

The Commission met in regular session in the City Commission Room in the City Hall at 4:00 o'clock p.m. on January 6, 1971. Mayor Swiercinsky presided with Commissioners Gerard and Jewell present. Absent: none.

Other officers present: City Manager Brodbeck, City Attorney Buechel, City Clerk Layton.

Visitors present: Brad Lowell and Fred DeArmand.

Minutes of the previous meeting were approved.

EMPLOYEE BOND APPROVED

CITY MANAGER LELAND BRODBECK

The City Clerk presented to the Commission and City Attorney for their consideration the bond for the following employee: City Manager Leland Brodbeck.

It was moved by Commissioner Jewell, seconded by Commissioner Gerard and carried that the above bond be approved.

NOT TO SEEK RE-ELECTION

TWO COMMISSIONERS

City Commissioner Rex Gerard verbally announced that he would not be a candidate for re-election for a new term. Commissioner Charles F. Jewell read the following statement:

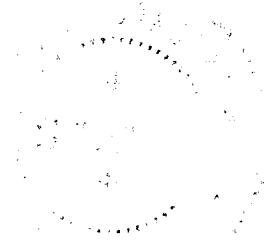
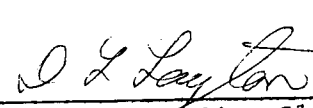
"I will not be a candidate for re-election in the April election for City Commission. Councilmatic service as I see it nearing the end of four years has been an educational experience. I have learned much on how city government works. I hope I have learned to be more tolerant. I know not only local citizens have problems, but also City Commissioners have problems deciding which course to take.

I have tried to think things out clearly and honor the trust placed at my hands nearly four years ago by a majority of voters in Concordia. Thanks to all of you who elected me. I have enjoyed working with the past and present commissioners; Lee Brodbeck; Bill Buechel, City Attorney and all the departments of the city. "

Cordially yours,

/s/ Charles F. Jewell

There being no further business, motion was made by Commissioner Jewell, seconded by Commissioner Swiercinsky and carried that the Commission adjourn.



D. L. Layton, City Clerk

(Seal)
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MINUTES OF THE REGULAR COMMISSION MEETING HELD JANUARY 20, 1971

The City Commission met in regular session at 4:00 o'clock p.m. on January 20, 1971, in the City Commission Room in the City Hall. Mayor Swiercinsky presided with Commissioner Gerard present. Absent: Commissioner Jewell.

Other officers present: City Manager Brodbeck, City Attorney Buechel, City Clerk Layton.

Visitors present: Fred DeArmand.

Minutes of the previous meeting were approved.

EMPLOYEE BOND APPROVED

JUDGE M. C. MEADOR

The City Clerk presented to the Commission for their consideration the bond for Municipal Judge M. C. Meador. Motion was made by Commissioner Swiercinsky, seconded by Commissioner Gerard and carried that the bond be approved.

INVESTMENT REQUEST

GRANTED

The City Manager presented to the Commission for their consideration the following idle fund investments in ninety day Certificates of Deposit at 5% interest rate:

Fire Equipment Reserve Fund	\$ 10,000.00
Parking Meter Fund	5,000.00
Social Security Fund	3,000.00
Firemen's Pension Fund	23,000.00
K.P.E.R. Fund (Retirement)	5,000.00
Library Construction Fund	18,000.00
Tree Removal Fund	4,000.00
General Fund	50,000.00
Bond & Interest Fund	<u>15,000.00</u>
TOTAL	\$133,000.00

Motion was made by Commissioner Swiercinsky, seconded by Commissioner Gerard and carried that the request for investment be granted.

REPORTS

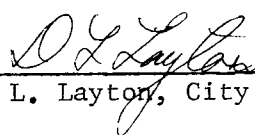
The following reports were received and ordered placed on file: Finance reports.

APPROPRIATION ORDINANCE No. 1

PASSED

Appropriation Ordinance No. 1 was passed according to law.

There being no further business, motion was made by Commissioner Swiercinsky, seconded by Commissioner Gerard and carried that the Commission adjourn.



D. L. Layton, City Clerk

(Seal)
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The Commission met in the City Commission Room in the City Hall on February 3, 1971 at 4:00 o'clock p.m. Mayor Swiercinsky presided with Commissioner's Jewell and Gerard present. Absent: none.

Other officers present: City Manager Brodbeck, City Attorney Buechel, City Clerk Layton.

Visitors present: Fred DeArmond and Brad Lowell.

Minutes of the previous meeting were approved.

APPROPRIATION ORDINANCE NO. 2

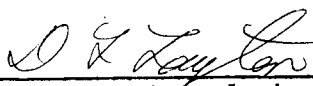
PASSED

Appropriation Ordinance No. 2 was passed according to law.

There being no other business, motion was made by Commissioner Swiercinsky, seconded by Commissioner Jewell and carried that the Commission adjourn.

(SEAL)

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D. L. Layton, City Clerk

MINUTES OF THE REGULAR COMMISSION MEETING HELD February 17, 1971

The City Commission met in regular session in the City Commission Room in the City Hall, at 4:00 o'clock p.m. on February 17, 1971. Commissioner Jewell presided, with Commissioner Gerard present. Absent: Mayor Swiercinsky.

Other officers present: City Attorney Buechel and City Clerk Layton.

Visitors present: Brad Lowell and Fred DeArmand.

Minutes of the last Commission meeting were approved.

REVISED JUNKED VEHICLE ORDINANCE

READ AND EXAMINED

The new revised "Junked Vehicle Ordinance" was presented to the Commission for their consideration. After a short discussion of the changes, the Commission asked the two newspaper representatives present to have the ordinance printed for public reading, so it could be acted upon by the Commission at the next regular Commission meeting.

REPORTS

The following reports were received and ordered placed on file: Finance.

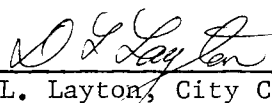
APPROPRIATION ORDINANCE NO. 3

PASSED

Appropriation Ordinance No. 3 was passed according to law.

There being no further business, motion was made by Commissioner Gerard, seconded by Commissioner Jewell and carried that the Commission adjourn.

(SEAL)
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D. L. Layton, City Clerk

The Commission met in regular session on March 3, 1971 in the City Commission room in the City Hall at 4:00 o'clock p.m. Mayor Swiercinsky presided with Commissioner Gerard present. Absent: Commissioner Jewell.

Other officers present: City Manager Brodbeck, City Attorney Buechel, City Clerk Layton.

Visitors present: Brad Lowell, Fred DeArmond, Leon Gennette, Art Eakins, Ken Sharp, Leon McManimie, Clarence Geisler, V. H. Fagan, Lonnie Kearns, and FFA members Don Garlow, Greg Sherwood, Bob LeDuc, John Morgan and Fred Detrixhe.

Minutes of the previous Commission meeting were approved.

ORDINANCE NO. 1810 (JUNKED VEHICLES)

PASSED

An ordinance entitled "AN ORDINANCE RELATING TO INOPERABLE VEHICLES: PROHIBITING CERTAIN PLACEMENT OR STORAGE OF SAME ON PRIVATE PROPERTY: PRESCRIBING DUTIES FOR CERTAIN OFFICERS AND PRESCRIBING PENALTIES" was read and considered by the Commission. On roll call upon its passage, the following Commissioners voted "Yea": Swiercinsky and Gerard. "Nay": none. Two-thirds of the Commissioners elect present having voted in favor thereof, the ordinance was declared passed and the title agreed to and the City Clerk assigned to it No. 1810.

There were several persons present who questioned the Commissioners and City Attorney about a few legal points of the above ordinance, but very little opposition was expressed.

FFA MEMBERS

PRESENT

Several members of the local FFA Chapter were present to visit with the Commissioners and City Manager. One of their projects this year is to offer their services to participate in programs to help build and improve local communities. After a short discussion, City Manager Brodbeck thanked them for their consideration and invited them to meet with him at a later date to discuss what projects to undertake.

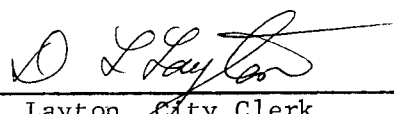
Chamber of Commerce Executive Secretary Leon Gennette was present to visit with the Commissioners concerning the new "Pride" program. He said that the rating sheets had all been sent out and were to be collected from each resident at a later date.

APPROPRIATION ORDINANCE No. 4-4a

PASSED

Appropriation Ordinance No. 4-4a was passed according to law.

There being no further business, motion was made by Commissioner Swiercinsky, seconded by Commissioner Gerard and carried that the Commission adjourn.



D. L. Layton, City Clerk

(SEAL)
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MINUTES OF THE REGULAR COMMISSION MEETING HELD MARCH 17, 1971

The Commission met in regular session on March 17, 1971 at 4:00 o'clock in the City Commission Room in the City Hall. Mayor Swiercinsky presided with Commissioners Jewell and Gerard Present. Absent: none.

Other officers present: City Manager Brodbeck, City Attorney Buechel, City Clerk Layton.

Visitors present: Fred DeArmond.

Minutes of the previous meeting were approved.

The City Manager presented some new green and white street marker signs that will be installed on Lincoln Street and on Sixth Street this year.

REPORTS

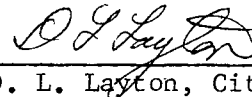
The following reports were presented and ordered placed on file: Finance.

APPROPRIATION ORDINANCE NO. 5

PASSED

Appropriation Ordinance No. 5 was passed according to law.

There being no further business, motion was made by Commissioner Swiercinsky, seconded by Commissioner Jewell and carried that the Commission adjourn.



D. L. Layton, City Clerk

(SEAL)
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The Commission met in regular session in the City Hall in the Commission Room at 4:00 o'clock p.m. on April 7, 1971. Commissioner Jewell presided with Commissioner Gerard present. Absent: Mayor Swiercinsky.

Other officers present: City Manager Brodbeck, City Attorney Buechel and City Clerk Layton.

Visitors present: Fred DeArmond and Don Lambert and Don Cart.

Minutes of previous meeting were approved.

ANNUAL LICENSE

APPROVED

The City Clerk presented to the Commission for their consideration the following license application:

Avalee Cherney dba Avalee's Lounge

Class 'B' Beer

Motion was made by Commissioner Gerard, seconded by Commissioner Jewell and carried that the above license application be approved.

EMPLOYEE BOND (DOROTHY BOMBARDIER)

APPROVED

The City Clerk presented to the Commission for their consideration the following employee bond:

Dorothy Bombardier - Secretary-Steno

Motion was made by Commissioner Gerard, seconded by Commissioner Jewell and carried that the above bond be approved.

RECREATION COMMISSION APPOINTMENT

APPROVED

The City Manager presented to the Commission for their consideration the name of James Douglas from the Rotary Club to replace Dale Swenson for a four year term on the Recreation Commission. Motion was made by Commissioner Jewell, seconded by Commissioner Gerard and carried that the above appointment be approved.

CONCORDIA - A COMMUNITY WITH PRIDE

RESOLUTION

WHEREAS, a state-wide program known as PRIDE has been launched to encourage and assist Kansas communities in promoting their full development to make our communities better places in which to live and work, and

WHEREAS, a group of leading community citizens have formed a PRIDE Committee, Now Therefore,

BE IT RESOLVED, by the governing body of the City of Concordia that we hereby publicly endorse and support the PRIDE program of community development and we do hereby commit the City of Concordia to work toward the goals and objectives of this program to make Concordia a better community for all its citizens.

Dated at Concordia, Kansas, this 7th day of April, 1971.

/s/ Charles F. Jewell, Acting Mayor

ATTEST:

/s/ D. L. Layton, City Clerk

LETTER OF APPRECIATION

COMMISSIONERS JEWELL AND GERARD

With this being the last formal meeting of the City Commission that Commissioner Gerard and I will attend, I would like to say a few words of thanks, from the both of us to the various boards and Commissions that have assisted us over the past few years. These citizens have served on these boards without pay, but with some unwarranted criticism. Their only purpose of serving has been to improve our community, and we believe that they have accomplished their purpose.

First, we would like to thank the Library Board. They have provided us a well run library, plus a program for the future with a plan for a new library.

MINUTES OF THE REGULAR COMMISSION MEETING HELD APRIL 7, 1971 Con't.

Next, we would like to thank the Band Board. In the last year this board has taken an almost dying organization and given it new life, a benefit to the entire community.

The Recreation Commission has taken limited resources and developed an excellent youth program. Recently they have experimented with new programs in organized adult recreation, a definite void in our community.

The newest advisory board to the City Commission, is the Housing Authority. For the past several months this group has been and still is studying the low income housing needs of our community.

The final group is the Planning Commission. They have been active in the areas of zoning, low income housing, capital improvements, and comprehensive planning. Planning is a vital function of every community and we feel that the Planning Commission has done their job well.

These five groups have served with us and we would like to say thank you for a job well done.

/s/ Commissioner Charles Jewell

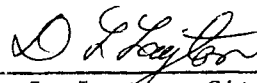
STATE HOUSE BILL NO. 1061

The City Clerk presented to the Commission a copy of Kansas State House Bill No. 1061 which was a concurrent resolution commending and congratulating the City of Concordia on the occasion of its one hundredth birthday.

APPROPRIATION ORDINANCE No. 6-6aPASSED

Appropriation Ordinance No. 6-6a was passed according to law.

There being no further business, motion was made by Commissioner Jewell, seconded by Commissioner Gerard and carried that the Commission adjourn.



D. L. Layton, City Clerk

(SEAL)
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The Commission met in regular session on April 21, 1971 at 4:00 o'clock p.m. in the City Commission Room in the City Hall. Mayor Swiercinsky presided with Commissioners Jewell and Gerard present. Absent: none.

Other officers present: City Manager Brodbeck, City Attorney Buechel, City Clerk Layton.

Visitors present: Brad Lowell, Fred DeArmond, Don Cart, Rev. Wilfred Hotaling, Leon Gennette, Fire Chief Erhardt, and Firemen Jack Fisher, Charles Burch, Bill Cyphers, Bob Eakins, Bob Burns and life-saving instructor M. Eckhardt, of Salina Red Cross.

Minutes of the previous meeting was approved.

PLANNING COMMISSION RESIGNATION

DON CART

City Commissioner-elect Don Cart presented a letter of resignation from the Planning Commission to the City Commission for their consideration. Motion was made by Commissioner Jewell, seconded by Commissioner Gerard and carried that the resignation be accepted.

APPROPRIATION ORDINANCE No. 7

PASSED

Appropriation Ordinance No. 7 was passed according to law.

There being no further business, motion was made by Mayor Swiercinsky, seconded by Commissioner Jewell and carried that the Commission adjourn.

Mayor Swiercinsky presided with newly elected Commissioner Donald Cart present. Commissioner-elect Deane Cousins absent.

The City Clerk administered the Oath of Office to Commissioner Donald Cart.

EMPLOYEE BONDS

APPROVED

The City Clerk presented to the Commissioners and the City Attorney the bonds for Commissioners Cousins and Cart for their consideration. The bonds had been previously signed by the District Judge. It was moved by Commissioner Swiercinsky, seconded by Commissioner Cart and carried that the bonds be approved.

APPOINTMENT OF MAYOR

A. G. SWIERCINSKY

Motion was made by Commissioner Cart, seconded by Commissioner Swiercinsky and carried that A. G. Swiercinsky be re-appointed mayor for the coming year.

OFFICIAL CITY PAPER

THE BLADE-EMPIRE

Motion was made by Commissioner Swiercinsky, seconded by Commissioner Cart and carried that as required by Chapter 12, Article 1951-A of the 1959 Supplement of the General Statutes that the Concordia Blade-Empire be designated as the official City newspaper.

LIBRARY APPOINTMENTS

APPROVED

The term of Pauline Cook expires April 30, 1971 on the Library Board and Thomas Pitner's resignation was accepted. Motion was made by Commissioner Swiercinsky, seconded by Commissioner Cart and carried to re-appoint Pauline Cook for a four year term and to appoint Robert Andersen to fill the unexpired term of Thomas Pitner.

CLEAN-UP WEEK

MAYOR'S PROCLAMATION

WHEREAS, April 25 to May 1, 1971, has been proclaimed as National Clean-Up Week; and

WHEREAS, such annual clean-up can contribute greatly to the health, welfare, and safety of the citizens; and

WHEREAS, the removal of accumulated rubbish and waste material can make a significant contribution to fire safety;

BE IT THEREFORE RESOLVED, That I, A. G. Swiercinsky, Mayor of the City of Concordia, do hereby proclaim the week of April 25 to May 1, 1971, to be Clean-Up Week and appeal to the citizens of Concordia to participate in a city wide clean-up campaign and enjoy the benefits and security of a fire safe home and community.

/s/ A. G. Swiercinsky, Mayor

ATTEST:

/s/ D. L. Layton, City Clerk

INVESTMENTS REPORT

The City Clerk presented to the Commission for their examination the following list of final investments:

	<u>Principal</u>	<u>Interest</u>
FIRE EQUIPMENT RESERVE FUND	\$ 10,000.00	\$ 125.00
PARKING METER FUND	5,000.00	75.00
SOCIAL SECURITY FUND	3,000.00	37.50
K.P.E.R. FUND (Retirement)	5,000.00	62.50
FIREMENS PENSION FUND	23,000.00	275.00
LIBRARY CONSTRUCTION FUND	18,000.00	225.00
TREE REMOVAL FUND	4,000.00	50.00
GENERAL FUND	50,000.00	625.00
BOND & INTEREST	15,000.00	187.50
	<u>\$133,000.00</u>	<u>\$1,662.50</u>

HOUSING AUTHORITY REQUESTTABLED

Housing Authority Chairman Rev. Wilfred Hotaling was present to visit with the Commissioners about the recent housing survey. He said that 60 families were in need of low-income elderly housing. The next step would be to make application to the Federal Government. The Federal Government would then make their own survey before approving an application. After a short discussion the Commission advised Rev. Hotaling that they would rather wait until all Commissioners were present before acting upon the application.

