

CITY COMMISSION MINUTES

February 21, 2012

7:00p.m.

The regular meeting of the Junction City City Commission was held on Tuesday, February 21, 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.

EXECUTIVE SESSION

An Executive Session to discuss personnel issues (City Manager evaluation & contract discussion) to include the City Commission and City Manager. Commissioner Aska moved, seconded by Commissioner Sands at 7:02 p.m. to adjourn into executive session for 10 minutes to discuss personnel issues (City Manager evaluation & Contract discussion) to include the City Commission, and City Manager. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried. Commissioner Aska moved, seconded by Commissioner Sands to adjourn from Executive Session at 7:12 p.m. where no actions were taken, and no decisions were made. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried. Commissioner Sands moved, seconded by Commissioner Johnson to approve the City Manager contract as presented. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

PUBLIC COMMENT

Frank Kubista requested that the Commission allow him to hold a bicycle event at Olivia Farms during Memorial Day weekend. Chief Brown stated that police resources would not be required for the event. Mr. Kubista stated that the Apostolic Academy has provided permission to use their lot for parking. Mayor Landes stated that there needs to be plans make for trash collection and disposal. Finance Director Beatty stated that the City should required insurance where the City is listed as additional insured. Commissioner Johnson moved, seconded by Commissioner Johnson to allow a bicycle event at Olivia Farms as presented. After the discussion about insurance and parking, Commissioner Johnson moved, seconded by Commissioner Sands to table approval of the event. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

CONSENT AGENDA

Consideration of Appropriation Ordinance A-4-2012 dated February 1, 2012 through February 13, 2012 in the amount of \$1,100,409.75. Commissioner Taylor moved, seconded by Commissioner Sands to approve the consent agenda as presented. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

February 7, 2012

Consideration of the February 7, 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.

Consideration of request for street closing for the "Run for the Wall" event. 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 approval to send unpaid water bills to setoff/collections. 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 to 20 golf carts for a reduction of cart fleet from 60 to 40 carts. 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 ambulance contractual obligation adjustments and bad debt adjustments. 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 payment to the annual fees for the City member in the Kansas River Water Assurance District No. 1 in the amount of \$15,636.31. Commissioner Taylor moved, seconded by Commissioner Sands to approve the consent agenda as presented. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

APPOINTMENTS

Consideration of a candidate appointment to the Board of Trustees of the Dorothy Bramlage Public Library. Commission Aska moved, seconded by Commissioner Johnson to approve the appointment of Cleopatra Jones to fill the remainder of a four year term. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

UNFINISHED BUSINESS

Consideration of Ordinance G-1108, a rate increase from \$16.00 to \$16.50 per household, and \$8.00 to \$8.25 for a second cart. Finance Director Beatty Presenting. Finance Director Beatty stated that she had not received comments form the community regarding the rate increase. Mayor Landes asked if the City would be purchasing the trash carts form Veolia. Finance Director Beatty stated that the purchase of the carts is reflected in the budget; she stated that an outside appraiser will determine the value of equipment. Finance Director Beatty stated that the budget reflects purchases for future capital needs such as trucks; they are budgeted. Finance Director Beatty stated that as the program grows, additional options such as recycling may be offered. Commissioner Taylor asked if there would be fuel surcharge costs as the price of fuel

increases. Finance Director Beatty stated that that is a policy worth considering, and there is a need to address the purchase of fuel from Geary County. Commissioner Taylor moved, seconded by Commissioner Sands to approve Ordinance G-1108 on Final Reading. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

Consideration of Ordinance S-3103 amending the approved district plan for a redevelopment district within the City; confirming certain finding in conjunction therewith (Dick Edwards Auto Plaza Project); and amending Ordinance S-3026. City Attorney Logan presenting. (Final Reading) City Attorney Logan stated that the change proposed by the ordinance would allow for the development of an auto plaza instead of a strip mall. Mayor Landes requested confirmation that approval of this ordinance does not approve the auto plaza project. City Attorney Logan stated that there is a waiting period on the protest period from the County and USD 475; after the protest period, a specific plan will be presented for consideration by the Commission. Commissioner Aska stated that the City's financial advisor Colombia Capital will provide advice on the project, and an assessment of the financials provided by the developer. City Attorney Logan stated that County Attorney Steve Opat has requested a meeting to discuss the project. Commissioner Taylor moved, seconded by Commissioner Johnson to approve Ordinance S-3103 on final reading. Ayes: Aska, Johnson, Lands, Sands, Taylor. Nays: none. Motion carried.

