

The City Commission met in regular session on January 3, 1979 in the City Commission Room in the City Hall at 4:00 o'clock p.m. Mayor Doyen presided with Commissioners Humes and Dunshie present. Absent: None.

Other officers present: City Manager Klein and City Clerk Ash.

Visitors present: Brad Lowell, Fred DeArmond, and Phil Detrixhe.

CHANGE ORDER NO. 3 (SEWAGE TREATMENT PLANT)

APPROVED

City Manager Klein presented to the Commissioners a change order on the BRB Construction Company contract for the sewage treatment plant which encompassed seven minor revisions from the original plans and specifications. The total amount of this change order is \$3,334.00 all of which has been verbally approved for funding by EPA. The city's share of costs of this change order will be \$833.50. No additional contract time is allowed by reason of this change order. After brief discussion a motion was made by Commissioner Humes, seconded by Commissioner Dunshie and duly carried by the affirmative vote of the entire members-elect of the commission to approve change order No. 3 for the sewage treatment plant.

CHANGE ORDER NO. 4 (INTERCEPTER SEWER LINE)

APPROVED

The City Manager presented to the Commissioners a change order on the Walter's Construction Company contract for the interceptor sewer line construction for the replacement of an existing manhole which was found during construction to be structurally unsound. EPA has verbally approved on this change order and the change order is contingent upon final approval. The cost of the change order is \$1,343.00 of which the local share will be \$335.75. After brief discussion a motion was made by Commissioner Doyen, seconded by Commissioner Dunshie, and duly carried by the affirmative vote of the entire members-elect of the commission that change order No. 4 for the Interceptor Sewer Line be approved.

CONSIDERATION OF BIDS (U.S. 81 VIADUCT REPAIRS)

APPROVED

The City Manager presented to the Commission an acceptance of bid form provided by the Kansas Department of Transportation for the City's acceptance of a bid of \$105,903.25 by the Prairies States Construction Company of Wichita Kansas for repairs of the U.S. 81 Viaduct and the intersection of U.S. 81 and K-9. The City's share of total costs of the bid plus administrative and engineering costs would be \$12,178.87. After brief discussion, motion was made by Commissioner Doyen, seconded by Commissioner Dunshie and duly carried by the affirmative vote of the entire members-elect of the commission that the bid for the U.S. 81 viaduct repairs and the city's share of this project be approved.

SURITY BOND (CLERK OF MUNICIPAL COURT)

APPROVED

The City Manager presented to the Commission an Official's Surity Bond of \$1,000 for the Clerk of Municipal Court, Alta Worley. He stated under section 2-45 of the code, the City Attorney was to approve the bond as to form, and the commission was to approve the sufficiency of the bond. A motion was made by Commissioner Humes, seconded by Commissioner Dunshie and duly carried by the affirmative vote of the members-elect of the commission that the Surity Bond be approved for sufficiency.

CORPORATE RESOLUTION (COMMUNITY DEVELOPMENT BLOCK MONEY DEPOSITORY)

APPROVED

The City Manager presented to the Commission a corporate resolution, furnished by the First Bank and Trust of Concordia, Kansas, which establishes it as a depository for the Community Development Block Grant Funds. In addition the resolution established those personnel of the city authorized to draw upon these funds. Motion was made by Commissioner Doyen, seconded by Commissioner Humes and duly carried that the Corporate Resolution be approved.

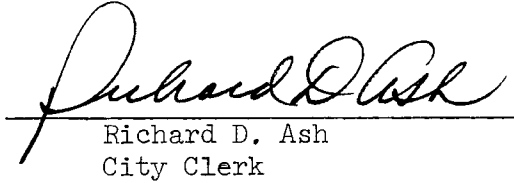
STUDY SESSION

DATE SET

The City Manager and the Commissioners established Monday, January 8, 1979, 12:15 p.m. as a study session.

MINUTES OF THE REGULAR COMMISSION MEETING HELD JANUARY 3, 1979 (CONTINUED)

There being no further business a motion was made by Commissioner Doyen, seconded by Commissioner Humes and duly carried that the commission adjourn until the next regular commission meeting.


Richard D. Ash
City Clerk

(Seal)

RDA:kh

The City Commission met in regular session on January 17, 1979 in the City Commission Room in the City Hall at 4:00 O'Clock p.m. Mayor Doyen presided with Commissioners Humes and Dunshie present. Absent: None.

Other officers present: City Manager Klein, City Attorney Retter, and City Clerk Ash.

Visitors present: Brad Lowell and Fred DeArmond.

