

## CITY COMMISSION MINUTES

May 1, 2007

7:00 P.M.

The regular meeting of the Junction City City Commission was held on Tuesday, May 1, 2007 with Mayor Rhodes presiding.

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

### PLEDGE OF ALLEGIANCE

### CONSENT AGENDA

Commissioner \_\_\_\_\_ moved, seconded by Commissioner \_\_\_\_\_ 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 April 17, 2007 Commission meeting minutes and the April 23, 2007 Special City Commission minutes.
- b. The consideration of Ordinance G-1020, amending Section 700.040 C to read as follows: Character of pipe for Service Connections. All service pipes installed on City side and the property side for the purpose of supplying Municipal water shall be made of suitable material approved by the City Engineer prior to being installed. Said pipe shall be laid a minimum of 36 inches below the established grade. (Second Reading).
- c. The consideration of Resolution R-2337, requesting street lights in the Olivia Farms Sub-division.
- d. The consideration of Ordinance S-2929, requesting rezoning from suburban residential and multiple-family residential to general commercial for property located at the 900 block of Golden Belt Blvd in the River View Addition. Property is owned by Jaybee, LLC/Jim Clark. MPC recommends approval by unanimous vote. (Second Reading).
- e. The consideration of Ordinance S-2930, requesting final plat approval for property located at the 900 block of Golden Belt Blvd. The property owners intention is to operate an alternative fuel facility from this location. The property if owned by Jaybee LLC, Jim Clark. The MPC recommends acceptance of the re-plat by unanimous vote. (Second Reading)
- f. The consideration of Ordinance S-2931, requesting final plat approval for property located at the NE Corner of US-77 and McFarland Rd. The property is owned by Ernest A Baszak/KVE. Surrounding property owners and developer have reached an agreement on the plat layout and restrictive covenant requirements. The MPC, recommends acceptance by unanimous vote. (Second Reading)

- g. The consideration of Resolution R-2342, authorizing the offering for sale of GOB Series DP. (Draft version waiting on additional costs more information.) (REMOVED FROM CONSENT AGENDA TO NEW BUSINESS)
- h. The consideration of Resolution R-2341, determining the advisability of issuing Industrial Revenue Bonds not to exceed \$1,800,000.00 for the New Horizons RV Project.
- i. The consideration of Pay Request # 1, submitted by Ebert Construction, in the amount of \$117,514.18 for the re-plat of Lot 1 Block 5 Hickory Hill Addition.
- j. The consideration of Resolution R-2343, authorizing the offering for sale of temporary notes Series 2007-A and 2007-B. (REMOVED FROM CONSENT AGENDA TO NEW BUSINESS)
- k. The consideration of resolutions authorizing internal improvements for inclusion in Temporary Notes 2007-A. Documentation to follow.
- l. The consideration and approval of the Junction City Arts Council Bylaws, submitted by Gail Parsons.
- m. The consideration of the Municipal Court Judge's Salary in the amount of \$43,000.00 effective May 7, 2007.
- n. The consideration of Resolution R-2344, for issuing the City's Industrial Revenue Bonds to pay the costs of developing and constructing certain commercial office building and adjacent parking lot located in the City.

#### **APPOINTMENTS**

Mayor Rhodes asked for consideration of a request to appoint Sam Robinson to the Public Housing Authority to fill a vacated position. The term is for three (3) years. Commissioner Heldstab moved, seconded by Commissioner Taylor to approve the appointment as requested. Ayes: Heldstab, Rhodes, Talley, Taylor. Nays: None. Absent: Wunder. Motion carried.

#### **SPECIAL PRESENTATIONS**

Mayor Rhodes proclaimed May 15<sup>th</sup> as "Peace Officers' Memorial Day and the week of May 13-19 as Police Week and presented a proclamation to Chief Bob Story.

City Manager Barnes presented APWA award for the Washington Street Roundabout to the City Commission.

Mayor Rhodes proclaimed the month of May as "National Historic Preservation Month and presented a proclamation to Gaylynn Childs and members of the Historic Preservation Board. Ms. Childs stated that the Historic Preservation Board had set up a display in the foyer of the Municipal Building showing the progress Junction City is making in restoring the historic beauty of homes.

## **HISTORIC PRESERVATION AWARD**

Gaylynn Childs presented the Historic Preservation Award to Charles and Donna Lundeen for the on going preservation and maintenance of their historic home located at 240 W 3<sup>rd</sup> Street.

