April 5, 2011
City Commission Room, 700 N. Jefferson, Junction City KS 66441

Mayor Mike Rhodes
Vice Mayor Ken Talley
Commissioner Terry Heldstab
Commissioner Scott Johnson
Commissioner Jack Taylor
City Manager Gerry Vernon
City Attorney Catherine Logan
City Clerk Tyler Ficken

1. 7:00 P.M. - CALL TO ORDER

a. Moment of Silence.

b. Pledge of Allegiance

2. PUBLIC COMMENT: The Commission requests that comments be limited to a maximum of five minutes for each person.

3. CONSENT AGENDA: All items listed are considered to be routine by the City Commission and will be enacted by one motion. There will be no separate discussion of these items unless a Commissioner so requests, in which event the item will be removed from consent status and considered in its normal sequence on the agenda.

a. The consideration and approval of **Appropriation Ordinance A-7-2011** dated March 10, 2011 through March 30, 2011 in the amount of $577,226.46.

b. Approval of the **March 15, 2011** City Commission Meeting Minutes.

c. Consideration and approval of cereal malt beverage/alcoholic liquor prohibition exemption for the Municipal Building Gym on September 24, 2011.

d. Consideration and approval of street closing request for Jammin in JC Blues and BBQ Festival.

e. Consideration and approval of cereal malt beverage prohibition exemption for Jammin in JC Blues and BBQ Festival.

f. Consideration and approval of Street Closing Request for B.O.S.S. Mufflers & Music event.

g. Consideration and approval of cereal malt beverage prohibition exemption for B.O.S.S. Mufflers & Music event.

h. Consideration and approval of write off for the 2009 portion of employee benefits billed to the Opera House.

i. Consideration and approval of Payroll # 5 and #6 for the month of March 2011.

j. The consideration and approval of award of bid for athletic fields maintenance, Rathert Stadium.

k. Consideration and approval of bids for fertilizer and weed control for City properties.

l. Consideration and approval for the mayor to sign 11 easement documents for City owned property for the placement of high-voltage transmission line.

4. APPOINTMENTS:

a. The consideration and approval of a **joint Junction City/Geary County appointment to the Consolidation Board**. (Steve Locke has been recommended)

5. SPECIAL PRESENTATIONS:

6. PUBLIC HEARINGS:

7. UNFINISHED BUSINESS:

a. The consideration and approval of S-3092 to deny Special Use Permit to install a communications tower in the southeast corner of Highland Cemetery. **(First Reading, Zoning Administrator Yearout Presenting)**

8. NEW BUSINESS:

a. The consideration and approval of a fee waiver for Junction City Community Band on June 19th, 2011 for use of the Heritage Park Bandstand.

b. The consideration and approval of an Edenspace proposal for approvals and waivers in connection with a proposed bridge loan conversion and new financing which will result in the issuance of additional Series B Preferred Stock. **(City Attorney Logan Presenting)**

c. The consideration and approval of KDOT agreement to participate in the Exchange Fund Program. **(Finance Director Beatty Presenting)**

d. The consideration and approval of Ordinance G-1096 amending Title IV, Land Use, in several places to clarify the use of a Special Use permit for uses not otherwise identified within the Zoning Regulations. **(First Reading, Zoning Administrator Yearout Presenting)**

e. The consideration and approval of Ordinance S-3093 rezoning property at 1120 South Madison Street from "CSR" Commercial Service Restricted to "IL" Light Industrial. **(First Reading, Zoning Administrator Yearout Presenting)**

9. COMMISSIONER COMMENTS:

10. STAFF COMMENTS:

11. EXECUTIVE SESSION:

12. ADJOURNMENT:

3a

City of Junction City

City Commission

Agenda Memo

April 5th, 2011

From: Cynthia Sinklier, Water Billing and Accounts Payable Manager

To: City Commissioners

Subject: Appropriations –A-7 2011

Background: Attached is listing of the Appropriations for Mar 10-Mar 30 2011

Appropriations –Mar 10-Mar 30 2011 **$577,226.46**

For consideration and approval for EFT payment:

Security Bank	**$99,965.15**
Library	**$37,180.50**
Veolia Water	**$125.00**
Veolia Water	**$533,738.40** (March)

For consideration and approval- Bills due before Next Commission

Postmaster	**$5,000.00**
Verizon Cell Bill	**$2600.56**
CenturyLink Phone	**$4518.61**

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
NON-DEPARTMENTAL	GENERAL FUND	ALL AMERICAN ADMINISTRATORS (LOYAL AME	CANCER PLAN	561.96
			CANCER PLAN	561.96
		FAMILY SUPPORT PAYMENT CENTER (MISSOUR	MACSS #41061331/ CV103-753	154.85
			MACSS #41061331/ CV103-753	154.85
		INTERNAL REVENUE SERVICE	FEDERAL WITHHOLDING	28,793.13
			FEDERAL WITHHOLDING	26,249.41
			SOCIAL SECURITY WITHHOLDIN	2,690.26
			SOCIAL SECURITY WITHHOLDIN	2,638.55
			MEDICARE WITHHOLFING	3,311.24
			MEDICARE WITHHOLFING	3,160.66
		ING LIFE INSURANCE & ANNUITY COMPANY	ING	2,717.58
			ING	2,767.97
		AMERICAN UNITED LIFE INSURANCE COMPANY	AMERICAN UNITED LIFE	731.50
			AMERICAN UNITED LIFE	731.50
		BLUE CROSS BLUE SHIELD OF KS	BLUE CROSS BLUE SHIELD	729.16
			BLUE CROSS BLUE SHIELD	729.16
			BLUE CROSS BLUE SHIELD	423.09
			BLUE CROSS BLUE SHIELD	423.09
			BLUE CROSS BLUE SHIELD	1,764.30
			BLUE CROSS BLUE SHIELD	1,764.30
			BLUE CROSS BLUE SHIELD	797.20
			BLUE CROSS BLUE SHIELD	797.51
			BLUE CROSS BLUE SHIELD	815.64
			BLUE CROSS BLUE SHIELD	815.47
			BLUE CROSS BLUE SHIELD	627.33
			BLUE CROSS BLUE SHIELD	627.33
			BLUE CROSS BLUE SHIELD	165.27
			BLUE CROSS BLUE SHIELD	165.27
			BLUE CROSS BLUE SHIELD	518.06
			BLUE CROSS BLUE SHIELD	518.06
			BLUE CROSS BLUE SHIELD	418.88
			BLUE CROSS BLUE SHIELD	418.88
		JUNCTION CITY FIREFIGHTERS AID ASSOCIA	FIREFIGHTERS AID ASSOCIATI	112.53
			FIREFIGHTERS AID ASSOCIATI	112.52
		JAN HAMILTON, CH.13 TRUSTEE- c/o CAPIT	JAMES WILSON CASE #11-4000	140.00
			JAMES WILSON CASE #11-4000	140.00
		CONTINENTAL AMERICAN INSURANCE COMPANY	CAIC	140.58
			CAIC	140.58
		CITY OF JUNCTION CITY	CITY OF JUNCTION CITY (G-F	26.50
			CITY OF JUNCTION CITY (G-F	26.50
		KANSAS PAYMENT CENTER	KANSAS PAYMENT CENTER	763.00
			KANSAS PAYMENT CENTER	763.00
		JAY W. VANDER VELDE	JAY W VANDER VELDE	268.80
			JAY W VANDER VELDE	228.77
		COLONIAL SUPPLEMENTAL INSURANCE	COLONIAL INSURANCE	3.00
			COLONIAL INSURANCE	3.00
			COLONIAL INSURANCE	11.50
			COLONIAL INSURANCE	11.50
		DELTA DENTAL (PAYROLL)	DELTA DENTAL OF KANSAS	666.67
			DELTA DENTAL OF KANSAS	666.75
		FIREMEN'S RELIEF ASSOCIATION	FIREMANS RELIEF	291.67
			FIREMANS RELIEF	291.65
		INTRUST BANK	SAVINGS BOND	75.00
			SAVINGS BOND	75.00
		JUNCTION CITY FIRE FIGHTERS ASSOCIATIO	I.A.F.F. LOCAL 3309	945.22
			I.A.F.F. LOCAL 3309	966.16

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
		JUNCTION CITY POLICE	JCPOA	710.00
			JCPOA	710.00
		KANSAS DEPT OF REVENUE	STATE WITHHOLDING	10,881.85
			STATE WITHHOLDING	10,075.44
		KANSAS PUBLIC EMPLOYEES	KPERS #1	1,978.65
			KPERS #1	1,918.50
			KP&F	12,849.19
			KP&F	12,106.19
			KPERS #2	805.84
			KPERS #2	768.98
		POLICE & FIREMEN'S	POLICE & FIRE INSURANCE	1,121.19
			POLICE & FIRE INSURANCE	1,121.42
		INTRUST BANK	FIRST STATE BANK	2,145.13
			FIRST STATE BANK	2,145.13
		PRE-PAID LEGAL SERVICES,	PREPAID LEGAL	245.10
		AMERICAN FAMILY LIFE ASSURANCE COMPANY	AFLAC	1,143.04
			AFLAC	1,143.25
		ROLLING MEADOWS GOLF COURSE	ROLLING MEADOWS GOLF COURS	37.50
			ROLLING MEADOWS GOLF COURS	37.50
		UNITED WAY OF JUNCTION CITY-GEARY COUN	UNITED WAY	265.17
			UNITED WAY	265.18
			TOTAL:	157,087.57
GENERAL FUND	GENERAL FUND	GEARY COUNTY PUBLIC WORKS	ADMIN-ST/MP/SW/BLD M/SAN-J	10,285.92
			DMIN-ST/MP/SW/BLD M/SAN-JA	9,934.27
			TOTAL:	20,220.19
INFORMATION SYSTEMS	GENERAL FUND	VERIZON WIRELESS	IS Director	54.13
			IS Specialist	57.98
		TELEPLUS SOLUTIONS	Eliminate Taxes - NexTech	11.49
			Eliminate Taxes - Cox Bill	4.63
			Restrict 3rd Party 238-899	19.97
			Eliminate Taxes - NexTech	11.49
			Eliminate Taxes - Cox Bill	4.63
			Restrict 3rd Party 238-899	19.97
		CENTURY UNITED COMPANIES, INC	Copier - WUPD	36.00
		NEX-TECH	INFORMATION SYSTEMS	5.86
		INCODE	Web Publishing Fees	200.00
			Web - Court Inquiry	100.00
		CARD CENTER	Partition Magic	559.20
			Partition Magic - CD	9.95
			Raid Controller - Email Se	124.00
			EASUS Data Recovery	399.20
			EASUS Data Recovery -CD	9.95
			UPS System Replacement	195.41
			EASUS Software	639.20
			EASUS Software - CD	9.95
			12th St Internet Connectio	199.00
			Fire #2 Internet Connectio	124.95
			Channel 3 Digital Music	34.73
			PST Importer 2010	495.00
			TOTAL:	3,326.69
ADMINISTRATION	GENERAL FUND	INTERNAL REVENUE SERVICE	SOCIAL SECURITY WITHHOLDIN	455.52
			SOCIAL SECURITY WITHHOLDIN	524.65
			MEDICARE WITHHOLFING	106.54

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
			MEDICARE WITHHOLFING	122.70
		ING LIFE INSURANCE & ANNUITY COMPANY	ING	334.62
			ING	334.62
		BLUE CROSS BLUE SHIELD OF KS	A.BALLARD-APR 2011 COBRA	1,171.51
			BLUE CROSS BLUE SHIELD	249.44
			BLUE CROSS BLUE SHIELD	249.45
			BLUE CROSS BLUE SHIELD	105.83
			BLUE CROSS BLUE SHIELD	105.83
		VERIZON WIRELESS	210-7021=CITY CLERK	53.63
			210-7187=FINANCE DIRECTOR	9.41-
			223-7047=PUBLIC SERVICE DI	57.13
			223-7779=CITY MANAGER	56.38
		TELEPLUS SOLUTIONS	Eliminate Unused Cell Phon	25.10
			CXl Txt MSG 223-7396	2.48
			Cancel Line RNA - 238-1092	20.74
			Eliminate Unused Cell Line	25.10
			CXl Txt MSG 223-7396	2.48
			Cancel Line RNA - 238-1092	20.74
		STAPLES ADVANTAGE	MAN ENVELOPES/TONER/PAPER	57.48
			FILE POCKETS/WHITE OUT/MIS	32.57
		DS&O RURAL ELECTRIC	GOLF CLUB HOUSE	1,374.48
			GOLF COURSE	1,196.88
			GOLF COURSE-CART SHED	100.41
			1807 LYDIA LN-WARNING SIRE	51.50
			SEWER LIFT	132.68
			BROOKEBEND LIFT STATION	175.26
			LIFT STATION- HILLTOP #5	154.71
			2542/2548 JAGER DR SWR LIF	82.91
			2326/2321 OSPREY SWR LIFT	113.73
			2515 WILMA-OLIVIA FARMS-LI	158.82
			QUINTON POINT SIREN	31.50
			LIGHTS AT HUNTERS RIDGE	554.66
			LIGHTS AT HARGRAVES #2	137.56
			LIGHTS AT INDIAN RIDGE/J.C	39.90
			LIGHTS AT HARGRAVES#5	123.38
			LIGHTS AT OLIVIA FARMS	45.94
			LIGHTS AT SUTTERWOODS	296.10
			LIGHTS AT SUTTER HIGHLANDS	246.75
			LIGHTS AT MANN'S RANCH	70.50
			LIGHTS AT HARGRAVES #4	11.75
			LIGHTS AT HARGRAVES #1	23.50
			LIGHTS AT HILLTOP #5	7.91
			LIGHTS AT HARGRAVES #3	35.25
			LIGHTS ALONG SVR	197.40
		DELTA DENTAL (PAYROLL)	DELTA DENTAL OF KANSAS	25.92
			DELTA DENTAL OF KANSAS	25.92
			DELTA DENTAL OF KANSAS	28.99
			DELTA DENTAL OF KANSAS	29.00
		DIVISION OF ACCOUNTS & REPORTS	BEATTY, CHERYL-JUN 11-SEMI	50.00
		GEARY COUNTY TREASURER	000 LACY DRIVE-FULL PAY OF	4,504.74
		THE INSURANCE GROUP	2011-2012 UNDERGROUND STOR	191.00
		SECURITY SOLUTIONS INC	ALARM CITY CLERK OFFICE	18.00
		KANSAS GAS SERVICE	133 W 7TH-MARCH 2011	350.39
			2718 INDUSTRIAL-FEB 2011	2,791.12
			AIRPORT MAINTENANCE BLDG	137.60
			312 E 9TH	1,701.37

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
			900 W SPRUCE	27.27
			2232 W ASH (WATER TOWER)	27.27
			2245 LACY DR	926.17
			2424 N JACKSON	916.98
			225 W 7TH	265.46
			701 N JEFFERSON	107.25
			1017 W 5TH	27.27
			915 S WASHINGTON	1,556.78
			700 N JEFFERSON	4,413.42
			2307 N JACKSON	2,321.95
			2324 1/2 N JACKSON	300.49
			1017 1/2 W 5TH	27.27
			210 E 9TH	678.56
			540 AIRPORT RD	1,002.98
			1002 W 12TH	1,404.51
		ADVANCE LIFE INSURANCE	ADVANCE LIFE INUSRANCE	31.55
		WESTAR ENERGY	135 W 7TH-FEB 2011(OPERA)	3,018.39
			1821 CAROLINE-FEBRUARY 201	16.80
			2100 N JACKSON-MARCH 2011	181.17
			2718 INDUSTRIAL-FEBRUARY 2	3,346.28
			351 E CHESTNUT-FEB 2011	251.01
			601 E CHESTNUT-FEB 2011	308.65
			617 N WASHINGTON-FEB 2011	18.41
			900 W 12TH PARK-FEB 2011	17.48
			902 E CHESTNUT-FEB 2011	306.45
		KANSAS PUBLIC EMPLOYEES	KPERS #1	422.01
			KPERS #1	422.01
			KPERS #2	157.01
			KPERS #2	158.17
		MILITARY AFFAIRS COUNCIL	MAC BREAKFAST-03242011	36.00
		NEX-TECH	ADMINISTRATION	28.84
			ADMINISTRATIVE SERVICES	5.86
		CARD CENTER	KEY OFFICE-FILE FOLDER/LAB	16.49
			FRED PRYOR-WEBINAR-HARSTMN	199.00
			DRAKE DRYTERION-ICMA ASSES	75.00
			WSU MARKETPLACE-HOTEL-KACM	136.74
		LATHROP AND GAGE	EMPLOYMENT SERVICES 2/2011	288.00
		WEST PAYMENT CENTER	FEB 1-FEB 28 2011	171.42
			TOTAL:	42,939.03
ADMINISTRATIVE SERVICE	GENERAL FUND	TRICIA GOWEN	KERIT BD MTG MILEAGE 3-08-	125.46
			TOTAL:	125.46
PARKS	GENERAL FUND	INTERNAL REVENUE SERVICE	SOCIAL SECURITY WITHHOLDIN	418.94
			SOCIAL SECURITY WITHHOLDIN	404.97
			MEDICARE WITHHOLFING	97.97
			MEDICARE WITHHOLFING	94.71
		GAME TIME ATHLETICS	REC SUPPLIES- HOME PLATE	59.95
		BLUE CROSS BLUE SHIELD OF KS	BLUE CROSS BLUE SHIELD	151.18
			BLUE CROSS BLUE SHIELD	151.18
			BLUE CROSS BLUE SHIELD	181.42
			BLUE CROSS BLUE SHIELD	181.42
			BLUE CROSS BLUE SHIELD	302.36
			BLUE CROSS BLUE SHIELD	302.36
		VERIZON WIRELESS	209-0933=PARKS WORKER	0.00
			209-1306=PARKS WORKER	0.00

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
			210-7130=PARKS WORKER	33.03
			210-7131=PARKS/REC DIRECTO	53.38
			223-1324=PARKS WORKER	33.03
		TELEPLUS SOLUTIONS	Cancel 3 Way Calling 238-1	2.63
			Cancel 3 Way Calling 238-1	2.63
		ORSCHELN'S FARM SUPPLY	12' X 7' MOWER TRAILER	1,399.99
		DELTA DENTAL (PAYROLL)	DELTA DENTAL OF KANSAS	47.52
			DELTA DENTAL OF KANSAS	47.52
			DELTA DENTAL OF KANSAS	32.82
			DELTA DENTAL OF KANSAS	32.82
		GEARY COUNTY PUBLIC WORKS	PARKS-UNLEADED	466.35
			PARKS-DIESEL	30.82
			PARKS-FUEL CHARGE-179.2GAL	8.96
			PARKS-UNLEADED	349.37
			PARKS-DIESEL	47.68
			PARKS-FUEL CHARGE-150.6GAL	7.53
		ADVANCE LIFE INSURANCE	ADVANCE LIFE INUSRANCE	42.67
		KANSAS PUBLIC EMPLOYEES	KPERS #1	478.50
			KPERS #1	459.14
			KPERS #2	85.72
			KPERS #2	85.72
		NEX-TECH	PARKS	1.85
		CARD CENTER	WATERS HDWR ICE MELT	489.65
			WATERS HDWR ICE MELT	125.91
			WATERS HDWR HTR, HERITAGE	39.99
			WTRS HDWR, ORBIT DISC/MOUS	12.57
			WARTERS, LOCKS/HASP SP CIT	16.37
			WARTERS, KEY, PULL PLATE R	46.07
			WATERS, REFUND LOCK/HASP	9.38-
			WATERS, RTHERT ST, PULL PL	4.29
			WATERS, REFND, PULL PLATE	38.99-
			HOME LUMB, N PARK, NO PARK	34.41
			WATERS, RATHERT, ANG VALVE	7.49
			WALMART, CLEANING SUPPLIES	61.07
			TOTAL:	6,885.59
SWIMMING POOL	GENERAL FUND	SECURITY SOLUTIONS INC	ALARM CITY POOL-1017 W 5TH	15.00
		CARD CENTER	Pool - Internet Connection	59.95
			TOTAL:	74.95
AIRPORT	GENERAL FUND	KANSAS AIR CENTER	MARCH 2011-MONTH CONTRACT	1,833.33
		CARD CENTER	Airport - Internet Connect	59.95
			TOTAL:	1,893.28
AMBULANCE	GENERAL FUND	INTERNAL REVENUE SERVICE	SOCIAL SECURITY WITHHOLDIN	50.46
			SOCIAL SECURITY WITHHOLDIN	50.46
			MEDICARE WITHHOLFING	464.81
			MEDICARE WITHHOLFING	458.79
		ZOLL MEDICAL CORPORATION	DEFIBRILLATOR BATTERY PACK	360.00
			MEDICAL SUPPLIES	215.50
			BP CUFF	28.00
		BATTERY ZONE	PORTABLE RADIO BATTERIES	370.91
		BLUE CROSS BLUE SHIELD OF KS	BLUE CROSS BLUE SHIELD	249.05
			BLUE CROSS BLUE SHIELD	241.07
			BLUE CROSS BLUE SHIELD	150.73
			BLUE CROSS BLUE SHIELD	150.18

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
			BLUE CROSS BLUE SHIELD	298.46
			BLUE CROSS BLUE SHIELD	300.23
			BLUE CROSS BLUE SHIELD	1,523.30
			BLUE CROSS BLUE SHIELD	1,535.19
			BLUE CROSS BLUE SHIELD	35.40
			BLUE CROSS BLUE SHIELD	34.62
			BLUE CROSS BLUE SHIELD	131.01
			BLUE CROSS BLUE SHIELD	150.19
		VERIZON WIRELESS	223-1040 (E20)	0.00
			223-1237 (M3)	9.96
			223-1238 (M4)	5.54
			223-1240 (M2)	6.25
			223-1243 (M1)	7.22
			223-7309 (CHIEF STEINFORT)	53.38
		ARSI (ACCOUNT RECOVERY SPECIALSTS, INC	PAYMENT TO ARSI ON AMB ACC	365.96
		KA-COMM	REPAIR SPEAKER MIC	76.91
			SERVICE CONTRACT/MAINT AMB	173.50
			PAGER BATTERIES	56.00
		GARAGE DOOR PLACE	REPAIR GARAGE DOOR/STN 1	92.00
		DELTA DENTAL (PAYROLL)	DELTA DENTAL OF KANSAS	217.63
			DELTA DENTAL OF KANSAS	226.62
			DELTA DENTAL OF KANSAS	81.41
			DELTA DENTAL OF KANSAS	80.01
		GEARY COUNTY PUBLIC WORKS	DIESEL FUEL - AMBULANCE	1,235.46
			DIESEL FUEL - AMBULANCE	1,857.18
		ADVANCE LIFE INSURANCE	ADVANCE LIFE INUSRANCE	189.66
		KANSAS PUBLIC EMPLOYEES	KPERS #1	64.54
			KPERS #1	64.54
			KP&F	5,403.97
			KP&F	5,223.01
		MOORE MEDICAL LLC	MEDICAL SUPPLIES	310.38
			MEDICAL SUPPLIES	61.92
		NEX-TECH	AMBULANCE	25.84
		OMNI BILLING	FEBRUARY 2011 BILLING	3,235.66
		PROMED OF KANSAS	IV POLE	282.91
		CARD CENTER	KTAG/ACCOUNT PAYMENT	100.00
			QUILL ONLINE/FAX MACHINE	89.99
			PROAIR/HEATER MED 2	167.00
			AIRGAS/MEDICAL OXYGEN	71.91
			WHOLESALE/LIGHT KIT FOR E1	78.72
			AIRGAS/MEDICAL OXYGEN	45.46
			KOLLING/ALS MEDICATIONS	40.27
			KOLLING/ALS MEDICATIONS	9.90
			AIRGAS/MEDICAL OXYGEN	35.02
			AIRGAS/MEDICAL OXYGEN	69.41
			FIRESTONE/REPAIR TIRE MED1	14.52
			WALMART/WD 40	13.48
			MILLESONS/ANTENNA MED 1	13.64
			MILLESONS/WATER SPRITE CHA	115.44
			OREILLY/DISCONNECT CHRGD T	3.28
			OREILLY/DISCONNECT W/OUT T	2.99
			OREILLY/ANTENNA MED 1	13.99
			OREILLY/CREDIT DISCONNECT	3.28-
			OREILLY/WRONG ANTENNA	13.99-
			YOURAUTO/WHEEL REPAIR M1	82.50
			YOURAUTO/WHEEL REPAIR M1	112.58

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
			S&W/MEDICAL SUPPLIES	171.45
			WATERS/BOLTS & SCREWS	2.84
			TOTAL:	27,442.94
ANIMAL SHELTER	GENERAL FUND	GEARY COUNTY CLERK	FEB 2011-ANIMAL SHELTER FE	6,914.45
			TOTAL:	6,914.45
COUNTY/INS ZONING SVCS	GENERAL FUND	VERIZON WIRELESS	Zoning Administrator	53.38
		GEARY COUNTY PUBLIC WORKS	722- Sort 1	74.52
			FUEL SURCHARGE	1.35
		KACPZO TREASURER-JEFFERSON COUNTY ZONI	KACPZO REGISTRATION FEES	75.00
			KACPZO ANNUAL MEMBERSHIP F	35.00
		NEX-TECH	ZONING/COUNTY INSPECTION	5.84
			TOTAL:	245.09
ENGINEERING	GENERAL FUND	INTERNAL REVENUE SERVICE	SOCIAL SECURITY WITHHOLDIN	166.96
			SOCIAL SECURITY WITHHOLDIN	142.55
			MEDICARE WITHHOLFING	39.05
			MEDICARE WITHHOLFING	33.34
		BLUE CROSS BLUE SHIELD OF KS	BLUE CROSS BLUE SHIELD	75.59
			BLUE CROSS BLUE SHIELD	75.59
			BLUE CROSS BLUE SHIELD	151.18
			BLUE CROSS BLUE SHIELD	151.18
			BLUE CROSS BLUE SHIELD	51.40
			BLUE CROSS BLUE SHIELD	51.40
		VERIZON WIRELESS	Engineering Assistant	53.51
		DELTA DENTAL (PAYROLL)	DELTA DENTAL OF KANSAS	32.40
			DELTA DENTAL OF KANSAS	32.40
			DELTA DENTAL OF KANSAS	3.72
			DELTA DENTAL OF KANSAS	3.72
		GEARY COUNTY PUBLIC WORKS	747 SORT 1	37.65
			FUEL SURCHARGE	0.75
		ADVANCE LIFE INSURANCE	ADVANCE LIFE INUSRANCE	16.59
		KANSAS PUBLIC EMPLOYEES	KPERS #1	159.11
			KPERS #1	159.11
			KPERS #2	26.54
			KPERS #2	26.54
			TOTAL:	1,490.28
CODES ENFORCEMENT	GENERAL FUND	INTERNAL REVENUE SERVICE	SOCIAL SECURITY WITHHOLDIN	213.73
			SOCIAL SECURITY WITHHOLDIN	213.73
			MEDICARE WITHHOLFING	49.98
			MEDICARE WITHHOLFING	49.98
		BLUE CROSS BLUE SHIELD OF KS	BLUE CROSS BLUE SHIELD	75.59
			BLUE CROSS BLUE SHIELD	75.59
			BLUE CROSS BLUE SHIELD	151.18
			BLUE CROSS BLUE SHIELD	151.18
			BLUE CROSS BLUE SHIELD	151.18
			BLUE CROSS BLUE SHIELD	151.18
		VERIZON WIRELESS	Public Works Secretary	53.38
			Senior Inspector	53.38
			Inspector	53.38
		DELTA DENTAL (PAYROLL)	DELTA DENTAL OF KANSAS	54.00
			DELTA DENTAL OF KANSAS	54.00
		GEARY COUNTY PUBLIC WORKS	726- Sort 1	105.99
			726- Sort 2	112.33

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
			720 - Sort 2	82.80
			FUEL SURCHARGE	5.51
			726- Sort 1	150.34
			726- Sort 2	55.95
			720 - Sort 1	72.79
			720 - Sort 2	153.33
			FUEL SURCHARGE	8.34
		ADVANCE LIFE INSURANCE	ADVANCE LIFE INUSRANCE	22.78
		KANSAS PUBLIC EMPLOYEES	KPERS #1	302.20
			KPERS #1	302.20
		MARK KARMANN	Com Electrical Cert - Meal	149.12
			Com Electrical Cert - Mile	643.62
		NEX-TECH	CODE ENFORCEMENT	14.64
		CARD CENTER	IAEI-08 ELEC STUDY GUIDE	44.00
			CONST EXAM CENTER- INSP EX	895.00
			EXPEDIA-HOTEL FOR EXAM	238.00
			JIM'S 66-SERVICE TRK 720	50.20
			JIM'S 66-ALT&THERM REPL TR	401.69
			ICC-06 PROP MAINT FOR EICK	27.50
			ICC-06 IMC STUDY COMPANION	46.50
			TOTAL:	5,436.29
POLICE	GENERAL FUND	INTERNAL REVENUE SERVICE	SOCIAL SECURITY WITHHOLDIN	436.00
			SOCIAL SECURITY WITHHOLDIN	1,287.59
			SOCIAL SECURITY WITHHOLDIN	436.01
			SOCIAL SECURITY WITHHOLDIN	1,186.34
			MEDICARE WITHHOLFING	1,295.09
			MEDICARE WITHHOLFING	335.77
			MEDICARE WITHHOLFING	1,206.56
			MEDICARE WITHHOLFING	310.42
			MEDICARE WITHHOLFING	10.04
		ADI SYSTEMS INC	S14143 TONER CARTRIDGES	91.00
		EXPRESS POLICE SUPPLY	CUFF CASE	160.93
		QUANTICO TACTICAL SUPPLY	1796 OFFICER UNIFORMS	1,359.76
		BLUE CROSS BLUE SHIELD OF KS	BLUE CROSS BLUE SHIELD	649.49
			BLUE CROSS BLUE SHIELD	182.00
			BLUE CROSS BLUE SHIELD	642.51
			BLUE CROSS BLUE SHIELD	188.98
			BLUE CROSS BLUE SHIELD	302.36
			BLUE CROSS BLUE SHIELD	302.36
			BLUE CROSS BLUE SHIELD	1,133.84
			BLUE CROSS BLUE SHIELD	529.14
			BLUE CROSS BLUE SHIELD	1,107.12
			BLUE CROSS BLUE SHIELD	526.51
			BLUE CROSS BLUE SHIELD	29.35
			BLUE CROSS BLUE SHIELD	2,233.63
			BLUE CROSS BLUE SHIELD	865.56
			BLUE CROSS BLUE SHIELD	2,229.90
			BLUE CROSS BLUE SHIELD	869.29
			BLUE CROSS BLUE SHIELD	151.18
			BLUE CROSS BLUE SHIELD	151.18
			BLUE CROSS BLUE SHIELD	151.18
			BLUE CROSS BLUE SHIELD	151.18
			BLUE CROSS BLUE SHIELD	151.18
			BLUE CROSS BLUE SHIELD	151.18
			BLUE CROSS BLUE SHIELD	302.36

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
			BLUE CROSS BLUE SHIELD	302.36
		VERIZON WIRELESS	PD MARCH 2011	1,125.54
		OCCUPATIONAL HEALTH CLINIC	1364 EMP HEARING EVAL - FA	40.00
			22712 EMP HEARING EVAL MED	40.00
			22713 EMP HEARING EVAL-THO	40.00
			30139 OFFICER EMP PX - SHU	85.00
			30140 EMP DRUG SCREEN-SHU	45.00
			31593 OFFICER EMP PX - MAR	75.00
			31594 OFFICER EMP PX - MAR	10.00
			5631 OFFICER PX / DRG SCRN	130.00
			7946 OFFICER PX/DRG SCRN-D	130.00
			7947 OFFICER PX/DRG SCRN-M	130.00
			7951 OFFICER PX/DRG SCRN-E	130.00
		TELEPLUS SOLUTIONS	Cancel Line RNA 762-2987	10.72
			Cancel Line RNA 762-2987	10.72
			Cancel Line RNA 238-4272	10.97
			Cancel Line RNA 238-4272	10.97
			Cancel Line RNA 238-4288	10.97
			Cancel Line RNA - 238-4288	10.97
			Cancel Line RNA - 762-8664	11.03
			Cancel Line RNA - 762-8664	11.02
			Cancel - ISDN line 238-169	19.63
			Cancel ISDN Line 238-1697	19.64
			Cancel Line RNA 762-2987	10.72
			Cancel Line RNA 762-2987	10.72
			Cancel Line RNA 238-4272	10.97
			Cancel Line RNA 238-4272	10.97
			Cancel Line RNA 238-4288	10.97
			Cancel Line RNA - 238-4288	10.97
			Cancel Line RNA - 762-8664	11.03
			Cancel Line RNA - 762-8664	11.02
			Cancel - ISDN line 238-169	19.63
			Cancel ISDN Line 238-1697	19.64
		STAPLES ADVANTAGE	3151154646 LINER,TOWELS,TP	169.18
		KA-COMM	95110 MIC UNIT 208	80.00
			95113 MIC REPAIR	15.50
			95114 MIC UNIT 206	80.00
			SERVICE CONTRACT/MAINT POL	188.50
			SERVICE CONTRACT/MAINT POL	188.50
			95273 LIGHTS/SIREN UNIT 20	24.75
			95281 REAR LIGHT/RADIO # 2	48.00
		KS NARCOTICS OFFICER ASSN	KNOA CONF/DUES-GODFREY	150.00
		DELTA DENTAL (PAYROLL)	DELTA DENTAL OF KANSAS	508.13
			DELTA DENTAL OF KANSAS	125.61
			DELTA DENTAL OF KANSAS	505.28
			DELTA DENTAL OF KANSAS	125.77
			DELTA DENTAL OF KANSAS	2.93
			DELTA DENTAL OF KANSAS	257.59
			DELTA DENTAL OF KANSAS	103.43
			DELTA DENTAL OF KANSAS	255.71
			DELTA DENTAL OF KANSAS	103.94
			DELTA DENTAL OF KANSAS	1.37
		GEARY COMMUNITY HOSPITAL	1273939-BLOOD DRAW	28.89
			1273939-BLOOD DRAW	148.38
		GEARY COUNTY PUBLIC WORKS	PD FUEL FEBRUARY 2011	7,223.01
			PD FUEL JANUARY 2011	7,020.05

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
		GEARY COUNTY SHERIFF	JAIL EXPENSE FEBRUARY 2011	30,000.00
		TELVENT DTN	3341827 WEATHER RADAR	132.00
		ADVANCE LIFE INSURANCE	ADVANCE LIFE INUSRANCE	487.19
			ADVANCE LIFE INUSRANCE	133.84
		KANSAS PUBLIC EMPLOYEES	KPERS #1	552.74
			KPERS #1	1,124.04
			KPERS #1	552.75
			KPERS #1	1,046.39
			KP&F	13,427.62
			KP&F	578.42
			KP&F	12,499.36
			KP&F	562.62
			KP&F	102.09
			KPERS #2	533.87
			KPERS #2	485.15
		ADVANCED GRAPHIX INC	183155 ACO VAN GRAPHICS	149.00
		NEX-TECH	POLICE	107.49
			DISPATCH	107.49
		INCODE	Pawn Tickets	505.05
			Bar Code Scanner w/intells	93.50
		THE PRINTERY	21252 ENVELOPES	59.00
		CARD CENTER	INLAD TRK-ACO VAN MAT	564.80
			NORTHRN TOOL-ACO TRUCK BOX	410.67
			KWIK SHOP-KLETC ROOKIES FU	29.51
			City - Fiber Internet	1,500.00
			Dispatch Printer Maint Kit	271.65
			1291J&R-LOF,BRAKE,TIRE ROT	198.15
			1290J&R-LOF,BRAKE,TIRE ROT	140.95
			1289J&R-LOF,TIRE ROTATE #2	60.87
			1288J&R-LOF,TIRE ROTATE #2	64.85
			1285J&R-SWITCH,LOF,TIRE RT	202.13
			1282J&R-LOF,TIRE ROTATE #2	60.87
			1279J&R-LOF,TIRE ROTATE #2	60.87
			1278J&R-LOF,TIRE ROTATE #2	60.87
			199424ORAP-BATTERY CHGR #2	29.99
			199594ORAP-WIPER BLDS #201	19.99
			201190ORAP-H20PMP,TNSN,BLT	93.85
			210911ORAP-WIPER BLDS #221	28.49
			202082ORAP-ANTIFREEZ,WPR F	65.88
			202082ORAP-WIPER ARM #218	15.99
			202686ORAP-THERMO,SEAL #21	8.16
			202815ORAP-INT MANIFOLD #2	206.99
			1301J&R-FUEL FILTER,DIAG #	97.24
			1305J&R-ING COIL,PLG,TR RO	141.16
			1311J&R-FUEL PUMP #250	188.76
			1315J&R-BATTERY #202	45.76
			WIZZ OF WATT-WINDOW TINT#2	125.00
			RONS AUTO-SEAT REPAIR #210	50.00
			97444 CPL-UNIFORM CLEANIN	25.90
			97475 CPL-UNIFORM CLEANING	3.70
			97502 CPL-UNIFORM CLEANING	46.25
			97525 CPL-UNIFORM CLEANING	35.15
			97547 CPL-UNIFORM CLEANING	33.30
			97562 CPL-UNIFORM CLEANING	29.60
			97589 CPL-UNIFORM CLEANING	20.35
			16739 B&K-COFFEE	50.40

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
			33133 CONCEPTS-CASE FILE L	194.25
			97866 CPL-UNIFORM CLEANING	11.10
			97838 CPL-UNIFORM CLEANING	57.35
			97814 CPL-UNIFORM CLEANING	31.45
			97766 CPL-UNIFORM CLEANING	14.80
			97718 CPL-UNIFORM CLEANING	12.95
			97788 CPL-UNIFORM CLEANING	22.20
			97687 CPL-UNIFORM CLEANING	59.20
			97654 CPL-UNIFORM CLEANING	16.65
			21811-JCCC-WNDRLND/SIMPSN	1,185.00
			16118 B&K-COFFEE,SUGAR	91.90
			PTOUCH DIRECT-LABEL TAPE	52.56
			STAPLES-FILE FOLDER LABELS	25.80
			25281 WMART-BINDERS DTF	22.41
			WILDLIFE CNTRL-LIVE TRAP 2	152.95
			WILDLIFE CNTRL-LIVE TRAP 2	152.95
			NCPTC-FACEBOOK WEBINAR	15.00
			KEY-TONER CARTRIDEG DTF	65.99
			KEY-TONER CARTRIDEG DTF	65.99
			KEY-TONER CARTRIDEG DTF	65.99
			KEY-TONER DRUM DTF	163.99
			WTV-KEY	2.79
			PROF ALT-UNIFORM ALTER-203	76.00
			PROF ALT-UNIFORM PATCHES-R	3.00
			PROF ALT-UNIFORM PATCHES-2	3.00
			PROF ALT-UNIFORM ALT/PATCH	32.00
			PROF ALT-UNIFORM PATCH-757	24.00
			TIGERDIRECT-FLASH DRIVES-D	150.88
			WITMER-FIRST DEFENSE SPRAY	144.39
			WTV-PADLOCKS	5.37
			MUFFLER HOUSE-EXHAUST #250	40.00
			WTV KEYS	5.58
			BOX&SHIP-SHIPPING MDTS 210	24.53
			WTV-EQUIP REPAIR WAREHOUSE	3.78
			BOX&SHIP-SHIPPING MDT	15.30
			92616 FIRESTONE-TIRES #216	342.96
		KANSAS STATE SURPLUS PROPERTY	CUFFS	30.00
			BINDERS	33.00
			SAFETY VESTS	9.00
		WEST PAYMENT CENTER	822397351 CLEAR SUBSCRIPTI	151.00
			TOTAL:	112,812.46
FIRE	GENERAL FUND	INTERNAL REVENUE SERVICE	SOCIAL SECURITY WITHHOLDIN	50.46
			SOCIAL SECURITY WITHHOLDIN	50.46
			MEDICARE WITHHOLFING	713.50
			MEDICARE WITHHOLFING	666.96
		BLUE CROSS BLUE SHIELD OF KS	BLUE CROSS BLUE SHIELD	355.67
			BLUE CROSS BLUE SHIELD	363.65
			BLUE CROSS BLUE SHIELD	0.45
			BLUE CROSS BLUE SHIELD	1.00
			BLUE CROSS BLUE SHIELD	457.44
			BLUE CROSS BLUE SHIELD	456.84
			BLUE CROSS BLUE SHIELD	2,106.59
			BLUE CROSS BLUE SHIELD	2,093.13
			BLUE CROSS BLUE SHIELD	115.78
			BLUE CROSS BLUE SHIELD	116.56

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
			BLUE CROSS BLUE SHIELD	20.17
			BLUE CROSS BLUE SHIELD	0.99
		VERIZON WIRELESS	223-0009 (522)	0.00
			209-0124 (STN 2 CAPT)	5.86
			209-0255 (BC)	6.66
			209-0668 (STN 1 CAPT)	6.57
			223-1231 (521)	0.00
			223-1233 (522)	0.00
			223-1235 (E30)	0.00
			223-1388 (E10)	0.00
			223-7955 (FIRE MARSHAL)	0.00
		OCCUPATIONAL HEALTH CLINIC	PHYSICAL/CHRISTIAN	130.00
			PHYSICAL/BETTLES	100.00
		KA-COMM	SERVICE CONTRACT/MAINT FIR	173.50
		DELTA DENTAL (PAYROLL)	DELTA DENTAL OF KANSAS	279.17
			DELTA DENTAL OF KANSAS	270.11
			DELTA DENTAL OF KANSAS	137.50
			DELTA DENTAL OF KANSAS	138.79
		GEARY COUNTY PUBLIC WORKS	DIESEL FUEL - FIRE	1,107.91
			MOTOR FUEL - FIRE	76.64
			DIESEL FUEL - FIRE	1,073.64
			MOTOR FUEL - FIRE	82.20
		ADVANCE LIFE INSURANCE	ADVANCE LIFE INUSRANCE	264.55
		KANSAS PUBLIC EMPLOYEES	KPERS #1	64.54
			KPERS #1	64.54
			KP&F	7,644.82
			KP&F	7,121.23
		NAPA AUTO PARTS OF J.C.	AIR BRAKE PART	11.37
		NEX-TECH	FIRE	25.84
		CARD CENTER	STAPLES ONLINE/OFFICE SUPP	56.01
			OREILLY/TRANSMISSION FLUID	6.98
			WALMART/CAR WASH	21.88
			WATERS/WATER HOSE NOZZLES	21.98
			MILLESONS/BATTERIES - E20	209.90
			MILLESONS/BATTERIES - E20	209.90
			MILLESONS/CORE DEPOSIT CRE	60.00-
			WATERS/SQUEEGES, HANDLES	129.94
			BATTERYZONE/RADIO BATTERIE	241.80
			GRIGG/WATER FAUCET HANDLES	10.31
			WALMART/SNOWBRUSH, PAINT P	6.57
			AUTOZONE/BATTERY 521	92.77
			FIRE ENG/MAGAZINE SUBSCRIP	21.00
		KANSAS TRUCK CENTER, INC.	PRESSURE SWITCH/E10	16.62
			TOTAL:	27,340.75
COURT	GENERAL FUND	INTERNAL REVENUE SERVICE	SOCIAL SECURITY WITHHOLDIN	492.04
			SOCIAL SECURITY WITHHOLDIN	493.57
			MEDICARE WITHHOLFING	115.08
			MEDICARE WITHHOLFING	115.44
		BLUE CROSS BLUE SHIELD OF KS	BLUE CROSS BLUE SHIELD	302.36
			BLUE CROSS BLUE SHIELD	302.36
		STAPLES ADVANTAGE	MUN. COURT OFFICE SUPPLIES	91.55
		JOHNSON, TYRICE	BOND REFUND TT139614	230.00
		OWENS, ROBERT	BOND REFUND CASE 10-05399	105.00
		KEEN A. UMBEHR, JC MUNICIPAL COURT PUB	APPEAL T.BYERS #2011-CR-45	285.20
		DELTA DENTAL (PAYROLL)	DELTA DENTAL OF KANSAS	21.60

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
			DELTA DENTAL OF KANSAS	21.60
			DELTA DENTAL OF KANSAS	21.88
			DELTA DENTAL OF KANSAS	21.88
		FAMILY CARE CENTER	D/A EVAL BRIAN EBEL #10-13	150.00
			D/A EVAL E. MUSKETTE #10-0	150.00
		NATASHA JOHNSON	BOND REFUND CASE 08-10850	500.00
		ADVANCE LIFE INSURANCE	ADVANCE LIFE INUSRANCE	45.13
		KANSAS PUBLIC EMPLOYEES	KPERS #1	455.28
			KPERS #1	455.28
			KPERS #2	176.95
			KPERS #2	176.95
		NEX-TECH	MUNICIPAL COURT	15.23
		KANSAS SECRETARY OF STATE	FILING FEE J.MCKIM NOTARY	25.00
		CINTAS #451	MATS @ MUNICIPAL COURT	14.52
			MATS @ MUNICIPAL COURT	14.61
			MATS @ MUNICIPAL COURT	14.61
			MATS @ MUNICIPAL COURT	14.61
			TOTAL:	4,827.73
JC OPERA HOUSE	GENERAL FUND	INTERNAL REVENUE SERVICE	SOCIAL SECURITY WITHHOLDIN	105.69
			SOCIAL SECURITY WITHHOLDIN	111.04
			MEDICARE WITHHOLFING	24.72
			MEDICARE WITHHOLFING	25.97
		BLUE CROSS BLUE SHIELD OF KS	BLUE CROSS BLUE SHIELD	151.18
			BLUE CROSS BLUE SHIELD	151.18
		VERIZON WIRELESS	209-1265 OPERA HOUSE	53.38
			223-1043-OPERA HOUSE	55.13
			223-1321-D.LAUGHLIN	54.63
		ADVANCE LIFE INSURANCE	ADVANCE LIFE INUSRANCE	9.32
		NEX-TECH	OPERA HOUSE	14.64
			TOTAL:	756.88
JUNCTION CITY ARTS	GENERAL FUND	SECURITY SOLUTIONS INC	ALARM ARTS COUNCIL-109 W7	22.00
			TOTAL:	22.00
RECREATION	GENERAL FUND	INTERNAL REVENUE SERVICE	SOCIAL SECURITY WITHHOLDIN	293.91
			SOCIAL SECURITY WITHHOLDIN	281.20
			MEDICARE WITHHOLFING	68.74
			MEDICARE WITHHOLFING	65.77
		BLUE CROSS BLUE SHIELD OF KS	BLUE CROSS BLUE SHIELD	120.94
			BLUE CROSS BLUE SHIELD	120.94
			BLUE CROSS BLUE SHIELD	151.18
			BLUE CROSS BLUE SHIELD	151.18
		VERIZON WIRELESS	210-6980=RECREATION DIRECT	58.88
		SADIE MORRIS	FACILITY RENTAL REFUND-3/1	25.00
		MAILEEN ALVAREZ	KITCHEN DEPOSIT RFND-03/20	25.00
		IVELISSE SANTIAGO	MARCH 2011-ROOM RNTL REFUN	25.00
		CHUCK VUGAR	MARCH 2011-GYM RNTL REFUND	25.00
		KENNETH COX	MARCH 2011-GYM RNTL REFUND	25.00
		DELTA DENTAL (PAYROLL)	DELTA DENTAL OF KANSAS	38.88
			DELTA DENTAL OF KANSAS	38.88
			DELTA DENTAL OF KANSAS	10.94
			DELTA DENTAL OF KANSAS	10.94
		EAE ENTERPRISES	T-IRTS ADULT BASKETBALL	118.40
		SECURITY SOLUTIONS INC	12TH STREET COMM CNTR	18.00
		ADVANCE LIFE INSURANCE	ADVANCE LIFE INUSRANCE	15.15

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
		KANSAS PUBLIC EMPLOYEES	KPERS #1	205.73
			KPERS #1	186.38
			KPERS #2	59.44
			KPERS #2	59.44
		MASSCO	CLEANING SUPPLIES	249.77
			FUEL SURCHARGE	5.00
			SOAP DISPENSERS	24.85
		NEX-TECH	RECREATION	13.22
		MARY REID	MARCH 2011-ROOM RNTL REFUN	25.00
		CARD CENTER	KRPA CONFERENCE DINNER	11.57
			KRPA CONFERENCE HOTEL	245.92
			KRPA CONFERENCE HOTEL	245.92
			PAPA JOHNS-PIZZA STAFF-	32.87
		CINTAS #451	GRAY MAT AT 12TH ST COMMUN	32.95
			TOTAL:	3,086.99
NON-DEPARTMENTAL	GRANTS	INTERNAL REVENUE SERVICE	FEDERAL WITHHOLDING	1,498.82
			FEDERAL WITHHOLDING	1,466.37
			SOCIAL SECURITY WITHHOLDIN	208.40
			SOCIAL SECURITY WITHHOLDIN	193.70
			MEDICARE WITHHOLFING	210.14
			MEDICARE WITHHOLFING	205.17
		ING LIFE INSURANCE & ANNUITY COMPANY	ING	175.00
			ING	174.61
		AMERICAN UNITED LIFE INSURANCE COMPANY	AMERICAN UNITED LIFE	25.20
			AMERICAN UNITED LIFE	25.20
		BLUE CROSS BLUE SHIELD OF KS	BLUE CROSS BLUE SHIELD	79.72
			BLUE CROSS BLUE SHIELD	79.41
			BLUE CROSS BLUE SHIELD	83.83
			BLUE CROSS BLUE SHIELD	84.00
			BLUE CROSS BLUE SHIELD	259.03
			BLUE CROSS BLUE SHIELD	259.03
		JUNCTION CITY FIREFIGHTERS AID ASSOCIA	FIREFIGHTERS AID ASSOCIATI	14.97
			FIREFIGHTERS AID ASSOCIATI	14.98
		CONTINENTAL AMERICAN INSURANCE COMPANY	CAIC	3.98
			CAIC	3.98
		DELTA DENTAL (PAYROLL)	DELTA DENTAL OF KANSAS	31.98
			DELTA DENTAL OF KANSAS	31.90
		FIREMEN'S RELIEF ASSOCIATION	FIREMANS RELIEF	38.81
			FIREMANS RELIEF	38.83
		JUNCTION CITY FIRE FIGHTERS ASSOCIATIO	I.A.F.F. LOCAL 3309	125.78
			I.A.F.F. LOCAL 3309	125.84
		KANSAS DEPT OF REVENUE	STATE WITHHOLDING	584.43
			STATE WITHHOLDING	563.86
		KANSAS PUBLIC EMPLOYEES	KPERS #1	215.40
			KPERS #1	201.40
			KP&F	678.15
			KP&F	678.64
		POLICE & FIREMEN'S	POLICE & FIRE INSURANCE	124.64
			POLICE & FIRE INSURANCE	124.41
		INTRUST BANK	FIRST STATE BANK	125.83
			FIRST STATE BANK	125.83
		AMERICAN FAMILY LIFE ASSURANCE COMPANY	AFLAC	61.32
			AFLAC	61.11
		UNITED WAY OF JUNCTION CITY-GEARY COUN	UNITED WAY	23.00
			UNITED WAY	22.99

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
			TOTAL:	9,049.69
EMERGENCY SHELTER	GRANTS	OPEN DOOR COMM. HOUSE	ESG GRANT FUNDS JAN 2011	7,893.68
			TOTAL:	7,893.68
SELF HELP HOUSING	GRANTS	INTERNAL REVENUE SERVICE	SOCIAL SECURITY WITHHOLDIN	307.65
			SOCIAL SECURITY WITHHOLDIN	285.95
			MEDICARE WITHHOLFING	71.95
			MEDICARE WITHHOLFING	66.88
		BLUE CROSS BLUE SHIELD OF KS	BLUE CROSS BLUE SHIELD	151.18
			BLUE CROSS BLUE SHIELD	151.18
			BLUE CROSS BLUE SHIELD	151.18
			BLUE CROSS BLUE SHIELD	151.18
		VERIZON WIRELESS	SHH Coordinator	33.03
			SHH Director	53.38
			SHH Construction	33.17
		DELTA DENTAL (PAYROLL)	DELTA DENTAL OF KANSAS	43.20
			DELTA DENTAL OF KANSAS	43.20
		ADVANCE LIFE INSURANCE	ADVANCE LIFE INUSRANCE	27.98
		KANSAS PUBLIC EMPLOYEES	KPERS #1	416.81
			KPERS #1	389.72
		NEX-TECH	SELF HELP HOUSING	5.86
		CARD CENTER	HOME DEPOT-CONST. MATERIAL	243.85
			HOME DEPOT-REFUND ON TAX C	19.21-
			GURUDEV-HEATER FUEL	18.98
			USPS-SHIP OF NAIL GUN FOR	15.43
			SHELL OIL-GAS FOR CITY TRU	75.00
			TOTAL:	2,717.55
SAFER GRANT FD 08	GRANTS	INTERNAL REVENUE SERVICE	MEDICARE WITHHOLFING	37.24
			MEDICARE WITHHOLFING	36.86
		BLUE CROSS BLUE SHIELD OF KS	BLUE CROSS BLUE SHIELD	79.98
			BLUE CROSS BLUE SHIELD	78.75
			BLUE CROSS BLUE SHIELD	164.61
			BLUE CROSS BLUE SHIELD	164.21
		DELTA DENTAL (PAYROLL)	DELTA DENTAL OF KANSAS	5.66
			DELTA DENTAL OF KANSAS	5.47
			DELTA DENTAL OF KANSAS	14.84
			DELTA DENTAL OF KANSAS	14.81
		ADVANCE LIFE INSURANCE	ADVANCE LIFE INUSRANCE	14.30
		KANSAS PUBLIC EMPLOYEES	KP&F	380.28
			KP&F	376.49
			TOTAL:	1,373.50
SAFER GRANT-FIRE DEPT	GRANTS	INTERNAL REVENUE SERVICE	MEDICARE WITHHOLFING	100.95
			MEDICARE WITHHOLFING	101.43
		BLUE CROSS BLUE SHIELD OF KS	BLUE CROSS BLUE SHIELD	222.38
			BLUE CROSS BLUE SHIELD	222.44
			BLUE CROSS BLUE SHIELD	438.54
			BLUE CROSS BLUE SHIELD	440.51
		DELTA DENTAL (PAYROLL)	DELTA DENTAL OF KANSAS	15.94
			DELTA DENTAL OF KANSAS	15.96
			DELTA DENTAL OF KANSAS	39.75
			DELTA DENTAL OF KANSAS	39.89
		ADVANCE LIFE INSURANCE	ADVANCE LIFE INUSRANCE	38.73
		KANSAS PUBLIC EMPLOYEES	KP&F	1,031.23

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
			KP&F	1,036.06
			TOTAL:	3,743.81
NON-DEPARTMENTAL	SPIN CITY	INTERNAL REVENUE SERVICE	FEDERAL WITHHOLDING	181.31
			FEDERAL WITHHOLDING	170.70
			SOCIAL SECURITY WITHHOLDIN	166.62
			SOCIAL SECURITY WITHHOLDIN	166.82
			MEDICARE WITHHOLFING	57.52
			MEDICARE WITHHOLFING	57.61
		KANSAS DEPT OF REVENUE	STATE WITHHOLDING	64.36
			STATE WITHHOLDING	60.22
		KANSAS PUBLIC EMPLOYEES	KPERS #1	45.86
			KPERS #1	45.86
			TOTAL:	1,016.88
SPIN CITY	SPIN CITY	INTERNAL REVENUE SERVICE	SOCIAL SECURITY WITHHOLDIN	245.97
			SOCIAL SECURITY WITHHOLDIN	246.25
			MEDICARE WITHHOLFING	57.52
			MEDICARE WITHHOLFING	57.61
		VERIZON WIRELESS	223-1084=SPIN CITY MANAGER	59.63
		DELTA DENTAL (PAYROLL)	DELTA DENTAL OF KANSAS	10.94
			DELTA DENTAL OF KANSAS	10.94
		EAE ENTERPRISES	T-SHIRTS/UNIFORMS	281.00
		SECURITY SOLUTIONS INC	ALARM-915 S WASHINGTON	22.00
		ADVANCE LIFE INSURANCE	ADVANCE LIFE INUSRANCE	7.90
		KANSAS PUBLIC EMPLOYEES	KPERS #1	88.74
			KPERS #1	88.74
		CARD CENTER	Spin City - Cable	88.09
			Spin City - Internet	59.95
			BIRTHDAY CAKE FOR SPIN CIT	14.97
			WALMART-ICE CREAM AND MILK	39.30
			WALMART-CHILI	26.82
			WALMART-PIZZA, COCA, CHOC	18.40
			DILLONS-BIRTHDAY CAKE	14.99
			WALMART-BIRTHDAY CAKE	34.89
			I TUNES-SONGS	12.30
			TOTAL:	1,486.95
INDUSTRIAL REVENUE BON	BOND & INTEREST	CENTRAL NATIONAL BANK	PRINCIPAL-TOM NEAL INDUST	39,800.87
			INTEREST-TOM NEAL INDUST	11,055.71
			TOTAL:	50,856.58
NON-DEPARTMENTAL	MILITARY AFFAIRS/O	INTERNAL REVENUE SERVICE	FEDERAL WITHHOLDING	119.20
			FEDERAL WITHHOLDING	137.20
			SOCIAL SECURITY WITHHOLDIN	70.78
			SOCIAL SECURITY WITHHOLDIN	75.82
			MEDICARE WITHHOLFING	24.44
			MEDICARE WITHHOLFING	26.18
		KANSAS DEPT OF REVENUE	STATE WITHHOLDING	45.79
			STATE WITHHOLDING	53.29
		KANSAS PUBLIC EMPLOYEES	KPERS #1	29.01
			KPERS #1	29.01
			TOTAL:	610.72
MILITARY AFFAIRS	MILITARY AFFAIRS/O	INTERNAL REVENUE SERVICE	SOCIAL SECURITY WITHHOLDIN	104.48
			SOCIAL SECURITY WITHHOLDIN	111.92

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
			MEDICARE WITHHOLFING	24.44
			MEDICARE WITHHOLFING	26.18
		KANSAS PUBLIC EMPLOYEES	KPERS #1	56.13
			KPERS #1	56.13
			TOTAL:	379.28
NON-DEPARTMENTAL	WATER & SEWER FUND	FAMILY SUPPORT PAYMENT CENTER (MISSOUR	MACSS #41061331/ CV103-753	154.85
			MACSS #41061331/ CV103-753	154.85
		INTERNAL REVENUE SERVICE	FEDERAL WITHHOLDING	2,016.38
			FEDERAL WITHHOLDING	1,965.69
			SOCIAL SECURITY WITHHOLDIN	803.71
			SOCIAL SECURITY WITHHOLDIN	782.61
			MEDICARE WITHHOLFING	277.47
			MEDICARE WITHHOLFING	270.19
		ING LIFE INSURANCE & ANNUITY COMPANY	ING	161.62
			ING	161.62
		AMERICAN UNITED LIFE INSURANCE COMPANY	AMERICAN UNITED LIFE	51.80
			AMERICAN UNITED LIFE	51.80
		BLUE CROSS BLUE SHIELD OF KS	BLUE CROSS BLUE SHIELD	47.14
			BLUE CROSS BLUE SHIELD	47.14
			BLUE CROSS BLUE SHIELD	359.63
			BLUE CROSS BLUE SHIELD	359.63
			BLUE CROSS BLUE SHIELD	67.76
			BLUE CROSS BLUE SHIELD	67.76
			BLUE CROSS BLUE SHIELD	78.29
			BLUE CROSS BLUE SHIELD	78.29
			BLUE CROSS BLUE SHIELD	248.67
			BLUE CROSS BLUE SHIELD	248.67
		CONTINENTAL AMERICAN INSURANCE COMPANY	CAIC	12.90
			CAIC	12.90
		CITY OF JUNCTION CITY	CITY OF JUNCTION CITY (G-F	1.50
			CITY OF JUNCTION CITY (G-F	1.50
		COLONIAL SUPPLEMENTAL INSURANCE	COLONIAL INSURANCE	10.00
			COLONIAL INSURANCE	10.00
			COLONIAL INSURANCE	5.40
			COLONIAL INSURANCE	5.40
		DELTA DENTAL (PAYROLL)	DELTA DENTAL OF KANSAS	60.87
			DELTA DENTAL OF KANSAS	60.87
		KANSAS DEPT OF REVENUE	STATE WITHHOLDING	790.58
			STATE WITHHOLDING	765.39
		KANSAS PUBLIC EMPLOYEES	KPERS #1	591.87
			KPERS #1	584.56
			KPERS #2	316.72
			KPERS #2	293.14
		INTRUST BANK	FIRST STATE BANK	142.78
			FIRST STATE BANK	142.78
		AMERICAN FAMILY LIFE ASSURANCE COMPANY	AFLAC	27.51
			AFLAC	27.51
		UNITED WAY OF JUNCTION CITY-GEARY COUN	UNITED WAY	36.93
			UNITED WAY	36.93
			TOTAL:	12,393.61
WATER ADMINISTRATION	WATER & SEWER FUND	INTERNAL REVENUE SERVICE	SOCIAL SECURITY WITHHOLDIN	681.77
			SOCIAL SECURITY WITHHOLDIN	669.44
			MEDICARE WITHHOLFING	159.44
			MEDICARE WITHHOLFING	156.55

