

**CITY COMMISSION MINUTES**

November 5, 2013

7:00p.m.

**CALL TO ORDER**

The regular meeting of the Junction City Commission was held on Tuesday, November 5, 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 Smith, Assistant City Manager Beatty, City Attorney Logan, and City Clerk Ficken.

Mayor Aska removed item 4e from the agenda.

**PUBLIC COMMENT**

Larry Ruiz of 1906 McFarland stated that he would like the Commission to extend a resolution previously approved by the Commission for tax credits. City Attorney Logan stated that City staff has not received any information from Mr. Ruiz.

Curtis Wooten requested use of North Park to hold an Easter egg hunt.

**CONSENT AGENDA**

Consideration of Appropriation Ordinance A-21 dated October 9, 2013 to October 28, 2013 in the amount of \$791,820.62. Commissioner Landes moved, seconded by Commissioner Sands to approve the consent agenda. Ayes: Aska, Landes, McCallister, Ryan, Sands. Nays: none. Motion carried.

Consideration of the City Commission Minutes for 10-15-2013 & 9-24-2013. Commissioner Landes moved, seconded by Commissioner Sands to approve the consent agenda. Ayes: Aska, Landes, McCallister, Ryan, Sands. Nays: none. Motion carried.

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

Consideration of Payroll #20 and #21 for the Month of October 2013. Commissioner Landes moved, seconded by Commissioner Sands to approve the consent agenda. Ayes: Aska, Landes, McCallister, Ryan, Sands. Nays: none. Motion carried.

Consideration of Award of Bid to Dick Edwards Auto in the amount of \$34,751.00 for the purchase of a One Ton Dump Truck. Commissioner Landes moved, seconded by Commissioner Sands to approve the consent agenda. Ayes: Aska, Landes, McCallister, Ryan, Sands. Nays: none. Motion carried.

## **NEW BUSINESS**

Consideration to grant an easement to Kansas Gas Inc. to install a cathodic protection system within a City easement at 6th & Franklin Street. Commissioner Sands moved, seconded by Commissioner Ryan to approve grant an easement to Kansas Gas Inc. to install a cathodic protection system within a City easement at 6th & Franklin Street as amended. Ayes: Aska, Landes, McCallister, Ryan, Sands. Nays: none. Motion carried.

Consideration of a 90 day extension for 440 7th Street Condemnation - Resolution 2737. Roy Fausnett stated that some of the trees on the property would be removed. Building & Codes Director Karmann stated that the Commission may want to consider 120 days instead of 90 days; it would cost approximately \$2,000 to \$5,000 to demolish the property. Commissioner Landes moved, seconded by Commissioner Ryan to approve a 120 day extension for the 440 7<sup>th</sup> Street condemnation. Ayes: Aska, Landes, McCallister, Ryan, Sands. Nays: none. Motion carried.

Consideration of the renewal of International Association of Firefighters Local #3309 Agreement with union employees in the fire department. Commissioner McCallister asked if the salary increase had been budgeted for. Assistant City Manager Beatty stated that the adjustments and 3% increase were budgeted for. Commissioner Landes asked how long the negotiation took. Assistant City Manager Beatty stated that the negotiations took approximately 6 months, and the attorney was used only in the end process for the paperwork. Matt Jackson stated that the salary survey did take some time to understand, and the teams worked well. Assistant City Manager Beatty stated that the agreement provides pay increases without breaking the bank, and it incentivizes advancement. Commissioner Landes stated that it was a good idea to switch to a 3 year agreement. Commissioner Sands moved, seconded by Commissioner Ryan to approve renewal of the International Association of Firefighters Local #3309 Agreement. Ayes: Aska, Landes, McCallister, Ryan, Sands. Nays: none. Motion carried.

Consideration to approve a contract with Rosenbauer LLC for the purchase of a new aerial apparatus. Chief Royse stated that the selection committee chose a good apparatus and he recommends to contract with Rosenbauer LLC. Chief Royse thanked those who participated in the selection process. Chief Royse stated that this vehicle has Greenstar Idle Reduction which will reduce fuel costs. Chief Royse stated that this truck would be kept at station #2 due to the size of the truck. Commissioner Sand asked what would be done with the old truck. Chief Royse stated that the old truck can no longer be used in the fire service as

required by the grant; he stated that the machine could be used by another City department. Commissioner Sands asked if the warranty is standard. Chief Royse stated that the warranty is indeed standard. Commissioner Landes asked if City staff would be trained on the maintenance of the vehicle. Chief Royse stated that there is a 3-5 day training session at the manufacturing plant. Commissioner Landes moved, seconded by Commissioner Sands to approve contract with Rosenbauer LLC for the purchase of a new aerial apparatus. Ayes: Aska, Landes, McCallister, Ryan, Sands. Nays: none. Motion carried.

Adoption of Ordinance G-1134, a new code for Animal Control in Junction City, Chapter 215 of City Code. Removed from Agenda.

Consideration to approve the proposed addendum to the Joint Service and Interlocal Agreement for the Junction City/Geary County Animal Shelter By-laws. Commissioner McCallister moved, seconded by Commissioner Sands to approve the addendum to the Joint Service and Interlocal Agreement for the Junction City/Geary County Animal Shelter By-laws. Ayes: Aska, Landes, McCallister, Ryan, Sands. Nays: none. Motion carried.