Minutes of the December 29, 1978 and January 3, 1979, commission meetings were approved as written.

DECEMBER FINANCIAL REPORTS

PLACED ON FILE

The City Clerk presented the December financial reports which were ordered placed on file.

1978 INVESTMENT REPORTS

The City Manager presented to the commission the 4th quarterly report of all 1978 investments as follows:

"Ordinance 1860 requires the city manager to submit a quarterly report covering the investment program for the fiscal year to date.

Investment interest received from October 1 through December 31, 1978 as follows:

<u>Amount</u>	<u>Fund</u>	<u>Date Due</u>	<u>Interest Rate</u>	<u>Interest Received</u>	<u>Original Term</u>
\$418,000.00	Miscellaneous	10-6-78	5	\$3,820.78	Passbook
31,300.00	Miscellaneous	10-12-78	5.25	137.24	Passbook
51,500.00	Parking Meter	10-18-78	7.188	925.45	90 Days
35,000.00	Miscellaneous	10-20-78	7.695	224.40	30 Days
35,000.00	Miscellaneous	10-20-78	7.695	221.36	30 Days
140,000.00	Miscellaneous	11-7-78	5	571.11	Passbook
31,300.00	Miscellaneous	11-12-78	5.25	137.24	Passbook
50,000.00	Miscellaneous	11-24-78	8.209	342.04	30 Days
50,000.00	Miscellaneous	11-29-78	8.209	382.34	34 Days
12,000.00	Fed. Rev. Sharing	12-11-78	5	119.26	Passbook
31,300.00	Miscellaneous	12-12-78	5.25	137.24	Passbook
50,000.00	Miscellaneous	12-13-78	5	13.69	Passbook
60,000.00	Water & Sewer	12-28-78	5	659.13	Passbook
13,385.00	Miscellaneous	12-29-78	5.25	176.84	Passbook
13,385.00	Miscellaneous	12-29-78	5.25	176.83	Passbook
17,915.50	Cemetery Endow.	12-31-78	7.5	339.08	4 Year
17,915.50	Cemetery Endow.	12-31-78	7.5	339.08	4 Year

TOTAL INTEREST - FOURTH QUARTER	\$8,723.11
TOTAL INTEREST - THIRD QUARTER	3,968.69
TOTAL INTEREST - SECOND QUARTER	5,646.12
TOTAL INTEREST - FIRST QUARTER	2,639.47
INTEREST REC'D IN 1978 FROM 1977 INVESTMENTS	81.89

TOTAL INTEREST RECEIVED	\$21,059.28
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/s/ Respectfully submitted, Harold W. Klein, City Manager"

CURRENT INVESTMENT REPORT

PLACED ON FILE

The City Manager presented to the Commission a Report of current investments as of December 31, 1978.

MINUTES OF THE REGULAR COMMISSION MEETING HELD ON JANUARY 17, 1979 (CONTINUED)

"Current Investments of the Idle Funds of the City of Concordia:

<u>Amount</u>	<u>Fund</u>	<u>Due Date</u>	<u>Interest Rate</u>	<u>Bank</u>	<u>Original Term</u>
Certificates of Deposit					
\$50,000.00	Miscellaneous	1-11-79	8.984	Fidelity State Bank	30 Days
38,200.00	Parking Meter	1-18-79	8.256	Cloud County Bank	90 Days
20,000.00	Federal Rev. Sharing	3-10-79	8.984	Cloud County Bank	90 Days
17,915.50	Cemetery Endowment	3-29-79	7.5	Peoples Savings & Loan	4 Year
17,915.50	Cemetery Endowment	3-29-79	7.5	First Federal Savings & Loan	4 Year
Passbook Savings					
31,300.00	Miscellaneous	--	5.25	Railroad Savings & Loan	
13,385.00	Miscellaneous	--	5.25	Peoples Savings & Loan	
13,385.00	Miscellaneous	--	5.25	First Federal Savings & Loan	

\$202,101.00

/s/ Harold W. Klein Richard D. Ash Verna Scott
 City Manager City Clerk City Treasurer"

APPROPRIATION ORDINANCE NO. 1 PASSED

Appropriation Ordinance No. 1 was passed according to law.