EMPLOYEE FIRST AID AWARDSFIRE DEPARTMENT

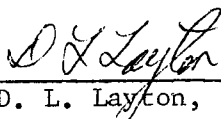
After commending the Concordia Firemen for taking their free time to complete a Red Cross first aid instructor course, Mayor Swiercinsky presented awards to Fire Chief Erhardt, Captain Fisher, Lieutenants Burch and Cyphers and Firemen Eakins and Burns. These men are now qualified to teach first aid to other officers, groups or citizens.

Executive Secretary of the Chamber of Commerce, Leon Gennette was present to thank the outgoing Commissioners for their cooperation and welcome the new Commissioners. Mr. Gennette asked for continued support, especially in the upcoming Concordia Centennial celebration days which end the second week in August, 1971.

REPORTS

The following reports were received and ordered placed on file: Finance reports.

There being no further business, motion was made by Commissioner Cart, seconded by Commissioner Swiercinsky and carried that the Commission adjourn.



 D. L. Layton, City Clerk

(SEAL)
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The Commission met in regular session on May 5, 1971, in the City Commission Room in the City Hall at 4:00 p.m. Mayor Swiercinsky presided with Commissioners Cart and Cousins present. Absent: None.

Other officers present: City Manager Brodbeck, City Attorney Buechel, City Clerk Layton.

Visitors present: Brad Lowell and Fred DeArmand.

Minutes of the previous meeting were approved.

The City Clerk administered the Oath of Office to Commissioner Deane Cousins.

RESOLUTION APPROVING APPLICATION FOR PRELIMINARY LOAN FOR
LOW-RENT PUBLIC HOUSING

ADOPTED

The following resolution approving application for preliminary loan for low-rent public housing was presented to the City Commission:

RESOLUTION APPROVING APPLICATION FOR PRELIMINARY LOAN
FOR LOW-RENT PUBLIC HOUSING

WHEREAS, the City of Concordia, Kansas, acting through the Housing Authority of the City of Concordia, Kansas, is applying to the Housing Assistance Administration, Department of Housing is applying to the Housing Assistance Administration, Department of Housing and Urban Development, in accordance with the provisions of the United States Housing Act of 1937, as amended, for a Preliminary Loan in the amount of \$30,000.00 to cover the costs of surveys and planning in connection with low-rent housing projects not to exceed 75 dwelling units of low-rent public housing; and

WHEREAS, it is the policy of this locality to eliminate substandard and other inadequate housing, to prevent the spread of slums and blight, and to realize as soon as feasible the goal of a decent home in a suitable living environment for all of its citizens; and

WHEREAS, under provisions of the United States Housing Act of 1937, as amended, the Department of Housing and Urban Development is authorized to provide financial assistance to local public housing agencies for undertaking and carrying out preliminary planning of low-rent housing projects that will assist in meeting this goal; and

WHEREAS, the Act provides that there shall be local determination of need for low-rent housing to meet needs not being adequately met by private enterprise, and that the Department of Housing and Urban Development shall not make any contract with a public housing agency for preliminary loans in respect to any low-rent housing project unless the governing body of the locality involved has by resolution approved the application of the public housing agency for such preliminary loan.

NOW, THEREFORE, be it resolved by the Board of Commissioners of the City of Concordia, Kansas:

1. There exists in the City of Concordia, Kansas, a need for such low-rent housing at rents within the means of low-income families;
2. The application of the Housing Authority of the City of Concordia, Kansas, for a preliminary loan in an amount not to exceed \$30,000.00 for surveys and planning in connection with low-rent housing projects of not to exceed 75 dwelling units is hereby approved.

On a motion by Commissioner Cousins, seconded by Commissioner Swiercinsky and duly carried, the said resolution was adopted.

HOUSING AUTHORITY COOPERATION RESOLUTION

ADOPTED

The following resolution providing for cooperation in development and operation of low-rent housing projects was presented to the City Commission:

A RESOLUTION PROVIDING FOR COOPERATION IN DEVELOPMENT
AND OPERATION OF LOW-RENT HOUSING PROJECTS

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF CONCORDIA, KANSAS:

Section 1. Whenever used in this Resolution:

(a) The Term "Municipality" and the term "Local Authority shall mean respectively, the City of Concordia, Kansas and the Housing Authority of the City of Concordia, Kansas.

(b) The term "Project" shall mean any low-rent housing hereafter developed as an entity by the Municipality acting by and through the Local Authority with financial assistance of the UNITED STATES OF AMERICA (herein called the "Government"); excluding, however, any low-rent housing project covered by any contract for loans and annual contributions entered into between the Local Authority and the Government or its predecessor agencies prior to the date of this Agreement.

(c) The term "Taxing Body" shall mean the State or any political subdivision or taxing unit thereof in which a Project is situated and which would have authority to assess or levy real or personal property taxes or to certify such taxes to a taxing body or public officer to be levied for its use and benefit with respect to a Project if it were not exempt from taxation.

(d) The term "Shelter Rent" shall mean the total of all charges to all tenants of a Project for dwelling rents and nondwelling rents (excluding all other income of such Project), less the cost to the Local Authority of all dwelling and nondwelling utilities.

(e) The term "Slum" shall mean any other where dwellings predominate which, by reason of dilapidation, overcrowding, faulty arrangement or design, lack of ventilation, light or sanitation facilities, or any combination of these factors, are detrimental to safety, health, or morals.

Section 2. The Municipality acting through the Local Authority shall endeavor (a) to secure a contract or contracts with the Government for loans and annual contributions covering one or more Projects comprising approximately 75 units of low-rent housing and (b) to develop and administer such Project or Projects, each of which shall be located within the corporate limits of the Municipality. It is hereby determined that all of said low-rent housing units are necessary to house eligible low income families under the Kansas Municipal Housing Law. The provisions of this Resolution shall apply to each such Project.

Section 3. (a) Under the constitution and statutes of the State of Kansas, all Projects are exempt from all real and personal property taxes and special assessments levied or imposed by any taxing body. With respect to any Project, so long as either (i) such Project is owned by a public body or governmental agency and is used for low-rent housing purposes, or (ii) any contract between the Municipality or the Local Authority and the Government for loans or annual contributions, or both, in connection with such Project remains in force and effect, or (iii) any bonds issued in connection with such Project or any monies due to the Government in connection with such Project remain unpaid, whichever period is the longest, the Municipality agrees that it will not levy or impose any real or personal property taxes or special assessments upon such Project or upon the Local Authority with respect thereto. During such period, the Local Authority shall make annual payments (herein called "Payments in Lieu of Taxes") in lieu of such taxes and special assessments and in payment for the public services and facilities furnished from time to time without other cost or charge for or with respect to such Project.

(b) Each such annual Payment in Lieu of Taxes shall be made after the end of the fiscal year established for such Project, and shall be in an amount equal to either (i) ten percent (10%) of the aggregate Shelter Rent actually collected but in no event to exceed ten percent (10%) of the Shelter Rent charged by the Local Authority in respect to such Project during such fiscal year, or (ii) the amount permitted to be paid by applicable state law in effect on the date such payment is made, whichever amount is the lower.

(c) The Municipality shall distribute the Payments in Lieu of Taxes among the Taxing Bodies in the proportion which the real property taxes which would have been paid to each Taxing Body for such year if the Project were not exempt from taxation bears to the total real property taxes which would have been paid to all of the Taxing Bodies for such year if the Project were not exempt from taxation; Provided, however, that no payment for any year shall be made to any Taxing Body in excess of the amount of the real property taxes which would have been paid to such Taxing Body for such year if the Project were not exempt from taxation.

(d) Upon failure of the Local Authority to make any Payment in Lieu of Taxes, no lien against any Project or assets of the Local Authority shall attach, nor shall any interest or penalties accrue or attach on account thereof.

Section 4. The Municipality agrees that, subsequent to the date of initiation (as defined in the United States Housing Act of 1937, as amended) of each Project and within five years after the completion thereof, or such further period as may be approved by the Government, there has been or will be elimination (as approved by the Government) by demolition, condemnation, effective closing, or compulsory repair or improvement, of unsafe or insanitary dwelling units situated in the locality or metropolitan area in which such Project is located, substantially equal in number to the number of newly constructed dwelling units provided by such Project; Provided, that, where more than one family is living in an unsafe or insanitary dwelling unit, the elimination of such unit shall count as the elimination of such unit shall count as the elimination of units equal to the number of families accommodated therein; and Provided, further, that this paragraph 4 shall not apply in the case of (i) any Project developed on the site of a Slum cleared subsequent to July 15, 1949, and that the dwelling units eliminated by the clearance of the site of

Section 5. During the period commencing with the date of the acquisition of any part of the site or sites of any Project and continuing so long as either (i) such Project is owned by a public body or governmental agency and is used for low-rent housing purposes, or (ii) any contract between Municipality or the Local Authority and the Government for loans or annual contributions, or both, in connection with such Project remains in force and effect, or (iii) any bonds issued in connection with such Project or any monies due to the Government in connection with such Project remain unpaid, whichever period is the longest, the Municipality without cost or charge to the Local Authority or the tenants of such Project (other than the Payments in Lieu of Taxes) shall:

(a) Furnish or cause to be furnished to the Local Authority and the tenants of such Project public services and facilities of the same character and to the same extent as are furnished from time to time without cost or charge to other dwellings and inhabitants in the Municipality;

(b) Vacate such streets, roads, and alleys within the area of such Project as may be necessary in the development thereof, and convey without charge to the Local Authority such interest as the Municipality may have in such vacated areas, and, insofar as it is lawfully able to do so without cost or expense to the Local Authority or to the Municipality, cause to be removed from such vacated areas, insofar as it may be necessary, all public or private utility lines and equipment;

(c) Insofar as the Municipality may lawfully do so (i) grant such deviations from the building code of the Municipality as are reasonable and necessary to promote economy and efficiency in the development and administration of such Project, and at the same time safeguard health and safety, and (ii) make such changes in any zoning of the site and surrounding territory of such Project as are reasonable and necessary for the development and protection of such Project and the surrounding territory;

(d) Accept grants of easements necessary for the development of such Project; and

(e) Cooperate with the Local Authority by such other lawful action or ways as the Municipality and the Local Authority may find necessary in connection with the development and administration of such Project.

Section 6. In respect to any Project the Municipality further agrees that within a reasonable time after receipt of a written request therefor from the Local Authority:

(a) It will accept the dedication of all interior streets, roads, alleys, and adjacent sidewalks within the area of such Project, together with all storm and sanitary sewer mains in such dedicated areas, after the Local Authority, at its own expense, has completed the grading, improvement, paving, and installation thereof in accordance with specifications acceptable to the Municipality;

(b) It will accept necessary dedications of land for, and will grade, improve, pave, and provide sidewalks for, all streets bounding such Project or necessary to provide adequate access thereto (in consideration whereof the Local Authority shall pay to the Municipality such amount as would be assessed against the Project site for such work if such site were privately owned); and

(c) It will provide, or cause to be provided, water mains, and storm and sanitary sewer mains, leading to such Project and serving the bounding streets thereof (in consideration whereof the Local Authority shall pay to the Municipality such amount as would be assessed against the Project site for such work if such site were privately owned):

Section 7. If by reason of the Municipality's failure or refusal to furnish or cause to be furnished any public services or facilities which it has agreed hereunder to furnish or to cause to be furnished to the Local Authority or to the tenants of any Project, the Local Authority incurs any expense to obtain such services or facilities then the Local Authority may deduct the amount of such expense from any Payments in Lieu of Taxes due or to become due to the Municipality in respect to any Project or any other low-rent housing projects owned by the Local Authority.

Section 8. No Cooperation Resolution heretofore passed by the Municipality shall be construed to apply to any Project covered by this Resolution.

Section 9. So long as any contract between the Municipality and the Government for loans (including preliminary loans) or annual contributions, or both, in connection with any Project remains in force and effect, or so long as any bonds issued in connection with any Project, or any monies due to the Government in connection with any Project remain unpaid, this Resolution shall not be repealed, modified or amended without the consent of the Government. The privileges and obligations of the Municipality hereunder shall remain in full force and effect with respect to each Project so long as the beneficial title to such Project

MINUTES OF THE REGULAR COMMISSION MEETING HELD ON MAY 5, 1971 (CONTINUED)

is held by the Municipality, the Local Authority or by the Government, or by any other public body or governmental agency authorized by law to engage in the development or administration of low-rent housing projects. If at any time the beneficial title to, or possession of, any Project is held by the Government, other public body or governmental agency, the provisions hereof shall inure to the benefit of and may be enforced by the Government, such other public body, or governmental agency.

Section 10. This resolution shall take effect immediately.

On motion by Commissioner Cart, seconded by Commissioner Cousins and duly carried, the said resolution was adopted.

CONTRACT FOR 1971 AUDIT

RESOLUTION APPROVED

Motion was made by Commissioner Cousins, seconded by Commissioner Cart and carried that the following resolution be adopted:

RESOLUTION OF ACCEPTANCE

BE IT RESOLVED by the Governing Body of the City of Concordia, Kansas, that the following proposition of Bartlett, Settle and Edgerle to audit the books of said City for the period from January 1, 1971 to December 31, 1971, and it is hereby accepted on the condition and with the express understanding that said auditors will complete during the month of December 1971 as much of said audit as is practicable and will complete the balance of said audit and submit a written report to this Governing Body on or before April 15, 1972. For the work as above stated, they will receive \$1,680.00.

The above resolution was adopted on May 5, 1971, by the City Commission as the Governing Body of said City.

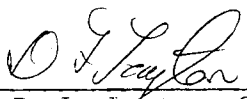
On roll call upon its passage, the following commissioners voted "Yea": Cousins, Cart and Swiercinsky. "Nay": None. All of the members-elect of the Commission having voted in favor thereof, the resolution was declared passed.

APPROPRIATION ORDINANCE NO. 8-8A

PASSED

Appropriation Ordinance No. 8-8A was passed according to law.

There being no further business, motion was made by Commissioner Swiercinsky, seconded by Commissioner Cart and carried that the Commission adjourn.



D. L. Layton, City Clerk

(Seal)

The Commission met in regular session on May 19, 1971, at 4:00 o'clock p.m. in the City Commission Room in the City Hall. Mayor Swiercinsky presided with Commissioners Cousins and Cart present. Absent: None.

Other officers present: City Manager Brodbeck, City Attorney Buechel, City D. L. Layton.

Visitors present: Fred DeArmond, Don Lambert.

ORDINANCE NO. 1811

PASSED

An ordinance entitled "AN ORDINANCE VACATING THE DRAINAGE DITCH EASEMENT OVER AND ACROSS LOTS 23, 24 and 25 IN BLOCK B, IN ERICKSON'S ADDITION TO THE CITY OF CONCORDIA, AND AUTHORIZING AND DIRECTING THE EXECUTION AND DELIVERY OF A QUITCLAIM DEED" was read and considered by the Commission. On roll call upon it's passage, the following Commissioners voted "Yea": Swiercinsky, Cousins and Cart. "Nay": None. All members-elect of the Commission having voted in favor thereof, the Ordinance was delcared passed and the title agreed to and the City Clerk assigned to it number 1811.

ALLEY SURFACING IN BLOCK 81 (AL-71-81)

APPROVED

The City Clerk presented to the City Commission the written petition of Shirley Bauer and 11 others, proposing the grading and surfacing of the alley in Block 81, in the City of Concordia. The Commission examined and considered the petition, after which it was moved by Commissioner Cousins, seconded by Commissioner Cart, and duly carried by the affirmative vote of two-thirds of the entire members-elect of the Commission that the following resolution be adopted:

RESOLUTION

Whereas, a petition was filed with the city clerk of the City of Concordia, Kansas, on the 14 day of May, 1971, proposing the following improvement: the grading and surfacing of the alley in Block 81 in the City of Concordia; and whereas, this City Commission has carefully examined and duly considered said petition, and now finds that it states all of the matters required by law and particularly by K.S.A. 12-6a04 to be set forth ina petition, and contains a request that such improvement be made without the notice and hearing required by subsection (1) of section 2 of chapter 72 of the Kansas legislative session laws of 1959, otherwise cited as K.S.A. 12-6a04; and, whereas, this City Commission finds that said petition has been signed by (i) a majority of the resident owners of record of property liable for assessment under the proposal, who are also (ii) the owners of record of more than one-half of the area liable for assessment under the proposal; and, whereas, this City Commission has considered the question of whether or not the said improvement should be ordered at this time and has determined that it should be. Now, Therefore,

Be It Resolved, by this City Commission of said City of Concordia, Kansas, being the governing body thereof, that:

1. The petition described in the preamble to this resolution has been found and determined and is hereby declared to be sufficient.

