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CITY COMMISSION MINUTES

November 16, 2010

7:00p.m.

The regular meeting of the Junction City City Commission was held on Tuesday, November 16, 2010 with Mayor Mike Rhodes presiding.

The following members of the Commission were present: Terry Heldstab, Scott Johnson, Mike Rhodes, Ken Talley, and Jack Taylor. Staff present was: City Manager Gerry Vernon, City Attorney Catherine Logan, and City Clerk Tyler Ficken.

PUBLIC COMMENT

Scott Johnson of 602 Stoneridge Dr. stated that there is confusion on the Ventria project. He stated that the City gave too much money to Ventria and now owes them \$135,000.00 for electrical work. Mr. Johnson stated that the City also painted the building, forgave rent, repaired the roof, and paved a parking lot. Mr. Johnson stated that Ventria needs to come to the Commission to explain. Mr. Johnson stated that the City needs to require sheathing under the siding on homes because there are problems at 1744 Sutter Woods Dr. He stated that the cost is \$800 to \$1,000 per home.

Olga Webb of 2020 Nottingham stated that her street is too narrow for traffic. She stated that an emergency in the area would be a problem for travel in the area. She stated that snow plows cannot make it down her street. She stated that neighbors park too many vehicles in the street.

Jim Poole of the Junction City Baseball Association requested that the City not charge for the use of baseball facilities which has not occurred in the past. He stated that it would be difficult to find the funds in their budget, and parents are being squeezed already by water rate increases. Mr. Poole stated that the association does not receive tax funds from the City. While the organization would like to use the fields at no charge, his organization cannot afford a charge of more than \$20.00 per game.

CONSENT AGENDA

The consideration and approval of **Appropriation Ordinance A-22-2010** dated October 28, 2010 to November 8, 2010 in the amount of \$529,730.57. Commissioner Taylor moved, seconded by Commissioner Johnson to approve the consent agenda. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried.

Approval of the **November 2, 2010** City Commission Meeting Minutes. Commissioner Taylor moved, seconded by Commissioner Johnson to approve the consent agenda. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried.

Monthly Reports:

1. Personnel Report
2. EMS Report
3. Fire Report

4. Rolling Meadows Golf Course Report
5. Water Department Report

SPECIAL PRESENTATIONS

Service Awards presented by Tricia Gowen. The awards were presented by the Mayor.

NEW BUSINESS

The consideration and approval of memorandum of understanding between the City of Junction City and the Junction City Junior Baseball Association for use of City facilities. **Ed Lazear Presenting.** Ed Lazear stated that the City spends \$26.50 to prepare the fields for play. City Manager Vernon stated that this type of charge is common across the country. Commissioner Johnson stated that \$30 seems like a good deal for this service. Jim Poole stated that he would need to increase fees to continue the program. Commissioner Johnson stated that the City needs to work to stick with the budget. Jim Poole stated that the association provides a service; if the service went away the City would have to pick up the difference. Commissioner Johnson stated that it is not the City's responsibility to provide this service; the City should provide a pool and tennis courts. Commissioner Heldstab moved, seconded by Commissioner Talley to approve the memorandum of understanding between the City of Junction City and the Junction City Junior Baseball Association with a charge of \$20.00. Ayes: Heldstab, Rhodes, Talley. Nays: Johnson, Taylor. Motion carried.

The consideration and approval for Self-Help Housing to accept the Letter of Award for a new 523 Grant from USDA Rural Development in the amount of \$360,000.00. **Dan Pfizenmaier Presenting.** Commissioner Heldstab moved, seconded by Commissioner Taylor to accept the Letter of Award for a new 523 Grant from USDA Rural Development in the amount of \$360,000.00. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried.

The consideration and approval of award of bid to Lowenthal, Webb & Odermann for audit services for 2010 to 2012. **Cheryl Beatty Presenting.** Mayor Rhodes stated that he prefers the length of a 3 year contract for audit services. Commissioner Taylor moved, seconded by Commissioner Johnson to approve award of bid to Lowenthal, Webb & Odermann for audit services for 2010 to 2012. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried.

