

CITY COMMISSION MINUTES

December 18, 2007

7:00 p.m.

The regular meeting of the Junction City City Commission was held on Tuesday, December 18, 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

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

- a. Approval of the **December 4, 2007**, City Commission meeting minutes.
- b. Monthly Reports:
 1. Personnel Report
 2. Water Department
 3. Rolling Meadows Golf Course
 4. Codes Department
 5. Police Department
 6. Fire/EMS Department
 7. Recreation Report
- c. The consideration and approval of **S-2988** for the City to vacate a 20-foot wide portion of the alley located in block Twenty-Seven (27), Railroad Addition to the City of Junction City. (Final Reading)
- d. The consideration and approval of **Pay Request #2, #3, #5 and #7**, by Kaw Valley Engineering for services completed through October 31, 2007, for the Spring Valley Road Upgrade-Old 40 to K-18 Highway.
- e. The consideration and approval of **Pay Request #1** by J. Warren Construction for services completed through November 30, 2007, for the US-77/Ash Street Traffic Signal project, in the amount of \$72,787.50.
- f. The consideration and approval of **Payroll Request #25**, Longevity Pay, and Vacation Buy Back, in the amounts of:
 - a. Payroll Request #25, in the amount of \$223,531.81.
 - b. Longevity Pay in the amount of \$39,563.40.
 - c. Vacation Buy Back in the amount of \$23,714.16.

- g. The consideration and approval of **Pay Request #3** by Kaw Valley Engineering for services completed through November 30, 2007, for the Rucker Road-Church to Olivia Farms construction observation, in the amount of \$10,315.60.
- h. The consideration and approval of **Pay Request #3** by Smoky Hill Construction for services completed through November 30, 2007, for the Interceptor Sewer to Serve Tom Neal Industrial Park, in the amount of \$43,299.00. (Services are 47.4% complete)
- i. The consideration and approval of **Pay Request #1** by Kaw Valley Engineering for services completed through November 25, 2007, for Spring Valley Road-Lacy to Strauss inspection services, in the amount of \$10,680.00.
- j. The consideration and approval of **Pay Request #4** by Kaw Valley Engineering for services completed through November 30, 2007, on Kaw Valley Industrial Park Design Services, in the amount of \$39,360.00.
- k. The consideration and approval of **Pay Request #5 and #7** by Kaw Valley Engineering for services completed through November 30, 2007, on South Park Redevelopment Design Services, in the amount of \$45,320.00.
- l. The consideration and approval of **Pay Request #6** by Rothwell Landscaping for landscaping plans for Riverwalk Landing, in the amount of \$35,386.69. (Services are 86.5% complete)

APPOINTMENTS

- a. The consideration of appointment of Christopher Barnes for a three-year term to the Human Relations Commission. Commissioner Talley moved, seconded by Commissioner Heldstab to approve the appointment of Christopher Barnes for a three-year term to the Human Relations Commission. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

SPECIAL PRESENTATIONS

- a. Mark of Excellence Awards
This award recognizes persons for (1) outstanding service to the City, or (2) service to the community, reflecting credit upon the City or (3) outstanding achievement reflecting credit upon the City. Mayor Rhodes presented the following employees the 2007 Mark of Excellence Award:
 1. Caleb Flores, Water Utility & Parks Department
 2. Jason Lankas, Fire Department
 3. Mike Life, Police Department
 4. Josh McKim, Economic Development
 5. Daniel Pfizenmaier, Self-Help Housing
 6. Mahinda Abeykoon, Information Systems

PUBLIC HEARINGS

- a. Mayor Rhodes opened a Public hearing to consider the 2007 Budget Amendment. City Manager, Rod Barnes, presented information to the City Commission concerning the 2007

Budget and recommended that the Commission approve the amendment. Mayor Rhodes closed the public hearing.

Commissioner Wunder moved, seconded by Commissioner Talley to approve the 2007 Budget Amendment. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

UNFINISHED BUSINESS

- a. The consideration and approval of the proposed community profile by Buxton Company, in the amount of \$70,000.00. The cost will be covered by Economic Development, The Spirit of '76, and the City, each not to exceed one-third of the \$70,000.00. (EDC Board voted 8-2 in favor of the proposal on December 6, 2007). Commissioner Talley moved, seconded by Commissioner Heldstab to approve the proposed community profile by Buxton Company in the amount of \$70,000.00. The City's cost is not to exceed one-third of the \$70,000.00. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

