

CITY COMMISSION MINUTES

April 17, 2012

7:00p.m.

The regular meeting of the Junction City Commission was held on Tuesday, April 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 Vernon, City Attorney Logan, and City Clerk Tyler Ficken.

CONSENT AGENDA

Consideration of Appropriation Ordinance A-8 dated February March 27 – 2012 through April 9, 2012 in the amount of \$440,940.07. Commissioner Aska moved, seconded by Commissioner Johnson to approve the Consent Agenda as presented. Ayes: Aska, Johnson, Landes, Sands, Taylor, Nays: none. Motion carried.

Consideration of the April 3, 2012 Commission Meeting Minutes. Commissioner Aska moved, seconded by Commissioner Johnson to approve the Consent Agenda as presented. Ayes: Aska, Johnson, Landes, Sands, Taylor, Nays: none. Motion carried.

Consideration and approval for a temporary Cereal Malt Beverage License to be granted to Sundown Salute for the Mud Bog that will be held in the 900-1000 block of Grant Ave. on May 5, 2012. Commissioner Aska moved, seconded by Commissioner Johnson to approve the Consent Agenda as presented. Ayes: Aska, Johnson, Landes, Sands, Taylor, Nays: none. Motion carried.

Unpaid water bills – Sending to setoff/Collections for \$15,153.85. Commissioner Aska moved, seconded by Commissioner Johnson to approve the Consent Agenda as presented. Ayes: Aska, Johnson, Landes, Sands, Taylor, Nays: none. Motion carried.

SPECIAL PRESENTATIONS

Presentation from Carter Oliver of the VFW to Voice of Democracy winners. VFW representatives made presentation to Voice of Democracy winners.

Presentation from Tim Brown, Chief of Police to Candace Garcia and Michael Blewett, Jr. Chief Brown made presentation to Candace Garcia and Michael Blewett, Jr.

Arbor Day Proclamation to be presented by Mayor Landes and also a framed Arbor Day poster presented to Norma Rauda. Mayor Landes presented

April 17, 2012

Proclamation, and Ray Ibarra presented framed poster for Arbor Day poster contest winner.

Presentation by Columbia Capital Management, City's Financial Advisor, Presentation by Developer, followed by Public Hearing on Dick Edwards TIF Plan. Commissioner Johnson stated that Dick Edwards should be considered for this because property taxes are high. Mr. White with Columbia Capital stated that the presentation includes assumptions based on the loan package provided by the bank. Commissioner Johnson asked if the City is on the hook to pay for the bonds if the project defaults. Mr. White stated that the City is not obligated to pay the bonds, but the bonds are in the City's name, and it would make it difficult to sell the same type of bonds in the future in the event of a default. Commissioner Taylor asked if the School District would vote on this item. City Attorney Logan stated that the protest period has lapsed; the County can provide additional tax revenue for the project if they vote to do so. Mayor Landes asked how the City can protect the tax base. Mr. White stated that the community will eventually benefit, and there have been assurances that the dealership will remain on Grant Ave. Mr. White stated that the project can view both facilities as one, and capture revenues above a certain amount. Mayor Landes asked how people generally feel about using tax dollars for these types of projects. Mr. White stated that it is important to determine the amount of incentive that will bring the developer in, so the correct amount can be provided, and not more incentive than necessary. Commissioner Johnson stated that all of these funds should go to the business owner because they are doing the work. Commissioner Taylor asked how costs for surrounding improvements would be considered. City Attorney Logan stated that additional costs would be included in the development agreement. Commissioner Aska asked if the proposed land values were appropriate. Mr. Froggate representing the developer stated that his business did exceptionally well the project could be paid off early. Commissioner Johnson stated that this land is not included in the NRP plan area. Mayor Landes opened the public hearing. John Stewart asked if TIF would be offered to additional businesses within the district. City Attorney Logan stated that the additional businesses would provide tax revenue to the original TIF. Mr. Gerloff stated that he attended meetings on the US 77 development, and his understanding was that the project would not begin until 2017. Mayor Landes stated that improvements will make the area safer. Commissioner Taylor asked if the EDC reviewed the project. Commissioner Johnson stated that the EDC held a similar discussion, and the EDC voted to approve the project. Commissioner Aska moved, seconded by Commissioner Johnson to adjourn the public hearing. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried. City attorney Logan stated that the City and County can approve plans at joint or separate meetings. At the meeting planned for April 30, 2012 at 4:00 PM in the County meeting chamber, a more precise plan will be presented.

APPOINTMENTS

April 17, 2012

Consideration of Candidates for reappointment to the Board of Trustees of the Dorothy Bramlage Public Library. Commissioner Taylor moved, seconded by Commissioner Sands to approve the appointments as recommended. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

NEW BUSINESS

Mayor Landes turned the meeting over to Finance Director Beatty.

Commissioner Sands nominated Commissioner Landes for Mayor. Finance Director Beatty called for a vote for the selection of Commissioner Landes as Mayor for a term ending April of 2013. Ayes: Aska, Johnson, Landes, Sands. Nays: Taylor. Motion carried. Commissioner Taylor stated that his nay vote was not personal, but he would like to see a rotation at the Mayor position.