2. It has been found and determined and is hereby declared that: (a) it is advisable to make the alley improvement described in the preamble to this resolution; (b) the estimated or probable cost of such improvement is \$1,144.00; (c) the boundaries of the improvement district shall be the boundaries of the following area deemed by the City Commission to be benefitted by the improvement, namely, the south half (S $\frac{1}{2}$) of Lots 1 and 2; all of Lots 3 to 9, inclusive; the North 44' of Lot 10 and the North 44' of the West Half (W $\frac{1}{2}$) of Lot 11; the East Half of Lot 11; all of Lots 12 to 16, inclusive; and the North 66' of Lots 17 and 18; all in Block 81, in the City of Concordia, Kansas; (d) the method of assessment shall be to charge each of said lots with the following percentage of the improvement district's share of the cost:

MINUTES OF REGULAR COMMISSION MEETING HELD MAY 19, 1971 (CONT'D)

<u>PROPERTY</u>	<u>PERCENT OF COST</u>
S $\frac{1}{2}$ Lots 1 and 2	11.11 %
Lot 3	5.56
Lot 4	5.56
Lots 5 and 6	11.11
Lot 7	5.56
Lots 8 and 9	11.11
N. 44' Lot 10, and N. 44' W $\frac{1}{2}$ Lot 11	8.33
E $\frac{1}{2}$ Lot 11 and W $\frac{1}{2}$ Lot 12	5.56
E $\frac{1}{2}$ Lot 12, all Lot 13, and W $\frac{1}{2}$ Lot 14	11.11
E $\frac{1}{2}$ Lot 14 and W. 38' Lot 15	7.57
E. 6' Lot 15 and all Lot 16	6.31
N. 66' Lots 17 and 18	<u>11.11</u>
	100.00 %

and (e) the apportionment of cost between the improvement district and the city at large shall be 100% to be assessed against the improvement district and 0% to be paid by the city at large.

3. And the improvement described in this resolution is hereby authorized and ordered to be made.

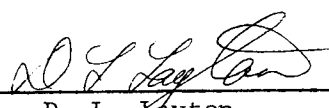
REPORTSAPPROVED

The following reports were received and ordered placed on file: Finance Reports.

APPROPRIATION ORDINANCE NO. 9PASSED

Appropriation Ordinance Number 9 was passed according to law.

There being no further business, motion was made by Commissioner Swiercinsky, seconded by Commissioner Cart and carried that the Commission adjourn.


 D. L. Layton
 City Clerk

DLL:vs

(Seal)

MINUTES OF REGULAR COMMISSION MEETING HELD JUNE 2, 1971

The Commission met in regular session on June 2, 1971 in the City Commission Room in the City Hall at 4:00 o'clock p.m. Mayor Swiercinsky presided with Commissioner Cousins present. Absent: Commissioner Cart.

Other officers present: City Manager Brodbeck, City Attorney Buechel and City Clerk Layton.

Visitors present: Brad Lowell, Fred DeArmand and Mark Coco.

Minutes of the previous meeting were approved.

DAMAGED STRUCTURES

REMOVAL OR REPAIR APPROVED

After a short discussion, motion was made by Commissioner Swiercinsky, seconded by Commissioner Cousins and carried that the City Manager notify the following property owners: Kenneth Freeby, LeRoy Gassert, Roy Lawrence, Bert Hillman, R. D. Earley, John C. Barajas, Robert Newell, Wilbur Brown, Merrill H. Mallette, Clyde L. Kearns and Raymond Shrader, that they are in violation of either Section 902 or Section 903 of the City Code and instruct them to comply under the procedures of Section 905 of the Code.

The Concordia Fire Department had previously prepared the list of dangerous structures. A committee of four local men were appointed by the City Manager to inspect these buildings. Members of the Committee were as follows: Ron Deal, Leslie Anderson, James Moates and Charles Lowers. The Committee agreed with the Fire Department and recommended to the City Commission to have the buildings either removed or repaired.

REPORT ON NEW WATER TOWER

CITY MANAGER

City Manager Brodbeck reported that the new water tower in the southeast corner of town was in use. The final cost was believed to be only \$170,000 instead of the estimated cost of \$200,000.00.

APPROPRIATION ORDINANCE NO. 10-10A

PASSED

Appropriation Ordinance No. 10-10A was passed according to law.

There being no further business, motion was made by Mayor Swiercinsky, seconded by Commissioner Cousins and carried that the Commission adjourn.



D. L. Layton
City Clerk

DLL:vs
(Seal)

MINUTES OF REGULAR COMMISSION MEETING HELD JUNE 16, 1971.

The Commission met in regular session on June 16, 1971, at 4:00 o'clock p.m. in the City Commission Room in the City Hall. Mayor Swiercinsky presided with Commissioners Cousins and Cart present. Absent: None.

Other officers present: City Manager Brodbeck, City Attorney Buechel, City Clerk Layton.

Visitors present: Brad Lowell, Fred DeArmand, Mrs. Paul Nelson, Ross Olson, Rev. Robert Fleenor, Mr. Allen Kasper, Mrs. Allan Wann and Mark Coco Jr.

Minutes of the previous meeting were approved.

ORDINANCE NO. 1812

PASSED

An ordinance entitled "An ordinance relating to Traffic and Describing and Designating a Stop Intersection" was read and considered by the Commission. On roll call upon it's passage, the following commissioners voted "Yea": Swiercinsky, Cart and Cousins. "Nay": None. All members-elect of the Commission having voted in favor thereof, the ordinance was declared passed and the city clerk assigned to it number 1812.

ORDINANCE NO. 1813

PASSED

An ordinance entitled "AN ORDINANCE ADOPTING AND ENACTING A NEW CODE OF ORDINANCES FOR THE CITY OF CONCORDIA, KANSAS; ESTABLISHING THE SAME; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING FOR THE EFFECTIVE DATE THEREOF AND A PENALTY FOR THE VIOLATION THEREOF; AND PROVIDING FOR THE MANNER OF AMENDING SUCH CODE" was read and considered by the Commission. On roll call upon it's passage, the following commissioners voted "Yea": Swiercinsky, Cart and Cousins. "Nay": None. All members-elect of the Commission having voted in favor thereof, the ordinance was declared passed and the city clerk assigned to it number 1813.

ANNUAL LICENSE

APPROVED

The City Clerk presented to the Commission for their consideration the following license application:

Dennis J. Perret d/b/a Denny's Recreation

Class B Beer

Motion was made by Commissioner Swiercinsky, seconded by Commissioner Cart and carried by the affirmative vote that the license be approved.

STORM WARNING SYSTEM

INADEQUATE

Mr. Ross Olson was spokesman for a group from the southeast area of town that attended the meeting to visit with the Commissioners concerning the City's tornado and storm warning system. Mr. Olson had previously presented a petition signed by 100 interested citizens. Mr. Olson did not want to criticize anyone, he just felt that our present system of fire siren and car and truck warning was insufficient. Mr. Olson, Rev. Fleenor, Mrs. Nelson and others representing both sides of town felt that several fixed signals at different locations around town would better serve the community. The City Manager agreed with these people, but on two former occasions, the former city commissioners felt that this type was not needed and was too expensive. Mr. Brodbeck said that a new system would be examined and would be included in the new 1972 Budget, if possible.

REPORTS

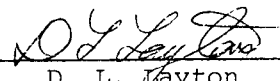
The following report was received and ordered placed on file: Finance.

APPROPRIATION ORDINANCE NO. 11

PASSED

Appropriation Ordinance No. 11 was passed according to law.

There being no further business, motion was made by Commissioner Cart, seconded by Commissioner Cousins and carried that the Commission adjourn.


D. L. Layton
City Clerk

The Commission met in regular session at 4:00 o'clock p.m. in the City Commission room in the city hall on July 7, 1971. Mayor Swiercinsky presided with Commissioner Cousins present. Absent: Commissioner Cart.

Other officers present: City Manager Brodbeck and City Clerk Layton.

Visitors present: Brad Lowell, Fred Dearmand, Hugh Boyd and Mark Coco.

Minutes of the previous meeting were approved.

SELF-SERVICE GASOLINE STATIONS

DISCUSSED

Mr. Hugh Boyd was present to visit with the Commissioners concerning self-service gasoline stations. Mr. Boyd called these operations hazardous, dangerous and bad for the economy because of less employment. Many cities have passed ordinances against such establishments and Mr. Boyd asked the Commission to check into it for the same purpose. The City of Wichita has a test case in court now.

After a short discussion, the Commission instructed the city manager to visit with the city attorney and the fire chief about the situation and report back to the Commission.

CONSTRUCTION PROJECT AL-71-81

FINAL COST APPROVED

The city manager presented to the governing body the following itemized statement of the actual cost of grading and surfacing the alley in Block 81 in said city, as authorized and ordered done by a resolution of the governing body adopted May 19, 1971:

<u>Project</u>	<u>City at Large</u>
Construction costs	\$ 900.00
Legal publications	\$ 10.00
Temporary note interest	\$ 90.00
Bond printing	\$ 9.00
Engineering	\$ 70.00
Administration and supervision	\$ 21.00
Legal fees	\$ 300.00
TOTAL	\$ 1,400.00

The statement was considered by the governing body and on a motion by Commissioner Cousins, seconded by Commissioner Swiercinsky, and unanimously carried, the total cost of the improvement was determined by the governing body to be \$1,400.00, the city manager was directed to determine the assessments against each lot, piece or parcel of land deemed to be benefitted in the manner set forth in the said resolution of the governing body adopted May 19, 1971, and to cause to be prepared an assessment roll according to the method of assessment set out in the said resolution.

PETITION, ALLEY IN BLOCK 90

APPROVED

The City Clerk presented to the City Commission the written petition of LaVerne L. Clintsman and seven others, proposing the grading and surfacing of the alley in Block 90, in the City of Concordia, Kansas.

The Commission examined and considered the petition, after which it was moved by Commissioner Cousins, seconded by Commissioner Swiercinsky, and duly carried by the affirmative vote of two-thirds of the entire members-elect of the Commission that the following resolution be adopted:

RESOLUTION

Whereas, a petition was filed with the city clerk of the City of Concordia, Kansas, on the 18th day of June, 1971, proposing the following improvement: the grading and surfacing of the alley in Block 90, in the City of Concordia, Kansas; and whereas, this City Commission has carefully examined and duly considered said petition, and now finds that it states all of the matters required by law and particularly by K.S.A. 1970 Supp. 12-6a04 to be set forth in a petition, and contains a request that such improvement be made without the notice and hearing required by K.S.A. 1970 Supp. 12-6a04 (1); and, whereas, this City Commission finds that said petition has been signed by (i) a majority of the resident owners of record of property liable for assessment under the proposal, who are also (ii) the owners of record of more than one-half of the area liable for

MINUTES OF REGULAR COMMISSION MEETING HELD JULY 7, 1971 (CONTINUED)

assessment under the proposal; and, whereas, this City Commission has considered the question of whether or not the said improvement should be ordered at this time and has determined that it should be. Now, Therefore,

Be It Resolved, by this City Commission of said City of Concordia, Kansas, being the governing body thereof, that:

1. The petition described in the preamble to this resolution has been found and determined and is hereby declared to be sufficient.

2. It has been found and determined and is hereby declared that:
 (a) it is advisable to make the alley improvement described in the preamble to this resolution; (b) the estimated or probable cost of such improvement is \$2,521.00; (c) the boundaries of the improvement district shall be the boundaries of the following area deemed by the City Commission to be benefitted by the improvement, namely, S. 50 ft. of Lot 1; all of Lots 2 to 6, inclusive; the S. 44 ft. of Lots 7, 8 and 9; the N $\frac{1}{2}$ of Lots 10, 11 and 12; and all of Lots 13 to 18, inclusive in Block 90, in the City of Concordia, Kansas; (d) the method of assessment shall be to charge each of said lots with the following percentage of the improvement district's share of the cost:

<u>Property</u>	<u>Percent of Cost</u>
S. 50' Lot 1	5.56%
Lot 2	5.56
Lot 3	5.56
Lot 4	5.56
Lot 5	5.56
Lot 6	5.56
S. 44' Lots 7, 8 and 9	16.66
N $\frac{1}{2}$ Lots 10, 11 and 12	16.66
Lot 13 and W. 31 $\frac{1}{2}$ ' Lot 14	9.53
E. 12 $\frac{1}{2}$ ' Lot 14, all Lot 15, and E. 3' Lot 16	7.51
E. 41' Lot 16 and W. 16' Lot 17	7.19
E. 28' Lot 17 and all Lot 18	<u>9.09</u>
	100.00%

and (e) the apportionment of cost between the improvement district and the city at large shall be 100% to be assessed against the improvement district and 0% to be paid by the city at large.


3. And the improvement described in this resolution is hereby authorized and ordered to be made.

APPROPRIATION ORDINANCE NO. 12-12A

PASSED

Appropriation Ordinance No. 12-12A was passed according to law.

There being no further business, motion was made by Commissioner Swiercinsky, seconded by Commissioner Cousins and carried that the Commission **adjourn**.


 D. L. Layton
 City Clerk

(Seal)

DLL:vs

The Commission met in regular session on July 21, 1971 in the City Commission Room in the City Hall at 4:00 o'clock p.m. Mayor Swiercinsky presided with Commissioners Cousins and Cart present. Absent: None.

Other officers present: City Manager Brodbeck, City Attorney Buechel, Assistant City Attorney Tuggle and City Clerk Layton.

Visitors present: Mark Coco, Fred DeArmand, and Don Lambert.

Minutes of the previous meeting were approved.

ASSESSMENT ROLL AND NOTICE OF HEARING (AL-71-81)

APPROVED

The City Clerk reported that the proposed assessment roll for the following improvement: the grading and surfacing of the alley in Block 81, in the City of Concordia as authorized by a resolution of this governing body adopted May 19, 1971, had been prepared by the city manager and was on file in his office for public inspection.

On a motion by Commissioner Cousins, seconded by Commissioner Cart, and unanimously carried, this governing body determined to meet and consider the proposed assessments on the 4th day of August, 1971, and the City Clerk was directed to cause the following notice to be published in the Concordia Blade-Empire, the official city newspaper, at least once not less than ten days prior to the date of the meeting:

NOTICE OF HEARING ON PROPOSED ASSESSMENTS FOR
ALLEY IMPROVEMENTS

To all persons concerned:

The governing body of the City of Concordia, Kansas, will meet at 4:00 o'clock, p.m., on the 4th day of August, 1971, in the City Commission Room in the City Hall of said city to consider the proposed assessments for the following improvement: the grading and surfacing of the alley in Block 81, in the City of Concordia, Kansas, as authorized by a resolution of the governing body of said city adopted May 19, 1971. The total cost of such improvement is \$1,400.00.

The extent of the improvement district proposed to be assessed is S½ Lots 1 and 2; all of Lots 3 to 9, inclusive; the North 44' of Lot 10 and the North 44' of the W½ of Lot 11; the E½ Lot 11; all of Lots 12 to 16, inclusive; and the North 66' of Lots 17 and 18, all in Block 81, in the City of Concordia. Written or oral objections will be considered at the meeting and thereupon the amount of the assessments will be finally determined.

The proposed assessment roll is on file in my office for public inspection.

(Seal)

D. L. Layton, City Clerk

The city clerk was further instructed to mail, at about the same time such notice is published, to each owner of property made liable to pay an assessment, at such owner's last known post office address, a notice of the hearing and a statement of the cost proposed to be assessed.

ANNEXATION REQUEST

MC DANIEL AND WILLIAMS

The City Manager presented to the Commission for their consideration a request by Charles McDaniel and Dennis Williams for annexation of property south of the present Industrial Park, it's description being:

A tract of land in NE¼ of SE¼ of Sec. 34 T 55 R3W.

The request was referred to the City Planning Commission for their consideration.

CLASS "B" BEER LICENSE REVOCATION

BROADWAY LOUNGE

The City Manager presented the following resolution to the Commission for their consideration:

RESOLUTION CONCERNING REVOCATION OF BROADWAY LOUNGE'S BEER LICENSE

WHEREAS, This governing body has probable cause to believe that Viola Davidson, doing business as Broadway Lounge at 418 Broadway, in Concordia, Kansas, has violated K.S.A. 41-2708, a section of the Cereal Malt Beverage Act, and has violated ordinance rules and regulations of the City of Concordia, Kansas, in that she did on or about March 14, 1971, violate City Ordinance, Chapter 18, Section 626 (Now Code of Ordinances Sec. 3-39). by permitting a person under eighteen (18) years of age, to-wit: Linda Murdock, to buy or

MINUTES OF REGULAR COMMISSION MEETING HELD JULY 21, 1971 (CONTINUED)

drink cereal malt beverages in and about the said Broadway Lounge.

NOW, THEREFORE, Be it resolved by this governing body of the City of Concordia, Kansas, that the matter of revoking said license be taken up by this governing body at its regular meeting on the 4th day of August, 1971; that proper notice of the time, place and purpose of said meeting be executed by the mayor and clerk and be personally served by a policeman of this city on Viola Davidson, the person holding said license, at least five days before the date of said meeting; and that at said meeting said Viola Davidson and all other persons concerned be allowed a full hearing.

Motion was made by Commissioner Cart, seconded by Commissioner Cousins and carried by the affirmative vote of the entire commission that the above notice be served.

City Manager Brodbeck reported that the swimming pool had 20,952 people admitted so far this summer, which was 1,000 less than last year at this time, but about average for the past few years.

REPORTS

PASSED


The following reports were received and ordered placed on file: Finance Reports.

APPROPRIATION ORDINANCE NO. 13

PASSED

Appropriation Ordinance No. 13 was passed according to law.

There being no further business, motion was made by Commissioner Cousins, seconded by Commissioner Swiercinsky and carried that the Commission adjourn.



D. L. Layton
City Clerk

(Seal)

DLL:vs

The Commission met in regular session on August 4, 1971 in the City Commission Room in the City Hall at 4:00 o'clock p.m. Mayor Swiercinsky presided with Commissioner Cart present. Absent: Commissioner Cousins.