ORDINANCE NO. 2126 (ESTABLISHING NEW DUE DATES) PASSED

An Ordinance entitled, "AN ORDINANCE PERTAINING TO BILLING FOR WATER USAGE, SEWER SERVICE AND LANDFILL UTILIZATION, AND REPEALING EXISTING SECTION 26-50 OF THE CONCORDIA CODE, AND ADDING A SECTION TO THE CONCORDIA CODE TO BE NUMBERED 26-50", was read and considered by the commission. On roll call upon its passage, the following commissioners voted "Yea": Doyen, Humes and Dunshie. "Nay": None. With the entire 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 No. 2126.

ORDINANCE NO. 2127 (CHANGING DELINQUENT CHARGE) PASSED

An Ordinance entitled, "AN ORDINANCE PROVIDING PENALTY FOR NON PAYMENT OF WATER BILLS, SEWER SERVICE CHARGES OR LANDFILL UTILIZATION CHARGES, ADDING A SECTION TO THE CONCORDIA CODE TO BE NO. 26-51, AND REPEALING EXISTING SECTION 26-51 OF THE CONCORDIA CODE," was read and considered by the commission. On roll call upon its passage, the following commissioners voted "Yea": Doyen, Humes and Dunshie. "Nay": None. With the entire members-elect of the commission having voted in favor thereof, the ordinance was declared passed the title agreed to and the city clerk assigned to it No. 2127.

RESOLUTION NO. 546 (ESTABLISH A CITIZEN ADVISORY COMMITTEE FOR CDBG PROGRAM) PASSED

The City Manager presented to the commission a resolution establishing a Citizens Advisory Committee for the primary purpose of advising the city, relative to development and implementation of its Community Development Block Grant Program. Membership of the advisory committee will be flexible with 6 to 12 persons representing various segments of the community. A motion was made by commissioner Doyen, seconded by commissioner Dunshie, and duly carried by the affirmative vote of the entire members-elect of the commission that Resolution No. 546 be adopted.

AWARD OF BID (SLUDGE HAULING VEHICLE)

The City Manager presented to the commissioners the following sludge vehicle bids received at 2:00 o'clock p.m. January 10, 1978:

<u>BIDDER</u>	<u>AMOUNT</u>
IME	\$57,611.00
Lely Southwest	55,977.00
Rickel Manufacturing	49,675.00
Reimer Ford-Lincoln	50,908.00

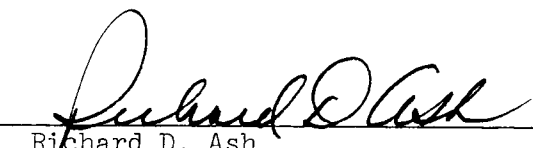
The City Manager explained that this was a specialized piece of equipment designed for land application of sludge removed from the city's new secondary sewage treatment plant. The lowest responsible bidder was Reimer Ford of McPherson Kansas in the amount of \$50,908.00. Rickel Manufacturing Corporation submitted a lower bid (\$49,675.00), but the unit bid did not meet the specifications. Therefore the consulting engineers recommended the award to Reimer Ford subject to EPA and state approval. All bids were below the engineers estimate. A motion was made by commissioner Dunshie, seconded by commissioner Doyen and duly carried by the affirmative vote of the entire members-elect of the commission that the sludge hauling vehicle bid be awarded to Reimer Ford and Lincoln, of McPherson Kansas in the amount of \$50,908.00.

STUDY SESSION

DATE SET

The City Manager and the commissioners agreed upon Thursday, January 25, 1979, at 12:15 p.m. as a study session.

There being no further business, a motion was made by commissioner Doyen, seconded by commissioner Dunshie and duly carried that the commission adjourn until the next regular commission meeting.



Richard D. Ash
City Clerk

(Seal)

RDA:kh

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MINUTES OF THE SPECIAL COMMISSION MEETING HELD JANUARY 29, 1979

The City Commission met in a special session at 11:00 o'clock a.m., January 29, 1979 in the City Commission Room in the City Hall. Mayor Doyen presided with commissioner Humes present. Absent: commissioner Dunshie.

Other officers present: City Attorney Retter and City Clerk Ash.

Visitors present: Fred DeArmond, Christine Tylor, and Wendell Wilson.

Mayor Doyen requested the call for special city commission meeting be entered at length in the official record.

"CALL FOR SPECIAL CITY COMMISSION MEETING
City of Concordia, Kansas

TO THE BOARD OF COMMISSIONERS:

A special meeting of the Board of Commissioners is hereby called to be held as follows:

Place: City Commission Room, City Hall, Concordia, Kansas

Date: January 29, 1979

Time: 11:00 a.m.

The object of said meeting will be as follows:

Consideration of the appointment of an acting City Manager to fill the vacancy created by the death of Harold W. Klein, January 28, 1979.

