

CITY COMMISSION MINUTES

February 6, 2007

7:00 P.M.

The regular meeting of the Junction City City Commission was held on Tuesday, February 6, 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: Assistant City Manager Mike Guinn, City Attorney Charles Zimmerman and City Clerk Colleen Woodruff. Absent: City Manager Rodney Barnes

PLEDGE OF ALLEGIANCE

CONSENT AGENDA

Commissioner Taylor 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 31, 2007 Commission meeting minutes.
- b. The consideration of Ordinance S-2915, requesting a street name change from Dawn Court to Carmen Court in the Doc Hargreaves Addition #5. (Second Reading).
- c. The consideration of Ordinance S-2916 requesting final plat approval for Deer Creek Addition #3. Property is owned by JCTD Properties LLC/John Ecord. MPC by unanimous vote to recommends for approval. (Second Reading).
- d. The consideration of Pay Request #13, in the amount of \$78,596.10, submitted by Konza Construction Co., Inc for the 2005 Street Maintenance Project.
- e. The consideration of Pay Request #4, submitted by Kaw Valley Engineering, in the amount of \$12,525.00 for the design engineering for 31U-2111-01 at 6th and Webster.
- f. The consideration of Pay Request #4, submitted by Kaw Valley Engineering, in the amount of \$11,480.00 for the design engineering for 31U-2110-01 at 6th & Jackson.
- g. The consideration of amended petitions for Sutter Woods and Sutter Highlands requested by developer from using the Kansas Rural Housing Incentive District for water, sanitary sewer and storm sewer improvements to special assessments.
- h. The consideration of Ordinance S-2918, levying special assessments on certain property to pay the costs of internal improvements in the City. (First Reading). (REMOVED FROM AGENDA PRIOR TO MEETING)

- i. The consideration of an Emergency Shelter Grant Application for 2007 for the Open Door Community House in an amount of \$48,000.00.

APPOINTMENTS

Mayor Heldstab asked for consideration of the appointment of Leon Osbourn to serve on the Community Corrections Advisory Board to serve a two year term from February 6, 2007-February 6, 2009.

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

Mayor Heldstab asked for consideration of the appointment of Frank Catalo to the Human Relations Commission Board to serve a three year term beginning February 6, 2007-February 6, 2010.

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

Mayor Heldstab asked for consideration of the re-appointment of Marcus Hammond to serve on the MPC board from January 1, 2007 to December 31, 2009.

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

ORDINANCE S-2906

Ordinance S-2906 was presented for consideration on final 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

Mike Guinn, Assistant City Manager 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.

Commissioner Talley stated that he felt the timing of the addition was improper. Commissioners Rhodes stated that he thought that this project was an excellent opportunity to provide affordable housing in the \$130,000 to \$150,000 price range.

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

ORDINANCE S-2907

Ordinance S-2907 was presented on final 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.

Mike Guinn, Assistant City Manager stated that the ordinance requested final plat approval for Cedar Creek Addition, **Phase 1** 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 final reading. Ayes: Heldstab, Rhodes, Taylor, Wunder. Nays: Talley. Motion carried.

ORDINANCE S-2917

Ordinance S-2917 was presented for consideration on final 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

Assistant City Manager Mike Guinn stated that this 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 Taylor to approve Ordinance S-2917 on final reading. Ayes: Heldstab, Rhodes, Taylor, Wunder. Nays: Talley. Motion carried.

TRAFFIC CIRCLE LANDSCAPING

Christina Cook, City Engineer stated that two bids were received for the Traffic Circle Landscape Design. The bids were from Horticulture Unlimited and Rothwell Landscaping. Rothwell Landscaping was the lowest bid. Ms Cook stated that after these bids were accepted, a business owner, Jim Waters approached the City about donating the items for landscaping and monument. Staff recommended that this option be discussed with the business owner before the bid is awarded. Ms. Cook stated that Mr. Waters would be at the next City Commission meeting to discuss this option.

Commissioner Talley moved, seconded by Commissioner Taylor to table any action on this matter until the next City Commission meeting. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

CHANGE ORDER #2 J & K CONTRACTING

Christina Cook, City Engineer as for the consideration of Change Order #2, in the amount of \$38,704.15, submitted by J&K Contracting, Inc. for additional sanitary and water lines due to additional units in Prairie Ridge #2.

Commissioner Rhodes moved, seconded by Commissioner Taylor to approve the Change Order as requested. Ayes: Heldstab, Rhodes, Taylor, Wunder. Nays: Talley. Motion carried.

ORDINANCE G-1015 SETTING THE FIFTH THURSDAY AS A REGULAR CITY COMMISSION DATE

Ordinance G-1015 was presented on first reading.

ORDINANCE G-1015

AN ORDINANCE AMENDING SECTION 105.060 OF THE CODE OF THE CITY OF JUNCTION CITY TO ADD FIFTH TUESDAYS IN A MONTH AS REGULAR MEETING DATES FOR THE CITY COMMISSION

Assistant City Manager, Mike Guinn asked for the consideration of adding 5th Tuesday of the month as a regular meeting. He stated that to comply with the KOMA the need exists to amend the City code to designate the 5th Tuesday of the month as a regular commission meeting. It was staff's recommendation to amend section 105.060 of the Code of Junction City to add the 5th Tuesday of the month as a regular commission meeting.