Other officers present: City Manager Brodbeck, City Attorney Buechel, Assistant City Attorney Tuggle, City Clerk Layton and Secretary Verna Scott.

Visitors present: Brad Lowell, Fred DeArmand, Mark Coco, Attorney Lee Stanford, Viola Davidson, Captain Elzear and Martha Pellant, Betty Christensen, Larry Murdock, William Smith, Randy Thompson, Kathy Rose, Kathy McGee and Thomas L. Anderson.

Minutes of the previous meeting were approved.

SPECIAL ASSESSMENTS (S-71-81)

APPROVED

The mayor announced that one of the purposes of this meeting was to consider the proposed assessments, as set out in the assessment roll prepared by the city manager and on file in the office of the city clerk, for the following improvement: the grading and surfacing of the alley in Block 81 in the City of Concordia, which is within the corporate limits of the city of Concordia, Kansas, as authorized by a resolution of this governing body adopted May 19, 1971, and to hear written or oral objections thereto. The governing body determined that notice of the hearing had been published and that notice of the hearing and a statement of the costs proposed to be assessed had been mailed to the owners of the property made liable to pay such assessments, all as provided by Section 9(b) of Chapter 99, of the Kansas legislative session laws of 1957, otherwise cited as K.S.A. 12-6a09(b).

Mr. and Mrs. Norbert Letourneau, property owners, were present with no objections.

After considering the proposed assessments, and hearing and passing upon all objections thereto, there being no amendments to the proposed assessments as to any parcel, the proposed assessments were unanimously approved by the governing body and the city attorney was directed to prepare an ordinance levying as special assessments the amounts set out against the lands described in the assessment roll as provided by K.S.A. 12-6a10, as amended.

ORDINANCE NO. 1814 (S-71-81)

PASSED

An ordinance entitled "AN ORDINANCE ASSESSING TO EACH LOT, PIECE AND PARCEL OF LAND LIABLE FOR SPECIAL ASSESSMENT THE AMOUNT TO BE PAID IN INSTALLMENTS FOR THE COST OF GRADING AND SURFACING THE ALLEY IN BLOCK 81, IN THE CITY OF CONCORDIA, KANSAS" was read and considered by the Commission. On roll call upon it's passage the following commissioners voted "Yea": Swiercinsky and Cart. "Nay": None. Two-thirds of the members-elect of the Commission having voted in favor thereof, the ordinance was declared passed and the title agreed to and the city clerk assigned to it number 1814.

REQUEST FOR PAVING AND ONE-WAY STREET

TABLED

City Manager Leland Brodbeck reported that several interested property owners have called to ask that something be done on Archer Street between 9th and 10th and Tenth and 11th Street are paved. Paving of this type can be forced by the Commission, with protest period if the Commission desires. Further business was the request by United School Board 333 requesting that Doster Street be made a one-way street. Action was postponed on both requests.

CEREAL MALT BEVERAGE REVOCATION

TABLED

Mayor Swiercinsky announced that one of the purposes of this regular commission meeting was to hold a hearing on the revocation of the Broadway Lounge cereal malt beverage license, operated by Viola Davidson. The hearing is as follows:

Viola Davidson d/b/a Broadway Lounge, was present and represented by Lee Stanford, her attorney. The City was represented by Thomas Tuggle, attorney.

Stanford stated that he was ready - one exception. The girl who allegedly purchased the beer was in my office this afternoon. She made a statement that she didn't buy beer. Said her brothers and sisters intimidated her if she did appear.

MINUTES OF MEETING HELD AUGUST 4, 1971 (CONTINUED)

Tuggle stated that her brothers and sisters and in-laws in no way intimidated her.
Mr. Stanford said that testimony was hearsay.

Mr. Stanford: Talked to her at the bottom of the stairs (-city hall-), she waited around for awhile, after awhile she took off and was a half block away the last time he saw her. He said the reason she didn't come

Mayor: This is a regular hearing. A notice to Viola Davidson, Broadway Lounge.
Mayor to Tuggle: You may present your case.

Tuggle: Just for the record, Mr. Layton, Does Viola Davidson have a license and is she the proprietor of the Broadway Lounge?

Mr. Layton: That's correct.

Tuggle: It is a verified fact that Mrs. Davidson does have a license.

Tuggle: First Witness, Larry Murdock.

Tuggle: State your name.

Witness: Larry Murdock.

Tuggle: What is your address?

Witness: Kansas City, Kansas.

Tuggle: What is your age?

Witness: 26.

Tuggle: Do you know Linda Murdock?

Witness: I'm her brother.

Tuggle: What is Linda's age?

Witness: 16.

Tuggle: What was her age on March 14, 1971?

Witness: 15.

Tuggle: Back to March 14..were you in Concordia on March 14th, 1971?

Witness: Yes.

Tuggle: Did you have an occasion to go to the Broadway Lounge on that day?

Witness: Yes.

Tuggle: Please tell the Commission what happened that night.

Witness: Linda called down to Cooley's about 11 o'clock. Someone had stolen \$2.00 from her.

Tuggle: What happened next?

Witness: We went over to the Broadway Lounge.

Tuggle: You went in the door of the Broadway Lounge?

Witness: Yes.

Tuggle: Then where did you go?

Witness: Linda was in a booth crying. She was in a booth on the south side. She said someone had stolen \$2.00 from her and she was going to find them and kill them.

Tuggle: What did you observe?

Witness: She had a beer sitting in front of her.

Tuggle: How did you know it was a beer?

Witness: () It was a Coors beer the best I can remember.

Tuggle: Can you describe Linda's appearance and actions?

Witness: She was wild, hysterical.

Tuggle: Did she appear to be drunk?

Witness: Yes.

Tuggle: What happened next?

Witness: We finally got her outside. She fought, ().

Tuggle: While you were in the Lounge, did a gentlemen come over and take orders for beer at your booth?

Witness: Yes.

Tuggle: Did you all order?

Witness: Yes, including Linda.

Tuggle: Did Linda drink from beer he brought?

Witness: I don't know. She drank from the one that was there.

Tuggle: Do you know Viola Davidson?

Witness: Yes.

Tuggle: Is this her?

Witness: Yes.

Tuggle: Did you know her on March 14th?

Witness: Yes. She told us to quiet Linda down or get her out of there.

Tuggle: Did you then take her outside?

Witness: Yes. Had to hold her and drag her out. She bit my sister on the hand.

Tuggle: A young man came and took orders for beer? Did he ask for ID cards or anything else?

Witness: No.

Tuggle: Mr. Murdock, did you see Linda at any time today?

Witness: No.

Tuggle: Not at all today?

Witness: No.

Tuggle: Do you know if your other brothers or sisters talked to her?

Witness: No.

Tuggle: That's all.

Stanford: How long were you in Cooley's?

Witness: About 2 hours.

Stanford: Did you drink any beer?

Witness: Yes.

Stanford: Did you drink any whiskey?

Witness: No.

Stanford: You don't drink whiskey?

Witness: I drink whiskey.

Stanford: You had been drinking for 2 hours before going to the Broadway Lounge?

Witness: Yes.

Stanford: You were called at 11 o'clock?

Witness: As best I can remember. Yes.

Stanford: You got there about 10 to 12?

Witness: No.

Stanford: You prevailed on them to sell you a beer. You knew how old Linda was.

() We don't conceive to (). Did you pay for Linda's beer?

Witness: I didn't. I don't know who paid for the beer.

Stanford: You can remember everything about this except who paid for the beer?

Witness: I didn't pay for the beer.

Tuggle: I have nothing more to ask.

Cart: Do you know this man who worked there who served your beer?

Witness: He just came over and took our order.

Tuggle: Does the Commission have any other questions?

Commissioners: No.

Tuggle: Next witness. State your name.

Witness: Martha Ann Pellant.

Tuggle: Where do you live?

Witness: I live at Fort Riley.

Tuggle: Are you married?

Witness: Yes. My husband is a captain in the marines.

Tuggle: What is your age?

Witness: 29.

Tuggle: Do you know Linda Murdock?

Witness: Yes.

Tuggle: Is she your sister?

Witness: Yes.

Tuggle: What was her age on March 14, 1971?

Witness: She was 15, she is now 16.

Tuggle: Were you in Concordia on March 14, 1971?

Witness: Yes.

Tuggle: On that date, did you receive a call from Linda?

Witness: Yes.

Tuggle: Where were you when you received the call?

Witness: At Cooleys. Linda was calling from the Broadway Lounge.

Tuggle: What did she tell you?

Witness: That someone had stolen \$2.00 from her and she was going to kill them.

Tuggle: Did she sound drunk?

Stanford: I object. The question is leading and suggestive.

Tuggle; I withdraw the question. ()

Witness: My brother Larry and I went from Cooley's to the Broadway Lounge.

Tuggle: You went in the front door?

Witness: Yes. Linda was crying, she had a glass of beer in front of her. I saw her drink some beer. She was drunk --- to me she was drunk.

Tuggle: Have you seen drunk people before?

Witness: Yes. Her voice was slurred. She was hysterical, upset about the money that had been stolen.

Tuggle: Who was in the booth?

Witness: Just Linda when we sat down.

Tuggle: How many people were with you.

Witness: Just me and my brother Larry. (I didn't get all this answer).

Tuggle: Did you know all the people in the booth?

Witness: Yes.

Tuggle: Had you been to the Broadway Lounge before?

Witness: Yes.

Tuggle: Do you know Viola Davidson?

Witness: Yes.

Tuggle: Do you recall seeing her there that night?

Witness: Yes.

Tuggle: Can you tell me what happened next?

Witness: Someone came and brought us some beer. I don't know who paid for it.

Tuggle: Did you see Linda Drink beer?

Witness: Yes I did...I tried to talk Linda into leaving, but she didn't want to go, but my brother and I took her outside.

Tuggle: Did you have trouble getting her outside?

MINUTES OF COMMISSION MEETING HELD AUGUST 4, 1971 (CONTINUED)

Tuggle: Were you bitten by her?

Witness: Yes. After she bit me I went back to Cooleys to get my husband. When we came back, _____ she was in front of the Moose. _____ be that far. My husband and I took her to the hospital.

Tuggle: Why did you take her to the hospital?

Witness: We were advised to have her stomach pumped.

Tuggle: Back to the booth. Did the man that served the beer ask for an ID card from Linda?

Witness: No.

Tuggle: Have you discouraged her from coming and testifying?

Witness: No -- I haven't seen her.

Tuggle: Has Linda ever talked to you about buying beer at the Broadway Lounge?

Witness: Yes. She has charged beer there - she told me that.

Tuggle: That's all.

Stanford: Do you want to tell this Commission that you haven't talked to Linda about this?

Witness: That's right.

Stanford: You haven't talked about that night at all?

Witness: No. I haven't seen her that much.

Stanford: What were you drinking that night?

Witness: Beer.

Stanford: Were you drinking steadily?

Witness: I didn't drink steadily.

Stanford: Do you know the age of your sister?

Witness: Yes.

Stanford: Did you order beer?

Witness: Yes.

Stanford: Did you object when Linda ordered beer?

Witness: No.

Stanford: Did you let Linda drink beer?

Witness: (_____) (Didn't get answer.)

Stanford: Doesn't Linda drink beer in your home?

Witness: Probably -----but that's in our home.

Stanford: Doesn't she drink beer at other places too?

Witness: Yes. I have seen her drink beer at other places.

Stanford: You sit there watching her drink beer knowing it's illegal?

Witness: (_____)

Stanford: Why don't you police it yourself? You at least tolerate her drinking beer - you don't object..

Tuggle: This is completely irrelevant - witness should not be subjected to these questions.

Mayor: What we want to hear is who allegedly sold the beer.

Tuggle: We are proceeding under City Order _____ permits sale or consumption of beer to minors. (Proceeding..... legal point.....)

Mayor to Tuggle: Do you have any more questions?

Tuggle: Just one more question. Do you recall the time you received the call from Linda?

Witness: About 11 p.m.

Tuggle: What time did you arrive at the Broadway Lounge?

Witness: Five minutes later. We left right away.

Tuggle: That's all.

Tuggle called next witness.

Tuggle: Captain Pellant? State your name.

Witness: Elzear Joseph Pellant.

Tuggle: What is your address?

Witness: Ft. Riley.

Tuggle: Are you in the military?

Witness: A captain U. S. Army.

Tuggle: Do you know Linda Murdock?

Witness: Yes, she's my sister-in-law.

Tuggle: Do you know what her age is?

Witness: 16 now.

Tuggle: Do your mother and father live in Concordia?

Witness: Yes. I visit them many times.

Tuggle: Were you in Concordia on March 14, 1971?

Witness: Yes.

Tuggle: Have you been in the Broadway Lounge prior to March 14?

Witness: Yes. I've been in there. Just about a month before. I don't remember the

Witness: Drinking beer.

Tuggle: What time of the day was it?

Witness: Late in the afternoon.

Tuggle: Did you see Linda on that day?

Witness: Yes, Linda and another girl.

Stanford: I object. No charge has been made for April 14th. If he had this information in mind, he should have brought it up before now.

Tuggle: This is just to show the gentlemen in familiar with the establishment.

Stanford: I disagree with the rest of his statement. ()

Tuggle: Where were you on March 14th?

Witness: With my wife and Larry playing pool at Cooleys.

Tuggle: Did you go to the Broadway Lounge immediately?

Witness: No. My brother and I were playing pool and we wanted to finish our game. My wife came back later....

Tuggle: What did you do?

Witness: We went over to Broadway. Linda and Larry were in front of the Moose.

Tuggle: Can you.....

Stanford: Object. No on the scene. This was afterwards.

Tuggle: I believe he was close enough. I want to present the full picture.

Stanford: It was in front of the Moose. As close as he got to this situation.

Tuggle: Linda's condition is relevant to this. She was intoxicated. She was served a cereal malt beverage in Viola Davidson's lounge. I think it is appropriate.

Mayor: We would like to hold this evidence as to what happened in the Broadway Lounge.

Tuggle: Captain, do you recall the time your wife came to get you?

Witness: It was after 11 - near 11:30.

Tuggle: She had come to get you?

Witness: yes.

Tuggle: Captain, do you recall when your wife received the phone call from Linda?

Witness: It was around 11. About 5 to 10 minutes after 11.

Tuggle: Do you recall what time they left?

Witness: Immediately.

Tuggle: No further questions.

Mayor: I have one question. Did you ever get down to the Lounge?

Witness: Not inside.

Tuggle: That is all the evidence we have to present at this time.

Mr. Stanford alleges violation of city. Said Mrs. Davidson was on notice as to the selling of beer, not the drinking of beer.

Tuggle: The license on _____ notice is relevant to the drinking as well as buying.

Stanford: I want my witnesses sworn.

Buechel: There is no authority to swear in witnesses at a hearing of this type. I know of no statutory authority...

Stanford: There have been no sworn witnesses up to this time.

Stanford: State your name.

Witness: Viola Davidson.

Stanford: Are you the owner and operator of the Broadway Lounge?

Witness: Broadway, yes.

Stanford: Were you present on March 14, 1971?

Witness: I was.

Stanford: I'll ask you specifically, did you see Linda Murdock consume any beer on that night?

Witness: Not that night.

Stanford: Did you bring her to my office today?

Witness: Yes. She said she drank beer in the car but not in my place. She and another girl were drinking beer and cherry vodka. She left at 11 o'clock. She was going to Cooleys to borrow \$2.00 from her mother. (something about serving Larry) ...I served them 2 beers and 1 Pepsi and Larry paid for it. I did not sell to Linda. She sat at a dirty booth. I had been sick and didn't get all the booths clean. Whether she drank from the glass that was there, I don't know. I didn't see Linda consume any beer. Before my help is to serve beer, they are instructed to check all ID cards and not to sell to anyone under 18 - those are my rules.

Stanford: Have any police officers been in your establishment?

Witness: Yes. Liedtke, Sterling and Bogart came in quite a lot.

Stanford: Mr. Liedtke had been in and so had Sterling?

Witness: I asked Mr. Liedtke if he had seen anything wrong with the way I ran my place, and he said he hadn't seen anything wrong.

Tuggle: I object. This is hearsay.

MINUTES OF COMMISSION MEETING HELD AUGUST 4, 1971 (CONTINUED)

Stanford: You could bring Officer Liedtke and question him.

Mayor: Please leave out the hearsay....

Stanford: She has inquired of the officers....() None of the officers object to the conditions at the Lounge. Mrs. Davidson always has taken reasonable precautions. Mrs. Davidson, have you ever sold beer to anyone under 18?

Witness: Not to my knowledge.

Stanford: You were the one to serve 2 beers?

Witness: Can't serve you beer now. It's nearly closing time. They said if I'd serve them the beer they'd drink it fast.

Stanford: What time was this?

Witness: 10 minutes to 12.

Stanford: Larry Murdock paid you?

Witness: Yes.

Stanford: Your witness.

Tuggle: Is it true Mrs. Davidson, you stated you did not sell beer to Linda Murdock?

Witness: I did not. Not to my knowledge.

Stanford: Has she ever consumed beer?

Witness: Not to my knowledge.

Tuggle: Do you have quite a few employees?

Witness: Two. When I have a dance band, I pay \$5.00 to one employee to check the kid's ID's and about drinking.

Tuggle:()

Mayor: Did I understand this? Linda left the Lounge to go to Cooley's and she didn't come back until 12.

Witness: She sat in booth. I served them 2 beers and a Pepsi. It came to 85¢.

Cart: No questions.

Stanford: State your name and address.

Witness: William Smith, Belleville, Kansas.

Stanford: Have you worked for Viola Davidson?

