

CITY COMMISSION MINUTES

June 1, 2010

7:00p.m.

The regular meeting of the Junction City City Commission was held on Tuesday, May 18, 2010 with Vice Mayor Ken Talley presiding.

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

PUBLIC COMMENT

Teryna Smith of 2402 Valley Dr. stated that property near her home would be used for income based housing and would decrease the value of her home. Commissioner Johnson stated that renter incomes will be capped; he stated that the land was zoned for apartments. He stated that this should have been done out in the open. Teryna Smith stated that it will be difficult to sell her home. Vice Mayor Talley asked Teryna to provide her information to City staff, and she will receive information on the project. David Yearout stated that every apartment complex is under tax credit housing. He stated that the new buildings will not be income based housing. Commissioner Johnson stated that planning and zoning has not made sense in the past; Commissioner Johnson asked if people will ever be on the side of the taxpayers. David Yearout stated that placing renters against owners is the wrong issue. Commissioner Johnson stated that the people need to know what is going on. Teryna Smith stated that it is not wise to have these apartments; she asked what she could do to stop them. Commissioner Johnson suggested starting a petition and sending a message to the taxpayers.

John Stewart asked what the \$5.00 per month stormwater fee is being used for. He stated that he didn't want the money to pay for past debt. City Manager Vernon stated that the funds go to pay and engineer tech as well as bond payments on stormwater infrastructure. John Stewart stated that the funds were to be used for future projects. Taylor recalled that the EPA required the passage of the \$5.00 fee to manage stormwater runoff. City Attorney Logan stated that the EPA has requirements that must be met before they issue permits, but they do not require a fee.

Brian Emig of Turning Point Church addressed the Commission by outlining the benefits to the Community from Turning Point Church. He told the Commission that the organization is interested in purchasing the building or long term lease.

CONSENT AGENDAMonthly Reports:

1. Police Report
2. Fire Department Report
3. Rolling Meadows (**Removed for Separate Discussion**)

Commissioner Johnson moved, seconded by Commissioner Taylor to approve consent agenda as amended. Ayes: Heldstab, Johnson, Talley, Taylor. Nays: none. Motion carried.

Approval of the **May 18, 2010** City Commission Meeting Minutes. Commissioner Johnson moved, seconded by Commissioner Taylor to approve consent agenda as amended. Ayes: Heldstab, Johnson, Talley, Taylor. Nays: none. Motion carried.

The consideration and approval of **Appropriation Ordinance A-11-2010** dated May 14 to May 27, 2010 in the amount of \$466,858.16. (**Line item for 53,002.23 removed for separate discussion**)

The consideration and approval of Payroll #9 and #10 for the month of May 2010. Commissioner Johnson moved, seconded by Commissioner Taylor to approve consent agenda as amended. Ayes: Heldstab, Johnson, Talley, Taylor. Nays: none. Motion carried.

The consideration and approval of a Special Commission Meeting on June 29, 2010 at 7:00 p.m. Commissioner Johnson moved, seconded by Commissioner Taylor to approve consent agenda as amended. Ayes: Heldstab, Johnson, Talley, Taylor. Nays: none. Motion carried.

The consideration and approval of R-2612 approval for Mayor to sign documents for sale of 610 W. 14th. (Commission approved sale of property on 5-18-2010) Commissioner Johnson moved, seconded by Commissioner Taylor to approve consent agenda as amended. Ayes: Heldstab, Johnson, Talley, Taylor. Nays: none. Motion carried.

The consideration and approval of R-2613 approval for Mayor to sign documents for sale of 1402 N. Webster. (Commission approved sale of property on 5-18-2010) Commissioner Johnson moved, seconded by Commissioner Taylor to approve consent agenda as amended. Ayes: Heldstab, Johnson, Talley, Taylor. Nays: none. Motion carried.

The consideration and approval to waive fees for beer sales in Heritage Park for Sundown Salute. Commissioner Johnson moved, seconded by Commissioner Taylor to approve consent agenda as amended. Ayes: Heldstab, Johnson, Talley, Taylor. Nays: none. Motion carried.

SEPARATE DISCUSSION

Regarding the Rolling Meadows monthly report, Commissioner Taylor stated that he has no sense as to the actual cost of the facility from the report. He stated that salaries are not included. He stated that he would like to see the information for budget discussions. Commissioner Johnson stated that he would like to see a P&L statement.