The consideration and approval of bids for the sale of City property. **Cheryl Beatty Presenting.** Commissioner Taylor moved, seconded by Commissioner Talley to approve the sale of Riley Manor Circle to Mike Steinfort for the amount of his bid 1,175.00. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried. Commissioner Talley moved, seconded by Commissioner Johnson to approve the sale of 136 East Third Street to Gary Olds in the amount of \$4,000.00. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried.

The consideration and approval of Ordinance **G-1085** to correct the recent update to Section 215.050 of the Municipal code regarding Animal Shelter operations. **Tyler Ficken Presenting.** Commissioner Talley moved, seconded by Commissioner Johnson to approve G-1085 on first reading. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried. Commissioner Talley moved, seconded by Commissioner Johnson to approve Declaration of Emergency. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried. Commissioner Talley moved, seconded by Commissioner Johnson to approve G-1085 on final reading. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried.

The consideration and approval of a **payment in the amount of \$4,855.00** to Ron Strauss for road repair/improvements to the frontage road that leads to his property. **Gerry Vernon Presenting.** City Manager Vernon stated that he cannot justify the City spending more than \$150 per year to maintain this road when alleys in town are as quality. Mr. Strauss stated that he wants a decent road. City Manager Vernon stated that the road would be maintained at a minimum level. Commissioner Johnson stated that it needs to be determined how much money the state gives to maintain this portion of road. Commissioner Heldstab asked if hauling the rock from Price Gregory would be expensive. Steve Hoambrecker stated that some rock on the road is 3 to 4 inches in diameter and is not good for the road. Cheryl Beatty stated that there would be a liability risk if the City allowed Mr. Strauss to take care of the road; she stated that the City is paid by the state per mile, but the state does not direct how those funds are spent. Commissioner Heldstab moved, seconded by Commissioner Taylor to table the item until the City received information from KDOT. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried.

The consideration and approval of **R-2630** to install three (3) 150W High Pressure Sodium (HPS) street lights along the 1400 Block of Pearl Drive. **Gerry Vernon Presenting.** Item died due to lack of a motion.

The consideration and approval of **Ordinance G-1086** to allow for the sale of fireworks within the corporate city limits of Junction City (First Reading). **Gerry Vernon Presenting.** City Manager Vernon stated that the City budgeted for increases in fees and allowing fireworks is a step in that direction. Commissioner Taylor asked if the stands would be monitored by the Fire Department. City Manager Vernon stated that the Fire Department will inspect. Commissioner Johnson stated that he thought the permit fee is too high. Chief Steinfort stated that fireworks would not be allowed to be sold in a permanent structure. Commissioner Johnson stated that people should not be charged high fees because the City is broke. Commissioner Taylor moved, seconded by Mayor Rhodes to approve G-1086 on first reading. Ayes: Heldstab, Rhodes, Taylor. Nays: Johnson, Talley. Motion carried.

The consideration and approval of Ordinance **G-1083** adopting recommendation of the Junction City/Geary County MPC to amend the Junction City Zoning Regulations (First Reading). **David Yearout Presenting.** Commissioner Heldstab asked if old businesses would be grandfathered in. Dave Yearout stated that they would. Commissioner Heldstab asked if the owners were notified. David Yearout stated that a notice was published in the newspaper. Commissioner Johnson moved, seconded by

Commissioner Taylor to approve G-1083 on first reading. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried.

The consideration and approval of Ordinance **G-1084** amending the Title V, Building and Construction, Chapter 585, Day Care Inspection Code of the Municipal Code by amending the definition of "Family Day Care Home" (First Reading). **David Yearout Presenting.** Commissioner Talley moved, seconded by Commissioner Johnson to approve G-1084 on first reading. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried.

The consideration and approval of **Ordinance S-3088** a request to rezone the property at 107 South Franklin Street filed by Gary Junghans, owner, and Auto Craft, Inc., contract buyer (First Reading). **David Yearout Presenting.** Commissioner Johnson moved, seconded by Commissioner Heldstab to approve Ordinance S-3088 on first reading. Ayes: Heldstab Johnson Rhodes, Talley, Taylor. Nays: none. Motion carried.