## **NEIGHBORHOOD REVITALIZATION APPLICATIONS**

Rose Palmer, Economic Development Retail Specialist stated that George Marcus, General Contractor has submitted a Neighborhood Revitalization Application to construct a new office space and warehouse at 218 E. 10<sup>th</sup> Street, contingent on the consideration of rezoning process. The unit will be sold. The construction costs are approximately \$150,000.00. The project meets the terms and conditions of the Neighborhood Revitalization Plan #13 under commercial development. It will qualify for a tax rebate on the aforementioned property of 95% for years 1-2, 85% for years 3-4 and 75% for year 5.

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

## **REVISED SCHEDULE AND DESIGN FEE**

Christina Cook, City Engineer presented a revised schedule and design fee that was submitted by TranSystems in an amount not to exceed, \$17,500.00 for the US-77/Ash Street Traffic Signalization. Ms. Cook stated that the design aspect of the project will be completed prior to July in order for the request for bid can be sent. The project will be completed in the fall, 2007.

Commissioner Talley moved, seconded by Commissioner Heldstab to approve the revised schedule and design fee. Ayes: Heldstab, Rhodes, Talley, Taylor. Nays: None. Absent: Wunder. Motion carried.

## **ORDINANCE S-2936--ISSUANCE OF GENERAL OBLIGATION BONDS**

Ordinance S-2936 was presented on first reading.

### **ORDINANCE S-2936**

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF \$[Principal Amount] PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING AND IMPROVEMENT BONDS, SERIES DP, OF THE CITY OF JUNCTION CITY, KANSAS; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON SAID BONDS AS THEY BECOME DUE; AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH; AND MAKING CERTAIN COVENANTS WITH RESPECT THERETO.

Commissioner Talley moved, seconded by Commissioner Taylor to approve Ordinance S-2936 on first reading. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

## **CHANGE ORDER #2 MIDLANDS CONTRACTING HIDDEN VALLEY ADDITION #2**

Christina Cook, City Engineer asked for consideration of Change Order #2, submitted by Midlands Contracting, requesting and extension of contract time of 38 days due to adverse weather conditions. This would move the completion date from April 17 to May 25, 2007 for work at the Hidden Valley Addition #2. City Staff checked with the city's attorney and they said that legally the city cannot deny an extension due to adverse weather conditions.

Commissioner Talley moved, seconded by Commissioner Taylor to approve Change Order #3 as requested. Ayes: Heldstab, Rhodes, Talley, Taylor. Nays: None. Absent: Wunder. Motion carried.

## **AWARD OF CONTRACT J & K CONTRACTING MICHAELS RUN ADDITION**

Christina Cook, City Engineer requested consideration of award of contract to J & K Contracting in the amount of \$857,796.10 for a re-plat of the Michaels Run Addition. Ms Cook stated that the cost was well below the engineer's estimate. She stated that six (6) bids were received. Commissioner Talley moved, seconded by Commissioner Taylor to approve the award of contract as requested. Ayes: Heldstab, Rhodes, Talley, Taylor. Nays: None. Absent: Wunder. Motion carried.

## **AWARD OF CONTRACT - KONZA CONSTRUCTION**

Christina Cook, City Engineer asked for consideration of award of contract to Konza Construction for the KLINK resurfacing project in an not to exceed amount of \$374,504.60. She stated that the amount was well below the engineer's estimate of \$575,000.00. The financing is a 50/50 split. She stated that three (3) bids were received. Commissioner Heldstab moved, seconded by Commissioner Taylor to approve the award of contract as requested. Ayes: Heldstab, Rhodes, Talley, Taylor. Nays: None. Absent: Wunder. Motion carried.

## **ORDINANCE S-2937—SMOKY HILL MARKET PLACE ZONING**

Ordinance S-2937 requesting annexation and rezoning to Central Commercial District for Smoky Hill Market Place was presented on first reading.

### **ORDINANCE S-2937**

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 CENTRAL COMMERCIAL SPECIAL (CCS) DISTRICT AND TO INCORPORATE SAID PROPERTY INTO THE CITY LIMITS OF THE CITY OF JUNCTION CITY, KANSAS.

Commissioner Talley moved, seconded by Commissioner Heldstab to approve Ordinance S-2937 on first reading. Ayes: Heldstab, Rhodes, Talley, Taylor. Nays: None. Absent: Wunder. Motion carried.