Commissioner Johnson stated that he would like to know what the expense on the Appropriations for \$53,002.23 for Capital Improvement to Central National Bank. Assistant City Manager Guinn stated that he did not have the information with him, but

he stated he would find that information for the Commission and provide it at the next Commission meeting.

APPOINTMENTS

The consideration and approval to appoint Lucy Gonzales for the remainder of a two year term to the Health Department Board. Commissioner Heldstab moved, seconded by Commissioner Taylor to appoint Lucy Gonzales for the remainder of a two year term to the Health Department Board to end April of 2011. Ayes: Heldstab, Johnson, Talley, Taylor. Nays: none. Motion carried.

SPECIAL PRESENTATIONS

A proclamation recognizing that Juneteenth will be celebrated in Junction City on June 11th & 12th this year. Vice Mayor Talley presented the proclamation to Jonice Pitts.

UNFINISHED BUSINESS

The consideration and approval of Ordinance **G-1068** to revise City Ordinance to make Battery a Class B misdemeanor. **(Final Reading) Chief Brown Presenting.** Commissioner Heldstab moved, seconded by Commissioner Johnson to approve G-1068 on final reading. Ayes: Heldstab, Johnson, Talley, Taylor. Nays: none. Motion carried.

The consideration and approval of Ordinance **G-1067** to give police the authority to charge someone with obstruction of Official duty if they "hamper" or obstruct the efforts to investigate a traffic infraction. **(Final Reading) Chief Brown Presenting.** Commissioner Heldstab moved, seconded by Commissioner Taylor to approve G-1067 on final reading. Ayes: Heldstab, Johnson, Talley, Taylor. Nays: none. Motion carried.

The consideration and approval of Ordinance **G-1070** to repeal Article II of chapter 235 Title II of ht noxious weed ordinance. **(Final Reading) Assistant City Manager Guinn Presenting.** Commissioner Taylor moved, seconded by Commissioner Johnson to approve G-1070 on final reading. Ayes: Heldstab, Johnson, Talley, Taylor. Nays: none. Motion carried.

The consideration and approval of Ordinance **G-1072** to change the current weed ordinance to allow the blight and codes officials to issue citations to offenders. **(Final Reading) Assistant City Manager Guinn Presenting.** Commissioner Johnson moved, seconded by Commissioner Taylor to approve G-1072 on final reading. Ayes: Heldstab, Johnson, Talley, Taylor. Nays: none. Motion carried.

The consideration and **approval of a bid** received for trenching and placement of conduit for street light on commonwealth Avenue. **Assistant City Manager Guinn Presenting. (Item was removed from the agenda to be discussed in the future).**

NEW BUSINESS

The consideration and approval to apply with three other communities for a Regional Fire Department Communication Grant; a \$4,500.00 matching amount is required. **Chief Steinfort Presenting.** Commissioner Taylor asked if all the funding will come from 911. Chief Steinfort stated that the funds will come from the 911 board which consists of Police, Sherriff, and Milford departments; funds are spent on communications and are collected from a telephone fee. Chief Steinfort stated that all departments are on board, and that he is only asking for approval to submit the grant at this time. Commissioner Taylor asked how long approval could take. Chief Steinfort said it could take a year. Commissioner Heldstab moved, seconded by Commissioner Johnson to approve to apply with three other communities for a Regional Fire Department Communication Grant. Ayes: Heldstab, Johnson, Talley, Taylor. Nays: none. Motion carried.

The consideration and approval to (1) apply for the **2010 Edward Byrne Memorial Justice Assistance Grant** through the Office of Justice Programs; no matching funds are required. **Chief Brown Presenting.** Chief Brown stated that the funds would be used for computers, printers, and other electronic office equipment. Commissioner Heldstab moved, seconded by Commissioner Johnson to approve to apply for 2010 Edward Byrne Memorial Justice Assistance Grant. Ayes: Heldstab, Johnson, Talley, Taylor. Nays: none. Motion carried.

(2)approval of Interlocal agreement. Commissioner Taylor moved, seconded by Commissioner Johnson to approve interlocal agreement for 2010 Edward Byrne Memorial Justice Assistance Grant. Ayes: Heldstab, Johnson, Talley, Taylor. Nays: none. Motion carried.

(3)The consideration and approval to set a public hearing date of June 15, 2010.

