

CITY COMMISSION MINUTES

December 20, 2011

7:00p.m.

The regular meeting of the Junction City City Commission was held on Tuesday, December 20, 2011 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 Gerry Vernon, City Attorney Catherine Logan, and City Clerk Tyler Ficken.

PUBLIC COMMENT

Parin "Perry" Gandhi owner of the Knights Inn at 1024 S. Washington stated that he recognizes that his water bill is in line with other communities across the state, but the sharp increase was a shock, and he was unable to plan financially for the increase. Mr. Gandhi stated that he recognizes that the City is in a difficult position, but the hotel industry is also in a difficult position. Mr. Gandhi stated that his water bill increased from \$1,500 per month to \$2,600 per month. Mayor Landes asked if his establishment had installed water saving showerheads & toilets. Mr. Gandhi stated that he understands that business should pay more for additional use; he stated that he would have liked the charge to be phased in slowly.

CONSENT AGENDA

Consideration of Appropriation Ordinance A-24 2011 dated December 1, 2011 through December 14, 2011 in the amount of \$328,614.24. Commissioner Aska moved, seconded by Commissioner Sands to approve the Consent Agenda as presented. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

Consideration of the December 6, 2011 City Commission Meeting Minutes. Commissioner Aska moved, seconded by Commissioner Sands to approve the Consent Agenda as presented. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

Consideration to authorize Rolling Meadows to participate in the Sunflower Golf Trail. Commissioner Aska moved, seconded by Commissioner Sands to approve the Consent Agenda as presented. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

Consideration of Pay Estimate #1 in the amount of \$67,486.96 for construction work completed on the 2011 Street Maintenance Project. Commissioner Aska moved, seconded by Commissioner Sands to approve the Consent Agenda as presented. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

Consideration of ambulance contractual obligation adjustments and bad debt adjustments. Commissioner Aska moved, seconded by Commissioner Sands to approve the Consent Agenda as presented. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

UNFINISHED BUSINESS

Consideration of Ordinance S-3101 rezoning of property at 303 West 8th Street from Restricted Commercial to Multiple Family Residential. Planning & Zoning Director Yearout Presenting. (Final Reading). Commissioner Johnson moved, seconded by Commissioner Aska to approve Ordinance S-3101 on final reading. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

Consideration of Ordinance S-3102 rezoning of property at 716 North Adams Street from Restricted Commercial to Neighborhood Commercial. Planning & Zoning Director Yearout Presenting. (Final Reading). Commissioner Johnson moved, seconded by Commissioner Aska to approve Ordinance S-3102 on final reading. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

Planning and Zoning Administrator Yearout requested the Commission to consider a motion to authorize a public hearing on January 19, 2011 regarding the commercial zoning of properties on the south side of 7th Street from Adams to Garfield. Commissioner Johnson moved, seconded by Commissioner Aska to authorize a public hearing on January 19, 2011 to consider the rezoning of residential properties located in commercial zones on the south side of 7th Street from Adams to Garfield. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

NEW BUSINESS

The consideration and approval of recommended Temporary Public Street Closures. Assistant City Manager McCaffery presenting. Commissioner Johnson stated that there needs to be some tough fines for dumping garbage illegally; it is a disgrace. Chief Brown stated that people caught past the barricades would be fined. Commissioner Johnson stated that the public could help by taking down license plate numbers of people who are dumping. Commissioner Sands stated that the City might want to consider a free dump day to reduce the amount of trash being dumped illegally. Commissioner Aska moved, seconded by Commissioner Sands to approve the temporary public street closures as presented. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

The consideration and approval of Professional Service Contract to Albert Benesch & Company for the – East Wastewater Treatment Plant Assessment Study of Overall Operations and Maintenance. Assistant City Manager McCaffery presenting. Commissioner Johnson asked when this type of study was last conducted. Assistant City Manager McCaffery stated that a study of this type has not been completed in this format according to Tom Neal. Commissioner