NEW BUSINESS

- a. The consideration and approval of **Change Order #1** by J. Warren Construction for extension of 12-foot concrete pipe, backfill and seed and extra rock excavation for the US-77 and Ash Street Traffic Signal Project, in the amount of \$7,950.00. Commissioner Heldstab moved, seconded by Commissioner Taylor to approve Change Order #1 by J. Warren Construction for extension of 12-foot concrete pipe, backfill and seed and extra rock excavation for the US-77 and Ash Street Traffic Signal Project in the corrected amount of \$5,200.00. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.
- b. The consideration and approval of a **Fee Increase Proposal** for Rolling Meadows Golf Course to increase daily and annual golf fees. Golf Director, John Wimbish, and General Manager, Jeremiah Carter, presented the following proposed fee increases for 2008:
 - Annual Single Membership \$390 to \$450
 - Annual Family Membership \$575 to \$650
 - Annual Senior Membership \$355 to \$400The Junior Membership stays at the current rate of \$150 annually. Commissioner Talley moved, seconded by Commissioner Wunder to approve a fee increase proposal for Rolling Meadows Golf Course to increase daily and annual golf fees. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.
- c. The consideration and approval of **Ordinance S-2992** amending Ordinance S-2777 authorizing taxable multifamily residential rental revenue bonds (Hunter's Ridge Phase II), in an aggregate principal amount not exceeding \$20,000,000.00. (First Reading). Commissioner Taylor moved, seconded by Commissioner Heldstab to approve Ordinance S-2992 amending Ordinance S-2777 authorizing taxable multifamily residential rental revenue bonds (Hunter's Ridge Phase II), in an aggregate principal amount not exceeding \$20,000,000.00 (First Reading). Ayes: Heldstab, Rhodes, Taylor, Wunder. Nays: None. Abstention: Talley. Motion carried four to zero with one abstention.

1. Declaration of Emergency requiring final passage of **Ordinance S-2992**.
 2. The consideration and approval of **Ordinance S-2992** amending Ordinance S-2777 authorizing taxable multifamily residential rental revenue bonds (Hunter's Ridge Phase II), in an aggregate principal amount not exceeding \$20,000,000.00. (Final Reading). Commissioner Taylor moved, seconded by Commissioner Heldstab to approve Ordinance S-2992 amending Ordinance S-2777 authorizing taxable multifamily residential rental revenue bonds (Hunter's Ridge Phase II), in an aggregate principal amount not exceeding \$20,000,000.00 (Final Reading). Ayes: Heldstab, Rhodes, Taylor, Wunder. Nays: None. Abstention: Talley. Motion carried four to zero with one abstention.
- d. The consideration and approval of amending the development agreement with UPU Industries. Economic Development Director, Josh McKim, informed the City Commission that the Economic Development Board did not recommend this amendment. They did, however, approve a one-year moratorium on the development agreement with an eight to one vote. Commissioner Wunder moved, seconded by Commissioner Taylor to approve the amendment to the development agreement with UPU industries. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.
 - e. The consideration and approval of the expansion of Max's Laundry located at 199 Grant Avenue, to include dry cleaning services on location, utilizing a \$20,000.00 loan out of the Revolving Loan Fund for construction and new equipment. (EDC voted unanimously to recommend the City loan Max's Laundry \$20,000.00, at 4.5% for 10 years out of the Revolving Loan Fund). Commissioner Wunder moved, seconded by Commissioner Talley to approve the expansion of Max's Laundry located at 199 Grant Avenue, to include dry cleaning services on location, utilizing a 20,000.00 loan out of the Revolving Loan Fund for construction and new equipment. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.
 - f. The consideration and approval of an agreement with HWS for consulting services for the Safe Routes to Schools Phase 1, in the amount of \$11,765.00. Commissioner Wunder moved, seconded by Commissioner Talley to approve the agreement with HWS for consulting services for the Safe Routes to Schools Phase 1, in the amount of \$11,765.00. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.
 - g. The consideration and approval of an agreement with KDOT (Kansas Department of Transportation) for 67% reimbursement for the right of way and construction costs for the US-77 and Rucker Road intersection, not to exceed a maximum reimbursement of \$368,500.00. Commissioner Wunder moved, seconded by Commissioner Heldstab to approve the agreement with KDOT (Kansas Department of Transportation) for 67% reimbursement for the right of way and construction costs for the US-77 and Rucker Road intersection, not to exceed a maximum reimbursement of \$368,500.00. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.
 - h. The consideration and approval of **Change Order #2** by Smoky Hill Construction for an additional 90 days for construction of the Interceptor Sewer to serve Tom Neal Industrial Park. Commissioner Heldstab moved, seconded by Commissioner Taylor to approve Change Order #2 by Smoky Hill Construction for an additional **45 days** for construction of

the interceptor sewer to serve Tom Neal Industrial Park. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

