CITY COMMISSION MINUTES

May 21, 2013 7:00p.m.

CALL TO ORDER

The regular meeting of the Junction City Commission was held on Tuesday, May 21, 2013 with Mayor Cecil Aska presiding.

The following members of the Commission were present: Cecil Aska, Pat Landes, Mick McCallister, Mike Ryan, and Jim Sands. Staff present was: City Manager Vernon, City Attorney Logan, and City Clerk Ficken.

CONSENT AGENDA

Consideration of Appropriation Ordinance A-10 dated April, 30 – May 13, 2013 in the amount of $369,172.50. Commissioner Sands moved, seconded by Commissioner Ryan to approve the consent agenda. Ayes: Aska, Landes, McCallister, Ryan, Sands. Nays: none. Motion carried.

Consideration of the City Commission Minutes for May 7, 2013, Special City Commission meeting for May 1, 2013, and City Commission Work Session for May 4, 2013. Commissioner Sands moved, seconded by Commissioner Ryan to approve the consent agenda. Ayes: Aska, Landes, McCallister, Ryan, Sands. Nays: none. Motion carried.

Consideration of Resolution R-2723, adoption of bylaws and appointment of member representative to Midwest Public Risk (MPR). Commissioner Sands moved, seconded by Commissioner Ryan to approve the consent agenda. Ayes: Aska, Landes, McCallister, Ryan, Sands. Nays: none. Motion carried.

Consideration and approval of request to block off parking space at 722 ½ N. Washington for a Knights Templar's BBQ on May 27, 2013. Commissioner Sands moved, seconded by Commissioner Ryan to approve the consent agenda. Ayes: Aska, Landes, McCallister, Ryan, Sands. Nays: none. Motion carried.

The consideration and approval of the noise waiver, animal ordinance waiver, resident, transient, and itinerant and peddler waiver, authorization to discharge fireworks and authorization to ban bicycles and skateboards for Sundown Salute for July 3-6, 2013 in Heritage Park. Commissioner Sands moved, seconded by Commissioner Ryan to approve the consent agenda. Ayes: Aska, Landes, McCallister, Ryan, Sands. Nays: none. Motion carried.

The consideration and approval for a temporary Cereal Malt Beverage license to Sundown Salute in Heritage Park to be held July 3-6, 2013. Commissioner

Sands moved, seconded by Commissioner Ryan to approve the consent agenda. Ayes: Aska, Landes, McCallister, Ryan, Sands. Nays: none. Motion carried.

The consideration and approval of Resolution 2720, setting a public hearing date of July 2, 2013 to address condemnation of 223 W. 5th St. Commissioner Sands moved, seconded by Commissioner Ryan to approve the consent agenda. Ayes: Aska, Landes, McCallister, Ryan, Sands. Nays: none. Motion carried.

The consideration and approval of Resolution 2722, setting a public hearing date of July 2, 2013 to address condemnation of 416 W. 12th St. Commissioner Sands moved, seconded by Commissioner Ryan to approve the consent agenda. Ayes: Aska, Landes, McCallister, Ryan, Sands. Nays: none. Motion carried.

The consideration and approval of Resolution 2721, setting a public hearing date of July 2, 2013 to address condemnation of 440 W. 7th St. Commissioner Sands moved, seconded by Commissioner Ryan to approve the consent agenda. Ayes: Aska, Landes, McCallister, Ryan, Sands. Nays: none. Motion carried.

SPECIAL PRESENTATIONS

Presentation of the 2013 Relay for Life Proclamation. Mayor Aska presented the proclamation.