Johnson asked what the purpose of this study is. Assistant City Manager McCaffery stated that the study would be used to make recommendations to Veolia, as an outside engineering firm, and identify needs for the capital improvement plan. Assistant City Manager McCaffery stated that the study will look at the overall operation and maintenance of the two sewer plants, and water plant. Mayor Landes asked if the study would look at manpower needs. Assistant City Manager McCaffery stated that the study would absolutely look at manpower needs. Commissioner Johnson asked why Veolia couldn't conduct this study for free. City Manager Vernon stated that the engineering firm would work as an advocate for the City to ensure that current treatment processes are not damaging infrastructure. Commissioner Johnson stated that the City needs to look into completing individual projects instead of spending money on studies. Commissioner Taylor stated that he think is will be good to have an independent organization review the operations at the plants. Assistant City Manager McCaffery stated that ultimately, Veolia is running a business; City staff sees operating procedures that raise questions, and it raises questions about additional operations. Commissioner Johnson stated that he would like to receive something tangible; Veolia are experts in sewer and water. Commissioner Johnson stated that he would like to hear the thoughts of Veolia on this. Finance Director Beatty stated that Veolia is by far the City's largest contract, and there needs to be an audit of this service; also, with additional information with regard to capital needs, the City can do a better job at setting water and sewer rates. Mayor Landes stated that the City spends \$7 million per year on the public works contract. Commissioner Johnson stated that sometimes people need to do things on their own. Assistant City Manager McCaffery stated that Veolia will have access to the document, and that the purpose of this study is not to create lynch documents for Veolia. Commissioner Johnson stated that the inspectors will find something, because that is their job; he would like to see the Veolia capital improvement list compared to the Benesch list. Assistant City Manager McCaffery stated that he agrees that Veolia must be a partner in this. Steve Hoambrecker stated that he agrees that Veolia is a partner. Mr. Hoambrecker stated that the water plant currently has very limited automation, and this project can be conducted by Veolia at a lower cost than an outside contractor. Mr. Hoambrecker stated that Veolia has been conservative with repairs provided the City's difficult financial position. Commissioner Johnson stated that not all businesses try to rip off their customers. Mayor Landes stated that there are \$27 to \$39 million in infrastructure improvements looming, and a plan is needed moving forward. Mayor Landes stated that he wishes a study like this was conducted years ago. Commissioner Aska stated that he believes this is not a witch hunt, but an effort to make things work better; the study is needed to be able to ask the right questions in the future. Commissioner Taylor stated that in the words on Ronald Regan, it is important to "trust but verify". Commissioner Johnson stated that he still wants to see a list of proposed projects from Veolia. Commissioner Aska moved, seconded by Commissioner Taylor to approve the proposed water and wastewater contracts with Albert Benesch & Company. Ayes: Aska, Landes, Sands, Taylor. Nays: Johnson. Motion carried.

The consideration and approval of Professional Service Contract to Albert Benesch & Company for the – Southwest Wastewater Treatment Plant Assessment Study of Overall Operations and Maintenance. Assistant City Manager McCaffery presenting. Commissioner Aska moved, seconded by Commissioner Taylor to approve the proposed water and wastewater contracts

with Albert Benesch & Company. Ayes: Aska, Landes, Sands, Taylor. Nays: Johnson. Motion carried.

The consideration and approval of Professional Service Contract to Albert Benesch & Company for the – Water Treatment Plant Assessment Study of Overall Operations and Maintenance. Assistant City Manager McCaffery presenting. Commissioner Aska moved, seconded by Commissioner Taylor to approve the proposed water and wastewater contracts with Albert Benesch & Company. Ayes: Aska, Landes, Sands, Taylor. Nays: Johnson. Motion carried.