Dated this 29th day of January, 1979.

/s/ Lee W. Doyen
Mayor

/s/ Betty Humes
Commissioner

WAIVER OF NOTICE OF SPECIAL CITY COMMISSION MEETING
City OF Concordia, Kansas

We, the undersigned, who are all of the members of the City Commission of the City of Concordia, Kansas, being the governing body thereof, hereby agree that a special meeting of said governing body shall be held in the city commission room, City Hall, Concordia, Kansas, at 11:00 o'clock a.m., on January 29, 1979, for the following purpose:

Consideration of the appointment of an acting City Manager to fill the vacancy created by the death of Harold W. Klein, January 28, 1979.

We hereby waive all other notice of the time, place and purpose of such meeting, and fully consent to such meeting.

Dated this 29th day of January, 1979.

/s/ Lee W. Doyen
Lee W. Doyen

Fred Dunshie

/s/ Betty Humes
Betty Humes

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APPOINTMENT OF ACTING CITY MANAGER

RICHARD D. ASH

Mayor Doyen stated that with the death of City Manager Harold Klein, the commission was meeting to consider the appointment of an Acting City Manager to fill the vacancy created by the death. After brief discussion, a motion was made by commissioner Doyen, seconded by Commissioner Humes, and duly carried by the affirmative of two-thirds of the entire members elect of the commission that City Clerk Richard D. Ash be appointed Acting City Manager during the interim period necessary to recruit, interview, and appoint a new city manager. Further, a motion was made by commissioner Doyen, seconded by commissioner Humes, and duly carried by the affirmative vote of two-thirds of the entire members elect of the commission that Richard D. Ash serve in the capacity of acting city manager and city clerk until such time an Acting City Clerk can be appointed.

There being no further business a motion was made by commissioner Doyen, seconded by commissioner Humes and duly carried that the commission adjourn until the next regular commission meeting.

Richard D. Ash
Richard D. Ash
City Clerk

(seal)

RDA:kh

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MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD FEBRUARY 7, 1979

The City Commission met in regular session on February 7, 1979 in the City Commission Room in the City Hall at 4:00 o'clock p.m. Mayor Lee W. Doyen presided. Commissioners Humes and Dunshie were absent.

Other officers present: Acting City Manager Richard Ash, City Attorney David Retter, City Engineer Ralph Campbell, City Police Dennis Rohr and acting City Clerk D.L. Layton.

Visitors present: Wilbur Naylor and newly appointed Director of the Concordia Community Development Block Grant Program, Loren Medley.

NO QUORUM

Mayor Doyen announced that due to the lack of a quorum, the meeting would be adjourned.

The mayor noted that a meeting was scheduled for February 9, 1979 at 1 p.m. with city bankers.



D. L. Layton
Acting City Clerk

DLL:kh

(Seal)

The City Commission met in regular session on February 21, 1979 at 4:00 o'clock p.m. in the City Commission Room in the City Hall. Mayor Doyen presided with Commissioners Humes and Dunshie present. Absent: None.

Other officers present: City Attorney Retter, Police Chief Rohr and City Clerk Layton.

Visitors present: Wilbur Naylor and Charles Bouilly.

Minutes of the January 17 and February 7, 1979 meetings were approved as written.

REPORTS

RECEIVED

The January 1979 finance reports were received and ordered placed on file.

ORDINANCE NO. 2128 (ALLEY OPENING)

PASSED

An ordinance entitled "AN ORDINANCE OPENING AN ALLEY IN ACCORDANCE WITH K.S.A. (WEEKS) 14-423 RUNNING BETWEEN FIRST AVENUE AND WILLOW STREET, IN BLOCK SIX (6), IN GAYLORD AND MATTHEWS ADDITION, ALL IN THE CITY OF CONCORDIA, CLOUD COUNTY, KANSAS" was read and considered by the Commission. On roll call upon it's passage, the following commissioners voted "Yea": Dunshie, Doyen and Humes. "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 2128.

ORDINANCE NO. 2129 (PERSONNEL REGULATIONS)

PASSED

An ordinance entitled "AN ORDINANCE ESTABLISHING UNIFORM PERSONNEL RULES AND REGULATIONS FOR EMPLOYEES OF THE CITY OF CONCORDIA, AND INCORPORATING BY REFERENCE THE DOCUMENT ENTITLED "UNIFORM PERSONNEL RULES AND REGULATIONS FOR THE CITY OF CONCORDIA", REPEALING EXISTING SECTION 2-33 OF THE CONCORDIA CODE, AND ADDING A SECTION TO THE CONCORDIA CODE, TO BE NUMBERED 2-33" WAS read and considered by the Commission. On roll call upon it's passage, the following commissioners voted "Yea": Dunshie, Doyen and Humes. "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 2129.