NEW BUSINESS

Consideration to refinance City debt Series 2013A. Finance Director Beatty stated that savings could be used for capital expenditures. Commissioner Landes asked if there would be additional opportunities for refinancing in the future. Columbia Capital representative Dennis Lloyd stated that there would not be a refinance opportunity since there are not additional callable bonds for some time. Mayor Aska asked if the funds could be saved. Finance Director Beatty stated that the funds could be saved, but capital investment would result in a good return. Finance Director Beatty stated that some of the refinanced bonds will be called in advance resulting in some additional interest charges. Commissioner Ryan asked if the other bonds would be replaced entirely with the Series 2013A refinance. Finance Director Beatty responded yes. Commissioner Ryan added that it will cost approximately $125,000 for the process of the refinancing. Dennis Lloyd stated that ultimately, the market will determine the savings as a result of the refinance. Commissioner McCallister stated that this looks like an opportunity for some free money. Commissioner Landes asked if the refinancing would impact the City's credit rating. Dennis Lloyd stated that the positive steps that the City took following the fiscal crisis will have a positive impact, and this refinancing will have an insignificant impact on the City's rating. Commissioner Sands stated that it would be good to pay down the debt with the funds. Commissioner Landes stated that he believes the better impact would be to invest in the streets; if the amount were larger to make an impact on the debt it would be a good idea to pay

down the debt. Commissioner Landes added that the 2012 Community Survey pointed to streets as a place for improvement. Commissioner McCallister agreed that the streets need to be addressed. Commissioner Sands asked what the total savings from the refinance are estimated to be. Finance Director Beatty stated that an estimate is $450,000 to $500,000 in savings. Commissioner Landes moved, seconded by Commissioner Ryan to approve Resolution R-2724. Ayes: Aska, Landes, McCallister, Ryan, Sands. Nays: none. Motion carried. Commissioner Landes moved, seconded by Commissioner McCallister to approve Resolution R-2725. Ayes: Aska, Landes, McCallister, Ryan. Nays: Sands. Motion carried.

Consideration and approval of a 2012 Federal Assistance to Firefighters Grant in the amount of $760,000 to purchase a new aerial truck. Finance Director Beatty stated that the Fire Equipment Reserve fund can be used to meet the funding requirements of the grant. Commissioner Sands stated that he learned about the importance of standoff distance, and this truck will provide an improvement. Commissioner Aska inquired as to how much the City may receive for the current ladder truck. Interim Chief Rook stated that the truck is not code compliant, and was purchased for $350,000 20 years ago. Commissioner McCallister requested that the Fire Department keep the Commission informed on the truck selection process. Commissioner Sands moved, seconded by Commissioner Ryan to approve the 2012 Federal Assistance to Firefighters Grant in the amount of $760,000 to purchase a new aerial truck. Ayes: Aska, Landes, McCallister, Ryan, Sands. Nays: none. Motion carried.

Discussion about the City's future Microsoft software acquisition procedures and policies. Information Technology Director Germann stated that the Microsoft program would allow for the latest versions of Microsoft office to be provided at an additional cost of $75,000 per year for 3 years, and then a lower cost moving forward. The program would provide software for 235 units. Commissioner Landes asked what the County is running. Information Technology Director Germann stated that they are probably running Office 2010. Mr. Germann stated that the package would also include an upgrade on SharePoint; a dated free version is currently being used. Commissioner Landes asked whether everyone really needs the professional version of the software, and asked if hardware upgrades would be required. Commissioner Sands stated that a similar upgrade in his office required the installation of more RAM on some PC units. Commissioner McCallister stated that he is not interested in learning as far forward on software acquisition as this Microsoft program would require. No action was taken.

The consideration and approval to solicit bids for the demolition of the property at 508 W. 10th St. being a condemned structure. Commissioner Landes asked if all legal notices were made. City Attorney Logan replied yes. City Manager Vernon asked if the owner was still residing at the property. Senior Inspector Karmann stated that he has gone to great lengths to make contact, and he does not

believe the owner lives there anymore; the owner's vehicle has not been seen at the residence. Commissioner Sands asked if the residence was receiving utility services. Senior Inspector Karmann stated electric and water only. Commissioner McCallister asked if the building is unsafe. Senior Inspector Karmann stated that as a result of the holes in the roof, mold would make the structure uninhabitable. Commissioner Sands suggested turning off the utilities to see if there is a response from the owner. Commissioner McCallister stated that he is not sympathetic when structures are allowed to come to this level of disrepair. Commissioner Landes moved, seconded by Commissioner McCallister to solicit bids for the demolition of the property at 508 W. 10th St. being a condemned structure. Ayes: Aska, Landes, McCallister, Ryan, Sands. Nays: none. Motion carried.