**ORDINANCE S-2938 REZONING NORTH 200 BLOCK E 7<sup>TH</sup>**

Ordinance S-2938, requesting rezoning approval to General Commercial District for property located on the north side of the 200 block of East 7<sup>th</sup> Street was presented on first reading.

**ORDINANCE NO. S-2938**

AN ORDINANCE RELATING TO PROPERTY GENERALLY LOCATED IN THE 200 BLOCK OF EAST SEVENTH STREET AND MORE PARTICULARLY DESCRIBED AS LOT SIXTEEN (16) AND THE WEST THIRTY-ONE (31) FEET OF LOT SEVENTEEN (17), BLOCK TWENTY-THREE (23), ADDITION TO JUNCTION CITY, GEARY COUNTY, KANSAS. REZONING SAID PROPERTY FROM CENTRAL COMMERCIAL SPECIAL (CCS) DISTRICT TO GENERAL COMMERCIAL (CG) DISTRICT ALL WITHIN THE CORPORATE LIMITS OF THE CITY OF JUNCTION CITY, KANSAS.

Commissioner Heldstab moved, seconded by Commissioner Talley to approve Ordinance S-2938 on first reading. Ayes: Heldstab, Rhodes, Talley, Taylor. Nays: None. Absent: Wunder. Motion carried.

**ORDINANCE S-2939 REZONING 218 E 10<sup>TH</sup>**

Ordinance S-2939, requesting rezoning approval to General Commercial for property located at 218 E 10<sup>th</sup> was presented on first reading.

**ORDINANCE NO. S-2938**

AN ORDINANCE RELATING TO PROPERTY GENERALLY LOCATED IN THE 200 BLOCK OF EAST SEVENTH STREET AND MORE PARTICULARLY DESCRIBED AS LOT SIXTEEN (16) AND THE WEST THIRTY-ONE (31) FEET OF LOT SEVENTEEN (17), BLOCK TWENTY-THREE (23), ADDITION TO JUNCTION CITY, GEARY COUNTY, KANSAS. REZONING SAID PROPERTY FROM CENTRAL COMMERCIAL SPECIAL (CCS) DISTRICT TO GENERAL COMMERCIAL (CG) DISTRICT ALL WITHIN THE CORPORATE LIMITS OF THE CITY OF JUNCTION CITY, KANSAS.

Commissioner Heldstab moved, seconded by Commissioner Taylor to approve Ordinance S-2939 on first reading. Ayes: Heldstab, Rhodes, Talley, Taylor. Nays: None. Absent: Wunder. Motion carried.

**ORDINANCE S-2941 FINAL PLAT APPROVAL 6<sup>TH</sup> AND GARFIELD**

Ordinance S-2941, requesting final plat approval for the Intrust Bank Addition.

Commissioner Talley moved, seconded by Commissioner Taylor to approve Ordinance S-2941 on first reading. Ayes: Heldstab, Rhodes, Talley, Taylor. Nays: None. Absent: Wunder. Motion carried.

#### **ORDINANCE S-2942 FINAL PLAT FOR DEER CREEK ADDITION**

Ordinance S-2942 requesting final plat approval for Deer Creek Addition was presented on first reading.

#### **ORDINANCE NO. S-2942**

AN ORDINANCE RELATING TO PLATTED LAND WITHIN THE CORPORATE LIMITS OF THE CITY OF JUNCTION CITY, KANSAS: APPROVING AND ACCEPTING THE FINAL (REPLAT) PLAT OF SAID LAND, THE PUBLIC DEDICATIONS, STREETS, BUILDING LIMIT LINES AND UTILITY EASMENTS SHOWN THEREON AS THE FINAL (REPLAT) PLAT OF DEER CREEK JUNCTION ADDITION TO JUNCTION CITY, KANSAS.

Commissioner Heldstab moved, seconded by Commissioner Taylor to approve Ordinance S-2942 on first reading. Ayes: Heldstab, Rhodes, Talley, Taylor. Nays: None. Absent: Wunder. Motion carried.

#### **CHANGE ORDER #3 MIDLANDS CONTRACTING**

Christina Cook, City Engineer requested consideration of Change Order #3, submitted by Midlands Contracting, requesting a 25 day extension due to adverse weather conditions and 21 days due to the delays caused by lowering of fiber optic cable, resulting in a total of 46 days for a completion date of May 11, 2007 from March 26, 2007.

