

**CITY COMMISSION MINUTES**

January 17, 2012

7:00p.m.

The regular meeting of the Junction City City Commission was held on Tuesday, January 17, 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**

Lynn Jefferies of 605 Seitz Court stated that vandalism has increased in his area, and streetlights are needed. Mr. Jefferies stated that he would like increased patrols; there was a car window broken out in his neighborhood recently. Mr. Jefferies stated that an entire section of his fence was broken. City Manager Vernon stated that the home owners association president requested lights in the past, but the Commission decided not to install them due to expense. Commissioner Taylor recalled that the developer did not want to pay for the lights. Mr. Jeffries stated that he caught one person, but there are more than one person causing the problem. Commissioner Aska asked that the lighting issue be revisited.

Jose Roman of 1405 Skyline Drive stated that he has moved to Nebraska and is interested in selling his property. He would like to purchase water, but not pay for trash because it is not used; he stated that \$16.00 per month is a lot of money, when the service is not being used. Mr. Roman stated that it is necessary to keep the water on because people used the faucets when he is showing the home. Mr. Roman stated that any trash he creates in Junction City will be taken back to Nebraska. Commissioner Taylor stated that the building could have the water shut off & be winterized. Mayor Landes stated that offering trash as a separate service to be turned on and off would be an administrative nightmare. Mr. Roman stated that it takes a long time to have the water turned on and off, and there is an additional fee.

John Stewart stated that it is time to hire local attorney, and the City cannot afford the high legal bills. Mr. Stewart stated that he is waiting for the Mayor's golf committee to begin. Mr. Stewart stated that the transient guest tax is too low; those who attended the Chamber of Commerce retreat paid a higher rate when they retreated to Overland Park. Mayor Landes stated that the City is exempt from those taxes.

**CONSENT AGENDA**

Consideration of Appropriation Ordinance A-2 2012 dated December 29, 2011 through January 11, 2012 in the amount of \$957,690.62. Commissioner Taylor moved, seconded by Commissioner Sands to approve the consent agenda as presented. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

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Consideration of the January 3, 2012 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.

### **UNFINISHED BUSINESS**

Consideration to correct the Article and Section numbers in Ordinance G-1105 Smoking in Public Areas. Police Chief Brown Presenting. Commissioner Aska moved, seconded by Commissioner Johnson to approve Ordinance G-1105 on final reading. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

Consideration to correct the Article and Section numbers in Ordinance G-1106 Cigarettes and Tobacco Products, Unlawful Acts. Chief Brown Presenting. Commissioner Aska moved, seconded by Commissioner Johnson to approve Ordinance G-1106 on final reading. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

### **NEW BUSINESS**

Consideration of renewal of jail services contract for 2012. Chief Brown Presenting. Commissioner Taylor asked if the prisoners pay any of their own way. Chief Brown stated that the booking fee has offset increases with the cost of the jail contract. Commissioner Johnson asked if prisoner medical bills have resulted in any cost increases. Chief Brown stated that there were medical expenses in the past but those costs have been reduced as a result of on-site medical staff. Commissioner Johnson stated that the medical expenses need to be looked into. Commissioner Aska moved, seconded by Commissioner Sands to approve the jail services contract for 2012. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

Consideration and approval of lease of City owned land for purpose of the sale of fireworks. Finance Director Beatty Presenting. Commissioner Taylor stated that he would like to see this item go out for bid. Commissioner Aska moved, seconded by Commissioner Johnson to approve the lease for City owned land for purpose of the sale of fireworks at parking lot on NE corner of 6<sup>th</sup> and Franklin St from June 20, 2012 to July 8, 2012. Ayes: Aska, Johnson, Landes, Sands. Nays: Taylor. Motion carried.

Consideration of the 2012 Rolling Meadows rate schedule. Parks & Recreation Director Lazear Presenting. Commissioner Johnson stated that he does not have a problem with rate, but results are needed at the course; interested golfers need to come together. Mr. Bernstein stated that he is working to get to know people. Mayor Landes state that there need to be additional benefits to becoming a member. Mr. Bernstein stated that lessons are being planned, and the course has entered the sunflower league. Commissioner Aska stated that the mindset in the past was that the recreation programs did not need to break even, and that has changed. Mr. Bernstein stated that golf numbers nationwide are down, but he does not use that as an excuse. Commissioner Johnson stated that he is disappointed that so many people will sit back and criticize, but not form a committee to correct the problems. Commissioner Taylor asked how many annual rate payers there are. Mr. Bernstein replied that there are approximately 160

members. Commissioner Taylor stated that some courses are not allowing outside carts, which would increase revenue.

Consideration to approve settlement Agreement and Release with the Sheree L. Hemmingway Trust. City Attorney Logan Presenting. Mayor Landes asked if the taxes were truly assessed incorrectly. City Attorney Logan stated that it is simply too expensive to move forward; the assessment includes 2 subdivisions which complicated the issue. Commissioner Johnson stated that it is unfortunate that the first step is to file a lawsuit. City Attorney Logan stated that the City Engineer took the appropriate steps throughout the process. Mayor Landes stated that he does not want this to result in a line of people filing lawsuits out the door. Commissioner Taylor moved, seconded by Commissioner Johnson to approve the settlement agreement with the Sheree L. Hemmingway Trust. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

### **COMMISSION COMMENTS**

Commissioner Sands stated that it is good to contact the Commissioners and City Manager to tell them what you think. Commissioner Sands stated that the MLK celebration he attended was great.

Commissioner Aska stated that the MLK celebration at JC Naz was great; the talent at the event was recognized from surrounding communities. Commissioner Sands stated that he attended the leader's retreat where the theme was working together for the betterment of the region. Commissioner Aska stated that he had conversations with people from Manhattan who were interested in cross promotion of the communities. Commissioner Sands stated that the Polar Plunge is being planned for.

Mayor Landes stated that it is important to work with surrounding communities and also work to provide a workforce for NBAF; the City can work to improve the relationship with K-State, and the interstate is a great asset.

### **STAFF COMMENTS**

City Manager Vernon stated that the City is now using agenda pal to create the agenda and minutes. City Manager Vernon stated that the State of the City Address is scheduled for February 28, 2012 at 7:00 p.m. at the Opera House.

### **EXECUTIVE SESSION**

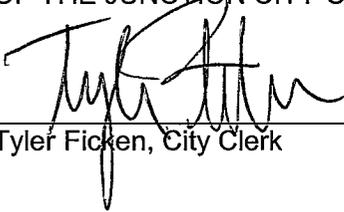
An executive session to discuss personnel issues (City Manager evaluation & contract discussion) to include the City Commission and City Attorney. Commissioner Aska moved, seconded by Commissioner Sands to adjourn into executive session at 8:28 p.m. for 15 minutes. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion

carried. Commissioner Sands moved, seconded by Commissioner Johnson to adjourn from executive session at 8:44 p.m. where no decisions were made, and no actions were taken. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

**ADJOURNMENT**

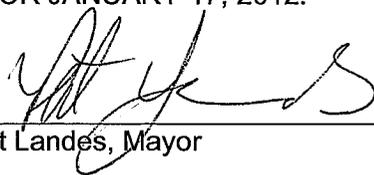
Commissioner Taylor moved, seconded by Commissioner Johnson to adjourn at 8:45 p.m. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: None. Motion Carried.

APPROVED AND ACCEPTED THIS 7th DAY OF FEBRUARY 2012 AS THE OFFICIAL COPY OF THE JUNCTION CITY CITY COMMISSION MINUTES FOR JANUARY 17, 2012.



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Tyler Ficken, City Clerk



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Pat Landes, Mayor