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
		BLUE CROSS BLUE SHIELD OF KS	BLUE CROSS BLUE SHIELD	90.72
			BLUE CROSS BLUE SHIELD	90.71
			BLUE CROSS BLUE SHIELD	52.91
			BLUE CROSS BLUE SHIELD	52.91
			BLUE CROSS BLUE SHIELD	105.82
			BLUE CROSS BLUE SHIELD	105.82
			BLUE CROSS BLUE SHIELD	427.83
			BLUE CROSS BLUE SHIELD	427.83
			BLUE CROSS BLUE SHIELD	52.91
			BLUE CROSS BLUE SHIELD	52.91
		VERIZON WIRELESS	209-1393=METER READER	33.03
			210-6618=METER READER	33.03
			223-1358=CITY TREASURER	54.13
		STAPLES ADVANTAGE	INK CART. FOR FOLDING MACH	259.69
		DELTA DENTAL (PAYROLL)	DELTA DENTAL OF KANSAS	62.21
			DELTA DENTAL OF KANSAS	62.21
			DELTA DENTAL OF KANSAS	31.52
			DELTA DENTAL OF KANSAS	31.51
		DIVISION OF ACCOUNTS & REPORTS	SCHNURR, JOLEEN-JUN 11-SEM	50.00
		GEARY COUNTY PUBLIC WORKS	WATER-UNLEADED	300.14
			WATER-SURCHARGE 110.6GAL@.	5.53
			WATER-UNLEADED	391.18
			WATER-SURCHARGE 150.4GAL@.	7.52
		SECURITY SOLUTIONS INC	ALARM WUPD 2307 N JACKSON	35.00
		BRINKS INCORPORATED	WATER-FEBRUARY 2011	375.07
		ADVANCE LIFE INSURANCE	ADVANCE LIFE INUSRANCE	56.05
		KANSAS PUBLIC EMPLOYEES	KPERS #1	627.78
			KPERS #1	621.96
			KPERS #2	256.44
			KPERS #2	244.01
		NEX-TECH	WATER ADMINISTRATION	33.94
		INCODE	Web - Utilities Inquiry	320.00
		PITNEY BOWES	WATER PORTION OF BILL	3,040.50
		CARD CENTER	Address Certification Soft	65.50
			WUPD - Internet Connection	189.95
			WALMART, CLEANING SUPPLIES	21.28
			WATERS-TORCH KIT/CABLE TIE	32.47
			WATERS-SLIP NUT	4.78
			WATERS-SLIP NUT-REFUND	2.49-
		CINTAS #451	SCRAPER/BROWN MAT	42.57
			UNIFORMS-LANGDON, KENNY	9.74
			SCRAPER/BROWN MAT	26.40
			UNIFORMS-LANGDON, KENNY	9.74
			SCRAPER/BROWN MAT	42.57
			TOTAL:	10,502.53
SEWER ADMINISTRATION	WATER & SEWER FUND	INTERNAL REVENUE SERVICE	SOCIAL SECURITY WITHHOLDIN	504.62
			SOCIAL SECURITY WITHHOLDIN	485.84
			MEDICARE WITHHOLFING	118.01
			MEDICARE WITHHOLFING	113.63
		BLUE CROSS BLUE SHIELD OF KS	BLUE CROSS BLUE SHIELD	37.79
			BLUE CROSS BLUE SHIELD	37.79
			BLUE CROSS BLUE SHIELD	75.59
			BLUE CROSS BLUE SHIELD	75.59
			BLUE CROSS BLUE SHIELD	151.18
			BLUE CROSS BLUE SHIELD	151.18

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
			BLUE CROSS BLUE SHIELD	276.66
			BLUE CROSS BLUE SHIELD	276.66
			BLUE CROSS BLUE SHIELD	75.59
			BLUE CROSS BLUE SHIELD	75.59
		DELTA DENTAL (PAYROLL)	DELTA DENTAL OF KANSAS	61.13
			DELTA DENTAL OF KANSAS	61.13
			DELTA DENTAL OF KANSAS	25.48
			DELTA DENTAL OF KANSAS	25.48
		ADVANCE LIFE INSURANCE	ADVANCE LIFE INUSRANCE	50.53
		KANSAS PUBLIC EMPLOYEES	KPERS #1	517.49
			KPERS #1	509.17
			KPERS #2	152.13
			KPERS #2	134.15
		PITNEY BOWES	SEWER PORTION OF BILL	3,040.50
		CARD CENTER	Address Certification Soft	65.50
			TOTAL:	7,098.41
WASTEWATER PLANTS	WATER & SEWER FUND	UNION PACIFIC RAILROAD	2011 CROSSING-PRIVATE SWWT	1,887.71
			TOTAL:	1,887.71
NON-DEPARTMENTAL	ROLLING MEADOWS GO	INTERNAL REVENUE SERVICE	FEDERAL WITHHOLDING	1,063.76
			FEDERAL WITHHOLDING	1,074.20
			SOCIAL SECURITY WITHHOLDIN	342.66
			SOCIAL SECURITY WITHHOLDIN	371.09
			MEDICARE WITHHOLFING	118.31
			MEDICARE WITHHOLFING	128.12
		AMERICAN UNITED LIFE INSURANCE COMPANY	AMERICAN UNITED LIFE	69.47
			AMERICAN UNITED LIFE	69.47
		BLUE CROSS BLUE SHIELD OF KS	BLUE CROSS BLUE SHIELD	55.45
			BLUE CROSS BLUE SHIELD	55.45
			BLUE CROSS BLUE SHIELD	33.60
			BLUE CROSS BLUE SHIELD	33.60
		DELTA DENTAL (PAYROLL)	DELTA DENTAL OF KANSAS	42.64
			DELTA DENTAL OF KANSAS	42.64
		INTRUST BANK	SAVINGS BOND	37.50
			SAVINGS BOND	37.50
		KANSAS DEPT OF REVENUE	STATE WITHHOLDING	370.69
			STATE WITHHOLDING	373.62
		KANSAS PUBLIC EMPLOYEES	KPERS #1	277.73
			KPERS #1	277.81
			KPERS #2	52.80
			KPERS #2	52.80
		INTRUST BANK	FIRST STATE BANK	25.84
			FIRST STATE BANK	25.84
		UNITED WAY OF JUNCTION CITY-GEARY COUN	UNITED WAY	14.00
			UNITED WAY	14.00
			TOTAL:	5,060.59
GOLF COURSE	ROLLING MEADOWS GO	CURT'S PEST CONTROL	MONTHLY SERVICE	38.50
		INTERNAL REVENUE SERVICE	SOCIAL SECURITY WITHHOLDIN	505.83
			SOCIAL SECURITY WITHHOLDIN	547.79
			MEDICARE WITHHOLFING	118.31
			MEDICARE WITHHOLFING	128.12
		ALL STAR PRO GOLF	RENTAL SETS	644.50
		US FOOD SERVICE	HOT DOG/POLISH/HAMBURGER	558.60
		BLUE CROSS BLUE SHIELD OF KS	BLUE CROSS BLUE SHIELD	151.18

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
			BLUE CROSS BLUE SHIELD	151.18
			BLUE CROSS BLUE SHIELD	302.36
			BLUE CROSS BLUE SHIELD	302.36
		VERIZON WIRELESS	209-1193 G. ONEAL CELL	33.09
			223-1419 J. WIMBISH CELL	56.13
			209-0046 J. CARTER CELL	53.38
		THE ROBERTS GROUP	NUTRIPLANT/APSA-80 CONCENT	2,855.95
		COBBLESTONE TAG & LABEL	CASH DRAWER/EPSON CABLE	270.82
		GARAGE DOOR PLACE	GARAGE DOOR PLACE	574.32
		CROWN DISTRIBUTORS, INC.	COORS ORDER	104.49
			COORS ORDER	83.59
		DELTA DENTAL (PAYROLL)	DELTA DENTAL OF KANSAS	86.40
			DELTA DENTAL OF KANSAS	86.40
			DELTA DENTAL OF KANSAS	10.94
			DELTA DENTAL OF KANSAS	10.94
		FLINT HILLS BEVERAGE LLC	BUD ORDER	190.03
		FOOTJOY	FJ STREET SHOES	369.32
		TITLEIST	LOGO GOLF BALLS	196.06
			TITLEIST STOCK BALLS	312.66
			PINN GOLD 18BALL	1,971.06
			PLAYERS TOWEL	81.99
		HOME LUMBER CO.	WINDOW/SIDING MATERIALS	872.93
			FASCIA	33.05
		SECURITY SOLUTIONS INC	SECURITY SOLUTIONS MONTHLY	79.00
		ADVANCE LIFE INSURANCE	ADVANCE LIFE INUSRANCE	41.07
		KANSAS PUBLIC EMPLOYEES	KPERS #1	537.42
			KPERS #1	537.57
			KPERS #2	68.11
			KPERS #2	68.11
		NIKE USA, INC	SHIRTS	661.09
			NIKE HATS	245.92
			SHIRT ORDER-CONT	107.17
			NIKE SHIRTS ORDER	67.42
		NCKCN.COM	WEB ADDRESS RENEWAL	34.99
		NEX-TECH	GOLF COURSE	3.02
		SNACK EXPRESS	VENDING	442.00
			PEPSI ORDER	520.40
			WATER-VENDING	36.00
			PEPSI DRINKS	289.90
		CARD CENTER	Golf - Internet Connection	59.95
			HD BUNS, HD; DILLONS	25.01
			HD BUNS, HD; DILLONS	14.28
			Milleson AS - Hacksaw Blad	2.08
			Milleson AS - Threaded Rod	14.48
			Waters - Grass Bld, Ppane	19.57
			Waters - Throttle Cable (2	44.28
			Orscheln - Bar & 2Cyl Oil	15.47
		TEXOMA GOLF INC	STOCK GRIPS	845.53
		TIELKE ENTERPRISE, LLC	SANDWICH ORDER	38.04
			SANDWICH ORDER	49.68
			SANDWICH ORDER	33.06
			TOTAL:	16,602.90
NON-DEPARTMENTAL	ECONOMIC DEVELOPME	INTERNAL REVENUE SERVICE	FEDERAL WITHHOLDING	256.82
			FEDERAL WITHHOLDING	220.82
			SOCIAL SECURITY WITHHOLDIN	125.94

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
			SOCIAL SECURITY WITHHOLDIN	115.44
			MEDICARE WITHHOLFING	43.47
			MEDICARE WITHHOLFING	39.85
		BLUE CROSS BLUE SHIELD OF KS	BLUE CROSS BLUE SHIELD	55.45
			BLUE CROSS BLUE SHIELD	55.45
			BLUE CROSS BLUE SHIELD	39.86
			BLUE CROSS BLUE SHIELD	39.86
		DELTA DENTAL (PAYROLL)	DELTA DENTAL OF KANSAS	10.66
			DELTA DENTAL OF KANSAS	10.66
		KANSAS DEPT OF REVENUE	STATE WITHHOLDING	126.40
			STATE WITHHOLDING	110.28
		KANSAS PUBLIC EMPLOYEES	KPERS #1	82.97
			KPERS #1	72.97
			KPERS #2	64.80
			KPERS #2	64.80
		INTRUST BANK	FIRST STATE BANK	50.00
			FIRST STATE BANK	50.00
		UNITED WAY OF JUNCTION CITY-GEARY COUN	UNITED WAY	10.00
			UNITED WAY	10.00
			TOTAL:	1,656.50
ECONOMIC DEVELOPMENT	ECONOMIC DEVELOPME	INTERNAL REVENUE SERVICE	SOCIAL SECURITY WITHHOLDIN	185.90
			SOCIAL SECURITY WITHHOLDIN	170.40
			MEDICARE WITHHOLFING	43.47
			MEDICARE WITHHOLFING	39.85
		BLUE CROSS BLUE SHIELD OF KS	BLUE CROSS BLUE SHIELD	151.18
			BLUE CROSS BLUE SHIELD	151.18
			BLUE CROSS BLUE SHIELD	151.18
			BLUE CROSS BLUE SHIELD	151.18
		VERIZON WIRELESS	226-1588 SHULTE (BLACKBERR	53.38
		TELEPLUS SOLUTIONS	Cancel call Forward 762-19	1.04
			Cancel Centrex Trunk -762-	6.72
			Cancel call Forward 762-19	1.04
			Cancel Centrex Trunk -762-	6.72
		DELTA DENTAL (PAYROLL)	DELTA DENTAL OF KANSAS	21.60
			DELTA DENTAL OF KANSAS	21.60
			DELTA DENTAL OF KANSAS	10.94
			DELTA DENTAL OF KANSAS	10.94
		ADVANCE LIFE INSURANCE	ADVANCE LIFE INUSRANCE	17.94
		KANSAS PUBLIC EMPLOYEES	KPERS #1	160.55
			KPERS #1	141.20
			KPERS #2	83.59
			KPERS #2	83.59
		NEX-TECH	EDC	11.84
		CARD CENTER	DILLONS-BOARD BREAKFAST	7.85
			RADIOSHACK- USB FLASH DRIV	29.98
			TOTAL:	1,714.86
SPECIAL HIGHWAY	SPECIAL HIGHWAY FU	NEX-TECH	ENGINEERING	14.64
			TOTAL:	14.64
NON-DEPARTMENTAL	SANITATION FUND	INTERNAL REVENUE SERVICE	FEDERAL WITHHOLDING	138.64
			FEDERAL WITHHOLDING	129.45
			SOCIAL SECURITY WITHHOLDIN	73.26
			SOCIAL SECURITY WITHHOLDIN	68.89
			MEDICARE WITHHOLFING	25.29

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
			MEDICARE WITHHOLFING	23.77
		ING LIFE INSURANCE & ANNUITY COMPANY	ING	16.88
			ING	16.88
		AMERICAN UNITED LIFE INSURANCE COMPANY	AMERICAN UNITED LIFE	6.87
			AMERICAN UNITED LIFE	6.87
		BLUE CROSS BLUE SHIELD OF KS	BLUE CROSS BLUE SHIELD	63.46
			BLUE CROSS BLUE SHIELD	63.46
			BLUE CROSS BLUE SHIELD	11.96
			BLUE CROSS BLUE SHIELD	11.96
			BLUE CROSS BLUE SHIELD	5.04
			BLUE CROSS BLUE SHIELD	5.04
			BLUE CROSS BLUE SHIELD	43.88
			BLUE CROSS BLUE SHIELD	43.88
		DELTA DENTAL (PAYROLL)	DELTA DENTAL OF KANSAS	8.00
			DELTA DENTAL OF KANSAS	8.00
		KANSAS DEPT OF REVENUE	STATE WITHHOLDING	62.71
			STATE WITHHOLDING	58.14
		KANSAS PUBLIC EMPLOYEES	KPERS #1	57.48
			KPERS #1	56.19
			KPERS #2	27.37
			KPERS #2	23.05
		INTRUST BANK	FIRST STATE BANK	16.00
			FIRST STATE BANK	16.00
		AMERICAN FAMILY LIFE ASSURANCE COMPANY	AFLAC	1.42
			AFLAC	1.42
		UNITED WAY OF JUNCTION CITY-GEARY COUN	UNITED WAY	1.65
			UNITED WAY	1.65
			TOTAL:	1,094.56
SANITATION ADMINISTRAT	SANITATION FUND	INTERNAL REVENUE SERVICE	SOCIAL SECURITY WITHHOLDIN	108.16
			SOCIAL SECURITY WITHHOLDIN	101.67
			MEDICARE WITHHOLFING	25.30
			MEDICARE WITHHOLFING	23.77
		BLUE CROSS BLUE SHIELD OF KS	BLUE CROSS BLUE SHIELD	22.68
			BLUE CROSS BLUE SHIELD	22.68
			BLUE CROSS BLUE SHIELD	45.36
			BLUE CROSS BLUE SHIELD	45.36
			BLUE CROSS BLUE SHIELD	45.36
			BLUE CROSS BLUE SHIELD	45.36
			BLUE CROSS BLUE SHIELD	22.68
			BLUE CROSS BLUE SHIELD	22.68
		DELTA DENTAL (PAYROLL)	DELTA DENTAL OF KANSAS	16.20
			DELTA DENTAL OF KANSAS	16.20
			DELTA DENTAL OF KANSAS	3.28
			DELTA DENTAL OF KANSAS	3.28
		ADVANCE LIFE INSURANCE	ADVANCE LIFE INUSRANCE	11.29
		KANSAS PUBLIC EMPLOYEES	KPERS #1	111.20
			KPERS #1	108.69
			KPERS #2	35.30
			KPERS #2	29.72
			TOTAL:	866.22
NON-DEPARTMENTAL	DRUG & ALCOHOL ABU	INTERNAL REVENUE SERVICE	FEDERAL WITHHOLDING	308.87
			FEDERAL WITHHOLDING	308.87
			MEDICARE WITHHOLFING	29.86
			MEDICARE WITHHOLFING	29.86

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
		BLUE CROSS BLUE SHIELD OF KS	BLUE CROSS BLUE SHIELD	39.86
			BLUE CROSS BLUE SHIELD	39.86
		JUNCTION CITY POLICE	JCPOA	20.00
			JCPOA	20.00
		KANSAS DEPT OF REVENUE	STATE WITHHOLDING	112.21
			STATE WITHHOLDING	112.21
		KANSAS PUBLIC EMPLOYEES	KP&F	146.94
			KP&F	146.94
			TOTAL:	1,315.48
DRUG & ALCOHOL ABUSE	DRUG & ALCOHOL ABU	INTERNAL REVENUE SERVICE	MEDICARE WITHHOLFING	29.86
			MEDICARE WITHHOLFING	29.86
		BLUE CROSS BLUE SHIELD OF KS	BLUE CROSS BLUE SHIELD	151.18
			BLUE CROSS BLUE SHIELD	151.18
		DELTA DENTAL (PAYROLL)	DELTA DENTAL OF KANSAS	10.94
			DELTA DENTAL OF KANSAS	10.94
		ADVANCE LIFE INSURANCE	ADVANCE LIFE INUSRANCE	10.20
		KANSAS PUBLIC EMPLOYEES	KP&F	305.85
			KP&F	305.85
		CARD CENTER	WMART-CPA	41.90
			TOTAL:	1,047.76
NON-DEPARTMENTAL	SPECIAL LE TRUST F	INTERNAL REVENUE SERVICE	FEDERAL WITHHOLDING	39.94
			FEDERAL WITHHOLDING	39.94
			SOCIAL SECURITY WITHHOLDIN	22.06
			SOCIAL SECURITY WITHHOLDIN	22.06
			MEDICARE WITHHOLFING	7.62
			MEDICARE WITHHOLFING	7.62
		BLUE CROSS BLUE SHIELD OF KS	BLUE CROSS BLUE SHIELD	8.40
			BLUE CROSS BLUE SHIELD	8.40
		KANSAS DEPT OF REVENUE	STATE WITHHOLDING	15.88
			STATE WITHHOLDING	15.88
		KANSAS PUBLIC EMPLOYEES	KPERS #1	21.85
			KPERS #1	21.85
		INTRUST BANK	FIRST STATE BANK	12.50
			FIRST STATE BANK	12.50
			TOTAL:	256.50
SPECIAL LAW ENFORCEMEN	SPECIAL LE TRUST F	INTERNAL REVENUE SERVICE	SOCIAL SECURITY WITHHOLDIN	32.57
			SOCIAL SECURITY WITHHOLDIN	32.56
			MEDICARE WITHHOLFING	7.62
			MEDICARE WITHHOLFING	7.61
		JENNIFER ARNESON, DVM	DOG FOOD FIGO	69.38
			FIGO EXAM / BORDETELLA	54.50
			FRONTLINE FIGO	81.00
		BLUE CROSS BLUE SHIELD OF KS	BLUE CROSS BLUE SHIELD	75.59
			BLUE CROSS BLUE SHIELD	75.59
		CENTURY LINK	L031502750 DTF PHONE SERVI	38.31
		DELTA DENTAL (PAYROLL)	DELTA DENTAL OF KANSAS	5.47
			DELTA DENTAL OF KANSAS	5.47
		GEARY COUNTY PUBLIC WORKS	DTF FUEL FEBRUARY 2011	320.17
			DTF FUEL JANUARY 2011	394.62
		GEARY COUNTY SHERIFF	05-1002 ASSET SHARING	10,977.44
		ADVANCE LIFE INSURANCE	ADVANCE LIFE INUSRANCE	3.86
		KANSAS PUBLIC EMPLOYEES	KPERS #1	42.28
			KPERS #1	42.27

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
		NEX-TECH	DRUG TASK FORCE	5.81
		CARD CENTER	BRGR KING-DTF ENFORCEMENT	6.55
			MARRIOTT-DTF ENFORCEMENT	34.57
			ABBOND CAFE-DTF ENFORCEMEN	7.54
			MARRIOTT-DTF ENFORCEMENT	447.64
			SUNOCO-DTF ENFORCEMENT	8.25
			BURGESS LCK-WAREHOUSE DOOR	626.00
			1286J&R-BATTERY UNIT 229	34.32
			210911-WIPER BLADES #228	28.48
			202054ORAP-BTTY,THERM,WPR#	91.49
			QUANTICO-TRU UNIFORM 750	99.97
			TOTAL:	13,656.93

========== FUND TOTALS ==========

01	GENERAL FUND	422,928.62
02	GRANTS	24,778.23
10	SPIN CITY	2,503.83
12	BOND & INTEREST	50,856.58
14	MILITARY AFFAIRS/OLD TROO	990.00
15	WATER & SEWER FUND	31,882.26
17	ROLLING MEADOWS GOLF FUND	21,663.49
19	ECONOMIC DEVELOPMENT	3,371.36
22	SPECIAL HIGHWAY FUND	14.64
23	SANITATION FUND	1,960.78
47	DRUG & ALCOHOL ABUSE FUND	2,363.24
50	SPECIAL LE TRUST FUND	13,913.43
	GRAND TOTAL:	577,226.46

TOTAL PAGES: 24

SELECTION CRITERIA

SELECTION OPTIONS

VENDOR SET: 01-CITY OF JUNCTION CITY, KS
VENDOR: All
CLASSIFICATION: All
BANK CODE: All
ITEM DATE: 0/00/0000 THRU 99/99/9999
ITEM AMOUNT: 9,999,999.00CR THRU 9,999,999.00
GL POST DATE: 0/00/0000 THRU 99/99/9999
CHECK DATE: 3/10/2011 THRU 3/30/2011

PAYROLL SELECTION

PAYROLL EXPENSES: NO
CHECK DATE: 0/00/0000 THRU 99/99/9999

PRINT OPTIONS

PRINT DATE: None
SEQUENCE: By Department
DESCRIPTION: Distribution
GL ACCTS: NO
REPORT TITLE: APPROPRIATIONS-MAR 10-MAR 30 2011
SIGNATURE LINES: 0

PACKET OPTIONS

INCLUDE REFUNDS: YES
INCLUDE OPEN ITEM:NO

CITY COMMISSION MINUTES

March 15, 2011 7:00p.m.

The regular meeting of the Junction City City Commission was held on Tuesday, March 15, 2011 with Mayor Mike Rhodes presiding.

The following members of the Commission were present: Terry Heldstab, Scott Johnson, Mike Rhodes, Ken Talley, and Jack Taylor. Staff present was: City Manager Gerry Vernon, City Attorney Catherine Logan, and City Clerk Tyler Ficken.

PUBLIC COMMENT

Pat Landes of 203 S. Adams stated that he is aware that the developments on the west side of town are a source of City debt; developers and City staff need to work toward getting the specials paid. Mr. Landes stated that a timeline from the past to the future needs to be developed and an impact of the debt on the future needs to be discussed. Mr. Landes stated that he would like to receive periodic updates from the City Manager or Finance Director regarding the progress of housing development in town. Mr. Landes stated that the City Manager and the Finance Director have done a great job. Commissioner Johnson stated that the people who are running for Commission need to read the development agreements the City has entered into. Commissioner Johnson stated that the Commission approves payments at each meeting that goes to pay for debt as a result of bad ideas. Mr. Landes asked if the City has approached developers to move forward. Commissioner Johnson stated that if people cannot pay their taxes on the lots then the banks will not lend to these people.

Bruce McMillan stated that his intention is to update the City Commission on the activities of the Flint Hills Regional Council. Mr. Mcmillian stated that the group has increased from twelve members to eighteen. He stated that the City of Junction City is a major player in the region and the council. He stated that the Flint Hills Regional Council is currently working on a housing database that will be available in approximately 60 days.

Audrey Boller stated that she has made plans to be married in August on a farm, and plans to hold their reception at the municipal building. She stated that on February 11th she learned that the City no longer allows alcohol to be served at the Municipal Building. She stated that she would like to be grandfathered in, and be allowed to serve alcohol at her wedding reception. Commissioner Johnson stated that he would be in favor of allowing the event with alcohol. Mayor Rhodes and Commissioner Heldstab stated that they were also both in favor. City Attorney Logan stated that the item can be approved on a future agenda.

Andrew Riubedau spoke in opposition to the anti-Obama billboard and stated that the billboard negatively impacts morale on Ft. Riley. He stated that the billboards are not in City limits. Commissioner Johnson stated that Mr. Riubedau could contact the owner of the billboard and ask for the offensive material to be removed. Mayor Rhodes suggested that Mr. Riubedau speak with Grandview Plaza about the sign.

Larry Ruiz of 1926 McFarland stated that he will update the Commission on his malfeasance contract with the City of Junction City. He has made attempts to work with City staff and elected officials. Mr. Ruiz stated that he loves this City and his son is buried in the City. He stated that he needs to peruse this issue before the current Commission steps down. Mr. Ruiz stated that he is aware of the debt of the City; he pays his taxes and it is not cheap. Commissioner Johnson asked what the lawsuit is. Mr. Ruiz stated that 120 days have passed and an olive branch has been extended; he has asked for a meeting. Mr. Ruiz stated that this will end up in a jury trial in Topeka because he believes there is currently not fair jurisprudence in Junction City. Mr. Ruiz stated that this will be a long and drawn out process where former Mayor Wunder, Mayor Rhodes, Commissioner Heldstab, former City Manager Barnes, and former Codes Administrator Dave Hurley will be brought to trial. Mr. Ruiz stated that is would be in the best interest of the City to settle the issue out of court. Mr Ruiz stated that he will be going after the personal assets of individuals; they will have to defend themselves in court. Commissioner Johnson asked what the actual complaint is. Mr. Ruiz stated that it was in the newspaper. Commissioner Johnson stated that he remembers something in the paper but needs more information. City Attorney Logan stated that the lawsuit she believes Mr. Ruiz is referring to named numerous defendants including the City's law firm and individuals on the Commission. City Attorney Logan stated that frankly Mr. Ruiz's pleading made no sense because of a failure to provide the City with a claim prior to the lawsuit. Commissioner Johnson asked again what the claim was. City Attorney Logan stated that it is impossible to tell. Mr. Ruiz stated that his property was wrongfully condemned under imminent domain. City Attorney Logan stated the claim of Mr. Ruiz has been denied and he is free to file another lawsuit. City Attorney Logan stated that the City will be appointed the counsel of Fisher & Patterson in that instance. Mr. Ruiz stated that there are several counts against the City. Mayor Rhodes stated that this issue appears to be in the hands of the attorneys now. Commissioner Johnson stated that the City has been bending over backward to let people fix their properties. Mr. Ruiz stated that he was out of the country when his properties were condemned. Mr. Ruiz stated that this is nothing but a personal vendetta on the part of some individuals.

Robert Hacking of 702 W. 11th Street stated that he is able to familiarize the Commission with the property at 340 W. 5th Street that Mr. Ruiz has referred to. The structure was demolished and he was set aback by the unprofessional protocol that took place at the May 15, 2007 Commission Meeting. He stated that Mayor Wunder was not accepting of the improvements that had been made; at that meeting Mayor Wunder stated that Mr. Ruiz should have been at the meeting. He stated that Mayor Wunder moved, and was seconded by Commissioner Heldstab for condemnation. Commissioner Johnson stated that he would take the word of the people here tonight over the word of Mick Wunder. Commissioner Johnson stated that the dates need to be looked into. Commissioner Johnson stated that the City needs to work on this and not squirm out of it legally.

Vernon Thorn of 948 Grant Ave #239 stated that he has encountered discrimination and has been sold trailers with no title transfer taking place, and taxes have been shifted to him; the City and County are just trying to get taxes. Mr. Thorn stated that the 948 Grant Ave Park is in the worst condition in the City, and does not have a business license. Mr.

Thorn stated that a trailer is titled like a car, and titles have not been received from Regency. Mr. Thorn stated that he feels there is a double standard here; if you have a million dollar bank account then you get what you want. Commissioner Johnson stated that the park looks like a third world country and Regency needs to work to get a business license. Mr. Thorn stated that he would like the residents to be able to pay into an escrow account until improvements are made to the court, and a business license is granted. Mr. Thorn stated that he expects fair treatment. Mr. Thorn stated that due to taxes he was unaware of, he cannot get his car licensed, and management has taken his belongings. Mayor Rhodes stated that Mr. Thorn should contact the Geary County Treasurers office to resolve the tax issue. Mr. Thorn stated that items have been taken from his home and it is being treated as a civil matter and not a criminal matter. Chief Brown stated that he cannot comment on this case that is under investigation. Mr. Thorn stated that he was fired from Regency for revealing crimes. Commissioner Johnson stated that the people who own the property are not doing what they are supposed to do because it would not look that way if they did. Mayor Rhodes stated that multiple blights have been issued to the park. Mr. Thorn stated that he would like the park to not receive a business license until the park is cleaned up; they need to be hit in the pocket. Mr. Thorn requested that the City Commission join the side of the residents on this. Commissioner Johnson stated that it is difficult to comment without knowing more specifics but he knows that the place is a mess and something needs to be done. Mr. Thorn stated that it is the Commission that allows the conditions to exist. City Manager Vernon stated that the City Clean Team is working to address this issue with targeted enforcement.

CONSENT AGENDA

The consideration and approval of **Appropriation Ordinance A-6-2011** dated February 24, 2011 through March 9, 2011 in the amount of $707,331.70. Commissioner Heldstab moved, seconded by Commissioner Johnson to approve the consent agenda as presented. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried.

Approval of the **March 1, 2011** City Commission Meeting Minutes. Commissioner Heldstab moved, seconded by Commissioner Johnson to approve the consent agenda as presented. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried.

The consideration and approval of street closings on April 2, 2011 at the request of the Junction City Arts Council. Commissioner Heldstab moved, seconded by Commissioner Johnson to approve the consent agenda as presented. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried.

The consideration and approval of street closings on May 22, 2011 at the request of the Run for the Wall Committee. Commissioner Heldstab moved, seconded by Commissioner Johnson to approve the consent agenda as presented. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried.

The consideration and approval for the Mayor & City Manager to sign and submit application forms to the Kansas Housing Resources Corporation on behalf of the Open Door for general operations in the amount of $48,000.00. Commissioner Heldstab moved, seconded by Commissioner Johnson to approve the consent agenda as presented. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried.

The consideration and approval of budget cash transfer of $10,490.18 from the General Fund to Fund #54 Police Department Training Fund. Commissioner Heldstab moved, seconded by Commissioner Johnson to approve the consent agenda as presented. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried.

The consideration and approval of ambulance contractual obligation adjustments and bad debt adjustments. Commissioner Heldstab moved, seconded by Commissioner Johnson to approve the consent agenda as presented. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried.

SPECIAL PRESENTATIONS

A presentation by Schneider Electric. (Exhibit A)

A presentation and request to borrow Pennell photographs currently displayed at the Municipal Building by the Geary County Historical Society. Commissioner Talley moved, seconded by Commissioner Heldstab to allow the Geary County Historical Society to borrow the Pennell photographs currently displayed at the Municipal Building. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried.

A presentation by John York to discuss improvements to the bandstand in Heritage Park. Commissioner Talley moved, seconded by Commissioner Johnson to approve a concept design to be presented to the Commission for future consideration and permission to examine the structure. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried.

NEW BUSINESS

The consideration and approval to award bid for vehicle maintenance service. **Jim Germann Presenting.** IS Director Germann stated that the two bids will meet all the needs of City departments. Commissioner Johnson stated that he thought it was a good idea to use two shops to get vehicles back quickly. Commissioner Talley moved, seconded by Commissioner Johnson to accept bids from J&R Automotive and Your Automotive and to allow staff to enter into service contract with both vendors. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried.

The consideration and approval for renewal of the jail services contract. **Chief Brown Presenting.** Commissioner Johnson stated that City residents pay more for this service

because City residents pay City and County taxes. Commissioner Talley moved, Seconded by Commissioner Taylor to approve renewal of the jail services contract. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried.

The consideration of offers for the sale of properties: 617 N. Washington & 12.65 acres listed by the City as the Elmdale property. **Cheryl Beatty Presenting.** Finance Director Beatty stated that the City is able to sell the 617 N. Washington building as is given the mold issue. Commissioner Johnson stated that he would like to see a plan in place to complete and finance the project. Commissioner Heldstab asked if the shelving is still in the building. Finance Director Beatty stated that the shelving would be too expensive to remove to sell. Commissioner Johnson asked in the mold and all responsibilities of mold migration goes to the next owner. City Attorney Logan stated that the mold is the responsibility of the owner; a future claim from an adjoining property owner would fall under the City liability insurance policy. Commissioner Talley moved, seconded by Commissioner Heldstab to negotiate for the sale of City owned property at 617 N. Washington. Ayes: Heldstab, Johnson, Rhodes, Talley. Nays: Taylor. Motion carried. Finance Director Beatty stated that a Mr. Smith has offered $50,000.00 for the Elmdale property to build storage units. Commissioner Johnson suggested that the City hold the land because the value will come back to 10,000.00 per acre. Commissioner Talley moved, seconded by Commissioner Taylor to deny the sale of the Elmdale property. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried.

COMMISSIONER COMMENTS

Commissioner Johnson stated that he was pleased that so many people came to speak to the Commission. Commissioner Johnson stated that he is opposed to holding executive sessions and he provided attorney general opinions that the land sale issues should have been addressed during the regular session.

Commissioner Talley stated that he appreciates the attendance of the City Commission candidates at the meetings.

ADJOURNMENT

Commissioner Talley moved, seconded by Commissioner Taylor to adjourn at 9:22 PM Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: None. Motion Carried.

APPROVED AND ACCEPTED THIS 5th DAY OF APRIL 2011 AS THE OFFICIAL COPY OF THE JUNCTION CITY CITY COMMISSION MINUTES FOR MARCH 15, 2011.

Tyler Ficken, City Clerk

Mike Rhodes, Mayor

0.0 TABLE OF CONTENTS

1.0 EXECUTIVE SUMMARY

2.0 PROJECT OVERVIEW
- 2.1 Background
- 2.2 Scope of Audit
- 2.3 Baseline Building Energy Performance
- 2.4 Project Energy Conservation Summary
- 2.5 Facility Energy Savings by Month
- 2.6 Environmental Impact Reduction

3.0 FACILITY ASSESSMENT
- 3.1 Facility Descriptions and Observations

4.0 UTILITY AND ENERGY ANALYSIS
- 4.1 Weather City Analysis
- 4.2 Baseline Energy Use
- 4.3 Energy Savings
- 4.4 Utility Meter Summary
- 4.5 Utility Rate Schedules

5.0 WATER METER SUMMARY

6.0 REFERENCES

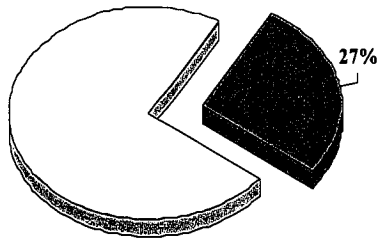
7.0 GLOSSARY OF TERMS

1.0 EXECUTIVE SUMMARY

Schneider Electric is honored to present this preliminary report based on the City of Junction City, KS' facility's utility history, drawings, site visits and meetings. This preliminary audit is broken up into three concentrations. The first concentration focuses on the City Buildings, and includes the information presented on the audit performed at the City Hall, Law Enforcement, Park Offices, Recreation and Community Center, Spin City, Street Department/Public Works, and Golf Course facilities. The second concentration focuses on the City's Traffic Signals. The final concentration focuses on the City's water and waster-water processes and plants. Schneider Electric would like to thank Cheryl Beatty and Gerry Vernon for their help and support through the audit.

Schneider Electric's Certified Energy Managers have conducted a preliminary audit on the buildings, lights and processes above and have analyzed the facilities for ways to save energy by upgrading the HVAC systems, equipment controls and lighting systems to current technologies, improve the overall comfort of the facilities, and improve the efficiencies of the processes. We have identified a list of Energy Conservation Measures (ECMs), which include lighting, HVAC, water and energy management upgrades to your current systems.

The purpose of this process is to identify energy savings and comfort improvement measures that would improve building, lighting and process sustainability. After analyzing the utility systems and buildings' opportunities, Schneider Electric has determined that most of the audited buildings and processes are viable candidates for a Performance Contracting Project. Schneider Electric estimates annual potential energy savings for the buildings to be **$17,049**, which results in savings of approximately **11%** of their associated electric and gas utility costs. The annual energy savings for the City traffic signal LED lighting s is estimated to be **$9,797**, saving **90%** of electric usage. The annual energy savings for the City water and wastewater treatment plants is estimated to be **$85,359**, saving **34%** of total utility costs. The pie chart on right shows the combined total of all three concentrations together. Additionally, Schneider Electric has determined there is a potential water revenue generation of **$160,000**.



Baseline Annual Utility Cost:	$413,769
Potential Annual Energy Savings:	$112,205
Savings Percentage:	27%

The next step in this process is to select Schneider Electric to perform an Investment Grade Audit (IGA). During the Investment Grade Audit, we will further define the potential energy conservation measures and their interactions and effects, along with any additional facility improvements requested by the City. By performing an IGA, Schneider Electric will be able to produce a report, which will finalize the energy conservation measures and possible ECMs identified in the Preliminary Energy Analysis, provide the cost and term, projected annual savings, guaranteed annual savings, and the scope of work.

We bring to Junction City the same ideas and philosophies that have ensured successful projects with all of our customers. It is our goal to:

- Be the industry leader in customer satisfaction through creative problem solving, performance assurance consulting, systems reliability, clear communications, and business integrity.
- Practice and promote conservation of the earth's natural resources and improve the environment through effective energy conservation and responsible management of waste materials.
- We are committed to being **"THE BEST THERE IS"** in our industry.

Sincerely,

Megan Berry
Schneider Electric Energy Solutions

2.0 PROJECT OVERVIEW

2.1 BACKGROUND

This preliminary report represents an analysis of energy savings measures and process and lighting improvements available to the City of Junction City's facilities. In it, Schneider Electric has identified measures that bring value to the city either through increasing energy efficiency or upgrading the facilities. For each measure, an energy cost savings rationale is included as well as a description of the analysis methodology, supporting utility data and assumptions used to derive savings, if applicable.

2.2 SCOPE OF AUDIT

The purpose of this preliminary audit is to determine, through field surveys and computer simulation, facility upgrades and energy-related efficiency improvements that could and should be made at the City of Junction City. Consideration was taken for solutions that would have a positive life cycle cost as well as solutions that, while not self-funding, could improve occupant comfort and building efficiency. During the Investment Grade Audit (IGA), the ultimate deliverable is a turnkey project proposal for the design, implementation, commissioning and monitoring of the proposed improvements.

The table below summarizes the buildings that were surveyed.

Building Summary — City of Junction City, KS

Building Name	Primary Facility Use	Area	Year Built	# Floors
Name	*Use*	*ft2*	*Year*	*#*
City Hall	Office Bldg - 1 or 2 Story	76,000	1950 or Before	3
Law Enforcement	Office Bldg - 1 or 2 Story	14,000	1981 to 1990	1
Park Offices	Storage, Unconditioned	21,200	1971 to 1980	1
Recreation and Community Center	Community Center	23,700	1991 to 2000	1
Spin City	Community Center	23,500	1971 to 1980	1
Street Department	Storage, Unconditioned	12,700	1971 to 1980	1
Total		**171,100**		

Note that the square footage includes unconditioned and heat-only spaces, such as the garage on the Streets Department/Public Works building.

Also note that Schneider Electric did NOT include any data from the Golf Course. After surveying, it was determined that this facility is better served by investing in building repair instead of energy conservation measures. (A description of the facility is included in Section 3.0 for your reference)

Schneider Electric evaluates each building and each system within a building in terms of age, condition and performance. Some or all of the following were studied for each building:

- Original Engineer of Record's Design Intent, Blueprints, Mechanical Schedules
- Occupant Comfort Complaints
- Existing Heating Ventilating and Air conditioning Systems
- Existing Lighting Systems
- Miscellaneous Electrical Loads
- Future Needs
- Master Plans for Future Expansion

2.3 BASELINE BUILDING ENERGY PERFORMANCE

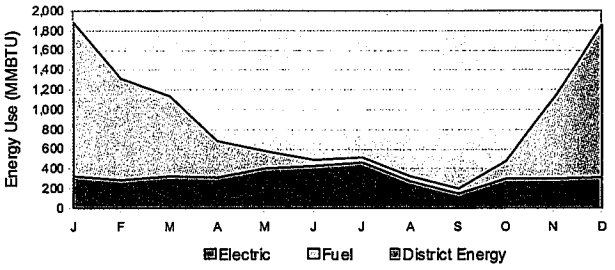
Energy Performance

The graph labeled "Baseline Energy Consumption" is a stacked area graph which shows the total annual energy consumption, both electric and fuel, of the City of Junction City's Buildings. The graph labeled "Baseline Energy Demand" is also a stacked area graph which shows the month-to-month peak electrical demand. The graph labeled "Building Impact" is a pie chart that shows the percentage of the total energy that is consumed by each of the facilities audited. The center table lists the quantities of energy consumed, as well as cost indices for each of the facilities analyzed in this project scope.

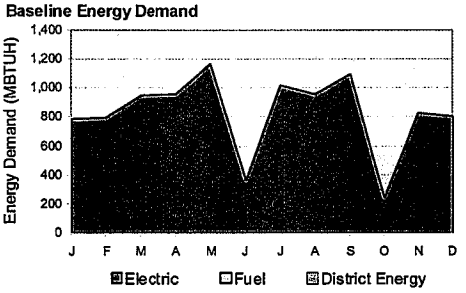
Facility Energy Consumption and Expenditures Summary — City of Junction City, KS

Energy Use

Baseline Energy Consumption

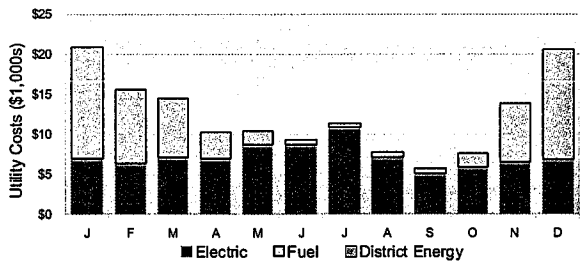


Baseline Energy Demand

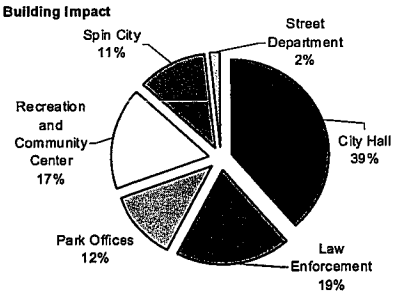


	Energy Use			Energy Demand	Cost	Baseline Annual Energy Indicies		
	Electric	Fuel	Total	Electric	Total	Energy Use Intensity	Cost per ft2	Load Factor
Building	*kWh*	*MMBTU*	*MMBTU*	*kW*	*$/year*	*kBTU/sf-yr*	*$/sf-yr*	*%*
City Hall	445,864	2,525	4,047	1,176	$57,002	53.2	$0.75	51.9%
Law Enforcement	360,277	797	2,027	636	$33,465	144.8	$2.39	77.6%
Park Offices	31,094	1,164	1,270	108	$13,267	59.9	$0.63	39.4%
Recreation and Community Center	182,500	1,214	1,837	615	$25,694	77.5	$1.08	40.7%
Spin City	116,868	818	1,216	390	$17,054	51.8	$0.73	41.1%
Street Department	3,710	170	182	0	$2,293	14.4	$0.18	-
All Total	**1,140,315**	**6,688**	**10,580**	**2,925**	**$148,775**	**61.8**	**$0.87**	

Baseline Energy Costs



Building Impact



2.4 PROJECT ENERGY CONSERVATION SUMMARY

Upon surveying the building and discussion with the staff, several opportunities were identified and chosen as energy conservation measures (ECMs) to be implemented at Junction City. The following ECMs will be the source for the majority of the savings at the Junction City facilities.

Energy Conservation Measures

ECM 1: SCHEDULING OF HVAC SYSTEMS CITY-WIDE

Currently, most HVAC Systems in most city facilities are operating 24/7. Significant energy savings can be found in disabling these systems when the buildings are unoccupied.

Schneider Electric recommends installing a system capable of scheduling the HVAC systems in the city's facilities.

The City already has a Building Automation System (BAS) installed in the Law Enforcement building. This system controls the operations of the HVAC system and is expandable to other facilities. Schneider Electric recommends expanding this system into other City buildings to enable/disable or control HVAC equipment by scheduling the equipment off after-hours, regulating temperature from a central location, and monitoring equipment to ensure proper operation.

Some City facilities employ programmable thermostats to accomplish scheduling and energy savings. While effective, the City may elect to expand the BAS to these buildings as well in order to remotely monitor and control the HVAC systems there, an added benefit above programmable thermostats. Expanding the system to these facilities would yield few energy-savings dollars, assuming that the programmable thermostats in fact are running a program and are not running in 24/7 "Hold" mode.

- This ECM should be applied to the City Hall, Park Offices, Recreation and Community Center and Street Department.
- This ECM could be optionally applied at Spin City for remote monitoring and control purposes. This facility is already scheduled with programmable thermostats.
- Savings result when HVAC systems are disabled during unoccupied hours, resulting in no energy use by the HVAC equipment.

ECM 2: RETROFIT T-12 LIGHTING TO T-8

The latest lighting technology offers many improvements over the T-12 systems that are currently in place at most city facilities. The new lamps are known as "T8" lamps due to their shape and diameter but this only tells part of the story. The phosphors used in these lamps produce more light than previous lamps. These phosphors also generate a diverse spectrum of color that causes objects to be viewed in a more true-to-life appearance. This is known as a lamp's "color rendering" index. A broad range of colors and CRI's are available.

The electronic ballasts used also have many advantages over previous ballast technology. They are lighter, cooler, more efficient, have better power factors, and their high-frequency operation all but eliminates annoying lamp "flicker" and humming.

- This ECM should be applied to the City Hall, Law Enforcement Center, Park Offices, Recreation and Community Center and Street Department.
- Savings come from reduced energy consumption for the same light output from the new lamps.

ECM 3: RETROFIT HID LIGHTING TO T-8

The family of high intensity discharge lamps includes metal halide, high-pressure sodium and low-pressure sodium technologies. High-Bay fluorescent fixtures are designed to provide lighting quality at or above the current quality of the best HID systems. Fluorescent lamps have superior "color rendering" index (CRI)

compared to metal halide lamps. A broad range of colors and CRI's are available. Also the electronic ballast used give instant "on – off" capabilities—a huge advantage when it is desirable to use the facility at any given moment while still wanting to turn lights off when the space is not in use.

- This ECM should be applied to the Recreation and Community Center's Gymnasium and City Hall's Gymnasium.
- Savings come from reduced energy consumption for the same light output from the new lamps.

ECM 4: REPLACE MECHANICAL EQUIPMENT

Existing unitary equipment, which would consist of packaged rooftop units and split systems, can have Seasonal Energy Efficiency Ratings (SEER) ratings of 6 SEER or lower. The low efficiency is mostly due to the age and condition of the equipment. Newer systems can be installed with efficiency of a 13 SEER or higher. This efficiency increase results in significant energy savings.

Due to local and national codes, building ventilation air must be upgraded at the time of a mechanical equipment replacement. Currently, it appears as though the majority of city buildings lack adequate ventilation air by today's standards. Therefore, it is highly likely that additional ventilation air will be required to be introduced into the spaces that the new mechanical equipment will serve. By introducing new air, the district can expect a healthier indoor environment, reducing absenteeism, employee sick days, and potentially increasing employee performance. Unfortunately, there is also a downside. What energy savings might result from mechanical replacement is usually reduced if not altogether eliminated by the need to treat this larger amount of outdoor air for delivery into the space.

For the purposes of this preliminary report, Schneider Electric has NOT calculated the potential energy savings associated with this ECM due to the fact Spin City was determined to be the only facility as a viable candidate for HVAC replacement, and due to the fact that Spin City will require significant code-mandated ventilation air because it is a high-occupancy facility. During a detailed analysis, Schneider Electric will quantify how much ventilation air will be necessary. It will then quantify the energy savings by accounting for this ventilation air and the newer, higher efficiency equipment.

- This ECM should be applied to Spin City's Rooftop Units.
- Savings come from reduced energy consumption due to higher efficiency equipment.
- Savings may be reduced or eliminated if significant amounts of additional ventilation air are required by code.

ECM 5: TRAFFIC SIGNAL LIGHT EMITTING DIODE (LED) RETROFIT

Traffic signal lights have, since their inception, used incandescent bulbs for operation. Recent advances in solid state semiconductor technology have made light emitting diodes (LED's) the light source of choice in almost all new traffic signals manufactured, as well as for retrofitting existing fixtures. LED's consume about 80% less energy than the incandescents they replace, and last almost indefinitely. While the energy savings realized are very significant, another great benefit is in eliminated maintenance visits. The risk to motorists and pedestrians of burned-out signals is drastically reduced, as are risks to service personnel, typically working in bucket trucks in active intersections.

ECM 6: WASTE WATER TREATMENT PLANT (WWTP) IMPROVEMENTS

Schneider Electric personnel visited the East WWTP and the Southwest WWTP. Both of these plants are operated by Veolia Water for Junction City. Based on a preliminary analysis of these plants, there appears to be significant savings potential. Water and Wastewater treatment plants are typically the largest consumers of energy in most cities. The Junction City WWTP facilities together use over $250,000 of electricity per year. A common unit of measure for plant efficiency is to compare the electricity used at the plant (kWh or kilowatt Hours) with the treated water volume (MG or Million Gallons). Typical WWTPs with the capacity of the Southwest and East plants will use 1,911 kWh per MG of water treated. The

Southwest WWTP is currently using 8,898 kWh per MG, indicating a very good opportunity for savings. Violia staff members at the plant were extremely helpful during the site visit and described a number of changes that had been made to plant operations over the years to help operation costs. However, approximately 60% of the plant influent is meat and poultry products (MPP) wastewater flow from a nearby meat packing plant. This creates special concerns for the WWTP with increased suspended solids and oxygen demand relative to typical domestic waste flows. In particular, the Southwest plant appears to experience a heavy grease load from the MPP flow. This causes problems at the plant inlet screens and dissolved air floatation units where significant amounts of hot water have to be applied to avoid clogging issues. Operations at the plant have been optimized to the extent possible given the current plant design. Equipment upgrades that may be accomplished with an energy savings project could include, fine bubble diffusers, precise dissolved oxygen control and upgrading to high efficiency motors. Furthermore, the removal of grease from the MPP influent at this plant is a major priority. Most MPP facilities that discharge directly to publicly-owned treatment plants employ equipment to accomplish primary treatment of their waste flow (removal of floatable and settleable solids). Grease traps and other specialized equipment are available for this function.

The East WWTP is currently operating at 2,140 kWh per MG of water treated. This is much closer to expected operation efficiency, but there are savings opportunities at this plant also. The plant has existing fine bubble diffusers for aeration which are an efficient means of aeration, but control of dissolved oxygen (DO) levels is accomplished manually. Precise dissolved oxygen control is recommended at this plant.

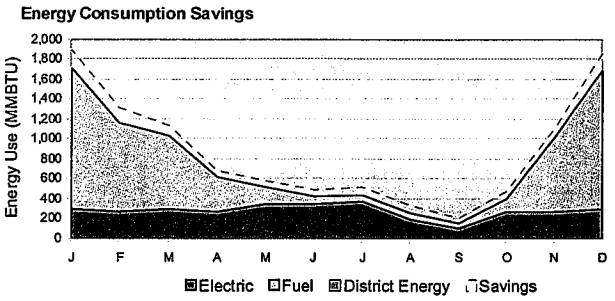
2.5 FACILITY ENERGY SAVINGS BY MONTH

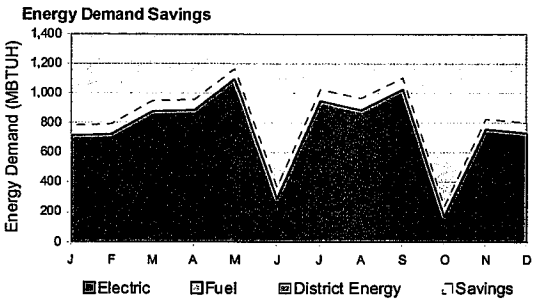
Energy Savings

The table and graphs below list the monthly utility and monetary savings that the City of Junction City can accrue if the above ECMs are implemented. On the graphs, the dotted lines show the baseline energy savings, the solid areas indicate the usage after a project, and the difference is the energy savings.

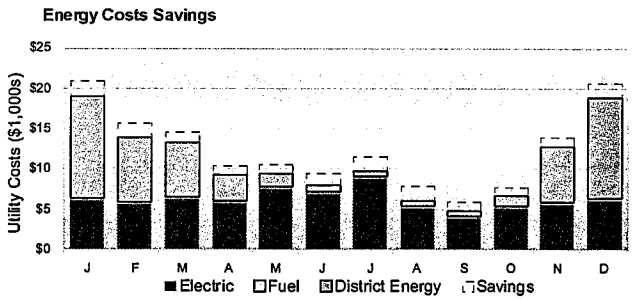
Facility Energy Consumption and Demand Savings Summary — City of Junction City, KS

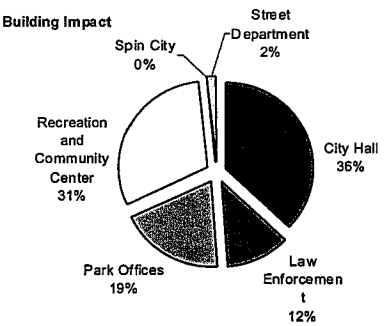
Energy Use





	Energy Savings			Demand Savings	Cost Savings	Post Annual Energy Indicies		
	Electric	Fuel	Savings Total	Electric	Savings Total	Energy Use Intensity	Cost per ft2	Load Factor
Building	*kWh*	*MMBTU*	*MMBTU*	*kW*	*$/year*	*kBTU/ft²*	*$/sf-yr*	*%*
City Hall	62,421	227	440	47	$6,196	47.5	$0.67	46.5%
Law Enforcement	54,488	(46)	140	67	$3,374	134.8	$2.15	73.7%
Park Offices	3,689	215	228	12	$2,073	49.2	$0.53	39.1%
Recreation and Community Center	41,713	222	364	128	$5,226	62.1	$0.86	39.6%
Spin City	0	0	0	0	$0	51.8	$0.73	-
Street Department	0	20	20	0	$180	12.8	$0.17	-
All Total	**162,311**	**639**	**1,192**	**254**	**$17,049**	**54.9**	**$0.77**	



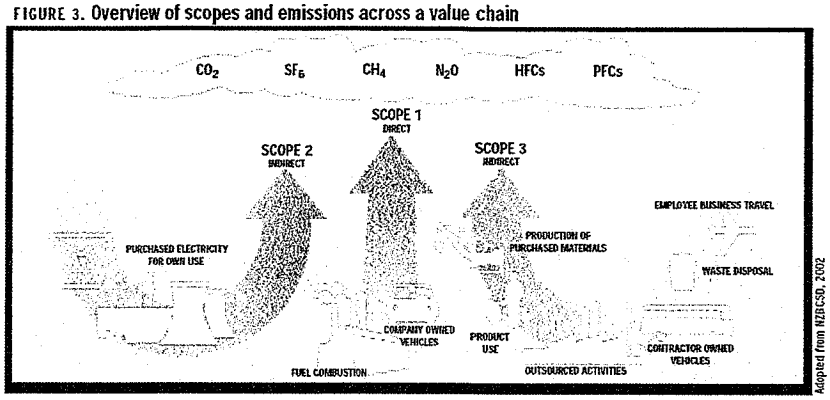


2.6 ENVIRONMENTAL IMPACT REDUCTION

CARBON FOOTPRINT

In an effort to determine the environmental impact of a specific building or entity, there has been a growing trend to quantify the facility's Carbon Footprint. The carbon footprint is a measure of the amount of Greenhouse Gas (GHG) emissions of a facility in terms of carbon dioxide (CO_2).

FIGURE 3. Overview of scopes and emissions across a value chain



Adopted from WBCSD, 2002

In order to accurately determine the carbon footprint for any facility there are many variables required, including methods of transportation to and from the facility, activities that occur at the facility and the materials purchased for use at the facility to name a few. The Green House Gas (GHG) Protocol categorizes these into Scope items where each individual scope is reported separately.

SCOPE 1 – DIRECT EMISSIONS
On-Site Combustion
Company Owned Vehicles

SCOPE 2 – INDIRECT EMISSIONS
Procured Energy

SCOPE 3 – OTHER INDIRECT
Commuter Transportation
Business Travel
Product Use
Construction Energy

* The above lists are not meant to be exhaustive, rather representative of the expected energies that are associated with each scope item.

THE RESULTS

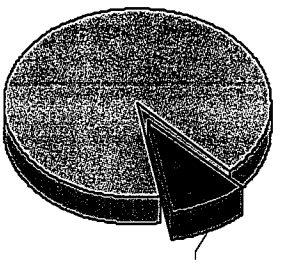
According to the 2006 Environmental Protection Agencies report Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2004, roughly 86% of all carbon equivalent emissions come from energy-related activities. With this average, it is obvious that any energy conservation strategies employed as part of a project with Schneider Electric would impact the largest contributor of greenhouse gas emissions in the United States.

2.0 PROJECT OVERVIEW

Environmental Impact Report | **City of Junction City, KS**

Energy Usage Summary

	Scope 1	Scope 2	Scope 3
Total Energy (MMBTU)	6,688	3,892	-
Total Emission (Tons CO_2e)	390	762	-
Total Savings (Tons CO_2e)	37	108	-



146 eTons GHG | **31** Cars Removed | **19** Equivalent Houses | **5,828** Trees Planted

*Emissions factors are derived from EPA eGrids database and represent the National average.

The information provided is a representation of all Scope 1 and Scope 2 emissions of the facility at their current rates, and how much of an impact conducting the project as detailed would curb current GHG emissions. Included are three of the 6 major anthropogenic Greenhouse Gases as identified by the Kyoto Protocol and their respective carbon equivalencies to determine the overall carbon impact the facility has through its energy usage.

NEXT STEPS

There are several initiatives occurring across the world that are setting benchmarks to curb GHG emissions over the next several decades. Because of this, Schneider Electric is making strides in providing tools necessary to determine a carbon footprint for organizations like the American College and University Presidents Climate Commitment. If it is desired, Schneider Electric would be willing to provide guidance in understanding the Scope 3 emissions of your organization to determine your total carbon footprint. As a result, the findings would provide added benefit and direction as to where efforts should be concentrated to make significant strides in reducing your environmental impact.