Consideration of the request by Ray Heinrichs, owner, for a Special Use Permit to establish a Restaurant and Catering Facility at property zoned "IL" Light Industrial at 904 Price Street, Junction City, KS. Commissioner McCallister asked if there would be a new kitchen. Planning & Zoning Director Yearout stated that the kitchen would be new to the building. Commissioner Sands moved, seconded by Commissioner Landes to approve Ordinance S-3119 a request by Ray Heinrichs, owner, for a Special Use Permit to establish a Restaurant and Catering Facility at property zoned "IL" Light Industrial at 904 Price Street, Junction City, KS. Ayes: Aska, Landes, Ryan, Sands. Nays: McCallister. Motion carried.

Consideration and approval of a contract amendment for the 2013 street maintenance program – concrete patching. Public Services Director McCaffery stated that the use of Hi-early concrete was to meet timelines for staff so that additional projects for the micro surfacing could be completed. Commissioner Landes stated that the intersection is also very busy, which is another reason for the use of this material. Commissioner McCallister moved, seconded by Commissioner Sands to approve the contract amendment for the 2013 Street Maintenance Program – Concrete Patch in the amount not to exceed $34,399.20 to T&M Concrete Construction Inc. Ayes: Aska, Landes, McCallister, Ryan, Sands. Nays: none. Motion carried.

Consideration and approval of a Kansas Department of Transportation, Grant for an airport fuel containment facility at Freeman Field Airport. Commissioner Ryan stated that he is surprised there is not already containment on site. Commissioner Sands asked if the County has drawing that could be used to save on engineering costs. Public Services Director McCaffery stated that the site is unique due to the size and weight of trucks using the facility; soil samples will be needed for example. Commissioner Sands moved, seconded by Commissioner Ryan to approve the KDOT – Airport Modernization Grant for the Freeman Field Fuel containment facility, and allow the Mayor to sign the agreement documents. Ayes: Aska, Landes, McCallister, Ryan, Sands. Nays: none.

Consideration of approval of License No. DACA41-3-13-2056 between City of Junction City and Department of the Army. The Commission provided guidance for changes. No action was taken.

Consideration and selection of City Manager recruitment services. The Commission requested presentations from the recruitment companies at 6:00 p.m. May 28, 2013.

COMMISSIONER COMMENTS

Commissioner McCallister asked that people keep the Oklahoma storm victims in their thoughts; and good work to Public Works on the cleanup in Junction City.

Commissioner Ryan stated that an appointment to the MPC is needed for his replacement. Commissioner Ryan stated that the City Code needs to be amended regarding the Health Department and funding.

Commissioner Sands stated that it is good to have rain. Rucker Rd. West of US-77 needs serious repair.

Commissioner Landes stated that in time of disaster, let the professionals get to work; people can best help by donating to the Red Cross.

Mayor Aska stated that the Brigade opener in on June 1, and thanks to Ben Kitchens Painting Co. for their work at Rathert Stadium.

STAFF COMMENTS

City Attorney Logan stated that she will have a resolution for Commission consideration regarding open carry in public buildings in reference to H.B 2052. City Attorney Logan will not be at the next Commission meeting, but her associate David Waters will be in attendance.

ADJOURNMENT

Commissioner Landes moved, seconded by Commissioner Ryan to adjourn at 9:40 p.m. Ayes: Aska, Landes, McCallister, Ryan, Sands. Nays: none. Motion carried.

APPROVED AND ACCEPTED THIS 4th DAY OF JUNE AS THE OFFICIAL COPY OF THE JUNCTION CITY COMMISSION MINUTES FOR MAY 21, 2013.

Tyler Ficken, City Clerk

Cecil Aska, Mayor