

MINUTES
SPECIAL CITY COMMISSION MEETING
TUESDAY, JUNE 12, 2012
5:00 P.M.

The Special City Commission Meeting of the City Commission was held at 5:00 p.m. in the City Commission Room. Mayor Loren J. Pepperd and Commissioners Wynn Butler, Richard B. Jankovich, and James E. Sherow were present. Also present were the City Manager Ron R. Fehr, Assistant City Manager Jason Hilgers, Assistant City Manager Lauren Palmer, City Attorney Katharine Jackson, City Clerk Gary S. Fees, 15 staff, and approximately 12 interested citizens.

PLEDGE OF ALLEGIANCE

Mayor Pepperd led the Commission in the Pledge of Allegiance.

SPECIAL MEETING ITEM

FIRST READING – AMEND – MOVING STRUCTURES OR BUILDINGS

Katharine Jackson, City Attorney, presented an overview of the item. She recommended that the City Commission amend sections of the ordinance relating to moving structures or buildings within the city limits of Manhattan.

Brad Claussen, Building Official, provided additional information on the purpose of the current ordinance and informed the Commission that the applicant is required to obtain written consent from a majority of the property owners within 200 feet of the lot, which also includes at least a two-thirds majority of the property owners whose lots are contiguous to the subject lot. He presented a map showing the subject property and responded to questions from the Commission regarding the item and process followed.

Ron Munoz, Munoz Consulting Services, Applicant, provided background information on his experience in attempting to receive approval for a building moving permit in order to move an existing house to a lot in Tattarax Hills. He provided additional information to the Commission from his letter dated June 11, 2012, to the City of Manhattan. He stated that he has met with Brad Claussen, Building Official, and with Sarah Hoskinson, Assistant City Attorney, regarding the issue. He informed the Commission that he has conformed to all requirements throughout the process and has done everything that he can do and that if this project does not move forward, then he may be forced to file for bankruptcy. He then responded to questions from the Commission.

SPECIAL MEETING ITEM (CONTINUED)

**FIRST READING – AMEND – MOVING STRUCTURES OR BUILDINGS
(CONTINUED)**

Emmalee Tredway, 3003 Tomahawk Circle, Tattarax Hills Homeowner's Association Board member, informed the Commission that she lives adjacent to the subject property. She stated that the Board sent a letter to Mr. Munoz in January 2012 for approval for two single-family homes on this site, subject to the houses meeting the covenants and conditions. She said that the Board was not all in agreement and was unaware of the current ordinance requirements. She expressed concerns with the house currently split and to then be moved and reassembled. She then responded to questions from the Commission.

Brad Claussen, Building Official, provided additional information and responded to questions from the Commission on the paperwork required, inspections completed, and the process for granting permission to move this structure.

Dixie Reed, 2805 Tattarax Drive, asked why this ordinance was in place and the need for an approval process from the neighbors.

Ron Fehr, City Manager, provided additional history on the current ordinance and stated that his recollection was it was likely created to better ensure that houses moved into a neighborhood are within similar character of the neighborhood.

Dixie Reed, 2805 Tattarax Drive, informed the Commission that the Board was unaware of the current ordinance and that they could say yes or no to the request to move a house on the site.

Warren Prawl, 3006 Tomahawk Circle, stated that there was miscommunication by the Tattarax Hills Homeowner's Association Board on the initial approval by the Board. He informed the Commission that he met with Mr. Munoz about the lots and provided additional information on the item.

Ron Munoz, Munoz Consulting Services, Applicant, informed the Commission that these lots have been for sale for a long time and could have been purchased earlier. He stated that he provided the Homeowner's Association Board with copies of pictures of the homes, floor plans, site plans, exterior finishes, and landscaping plans. He said that the house is a large house and will add value to the neighborhood. He requested that the Commission move forward with his request and stated that he could not delay this project any further.

James Steichen, 3007 Tomahawk Circle, provided additional information on the item and informed the Commission that there are issues with the Homeowner's Association and with the ordinance requirements.

