

**CITY COMMISSION MINUTES**

May 1, 2012

6:00p.m.

**PUBLIC WORKS UPDATE**

Commissioner Sands asked why costs would double in the second year of operations by the City. Assistant City Manager McCaffery stated that the second year would be for an entire twelve months instead of the remainder of this year. Commissioner Sands asked about the quality of the available equipment. Assistant City Manager McCaffery stated that some of the equipment is OK, and some is not. Commissioner Johnson asked if there would be additional recreation staff. Assistant City Manager McCaffery stated that the parks staff would be moving to Public Works. Commissioner Johnson asked if mowing would still be contracted since there will be additional staff. Assistant City Manager McCaffery stated that the positions moving would be building maintenance, but staff can be cross trained. Commissioner Johnson stated that this seems like a large risk to save \$250,000. Assistant City Manager McCaffery stated that there are long term savings due to improved maintenance. Mayor Landes asked if fuel price increases are projected in the budget. Assistant City Manager McCaffery stated that fuel increases are added, but catastrophic increases would present problems everywhere. Mayor Landes asked where the savings are at. Assistant City Manager McCaffery stated that there would be \$250,000 in savings, and also the City would be investing in Public works assets that would have value. Commissioner Johnson stated that the Veolia contract is a bad contract, and additional clear figures need to be provided. Commissioner Aska stated that the \$500,000 spent for capital improvements needs to be separated out. Commissioner Johnson stated that he has not received one e-mail that the City should be running sanitation. City Manager Vernon stated that there will be a contract for consideration at the next Commission meeting. (Exhibit A)

**CALL TO ORDER**

The regular meeting of the Junction City Commission was held on Tuesday, May 1, 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.

**PUBLIC COMMENT**

Bob Spitari stated that there needs to be a savings with the Veolia takeover. He does not want to see more debt with the public works takeover.

May 1, 2012

Hines Wallace claimed that the sign ordinance is not being enforced uniformly, and that Commissioners are getting special treatment. He stated that realtors are putting up signs anywhere; it needs to be done the correct way. Planning & Zoning Administrator Yearout stated that the billboard that Mr. Wallace is particularly concerned about is located in the county, and is permitted. Mr. Wallace states that there are signs next to the road.

John Stewart of 1026 W. Spruce stated that he is concerned about the public works takeover, and the operation will move back and forth based upon who is in charge. Mr. Stewart stated that the City should not be in the sanitation business. Mr. Stewart stated that the City needs a policy on road cuts to keep the roads from falling apart.

Alan Rothlesberger stated that it is typical for the government to overestimate savings and underestimate costs. Mr. Rothlesberger asked why the City would want to assume more debt.

### **CONSENT AGENDA**

Consideration of Appropriation Ordinance A-9 dated April 10<sup>th</sup>-April 23<sup>rd</sup> 2012 in the amount of \$363,159.32. 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 April 17, 2012 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 of the 2012 Justice assistance Grant (JAG) application. Commissioner Aska moved, seconded by Commissioner Sands to approve the Consent Agenda as presented. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

### **SPECIAL PRESENTATIONS**

Peace Officers' Memorial Day and Police Week Proclamation presented by Mayor Landes. Mayor Landes read and presented the proclamation to Chief Brown.

City Attorney Presentation Ethics: State Law and City Ethics Policy. City Attorney Logan made a presentation on ethics. Commissioner Taylor asked how an ethics complaint is filed. City Attorney Logan stated that the County Attorney or State Attorney General would prosecute. City attorney Logan asked that the Commission consider changes to the City's ethics policy.

## **PUBLIC HEARINGS**

A public hearing to consider condemnation of property at 630 W. 10<sup>th</sup> St and approval of Resolution R-2674. Mayor Landes opened the public hearing. Patti Schoenrock stated that the owner of this property lives out of state; the owner is asking for an extension to receive repair quotes. Mayor Landes asked why this has not already occurred. Mrs. Schoenrock stated that there was an investor that backed out on the project, and hospitalization of family members has complicated the process. Commissioner Johnson stated that the property looks rough, and he is not sure the property is worth fixing. Commissioner Taylor asked what would ideally be done with the property. Mrs. Schoenrock stated that the owner would meet the requirements and ultimately sell the property. Commissioner Taylor asked how much time is needed. Mrs. Schoenrock stated that she is willing to help this family, but she will not be working with contractors for repairs. Commissioner Sands stated that he would like a plan in 30 days. Mrs. Schoenrock stated that the owner thought the bulldozer would be out the next day. Mrs. Schoenrock stated that a report could be provided in 30 days. Mayor Landes closed the public hearing.

A public hearing to consider condemnation of property at 117 E. 3<sup>rd</sup> St. and approval of Resolution R-2675. Mayor Landes opened the Public hearing. Mayor Landes asked if this building is a functioning church. Senior Inspector Karmann stated that it has not been used for 5 years. Senior Inspector Karmann stated that he would research the property to determine if it is listed as a historic building on the state registry. Mayor Landes closed the public hearing.