3.0 FACILITY ASSESSMENTS

3.1 FACILITY DESCRIPTIONS AND OBSERVATIONS

Building Description

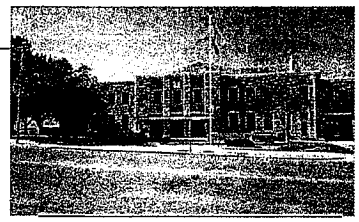
City of Junction City

City Hall/Fire Station

Size (ft²): 76,000
Built: 1936
Renovations: 1994
Primary Use: Offices/Fire Station
Floors: 3/2
Electric Tariffs: Westar SGS
Fuel Tariffs: Kansas Gas Service - General Service

Building Operating Schedule

Day Type	Occupancy	HVAC
Weekday	8am-5pm/24/7	24/7
Weekend	None/24/7	24/7
Holiday	None/24/7	24/7



HVAC System

Plant Equipment

Plant	Age	Type	Model	Size	Fuel	Eff
N/A						

Air-side Equipment

ID	Type	Control	Total Fan HP	OA	Pres Cond.	Areas Served
Furnace	90%+ 2-Stage Variable Gas Furnace with DX Cooling	Thermostat	?10 HP	?10%	Good	All City Hall but Gym, Conf. Room
Gym	DX AHU with 80% Gas Duct Furnace	Thermostat	?10 HP	?10%	Good	Gym
Conference	DX AHU with Electric Heat	Thermostat	?1/4 HP	?10%	Good	City Hall Conference Room
RTU	80% Gas/DX Cooling Rooftop Unit	Thermostat	?5 HP	?10%	Fair	Fire Station
RAD	Gas-Fired Radiant Heat	Thermostat	0 HP	0%	Good	Fire Station Garage
MUA	Direct-Fired Gas Make-Up Air Unit	Proprietary	?1/2 HP	100%	Good	Fire Station Garage

Lighting Systems

Primary: T-12
Secondary: T-8, Metal Halide
Exterior: HID
Exit Signs: Converting to LED

Energy Management System

Brand: N/A
Type: N/A
Age: N/A
Condition: N/A

Setpoints
Heating: *Var* F
Cooling: *Var* F

Domestic Water Systems

DHW Fuel: Gas
DHW Size: 75,000 BTUH
Toilets: Standard
Faucets: Standard

Building Envelope

Type	Description	Condition
Exterior	Block	Good
Windows	Double-Pane, Mostly Operable	Good
Roof	DuroLast	Good

Utility Meters

Type	Account Number	Area Served	Mult.
Elec.	4603517151	Whole Building	N/A
Gas	51 0303391 1547434 27	Whole Building	N/A

Comments and Observations

> Comfort Complaints a result of how the current HVAC system is zoned
> None of the thermostats that can be programmed have a program running in them
> Most HVAC equipment is premium efficiency

Facility Photos

Programmable Thermostat in hold

High-Efficiency Gas Furnaces

Radiant Heat

ECM Opportunities and Facility Upgrades

> Expand TAC/CSI Control System to include City Hall/Fire Station and schedule HVAC equipment
> Install Motion Sensors on lighting systems
> Convert remain T-12 fixtures to T-8
> Convert metal halide fixtures in gym to high-bay T-8

3.0 FACILITY ASSESSMENTS

Building Description

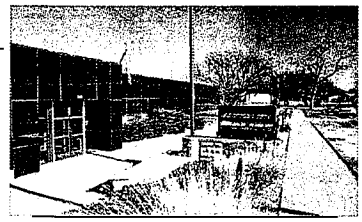
City of Junction City

Law Enforcement

Size (ft²): 14,000
Built: 1990
Renovations: None
Primary Use: Police Station
Floors: 1
Electric Tariffs: Westar SGS
Fuel Tariffs: Kansas Gas Service General Service

Building Operating Schedule

Day Type	Occupancy	HVAC
Weekday	24/7	24/7
Weekend	24/7	24/7
Holiday	24/7	24/7



HVAC System

Plant Equipment

Plant	Age	Type	Model	Size	Fuel	Eff
N/A						

Air-side Equipment

ID	Type	Control	Total Fan HP	OA	Pres Cond.	Areas Served
VAV	Gas/DX Packaged Rooftop Variable-Air Volume Unit	DDC	?20 HP	?10%	Good	Whole Building

Lighting Systems

Primary: T-12
Secondary: Incandescent
Exterior: HID
Exit Signs: Incandescent

Energy Management System

Brand: CSI
Type: iNet
Age: 20
Condition: Good

Setpoints
Heating: *Var* F
Cooling: *Var* F

Domestic Water Systems

DHW Fuel: Gas
DHW Size: 65,000 BTUH
Toilets: Standard
Faucets: Standard

Building Envelope

Type	Description	Condition
Exterior	Masonry Panel	Good
Windows	Double-Pane	Good
Roof	Built-Up	Good

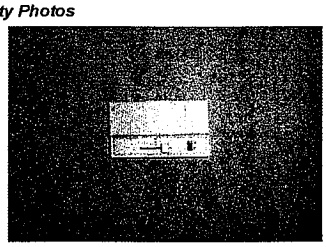
Utility Meters

Type	Account Number	Area Served	Mult.
Elec.	9417111097	Whole Building	N/A
Gas	51 0475508 154631 0 18	Whole Building	N/A

Comments and Observations

> Building houses the 911 Call Center but there is no jail in the building
> By virtue of layout, practically all of the space in the building is occupied 24/7
> South office may have some scheduling potential
> Staff aggressively turn off lights. Several areas that were unoccupied were unlit.

Facility Photos



DDC Thermostat

Gas Unit Heater

T-12 Lighting

ECM Opportunities and Facility Upgrades

> Convert T-12 to T-8
> Schedule south offices

3.0 FACILITY ASSESSMENTS

Building Description

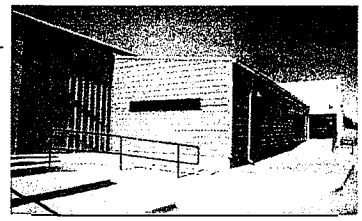
City of Junction City

Spin City

Size (ft²): 23,500
Built: 1970s
Renovations: 2008
Primary Use: Youth Recreation
Floors: 1
Electric Tariffs: Westar SGS
Fuel Tariffs: Kansas Gas Service General Service

Building Operating Schedule

Day Type	Occupancy	HVAC
Friday	6pm-11pm	5pm-12am
Saturday	1pm-11pm	12pm-12am
Sunday	2pm-6pm	1pm-7pm



HVAC System

Plant Equipment

Plant	Age	Type	Model	Size	Fuel	Eff
N/A						

Air-side Equipment

ID	Type	Control	Total Fan HP	OA	Pres Cond.	Areas Served
RTU	Gas/DX Packaged Rooftop Units	Thermostat	<5 HP	?10%	Fair	Skating Rink
SS	90% Gas/DX Split Units	Thermostat	<5 HP	0%	Good	Perimeter Areas

Lighting Systems

Primary: High-Bay T-5HO
Secondary: T-8
Exterior: HID
Exit Signs: Fluorescent

Energy Management System

Brand: N/A
Type: N/A
Age: N/A
Condition: N/A

Setpoints
Heating: *Var* F
Cooling: *Var* F

Domestic Water Systems

DHW Fuel: Unable to Survey
DHW Size: Unable to Survey
Toilets: Standard
Faucets: Standard

Building Envelope

Type	Description	Condition
Exterior	Metal	Good
Windows	Double-Pane	Good
Roof	Metal	Good

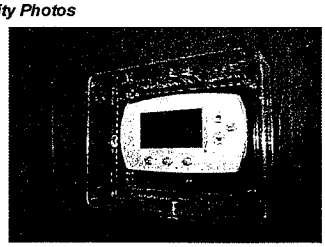
Utility Meters

Type	Account Number	Area Served	Mult.
Elec.	3253253087	Whole Building	N/A
Gas	51 8303391 1478917 64	Whole Building	N/A

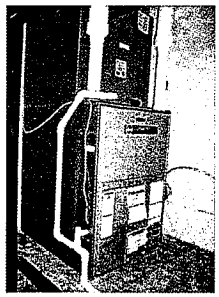
Comments and Observations

> Building underwent major renovation two years ago
> Thermostats have been boxes to prevent vandalism and tampering, but contribute to temperature swings
> Building has various and sophisticated lighting systems for skating rink
> Majority of HVAC equipment is new, but two RTUs are existing that are original to the building

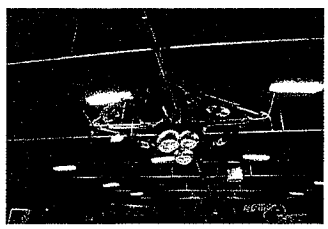
Facility Photos



Boxed Thermostat



Typical High-Efficiency Furnace



Sophisticated Lighting Systems

ECM Opportunities and Facility Upgrades

> Extend DDC System into Building to remove thermostat boxes and control building centrally
> Replace old RTUs with high-efficiency RTUs

3.0 FACILITY ASSESSMENTS

Building Description

City of Junction City

Recreation and Community Building

Size (ft²): 23,700
Built: 1998
Renovations: None
Primary Use: Community Center
Floors: 1
Electric Tariffs: Westar SGS
Fuel Tariffs: Kansas Gas Service General Service

Building Operating Schedule

Day Type	Occupancy	HVAC
Weekday	Varies	24/7
Weekend	Varies	24/7
Holiday	Varies	24/7

HVAC System

Plant Equipment

Plant	Age	Type	Model	Size	Fuel	Eff
N/A						

Air-side Equipment

ID	Type	Control	Total Fan HP	OA	Pres Cond.	Areas Served
SS	90% Gas/DX Split Systems	Thermostat	<5 HP	0%	Good	All except Gym
RTU	Gas/DX Packaged Rooftop Unit	Thermostat	<5 HP	?10%	Good	Gym

Lighting Systems

Primary: T-12
Secondary: T-8
Exterior: HID
Exit Signs: Fluorescent

Energy Management System

Brand: N/A
Type: N/A
Age: N/A
Condition: N/A

Setpoints
Heating: *Var* F
Cooling: *Var* F

Domestic Water Systems

DHW Fuel: Gas
DHW Size: 150000 BTUH
Toilets: Standard
Faucets: Standard

Building Envelope

Type	Description	Condition
Exterior	Block/Brick/Metal	Fair
Windows	Double-Pane	Good
Roof	Metal	Fair

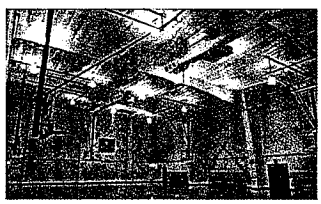
Utility Meters

Type	Account Number	Area Served	Mult.
Elec.	6131600583	Whole Building	N/A
Gas	51 07691 33 161 0378 73	Whole Building	N/A

Comments and Observations

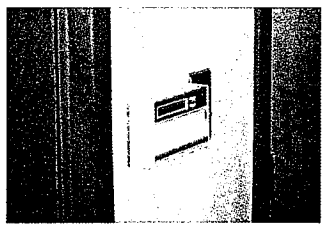
> Gym floor has buckled due to humidity
> The building is not zoned well, causing comfort complaints
> Programmable Thermostats were found with bad programs in them
> Building Hours are very flexible and inconsistent

Facility Photos



Metal Halide Lighting

Typical High-Efficiency Furnace



Programmable Thermostat

ECM Opportunities and Facility Upgrades

> Convert T-12 Lighting to T-8, and Convert Metal Halide Lighting to High-Bay T-8
> Extend DDC System and schedule HVAC equipment
> Incorporate humidity control scheme on gym

Building Description

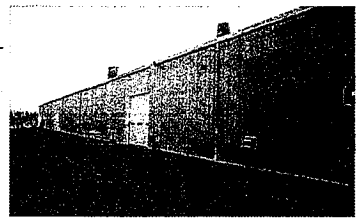
City of Junction City

Water Utility and Parks Offices

Size (ft^2): 21,200
Built: Unknown
Renovations: Unknown
Primary Use: Shops
Floors: 1
Electric Tariffs: Westar SGS
Fuel Tariffs: Kansas Gas Service General Service

Building Operating Schedule

Day Type	Occupancy	HVAC
Weekday	7am-4pm	24/7
Weekend	None	24/7
Holiday	None	24/7



HVAC System

Plant Equipment

Plant	Age	Type	Model	Size	Fuel	Eff
N/A						

Air-side Equipment

ID	Type	Control	Total Fan HP	OA	Pres Cond.	Areas Served
SS	90% high-Efficiency Gas/DX Split System	Thermostat	<1 HP	0%	Good	Offices
UH	Gas Unit Heater	Thermostat	?2 HP	0%	Good	Shop

Lighting Systems

Primary: T-12
Secondary: T-8
Exterior: HID
Exit Signs: Fluorescent

Energy Management System

Brand: N/A
Type: N/A
Age: N/A
Condition: N/A

Setpoints
Heating: *Var* F
Cooling: *Var* F

Domestic Water Systems

DHW Fuel: Electric
DHW Size: 20 gallon
Toilets: Standard
Faucets: Standard

Building Envelope

Type	Description	Condition
Exterior	Metal	Good
Windows	Double-Pane	Fair
Roof	Metal	Poor

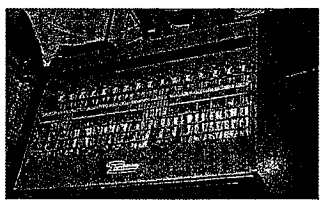
Utility Meters

Type	Account Number	Area Served	Mult.
Elec.	3482262049	Whole Building	N/A
Gas	510303391 154802445	Whole Building	N/A

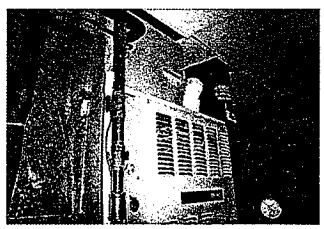
Comments and Observations

> Roof vents have been abandoned and leak during inclement weather
> Shop is well day-lit with enough natural light to not need overhead lighting during the day
> Lamps in shop are F96-type with single-pin
> Minimal Employees in building most of the time

Facility Photos



Metal Halide Lighting



High-Efficiency Furnace

Naturally-Lit Shop

ECM Opportunities and Facility Upgrades

> Extend DDC System to schedule HVAC Equipment

Building Description

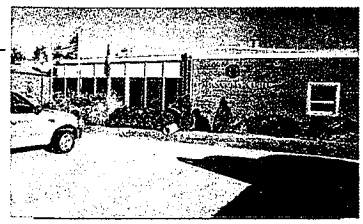
City of Junction City

Public Works/Street Department

Size (ft²): 12,700
Built: 1978
Renovations: None
Primary Use: Shop
Floors: 1
Electric Tariffs: Westar SGS
Fuel Tariffs: Kansas Gas Service General Service

Building Operating Schedule

Day Type	Occupancy	HVAC
Weekday	7a-4pm	24/7
Weekend	None	24/7
Holiday	None	24/7



HVAC System

Plant Equipment

Plant	Age	Type	Model	Size	Fuel	Eff
N/A						

Air-side Equipment

ID	Type	Control	Total Fan HP	OA	Pres Cond.	Areas Served
RTU	Gas/DX Packaged Rooftop Unit	Thermostat	<1 HP	?0%	Poor	Offices
RAD	Gas Radiant Heater	Thermostat	0 HP	0%	Fair	Shop
UH	Gas Unit Heater	Thermostat	<1 HP	0%	Fair	Shops

Lighting Systems

Primary: T-12
Secondary: T-8
Exterior: HID
Exit Signs: LED

Energy Management System

Brand: N/A
Type: N/A
Age: N/A
Condition: N/A

Setpoints
Heating: *Var* F
Cooling: *Var* F

Domestic Water Systems

DHW Fuel: Gas
DHW Size: 32,000 BTUH
Toilets: Standard
Faucets: Standard

Building Envelope

Type	Description	Condition
Exterior	Brick	Fair
Windows	Single-Pane	Fair
Roof	Built-Up	Good

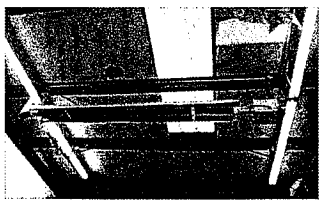
Utility Meters

Type	Account Number	Area Served	Mult.
Elec.	7635853410	Whole Building	N/A
Gas	51 0394466 156271 7 64	Whole Building	N/A

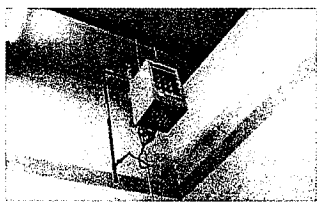
Comments and Observations

> Shop exterior is metal, not brick as stated above
> Shop is heated with highly-efficient radiant-heat, excepting one small shop
> Waste oil is on site for potential fuel source
> Exterior overhead doors are uninsulated and unsealed, leading to high draft and infiltration

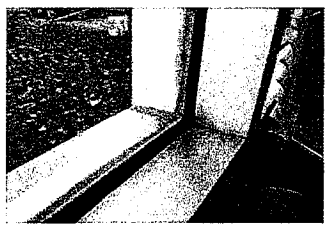
Facility Photos



Gas Radiant Heat



Gas Unit Heater



Single-Pane Windows

ECM Opportunities and Facility Upgrades

> Extend DDC System to schedule HVAC
> Convert T-12 lighting to T-8

Building Description

City of Junction City

Golf Course Buildings

Size (ft²): 10,500
Built: Varies
Renovations: None
Primary Use: Club House
Floors: 2
Electric Tariffs: Westar SGS
Fuel Tariffs: None

Building Operating Schedule

Day Type	Occupancy	HVAC
Weekday	8am-8pm	24/7
Weekend	8am-8pm	24/7
Holiday	None	24/7

HVAC System

Plant Equipment

Plant	Age	Type	Model	Size	Fuel	Eff
N/A						

Air-side Equipment

ID	Type	Control	Total Fan HP	OA	Pres Cond.	Areas Served
SS	Electric/DX Split System	Thermostat	<1 HP	0%	Poor	Whole Club House

Lighting Systems

Primary: T-12
Secondary: T-8
Exterior: HID
Exit Signs: Fluorescent

Energy Management System

Brand: N/A
Type: N/A
Age: N/A
Condition: N/A

Setpoints
Heating: *80* F
Cooling: *Var* F

Domestic Water Systems

DHW Fuel: Electric
DHW Size: 4.5 kW
Toilets: Standard
Faucets: Standard

Building Envelope

Type	Description	Condition
Exterior	Wood Siding	Very Poor
Windows	Single Pane	Compromised
Roof	Shingle	Fair

Utility Meters

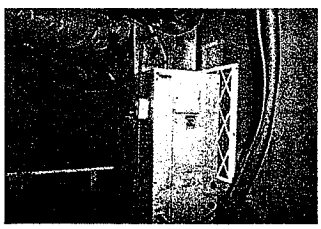
Type	Account Number	Area Served	Mult.
Elec.	N/A	N/A	N/A
Gas	N/A	N/A	N/A

Comments and Observations

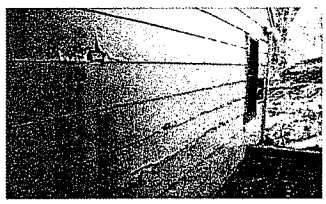
> Building is in very bad condition, with wood-rot evident in many locations, including windows and siding
> Building was very warm, and thermostats were set very high, indicating comfort issues
> Mechanical equipment was very old, well beyond the end of its useful life
> Metal sheds for golf carts contained no HVAC equipment
> This building was not included in utility analysis and savings calculations

Facility Photos

Window with Wood Rot



Very old Electric Furnace



Siding with Wood-Rot

ECM Opportunities and Facility Upgrades

> None Recommended for clubhouse - Facility is in need of more urgent repair
> T-12 to T-8 conversion for lighting in golf-cart sheds

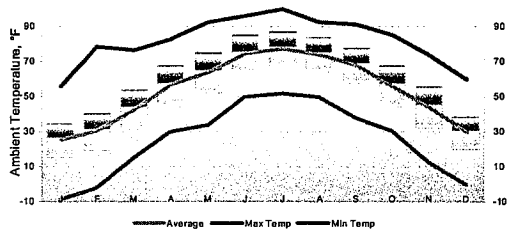
4.0 UTILITY AND ENERGY ANALYSIS

4.1 WEATHER CITY ANALYSIS

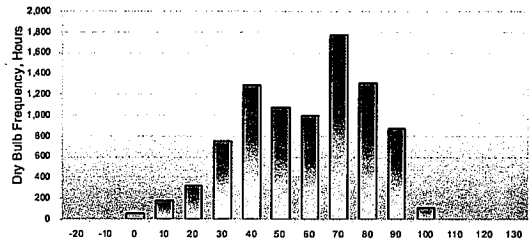
Facility Typical Meteorological Year Weather Dashboard — City of Junction City, KS

Weather Analysis - Temperature Based

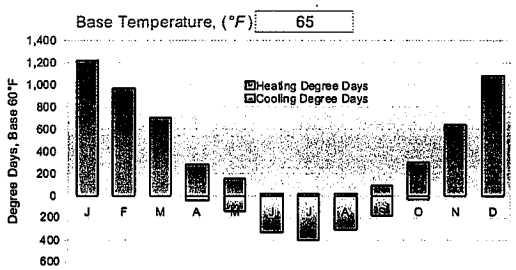
Monthly Average Weather Data



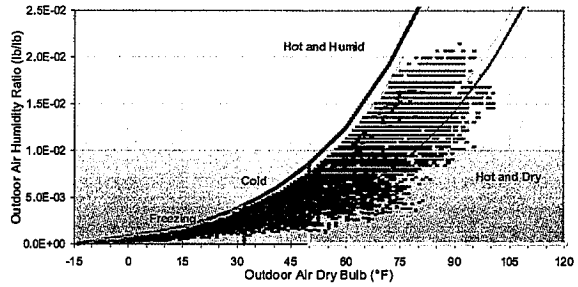
Dry Bulb Temperature Frequency



Monthly Degree Days

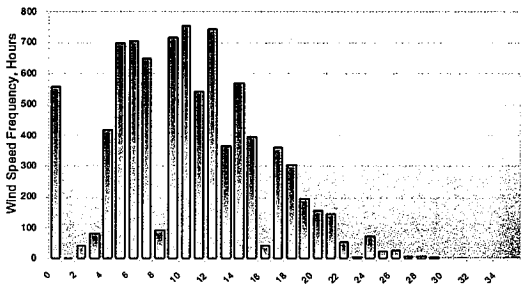


Climatic Frequency

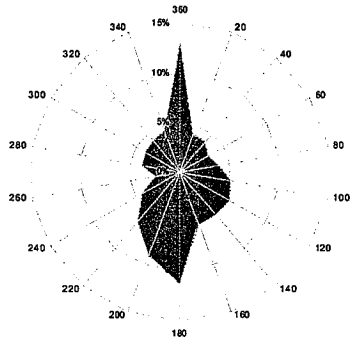


Weather Analysis - Wind Based

Wind Speed Frequency

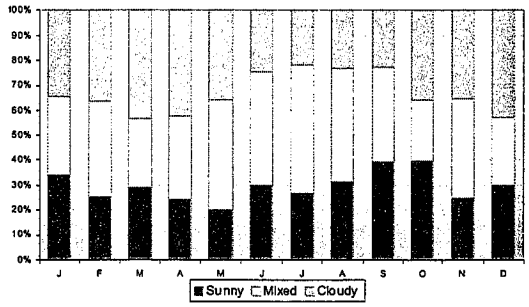


Wind Rose (Direction Frequency)



Weather Analysis - Phenomenon

Sky Clearness



Weather Analysis - Weather City Data

Weather City	KS, Topeka
WABN	13996
Longitude, (°)	95.63
Latitude, (°)	39.07
Elevation, (ft)	886
Climate Region:	4A
Summer Design, (°F DB):	
Summer Design, (°F WB):	
Summer Design (w, lb/lb)	8.10E-04
Winter Design, (°F DB):	

4.2 BASELINE ENERGY USAGE

Electrical Baseline Usage Summary

Facility Electricity Baseline Usage by Month and Building — City of Junction City, KS

Electrical Usage - Monthly Consumption by Building

	January	February	March	April	May	June	July	August	September	October	November	December	Total Annual
	kWh	kWh	kWh	kWh	kWh	kWh	kWh	kWh	kWh	kWh	kWh	kWh	kWh
City Hall	39,382	35,517	37,554	33,391	44,351	47,600	57,715	44,743	10,491	24,679	32,989	37,452	445,864
Law Enforcement	29,198	27,055	33,005	36,288	40,033	38,994	38,195	10,265	10,557	35,322	31,894	29,471	360,277
Park Offices	2,964	2,303	2,311	1,973	2,299	2,921	3,599	2,605	1,708	2,446	2,989	2,976	31,094
Recreation and Community Center	13,654	12,592	12,608	10,955	17,559	24,835	20,584	9,617	18,545	16,869	11,005	13,676	182,500
Spin City	9,099	8,957	9,777	8,878	12,413	9,877	16,402	12,663	3,161	8,313	8,592	8,735	116,868
Street Department	435	202	224	366	383	169	95	95	350	389	353	650	3,710
Total	**94,732**	**86,627**	**95,479**	**91,852**	**117,038**	**124,396**	**136,589**	**79,988**	**44,812**	**88,019**	**87,823**	**92,960**	**1,140,315**

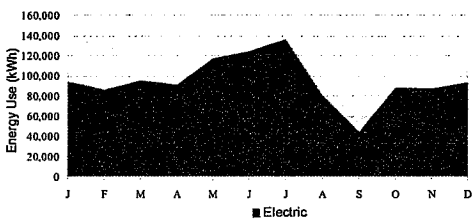
Electrical Demand - Monthly Demand by Building

	January	February	March	April	May	June	July	August	September	October	November	December	Total Annual
	kW	kW	kW	kW	kW	kW	kW	kW	kW	kW	kW	kW	kW
City Hall	94	90	101	106	133	86	92	157	113	48	58	97	1,176
Law Enforcement	54	63	66	63	64	4	70	68	68	4	61	52	636
Park Offices	11	10	11	10	12	4	8	10	10	2	8	11	108
Recreation and Community Center	38	36	69	70	88	2	94	8	78	8	81	42	615
Spin City	32	33	32	32	44	11	35	39	53	9	35	34	390
Street Department	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	**230**	**233**	**278**	**281**	**342**	**107**	**300**	**282**	**323**	**71**	**243**	**236**	**2,925**

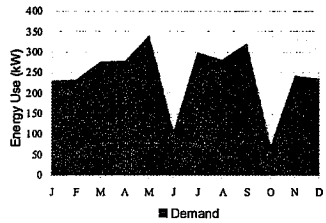
Electrical Usage - Monthly Costs by Building

	January	February	March	April	May	June	July	August	September	October	November	December	Total Annual
	$	$	$	$	$	$	$	$	$	$	$	$	$
City Hall	$2,865	$2,603	$2,771	$2,527	$3,321	$3,648	$4,338	$3,986	$1,496	$1,763	$2,327	$2,751	$34,395
Law Enforcement	$2,070	$1,968	$2,356	$2,555	$2,795	$2,509	$2,935	$1,151	$1,170	$2,278	$2,268	$2,080	$26,134
Park Offices	$252	$207	$209	$184	$214	$221	$293	$240	$190	$188	$242	$252	$2,693
Recreation and Community Center	$1,029	$954	$1,076	$972	$1,458	$1,598	$1,994	$671	$1,746	$1,123	$1,016	$1,045	$14,682
Spin City	$718	$713	$759	$705	$972	$710	$1,303	$1,095	$593	$582	$694	$701	$9,545
Street Department	$53	$34	$36	$48	$49	$31	$25	$25	$46	$49	$46	$71	$513
Total	**$6,986**	**$6,479**	**$7,206**	**$6,990**	**$8,808**	**$8,717**	**$10,887**	**$7,169**	**$5,240**	**$5,983**	**$6,594**	**$6,901**	**$87,961**

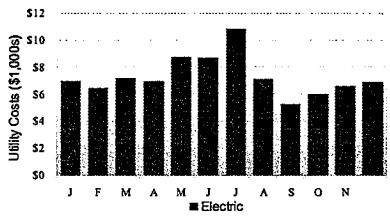
Electric Consumption Baseline Usage



Electric Demand Baseline



Electric Baseline Costs



Fuel Baseline Usage Summary

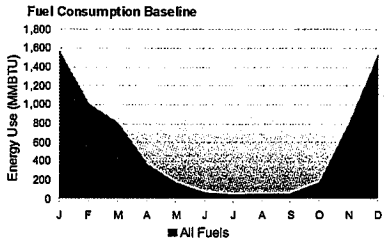
Facility Fuel Baseline Usage by Month and Building — City of Junction City, KS

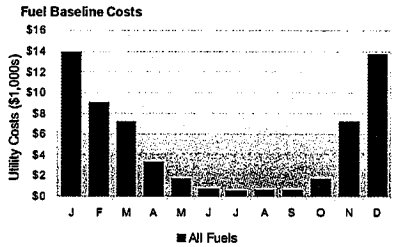
Fuel Usage - Monthly Consumption by Building

	January	February	March	April	May	June	July	August	September	October	November	December	Total Annual
	MMBTU	*MMBTU*	*MMBTU*	*MMBTU*	*MMBTU*	*MMBTU*	*MMBTU*	*MMBTU*	*MMBTU*	*MMBTU*	*MMBTU*	*MMBTU*	*MMBTU*
City Hall	599	407	309	135	60	28	20	20	26	45	362	513	**2,525**
Law Enforcement	94	64	107	102	86	26	22	24	22	64	81	106	**797**
Park Offices	374	161	128	34	1	0	0	0	0	0	78	388	**1,164**
Recreation and Community Center	280	219	142	47	16	4	4	13	4	27	144	314	**1,214**
Spin City	183	134	97	40	11	8	2	1	0	31	123	187	**818**
Street Department	35	32	26	10	4	1	1	1	1	9	22	28	**170**
Total	**1,566**	**1,016**	**808**	**369**	**178**	**68**	**48**	**58**	**53**	**176**	**811**	**1,537**	**6,688**

Fuel Usage - Monthly Cost by Building

	January	February	March	April	May	June	July	August	September	October	November	December	Total Annual
	$	*$*	*$*	*$*	*$*	*$*	*$*	*$*	*$*	*$*	*$*	*$*	*$*
City Hall	$5,321	$3,622	$2,753	$1,221	$554	$272	$200	$200	$251	$422	$3,228	$4,562	**$22,606**
Law Enforcement	$852	$590	$968	$927	$785	$257	$214	$234	$216	$589	$742	$959	**$7,332**
Park Offices	$3,328	$1,444	$1,157	$328	$31	$26	$23	$23	$23	$23	$710	$3,457	**$10,574**
Recreation and Community Center	$2,504	$1,959	$1,275	$435	$166	$60	$55	$138	$63	$264	$1,296	$2,799	**$11,012**
Spin City	$1,644	$1,204	$879	$381	$116	$97	$44	$31	$23	$294	$1,113	$1,681	**$7,510**
Street Department	$337	$302	$254	$110	$57	$31	$30	$28	$35	$106	$221	$269	**$1,781**
Total	**$13,985**	**$9,121**	**$7,286**	**$3,403**	**$1,710**	**$743**	**$566**	**$655**	**$612**	**$1,698**	**$7,310**	**$13,728**	**$60,815**





4.3 ENERGY SAVINGS

Electricity Savings Summary

Facility Electricity Savings by Month and Building — City of Junction City, KS

Electrical Savings - Monthly Consumption Savings by Building

	January	February	March	April	May	June	July	August	September	October	November	December	Total Annual
	kWh	kWh	kWh	kWh	kWh	kWh	kWh	kWh	kWh	kWh	kWh	kWh	kWh
City Hall	1,486	1,486	1,926	4,258	5,193	10,628	12,861	13,510	5,435	2,058	2,091	1,486	62,421
Law Enforcement	3,649	3,641	3,946	4,550	4,796	5,740	6,035	5,485	4,845	4,089	4,058	3,653	54,488
Park Offices	230	230	238	285	304	413	458	471	348	241	242	230	3,689
Recreation and Community Center	1,955	1,955	2,156	3,219	3,646	6,124	7,142	5,356	3,756	2,216	2,231	1,955	41,713
Spin City	0	0	0	0	0	0	0	0	0	0	0	0	0
Street Department	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	**7,320**	**7,312**	**8,267**	**12,313**	**13,940**	**22,905**	**26,496**	**24,822**	**14,385**	**8,605**	**8,622**	**7,325**	**162,311**

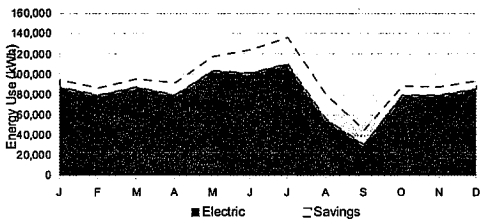
Electrical Savings - Monthly Demand Savings by Building

	January	February	March	April	May	June	July	August	September	October	November	December	Total Annual
	kW	*kW*	*kW*	*kW*	*kW*	*kW*	*kW*	*kW*	*kW*	*kW*	*kW*	*kW*	*kW*
City Hall	4	4	4	4	4	4	4	4	4	4	4	4	47
Law Enforcement	6	6	6	6	6	6	6	6	6	6	6	6	67
Park Offices	1	1	1	1	1	1	1	1	1	1	1	1	12
Recreation and Community Center	11	11	11	11	11	11	11	11	11	11	11	11	128
Spin City	0	0	0	0	0	0	0	0	0	0	0	0	0
Street Department	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	**21**	**21**	**21**	**21**	**21**	**21**	**21**	**21**	**21**	**21**	**21**	**21**	**254**

Electrical Savings - Monthly Cost Savings by Building

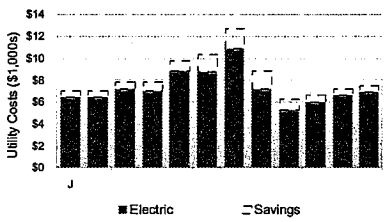
	January	February	March	April	May	June	July	August	September	October	November	December	Total Annual
	$	$	$	$	$	$	$	$	$	$	$	$	$
City Hall	$109	$109	$136	$284	$344	$702	$844	$885	$373	$145	$147	$109	$4,186
Law Enforcement	$252	$251	$271	$309	$325	$405	$423	$389	$348	$280	$278	$252	$3,781
Park Offices	$18	$18	$19	$22	$23	$33	$36	$37	$29	$19	$19	$18	$292
Recreation and Community Center	$163	$163	$175	$243	$270	$466	$530	$417	$316	$179	$180	$163	$3,265
Spin City	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Street Department	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Total	**$541**	**$541**	**$601**	**$858**	**$961**	**$1,607**	**$1,834**	**$1,728**	**$1,066**	**$623**	**$624**	**$542**	**$11,525**

Electric Consumption Savings



Electric Demand Savings

Utility Dollar Savings



Fuel Savings Summary

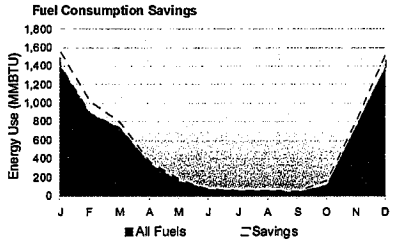
Facility Fuel Savings by Month and Building — City of Junction City, KS

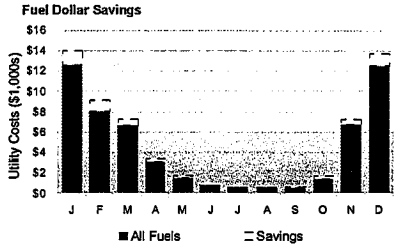
Fuel Savings - Monthly Consumption Savings by Building

	January	February	March	April	May	June	July	August	September	October	November	December	Total Annual
	MMBTU	*MMBTU*	*MMBTU*	*MMBTU*	*MMBTU*	*MMBTU*	*MMBTU*	*MMBTU*	*MMBTU*	*MMBTU*	*MMBTU*	*MMBTU*	*MMBTU*
City Hall	61	48	27	8	3	-6	-6	-5	2	19	21	55	**227**
Law Enforcement	-10	-8	-5	-2	-1	0	0	0	-1	-4	-4	-9	**-46**
Park Offices	52	42	25	10	6	-3	-4	-4	2	19	21	48	**215**
Recreation and Community Center	49	40	24	11	7	0	0	2	6	18	20	45	**222**
Spin City	0	0	0	0	0	0	0	0	0	0	0	0	**0**
Street Department	4	3	2	1	1	0	0	0	1	1	2	4	**20**
Total	**156**	**124**	**73**	**28**	**15**	**-9**	**-10**	**-7**	**10**	**54**	**61**	**142**	**639**

Fuel Savings - Monthly Cost Savings by Building

	January	February	March	April	May	June	July	August	September	October	November	December	Total Annual
	$	*$*	*$*	*$*	*$*	*$*	*$*	*$*	*$*	*$*	*$*	*$*	*$*
City Hall	$539	$424	$235	$73	$29	-$53	-$55	-$45	$18	$168	$188	$487	**$2,010**
Law Enforcement	-$90	-$73	-$44	-$20	-$13	$0	$0	-$4	-$11	-$34	-$37	-$82	**-$408**
Park Offices	$461	$372	$224	$91	$53	-$29	$0	$0	$0	$0	$187	$421	**$1,780**
Recreation and Community Center	$434	$349	$212	$94	$62	$2	$1	$17	$54	$163	$178	$396	**$1,961**
Spin City	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	**$0**
Street Department	$37	$25	$21	$13	$6	$1	$1	$2	$4	$12	$22	$36	**$180**
Total	**$1,381**	**$1,097**	**$648**	**$251**	**$137**	**-$79**	**-$53**	**-$29**	**$66**	**$310**	**$539**	**$1,258**	**$5,524**





4.4 UTILITY METER SUMMARY

The following table shows a summary of the meters used to calculate energy savings for the City of Junction City Facilities. Each meter provides electricity and gas to the various facilities. Knowing which building is served by each individual meter is important when calculating savings. Detailed descriptions of each of the rates used at the facilities can be found in 4.5 Utility Rate Schedules.

Utility Meter Summary — **City of Junction City, KS**

Resource	Utility	Rate/Tariff	Units	Account Number	Buildings Served
Electricity (1)	Westar	SGS	**kWh, kW**	4603517151	City Hall & Fire
				94737746	Law Enforcement
				3253253087	Spin City
				6131600583	Recreation & Comm.
				3482262049	Parks Offices
				7635853410	Streets/Public Works
Natural Gas (2)	Kansas Gas Service	General	**CCF**	51 0303391 1547434 27	City Hall & Fire
				51 0475508 154631 0 18	Law Enforcement
				51 8303391 1478917 64	Spin City
				51 07691 33 161 0378 73	Recreation & Comm.
				510303391 154802445	Parks Offices
				51 0394466 156271 7 64	Streets/Public Works

Notes: (1) Some of the facilities are on accounts that are being charged demand (kW) and others are being charged on an electric utility rate that takes into account only consumption charges.

(2) The rate used for natural gas is taken from a marginal rate calculated over the past 12 months.

4.5 UTILITY RATE SCHEDULES

Detailed descriptions of the electric rates used throughout the city can be found below.

Utility Rate Schedule — **City of Junction City, KS**

Resource	Utility Name	Rate Tariff Name	Description		Charge	Unit
Electricity [1]	Westar	Commercial (kW, kWh)	Customer Charge	$	16.00	Per Meter
			1st 1,200 kWh	$	0.0551	Per kWh
			All Remaining kWh	$	0.0350	Per kWh
			Winter Demand	$	4.5000	Per kW
			Summer Demand	$	7.0000	Per kW
			Transmission Service	$	0.0045	Per kWh
			Environmental Cost Rcv	$	0.0016	Per kWh
			Tax Adjustment	%	4.0000	Per Bill
			Fuel Adjustment [2]	$	Varies	Per kWh
Natural Gas [3]	Kansas Gas Service	General Service	Marginal Rate	$	0.9019	Per CCF

Notes: (1) Some of the facilities are on accounts that are being charged demand (kW) and others are being charged on an electric utility rate that takes into account only consumption charges.

(2) The fuel adjustment charge varies from month to month. For savings calculations, the marginal rate for the past 12 months was used - $0.0198 per kWh.

(3) The rate used for natural gas is taken from a marginal rate calculated over the past 12 months.

5.0 WATER METER SUMMARY

Current Situation

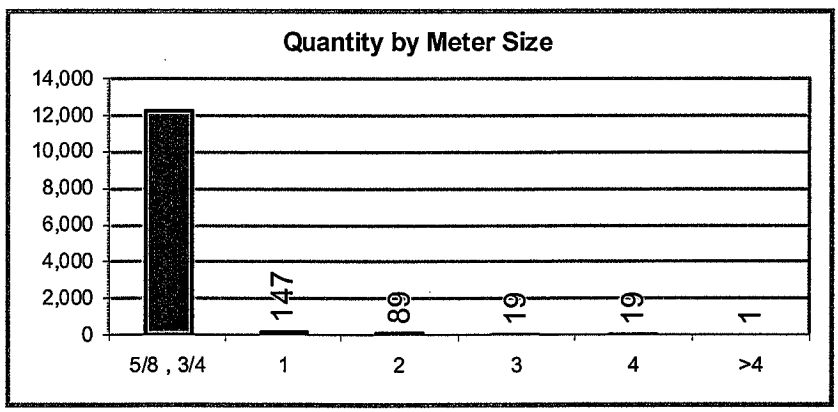
The revenue estimates provided in this analysis are based on a combination of utility inputs and industry standards developed from Schneider Electric's research and analysis used to help municipalities find ways to maximize water revenue. Unaccounted-For-Water (UFW) is the difference between the amount of water a utility purchases or produces and the amount of water that it can account for in sales and other known uses for a given period. The American Water Works Association (AWWA) and the Environmental Protection Agency (EPA) have established that the goal for unaccounted-for-water in a municipality should be less than 10% of total water production. In addition, the AWWA states that unaccounted-for-water rates above 15% for municipal systems indicate the need for immediate actions. Schneider Electric's Preliminary Audit shows that an average of 18% of the water that the City of Junction City produces is unaccounted for; therefore, there is significant potential for the city to capture additional revenue by making improvements to its water system.

2009 Water Production Month to Month

Month	Water Available (gal)	Water Sold (gal)	Unaccounted For Water (gal)	Unaccounted For For Water (%)
January	97,648,000	74,207,000	23,441,000	24%
February	81,609,000	66,579,000	15,030,000	18%
March	93,579,000	78,383,000	15,196,000	16%
April	97,710,000	91,968,000	5,742,000	6%
May	124,097,000	91,027,000	33,070,000	27%
June	131,640,000	108,386,000	23,254,000	18%
July	119,380,000	115,575,000	3,805,000	3%
August	134,000,000	101,181,000	32,819,000	24%
September	117,861,000	89,109,000	28,752,000	24%
October	116,009,000	92,980,000	23,029,000	20%
November	98,669,000	81,909,000	16,760,000	17%
December	102,739,000	81,695,000	21,044,000	20%
Totals	**1,314,941,000**	**1,072,999,000**	**241,942,000**	**18%**

Meter Population

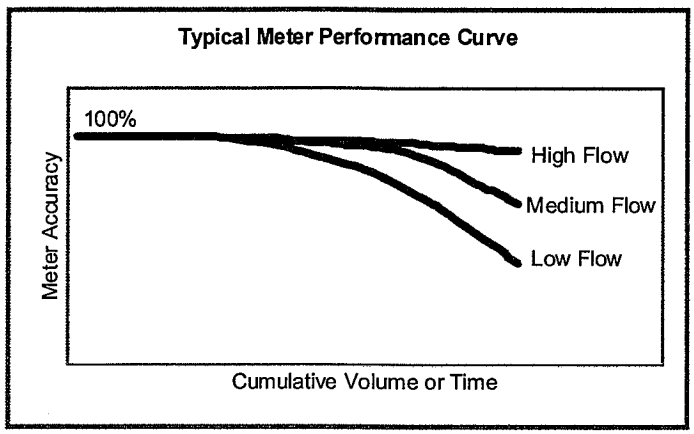
Size	Quantity
5/8 , 3/4	12,206
1	147
2	89
3	19
4	19
>4	1
Total	**12,481**



5.0 WATER METER SUMMARY

Solution

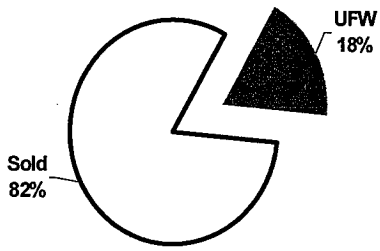
There are a number of steps that can be taken to reduce unaccounted-for-water in the City of Junction City. Water meter replacement is the single most cost-effective action that can be taken to reduce the volume of unaccounted-for-water and therefore increase revenue.



Water meters lose their ability to accurately report water used primarily because of the physical wear and tear experienced by the meter over time. As the meter loses its accuracy, the amount of "free" water that is delivered to residences and businesses increases. This water is considered unaccounted for, since it passes through the meter without registering usage, and is a contributing factor to the total loss percentage for the City of Junction City. However, by properly testing and replacing inaccurate water meters as part of a comprehensive Performance Contract with Schneider Electric, the City of Junction City can minimize these problems and maximize revenue. During an Investment Grade Audit (IGA) a representative sample of meters will be selected and tested for accuracy. The average accuracy of the tested population will be used as representation of the entire population. In this Preliminary Audit, Schneider Electric attributed a loss **110 million gallons annually to inaccurate meters** at the City of Junction City. By capturing these losses, the City of Junction City could reduce their UFW by 46%.

This translates into a loss of revenue for the City of Junction City of **$160,000 annually**. To regain this lost revenue

Unaccounted For Water



Water Treated:	1,314,941
Unaccounted For Water	241,942
Loss Percentage:	18%

a water meter change-out program must be implemented.

This figure does not consider the additional maintenance and operational savings as well as many intangible benefits.

Intangible Benefits

Accounting & Customer Service Benefits

With the automation of meter reading comes significant improvements in accuracy and availability of data. By removing the human error factor, reading and data entry errors are practically eliminated. In addition, indoor and inaccessible meters, which are often estimated under a manual system, are read every cycle. Together, these factors serve to reduce complaints to utility billing. Consequently, the number off re-bills and estimated bills are significantly reduced, which are costly because they are non-cyclical and require manual intervention.

5.0 WATER METER SUMMARY

Revenue Protection Savings

The International Utility Revenue Protection Agency estimates that most utilities lose 1% to 2% of their revenue to theft each year. The technologies used for drive-by meter reading give the utility a powerful tool for revenue protection by incorporating a tamper alarm in the meter interface unit. This will allow the City of Junction City to collect the full amount due.

Employee Time Allocation

By implementing a Automatic Meter Reading (AMR) system, the time spent to perform the task of reading and recording the cities water meters could potentially be reduced by 90%. In addition, for the meters that are currently recorded by pen into the meter books, this information would no longer have to be entered manually into the computer, thus saving additional time. This would allow the city employees to allocate their time between other tasks.

Business Benefits

- Reduced operating costs keep rates low and profits at a maximum.
- Eliminating traditional meter reading reduces your exposure to risk and liability.
- Eliminates intrusion on customers' property and improves customer service.

6.0 REFERENCES

6.1 KANSAS PERFORMANCE CONTRACTING REFERENCES

Basehor-Linwood USD 458

Contact: David Howard — Superintendent
Telephone: (913) 724-1396
Address: 2008 N. 155th Street
Basehor, KS 66007
Annual Savings: $39,288
Project Value: $1,066,477

Project Components:
- Electrical system upgrades
- Unit ventilator replacements
- Energy management system
- Split-system unit replacements
- District-wide lighting retrofit

City of Burlingame

Contact: Patti Gilbert — City Clerk
Telephone: (785) 654-2414
Address: 101 E. Santa Fe Avenue
Burlingame, KS 66413
Annual Savings: $13,687
Project Value: $553,506

Project Components:
- City-wide lighting retrofit
- Automatic meter reading for water, electric and gas meters
- Water meter change-out

Chanute USD 413

Contact: Steve Parsons — Superintendent
Tony Sehorn — Director of Maintenance
Telephone: (620) 432-2500
Address: 410 S. Evergreen
Chanute, KS 66720
Annual Savings: $92,388
Project Value: $1,550,247

Project Components:
- Hydronic piping upgrades
- Replaced two boilers
- Added heat to gymnasium
- Split-system replacement
- District-wide lighting retrofit
- Energy management system

Circle USD 375

Contact: Eliese Holt — Superintendent
Telephone: (316) 541-2577
Address: 901 Main, PO Box 9
Towanda, KS 67114
Annual Savings: $67,748
Project Value: $551,176

Project Components:
- Rooftop equipment to replace steam boilers and window units
- Energy management system
- District-wide lighting retrofit

Clearwater USD 264

Contact: Mike Roth — Superintendent
Telephone: (620) 584-2091
Address: 801 E. Ross
Clearwater, KS 67026
Annual Savings: $41,479
Project Value: $755,987

Project Components:
- Replaced hot-water boiler
- Energy management system
- Replaced over 150 windows
- Installed back-up boiler pump
- District-wide lighting retrofit

Ellis USD 388

Contact: Steve Taylor — Superintendent
Telephone: (785) 726-4281
Address: 1011 Washington Street
Ellis, KS 67637
Annual Savings: $56,871
Project Value: $1,756,645

Project Components:
- Boiler and chiller replacements
- Rooftop equipment replacements
- HVAC upgrades
- Custom multi-zone units
- Energy management control system
- Comprehensive lighting retrofit
- Lighting fixture replacement

6.0 REFERENCES

Ellsworth USD 327

Contact: Ken Arnhold — Superintendent
Telephone: (785) 472-5561
Address: 145 W. 15th Street
Ellsworth, KS 67439
Annual Savings: $37,321
Project Value: $387,587

Project Components:
- Repaired defective fan-coil units
- Energy management system
- Installed new rooftop equipment
- District-wide lighting retrofit

Eudora USD 491

Contact: Don Grosdidier — Superintendent
Peg Buchanan — Business Manager
Telephone: (785) 542-4910
Address: 1002 Elm Street
Eudora, KS 66025
Annual Savings: $124,951
Project Value: $1,293,361

Project Components:
- Installed centralized a/c at annex
- Replaced multi-zone rooftops
- Energy management system
- Retrocommissioned controls
- Installed new drop ceilings
- District-wide lighting retrofit

Eudora USD 491 – New Construction

Contact: Don Swartz — Construction Supervisor
Don Grosdidier — Superintendent
Telephone: (785) 542-4910
Address: 1002 Elm Street
Eudora, KS 66025
Annual Savings: $103,844
Project Value: $4,322,931

Project Components:
- Designed building HVAC
- Installed heat-pump HVAC system
- Energy management system
- Commissioned controls & HVAC
- Guarantee ongoing performance

Fredonia USD 484

Contact: Jim Porter — Superintendent
Telephone: (620) 378-4177
Address: 300 N. 6th Box 539
Fredonia, KS 66736
Annual Savings: $28,967
Project Value: $295,112

Project Components:
- District-wide lighting retrofit
- Energy management system

Garvey Center, Wichita

Contact: Larry Weber — Vice President of Operations
Telephone: (316) 261-5325
Address: 250 W Douglas Suite 100
Wichita, KS 67202
Annual Savings: $165,488
Project Value: $1,097,875

Project Components:
- Cooling tower replacement
- Energy management system
- Replaced centrifugal chiller
- Comprehensive lighting retrofit

Highland USD 425

Contact: Rex Bollinger — Superintendent
Telephone: (785) 442-3286
Address: 402 E Main Street
Highland, KS 66035
Annual Savings: $34,014
Project Value: $368,947

Project Components:
- Comprehensive lighting retrofit
- Energy management system

6.0 REFERENCES

Hoisington USD 431

Contact: Bill Lowry — Superintendent
Telephone: (620) 653-4134
Address: 165 W. 3rd Street
Hoisington, KS 67544
Annual Savings: $67,884
Project Value: $1,390,193

Project Components:
- Electrical upgrades
- Recommissioned and expanded existing control system
- HVAC redesign at elementary
- New RTU for middle school kitchen
- District-wide lighting retrofit

Holton USD 336

Contact: Russ McKinney — Board President
Telephone: (785) 364-3650
Address: 515 Pennsylvania Avenue
Holton, KS 66436
Annual Savings: $26,282
Project Value: $1,197,023

Project Components:
- Complete mechanical retrofit
- Energy management system
- Built-up roof replacement
- Exterior waterproofing

Iola USD 257

Contact: Dr. Craig Neuenswander — Superintendent
Telephone: (620) 496-4703
Address: 408 N. Cottonwood
Iola, KS 66749
Annual Savings: $74,218
Project Value: $774,914

Project Components:
- Complete lighting retrofit
- Energy management system

Jefferson County North USD 339

Contact: Dr. Tim Marshall — Superintendent
Telephone: (913) 774-2000
Address: 310 5th St. Box Q
Winchester, KS 66097
Annual Savings: $30,565
Project Value: $409,902

Project Components:
- Replaced two hot-water boilers
- Energy management system
- Replaced air-cooled chiller
- District-wide lighting retrofit

Kansas State School for the Blind

Contact: Madeline Burkindine — Superintendent
Jay Ray — Facilities Manager
Telephone: (913) 281-3104
Address: 1100 State Avenue
Kansas City, Kansas 66102
Annual Savings: $44,519
Project Value: $445,071

Project Components:
- Installed new hot-water boiler
- Installed new hot-water heaters
- Energy management system
- Provided pool cover measures
- District-wide lighting retrofit

Lansing USD 469

Contact: Dr. Randal Bagby — Superintendent
Telephone: (913) 727-1100
Address: 613 Holiday Plaza
Lansing, KS 66043
Annual Savings: $70,184
Project Value: $758,065

Project Components:
- Addition of unit heaters
- Energy management system
- Corrected HVAC design flaws
- District-wide lighting retrofit

6.0 REFERENCES

Manhattan Area Technical College

Contact: Rob Edleston — President
Jane Bloodgood — Business Manager
Telephone: (785) 587-2800
Address: 3136 Dickens Avenue
Manhattan, Kansas 66503
Annual Savings: $29,940
Project Value: $443,959

Project Components:
- Replaced rooftop equipment
- New ductwork for HVAC
- Energy management system
- Installed drop ceilings
- District-wide lighting retrofit

Midway USD 433

Contact: Rex Bollinger — Superintendent
Telephone: (785) 359-6525
Address: 642 Hwy 20 East
Denton, KS 66017
Annual Savings: $32,306
Project Value: $527,369

Project Components:
- Boiler system replacement
- Air-handler replacement
- Heat pump replacement
- Gymnasium lighting retrofit
- Energy management system

Nemeha Valley Community Hospital

Contact: Mike Stallbaumer — Director of Maintenance
Stan Regehr — Hospital Administrator
Telephone: (785) 336-6181
Address: 1600 Community Drive
Seneca, KS 66538
Annual Savings: $26,215
Project Value: $198,000

Project Components:
- Added alarms to clean rooms
- Conditioned operating suites
- Energy management system
- Comprehensive lighting retrofit

City of Newton

Contact: Jim Heinicke — City Manager
Dennis Quiring — Risk Manager
Telephone: (316) 284-6002
Address: City Hall-201 East Sixth, PO Box 426
Newton, KS 67114
Annual Savings: $39,077
Project Value: $915,775

Project Components:
- Replaced multizone rooftops
- Installed new rooftop HVAC
- Installed new boilers and chiller
- Energy management system
- Comprehensvive lighting retrofit

Northeast USD 246

Contact: Mike Philpot — Superintendent
Telephone: (620) 347-4116
Address: 1001 E. South Street
Arma, KS 66712
Annual Savings: $38,755
Project Value: $594,640

Project Components:
- Replaced old rooftop equipment
- Energy management system
- Upgraded football field lighting
- District-wide lighting retrofit

North Central Kansas Technical College

Contact: Bob Schmidt — Dean of Adm. Services
Telephone: (785) 738-9056
Address: 3033 US Highway 24
Beloit, KS 67420
Annual Savings: $65,902
Project Value: $778,282

Project Components:
- HVAC system redesign
- Shop heating installation
- Boiler relocation & replacement
- Rooftop unit replacements
- Split-system replacements

6.0 REFERENCES

Parsons USD 503

Contact: Dr. Deb Perbeck — Superintendent
Telephone: (316) 421-5950
Address: 2900 Southern, Box 1056
Parsons, KS 67357
Annual Savings: $41,951
Project Value: $825,000

Project Components:
- Installed new rooftop equipment
- Energy management system
- Elimated failing boiler, heat pumps and window units
- District-wide lighting retrofit

Perry USD 343

Contact: Dr. Dennis Yoder — Superintendent
Telephone: (785) 597-5138
Address: 205 W. Bridge Street
Perry, KS 66073
Annual Savings: $45,964
Project Value: $1,098,455

Project Components:
- Replaced multi-zone rooftops
- Energy management system
- Upgraded single-zone HVAC
- District-wide lighting retrofit

Rawlins County Health Center

Contact: Todd Howard — Maintenance Director
Telephone: (785) 626-3211
Address: 707 Grant Street
Atwood, KS 67730
Annual Savings: $10,761
Project Value: $222,609

Project Components:
- Removed chiller and air-handler
- Installed new rooftop equipment
- Facility-wide lighting retrofit
- Web-enabled control system

Rawlins County USD 105

Contact: Mark Wolters — Superintendent
Telephone: (785) 626-3236
Address: 205 North 4th, Ste. 1
Atwood, KS 67730
Annual Savings: $7,941
Project Value: $428,944

Project Components:
- Re-piped boiler room
- Replaced deteriorated boilers
- Improved condensate return system
- Refurbished gym air-handlers
- Split-system replacement

Renwick USD 267

Contact: Dr. Dan Peters — Superintendent
Telephone: (316) 444-2165
Address: 600 West Rush
Andale, KS 67001
Annual Savings: $85,265
Project Value: $876,793

Project Components:
- Replaced rooftop equipment
- Energy management system
- HVAC retrocomissioning
- District-wide lighting retrofit

Rose Hill USD 394

Contact: Randal Chickadonz — Superintendent
Roger Miller- Business Manager
Telephone: (316) 776-3300
Address: 104 North Rose Hill Rd.
Rose Hill, KS 67133
Annual Savings: $117,753
Project Value: $2,084,752

Project Components:
- Replaced chiller, cooling tower, and RTUs
- Install heat recovery chiller and economizer
- Energy management system recomissioning
- Gym lighting retrofit
- Irrigation system modification

6.0 REFERENCES

Sabetha USD 441

Contact: Dennis Stones — Superintendent
Telephone: (785) 284-2175
Address: 1619 S Old Hwy 75
Sabetha, KS 66534
Annual Savings: $71,953
Project Value: $857,759

Project Components:
- District-wide lighting retrofit
- Comprehensive energy management system

Santa Fe Trail USD 434

Contact: Dr. Steve Pegram — Superintendent
Telephone: (785) 665-7168
Address: 4401 US Highway 56
Carbondale, KS 66414
Annual Savings: $35,545
Project Value: $881,137

Project Components:
- Replaced rooftop equipment
- Energy management system
- Freezer and HVAC alarms
- District-wide lighting retrofit

Seaman USD 345

Contact: Dr. Robert Balsters — Deputy Superintendent
Telephone: (785) 575-8600
Address: 901 NW Lyman Rd
Topeka, KS 66608
Annual Savings: $100,081
Project Value: $925,276

Project Components:
- Addressed humidity concerns
- Energy management system
- Solved pressurization problem
- District-wide lighting retrofit

Shawnee Heights USD 450

Contact: Martin Stessman — Superintendent
Telephone: (785) 379-5800
Address: 4401 SE Shawnee Heights Road
Tecumseh, KS 66542
Annual Savings: $137,624
Project Value: $1,417,501

Project Components:
- Replaced heat pump units
- Modified ductwork
- HVAC addition with bond
- District-wide lighting retrofit
- Energy management system

Smith County Memorial Hospital

Contact: Carolyn Hess — Administrator
Randy Archer — Maintenance Director
Telephone: (785) 282-6845
Address: 614 S. Main Street
Smith Center, KS 66067
Annual Savings: $86,966
Project Value: $2,567,261

Project Components:
- New mechanical system including: Boilers, fan-coil units, air-handlers, & piping
- Completed 4-pipe system building-wide
- Energy management control system
- Humidity control in Surgery Suite
- Building-wide lighting retrofit & replacement

Wathena USD 406

Contact: Mike Newman — Superintendent
Telephone: (785) 989-4427
Address: 705 Jesse Street
Wathena, KS 66090
Annual Savings: $29,178
Project Value: $537,913

Project Components:
- Hot-water boiler replacement
- Energy management system
- District-wide lighting retrofit

6.0 REFERENCES

Wellsville USD 289

Contact: Denise O'Dea — Superintendent
Telephone: (785) 883-2388
Address: 602 Walnut
Wellville, KS 66092
Annual Savings: $28,900
Project Value: $441,043

Project Components:
- Additon of gymnasium a/c
- Linked new control system to high school
- New air-conditioning in lobby
- Updated control system in elementary

City of Wichita

Contact: James Mayer
Telephone: (316) 268-4408
Address: City Hall-8th Floor, 455 N. Main Street
Wichita, KS 67202
Annual Savings: $375,000
Project Value: $2,453,540

Project Components:
- Free-cooling retrofit
- Dual-duct to VAV conversions
- Cooling tower replacement
- Complete lighting retrofit
- Energy management system

Wichita County

Contact: Vick Case — County Commissioner
Telephone: (620) 375-2731
Address: 206 South 4th Street
Leoti, KS 67861
Annual Savings: $8,156
Project Value: $231,112

Project Components:
- Replace windows at Courthouse, Economic Development, and Sheriff Dept.
- Lighting retrofit and replacement
- Programmable thermostats

Wilson County

Contact: Kris Marple — County Coordinator
Telephone: (620) 378-3472
Address: 615 E Madison Street
Fredonia, KS 66736
Annual Savings: $41,355
Project Value: $715,281

Project Components:
- Mechanical system redesign
- Dual-duct to VAV conversions
- Energy management system
- Complete lighting retrofit

7.0 GLOSSARY OF TERMS

AKW - Actual Kilowatts, this is the unit of measurement for electrical demand. Normally, this is measured as the highest average 15 minutes of electrical consumption during the billing period.

BKW - Billed Kilowatts, most utility companies charge all-year long for the highest demand that occurred during their peak demand session. The billed kW is often different from the actual kW. Not all customers are charged for demand.

Blended Rate – The blended rate is the average cost per unit billed on the utility bills. For electricity, this is a cost per kWh billed. Utility rates may have tiered charges where different levels of consumption are charged at different rates. They may also have seasonal charges where consumption is charged at a different rate depending on the time of year. In order to simply express an average rate over the course of a year, a blended rate is used.

Btu - British Thermal Units - a measurement of energy consumption. More specifically, the quantity of heat required to raise the temperature of one pound of water one degree Fahrenheit at 39 or 60 degrees. Note: MBtu = 1,000 Btu; MMBtu = 1,000,000 Btu

CCF - a measurement of gas – hundreds of cubic feet

CF – Cubic feet of water. This is a common unit of measurement for water consumption. Other common measurements are gallons (gal) and kilo gallons (kgal).

Cost - The total electric, gas, propane, fuel oil, water, or other fuel charge for the billing period.

DDC – Direct Digital Control.

ECM - Energy Conservation Measure – any measure that will save energy. For example, lighting retrofit, air conditioning/heating repair or replacement, adding or upgrading controls.

EMS - Energy Management System – the controls that are used to operate the facilities.

Footcandle – A measurement of the degree of illumination (or light level) on a surface. Originally, the amount of light one foot away from a standard candle. Currently defined as one lumen per square foot.

Hazardous Material - any material that, because of its quantity, concentration, or physical and chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace or environment. Asbestos, PCB's and mercury are examples of hazardous material or "hazmat," and must be disposed of according to EPA regulations.