NEW BUSINESS

Resolution R-2665 scheduling a public hearing to consider amendments to NRP. City Attorney Logan presenting. Commissioner Johnson stated that it would be good to open up as much of the town as possible to the NRP program for 10 years at 95%. Commissioner Taylor moved, seconded by Commissioner Aska to approve Resolution R-2665. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

Resolution R-2664 relating to Grocery Supply IRB Termination. City Attorney Logan presenting. Commissioner Sands moved, seconded by Commissioner Taylor to approve R-2664. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

Consideration of Ordinance S-3104 rezoning of property at the southeast corner of Washington and Chestnut from "CSR" Service Commercial Restricted District, "MH" Mobile Home Park District, and "CCS" Central Commercial Special District to "CG" General Commercial District. Planning & Zoning Director Yearout presenting (First Reading). Commissioner Taylor moved, seconded by Commissioner Johnson to approve Ordinance S-3104 on first reading. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

Consideration of Ordinance S-3105 rezoning of numerous properties on the south side of 7th Street Adams Street and Garfield Street from "CSP" Special Commercial District to "RM" Multiple Family Residential District. Planning & Zoning Director Yearout presenting (First Reading). Commissioner Sands moved, seconded by Commissioner Aska to approve Ordinance S-3105 on first reading. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

Consideration of award of bid for the 2012 contractual mowing contract – blight properties. Assistant City Manager McCaffery presenting. Commissioner Aska asked how the variety in size of lawn is charged. Assistant City Manager McCaffery stated that a size template is included in the bid. Commissioner Johnson stated that people need to pay their blight mowing quickly so they do not go on the tax rolls and create problems. Finance Director Beatty stated that the City will be also using the services of a collection agency. Commissioner Sands stated that he hopes a new contractor has been selected this year. Assistant City Manager McCaffery stated that the same contractor is being recommended by the City, but the mowing standards have changed. Mayor Landes asked if this is a single year contract. Assistant City Manager McCaffery responded in the affirmative. Commissioner Aska moved, seconded by Commissioner Johnson to approve award of bid for the 2012 contractual mowing blights contract to F&R Services. Ayes: Aska, Jonson, Landes, Taylor. Abstention: Sands. Nays: none. Motion carried.

Consideration of award of bid for the 2012 contractual mowing contract for the City parks. Assistant City Manager McCaffery presenting. Commissioner Aska asked if the City is able to reduce mowing if weather conditions permit. Assistant City Manager McCaffery stated that the City has that option. Commissioner Aska moved, seconded by Commissioner Johnson to approve the 2012 contractual mowing contract for the City Parks to C&M Services. Ayes: Aska, Johnson, Landes, Taylor. Abstention: Sands. Nays: none. Motion carried.

Consideration and award of bid for the 2012 contractual mowing of various City public properties. Assistant City Manager McCaffery Presenting. Assistant City Manager McCaffery stated that mowing in the Grant Ave. median will increase due to high growth last year; also, mowing will be completed to help preserve the City streets in areas vacant. Commissioner Sands asked what properties the recreation department will be mowing. Parks & Recreation Director Lazear stated that the Parks Department limits mowing to athletic fields. City Attorney Logan stated that mowing completed on vacant properties can be charged to the property owner; notice needs to be provided. Commissioner Taylor stated that he is worried about the possibility of grass fires in areas that are not being mowed. Commissioner Aska moved, seconded by Commissioner Taylor to approve bid for the 2012 contractual mowing contract for public properties. Ayes: Aska, Johnson, Landes, Taylor. Abstention: Sands. Nays: none. Motion carried.

Consideration and approval of award of award of bid for the Price's Ravine Storm Improvements to J&K Contracting, LLC in an amount of \$161,564.00 Assistant City Manager McCaffery presenting. Commissioner Johnson asked how the area got to the condition that it is in, and the cause of this problem is the drainage project that was completed on K-57. Commissioner Johnson stated that the chain link fence for the property is not needed, and should not be completed by a company that does not specialize in fences. Assistant City Manager McCaffery stated that the purpose of the fence is for security. Commissioner Johnson stated that he felt the ravine is too steep to require a security fence. Commissioner Aska asked if the fence area could be reduced, and use fence that already exists. Commissioner Johnson stated that the bids do

