

CITY COMMISSION MINUTES

November 20, 2007

7:00 p.m.

The regular meeting of the Junction City City Commission was held on Tuesday, November 20, 2007 with Mayor Mike Rhodes presiding.

The following members of the Commission were present: Terry Heldstab, Mike Rhodes, Ken Talley, Jack Taylor and Mick Wunder. Staff present was: City Manager Rod Barnes, City Engineer Christina Cook and City Clerk Tricia Gowen.

PLEDGE OF ALLEGIANCE

CONSENT AGENDA

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

- a. Approval of the **November 6, 2007**, City Commission meeting minutes.
- b. The receipt of the following monthly reports:
 1. Junction City Fire Department/EMS
 2. Rolling Meadows Golf Course
 3. Water Department
 4. Recreation
 5. Codes Department
 6. Personnel Report for October 2007
 7. Police Department
 8. Police Department Drug Operations Group statistics
- c. The consideration of **S-2983** to rename Southwind Drive in Jack Lacy Industrial Park to Sandusky Drive. (Final Reading)
- d. The consideration of **Payroll #23** for approval in the amount of \$205,253.69.
- e. The consideration of Pay **Request #3** for BG Consultants, Inc. for services completed through October 31, 2007, on Rucker Road – US 77 to Whitney, in the amount of \$44,260.79.
- f. The consideration of Pay **Request #4** for J&K Contracting, LC, for services completed through November 2, 2007, in Michael's Run Addition, making the project 75.8% complete, in the amount of \$102,988.41.

- g. The consideration of Pay **Requests #5, 6 & 7** for Kaw Valley Engineering for services completed through October 22, 2007, in Deer Creek #3, in the amount of \$46,416.60.
- h. The consideration of Pay **Request #1** for J&K Contracting, LC, for services completed through November 5, 2007, on Spring Valley Road – Lacy to Strauss, making the project 14.4% complete, in the amount of \$73,148.94.
- i. The consideration of Pay **Requests #7, 8 & 9(final)** for Kaw Valley Engineering, for services completed through October 21, 2007, for Mann's Ranch Addition #2, in the amount of \$32,650.00
- j. The consideration of **Pay Requests #1 & 2** for Kaw Valley Engineering, for services completed through September 29, 2007, in Tom Neal Industrial Park, in the amount of \$66,451.26.
- k. The consideration of **Pay Requests #8, 9, 10 & 11** for Kaw Valley Engineering, for services completed through October 22, 2007, for KLINK Improvements (bidding of project, preparation of contracts, checking plan quantities and details, inspection of construction and for mileage), in the amount of \$32,214.80.
- l. The consideration of **Pay Request #1** for Kaw Valley Engineering, for services completed through October 22, 2007, on Spring Valley Road-Lacy to Strauss, in the amount of \$10,088.80.
- m. The consideration of **Pay Request #2** for Eagles Landing, LLC, for Eagles Landing-Tackwell Road, for actual construction costs in the amount of \$141,052.17 (Amount amended from original agenda of \$67,824.77)
- n. The consideration of **Pay Request #2** for Kaw Valley Engineering for professional services completed through October 22, 2007, for Turkey Ridge, in the amount of \$34,645.52.
- o. The consideration of **Pay Request #2** for Kaw Valley Engineering for professional services completed through July 31, 2007, for Turkey Hollow, in the amount of \$58,239.36.
- p. The consideration of **Pay Request #3, 4 & 5** for Kaw Valley Engineering for services completed through October 22, 2007, for the Interceptor Sewer-Tom Neal Industrial Park, in the amount of \$12,929.20.

APPOINTMENTS

- a. The consideration of the appointment of N. DeAnn Hoambrecker to the Tree and Flower Board, to fill a current vacancy due to a resignation. Commissioner Talley

moved, seconded by Commissioner Taylor to approve the appointment of N. DeAnn Hoambrecker to the Tree and Flower Board. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

SPECIAL PRESENTATIONS

- a. Mayor Rhodes will present the Proclamation for the Great American Smokeout in Junction City on November 15, 2007. Mayor Rhodes presented the Proclamation to Sharon Glaser who is a member of the Geary County Clean Air Committee.