Election of Vice Mayor. Mayor Landes asked the Commissioners for a nomination for Vice Mayor. Commissioner Johnson nominated Commissioner Taylor for Vice Mayor. Commissioner Taylor removed his name from consideration for the aforementioned reason. Commissioner Aska nominated Commissioner Sands. Mayor Landes called for a vote for the selection of Commissioner Sands as Vice Mayor for a term ending April of 2013. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

Commission appointment of official City Newspaper (Daily Union). Commissioner Johnson moved, seconded by Commissioner Taylor to approve the appointment of the Daily Union as the official City newspaper. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

Appointment of Commissioners to City Boards by Mayor Landes

1. Health Board – Commissioner Taylor
2. Economic Development Commission – Commissioner Aska
3. Convention and Visitors Bureau – Mayor Landes
4. Animal Shelter – Commissioner Johnson
5. Military Affairs – Commissioner Sands

Designation of area of representation: Northwest, Northeast, Southwest, Southeast. Mayor Landes assigned the following City Commissioners to their area of representation:

Commissioner Aska	Northwest
Commissioner Sands	Northeast
Commissioner Johnson	Southwest
Commissioner Taylor	Southeast

Discussion of Election of Series A representative to Board of Directors of Edenspace. Commissioner Johnson stated that the stock is not worth anything. City Attorney Logan stated that this is a startup company that went south. City

Attorney Logan stated that the Commission will be asked to take action on the election at their next meeting.

Consideration and approval of the 2012 Street Maintenance Project, List of Project Recommendations \$69,760.52. Assistant City Manager McCaffery stated that a Paver program is being used to determine street needs. Mayor Landes asked if the expenditure was approved in the 2012 budget. Assistant City Manager McCaffery stated that the project is included in the 2012 budget. Commissioner Taylor asked if St. Mary's Rd. has been fixed. Assistant City Manager McCaffery stated that the St. Mary's project is included in the 2011 project which will be completed within weeks. Commissioner Johnson asked why some of the streets being repaired are new. Assistant City Manager McCaffery stated that weeds and street cuts have taken a toll on the roads, and they need to be sealed to prevent further damage. Commissioner Taylor moved, seconded by Commissioner Sands to approve the 2012 Street Maintenance Project. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

Consideration and approval of a contract amendment for the 2011 Street Maintenance Project, Schedule No. 2, with Vance Brothers, Inc. in amount of \$17,027.00. Commissioner Taylor moved, seconded by Commissioner Johnson to approve a contract amendment for the 2011 Street Maintenance Project, Schedule No. 2, with Vance Brothers, Inc. in amount of \$17,027.00. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

Discussion of the change in policy to sell water to private developments outside the corporate city limits. Commissioner Johnson stated that he wanted to bring this item up because he would like to develop wild residential areas west of town; Commissioner Johnson stated that City taxes are high, and the only thing the City offers of value is water, and so it should be sold. Mayor Landes stated that it presents a problem if the City can pick and choose which developments outside the City get water. Commissioner Johnson stated that in a conversation with City Manager Vernon, county residents were called parasites, and he is simply looking for a way to develop property in a way that is new and different. Commissioner Aska stated that he can envision problems with selling to people outside the City limits. Finance Director Beatty stated that when Cities look to sell water to developments outside the City, it runs the risk of being sued by water districts; she experienced this previously. Commissioner Johnson stated that everything in town has to be an uphill battle, and City staff does nothing to create jobs.

COMMISSIONER COMMENTS

Commissioner Aska reminded everyone that Saturday is the City Cleanup day.

Commissioner Johnson reminded everyone that the budget season is coming up soon.

Commissioner Taylor asked where the City Manager is at. Finance Director Beatty stated that City Manager Vernon is attending a conference in Kansas City.

Commissioner Sands stated that people need to pick up their dog's messes at Homer's pond, and other City parks. He asked Chief Brown to bust these people. Commissioner Sands stated that he attended the Chamber Women and Minority business owner meeting, and it was good. Commissioner Sands stated that he believes the Dick Edwards project is good, but it needs to be examined in detail.

STAFF COMMENTS

Finance Director Beatty stated that people are meeting at Spin City at 8:00 AM for the City Wide cleanup. Finance Director Beatty stated that she attended a meeting regarding Bond record keeping, and the City will have a lot of work to do to get records in order in the event of an audit.

Assistant City Manager McCaffery stated that he is happy to be back to work after his surgery.

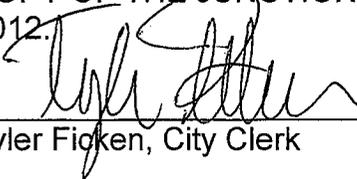
EXECUTIVE SESSION

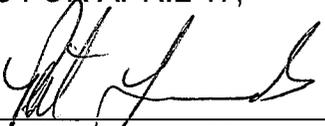
Executive session to discuss issues of attorney client privilege. Commissioner Sands moved, seconded by Commissioner Aska to adjourn into executive session to include the Commission, City Attorney Logan, and Finance Director Beatty for 15 minutes at 10:51 PM. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried. Commissioner Sands moved, seconded by Commissioner Aska to adjourn from executive session at 11:06 PM where no decisions were made and no actions were taken. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

ADJOURNMENT

Commissioner Sands moved, seconded by Commissioner Johnson to adjourn at 11:07 p.m. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

APPROVED AND ACCEPTED THIS 1st DAY OF MAY AS THE OFFICIAL COPY OF THE JUNCTION CITY COMMISSION MINUTES FOR APRIL 17, 2012.


Tyler Ficken, City Clerk


Pat Landes, Mayor