Witness: Between January of 70 to May 70.

Stanford: During that time did she ever instruct you on selling beer to minors?

Witness: Yes. She said do not sell beer, and check all ID's.

Tuggle: I object. It is not relevant.

Stanford: It shows the practice that beer is either sold or consumed by minors.

Tuggle: Habit or practice is not admissable.

Stanford: Yes it is.

Mayor: We would like to hold the evidence to March 14th, if we could.

Stanford: Felt it was material to show how she instructed her employees.

Tuggle: It is not relevant.

Mayor: One more question. Did you ever serve beer to anyone under 18?

Witness: Not knowingly.

Stanford: State your name.

Witness: Thomas L. Anderson.

Stanford: Are you employed by Co-op?

Witness: Yes.

Stanford: Do you frequent the place in question?

Witness: Every evening.

Stanford: Did you ever see a minor served beer there?

Tuggle: Objection. The question is completely irrelevant. No proof here. March 14th is the issue. The issue is March 14th and Linda Murdock.

Stanford: Were you there March 14th?

Witness: Yes.

Stanford: Did you see Linda Murdock?

Witness: Not while I was there.

Stanford: Did you see any minors served beer?

Witness: No.

Stanford: What time were you there?

Witness: From 5 to 8:30.

Tuggle: Linda could have been there at 11 p.m.?

Witness: Yeah, after I left.

Stanford: No more questions.

Stanford: That's all. Except that we could assume a gross violation. Had there been gross violations going on here, police would have been called in. I do not believe that any gross violation has been proven, it has been controverted, true. Believe who you want, but in all fairness to Viola Davidson, she has a lot at stake here. Her testimony is more plausible as she has a great deal to lose. The only person who could establish a violation

be assured the place will be policed. She has bands, she pays them \$5.00 to check ID's, she has assumed reasonable precaution. As for the record, it is the first time (____). We could appeal, but she would have no relief until heard by the District Court. She would lose her business and be forced to sell. On the evidence presented it would be neither just or fair to take our license at this time. We ask for your indulgence and consideration and assume this procedure be resolved in her favor. First of all, we ask that the Commission talk to Officer Liedtke. We urge the Commission to talk to them.

Tuggle: Before a hearing of this type is brought before the Commission there are many infractions. The Commission should consider this. All the evidence is that Linda Murdock drank beer on March 14, 1971. The girl was under age and no ID check was made on her. We feel that this is (____) before a complaint is ever brought to the Commission (____)...there are many prior infractions. One last point. As a note of law. We are merely seeking a revocation of license. This is not a criminal nature. We did show that this infraction did occur. The Commission should talk to the Police Department and you will probably get an earful.

This is the first hearing. We feel we should not establish a precedence. That word will get around that the other establishments could sell beer to minors knowing they would only be given a warning. I feel it would be a poor precedent. It would be demoralizing to the police. Word would get around that the Commission does nothing and they would go ahead and sell beer to minors.

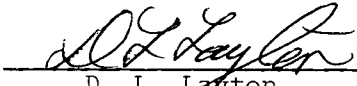
Mayor: You both have suggested that we visit with the police. We would like time to study the evidence and discuss this. You will receive written notice of our decision.

APPROPRIATION ORDINANCE NO. 14-14A

PASSED

Appropriation Ordinance No. 14-14A was passed according to law.

There being no further business, motion was made by Commissioner Cart, seconded by Commissioner Swiercinsky that the Commission adjourn until 11 o'clock a.m. on August 11, 1971.


D. L. Layton
City Clerk

(Seal)

DLL:vs

MINUTES OF THE ADJOURNED COMMISSION MEETING HELD AUGUST 11, 1971.

The Commission met in adjourned session in the City Commission Room in the City Hall at 11:00 o'clock a.m. on August 11, 1971. Mayor Swiercinsky presided with Commissioners Cart and Cousins present. Absent: None.

Other officers present: City Manager Brodbeck, City Clerk Layton.

Visitors present: Brad Lowell and Mark Coco.

Mayor Swiercinsky announced that the purpose of this meeting was to hold a public hearing as required by law on the proposed 1972 Budget.

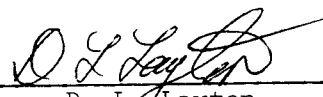
After a short discussion, motion was made by Commissioner Cousins, seconded by Commissioner Cart and carried that the 1972 Budget be adopted and the following ordinance was presented and passed.

ORDINANCE NO. 1815

LEVYING TAXES

An ordinance entitled "AN ORDINANCE LEVYING TAXES AND AUTHORIZING THE CITY CLERK TO CERTIFY SUCH LEVY TO THE COUNTY CLERK" was read and considered by the Commission. On roll call upon it's passage the following commissioners voted "Yea": Swiercinsky, Cart and Cousins. "Nay": None. All members-elect of the Commission having voted in favor thereof the ordinance was declared passed and the title agreed to and the City Clerk assigned to it number 1815.

There being no further business, motion was made by Commissioner Cart, seconded by Commissioner Swiercinsky and carried that the Commission adjourn.



D. L. Layton
City Clerk

(Seal)

DLL:vs

The Commission met in regular session on August 18, 1971, at 4:00 o'clock p.m. in the City Commission Room in the City Hall. Mayor Swiercinsky presided with Commissioners Cart and Cousins present. Absent: None.

Other officers present: City Manager Brodbeck, City Attorney Buechel and City Clerk Layton.

Visitors present: Brad Lowell, Fred DeArmand, Mark Coco and John McConnell.

CEREAL MALT BEVERAGE LICENSE REVOKED

VIOLA DAVIDSON

Motion was Made by Commissioner Cart, seconded by Commissioner Swiercinsky and carried by the affirmative vote of two-thirds of the Commission present that the following resolution be passed.

RESOLUTION REVOKING CEREAL MALT BEVERAGE LICENSE NO. 995

WHEREAS, pursuant to a resolution duly adopted by the City Commission of the city of Concordia, Kansas, on July 21, 1971, a hearing was ordered to be held on August 4, 1971, at the regular meeting of the City Commission, to hear evidence regarding alleged violation of K.S.A. 1970 Supp. 41-2708, and Section 626 of the City Code (now Code of Ordinances Sec. 3-39), by Viola Davidson, the holder of Cereal Malt Beverage License No. 995, issued for premises located at 418 Broadway, Concordia, Kansas, otherwise described as Lots 33 to 36 in Division D of Nadeau's sub-division of a part of Block 157, in the city of Concordia, Kansas, by permitting a person under eighteen (18) years of age, to-wit: Linda Murdock, to buy or drink cereal malt beverages in and about the said premises, on or about March 14, 1971, and directing that notice of said hearing be given according to law; and

WHEREAS, five days' notice of said hearing was duly served upon Viola Davidson, personally, as required by law and the resolution of the City Commission, and

WHEREAS, on August 4, 1971, the City Commission of the city of Concordia, Kansas, heard evidence presented by the Assistant City Attorney on behalf of the complainants, and evidence presented by the respondent, Viola Davidson; and

WHEREAS, on August 4, 1971, the City Commission of the city of Concordia, Kansas, took said matter under advisement; and

WHEREAS, the City Commission of the city of Concordia, Kansas, has reviewed the evidence presented and is now ready to announce its findings:

NOW, THEREFORE, be it resolved by the governing body of the city of Concordia, Kansas, that said governing body finds that Viola Davidson, the holder of Cereal Malt Beverage License No. 995, issued by the city of Concordia, Kansas, did on the 14th day of March, 1971, violate the laws of the state of Kansas and the ordinances of the city of Concordia by permitting a person under eighteen (18) years of age, to-wit: Linda Murdock, to drink cereal malt beverages in and about the licensed premises at 418 Broadway Street, Concordia, Kansas, otherwise known as Lots 33 to 36 in Division D of Nadeau's sub-division of a part of Block 157, in the city of Concordia, Kansas.

BE IT FURTHER RESOLVED that Cereal Malt Beverage License No. 995, issued to Viola Davidson, for premises described as 418 Broadway Street, Concordia, Kansas, otherwise known as Lots 33 to 36 of Division D of Nadeau's sub-division of a part of Block 157, in the city of Concordia, Cloud County, Kansas, be and it is hereby revoked as of August 19, 1971, at 9:00 o'clock, a.m., and that the city attorney or his assistant be and he is hereby directed to prepare a proper order and notice of this license revocation and cause said notice to be served on the said Viola Davidson forthwith; and that in the event of an appeal the said Viola Davidson be required to file with the City Clerk a proper appeal bond in the sum of \$500.00 with sureties to be approved by this governing body.

ORDINANCE NO. 1816

PASSED

An ordinance entitled "AN ORDINANCE RELATING TO TRAFFIC AND DESCRIBING AND DESIGNATING THE DIRECTION OF VEHICULAR TRAFFIC" was read and considered by the Commission. On roll call upon it's passage, the following commissioners voted "Yea": Swiercinsky, Cousins and Cart. "NAY": None. All members-elect of the Commission having voted in favor thereof, the

MINUTES OF REGULAR COMMISSION MEETING HELD AUGUST 18, 1971 (CONTINUED)

ordinance was declared passed and the title agreed to and the city clerk assigned to it number 1816.

CITY EMPLOYEE BONDWATER CASHIER - ROSALIE ALLEN

The city clerk presented to the city commission for their consideration the bond for City Water Cashier Rosalie Allen. Motion was made by Commissioner Cousins, seconded by Commissioner Cart and carried that the bond be approved.

INVESTMENT REPORT

The city clerk presented to the commission for their consideration the following city fund investments:

All investments to be made in local 90-day Certificates of Deposit at a five percent interest rate.

	<u>PRINCIPAL</u>	<u>INTEREST</u>
April 23, 1971		
Fire Equipment Reserve	\$19,000.00	\$237.50
Library Construction Fund	18,000.00	225.00
Tree Control	4,000.00	50.00
K.P.E.R. (Retirement)	<u>9,000.00</u>	<u>112.50</u>
	\$50,000.00	\$625.00
May 10, 1971		August 10, 1971
General Fund	\$25,000.00	\$312.50
Firemens Pension Fund	25,000.00	312.50
Parking Meter	7,000.00	87.49
Social Security Fund	3,000.00	37.48
K.P.E.R. (Retirement)	5,000.00	62.49
Fire Equipment Reserve	1,500.00	18.75
Tree Control	3,000.00	37.56
Library Construction	2,000.00	25.00
Airport Maintenance	5,000.00	62.49
Airport Revolving	<u>5,000.00</u>	<u>62.49</u>
	\$81,500.00	\$1,018.75
TOTAL INVESTMENTS	\$131,500.00	Gr. Total \$1,643.75

PLANNING COMMISSION RESIGNATION AND APPOINTMENTAPPROVED

The City Manager presented to the Commission for their consideration the name of Dean Williams to replace Donald Cart and the resignation of Charles Everitt from the Planning Commission. Motion was made by Commissioner Cart, seconded by Commissioner Cousins and carried that the appointment and resignation both be approved.

ANNEXATION RESOLUTION NO. 4CONSIDERED

Whereas, the governing body of the City of Concordia, Kansas, submitted to this City Planning Commission of and for said City for it's consideration: the letter of Charles McDaniel and Dennis Williams requesting annexation; and the annexation of the area between the above request and the present corporate limits of said City; described as follows:

Beginning at the Southwest corner of the Northeast quarter (NE $\frac{1}{4}$) of the Southeast quarter (SE $\frac{1}{4}$) of Section Thirty-four (34) Township Five (5) South, Range Three (3) West of the Sixth P.M. in Cloud County, Kansas, thence East to the Northeast (NE) right of way line of the Atchison, Topeka, and Santa Fe Railway, thence northwesterly along said railway right of way to the west side of said Northeast Quarter (NE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of said Section Thirty-four (34), thence south to the point of beginning.

and, whereas, this City Planning Commission has now considered said information and approved the annexation;, and Therefore,

Be It Resolved That this City Planning Commission recommends to the governing body of said City that said annexation of territory in the City be made, "and that a copy of this resolution be submitted to said governing body for it's official consideration

State of Kansas, County of Cloud, ss.

I, the undersigned, secretary or clerk of the City Planning Commission of the City of Concordia, Kansas, do hereby certify that the records of said Commission are in my custody and that the foregoing resolution was duly adopted on August 16, 1971, at a regular meeting of said Commission and appears of record in the minutes of said meeting.

Dated this 17 day of August, 1971.

/s/ D. L. Layton
Clerk-Secretary

PROPOSED ZONING ORDINANCE

RECEIVED

The City Manager informed the Commission that the Planning Commission had decided to recommend passage of the proposed zoning ordinance since no decision had been received from the Attorney General. City Manager Brodbeck has word from several state officials, including the state planner, that elections are illegal for zoning ordinances. The final draft of the ordinance could not be presented at this time but it will be in the hands of the Commission very soon.

LEAGUE DELEGATES

APPOINTED

The following voting delegates were approved for the annual League of Kansas Municipalities meeting:

1st voting delegate:	Commissioner Donald Cart
2nd voting delegate:	Commissioner Deane Cousins

Alternate voting delegates:

1st alternate:	City Manager Leland Brodbeck
2nd alternate:	City Clerk D. L. Layton.

REPORTS

The following reports were received and placed on file:

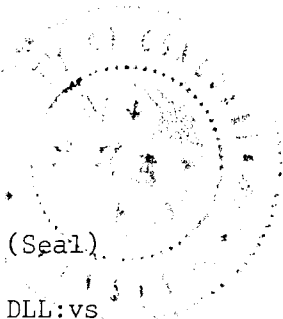
Finance Reports.


APPROPRIATION ORDINANCE NO. 15

PASSED

Appropriation ordinance No. 15 was passed according to law.

There being no further business, motion was made by Commissioner Swiercinsky, seconded by Commissioner Cart and carried that the Commission adjourn.





D. L. Layton
City Clerk

MINUTES OF REGULAR COMMISSION MEETING HELD SEPTEMBER 1, 1971

The City Commission met in regular session at 4:00 o'clock p.m. in the City Commission Room in the City Hall on September 1, 1971. Mayor A. G. Swiercinsky presided with Commissioners Don cart and Deane Cousins present. Absent: None.

Other officers present: City Manager Brodbeck, City Attorney Buechel, City Clerk Layton.

Visitors present: Brad Lowell, Fred DeArmand, Leon Gennette, William Krasny and Paul Taylor.

Minutes of the previous meeting were approved.

SAFETY AWARDS

RECEIVED

Mayor Swiercinsky and Police Chief Krasny accepted two Safety Awards on behalf of the City of Concordia from Paul Taylor, a representative from the State Highway Commission.

CITY EMPLOYEE BOND

D. L. LAYTON

The City Manager presented to the Commission for their consideration the bond for City Clerk D. L. Layton. Motion was made by Commissioner Cousins, seconded by Commissioner Cart and carried that the bond be approved.

K.P.E.R.S. EMPLOYMENT EXTENSION

M. F. JOHNSON

Motion was made by Commissioner Cart, seconded by Commissioner Cousins and carried by a unanimous vote of the entire commission that the following resolution be adopted.

RESOLUTION

"RESOLVED, That the application for continuation in employment beyond age 70 of M. F. Johnson, Social Security No. 511-12-8586, is hereby considered and this Body, finding said M. F. Johnson to be mentally and physically capable of carrying out his assigned duties and that the best interest of the public will be served by continuing him in employment, hereby approves said application and that the Board of Trustees of the Kansas Public Employees Retirement System be advised of this action."

I hereby certify that the above Resolution was adopted by a majority vote of the Governing Body.

/s/ A. G. Swiercinsky
Chairman

(Seal)

Attested
/s/ D. L. Layton
Clerk or Secretary.

ANNUAL LICENSE

APPROVED

The City Clerk presented to the Commission for their consideration the following license application:

Isaac Cooley d/b/a Broadway Lounge Class "B" Beer

Motion was made by Commissioner Cousins, seconded by Commissioner Cart and carried that the license be approved.

ALLEY CONSTRUCTION PROJECT (AL-71-90)

FINAL COSTS APPROVED

The city manager presented to the governing body the following itemized statement of the actual cost of grading and surfacing the alley in Block 90 in said city, as authorized and ordered done by a resolution of the governing body adopted July 7, 1971:

<u>Project</u>	<u>Property Assessment</u>	<u>City at Large</u>
Construction costs	\$1,540.00	\$
Legal publications	15.00	
Temporary note interest	120.00	
Bond Printing	12.00	
Engineering	100.00	

The statement was considered by the governing body and on a motion by Commissioner Cart, seconded by Commissioner Cousins, and unanimously carried, the total cost of the improvement was determined by the governing body to be \$2,127.00, the city manager was directed to determine the assessments against each lot, piece or parcel of land deemed to be benefitted in the manner set forth in the said resolution of the governing body adopted July 7, 1971, and to cause to be prepared an assessment roll according to the method of assessment set out in the said resolution.

WATERWORKS STORAGE TANK PROJECT (WW-70-1)

FINAL COSTS APPROVED

The City Manager presented to the governing body the following itemized statement of the actual cost of Project WW-70-1, the construction of an elevated water storage tank, and the construction and installation of related mains, main connections and fittings in the City of Concordia, as authorized and ordered done by a resolution of the governing body adopted June 3, 1970, and by Ordinance No. 1802, enacted July 1, 1970:

<u>Project</u>	<u>PROPERTY ASSESSMENT</u>	<u>City at Large</u>
Construction Costs	\$	\$134,491.04
Legal publications		100.00
Temporary note interest		8,100.00
Bond printing		100.00
Engineering		10,000.00
Administration and supervision		300.96
Legal fees		<u>1,000.00</u>
Total	\$ -0-	154,092.00

The statement was considered by the governing body and on a motion by Commissioner Cousins, seconded by Commissioner Cart, and unanimously carried, the total cost of the improvement was determined by the governing body to be \$154,092.00.

