

CITY COMMISSION MINUTES

November 19, 2013

7:00p.m.

CALL TO ORDER

The regular meeting of the Junction City Commission was held on Tuesday, November 19, 2013 with Mayor Cecil Aska presiding.

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

PUBLIC COMMENT

Leon Osborne encouraged the City to approve the design standards on the agenda. The standards make it easier for the public to plan projects. Mr. Osborne stated that there are several hundred empty lots in the City that have not sold. Ideas are needed to get things moving and make the lots affordable. Mayor Aska stated that the Commission is aware of the issue & Commissioner McCallister stated that people need to think outside the box on this.

Gerald Gerloff stated that the new Opera House Director position should not be changed when the City has to ask the State for borrowing. He stated that the City is in a poor financial situation.

Lenea Alt stated that the shelter does not have time to run a foster home program; the shelter is not large enough. Mrs. Alt stated that the ordinance needs to be adopted without the restriction on number of pets.

Representative Rothlisberg stated that he is returning from a surgery. He was to hear from that that are in favor and opposed to a casino being located in Junction City.

Paula Foltz of 522 S. Calhoun requested that the restriction on the number of animals be removed from the ordinance. She believes that ordinance will harm those who are helping with the problems.

CVB Director Connie Hall stated that the CVB supports the casino issue.

Susan Jagerson stated that the EDC supports the casino and voted 7-0 to support the idea for Jobs and additional economic development.

Emily Fawcett stated that animal hoarding according to their lobbyist is not a problem in Junction City. She stated that education might be a problem;

remember to spay and neuter your pets. Mrs. Fawcett stated that she is inspected by the state and the new animal shelter director is amazing.

CONSENT AGENDA

Consideration of Appropriation Ordinance A-22-2013 dated October 29, 2013 through November 12, 2013 in the amount of \$524,459.07. Commissioner Ryan moved, seconded by Commissioner McCallister to approve the consent agenda. Ayes: Aska, McCallister, Ryan, Sands. Motion carried.

Consideration of November 5, 2013 City Commission Minutes. Commissioner Ryan moved, seconded by Commissioner McCallister to approve the consent agenda. Ayes: Aska, McCallister, Ryan, Sands. Motion carried.

The consideration and approval of the 2014 Cereal Malt Beverage Licenses. Commissioner Ryan moved, seconded by Commissioner McCallister to approve the consent agenda. Ayes: Aska, McCallister, Ryan, Sands. Motion carried.

Consideration of ambulance contractual obligation adjustments and bad debt adjustments (October 2013). Commissioner Ryan moved, seconded by Commissioner McCallister to approve the consent agenda. Ayes: Aska, McCallister, Ryan, Sands. Motion carried.

SPECIAL PRESENTATIONS

Shop Small Saturday proclamation by Mayor Aska. Mayor Aska presented the proclamation.

NEW BUSINESS

Adoption of Ordinance G-1134, a new code for Animal Control in Junction City, Chapter 215 of City Code. Commissioner Aska asked Assistant City Manager Beatty to clarify the numbers issue. Assistant City Manager Beatty stated that the number of dogs would be limited to 5, but there is a grandfather clause written into the ordinance which would allow owners to register their pets with the Police Department. Additionally, a home could have a combination of up to 5 dogs, cats, ferrets and domesticated rodents, but not a total over ten animals combined. Krista Blaisdell stated that the state limit is 19 pets; foster homes would be able to keep animals in addition to the 5 limit. The local animal shelter would administer the foster program under current state statute. Krista added that the sponsoring animal shelter could be from another community such as Manhattan, Salina, etc. Assistant City Manager Beatty stated that the City would simply receive the same report that the Shelter provides to the State of Kansas. Assistant City Manager Beatty stated that the committee also considered 4 and 6 of each pet before settling on 5. Mayor Aska inquired as to whether Commissioner McCallister was satisfied with the tethering issue. Commissioner McCallister stated that he felt the tethering issue was corrected, but the public call has been to eliminate the limit on the number of pets. Mayor Aska asked Chief Brown to provide his thoughts on limiting the number of pets. Chief Brown

