

CITY COMMISSION MINUTES

May 15, 2007

7:00 P.M.

The regular meeting of the Junction City City Commission was held on Tuesday, May 15, 2007 with Mayor Rhodes 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 and City Clerk Colleen Woodruff.

PLEDGE OF ALLEGIANCE

CONSENT AGENDA

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

- a. Approval of the May 1st City 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 Change Order #5, submitted by Konza Construction in the amount of \$40,305.00 for streets added to the current 2005 Street maintenance project.
- d. The consideration of Ordinance S-2937, requesting annexation and rezoning to Central Commercial Special District for Smoky Hill Market Place. Property is owned by Strauss/City of Junction City. MPC recommends approval by unanimous vote. (Second Reading).
- e. The consideration of Ordinance S-2938, requesting rezoning approval to General Commercial District, for property located on the north side of 200 block of East 7th Street (Nelson rezoning request)/the property is owned by Boland. The MPC recommends approval by a unanimous vote. (Second Reading).

- f. The consideration of Ordinance S-2939, requesting rezoning approval to General Commercial for property located at 218 E 10th Street, owned by George Marcus. The MPC recommends approval by a unanimous vote. (Second Reading).
- g. The consideration of Ordinance S-2941, requesting final plat approval for the Intrust Bank Addition, owned by Intrust Bank, NA Winkley, at 6th & Garfield. The MPC recommends acceptance by a unanimous vote. (Second Reading).
- h. The consideration of Ordinance S-2942, requesting final plat approval for the Deer Creek Addition, owned by Dawn Real Estate Holdings No. 3 for property at Sandusky Drive and South Wind Drive. (Second Reading).
- i. The consideration of a Grant of Easement from Western Developers for Oakwood Mill Town homes addition, in an amount of \$1.00.
- j. The consideration of a request to let for bids for removal of an unsafe structure located at 1102 N Franklin.
- k. The consideration of a Letter of Agreement, submitted by Kaw Valley Engineering for construction observation and related services, in an amount not to exceed \$31,900.00 for street, sewer and water improvements so serve the re-plat of Michaels Run Addition.
- l. The consideration of Resolution R-2356, authorizing the Mayor to sign a deed selling property located at 216 E 16th Street to Sandra Clark as part of the City's Self Help Housing Program.
- m. The consideration of Resolution R-2357, authorizing the Mayor to sign a deed selling property located at 304 16th Street Circle to Anna G. Wicks as part of the Self Help Housing Program.
- n. The consideration of Resolution R-2361 authorizing water main, sanitary sewer and storm sewer improvements for the Junction City Middle School Addition/Quinton Point Apartments.
- o. The consideration of Pay Request #1, submitted by Midlands Contracting, Inc. in the amount of \$41,400.00 for work at Deer Creek #3.
- p. The consideration of Pay Request #4, submitted by Midlands Contracting, in the amount of \$231,035.16 for work at the Hidden Valley Addition.
- q. The consideration of Pay Request #6, submitted by Midlands Contracting, Inc. in the amount of \$238,682.18 for work at Deer Creek #2.
- r. The consideration of Pay Request #4(Final), submitted by Midlands Contracting
- s. The consideration of Pay Request #7, submitted by J&K Contracting, in the amount of \$84,507.87 for work completed at Prairie Ridge #2.

- t. The consideration of Pay Request #6, submitted by J&K Contracting, in the amount of \$71,864.68 for work completed at Indian Ridge #6.
- u. The consideration of a Petition and Cost Estimate not to exceed \$589,771.70, for Sunset Addition (Turkey Ridge Addition) and re-plat of Sunset Addition (Turkey Ridge Addition) to include street, sewer, water and utility improvements. The City's portion at 10% is \$58,977.17
- v. The consideration of a Petition and Cost Estimate not to exceed \$987,111.00 for Sunrise Addition (Turkey Hollow Addition) and re-plat of Sunrise Addition (Turkey Hollow Addition) to include street, sewer, water and utility improvements. The City's portion at 10% is \$98,711.10.
- w. The consideration of a Petition and Cost Estimate not to exceed \$1,079,990.90 for Quinton Point Apartments to include utility improvements. The City's portion at 10% is \$107,999.09.
- x. The consideration of a request to issue a cereal malt beverage license to Junction City Bowl, Inc. 835 W Washington, submitted by Joe Ellison.
- y. The consideration of Resolution R-2359, authorizing the Mayor to sign a deed selling property located at 313 16th Street Circle to Plinio Aizprua as part of the City's Self Help Housing Program.
- z. The consideration of Appropriation Ordinances and Payroll Ordinances:
 - a. Appropriation Ordinance, dated April 20, 2007-\$708,213.52.
 - b. Appropriation Ordinance, dated April 27, 2007-\$239,985.11.
 - c. Appropriation Ordinance, dated May 10, 2007-\$703,963.58.
 - d. Payroll Ordinance, dated April 27, 2007-\$194,861.90.
 - e. Payroll Ordinance, dated May 11, 2007-\$197,748.06
- aa. The consideration of Pay Request #1, submitted by J&K Contracting, in the amount of \$885,485.54, for work in Mann's Ranch #2.
- bb. The consideration of Pay Request #1, submitted by J&K Contracting, in the amount of \$832,332.56 for work in Mann's Ranch #1.
- cc. The consideration of Resolution R-2362, amending and supplementing Resolution R-2290 which amended R-2230 authorizing street, sanitary sewer, storm sewer and water main improvements for Turkey Ridge Addition and re-plat of all of Lots 2 thru 16, Block 1, and all of Kestrel Drive, and Falcon Street Right-of-Ways, Turkey Ridge Addition.
- dd. The consideration of Resolution R-2363, amending Resolution R-2289 which amended Resolution R-2232 authorizing street, sanitary sewer, storm sewer and water main improvements to the Turkey Hollow Addition.