Horsepower – Work done over time. The exact definition of one horsepower is 33,000 lb.ft. per minute. It also equals 746 Watts.

HVAC – Heating/Ventilation/Air Conditioning – also referred to as mechanical equipment.

kBTU - a measurement of energy consumption = 1,000 British Thermal Units

kWH - Kilowatt-Hours. This is the unit of measurement for electrical consumption. One kWh is equivalent to the energy consumed by ten 100-watt light bulbs burning for one hour.

kWH/Ft2, W/Ft2, CF/Ft2, Gal/Ft2, Lb/Ft2, HCF/Ft2 & kBTU/Ft2 per Month - Each month's prorated consumption is divided by the area of the building to obtain an index of your facility's relative energy consumption intensity. This is done for electrical consumption (kWh), demand (kW), gas (MCF and CCF), oil and propane (gallons), steam (pounds), water (HCF), and any other fuels (kBTU). No matter the size of your facility or the amount of energy consumed, this number allows for a meaningful comparison to other facilities of similar function. kW are converted to watts and MCF and CCF to cubic feet to eliminate the problem of dealing with very small numbers.

7.0 GLOSSARY OF TERMS

Load Factor - This is a ratio showing the relationship between actual kW (AkW) and kWh for the billing period. It is calculated from the data on your monthly bill. The calculation is: Load Factor = (kWh Used) / (AkW x Number of Hours in the Month). A high load factor indicates long hours of use at demand levels close to the peak demand for the billing period. A low load factor indicates short hours of use or excessively high peak demand levels.

MBH – 1,000 Btu/hr; Heating equipment sizes are typically rated in MBH.

MCF - Thousands of cubic feet of natural gas. This is a common unit of measurement for gas consumption. Other common units of measurement are hundreds of cubic feet (CCF) or millions of BTU's (mmBTU). If your bills normally use one of these other units we have converted the consumption to MCF.

Multiplier – The number by which the difference of the current reading and previous reading of a meter is multiplied to produce the actual reading. For example, if the current consumption reading of an electric meter with a multiplier of 120 is 10505, and the previous reading was 10005, then the difference, 500, times the multiplier, 120, produces the actual consumption of 60,000 kWh.

PASS – Performance Assurance Support Services, a support division of the Energy Solutions Department of TAC Americas. PASS monitors the performance of the project and reports to the customer savings through annual reconciliation of the utility data provided to TAC Americas by the customer. PASS also supports the customer throughout the term of the performance contract.

Power Factor – The ratio of the resistance power to the apparent power. Power Factor = kW / kVA. Utility companies often charge a penalty for lagging power factors.

Prorated - Utility meters are usually not read on the end of the month. This makes comparing bills from one year to the next inaccurate since the bills may not cover the same number of days or even the same part of the month. For this reason we have prorated the consumption and costs for electricity, gas, fuel oil, propane, water, or other fuels to allow for year-to-year and facility-to-facility comparisons. As an example, any given month will normally have two utility bills involved to account for the consumption for all days in that month. The prorating process assigns consumption from each bill to the calendar month in question. This assignment is done in proportion to the number of days in each bill that occurred in the subject month.

Read Date - The date your electric, gas, propane, fuel oil, water, or other fuel utility company read your meter or filled your tank. In most cases the read date will not be the last day of the month. For comparison purposes it is useful to have consumption data on a calendar month basis.

Therm – A unit of heat equal to 100,000 British thermal units.

SF – Square foot.

Ton (T) – One ton is equivalent to 12,000 Btu/hr. A ton of refrigeration produces the same amount of cooling energy as one ton of ice melting in a 24-hour period

Total Cost - The sum of electric, gas, fuel oil, propane, water, or other fuel charges.

Total Use – The sum of electric and gas usage, in MMBtu.

Weather Normalization – When comparing consumption from year to year it is helpful to weather normalize the data to provide a more consistent comparison. Weather normalizing the data takes into account abnormal weather conditions that may incorrectly influence the comparison. Two sets of weather data are used in the weather normalization process: TMY2 (typical mean year) & actual data. These two data sets are compared to find any discrepancies that need to be accounted for. The data is "tuned" to the actual weather and then this relationship is applied to the TMY2 data to provide a weather normalized baseline.

7.0 GLOSSARY OF TERMS

Weighted Average – the average value of a data set accounting for the importance of a data point. For example, if a data set has an average of 10, but the more important points have an average of 7, the weighted average would lie somewhere between 7 and 10.

$/kWH, $/kW, $/MCF, $/Gal, $/HCF & $/kBTU - The marginal cost per unit for the billing period. The marginal cost per unit is the dollar amount saved if one unit was saved. This value will typically vary with seasonal rate changes, load factor, consumption amount, demand amount, or any other factor relevant to the utility.

3c

City of Junction City

City Commission

Agenda Memo

3-29-2011

From: Tyler Ficken, City Clerk

To: Gerry Vernon, City Manager

Subject: Cereal Malt Beverage prohibition exemption request for Boller wedding reception

---

Objective: Audrey Boller requests a Cereal Malt Beverage and Alcoholic Liquor prohibition exemption on Saturday September 24, 2011.

Explanation of Issue: The purpose of the exemption is to serve alcoholic beverages at the wedding reception of Audrey Boller.

Budget Impact: There is no impact on the budget.

Alternatives:

1. Approve the Cereal Malt Beverage and Alcoholic Liquor prohibition exemption.
2. Disapprove the Cereal Malt Beverage and Alcoholic Liquor prohibition exemption.
3. Modify the request for Cereal Malt Beverage and Alcoholic Liquor prohibition exemption.
4. Table the request.

Recommendation: Staff recommends approval of the Cereal Malt Beverage and Alcoholic Liquor exemption

Suggested Motion:

Move to approve the Cereal Malt Beverage prohibition exemption request for Audrey Boller wedding reception.

Enclosures: Letter from Audrey Boller

My name is Audrey Boller and I am getting married on Saturday September 24th, 2011. I am writing this letter because I am unable to attend the meeting due to the fact that I travel for my job and will be in Denver during the next city commission meeting. I got engaged on Saturday March 13th 2010. Before and after I got engaged I discussed with my fiancé where we wanted to get married and have the reception. We decided that we wanted to get married at my family farm because it has been in my family for 5 generations and is a beautiful setting for an outdoor wedding. We chose the municipal building for the reception location because Junction City is closer to the ceremony site and is more economical for our guests that are traveling from out of town.

The weekend after we got engaged I was home for a family Birthday. I decided to stop by the municipal building to find out all of the logistics of renting the building before heading home on Monday March 22nd 2010. During my visit I asked if alcohol was allowed to be served in the building and was informed that it was allowed. When I got home that night I disused the information I received with my fiancé and he agreed with me that we should have our reception at the municipal building. On Tuesday March 23rd 2010 I called the municipal building and paid the fee to reserve the building. During my visit to the building and my phone call with the receptionist I asked what all needed to be done to allow alcohol at the facility. I was informed that I could serve alcohol at the building as long as I could get the city managers permission and pay any fee that was required. I asked the receptionist if I should take care of that process when I would be home again in May and was informed that since I made the reservation so far in advance that I could wait until after the New Year.

On February 6, 2011 I asked my mom to find out what all needed to be done to finalize plans for the facility to serve alcohol so I could take care of the final paperwork since I planned to be in town on the 18th. On Friday February 11, 2011 I received a phone call from Tyler at the municipal building informing me that the city manager had changed the rule and that I could no longer serve alcohol at the building because it's a city building. I was shocked when I got this phone call because I had made my reservation well in advance of the New Year and this was the first time I had heard of the rule change even though it had been decided sometime in 2010 to officially begin January 1, 2011. I spent the afternoon calling different vendors in the Junction City and Manhattan area and everything that could accommodate my guest list of about 350 people was reserved and had been for quite some time.

I am writing this letter because I am asking you to allow me to have alcohol at my wedding and can't attend the meeting in person. Please allow me to serve alcohol at my wedding by grandfathering me in under this new rule change that started in January 2011. We would like to be able to toast to our new life with all of our friends and family with a glass of beer or champagne in our hands on our first day together as husband and wife.

The dates again are listed below.

March 13, 2010 I got engaged

March 23, 2010 I reserved the municipal building

February 11, 2011 I found out about the city managers rule change because I called to finalize details.

I am in the process of finding who my alcohol caterer will be and as soon as I finalize that detail I will submit all of the required paperwork.

Thank you for your time and consideration.

Audrey Boller

3d

City of Junction City

City Commission

Agenda Memo

April 5, 2011

From: Tim Brown, Chief of Police

To: Gerry Vernon, City Manager

Subject: Street closing request for Jammin in JC Blues and BBQ Festival

---

Objective: The Geary County Convention and Visitors Bureau requests the closure of intersections from 3:00 am on September 30 through 3:00 am on October 2, 2011.

Explanation of Issue: The closure is to host a Jammin in JC Blues and BBQ Festival in Heritage Park.

Request is made to close:
1) 100 Block of West Sixth Street
2) 100 Block of West Fifth Street
3) 500 Block of North Jefferson Street
4) Possible closure of 500 Block North Washington Street

Budget Impact: There is no impact on the budget.

Alternatives: It appears that the City Commission has the following alternatives concerning the issues at hand. The Commission may:

1. Approve the request for the street closing
2. Disapprove the request for the street closing
3. Modify the request for the street closing
4. Table the request

Recommendation: Staff recommends approval of the street closing.

Suggested Motion:

Move to approve the street closing request for Jammin in JC Blues and BBQ Festival

Enclosures: Letter from Geary County Convention and Visitors Bureau

3e

City of Junction City

City Commission

Agenda Memo

3-29-2011

From: Tyler Ficken, City Clerk

To: Gerry Vernon, City Manager

Subject: Cereal Malt Beverage prohibition exemption request for Jammin in JC Blues and BBQ Festival

---

Objective: The Geary County Convention and Visitors Bureau requests a Cereal Malt Beverage prohibition exemption from 3:00 am on September 30 through 3:00 am on October 2, 2011

Explanation of Issue: The purpose of the exemption is to host a Jammin in JC Blues and BBQ Festival in Heritage Park.

Request is made to allow Jammin in JC Blues and BBQ Festival to serve cereal malt beverage in Heritage Park.

Budget Impact: There is no impact on the budget.

Alternatives:

1. Approve the Cereal Malt Beverage prohibition exemption
2. Disapprove the Cereal Malt Beverage prohibition exemption
3. Modify the request for Cereal Malt Beverage prohibition exemption
4. Table the request.

Recommendation: Staff recommends approval of the Cereal Malt Beverage prohibition exemption.

Suggested Motion:

Move to approve the Cereal Malt Beverage prohibition exemption request for Jammin in JC Blues and BBQ Festival

Enclosures: Letter from Geary County Convention and Visitors Bureau

Jammin in JC Blues and BBQ Festival

Location: Heritage Park.

Dates: Sept. 30 – Oct 1

Street closures will start at 3:00 AM on Sept. 30 and reopen at 3:00 AM on Oct. 2

Streets needing to be closed:

100 Block of W. 6th Street. Requests three barricades be left at west and east intersections for closure. Jammin' in JC staff will place barricades at 3:00 AM

100 Block of W. 5th St. Requests three barricades be left at west and east intersections for closure. Jammin' in JC staff will place barricades at 3:00 AM.

500 Block of N. Jefferson St. Request three barricades be left at south and north intersections for closure. Jammin' in JC staff will place barricades at 3:00 AM.

NOTE: *Depending on the amount of BBQ entries, we might need to close the 500 Block of N. Washington St.*
Connie Hall will notify city on Aug. 7 if street is needed.

Requesting six sets of barricades be dropped off at the area between the Washington St "Bartell/Kite's Parking Lot" and the Washington St "Embarq" parking lot. They can be put in the first west parking stall as you enter the Bartell/Kites parking lot from Washington St. The staff of Jammin' in JC will set up barricades.

Banners will be hung throughout park and stage area.

Band Performance Times:

Sept. 30 starts at 5:10 PM and ends at 11:00 PM

Oct. 1 starts at 1:00 PM and ends at 11:00 PM

A total of ten bands will be performing.

Music will be "Texas Blues" genre.

Power for stage and lights will be provided by generator.

BBQ Event

Contestants will be cooking the leg and thigh of chicken, ribs, pulled pork and brisket.

Some BBQ contestants will start cooking on the night of Sept. 30.

Judging will start at 12:00 PM on Oct. 1

The BBQ Committee is working with local fire department and the church on 5th St.

NO items from the BBQ contest will be available for sell. The BBQ contest is not a Jammin' in JC festival food source.

Additional Notes:

No more than five food vendors will be in park. The majority of food vendors will be non-profit organizations. We will have one professional food vendor who will be selling food and beer. Wrist bands will be used for the selling of beer. Vendor does have a valid license to sell beer.

Jammin' in JC will be selling event T-Shirts and Hat.

Stage construction and tear down will be handled by Jammin' in JC volunteers.

After hours security will be handled by Jammin' in JC volunteers. Requests JCPD provide some extra walking patrol in the park during event.

Porta-Potties will be placed in park.

Will place a power generator in the parking lot behind the Bartell/KITES. A portion of the parking lot will be closed to the public.

Will be working with WESTSTAR and Dave's Electric concerning power in park. Jammin' in JC will have limited needs.

The Jammin' in JC stage will be slightly to the west of where the Sundown Salute stage is located. The stage will be facing south.

Stage Deck:

Floor Size 32' x 23.8'
Floor Height 46" – 66"
Ground to Roof 22.7'
Covered Roof 26.3' x 34'

Requests a noise ordinance waiver for Sept. 30 starting at 8:00 AM and ending on Oct. 2 at 2:00 AM

Requests placement of trash cans in the park. Request cans be emptied every few hours. The Jammin' in JC staff can get volunteers if we know of location to take bags of trash.

Would like to recycle aluminum cans?

NOTES:

3f

City of Junction City

City Commission

Agenda Memo

3-29-2011

From: Tyler Ficken, City Clerk

To: Gerry Vernon, City Manager

Subject: Street closing request for B.O.S.S. Mufflers & Music event

---

Objective: B.O.S.S. President SPC Jason Sansom has requested the closure of intersections from 8:00 am on August 27 to 12:00 midnight.

Explanation of Issue: The closure is to host a B.O.S.S. Mufflers & Music event in Heritage Park.

Request is made to close the 100 block of West Sixth Street.

Budget Impact: There is no impact on the budget.

Alternatives:

1. Approve the request for the street closing
2. Disapprove the request for the street closing
3. Modify the request for the street closing
4. Table the request.

Recommendation: Staff recommends approval of the street closing

Suggested Motion:

Move to approve the street closing request for B.O.S.S. Mufflers & Music event in Heritage Park.

Enclosures: Presentation from B.O.S.S. President SPC Jason Sansom

39

City of Junction City

City Commission

Agenda Memo

3-29-2011

From: Tyler Ficken, City Clerk

To: Gerry Vernon, City Manager

Subject: Cereal Malt Beverage prohibition exemption request for B.O.S.S. Mufflers & Music event

---

Objective: B.O.S.S. President SPC Jason Sansom has requested a Cereal Malt Beverage prohibition exemption on August 27 from 8:00 am to 12:00 midnight.

Explanation of Issue: The purpose of the exemption is to host a B.O.S.S. Mufflers & Music event in Heritage Park.

Request is made to allow the B.O.S.S. Mufflers & Music to serve cereal malt beverage in Heritage Park and on Sixth Street from Jefferson to Washington.

Budget Impact: There is no impact on the budget.

Alternatives:

1. Approve the Cereal Malt Beverage prohibition exemption
2. Disapprove the Cereal Malt Beverage prohibition exemption
3. Modify the request for Cereal Malt Beverage prohibition exemption
4. Table the request.

Recommendation: Staff recommends approval Cereal Malt Beverage prohibition exemption

Suggested Motion:

Move to approve the Cereal Malt Beverage prohibition exemption request for B.O.S.S. Mufflers & Music event in Heritage Park.

Enclosures: Presentation from B.O.S.S. President SPC Jason Sansom

Purpose

What: **Battle of the Bands and Car Show**

Where: **Heritage Park, Junction City, KS**

When: **27 August, 2011 / NOON**

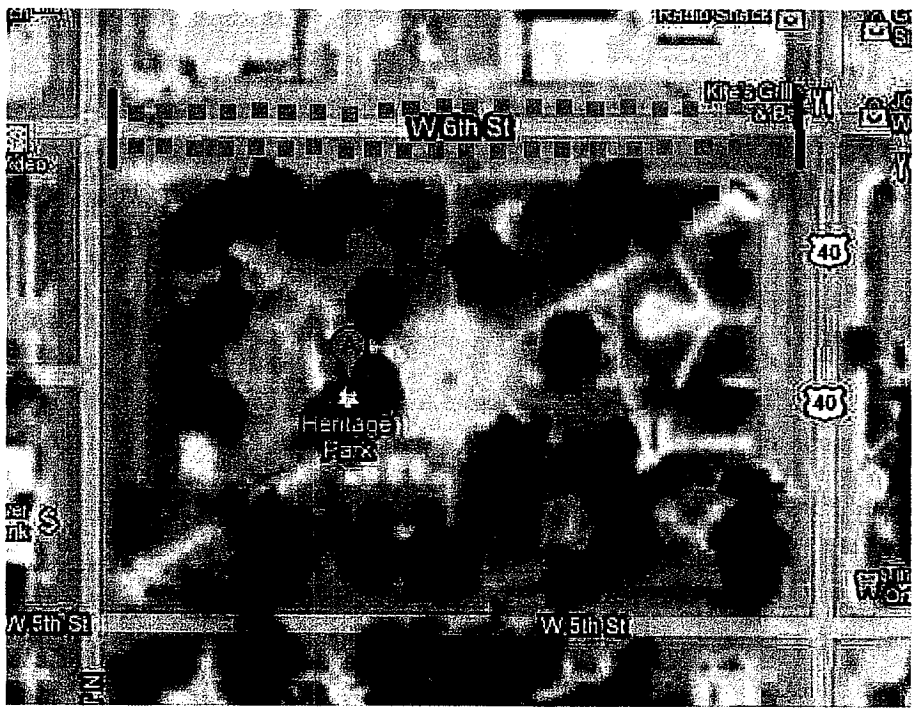
Why: To provide the Local Community and Ft. Riley with entertainment and music and vendors from surrounding area.

Who: General Public

Overview

- Mufflers and Music is a community event that showcases the talent of local bands, and cars for prize money and awards.
- The intent for this event is to get community involvement with vendors and local booths highlighting what they have to offer.
- Starting at noon judging for car show will take place and awards will be given out at 1500 (3PM).
- Possibly bring out tactical vehicles.

Over View of Park



Red Lines:	Block of 6th St.
Blue Boxes:	Cars in Cars Show
Red Boxes:	First Aid and Water Point

Day of Show Schedule - Sat, 27 Aug

0800-1000
Begin set up for concert and registration for car show. Do police call to pick up any trash in the area and begin to place trash cans out.

1030 – Sound check, and music in background
1200 – Start judging on car show, lunch and beer starts
1300 - Inflatable's, and kids event starts
1400 – Judging wrapping up on cars
1400 – Sound checks with bands
1500 – Announce winners on stage
1600 – Battle of Bands begins
2230 – Battle of Bands ends winners announce on stage top three places
2230- Start clean up

Marketing Campaign

- Radio
  - Manhattan Broadcasting
  - Platinum Broadcasting
  - Salina Media Group
    - Sunny 102.5
  - AAFES Radio
- Newspaper
  - Junction City Daily Union
  - Manhattan Mercury
  - GO 24/7 Article
- Facebook
  - Pushes
- Weather Crawl
  - Manhattan, Junction City, FR Market Segments
- PAO Briefs
- Visitation Bureau, JC
- Muster
- Community Calendars
- Flyers/Posters
- Banners/Road Signs
- Consolidated Flyers
- MWR Digital Signage
- ARMP Signage
- Outdoor LED Screens
- FRSAs / FRGs
  - Newsletter
  - Meetings

Requirements/Tasking Matrix

Name / Org	Task/Description	Cost	Funding Source	Suspense	Remarks
Laura Dillon DFMWR	Create a Marketing concept for the event				
Katy Walradt DFMWR	Obtain Sponsorship for the event				Dick Edwards main sponsor
Div PAO	Provide appropriate internal and external media coverage.				
Duane Clayton DFMWR	Helping plan out event				
Jill Singelton RCC	Selling beer and food during concert.				Also, sell food through out the day
B.O.S.S	Taking the lead on this event.				Overseeing Event
Brad Carlton DFMWR	Water, drinks, coolers and snacks for load-in and load-out. Provide and set-up stage.				

Issues

- Parking -
- Blocking off road for car show and battle of bands.
- Noise Permit
- Over lapping events

Questions?

3h

City of Junction City
City Commission
Agenda Memo

April 5, 2011 Meeting

From: Cheryl S. Beatty, Finance Director

To: City Commissioners

Subject: Opera House Billing Write Off

Objective: Approval of write off for the 2009 portion of employee benefits billed to the Opera House.

Explanation of Issue: It is uncertain as to whether the 2009 employee benefits for the Opera House was to be paid by the city general fund. Therefore, all employee benefits for the Opera House were invoiced. After discussion with the Opera House manager and after a review with their board, the Opera House is requesting that the City write-off the 2009 portion of the employee benefits invoiced. Since Fall, 2010 the Opera House has been attempting to operate as an independent agency. However, the manager and board believe they do not have sufficient revenue to pay the 2009 charges since it was not included in their operation plans. There plans include staying current on their 2011 employee benefit payments and to pay $500/month for the 2010 amount owed until paid in full.

Budget Impact: The 2009 budget has been closed and audited. Any revenues now received from that far back would be recorded as unanticipated revenue. However, as you know the employee benefit fund at the end of 2010 had a negative balance. To eliminate the negative balance, we are closing out the use of that fund and the revenue to remove the negative will be collected through mills levied until the fund has a zero balance.

Alternatives: It appears that the City Commission has the following alternatives concerning the issue at hand. The Commission may:

1. Approve the write off with instructions not to collect the $5,666.49.
2. Approve the write off with instructions to continue collect the $5,666.49.
3. Not approve the write off.
3. Modify the proposal as stated above.
4. Table the request.

Recommendation: Staff recommends that we write off the 2009 amount for accounting purposes. However, it is city commission choice as to whether they want us to continue collection of the $5,666.49.

Suggested Motion:

Commissioner _____ moves approval of the write off in the amount of $5,666,49 and <u>not</u> continue to bill them for the the 2009 employee benefits as presented.

Commissioner _____ seconded the motion.

Enclosures: Copy of statement sent to the Opera House.

Please make payment to:
City of Junction City
P.O. Box 287
Junction City, KS 66441-0287

ACCOUNT NUMBER	BILL DATE	DUE DATE
35-00137	3/03/2011	3/31/2011

AMOUNT DUE	AMOUNT ENCLOSED
$17,829.93	

JILL NELSON
CL HOOVER OPERA HOUSE
PO BOX 3005
135 W. 7TH STREET
JUNCTION CITY KS 66441

STATEMENT

City of Junction City
P.O. Box 287
Junction City, KS 66441-0287

ACCOUNT NUMBER	BILL DATE	DUE DATE
35-00137	3/03/2011	3/31/2011

DATE	REFERENCE	DESCRIPTION	ORIGINAL AMT	PAYMENTS	BALANCE
6/29/2009	O-6/2009-LAU	JUNE 2009-LAUGHLIN -INSU	374.18	0.00	374.18
6/29/2009	O-6/2009-NEL	JUNE 2009-NELSON-INSUR	422.79	0.00	422.79
7/29/2009	O-072009-LAU	JULY 2009-LAUGHLIN -INSU	374.18	0.00	374.18
7/29/2009	O-072009-NEL	JULY 2009-NELSON-INSUR	422.79	0.00	422.79
8/29/2009	O-082009-LAU	AUG 2009-LAUGHLIN -INSUR	380.67	0.00	380.67
8/29/2009	O-082009-NEL	AUG 2009-NELSON-INSUR	433.84	0.00	433.84
9/29/2009	O-092009-LAU	SEPT2009-LAUGHLIN -INSUR	380.67	0.00	380.67
9/29/2009	O-092009-NEL	SEPT2009-NELSON-INSUR	433.84	0.00	433.84
10/29/2009	O-102009-LAU	OCT2009-LAUGHLIN -INSUR	380.67	0.00	380.67
10/29/2009	O-102009-NEL	OCT2009-NELSON-INSUR	433.84	0.00	433.84
11/29/2009	O-112009-LAU	NOV2009-LAUGHLIN -INSUR	380.67	0.00	380.67
11/29/2009	O-112009-NEL	NOV 2009-NELSON-INSUR	433.84	0.00	433.84
12/29/2009	O-122009-LAU	DEC 2009-LAUGHLIN -INSUR	380.67	0.00	380.67
12/29/2009	O-122009-NEL	DEC 2009-NELSON-INSUR	433.84	0.00	433.84
1/29/2010	O-012010-LAU	JAN 2010-LAUGHLIN -INSUR	380.67	0.00	380.67
1/29/2010	O-012010-NEL	JAN 2010-NELSON-INSUR	433.84	0.00	433.84
2/28/2010	O-022010-LAU	FEB 2010-LAUGHLIN -INSUR	380.67	0.00	380.67
2/28/2010	O-022010-NEL	FEB 2010-NELSON-INSUR	433.84	0.00	433.84
3/29/2010	O-032010-LAU	MAR 2010-LAUGHLIN -INSUR	380.67	0.00	380.67
3/29/2010	O-032010-NEL	MAR 2010-NELSON-INSUR	433.84	0.00	433.84
4/29/2010	O-042010-LAU	APR 2010-LAUGHLIN -INSUR	380.67	0.00	380.67

CURRENT	30 DAYS	60 DAYS	90 DAYS	120 DAYS	TOTAL DUE

Please make payment to:
City of Junction City
P.O. Box 287
Junction City, KS 66441-0287

ACCOUNT NUMBER	BILL DATE	DUE DATE
35-00137	3/03/2011	3/31/2011

AMOUNT DUE	AMOUNT ENCLOSED
$17,829.93	

JILL NELSON
CL HOOVER OPERA HOUSE
PO BOX 3005
135 W. 7TH STREET
JUNCTION CITY KS 66441

STATEMENT

City of Junction City
P.O. Box 287
Junction City, KS 66441-0287

ACCOUNT NUMBER	BILL DATE	DUE DATE
35-00137	3/03/2011	3/31/2011

DATE	REFERENCE	DESCRIPTION	ORIGINAL AMT	PAYMENTS	BALANCE
4/29/2010	O-042010-NEL	APR 2010-NELSON-INSUR	433.84	0.00	433.84
5/29/2010	O-052010-LAU	MAY 2010-LAUGHLIN -INSUR	380.67	0.00	380.67
5/29/2010	O-052010-NEL	MAY 2010-NELSON-INSUR	433.84	0.00	433.84
6/29/2010	O-062010-LAU	JUN 2010-LAUGHLIN -INSUR	380.67	0.00	380.67
6/29/2010	O-062010-NEL	JUN 2010-NELSON-INSUR	433.84	0.00	433.84
7/29/2010	O-072010-LAU	JUL 2010-LAUGHLIN -INSUR	380.67	0.00	380.67
7/29/2010	O-072010-NEL	JUL 2010-NELSON-INSUR	433.84	0.00	433.84
8/29/2010	O-082010-LAU	AUG 2010-LAUGHLIN -INSUR	403.96	0.00	403.96
8/29/2010	O-082010-NEL	AUG 2010-NELSON-INSUR	654.79	21.88-	632.91
8/29/2010	O-082010-SEI	AUG 2010-SEIFER-INS	21.88	0.00	21.88
11/01/2010	O-092010-LAU	SEPT 2010-LAUGHLIN-INSUR	403.96	0.00	403.96
11/01/2010	O-092010-NEL	SEPT 2010-NELSON-INSURAN	654.79	21.88-	632.91
11/01/2010	O-092010-SEI	SEPT 2010--SEIFER-INSURA	21.88	0.00	21.88
11/01/2010	O-102010-LAU	OCT 2010-LAUGHLIN-INSURA	403.96	0.00	403.96
11/01/2010	O-102010-NEL	OCT 2010-NELSON-INSURANC	654.79	21.88-	632.91
11/01/2010	O-102010-SEI	OCT 2010-SEIFER-INSURANC	21.88	0.00	21.88
11/01/2010	O-112010-LAU	NOV 2010-LAUGHLIN-INSURA	403.96	0.00	403.96
11/01/2010	O-112010-NEL	NOV 2010-NELSON-INSURANC	654.79	21.88-	632.91
12/01/2010	O-122010-LAU	DEC 2010-LAUGHLIN-INSURA	403.96	0.00	403.96
12/01/2010	O-122010-NEL	DEC 2010-NELSON-INSURANC	654.79	21.88-	632.91
1/01/2011	O-012011-LAU	JAN 2011-LAUGHLIN-INSURA	403.96	0.00	403.96

CURRENT	30 DAYS	60 DAYS	90 DAYS	120 DAYS	TOTAL DUE

Please make payment to:

City of Junction City
P.O. Box 287
Junction City, KS 66441-0287

ACCOUNT NUMBER	BILL DATE	DUE DATE
35-00137	3/03/2011	3/30/2011

INVOICE

INVOICE NUMBER	AMOUNT DUE	AMOUNT ENCLOSED
032011-LAUGHLIN	$403.96	

JILL NELSON
CL HOOVER OPERA HOUSE
PO BOX 3005
135 W. 7TH STREET
JUNCTION CITY KS 66441

INVOICE NUMBER
032011-LAUGHLIN

City of Junction City
P.O. Box 287
Junction City, KS 66441-0287

ACCOUNT NUMBER	BILL DATE	DUE DATE
35-00137	3/03/2011	3/30/2011

ITEM DESCRIPTION	UNITS	TYPE	PRICE	AMOUNT
MAR 2011-LAUGHLIN-INSURANCE	N/A		N/A	403.96

*********THANK YOU*********

TOTAL DUE	$403.96

3i

City of Junction City

City Commission

Agenda Memo

March 26, 2011

From: Tricia Gowen, Public Services Director

To: Mayor and Commissioners

Subject: March 2011 Payroll

Objective: The consideration and approval of Payroll #5 and #6 for the month of March 2011.

Explanation of Issue: The payrolls for March 2011 were calculated as follows:

Payroll #5	$211,178.11	March 11, 2011
Payroll #6	$203,757.17	March 25, 2011

Alternatives: It appears that the City Commission has the following alternatives concerning the issues at hand. The Commission March:

Approve, disapprove or table the March 2011 Payroll request.

Recommendation: City Staff recommends that the City Commission approve the March 2011 Payroll.

Enclosures:

1. Payroll Check Register March 11, 2011 (Payroll #5)

2. Payroll Check Register March 25, 2011 (Payroll #6)

*** REGISTER TOTALS ***

REGULAR CHECKS:		
DIRECT DEPOSIT REGULAR CHECKS:	197	211,085.28
MANUAL CHECKS:		
PRINTED MANUAL CHECKS:		
DIRECT DEPOSIT MANUAL CHECKS:	1	92.83
VOIDED CHECKS:		
NON CHECKS:		
TOTAL CHECKS:	198	211,178.11

*** NO ERRORS FOUND ***

** END OF REPORT **

PAYROLL NO: 01 CITY OF JUNCTION CITY PAYROLL DATE: 3/25/2011

*** REGISTER TOTALS ***

REGULAR CHECKS:		
DIRECT DEPOSIT REGULAR CHECKS:	205	203,532.21
MANUAL CHECKS:		
PRINTED MANUAL CHECKS:		
DIRECT DEPOSIT MANUAL CHECKS:	1	224.96
VOIDED CHECKS:		
NON CHECKS:		
TOTAL CHECKS:	206	203,757.17

*** NO ERRORS FOUND ***

** END OF REPORT **

3j

City of Junction City

City Commission

Agenda Memo

5 April, 2011

From: Edward Lazear, Parks and Recreation Director

To: Gerry Vemon, City Manager, and City Commission

Subject: **AWARD OF BID ATHLETIC FIELDS MAINTENANCE, RATHERT STADIUM.**

Objective: Award of Bid Athletic Fields Maintenance, Rathert Stadium. (Bid NO - PR 11-001) for a total amount of $4,884.60.

Explanation of Issue: The Parks and Recreation Department sent out requests for bids to provide athletic field maintenance to include fertilizer and herbicide application at Rathert Stadium with qualified vendors for the period of one year. The bid process was opened on March 16, 2011 and closed on March 28, 2011. The request for proposals was published in the Daily Union and the City's current web site. One bid was received in this process from Game Time Turf Care, Inc. The proposal was reviewed and met all requirements of the RFP.

Budget Impact: Approval of proposal will lock in the annual field maintenance for Rathert Stadium for the 2011 budget year.

Alternatives: It appears that the City Commission has the following alternatives concerning the issues at hand. The Commission may:

1. Approve
2. Disapprove
3. Modify the proposal...
4. Table the request.

Suggested Motion: Commissioner _____ moves that the City accept the Award of Bid for Game Time Turf Care, Inc.

Recommendation: City Staff recommends the Award of Bid from Game Time Turf Care, Inc.

Enclosures: Athletic Field Maintenance Service Request for Proposal, Game Time Turf care, Inc Proposal.

RFP for Field Maintenance for Rathert Stadium

The City of Junction City is currently inviting proposals for Field Maintenance at Rathert Stadium for the City of Junction City. Bid packets are available on the City web site http://www.junctioncity-ks.gov or at the Parks Department office, 2307 N Jackson. 785-238-1678.

City of Junction City, Kansas

NOTICE INVITING PROPOSALS FOR ATHLETIC FIELD MAINTENANCE

BID NO. – PR 11-001

Date Issued:
March 16, 2011

Response Deadline:
March 28, 2011 at 9:00 a.m. CDT

Bid Objectives

This RFP addresses the City of Junction City's desire to contract for athletic field maintenance to include fertilizer and herbicide application at Rathert Stadium with a qualified vendor for the period of one year.

Bids must meet the following objectives

1. Successful bidder must be able to provide the maintenance specified in this RFP at Rathert Stadium.
2. Submittal of three (3) references from corporate or government customers is required in this RFP. Include names, addresses, and phone numbers.
3. Submittal of employee certifications and company certifications for providing the requested services.
4. Invoices shall be submitted to the City of Junction City Parks and Recreation Department with payments to be due within thirty (30) days of receipt of invoice.
5. Do you offer any warranty coverage for your services? If so, what type of warranty coverage do you offer?
6. List specialized equipment available to provide the maintenance specified in this RFP.
7. Please describe how you charge, either by the job or by the hour and your preferred method of payment (Invoice, Credit Card, etc)
8. Please list all other available services that your business/company provides, i.e. consulting and soil sample testing.
9. Are you willing to provide priority service? If so, please provide a brief description of your priority service process.

Queries and Primary Contact Person

All inquires about this RFP must be made in written form, via U.S. Postal Service, Facsimile, or email, to the primary point of contact for response by 28 March 2011

Name:	Ed Lazear
Address:	2307 N Jackson Junction City, KS 66441
Email:	ed.lazear@jcks.com
Phone:	785-210-7131
Fax:	785-223-5165

Responses to questions or comments provided by any other person, employee, or City office concerning the RFP will not be valid and will not bind the City of Junction City. All inquiries for information and responses will be available for review by all respondents.

Term of Contract

Bid proposal must be submitted which includes a fixed price for the requested service(s) for a one year period. Contract year will start in April 2011.

Insurance and Indemnification Requirements

1) Vendor shall at all times during the term of the agreement carry, maintain, and keep in full force and effect, a policy or policies of Comprehensive General Liability Insurance, with minimum limits of One Million Dollars ($1,000,000) for each occurrence, combined single limit, against any personal injury, death, loss or damage resulting from the wrongful or negligent acts by Vendor.
2) Vendor shall at all times during the term of the agreement carry, maintain, and keep in full force and effect, a policy or policies of Workmen Compensation Insurance meeting established statutory requirements.

Proposal Schedule

	Date	Action
1.	16 March 2011	RFP released.
2.	28 March 2011	Sealed Bids Due by 9:00 a.m. CDT
3.	5 April 2011	Bid Awarded by City Commission

Deadline for Proposals

A sealed bid must be received by the City of Junction City, Kansas, Parks & Recreation Department at 2307 N Jackson, Junction City, KS 66441, not later than 9:00 a.m. CDT on 28 March, 2011.
The sealed bid package should be clearly marked as follows:

PROPOSAL FOR: ATHLETIC FIELD MAINTENANCE
BID NO. - PR 11-001
ATTENTION: Ed Lazear, Parks & Recreation Director, 2307 N Jackson, Junction City, KS, 66441

Proposals and all conditions therein shall remain effective for at least sixty (60) days from proposals submission date. A complete response to the RFP should contain two (2) original copies.

Proposal Correction or Withdrawal of Proposal Prior to Opening

Any proposal may be withdrawn or modified by written request of the bidder provided such request is received by the City of Junction City by the deadline and at the address given above and the RFP has not been opened and read aloud. Modifications received after the due date and time will not be allowed. Modifications or corrections of proposals may be made by means of facsimile or other written communications, provided such modifications or corrections are received by the City prior to the closing time set for receiving proposals. Each correction to proposals must be clearly marked and initialed by the bidder.

The City of Junction City or its representatives reserve the right at any time to request clarification from any or all individuals or entities submitting a proposal.

Proposal Deposition

All materials submitted in response to this RFP will become property of the City of Junction City and will become public record after the proposals are opened and read. The City will not be responsible or liable in any way for any losses that the bidder may suffer from the disclosure of information or materials to third parties.

Non-Standard Forms

Proposals which are not submitted on the forms provided by the City of Junction City or do not adequately address the provisions of this RFP document will be rejected. A proposal in which omissions occur or which has been conditioned by the bidder in a manner that is unacceptable to the City of Junction City will be rejected. Corrections may be made until the proposal opening date, 28 March 2011 at 9:00 a.m. CDT. No corrections may be made subsequent to proposal opening.

Acceptance or Rejection of Proposals

The City of Junction City reserves the following rights and options:

- To accept the proposal that is the lowest and best proposal for the City of Junction City.
- To reject any and all non-responsive proposals.
- To reject any incomplete proposals.
- To reject all proposals without cause.
- To issue subsequent requests for new proposals.
- To discontinue its negotiations after commencing negotiations with a finalist, if progress is unsatisfactory, and commence discussions with another bidder.

Bidder's Responsibility for Costs

The City of Junction City will not reimburse any Bidder for any costs involved in the preparation and submission of its proposal, or in contract negotiations. Bidders are responsible for all costs associated with preparing and submitting the RFP.

Vendor Viability

List three of your current comparable customers. Please indicate: a) number of years as a customer; b) contact names and numbers.

The following documents must be attached with your bid and made a part of this proposal. Failure to do so will result in an incomplete response:

1. Entire request for proposal with all requested information.
2. Two (2) original copies of the completed bid sheet.

Bid Sheet

Note: For Basis for Comparison, use approximately 90,000 square feet of fescue turf located at Rathert Stadium as the basis for completing this bid sheet.

Service:	Costs: Per Job
1. Fertilization per application	$____304.60 (avg)
2. Crabgrass herbicide per application	$___390.00___
3. Broadleaf control herbicide per application	$____310.00__
4. Grub control insecticide per application	$___ 590.00__
5. Shattertine aeration – two directions	$____580.00__
6. Drill, seed fescue / bluegrass mix	$___1,180.00
7. Core aeration / top dress of sand	$___1,530.00__
Total	**$__4,884.60___**

The bidder must also include for each of the above - application rate and product used, and all charges that will apply, even if those charges are not explicitly mentioned in the RFP.

Other Charges:
Top dress excludes cost of sand
Please review 2011 for full program and pricing

P.O. Box 55
Weston, MO 64098
877.386.Turf
Email:
Info@GameTimeTurf.com

Trade References

City of Gladstone
Matt Hoops - Director
P.O. Box 10719
Gladstone, MO 44188
816.691.6827
Vendor Since 2003

Baker University
Gary Walbridge - Maintenance Supervisor
P.O. Box 65
Baldwin City, KS 66006
785.594.8416
Vendor Since 2004

Geary USD 475
Matt Westerhaus - Athletic Director
P.O. Box 370
Junction City, KS 66441
785.375.3806
Vendor Since 2003

Missouri Wolverines Youth Football
Jim Tuso - President
P.O. Box 790
Liberty, MO 64069
816,564.3090
Vendor Since 2003

Platte Country R-3 School District
Phil Dorman - A.D.
P.O. Box 1400
Platte City, MO 64079
816.858.2822
Vendor Since 2001

Ray-Pec School District
Jeff Donaldson - Head Grounds Keeper
401 South 3rd St.
Peculiar, MO 64078
816.365.3705
Vendor Since 2001

Raytown School District
Bob Glasgo - District A.D.
5911 Blue Ridge Blvd
Raytown, MO 64133
816.268.7000
Vendor Since 2007

Tonganoxie Recreation Commission
Russell Kimberlin - Head Grounds Keeper
P.O. Box 479
Tonganoxie, KS 66086
913.620.1500
Vendor Since 2005

Raytown Soccer Club
Warren Brown - Maintenance
6029 Raytown Rd.
Raytown, MO 64133
816.916.7721
Vendor Since 2006

West Platte R-2 School District
Eddie Hendrix - Director Buildings & Ground
1103 Washington St.
Weston, MO 64098
816.456.8155
Vendor Since 2001

P.O. Box 55
Weston, MO 64098
877.386.Turf
Email:
Info@GameTimeTurf.com

RFP Requested Information

Employee Certifications, Company Certifications
Blake Siler, President
- Principles of Turfgrass Management, University of Georgia
- Kansas Pesticide License
- 10 Years of Experience in Athletic Field Maintenance & Construction

Jared Baker, Project Manager
- 7 Years of Experience in Athletic Field Maintenance and Construction

Chris Smith, Project Manager
- 8 Years of Experience in Athletic Field Maintenance and Construction

GameTime Athletics
- Bonded in State of Kansas for Pesticide & Insecticide Use
- Insurance meets or exceeds RFP requirements

Warranty Coverage
GameTime puts a 1 year warranty on all work performed.
100% Customer Satisfaction or we will make it right
Provide all supplier manufacturer warranties

Specialized Equipment
GameTime Athletics is solely dedicated to athletic field maintenance and construction. Because of this all equipment we use on a job site was intended to be used on Athletic Fields or Golf Courses. Taking care of sports turfgrass is much different than taking care of residential/commercial turf or even golf course turf. Below is a list of some of our specialized equipment.

1. Tractors - 3 total units, John Deere 4720 Tractor (2 of them), and John Deere 5520 tractor. All 3 tractors have floatation tires to minimize compaction of soil. Also in all 3 tractors we use a special hydraulic fluid that will not harm turf in case of a hydraulic leak.
2. Aeration Equipment - We have 2 different types of aeration equipment we use. First is an Aer-Way Shattertine aerator. This unit will penetrate the ground up to 7 inches while making a shattering action that will cause hundreds of micro-cracks in the soil. This allows water, air & nutrients to easily flow to the root system. Second is a John Deere Aer-Core 1500. This unit was specially designed for golf course applications. It will pull an estimated 500,000 cores a depth of 4" per acre. There is no machine in the market place that will match its performance.
3. Topdressor - Topdressor is a machine that will apply materials over the top of the turf in a very thin layer. Beyond golf courses there are only a hand full of companies in our area that own a topdressor. The unit we use is a Ty-Crop TD-460.
4. Seeder - We use a 72" Landpride Overseeder with turf tires. This unit has tines that are spaced only 2" apart making sure that we achieve good soil to seed contact. We use turf tires so we cause minimal ground pressure to avoid compaction
5. Sprayer - We use a John Deere Sprayer System that is built on a John Deere Gator. This unit is 100% computerized to achieve the most accurate spray rate and control of our target pest.

P.O. Box 55
Weston, MO 64098
877.386.Turf
Email:
Info@GameTimeTurf.com

RFP Requested Information

Invoicing Terms

- We set an application cost and charge per application. If additional work is needed that is not on the RFP than we will give the city a quote based on what is needed to be performed.
- Preferred method of payment is check. GameTime will submit an invoice to the city with net payment terms of 30 days.

Additional Services

GameTime Athletics prides itself on providing a full range of services to it's customers. Basically if it has anything to do with an athletic field GameTime Athletics can do the job.

- Irrigation Design, Install, Repair
- Soil Analysis (Free to Customers)
- Laser Grading
- Renovations
- Sod
- Discounts on Sports Facility Equipment through our Catalog Division
- Field Construction
- Maintenance Programs or Al Carte Maintenance Services
- Consulting

Priority Services

When it comes to athletic fields any issue is a huge issue to us. We know sports fields can not take a day off due to disease, insects invading or other field related issues. As we do try to build maintenance programs to avoid issues we know mother nature throws curve balls to us all the time. That is why we pride ourselves in customer service. If you have an issue we generally respond within 24 hours. This can all depend on the issue, weather and what is needed to fix the issue.

If you have any issues while we are under contract please do not hesitate to call us 24 hours a day 7 days a week. We will get right on solving your issue any day of the week.

**Please remember maintenance practice can change year to year depending on mother nature. Every year seems to be different and can cause different issues to pop up. This is what makes it very hard to follow a maintenance program exactly year to year.

P.O. Box 55
Weston, MO 64098
Tel: 877.916.8953
Fax: 866.291.8268
Email: Info@GameTimeTurf.com

2011 Pricing

School: City of Junction City
Attention: Ed Lazear

Field Description: Rathert Stadium
Estimated Square Footage: 90,000
Turf Type: Cool Season Turf

March

Type	Description of Service	Rate	Application Cost
Fertilizer	34-3-11, 20% SCU, 2% FE	1 lb N / K	$276.00

April

Type	Description of Service	Rate	Application Cost
Aeration	Shattertine Aeration - 2 Directions		$580.00

May

Type	Description of Service	Rate	Application Cost
Herbicide	Dimension - Crab Grass	24 oz / Acre	$390.00
Herbicide	Strike 3 Ultra - Broadleaf Control	39 oz / Acre	$310.00
Aeration	Shattertine Aeration - 2 Directions		$580.00

June

Type	Description of Service	Rate	Application Cost
Fertilizer	25-5-3, 75% SCU, 2% FE	1.5 lb N / K	$375.00
Fungicide	Armada	1.2 oz / K	$850.00

July

Type	Description of Service	Rate	Application Cost
Fungicide	Armada	1.2 oz / K	$850.00
Insecticide	Meridian - Grub Control	17 oz / K	$590.00

August

Type	Description of Service	Rate	Application Cost
Fertilizer	34-3-11, 20% SCU, 2% FE	1 lb N / K	$276.00
Fungicide	Armada	1.2 oz / K	$850.00

September

Type	Description of Service	Rate	Application Cost
Fertilizer	18-24-12, 20% SCU, 2% FE	0.5 lb N / K	$320.00
Aeration	Shattertine Aeration - 2 Directions		$580.00
Seeding	90% Fescue, 10% Blue Seed	6 lb per 1,000	$1,180.00

October

Type	Description of Service	Rate	Application Cost
Fertilizer	34-3-11, 20% SCU, 2% FE	1 lb N / K	$276.00

November

Type	Description of Service	Rate	Application Cost

December

Type	Description of Service	Rate	Application Cost
Aeration	Core Aeration		$630.00
Topdressing	Topdressing of Sand	60 Tons*	$900.00

*Sand Not Included In Topdressing Price

3K

City of Junction City

City Commission

Agenda Memo

5, April 2011

From: Ed Lazear, Parks & Recreation Director

To: Gerry Vernon, City Manager, and City Commission

Subject: **Award of Bids for fertilizer and weed control for City properties**

Objective: **Award of Bids for fertilizer and weed control for City properties for the amounts of $13,435.00 and $9,050.00 respectively.**

Explanation of Issue: The Junction City Parks Department requested and received bids for fertilizer and weed control for 21 City properties. Two local vendors provided bids. Bid tabulations are attached.

Budget Impact: The award of bid will lock in the application price for fertilizer and weed control for the 2011 budget year.

Alternatives: It appears that the City Commission has the following alternatives concerning the issues at hand. The Commission may:

1. Approve
2. Disapprove
3. Modify the proposal…
4. Table the request.

Suggested Motion: Commissioner _____ moves that the City accept the bids for fertilizer and weed control from Rothwell Landscape, Inc.

Recommendation: City Staff recommends approval of this Award of Bids to Rothwell Landscape, Inc.

Enclosures: Bid tabulations

CITY OF JUNCTION CITY - TABULATION OF BIDS

Weed Control and Fertilization JC Parks
Bid Date: March 10th 2011

Rothwell Landscape, Inc Spring and fall broadfeal weed control & fertilizier		Nature Green Fertilization Spring and fall broadfeal weed control & fertilizier	
Location	**Seasonal Price**		**Seasonal Price**
Playground Park	$2,730.00		$2,928.00
Coronado Park	$580.00		$590.00
Bramlage Park	$1,575.00		$1,892.00
Boys & Girls Club	$690.00		$590.00
Skating Rink	$360.00		$410.00
Spring Valley Entrance	$270.00		$290.00
Bluffs Park	$630.00		$542.00
North Park, Outfield # 2,3, Dishman	$1,245.00		$1,200.00
$415.00 each		$400.00 each	
Grant Ave Center Turf Islands	$610.00		$638.00
Westwood Blvd Center Turf Islands	$360.00		$328.00
	$9,050.00		**$9,408.00**

3L

City of Junction City

City Commission

Agenda Memo

March 29, 2011

From: David L. Yearout, AICP, Director of Planning and Zoning

To: City Commission & Gerry Vernon, City Manager

Subject: Authorization for Mayor to Sign Easements for Westar

---

Issue: Consideration of the request of Westar to execute 11 easement documents on city-owned property concerning the placement of the high-voltage transmission line on the east side of Junction City, Kansas...

Explanation of Issue: The City of Junction City has been approached by representatives of Westar concerning the desire to "clean up" some easement documents regarding the high-voltage transmission line on the east side of the City. This is the line that begins on the south side of the City to the east of the railroad tracks and extends north to the north side of 6th Street; then goes east to the east side of Filley Street; then goes north to Grant Avenue; then follows the Grant Avenue corridor to Fort Riley. The line already exists and no additional construction work will be done. This line touches a total of 11 properties owned by the City and the proposed easements do one of two things; either reduces the area outlined in the recorded easement documents to the area actually needed for the transmission line, or adds an easement to confine the transmission line to a recorded easement.

Once these easements are approved by the City, the easements will be delivered to Westar for final approval and returned to Junction City for final filing with the Register of Deeds office. Westar is paying the City $1,000.00 per document for a total of $11,000.00 for the easements.

After consultation with the City Attorney, and making modifications to the easement documents to protect the City's interests, staff is recommending the Mayor be authorized to execute the easements on behalf of the City of Junction City, Kansas, subject to the receipt of the $11,000.00 for the easements.

Alternatives:

1. Authorize the Mayor to execute the easement documents, subject to receipt of the $11,000.00.

2. Reject the request.

Staff Recommendation: Authorize the Mayor to execute the easement documents, subject to the receipt of the $11,000.00.

Suggested Motion:

Commissioner _____ moved the Mayor be authorized to sign the easement documents with Westar for the 11 properties owned by the City of Junction City, Kansas, subject to receipt of the $11,000.00.

Commissioner _____ seconded the motion.

GRANT OF RIGHT OF WAY

For and in consideration of the sum of One Dollar ($1.00) and other valuable consideration, the receipt of which is hereby acknowledged, the undersigned Grantor(s), hereinafter referred to as Grantor, does hereby grant, convey and warrant unto WESTAR ENERGY, INC., (Grantee), its successors, assigns, and lessees the right and easement to erect, install, alter, reconstruct, operate, and maintain under varying conditions of operation, renew, replace, relocate, and remove electric and communication, transmission and distribution lines, the wood and steel poles and towers, anchors, guys, crossarms, insulators, conductors, underground conduit, ducts, cables, and other equipment appurtenant thereto for the transmission and distribution of electric energy and communications in, along, under, across, and over certain lands owned by Grantor situated in Geary County, State of Kansas, and described as follows:

> A strip of land in the NE4 Quarter of Section 12, Township 12 South, Range 5 East of the 6th P.M., Geary County, Kansas, more particularly described as follows;
>
> See Exhibit "A" attached hereto, made part of this instrument by reference,

together with the right of ingress to and egress from the above described land and contiguous land owned by Grantor for the purpose of surveying, erecting, constructing, maintaining, inspecting, rebuilding, replacing and repairing Grantee's lines which shall be located upon the land specifically described above.

Grantee shall have the further rights to erect, maintain and use gates in all fences which cross or which shall hereafter cross the route of said lines together with the right to trim, remove, eradicate, cut and clear away any trees, limbs and brush on above described land now or at any future time. Grantee shall have the further right to trim and clear away any trees, limbs, and brush on lands adjacent to above described right of way whenever in its judgment such will interfere with or endanger the construction, operation or maintenance of said lines. Grantee shall at its election have the right to remove said trees, limbs, and brush by bulldozing. All logs, limbs

and brush shall be burned or removed by the Grantee unless otherwise agreed to by Grantor. In exercising its right of ingress and egress the Grantee shall, whenever practicable, use existing roads or lanes, and shall repair any damage caused by its use thereof.

The Grantor, his heirs or assigns, may cultivate, use and enjoy the land above described, provided such use shall not in the judgment of Grantee, interfere with or endanger the construction, operation or maintenance of said lines, and provided further that no improvements or buildings shall be constructed on the said right of way without the prior written consent of the Grantee.

Grantee shall repair any physical damage to property of Grantor, or pay any substantial damages on account of physical injury to property of Grantor by the erection, installation, reconstruction, operation, and maintenance under varying conditions of operation, renewal, and removal of said lines, said damages, if not mutually agreed upon, shall be ascertained by three disinterested persons, one of whom shall be selected by each, Grantor and Grantee, their heirs or successors, assigns or lessees, and the third by the two so selected. The damages determined by such persons, or a majority of them, shall be conclusive as to the facts.

The foregoing notwithstanding, to the extent that the easement granted herein is located within an existing public right of way, nothing contained herein shall restrict the Grantor's rights to establish, operate and maintain such area as a public right of way, or limit the obligation of Westar to comply with local regulations regarding the use of public right of way.

This grant shall be binding upon the heirs, successors and assigns of the undersigned.

WITNESS the hand of the Grantor this ___ day of _____, 2011.

City of Junction City

_____

_____

STATE OF KANSAS)
) SS:
COUNTY OF GEARY)

ACKNOWLEDGMENT

I,_____, do hereby certify that,
_____
_____
_____
personally known to me to be the same person(s) whose name(s) is/are subscribed to the foregoing instrument, appeared before me in person and acknowledged that_____ signed and delivered the said instrument as a free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and seal this _____ day of _____, 2011.

My appointment expires:_____ _____
Notary Public

STATE OF KANSAS)
) SS:
COUNTY OF GEARY)

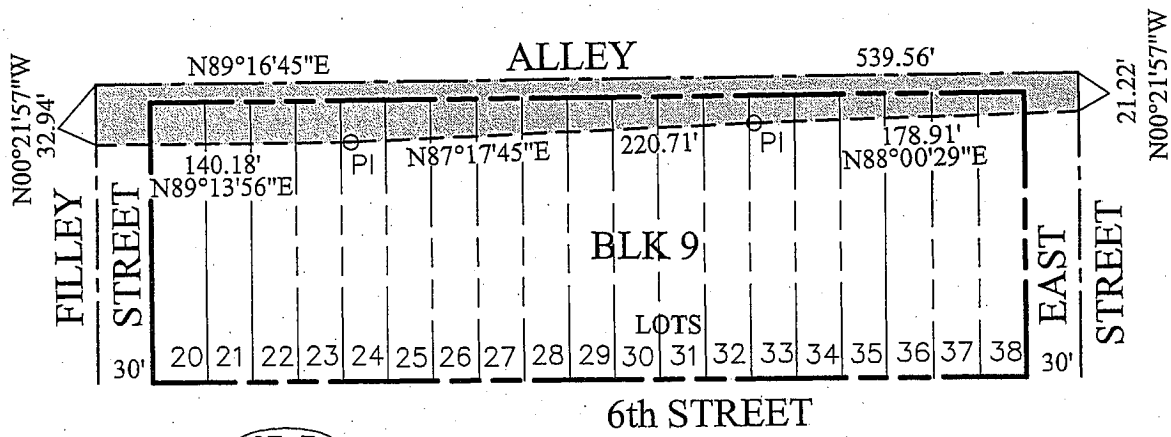
ACKNOWLEDGMENT

I,_____, do hereby certify that,
_____
_____
_____
personally known to me to be the same person(s) whose name(s) is/are subscribed to the foregoing instrument, appeared before me in person and acknowledged that_____ signed and delivered the said instrument as a free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and seal this _____ day of _____, 2011.

My appointment expires:_____ _____
Notary Public

EXHIBIT A



GE 7

CITY OF JUNCTION CITY, KS
LOTS 20-38
BLOCK 9
CHICAGO ADDITION

EASEMENT
AREA
0.35 ACRES, ±

N

Scale 1" = 100'

STREET/ALLEY CENTERLINE
TRACT/LOT LINE
RIGHT OF WAY LINE
PROPERTY LINE
EASEMENT LINE
EASEMENT AREA

WILSON & COMPANY 1700 E. IRON AVENUE SALINA, KANSAS 67401 (785)-827-0433 (785)-827-5949 FAX	JUNCTION CITY MAIN TO ANZIO			Westar Energy
	COUNTY	OWNER	TRACT NO.	
	GEARY	CITY OF JUNCTION CITY, KANSAS	GE-7	DATE: 11/30/10

SE4, S12, T12S, R5E

PARTIAL RELEASE AND MODIFICATION OF RIGHT OF WAY
("Release and Modification")

KNOW ALL MEN BY THESE PRESENTS, that subject to and in consideration of the mutual covenants herein contained, the sufficiency of which are hereby acknowledged, and effective upon the date of execution hereafter set forth, *City of Junction City, kansas*, ("Landowner"), of the first part, the current owner in fee simple (subject to easements of record) of the property described in this Release and Modification, and Westar Energy, Inc., a Kansas corporation ("WESTAR"), of the second part, as successor in the interest of *The United Power and Light Corporation*, is the owner of one or more easements by virtue of that certain *Right of Way Easement*, between *Myrtle K. Durbon, a widow, Sidy Ethel Ream and Clarence Ream, her husband, Esther Young and Donald Young, her husband, Josephine Doak and Sloan Doak, her husband* and *The United Power and Light Corporation*, dated *May 31, 1930*, and recorded in the office of the Register of Deeds of Geary County, Kansas, at Book Misc. 0, Page 275, covering the following described real estate, in Geary County, Kansas, to wit:

Beginning at a point on the North Bank of Smoky Hill River, said point being 70' more or less, Northwest of the South line of the Northwest Quarter of the Southeast Quarter of Section 12, Township 12 South, Range 5 West of the 6th P.M., Geary County, Kansas, as measured along river bank. The centerline of the transmission line bears in a Northeasterly direction to a point on the South Bank of Smoky Hill River, said point being 913' more or less, West of the East line of the Southwest Quarter of the Northeast Quarter of Section 12, as measured along river bank. There will be only 2 towers on the above described property,

(which easement is hereafter referred to as the "Originally Granted Easement"), hereby agrees as follows:

PARTIAL RELEASE OF RIGHT OF WAY. Subject to the conditions herein contained, WESTAR does hereby release, relinquish and surrender all its right, title and interest in and to the Originally Granted Easement **insofar and only with respect to** the following described property, to wit:

A tract of land located in Government Lot 5, Section 12, Township 12 South, Range 5 East of the 6th P.M., in Geary County, Kansas and described as follows: Commencing at the Southwest corner of Lot 3, Block 1, Johnson's 1st Addition to Junction City, Kansas; thence North 00°29'00'' East along the West line of said Johnson's 1st Addition a distance of 400' to the point of beginning of the tract to be described: thence North 89°38'00'' West a distance of 655.85' to a point in the centerline of the Old Smoky Hill River Channel; thence North 10°52'27'' West along said centerline a distance of 624.62'; thence South 89°31'00'' East a distance of 718.86'; thence North 00°29'00'' East a distance of 237' to a point 60' South of the centerline of East Chestnut Street (Highway K-207 alt.), said point being on the proposed South right-of-way line of East Chestnut Street (Highway K-207 alt.); thence South 87°33'35'' East along said proposed South right-of-way line a distance of 60.04' to the Northwest corner of Lot 1, Block 1, Johnson's 1st Addition to Junction City, Kansas, thence South 00°29'00'' West along the West line of said Johnson's 1st Addition a distance of 846' to the point of beginning. Contains 453,026 SF, 10.40 acres, more or less. Subject to easements, reservations and restrictions of record,

> **Except** and reserving unto Westar Energy, Inc., a strip of land across a tract of land in the SE4 of Section 12, Township 12 South, Range 5 East of the 6th P.M., Geary County, Kansas, more particularly described as follows;
>
> See Exhibit "A" attached hereto and made part of this instrument by reference.

That part of the real estate burdened by the Originally Granted Easement, and upon or across which the easement has not been released hereby, is referred to as the "Retained Easement," and as to the Retained Easement, all rights and interest of WESTAR shall remain in full force and effect, as amended below.