The consideration and approval of the Final Plat of the Sampson's 2nd Addition, a replat of a portion of Sampson's Addition and concerning property on the North side of Chestnut Street and West of East Street. **David Yearout Presenting.** Commissioner Heldstab moved, seconded by Commissioner Johnson to approve Final Plat of the Sampson's 2nd Addition, a replat of a portion of Sampson's Addition. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried.

The consideration and approval of the Final Plat of the Bramlage Addition, a replat of Lot 2, Block 4, West Slopes Addition and a portion of Lot 11 and all of Lot 16, Rimrock Addition Unit No. 2, to Junction City, Kansas, and concerning property on the north side of Ash Street and west of Eisenhower Street. **David Yearout Presenting.** Commissioner Taylor asked if the drainage on the property is acceptable. David Yearout stated that necessary improvements will be made during the building process. Commissioner Johnson moved, seconded by Commissioner Taylor to approve Final Plat of the Bramlage Addition, a replat of Lot 2, Block 4, West Slopes Addition and a portion of Lot 11 and all of Lot 16, Rimrock Addition Unit No. 2. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried.

The consideration and approval of a waiver of paving requirement for off-street storage area by Auto Craft, Inc.'s proposed new facility at 220 East Chestnut Street. **David Yearout Presenting.** Commissioner Johnson stated that he does not like to see many exceptions to this ordinance, but there is a reason due to the nature of the business; it is not simply to cut the cost of the project. Mayor Rhodes stated that he is concerned about giving this waiver; he mentioned that the milling will help. Commissioner Johnson moved, seconded by Commissioner Taylor to approve a waiver of paving requirement for off-street storage area by Auto Craft, Inc.'s proposed new facility at 220 East Chestnut Street. Ayes: Heldstab, Johnson, Taylor. Nays: Rhodes, Talley. Motion carried.

The consideration and approval of Ordinance **G-1088** to amend section 620.320 of the municipal code regarding Limousine Service (first reading). Mayor Rhodes stated that the number of passengers for shuttle vehicle should be reduced from 7 to 6 as some vans have six seats. Mayor Rhodes stated that 24 hour advanced arrangement is

required. Mayor Rhodes stated that he has issue with how the business is being advertised as a taxi service. Commissioner Johnson moved to approve Ordinance G-1088 on first reading with the amendment of 6 to 20 seats replacing 7 to 20 seats in the Ordinance. Ayes: Heldstab, Johnson, Rhodes, Taylor. Nays: Talley. Motion carried. Commissioner Johnson moved, seconded by Commissioner Taylor to approve Declaration of Emergency. Ayes: Heldstab, Johnson, Rhodes, Taylor. Nays: Talley. Motion carried. Commissioner Johnson moved, seconded by Commissioner Taylor to approve Ordinance G-1088 as amended on final reading. Heldstab, Johnson, Rhodes, Taylor. Nays: Talley. Motion carried.

COMMISSIONER COMMENTS

Commissioner Heldstab thanked the Veterans Alliance for the ceremony they held at the City building on Memorial Day.

Commissioner Taylor congratulated the Junction City High School football team on their achievements; they make the community proud.

Commissioner Johnson reminded the citizens that the City is in a budget crunch, and there is a limit to taxpayer funds.

Mayor Rhodes stated that he supports Scott Johnson's idea that homes need sheathing; that change needs to be made.

STAFF COMMENTS

City Manager Vernon stated that there will be an employee meeting on Thursday, November 18th at 3:00 PM at the Opera House. The Commission will meet for a work session the following Friday morning at 8:00 AM.

ADJOURNMENT

Commissioner Talley moved, seconded by Commissioner Johnson to adjourn at 9:33 PM. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: None. Motion Carried.

APPROVED AND ACCEPTED THIS 7th DAY OF DECEMBER 2010 AS THE OFFICIAL COPY OF THE JUNCTION CITY CITY COMMISSION MINUTES FOR NOVEMBER 16th, 2010.



Tyler Ficken, City Clerk



Mike Rhodes, Vice Mayor