Commissioner Taylor moved, seconded by Commissioner Talley to approve the change order as requested by Midland Contracting. Ayes: Heldstab, Talley, Taylor. Nays: None. Abstain: Rhodes. Absent: Wunder. Motion carried.

#### **REQUEST TO APPLY FOR FIREFIGHTERS ASSISTANCE GRANT**

Craig Paxton, Acting Fire Chief and Captain Rick Rook requested approval to apply for the Firefighters Assistance Grants. These are matching funds grants. The pandemic supplies grant total cost is \$100,000. The City's share would be 10% which would be \$10,000. The 100' aerial platform truck is \$1,250,000. The City's share would be 10% which is \$125,000.

He stated that the City is in need of medical equipment and supplies in the event of a pandemic flu or the Avian flu. This equipment would also be utilized in any mass casualty incidents.

He further stated that due to the age of our existing truck (which no longer meets NFPA standards for passenger safety), the addition of multiple story residential buildings, and increase in commercial structures, a larger and more adequate aerial is needed.

Commissioner Heldstab moved, seconded by Commissioner Talley to approve the request to apply for the Firefighters Assistance Grant. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

#### **COST ESTIMATE-TOM NEAL INDUSTRIAL PARK**

Christina Cook, City Engineer requested consideration of a cost estimate, in an amount not to exceed \$495,036.00, submitted by Kaw Valley Engineering for a re-plot of Tom Neal Industrial Park.

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

#### **REQUEST-DIGITAL SURVEILLANCE SYSTEM-SPIN CITY**

Jason Haslouer, Recreation Director requested approval from the City Commission to seek proposals for a digital surveillance system for Spin City. Mr. Haslouer stated that before the renovation process a security system bid was not included in the grant process. He stated that the City must provide its own surveillance system unless there is money found at the end of the grant to put toward the security system. Bids will be sent out the first week in May and will be due back by May 18.

Commissioner Talley moved, seconded by Commissioner Heldstab to approve requesting proposals for a surveillance system. Ayes: Heldstab, Rhodes, Talley, Taylor. Nays: None. Absent: Wunder. Motion carried.

#### **ORDINANCE S-2943**

Josh McKim, Economic Development Director asked that the City Commission approve Ordinance S-2943 on first reading and declare an emergency for the approval of Ordinance S-2943, concerning the Capgemini project. The general nature of such emergency is that the current volatility of interest rates requires marketing of its temporary notes (the "Notes") to pay certain costs authorized by the Ordinance described above at the earliest favorable opportunity, which may result in the City paying a lower interest cost on the Notes.

It is therefore expedient at this time that the City Commission finds and declares that a public emergency exists by reason of the foregoing and that the above entitled ordinance be finally adopted on the day of its introduction.

Commissioner Talley moved, seconded by Commissioner Heldstab to approve Ordinance S-2943 on first reading. Ayes: Heldstab, Rhodes, Talley, Taylor. Nays: None. Absent: Wunder. Motion carried.

#### **REQUEST FOR DECLARATION OF EMERGENCY**

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

Commissioner Talley moved, seconded by Commissioner Heldstab to approve Ordinance S-2943 on final reading. Ayes: Heldstab, Rhodes, Talley, Taylor. Nays: None. Absent: Wunder. Motion carried.

**ORDINANCE S-2944**

Josh McKim, Economic Development Director asked that the City Commission approve Ordinance S-2944 on first reading and declare an emergency for the approval of Ordinance S-2944 on final reading concerning the Capgemini project. The general nature of such emergency is that the current volatility of the markets requires issuance of the bonds referenced in the Ordinance described above at the earliest favorable opportunity. It is therefore expedient at this time that the City Commission finds and declares that a public emergency exists by reason of the foregoing and that the above entitled ordinance be finally adopted on the day of its introduction.

Commissioner Talley moved, seconded by Commissioner Heldstab to approve Ordinance S-2944 on first reading.

**REQUEST FOR DECLARATION OF EMERGENCY**

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

Commissioner Talley moved, seconded by Commissioner Heldstab to approve Ordinance S-2944 on final reading. Ayes: Heldstab, Rhodes, Talley, Taylor. Nays: None. Absent: Wunder. Motion carried.

**DEVELOPMENT AGREEMENT-CAPGEMINI PROJECT**

Commissioner Heldstab moved, seconded by Commissioner Talley to approve the development between the Spirit of 76 and Capgemini as requested. Ayes: Heldstab, Rhodes, Talley, Taylor. Nays: None. Absent: Wunder. Motion carried.