Consideration and Approval of Engineering Services, HDR Engineering, for Design/ Recommendations to the City Wastewater Treatment Plants. Commissioner McCallister asked what the anticipated final cost for the water & wastewater improvements are. Public Services Director McCaffery stated that prior estimates are out the window due to the work HDR has completed. City Manager Smith stated that the work proposed in this item is to address critical issues that need to be completed as soon as possible. Mayor Aska requested clarification on the proposed expense. Public Services Director McCaffery stated that the proposal is for design and recommendation on critical compliance and safety issues at the plants and include approximately 16 items. Commissioner McCallister moved, seconded by Commissioner Landes to approve Engineering Services work with HDR Engineering for Design & Recommendations to the City Wastewater treatment Plants. Ayes: Aska, Landes, McCallister, Ryan, Sands. Nays: none. Motion carried.

Consideration of Bond Amendment Agreement for New Horizons. Commissioner Landes moved, seconded by Commissioner Ryan to approve R-2738 authorizing Bond Amendment Agreement for New Horizons. Ayes: Aska, Landes, McCallister, Ryan, Sands. Nays: none. Motion carried.

Consideration of Amended and Restated Employment Agreement with Gerald C. Smith and R-2740. City Attorney Logan stated that the contract needs to be amended to allow for corrections in the way that City Manager Smith is compensated to comply with 401(a) IRS requirements. She stated that approval of R-2740 would authorize the City to adopt a section 401(a) defined contribution plan for City Manager Smith. City Attorney Logan stated that the compensation in the restated agreement would match that of the original agreement. Commissioner Sands moved, seconded by Commissioner McCallister to approve the amended and restated agreement with City Manager Smith. Ayes: Aska,

Landes, McCallister, Ryan Sands. Nays: none. Motion carried. Commissioner Ryan moved, seconded by Commissioner Landes to approve R-2740. Ayes: Aska, Landes, McCallister, Ryan, Sands. Nays: none. Motion carried.

Consideration of schedule for proposed upcoming work sessions. Commissioner Sands moved, seconded by Commissioner McCallister to approve the scheduling of work sessions for December 3, 2013 & December 17, 2013 each at 6:00 p.m. Ayes: Aska, Landes, McCallister, Ryan, Sands. Nays: none. Motion carried.

## **EXECUTIVE SESSION**

An Executive Session to discuss personnel issues followed by a discussion on the process of hiring an interim Opera House Executive Director. Commissioner Landes moved, seconded by Commissioner Ryan to adjourn into executive session at 8:25 p.m. for 15 minutes with City Manager Smith, Assistant City Manager Beatty and City Attorney Logan to discuss personnel issues. Ayes: Aska, Landes, McCallister, Ryan, Sands. Nays: none. Motion carried.

Commissioner Aska moved, seconded by Commissioner McCallister to adjourn from executive session where no action was taken and no decisions were made. Ayes: Aska, Landes, McCallister, Ryan, Sands. Nays: none. Motion carried. City Manager Smith stated that leadership turnover at the Opera House is troubling and ultimately a 501c3 will operate the facility. He explained that the City needs a greater role with a staff member who is familiar with the industry. Mr. Smith stated that he will be working to build a business model for the Opera House and set expectations for operations. Also, he will work to define the responsibilities of the Board & Director. City Manager Smith stated that he anticipates hiring an Executive Director and Business Manager as the job is too large for one person. City Attorney Logan stated that she has had on and off discussions with the board regarding the reorganization of the opera house. Commissioner Sands stated that he's concerned about the City's financial situation. Mayor Aska stated that the concept is strong but he would like to see how it could be funded. Commissioner McCallister stated that you need to pay for the right person but there needs to be cuts made somewhere else.

## **COMMISSIONER COMMENTS**

Commissioner Sands stated that he noticed that crack sealing work is being done. The United Way is going to be raising funds at the Tyme Out Lounge. People need to get in the mood for the holiday season.

Commissioner Ryan congratulated the Fire Department for the ladder truck grant and purchase.

Commissioner Landes thanked the EDC for changing the time of their meeting so he can attend. Commissioner Landes stated that the EDC needs to work toward approaching the Bioscience industry for development projects. Commissioner

Landes stated that the CT scan and MRI project is going well; if you are getting your work done somewhere else then you are missing out.

Commissioner McCallister stated that he is aware of a landowner who is interested in the Casino project. Commissioner McCallister stated that he received e-mails regarding the quarry issue but it is located outside the City jurisdiction.

Mayor Aska requested an update on the status of the Ft. Riley cooperative agreement. City Attorney Logan stated that the item gets discussed occasionally by the attorneys involved but the liability issue is still being worked on. Mayor Aska stated that he would like to see City staff work with the Chamber of Commerce on the Casino issue and would like to have a revised copy of the resolution of support for a gaming facility brought to the Commission for consideration. Commissioner McCallister stated that the Commission owes it to the community to look into this but experienced help is needed. Mayor Aska inquired as to whether City staff has looked into the revert to owner policy on water bills as addressed by Gary Olds. Assistant City Manager Beatty stated that City staff has started a survey of Kansas communities about their policies.

#### ADJOURNMENT

Commissioner Ryan moved, seconded by Commissioner Aska to adjourn at 9:38 p.m. Ayes: Aska, Landes, McCallister, Ryan, Sands. Nays: none. Motion carried.

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



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Tyler Ficken, City Clerk



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Cecil Aska, Mayor