Right of Way Reserved and Modified. In consideration for the above described partial release, Landowner hereby acknowledges and agrees that the rights, as stated in the Originally Granted easement, shall be modified to include the right and easement to erect, install, alter, reconstruct, operate and maintain under varying conditions of operation, renew, replace relocate, and remove electric and communication transmission and distribution lines, the wood and steel poles and towers, anchors, guys, crossarms, insulators, conductors, underground conduit, ducts, cables, and other equipment appurtenant thereto for the transmission and distribution of electric energy and communications in, along, under, across, and over the Retained Easement, together with the right of ingress and egress from the Retained Easement and contiguous lands, if any, owned by Landowner, for the purpose of surveying, erecting, constructing, maintaining, inspecting, rebuilding, replacing and repairing WESTAR's lines which are located upon the Retained Easement. In exercising its right of ingress and egress, WESTAR shall, whenever practicable, use existing roads or lanes.

WESTAR shall have the further rights to erect, maintain and use gates in all fences which cross or which shall hereafter cross the route of said lines, together with the right to trim,

remove, eradicate, cut and clear away any trees, limbs and brush on above described land now or at any future time. WESTAR shall have the further right to trim and clear away any trees, limbs, and brush on lands adjacent to the above-described Retained Easement whenever in its judgment such will interfere with or endanger the construction, operation or maintenance of said lines. WESTAR shall at its election have the right to remove said trees, limbs and brush by bulldozing. All logs, limbs and brush shall be burned or removed by WESTAR unless otherwise agreed to by Landowner.

The Landowner, Landowner's heirs, or assigns, may cultivate, use and enjoy the land burdened by the Retained Easement above-described, provided such use shall not in the judgment of WESTAR, interfere with or endanger the construction, operation or maintenance of said lines, and provided further that no improvements, buildings or structures shall be constructed on the Retained Easement without the prior written consent of WESTAR.

The foregoing notwithstanding, to the extent that the "Retained Easement" is located within an existing public right of way, nothing contained herein shall restrict the Landowner's rights to establish, operate and maintain such area as a public right of way, or limit the obligation of Westar to comply with local regulations regarding the use of public right of way.

The foregoing notwithstanding, to the extent that the "Retained Easement" is located within an existing public right of way, nothing contained herein shall restrict the Landowner's rights to establish, operate and maintain such area as a public right of way, or limit the obligation of Westar to comply with local regulations regarding the use of public right of way.

THIS Partial Release and acknowledgment of rights herein shall be binding upon the successors and assigns of the undersigned.

IN WITNESS WHEREOF, the parties hereto have caused this Partial Release and Modification of Right of Way to be duly executed this __ day of _____, ____.

CITY OF JUNCTION CITY	WESTAR ENERGY, INC.
_____	_____
	Bruce Akin, Vice President
_____	

ACKNOWLEDGMENT

STATE OF KANSAS)
) SS:
COUNTY OF GEARY)

I,_____, do hereby certify that _____
_____
_____,
personally known to me to be the same person(s) whose name(s) is/are subscribed to the foregoing instrument, appeared before me in person and acknowledged that_____ signed and delivered the said instrument as a free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and seal this _____ day of _____, 20___.

My appointment expires: _____
Notary Public

_____

ACKNOWLEDGMENT

STATE OF KANSAS)
) SS:
COUNTY OF GEARY)

I,_____, do hereby certify that _____
_____
_____,
personally known to me to be the same person(s) whose name(s) is/are subscribed to the foregoing instrument, appeared before me in person and acknowledged that_____ signed and delivered the said instrument as a free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and seal this _____ day of _____, 20___.

My appointment expires: _____
Notary Public

_____

CORPORATE ACKNOWLEDGMENT

STATE OF KANSAS)
) SS:
COUNTY OF SHAWNEE)

On this ____ day of _____, 2011, before me, a Notary Public in and for said County and State aforesaid, personally appeared BRUCE AKIN, to me personally known, being by me sworn, did say that the said BRUCE AKIN is the Vice President, of WESTAR ENERGY, INC., the corporation that executed the foregoing instrument, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was signed, sealed and delivered in the name and on behalf of said corporation by authority of its Board of Directors, and said BRUCE AKIN acknowledge said instrument to be the free and voluntary act and deed of said corporation.

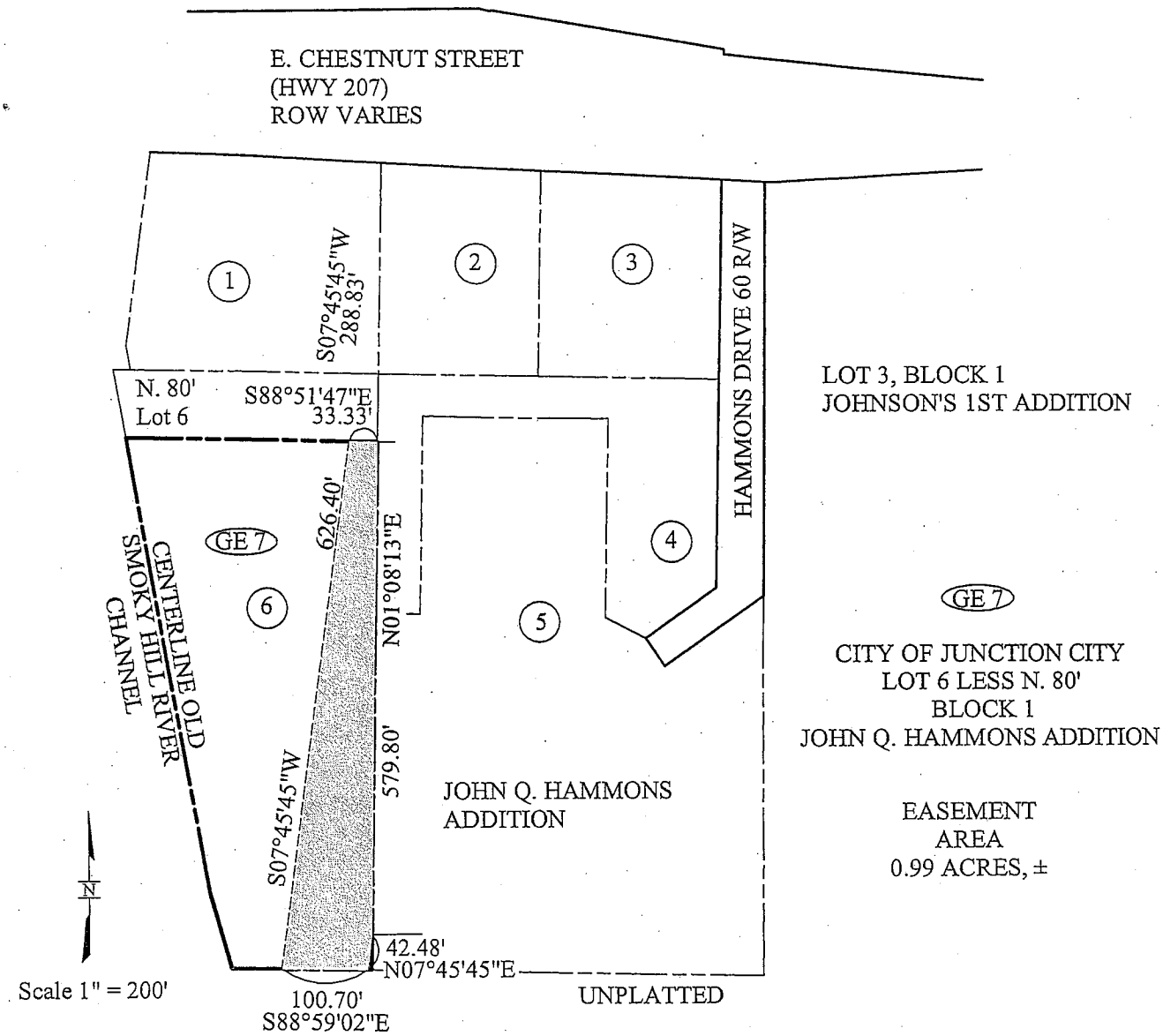
WITNESS my hand and seal the day and year last above written.

_____
Notary Public

My appointment expires:

_____

EXHIBIT A



TRACT NUMBER GE 7

LOT NUMBER 6

RIGHT OF WAY R/W

TRACT/LOT LINE

RIGHT OF WAY LINE

PROPERTY LINE

EASEMENT LINE

EASEMENT AREA

WILSON & COMPANY 1700 E. IRON AVENUE SALINA, KANSAS 67401 (785)-827-0433 (785)-827-5949 FAX	FORT JUNCTION TO JUNCTION CITY MAIN			Westar Energy
	COUNTY	OWNER	TRACT NO.	
	GEARY	CITY OF JUNCTION CITY	GE-7	DATE: 10/15/10

GRANT OF RIGHT OF WAY

For and in consideration of the sum of One Dollar ($1.00) and other valuable consideration, the receipt of which is hereby acknowledged, the undersigned Grantor(s), hereinafter referred to as Grantor, does hereby grant, convey and warrant unto WESTAR ENERGY, INC., (Grantee), its successors, assigns, and lessees the right and easement to erect, install, alter, reconstruct, operate, and maintain under varying conditions of operation, renew, replace, relocate, and remove electric and communication, transmission and distribution lines, the wood and steel poles and towers, anchors, guys, crossarms, insulators, conductors, underground conduit, ducts, cables, and other equipment appurtenant thereto for the transmission and distribution of electric energy and communications in, along, under, across, and over certain lands owned by Grantor situated in Geary County, State of Kansas, and described as follows:

> A strip of land in the NE4 Quarter of Section 12, Township 12 South, Range 5 East of the 6th P.M., Geary County, Kansas, more particularly described as follows;
>
> See Exhibit "A" attached hereto, made part of this instrument by reference,

together with the right of ingress to and egress from the above described land and contiguous land owned by Grantor for the purpose of surveying, erecting, constructing, maintaining, inspecting, rebuilding, replacing and repairing Grantee's lines which shall be located upon the land specifically described above.

Grantee shall have the further rights to erect, maintain and use gates in all fences which cross or which shall hereafter cross the route of said lines together with the right to trim, remove, eradicate, cut and clear away any trees, limbs and brush on above described land now or at any future time. Grantee shall have the further right to trim and clear away any trees, limbs, and brush on lands adjacent to above described right of way whenever in its judgment such will interfere with or endanger the construction, operation or maintenance of said lines. Grantee shall at its election have the right to remove said trees, limbs, and brush by bulldozing. All logs, limbs

and brush shall be burned or removed by the Grantee unless otherwise agreed to by Grantor. In exercising its right of ingress and egress the Grantee shall, whenever practicable, use existing roads or lanes, and shall repair any damage caused by its use thereof.

The Grantor, his heirs or assigns, may cultivate, use and enjoy the land above described, provided such use shall not in the judgment of Grantee, interfere with or endanger the construction, operation or maintenance of said lines, and provided further that no improvements or buildings shall be constructed on the said right of way without the prior written consent of the Grantee.

Grantee shall repair any physical damage to property of Grantor, or pay any substantial damages on account of physical injury to property of Grantor by the erection, installation, reconstruction, operation, and maintenance under varying conditions of operation, renewal, and removal of said lines, said damages, if not mutually agreed upon, shall be ascertained by three disinterested persons, one of whom shall be selected by each, Grantor and Grantee, their heirs or successors, assigns or lessees, and the third by the two so selected. The damages determined by such persons, or a majority of them, shall be conclusive as to the facts.

The foregoing notwithstanding, to the extent that the easement granted herein is located within an existing public right of way, nothing contained herein shall restrict the Grantor's rights to establish, operate and maintain such area as a public right of way, or limit the obligation of Westar to comply with local regulations regarding the use of public right of way.

This grant shall be binding upon the heirs, successors and assigns of the undersigned.

WITNESS the hand of the Grantor this ___ day of _____, 2011.

City of Junction City

_____

_____

STATE OF KANSAS)
) SS:
COUNTY OF GEARY)

ACKNOWLEDGMENT

I,_____, do hereby certify that,
_____
_____
_____
personally known to me to be the same person(s) whose name(s) is/are subscribed to the foregoing instrument, appeared before me in person and acknowledged that_____ signed and delivered the said instrument as a free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and seal this _____ day of _____, 2011.

My appointment expires:_____ _____
Notary Public

STATE OF KANSAS)
) SS:
COUNTY OF GEARY)

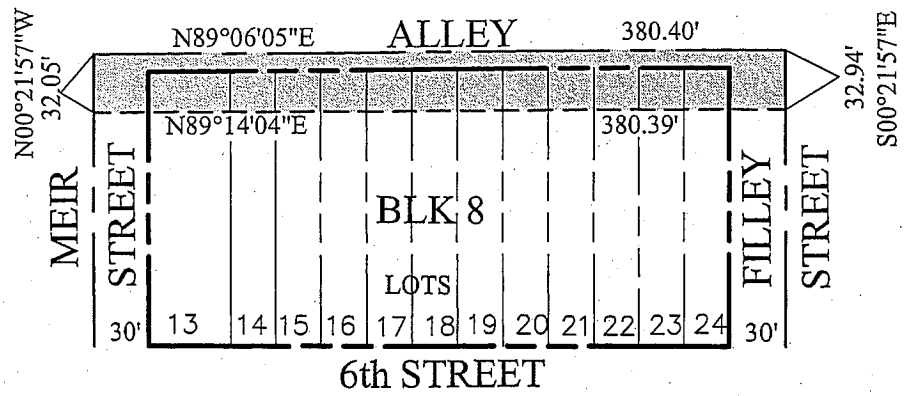
ACKNOWLEDGMENT

I,_____, do hereby certify that,
_____
_____
_____
personally known to me to be the same person(s) whose name(s) is/are subscribed to the foregoing instrument, appeared before me in person and acknowledged that_____ signed and delivered the said instrument as a free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and seal this _____ day of _____, 2011.

My appointment expires:_____ _____
Notary Public

EXHIBIT A



GE 6

CITY OF JUNCTION CITY, KS
LOTS 13-24
BLOCK 8
CHICAGO ADDITION

EASEMENT
AREA
0.28 ACRES, ±

N

Scale 1" = 100'

STREET/ALLEY CENTERLINE
TRACT/LOT LINE
RIGHT OF WAY LINE
PROPERTY LINE
EASEMENT LINE
EASEMENT AREA

WILSON & COMPANY
1700 E. IRON AVENUE
SALINA, KANSAS 67401
(785)-827-0433
(785)-827-5949 FAX

JUNCTION CITY MAIN TO ANZIO			Westar Energy
COUNTY	OWNER	TRACT NO.	
GEARY	CITY OF JUNCTION CITY, KANSAS	GE-6	DATE: 11/30/10

SE4, S12, T12S, R5E

PARTIAL RELEASE AND MODIFICATION OF RIGHT OF WAY
("Release and Modification")

KNOW ALL MEN BY THESE PRESENTS, that subject to and in consideration of the mutual covenants herein contained, the sufficiency of which are hereby acknowledged, and effective upon the date of execution hereafter set forth, *City of Junction City*, ("Landowner"), of the first part, the current owner in fee simple (subject to easements of record) of the property described in this Release and Modification, and Westar Energy, Inc., a Kansas corporation ("WESTAR"), of the second part, as successor in the interest of *The United Power and Light Corporation*, is the owner of one or more easements by virtue of that certain *Right of Way Easement*, between *Myrtle K. Durbon, a widow, Sidy Ethel Ream and Clarence Ream, her husband, Esther Young and Donald Young, her husband, Josephine Doak and Sloan Doak, her husband* and *The United Power and Light Corporation*, dated *May 31, 1930*, and recorded in the office of the Register of Deeds of Geary County, Kansas, at Book 0, Page 275, covering the following described real estate, in Geary County, Kansas, to wit:

Beginning at a point on the North Bank of Smoky Hill River, said point being 70' more or less, Northwest of the South line of the Northwest Quarter of the Southeast Quarter of Section 12, Township 12 South, Range 5 West of the 6th P.M., Geary County, Kansas, as measured along river bank. The centerline of the transmission line bears in a Northeasterly direction to a point on the South Bank of Smoky Hill River, said point being 913' more or less, West of the East line of the Southwest Quarter of the Northeast Quarter of Section 12, as measured along river bank. There will be only 2 towers on the above described property,,

(which easement is hereafter referred to as the "Originally Granted Easement"), hereby agrees as follows:

PARTIAL RELEASE OF RIGHT OF WAY. Subject to the conditions herein contained, WESTAR does hereby release, relinquish and surrender all its right, title and interest in and to the Originally Granted Easement **insofar and only with respect to** the following described property, to wit:

Except and reserving unto Westar Energy, Inc., a strip of land across a tract of land in the SE4 of Section 12, Township 12 South, Range 5 East of the 6th P.M., Geary County, Kansas, more particularly described as follows;

See Exhibit "A" attached hereto and made part of this instrument by reference.

That part of the real estate burdened by the Originally Granted Easement, and upon or across which the easement has not been released hereby, is referred to as the "Retained Easement," and as to the Retained Easement, all rights and interest of WESTAR shall remain in full force and effect, as amended below.

Right of Way Reserved and Modified. In consideration for the above described partial release, Landowner hereby acknowledges and agrees that the rights, as stated in the Originally Granted easement, shall be modified to include the right and easement to erect, install, alter, reconstruct, operate and maintain under varying conditions of operation, renew, replace relocate, and remove electric and communication transmission and distribution lines, the wood and steel poles and towers, anchors, guys, crossarms, insulators, conductors, underground conduit, ducts, cables, and other equipment appurtenant thereto for the transmission and distribution of electric energy and communications in, along, under, across, and over the Retained Easement, together with the right of ingress and egress from the Retained Easement and contiguous lands, if any, owned by Landowner, for the purpose of surveying, erecting, constructing, maintaining, inspecting, rebuilding, replacing and repairing WESTAR's lines which are located upon the Retained Easement. In exercising its right of ingress and egress, WESTAR shall, whenever practicable, use existing roads or lanes.

WESTAR shall have the further rights to erect, maintain and use gates in all fences which cross or which shall hereafter cross the route of said lines, together with the right to trim, remove, eradicate, cut and clear away any trees, limbs and brush on above described land now or at any future time. WESTAR shall have the further right to trim and clear away any trees, limbs, and brush on lands adjacent to the above-described Retained Easement whenever in its judgment such will interfere with or endanger the construction, operation or maintenance of said lines. WESTAR shall at its election have the right to remove said trees, limbs and brush by bulldozing. All logs, limbs and brush shall be burned or removed by WESTAR unless otherwise agreed to by Landowner.

The Landowner, Landowner's heirs, or assigns, may cultivate, use and enjoy the land burdened by the Retained Easement above-described, provided such use shall not in the judgment of WESTAR, interfere with or endanger the construction, operation or maintenance of said lines, and provided further that no improvements, buildings or structures shall be constructed on the Retained Easement without the prior written consent of WESTAR.

The foregoing notwithstanding, to the extent that the "Retained Easement" is located within an existing public right of way, nothing contained herein shall restrict the Landowner's rights to establish, operate and maintain such area as a public right of way, or limit the obligation of Westar to comply with local regulations regarding the use of public right of way.

THIS Partial Release and acknowledgment of rights herein shall be binding upon the successors and assigns of the undersigned.

IN WITNESS WHEREOF, the parties hereto have caused this Partial Release and Modification of Right of Way to be duly executed this __ day of _____, ____.

CITY OF JUNCTION CITY	WESTAR ENERGY, INC.
_____	_____
	Bruce Akin, Vice President
_____	

ACKNOWLEDGMENT

STATE OF KANSAS)
) SS:
COUNTY OF GEARY)

I,_____, do hereby certify that _____
_____
_____,
personally known to me to be the same person(s) whose name(s) is/are subscribed to the foregoing instrument, appeared before me in person and acknowledged that_____ signed and delivered the said instrument as a free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and seal this _____ day of _____, 20___.

My appointment expires: _____
Notary Public

_____

ACKNOWLEDGMENT

STATE OF KANSAS)
) SS:
COUNTY OF GEARY)

I,_____, do hereby certify that _____
_____
_____,
personally known to me to be the same person(s) whose name(s) is/are subscribed to the foregoing instrument, appeared before me in person and acknowledged that_____ signed and delivered the said instrument as a free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and seal this _____ day of _____, 20___.

My appointment expires: _____
Notary Public

_____

CORPORATE ACKNOWLEDGMENT

STATE OF KANSAS)
) SS:
COUNTY OF SHAWNEE)

On this ____ day of _____, 2010, before me, a Notary Public in and for said County and State aforesaid, personally appeared BRUCE AKIN, to me personally known, being by me sworn, did say that the said BRUCE AKIN is the Vice President, of WESTAR ENERGY, INC., the corporation that executed the foregoing instrument, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was signed, sealed and delivered in the name and on behalf of said corporation by authority of its Board of Directors, and said BRUCE AKIN acknowledge said instrument to be the free and voluntary act and deed of said corporation.

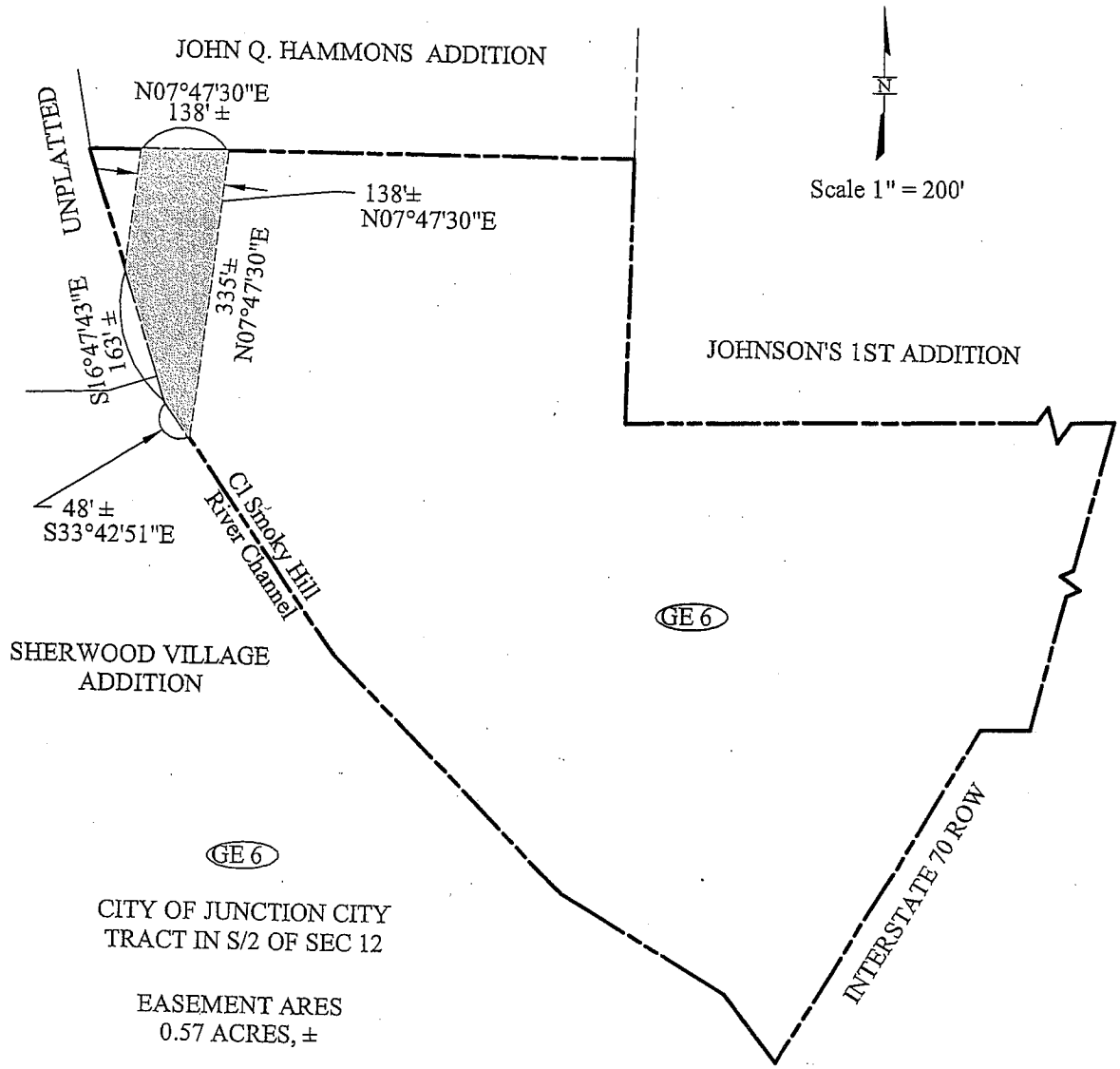
WITNESS my hand and seal the day and year last above written.

_____
Notary Public

My appointment expires:

_____

EXHIBIT A



TRACT NUMBER GE 6

RIGHT OF WAY R/W

TRACT/LOT LINE
RIGHT OF WAY LINE
PROPERTY LINE
EASEMENT LINE
EASEMENT AREA

WILSON & COMPANY

1700 E. IRON AVENUE
SALINA, KANSAS 67401
(785)-827-0433
(785)-827-5949 FAX

FORT JUNCTION TO
JUNCTION CITY MAIN

Westar Energy

COUNTY	OWNER	TRACT NO.	
GEARY	CITY OF JUNCTION CITY, KANSAS	GE-6	DATE: 10/15/10

GRANT OF RIGHT OF WAY

For and in consideration of the sum of One Dollar ($1.00) and other valuable consideration, the receipt of which is hereby acknowledged, the undersigned Grantor(s), hereinafter referred to as Grantor, does hereby grant, convey and warrant unto WESTAR ENERGY, INC., (Grantee), its successors, assigns, and lessees the right and easement to erect, install, alter, reconstruct, operate, and maintain under varying conditions of operation, renew, replace, relocate, and remove electric and communication, transmission and distribution lines, the wood and steel poles and towers, anchors, guys, crossarms, insulators, conductors, underground conduit, ducts, cables, and other equipment appurtenant thereto for the transmission and distribution of electric energy and communications in, along, under, across, and over certain lands owned by Grantor situated in Geary County, State of Kansas, and described as follows:

> A strip of land in the NE4 Quarter of Section 12, Township 12 South, Range 5 East of the 6th P.M., Geary County, Kansas, more particularly described as follows;
>
> See Exhibit "A" attached hereto, made part of this instrument by reference,

together with the right of ingress to and egress from the above described land and contiguous land owned by Grantor for the purpose of surveying, erecting, constructing, maintaining, inspecting, rebuilding, replacing and repairing Grantee's lines which shall be located upon the land specifically described above.

Grantee shall have the further rights to erect, maintain and use gates in all fences which cross or which shall hereafter cross the route of said lines together with the right to trim, remove, eradicate, cut and clear away any trees, limbs and brush on above described land now or at any future time. Grantee shall have the further right to trim and clear away any trees, limbs, and brush on lands adjacent to above described right of way whenever in its judgment such will interfere with or endanger the construction, operation or maintenance of said lines. Grantee shall at its election have the right to remove said trees, limbs, and brush by bulldozing. All logs, limbs

and brush shall be burned or removed by the Grantee unless otherwise agreed to by Grantor. In exercising its right of ingress and egress the Grantee shall, whenever practicable, use existing roads or lanes, and shall repair any damage caused by its use thereof.

The Grantor, his heirs or assigns, may cultivate, use and enjoy the land above described, provided such use shall not in the judgment of Grantee, interfere with or endanger the construction, operation or maintenance of said lines, and provided further that no improvements or buildings shall be constructed on the said right of way without the prior written consent of the Grantee.

Grantee shall repair any physical damage to property of Grantor, or pay any substantial damages on account of physical injury to property of Grantor by the erection, installation, reconstruction, operation, and maintenance under varying conditions of operation, renewal, and removal of said lines, said damages, if not mutually agreed upon, shall be ascertained by three disinterested persons, one of whom shall be selected by each, Grantor and Grantee, their heirs or successors, assigns or lessees, and the third by the two so selected. The damages determined by such persons, or a majority of them, shall be conclusive as to the facts.

The foregoing notwithstanding, to the extent that the easement granted herein is located within an existing public right of way, nothing contained herein shall restrict the Grantor's rights to establish, operate and maintain such area as a public right of way, or limit the obligation of Westar to comply with local regulations regarding the use of public right of way.

This grant shall be binding upon the heirs, successors and assigns of the undersigned.

WITNESS the hand of the Grantor this ___ day of _____, 2011.

City of Junction City

_____

_____

STATE OF KANSAS)
) SS:
COUNTY OF GEARY)

ACKNOWLEDGMENT

I,_____, do hereby certify that,
_____
_____
_____
personally known to me to be the same person(s) whose name(s) is/are subscribed to the foregoing instrument, appeared before me in person and acknowledged that_____ signed and delivered the said instrument as a free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and seal this _____ day of _____, 2011.

My appointment expires:_____ _____
Notary Public

STATE OF KANSAS)
) SS:
COUNTY OF GEARY)

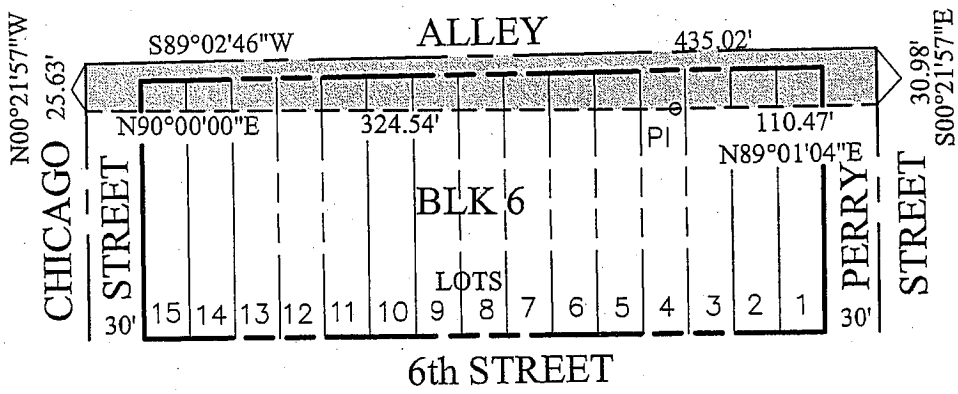
ACKNOWLEDGMENT

I,_____, do hereby certify that,
_____
_____
_____
personally known to me to be the same person(s) whose name(s) is/are subscribed to the foregoing instrument, appeared before me in person and acknowledged that_____ signed and delivered the said instrument as a free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and seal this _____ day of _____, 2011.

My appointment expires:_____ _____
Notary Public

EXHIBIT A



GE 2

CITY OF JUNCTION CITY, KS
LOTS 1-15
BLOCK 6
CHICAGO ADDITION

EASEMENT
AREA
0.29 ACRES, ±

N

Scale 1" = 100'

STREET/ALLEY CENTERLINE
TRACT/LOT LINE
RIGHT OF WAY LINE
PROPERTY LINE
EASEMENT LINE
EASEMENT AREA

WILSON & COMPANY
1700 E. IRON AVENUE
SALINA, KANSAS 67401
(785)-827-0433
(785)-827-5949 FAX

JUNCTION CITY MAIN
TO ANZIO

Westar Energy

COUNTY	OWNER	TRACT NO.	
GEARY	CITY OF JUNCTION CITY, KANSAS	GE-02	DATE: 11/30/10

NW4, S13, T12S, R5E

PARTIAL RELEASE AND MODIFICATION OF RIGHT OF WAY
("Release and Modification")

KNOW ALL MEN BY THESE PRESENTS, that subject to and in consideration of the mutual covenants herein contained, the sufficiency of which are hereby acknowledged, and effective upon the date of execution hereafter set forth, *The City of Junction City, Kansas, a Kansas municipal corporation of Geary County, Kansas*, ("Landowner"), of the first part, the current owner in fee simple (subject to easements of record) of the property described in this Release and Modification, and Westar Energy, Inc., a Kansas corporation ("WESTAR"), of the second part, as successor in the interest of *The United Power and Light Corporation*, is the owner of one or more easements by virtue of that certain *Right-of-way Easement*, between *Lillie May Sherbert and F. A. Sherbert, her husband* and *The United Power and Light Corporation*, dated *July 8, 1930*, and recorded in the office of the Register of Deeds of Geary County, Kansas, at Book Misc. 0, Page 316, covering the following described real estate, in Geary County, Kansas, to wit:

Beginning at a point on the East Right of Way line of the Missouri-Kansas & Texas Railroad, said point being 288' more or less, North of the South line of the Northeast Quarter of the Northwest Quarter of Section 13, Township 12 South, Range 5 East of the 6th P.M., Geary County, Kansas, the centerline of the transmission line bears in a Northeasterly direction for a distance of 2162' more or less, thence the centerline deflects 16° more or less, left and bears in a Northerly direction to a point on the South Bank of Smoky Hill River, said point being 59' more or less, South East of a point on the East line of Lot 8, as measured along River Bank. There will be only 4 towers on the above described property,

(which easement is hereafter referred to as the "Originally Granted Easement"), hereby agrees as follows:

PARTIAL RELEASE OF RIGHT OF WAY. Subject to the conditions herein contained, WESTAR does hereby release, relinquish and surrender all its right, title and interest in and to the Originally Granted Easement **insofar and only with respect to** the following described property, to wit:

Tract A; Block 1; Johnson's 2nd Addition to Junction City, Kansas,

Except and reserving unto Westar Energy, Inc., a strip of land across a tract of land in the NW4 of Section 13, Township 12 South, Range 5 East of the 6th P.M., Geary County, Kansas, more particularly described as follows;

See Exhibit "A" attached hereto and made part of this instrument by reference.

That part of the real estate burdened by the Originally Granted Easement, and upon or across which the easement has not been released hereby, is referred to as the "Retained Easement," and as to the Retained Easement, all rights and interest of WESTAR shall remain in full force and effect, as amended below.

Right of Way Reserved and Modified. In consideration for the above described partial release, Landowner hereby acknowledges and agrees that the rights, as stated in the Originally Granted easement, shall be modified to include the right and easement to erect, install, alter, reconstruct, operate and maintain under varying conditions of operation, renew, replace relocate, and remove electric and communication transmission and distribution lines, the wood and steel poles and towers, anchors, guys, crossarms, insulators, conductors, underground conduit, ducts, cables, and other equipment appurtenant thereto for the transmission and distribution of electric energy and communications in, along, under, across, and over the Retained Easement, together with the right of ingress and egress from the Retained Easement and contiguous lands, if any, owned by Landowner, for the purpose of surveying, erecting, constructing, maintaining, inspecting, rebuilding, replacing and repairing WESTAR's lines which are located upon the Retained Easement. In exercising its right of ingress and egress, WESTAR shall, whenever practicable, use existing roads or lanes.

WESTAR shall have the further rights to erect, maintain and use gates in all fences which cross or which shall hereafter cross the route of said lines, together with the right to trim, remove, eradicate, cut and clear away any trees, limbs and brush on above described land now or at any future time. WESTAR shall have the further right to trim and clear away any trees, limbs, and brush on lands adjacent to the above-described Retained Easement whenever in its judgment such will interfere with or endanger the construction, operation or maintenance of said lines. WESTAR shall at its election have the right to remove said trees, limbs and brush by bulldozing. All logs, limbs and brush shall be burned or removed by WESTAR unless otherwise agreed to by Landowner.

The Landowner, Landowner's heirs, or assigns, may cultivate, use and enjoy the land burdened by the Retained Easement above-described, provided such use shall not in the judgment of WESTAR, interfere with or endanger the construction, operation or maintenance of said lines, and provided further that no improvements, buildings or structures shall be constructed on the Retained Easement without the prior written consent of WESTAR.

The foregoing notwithstanding, to the extent that the "Retained Easement" is located within an existing public right of way, nothing contained herein shall restrict the Landowner's rights to establish, operate and maintain such area as a public right of way, or limit the obligation of Westar to comply with local regulations regarding the use of public right of way.

THIS Partial Release and acknowledgment of rights herein shall be binding upon the successors and assigns of the undersigned.

IN WITNESS WHEREOF, the parties hereto have caused this Partial Release and Modification of Right of Way to be duly executed this __ day of _____, ____.

THE CITY OF JUNCTION CITY

_____

_____

WESTAR ENERGY, INC.

_____

Bruce Akin, Vice President

ACKNOWLEDGMENT

STATE OF KANSAS)
) SS:
COUNTY OF GEARY)

I,_____, do hereby certify that _____
_____
_____,
personally known to me to be the same person(s) whose name(s) is/are subscribed to the foregoing instrument, appeared before me in person and acknowledged that_____ signed and delivered the said instrument as a free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and seal this _____ day of _____, 20___.

My appointment expires: _____
Notary Public

_____

ACKNOWLEDGMENT

STATE OF KANSAS)
) SS:
COUNTY OF GEARY)

I,_____, do hereby certify that _____
_____
_____,
personally known to me to be the same person(s) whose name(s) is/are subscribed to the foregoing instrument, appeared before me in person and acknowledged that_____ signed and delivered the said instrument as a free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and seal this _____ day of _____, 20___.

My appointment expires: _____
Notary Public

_____

CORPORATE ACKNOWLEDGMENT

STATE OF KANSAS)
) SS:
COUNTY OF SHAWNEE)

On this ____ day of _____, 2010, before me, a Notary Public in and for said County and State aforesaid, personally appeared BRUCE AKIN, to me personally known, being by me sworn, did say that the said BRUCE AKIN is the Vice President, of WESTAR ENERGY, INC., the corporation that executed the foregoing instrument, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was signed, sealed and delivered in the name and on behalf of said corporation by authority of its Board of Directors, and said BRUCE AKIN acknowledge said instrument to be the free and voluntary act and deed of said corporation.

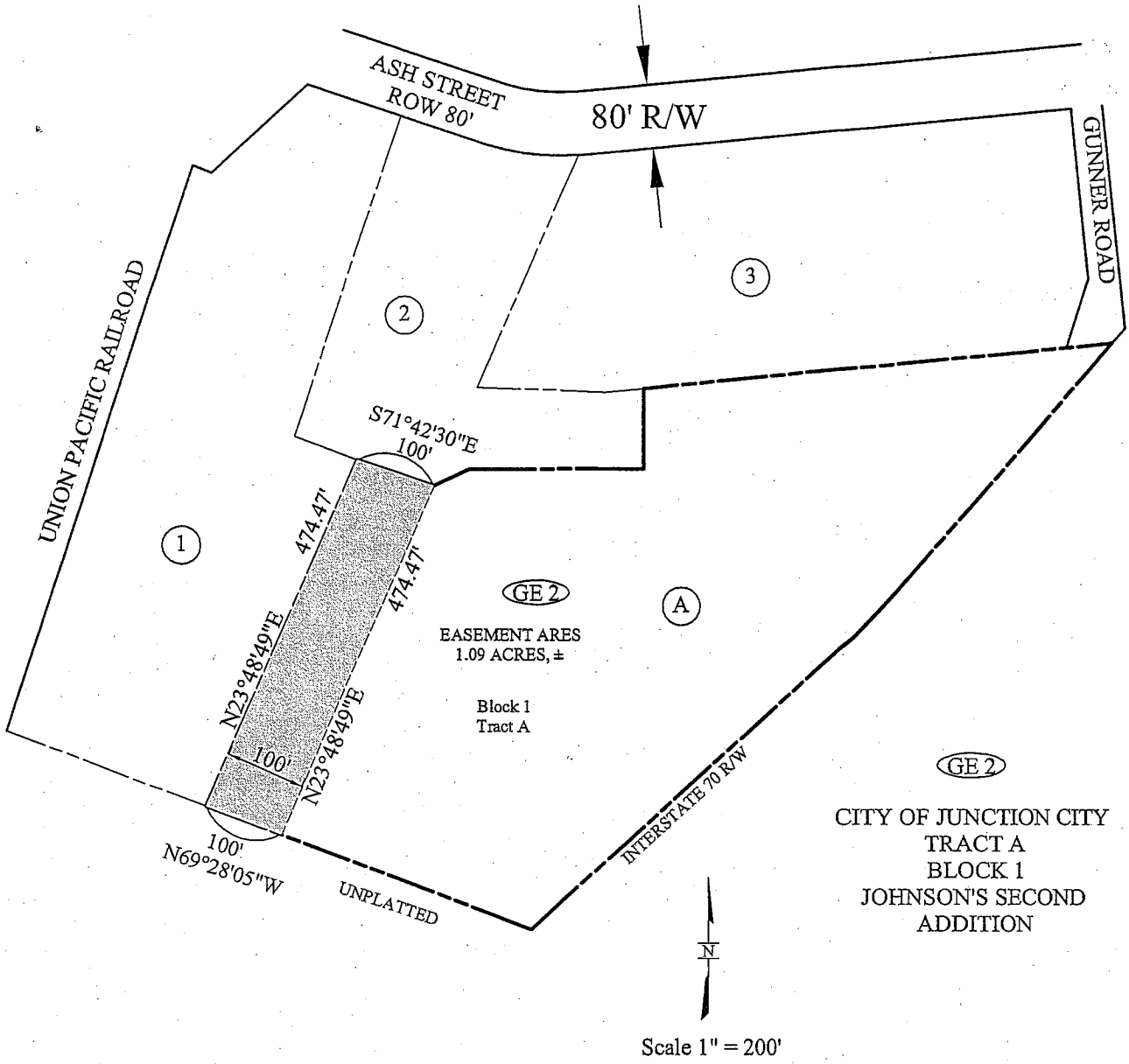
WITNESS my hand and seal the day and year last above written.

_____
Notary Public

My appointment expires:

_____

EXHIBIT A



TRACT NUMBER (GE 2)

TRACT (A)

RIGHT OF WAY R/W

TRACT/LOT LINE

RIGHT OF WAY LINE

PROPERTY LINE

EASEMENT LINE

EASEMENT AREA

WILSON & COMPANY 1700 E. IRON AVENUE SALINA, KANSAS 67401 (785)-827-0433 (785)-827-5949 FAX	FORT JUNCTION TO JUNCTION CITY MAIN			Westar Energy
	COUNTY	OWNER	TRACT NO.	
	GEARY	CITY OF JUNCTION CITY, KANSAS	GE-2	DATE: 10/15/10

GRANT OF RIGHT OF WAY

For and in consideration of the sum of One Dollar ($1.00) and other valuable consideration, the receipt of which is hereby acknowledged, the undersigned Grantor(s), hereinafter referred to as Grantor, does hereby grant, convey and warrant unto WESTAR ENERGY, INC., (Grantee), its successors, assigns, and lessees the right and easement to erect, install, alter, reconstruct, operate, and maintain under varying conditions of operation, renew, replace, relocate, and remove electric and communication, transmission and distribution lines, the wood and steel poles and towers, anchors, guys, crossarms, insulators, conductors, underground conduit, ducts, cables, and other equipment appurtenant thereto for the transmission and distribution of electric energy and communications in, along, under, across, and over certain lands owned by Grantor situated in Geary County, State of Kansas, and described as follows:

> A strip of land in the NE4 Quarter of Section 12, Township 12 South, Range 5 East of the 6th P.M., Geary County, Kansas, more particularly described as follows;
>
> See Exhibit "A" attached hereto, made part of this instrument by reference,

together with the right of ingress to and egress from the above described land and contiguous land owned by Grantor for the purpose of surveying, erecting, constructing, maintaining, inspecting, rebuilding, replacing and repairing Grantee's lines which shall be located upon the land specifically described above.

Grantee shall have the further rights to erect, maintain and use gates in all fences which cross or which shall hereafter cross the route of said lines together with the right to trim, remove, eradicate, cut and clear away any trees, limbs and brush on above described land now or at any future time. Grantee shall have the further right to trim and clear away any trees, limbs, and brush on lands adjacent to above described right of way whenever in its judgment such will interfere with or endanger the construction, operation or maintenance of said lines. Grantee shall at its election have the right to remove said trees, limbs, and brush by bulldozing. All logs, limbs

and brush shall be burned or removed by the Grantee unless otherwise agreed to by Grantor. In exercising its right of ingress and egress the Grantee shall, whenever practicable, use existing roads or lanes, and shall repair any damage caused by its use thereof.

The Grantor, his heirs or assigns, may cultivate, use and enjoy the land above described, provided such use shall not in the judgment of Grantee, interfere with or endanger the construction, operation or maintenance of said lines, and provided further that no improvements or buildings shall be constructed on the said right of way without the prior written consent of the Grantee.

Grantee shall repair any physical damage to property of Grantor, or pay any substantial damages on account of physical injury to property of Grantor by the erection, installation, reconstruction, operation, and maintenance under varying conditions of operation, renewal, and removal of said lines, said damages, if not mutually agreed upon, shall be ascertained by three disinterested persons, one of whom shall be selected by each, Grantor and Grantee, their heirs or successors, assigns or lessees, and the third by the two so selected. The damages determined by such persons, or a majority of them, shall be conclusive as to the facts.

The foregoing notwithstanding, to the extent that the easement granted herein is located within an existing public right of way, nothing contained herein shall restrict the Grantor's rights to establish, operate and maintain such area as a public right of way, or limit the obligation of Westar to comply with local regulations regarding the use of public right of way.

This grant shall be binding upon the heirs, successors and assigns of the undersigned.

WITNESS the hand of the Grantor this ___ day of _____, 2011.

City of Junction City

_____

_____

STATE OF KANSAS)
) SS:
COUNTY OF GEARY)

ACKNOWLEDGMENT

I,_____, do hereby certify that,
_____
_____
_____
personally known to me to be the same person(s) whose name(s) is/are subscribed to the foregoing instrument, appeared before me in person and acknowledged that_____ signed and delivered the said instrument as a free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and seal this _____ day of _____, 2011.

My appointment expires:_____ _____
Notary Public

STATE OF KANSAS)
) SS:
COUNTY OF GEARY)

ACKNOWLEDGMENT

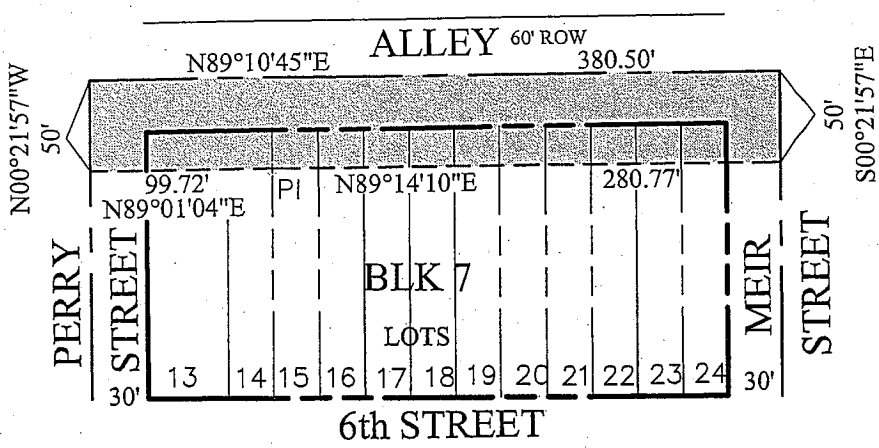
I,_____, do hereby certify that,
_____
_____
_____
personally known to me to be the same person(s) whose name(s) is/are subscribed to the foregoing instrument, appeared before me in person and acknowledged that_____ signed and delivered the said instrument as a free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and seal this _____ day of _____, 2011.

My appointment expires:_____

_____
Notary Public

EXHIBIT A



GE 4

CITY OF JUNCTION CITY, KS
LOTS 13-24
BLOCK 7
CHICAGO ADDITION

EASEMENT
AREA
0.44 ACRES, ±

N

Scale 1" = 100'

STREET/ALLEY CENTERLINE
TRACT/LOT LINE
RIGHT OF WAY LINE
PROPERTY LINE
EASEMENT LINE
EASEMENT AREA

WILSON & COMPANY 1700 E. IRON AVENUE SALINA, KANSAS 67401 (785)-827-0433 (785)-827-5949 FAX	JUNCTION CITY MAIN TO ANZIO			Westar Energy.
	COUNTY	OWNER	TRACT NO.	
	GEARY	CITY OF JUNCTION CITY, KANSAS	GE-4	DATE: 11/30/10

SE4, S12, T12S, R5E

PARTIAL RELEASE AND MODIFICATION OF RIGHT OF WAY
("Release and Modification")

KNOW ALL MEN BY THESE PRESENTS, that subject to and in consideration of the mutual covenants herein contained, the sufficiency of which are hereby acknowledged, and effective upon the date of execution hereafter set forth, *City of Junction City, kansas*, ("Landowner"), of the first part, the current owner in fee simple (subject to easements of record) of the property described in this Release and Modification, and Westar Energy, Inc., a Kansas corporation ("WESTAR"), of the second part, as successor in the interest of *The United Power and Light Corporation*, is the owner of one or more easements by virtue of that certain *Right of Way Easement*, between *Myrtle K. Durbon, a widow, Sidy Ethel Ream and Clarence Ream, her husband, Esther Young and Donald Young, her husband, Josephine Doak and Sloan Doak, her husband* and *The United Power and Light Corporation*, dated *May 31, 1930*, and recorded in the office of the Register of Deeds of Geary County, Kansas, at Book Misc. 0, Page 275, covering the following described real estate, in Geary County, Kansas, to wit:

Beginning at a point on the North Bank of Smoky Hill River, said point being 70' more or less, Northwest of the South line of the Northwest Quarter of the Southeast Quarter of Section 12, Township 12 South, Range 5 West of the 6th P.M., Geary County, Kansas, as measured along river bank. The centerline of the transmission line bears in a Northeasterly direction to a point on the South Bank of Smoky Hill River, said point being 913' more or less, West of the East line of the Southwest Quarter of the Northeast Quarter of Section 12, as measured along river bank. There will be only 2 towers on the above described property,

(which easement is hereafter referred to as the "Originally Granted Easement"), hereby agrees as follows:

PARTIAL RELEASE OF RIGHT OF WAY. Subject to the conditions herein contained, WESTAR does hereby release, relinquish and surrender all its right, title and interest in and to the Originally Granted Easement **insofar and only with respect to** the following described property, to wit:

A tract of land located in Government Lot 5, Section 12, Township 12 South, Range 5 East of the 6th P.M., in Geary County, Kansas and described as follows: Commencing at the Southwest corner of Lot 3, Block 1, Johnson's 1st Addition to Junction City, Kansas; thence North 00°29'00'' East along the West line of said Johnson's 1st Addition a distance of 400' to the point of beginning of the tract to be described: thence North 89°38'00'' West a distance of 655.85' to a point in the centerline of the Old Smoky Hill River Channel; thence North 10°52'27'' West along said centerline a distance of 624.62'; thence South 89°31'00'' East a distance of 718.86'; thence North 00°29'00'' East a distance of 237' to a point 60' South of the centerline of East Chestnut Street (Highway K-207 alt.), said point being on the proposed South right-of-way line of East Chestnut Street (Highway K-207 alt.); thence South 87°33'35'' East along said proposed South right-of-way line a distance of 60.04' to the Northwest corner of Lot 1, Block 1, Johnson's 1st Addition to Junction City, Kansas, thence South 00°29'00'' West along the West line of said Johnson's 1st Addition a distance of 846' to the point of beginning. Contains 453,026 SF, 10.40 acres, more or less. Subject to easements, reservations and restrictions of record,

> **Except** and reserving unto Westar Energy, Inc., a strip of land across a tract of land in the SE4 of Section 12, Township 12 South, Range 5 East of the 6th P.M., Geary County, Kansas, more particularly described as follows;
>
> See Exhibit "A" attached hereto and made part of this instrument by reference.

That part of the real estate burdened by the Originally Granted Easement, and upon or across which the easement has not been released hereby, is referred to as the "Retained Easement," and as to the Retained Easement, all rights and interest of WESTAR shall remain in full force and effect, as amended below.

Right of Way Reserved and Modified. In consideration for the above described partial release, Landowner hereby acknowledges and agrees that the rights, as stated in the Originally Granted easement, shall be modified to include the right and easement to erect, install, alter, reconstruct, operate and maintain under varying conditions of operation, renew, replace relocate, and remove electric and communication transmission and distribution lines, the wood and steel poles and towers, anchors, guys, crossarms, insulators, conductors, underground conduit, ducts, cables, and other equipment appurtenant thereto for the transmission and distribution of electric energy and communications in, along, under, across, and over the Retained Easement, together with the right of ingress and egress from the Retained Easement and contiguous lands, if any, owned by Landowner, for the purpose of surveying, erecting, constructing, maintaining, inspecting, rebuilding, replacing and repairing WESTAR's lines which are located upon the Retained Easement. In exercising its right of ingress and egress, WESTAR shall, whenever practicable, use existing roads or lanes.

WESTAR shall have the further rights to erect, maintain and use gates in all fences which cross or which shall hereafter cross the route of said lines, together with the right to trim,

remove, eradicate, cut and clear away any trees, limbs and brush on above described land now or at any future time. WESTAR shall have the further right to trim and clear away any trees, limbs, and brush on lands adjacent to the above-described Retained Easement whenever in its judgment such will interfere with or endanger the construction, operation or maintenance of said lines. WESTAR shall at its election have the right to remove said trees, limbs and brush by bulldozing. All logs, limbs and brush shall be burned or removed by WESTAR unless otherwise agreed to by Landowner.

The Landowner, Landowner's heirs, or assigns, may cultivate, use and enjoy the land burdened by the Retained Easement above-described, provided such use shall not in the judgment of WESTAR, interfere with or endanger the construction, operation or maintenance of said lines, and provided further that no improvements, buildings or structures shall be constructed on the Retained Easement without the prior written consent of WESTAR.

The foregoing notwithstanding, to the extent that the "Retained Easement" is located within an existing public right of way, nothing contained herein shall restrict the Landowner's rights to establish, operate and maintain such area as a public right of way, or limit the obligation of Westar to comply with local regulations regarding the use of public right of way.

The foregoing notwithstanding, to the extent that the "Retained Easement" is located within an existing public right of way, nothing contained herein shall restrict the Landowner's rights to establish, operate and maintain such area as a public right of way, or limit the obligation of Westar to comply with local regulations regarding the use of public right of way.

THIS Partial Release and acknowledgment of rights herein shall be binding upon the successors and assigns of the undersigned.

IN WITNESS WHEREOF, the parties hereto have caused this Partial Release and Modification of Right of Way to be duly executed this __ day of _____, ____.

CITY OF JUNCTION CITY

_____

_____

WESTAR ENERGY, INC.

_____

Bruce Akin, Vice President

ACKNOWLEDGMENT

STATE OF KANSAS)
) SS:
COUNTY OF GEARY)

I,_____, do hereby certify that _____
_____
_____,
personally known to me to be the same person(s) whose name(s) is/are subscribed to the foregoing instrument, appeared before me in person and acknowledged that_____ signed and delivered the said instrument as a free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and seal this _____ day of _____, 20___.

My appointment expires: _____
Notary Public

_____

ACKNOWLEDGMENT

STATE OF KANSAS)
) SS:
COUNTY OF GEARY)

I,_____, do hereby certify that _____
_____
_____,
personally known to me to be the same person(s) whose name(s) is/are subscribed to the foregoing instrument, appeared before me in person and acknowledged that_____ signed and delivered the said instrument as a free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and seal this _____ day of _____, 20___.

My appointment expires: _____
Notary Public

_____

CORPORATE ACKNOWLEDGMENT

STATE OF KANSAS)
) SS:
COUNTY OF SHAWNEE)

On this ____ day of _____, 2011, before me, a Notary Public in and for said County and State aforesaid, personally appeared BRUCE AKIN, to me personally known, being by me sworn, did say that the said BRUCE AKIN is the Vice President, of WESTAR ENERGY, INC., the corporation that executed the foregoing instrument, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was signed, sealed and delivered in the name and on behalf of said corporation by authority of its Board of Directors, and said BRUCE AKIN acknowledge said instrument to be the free and voluntary act and deed of said corporation.

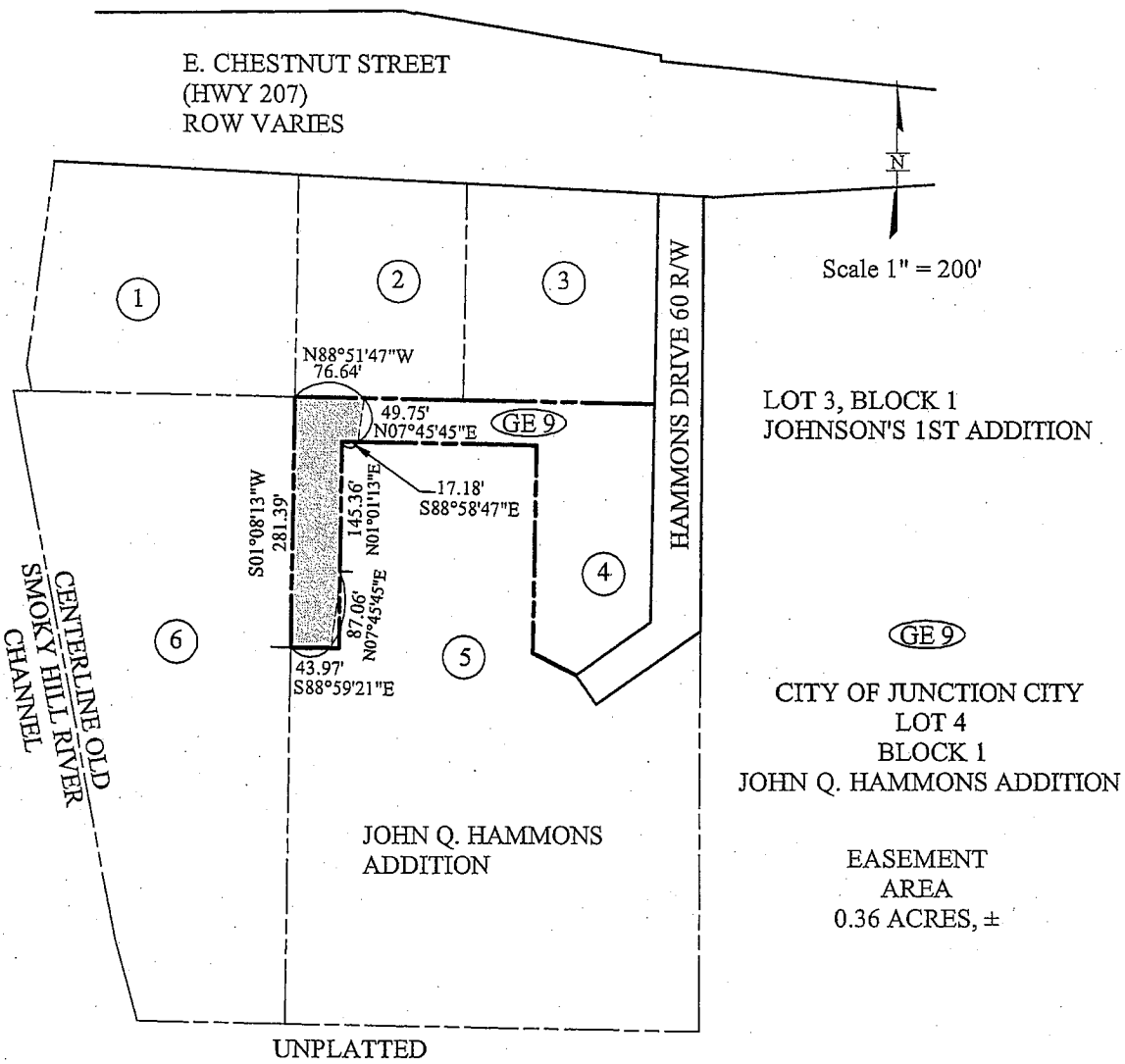
WITNESS my hand and seal the day and year last above written.

_____
Notary Public

My appointment expires:

_____

EXHIBIT A



TRACT NUMBER GE 9

LOT NUMBER 4

RIGHT OF WAY R/W

TRACT/LOT LINE
RIGHT OF WAY LINE
PROPERTY LINE
EASEMENT LINE
EASEMENT AREA

WILSON & COMPANY 1700 E. IRON AVENUE SALINA, KANSAS 67401 (785)-827-0433 (785)-827-5949 FAX	FORT JUNCTION TO JUNCTION CITY MAIN			Westar Energy
	COUNTY	OWNER	TRACT NO.	
	GEARY	CITY OF JUNCTION CITY	GE-9	DATE: 10/15/10

GRANT OF RIGHT OF WAY

For and in consideration of the sum of One Dollar ($1.00) and other valuable consideration, the receipt of which is hereby acknowledged, the undersigned Grantor(s), hereinafter referred to as Grantor, does hereby grant, convey and warrant unto WESTAR ENERGY, INC., (Grantee), its successors, assigns, and lessees the right and easement to erect, install, alter, reconstruct, operate, and maintain under varying conditions of operation, renew, replace, relocate, and remove electric and communication, transmission and distribution lines, the wood and steel poles and towers, anchors, guys, crossarms, insulators, conductors, underground conduit, ducts, cables, and other equipment appurtenant thereto for the transmission and distribution of electric energy and communications in, along, under, across, and over certain lands owned by Grantor situated in Geary County, State of Kansas, and described as follows:

> A strip of land in the NW4 Quarter of Section 7, Township 12 South, Range 6 East of the 6th P.M., Geary County, Kansas, more particularly described as follows;
>
> See Exhibit "A" attached hereto, made part of this instrument by reference,

together with the right of ingress to and egress from the above described land and contiguous land owned by Grantor for the purpose of surveying, erecting, constructing, maintaining, inspecting, rebuilding, replacing and repairing Grantee's lines which shall be located upon the land specifically described above.