PUBLIC HEARINGS

- a. A public hearing to request condemnation of property at 316 N. Washington Street.
 1. The consideration of **R-2412** to authorize the condemnation of property at 316 N. Washington Street. Commissioner Talley moved, seconded by Commissioner Heldstab to approve **R-2412** giving the property owner until March 19, 2008 (120 days) to condemn or repair the property at 316 N. Washington Street. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.
- b. A public hearing to request condemnation of property at 420 W. 12th Street.
 1. The consideration of **R-2413** to authorize the condemnation of property at 420 W. 12th Street. Commissioner Talley moved, seconded by Commissioner Taylor to approve **R-2413** giving the property owner until March 19, 2008 (120 days) to condemn or repair the property at 420 W. 12th Street. Ayes: Rhodes, Talley, Taylor, Wunder. Nays: Heldstab. Motion carried four to one.
- c. A public hearing to request condemnation of property at 514 W. 11th Street.
 1. The consideration of **R-2414** to authorize the condemnation of property at 514 W. 11th Street. Dave Hurley, Code Director, informed the Commission that this property includes 508 W. 11th Street and 514 W. 11th Street and that the property owner has pulled a demolition permit. Mr. Hurley recommended that the Commission proceed with the condemnation process. When the property owner is complete with the demolition, Mr. Hurley will inform the Commission and the Commission can take action at that time to take the property off the condemnation list if they believe it is appropriate. Commissioner Talley moved, seconded by Commissioner Wunder to approve **R-2414** giving the property owner until March 19, 2008 (120 days) to condemn or repair the property at 514 W. 11th Street. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

d. A public hearing to request condemnation of property at 524 W. 11th Street.

1. The consideration of **R-2415** to authorize the condemnation of property at 524 W. 11th Street. Dave Hurley, Code Administrator informed the Commission that the property owner has stated that his intention is to pull a demolition permit for 524 W. 11th Street after the demolition has been completed at 514 W. 11th Street. This property includes 524 W. 11th Street, 528 W. 11th Street and a garage. Commissioner Wunder moved, seconded by Commissioner Heldstab to approve **R-2415** giving the property owner until March 19, 2008 (120 days) to condemn or repair the property at 524 W. 11th Street. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

e. A public hearing to request condemnation of property at 536 W. 10th Street.

1. The consideration of **R-2416** to authorize the condemnation of property at 536 W. 10th Street. Commissioner Wunder moved, seconded by Commissioner Talley to approve **R-2416** giving the property owner until March 19, 2008 (120 days) to condemn or repair the property at 536 W. 10th Street. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

f. A public hearing to request condemnation of property at 436 W. 1st Street.

1. The consideration of **R-2417** to authorize the condemnation of property at 436 W. 1st Street. Dave Hurley, Code Director informed the Commission that the property owner, Mr. Brian Johnston, has acquired the necessary permits to begin repairs and has made significant progress on the property. Mr. Johnston informed the Commission that he felt he could have the property repaired and up to code within 180 days. Commissioner Heldstab moved, seconded by Commissioner Taylor to approve **R-2417** giving the property owner until May 19, 2008 (180 days) to condemn or repair the property at 436 W. 1st Street. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

g. A public hearing to request condemnation of property at 130 E. 1st Street.