stated that there was one situation where a home had to be torn down due to damage caused by excessive animals, but most pet owners are responsible. Chief Brown stated that the Animal Control Officer will inventory animals, and that registration process will not be a problem. Commissioner McCallister moved, seconded by Commissioner Ryan to approve Ordinance G-1134 with the limitation on the number of animals item removed. Ayes: McCallister, Ryan. Nays: Aska, Sands. Motion failed. Commissioner Sands moved, seconded by Mayor Aska to approve Ordinance G-1134 as presented. Ayes: Aska, Sands. Nays: McCallister, Ryan. Nays: none. Motion failed. Commissioner Ryan moved, seconded by Commissioner Sands to table the item. Ayes: Aska, McCallister, Ryan, Sands. Nays: none. Motion carried.

Consideration of an amendment to the Ventria Development Agreement. Tom Weigand stated that the EDC supports the proposed amendment. Mr. Weigand stated that this is a deferral and not a forgiveness of obligations; it is a goal to work toward clustering successful organizations. The Commission directed City Attorney Logan to draft an agreement with the terms as discussed to consider at the next Commission meeting. City Commissioner McCallister moved, seconded by Commissioner Sands to approve the terms as presented. Ayes: Aska, McCallister, Ryan, Sands.

Consideration of the 2014 Rolling Meadows rate schedule. Commissioner Sands moved, seconded by Commissioner Ryan to approve the 2014 Rolling Meadows rate schedule as presented. Ayes: Aska, Ryan, Sands. Nays: none. Motion carried.

Consideration of an update to the City anti-harassment policy. Commissioner McCallister moved, seconded by Commissioner Ryan to approve Resolution R-2736. Ayes: Aska, McCallister, Ryan, Sands. Nays: none. Motion carried.

Consideration and Adoption of Ordinance Amendments and Amended City of Junction City, Engineering Design Standards. Commissioner Sands stated that he believes 5 feet is very wide for a sidewalk. Municipal Services Director McCaffery stated that the standards will change the thickness at a driveway but the 5 feet wide requirement is current code and was less in the past. Municipal Services Director McCaffery stated that five feet is typical for sidewalks today; the safe routes to school sidewalks were five feet wide. Commissioner Sands asked who is responsible for broken sidewalks. City Attorney Logan stated that the homeowner is responsible for sidewalk maintenance, and that code is consistent with state law. Municipal Services Director McCaffery stated that a matching sidewalk program could be a future possibility. Commissioner Ryan moved, seconded by Commissioner McCallister to approve Ordinance G-1136. Ayes: Aska, McCallister, Ryan, Sands. Nays: none. Motion carried. Commissioner Sands moved, seconded by Commissioner McCallister to approve Ordinance G-1137. Ayes: Aska, McCallister, Ryan, Sands. Nays: none. Motion carried. Commissioner Ryan moved, seconded by Commissioner McCallister to approve Ordinance G-1138. Ayes: Aska, McCallister, Ryan, Sands. Nays: none. Motion carried. Commissioner Sands moved, seconded by Commissioner Ryan

to approve Ordinance G-1139. Ayes: Aska, McCallister, Ryan, Sands. Nays: none. Motion carried. Commissioner Sands moved, seconded by Commissioner Ryan to approve Ordinance G-1140. Ayes: Aska, McCallister, Ryan, Sands. Nays: none. Motion carried. Commissioner Ryan moved, seconded by Commissioner Sands to approve Ordinance R-2758. Ayes: Aska, McCallister, Ryan, Sands. Nays: none. Motion carried. Commissioner Sands moved, seconded by Commissioner Ryan to approve Ordinance R-2759. Ayes: Aska, McCallister, Ryan, Sands. Nays: none. Motion carried.