REVENUE BOND UNDERWRITING

FIRST SECURITIES CO. OF WICHITA

Following a brief discussion, motion was made by Commissioner Doyen, seconded by Commissioner Humes and duly carried by the affirmative vote of the entire Commission-elect to approve the First Securities Co. of Wichita proposal for underwriting the marketing of the City's Water and Sewer Revenue Bond issue in the amount of \$700,000.00.

Charles Bouilly of said company was present to visit with the Commission about the City's share of the construction costs of the new Secondary Treatment Plant. Mr. Bouilly said that the company agrees to waive the financial consultant fee in exchange for the negotiated agreement and that the interest rate for the bonds to the City by the company would be 6.54915%. The Bonds will be dated April 1, 1979 and will be retired in 1999.

ORDINANCE NO. 2130 (\$700,000 WATER AND SEWER REVENUE BOND ISSUE)

PASSED

An ordinance entitled "AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF WATER AND SEWAGE SYSTEM REVENUE BONDS OF THE CITY OF CONCORDIA, KANSAS, IN THE PRINCIPAL SUM OF \$700,000.00, FOR THE PURPOSE OF PAYING THE COSTS OF EXTENSIONS, ENLARGEMENTS AND IMPROVEMENTS TO ITS WATER AND SEWAGE SYSTEM; PRESCRIBING THE FORM AND DETAILS OF SAID REVENUE BONDS, PROVIDING FOR THE COLLECTION, SEGREGATION AND APPLICATION OF THE REVENUES OF SAID WATER AND SEWAGE SYSTEM FOR THE PURPOSES AUTHORIZED BY LAW, AND MAKING CERTAIN COVENANTS AND AGREEMENTS WITH RESPECT THERETO" was read and considered by the Commission. On roll call upon its passage, the following Commissioners voted "Yea": Humes, Dunshie and Doyen. "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 2130.

RESOLUTION NO. 547 (EPA GRANT SIGNATURE)

APPROVED

Acting City Manager Richard D. Ash, presented to the Commission a resolution authorizing Mayor Lee W. Doyen to execute and file applications on behalf of the City of Concordia, Kansas with the Environmental Protection Agency of the United States Government for the grant in aid construction of wastewater treatment facilities and interceptor sewers. The Commissioners examined and considered the resolution, after which it was moved by Commissioner Humes, seconded by Commissioner Dunshie and duly carried by the affirmative vote of the entire members-elect of the Commission that Resolution No. 547 be adopted.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD FEBRUARY 21, 1979 (CONTINUED)

BID AWARDS

HALF-TON TRUCK

The following bids were received on a Water and Sewer Department utility bed one-half ton truck:

Midway Motors, Inc.	with trade-in	\$7,800.00
Babe Houser Chev-Olds-Cad	with trade-in	7,660.34
	less trade-in	7,860.34

Motion was made by Commissioner Doyen, seconded by Commissioner Dunshie and carried by unanimous vote to accept the Babe Houser Chevrolet, Inc. bid less trade-in for \$7,860.34. It was decided to keep the proposed trade-in truck for the animal control truck.

Park Department one-half ton truck bids were as follows:

Midway Motors, GMC one-half ton truck	\$5,876.72
Babe Houser Chevrolet, Inc.	5,925.00

Motion was made by Commissioner Doyen, seconded by Commissioner Dunshie and carried by unanimous vote to accept the Midway Motor Co. bid. The exact amount of the bids were not available at this meeting.

FINAL COSTS (ST-78-17TH/ARCHER)

APPROVED

The city manager presented to the governing body the following itemized statement of the actual cost of the surfacing of Archer Street between the south side of Sixteenth Street and the south side of Seventeenth Street and the surfacing, curbing and guttering of Seventeenth Street between the east side of Spruce Street and the west side of Archer Street in said city, as authorized and ordered done by a resolution of the governing body adopted March 15, 1978:

<u>Project</u>	<u>Property Assessment</u>	<u>City at Large</u>
Construction costs	\$ 20,398.57	\$ 4,477.73
Legal	\$ 410.00	\$ 90.00
Publications	\$ 61.50	\$ 13.50
Engineering	\$ 713.40	\$ 156.60
Administration	\$ 1,082.40	\$ 237.60
Interim Financing	\$ 1,115.20	\$ 244.80
Total	\$ 23,781.07	\$ 5,220.23