1. The consideration of **R-2418** to authorize the condemnation of property at 130 E. 1st Street. Commissioner Wunder moved, seconded by Commissioner Talley to approve **R-2418** giving the property owner until March 19, 2008 (120 days) to condemn or repair the property at 130 E. 1st Street. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

UNFINISHED BUSINESS

- a. The consideration of a ten year tax abatement and issuance of Industrial Revenue Bond for a new Hampton Inn Hotel. The Economic Development Commission (EDC) voted unanimously (7-0) **not** to recommend ten year tax abatement. Commissioner Talley moved, seconded by Commissioner Wunder to deny the

request of a ten year tax abatement and issuance of Industrial Revenue Bond for a new Hampton Inn Hotel. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

- b. The consideration of **R -2406** determining the advisability of issuing Taxable Multifamily Revenue Bonds for Deer Trail in the amount of \$11,673,000.00. **(TABLED)**
- c. The discussion by TranSystems of the proposed signal light for the US 77 and Ash Street traffic signal. Jeff Lackey with TranSystems informed the Commission that this system is a fully signalized system with video. The left turns are protect on US 77 in the North and South bound lanes. The left turns are permissive on Ash Street in the East and West bound lanes. The signal will be coordinated with the signal at US 77 and McFarland Road and will coincide with emergency pre-emption signals. Pedestrian crosswalks and stop bars will be installed and sidewalk extensions are include in the plans. The signals will be wired for future movements in increases in traffic volume. The signals will remain green on the North and South bound lanes on US 77 until traffic is detected on Ash Street.
- d. The consideration of **S-2984** to authorize and establish a Rural Housing Incentive District within the City (The Bluffs Project) and adopting a plan for the development of housing and public facilities in such district. (Final Reading). Commissioner Wunder moved, seconded by Commissioner Talley to approve **S-2984** to authorize and establish a Rural Housing Incentive District with the City (The Bluffs Project) and adopting a plan for the development of housing and public facilities in such district. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

NEW BUSINESS

- a. The consideration of **S-2985** to authorize the issuance of Taxable Revenue Bonds, Series 2007, (Capgemini Equipment Project), in the amount of \$1,325,000.00. (First Reading). Commissioner Talley moved, seconded by Commissioner Wunder to approve **S-2985** to authorize the issuance of Taxable Revenue Bonds, Series 2007 (Capgemini Equipment Project) in the amount of \$1,325,000.00 (First Reading). Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.
- b. The consideration of **S-2987** to authorize the issuance of Taxable Industrial Revenue Bonds, Series 2007, (Capgemini Building Project), in the amount of \$4,675,000.00. (First Reading). Commissioner Talley moved, seconded by Commissioner Wunder to approve **S-2987** to authorize the issuance of Taxable Industrial Revenue Bonds, Series 2007 (Capgemini Building Project) in the amount of \$4,675,000.00 (First Reading). Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.
- c. The consideration and approval for construction engineering services by HWS Consulting for Thompson Drive pavement patching, in the amount not to exceed

\$15,610.00. Jen Rahne with HWS Consulting informed the Commission that they will provide services to ensure that the construction is done properly, what caused the problem and to ascertain who is responsible for the damages. J & K Construction has requested a pre-construction meeting with HWS to formulate a plan of action before proceeding with the repairs. Commissioner Heldstab moved, seconded by Commissioner Wunder to approve the contract for construction engineering services by HWS Consulting for Thompson Drive pavement patching in the amount not to exceed \$15,610.00. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

- d. The consideration and approval of Letter of Agreement by Kaw Valley Engineering for inspection services of street, sewer and water to serve Tom Neal Industrial Park-Replat, in the amount not to exceed \$49,900.00. Commissioner Wunder moved, seconded by Commissioner Taylor to approve the Letter of Agreement by Kaw Valley Engineering for inspection services of street, sewer, and water to serve Tom Neal Industrial Park-Replat in the amount not to exceed \$49,900.00. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.
- e. The consideration and approval of the sale of the home located at 219 E. 17th Street, constructed by USD #475 and the City, to Police Officer Matthew Paquette. Commissioner Talley moved, seconded by Commissioner Wunder to approve the sale of the home located at 219 E. 17th Street, constructed by USE #475 and the City, to Police Officer Matthew Paquette. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.
- f. The consideration of **Policy Resolution-07-02** to authorize proposed pay grades with minimum wages and maximum wages for each grade and to request a two percent Cost of Living Adjustment (COLA) for 2008 non-union City employees. Commissioner Wunder moved, seconded by Commissioner Heldstab to approve **Policy Resolution-07-02** to authorize proposed pay grades with minimum wages and maximum wages for each grade and to request a two percent Cost of Living Adjustment (COLA) for 2008 non-union City employees. Ayes: Heldstab, Rhodes, Taylor, Wunder. Nays: None. Abstention: Talley. Motion carried four to zero with one abstention.
- g. The consideration and approval of **S-2986**, final plat of Nitin Addition located at 1133 South Washington Street (The MPC unanimously voted to approve the final replat). (First Reading). Commissioner Talley moved, seconded by Commissioner Wunder to approve **S-2986** final plat of Nitin Addition located at 1133 South Washington Street. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.
- h. The consideration and approval of contract with the Buxton Group to develop a marketing strategy for attracting new retail to Junction City, in the amount of \$70,000.00, to be divided between EDC, Spirit of 76 and the City. **(TABLED)**