**ORDINANCE S-2945 ISSUANCE OF GENERAL OBLIGATION BONDS**

Ordinance G-2945 was presented on first and second reading. The ordinance authorizes the issuance of General Obligation Bonds for the Ventria Project.

**ORDINANCE NO. S-2945**

A HOME RULE ORDINANCE OF THE CITY OF JUNCTION CITY, KANSAS,  
AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE CITY  
TO PROVIDE FUNDS FOR ECONOMIC DEVELOPMENT GRANTS TO BE USED IN  
CONNECTION WITH THE DEVELOPMENT AND CONSTRUCTION OF A CERTAIN  
OFFICE FACILITY LOCATED IN THE CITY (VENTRIA PROJECT)

Commissioner Heldstab moved, seconded by Commissioner Talley to approve Ordinance S-2945 on first reading. Ayes: Heldstab, Rhodes, Talley, Taylor, Nays: None. Absent: Wunder. Motion carried.

**REQUEST FOR DECLARATION OF EMERGENCY**

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

Commissioner Talley moved, seconded by Commissioner Taylor to approve Ordinance S-2945 on final reading and declare an emergency for the passage of Ordinance S-2945 concerning the issuance of Ventria Industrial Revenue Bonds. Ayes: Heldstab, Rhodes, Talley, Taylor. Nays: None. Absent: Wunder. Motion carried.

**ORDINANCE S-2946 ISSUANCE OF GENERAL OBLIGATION BONDS**

Ordinance G-2946 was presented on first reading. The ordinance authorizes the issuance of General Obligation Bonds for the Edenspace Project.

ORDINANCE NO. S-2946

A HOME RULE ORDINANCE OF THE CITY OF JUNCTION CITY, KANSAS, AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE CITY TO PROVIDE FUNDS FOR ECONOMIC DEVELOPMENT GRANTS TO BE USED IN CONNECTION WITH THE DEVELOPMENT AND CONSTRUCTION OF CERTAIN COMMERCIAL PROCESSING AND OFFICE FACILITIES LOCATED IN THE CITY (EDENSPACE PROJECT).

**REQUEST FOR DECLARATION OF EMERGENCY**

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

Commissioner Heldstab moved, seconded by Commissioner Taylor to approve Ordinance S-2946 on first reading and declare an emergency for passage of Ordinance S-2946. Ayes: Heldstab, Rhodes, Talley, Taylor. Nays: None. Absent: Wunder. Motion carried.

**ORDINANCE S-2948 ISSUANCE OF GENERAL OBLIGATION BONDS**

Ordinance S-2948 was presented on first reading. The ordinance authorizes the issuance of General Obligation Bonds for the construction of storm water drainage improvements at Highway 57, North Jackson and Elmdale Road Project. Commissioner Heldstab moved, seconded by Commissioner Taylor to approve Ordinance S-2948 on first reading. Ayes: Heldstab, Rhodes, Talley, Taylor. Nays: None. Absent: Wunder. Motion carried.

**REQUEST FOR DECLARATION OF EMERGENCY**

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

Commissioner Heldstab moved, seconded by Commissioner Taylor to approve Ordinance S-2948 on final reading and declare an emergency for passage of Ordinance S-2948. Ayes: Heldstab, Rhodes, Talley, Taylor. Nays: None. Absent: Wunder. Motion carried.

**ORDINANCE S-2949 ISSUANCE OF GENERAL OBLIGATION BONDS**

Ordinance S-2949 was presented on first reading. The ordinance authorizes the issuance of General Obligation Bonds for commercial construction for the Lead Horse Technologies Project. Commissioner Heldstab moved, seconded by Commissioner Taylor to approve Ordinance S-2949 on first reading. Ayes: Heldstab, Rhodes, Talley, Taylor. Nays: None. Absent: Wunder. Motion carried.

**REQUEST FOR DECLARATION OF EMERGENCY**

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

Commissioner Heldstab moved, seconded by Commissioner Taylor to approve Ordinance S-2949 on final reading and declare an emergency for passage of Ordinance S-2949. Ayes: Heldstab, Rhodes, Talley, Taylor. Nays: None. Absent: Wunder. Motion carried.

**ORDINANCE S-2950 ISSUANCE OF GENERAL OBLIGATION BONDS**

Ordinance S-2950 was presented on first reading. The ordinance authorizes the issuance of General Obligation Bonds for commercial construction for economic

development grants to be used to construct a customer care facility in the City (Unplugged Cities Projects).