not make sense considering the Engineer's estimates. Assistant City Manager McCaffery stated that bidders will allocate project costs to their financial advantage, and this explains the irregularities between the bids and engineer estimates. Mayor Landes asked if the area will still be steep. Assistant City Manager McCaffery stated that the area will be steep, but armored with a new fabric product which is anchored to the eroding wall. Commissioner Taylor asked if the state can help with this project due to the K-57 improvements. Assistant City Manager McCaffery stated that help from the state is unlikely because the K-57 project was a City project. Commissioner Sands stated that this needs to be corrected or the building could be lost. Commissioner Johnson stated that he would not purchase this project with his own money. Commissioner Aska asked if the project could move forward without the fencing. City Manager Vernon stated that items could be added or removed from the bid. Commissioner Johnson stated that he believes there is enough City staff to bid out some of the project costs separately; he stated that he cannot believe the costs on this project. Leon Osborn stated that the project as presented does not require permits which would be necessary if work within the waterway was completed. Leon Osborn stated that he agrees with Mr. McCaffery's assessment on the bid irregularities. Commissioner Aska asked Mr. Osborn if he felt J&K could do a good job on the project. Mr. Osborn stated that he is confident in their abilities. Commissioner Sands stated that he is worried that erosion might occur behind the fabric material, and undermine the project. Commissioner Johnson stated that he is unable to vote for this due to the high cost, and 1-year warranty. Commissioner Aska moved, seconded by Commissioner Sands to approve award of bid for the Price's Ravine Storm Improvements to J&K Contracting, LLC in an amount of \$161,564.00; also look to reduce cost of fencing. Ayes: Aska, Landes, Sands, Taylor. Nays: Johnson. Motion carried.

Consideration of Resolution R-2663 for establishing new administrative fees for Section II of Code of City Ordinances. Finance Director Beatty presenting. Mayor Landes asked what other Cities charge as administrative fees. Finance Director Beatty stated that fees range from \$25 to \$200. Finance Director Beatty stated that the City wants to get out of the business of being a mowing contractor. Commissioner Sands moved, seconded by Commissioner Taylor to approve Resolution R-2663. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

Consideration of Resolution R-2662, a resolution supporting the establishment of a gaming facility in Junction City. Finance Director Beatty presenting. Commissioner Taylor stated that in the past, this City approve a referendum with 2/3 of the vote for approval of a facility. Commissioner Johnson stated that he is fine with a casino, but normal business need to prosper for the City to be successful. Commissioner Sands moved, seconded by Commissioner Taylor to approve Resolution R-2662. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

Consideration of Ordinance G-1109 requesting wastewater code changes. Finance Director Beatty Presenting (First Reading). Commissioner Aska moved, seconded by Commissioner Taylor to approve Ordinance G-1109 on first reading. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

Consideration of Ordinance G-1110 requesting wastewater code changes. Finance Director Beatty presenting (First Reading). Commissioner Taylor moved, seconded by Commissioner Sands to approve Ordinance G-1110 on first reading. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

COMMISSION COMMENTS

Commissioner Sands stated that he will be participating in the Walk Kansas event which is an eight week workout routine. He also stated that the Black History essays that he listened to were great.

Commissioner Johnson stated that there will be a town hall meeting at the Opera House on 2-28-2012.

Commissioner Taylor stated that the approved City Manager contract will be posted on the City website.

Mayor Landes reminded the community that it is the girl scouts 100 year anniversary. He stated that he attended a Little Theatre performance, and it was great. Mayor Landes participated in a Rolling Meadows meeting that went great, and there was discussion about tournaments and improvements to the clubhouse. An open forum to discuss the Helland property occurred, and Randy Testa will be working to pinch pennies towards ideas such as a community garden, and a dog park; Mayor Landes stated that the property can be transitioned from weeds to Kansas prairie. Mayor Landes stated that there will be a meeting regarding progress on the US 77 project on 2-29-2012 at the Opera House.

STAFF COMMENTS

City Manager Vernon stated that he appreciates the vote of confidence with the contract approval. City Manager Vernon stated that there needs to be a work session on the issue of Annexation.

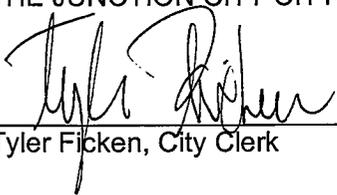
City Attorney Logan stated that the TIF could be discussed at the joint City/County meeting on Monday at 4:00 PM at the County office building.

Assistant City Manager McCaffery stated that Lori Hodgson has returned to her duties with the Self Help Housing program.

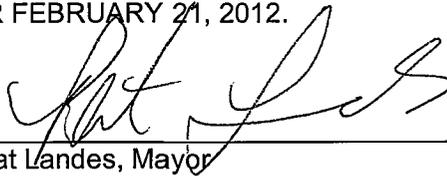
ADJOURNMENT

Commissioner Aska moved, seconded by Commissioner Johnson to adjourn at 9:55 p.m. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: None. Motion Carried.

APPROVED AND ACCEPTED THIS 6TH DAY OF MARCH 2012 AS THE OFFICIAL COPY OF THE JUNCTION CITY CITY COMMISSION MINUTES FOR FEBRUARY 21, 2012.



Tyler Ficken, City Clerk



Pat Landes, Mayor