Grantee shall have the further rights to erect, maintain and use gates in all fences which cross or which shall hereafter cross the route of said lines together with the right to trim, remove, eradicate, cut and clear away any trees, limbs and brush on above described land now or at any future time. Grantee shall have the further right to trim and clear away any trees, limbs, and brush on lands adjacent to above described right of way whenever in its judgment such will interfere with or endanger the construction, operation or maintenance of said lines. Grantee shall at its election have the right to remove said trees, limbs, and brush by bulldozing. All logs, limbs

and brush shall be burned or removed by the Grantee unless otherwise agreed to by Grantor. In exercising its right of ingress and egress the Grantee shall, whenever practicable, use existing roads or lanes, and shall repair any damage caused by its use thereof.

The Grantor, his heirs or assigns, may cultivate, use and enjoy the land above described, provided such use shall not in the judgment of Grantee, interfere with or endanger the construction, operation or maintenance of said lines, and provided further that no improvements or buildings shall be constructed on the said right of way without the prior written consent of the Grantee.

Grantee shall repair any physical damage to property of Grantor, or pay any substantial damages on account of physical injury to property of Grantor by the erection, installation, reconstruction, operation, and maintenance under varying conditions of operation, renewal, and removal of said lines, said damages, if not mutually agreed upon, shall be ascertained by three disinterested persons, one of whom shall be selected by each, Grantor and Grantee, their heirs or successors, assigns or lessees, and the third by the two so selected. The damages determined by such persons, or a majority of them, shall be conclusive as to the facts.

The foregoing notwithstanding, to the extent that the easement granted herein is located within an existing public right of way, nothing contained herein shall restrict the Grantor's rights to establish, operate and maintain such area as a public right of way, or limit the obligation of Westar to comply with local regulations regarding the use of public right of way.

This grant shall be binding upon the heirs, successors and assigns of the undersigned.

WITNESS the hand of the Grantor this ___ day of _____, 2011.

City of Junction City

_____

_____

STATE OF KANSAS)
) SS:
COUNTY OF GEARY)

ACKNOWLEDGMENT

I,_____, do hereby certify that,
_____
_____
_____
personally known to me to be the same person(s) whose name(s) is/are subscribed to the foregoing instrument, appeared before me in person and acknowledged that_____ signed and delivered the said instrument as a free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and seal this _____ day of _____, 2011.

My appointment expires:_____ _____
Notary Public

STATE OF KANSAS)
) SS:
COUNTY OF GEARY)

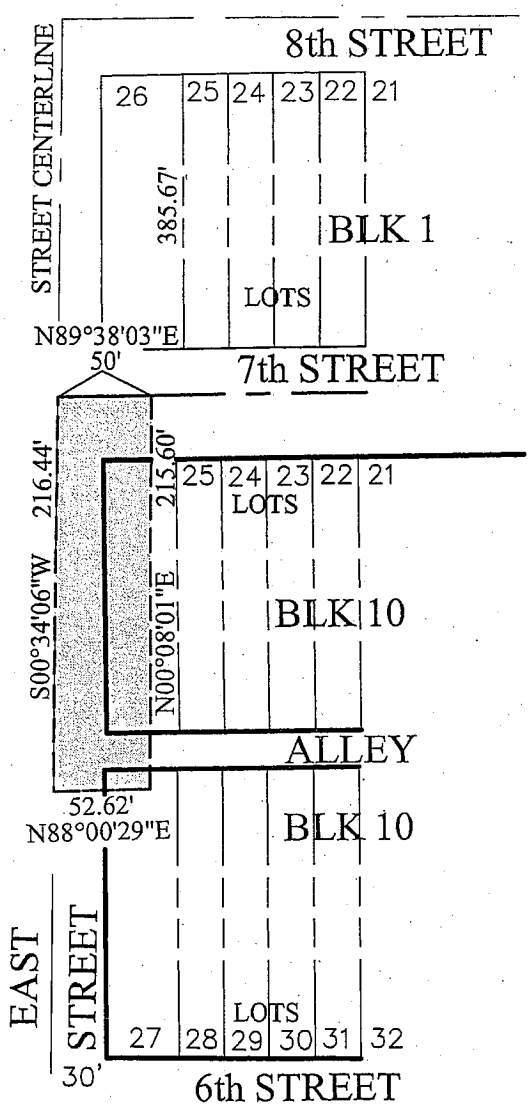
ACKNOWLEDGMENT

I,_____, do hereby certify that,
_____
_____
_____
personally known to me to be the same person(s) whose name(s) is/are subscribed to the foregoing instrument, appeared before me in person and acknowledged that_____ signed and delivered the said instrument as a free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and seal this _____ day of _____, 2011.

My appointment expires:_____ _____
Notary Public

EXHIBIT A



GE 14

CITY OF JUNCTION CITY, KS
LOT 26 & 27 BLOCK 10
CHICAGO ADDITION

EASEMENT
AREA
0.26 ACRES, ±

N

Scale 1" = 100'

STREET/ALLEY CENTERLINE
TRACT/LOT LINE
RIGHT OF WAY LINE
PROPERTY LINE
EASEMENT LINE
EASEMENT AREA

WILSON & COMPANY
1700 E. IRON AVENUE
SALINA, KANSAS 67401
(785)-827-0433
(785)-827-5949 FAX

JUNCTION CITY MAIN TO ANZIO			Westar Energy
COUNTY	OWNER	TRACT NO.	
GEARY	CITY OF JUNCTION CITY, KANSAS	GE-14	DATE: 11/30/10

NE4, S12, T12S, R5E

PARTIAL RELEASE AND MODIFICATION OF RIGHT OF WAY
("Release and Modification")

KNOW ALL MEN BY THESE PRESENTS, that subject to and in consideration of the mutual covenants herein contained, the sufficiency of which are hereby acknowledged, and effective upon the date of execution hereafter set forth, *City of Junction City*, ("Landowner"), of the first part, the current owner in fee simple (subject to easements of record) of the property described in this Release and Modification, and Westar Energy, Inc., a Kansas corporation ("WESTAR"), of the second part, as successor in the interest of , is the owner of one or more easements by virtue of that certain *Order#9996*, between *E.E. And Ruby A. Kind, husband and wife and Alice Latzke, a widow; Oscar C. and Luella C. Latzke, husband and wife* and , dated *June 12, 1946*, and recorded in the office of the Register of Deeds of Geary County, Kansas, at Book Order#9996, Page , covering the following described real estate, in Geary County, Kansas, to wit:

All of Lots 11,12,13,14,15,16,17,18,19 and 20 of Block 26 of Junction City Proper, Junction City, Kansas; all of Lots 1,2,3,4,5,6,7,8,9 and 10 of Block 40 of Junction City Proper, Junction City, Kansas; all of that portion of Addition B that is South of the alley, extended East from Block 26 of Junction City Proper, and West of Monroe Street, Junction City, Kansas; a parcel of land now used as a travel way, in Tract No. 1 of Addition C to Junction City, Kansas and described as follows: The West 26.4' of the North 170' of Tract No. 1 of Addition C to Junction City, Kansas; all of the South 150' of the Addition D to Junction City, Kansas; all of Lots 1,2,3,4,5,6,7,8,9,10,11,12,13,14 and 15 of Block 6 of Chicago Addition to Junction City, Kansas; all of Lots 13,14,15,16,17,18,19,20,21,22,23 and 24 of Block 7 of Chicago Addition to Junction City, Kansas; all of Lots 13,14,15,16,17,18,19,20,21,22,23 and 24 of Block 8 of Chicago Addition to Junction City, Kansas; all of Lots 20,21, 22,23,24, 25,26,27,28, 29,30,31,32,33, 34,35,36,37 and 38 of Block 9 of Chicago Addition to Junction City, Kansas; all of Lots 27,28,29,30,31,32,33,34,35,36,37,38,39,40,41,42,43,44,45,46,47,48, 49, 50, 51 and 52 of Block 10 of Chicago Addition to Junction City, Kansas; all of Lots 1,2,3,4,5,6,7,8,9,10,11,12,13,14,15,16,17,18,19,20,21,22,23,24,25 and 26 of Block 11 of Chicago Addition to Junction City, Kansas; all of Lots

1,2,3,4,5,6,7,8,9,10,11,12,13,14,15,16,17,18 and 19 of Block 12 of Chicago Addition of Junction City, Kansas; and all of Lots 1,2,3,45,6,7,8,9,10,11 and 12 of Block 13 of Chicago Addition to Junction City, Kansas,

(which easement is hereafter referred to as the "Originally Granted Easement"), hereby agrees as follows:

PARTIAL RELEASE OF RIGHT OF WAY. Subject to the conditions herein contained, WESTAR does hereby release, relinquish and surrender all its right, title and interest in and to the Originally Granted Easement **insofar and only with respect to** the following described property, to wit:

Beginning at a point 874.79' East and 5' South of the Southweast Corner of Block 26 of Junction City, Kansas, said point being where the Norht line and the West line of Chicago St. intersect; thence Noerth 331.50'; thence West 280.71'; thence South 10°34'

Except and reserving unto Westar Energy, Inc., a strip of land across a tract of land in the NE4 of Section 12, Township 12 South, Range 5 East of the 6th P.M., Geary County, Kansas, more particularly described as follows;

See Exhibit "A" attached hereto and made part of this instrument by reference.

That part of the real estate burdened by the Originally Granted Easement, and upon or across which the easement has not been released hereby, is referred to as the "Retained Easement," and as to the Retained Easement, all rights and interest of WESTAR shall remain in full force and effect, as amended below.

Right of Way Reserved and Modified. In consideration for the above described partial release, Landowner hereby acknowledges and agrees that the rights, as stated in the Originally Granted easement, shall be modified to include the right and easement to erect, install, alter, reconstruct, operate and maintain under varying conditions of operation, renew, replace relocate, and remove electric and communication transmission and distribution lines, the wood and steel poles and towers, anchors, guys, crossarms, insulators, conductors, underground conduit, ducts, cables, and other equipment appurtenant thereto for the transmission and distribution of electric energy and communications in, along, under, across, and over the Retained Easement, together with the right of ingress and egress from the Retained Easement and contiguous lands, if any, owned by Landowner, for the purpose of surveying, erecting, constructing, maintaining, inspecting, rebuilding, replacing and repairing WESTAR's lines which are located upon the Retained Easement. In exercising its right of ingress and egress, WESTAR shall, whenever practicable, use existing roads or lanes.

WESTAR shall have the further rights to erect, maintain and use gates in all fences which cross or which shall hereafter cross the route of said lines, together with the right to trim, remove, eradicate, cut and clear away any trees, limbs and brush on above described land now or at any future time. WESTAR shall have the further right to trim and clear away any trees, limbs, and brush on lands adjacent to the above-described Retained Easement whenever in its judgment such will interfere with or endanger the construction, operation or maintenance of said lines. WESTAR shall at its election have the right to remove said trees, limbs and brush by bulldozing. All logs, limbs and brush shall be burned or removed by WESTAR unless otherwise agreed to by Landowner.

The Landowner, Landowner's heirs, or assigns, may cultivate, use and enjoy the land burdened by the Retained Easement above-described, provided such use shall not in the judgment of WESTAR, interfere with or endanger the construction, operation or maintenance of said lines, and provided further that no improvements, buildings or structures shall be constructed on the Retained Easement without the prior written consent of WESTAR.

The foregoing notwithstanding, to the extent that the "Retained Easement" is located within an existing public right of way, nothing contained herein shall restrict the Landowner's rights to establish, operate and maintain such area as a public right of way, or limit the obligation of Westar to comply with local regulations regarding the use of public right of way.

THIS Partial Release and acknowledgment of rights herein shall be binding upon the successors and assigns of the undersigned.

IN WITNESS WHEREOF, the parties hereto have caused this Partial Release and Modification of Right of Way to be duly executed this __ day of _____, ____.

WESTAR ENERGY, INC.

_____ _____

Bruce Akin, Vice President

_____

CORPORATE ACKNOWLEDGMENT

STATE OF KANSAS)
) SS:
COUNTY OF SHAWNEE)

On this ____ day of _____, 20__, before me, a Notary Public in and for said County and State aforesaid, personally appeared BRUCE AKIN, to me personally known, being by me sworn, did say that the said BRUCE AKIN is the Vice President, of WESTAR ENERGY, INC., the corporation that executed the foregoing instrument, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was signed, sealed and delivered in the name and on behalf of said corporation by authority of its Board of Directors, and said BRUCE AKIN acknowledge said instrument to be the free and voluntary act and deed of said corporation.

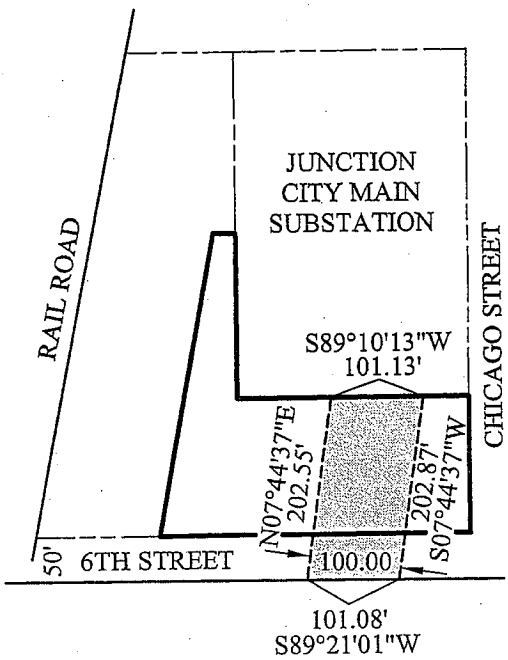
WITNESS my hand and seal the day and year last above written.

_____
Notary Public

My appointment expires:

_____

EXHIBIT A



GE 15

CITY OF JUNCTION CITY,
KANSAS
Part of Block 26
Original Town of
Junction City, KS

EASEMENT
AREA
0.47 ACRES, ±

N

Scale 1" = 200'

TRACT/LOT LINE
RIGHT OF WAY LINE
PROPERTY LINE
EASEMENT LINE
EASEMENT AREA

WILSON & COMPANY
1700 E. IRON AVENUE
SALINA, KANSAS 67401
(785)-827-0433
(785)-827-5949 FAX

FORT JUNCTION TO
JUNCTION CITY MAIN

Westar Energy

COUNTY	OWNER	TRACT NO.	
GEARY	CITY OF JUNCTION CITY	GE-15	DATE: 11/30/10

SW4, S31, T11S, R6E

PARTIAL RELEASE AND MODIFICATION OF RIGHT OF WAY
("Release and Modification")

KNOW ALL MEN BY THESE PRESENTS, that subject to and in consideration of the mutual covenants herein contained, the sufficiency of which are hereby acknowledged, and effective upon the date of execution hereafter set forth, *Spirit of '76, a Kansas not for profit corporation and City of Junction City, Kansas, a Kansas municipal Corporation*, ("Landowner"), of the first part, the current owner in fee simple (subject to easements of record) of the property described in this Release and Modification, and Westar Energy, Inc., a Kansas corporation ("WESTAR"), of the second part, as successor in the interest of *The Kansas Power and Light Company*, is the owner of one or more easements by virtue of that certain *Order No. 20590*, between *Junction City Abstract & Title Co., Inc, et al* and *The Kansas Power and Light Company*, dated *6/27/1974*, and recorded in the office of the Register of Deeds of *Geary* County, Kansas, *Order No. 20590* , covering the following described real estate, in *Geary County*, Kansas, to wit:

Tract No. 1: Lots 1,2,3,4 and 5 in Special Section 1, and Lots 8, 9 and 10 in Special Section 3, Township 11 South, Range 5 East; Lots 1, 2 and 3 in Special Section 2; Lots 2, 3, 4, 5 and 6 in Special Section 4, all in Township 11 South, Range 6 east of the 6th P.M., Geary County, Kansas, EXCEPT the following described tracts of land; a) All land lying North and East of the Northwest line of Replat of Valley Fort Addition to the City of Junction City, Kansas; b) Rothfuss Addition to Junction City, Kansas; c) A tract of land beginning on the Northwest corner of Lots 1, Block 5, Revised Play of Valley Fort Addition to Junction City, Kansas, thence North 56°30' West 335'; thence South 33°30' West 425'; thence South 56°30' East 335' to a point 9.29' West of the Northwest corner of Lot 4, Block 5, Revised Plat of Valley Fort Addition to Junction City, Kansas, thence North 33°30' East along the North line of Lots 5, 4, 3 and 2, Block 5 to the point of beginning, and d) A tract of land described as follows: Commencing on the North line of Special Section No. 4, in Township 11, Range 6, at a point 1913.24' East of the common corner of Special Section No. 1 and 3 in Township 11, Range 5, and Special Section 2 and 4 in Township 11, Range 6, said point being where the North line of said Special Section 4 in Township 11, Range 6 intersects the Northwest side of the Right of Way of "The Electric Railway, Light & Ice Company" (Union Light & Power Company); thence North 33°18' East 420' along the Northwest line of the Right of way of "The Electric Railway, Light & Ice Company" (Union Light & Power Company) to the point of beginning of the land herein described and to be conveyed; thence North 38°21' West 2920' to a point on the bank of

the Republican River, said point being where the lines between Lots 1 and 2 of Special Section 2 in Township 11, Range 6 intersects the Republican River; thence Southeasterly along the bank of the Republican River to the Northwest side of the Right of Way of The Electric Railway, Light & Ice Company (Union Light & Power Company; thence South 33°18' West, along the Northwest line of the Right of Way of said Electric Railway Company, 579', more or less, to point of beginning, containing 22.67 acres of land, more or less, and being a portion of Lot No. 2 in Special Section No. 2 in Township 11, Range 6 East of the 6th P.M., e) A tract of land in Special Section 3, Township 11 South, Range 5 East and in Special Section 4, Township 11 South, Range 6 East of the 6th P.M., and described as follows: Beginning at a point on the Northwesterly line of the Revised Plat of Valley Fort Addition to Junction City, Kansas, said point being 50' South 33°30' East of the Southwesterly corner of Lot 3, Block 3 of said Valley Fort Addition; thence South 33°30' West on said Northwesterly line to the Northwesterly corner of Lot 1, Block 5, said Valley Fort Addition; thence North 56°30' West a distance of 50'; thence North 33°30' a distance of 50' thence; North 56°30' West a distance of 1186.5'; thence East 33°30' East a distance of 1233.14'; thence South 56°30' East a distance of 1236.50'; to the point of beginning, containing 35' acres, more or less; and f) Also excepting tract deeded to Rothfuss Bros, Construction, Inc. and part of which is platted as Rothfuss Addition Unit No. 2, and described s follows: A tract of land in Special Section 3 Township 11 South, Range 5 East, and in Special Section 4, Township 11 South, Range 6 East of the 6th P.M., Geary County, Kansas, and described as follows: Beginning at a point on the Northwesterly line of the Revised Plat of Valley Fort Addition to Junction City, Kansas, said point being 50' North 33°30' East of the Southwesterly corner of Lot 3, Block 3, of said Valley Fort Addition; thence South 33°30' West on said Northwesterly line to the Northwesterly corner of Lot 1, Block 5, said Valley Fort Addition; thence North 56°30' West a distance of 50'; thence North 33°30' East a distance of 50'; thence North 56°30' West a distance of 1186.50', which is the point of beginning, the same also being the Southwest corner of a tract of land deeded in Book 68 of Deeds at Pages 229-234; thence North 56°30' West a distance of 588.54'; thence North 7°58'13" East a distance of 1366.68'; thence South 56°30' East a distance of 1177.55' to the Northeasterly corner of the tract of land deeded in Book 63 of Deeds at Pages 229-234 in the office of the Register of Deeds, Geary County, Kansas, thence South 33°30' West along the Southwesterly boundary of said tract of land deeded in Book 68 of Deeds of Pages 229-234, 1233.14' to the point of beginning, being a part of Lot 1, Block 1, Unit No. 2, Rothfuss Addition to Junction City, Kansas,

(which easement is hereafter referred to as the "Originally Granted Easement"), hereby agrees as follows:

Tract 1: A tract of land located in Lot 4, Special Section 2, and in Lots 7,8,9,10, Special Section 4, Township 11 South, Range 6 of the 6th Principal Meridian, Geary County, Kansas, and described as follows: Commencing at the Southwest corner of Lot 10 of said Special Section 4 thence on an assumed bearing of S 57°35'07'' E along the Southerly line of said Lot 10, said line being the centerline of a county road right-of-way, more commonly known as Hoover Road, a distance of 727.17'; thence N 32°24'53'' E a distance of 20.00' to the Northerly right-of-way line of said county road, said point being the Point of Beginning of the tract being described; thence N 32°23'41'' E a distance of 3034.01', along the Easterly line of a tract of land described in Deed Book 95, page 1723 as recorded in the Geary County Register of Deeds Office; thence N 11°45'29'' W along the Northeasterly line of said tract a distance of 275.71'; thence N 10°27'43'' E a distance of 76.66' to the East corner of the U.S. Railway Mfg. Co. Addition Unit

1; thence N 12°28'43'' W along the East line of said U.S. Railway Mfg. Co. Addition Unit 1 a distance of 321.34'; thence N 01°07'39'' W continuing along said East line a distance of 125.38'; thence N 57°36'19'' W continuing along said East line a distance of 210.53' to a point on the East right-of-way line of the Union Pacific Railroad; thence N 30°11'37'' E along said right-of-way line a distance of 198.15' to a point on the existing Westerly bank of the Smoky Hill River; thence S 61°58'05'' E along said Westerly bank a distance of 247.03'; thence S 06°33'21'' E along said Westerly bank a distance of 267.64'; thence S 14°41'00'' E along said Westerly bank a distance of 426.90'; thence S 21°54'29'' E along said Westerly bank a distance of 350.87'; thence S 18°34'28'' E along said Westerly bank a distance of 407.64'; thence S 12°22'44'' E along said Westerly bank a distance of 522.27'; thence S 06°07'12'' E along said Westerly bank a distance of 528.73'; thence S 12°30'21'' W along said Westerly bank a distance of 632.15'; thence S 25°00'26'' W along said Westerly bank a distance of 562.22'; thence S 43°55'59'' W along said Westerly bank a distance of 500.80' to a point on the Northerly line of a tract of land described in Deed Book 81, page 474; thence N 57°35'07'' W along said Northerly line, a distance of 625.63' to a point on the Westerly line of a tract of land described in Deed Book 94, Page 1385; thence S 32°24'52'' W along said Westerly line a distance of 464.99' to a point on said North right-of-way line; thence N 57°35'07'' W along North right-of-way line a distance of 367.48' to a point on the Easterly line of a tract of land described in Deed Book 89, Page 1642; thence N 30°02'57'' E along said East line a distance of 458.40' to the North line of said tract; thence N 57°35'07'' W along said Northerly line a distance of 273.15' to the Westerly line of said tract; thence S 30°02'30'' W along said Westerly line a distance of 458.41' to a point on said North right-of-way line; thence N 57°35'07'' W along said North right-of-way line a distance of 219.50' to the Point of Beginning.

PARTIAL RELEASE OF RIGHT OF WAY. Subject to the conditions herein contained, WESTAR does hereby release, relinquish and surrender all its right, title and interest in and to the Originally Granted Easement **insofar and only with respect to** the following described property, to wit:

> **Except** and reserving unto Westar Energy, Inc., a strip of land across a tract of land in the Quarter of Section , Township South, Range East of the 6th P.M., County, Kansas, more particularly described as follows;
>
> See Exhibit "A" attached hereto and made part of this instrument by reference.

That part of the real estate burdened by the Originally Granted Easement, and upon or across which the easement has not been released hereby, is referred to as the "Retained Easement," and as to the Retained Easement, all rights and interest of WESTAR shall remain in full force and effect, as amended below.

Right of Way Reserved and Modified. In consideration for the above described partial release, Landowner hereby acknowledges and agrees that the rights, as stated in the Originally Granted easement, shall be modified to include the right and easement to erect, install, alter,

reconstruct, operate and maintain under varying conditions of operation, renew, replace relocate, and remove electric and communication transmission and distribution lines, the wood and steel poles and towers, anchors, guys, crossarms, insulators, conductors, underground conduit, ducts, cables, and other equipment appurtenant thereto for the transmission and distribution of electric energy and communications in, along, under, across, and over the Retained Easement, together with the right of ingress and egress from the Retained Easement and contiguous lands, if any, owned by Landowner, for the purpose of surveying, erecting, constructing, maintaining, inspecting, rebuilding, replacing and repairing WESTAR's lines which are located upon the Retained Easement. In exercising its right of ingress and egress, WESTAR shall, whenever practicable, use existing roads or lanes.

WESTAR shall have the further rights to erect, maintain and use gates in all fences which cross or which shall hereafter cross the route of said lines, together with the right to trim, remove, eradicate, cut and clear away any trees, limbs and brush on above described land now or at any future time. WESTAR shall have the further right to trim and clear away any trees, limbs, and brush on lands adjacent to the above-described Retained Easement whenever in its judgment such will interfere with or endanger the construction, operation or maintenance of said lines. WESTAR shall at its election have the right to remove said trees, limbs and brush by bulldozing. All logs, limbs and brush shall be burned or removed by WESTAR unless otherwise agreed to by Landowner.

The Landowner, Landowner's heirs, or assigns, may cultivate, use and enjoy the land burdened by the Retained Easement above-described, provided such use shall not in the judgment of WESTAR, interfere with or endanger the construction, operation or maintenance of said lines, and provided further that no improvements, buildings or structures shall be constructed on the Retained Easement without the prior written consent of WESTAR.

The foregoing notwithstanding, to the extent that the "Retained Easement" is located within an existing public right of way, nothing contained herein shall restrict the Landowner's rights to establish, operate and maintain such area as a public right of way, or limit the obligation of Westar to comply with local regulations regarding the use of public right of way.

THIS Partial Release and acknowledgment of rights herein shall be binding upon the successors and assigns of the undersigned.

IN WITNESS WHEREOF, the parties hereto have caused this Partial Release and Modification of Right of Way to be duly executed this __ day of _____, ____.

Spirit of '76, a Kansas not for profit corporation and City of Junction City, Kansas, a Kansas municipal Corporation

WESTAR ENERGY, INC.

_____

_____
Bruce Akin, Vice President

_____

_____

STATE OF KANSAS)
) SS:
COUNTY OF GEARY)

ACKNOWLEDGMENT

I,_____, do hereby certify that,
_____
_____
_____
personally known to me to be the same person(s) whose name(s) is/are subscribed to the foregoing instrument, appeared before me in person and acknowledged that_____ signed and delivered the said instrument as a free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and seal this _____ day of _____, 20___.

My appointment expires:_____ _____
Notary Public

STATE OF KANSAS)
) SS:
COUNTY OF GEARY)

ACKNOWLEDGMENT

I,_____, do hereby certify that,
_____
_____
_____
personally known to me to be the same person(s) whose name(s) is/are subscribed to the foregoing instrument, appeared before me in person and acknowledged that_____ signed and delivered the said instrument as a free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and seal this _____ day of _____, 20___.

My appointment expires:_____ _____
Notary Public

CORPORATE ACKNOWLEDGMENT

STATE OF KANSAS)
) SS:
COUNTY OF SHAWNEE)

On this ____ day of _____, 2011, before me, a Notary Public in and for said County and State aforesaid, personally appeared BRUCE AKIN, to me personally known, being by me sworn, did say that the said BRUCE AKIN is the Vice President, of WESTAR ENERGY, INC., the corporation that executed the foregoing instrument, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was signed, sealed and delivered in the name and on behalf of said corporation by authority of its Board of Directors, and said BRUCE AKIN acknowledge said instrument to be the free and voluntary act and deed of said corporation.

WITNESS my hand and seal the day and year last above written.

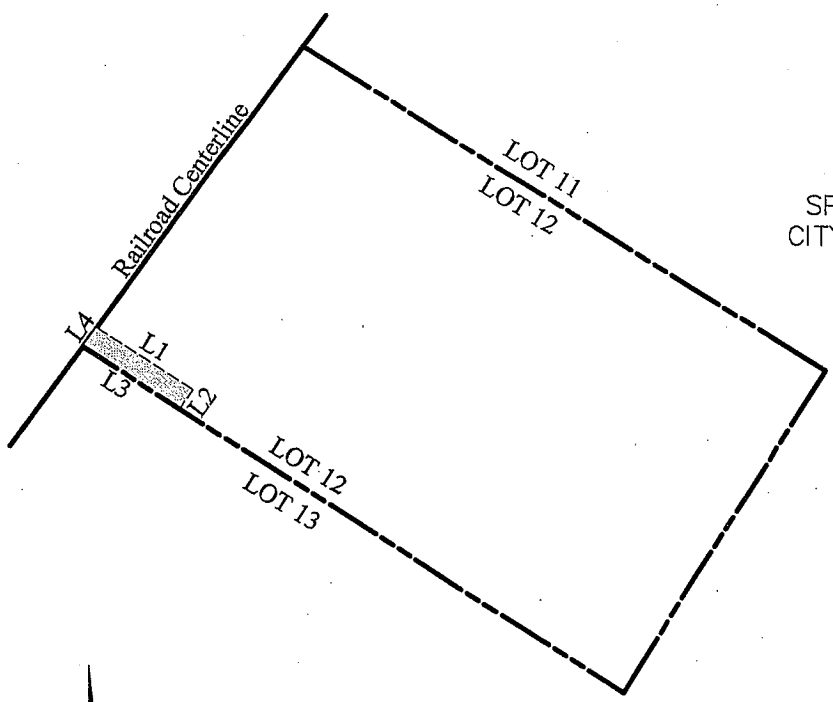
_____
Notary Public

My appointment expires:

_____

EXHIBIT A

LINE TABLE		
LINE	LENGTH	BEARING
L1	125.52	S57°39'05"E
L2	25.00	S36°32'58"W
L3	125.40	N57°39'05"W
L4	25.00	N36°16'29"E



SPIRIT OF '76 INC. &
CITY OF JUNCTION CITY,
KANSAS
TRACT IN LOT 12
SPEC SEC 4
T11S–R6E

EASEMENT AREA
0.07 ACRES, ±

GE 25

N

Scale 1" = 200'

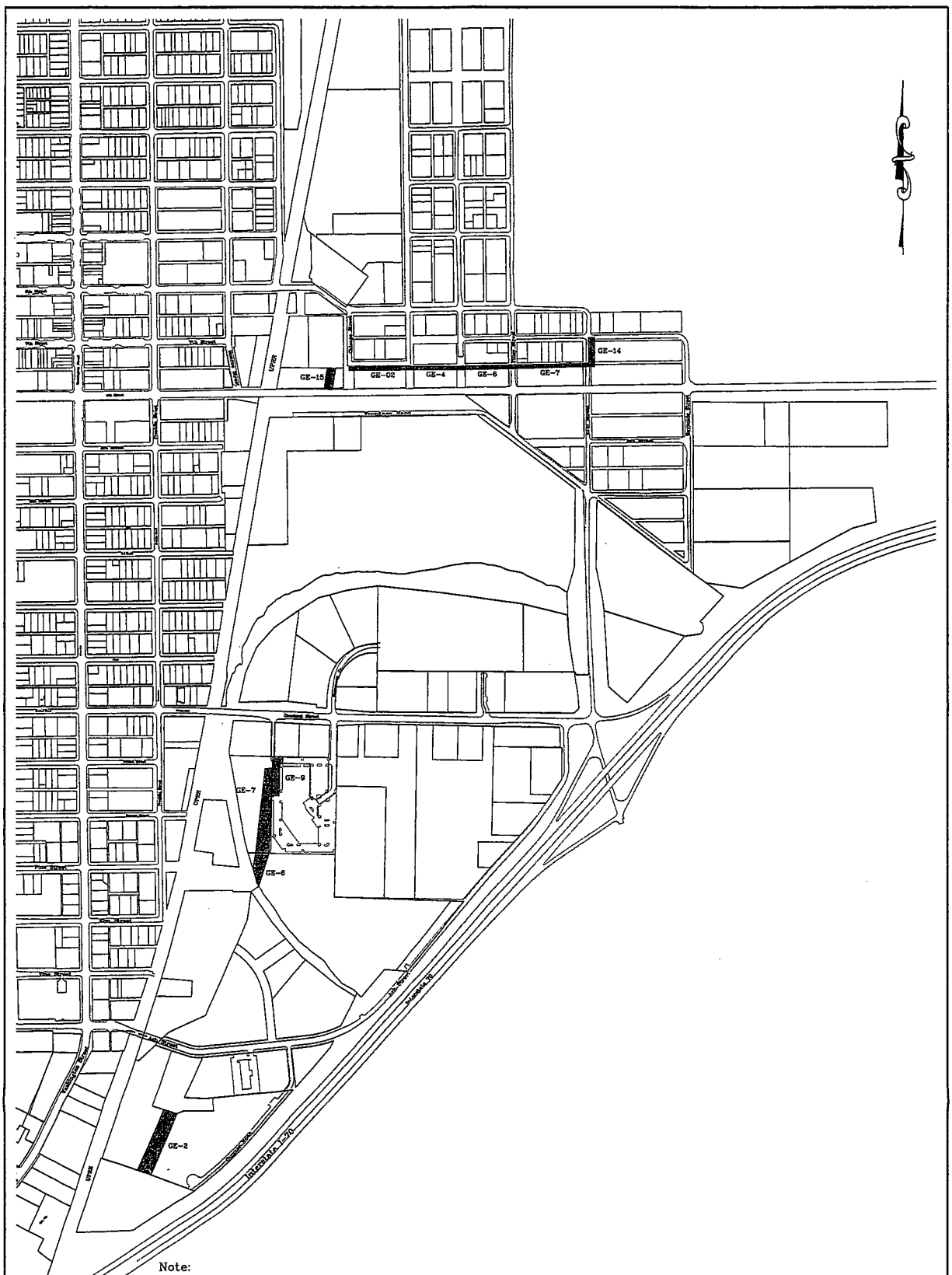
LOT LINE
RIGHT OF WAY LINE
PROPERTY LINE
EASEMENT LINE
EASEMENT AREA

WILSON & COMPANY
1700 E. IRON AVENUE
SALINA, KANSAS 67401
(785)-827-0433
(785)-827-5949 FAX

JUNCTION CITY MAIN
TO ANZIO

Westar Energy

COUNTY	OWNER	TRACT NO.	
GEARY	SPIRIT OF '76, INC. & CITY OF JUNCTION CITY, KANSAS	GE–25	DATE: 11/29/10



Note:

Easement GE-25 is located off Grant Avenue south of Hoover Road.

Easement Areas

AREA LOCATION MAP CITY OF JUNCTION CIOTY	Aerial Location Map Westar Easement Areas Areas of Changes or Additions
DATE: March 2011 | DRWN: c. h. mahieu | FILE:	SCALE: N.T.S.

4a

City of Junction City

City Commission

Agenda Memo

3-31-2011

From: Tyler Ficken, City Clerk

To: Gerry Vernon, City Manager

Subject: **Appointment to the Consolidation Committee**

Objective: One joint City/County appointment to the Consolidation Committee Board

Explanation of Issue: The Consolidation Board requests the appointment of Steve Locke as a joint City/County appointment to the Consolidation Committee.

Budget Impact: No Impact

Suggested Motion:

Commissioner _____ moves that Steve Locke be appointed to the joint City/County seat to the Consolidation Committee.

Commissioner _____ seconded the motion.

Recommendation: Staff recommends the approval of appointment

Enclosures:

7a

City of Junction City

City Commission

Agenda Memo

March 29, 2011

From: David L. Yearout, AICP, Director of Planning and Zoning

To: City Commission & Gerry Vernon, City Manager

Subject: **Case No. SUP-01-01-11 – Special Use Permit request of Mike Douchant, Dolan Realty Advisors, agent, for Verizon Wireless, lessee, on behalf of Highland Cemetery, owner, for a communications tower in the southeast corner of Highland Cemetery, with an address of 703 West Ash Street, Junction City, Kansas (S-3092)**

Issue: Consideration of the request of Mike Douchant, Dolan Realty Advisors, agent, for Verizon Wireless, lessee, on behalf of Highland Cemetery, owner, for a Special Use Permit to install a communications tower in the southeast corner of Highland Cemetery, with an address of 703 West Ash Street, Junction City, Kansas.

Explanation of Issue: The Metropolitan Planning Commission held a hearing on March 10, 2011, at the direction of the City Commission to reconsider the petition of Mike Douchant, Dolan Realty Advisors, agent, for Verizon Wireless, lessee, on behalf of Highland Cemetery, owner, requesting a Special Use Permit to install a communications tower in the southeast corner of Highland Cemetery, with an address of 703 West Ash Street, Junction City, Kansas. Verizon Wireless is seeking approval of a location to construct a new tower to enhance its service in Junction City. Additional testimony was taken and more neighbors spoke in opposition to the request. By a vote of 5 to 2, the MPC has resubmitted a recommendation that the Special Use Permit be denied.

Alternatives: In accordance with K.S.A. 12-757, the City Commission has the following alternatives for a Special Use Permit on first appearance, which follows the same process as a rezoning application:

1. To accept the recommendation of the MPC and approve the Ordinance, thereby denying the Special Use Permit.

2. Modify the recommendation of the Planning Commission by a 2/3 majority vote and approve the Ordinance as so modified, thereby approving the Special Use Permit, subject to said changes.

3. Return the recommendation to the Planning Commission for further consideration, specifying the items, concerns or issues with said recommendation.

Staff Recommendation: Staff recommended denial of the Special Use Permit for the reasons outlined in the staff report. As such, staff recommends the City Commission accept the recommendation of the MPC and approve the Ordinance, thereby denying the Special Use Permit.

Suggested Motion:

Commissioner _____ moved that the recommendation of the Planning Commission be accepted and that Ordinance No. S-3092, an ordinance denying a Special Use Permit request of Mike Douchant, Dolan Realty Advisors, agent, for Verizon Wireless, lessee, on behalf of Highland Cemetery, owner, to install a communications tower in the southeast corner of Highland Cemetery, with an address of 703 West Ash Street, Junction City, Kansas, be approved on first reading.

Commissioner _____ seconded the motion.

Enclosures:

MPC Minutes of January 20, 2011 and March 10, 2011
Staff Reports
Ordinance S-3092

ORDINANCE NO. S-3092

AN ORDINANCE RELATING TO PROPERTY DESCRIBED AS THE NORTHWEST ¼ OF THE NORTHEAST ¼ OF SECTION 14, TOWNSHIP 12 SOUTH, RANGE 5 EAST OF THE 6TH PRIME MERIDIAN, JUNCTION CITY, GEARY COUNTY, KANSAS, AND COMMONLY KNOWN AS HIGHLAND CEMETERY, AND DENYING A SPECIAL USE PERMIT FOR CONSTRUCTION OF A COMMUNICATIONS TOWER THEREON.

WHEREAS, application has been made by the owner, Highland Cemetery Association, request a Special Use Permit on certain property within the City of Junction City, Kansas; and,

WHEREAS, proper notice has been given by publication of legal notice and by mailed notice to surrounding property owner in conformance with K.S.A. 12-757; and,

WHEREAS, the Junction City/Geary County Metropolitan Planning Commission held a public hearing on the application on January 20, 2011, and, by a majority vote of members present, recommended the requested Special Use Permit be denied;

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF JUNCTION CITY, KANSAS:

Section 1. That the application for a Special Use Permit seeking approval for construction of a communications tower for property located at 703 West Ash Street within the City of Junction City, Geary County, Kansas, and described as follows:

DESCRIPTION:

THE NORTHWEST ¼ OF THE NORTHEAST ¼ OF SECTION 14, TOWNSHIP 12 SOUTH, RANGE 5 EAST OF THE 6TH PRIME MERIDIAN, JUNCTION CITY, GEARY COUNTY, KANSAS.

be, and the same is, hereby denied as provided in K.S.A. 12-757.

Section 2. This Ordinance shall be in full force and effect from and after its publication once in the Junction City Daily Union.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2011.

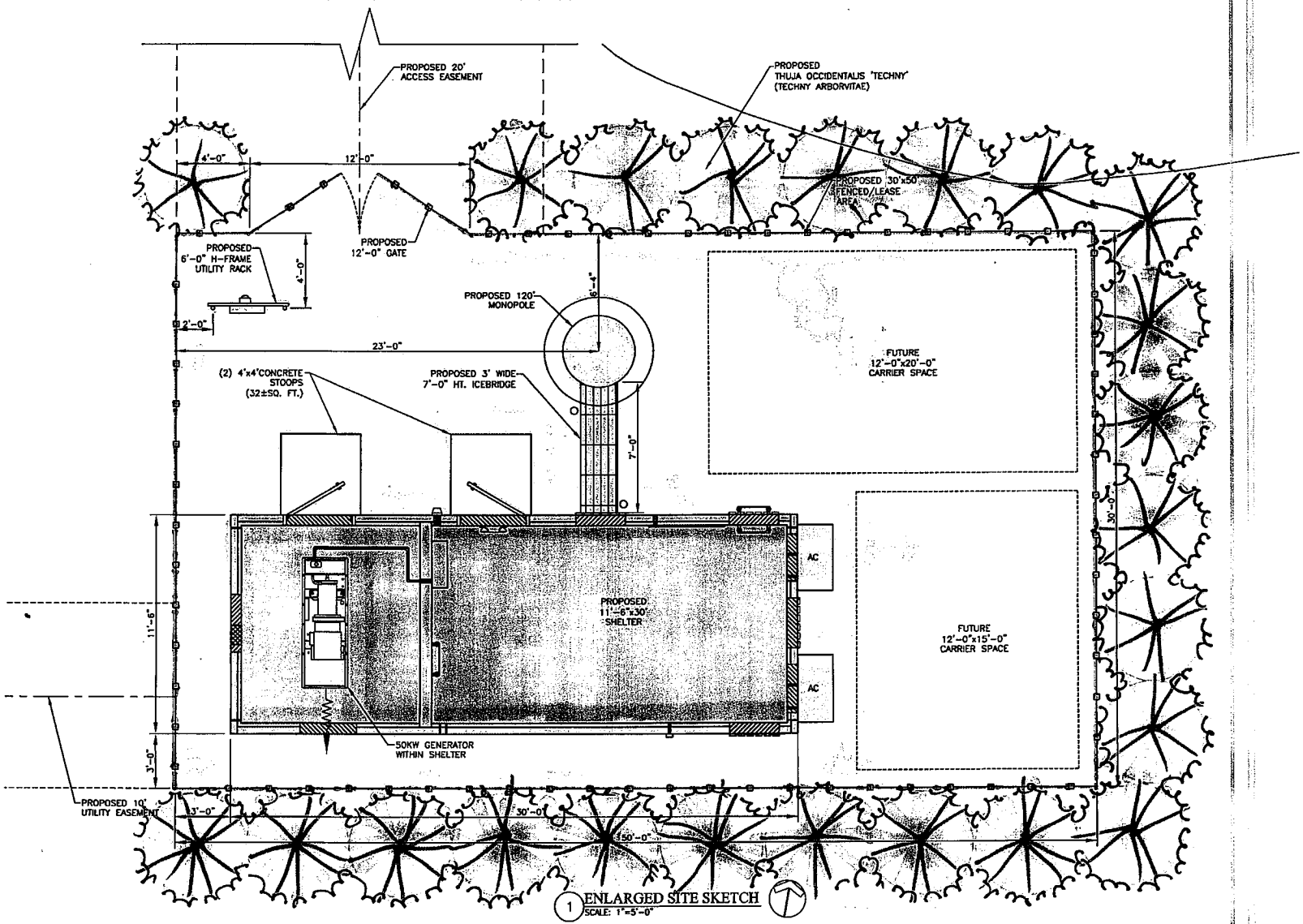
_____

MICHAEL RHODES, MAYOR

ATTEST:

_____

TYLER FICKEN, CITY CLERK



1 ENLARGED SITE SKETCH
SCALE: 1"=5'-0"

MAGTECH SERVICES INC
A SUBSIDIARY OF FORTUNE DIVERSIFIED INC.
D.B.A. MAGTECH MIDWEST, INC
1775 WOODWARD AVE., FORD TOWER, MI 48084
(313) 438-3600 · (888) 438-3482 FAX

CERTIFICATION:

RELEASE

DATE	

REVISIONS

NO.	DATE	
A	11/01/10	PRELIM REVIEW

THIS DRAWING IS COPYRIGHTED AND IS THE SOLE PROPERTY OF THE OWNER. IT IS PRODUCED SOLELY FOR USE BY THE OWNER AND ITS ATTORNEYS. REPRODUCTION OR USE OF THIS DRAWING AND/OR THE INFORMATION CONTAINED IN IT IS FORBIDDEN WITHOUT THE WRITTEN PERMISSION OF THE OWNER.

DRAWN BY: CSR
CHECKED BY: JPW

SITE NAME:
KS04 - JUNCTION CITY #5

LOCATION #
239407

PROJECT #
2010467605

SITE ADDRESS:
703 WEST ASH STREET
JUNCTION CITY, KS 66441

SHEET TITLE:
ENLARGED SITE SKETCH

A&E PROJECT No.:

SHEET NUMBER:
C-2

DO NOT SCALE DRAWINGS

- The objective of Junction City 5 is to offload the gamma sector of Junction City 4 and to improve the coverage on I-70
  - The South Park location is much closer to Junction City 2 than to Junction City 4.
    - The distance between Junction City 2 and South Park is only about a 3rd of the distance between Junction City 2 and Junction City 4
    - It will help improve the coverage on I-70 but it will not offload Junction City 4 gamma.
    - It will cover the same area that the alpha sector of Junction City 2 already covers therefore it is a waist of resources.

- In order for a cell site at South Park to have the same impact (in coverage) as a cell site located at the Highland Cemetery, it needs to transmit at a higher power than necessary.
  - The technology that Verizon Wireless uses can be compared to a pie.
    - The bigger the share, the fewer people can taste it. The smaller the share, the more people can taste it.
  - In radio propagation, that pie is the power that the cell site transmits.
    - the closer the cell site to the area that it needs to serve, the lesser power is transmitted therefore more are served

- Placing a cell site at South Park is self defeating
  - The cell site will transmit more power just to reach the area that it needs to cover.
    - As it transmits more power, less people are served
    - As it transmits more power, it creates more noise to the system forcing the surrounding cell sites to transmit more power as well, reducing their respective capacity (analogy of the pie) and reducing the capacity of South Park even more.
  - It will compete with Junction City 2 because South Park will be serving the same area that Junction City 2 already serves.
  - Because of terrain, there will be areas that Highland Cemetery can cover that South Park cannot even if the power in increased.

JUNCTION CITY/GEARY COUNTY METROPOLITAN PLANNING COMMISSION BOARD OF ZONING APPEALS

STAFF REPORT

January 19, 2011

TO: Metropolitan Planning Commission / Board of Zoning Appeals

FM: David L. Yearout, AICP, Director of Planning and Zoning

SUBJECT: SUP-01-01-11 – Special Use Permit to allow construction of commercial communications tower for Verizon Wireless at 703 West Ash, Junction City, Kansas.

Background: This is the application of Mike Douchant, Dolan Realty Advisors, agent, for Verizon Wireless, lessee, on behalf of Highland Cemetery, owner, requesting a Special Use Permit to install a communications tower in the southeast corner of Highland Cemetery, with an address of 703 West Ash Street, Junction City, Kansas.

Text Amendments: On April 20, 2010, the City Commission of Junction City passed the first reading of Ordinance G-1066 amending the Junction City Zoning Regulations adding commercial communication towers as requiring a Special Use Permit approved by the City Commission. In specific, the following language was added with respect to commercial communications towers within the City of Junction City:

SECTION 445.180: SPECIAL USES ENUMERATED

The following Special Uses may be approved by the City Commission as provided in this Article.

A. Commercial and communication towers, including wireless communication facilities, whether allowed by right subject to a building permit or by Special Use Permit approval, shall be subject to the following provisions:

1. All commercial and communication towers, including wireless communication facilities, shall include information for review as required in this provision and said information shall be shown on a site plan drawn to scale.

2. The location of every tower, whether by right or by Special Use Permit, shall be setback from all property lines a distance equal to at least one-half of its height, and shall be of monopole or a lattice self-support type. Guyed towers shall not be permitted unless the tower is capable of meeting a setback requirement from all property line equal to its height.

3. The following wireless communication facilities are permitted by right in any zoning district, subject to the issuance of a building permit, if they conform to all other requirements in this section:

   (a) New facilities that are concealed in or mounted on top of or the side of existing buildings (excluding single-family and duplex residences) and other structures, including support structures up to twenty (20) feet above the building, but not more than twenty (20) feet above the maximum height permitted by a building permit in the underlying zoning district.

   (b) Modification and/or replacement of support structures (light poles, flag poles, electrical poles, private dispatch towers, etc.) that are not significantly more visible or intrusive, including cumulative height extensions no greater than twenty (20) feet above the original structure height.

   (c) New monopole towers no more than seventy (70) feet in height measured from grade. If the Zoning Administrator determines that the proposed monopole does not conform to any requirements of this section, the building permit shall be denied. Towers denied building permits may pursue approval by applying for a Special Use.

4. All other communication towers including wireless communication facilities that do not meet the requirements of Section (3) above shall be reviewed through the Special Use process as outlined in these Regulations.

5. All lighting necessary to comply with the FAA lighting requirements shall consist of dual lighting structures with day time strobe lights on medium intensity and night time red lights only. No high intensity strobes or night time strobes shall be permitted. Further, all towers requiring lighting shall provide battery backup or other alternative power source to assure lighting operations during times of power outages. Lighting for security purposes shall be permitted at the base of wireless communication facilities. Temporary lighting for nighttime repairs shall be permitted.

6. No signs shall be allowed on an antenna support structure other than those required by applicable governmental agencies.

7. At the time of requesting a Special Use or a building permit for an approvable wireless communication facility as permitted in Section (3) above, as applicable, the applicant shall demonstrate to the satisfaction of the approving authority that:

   (a) no available space exists on existing or approved wireless communication facilities or other structures that can be utilized to meet the applicant's communication needs (an existing site will be considered "available

space" only if the site is economically and technically feasible with a ready, willing, and able landlord); and

(b) no other economically and technically feasible opportunity to modify or rebuild an existing structure on which the communication equipment may be located exists (a rebuilding opportunity will be considered economically feasible if the cost of rebuilding an existing facility is no more than the cost of building a new facility on a new site).

8. At the time of requesting a Special Use or a building permit for a wireless communication facility, as applicable, the owner of a proposed new wireless communication facility and the owner of the land, if not the same, shall agree in writing that every commercial telecommunication tower shall be designed to provide co-location with a minimum of forty-eight (48) antennas and their attendant cables and that such space shall be made available for additional users.

9. Any communication tower that is unused for a period of twelve (12) months or more shall be declared abandoned and shall be notified of the necessity of removing the tower and appurtenances and reclaiming the lands as provided herein.

10. A plan for reclamation of the site shall be prepared and submitted as a part of the application. The plan shall indicate a timetable for the reclamation of the proposed use of the site upon the removal of the tower. The applicant shall also provide financial security in a form acceptable to the City to assure the reclamation of the property shall occur in conformance with the reclamation plan. Financial security provided to the landowner is sufficient, provided it names the City as well.

Ordinance G-1066 was approved on second reading on May 4, 2010, and published on May 7, 2010. The above amendments to the Zoning Regulations completed a process that began in the fall of 2009 concerning this activity. This is the first application to be considered under these standards within the City of Junction City.

Special Use Permit Request: Verizon Wireless, through its agent, Dolan Realty, has been in communication with the City of Junction City since May of 2010 regarding a potential location for a new communication tower in the south part of Junction City. Several potential sites have been discussed over the many months, including the site submitted by Verizon Wireless in a portion of Highland Cemetery. Initial discussion in this staff report will address the proposed site in Highland Cemetery.

There is conflicting information in the submittals as to the proposal. The application indicates this will be a 120-foot monopole communications tower; however subsequent requests from other parties providing documentation have referred to this being a 150-foot tower. This has been published and will be considered as a 120-foot monopole as indicated on the application. Any modifications to that height will require this case to be considered new.

The site plan and preliminary construction drawings indicate the actual location is in the far southeast corner of the cemetery property, which covers a 40-acre tract from its original grant to the Highland Cemetery Association in 1870. The second page of the preliminary construction drawings show a meandering 20-foot access easement covering almost ¼ mile from Ash Street to the actual tower location in a 30-foot by 50-foot compound for the tower and supporting structures. It appears the access easement generally follows the roadway along the eastern side of the cemetery to that corner of the property; although is it apparent from the drawings it is not completely accurate to that roadway. Given the specificity normally required for these facilities, staff would question whether the access easement truly reflects how access will be gained to this site. This issue needs to be resolved if this case moves forward.

The preliminary construction drawings provide a site plan showing setback distances of the compound area from all property lines. The setbacks are incorrectly labeled on page 2 of the drawings and need to be corrected. Further, the actual setback from the south property line shown as 44 feet may not meet the requirement of the Zoning Regulations. This will need to be verified before final action can be taken.

There is no information submitted that addresses the manner in which electric and telephone utilities will be brought to the proposed lease site. Staff is fully aware no communications tower can function without these utilities. As proposed, this lease site fails to have access to these utilities. This deficiency will need to be addressed before anything further can be done.

The proposed tower shows locations for a total of three carriers; but no information is provided concerning the capacity of these platforms with respect to the number of antennas capable of being supported. The Zoning Regulations require each tower must show it is being designed to provide capacity to support 48 antennas and supporting cables and appurtenant apparatus. The preliminary construction drawings, as well as all other submitted documentation, fails to provide this information. This deficiency will need to be addressed before anything further can be done.

The preliminary construction drawings propose a potential of three equipment buildings within the 30-foot by 50-foot fenced compound lease area for the tower. The initial equipment building will house the Verizon equipment, including a backup generator. The site plan shows the manner in which all the building will be placed, which appears to limit the ability of this site to fully support future users of the tower. This is contrary of the intent of the Zoning Regulations. This matter needs further documentation and discussion by the applicant before final comments can be made.

Verizon Wireless has provided a report from an RF Engineer (Emmanuel Castro, Senior RF Engineer for Verizon, lettered dated January 17, 2011 – attached) that concludes the Highland Cemetery site provides the best coverage expansion for Verizon, as compared to a site in South Park (discussed below) and a third site near the KDOT facility on south Highway 77 south of I-70. Staff must conclude this is a generic conclusion because the only basis for the findings appears to be from the measurements of the proposed towers to the existing towers. There is no discussion as to whether further engineering modifications can be made to the towers to boost signal strength and/or reduce signal strength to manipulate the signals to provide the required coverage. This is a practice very common in the industry and has been done repeatedly

throughout the industry to make tower locations serve coverage needs. Staff rejects the conclusion provided in this report based on previous experience with this industry in these matters.

The Zoning Regulations require a specific reclamation plan in the event the tower is allowed to be constructed and subsequently abandoned. To date no such plan has been provided.

In summary, there are a number of issues that staff believes are deficiencies to the submitted materials for this site. As such, staff feels this matter is not ready for further action at this time.

Alternative Sites: As previously noted, staff has been in contact with representatives from Verizon Wireless for many months concerning a potential location for a new communications tower. The initial location proposed by the applicant, Dolan Realty, was in the northwest corner of South Park adjacent to the horseshoe pits. This site was proposed on the assumption the existing tower adjacent to South Park (owned by Westar) would not meet the needs of Verizon, which was subsequently determine did not. Following internal discussions by the City, the site was opened for further discussions, but Verizon determined the tower needed to be further to the east.

Staff proposed a location in the northeast corner of South Park accessible from Highland Drive where it dead ends into South Park. This is an open access because it provides access to a sewer lift station in that area. Full information was provided to Dolan Realty for this site and it was evaluated along with a number of other "open lots" that went from that location to Washington Street between Ash Street and I-70.

Considerable communication was exchanged regarding the potential Highland Cemetery location long before this application was made. Staff provided comments in those exchanges discouraging the Highland Cemetery site for many reasons. A copy of that email is provided for your review. Specifically, staff strongly believes the construction of a communications tower and the associated ground structures is highly incompatible with the use of this property as a cemetery. As previously noted in this staff report, this has been a dedicated site for a cemetery for 140 years and it has remained true to its use as a sanctuary and final resting placed for the many generations of citizens whose remains, and the remains of family members, are at home in the cemetery. The placement of a communications tower at this location is so out-of-character to the primary use of the property as a cemetery staff does not believe this is the best location for this use.

Finally, as noted previously, the RF report on the coverage needs for Verizon Wireless are rejected as to the conclusions. Staff strongly believes the location in South Park can be made to meet all the needs of Verizon with little effort. Staff is confident the engineers for Verizon can and will make another location work very well for the customers of Verizon should the Highland Cemetery location be denied by the City.

Regardless, it is not exclusively the needs of Verizon that are the basis of this matter; but also the needs and interests of the community at large as to the best location of these facilities. That is the essence of every land use decision and was of primary importance in implementing the

amendments to the Zoning Regulations to provide a method of reviewing and evaluating proposed locations for communications towers within the City. Having made those regulatory changes does not mean the City is to just abdicate its responsibilities based solely on the "needs of the applicant." As stated herein, staff does not believe the Highland Cemetery location to serve the "needs of the community."

In short, staff believes the best site for the location of this tower is in the northeast corner of South Park. We believe we have provided ample information and sufficient advice concerning the inquiries to the applicant to strongly support our position on this application.

Staff Recommendation: Staff strongly recommends this application be recommended for denial. Our reasoning for this recommendation is based primarily on the incompatibility of the proposed use of a communications tower within a cemetery. This recommendation is further based on the fact that another viable site has been identified and staff fully believes this site (northeast corner of South Park) is capable of providing the necessary coverage for Verizon Wireless.

In the event the Metropolitan Planning Commission wishes to move this case forward with a recommendation of approval, staff recommends the Special Use Permit be continued to the February meeting in order for the applicant to provide additional information and/or clarification of the following:

1. The applicant provide documentation confirming the actual proposed height of the monopole and remove or clarify documentation that contradicts the proposed height.

2. The applicant provide documentation that the tower is being designed to carry the load of 48 antennas and that the leased compound can be adequately used by other carriers for equipment buildings in a manner that allows co-location as required by the Zoning Regulations.

3. The applicant provide documentation showing the access provided to the lease site of the proposed tower will follow the roadway so there are no legal access issues.

4. The applicant provide documentation showing the manner in which utility access will be provided to the lease site of the proposed tower.

5. The applicant provide documentation that the FAA, the FCC and the Army has approved the siting of the tower.

6. The applicant provide documentation that, either through the lease document or other written format, showing the manner in which the property shall be reclaimed in the event the tower is removed.

Suggested Motion:

Alternative 1:

I move that Case No. SUP-01-01-11, the application of Mike Douchant, Dolan Realty Advisors, agent, for Verizon Wireless, lessee, on behalf of Highland Cemetery, owner, requesting a Special Use Permit to install a communications tower in the southeast corner of Highland Cemetery be recommended for denial by the City Commission of Junction City, Kansas, for the reasons outlined in the staff report and as presented at the public hearing.

Alternative 2:

I move that Case No. SUP-01-01-11, be continued to the February, 2011, meeting and the applicant provide information as outlined in the staff report and as presented at the public hearing.

JUNCTION CITY/GEARY COUNTY
METROPOLITAN PLANNING COMMISSION
BOARD OF ZONING APPEALS

January 20, 2011
7:00 P.M.

Members Present	Members Absent	Staff
Maureen Gustafson	Mike Ryan	David Yearout
Ken Mortensen	Rick Ziegler	Shari Lenhart
Brandon Dibben		
Mike Steinfort		
John Moyer		

1. CALL TO ORDER AND ROLL CALL

Chairman Steinfort called the meeting to order at 7:00 p.m. and noted a quorum present.

2. APPROVAL OF MINUTES

Commissioner Moyer moved to approve the minutes of the December 9th meeting as written. Commissioner Dibben seconded the motion and it passed unanimously.

3. OLD BUSINESS

None.

4. NEW BUSINESS

Item No. 1 – Case No. SUP-01-01-11 – Public Hearing for Special Use Permit for a Communications Tower at 703 West Ash.

Chairman Steinfort called the public hearing to order on the application of Mike Douchant, Dolan Realty Advisors, agent for Verizon Wireless, lessee, on behalf of Highland Cemetery, owner, requesting a Special Use Permit to install a communications tower at 703 West Ash Street, Junction City, Kansas.

Mr. Yearout reviewed the staff report giving all the background on this matter, including a report of the chronology of inquiries from representatives from Verizon Wireless for a tower site. Past discussions have included sites in South Park, as well as other locations in the southern portion of the City. Mr. Yearout noted the site proposed for the tower, as evidence by this application, is in the southeast corner of the Highland Cemetery.

Mr. Yearout noted staff's recommendation is for denial of this request, primarily because of the incompatibility of a tower within the cemetery. Mr. Yearout reported all the reasoning and rationale for that recommendation was contained in the staff report.

Mr. Yearout noted the introduction of a "commercial use" into property that was set aside for a cemetery in 1870 and used exclusively for that purpose is wrong for the land and is not compatible with the general use of the property.

Chairman Steinfort asked if there were questions of staff from the Commission. Hearing none he opened the public hearing to comments from the public.

Randy Powers, a property owner along Webster Street east of the cemetery, spoke in opposition to the request. He indicated he would be able to see the tower from his property and he did not believe it was appropriate for that type of structure to be located at this location. He stated he believed the communications tower should not be allowed because of concerns its placement may have to the health of residents in the area; because of general unsightliness of the tower; because of a potential loss of value to the residential properties; because of general safety concerns in the event of a collapse of the tower; and because of the intrusion of maintenance trucks and other vehicles into the neighborhood.

Doug Dolan, owner of Dolan Realty Advisors, the agent for Verizon Wireless, spoke to the request. He reviewed documentation submitted in support of this site, including a study conducted by a Verizon engineer that purported to show the cemetery location would provide the best enhancement of coverage for this portion of Junction City. That study also evaluated other sites previously discussed with staff, including land in South Park. The conclusion of the study is the cemetery being the best location to improve coverage.