ALLEY SURFACING PETITION (AL-71-55)

APPROVED

The City Clerk presented to the City Commission the written petition of Roy Freiburger and 10 others, proposing the grading and surfacing of the alley in Block 55, in the City of Concordia, Kansas. The Commission examined and considered the petition, after which it was moved by Commissioner Cousins, seconded by Commissioner Cart, and duly carried by the affirmative vote of two-thirds of the entire members-elect of the Commission that the following resolution be adopted:

RESOLUTION

Whereas, a petition was filed with the city clerk of the City of Concordia, Kansas, on the 23 day of August, 1971, proposing the following improvement: the grading and surfacing of the alley in Block 55, in the City of Concordia, Kansas, and whereas, this City Commission has carefully examined and duly considered said petition, and now finds that it states all of the matters required by law and particularly by subsection (2) of section 1 of chapter 86 of the Kansas legislative session laws of 1967, otherwise cited as K.S.A. 12-6a04, to be set forth in a petition, and contains a request that such improvement be made without the notice and hearing required by subsection (1) of section (1) of chapter 86 of the Kansas legislative session laws of 1967, otherwise cited as K.S.A. 12-6a04; and, whereas, this City Commission finds that said petition has been signed by (i) a majority of the resident owners of record of property liable for assessment under the proposal, who are also (ii) the owners of record of more than one-half of the area liable for assessment under the proposal; and, whereas, this City Commission has considered the question of whether or not the said improvement should be ordered at this time and has determin-d that it should be. Now, Therefore,

Be It Resolved, by this City Commission of said City of Concordia, Kansas, being the governing body thereof, that:

1. The petition described in the preamble to this resolution has been found and determined and is hereby declared to be sufficient.

MINUTES OF REGULAR COMMISSION MEETING HELD SEPTEMBER 1, 1971 (CONTINUED)

2. It has been found and determined and is hereby declared that: (a) it is advisable to make the alley improvement described in the preamble to this resolution; (b) the estimated or probable cost of such improvement is \$2,521.00; (c) the boundaries of the improvement district shall be the boundaries of the following area deemed by the City Commission to be benefitted by the improvement, namely, all of Block 55, in the City of Concordia, Kansas, (d) the method of assessment shall be to charge each of said lots with the following percentage of the improvement district's share of the cost:

<u>Property</u>	<u>Percent of Cost</u>
Lot 1 and E. 15' Lot 2	7.45%
W. 29' Lot 2 and E. 30' Lot 3	7.45
W. 14' Lot 3 and all Lot 4 and E. 1' Lot 5	7.45
W. 43' Lot 5 and E. 16' Lot 6	7.45
W. 28' Lot 6 and E. 33' Lot 7	7.71
W. 11' Lot 7 and all Lots 8 and 9	12.50
Lots 10 and 11	11.11
Lots 12 and 13	11.11
Lot 14 and W $\frac{1}{2}$ Lot 15	8.33
E $\frac{1}{2}$ Lot 15, all Lot 16 and W. 11' Lot 17	9.72
E. 33' Lot 17 and all Lot 18	9.72
	<u>100.00%</u>

and (e) the apportionment of cost between the improvement district and the city at large shall be 100% to be assessed against the improvement district and -0-% to be paid by the city at large.

3. And the improvement described in this resolution is hereby authorized and ordered to be made.

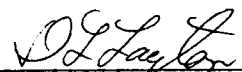
NOTICE OF INTERVENTIONAPPROVED

Motion was made by Commissioner Cousins, seconded by Commissioner Swiercinsky and carried by the affirmative vote of all the commissioners that the City of Concordia desires to intervene concerning action captioned: "STATE OF KANSAS ex. rel. v. ROCKWELL MANUFACTURING COMPANY, et al"., Civil Action No. 71-441 (G.H.B.)

APPROPRIATION ORDINANCE NO. 16-16APASSED

Appropriation Ordinance No. 16-16A was passed according to law.

There being no further business, motion was made by Commissioner Swiercinsky, seconded by Commissioner Cousins and carried that the Commission adjourn.


 D. L. Layton
 City Clerk

(Seal)

DLL:vs

The Commission met in regular session in the City Hall in the Commission Room at 4:00 o'clock p.m. on September 15, 1971. Mayor Swiercinsky presided with Commissioners Cousins and Cart present. Absent: None.

Other officers present: City Manager Brodbeck, City Attorney Buechel and City Clerk Layton.

Visitors present: Brad Lowell and Fred DeArmand.

Minutes of the previous meeting were approved.

ORDINANCE NO. 1817 (ANNEXATION)

PASSED

An ordinance entitled "AN ORDINANCE ENLARGING THE CORPORATE LIMITS OF THE CITY OF CONCORDIA, KANSAS, TO INCLUDE A PORTION OF THE NORTHEAST QUARTER (NE $\frac{1}{4}$) OF THE SOUTHEAST QUARTER (SE $\frac{1}{4}$) OF SECTION THIRTY-FOUR (34), TOWNSHIP FIVE (5) SOUTH, RANGE THREE (3) WEST OF THE 6TH PRINCIPAL MERIDIAN, IN CLOUD COUNTY, KANSAS" was read and considered by the Commission. On roll call upon it's passage, the following commissioners voted "Yea": Swiercinsky, Cart and Cousins. "Nay": None. All members-elect of the Commission having voted in favor thereof, the Ordinance was declared passed and the title agreed to and the city clerk assigned to it number 1817.

ASSESSMENT ROLL AND NOTICE OF HEARING (AL-71-90)

APPROVED

The City Clerk reported that the proposed assessment roll for the following improvement: the grading and surfacing of the alley in Block 90, in the City of Concordia, as authorized by a resolution of this governing body adopted July 7, 1971, had been prepared by the city manager and was on file in his office for public inspection.

On a motion by Commissioner Cart, seconded by Commissioner Cousins, and unanimously carried, this governing body determined to meet and consider the proposed assessments on the 6th day of October, 1971, and the City Clerk was directed to cause the following notice to be published in the Concordia Blade-Empire, the official city newspaper, at least once not less than ten days prior to the date of the meeting:

NOTICE OF HEARING ON PROPOSED ASSESSMENTS FOR
ALLEY IMPROVEMENTS

To all persons concerned:

The governing body of the City of Concordia, Kansas, will meet at 4:00 o'clock, p.m., on the 6th day of October, 1971, in the City Commission Room in the City Hall of said city to consider the proposed assessments for the following improvement: the grading and surfacing of the alley in Block 90, in the City of Concordia, Kansas, as authorized by a resolution of the governing body of said city adopted July 7, 1971. The total cost of such improvement is \$2,127.00. The extent of the improvement district proposed to be assessed is S. 50' of Lot 1, all of Lots 2 to 6, inclusive; the S. 44' of Lots 7, 8 and 9; the N $\frac{1}{2}$ of Lots 10, 11 and 12; and all of Lots 13 to 18, inclusive, in Block 90. Written or oral objections will be considered at the meeting and thereupon the amount of the assessments will be finally determined.

The proposed assessment roll is on file in my office for public inspection.

(Seal)

D. L. Layton, City Clerk

The city clerk was further instructed to mail, at about the same time such notice is published, to each owner of property made liable to pay an assessment, at such owner's last known post office address, a notice of the hearing and a statement of the cost proposed to be assessed.

CENTRAL TELEPHONE AND UTILITIES CORPORATION

FRANCHISE PROPOSAL

An ordinance granting Central Telephone & Utilities a franchise was read, discussed and ordered placed on the Agenda for the next regular commission meeting.

CITY EMPLOYEE BOND

VERNA SCOTT

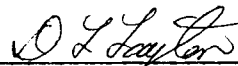
The City Clerk presented to the Commission for their consideration the bond for clerk-stenographer Verna Scott. Motion was made by Commissioner Swiercinsky, seconded by Commissioner Cart and carried that the bond be approved.

MINUTES OF REGULAR COMMISSION MEETING HELD SEPTEMBER 15, 1971 (CONTINUED)

APPROPRIATION ORDINANCE NO. 17PASSED

Appropriation Ordinance No. 17 was passed according to law.

There being no further business, motion was made by Commissioner Cousins, seconded by Commissioner Swiercinsky and carried that the Commission adjourn.



D. L. Layton
City Clerk

DLL:vs

(Seal)

MINUTES OF REGULAR COMMISSION MEETING HELD OCTOBER 6, 1971

The City Commission met in regular session in the City Hall in the City Commission Room at 4:00 o'clock p.m. on October 6, 1971. Mayor Swiercinsky presided with Commissioners Cousins and Cart present. Absent: None.

Other officers present: City Manager Brodbeck, City Attorney Buechel and City Clerk Layton.

Visitors present: Brad Lowell, Fred DeArmand, Gordon Sutton, Lewis Harding, Mr. and Mrs. R. L. Linton and Mrs. Ralph Minard.

Minutes of the previous Commission meeting were approved.

SPECIAL ASSESSMENTS(AL-71-90)

APPROVED

The mayor announced that one of the purposes of this meeting was to consider the proposed assessments, as set out in the assessment roll prepared by the city manager and on file in the office of the city clerk, for the following improvement: the grading and surfacing of the alley in Block 90, which is within the corporate limits of the city of Concordia, Kansas, as authorized by a resolution of this governing body adopted July 7, 1971, and to hear written or oral objections thereto. The governing body determined that notice of the hearing had been published and that notice of the hearing and a statement of the costs proposed to be assessed had been mailed to the owners of the property made liable to pay such assessments, all as provided by Section 9(b) of Chapter 99, of the Kansas legislative session laws of 1957, otherwise cited as K.S.A. 12-6a09(b).

Mr. and Mrs. R. L. Linton and Mrs. Bernice Minard were present with no objections to the project, only that they had not been properly informed.

After considering the proposed assessments, and hearing and passing upon all objections thereto, there being no amendments to the proposed assessments as to any parcel, the proposed assessments were unanimously approved by the governing body and the city attorney was directed to prepare an ordinance levying as special assessments the amounts set out against the lands described in the assessment roll as provided by K.S.A. 12-6a10, as amended.

ORDINANCE NUMBER 1818 (AL-71-90)

APPROVED

An ordinance entitled "AN ORDINANCE ASSESSING TO EACH LOT, PIECE AND PARCEL OF LAND LIABLE FOR SPECIAL ASSESSMENT THE AMOUNT TO BE PAID IN INSTALLMENTS FOR THE COST OF GRADING AND SURFACING THE ALLEY IN BLOCK 90, IN THE CITY OF CONCORDIA, KANSAS" was read and considered by the Commission. On roll call upon it's passage, the following commissioners voted "Yea": Swiercinsky, Cousins and Cart. "Nay": None. All members-elect of the Commission having voted in favor thereof, the ordinance was declared passed and the title agreed to and the City Clerk assigned to it number 1818.

CITY TREASURER AND LIBRARY TREASURER BONDS

APPROVED

The City Clerk presented to the City Commission for their consideration the bonds for City Treasurer John Whitney and City Library Treasurer Gene Johnson. Motion was made by Commissioner Cart, seconded by Commissioner Cousins and carried that the bonds be approved.

FLOOD WATER DAMAGE CLAIM

DENIED

The City Manager presented to the Commission for their consideration a water damage claim against the City in the amount of \$349.06 by Mrs. Illa Salughter, 1103 Hill Street. Mrs. Slaughter's basement was flooded on July 23, 1971. After a short discussion, motion was made by Commissioner Cart, seconded by Commissioner Cousins and unanimously carried that the claim be denied.

ANNEXATION REQUEST

DR. R. ROY NIXON

The City Manager presented to the Commission for their consideration a request by Dr. R. Roy Nixon for annexation of property west of the present city limits adjacent to the Lost Creek Hills Addition containing his home and approximately 2.14 acres.

The request was referred to the City Planning Commission for their consideration.

MINUTES OF REGULAR COMMISSION MEETING HELD OCTOBER 6, 1971 (CONTINUED)

FRANCHISE ORDINANCECENTRAL TELEPHONE & UTILITIES

Commissioner Deane Cousins introduced an ordinance granting to Central Telephone and Utilities Corporation a franchise for a period of twenty (20) years to use the streets, avenues, alleys and other public places in the city of Concordia, Kansas, for the purpose of constructing, maintaining and operating electric transmission and distribution facilities for the purpose of serving the city of Concordia, Kansas, and it's inhabitants with electricity for all purposes.

D. L. Layton, city clerk, read the proposed ordinance.

Mayor A. G. Swiercinsky stated that under the provisions of K.S.A. Section 12-824, that it is necessary to publish notice of a proposition to grant the franchise and that such notice must be given by publication for twenty (20) days in a newspaper in general circulation in the city.

Thereupon, Commissioner Don Cart introduced the following resolution:

BE IT RESOLVED THAT NOTICE OF THE proposition to grant a franchise to Central Telephone & Utilities Corporation shall be published in a newspaper in general circulation in the City of Concordia, Kansas, for a period of twenty (20) days, said notice to be in form as follows:

"NOTICE"

Notice is hereby given that the Governing Body of the City of Concordia, Kansas, proposes to pass an Ordinance granting a franchise to Central Telephone & Utilities Corporation, its successors and assigns, said franchise reading as follows:

"ORDINANCE NO. _____"

AN ORDINANCE granting to CENTRAL TELEPHONE & UTILITIES CORPORATION, a Kansas Corporation, its successors and assigns, the right to use and occupy the streets, avenues, alleys, bridges and public places of the City of Concordia, Kansas, for the purpose of constructing, maintaining and operating electric transmission and distribution facilities for the purpose of furnishing the City of Concordia, Kansas, and its inhabitants with electric energy for light, heat, power and other uses, and beyond the limits of said City, and prescribing the conditions thereof.

(Sections 1 to 10 shall appear in publication)

That the Governing Body intends to pass said franchise unless, within twenty (20) days from the first publication of this notice ten (10%) percent of the legal electors of the City of Concordia, Kansas, petition the Governing Body of Concordia, Kansas, to submit same to a vote of the electors of said City.

Dated at Concordia, Kansas, this 6th day of October, 1971.

Mayor

Attest:

City Clerk

Commissioner Cousins moved the adoption of the resolution. Motion was seconded by Commissioner Swiercinsky. Ayes: Swiercinsky, Cart and Cousins. "Nays": None.

SERVICE AWARDSTEN YEARS

Mayor A. G. Swiercinsky presented ten year service awards from the League of Kansas Municipalities to the following city employees:

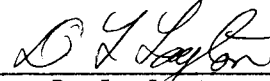
Elden Brown, Maintenance man
Jack Fisher, Fire Captain
Melvin Young, Water Meter Reader
D. L. Layton, City Clerk

APPROPRIATION ORDINANCE NO. 18-18A

PASSED

Appropriation Ordinance No. 18-18A was passed according to law.

There being no further business, motion was made by Commissioner Cart, seconded by Commissioner Swiercinsky and carried that the Commission adjourn until 10:00 o'clock a.m. October 12, 1971, to review bids for the City's 1971 Bond Issue.



D. L. Layton
City Clerk

DLL:vs

(Seal)

MINUTES OF THE ADJOURNED COMMISSION MEETING HELD OCTOBER 12, 1971.

The Commission met in adjourned session on October 12, 1971 at 10 o'clock a.m. in the City Commission Room in the City Hall. Mayor Swiercinsky presided with Commissioners Cousins and Cart present. Absent: None.

Other officers present: City Manager Brodbeck, City Attorney Buechel and City Clerk Layton.

Visitors present: Ward Hormel, John Peck, Gordon Huggerth, Austin Huscher, Charles Bouilly of First Securities Co., Wichita and Marshall Ballard of Beecroft, Cole and Co., Topeka.

Pursuant to published notices thereof, bids for the City's \$267,957.36 General Obligation Bonds, Series 1971-A, were received, opened and read by City Manager Brodbeck, which bids were as follows:

<u>BIDDER</u>	<u>NET INTEREST RATE</u>	<u>NET INTEREST COST</u>
Zahner & Co. Kansas City, Missouri	3.7210 %	\$ 54,549.00
First Securities Co. Wichita	3.9178	57,434.47
Beecroft, Cole & Co. Topeka	3.8131	55,899.35
City National Bank & Trust Co. Kansas City, Missouri	3.82309	56,044.96
Fourth National Bond & Trust Co., Wichita and Cloud County Bank, Concordia	3.86302	56,630.29
Stern Brothers & Co. Kansas City, Missouri	3.89755	57,136.44
Mid-Continent Municipal In- vestment, Inc., Wichita	3.9178	57,434.47
George K. Baum & Co. Kansas City, Missouri	3.924891	57,537.24
Commerce Bank of Kansas City, Kansas City, Missouri	3.94489	57,830.49
Davidson-Vink-Sadler, Inc. Wichita	3.999176	58,626.22

After consideration of the bids presented, it was determined that Zahner and Co. of Kansas City, Missouri, was the best bid on the bond issue. Motion was made by Commissioner Cousins, seconded by Commissioner Cart and carried that the following resolution be adopted.

