

CITY COMMISSION MINUTES

March 5, 2013

7:00p.m.

CALL TO ORDER

The regular meeting of the Junction City Commission was held on Tuesday, March 5, 2013 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 Ficken.

PUBLIC COMMENT

Commissioner Johnson stated that the Olivia Farms property needs to be cleaned up; the property is behind on taxes and they receive special treatment. Commissioner Johnson asked what the advice of Lathrop and Gage was on the Olivia Farms ravine. Commissioner Johnson stated that he was told he was wasting time asking these questions. Police Chief Brown stated that letters have been sent to the owner informing them of the violation. City Attorney Logan stated that there was a team of counsel providing advice regarding the special assessments for the property. Commissioner Johnson stated that there is a conflict of interest because Lathrop & Gage provided legal service to the developers of Olivia Farms and the City. City Attorney Logan stated that there was not a conflict. Commissioner Taylor asked who was present when discussion of assessments occurred. City Attorney Logan stated that Rod Barnes, Christina Cook, and Mike Guinn were involved in discussions, and that the special assessments applied are appropriate. Commissioner Taylor stated that it is good to be skeptical of staff advice; in this instance, the information was not provided, and bad advice from staff was received. City Attorney Logan stated that her position is to provide legal advice and not business advice. Commissioner Taylor stated that the City is at a disadvantage due to a knowledge gap with developers. Commissioner Johnson stated that at some of the meeting it appeared that bond counsel worked for the developer. Deb Johnston of 1320 McFarland stated that she is willing to e-mail the BKD report to anyone who asks her for it.

CONSENT AGENDA

Consideration of appropriation ordinance A-5 dated February 12, 2013 to February 25, 2013 in the amount of \$1,513,937.35. Commissioner Sands moved, seconded by Commissioner Aska to approve the consent agenda. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

Consideration of the February 19, 2013 City Commission Minutes. Commissioner Sands moved, seconded by Commissioner Johnson to approve the consent agenda. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

Consideration of payrolls 3 & 4 for 2013. Commissioner Sands moved, seconded by Commissioner Aska to approve the consent agenda. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

Consideration of ambulance contractual obligation adjustments and bad debt adjustments (January 2013). Commissioner Sands moved, seconded by Commissioner Aska to approve the consent agenda. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

NEW BUSINESS

Consideration of the recommendation of the MPC of text amendments to the Junction City Zoning Regulations concerning the requirements for approval of the location of new churches and schools. Commissioner Aska asked if there were restrictions on these properties previously. Planning & Zoning Director Yearout stated that they were not permitted in industrial zones only. Commissioner Sands asked why 200 feet is a critical number. Planning & Zoning Administrator Yearout stated that it is a carryover from State statute. Commissioner Sands moved, seconded by Commissioner Aska to approve Ordinance G-1127. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

Consideration of the Final Plat approval of the Quarry Oaks Addition Unit No. 1 to the City of Junction City, Kansas, creating 4 lots along the east side of Spring Valley Road north of Ponca Drive. Commissioner Sands moved, seconded by Commissioner Aska to approve the final plat of the Quarry Oaks Addition Unit No. 1. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

Consideration of the Deannexation request of James Didas of his property at 2823 Rucker Rd. Commissioner Johnson stated that this property should not be in the City; an emergency vehicle couldn't even make it down the road. Mayor Landes asked how much the improvements on Rucker Rd. were. Planning & Zoning Administrator Yearout stated that the improvements were \$800,000. Mayor Landes also asked if animals are allowed on the property. Planning & Zoning Administrator Yearout stated that animals can be kept on the property. Commissioner Johnson stated that it doesn't make sense to keep the property in town. Mr. Didas stated that a lengthy discussion took place at the Planning & Zoning; the property was annexed for development, and there are no plans to develop the property now. Commissioner Aska stated that the Commission will consider cleaning up the City border in the future. Commissioner Johnson stated that he is pleased the Legislature has smartened up regarding annexation by

making it more difficult. Planning & Zoning Administrator Yearout stated that the City staff must provide projected costs to provide services according to State statute on annexation. Commissioner Aska stated that if the property is deannexed now, it may just be annexed again in the future. Planning & Zoning Administrator Yearout stated that it is important to have clear borders because emergency response can be impacted negatively, which results from border confusion. Commissioner Taylor stated that the property could be brought back in the future; \$2000 in property taxes will not break the City. Commissioner Aska stated that he is concerned that deannexation may open up the path for additional similar requests. Commissioner Taylor stated that the City has a responsibility to provide services to the property. Commissioner Taylor moved, seconded by Commissioner Johnson to approve the deannexation request for 2823 Rucker Rd. Ayes: Johnson, Taylor. Nays: Aska, Landes, Sands. Motion failed.

Presentation on the Department of Public Works Operations (Budget Status and Programs & Activities) first six months of operations (June to December, 2012) – update. Public Services Director McCaffery presented an account of the savings in the public works department totaling nearly half a million dollars. Mayor Landes stated that the community is pleased with the services that are being provided, and the job is getting done.