- i. The consideration and approval of **Petition** for Tom Neal Industrial Park in an amount not to exceed \$1,005,075.28. The development agreement reads that this will be assessed at 100% against the improvement district and 0% by the City. Commissioner Talley moved, seconded by Commissioner Wunder to approve the Petition for Tom Neal Industrial Park in an amount not to exceed \$1,005,075.28. The development agreement reads that this will be assessed at 100% against the improvement district and 0% by the City. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.
- j. The consideration and approval of **R-2423**, the acceptance of the gift of property from the Helland's Estate. Commissioner Wunder moved, seconded by Commissioner Taylor to approve R-2423, the acceptance of the gift of property from the Helland's Estate. Ayes: Heldstab, Rhodes, Taylor, Wunder. Nays: None. Abstention: Talley. Motion carried four to one with one abstention.
- k. The consideration and approval of donation of land on the West side of US-77 along Rucker Road from Mr. David Alexander. Commissioner Talley moved, seconded by Commissioner Wunder to reject the donation of land on the West side of US-77 along Rucker Road from Mr. David Alexander. Ayes: Heldstab, Rhodes, Talley, Wunder. Nays: None. Abstention: Taylor. Motion carried four to one with one abstention.
- i. The consideration and approval of **R-2424**, the acceptance of bid for lease purchase of a Recreation Department Van and Codes Department Truck purchased in March 2007, from Kansas State Bank with an interest rate of 4.09% and a total financing cost of \$5,013.80. Commissioner Talley moved, seconded by Commissioner Taylor to approve R-2424, the acceptance of bid for lease purchase of a Recreation Department Van and Codes Department Truck purchased in March 2007, from Kansas State Bank with an interest rate of 4.0% and a total financing cost of \$5,013.80. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

COMMISSIONER COMMENTS

Commissioner Talley asked the Codes Department to share their stat information with the Commission and the public on a regular basis at each meeting. Commissioner Talley stated that he had spoken to State Representative Barbie Craft about unpaid property taxes in Kansas. She informed Commissioner Talley that this is working to obtain this information. Commissioner Talley stated that he feels this information is important.

Commissioner Taylor commended Commissioner Wunder on his actions during the recent State of Emergency situation our community encountered. He stated that the coordination was well organized. Commissioner Taylor also commended Ken Dillon's actions when he assisted Commissioner Taylor's father when he abstained a head injury when he fell.

Commissioner Heldstab echoed Commissioner Taylor's comments regarding the State of Emergency. He stated that the City staff served meals at Spin City and that the City has a great staff. Commissioner Heldstab congratulated the employees who had received the Mark of Excellence award earlier in the evening. He also thanked the Helland's family for the gift of land that they donated to the City.

Commissioner Wunder wished Commissioner Talley a Happy Birthday. He also thanked the Platinum Broadcasting's representative, Crystal, for doing a fine job relaying City news over the radio. Crystal's last Commission meeting is this evening. He wished her good luck. Commissioner Wunder stated that the State of Emergency response was a team effort and thanked the City staff for their involvement and participation. Commissioner Wunder echoed Commissioner Heldstab's congratulations to the Mark of Excellence Award recipients.

Mayor Rhodes informed the public that the County Commission voted against the Rural Housing Incentive District. The County stated that they only heard from citizens who were against this issue. The Mayor encouraged the public to step forward and state their opinions to the Commissioners. Mayor Rhodes commented that the City has a great staff and echoed the other Commissioners' comments. He appreciates everyone's efforts and thanked the Police Department with their welfare checks performed during the state of emergency. Mayor Rhodes also commended all of the people who come from out of town, other states, etc. to assist with the issues from the ice storm. Mayor Rhodes thanked Crystal with Platinum Broadcasting and wished her luck. The Mayor reminded the public that the Mayor's Christmas deliveries will be handled again this year. He also encouraged the public to contact the City to inquire about openings on any advisory boards in the community. Mayor Rhodes reminded everyone that the Commission will not meet the first Tuesday of January due to the holiday; instead the Commission will meet January 8th, January 15th and January 29th. Mayor Rhodes wished everyone Happy Holidays and a Merry Christmas.

STAFF COMMENTS

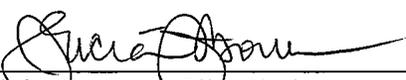
City Manager, Rod Barnes, thanked the City staff and other entities that assisted with the state of emergency situation in his absence. He stated that KJCK and the Daily Union provided great cooperation with getting information out to the public. He informed the Commissioner that the City staff will critique our process at the Department Head retreat in January. Mr. Barnes thanked the staff again and wished everyone Happy Holidays.

Assistant City Manager, Mike Guinn, echoed Mr. Barnes' comments regarding the staff's actions during the ice storm. He wished everyone a Merry Christmas and Happy New Year.

ADJOURNMENT

Commissioner Wunder moved, seconded by Commissioner Heldstab to adjourn at 8:37 p.m. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

APPROVED AND ACCEPTED THIS 8th DAY OF JANUARY, 2008 AS THE OFFICIAL COPY OF THE JUNCTION CITY CITY COMMISSION MINUTES FOR DECEMBER 18, 2007.



Tricia Gowen, City Clerk



Mike Rhodes, Mayor