"RESOLVED, That the bid of Zahner & Co. of Kansas City, Missouri, submitted to the City of Concordia, Kansas, on October 12, 1971 at 10:00 o'clock a.m. for the City's \$267,957.36 General Obligation Bonds, Series 1971-A, which bid is as follows:

"Average Total	\$54,564.28
Less Premium	15.28
Net Interest Cost	54,549.00
Net Interest Rate	3.7210

"Be It Therefore Resolved, That the above bid be accepted; that the successful bidder be notified of the acceptance of said bid; that the accompanying checks of all other bidders be returned to them; and that the Mayor and City Clerk be and they are hereby authorized, empowered and directed to do all things and execute all contracts and other documents necessary to complete the sale of said bonds to said successful bidder."

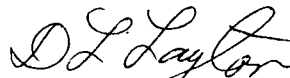
On roll call upon it's passage the following Commissioners voted "Yea": Swiercinsky, Cart and Cousins. "Nay": None. Motion carried.

ORDINANCE NO. 1819

PASSED

An Ordinance entitled "AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF THE GENERAL OBLIGATION BONDS OF THE CITY OF CONCORDIA, KANSAS, IN THE PRINCIPAL AMOUNT OF \$267,957.36, TO PAY THE COST OF SANITARY SEWER IMPROVEMENTS, WATER DISTRIBUTION IMPROVEMENTS, AND CERTAIN STREET AND ALLEY IMPROVEMENTS" was read and considered by the Commission. On roll call vote upon it's passage, the following Commissioners voted "Yea": Cousins, Cart and Swiercinsky. "Nay": None. All of the members-elect of the Commission present having voted in favor thereof, the ordinance was declared passed and the title agreed to, and the city clerk assigned to it number 1819.

There being no further business, motion was made by Commissioner Cousins, seconded by Commissioner Swiercinsky and carried that the meeting adjourn.



D. L. Layton
City Clerk

DLL:vs

(Seal)

MINUTES OF THE REGULAR COMMISSION MEETING HELD OCTOBER 20, 1971

The Commission met in regular session on October 20, 1971 in the City Hall in the City Commission Room at 4:00 o'clock p.m. Mayor Swiercinsky presided with Commissioners Cousins and Cart present. Absent: None.

Other officers present: City Attorney Buechel, City Clerk Layton.

Visitors present: Brad Lowell, Fred DeArmand, Kirby Vaughan, Evan Walker, Ed Pogue and Howard Ward.

Minutes of the previous meeting were approved.

FRANCHISE ORDINANCE (FIRST READING)

KANSAS POWER AND LIGHT COMPANY

Commissioner Cousins introduced an ordinance providing for the granting of a natural gas franchise to the Kansas Power and Light Company, and moved that same be placed on first reading. The said motion was seconded by Commissioner Cart and carried by unanimous vote of the entire commission. The proposed ordinance was read in full by the city clerk and considered by sections and ordered placed on second reading at the next regular commission meeting.

ORDINANCE NO. _____

AN ORDINANCE, granting to THE KANSAN POWER AND LIGHT CO., a Kansas Corporation, it's successors and assigns, a natural gas franchise, prescribing the terms thereof and relating thereto, and repealing all ordinances on parts of ordinances inconsistent with or conflicting with the terms thereof.

EMPLOYEE RESIGNATION

CITY MANAGER LELAND K. BRODBECK

Mayor A. G. Swiercinsky read the following letter of resignation:

"Mayor and Members of the City Commission
City of Concordia
Concordia, Kansas 66901

October 20, 1971"

Gentlemen:

Please accept this letter as my resignation from the position of city manager of the City of Concordia. I have enjoyed my relationship with the City and have had the pleasure of being blessed with many fine employees. I would like to thank them for making my job much easier, but most of all I would like to thank the people of this community. Concordia is blessed with an abundance of fine people and to serve them has been a pleasure.

Thank you for the opportunity to be associated with the city and I wish you success in finding a qualified replacement.

Sincerely yours,

/s/ Leland K. Brodbeck
City Manager

LB:vs"

Motion was made by Commissioner Cousins, seconded by Commissioner Cart and carried by unanimous vote of the entire commission that the resignation be accepted.

ACTING CITY MANAGER

JACK BURNS

Motion was made by Commissioner Cousins, seconded by Commissioner Cart and carried that the Department of Public Works Supervisor Jack Burns be appointed acting city manager to serve until a new manager was appointed.

DOG AND CAT LEASH LAW REQUEST

KIRBY VAUGHN

Mr. Kirby Vaughn and Mr. Evan Walker were present to visit with the Commission concerning dog problems in their vicinities. Mr. Vaughn would like to have a leash law passed for dogs and cats, and he volunteered to help in any way possible to see that it be enacted. After a short discussion, the mayor advised Mr. Vaughn and Mr. Walker that his request would receive careful consideration.

REPORTS

The following reports were received and ordered placed on file:

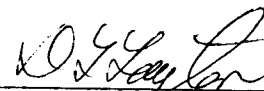
Cash and Budget Analysis Reports.

APPROPRIATION ORDINANCE NO. 19

PASSED

Appropriation Ordinance No. 19 was passed according to law.

There being no further business, motion was made by Mayor Swiercinsky, seconded by Commissioner Cart and carried that the Commission adjourn to 9:00 o'clock a.m. October 21, to examine bids on two trucks and one police car.



D. L. Layton
City Clerk

DLL:vs

(Seal)

MINUTES OF THE ADJOURNED MEETING HELD OCTOBER 21, 1971

The Commission met in adjourned session on October 21, 1971 at 9:00 o'clock a.m. in the Commission Room in the City Hall. Mayor Swiercinsky presided with Commissioners Cart and Cousins present. Absent: None.

Other officers present: Acting City Manager Jack Burns and City Clerk Layton.

Visitors present: None.

TRUCK AND CAR BIDS


RECEIVED

The City Clerk presented to the Commissioners for their consideration the following bids:

<u>Company</u>	<u>1/2 Ton Truck</u>	<u>2-Ton Truck</u>	<u>Police Car</u>
Noll Motor Company	\$ 2,694.00	\$ 2,384.00	\$ 2,396.40
Babe Houser Chev., Inc.	2,658.96	2,668.43	2,319.85
Cloud County Truck & Tractor (IHC)	2,549.00	2,887.00	-0-
Midway Motors (Pontiac-Buic)	2,714.00	3,167.00	-0-

After a lengthy discussion, the Commission directed the city clerk to notify Babe Houser Chevrolet, Inc. that their bid was accepted as low bid on the two ton truck and the police car, and to notify Cloud County Truck & Tractor, Inc. that their bid on a half ton pickup was too high for the amount budgeted and that their bid was rejected.

There being no further business, motion was made by Mayor Swiercinsky and seconded by Commissioner Cart and carried that the Commission adjourn.



D. L. Layton
City Clerk

(Seal)

DLL:v s

The City Commission met in regular session in the City Hall in the City Commission Room at 4:00 o'clock p.m. on November 3, 1971. Mayor Swiercinsky presided with Commissioners Cart and Cousins present. Absent: None.

Other officers present: Acting City Manager Burns, City Attorney Buechel and City Clerk Layton.

Visitors present: Fred DeArmand, Brad Lowell, Gordon Sutton and Lewis Harding of Western Power Division of Central Telephone & Utilities Corp. and Howard Ward of Kansas Power and Light Company.

Minutes of the previous meeting were approved as read.

ORDINANCE NO. 1820 (AL-71-55)

PASSED

An ordinance entitled "AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF \$2,521.00 OF THE TEMPORARY NOTES OF THE CITY OF CONCORDIA, KANSAS, TO PROVIDE FUNDS TO PAY THE COST OF GRADING AND SURFACING THE ALLEY IN BLOCK 55, IN THE CITY OF CONCORDIA, KANSAS, THE COST OF WHICH WILL ULTIMATELY BE PAID BY THE ISSUANCE OF BONDS OF SAID CITY" was read and considered by the Commission. On roll call upon it's passage, the following Commissioners voted "Yea": Swiercinsky, Cousins and Cart. "Nay": None. All members-elect of the commission having voted in favor thereof, the ordinance was declared passed and the title agreed to and the city clerk assigned to it number 1820.

ORDINANCE NO. 1821 (AL-71-90)

PASSED

An ordinance entitled "AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF \$2,521.00 OF THE TEMPORARY NOTES OF THE CITY OF CONCORDIA, KANSAS, TO PROVIDE FUNDS TO PAY THE COST OF GRADING AND SURFACING THE ALLEY IN BLOCK 90, IN THE CITY OF CONCORDIA, KANSAS, THE COST OF WHICH WILL ULTIMATELY BE PAID BY THE ISSUANCE OF BONDS OF SAID CITY" was read and considered by the Commission. On roll call upon it's passage, the following Commissioners voted "Yea": Swiercinsky, Cousins and Cart. "Nay": None. All members-elect of the commission having voted in favor thereof, the ordinance was declared passed and the title agreed to and the city clerk assigned to it number 1821.

ORDINANCE NO. 1822 (ELECTRIC FRANCHISE)

PASSED

An ordinance entitled "AN ORDINANCE GRANTING TO CENTRAL TELEPHONE & UTILITIES CORPORATION, A KANSAS CORPORATION, ITS SUCCESSORS AND ASSIGNS, THE RIGHT TO USE AND OCCUPY THE STREETS, AVENUES, ALLEYS, BRIDGES AND PUBLIC PLACES OF THE CITY OF CONCORDIA, KANSAS, FOR THE PURPOSE OF ERECTING, CONSTRUCTING AND MAINTAINING AND OPERATING ELECTRIC TRANSMISSION AND DISTRIBUTION FACILITIES FOR THE PURPOSE OF FURNISHING THE CITY OF CONCORDIA, KANSAS, AND ITS INHABITANTS WITH ELECTRIC ENERGY FOR LIGHT, HEAT, POWER AND OTHER USES, AND BEYOND THE LIMITS OF SAID CITY, AND PRESCRIBING THE CONDITIONS THEREOF" was read and considered by section by the Commission. On roll call upon it's passage, the following commissioners voted "Yea": Swiercinsky, Cousins and Cart. "Nay": None. All members-elect of the commission having voted in favor thereof, the ordinance was declared passed and the title agreed to and the city clerk assigned to it number 1822.

REVISED CEMETERY PLAT

APPROVED

The city clerk presented to the commissioners for their consideration a revised plat of Pleasant Hill Cemetery. The Plat had been previously examined and signed by the City Planning Commission and had been recommended to the City Commission for their consideration. After a short discussion, motion was made by Commissioner Court, seconded by Commissioner Cousins and carried by a unanimous vote that the plat be approved.

PLANNING COMMISSION RE-APPOINTMENTS

SAWIN AND SIS

Motion was made by Commissioner Swiercinsky, seconded by Commissioner Cousins and carried that the appointment of Gail Sawin and Bob Sis to serve three more years on the City Planning Commission.

FRANCHISE ORDINANCE (SECOND READING)

KANSAS POWER & LIGHT CO.

An ordinance granting to the Kansas Power and Light Co., a natural gas franchise, was read in full on second reading by the city clerk and placed on third reading for the next regular city commission meeting.

APPROPRIATION ORDINANCE NO. 20-20A

PASSED

Appropriation ordinance No. 20-20A was passed according to law.

There being no further business, motion was made by Commissioner Swiercinsky, seconded by Commissioner Cart and carried that the Commission adjourn.

NGA

MINUTES OF REGULAR COMMISSION MEETING HELD NOVEMBER 17, 1971

The Commission met in regular session on November 17, 1971, in the City Commission Room in the City Hall at 4:00 o'clock p.m. Mayor Swiercinsky presided with Commissioners Cart and Cousins present.

Other officers present: Acting City Manager Burns, City Attorney Buechel and City Clerk Layton.

Visitors present: Brad Lowell, Fred DeArmand, Ralph Campbell, Keith Chambers, Jerry Joler, Howard Ward, Leon Gennette, Ron Deal, Leland Perry, Marion Collins and John Schmitz.

Minutes of the previous meeting were approved.

ORDINANCE NO. 1823 (KANSAS POWER & LIGHT COMPANY FRANCHISE)APPROVED

An ordinance entitled "AN ORDINANCE, GRANTING TO THE KANSAS POWER AND LIGHT COMPANY, A KANSAS CORPORATION, ITS SUCCESSORS AND ASSIGNS, A NATURAL GAS FRANCHISE, PRESCRIBING THE TERMS THEREOF AND RELATING THERETO, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT WITH OR CONFLICTING WITH THE TERMS THEREOF" was read and considered by sections by the Commission. On roll call upon it's passage, the following commissioners voted "Yea": Swiercinsky, Cart and Cousins. "Nay": None. All members-elect of the commission having voted in favor thereof, the ordinance was declared passed and the title agreed to and the city clerk assigned to it number 1823.

ORDINANCE NO. 1824 (DR. R. ROY NIXON ANNEXATION)APPROVED

An ordinance entitled "AN ORDINANCE ENLARGING THE CORPORATE LIMITS OF THE CITY OF CONCORDIA, KANSAS, TO INCLUDE A TRACT OF LAND IN THE FRACTIONAL NORTHEAST QUARTER (NE¼) AND FRACTIONAL NORTHWEST QUARTER (NW¼) OF SECTION FIVE (5), TOWNSHIP SIX (6) SOUTH, RANGE THREE (3) WEST OF THE SIXTH PRINCIPAL MERIDIAN, IN CLOUD COUNTY, KANSAS" was read and considered by sections by the Commission. On roll call upon it's passage, the following commissioners voted "Yea": Swiercinsky, Cart and Cousins. "Nay": None. All members-elect of the commission having voted in favor thereof, the ordinance was declared passed and the title agreed to and the city clerk assigned to it number 1824.

TEMPORARY NOTE RESOLUTION (AL-71-90)APPROVED

On a motion by Commissioner Cousins, seconded by Commissioner Cart, and duly carried, the following resolution was adopted:

RESOLUTION

Whereas, Ordinance No. 1821 of the city of Concordia, Kansas, which became effective November 5, 1971, authorized the issuance of \$2,521.00, of the temporary notes of said city to pay the cost of grading and surfacing the alley in Block 90, in the City of Concordia, Kansas, and, whereas, said notes are to be issued from time to time as the progress of the work requires and when authorized by resolution of the governing body of said city; and, whereas, no note has heretofore been authorized or issued pursuant to said ordinance; and, whereas, costs in the sum of \$2,008.74 have been incurred according to approved vouchers and estimates on file:

NOW, THEREFORE, Be It Resolved, That a temporary note as authorized by Ordinance No. 1821 be issued, dated December 1, 1971, bearing interest at the rate of 5½% per annum, to mature on or before the 30th day of November, 1975, in the principal amount of \$2,008.74, to be numbered 1, and to be designated Alley Improvement Temporary Note, Series 1971-A.

MUNICIPAL JUDGE APPOINTEDJOHN WILCOX

Acting City Manager Jack Burns advised the Commission that he had accepted the resignation of Municipal Judge Roger Viets and had received and accepted the application of John Wilcox for Municipal Judge.

EMPLOYEE BONDACCEPTED

The City Clerk presented the bond for Municipal Judge John Wilcox to the Commission for their consideration. Motion was made by Commissioner Cart, seconded by Commissioner Cousins and carried that the bond be approved.

VISITING CITIZENS

Several citizens were present with Mr. Leland Perry as spokesman to inquire into the resignation of former city manager Leland Brodbeck. After a short discussion, Mayor Swiercinsky advised the visitors that Mr. Brodbeck had requested all inquiries about his resignation be referred to him personally.

JOHN SCHMITZ

ALLEY IN BLOCK 39

Mr. John Schmitz was present to visit with the commission and city attorney about the vacation of the alley in Block 39. Mr. Schmitz was advised by city attorney William Buechel that the request for the alley vacation had been drawn.

REPORTS

The following reports were received and ordered placed on file: Budget and Cash Analyses, Police, Fire, Public Works Reports and the following investment report.

<u>Fund</u>	<u>Invested Principal</u>	<u>5% Interest</u>
General	\$25,000.00	\$ 312.50
Firemens Pension	25,000.00	312.50
Fire Equipment Reserve	20,000.00	250.00
Library Construction Fund	20,000.00	250.00
Airport Revolving	5,000.00	62.50
KPERS(Retirement)	5,000.00	62.50
Tree Control	4,000.00	50.00
Parking Meter	3,000.00	37.50
Social Security	2,000.00	25.00
TOTAL	\$109,000.00	\$1,362.50

APPROPRIATION ORDINANCE NO. 21

PASSED

Appropriation Ordinance No. 21 was passed according to law.

There being no further business, motion was made by Commissioner Swiercinsky, seconded by Commissioner Cart and carried that the Commission adjourn.


D. L. Layton
City Clerk

DLL:vs

(Seal)

MINUTES OF THE REGULAR COMMISSION MEETING HELD DECEMBER 1, 1971

The Commission met in regular session in the City Hall on December 1, 1971 at 4:00 o'clock p.m. in the City Commission Room. Mayor Swiercinsky presided with Commissioners Cart and Cousins present. Absent: None.

Other officers present: Acting City Manager Burns, City Attorney Buechel and City Clerk Layton.

Visitors present: Fred DeArmand.

Minutes of the previous meeting were approved.

The City Clerk read a letter from the Chamber of Commerce which expressed appreciation for hanging the Christmas decorations and lights by the city crews.

REPORTS


The following reports were received and ordered placed on file:

Street, Park, Cemetery, Airport and Police and Fire.

APPROPRIATION ORDINANCE NO. 22-22APASSED

Appropriation Ordinance #22-22A was passed according to law.

There being no further business, motion was made by Commissioner Cart, seconded by Commissioner Swiercinsky and carried that the Commission adjourn.