APPOINTMENTS

Mayor Rhodes asked for consideration of a request, submitted by Desiree Andrews from the Human Relations Commission to appoint Edna Hatchett and Kimberly Carter to serve three year terms beginning May 1, 2007 and ending May 1, 2010.

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

Mayor Rhodes asked for the consideration of a request, submitted by Gail Parsons of Mrs. Kelle Gross to the Junction City Arts Council to serve a term of 2 years ending on December 31, 2009. Kelle fills a vacant position.

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

SPECIAL PRESENTATIONS

The 5th grade class from Sheridan Elementary gave a presentation about the changes occurring in Junction City.

Mayor Rhodes proclaimed the week of May 20-26, 2007 as "National Public Works Week" and presented a proclamation to Ray Ibarra.

Mayor Rhodes proclaimed the month of May as "Mental Health Month" and presented a proclamation to Melanie Griffin.

Rod Barnes and Reynard Wright presented the Reynard Wright Excellence in Youth Leadership Award to Kyle Glaser. HE also received a \$500 scholarship.

YOUTH COMMISSION REPORT

Kyle Glasser stated that the Youth Commission had presented two \$500 scholarships to Ashley Glover who will be attending Kansas State University and to Antonio Clemmens who will be attending Butler College.

334-336 W. 5TH -LARRY RUIZ

Larry Ruiz addressed the City Commission on the property located at 334-336 W 5th Street owned by Quality Trust. He asked for the City Commission to reconsider the demolition of his property. He stated that Quality Trust had gained control of the property as of May 3, 2007. He stated that the required permits were acquired and that work had begun inside the property. He stated that he had corrected all of the items that were on the list received by Codes Enforcement. He stated that the property had remained dormant for 20 years and that his company was the only one that had stepped up to see it repaired.

AWARD OF DEMOLITION 336 W 5TH

Dave Hurley, Codes Administrator asked for the consideration of award of demolition contract to Harold Glessner, in the amount of \$2190.00 for property located at 336 W 5th Street owned by Larry Ruiz/Quality Trust.

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

ORDINANCE S-2936

Ordinance S-2936 authorizing the issuance of General Obligation Bonds in the amount of \$28,430,000.00 was presented on final reading.

ORDINANCE NO. S-2936

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF \$ 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 Heldstab moved, seconded by Commissioner Wunder to approve Ordinance S-2936 on final reading. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

RESOLUTION R-2358 ISSUANCE OF TEMPORARY NOTES

City Manager Barnes asked for consideration of Resolution R-2358, authorizing the issuance, sale and delivery of temporary notes Series 2007-A in the amount of \$23,350,000.00 including the Tackwell Addition, Turkey Ridge Addition, Turkey Hollow Addition, Sutter Woods Addition, Sutter Woods Addition-street improvements, Sutter Highlands, Sutter Highlands-street improvements, Mann's Ranch #1, Mann's Ranch #1 street improvements, Mann's Ranch #2, Mann's Ranch #2, street improvements, Village at Freedom Place, Hwy 57 North Jackson drainage improvements, Deer Creek #3 and re-plat of Michaels Run, and 2007-B in the amount of \$5,250,000.00 including Lead Horse, Eden Space and Unplugged Cities.

Commissioner Talley moved, seconded by Commissioner Taylor to approve Resolution R-2358 as presented. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

RESOLUTION R-2360 GENERAL OBLIGATION BONDS-SERIES DP

City Manager Barnes asked the consideration of Resolution R-2360 authorizing and directing the sale and delivery of general obligation refunding and improvement bonds Series DP in the amount of \$28,430,000.00.

Commissioner Wunder moved, seconded by Commissioner Heldstab to approve Resolution R-2360 as presented. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

PROPERTY AND LIABILITY INSURANCE RENEWAL.