Mr. Dolan further stated the evaluation process had been going on for several months and the company appreciated the difficulty in citing a tower in and urban area.

Terry Redel, owner of land on Webster Street, indicated he is building two new homes on Webster Street that will back up to the cemetery in the general vicinity of the proposed new tower. He stated he believes the tower would impact the potential sale of the homes and would possibly devalue the new homes. He stated he was opposed to the tower at this location.

Casey Gorham, manager and Sexton of the Highland Cemetery, addressed the Commission concerning the rationale of the Cemetery in pursuing the lease for the tower. He stated the location chosen is an area that will not be used for any burials and the Cemetery board felt the additional revenue would assist in the ongoing maintenance demands.

There being no further comments from the public, Chairman Steinfort closed the public hearing and called for questions or comments from the Commission, of which there were several.

Mr. Gorham was asked about the ownership structure of the Cemetery Association. Mr. Gorham stated the ownership is comprised of everyone that owns lots, but the operations are addressed by a Board elected from the members. It was this Board that approved

the lease for the tower. Mr. Gorham was asked if the decision had been made exclusively by the Board, or whether the full membership had been poled. Mr. Gorham stated it was a decision of the Board only. The Commissioner's noted this new activity impacted all "owners" and their heirs that had family buried at the Cemetery and most Commissioners felt all those opinions should have been sought before a decision by the Board was made.

Commissioner Mortensen stated he did not agree with the staff position and did not believe the placement of the tower would be harmful to either the cemetery or the area. He asked if other locations had been reviewed and if this site had been evaluated with additional screening or other actions to "soften" the impact. Mr. Gorham stated the Cemetery Association had not made any specific demands on the placement. Mr. Dolan briefly reviewed the other locations considered and then noted that Verizon would be willing to place landscaping around the equipment compound.

There were no further questions, but several members offered comments. Commissioner Mortensen again noted he did not believe this was an inappropriate use or location and felt modifications to the site plan requirements regarding landscaping could be made to improve the placement of the tower.

Commissioner Gustafson noted she was not persuaded this was an appropriate use in the cemetery. She stated she had family members buried there and did not feel the tower was a compatible use in the cemetery. She also stated she felt there were other locations that would work as well. Commissioners Moyer and Dibben agreed with those comments.

Chairman Steinfort noted he felt an approval of the tower at this location would open other areas of the cemetery for potential commercial uses. He was concerned this would open the way for the Cemetery Association to decide other parts of the cemetery could be leased or sold for other commercial purposes, which would be potentially more incompatible with the commitment of the land for cemetery purposes.

There being no further comments, Chairman Steinfort called for a motion.

Commissioner Mortensen moved to recommend the Special Use Permit for Mike Douchant, Dolan Realty Advisors, agent for Verizon Wireless, lessee, on behalf of Highland Cemetery, owner, to install a communications tower at 703 West Ash Street be recommended to the City Commission for approval, with the requirement the site plan be modified to add landscaping around the equipment compound and submitted with the recommendation to the City Commission. The motion died for a lack of a second.

Commissioner Gustafson moved to recommend denial of the application of Mike Douchant, Dolan Realty Advisors, agent for Verizon Wireless, lessee, on behalf of Highland Cemetery, owner, requesting a Special Use Permit to install a communications tower at 703 West Ash Street, based on the facts presented in the staff report and as heard at this hearing. Commissioner Dibben seconded the motion and it passed 4 to 1, with Commissioner Mortensen voting no.

Item No. 2 – Case No. Z-01-01-11 – Public Hearing to Rezone Property at 518 North Madison.

Chairman Steinfort opened the public hearing on the application of Jodie Wilkey and/or Beth Mathis, agent, for Steven and Norma Stanislow, owners, to rezone property at 518 North Madison from "CSP" Special Commercial District to "RM" Multiple Family Residential.

Mr. Yearout noted this is the property located north of the alley between 5th Street and 6th Street on the west side of Madison Street. Mr. Yearout stated research of records show the property was zoned for multiple-family uses on the 1936 Zoning Map, but the land was shown on the 1975 Zoning Map as being zoned "CSP" Special Commercial District. Staff is unsure of when the change occurred. The records show this property has only been used for residential purposes since the home was built many years ago.

There be no questions of staff, Chairman Steinfort opened the hearing for comments from the public.

Beth Mathis and Jodie Wilkey addressed the Commission and acknowledged this rezoning is in response to the desire of the owners to sell the property. The buyers are not able to complete the financing because the present zoning classification does not allow the residence to be rebuilt in the event it is destroyed or damaged beyond 50% of its value. Both indicated the property had been recently remodeled and the buyers were ready to move forward with closing the sale once the zoning is changed. Copies of pictures of the remodeled home were provided.

There being no further comments from the public, Chairman Steinfort closed the public hearing and asked for questions, comments or a motion from the Commission.

Commissioner Gustafson moved to recommend approval of the request of Wilkey and/or Beth Mathis, agent, for Steven and Norma Stanislow, owners, to rezone property at 518 North Madison from "CSP" Special Commercial District to "RM" Multiple Family Residential to the City Commission. Commissioner Moyer seconded the motion and it passed unanimously.

Item No. 3 – Case No. Z-01-03-11 – Public Hearing to Rezone Property at 239 West 9th Street.

Chairman Steinfort opened the public hearing on the application of Kaw Valley Engineering, agent, on behalf of Edward Phillips, owner, to rezone property at 239 West 9th Street, Junction City, Kansas, from "RM" Multiple Family Residential District to "PDD" Planned Development District.

Mr. Yearout reviewed the staff report and noted this request also grew from a desire of the present owner to sell the property. Because two residences are located on a single lot, most interested buyers are having difficulty in obtaining financing to buyer the property.

Mr. Yearout noted a review of the records from the County Appraiser's Office show the house facing 9th Street was constructed in 1912 and the house facing Adams Street was constructed in 1915. The property was never split and it appears each owner has had the two homes from that time.

Mr. Yearout stated the intent of the PDD rezoning is to allow the land to be divided into two lots. No changes to the use are to be done, with each maintaining the residential structure. This process will allow the lots sizes to accommodate what can be attached to each without creating any nonconformities; as well as deal with the reduced setbacks resulting from the existing construction. The develop plan presented shows all the existing conditions and, if approved, will not permit expansions of any of the buildings without having the development plan modified and reapproved. The necessary notations concerning easements and other rights to provide access to all supporting infrastructure will be shown on the replat of the property.

Chairman Steinfort opened the hearing to comments from the public.

Jason Loader of Kaw Valley Engineering, agent for the owner, reviewed the overall plan and stated the issues discussed within the staff report would be addressed. The intention is to use the easements on the plat as a means of access to the utility mains and not to have the mains extended to the north lot.

There being no further comments the Chairman closed the public hearing and called for questions, comments or a motion.

Commissioner Gustafson moved to recommend approval of the request of Kaw Valley Engineering, agent, on behalf of Edward Phillips, owner, to rezone property at 239 West 9th Street, Junction City, Kansas, from "RM" Multiple Family Residential District to "PDD" Planned Development District, including the final development plan to be modified as outlined in the staff report. Commissioner Moyer seconded the motion and it carried unanimously.

Item No. 4 – Case No. FP-01-01-11 – Consideration of Final Plat of the Phillips Planned Development District.

Chairman Steinfort opened the meeting for consideration of the final plat of the Phillips Planned Development District, a replat of Lot 10, Block 14, Junction City Original Townsite, submitted by Kaw Valley Engineering, agent, on behalf of Edward Phillips, owner.

Mr. Yearout reviewed the staff report and noted this is in association with the rezoning of the property to the Planned Development District that was just considered. As previously stated, the only change proposed is to clarify the easement on the east side of Lot 2 is for extension of the service lines from the home on 9th Street to the utilities located in the alley and not to be for extension of any main lines.

Jason Loader, Kaw Valley Engineering, agent for the owner, confirmed the clarification on the easement on Lot 2 would be made.

There being no further questions or comments, Commissioner Mortensen moved to approve the final plat of the Phillips Planned Development District, a replat of Lot 10, Block 14, Junction City Original Townsite, submitted by Kaw Valley Engineering, agent, on behalf of Edward Phillips, owner, and authorize the Chairman and Secretary to sign the plat and submit it to the City Commission for final approval. Commissioner Dibben seconded the motion and it carried unanimously.

Item No. 5 – Case No. FP-01-02-11 – Consideration of Final Plat of the Madison Street Addition.

Chairman Steinfort opened the meeting for consideration of the Final Plat of the Madison Street Addition, a replat of the Janke Addition and a portion of the Rexrode Addition, submitted by Kaw Valley Engineering, agent, on behalf of Donald S. Boyer, owner.

Mr. Yearout reviewed the staff report and noted this replat is intended to combine the properties Mr. Boyer has recently acquired, which will also remove some easements on the common lot lines. Mr. Yearout stated he had received confirmation from the utility companies that no existing lines are in these easements and that no future lines will be necessary given the manner in which the land is being redeveloped. Mr. Yearout noted Mr. Boyer is present.

Donald S. Boyer, owner, stated his intention is to combine the lots into a single lot and develop the property for storage units. He was aware the land recently acquired behind the Subway building in the Rexrode Addition will require a rezone before building permits can be approved.

There being no further questions, Commissioner Mortensen moved to approve the final plat of the Madison Street Addition, a replat of the Janke Addition and a portion of the Rexrode Addition, submitted by Kaw Valley Engineering, agent, on behalf of Donald S. Boyer, owner, and authorize the Chairman and Secretary to sign the plat and submit it to the City Commission for final approval. Commissioner Gustafson seconded the motion and it carried unanimously.

5. GENERAL DISCUSSION

Item No. 1 – Discussion on Comprehensive Plan review and update.

Mr. Yearout noted the need to have a review of the Comprehensive Plan. It is supposed to be reviewed annually, and updated as needed. The Commissioners noted they had copies of the Comprehensive Plan, but were unsure of what needed to be done. Mr. Yearout stated the formal action would be placed on an agenda in the near future and staff would provide a memo on what steps need to be taken. Staff is aware of a desire to update the Plan, but funds are not available for that project.

6. ADJOURNMENT

There being no further business, Commissioner Gustafson moved to adjourn at 8:47 p.m. Commissioner Moyer seconded the motion and it carried unanimously.

PASSED AND APPROVED this _____ day of February, 2011.

_____
Mike Steinfort, Chairman

ATTEST:

_____
David L. Yearout, AICP, Secretary

JUNCTION CITY/GEARY COUNTY METROPOLITAN PLANNING COMMISSION BOARD OF ZONING APPEALS

STAFF REPORT

March 3, 2011

TO: Metropolitan Planning Commission / Board of Zoning Appeals

FM: David L. Yearout, AICP, Director of Planning and Zoning

SUBJECT: SUP-01-01-11 – Special Use Permit to allow construction of commercial communications tower for Verizon Wireless at 703 West Ash, Junction City, Kansas.

Background: At the January 20, 2011, meeting the Metropolitan Planning Commission conducted the public hearing on the application of Mike Douchant, Dolan Realty Advisors, agent, for Verizon Wireless, lessee, on behalf of Highland Cemetery, owner, requesting a Special Use Permit to install a 120-foot monopole communications tower in the southeast corner of Highland Cemetery, with an address of 703 West Ash Street, Junction City, Kansas. At the conclusion of that public hearing, the MPC voted 4 to 1 to recommend denial of the Special Use Permit.

This case was heard by the City Commission of the City of Junction City on February 15, 2011. Staff reported that a sufficient protest petition had been submitted to require a ¾ majority of the City Commission to vote to approve the Special Use Permit. Additionally, at that meeting the applicant presented new drawings showing the proposed compound for the tower and equipment buildings, including a proposed landscaping layout. The City Commission voted unanimously to return the case to the MPC for reconsideration in order to review the new landscaping plans and whether these would alter the recommendation of the MPC.

Reconsideration of Special Use Permit: Kansas statutes outline the duties of the Metropolitan Planning Commission when any matter is returned for reconsideration.

In short, the MPC must make a decision at the first appearance of the matter after being returned by the governing body. Failure to do so results in the resubmission of the original recommendation for the original reasons.

The MPC is to address the full case issues as presented, but is to give specific attention to the issues the governing body identifies as the basis for its decision to return the case. In this instance, this means evaluating the impact, if any, of the new site plans which show the landscaping proposals. Copies of the drawings submitted, along with photos taken from the proposed site within the cemetery, are attached to this staff report. These were also submitted to the City Commission, but were not provided at the MPC meeting in January, 2011.

Additionally, it is staff's opinion the MPC may reconsider its entire recommendation of the request, including any and all reasons given for the original recommendation. However, saying that, staff does not believe the MPC is under any obligation to change or alter its original recommendation. Instead, your responsibility is to evaluate whether the new information does constitute a change to such a degree as to justify altering the original recommendation. If an MPC member feels there is no change in the position originally taken on this case by reviewing the new site plans, then it is appropriate to state as much and maintain the position taken at the January meeting. If the new information does justify a change in the position, then state as much and vote differently.

Substance of New Information: The primary bit of new information is the copy of the rendering of the enclosed equipment compound for the tower and equipment buildings. The rendering shows the manner in which the applicant is proposing to install trees to provide screening of the equipment on the ground. These plantings will be outside the fenced area. It should be noted that if this is acceptable, these plantings will be outside the leased area for the tower, since the leased area will be enclosed by the fence. As such, the trees will be exclusively on the land owned by the Highland Cemetery Association. Staff would recommend that, if the project is ultimately approved, the lease be clarified as to the responsibility of the maintenance for the trees.

Staff Recommendation: Staff continues to recommend this application be recommended for denial. Our reasoning for this recommendation is based primarily on the incompatibility of the proposed use of a communications tower within a cemetery. This recommendation is further based on the fact that another viable site has been identified and staff fully believes this site (northeast corner of South Park) is capable of providing the necessary coverage for Verizon Wireless.

In the event the Metropolitan Planning Commission wishes to move this case forward with a recommendation of approval, staff recommends the Metropolitan Planning Commission be comfortable with the following:

1. The applicant provide documentation confirming the actual proposed height of the monopole and remove or clarify documentation that contradicts the proposed height. *The applicant indicates this will be a 120-foot monopole, but some information submitted refers to a 150-foot monopole.*

2. The applicant provide documentation that the tower is being designed to carry the load of 48 antennas and that the leased compound can be adequately used by other carriers for equipment buildings in a manner that allows co-location as required by the Zoning Regulations. *The applicant has stated they intend to comply with this requirement, but it should be stated clearly within the action that this is required.*

3. The applicant provide documentation showing the access provided to the lease site of the proposed tower will follow the roadway so there are no legal access issues. *The applicant indicates no actual site surveys have been done and the drawings submitted are representative only. It should be clear that no actual building permit would be issued until actual surveys have been done and the leased area accurately identified.*

4. The applicant provide documentation showing the manner in which utility access will be provided to the lease site of the proposed tower. *The site plan does show an easement from the south property line for access to the site, which addresses this issue.*

5. The applicant provide documentation that the FAA, the FCC and the Army has approved the siting of the tower. *The applicant provided verbal confirmation this has been done, but written documentation should be in the file before a building permit would be issued; especially regarding confirmation from the Army.*

6. The applicant provide documentation that, either through the lease document or other written format, showing the manner in which the property shall be reclaimed in the event the tower is removed. *The regulations mandate a reclamation plan and the MPC should be comfortable the reclamation plan conforms to the requirements of the Regulations.*

Suggested Motion:

I move that Case No. SUP-01-01-11, the application of Mike Douchant, Dolan Realty Advisors, agent, for Verizon Wireless, lessee, on behalf of Highland Cemetery, owner, requesting a Special Use Permit to install a communications tower in the southeast corner of Highland Cemetery be resubmitted to the City Commission of the City of Junction City, Kansas, with a recommendation of denial by the City Commission of Junction City, Kansas, for the reasons outlined in the staff report and as presented at the public hearing.

JUNCTION CITY/GEARY COUNTY
METROPOLITAN PLANNING COMMISSION
BOARD OF ZONING APPEALS

MINUTES

March 10, 2011
7:00 P.M.

Members Present	Members Absent	Staff
Rick Ziegler		David Yearout
Ken Mortensen		Shari Lenhart
Brandon Dibben		
Mike Steinfort		
John Moyer		
Mike Ryan		
Maureen Gustafson		

1. CALL TO ORDER AND ROLL CALL

Chairman Steinfort called the meeting to order at 7:00 p.m. and noted all members present.

2. APPROVAL OF MINUTES

Commissioner Moyer moved to approve the minutes of the January 20th and February 10th meetings. Commissioner Dibben seconded the motion and it passed unanimously.

3. OLD BUSINESS

Item No. 1 – Case No. SUP-01-01-11 – Reconsideration of Special Use Permit at 703 West Ash.

Reconsideration of the application of Mike Douchant, Dolan Realty Advisors, agent for Verizon Wireless, lessee, on behalf of Highland Cemetery, owner, requesting a Special Use Permit to install a communications tower at 703 West Ash Street, Junction City, Kansas. Proposed site is generally in the southeast corner of the cemetery.

Mr. Yearout stated the City Commission voted to return this case to the Planning Commission for reconsideration at the February 15, 2011, meeting. The reason for the return is because the applicant presented new information at the City Commission meeting showing landscaping around the equipment compound. The Planning Commission can re-open this case for further review or take no action. State statute requires the Planning Commission to act on a returned matter at its next regular meeting. If no action is taken, the case will go back to the City Commission with the original recommendation.

Mr. Yearout reported a valid protest petition was presented to the City Clerk within the statutory timeframe, which will require a ¾'s majority of the governing body to approve the request regardless of the action taken by the Planning Commission. Mr. Yearout shared a map showing the notification area and the property owners who signed the petition and stated that 32% of the notification area had signed the protest petition.

Mr. Yearout reported that all additional information presented by the applicant was included in the packets for this meeting. Copies of material received earlier in the day from Verizon's RF engineer were also provided.

Mr. Yearout commented that the graphic submitted today which shows two existing cell towers and their coverage, the proposed Highland Cemetery location, and the original location in the South Park area does not show the latest location discussed in South Park. As such, staff believes the material is somewhat misleading.

Mr. Yearout stated staff is still recommending denial based on the position that a cell tower is not an appropriate land use in a cemetery and that other locations are available in the area to service this section of the community.

Chairman Steinfort asked if any members had questions of staff.

Commissioner Moyer asked if the only reason the City Commission returned the case was because of the photographs and the artist rendering of proposed landscaping. Mr. Yearout indicated the City Commission felt the Planning Commission should also have the opportunity to review the additional information presented by the applicant and include that information in its recommendation.

Mr. Yearout responded to the Commission that there was no obligation to open the meeting up for additional comments from the public since this is a review of the information as returned by the City Commission. It was up to the Commission whether the opportunity for additional comments from the applicant or the public would be taken.

Commissioner Ziegler moved that the Planning Commission not open the review to additional comments and, pursuant to state statute, the case be resubmitted to the City Commission with the original recommendation of denial. Commissioner Moyer seconded the motion and it failed by a vote of 3 yeas and 4 nays. (Commissioners Ziegler, Moyer and Steinfort voted for the motion, and Commissioners Ryan, Mortensen, Gustafson and Dibben voted against the motion.)

Commissioner Gustafson stated she wished to ask some additional questions of the applicant and was open to hearing from the public.

Commissioner Mortensen stated he still believes that installation of the tower will not be detrimental to the cemetery or the surrounding areas.

At this point, Chairman Steinfort opened the meeting for public comment.

Randy Powers, 1013 South Webster, stated he had voiced his opinions in opposition to the tower at the January meeting. He presented the members with a copy of an article, printed in the *Daily Union, February 12, 2011,* relating to wireless advances and how cell towers may become obsolete in the future. He reiterated that he is still opposed to a cell tower at this particular location.

Jim and Phyllis Nelson, 710 Sunshine, expressed concern about no light on top of the tower. Life Watch helicopters frequently use this flight path to and from the hospital, and a tower at this location could be a safety issue. Mr. Nelson stated he is concerned about noise from the generators proposed at the location since their home is immediately south of the proposed site.

Eileen Small, 724 Sunshine, felt the tower would have a negative effect on property values and she also felt this is not an appropriate use in a cemetery.

Mike Douchant, Dolan Realty Advisors, agent for Verizon, spoke on the need for Verizon to install additional towers. He elaborated on the technical aspects of coverage and the continued demand for Verizon to provide service to their customers. He indicated if aesthetics is one of the main concerns, there are numerous options available to make this a "stealth" tower and the applicant is willing to consider such options. He agreed that, even though the FAA does not require lighting, a light can be installed, if required.

Discussion ensued between Mr. Douchant and Commissioners regarding capacity, construction, landscape upkeep responsibilities, additional carriers, tower at 7th & Monroe, future building installations, maintenance issues, noise, cosmetic possibilities, wireless technology advancements, other possible locations, increase of the proposed area for other users, and other potential commercial uses in the cemetery once this first commercial use occurred.

Casey Gorham, manager and Sexton of Highland Cemetery, reiterated the Cemetery Board has agreed that the proposed use will not interfere with the operations of the cemetery and it will provide additional income. Mr. Gorham pointed out that the City installed a siren which requires maintenance and there have been no complaints from the surrounding property owners. Mr. Gorham stated the Cemetery Association supports having the Special Use Permit approved because of the additional revenue and the fact the existing roadway to the proposed tower site would be improved with additional gravel by Verizon.

There being no further public appearances, Chairman Steinfort closed the public hearing.

Mr. Yearout reminded the Commission the Zoning Regulations were amended last year to allow consideration of other locations for proposed cell towers. Prior to the amendment, cell towers were allowed by right on in the Industrial districts. The tower at 7th and Monroe is in an industrial zone. The growth of cell phone usage will require the installation of more cell towers and limiting towers to areas zoned industrial would limit the opportunities to improve service within the community. The amendment provided for the Special Use Permit procedure.

Mr. Yearout stated staff is still of the opinion other alternative locations can provide the needs of Verizon in this portion of the City. Staff is aware those locations may not be as ideal as an RF engineer would wish, but the original propagation maps show the proposed site in South Park is workable. It is still staff's opinion that a cemetery is not the appropriate setting for this type of land use or any other type of commercial uses. In staff's opinion, the South Park location would be workable.

Commissioner Ziegler stated he believed this was not an appropriate land use for the cemetery, and it could open up the cemetery for other commercial endeavors.

Commissioner Mortensen reiterated he did not believe the tower would be detrimental in the cemetery and that the proposed landscaping around the equipment compound would provide adequate screening. In addition, the location is somewhat down over the hill and less visible from surrounding properties.

Commissioner Gustafson reiterated that she did not have a problem with the tower, per se, but was very opposed to the buildings on the ground. She felt it would need a lot of landscaping and that would require more maintenance responsibility on the part of the cemetery. She felt that even with the landscaping, the proposed tower is not appropriate for the cemetery.

Commissioner Mortensen moved to recommend approval of the application of Mike Douchant, Dolan Realty Advisors, agent for Verizon Wireless, lessee, on behalf of Highland Cemetery, owner, requesting a Special Use Permit to install a communications tower at 703 West Ash Street, provided the applicant meets the recommendations suggested in the March 3rd staff report; adding the requirement of a red light at night, and additional installation of the landscaping as presented by the applicant. Commissioner Ryan seconded the motion. The motion failed by a vote of 3 ayes and 4 nays. (Commissioners Mortensen, Ryan and Dibben voted for the motion, and Commissioners Ziegler, Gustafson, Moyer and Steinfort voted against the motion.)

Commissioner Moyer moved to recommend denial of the application of Mike Douchant, Dolan Realty Advisors, agent for Verizon Wireless, lessee, on behalf of Highland Cemetery, owner, requesting a Special Use Permit to install a communications tower at 703 West Ash Street, based on the facts presented in the January 19th staff report and as heard at both public hearings; that the additional information provided by the applicant did not significantly alter the impact the cell tower would have on the area; and because there appears to be a viable alternative site at the northeast corner of South Park. Commissioner Gustafson seconded the motion and it carried by a vote of 5 ayes and 2 nays. (Commissioners Ziegler, Gustafson, Steinfort, Moyer and Dibben voted for the motion and Commissioners Mortensen and Ryan voted against the motion.)

Mr. Yearout informed the audience and Commission this case would be on the April 5th City Commission agenda.

4. NEW BUSINESS

Item No. 1 – Case No. Z-03-01-11 – Public Hearing to Rezone Property at 1120 South Madison

Chairman Steinfort opened the public hearing on the application of Don Boyer, owner, to rezone property at 1120 South Madison Street from "CSR" Service Commercial Restricted District to "IL" Light Industrial District, Junction City, KS.

Mr. Yearout reviewed the staff report explaining this rezoning was intended to be considered at the time of review of the Final Plat of Madison Street Addition heard earlier this year, but the application for the replat was the only one originally submitted. The purpose of this request is to make all the zoning industrial to enable Mr. Boyer to construct storage buildings on the property. The area under consideration is the property purchased by the applicant behind the existing Subway on South Washington. Mr. Yearout stated the proposed rezoning makes all the land of the applicant consistent; that the rezoning does not negatively impact other existing uses in the area; and staff recommends approval.

Mr. Boyer, applicant, confirmed the rezoning was intended to come with the replat, but unfortunately that didn't happen. Mr. Boyer had no other comments and was supportive of the staff report and recommendation.

There being no further comments from the public, Chairman Steinfort closed the public hearing.

Commissioner Mortensen moved that Case No. Z-03-01-11, request of Don Boyer, owner, to rezone property at 1120 S. Madison Street from "CS" Service Commercial Restricted District to "IL" Light Industrial District, Junction City, Kansas, be recommended for approval by the City Commission based on the reasoning stated in the staff report and as presented at the public hearing. Commissioner Dibben seconded the motion and it carried unanimously.

Mr. Yearout stated this case would also be on the April 5th City Commission agenda.

Item No. 2 – Case No. TA-03-01-11 – Public Hearing on proposed Text Amendment to the Geary County and Junction City Zoning Regulations concerning Special Use Permits.

Chairman Steinfort opened the public hearing on the proposed text amendment to the Geary County and Junction City Zoning Regulations concerning the use of Special Use Permits and asked for the staff report.

Mr. Yearout stated the proposed amendment would allow for greater flexibility in dealing with issues not allowed by right or not listed as a land use in any zoning category, especially in the County. He identified a couple of situations in the rural area that prompted this proposed amendment. The staff report identifies the different sections in the City and county Zoning Regulations that will be amended.

Chairman Steinfort asked how many cases might be generated over a year. Mr. Yearout indicated there is more of a need in the County for this flexibility, but it will also be helpful to have the same procedure in place for the City's regulations. He does not anticipate that many cases would be considered in the City, but it would probably generate about a half dozen cases in the County.

Mr. Yearout reminded the Commissioners that this is under the Special Use Permit procedure, which has the Metropolitan Planning Commission holding a public hearing and the Governing Body making the final determination on each case.

There being no public appearances, Chairman Steinfort closed the public hearing.

Commissioner Gustafson moved that the proposed amendments to the Geary County Zoning Regulations and Junction City Zoning Regulations concerning the use of Special Use Permits be recommended for adoption by the Board of County Commissioners of Geary County and the City Commission of the City of Junction City as outlined in the staff report. Commissioner Moyer seconded the motion and it carried unanimously.

Mr. Yearout stated this case would also be on the April 5th City Commission agenda, but the intention is to take the proposed resolution to complete the amendment to the Board of County Commission on Monday, March 14th.

Item No. 3 – Case No. CP-03-01-11 - Review of the Comprehensive Plan for Junction City and Geary County.

Mr. Yearout reported that a public hearing is not required for the yearly review of the Comprehensive Plan by the Planning Commission. A public hearing is only necessary if the Plan is to be amended. As previously reported, there is a need to update the Plan; however, there are no monies available for the extensive work required. Mr. Yearout reported that the 2010 Census data is now available and Geary County's population increased at a rate that made Geary County the fastest growing County in Kansas, based on percentage increase change. Staff believes this indicates that the City, County, and surrounding area continues to grow and makes the need for a current Comprehensive Plan very important. However, given the current financial situation, the current Plan should be acknowledged as the valid Plan for Junction City and Geary County.

Mr. Yearout recommended the Commission acknowledge this review of the Comprehensive Plan confirms it is still the valid Plan for Junction City and Geary County, but that changing conditions warrant additional studies of the impacts of growth once funds become available.

Commissioner Mortensen moved to acknowledge review of the Comprehensive Plan, as adopted in April of 2007, is the official Plan for Junction City and Geary County and that consideration needs to be given to allocating funds for an update of the Plan when economically feasible. Commissioner Ziegler seconded the motion and it carried unanimously.

RECESS AS METROPOLITAN PLANNING COMMISSION AND CONVENE AS THE BOARD OF ZONING APPEALS

Commissioner Ryan moved to recess as the Metropolitan Planning Commission and convene as the Board of Zoning Appeals. Commissioner Ziegler seconded the motion and it carried unanimously.

1. OLD BUSINESS – None

2. NEW BUSINESS

Item No. 1 – Case No. BZACU-03-01-11 - Public hearing on the application for a Conditional Use Permit for a Day Care Home at 1018 Coyote Drive, Junction City, Kansas.

Chairman Steinfort opened the public hearing on the application of Regina Cooper, owner, requesting a Conditional Use Permit to conduct a Day Care Home for not more than ten (10) children at 1018 Coyote Drive.

Mr. Yearout reminded the Board of reasoning behind the amendments to the Zoning Regulations over the past couple of years. Initially, if a provider was approved by Fort Riley under the Homes Off Post (HOP) program they were automatically limited to 6 children even though their State KDHE License was for 10 or more children. The Child Care Code and text amendments to the Zoning Regulations used 6 as the maximum for a Family Day Care Home, which was permitted by right in the residential districts. Any provider wishing to care for more than 6 children would still be required to apply for a Conditional Use Permit.

It has now come to staff's attention the other Post program, ACCYN (Army Child Care in Your Neighborhood), allows a maximum of 8 children. Even though the applicant in this case, Ms. Cooper, is applying for a Conditional Use Permit for a Day Care Home (DCH) allowing a maximum of 10 children, she will be limited to 8 because she participates in the ACCYN program. Staff believes this may mean the City and County day care regulations need revised again. With the influx of military personnel, there will undoubtedly be additional requests for many more day care operations. And the question is whether the rules and regulations should be further revised to accommodate the Army programs and avoid the Conditional Use Permit process.

With respect to the application before the Board, Mr. Yearout stated the staff report addresses each item the Board must take into consideration when making a determination. He explained that staff is recommending denial as outlined in the report; primarily because of the precedent it would set for Day Care Homes in residential areas. Mr. Yearout informed the Board it can disagree with the recommendation and stipulations can be attached to a Conditional Use Permit if granted.

There being no further questions of staff, Chairman Steinfort opened the hearing to comments or questions from the public.

Regina Cooper, 1018 Coyote Drive, stated she has provided childcare for 4 years in the City of Milford and has been a participant with the ACCYN program all this time. As previously explained, even though this application is for maximum of 10 children, she will be limited to 8 so long as she remains in the ACCYN program. Ms. Cooper stated she has 4 children of her own, of which 2 count toward the limit of 8. Two of her families have 2 children each; therefore, traffic and parking will not be a problem.

Ms. Cooper further indicated she has moved to Junction City partly to be closer to her day care families, who wish to stay with her. Her day care hours of operation are from 7 a.m. to 5:30 p.m. In response to the staff concern of the existing fence not being high enough to block the view of toys in the yard, she indicated a willingness to consider additional screening if necessary.

Vicki Sutton, ACCYN Coordinator from Manhattan, verified how stringent the Post programs were. She indicated that Ms. Cooper has been an excellent provider and has attended the extended childcare courses.

Richard Hagerty, 1902 Silver Court, indicated his concerns were type of signage allowed, cars driving upon his lawn and the hours of operation. He stated he was not opposed to the day care operation. Staff confirmed the Zoning Regulations limit any sign to one square foot size and it must be located on the home.

There being no further comments, Chairman Steinfort closed the public hearing.

General discussion ensued between the Board and staff relating to parking, signage, hours of operation, width of streets, and the differences between the density of development in the newer portions of the city versus these operations in the older section of the city where lots are generally smaller and narrower.

Commissioner Gustafson moved that Case No. BZACU-03-01-11, request of Regina Cooper, owner, requesting a Conditional Use Permit to conduct a Day Care Home for not more than ten (10) children at 1018 Coyote Drive, Junction City, Kansas, be approved with the conditions that the hours of operation be limited from 6:30 a.m. to 6:30 p.m., and that the Conditional Use Permit be granted only for this applicant at this location and it will become null and void if the applicant leaves this location. Commissioner Mortensen seconded the motion and it carried unanimously.

ADJOURN AS BOARD OF ZONING APPEALS AND RECONVENE AS METROPOLITAN PLANNING COMMISSION

Commissioner Ryan moved to adjourn as the Board of Zoning Appeals and reconvene as Metropolitan Planning Commission. Commissioner Ziegler seconded the motion and it carried unanimously.

5. GENERAL DISCUSSION

Item No. 1 – Work Session – Review of County Zoning Regulations

Mr. Yearout stated the complete rewrite of the draft for the Zoning and Subdivision Regulations and Sanitation Code is not finished. He asked if the Commission wished to postpone the scheduled work session for the following week. It was the consensus of the Commission to cancel the work session scheduled for Thursday, March 17th.

6. ADJOURNMENT

There being no further business, Commissioner Gustafson moved to adjourn at 9:02 p.m. Commissioner Ryan seconded the motion and it carried unanimously.

PASSED AND APPROVED this _____ day of April, 2011.

_____
Mike Steinfort, Chairman

ATTEST:

_____
David L. Yearout, AICP, Secretary

8a

City of Junction City

City Commission

Agenda Memo

5 April, 2011

From: Edward Lazear, Parks and Recreation Director

To: Gerry Vernon, City Manager, and City Commission

Subject: **REQUEST FOR WAIVER OF FEES FOR JUNCTION CITY COMMUNITY BAND**

Objective: Consideration of a fee waiver for Junction City Community Band on June 19th, 2011 for use of the Heritage Park Bandstand.

Explanation of Issue: Deb Breidenstein has requested use of the Heritage Park Bandstand to be used by the Junction City Community Band on June 19th from 6:00 pm until 9:00 pm.

In the past the City has provided the facilities and support at no charge. Current guidance requires that all entities pay the established fees for use of City facilities. A representative from the Junction City Community Band will be at the meeting to request a fee waiver.

Budget Impact: Approval of this waiver will reduce Parks and Recreation revenues by $15.00 for the 2011 budget. This amount is based on the established fees outlined for the use of the Heritage Park bandstand.

Alternatives: It appears that the City Commission has the following alternatives concerning the issues at hand. The Commission may:

1. Approve
2. Disapprove
3. Modify the proposal…
4. Table the request.

Suggested Motion: Commissioner _____ moves that the City decline the request to waiver of fees for the Junction City Community Band.

Recommendation: City Staff recommends disapproval of this request for waiver of fees for the Junction City Community Band.

Enclosures: None

8b

SPIRIT OF '76
BOARD OF DIRECTORS

AND

CITY OF JUNCTION CITY
CITY COMMISSION

JOINT AGENDA MEMO

Meeting Dates: April 5, 2011

From: Katie Logan, City Attorney

Dated: March 30, 2011

Agenda Item: Proposal of Edenspace Systems Corporation for approvals and waivers in connection with a proposed bridge loan conversion and new financing which will result in the issuance of additional Series B Preferred Stock

DISCUSSION

Background

On April 23, 2007, the City, Spirit of '76 and Edenspace Systems Corporation entered into a Development Agreement which contemplated an equity investment in Edenspace, and the City's financial support in building a facility for Edenspace to be located in Junction City, and certain grants tied to employment milestones.

On May 1, 2007, by Ordinance No. S-2947, the City Commission approved a grant to Spirit of '76 through an equity investment in the amount of $3,000,000 in Edenspace Systems Corporation.

On April 23, 2007 Edenspace issued 17,858 Shares of Series A Preferred Stock to Junction City Spirit of '76 and on June 29, 2007 Edenspace issued 410,712 Shares of Series A Preferred Stock to Junction City Spirit of '76. The City issued a checks to Edenspace on June 29, 2007 in the amounts of $2,874,987.50, for stock, and checks for $300,000 and $500,000 to fund a portion of the grants described in the Development Agreement.

Spirit and the City have also paid fees to an architectural firm to design a facility. However, due to the difficulty in obtaining financing as contemplated in the Development Agreement, the facility has not been built and Edenspace currently operates out of temporary facilities in Manhattan, Kansas.

13741466v2

In 2010, Edenspace requested the consent of Spirit and the City to the proposed issuance of Series B Preferred Stock and 2010 Bridge Financing. The Spirit Board unanimously consented at its meeting on April 13, 2010 and the City Commission approved the request at a meeting held on April 20, 2010. These transactions diluted the ownership interest of Junction City Spirit of '76 as indicated in attachment 4 to this Agenda Memo.

Current Proposal of Edenspace:

Edenspace is requesting the consent and waiver of Spirit of '76 and of the City of certain provisions governing the rights and preferences of the Series A Preferred Shareholders in connection with a proposed bridge loan conversion and new financing which will result in the issuance of additional Series B Preferred Stock. Edenspace advises that the bridge loan is due on April 10, 2011.

Per the attached capitalization table prepared by Edenspace, Junction City Spirit of '76 is the owner of 85.7% of the Series A Preferred Stock, KTEC is the owner of 7.1% of the Series A Preferred Stock, and the founders, Bruce Ferguson and wife, are owners of 7.1% of the Series A Preferred Stock.

The ownership interest of Junction City Spirit of '76 in the company will be diluted as a result of the conversion and new financing, as indicated on the attached table prepared by Edenspace.

At a public meeting to be held at 4:00 p.m. on April 5, 2011, representatives of Edenspace will make a detailed presentation to the Spirit of '76 Board. They will make a presentation at the City Commission meeting to be held at 7:00 p.m. on April 5, 2011.

Status of Development Agreement:

Last year both the Spirit Board and the City Commission recommended that the City Attorney commence renegotiation of certain outstanding matters relating grants and to the City's obligations to assist Edenspace to finance and build a facility in Junction City.

The following are the results of those discussions:

I participated in a conference call with Wayne Mayhew and Bruce Ferguson of Edenspace, and Gerry Vernon, Stacey Schulte and Eldon Hoyle on May 12, 2010, and a meeting with Wayne Mayhew of Edenspace and Ben Kitchens, Eldon Hoyle, Stacy Schulte, Gerry Vernon and Cheryl Beatty on June 15, 2010.

Edenspace continues to express an interest in locating its permanent facility in Junction City, and a willingness to locate in another location from that originally contemplated. Edenspace prefers a location with adjacent land which could be used in connection with its bio agricultural operations. The Kaw Valley Park was discussed, and Edenspace indicated a willingness to work with the City as to location. Also discussed was the assumption of all architectural fees by Edenspace for a new facility, and that the new

facility will not require all of the features included in the original design paid for by the City.

Edenspace acknowledged that it will be necessary for it to obtain and qualify for IRB financing for the facility, and that the City is not obligated and does not have the capacity to issue general obligation debt for this facility. Mr. Mayhew indicated in the 2010 meetings that in the next four to six months, Edenspace plans two additional rounds of capital financing, and hopes that these rounds will strengthen Edenspace's ability to qualify for IRB financing for the building. At that time he reported that once the hoped for financing is complete, the Company would be in a better position to determine its ability to obtain IRB financing for a Junction City facility.

On March 29, 2011, Mr. Ferguson and Mr. Mayhew reported to me and others that those rounds of capital financing did not occur, and as of the date of this Agenda memo, I understand that there is no immediate expectation for such financings.

The issues relating to the Development Agreement remaining for resolution are (a) Edenspace's ability to obtain IRB financing based on its credit, (b) review of milestones in the existing agreement for property tax abatement given the delays, (c) the City has requested Edenspace to explore ways to provide additional liquidity to Junction City for the Spirit stock, and (d) the status of grants committed to by the City in the Development Agreement, consisting of $800,000 of funded grants, and $587,000 in grants not funded.

Edenspace has stated to me its position that it relocated to Kansas in reliance on the receipt of the $800,000 grant, and that it is therefor entitled to that grant, even though funded prior to the IRB closing, and even though Edenspace does not have any payroll in Junction City.

I will update the Spirit Board and the City of further discussions I may have with the Company regarding the Development Agreement at the April 5 meetings.

Attachments:

Attached to this Agenda Memo are the following items prepared by Edenspace.

1. Summary of 2011 Debt Conversion and Series B Stock Sale – Effects on Series A Preferred Stock
2. 2011 Bridge Financing - Series B Convertible Preferred Stock with Warrants
3. Conversion of 2009 Notes and 2010 Notes into Series B Convertible Preferred Stock
4. Spread Sheet Showing "Before and After" ownership of Edenspace Stock

Not attached to this Agenda Memo, because they are lengthy, but available from Stacey Schulte upon request, are copies of the following documents prepared by Edenspace:

A. Marked Copy of Third Amended and Restated Certificated of Incorporation of Edenspace Systems Corporation.
B. Amended and Restated First Refusal, Co-Sale and Bring-Along Agreement.
C. Amended and Restated Investors' Rights Agreement
D. Consent and Waiver Agreement
E. Voting Rights Agreement.

Action Required. Approval or Disapproval of Edenspace Proposal

Attachment 1

Summary of 2011 Debt Conversion and Series B Stock Sale – Effects on Series A Preferred Stock

EDENSPACE SYSTEMS CORPORATION

Summary of 2011 Debt Conversion and Series B Stock Sale

Effects on Series A Preferred Stock

Background. Edenspace Systems Corporation ("Edenspace") is a small, high-technology company developing new crops for the renewable fuels industry. In 2007, the Spirit of '76 purchased $3 million in Edenspace's Series A Preferred Stock as part of an incentive package to relocate Edenspace to Junction City. The incentive package also included $800,000 in forgivable grants and $500,000 in free rent at a new, dedicated headquarters which the City was to build for Edenspace. At that time the Kansas Technology Enterprise Corporation ("KTEC") and Edenspace's co-founder and Chief Executive Officer, Bruce W. Ferguson, each invested approximately $250,000 in Series A stock. KTEC negotiated the terms of the Series A stock and helped to choose the Series A Director on Edenspace's Board, Ken Frahm, a farmer in west Kansas and former Co-Chairman of the Kansas Energy Council.

In late 2008 the closing of a City-sponsored bank financing of the new Edenspace headquarters construction was postponed because of the global credit crisis. Plans for the new headquarters are on hold pending the return to health of the credit industry, preparation of a revised proposal that includes land area for Edenspace field activities, and completion of a venture financing round by Edenspace. In the meantime Edenspace operates out of a headquarters location in Manhattan that provides laboratory and greenhouse facilities Edenspace requires in its business and that are not available in Junction City.

In 2010 Edenspace entered into a strategic partnership with Syngenta, one of the world's largest agricultural companies. In return for a broad range of patent rights, Edenspace issued Syngenta Series B Convertible Preferred Stock, and provided the company with a seat on Edenspace's Board of Directors. In 2010 Edenspace also sold $1.25 million in convertible debt. As required under the terms of the 2007 investment, Edenspace offered both Spirit of '76 and KTEC the opportunity to invest in this debt but neither elected to invest. The convertible debt issued in 2010, as well as similar debt issued in 2009, comes due in April 2011.

Edenspace has agreed with the holders of the convertible debt (the "noteholders") to convert the principal and interest of the debt into up to 560,000 shares of Series B stock at a conversion price of $5.95 per share The closing is scheduled for April 8, 2011. At the same time, Edenspace plans to complete the sale of up to an additional 270,000 shares of Series B Stock at a price of $5.95 per share. The noteholders and purchasers of Series B stock will receive warrants to purchase up to 620,000 shares of Edenspace Common Stock, exercisable over five years at a price of $5.25 per share. As required under the terms of the 2007 investment, Edenspace will offer both Spirit of '76 and KTEC the opportunity to invest in the Series B stock but neither is required or expected to invest. As part of the debt conversion and bridge financing, the new Series B investors and Syngenta will enter into an agreement that provides for Syngenta's continued right to name a director to Edenspace's Board.

Proposed Transactions. Edenspace, Syngenta, and the noteholders have negotiated the transaction documents. The terms of the transactions were unanimously approved by

Prepared by
Edenspace

Edenspace's Board and have been approved by holders of a majority of shares of the Common Stock. Approval by Syngenta, as the holder of Series B stock, is required. Approval by Spirit of '76, as the holder of the majority of shares of Series A stock, is also required for the transactions to be completed. Edenspace regards both the debt conversion and the stock sale as essential to maintaining Edenspace's operations until the planned completion of a venture round.

Effect of Proposed Transactions on Series A Stock. Investment documents have been provided to KTEC and Spirit of '76 showing proposed changes to the 2010 terms. These changes include, but are not limited to:

1. Increase in the number of authorized shares of Common Stock to 5,000,000 shares, and of preferred stock to 1,600,000 shares of which 500,000 shares are Series A and 1,100,000 shares are Series B.

2. Addition of the Series B shares held by the new Series B holders to the stock entitled to registration rights, which includes Series A stock

3. Addition of the Series B shares held by the new Series B holders to the right of first refusal agreement among Edenspace and its major stockholders, including Series A stockholders

4. Waiver of the Series A and Series B right of first refusal and antidilution rights with respect to the Series B stock and warrants

5. As a result of the conversion of the debt to stock, elimination of the security interest in Edenspace assets now held by the noteholders

The requirements of later round investors such as venture capital companies and strategic investors are unknown, but are likely to involve changes to the terms of the Series A stock and Series B stock and to the agreements among Edenspace's investors. As the majority holder of Series A stock, the Spirit of '76 has rights to approve such changes.

Prepared by
Edenspace

Attachment 2

2011 Bridge Financing - Series B Convertible Preferred Stock with Warrants

EDENSPACE SYSTEMS CORPORATION

2011 Bridge Financing

Series B Convertible Preferred Stock with Warrants

Preferred Stock:	Series B Convertible Preferred Stock, par value $0.001 per share, current conversion rate $8.50 per share ("Series B Stock")
Price:	$5.95 per Share
Maximum Amount:	$1,595,000 (268,068 Shares)
Minimum Amount:	$0
Initial Closing:	On or about April 8, 2011
Series B Stock Terms:	Terms of the Series B Stock are set forth in the Second Amended and Restated Certificate of Incorporation of the Corporation. The Certificate will be amended to require approval of certain transactions by holders of 75% of the shares of Series B Stock. rather than a simple majority. All holders of Series B Stock will enter into a voting agreement that provides for election of a Director nominated by Syngenta Ventures Pte. Ltd. ("Syngenta") so long as Syngenta owns 80% or more of its current number of shares of Series B Stock.
Warrants:	At the Closing Date, each Purchaser will be granted a warrant to purchase that number of shares of Common Stock of the Company equal to 140 shares per 100 Shares of Series B Stock purchased. The exercise price per share of each warrant will be equal to $5.25 per share of Common Stock, as adjusted for the effects of any stock split, stock dividend or similar event. Each warrant may be exercisable within 5 years of the date of grant.

Prepared by Edenspace

Attachment 3

Conversion of 2009 Notes and 2010 Notes into Series B Convertible Preferred Stock

EDENSPACE SYSTEMS CORPORATION

Conversion of 2009 Notes and 2010 Notes

Into

Series B Convertible Preferred Stock

Notes:	Secured Convertible Promissory Notes issued by Edenspace Systems Corporation in 2009 and 2010 ("Notes")
Preferred Stock:	Series B Convertible Preferred Stock, par value $0.001 per share, current Conversion Rate $8.50 per share ("Series B Stock")
Conversion:	At the Closing, principal and accrued interest (the "Outstanding Amount") of the Notes will be converted into shares of Series B Stock at a price of $5.95 per Share. Immediately after the conversion, the Conversion Rate of the Series B Stock shall remain $8.50 per share.
Closing:	On or about April 8, 2011
Series B Stock Terms:	Terms of the Series B Stock are set forth in the Second Amended and Restated Certificate of Incorporation of the Corporation. The Certificate will be amended to require approval of certain transactions by holders of 75% of the shares of Series B Stock. rather than a simple majority. All holders of Series B Stock will enter into a voting agreement that provides for election of a Director nominated by Syngenta Ventures Pte. Ltd. ("Syngenta") so long as Syngenta owns 80% or more of its current number of shares of Series B Stock.
Warrants:	At the Closing Date, each Noteholder will be granted a warrant to purchase that number of shares of Common Stock of the Company equal to 7.5 shares per $100 of the Outstanding Amount of such Noteholder's Note converted into shares of Series B Stock (e.g., a warrant for 7,500 shares for $100,000 of the Outstanding Amount of a Note). The exercise price per share of each warrant will be equal to $5.25 per share of Common Stock, as adjusted for the effects of any stock split, stock dividend or similar event. Each warrant may be exercisable within 5 years of the date of grant.

Prepared by Edenspace

Attachment 4

Spread Sheet Showing "Before and After" ownership of Edenspace Stock

Edenspace Systems Corporation
Ownership of Issued and Outstanding Stock And Fully Diluted
April 16, 2010 BEFORE 2010 Series B Issuance

Table 1

Stockholder	Common		Preferred A		Total	Percent	Percent of
	Shares	Percent	Shares	Percent	Shares	Outstanding	Fully-Diluted
Bruce W. Ferguson Family	1,523,518	87.1%	35,715	7.1%	1,559,233	69.3%	51.4%
Junction City Spirit of '76, Inc.			428,570	85.7%	428,570	19.0%	14.1%
Peter J. Knop Family	175,000	10.0%			175,000	7.8%	5.8%
Kansas Technology Enterprise Corporation			35,715	7.1%	35,715	1.6%	1.2%
Other Shareholders	51,400	2.9%			51,400	2.3%	1.7%
	1,749,918	100.0%	500,000	100.0%	2,249,918	100.0%	
CONTINGENT SHARES							
Convertible Notes ($1,600,000) (1)	268,907				268,907		8.9%
Options Outstanding	354,199				354,199		11.7%
Warrants Outstanding	161,000				161,000		5.3%
Total Fully Diluted Shares	2,534,024		500,000		3,034,024		100.0%

(1) Convertible Notes issued in 2009 plus accrued interest are assumed to convert in shares of Common Stock - Subject to change

Prepared by Edenspace

Table 2

Edenspace Systems Corporation
Ownership of Issued and Outstanding Stock and Fully Diluted
April 16, 2010 AFTER 2010 Series B Issuance

Stockholder	Common		Preferred A		Preferred B		Total	Percent	Percent of
	Shares	Percent	Shares	Percent	Shares	Percent	Shares	Outstanding	Fully-Diluted
Bruce W. Ferguson Family	1,523,518	87.1%	35,715	7.1%			1,559,233	61.9%	42.6%
Junction City Spirit of '76, Inc.			428,570	85.7%			428,570	17.0%	11.7%
Agrobusiness Company (2)					268,841	100.0%	268,841	10.7%	7.3%
Peter J. Knop Family	175,000	10.0%					175,000	6.9%	4.8%
Kansas Technology Enterprise Corporation			35,715	7.1%			35,715	1.4%	1.0%
Other Shareholders	51,400	2.9%					51,400	2.0%	1.4%
	1,749,918	100.0%	500,000	100.0%	268,841	11.9%	2,518,759	100.0%	
CONTINGENT SHARES									
Convertible Notes ($2,863,000) (3)	481,176						481,176		13.2%
Options Outstanding	354,199						354,199		9.7%
Warrants Outstanding (4)	304,750						304,750		8.3%
Total Fully Diluted Shares	2,890,043		500,000		268,841		3,658,884		100.0%

(2) Shares of Series B Preferred Stock shares issued to Agrobusiness Company
(3) Additional Convertible Notes of $1,250,000 issued to investors (assume conversion into 219,984 shares on Common Stock) - Subject to change
(4) Warrants issued to 2010 Convertible Note investors

Prepared by Edenspace

Edenspace Systems Corporation
Ownership of Issued and Outstanding Stock and Fully-Diluted
April 8, 2011 BEFORE Bridge Loan Conversion and New Financing

Table 3

Stockholder	Common		Preferred A		Preferred B		Total	Percent of	Percent of
	Shares	Percent	Shares	Percent	Shares	Percent	Shares	Outstanding	Fully-Diluted
OUTSTANDING SHARES									
Bruce W. Ferguson Family (5)	1,531,368	85.7%	35,715	7.1%			1,567,083	61.3%	41.8%
Junction City Spirit of '76, Inc.			428,570	85.7%			428,570	16.8%	11.4%
Agrobusiness Investor					268,841	100.0%	268,841	10.5%	7.2%
Peter J. Knop Family	175,000	9.8%					175,000	6.8%	4.7%
Kansas Technology Enterprise Corporation			35,715	7.1%			35,715	1.4%	1.0%
Other Investors (5)	80,530	4.5%					80,530	3.2%	2.1%
Total Outstanding Shares	1,786,898	100.0%	500,000	100.0%	268,841	100.0%	2,555,739	100.0%	
CONTINGENT SHARES									
Convertible Notes ($3,329,775) (6)	559,626						559,626		14.9%
Options Outstanding (7)	332,582						332,582		8.9%
Warrants Outstanding	304,750						304,750		8.1%
Total Fully Diluted Shares	2,983,856		500,000		268,841		3,752,697		100.0%

(5) Increase due to purchases of shares of Common Stock by exercise of stock options
(6) Increase due to additional interest accrued on Convertible Notes asumed to convert into shares of Common Stock - conversion subject to change
(7) Change due to issuance of new stock options offset by exercises of options (See 5 above) and terminiation of options - No change in shares in option pool.

Prepared by Edenspace

Edenspace Systems Corporation
Ownership of Issued and Outstanding Stock and Fully-Diluted
April 8, 2011 AFTER Bridge Loan Conversion and New Financing

Table 4

Stockholder	Common		Preferred A		Preferred B		Total	Percent of	Percent of
	Shares	Percent	Shares	Percent	Shares	Percent	Shares	Outstanding	Fully-Diluted
OUTSTANDING SHARES									
Bruce W. Ferguson Family	1,531,368	85.7%	35,715	7.1%			1,567,083	46.3%	33.7%
Junction City Spirit of '76, Inc.			428,570	85.7%			428,570	12.7%	9.2%
Agrobusiness Investor					268,841	35.3%	268,841	7.9%	5.8%
Peter J. Knop Family	175,000	9.8%					175,000	5.2%	3.8%
Kansas Technology Enterprise Corporation			35,715	7.1%			35,715	1.1%	0.8%
Convertible Notes ($3,329,775) (8)					559,626	73.5%	559,626	16.5%	12.0%
2011 Financing ($1,595,000 Maximum) (9)					268,067	35.2%	268,067	7.9%	5.8%
Other Investors	80,530						80,530	2.4%	1.7%
Total Outstanding Shares	1,786,898	100.0%	500,000	100.0%	761,306	100.0%	3,383,432	100.0%	
CONTINGENT SHARES									
Options Outstanding	332,582						332,582		7.2%
Warrants Outstanding	304,750						304,750		6.6%
Convertible Note Holder Warrants (8)	249,733						249,733		5.4%
2011 Financing Warrants (Maximum) (9)	375,293						375,293		8.1%
Total Fully Diluted Shares	3,049,256		500,000		761,306		4,645,790		100.0%

(8) Relects conversion of Convertible Notes into shares of Series B Preferred Stock plus issuanc of warrants related to that conversion
(9) Reflects issuance of additional shares of Series B Preferred Stock plus warrants for new investment in the Company. Amounts based on maximum offering.

Prepared by Edenspace

8c

City of Junction City
City Commission
Agenda Memo

April 5, 2011 Meeting

From: Cheryl S. Beatty, Finance Director

To: City Commissioners

Subject: **KDOT Exchange Fund Program**

Objective: Consideration and approval of KDOT agreement to participate in Exchange Fund Program

Explanation of Issue: KDOT has authorized a fund exchange program which allows us to exchange some or all of the federal funds allocated to the city in a specific federal fiscal year for state funds. The funds allocation comes from program funds that was known as SAFETEA-LU. The funds may now be directly allocated to a city if a city requests participation in the program. We recommend participation in this program and have submitted a preliminary project for traffic light installation for US-77 and Rucker Road. The funds may be banked for three years for a project, which will be needed for US-77 & Rucker Road improvements. The agreement outlines the program and basic items that the City will agree to for participating in the program.

Budget Impact: This is new program that will provide much needed capital funds for roadway improvements. We recommend banking the funds as allowed in the program to reduce local tax dollars for making such improvements.

Alternatives: It appears that the City Commission has the following alternatives:

1. Approve the proposed KDOT agreement.
2. Disapprove the proposed KDOT agreement.
3. Table the request.

Recommendation: Staff recommends the approval of the KDOT Agreement.

Suggested Motion:

Commissioner _____ moved to approve the KDOT Agreement as presented.

Commissioner _____ seconded the motion.

Enclosures: Introduction letter from KDOT. Proposed project for use of funds.

PROJECT NO. 31 U-0049-11
FUND EXCHANGE
CITY OF JUNCTION CITY, KANSAS

AGREEMENT

PARTIES: **DEBRA L. MILLER, Secretary of Transportation,** Kansas Department of Transportation (KDOT) hereinafter referred to as the "Secretary,"

The City of Junction City, Kansas, hereinafter referred to as the "City,"

Collectively referred to as the "Parties."

PURPOSE: Secretary has authorized a fund exchange program which allows local units of government to exchange some or all of the federal funds allocated to them in a specific federal fiscal year for state funds allocated to Secretary.

Secretary and City desire to exchange state transportation funds ("State Funds") for all, or a portion of, the annual allotment of City's Highway Bridge Program and/or Surface Transportation Funds ("Federal Funds.") City has requested $369,401.03 of their annual allotment for federal fiscal year 2011 of Federal Funds be exchanged for State Funds. Secretary and City are empowered by the laws of Kansas to enter into agreements incident to the financing, construction, and maintenance of city roads utilizing federal or state funds.

EFFECTIVE DATE: The Parties in consideration of the premises and to secure the approval of the Project shall mutually agree to perform in accordance with this Agreement as of the date signed by Secretary or designee.

ARTICLE I

SECRETARY AGREES:

1. To reimburse City, with State Funds, for one hundred percent (100%) of costs incurred pursuant to this Agreement, up to a maximum of $332,460.93. Secretary agrees to make partial payments to the City for amounts not less than $1,000 and no more frequently than monthly. Such payments will be made after receipt of proper billing.

ARTICLE II

CITYAGREES:

1. The total dollars exchanged under this Agreement are contingent upon the availability of State funds. If, in the judgment of Secretary, sufficient State Funds are not

appropriated to continue the function performed in this Agreement, Secretary may terminate this Agreement. Secretary will not be responsible to City for any reduction in State Funds.

2. The total dollars exchanged under this Agreement are also contingent upon the availability of Federal funds. If, due to Congressional funding restrictions, sufficient Federal funds have not been allotted to City, Secretary shall exchange funds in the amount available.

3. City agrees it shall not deposit the State Funds exchanged into the operating budget for City.

4. State Funds exchanged pursuant to this Agreement shall be used on specific road and bridge projects, including but not limited to roadway construction, reconstruction or rehabilitation, pavement preservation programs, bridge construction, replacement, rehabilitation, repair and removal, construction of low water crossing, safety improvement programs. State Funds exchanged pursuant to this Agreement shall be used on specific road and bridge projects only, as pre-approved by Secretary.

5. State Funds exchanged pursuant to this Agreement may be used for all phases of a road and bridge project including, but not limited to preliminary engineering, right of way acquisition, utility relocation, construction and inspection. City understands if used for right of way acquisition, the acquisition shall be done in compliance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended by the Surface Transportation and Uniform Relocation Assistance Act of 1987, and administrative regulations contained in 49 C.F.R., pt. 24, entitled Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs.

6. To allow Secretary to retain and use $369,401.03 of City's Federal Funds in exchange for State Funds. City understands Secretary may use the captured funds for any purpose or for any project throughout the state.

7. Secretary is authorized by City to take such steps as are deemed by Secretary to be necessary or advisable for the purpose of securing the benefits of the current Federal-Aid Transportation Act for this exchange.

8. To participate and cooperate with Secretary in an audit which will occur either annually or by project. City shall make its records and books available to representatives of Secretary for audit for a period of five (5) years after date of final payment under this Agreement.

9. To adopt all necessary ordinances and/or resolutions and to take such legal steps as may be required to give full effect to the terms of this Agreement.

10. Upon completion of the road or bridge project, the City shall notify Secretary and participate in a final review of the road or bridge project.

11. To the extent permitted by law, City agrees to defend, indemnify, hold harmless, and save the Secretary and his or her authorized representatives from any and all costs, liabilities,

expenses, suits, judgments, damages to persons or property or claims of any nature whatsoever arising out of or in connection with the provisions or performance of this Agreement by the City or the City's employees.

12. To follow all applicable laws and statutes governing the projects undertaken pursuant to this Agreement.

ARTICLE III

THE PARTIES AGREE:

1. The Special Attachment No. 1 attached hereto, pertaining to the implementation of the Civil Rights Act of 1964, is hereby made a part of this Agreement.

2. The Provisions found in Contractual Provisions Attachment (Form DA-146a, Rev. 1-01), which is attached hereto, are hereby incorporated in this contract and made a part thereof.