D. L. Layton
City Clerk

DLL:vs

(Seal)

The Commission met in regular session in the City Hall on December 15, 1971, in the city commission room at 4:00 o'clock p.m. Mayor Swiercinsky presided with Commissioners Cart and Cousins present. Absent: None.

Other officers present: Acting City Manager Burns, City Attorney Buechel, and City Clerk Layton.

Visitors present: Brad Lowell, Blade-Empire; Fred DeArmand, The Kansan; Gordon Sutton and Lewis Harding.

Minutes of the previous meeting were approved.

ORDINANCE NO. 1825 (NEW WATER RATES) PASSED

An ordinance entitled "AN ORDINANCE PERTAINING TO THE WATER SYSTEM OF THE CITY OF CONCORDIA, KANSAS, ESTABLISHING WATER RATES, AMENDING SECTION 26-47(a) OF THE CONCORDIA CODE, BEING SECTION 3 OF ORDINANCE NO. 1759, AMENDING SECTION 26-48(1) OF THE CONCORDIA CODE, BEING SECTION 1 OF ORDINANCE NO. 1759, AND REPEALING SAID ORIGINAL SECTIONS" was read and considered by the Commission. On roll call upon it's passage, the following commissioners voted "Yea": Swiercinsky, Cousins and Cart. "Nay": None. All members-elect of the commission having voted in favor thereof, the ordinance was declared passed and the title agreed to and the city clerk assigned to it number 1825.

ORDINANCE NO. 1826 (MINIMUM SALARY) PASSED

An ordinance entitled "AN ORDINANCE PERTAINING TO CITY GOVERNMENT, AND SALARIES AND COMPENSATION OF CITY OFFICERS AND EMPLOYEES, FIXING CERTAIN MINIMUM SALARIES, AMENDING SECTIONS 1, 2, 3, 4 and 5 OF ORDINANCE NO. 1525, AND REPEALING SAID ORIGINAL SECTIONS" was read and considered by the Commission. On roll call upon it's passage, the following commissioners voted "Yea": Swiercinsky, Cousins and Cart. "Nay": None. All members-elect of the commission having voted in favor thereof, the ordinance was declared passed and the title agreed to and the city clerk assigned to it number 1826.

SALARY RESOLUTION APPROVED

Motion was made by Commissioner Swiercinsky, seconded by Commissioner Cart and carried that the following resolution be approved:

RESOLUTION

Be It Resolved by this, the governing body of the City of Concordia, Kansas, that the following classification and salary schedule covering the compensation for all officers and employees of the City of Concordia, Kansas, is hereby approved, to be effective January 1, 1972:

PAYMENT OF SALARIES

Section 1. The following classification and salary schedule shall govern compensation to be paid all officers and employees of the city. Prior approval of the City Commission for the proper payment of salaries and wages authorized is not deemed necessary so long as the schedule is followed without change. Changes of the schedule can be only by resolution adopted by the governing body of the City.

CLASSIFICATION AND SALARY PER FOUR-WEEK SCHEDULE

CLASSIFIED

EMPLOYEES

<u>Class</u>	<u>Salary</u>
Dispatcher	300-320-340-360-380-400
Cashier, Secretary	320-340-360-380-400-420
General Maintenance Man	360-380-400-420-440-460
Equipment Operator, Plant Operator, Meter Reader	400-420-440-460-480-500
Police and Fire Officer	440-460-480-500-520-540
Police and Fire Lieutenant	500-520-540-560-580-600
Director of Services	510-530-570-590-610-630
Foreman	510-530-550-570-590-610
Captain	560-580-600-620-640-660

MINUTES OF DECEMBER 15, 1971, REGULAR COMMISSION MEETING (CONTINUED)

OFFICERS

<u>Class</u>	<u>Salary</u>
Director of Public Grounds, Police-Fire Chief, City Clerk	670-695-720-745-770-795
Director of Public Works	685-710-735-760-785-810

UNCLASSIFIED

<u>Position</u>	<u>Range</u>
City Commissioners	\$ 8.00 Monthly
*City Attorney	\$300.00 Monthly
Assistant City Attorney	\$150.00 Monthly
Municipal Judge	\$120.00 Monthly
City Treasurer	\$ 50.00 Monthly
City Manager	\$1,000.00 Monthly
Part-time	\$1.00-\$2.00 per hour

*(Provided, however, that the City Attorney shall receive in addition to the monthly salary such compensation as shall be reasonable and just for preparing bond issues and representing the city in civil actions in court).

ORDINANCE NO. 1827 (3½% FRANCHISE CENTRAL TELEPHONE & UTILITIES CORP.)PASSED

An ordinance entitled "AN ORDINANCE IMPOSING A THREE AND ONE-HALF PER CENT (3½%) FRANCHISE TAX UNDER FRANCHISE ORDINANCE NO. 1822 WITH CENTRAL TELEPHONE & UTILITIES CORPORATION" was read and considered by the Commission. On roll call upon it's passage, the following commissioners voted "Yea": Swiercinsky, cousins and cart. "Nay": None. All members-elect of the Commission having voted in favor thereof, the ordinance was declared passed and the title agreed to and the city clerk assigned to it number 1827.

Mr. Gordon Sutton and Mr. Lewis Harding were present to bring the Commission up to date on the work to be done on improvement of the lighting system in the City of Concordia brought about by the passage of Ordinance No. 1827 which would finance the new lighting system.

STORM WATER DAMAGE CLAIMAPPROVED

City Attorney Buechel recommended to the commission that a previous claim from Mrs. Illa M. Slaughter for storm damage in the amount of \$349.06 be allowed. Motion was made By Commissioner Cart, seconded by Commissioner Cousins and carried that the above claim be approved.

REPORTS

The following reports were received and ordered placed on file: Finance, Park, Police and Public Works.

COMMISSIONER RESIGNATIONDEANE H. COUSINS

Mayor Swiercinsky read the following letter:

"December 14, 1971

"Mayor Jake Swiercinsky,
Commissioner Don Cart,

Gentlemen:

As I am moving from Concordia on January 1, 1972 I submit my resignation from the City Commission on December 31, 1971.

It has been a pleasure to have worked with you gentlemen on the City Commission. I leave Concordia wishing you and the city the best ever.

Sincerely yours,

/s/ Deane H. Cousins"

Motion was made by Commissioner Cart, seconded by Commissioner Swiercinsky and

NEW CITY MANAGER

DARREL W. KREIGHBAUM

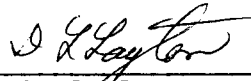
Mayor Swiercinsky announced that the Commission had hired a city manager. Mr. Darrel W. Kreighbaum was hired and he will assume his duties with the city January 15, 1972.

APPROPRIATION ORDINANCE NO. 23

PASSED

Appropriation Ordinance Number 23 was passed according to law.

There being no further business, motion was made by Commissioner Swiercinsky, seconded by Commissioner Cart and carried that the Commission adjourn to 1 o'clock p.m. on December 29, 1971 for the final year-end meeting.



D. L. Layton
City Clerk

DLL:vs
(Seal)

MINUTES OF THE ADJOURNED MEETING HELD DECEMBER 29, 1971

The Commission met in adjourned session at the City Hall in the City Commission Room at 1 o'clock p.m. on December 29, 1971. Mayor Swiercinsky presided with Commissioner Cousins and Cart present. Absent: None.

Other officers present: Acting city manager Jack Burns, City Attorney Buechel and City Clerk Layton.

Visitors present: Brad Lowell, Fred DeArmand, Wynn Phipps and Leon Gennette.

Minutes of the previous meeting were approved.

CITY BOUNDARY ORDINANCE NO. 1828 APPROVED

An ordinance entitled "AN ORDINANCE DEFINING THE CORPORATE LIMITS OF THE CITY OF CONCORDIA" was read and considered by the Commission. On roll call upon it's passage, the following commissioners voted "Yea": Swiercinsky, Cousins and Cart. "Nay": None. All members-elect of the Commission having voted in favor thereof, the ordinance was declared passed and the title agreed to and the city clerk assigned to it number 1828.

COMPREHENSIVE ZONING ORDINANCE #1829 ADOPTED

An ordinance entitled "AN ORDINANCE ADOPTING BY REFERENCE A COMPREHENSIVE ZONING ORDINANCE IN CODE FORM; SAID CODE BEING DATED DECEMBER 29, 1971; SAID ORDINANCE PERTAINING TO THE REGULATION AND RESTRICTION OF THE USE OF LANDS WITHIN THE CITY OF CONCORDIA, KANSAS; THE USE AND LOCATION OF BUILDINGS AND OTHER STRUCTURES; REGULATING AND RESTRICTING THE DIMENSIONS OF BUILDINGS AND OTHER STRUCTURES; DETERMINING THE AREA OF YARDS AND SET-BACK, AS DEFINED THEREIN; REGULATING THE DIMENSION AND LOCATION OF SIGNS; REGULATING AND RESTRICTING THE DENSITY OF POPULATION; PROVIDING FOR AND REGULATING VEHICLE PARKING; DIVIDING THE CITY OF CONCORDIA INTO DISTRICTS OR ZONES TO ACCOMPLISH SAID ZONING; ADOPTING, BY REFERENCE, A MAP OF THE CITY SHOWING BOUNDARIES AND CLASSIFICATIONS OF SAID DISTRICTS; DEFINING CERTAIN TERMS USED IN SAID CODE: ESTABLISHING A BOARD OF ZONING APPEALS, AND PRESCRIBING ITS DUTIES; PROVIDING FOR THE APPOINTMENT OF ADMINISTRATIVE OFFICIALS, AND PRESCRIBING THEIR DUTIES; PRESCRIBING FEES TO BE CHARGED UNDER SAID CODE: PROVIDING FOR THE REGULATION AND REVIEW OF PLANNED DEVELOPMENTS AS DEFINED IN SAID CODE; ESTABLISHING THE MEANS FOR CHANGING OR AMENDING SAID CODE, MAP AND ORDINANCE: AND PROVIDING FOR PENALTIES FOR THE VIOLATION OF ITS PROVISIONS, AND MEANS OF ENFORCEMENT" was read and considered by the Commission. On roll call upon its passage, the following commissioners voted "Yea": Swiercinsky, Cousins and Cart. "Nay": None. All members-elect of the Commission having voted in favor thereof, the ordinance was declared passed and the title agreed to and the city clerk assigned to it number 1829.

ANNUAL LICENSES APPROVED

The City Clerk presented to the Commission for their consideration the following license applications:

<u>Owner-Operator</u>	<u>License</u>
Isaac Cooley dba Broadway Lounge	Class B Beer
Douglas Swihart dba Moose Lodge	"
Milton Chilcott dba Milt's Recreation	"
" " " "	3 Pool tables
Clyde Lewis dba The Smoker	5 " " , 1 amusement machine
" " " "	Class B Beer
Floyd Day dba Elk's Club	" "
Leo Householter dba VFW Club 588	1 music machine, 1 pool table
" " " "	Class B Beer
Knights of Columbus	"
L. G. Blaydes dba American Legion Club 76	"
" " " "	1 music machine
Paul Fees dba Windy's Tavern	Class B Beer
" " " "	1 music machine
Loren Mauch dba L.J.'s	Class B Beer
Avalee Cherney dba Avalee's Lounge	"
Chris Black dba The Roost	"
Chris Burnett dba Burnett's Cafe	Class A Beer
Buena Reed dba Cedar Street Market	"
Dale Tholstrup dba Dale's Service	"
Robert J. Joyner dba Ron's Bait & Tackle	"
Elmer Dicke dba West Side Market	"
Archie Willoughby dba Archie's Grocery	"

<u>Owner-Operator</u>	<u>License</u>
Isaac Cooley dba Kountry Kitchen	1 music machine
Isaac Cooley dba Avalee's Lounge	1 Music machine, 2 amusement
Isaac Cooley dba Broadway Lounge	1 music, 2 amusement machines
Dick Loveland	Gas inspector, sewer plumber
Marvin Strong dba Co-op Service Assoc.	Gas inspector
Kenneth E. Whitney dba Clark & Whitney Plumbing & Heating	Gas inspector, sewer plumber
Francis Demanette	Gas inspector
Isadore Bombardier dba Izzy's Plumbing & Htg.	Gas inspector, sewer plumber
Joe Erickson dba NCK Building Center	Gas inspector, sewer plumber
James Huff dba Jewell Plbg. & htg.	" " " "
Richard Culbertson	Gas inspector
Vernon Nelson dba Swede's TV & Appliance	Gas inspector, sewer plumber
Jerrold Olssen dba Jerry's Electric	" " " "
Marvin McDaniel dba McDaniel Plbg. & Htg.	" " " "
Lynn Goodwin dba Goodwin Plbg. & Htg.	" " " "
Donald McDaniel dba McDonald Plbg. & Htg.	" " " "
Clyde S. Gile	" " " "
LeRoy Kerner dba Kerner Iron & Metal	Junk dealer
Lloyd R. Bergman dba Bergman Studio	Photographer
Wayne Switzer dba Switzer Studio	"
Allan Huff dba H & H Taxi	Taxicab
Chester Saunders dba Yellow Cab	"
L. W. Davis dba Lesters Sweet Shop	1 music, 2 amusement machines
Harlan Woods dba West Side Inn	1 music, 1 amusement machine
Theo. A. Tiller dba Ted's Music Co.	2 music, 3 amusement machines and 2 pool tables
Lloyd Koerber dba Skateland	Roller rink
Jones-Presnell Studios, Inc.	Photographer
Kendall Martin dba Kendall's Camera Shop	"
Jack B. Nimble Portraits	"
Shugart Studios Inc.	"
Tyron Carlson dba Ty & Rick's Tiny Tee	Miniature golf
Gerald Danielson dba Hillcrest Lanes	Bowling alley, 3 pool tables
Bill Derowitsch dba Derowitsch Construction	Sewer plumber

BIDS APPROVED

GASOLINE AND INSURANCE

The City Clerk presented to the Commission for their consideration the following bids for 1972 gasoline and diesel fuel:

1972
GASOLINE BIDS

<u>COMPANY</u>	<u>REGULAR</u>	<u>ETHYL</u>	<u>DIESEL FUEL</u> <u>#2</u>	<u>AVIATION #80</u>	<u>AVIATION #100</u>
Walthers Oil Co.	.1343	.1543	.1150		
C.C.Evans, Standard Oil	.1375	.1600	.1197		
Co-op Service Assoc.	.1330	.1580	.1168	.2260	.2510

The Commission found that Walthers Oil Co. was apparent low bidder on regular and ethyl gasoline and diesel fuel. The aviation gas bid went to Co-op Service Association and the city clerk was directed to notify the low bidders.

The bid for insurance on city vehicles was approved on Kalivoda Insurance Company's low bid of \$1,523.00

ANNUAL BUDGET ORDINANCE FOR 1972

PASSED

Section 1. That there is hereby appropriated the amounts set forth in the following section of the ordinance for the operation of the respective funds and activities of the City of Concordia, Kansas, during the fiscal year of 1972 in accordance with the adopted budget approved August 11, 1971.

Section 2.

<u>FUND</u>	<u>BUDGET</u>
General Operating	293,506.00
Library	19,000.00
Band	3,000.00
Airport Maintenance	16,350.00
Firemens Pension	30,650.00

MINUTES OF THE ADJOURNED MEETING HELD DECEMBER 29, 1971 (CONTINUED)

Social Security	32,400.00
Recreation	11,560.00
Industrial	4,870.00
Fire Equipment Reserve	4,800.00
Tree Control	10,320.00
Retirement	30,240.00
Noxious Weed	3,810.00
Bond and Interest	151,000.00
Parking Meter	25,434.00
Special Highway	57,620.00
Library Construction	37,990.00
Water & Sewer Utility	<u>234,665.00</u>
TOTAL ALL FUNDS	\$967,215.00

Section 3. This Ordinance will take effect from and after its passage.

Motion was made by Commissioner Cart, Seconded by Commissioner Swiercinsky and carried by the affirmative vote of the entire members-elect of the Commission that the ordinance be approved.

YEAR END AMBULANCE RECEIPTS AND CHARGE-OFFSAPPROVED

The City Clerk presented to the Commission for their consideration an account of the City Ambulance Service:

TOTAL CHARGES	\$6,475.50
Receipts	3,869.60
Accounts Receivable	2,106.50
Charge-offs	499.40

Motion was made by Commissioner Cart, seconded by Commissioner Cousins and carried that the above transaction be approved.

STREET VACATIONREFERRED TO PLANNING COMMISSION

The City Attorney advised the Commission that a vacation of the south 15 feet of the street along the north side of Block 39 be made per City Engineer Ralph E. Campbell to help the construction of a new 24 unit Town House. This street vacation would allow this construction company to comply with the new zoning ordinance. After a short discussion the Commission referred this matter to the Planning Commission.

NEW COMMISSIONER APPOINTEDMR. WYNN PHIPPS

Mayor Swiercinsky announced the appointment of Mr. Wynn Phipps as city commissioner to fill the unexpired term of Commissioner Deane Cousins, until the next city election.

LEON GENNETTE

Chamber of Commerce secretary Leon Gennette, was present to express his appreciation to the City for its continued help all year long and especially during the City's "Centennial Celebration" this summer.

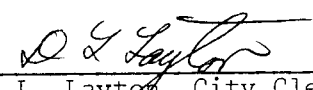
REPORTS

The following reports were received and ordered placed on file: Park, Police & Public Works Reports.

APPROPRIATION ORDINANCE NO. 24PASSED

Appropriation Ordinance No. 24 was passed according to law.

There being no further business, motion was made by Commissioner Swiercinsky, seconded by Commissioner Cart and carried that the Commission adjourn.


D. L. Layton, City Clerk