Bob Charlesworth, representing Charlesworth and Associates asked for the consideration of the renewal of the City's property and liability insurance with Sunflower Insurance Group. The current premium is \$189,764; the renewal premium will be \$197,011. Commissioner Wunder moved, seconded by Commissioner Talley to approve the renewal of the city's property and liability insurance. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

SUBDIVISION UPDATE

Leon Osbourn, Kaw Valley Engineering updated the City Commission on the status of the various sub-division in Junction City,

AWARD OF DEMOLITION-702 W 9TH and 807 W 9TH STREET

Dave Hurley, Codes Administrator asked for consideration of award of demolition contract to Harold Glessner, in the amount of \$1,740.00 for property located at 702 W 9th Street owned by Mar Tye Madkins and \$1,400.00 for property located at 807 W 9th Street owned by Ok Su Bentz .

Commissioner Heldstab moved, seconded by Commissioner Wunder to approve the award of bid to Harold Glessner in the amount of \$1,740.00 for 702 W 9th and \$1,400.00 for 807 W 9th. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

REQUEST FOR EXTENSION OF NRP-BRIGGS AUTO

Rose Palmer, Economic Development stated that the Briggs Auto Group has requested an extension of time for the 95% rebate of all increases in property taxes pursuant to the Neighborhood Revitalization Tax Rebate Program. An application for the rebate was applied for on October 21, 2005 and subsequently approved on November 2, 2005, by James W. Ruhnke, Geary County Appraiser. Mr. Briggs stated that they were requesting a year's extension. He stated that they would have control of the property on May 30, 2007.

Commissioner Heldstab moved, seconded by Commissioner Wunder to approve the request for extension until May 30, 2008 as requested. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

AWARD OF BID-JIM CLARK-RECREATION VAN

Jason Haslouer, Recreation Director stated that bids were mailed out on Friday, April 20, 2007 and bids were received on Friday, May 4, 2007. The bids were for a One Ton 12 or 15 Passenger Van. One bid was received from Jim Clark for the amount of \$24,352.00. It was staff's recommendation to award the bid to Jim Clark.

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

CORRIDOR MANAGEMENT STUDY

City Engineer, Christina Cook stated that the corridor management study is being conducted by HNTB of the US-77 and K-18 corridor. The scope of services will extend on US-77 from Lyons Creek Road to 12th Street in the City of Milford and K-18 from the

Dickenson/Geary County of US-77 and north and south of K-18. Ms Cook stated that the scope of work will be split between KDOT @ 60%, Geary County @ 20% and the City of Junction City @ 20%. The total for this project is \$253,842.00. He stated that this reimbursable project with KDOT. Ms Cook stated that the study would begin as soon as the project was approved by the City Commission and should be finished by January 2008.

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

CHANGE ORDER #1 J & K CONTRACTING

City Engineer Christina Cook stated that J & K Contracting had requested a changer order in the amount of \$28,035.00 for demo work that was not originally included in the Mann's Ranch #1 original contract. The work consisted the removal of several existing buildings. The removal has been completed. Commissioner Talley asked why the City would be responsible for paying the costs. He felt that the developer should pay for it.

Commissioner Wunder moved, seconded by Commissioner Heldstab to table any action on this item until further discussion will all involved. Ayes: Heldstab, Rhodes, Talley, Wunder. Nays: None. Abstain: Taylor. Motion carried.

CHANGE ORDER #3 J & K CONTRACTING

City Engineer Christina Cook stated that J & K Contracting had requested an extension of 10 weather days moving the end date to June 4, 2007 for the Doc Hargreaves Hilltop Addition #5 and the Russell J. Johnson Addition. The weather days have been verified by inspectors.

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

CHANGE ORDER # 3- MIDLANDS CONTRACTING

City Engineer Christina Cook stated that Midlands Contracting requesting and extension of 10 days due to adverse weather conditions, moving the end date to June 4, 2007 for Hidden Valley Addition. The weather days have been verified by inspectors.

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

CHANGE ORDER #3- MIDLANDS CONTRACTING

City Engineer Christina Cook stated that Midlands Contracting had requested an extension of 10 days due to adverse weather conditions for a completion date of May 21, 2007 for Deer Creek #2 Addition. The weather days have been verified by inspectors.

