

CITY COMMISSION MINUTES

January 3, 2012

7:00p.m.

The regular meeting of the Junction City City Commission was held on Tuesday, January 3, 2012 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

John Stewart stated that he is worried about the studies that were approved at the last Commission meeting. Mr. Stewart stated that the Assistant City Manager or Veolia should be able to do this study. Mr. Stewart stated that he would like to know why the contract was broken up into three projects.

Mark Sanders stated that it is obvious that this was really one project. Mr. Sanders stated that Commissioner Taylor in the past requested and was assured that projects would not be broken into smaller expenditures to avoid Commission approval. Mr. Sanders stated that in his opinion, the agreement appears to be open ended; he said that there should be a cap on expenditures.

CONSENT AGENDA

Consideration of Appropriation Ordinance A-1 2011 dated December 15, 2011 through December 28, 2011 in the amount of \$1,269,760.52. Commissioner Taylor 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 20, 2011 City Commission Meeting Minutes. Commissioner Taylor moved, seconded by Commissioner Sands to approve the consent agenda as presented. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

Consideration of letter of support to Geary County Senior Center for a transportation grant. Commissioner Taylor moved, seconded by Commissioner Sands to approve the consent agenda as presented. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

Consideration of R-2659 to set a date for public hearing for the creation of a TIF District by Richard L. Edwards, President of Dick Edwards Incorporated. Commissioner Taylor moved, seconded by Commissioner Sands to approve the consent agenda as presented. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

UNFINISHED BUSINESS

January 3, 2012

Consideration to rescind water and wastewater professional service contracts (3) with Albert Benesch & Company approved on 12-20-2011. City Manager Vernon Presenting. Commissioner Taylor stated that he approached this item with at the last meeting with the thought of the City holding Veolia responsible for their work, but he would like to see the cost that other companies can do the work for. Mayor Landes stated that he agrees with Commissioner Taylor, but that the lowest bid is not always best. Commissioner Aska stated that he agrees with the previous two points. Commissioner Johnson moved, seconded by Commissioner Taylor to rescind water and wastewater professional service contracts (3) with Albert Benesch & Company approved on 12-20-2011. 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. (Final Reading). Commissioner Aska moved, seconded by Commissioner Johnson to approve Ordinance G-1104 on final 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. (Final Reading). Commissioner Johnson moved, seconded by Commissioner Aska to approve Ordinance G-1105 on final 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. (Final Reading). Commissioner Sands moved, seconded by Commissioner Taylor to approve G-1106 on final reading. Ayes: Aska, Landes, Johnson, Sands, Taylor. Nays: none. Motion carried.

Consideration of Ordinance G-1107 to amend the Unlawful Noise 220.740 subsection A6. Chief Brown presenting. (Final Reading). Commissioner Sands moved, seconded by Commissioner Aska to approve Ordinance G-1107 on final reading. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

COMMISSION COMMENTS

Commissioner Sands stated that the public needs ideas on Spin City; please contact the Commission or City Manager. Commissioner Sands stated that he is looking forward to participating in the leader's retreat to participate in some long range planning.

Commissioner Johnson stated that the City cannot afford higher taxes.

Commissioner Aska wished all a Happy New Year. Also, on December 27th Geraldine Turner passed away; she was a nice lady with a beautiful smile.

Commissioner Taylor thanked the Mayor and other Commissioners for listening to the citizens; sometimes the Commission and City staff makes mistakes. Commissioner Taylor stated that it is good that the County Commission might consider additional transient guest tax.

Mayor Landes stated that the Commission made a mistake, and serving the people of the City is the number one job. Mayor Landes stated that he has received a lot of e-mails that he has not been able to respond to them all.

STAFF COMMENTS

City Manager Vernon stated that the City finished 2012 very strong and monies from the 2012 budget will be rolled to 2013. City Manager Vernon stated that unaudited numbers will be available soon.

EXECUTIVE SESSION

An executive session to include the Commission, City Manager, City Attorney & City Prosecutor to discuss issues of attorney client privilege. Commissioner Johnson stated that he would not participate in the executive session. Commissioner Sands moved, seconded by Commissioner Aska to adjourn into executive session at 7:33 PM for 20 minutes to discuss issues of attorney client privilege to include the Commission, City Manager, City Attorney & City Prosecutor. Ayes: Aska, Landes, Sands, Taylor. Nays: Johnson. Motion carried. Commissioner Aska moved, seconded by Commissioner Taylor to adjourn from executive session at 7:53 PM were no actions were taken and no decisions were made. Ayes: Aska, Landes, Sands, Taylor. Nays: none. Motion carried.

ADJOURNMENT

Commissioner Aska moved, seconded by Commissioner Sands to adjourn at 7:53 PM Ayes: Aska, Landes, Sands, Taylor. Nays: None. Motion Carried.

APPROVED AND ACCEPTED THIS 17th DAY OF January 2012 AS THE OFFICIAL COPY OF THE JUNCTION CITY CITY COMMISSION MINUTES FOR JANUARY 3, 2012.



Tyler Ficken, City Clerk



Pat Landes, Mayor