Consideration and approval of R-2656 to adopt a new Junction City Cellular Phone Policy. Information Systems Director Germann presenting. Mayor Landes asked IS Director Germann to elaborate on the two cell phone options. IS Director Germann stated that the first phone is a simple phone for the purpose of making calls only; the second is the smart phone that would include e-mail and internet use for example. IS Director Germann stated that the policy will reduce City expenditure on cell phones by \$8,400.00. Commissioner Sands moved, seconded by Commissioner Taylor to approve R-2656. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

Consideration and approval of the Final Plat of the Norman White addition, a replat of Lots 16 to 23, Block 6 in Callen's Addition at the southeast corner of 13th Street and Madison Street in Junction City, Kansas. Commissioner Taylor stated that he spoke with members of Norman White's family, and they appreciate the naming of this addition in his honor. Commissioner Taylor moved, seconded by Commissioner Johnson to approve final plat of the Norman White Addition. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

Consideration of Ordinance G-1104 to amend the present City burning Ordinance to allow for small recreational fires within the City limits. Fire Chief Steinfort presenting. (First Reading) Commissioner Sands moved, seconded by Commissioner Johnson to approve Ordinance G-1104 on first reading. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

Consideration of Ordinance G-1105 smoking within Public Areas of the City. Police Chief Brown presenting. (First Reading) Commissioner Johnson stated that sting operations like the alcohol busts are an obstacle to running a successful business. Commissioner Sands moved, seconded by Commissioner Aska to approve G-1105 on first reading. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

Consideration of Ordinance G-1106 regarding the sale, purchase, and possession of tobacco products by a minor. Chief Brown presenting. (First Reading) Commissioner Sands moved, seconded by Commissioner Aska to approve G-1106 on first reading. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

Consideration of Ordinance G-1107 to amend the Unlawful Noise 220.740 subsection A6. Chief Brown presenting. (First Reading) Commissioner Aska moved, seconded by Commissioner

Johnson to approve G-1107 on first reading. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

COMMISSION COMMENTS

Commissioner Aska stated that he wishes to pass his condolences to Chris Johnson on the passing of his Father.

Commissioner Johnson wished all a Merry Christmas.

Commissioner Sands stated that to make this a desirable community to live in there must not be dumping of trash in the community. Commissioner Sands stated that he enjoys this time of year and hopes that people come together for Christmas parties.

Commissioner Taylor wished everyone a Merry Christmas and Happy Hanukkah.

Mayor Landes stated that he hopes that Santa will bring him a membership to Rolling Meadows Golf Course this year. Mayor Landes stated that he participated in a great clothing drive for the Salvation Army; be sure to get out there and help those in need this holiday season. The Open Door and Food Pantry need our help as well.

STAFF COMMENTS

City Manager Vernon stated that City building will be closed on December 23 & 26, 2011.

Assistant City Manager McCaffery stated that Sarah Brown has been out of the office due to surgery, and she is missed by the staff and contractors she works with. Assistant City Manager McCaffery stated that he visited the museums located on Ft. Riley, and they are great, he recommends them to everyone. Assistant City Manager McCaffery stated that the streets are looking better.

EXECUTIVE SESSION

An executive session to discuss issues of attorney client privilege. Commissioner Aska moved, seconded by Commissioner Johnson to adjourn into executive session at 8:49 PM for 5 minutes to discuss issues of attorney client privilege to include the City Manager, City Attorney via teleconference, and the Commission. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried. Commissioner Taylor moved, seconded by Commissioner Sands to adjourn from executive session at 8:54 PM were no actions were taken and no decisions were made. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

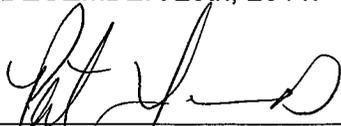
ADJOURNMENT

Commissioner Taylor moved, seconded by Commissioner Johnson to adjourn at 8:54 PM Ayes: Aska, Johnson, Landes, Sands Taylor. Nays: None. Motion Carried.

APPROVED AND ACCEPTED THIS 3rd DAY OF January 2012 AS THE OFFICIAL COPY OF THE JUNCTION CITY CITY COMMISSION MINUTES FOR DECEMBER 20th, 2011.



Tyler Ficken, City Clerk



Pat Landes, Mayor