City Attorney Zimmerman stated that in a Special Meeting only the items listed on the agenda could be discussed, nothing could be added at the meeting

Commissioner Rhodes moved, seconded by Commissioner Wunder to approve Ordinance G-1015 as recommended by staff. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

DEVELOPERS AGREEMENT- CASTLE DEVELOPMENT

Assistant City Manager Guinn stated that the City staff had negotiated with Tim Malone of Castle Development, LLC a development agreement. The agreement outlines how the Cedar Creek Addition infrastructure costs are going to be paid for. The primary source of funding is the Kansas Rural Housing Incentive District Act. The Act provides the capture of property tax dollars to pay for the financing cost of the infrastructure. Mr. Guinn stated that the City is merely a conduit and will not be financially obligated to any cost.

The agreement also provides for the payment of water and sewer lines to serve the Cedar Creek Addition. **Mr. Malone has agreed to pay for all water and sewer lines except for the over sizing costs (the City of Junction City will be responsible)** and for the costs to extend services from Landmark Development to Taylor Road. In addition, Mr. Malone has agreed to pay for street improvements to Taylor Road and a portion of the unpaved Liberty Hall Road. He is also agreeing to a letter of credit to insure build out of the development. **In item 8, section 1c, the entrance monument, trees and shrubs have been removed. The agreement has eliminated the section dealing with the**

development of a park. (section 9). Mr. Malone has agreed to develop the park and include the maintenance and upkeep as part of the homeowner's association responsibility.

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

ORDINANCE G-1016 WATER MAIN TAPPING FEES

Ordinance G-1016 amending section 700.090 of the code of Junction City, Kansas to provide for certain water main tapping fees was presented on first reading.

G-1016

AN ORDINANCE AMENDING SECTION 700.090 OF THE CODE OF THE CITY OF JUNCTION CITY TO PROVIDE FOR CERTAIN WATER MAIN TAPPING FEES

Dave Hurley, Codes Administrator asked for consideration of amendments and or Deletions to Section 700.090 Fees, New service and replacement – water taps in mains. Mr. Hurley stated that Section 700.090 A. has no mention of meter installations with fees. With the growth of the City and having the developer pay for the water service we must be able to pay for the meters and there installation. It was staff's recommendation to adopt Ordinance G-1016 Amending Section 700.090 A. adding 5/8 inch to 3/4 inch meter installation.....\$250.00, 1 inch meter installation.....\$300.00. The fees collected will help build a reserve in the find and will be used to pay for infrastructure and repairs. Commissioner Talley moved, seconded by Commissioner Taylor to approve Ordinance G-1016 on first reading. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

CDBG HOUSING REHAB GRANT

Joni Hernly, Hernly and Associates requested approval of bids from contractors for the following homes in the HOME program: 1807 N Madison, 1812 N Madison, 1838 N. Madison and 2004 N Madison. The bids are shown on the following tabulation.

ITEM No.	DESCRIPTION	Inspector Estimate	Ben Kitchens Painting	Craig Wolfe Painting	Greenstone Remodeling
1	1807 N Madison	\$16,987.00	\$14,248.00	\$20,117.00	
2	1812 N Madison	\$12,925.00	\$8,888.00	\$15,057.00	\$10,749.00
3	1838 N Madison	\$17,737.00	\$15,750.00	\$20,859.00	
4	2004 N Madison	\$17,438.00	\$15,248.00	\$22,971.00	

The Junction City of Junction City Code Dept and HQS Inspector recommend approval of the award of bid to Ben Kitchens Painting for all four homes. Ms Hernly stated that the city is still taking applications for this project. Commissioner Talley moved, seconded by Commissioner Wunder to approve the award of bid as recommended. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

AWARD OF BID-B G CONSULTANTS N. JACKSON DITCH BEAUTIFICATION

Christina Cook, City Engineer recommended approval of the award of bid to BG Consultants for the North Jackson Ditch Beautification. She stated that the City and KDOT TE Program are approaching the point of soliciting bids for the subject project. The KDOT project coordinator has requested BG Consultants Inc. submit a proposal for providing the construction administration services for the project. The cost of the proposal is \$177,649.00. This project is being funded primarily through KDOT highway and byway beautification program. KDOT will pay for 80% of the cost of this project.

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

RESOLUTION R-2324-PURCHASE OF PROPERTY

Assistant City Manager Guinn asked for approval of Resolution R-2324, authorizing the Mayor to purchase property located at 517 N. Washington Street, not to exceed \$35,000.00 in lieu of condemnation. The condemnation process will continue until the purchase is completed. City Attorney Zimmerman stated that the city will pay the closing costs and the title insurance.

Commissioner Talley moved, seconded by Commissioner Wunder to approve Resolution R-2324 as requested. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

GENERAL DISCUSSION

Mayor Heldstab opened the meeting for general discussion.

Janelle Phillips, Land Plan Engineering asked for clarification on item G on the consent agenda. Mayor Heldstab stated that item G had been approved.

A representative from "The Bluffs" stated that 103 of residences were leased. The clubhouse is now available to the residents.

COMMISSIONER COMMENTS

Mayor Heldstab opened the meeting for Commissioner Comments.

There were no Commissioner comments

STAFF COMMENTS

Mayor Heldstab opened the meeting for staff comments

There were no staff comments

ADJOURNMENT

Commissioner Wunder moved, seconded by Commissioner Talley to adjourn at 7:45 p.m. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

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


Colleen Woodruff, City Clerk


Terry Heldstab, Mayor