and rezoning from County Agricultural to City General Residential for property located at the intersection of Liberty Hall Road and Taylor Road. The property is owned by Malone-Dietrich-Wiegert. The MPC recommended approval by a 5-4 vote.

Mr. Malone stated that the development will be sing family residences in the price range of \$133,000.00 to \$150,000.00 He stated that the project will be completed in three phases He will pay for the extensions of water and sewer. Commissioner Talley felt that the timing of the development was not good.

Commissioner Rhodes moved, seconded by Commissioner Wunder to approve Ordinance S-2906 on first reading. Ayes: Heldstab, Rhodes, Taylor, Wunder. Nays: Talley. Motion carried.

ORDINANCE S-2907

Ordinance S-2907 was presented on second reading.

ORDINANCE NO. S-2907

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 CEDAR CREEK ADDITION TO JUNCTION CITY, KANSAS.

Leon Osbourn, Kaw Valley Engineering stated that the ordinance requested final plat approval for Cedar Creek Addition located at the intersection of Liberty Hall Road and Taylor Road. The property is owned by Malone-Dietrich-Wiegert. The MCP recommended approval of the dedications by a unanimous vote.

Commissioner Rhodes moved, seconded by Commissioner Taylor to approve Ordinance S-2907 on first reading. Ayes: Heldstab, Rhodes, Taylor, Wunder. Nays: Talley. Motion carried.

ORDINANCE S-2917

Ordinance S-2917 was presented for consideration on first reading.

ORDINANCE NO. S-2917

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 TO CITY GENERAL RESIDENTIAL (RG) DISTRICT AND TO INCORPORATE SAID PROPERTY INTO THE CITY LIMITS OF THE CITY OF JUNCTION CITY, KANSAS

Leon Osbourn, Kaw Valley Engineering stated that the ordinance requested annexation and rezoning to general residential for Strauss/Malone property located west of Taylor Road and North of I-70. The MCP recommended denial with a 5-4 vote.

Commissioner Rhodes moved, seconded by Commissioner Wunder to approve Ordinance S-2917 on first reading. Ayes: Heldstab, Rhodes, Taylor, Wunder. Nays: Talley. Motion carried.

CHANGE ORDER #2 MIDLANDS CONTRACTING

Christina Cook, City Engineer as for consideration of Change Order #2 from Midland Contracting in the amount of \$44,850.00 fro extending the boring and casing under US-77 due to KDOT requirements.

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

AGREEMENT WITH KDOT

Christina Cook, City Engineer requested approval of an agreement with Westar to relocate and modify an existing structure at Chestnut Street. This is required for the widening of Chestnut Street. The estimated cost for this project is \$65,000.00.

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

ORDINANCE S-2916

Ordinance S-2916 was presented on first reading.

ORDINANCE NO. S-2916

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 DEER CREEK ADDITION UNIT NO. 3 TO JUNCTION CITY, KANSAS.

Leon Osbourn, Kaw Valley Engineering stated that the ordinance requested final plat approval for Deer Creek Addition #3. The property is owned by JCTD

Properties, LLC/John Ecord. The MPC unanimously voted to approve the final plat.

Commissioner Rhodes moved, seconded by Commissioner Wunder to approve Ordinance S-2916 on first reading. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

IMPROVEMENTS TO HERITAGE PARK FOUNTAIN.

Assistant City Manager Guinn s stated that the Parks staff had researched the repairs needed for the Heritage Park fountain. There are numerous problems with the electrical system and the fountain structure. The staff obtained a quote from a fountain expert, Waterworks International. The cost of the electrical repairs is \$26,280.00. The fountain structure repairs are \$53,593.00. The work would be completed prior to summer. The fountain will function as it did originally with three different colored lights. All of the controls will be above ground.

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

GOLF POLICY

Tricia Gowen, Administrative Services Director addressed the City Commission concerning Rolling Meadows Golf Course employees golfing during non-work hours.

The City of Junction City researched the best method to address how to deal with golf course employees golfing during non-work hours.

It was staff's recommendation to have the golf course employees annually elect to have a membership added to their pay for tax purposes each pay period. The following golf course positions are exempt:

Golf Director/Superintendent, General Manager, Head Golf Professional, Assistant Golf Superintendent and Assistant Golf Professional.

Commissioner Wunder moved, seconded by Commissioner Taylor to approve the policy as recommended. 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 if the spray park would be open this summer. He also stated that a three foot retaining wall needed to be placed on the west side of the spray park for safety concerns.

Commissioner Taylor expresses condolences to Luis Nater on the loss of his wife.

STAFF COMMENTS

Mayor Heldstab opened the meeting for staff comments

There were no staff comments.

EXECUTIVE SESSION

Commissioner Wunder moved, seconded by Commissioner Talley to adjourn into executive session at 8:10 p.m. to reconvene at 8:40 p.m. to discuss personnel matters of non-elected personnel—annual evaluation of the City Manager. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

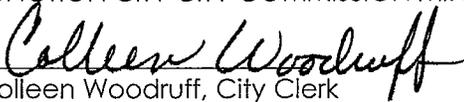
Commissioner Talley moved, seconded by Commissioner Wunder to reconvene into regular session at 8:40 p.m. having made no decisions nor taken any actions while in executive session. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

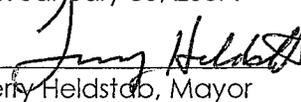
Commissioner Rhodes moved seconded by Commissioner Wunder to extend City Manager Barnes contract for two years and implement a 3% base salary increase. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

ADJOURNMENT

Commissioner Wunder moved, seconded by Commissioner Talley to adjourn at 8:45 p.m. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

APPROVED AND ACCEPTED THIS 6th DAY OF FEBRUARY 2007 AS THE OFFICIAL COPY OF THE JUNCTION CITY CITY COMMISSION MINUTES FOR January 30, 2007.


Colleen Woodruff, City Clerk


Terry Heldstab, Mayor