Discussion on the City general engineering services, request for qualifications (RFQ) process and contract. Commissioner Johnson stated that he supports the use of a local company. Public Services Director McCaffery stated that HDR Engineering would work on the water and wastewater projects while Kaw Valley would work on public projects within the City. Mayor Landes stated that the City should keep itself separated from private development projects. Public Services Director McCaffery stated that it is helpful to have a single point of contact for engineering services as managing multiple projects with multiple engineers is time consuming. Public Services Director McCaffery stated that the treatment facility portion is very important; \$10 million in improvements are scheduled for the water & sewer plants, energy and cleaning efficiency will be improved. Commissioner Johnson stated that it is important to keep that the \$10 million spent in town.

Consideration and award of bid (Partial) and rejection of bids for water meters. Public Services Director McCaffery requested to proceed with the purchase of commercial and not residential meters, and to move toward auto read meters on residential properties in the future. Public Services Director McCaffery stated that the meters currently installed are not accurate due to age, which is ten years and older. Commissioner Aska inquired regarding a motion on the auto read meters. Public Services Director McCaffery stated that City staff is interested in knowing if the Commission generally supports the idea of auto read meters, and no motion is necessary at this meeting. Mayor Landes asked if additional staff would be necessary for installation. Public Services Director McCaffery stated that most

would be done in house, but some of the large 4 and 5 inch meters would be hired done. Commissioner Sands asked if 2012 funds for meters were spent. Public Services Director McCaffery state that the 2012 budget is closed, and the water fund will purchase the large meters. City Manager Vernon stated that the 2012 funds started the discussion for a longer term solution to the meter issues including auto read. Commissioner Aska moved, seconded by Commissioner Sands to approve the bid for the large water meters to Salina Supply in an amount not to exceed \$105,389.76. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

The consideration and approval of two new street lights along the 1400 Block of Pearl Drive. Commissioner Johnson asked if there was a response to the letters that were sent to the property owners. Public Services Director McCaffery stated that there was not a response. Commissioner Johnson stated that there is private lighting is in the area, and is sufficient; other requested lights have been turned down. Commissioner Aska asked who the requestor was. Public Services Director McCaffery stated that one of the property owners made the request; staff is trying to be consistent yet fiscally responsible with light number and placement. Commissioner Sands stated that dark intersections and dead ends are not good, and they lead to crime. Mayor Landes stated that other properties have been denied lights. Commissioner Sands moved to approve installation of the lighting. The motion died to the lack of a second.

Consideration and approval of the permanent traffic control signage on Bradley, Patton, Pierce and Raber. Public Services Director McCaffery stated that the 90 day review has ended; one comment regarding the side of no parking has been received. Mayor Landes stated that the change is working. Commissioner Taylor moved, seconded by commissioner Aska to make the change permanent. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion Carried.

COMMISSIONER COMMENTS

Commissioner Taylor received an e-mail regarding a problem with the quality of service provided by the travel service Quicksilver; is there an obligation for this service to respond? Chief Brown stated that he has not familiar with the company Quicksilver, but the City does not have jurisdiction over this company. Commissioner Taylor asked for an address or telephone number so he may make a response. Commissioner Taylor will miss the next scheduled Commission Meeting.

Commissioner Aska stated that a Candidate forum will be held at the Opera House for Commission and School Board Candidates on March 6th.

Commissioner Johnson stated that the County transfer station provides a good service to reuse or destroy hazardous materials; keep it out of the ground water.

Commissioner Sands stated that there is a WWII group looking for assistance with travel to Washington D.C. Walk Kansas is quickly approaching. The Girl Scouts had a great flag ceremony which Commissioner Sands attended. Commissioner Sands attend a Black History fashion show at the Marriott which was great. There are many great events going on in town, and were listed by Commissioner Sands.

Mayor Landes stated that the film festival at the Opera house was great. The public works department did a great job on the streets, and also saved a lot of money.

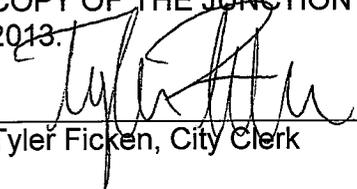
STAFF COMMENTS

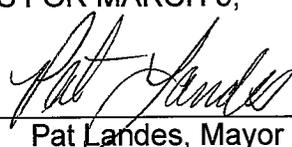
City Manager Vernon stated that a coffee conversation will be held at Stevie's Bar & Grill on April 4th.

ADJOURNMENT

Commissioner Sands moved, seconded by Commissioner Aska to adjourn at 9:02 p.m. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

APPROVED AND ACCEPTED THIS 19th DAY OF MARCH AS THE OFFICIAL COPY OF THE JUNCTION CITY COMMISSION MINUTES FOR MARCH 5, 2013.


Tyler Ficken, City Clerk


Pat Landes, Mayor