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

CHANGE ORDER #3-J & K CONTRACTING

Christina Cook, City Engineer stated that J & K Contracting has requested an extension of 10 days due to adverse weather conditions, moving the end date to June 1, 2007 for the Rivendell Addition. The weather days have been verified by inspectors. Commissioner Heldstab moved, seconded by Commissioner Taylor to approve the change order as presented. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

FIBER OPTIC CONNECTION LEASE

Jim German, IT Specialist requested that the city lease the fiber optic lines from Embarq to connect the remote sites to the city network. He stated that the city currently has 4 remote sites. (Fire Station 2, Golf Course, 12th Street Community Center, Luis J. Nater Building). The current remote sites within the city network are required to remote into the city network using remote desktop. The Information Systems staff recommended that we enter into a 5 year lease with Embarq for \$5125.00 per month to provide fiber connections to our current remote sites. Commissioner Wunder moved, seconded by Commissioner Talley to table any action on this item until further discussion can be had. Ayes: Heldstab, Talley, Taylor. Nays: None. Abstain: Rhodes. Motion carried.

UNPLUGGED CITIES DEVELOPMENT AGREEMENT

Rose Palmer, Retail Specialist asked for consideration of a request from Unplugged Cities to access funds in the amount of \$100,000.00 as indicated in the development agreement. They have already received \$300,000.00 of the loan to pay for operating expenses and wages. The company has met al of the requirements from the development agreement. The remaining \$100,000.00 will be used for salaries. Commissioner Talley moved, seconded by Commissioner Taylor to approve the request as presented. Ayes: Heldstab, Talley, Taylor. Nays: None. Abstain: Rhodes, Wunder. Motion carried.

LEASE PURCHASE-GOLF CARTS-SUNFLOWER BANK

City Manager Barnes asked for consideration of Resolution 2364 awarding lease purchase agreement to Sunflower Bank in the amount of \$178,398.20 for golf carts at an interest rate of 4.39%. He stated that five bids were received. The lease term period is for 60 months. Commissioner Heldstab moved, seconded by Commissioner Taylor to approve Resolution 2364 as requested. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

LEASE PURCHASE-AMBULANCE-SUNFLOWER BANK

City Manager Barnes asked for consideration of Resolution 2365 awarding lease purchase agreement to Sunflower Bank in the amount of \$140,345.54 for an ambulance at an interest rate of 4.39%. He stated that five bids were received. The lease term period is for 60 months.

Commissioner Wunder moved, seconded by Commissioner Talley to approve Resolution 2365 as requested. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

JCHA REQUEST

Kevin Dawson, Maintenance Supervisor of the Junction City Housing Authority stated that JCHA is trying to upgrade all 118 units with new mechanical equipment. These upgrades require code inspections. He stated that JCHA currently have over four hundred dollars incurred in inspections and would face several thousand dollars more if required to pay the inspection fees. He asked the City Commission if they could wave or reduce those fees for the JCHA.

Commissioner Talley stated that he though the City has helped enough. Commissioner Taylor stated that he would like Mr. Scott Grubbs to come to the next meeting and explain why he feels the city needs to subsidize the JCHA.

Commissioner Wunder moved, seconded by Commissioner Heldstab to table the item until the next meeting. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

GENERAL DISCUSSION

Mayor Rhodes opened the meeting for general discussion.

Gary Olds, 3308 Frontier Circle, Manhattan thanked the City Commission on their consistency in regard to the condemnation/demolition process. He also asked the City Commission to consider a new city policy placing a moratorium on the city purchasing any of the demolished property for city projects.

COMMISSIONER COMMENTS

Mayor Rhodes opened the meeting for Commissioner Comments.

Commissioner Talley asked when the tax credits for the Historical District would be available for business owners. City Manager Barnes said that they were available now and if people were interested that should go to EDC for more information.

Commissioner Heldstab stated that he toured the Bartell Hotel and was very impressed with the project thus far. He stated that the City could be proud of the development.

Commissioner Taylor echoed Commissioner Heldstab's comments.

STAFF COMMENTS

Mayor Rhodes opened the meeting for staff comments.

There were no staff comments.

EXECUTIVE SESSION

Commissioner Talley moved, seconded by Commissioner Heldstab to adjourn into executive session at 9:00 p.m. to reconvene at 9:15 p.m. to discuss matters related to

employee-employer relations and negotiations. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

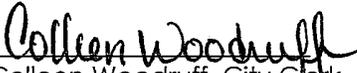
Included in the executive session were: City Manager, Assistant City Manager, and Admin. Services Director Tricia Gowen and Acting Fire Chief Craig Paxton.

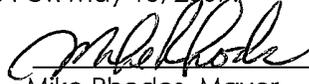
Commissioner Talley moved, seconded by Commissioner Wunder to reconvene into regular session having taken no action nor made any decisions while in executive session. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

ADJOURNMENT

Commissioner Talley moved, seconded by Commissioner Wunder to adjourn at 9:20 p.m. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

APPROVED AND ACCEPTED THIS 12th DAY OF June, 2007 AS THE OFFICIAL COPY OF THE JUNCTION CITY CITY COMMISSION MINUTES FOR May 15, 2007


Colleen Woodruff, City Clerk


Mike Rhodes, Mayor