3. This Agreement and all contracts entered into under the provisions of this Agreement shall be binding upon Secretary and City and their successors in office.

4. No third party beneficiaries are intended to be created by this Agreement, nor do the parties herein authorize anyone not a party to this Agreement to maintain a suit for damages pursuant to the terms or provisions of this Agreement.

5. The application submitted by City for Federal Fund exchange is hereby incorporated into this Agreement and made a part thereof.

6. Any State Funds exchanged pursuant to this Agreement may be carried over in the next federal fiscal year by City

The signature page immediately follows this paragraph.

IN WITNESS WHEREOF the Parties hereto have caused this Agreement to be signed by their duly authorized officers on the day and year first above written.

ATTEST:

CITY OF JUNCTION CITY, KANSAS

_____
CITYCLERK (Date)

_____
MAYOR

(SEAL)

Kansas Department of Transportation
Debra L. Miller, Secretary of Transportation

By:_____
Jerome T. Younger, P.E. (Date)
Deputy Secretary for Engineering and
State Transportation Engineer

KANSAS
DEPARTMENT OF TRANSPORTATION

Mark Parkinson, Governor
Deb Miller, Secretary

http://www.ksdot.org

BLP Memo 10-17

MEMO TO: Board of City Commissioners
City of Junction City

DATE: December 13, 2010

SUBJECT: Fiscal Year 2011Federal Funds Allotment and Federal Fund Exchange

On September 30, 2009, the federal transportation legislation known as SAFETEA-LU, which has provided funding for transportation projects for the past five years, came to an end. Congress has yet to pass similar legislation to provide continuation of transportation funding long-term into the future. Instead, funding has been continued through the passage of several bills that have provided short-term funding while Congress works on the long-term legislation. The latest of these bills is set to expire on December 31, 2010.

Following is a summary of the federal obligation authority available to the City of Junction City for exchange in 2011:

FFY 2011 Federal Obligation Authority Distribution (as of current Congressional extension through 12/31/10)	$82,890.82
Estimated Full Year FFY 2011 Federal Obligation Authority Distribution	$369,401.03

The LPA has the option of either programming a project(s) to use the federal funds for development following KDOT's procedures or it may request the Kansas Department of Transportation (KDOT) to purchase the funds under the federal fund exchange program.

The federal fund exchange program is a voluntary program that allows a local public agency (LPA) to trade all or a portion of its federal fund allocations in a specific federal fiscal year with KDOT in exchange for state transportation dollars or with another LPA in exchange for their local funds. The exchange rate for the program is $0.90 of state funds for every $1.00 of local federal obligation authority exchanged. State funds will be paid on a reimbursement basis as the LPA incurs costs. This program will replace the Five Year Plan and is effective beginning in Federal Fiscal Year 2011, which started October 1, 2010.

Participation in the program is optional. An eligible LPA may choose to exchange its federal funds or it may use the funds to develop a federal-aid project following the established procedures. The Program Guidelines and necessary documents are located at www.kdot.org/burlocalproj/default.asp . For your convenience the Request to Exchange Federal Funds Form is attached. **Please return the Request by January 31, 2011, if you decide to exchange your federal funds.**

KDOT will determine the amount of state funds available for exchange annually at the time the federal funding is confirmed for a federal fiscal year. KDOT may conduct more frequent reviews of available funding when necessary as a result of funding or budgetary considerations. For planning and programming purposes, and in order to develop the Exchange Program, KDOT assumed federal funding levels will remain the same and the rules will be similar to SAFETEA-LU. When Congress takes action and a new transportation bill is enacted, KDOT will evaluate and determine if it is necessary to make adjustments.

In order to participate in the program the LPA must have a positive federal fund balance. The estimated federal funds available in FFY 2011 are less than the total dollar amount accumulated by the 62 counties with a positive balance. Therefore, KDOT prorated the annual allotment through FFY 2013 to counties with a positive balance in FFY 2011. If federal fund levels remain at the current levels, we anticipate that all balances will be paid by FFY 2014.

We appreciate your cooperation in allowing KDOT to implement this program for the local public agency. This program will allow the local agency more flexibility to use their dollars where they will do the most good and it will eliminate the need for them to meet the costly and time consuming requirements of developing a federal-aid project. Please contact Sondra Clark, Eric Deitcher, or me at 785-296-3861 if you have any questions regarding this program or if you need assistance in completing the Request to Exchange Federal Funds form.

Sincerely,

Ronald J. Seitz, P.E., Chief
Bureau of Local Projects

cc: Office of City Engineer
Dan Scherschligt, P.E., Director, Division of Engineering and Design
Chris Herrick, P.E., Director, Division of Planning and Development
Dennis Slimmer, P.E., Chief, Bureau of Transportation Planning
File

BUREAU OF LOCAL PROJECTS
Ronald J. Seitz, P.E., Chief
Dwight D. Eisenhower State Office Building
700 S.W. Harrison Street; Topeka, KS 66603-3745 • (785) 296-3861 • Fax: (785) 296-2079
Hearing Impaired - 711 • e-mail: publicinfo@ksdot.org • Public Access at North Entrance of Building

KANSAS
DEPARTMENT OF TRANSPORTATION

KANSAS DEPARTMENT OF TRANSPORTATION
BUREAU OF LOCAL PROJECTS
REQUEST TO EXCHANGE FEDERAL FUNDS

County/City: Junction City, Geary County

Federal Funds to Be Exchanged: $ 369,401.03

The Secretary of Transportation is hereby requested to make available to the city/county state funds in exchange for the city's/county's allotment of federal funds in the amount stated above.

We understand that the amount of state funds provided by the Secretary will be calculated at an exchange rate of $0.90 of state funds per dollar of federal funds. We further understand that the state funds must be used for transportation project(s) in accordance with the program guidelines and will be paid on a reimbursement basis as the city/county incurs costs on the project(s).

Proposed project(s) to use the state funds are listed on the attached sheets.

Contact Person: Cheryl Beatty Title: Finance Director
Address: Junction City Hall Po Box 287, 700 N Jefferson Junction City, KS 66441
Phone: 785-238- Email: cheryl.beatty@jcks.com

Cheryl S. Beatty
*Signature**

Cheryl S. Beatty
Typed or Printed Name

Finance Director
Title

1-28-2011
Date

The representative signing this request must be authorized by law to bind the city/county to an agreement.

T WORKS
TRANSPORTATION WORKS FOR KANSAS
Jobs • Safety • Economic Development

REQUEST TO EXCHANGE FEDERAL FUNDS Project List: (Attach as many sheets as needed)

Project Location: US 77 and Rucker Road, Junction City

Scope of Work: Lighted Intersection and widen to 3 lanes

Estimated Construction Start Date: 2014

Estimated Costs: (Only show those costs for which you will request reimbursement)

Design	$ 120,000
Right of Way	$ -0-
Utility Adjustments	$ -0-
Construction	$ 1,378,808.31
Inspection	$ 170,000
Total Estimated Costs	$ 1,668,808.31

See attached.

Project Location: _____

Scope of Work: _____

Estimated Construction Start Date: _____

Estimated Costs: (Only show those costs for which you will request reimbursement)

Design	$
Right of Way	$
Utility Adjustments	$
Construction	$
Inspection	$
Total Estimated Costs	$

T WORKS

US-77 and Rucker Road Intersection

Construct new 3 lane section on Rucker Road (1,000' East & 670' West)
Widening on US-77 by 3 lanes (1,000' North & 1,000' South)
Engineer's Opinion of Probable Cost
January 28,2011

No	Description	US-77 Quantity	Rucker Road Quantity	Total Quantity	Units	Unit Price	Total Price
1	Mobilization	———	———	Lump Sum		$ 35,000.00	$ 35,000.00
2	Construction Staking	———	———	Lump Sum		$ 9,000.00	$ 9,000.00
3	Remove Existing Structure	———	———	Lump Sum		$ 3,000.00	$ 3,000.00
4	Traffic Control	———	———	Lump Sum		$ 24,000.00	$ 24,000.00
5	Pavement Removal	4,260	1,935	6,195	SY	$ 1.78	$ 11,027.10
6	Common Excavation	2,600	1,200	3,800	CY	$ 6.00	$ 22,800.00
7	Common Excavation (Contractor Furn.)	20,000		20,000	CY	$ 9.00	$ 180,000.00
8	Compaction (Type AA)	9,300	3,200	12,500	SY	$ 1.00	$ 12,500.00
9	6" AB-3	9,300	3,200	12,500	SY	$ 9.11	$ 113,875.00
10	9" Hot Mix Asphalt	9,300	2,700	12,000	SY	$ 44.00	$ 528,000.00
11	Extension of Existing RCB	60		60	LF	$ 240.00	$ 14,400.00
12	Inlets		4	4	Each	$ 4,500.00	$ 18,000.00
13	24" Storm Sewer (RC)		350	350	LF	$ 40.00	$ 14,000.00
14	18" Storm Sewer (RC)		82	82	LF	$ 30.00	$ 2,460.00
15	36" Storm Sewer (RC)		110	110	LF	$ 50.00	$ 5,500.00
16	Combined Curb & Gutter		1,100	1,100	LF	$ 14.00	$ 15,400.00
17	8" Concrete Pavement		400	400	SY	$ 45.00	$ 18,000.00
18	5' Sidewalk		370	370	SY	$ 40.00	$ 14,800.00
19	Traffic Signalization	———	———	Lump Sum		$ 160,000.00	$ 160,000.00
20	Signs	10	4	14	Each	$ 300.00	$ 4,200.00
21	Seeding	———	———	Lump Sum		$ 12,000.00	$ 12,000.00
22	Erosion Control	———	———	Lump Sum		$ 22,000.00	$ 22,000.00
23	Pavement Markings	5,000	2,000	7,000	LF	$ 1.50	$ 10,500.00
24	Pavement Marking Symbols	8	2	10	Each	$ 300.00	$ 3,000.00

Subtotal	$ 1,253,462.10
Construction Contingency (10%)	$ 125,346.21
Preliminary Engineer's Opinion of Probable Construction Cost	$ 1,378,808.31
Estimated Design Fee	$ 120,000.00
Estimated Construction Inspection Fee	$ 170,000.00
Total Estimated Costs	$ 1,668,808.31

8d

City of Junction City

City Commission

Agenda Memo

March 28, 2011

From: David L. Yearout, AICP, Director of Planning and Zoning

To: City Commission & Gerry Vernon, City Manager

Subject: Amendment to the Junction City Municipal Code (G-1096 attached)

Issue: Consideration of ordinance **(G-1096)** amending Title IV, Land Use, in several places to clarify the use of a Special Use Permit for uses not otherwise identified within the Zoning Regulations.

Explanation of Issue: The Metropolitan Planning Commission held a public hearing on March 10, 2011, to consider amending the Junction City Zoning Regulations to clarify the manner in which Special Use Permits may be used to address uses that are not otherwise identified with the Zoning Regulations. The amendment will also clarify the manner in which Special Use Permits work within the overall zoning process. The MPC has recommended by unanimous vote the amendments be approved.

Alternatives: In accordance with K.S.A. 12-757, the City Commission has the following alternatives for text amendments on first appearance:

1. To accept the recommendation of the MPC and approve the first reading of the Ordinance.
2. Modify the recommendation of the Planning Commission by a 2/3 majority vote and approve the first reading of the Ordinance as so modified.
3. Return the recommendation to the Planning Commission for further consideration, specifying the items, concerns or issues with said recommendation.
4. Disapprove the recommendation of the Planning Commission by a 2/3 majority vote and not accept the text amendments.

Staff Recommendation: Accept the recommendation of the MPC and approve the first reading of the Ordinance.

Suggested Motion:

Commissioner _____ moved that the recommendation of the Planning Commission be accepted and that Ordinance No. G-1096, an ordinance amending the Zoning Regulations of Junction City, Kansas, be approved on first reading.

Commissioner _____ seconded the motion.

Enclosures:

Ordinance G-1096
March 10, 2011 MPC Minutes

ORDINANCE NO. G-1096

AN ORDINANCE AMENDING TITLE IV. LAND USE, OF THE MUNICIPAL CODE OF THE CITY OF JUNCTION CITY, KANSAS, BY CLARIFYING THE USE OF SPECIAL USE PERMITS AND BY ADDING LANGUAGE TO ARTICLE V – SPECIAL USE PERMITS, TO CHAPTER 445 OF THE MUNICIPAL CODE OF THE CITY OF JUNCTION CITY, KANSAS.

WHEREAS, the Junction City – Geary County Metropolitan Planning Commission did on March 10, 2011, conduct a public hearing on the proposed amendments to the Junction City Zoning Regulations pertaining to amending certain sections of said Zoning Regulations regarding Special Use Permits; and,

WHEREAS, this City Commission has reviewed the record of said Metropolitan Planning Commission meeting and thoroughly discussed the recommendation made therein.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF JUNCTION CITY, KANSAS:

Section 1. **ARTICLE IV, GENERAL PROVISIONS, of the Municipal Code of the City of Junction City, Kansas, is hereby amended by adding the following section:**

SECTION 400.235: SPECIAL USES. Use of a structure or land by a Special Use Permit may occur in any zoning district provided the Special Use Permit is secured in accordance with the appropriate provisions of these regulations. Special Use Permits may be used to allow uses to occur in a more restrictive zoning district rather than to seek rezoning to a more permissive zoning district.

Section 2. **Section 400.240(A) of the Municipal Code of the City of Junction City, Kansas, is hereby amended by deleting the existing language and replacing it with the following:**

SECTION 400.240: NUMBER OF STRUCTURES AND USES ON THE ZONING LOT.

A. Not more than one principal residential structure shall be located on a single zoning lot, unless permitted by the district regulations in which located, nor shall a principal residential building be located on the same zoning lot with any other principal building, except as may be permitted by Chapter 435 of this Title relating to planned development districts, and as allowed by the issuance of a Special Use Permit as provided in Chapter 455 of this Title.

Section 3. **Section 445.180(B) of the Municipal Code of the City of Junction City, Kansas, is hereby amended by adding the following:**

SECTION 445.180: SPECIAL USES ENUMERATED.

The following Special Uses may be approved by the City Commission as provided in this Article.

B. Any other use not specifically listed as a permitted and/or accessory use in any district in these Regulations; as a Conditional Use Permit; or as a prohibited use.

Section 4. **This Ordinance shall be in full force and effect from and after its publication once in the Junction City Daily Union.**

PASSED AND ADOPTED THIS _____ DAY OF _____, 2011.

_____

MIKE RHODES, MAYOR

ATTEST:

_____

TYLER FICKEN, CITY CLERK

JUNCTION CITY/GEARY COUNTY
METROPOLITAN PLANNING COMMISSION
BOARD OF ZONING APPEALS

MINUTES

March 10, 2011
7:00 P.M.

Members Present	Members Absent	Staff
Rick Ziegler		David Yearout
Ken Mortensen		Shari Lenhart
Brandon Dibben		
Mike Steinfort		
John Moyer		
Mike Ryan		
Maureen Gustafson		

1. CALL TO ORDER AND ROLL CALL

Chairman Steinfort called the meeting to order at 7:00 p.m. and noted all members present.

2. APPROVAL OF MINUTES

Commissioner Moyer moved to approve the minutes of the January 20th and February 10th meetings. Commissioner Dibben seconded the motion and it passed unanimously.

3. OLD BUSINESS

Item No. 1 – Case No. SUP-01-01-11 – Reconsideration of Special Use Permit at 703 West Ash.

Reconsideration of the application of Mike Douchant, Dolan Realty Advisors, agent for Verizon Wireless, lessee, on behalf of Highland Cemetery, owner, requesting a Special Use Permit to install a communications tower at 703 West Ash Street, Junction City, Kansas. Proposed site is generally in the southeast corner of the cemetery.

Mr. Yearout stated the City Commission voted to return this case to the Planning Commission for reconsideration at the February 15, 2011, meeting. The reason for the return is because the applicant presented new information at the City Commission meeting showing landscaping around the equipment compound. The Planning Commission can re-open this case for further review or take no action. State statute requires the Planning Commission to act on a returned matter at its next regular meeting. If no action is taken, the case will go back to the City Commission with the original recommendation.

Mr. Yearout reported a valid protest petition was presented to the City Clerk within the statutory timeframe, which will require a ¾'s majority of the governing body to approve the request regardless of the action taken by the Planning Commission. Mr. Yearout shared a map showing the notification area and the property owners who signed the petition and stated that 32% of the notification area had signed the protest petition.

Mr. Yearout reported that all additional information presented by the applicant was included in the packets for this meeting. Copies of material received earlier in the day from Verizon's RF engineer were also provided.

Mr. Yearout commented that the graphic submitted today which shows two existing cell towers and their coverage, the proposed Highland Cemetery location, and the original location in the South Park area does not show the latest location discussed in South Park. As such, staff believes the material is somewhat misleading.

Mr. Yearout stated staff is still recommending denial based on the position that a cell tower is not an appropriate land use in a cemetery and that other locations are available in the area to service this section of the community.

Chairman Steinfort asked if any members had questions of staff.

Commissioner Moyer asked if the only reason the City Commission returned the case was because of the photographs and the artist rendering of proposed landscaping. Mr. Yearout indicated the City Commission felt the Planning Commission should also have the opportunity to review the additional information presented by the applicant and include that information in its recommendation.

Mr. Yearout responded to the Commission that there was no obligation to open the meeting up for additional comments from the public since this is a review of the information as returned by the City Commission. It was up to the Commission whether the opportunity for additional comments from the applicant or the public would be taken.

Commissioner Ziegler moved that the Planning Commission not open the review to additional comments and, pursuant to state statute, the case be resubmitted to the City Commission with the original recommendation of denial. Commissioner Moyer seconded the motion and it failed by a vote of 3 yeas and 4 nays. (Commissioners Ziegler, Moyer and Steinfort voted for the motion, and Commissioners Ryan, Mortensen, Gustafson and Dibben voted against the motion.)

Commissioner Gustafson stated she wished to ask some additional questions of the applicant and was open to hearing from the public.

Commissioner Mortensen stated he still believes that installation of the tower will not be detrimental to the cemetery or the surrounding areas.

At this point, Chairman Steinfort opened the meeting for public comment.

Randy Powers, 1013 South Webster, stated he had voiced his opinions in opposition to the tower at the January meeting. He presented the members with a copy of an article, printed in the *Daily Union, February 12, 2011,* relating to wireless advances and how cell towers may become obsolete in the future. He reiterated that he is still opposed to a cell tower at this particular location.

Jim and Phyllis Nelson, 710 Sunshine, expressed concern about no light on top of the tower. Life Watch helicopters frequently use this flight path to and from the hospital, and a tower at this location could be a safety issue. Mr. Nelson stated he is concerned about noise from the generators proposed at the location since their home is immediately south of the proposed site.

Eileen Small, 724 Sunshine, felt the tower would have a negative effect on property values and she also felt this is not an appropriate use in a cemetery.

Mike Douchant, Dolan Realty Advisors, agent for Verizon, spoke on the need for Verizon to install additional towers. He elaborated on the technical aspects of coverage and the continued demand for Verizon to provide service to their customers. He indicated if aesthetics is one of the main concerns, there are numerous options available to make this a "stealth" tower and the applicant is willing to consider such options. He agreed that, even though the FAA does not require lighting, a light can be installed, if required.

Discussion ensued between Mr. Douchant and Commissioners regarding capacity, construction, landscape upkeep responsibilities, additional carriers, tower at 7th & Monroe, future building installations, maintenance issues, noise, cosmetic possibilities, wireless technology advancements, other possible locations, increase of the proposed area for other users, and other potential commercial uses in the cemetery once this first commercial use occurred.

Casey Gorham, manager and Sexton of Highland Cemetery, reiterated the Cemetery Board has agreed that the proposed use will not interfere with the operations of the cemetery and it will provide additional income. Mr. Gorham pointed out that the City installed a siren which requires maintenance and there have been no complaints from the surrounding property owners. Mr. Gorham stated the Cemetery Association supports having the Special Use Permit approved because of the additional revenue and the fact the existing roadway to the proposed tower site would be improved with additional gravel by Verizon.

There being no further public appearances, Chairman Steinfort closed the public hearing.

Mr. Yearout reminded the Commission the Zoning Regulations were amended last year to allow consideration of other locations for proposed cell towers. Prior to the amendment, cell towers were allowed by right on in the Industrial districts. The tower at 7th and Monroe is in an industrial zone. The growth of cell phone usage will require the installation of more cell towers and limiting towers to areas zoned industrial would limit the opportunities to improve service within the community. The amendment provided for the Special Use Permit procedure.

Mr. Yearout stated staff is still of the opinion other alternative locations can provide the needs of Verizon in this portion of the City. Staff is aware those locations may not be as ideal as an RF engineer would wish, but the original propagation maps show the proposed site in South Park is workable. It is still staff's opinion that a cemetery is not the appropriate setting for this type of land use or any other type of commercial uses. In staff's opinion, the South Park location would be workable.

Commissioner Ziegler stated he believed this was not an appropriate land use for the cemetery, and it could open up the cemetery for other commercial endeavors.

Commissioner Mortensen reiterated he did not believe the tower would be detrimental in the cemetery and that the proposed landscaping around the equipment compound would provide adequate screening. In addition, the location is somewhat down over the hill and less visible from surrounding properties.

Commissioner Gustafson reiterated that she did not have a problem with the tower, per se, but was very opposed to the buildings on the ground. She felt it would need a lot of landscaping and that would require more maintenance responsibility on the part of the cemetery. She felt that even with the landscaping, the proposed tower is not appropriate for the cemetery.

Commissioner Mortensen moved to recommend approval of the application of Mike Douchant, Dolan Realty Advisors, agent for Verizon Wireless, lessee, on behalf of Highland Cemetery, owner, requesting a Special Use Permit to install a communications tower at 703 West Ash Street, provided the applicant meets the recommendations suggested in the March 3rd staff report; adding the requirement of a red light at night, and additional installation of the landscaping as presented by the applicant. Commissioner Ryan seconded the motion. The motion failed by a vote of 3 ayes and 4 nays. (Commissioners Mortensen, Ryan and Dibben voted for the motion, and Commissioners Ziegler, Gustafson, Moyer and Steinfort voted against the motion.)

Commissioner Moyer moved to recommend denial of the application of Mike Douchant, Dolan Realty Advisors, agent for Verizon Wireless, lessee, on behalf of Highland Cemetery, owner, requesting a Special Use Permit to install a communications tower at 703 West Ash Street, based on the facts presented in the January 19th staff report and as heard at both public hearings; that the additional information provided by the applicant did not significantly alter the impact the cell tower would have on the area; and because there appears to be a viable alternative site at the northeast corner of South Park. Commissioner Gustafson seconded the motion and it carried by a vote of 5 ayes and 2 nays. (Commissioners Ziegler, Gustafson, Steinfort, Moyer and Dibben voted for the motion and Commissioners Mortensen and Ryan voted against the motion.)

Mr. Yearout informed the audience and Commission this case would be on the April 5th City Commission agenda.

4. NEW BUSINESS

Item No. 1 – Case No. Z-03-01-11 – Public Hearing to Rezone Property at 1120 South Madison

Chairman Steinfort opened the public hearing on the application of Don Boyer, owner, to rezone property at 1120 South Madison Street from "CSR" Service Commercial Restricted District to "IL" Light Industrial District, Junction City, KS.

Mr. Yearout reviewed the staff report explaining this rezoning was intended to be considered at the time of review of the Final Plat of Madison Street Addition heard earlier this year, but the application for the replat was the only one originally submitted. The purpose of this request is to make all the zoning industrial to enable Mr. Boyer to construct storage buildings on the property. The area under consideration is the property purchased by the applicant behind the existing Subway on South Washington. Mr. Yearout stated the proposed rezoning makes all the land of the applicant consistent; that the rezoning does not negatively impact other existing uses in the area; and staff recommends approval.

Mr. Boyer, applicant, confirmed the rezoning was intended to come with the replat, but unfortunately that didn't happen. Mr. Boyer had no other comments and was supportive of the staff report and recommendation.

There being no further comments from the public, Chairman Steinfort closed the public hearing.

Commissioner Mortensen moved that Case No. Z-03-01-11, request of Don Boyer, owner, to rezone property at 1120 S. Madison Street from "CS" Service Commercial Restricted District to "IL" Light Industrial District, Junction City, Kansas, be recommended for approval by the City Commission based on the reasoning stated in the staff report and as presented at the public hearing. Commissioner Dibben seconded the motion and it carried unanimously.

Mr. Yearout stated this case would also be on the April 5th City Commission agenda.

Item No. 2 – Case No. TA-03-01-11 – Public Hearing on proposed Text Amendment to the Geary County and Junction City Zoning Regulations concerning Special Use Permits.

Chairman Steinfort opened the public hearing on the proposed text amendment to the Geary County and Junction City Zoning Regulations concerning the use of Special Use Permits and asked for the staff report.

Mr. Yearout stated the proposed amendment would allow for greater flexibility in dealing with issues not allowed by right or not listed as a land use in any zoning category, especially in the County. He identified a couple of situations in the rural area that prompted this proposed amendment. The staff report identifies the different sections in the City and county Zoning Regulations that will be amended.

Chairman Steinfort asked how many cases might be generated over a year. Mr. Yearout indicated there is more of a need in the County for this flexibility, but it will also be helpful to have the same procedure in place for the City's regulations. He does not anticipate that many cases would be considered in the City, but it would probably generate about a half dozen cases in the County.

Mr. Yearout reminded the Commissioners that this is under the Special Use Permit procedure, which has the Metropolitan Planning Commission holding a public hearing and the Governing Body making the final determination on each case.

There being no public appearances, Chairman Steinfort closed the public hearing.

Commissioner Gustafson moved that the proposed amendments to the Geary County Zoning Regulations and Junction City Zoning Regulations concerning the use of Special Use Permits be recommended for adoption by the Board of County Commissioners of Geary County and the City Commission of the City of Junction City as outlined in the staff report. Commissioner Moyer seconded the motion and it carried unanimously.

Mr. Yearout stated this case would also be on the April 5th City Commission agenda, but the intention is to take the proposed resolution to complete the amendment to the Board of County Commission on Monday, March 14th.

Item No. 3 – Case No. CP-03-01-11 - Review of the Comprehensive Plan for Junction City and Geary County.

Mr. Yearout reported that a public hearing is not required for the yearly review of the Comprehensive Plan by the Planning Commission. A public hearing is only necessary if the Plan is to be amended. As previously reported, there is a need to update the Plan; however, there are no monies available for the extensive work required. Mr. Yearout reported that the 2010 Census data is now available and Geary County's population increased at a rate that made Geary County the fastest growing County in Kansas, based on percentage increase change. Staff believes this indicates that the City, County, and surrounding area continues to grow and makes the need for a current Comprehensive Plan very important. However, given the current financial situation, the current Plan should be acknowledged as the valid Plan for Junction City and Geary County.

Mr. Yearout recommended the Commission acknowledge this review of the Comprehensive Plan confirms it is still the valid Plan for Junction City and Geary County, but that changing conditions warrant additional studies of the impacts of growth once funds become available.

Commissioner Mortensen moved to acknowledge review of the Comprehensive Plan, as adopted in April of 2007, is the official Plan for Junction City and Geary County and that consideration needs to be given to allocating funds for an update of the Plan when economically feasible. Commissioner Ziegler seconded the motion and it carried unanimously.

RECESS AS METROPOLITAN PLANNING COMMISSION AND CONVENE AS THE BOARD OF ZONING APPEALS

Commissioner Ryan moved to recess as the Metropolitan Planning Commission and convene as the Board of Zoning Appeals. Commissioner Ziegler seconded the motion and it carried unanimously.

1. OLD BUSINESS – None

2. NEW BUSINESS

Item No. 1 – Case No. BZACU-03-01-11 - Public hearing on the application for a Conditional Use Permit for a Day Care Home at 1018 Coyote Drive, Junction City, Kansas.

Chairman Steinfort opened the public hearing on the application of Regina Cooper, owner, requesting a Conditional Use Permit to conduct a Day Care Home for not more than ten (10) children at 1018 Coyote Drive.

Mr. Yearout reminded the Board of reasoning behind the amendments to the Zoning Regulations over the past couple of years. Initially, if a provider was approved by Fort Riley under the Homes Off Post (HOP) program they were automatically limited to 6 children even though their State KDHE License was for 10 or more children. The Child Care Code and text amendments to the Zoning Regulations used 6 as the maximum for a Family Day Care Home, which was permitted by right in the residential districts. Any provider wishing to care for more than 6 children would still be required to apply for a Conditional Use Permit.

It has now come to staff's attention the other Post program, ACCYN (Army Child Care in Your Neighborhood), allows a maximum of 8 children. Even though the applicant in this case, Ms. Cooper, is applying for a Conditional Use Permit for a Day Care Home (DCH) allowing a maximum of 10 children, she will be limited to 8 because she participates in the ACCYN program. Staff believes this may mean the City and County day care regulations need revised again. With the influx of military personnel, there will undoubtedly be additional requests for many more day care operations. And the question is whether the rules and regulations should be further revised to accommodate the Army programs and avoid the Conditional Use Permit process.

With respect to the application before the Board, Mr. Yearout stated the staff report addresses each item the Board must take into consideration when making a determination. He explained that staff is recommending denial as outlined in the report; primarily because of the precedent it would set for Day Care Homes in residential areas. Mr. Yearout informed the Board it can disagree with the recommendation and stipulations can be attached to a Conditional Use Permit if granted.

There being no further questions of staff, Chairman Steinfort opened the hearing to comments or questions from the public.

Regina Cooper, 1018 Coyote Drive, stated she has provided childcare for 4 years in the City of Milford and has been a participant with the ACCYN program all this time. As previously explained, even though this application is for maximum of 10 children, she will be limited to 8 so long as she remains in the ACCYN program. Ms. Cooper stated she has 4 children of her own, of which 2 count toward the limit of 8. Two of her families have 2 children each; therefore, traffic and parking will not be a problem.

Ms. Cooper further indicated she has moved to Junction City partly to be closer to her day care families, who wish to stay with her. Her day care hours of operation are from 7 a.m. to 5:30 p.m. In response to the staff concern of the existing fence not being high enough to block the view of toys in the yard, she indicated a willingness to consider additional screening if necessary.

Vicki Sutton, ACCYN Coordinator from Manhattan, verified how stringent the Post programs were. She indicated that Ms. Cooper has been an excellent provider and has attended the extended childcare courses.

Richard Hagerty, 1902 Silver Court, indicated his concerns were type of signage allowed, cars driving upon his lawn and the hours of operation. He stated he was not opposed to the day care operation. Staff confirmed the Zoning Regulations limit any sign to one square foot size and it must be located on the home.

There being no further comments, Chairman Steinfort closed the public hearing.

General discussion ensued between the Board and staff relating to parking, signage, hours of operation, width of streets, and the differences between the density of development in the newer portions of the city versus these operations in the older section of the city where lots are generally smaller and narrower.

Commissioner Gustafson moved that Case No. BZACU-03-01-11, request of Regina Cooper, owner, requesting a Conditional Use Permit to conduct a Day Care Home for not more than ten (10) children at 1018 Coyote Drive, Junction City, Kansas, be approved with the conditions that the hours of operation be limited from 6:30 a.m. to 6:30 p.m., and that the Conditional Use Permit be granted only for this applicant at this location and it will become null and void if the applicant leaves this location. Commissioner Mortensen seconded the motion and it carried unanimously.

ADJOURN AS BOARD OF ZONING APPEALS AND RECONVENE AS METROPOLITAN PLANNING COMMISSION

Commissioner Ryan moved to adjourn as the Board of Zoning Appeals and reconvene as Metropolitan Planning Commission. Commissioner Ziegler seconded the motion and it carried unanimously.

5. GENERAL DISCUSSION

Item No. 1 – Work Session – Review of County Zoning Regulations

Mr. Yearout stated the complete rewrite of the draft for the Zoning and Subdivision Regulations and Sanitation Code is not finished. He asked if the Commission wished to postpone the scheduled work session for the following week. It was the consensus of the Commission to cancel the work session scheduled for Thursday, March 17th.

6. ADJOURNMENT

There being no further business, Commissioner Gustafson moved to adjourn at 9:02 p.m. Commissioner Ryan seconded the motion and it carried unanimously.

PASSED AND APPROVED this _____ day of April, 2011.

_____
Mike Steinfort, Chairman

ATTEST:

_____
David L. Yearout, AICP, Secretary

JUNCTION CITY/GEARY COUNTY METROPOLITAN PLANNING COMMISSION BOARD OF ZONING APPEALS

STAFF REPORT

March 7, 2011

TO: Metropolitan Planning Commission / Board of Zoning Appeals

FM: David L. Yearout, AICP, Director of Planning and Zoning

SUBJECT: TA-03-01-11 – Text Amendment concerning the application of Special Use Permits in the Geary County Zoning Regulations and the Junction City Zoning Regulations

---

Background: At the direction of the Metropolitan Planning Commission, staff published for a public hearing at the March, 2011, meeting for consideration of a text amendment to both the Geary County Zoning Regulations and the Junction City Zoning Regulations concerning the use of the Special Use Permit process to consider uses proposed that do not fit cleanly into the existing Zoning Regulations. This is a much bigger issue in the rural areas than within the City; but there are occasions when this process would allow a more flexible approach to a development issue than the more intensive rezoning. Additionally, this is the general approach that will be taken in the new County Zoning Regulations and staff anticipates a more extensive discussion of how this approach may better deal with some issues within the City when the City Zoning Regulations are being considered for updating in the future.

As reported at the last MPC meeting, the primary event that triggered this idea was the impact of a conversion of a second floor in a garage in the rural portion of Geary County into an apartment for separate living quarters. The land in question is a little over 5 acres in size and the building permit issued for the garage indicated the second floor would be for storage only. The subsequent conversion was done without building permits or inspections. However, there are other issues that come into play with this situation because it creates a second "dwelling" on the property, which is a violation of the Zoning Regulations; and there are some potential issues regarding the conformance to the Sanitation Code requirements. The other options under the current Zoning Regulations require more land, so that presents a problem as well. A Special Use Permit would provide the most reasonable method of addressing this issue without a more drastic rezoning to some category that might cause more problems.

Zoning Regulation Amendments

The proposed language to be inserted into the **Geary County Zoning Regulations** is as follows.

In Article 3, GENERAL PROVISIONS, the following changes need to be made:

PART 3. GENERAL REQUIREMENTS IN ALL ZONING DISTRICTS. Add the following section:

3-311. Special Uses. Use of a structure or land by a Special Use Permit may occur in any zoning district provided the Special Use Permit is secured in accordance with the appropriate provisions of these regulations. Special Use Permits may be used to allow uses to occur in a more restrictive zoning district rather than to seek rezoning to a more permissive zoning district.

PART 4. MISCELLANEOUS REQUIREMENTS. Amend the following:

3-401. Number of Structures and Uses on the Zoning Lot.

A. Not more than one principal residential structure shall be located on a single zoning lot, unless permitted by the district regulations in which located, nor shall a principal residential building be located on the same zoning lot with any other principal building, except as may be permitted by Article 10 of these regulations relating to planned development districts, and as allowed by the issuance of a Special Use Permit as provided in Article 11 of these regulations.

In Article 11, ADMINISTRATION, the following change needs to be made:

PART 8. METROPOLITAN PLANNING COMMISSION. Add the following:

11-803. Special Use Permits Listed: The uses listed below shall only be permitted as a special use following the procedure identified above and in accordance with all requirements for each respective special use as identified below. These uses shall not be permitted in any other zoning category except as described herein.

F. Any other use not specifically listed as a permitted and/or accessory use in any district in these Regulations; as a Conditional Use Permit; or as a prohibited use.

The proposed language to be inserted into the **Junction City Zoning Regulations** in Title IV Land Use is as follows.

In ZONING – GENERAL PROVISIONS; make the following changes:

ARTICLE IV. GENERAL REQUIREMENTS - ALL ZONING DISTRICTS. Add the following section:

SECTION 400.235: SPECIAL USES. Use of a structure or land by a Special Use Permit may occur in any zoning district provided the Special Use Permit is secured in accordance with the appropriate provisions of these regulations. Special Use Permits may be used to allow uses to occur in a more restrictive zoning district rather than to seek rezoning to a more permissive zoning district.

ARTICLE V. MISCELLANEOUS REQUIREMENTS. Amend the following:

SECTION 400.240: NUMBER OF STRUCTURES AND USES ON THE ZONING LOT.

A. Not more than one principal residential structure shall be located on a single zoning lot, unless permitted by the district regulations in which located, nor shall a principal residential building be located on the same zoning lot with any other principal building, except as may be permitted by Chapter 435 of this Title relating to planned development districts, and as allowed by the issuance of a Special Use Permit as provided in Chapter 455 of this Title.

In CHAPTER 445: AMENDMENTS. Add the following:

ARTICLE V. SPECIAL USE PERMITS.

SECTION 445.180: SPECIAL USES ENUMERATED.

The following Special Uses may be approved by the City Commission as provided in this Article.

B. Any other use not specifically listed as a permitted and/or accessory use in any district in these Regulations; as a Conditional Use Permit; or as a prohibited use.

Staff Recommendation: Staff recommends the MPC recommend approval of these amendments to the Geary County Zoning Regulations and the Junction City Zoning Regulations.

SAMPLE MOTION:

I move that the proposed amendments to the Geary County Zoning Regulations and Junction City Zoning Regulations concerning the use of Special Use Permits be recommended for adoption by the Board of County Commissioners of Geary County and the City Commission of the City of Junction City as outlined in the staff report.

8e

City of Junction City

City Commission

Agenda Memo

March 29, 2011

From: David L. Yearout, AICP, Director of Planning and Zoning

To: City Commission & Gerry Vernon, City Manager

Subject: Case No. Z-03-01-11 – Rezoning of property at 1120 South Madison Street from "CSR" Commercial Service Restricted to "IL" Light Industrial – Don Boyer (S-3093)

Issue: Consideration of request of Don Boyer, owner, to rezone from "CSR" Service Commercial Restricted District to "IL" Light Industrial District, property at 1120 S. Madison Street, Junction City, Kansas. The rezoning deals only with the land recently purchased behind the Subway restaurant on South Washington Street and included in the replat of this area as the Madison Street Addition.

Explanation of Issue: The Metropolitan Planning Commission held a public hearing on March 10, 2011, to consider the petition of Don Boyer, owner, to rezone from "CSR" Service Commercial Restricted District to "IL" Light Industrial District, property at 1120 S. Madison Street, Junction City, Kansas.. The purpose of the rezoning is to place the entire property in the same zoning classification to allow the development of a storage complex. By unanimous vote, the MPC has recommended the rezoning be granted.

Alternatives: In accordance with K.S.A. 12-757, the City Commission has the following alternatives for a rezoning application on first appearance:

1. To accept the recommendation of the MPC and approve the Ordinance, thereby rezoning the property.
2. Modify the recommendation of the Planning Commission by a 2/3 majority vote and approve the Ordinance as so modified, thereby rezoning the property subject to said changes.
3. Return the recommendation to the Planning Commission for further consideration, specifying the items, concerns or issues with said recommendation.
4. Disapprove the recommendation of the Planning Commission by a 2/3 majority vote and not rezone the property.

Staff Recommendation: Accept the recommendation of the MPC and approve the Ordinance, thereby rezoning the property.

Suggested Motion:

Commissioner _____ moved that the recommendation of the Planning Commission be accepted and that Ordinance No. S-3093, an ordinance rezoning property at described as the south 55.58 feet of Lots 1 and 2, Block 36 of the Original Townsite of Junction City, from "CSR" Service Commercial Restricted District to "IL" Light Industrial District be approved on first reading.

Commissioner _____ seconded the motion.

Enclosures:

MPC Minutes of March 10, 2011
Staff Report
Ordinance S-3093

ORDINANCE NO. S-3093

AN ORDINANCE RELATING TO PROPERTY DESCRIBED AS LOT 1, BLOCK 1, REXRODE ADDITION TO JUNCTION CITY, KANSAS, EXCLUDING THE EAST 150 FEET M/L OF THE SOUTH 124 FEET M/L THEREOF, REZONING SAID PROPERTY FROM SERVICE COMMERCIAL RESTRICTED DISTRICT (CSR) TO LIGHT INDUSTRIAL DISTRICT (IL), ALL WITHIN THE CORPORATE LIMITS OF THE CITY OF JUNCTION CITY, KANSAS.

WHEREAS, application has been made by the owner, Don Boyer, to rezone certain property within the City of Junction City, Kansas; and,

WHEREAS, proper notice has been given by publication of legal notice and by mailed notice to surrounding property owner in conformance with K.S.A. 12-757; and,

WHEREAS, the Junction City/Geary County Metropolitan Planning Commission held a public hearing on the application on March 10, 2011, and, by a majority vote of members present, recommended the property in question be rezoned;

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF JUNCTION CITY, KANSAS:

Section 1. That the property located at 1120 South Madison Street within the City of Junction City, Geary County, Kansas, and described as follows:

DESCRIPTION:
LOT 1, BLOCK 1, REXRODE ADDITION TO JUNCTION CITY, KANSAS, EXCLUDING THE EAST 150 FEET M/L OF THE SOUTH 124 FEET M/L THEREOF.

be, and the same is, hereby ordered rezoned from its present classification of Service Commercial Restricted District (CSR) to Light Industrial District (IL) as provided in K.S.A. 12-757.

Section 2. The Zoning Administrator of the City of Junction City, Kansas is hereby ordered and directed to cause said designation to be made on the Official Zoning Map of said City in his custody and to show the property herein described to be zoned as Light Industrial (LI).

Section 3. This Ordinance shall be in full force and effect from and after its publication once in the Junction City Daily Union.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2011.

_____
MICHAEL RHODES, MAYOR

ATTEST:

_____
TYLER FICKEN, CITY CLERK

JUNCTION CITY/GEARY COUNTY
METROPOLITAN PLANNING COMMISSION
BOARD OF ZONING APPEALS

MINUTES

March 10, 2011
7:00 P.M.

Members Present	Members Absent	Staff
Rick Ziegler		David Yearout
Ken Mortensen		Shari Lenhart
Brandon Dibben		
Mike Steinfort		
John Moyer		
Mike Ryan		
Maureen Gustafson		

1. CALL TO ORDER AND ROLL CALL

Chairman Steinfort called the meeting to order at 7:00 p.m. and noted all members present.

2. APPROVAL OF MINUTES

Commissioner Moyer moved to approve the minutes of the January 20th and February 10th meetings. Commissioner Dibben seconded the motion and it passed unanimously.

3. OLD BUSINESS

Item No. 1 – Case No. SUP-01-01-11 – Reconsideration of Special Use Permit at 703 West Ash.

Reconsideration of the application of Mike Douchant, Dolan Realty Advisors, agent for Verizon Wireless, lessee, on behalf of Highland Cemetery, owner, requesting a Special Use Permit to install a communications tower at 703 West Ash Street, Junction City, Kansas. Proposed site is generally in the southeast corner of the cemetery.

Mr. Yearout stated the City Commission voted to return this case to the Planning Commission for reconsideration at the February 15, 2011, meeting. The reason for the return is because the applicant presented new information at the City Commission meeting showing landscaping around the equipment compound. The Planning Commission can re-open this case for further review or take no action. State statute requires the Planning Commission to act on a returned matter at its next regular meeting. If no action is taken, the case will go back to the City Commission with the original recommendation.

Mr. Yearout reported a valid protest petition was presented to the City Clerk within the statutory timeframe, which will require a ¾'s majority of the governing body to approve the request regardless of the action taken by the Planning Commission. Mr. Yearout shared a map showing the notification area and the property owners who signed the petition and stated that 32% of the notification area had signed the protest petition.

Mr. Yearout reported that all additional information presented by the applicant was included in the packets for this meeting. Copies of material received earlier in the day from Verizon's RF engineer were also provided.

Mr. Yearout commented that the graphic submitted today which shows two existing cell towers and their coverage, the proposed Highland Cemetery location, and the original location in the South Park area does not show the latest location discussed in South Park. As such, staff believes the material is somewhat misleading.

Mr. Yearout stated staff is still recommending denial based on the position that a cell tower is not an appropriate land use in a cemetery and that other locations are available in the area to service this section of the community.

Chairman Steinfort asked if any members had questions of staff.

Commissioner Moyer asked if the only reason the City Commission returned the case was because of the photographs and the artist rendering of proposed landscaping. Mr. Yearout indicated the City Commission felt the Planning Commission should also have the opportunity to review the additional information presented by the applicant and include that information in its recommendation.

Mr. Yearout responded to the Commission that there was no obligation to open the meeting up for additional comments from the public since this is a review of the information as returned by the City Commission. It was up to the Commission whether the opportunity for additional comments from the applicant or the public would be taken.

Commissioner Ziegler moved that the Planning Commission not open the review to additional comments and, pursuant to state statute, the case be resubmitted to the City Commission with the original recommendation of denial. Commissioner Moyer seconded the motion and it failed by a vote of 3 yeas and 4 nays. (Commissioners Ziegler, Moyer and Steinfort voted for the motion, and Commissioners Ryan, Mortensen, Gustafson and Dibben voted against the motion.)

Commissioner Gustafson stated she wished to ask some additional questions of the applicant and was open to hearing from the public.

Commissioner Mortensen stated he still believes that installation of the tower will not be detrimental to the cemetery or the surrounding areas.

At this point, Chairman Steinfort opened the meeting for public comment.

Randy Powers, 1013 South Webster, stated he had voiced his opinions in opposition to the tower at the January meeting. He presented the members with a copy of an article, printed in the *Daily Union, February 12, 2011,* relating to wireless advances and how cell towers may become obsolete in the future. He reiterated that he is still opposed to a cell tower at this particular location.

Jim and Phyllis Nelson, 710 Sunshine, expressed concern about no light on top of the tower. Life Watch helicopters frequently use this flight path to and from the hospital, and a tower at this location could be a safety issue. Mr. Nelson stated he is concerned about noise from the generators proposed at the location since their home is immediately south of the proposed site.

Eileen Small, 724 Sunshine, felt the tower would have a negative effect on property values and she also felt this is not an appropriate use in a cemetery.

Mike Douchant, Dolan Realty Advisors, agent for Verizon, spoke on the need for Verizon to install additional towers. He elaborated on the technical aspects of coverage and the continued demand for Verizon to provide service to their customers. He indicated if aesthetics is one of the main concerns, there are numerous options available to make this a "stealth" tower and the applicant is willing to consider such options. He agreed that, even though the FAA does not require lighting, a light can be installed, if required.

Discussion ensued between Mr. Douchant and Commissioners regarding capacity, construction, landscape upkeep responsibilities, additional carriers, tower at 7th & Monroe, future building installations, maintenance issues, noise, cosmetic possibilities, wireless technology advancements, other possible locations, increase of the proposed area for other users, and other potential commercial uses in the cemetery once this first commercial use occurred.

Casey Gorham, manager and Sexton of Highland Cemetery, reiterated the Cemetery Board has agreed that the proposed use will not interfere with the operations of the cemetery and it will provide additional income. Mr. Gorham pointed out that the City installed a siren which requires maintenance and there have been no complaints from the surrounding property owners. Mr. Gorham stated the Cemetery Association supports having the Special Use Permit approved because of the additional revenue and the fact the existing roadway to the proposed tower site would be improved with additional gravel by Verizon.

There being no further public appearances, Chairman Steinfort closed the public hearing.

Mr. Yearout reminded the Commission the Zoning Regulations were amended last year to allow consideration of other locations for proposed cell towers. Prior to the amendment, cell towers were allowed by right on in the Industrial districts. The tower at 7th and Monroe is in an industrial zone. The growth of cell phone usage will require the installation of more cell towers and limiting towers to areas zoned industrial would limit the opportunities to improve service within the community. The amendment provided for the Special Use Permit procedure.

Mr. Yearout stated staff is still of the opinion other alternative locations can provide the needs of Verizon in this portion of the City. Staff is aware those locations may not be as ideal as an RF engineer would wish, but the original propagation maps show the proposed site in South Park is workable. It is still staff's opinion that a cemetery is not the appropriate setting for this type of land use or any other type of commercial uses. In staff's opinion, the South Park location would be workable.

Commissioner Ziegler stated he believed this was not an appropriate land use for the cemetery, and it could open up the cemetery for other commercial endeavors.

Commissioner Mortensen reiterated he did not believe the tower would be detrimental in the cemetery and that the proposed landscaping around the equipment compound would provide adequate screening. In addition, the location is somewhat down over the hill and less visible from surrounding properties.

Commissioner Gustafson reiterated that she did not have a problem with the tower, per se, but was very opposed to the buildings on the ground. She felt it would need a lot of landscaping and that would require more maintenance responsibility on the part of the cemetery. She felt that even with the landscaping, the proposed tower is not appropriate for the cemetery.

Commissioner Mortensen moved to recommend approval of the application of Mike Douchant, Dolan Realty Advisors, agent for Verizon Wireless, lessee, on behalf of Highland Cemetery, owner, requesting a Special Use Permit to install a communications tower at 703 West Ash Street, provided the applicant meets the recommendations suggested in the March 3rd staff report; adding the requirement of a red light at night, and additional installation of the landscaping as presented by the applicant. Commissioner Ryan seconded the motion. The motion failed by a vote of 3 ayes and 4 nays. (Commissioners Mortensen, Ryan and Dibben voted for the motion, and Commissioners Ziegler, Gustafson, Moyer and Steinfort voted against the motion.)

Commissioner Moyer moved to recommend denial of the application of Mike Douchant, Dolan Realty Advisors, agent for Verizon Wireless, lessee, on behalf of Highland Cemetery, owner, requesting a Special Use Permit to install a communications tower at 703 West Ash Street, based on the facts presented in the January 19th staff report and as heard at both public hearings; that the additional information provided by the applicant did not significantly alter the impact the cell tower would have on the area; and because there appears to be a viable alternative site at the northeast corner of South Park. Commissioner Gustafson seconded the motion and it carried by a vote of 5 ayes and 2 nays. (Commissioners Ziegler, Gustafson, Steinfort, Moyer and Dibben voted for the motion and Commissioners Mortensen and Ryan voted against the motion.)

Mr. Yearout informed the audience and Commission this case would be on the April 5th City Commission agenda.

4. NEW BUSINESS

Item No. 1 – Case No. Z-03-01-11 – Public Hearing to Rezone Property at 1120 South Madison

Chairman Steinfort opened the public hearing on the application of Don Boyer, owner, to rezone property at 1120 South Madison Street from "CSR" Service Commercial Restricted District to "IL" Light Industrial District, Junction City, KS.

Mr. Yearout reviewed the staff report explaining this rezoning was intended to be considered at the time of review of the Final Plat of Madison Street Addition heard earlier this year, but the application for the replat was the only one originally submitted. The purpose of this request is to make all the zoning industrial to enable Mr. Boyer to construct storage buildings on the property. The area under consideration is the property purchased by the applicant behind the existing Subway on South Washington. Mr. Yearout stated the proposed rezoning makes all the land of the applicant consistent; that the rezoning does not negatively impact other existing uses in the area; and staff recommends approval.

Mr. Boyer, applicant, confirmed the rezoning was intended to come with the replat, but unfortunately that didn't happen. Mr. Boyer had no other comments and was supportive of the staff report and recommendation.

There being no further comments from the public, Chairman Steinfort closed the public hearing.

Commissioner Mortensen moved that Case No. Z-03-01-11, request of Don Boyer, owner, to rezone property at 1120 S. Madison Street from "CS" Service Commercial Restricted District to "IL" Light Industrial District, Junction City, Kansas, be recommended for approval by the City Commission based on the reasoning stated in the staff report and as presented at the public hearing. Commissioner Dibben seconded the motion and it carried unanimously.

Mr. Yearout stated this case would also be on the April 5th City Commission agenda.

Item No. 2 – Case No. TA-03-01-11 – Public Hearing on proposed Text Amendment to the Geary County and Junction City Zoning Regulations concerning Special Use Permits.

Chairman Steinfort opened the public hearing on the proposed text amendment to the Geary County and Junction City Zoning Regulations concerning the use of Special Use Permits and asked for the staff report.

Mr. Yearout stated the proposed amendment would allow for greater flexibility in dealing with issues not allowed by right or not listed as a land use in any zoning category, especially in the County. He identified a couple of situations in the rural area that prompted this proposed amendment. The staff report identifies the different sections in the City and county Zoning Regulations that will be amended.

Chairman Steinfort asked how many cases might be generated over a year. Mr. Yearout indicated there is more of a need in the County for this flexibility, but it will also be helpful to have the same procedure in place for the City's regulations. He does not anticipate that many cases would be considered in the City, but it would probably generate about a half dozen cases in the County.

Mr. Yearout reminded the Commissioners that this is under the Special Use Permit procedure, which has the Metropolitan Planning Commission holding a public hearing and the Governing Body making the final determination on each case.

There being no public appearances, Chairman Steinfort closed the public hearing.

Commissioner Gustafson moved that the proposed amendments to the Geary County Zoning Regulations and Junction City Zoning Regulations concerning the use of Special Use Permits be recommended for adoption by the Board of County Commissioners of Geary County and the City Commission of the City of Junction City as outlined in the staff report. Commissioner Moyer seconded the motion and it carried unanimously.

Mr. Yearout stated this case would also be on the April 5th City Commission agenda, but the intention is to take the proposed resolution to complete the amendment to the Board of County Commission on Monday, March 14th.

Item No. 3 – Case No. CP-03-01-11 - Review of the Comprehensive Plan for Junction City and Geary County.

Mr. Yearout reported that a public hearing is not required for the yearly review of the Comprehensive Plan by the Planning Commission. A public hearing is only necessary if the Plan is to be amended. As previously reported, there is a need to update the Plan; however, there are no monies available for the extensive work required. Mr. Yearout reported that the 2010 Census data is now available and Geary County's population increased at a rate that made Geary County the fastest growing County in Kansas, based on percentage increase change. Staff believes this indicates that the City, County, and surrounding area continues to grow and makes the need for a current Comprehensive Plan very important. However, given the current financial situation, the current Plan should be acknowledged as the valid Plan for Junction City and Geary County.

Mr. Yearout recommended the Commission acknowledge this review of the Comprehensive Plan confirms it is still the valid Plan for Junction City and Geary County, but that changing conditions warrant additional studies of the impacts of growth once funds become available.

Commissioner Mortensen moved to acknowledge review of the Comprehensive Plan, as adopted in April of 2007, is the official Plan for Junction City and Geary County and that consideration needs to be given to allocating funds for an update of the Plan when economically feasible. Commissioner Ziegler seconded the motion and it carried unanimously.

RECESS AS METROPOLITAN PLANNING COMMISSION AND CONVENE AS THE BOARD OF ZONING APPEALS

Commissioner Ryan moved to recess as the Metropolitan Planning Commission and convene as the Board of Zoning Appeals. Commissioner Ziegler seconded the motion and it carried unanimously.

1. OLD BUSINESS – None

2. NEW BUSINESS

Item No. 1 – Case No. BZACU-03-01-11 - Public hearing on the application for a Conditional Use Permit for a Day Care Home at 1018 Coyote Drive, Junction City, Kansas.

Chairman Steinfort opened the public hearing on the application of Regina Cooper, owner, requesting a Conditional Use Permit to conduct a Day Care Home for not more than ten (10) children at 1018 Coyote Drive.

Mr. Yearout reminded the Board of reasoning behind the amendments to the Zoning Regulations over the past couple of years. Initially, if a provider was approved by Fort Riley under the Homes Off Post (HOP) program they were automatically limited to 6 children even though their State KDHE License was for 10 or more children. The Child Care Code and text amendments to the Zoning Regulations used 6 as the maximum for a Family Day Care Home, which was permitted by right in the residential districts. Any provider wishing to care for more than 6 children would still be required to apply for a Conditional Use Permit.

It has now come to staff's attention the other Post program, ACCYN (Army Child Care in Your Neighborhood), allows a maximum of 8 children. Even though the applicant in this case, Ms. Cooper, is applying for a Conditional Use Permit for a Day Care Home (DCH) allowing a maximum of 10 children, she will be limited to 8 because she participates in the ACCYN program. Staff believes this may mean the City and County day care regulations need revised again. With the influx of military personnel, there will undoubtedly be additional requests for many more day care operations. And the question is whether the rules and regulations should be further revised to accommodate the Army programs and avoid the Conditional Use Permit process.

With respect to the application before the Board, Mr. Yearout stated the staff report addresses each item the Board must take into consideration when making a determination. He explained that staff is recommending denial as outlined in the report; primarily because of the precedent it would set for Day Care Homes in residential areas. Mr. Yearout informed the Board it can disagree with the recommendation and stipulations can be attached to a Conditional Use Permit if granted.

There being no further questions of staff, Chairman Steinfort opened the hearing to comments or questions from the public.

Regina Cooper, 1018 Coyote Drive, stated she has provided childcare for 4 years in the City of Milford and has been a participant with the ACCYN program all this time. As previously explained, even though this application is for maximum of 10 children, she will be limited to 8 so long as she remains in the ACCYN program. Ms. Cooper stated she has 4 children of her own, of which 2 count toward the limit of 8. Two of her families have 2 children each; therefore, traffic and parking will not be a problem.

Ms. Cooper further indicated she has moved to Junction City partly to be closer to her day care families, who wish to stay with her. Her day care hours of operation are from 7 a.m. to 5:30 p.m. In response to the staff concern of the existing fence not being high enough to block the view of toys in the yard, she indicated a willingness to consider additional screening if necessary.

Vicki Sutton, ACCYN Coordinator from Manhattan, verified how stringent the Post programs were. She indicated that Ms. Cooper has been an excellent provider and has attended the extended childcare courses.

Richard Hagerty, 1902 Silver Court, indicated his concerns were type of signage allowed, cars driving upon his lawn and the hours of operation. He stated he was not opposed to the day care operation. Staff confirmed the Zoning Regulations limit any sign to one square foot size and it must be located on the home.

There being no further comments, Chairman Steinfort closed the public hearing.

General discussion ensued between the Board and staff relating to parking, signage, hours of operation, width of streets, and the differences between the density of development in the newer portions of the city versus these operations in the older section of the city where lots are generally smaller and narrower.

Commissioner Gustafson moved that Case No. BZACU-03-01-11, request of Regina Cooper, owner, requesting a Conditional Use Permit to conduct a Day Care Home for not more than ten (10) children at 1018 Coyote Drive, Junction City, Kansas, be approved with the conditions that the hours of operation be limited from 6:30 a.m. to 6:30 p.m., and that the Conditional Use Permit be granted only for this applicant at this location and it will become null and void if the applicant leaves this location. Commissioner Mortensen seconded the motion and it carried unanimously.

ADJOURN AS BOARD OF ZONING APPEALS AND RECONVENE AS METROPOLITAN PLANNING COMMISSION

Commissioner Ryan moved to adjourn as the Board of Zoning Appeals and reconvene as Metropolitan Planning Commission. Commissioner Ziegler seconded the motion and it carried unanimously.

5. GENERAL DISCUSSION

Item No. 1 – Work Session – Review of County Zoning Regulations

Mr. Yearout stated the complete rewrite of the draft for the Zoning and Subdivision Regulations and Sanitation Code is not finished. He asked if the Commission wished to postpone the scheduled work session for the following week. It was the consensus of the Commission to cancel the work session scheduled for Thursday, March 17th.

6. ADJOURNMENT

There being no further business, Commissioner Gustafson moved to adjourn at 9:02 p.m. Commissioner Ryan seconded the motion and it carried unanimously.

PASSED AND APPROVED this _____ day of April, 2011.

_____
Mike Steinfort, Chairman

ATTEST:

_____
David L. Yearout, AICP, Secretary

JUNCTION CITY/GEARY COUNTY
METROPOLITAN PLANNING COMMISSION
BOARD OF ZONING APPEALS

STAFF REPORT

January 14, 2011

TO: Metropolitan Planning Commission / Board of Zoning Appeals

FM: David L. Yearout, AICP, Director of Planning and Zoning

SUBJECT: Z-03-01-11 – Request of Don Boyer, owner, to rezone property at 1120 S. Madison Street from "CSR" Service Commercial Restricted District to "IL" Light Industrial District, Junction City, Kansas.

This is the request of Don Boyer, owner, to rezone property at 1120 S. Madison Street from "CSR" Service Commercial Restricted District to "IL" Light Industrial District, Junction City, Kansas. This will complete the actions concerning this property which was included in the Final Plat of the Madison Street Addition heard earlier this year. That plat replatted the Janke Addition and a part of the Rexrode Addition into a single lot, primarily to resolve some easement issues and to clean up the legal description. Mr. Boyer acquired a portion of the Rexrode Addition, which sits to the west of the existing Subway store on South Washington, and combined it with the land within the Janke Addition he already owned. This rezoning will make the zoning classification all "IL" Light Industrial. This rezone will also permit Mr. Boyer to complete the construction of storage buildings on the property. There is already significant dirt work underway on this project as Mr. Boyer prepares for the construction of the building in the near future.

Staff believes this is a reasonable zoning classification for this property. The property will be accessible only from Madison Street and the use of the property as storage buildings reduces the demands on water and sewer service in this area, which is challenged because of the terrain.

Staff Recommendation: Staff recommends the request of Don Boyer, owner, to rezone property at 1120 S. Madison Street from "CSR" Service Commercial Restricted District to "IL" Light Industrial District, Junction City, Kansas, be recommended for approval.

Suggested Motion:

I move that Case No. Z-03-01-11, concerning the request of Don Boyer, owner, to rezone property at 1120 S. Madison Street from "CSR" Service Commercial Restricted District to "IL" Light Industrial District, Junction City, Kansas, be recommended for approval by the City Commission based on the reasoning stated in the staff report and as presented at this public hearing.