

**CITY COMMISSION MINUTES**

September 4, 2012

7:00p.m.

**CALL TO ORDER**

The regular meeting of the Junction City Commission was held on Tuesday, September 4, 2012 with Mayor Pat Landes presiding.

The following members of the Commission were present: Cecil Aska, Scott Johnson, Pat Landes, Jim Sands, and Jack Taylor. Staff present was: City Manager Vernon, City Attorney Logan, and City Clerk Tyler Ficken.

**PUBLIC COMMENT**

John Bernstein stated that he lives at 6822 Rockwood Dr. in Geary County. Mr. Bernstein stated that he is experienced in his job, and his attorney assured him that he is in compliance with the City residency policy. Mr. Bernstein stated that he participates in community events. Mr. Bernstein stated that the golf course provides improved quality of life to the community. Commissioner Johnson stated that he was the one who questioned Mr. Bernstein's residency, and that the idea of the policy is to be living in the community. Mr. Bernstein stated again that his residence is at 6822 Rockwood Dr. in Geary County.

Johnny Ryan stated that when citizens get the courage to address the Commission they are often belittled and berated.

Allen Rothlisberg stated that if he were elected he would work to see that the community received the impact aid that it should receive.

**CONSENT AGENDA**

Consideration of Appropriation Ordinance A-17 2012 dated August 14<sup>th</sup> – August 27 2012 in the amount of \$1,031,125.76. Commissioner Taylor moved, seconded by Commissioner Johnson to approve the consent agenda. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

Consideration of the August 21, 2012 City Commission Meeting Minutes. Commissioner Taylor moved, seconded by Commissioner Johnson to approve the consent agenda. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

Consideration to send unpaid water bills to Setoff/Collections in the amount of \$7,184.10. Commissioner Taylor moved, seconded by Commissioner Johnson to approve the consent agenda. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

Consideration to purchase a 2006 Ford Crown Victoria and to declare a 1999 Ford F250 as surplus and approve the sale of the vehicle by auction. Commissioner Taylor moved, seconded by Commissioner Johnson to approve the consent agenda. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

Consideration to elect City officers to represent the City at the 2012 LKM Conference. Commissioner Sands will be added to the list of attendees and voting members. Commissioner Taylor moved, seconded by Commissioner Johnson to approve the consent agenda. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

Consideration and approval of the street closure for the POW-MIA Recognition Ceremony on September 21, 2012 in Heritage Park. Commissioner Taylor moved, seconded by Commissioner Johnson to approve the consent agenda. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

### **SPECIAL PRESENTATIONS**

A presentation by Garry Berges on Emergency Services. Garry Berges provided a presentation on Emergency Services. Commissioner Taylor asked under what circumstances Marshall Law could be instituted. Garry Berges stated that in a disaster the Adjutant General could call the National Guard, but local control would continue. Chief Brown stated that Ft. Riley would be unable to help due to Posse Comitatus. Mayor Landes stated that it would be helpful for the City to have documents in the event of an emergency.

### **NEW BUSINESS**

Consideration and approval of Contract Franchise Ordinance G-1120. Commissioner Taylor asked if a fee could be charged. City Attorney Logan stated that a fee cannot be charged because this is data only and not telecommunications; the company would be required to notify in the event of a change. Commissioner Aska moved, seconded by Commissioner Sands to approve Ordinance G-1120. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

Consideration of G-1119 addition to City Ordinance Traffic Code section 305.060 prohibiting roadway obstructions. Chief Brown stated that people place unsafe items such as potted plants and basketball goals in the street, and this would allow for immediate removal or notice depending upon the violation. Commissioner Johnson moved, seconded by Commissioner Aska to approve Ordinance G-1119. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

Consideration of TA-07-01-12, recommendation from the MOC to amend the Junction city Zoning Regulations concerning home occupations and the uses and restrictions thereon. Commissioner Aska moved, seconded by Commissioner Johnson to return case TA-07-01-12 to the MPC for reconsideration. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

Consideration of case No. Z-08-01-12, proposed rezoning of residential properties from "CSR" Service Commercial Restricted and "CCS" Central Commercial Special to "RM" Multiple Family Residential between 10<sup>th</sup> Street and 12<sup>th</sup> Street and between Franklin Street and the alley east of Washington St. Commissioner Johnson moved, seconded by Commissioner Sands to approve Ordinance S-3113. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

### **COMMISSIONER COMMENTS**

Commissioner Johnson stated that Hildebrand Dairy produces great products and creates less waste because of their glass bottles. Commissioner Johnson stated that too few people were vocal in the past, and politics is a contact sport. Commissioner Johnson stated that he is passionate about the issues.

Commissioner Aska congratulated VFW Post 8773 on their recent award, and he congratulated Coach Zimmerman on their overtime win. Commissioner Aska stated that he likes to hear the opinions of others, and people do that in many different ways.

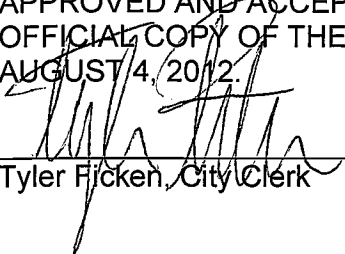
Commissioner Sands stated that the Chamber has 300 members and is great for business. Commissioner Sands stated that he attended the Topeka Grant festival, but he enjoys the JC Blues and BBQ festival more. Commissioner Sands asked that people support the local food pantry. Commissioner Sands stated that the Commission is not a bunch of bullies.

Mayor Landes stated that the Animal Control committee met last week with a Topeka official who helped craft improved ordinances in Topeka. People need to begin thinking about running for City office; talk to a current City Commissioner if you are interested. Mayor Landes stated that he is not opposed to asking tough questions, but it is the manner in which the questions are asked.

### **ADJOURNMENT**

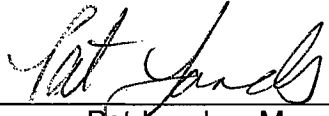
Commissioner Aska moved, seconded by Commissioner Johnson to adjourn at 8:15 p.m. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

APPROVED AND ACCEPTED THIS 18th DAY OF SEPTEMBER AS THE  
OFFICIAL COPY OF THE JUNCTION CITY COMMISSION MINUTES FOR  
AUGUST 4, 2012.



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Tyler Ficken, City Clerk



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Pat Landes, Mayor