SPECIAL MEETING ITEM (CONTINUED)

FIRST READING – AMEND – MOVING STRUCTURES OR BUILDINGS (CONTINUED)

Brad Claussen, Building Official, provided clarification on the notification requirements of the ordinance. He responded to questions from the Commission about the approval process on the City form, as required by Section 8-236.

After comments from the Commission, Katharine Jackson, City Attorney, provided clarification of the item and responded to additional questions from the Commission regarding the evaluation process used in recommending amending sections of the ordinance relating to moving buildings within the city limits.

Ron Fehr, City Manager, provided additional information on the item and options for the Commission to consider.

Ron Munoz, Munoz Consulting Services, Applicant, informed the Commission he owns both lots and reiterated that he initially received approval from the Tattarax Hills Homeowner's Association Board in a letter dated January 23, 2012.

After discussion and comments from the Commission, Katharine Jackson, City Attorney, responded to additional questions from the Commission and stated that structures must meet building and zoning regulations and, must also meet private covenants, which is enforced by the private property homeowners.

After additional discussion and comments from the Commission, Ron Fehr, City Manager, responded to concerns expressed regarding neighborhood feedback and stated that City staff would look at some alternatives for the Commission to consider at second reading of the item.

After discussion and comments from the Commission, Commissioner Jankovich moved to approve first reading of an ordinance amending Section 8-236, Section 8-237, and Section 8-241 of the Code of Ordinances relating to moving structures or buildings within the city limits. Commissioner Sherow seconded the motion.

After additional discussion, on a roll call vote, motion carried 4-0.

At 6:25 p.m., Mayor Pepperd left the meeting and the Commission took a brief recess.

WORK SESSION

PRELIMINARY 2013 BUDGET AND PRELIMINARY 2013-2018 CAPITAL IMPROVEMENTS PROGRAM (CIP)

Bernie Hayen, Director of Finance, presented an overview of the City valuation, property taxes, and new improvements.

Pam Jager, Operations and Budget Officer, presented the 2013 Budget challenges; expenditure shifts from the Economic Development Fund; community enhancements; the proposed 2013 property taxes and levies; a summary of the proposed 2013 Budget; an overview on the proposed 2013 Capital Improvements Program (CIP); and an overview of the Enterprise Funds, including the Water Fund, Wastewater Fund, and Stormwater Fund. She informed the Commission that the next Budget Work Session on the 2013 City Budget and requests by outside agencies would be held on Tuesday, June 26, 2012.

Bernie Hayen, Director of Finance, provided additional information on the proposed 2013 City Budget and responded to questions from the Commission.

After discussion and comments from the Commission on the proposed 2013 City Budget, Ron Fehr, City Manager, provided clarification on the proposed Budget and responded to additional questions from the Commission.

Brian Hardeman, 1822 Laramie Street, Chair, Bicycle Advisory Committee, voiced concern in reducing the level of funding sources and asked to continue funding for bike boulevards, bike lanes, and other bike amenities. He encouraged the Commission to think globally and consider quality of life initiatives during their budget discussions.

Ron Fehr, City Manager, provided clarification of the Special Street and Highway Fund budget allocations and responded to questions from the Commission.

Gary Olds, 3108 Frontier Circle, suggested a bike user registration fee and voiced concern with the empty ATA buses in Junction City. He expressed concerns with the escalating costs associated with water, stormwater, and sewer rates.

Ron Fehr, City Manager, provided clarification on utility rates and responded to questions on how stormwater rates are calculated.

After additional discussion and comments from the Commission, Ron Fehr, City Manager, informed the Commission that he appreciated the feedback received and that the focus at the next Work Session would be to continue discussions on the 2013 Budget and hear requests and recommendations from outside agencies and advisory boards.

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Tuesday, June 12, 2012

ADJOURNMENT

At 8:05 p.m., the City Commission meeting adjourned.

A handwritten signature in blue ink, appearing to read "Gary S. Fees", is written over a horizontal line.

Gary S. Fees, MMC, City Clerk