A public hearing to consider condemnation of property at 1309 Johnson Dr. and approval of Resolution R-2676. Mayor Landes opened the public hearing. With no comments, Mayor Landes closed the public hearing. Commissioner Sands moved, seconded by Commissioner Aska to approve R-2676. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

A public hearing to consider condemnation of property at 712 W. 10<sup>th</sup> St. and approval of Resolution R-2677. Mayor Landes opened the public hearing. With no comments, Mayor Landes closed the public hearing. Commissioner Aska moved, seconded by Commissioner Johnson to approve Resolution R-2677. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

A public hearing to consider condemnation of property at 331 W. 8<sup>th</sup> St. and approval of Resolution R-2678. . Mayor Landes opened the public hearing. With no comments, Mayor Landes closed the public hearing. Commissioner Taylor moved, seconded by Commissioner Johnson to approve Resolution R-2678. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

## **APPOINTMENTS**

May 1, 2012

Consideration of appointment to the Board of Trustees of the Dorothy Bramlage Public Library. Commissioner Aska moved, seconded by Commissioner Sands to approve the appointment of Marvin Hornbostel to the Board of Trustees of the Dorothy Bramlage Public Library. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

Consideration of two appointments to the EDC Board: (1) Joint City/County appointment, and (2) a City appointment. Commissioner Taylor moved, seconded by Commissioner Johnson to reappoint Gery Schoenrock as the Joint City/County appointment to the EDC Board. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried. Commissioner Sands moved, seconded by Commissioner Aska to reappoint Ty Arneson to the EDC Board. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

Consideration of Edenspace approval to Board of Directors. Commissioner Aska moved, seconded by Commissioner Sands to approve the slate of directors as proposed. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

## **NEW BUSINESS**

Consideration of Ordinance S-3106 approving Dick Edwards Auto Plaza TIF Plan. City Attorney Logan presenting (First Reading). City Attorney Logan stated that at the public hearing regarding the TIF held on April 30, 2012, a discussion regarding a \$11.4 million taxable base occurred; that number is what is included in the proposed ordinance. City Attorney Logan stated that the changes made to the ordinance have been reviewed by the counsel of Mr. Edwards. Mayor Landes asked if the lot for sale of vehicles is being removed from the TIF. City Attorney Logan stated that the customer parking area will remain within the TIF but the not the area used for the sale of cars. Commissioner Johnson moved, seconded by Commissioner Sands to approve Ordinance S-3016 on first reading. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

Consideration of approval of the Final Plat of the Chestington Addition, a replat of Blocks 4 & 5, Schnell's Addition, to the City of Junction City, KS. Planning & Zoning Director Yearout presenting. Commissioner Sands moved, seconded by Commissioner Johnson to approve the Final Plat as presented. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion Carried. City Attorney Logan stated that the agreement regarding commercial real estate development should be reviewed by the Commission prior to approval of the Final Plat. Commissioner Johnson moved, seconded by Commission Sands to rescind approval of the Final Plat. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried. Commissioner Taylor moved, seconded by Commissioner Aska to table the item. Ayes: Aska. Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

Consideration of Ordinance G-1112 to renew a franchise agreement with Westar Energy for use of City right-of-ways. Finance Director Beatty presenting (First Reading). Commissioner Taylor asked why the tax is set at 5%. Finance Director Beatty stated that 5% is the recommendation of the League of Kansas Municipalities, and it is politically acceptable. Commissioner Johnson stated that costs should be cut, and franchise fees should be removed. Commissioner Aska moved, seconded by Commissioner Sands to approve Ordinance G-1112 on first reading. Ayes: Aska, Johnson, Landes, Sands, Taylor, Nays: none. Motion carried.

### **COMMISSIONER COMMENTS**

Commissioner Taylor thanked those who worked to clean up the City on Earth Day. Congratulation to Ty Zimmerman on his position as co-captain on the K-State football team.

Commissioner Johnson stated that he is glad the Dick Edwards TIF was approved.

Commissioner Aska wanted to remind people that the Mud Bog is this weekend, Run for the Wall is May 20<sup>th</sup>, Relay for Life is scheduled for May 25<sup>th</sup> to the 26<sup>th</sup>, he will be attending a Hog Rally from May 31 to June 2<sup>nd</sup>, and the Bi-Plane event will occur on June 1<sup>st</sup> and 2<sup>nd</sup>.

Commissioner Sands stated that he is looking for every opportunity to have taxes cut. Commissioner Sands stated that he would like to thank the BOSS soldiers for their help in the community. Commissioner Sands stated that he would like to additionally thank the NCOs that helped the man who passed out while driving who were recognized at the last meeting. Commissioner Sands stated that he is glad that recycling is up and Ft. Riley takes 1-7 recyclables.

Mayor Landes stated that the Friday Night Walk with Patsy Cline was fantastic, and people need to go; the Pennell Days was also great. Mayor Landes stated that there is work to do in the area of public works other than just taking it over.

### **STAFF COMMENTS**

Assistant City Manager McCaffery stated that the 2011 paving program is beginning, so please avoid North Franklin, North Jefferson, and St. Mary's.

City Manager Vernon stated that at the roundtable discussion last year the community provided their opinion, and 72% are dissatisfied with the current public works operation. Commissioner Sands stated that he would like to see the proposed payroll for the public works operation.

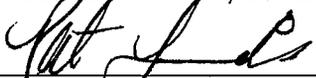
### **ADJOURNMENT**

May 1, 2012

Commissioner Sands moved, seconded by Commissioner Aska to adjourn at 9:00 p.m. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

APPROVED AND ACCEPTED THIS 15th DAY OF MAY AS THE OFFICIAL COPY OF THE JUNCTION CITY COMMISSION MINUTES FOR MAY 1, 2012.

  
Tyler Ficken, City Clerk

  
Pat Landes, Mayor