The consideration and approval to apply for the **2010 COPS Hiring Program** through the Office of Community Oriented Policing Services. **Chief Brown Presenting.** Commissioner Talley asked if the City would be required to pay the benefits for hired officers. Chief Brown stated that the grant would cover salary and benefits for new officers, and the City would pay the final year. Chief Brown stated that Lori Lazear does a great job with these grants, and that this is just to submit application, and not grant approval. Commissioner Johnson proposed approval of this item with the understanding that it will be determined in the future whether the City can afford this grant. Commissioner Heldstab moved, seconded by Commissioner Johnson to approve to apply for the 2010 COPS Hiring Program through the Office of Community Oriented Policing Services. Ayes: Heldstab, Johnson, Talley, Taylor. Nays: none. Motion carried.

The consideration and approval to sell 326 S. Washington property for renegotiated price of \$20,000.00 to Converse Family Chiropractic. **Assistant City Manager Mike Guinn Presenting.** Assistant City Manager Guinn recommends the sale of this property. Commissioner Johnson stated that the developer should pay all expenses and City should not buy property in the future. Commissioner Taylor moved, seconded by Commissioner Johnson to approve sale of 326 S. Washington property for renegotiated

price of \$20,000.00 to Converse Family Chiropractic. Ayes: Heldstab, Johnson, Talley, Taylor. Nays: none. Motion carried.

Consideration and approval to **list the property located at 339 W. 18th (Little Theater building) for sale** and prepare documents for the Mayor's signature. **Assistant City Manager Mike Guinn Presenting.** Commissioner Heldstab asked if the Buffalo Soldier organization was still interested in the property. Assistant City Manager Guinn stated that he had not heard from that organization for many months. Commissioner Johnson moved, seconded by Commissioner Taylor to approve to list property located at 339 W. 18th for sale and prepare documents for the Mayor's signature. Ayes: Heldstab, Johnson, Talley, Taylor.

The consideration and approval for the Mayor to sign a **5 year lease agreement with 5 year options between the City of Junction City and Strauss Farms** for property located on Grant Ave; in return Strauss Farms will maintain at their expense the frontage road leading to their property. **Assistant City Manager Mike Guinn Presenting. Item was removed from the agenda.**

The consideration and approval to **sell property located at 1109 N. Franklin** to Self Help Housing for \$10,000.00; and authorize Mayor to execute necessary documents. **Assistant City Manager Mike Guinn Presenting.** Commissioner Taylor moved, seconded by Commissioner Johnson to **sell property located at 1109 N. Franklin** to Self Help Housing for \$10,000.00; and authorize Mayor to execute necessary documents. Ayes: Heldstab, Johnson, Talley, Taylor. Nays: none. Motion carried.

The consideration and approval of proposed amendment to the Municipal Code of the City of Junction City by adding a Duplex Overlay District to the Zoning Regulations for the City of Junction City, Kansas. **David Yearout Presenting.** Commissioner Talley asked if the amendment was brought by a developer. David Yearout stated that the item was brought by a number of developers in the past. Commissioner Taylor moved, seconded by Commissioner Johnson to support the MPC recommendation to disapprove the proposed amendment to the Municipal Code of the City of Junction City by adding a Duplex Overlay District to the Zoning Regulations for the City of Junction City, Kansas. Ayes: Heldstab, Johnson, Talley, Taylor. Nays: none. Motion Carried.

COMMISSIONER COMMENTS

Commissioner Taylor stated that he relays his best wishes to the Mayor on his surgery, and he is looking forward to having the Mayor back soon.

Commissioner Johnson said it was nice to see a large turnout at the budget hearing; he reminded the community that there is another budget hearing on June 2, 2010 at 7PM at the municipal building. Commissioner Johnson stated that a %1 sales tax increase is not ideal, but it is better than the alternative which is property tax increases; there also needs to be cuts.

Commissioner Heldstab asked if the City was going to auction the waterbed store. Assistant City Manager Guinn stated that he will set auction dates for the waterbed store.

Vice Mayor Talley thanked those who participated in and attend the budget meeting last week.

STAFF COMMENTS

City Manager Vernon stated that he would have a report on the stormwater fund at a future Commission Meeting.

ADJOURNMENT

Commissioner Heldstab moved, seconded by Commissioner Taylor to adjourn at 8:30 PM Ayes: Heldstab, Johnson, Talley, Taylor. Nays: None. Motion Carried.

APPROVED AND ACCEPTED THIS 15th DAY OF JUNE 2010 AS THE OFFICIAL COPY OF THE JUNCTION CITY CITY COMMISSION MINUTES FOR JUNE 1, 2010.



Tyler Ficken, City Clerk



Mike Rhodes, Mayor