- i. The consideration and approval of the acceptance of letter of agreement with Kaw Valley Engineering for inspection services of traffic signal at US 77 and Ash, in the amount not to exceed \$24,000.00. Commissioner Talley moved, seconded by Commissioner Heldstab to approve the acceptance of the letter of agreement with Kaw Valley Engineering for inspection services of the traffic signal at US 77 and Ash in the amount not to exceed \$24,000.00. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.
- j. The consideration and approval of **G-1034**, amending Ordinance Section 315.010 of the Junction City Code, to say that the City Manager or his/her designee may declare a traffic emergency and City Ordinance Section 315.030 to add streets to the existing snow emergency routes. (First Reading). Commissioner Heldstab moved, seconded by Commissioner Taylor to approve **G-1034** amending Ordinance Section 315.010 of the Junction City Code to say that the City Manager or his/her designee may declare a traffic emergency and City Ordinance Section 315.030 to add streets to the existing snow emergency routes. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.
- k. The consideration of placement of Industrial Park signs in street right-of-ways. Commissioner Talley moved, seconded by Commissioner Wunder to approve the placement of Industrial Park signs in street right-of-ways. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.
- l. The consideration and permission to allow Real Estate signs on public street right-of-ways. **(TABLED. City staff was directed to obtain a legal opinion from the City Attorney.)**
- m. The consideration and approval of **R-2419**, authorizing the City of Junction City to sell certain property located in the 300 Block of South Washington to Ink Way Ink, LLC. (Purchase price \$381,570.00). Commissioner Talley moved, seconded by Commissioner Wunder to approve **R-2419** authorizing the City of Junction City to sell certain property located in the 300 Block of South Washington to Ink Way Ink, LLC. for a purchase price of \$381,570.00. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

COMMISSIONER COMMENTS

Commissioner Taylor wished every a Happy and Safe Thanksgiving.
Mayor Rhodes stated that the trip to the Nation League of Cities conference was successful. He asked about the status of Regency Court. Dave Hurley, Code Director, informed the Commission that Regency Court is making progress. Regency Court has concerns and is working with the Codes Department and the Fire Department to address their concerns. Regency Court has hired a company to remove the inhabitable trailers. Mayor Rhodes reminded everyone that the

Christmas Parade will be Friday, November 23rd at 5:30 p.m. and will travel from the high school and head East on 6th Street.

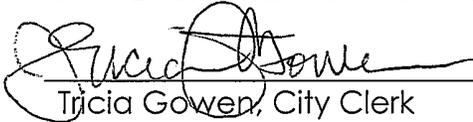
STAFF COMMENTS

City Staff wished everyone a Happy Thanksgiving.

ADJOURNMENT

Commissioner Wunder moved, seconded by Commissioner Heldstab to adjourn at 8:10 p.m. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

APPROVED AND ACCEPTED THIS 4th DAY OF DECEMBER, 2007 AS THE OFFICIAL COPY OF THE JUNCTION CITY CITY COMMISSION MINUTES FOR NOVEMBER 20, 2007.


Tricia Gowen, City Clerk


Mike Rhodes, Mayor