Consideration of funding option for Opera House Executive Director position. Assistant City Manager Beatty provided information on funding for the proposed additional personnel expenses for the Opera House; the City can use revenue from economic development claw backs in the amount of \$460,000 above the cost of the projected Municipal Court building improvements. Commissioner Ryan stated that his vision for those funds was for street improvement. Assistant City Manager Beatty stated that the City received \$600,000 from the recent bond refinance that could be used for street improvements. Commissioner Sands stated that he cannot vote in favor of this until he is made aware of the proposed budget amendments. Commissioner McCallister moved, seconded by Commissioner Aska to approve funding for the executive director of the Opera House for discretionary funds as described. Ayes: Aska, McCallister, Ryan. Nays: Sands. Motion carried.

Set hearing for the consideration of 2013 Budget Amendments. Commissioner Ryan moved, seconded by Commissioner McCallister to hold a public hearing for amending the 2013 Budget as presented. Ayes: Aska, McCallister, Ryan, Sands. Nays: none. Motion carried.

Consideration of award of bid to auditing firm. Commissioner Sands moved, seconded by Commissioner Ryan to approve award of bid to the auditing firm Mize Houser & Company for 5 years as presented. Ayes: Aska, McCallister, Ryan, Sands. Nays: none. Motion carried.

Consideration of Resolution R-2739 support for a gaming facility in Junction City. Commissioner Aska moved, seconded by Commissioner Ryan to table Resolution R-2739 until the next Commission Meeting. Ayes: Aska, McCallister, Ryan, Sands. Motion carried.

EXECUTIVE SESSION

Discussions relating to the acquisition of real estate. Commissioner Ryan moved, seconded by Commissioner Sands to adjourn to executive session at 9:05 p.m. for 20 minutes to discuss real estate acquisition to include the Commission, City Attorney, City Manager & Assistant City Manager. Ayes: Aska, McCallister, Ryan, Sands. Nays: none. Motion carried. Commissioner McCallister moved, seconded by Commissioner Sands to adjourn from executive session at 9:25 p.m. where no

decisions were made and no actions were taken. Ayes: Aska, McCallister, Ryan, Sands. Nays: none. Motion carried.

COMMISSIONER COMMENTS

Commissioner Ryan stated that the only people with more than five dogs were attending the meeting and a foster program will not help when family members visit with pets. The shelter is euthanizing fewer animals and that is good.

Commissioner Sands stated that CVB Marketing Grants are available; get your paperwork together and apply. The casino issue is receiving support but let your positions be known to your elected officials. Commissioner Sands stated that the Christmas parade is only a week away; his in-laws stated that the parade is the best they have seen. Be sure to think about the less fortunate this year; consider the angel tree and other opportunities, and be safe.

Commissioner McCallister stated that the casino issue is going to take a lot of effort, time, persistence, and the ability to manage expectations. This is about jobs for the community. The Community was told that 18,500 soldiers were coming to town and people built to meet that demand with good intentions. The community must get over the mistakes and the casino idea is a step in the right direction.

Mayor Aska reminded people to shop small and local on November 30, 2013.

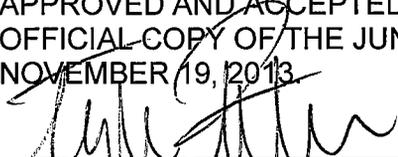
STAFF COMMENTS

City Manager Smith stated that the core advisory committee discussed addressing low hanging fruit that will not bog down in the AG office and in Washington. Some successes on cooperation will help by providing the Army with cover; other military branches have been successful in this arena.

ADJOURNMENT

Commissioner McCallister moved, seconded by Commissioner Ryan to adjourn at 9:44 p.m. Ayes: Aska, McCallister, Ryan, Sands. Nays: none. Motion carried.

APPROVED AND ACCEPTED THIS 3RD DAY OF DECEMBER AS THE OFFICIAL COPY OF THE JUNCTION CITY COMMISSION MINUTES FOR NOVEMBER 19, 2013


Tyler Ficken, City Clerk


Cecil Aska, Mayor