Commissioner Heldstab moved, seconded by Commissioner Taylor to approve Ordinance S-2950 on first reading. Ayes: Heldstab, Talley, Taylor. Nays: None. Abstain: Rhodes. Absent: Wunder. Motion carried.

#### **REQUEST FOR DECLARATION OF EMERGENCY**

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

Commissioner Heldstab moved, seconded by Commissioner Taylor to approve Ordinance S-2950 on final reading and declare an emergency for passage of Ordinance S-2950. Ayes: Heldstab, Talley, Taylor. Nays: None. Abstain: Rhodes. Absent: Wunder. Motion carried.

#### **DEVELOPMENT AGREEMENT EDENSPACE**

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

#### **REQUEST FOR TAXI SERVICE**

Shaneka Pierre, Spiere Lines asked the City Commission for consideration of a request for taxi license and city funding.

Mayor Rhodes suggested that she visit with the Economic Development Commission and make sure she has all of the necessary documentation correctly filled out for the taxi cab license.

#### **GENERAL DISCUSSION**

Mayor Rhodes opened the meeting for general discussion.

A representative from the Bluffs stated that they are 95% occupied.

Anthony Joseph addressed the City Commission concerning the property at 334-366 West 5<sup>th</sup> Street. He currently is selling the property to Larry Ruiz on contract. He asked the City Commission for an extension on the demolition process. He stated that the permits had been issues and some demolition work inside the building has already been started. He said that the financing would be in place by the 5<sup>th</sup> of May. Mayor Rhodes stated that the City had gone above and beyond in assisting Mr. Ruiz. The Commission didn't feel that any more extensions should be given.

Larry Ruiz addressed the City Commission. He apologized for any misunderstanding regarding the issue with the property on Fifth. Vice Mayor Wunder asked Mr. Ruiz if he had new information to report. He stated that if not there was no

need to go over the issues again. City Manager Barnes stated that no decisions could be made until the May 15<sup>th</sup> meeting, after the bids for demolition were received.

#### **COMMISSIONER COMMENTS**

Mayor Rhodes opened the meeting for Commissioner Comments.

Commissioner Taylor stated that he was concerned with the slow response time from Westar to fix a line down on Chestnut and Jackson. He asked if staff could contact someone at Westar.

Commissioner Heldstab stated that he had received a complaint about the trash on Liberty Hall Road. Assistant City Manager Guinn stated that staff is looking into the matter.

Mayor Rhodes stated that he appreciated staff and citizens that attended the budget meeting. He also thanked the Military Affairs staff for the Town Hall meeting. He stated that it was very well attended.

#### **STAFF COMMENTS**

Mayor Rhodes opened the meeting for staff comments.

City Manager Barnes stated that budget work sessions will start on May 14<sup>th</sup>. He also stated that the City had hired a new Municipal Court Judge and a new City Prosecutor.

#### **EXECUTIVE SESSION**

Commissioner Heldstab moved, seconded by Commissioner Taylor to adjourn into executive session at 8:50 p.m. to reconvene at 9:25 p.m. to discuss matters related trade secrets, of second parties, such as partnerships, corporations, trust and individual partnerships. Ayes: Heldstab, Rhodes, Talley, Taylor, Nays: None. Absent: Wunder. Motion carried.

Included in the executive session were: City Manager, Assistant City Manager, and Economic Development Director, Josh McKim.

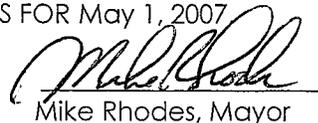
Commissioner Heldstab moved, seconded by Commissioner Talley to reconvene into regular session having taken no action nor made any decisions while in executive session. Ayes: Heldstab, Rhodes, Talley, Taylor. Nays: None. Absent: Wunder. Motion carried.

#### **ADJOURNMENT**

Commissioner Talley moved, seconded by Commissioner Heldstab to adjourn at 9:21 p.m. Ayes: Heldstab, Rhodes, Talley, Taylor. Nays: None. Absent: Wunder. Motion carried.

APPROVED AND ACCEPTED THIS DAY OF MAY 15, 2007 AS THE OFFICIAL COPY OF THE JUNCTION CITY CITY COMMISSION MINUTES FOR May 1, 2007

  
Colleen Woodruff, City Clerk

  
Mike Rhodes, Mayor