The statement was considered by the governing body and on a motion by Commissioner Dunshie, seconded by Commissioner Doyen, and unanimously carried, the total cost of the improvement was determined by the governing body to be \$29,001.30. The city manager had determined the assessments against each lot, piece or parcel of land deemed to be benefited in the manner set forth in the said resolution of the governing body adopted March 15, 1978, and had caused to be prepared and filed with the city clerk an assessment roll according to the method of assessment set out in the said resolution. On a motion by Commissioner Dunshie, seconded by Commissioner Doyen, and unanimously carried, this governing body determined to meet and consider the proposed assessments on the 7th day of March, 1979, and the City Clerk was directed to cause a notice to be published in the Concordia Blade-Empire, the official city newspaper, as required by law, at least once not less than ten days prior to the date of the meeting. 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.

CONSULTANT AGREEMENT (JACK BURNS)

APPROVED

Motion was made by Commissioner Humes, seconded by Commissioner Doyen and carried by unanimous vote to approve a consultation agreement between the City of Concordia, Kansas, and retired Public Works Director Jack Burns. This agreement employs Mr. Burns in a consulting role as an independent contractor in an advisory capacity to render service to the City when needed.

APPOINTMENTS

APPROVED

Motion was made by Commissioner Doyen, seconded by Commissioner Dunshie and

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD FEBRUARY 21, 1979 (CONTINUED)

Planning Commission

Seth Dixon for unexpired term of Jana Liggett to expire November 1, 1979.

Board of Zoning Appeals

Howard Ward re-appointed for 3 years to January 19, 1982
 Burton Gerard appointed to 3 year term to January 19, 1982
 Arley Bryant, Planning Commission member to
 fill unexpired term of Jana Liggett to January 19, 1981

Recreation Commission

Larry Uri, Rotary appointment additional 4 years to January 31, 1983.

Concordia Citizen Advisory Committee
 (For the Community Block Grant Program)

<u>Recommendation</u>	<u>Term</u>	<u>Term Expiration</u>	<u>Comment</u>
Boyd Dochow	3 Yrs	2-1-82	Commission on Aging
Dorothy Ostrom	1 Yr	2-1-80	Housing Authority
Barbara Ryals	3 Yrs	2-1-82	NSA #1 position
Leon Gennette	3 Yrs	2-1-82	NSA #2 position
Stefan Carlgran	1 Yr	2-1-80	At large position
Merle Magaw	2 Yr	2-1-81	At large position (AARP)
Elaine Florea	2 Yr	2-1-81	At large position
Ethel Henthorne	2 Yr	2-1-81	At large position

Plus a member of the City Commission to be appointed after the next election.

SURETY BONDS (CITY EMPLOYEES)APPROVED

Motion was made by Commissioner Doyen, seconded by Commissioner Humes and carried by unanimous vote to accept the following Surety Bonds, previously approved by City Attorney Retter:

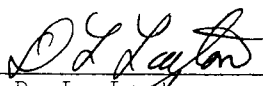
Richard D. Ash, Acting City Manager	\$ 5,000 Bond
D. L. Layton, Acting City Clerk	10,000 Bond
Linda Davenport, Orvetta Maloney and Retta Waite, Municipal Court Clerks	1,000 Bonds

PIPELINE LICENSE FEE (SANTA FE RAILROAD)APPROVED

Motion was made by Commissioner Humes, seconded by Commissioner Dunshie and carried by unanimous vote of the entire members-elect of the Commission to approve Pipeline License with the Atchison, Topeka and Santa Fe Railway Co. This license for which the city agrees to pay \$150.00 is for a sanitary sewer construction line to be installed across Santa Fe's right-of-way.

ADJUDICATORY SESSION12:15 P.M. MARCH 1, 1979

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


 D. L. Layton
 Acting City Clerk

Deal)

L:kh

MINUTES OF THE REGULAR COMMISSION MEETING HELD MARCH 7, 1979

The City Commission met in regular session on March 7, 1979 at 4:00 o'clock p.m. in the City Commission Room in the City Hall. Mayor Doyen presided with Commissioners Humes and Dunshie present. Absent: None.

Other officers present: Acting City Manager Ash, Acting City Clerk Layton, Police Chief Rohr and City Attorney Retter.

Visitors present: Father Loren Werth and Wilbur Naylor.

Minutes of the previous meeting were approved as written.

ASSESSMENT ROLL HEARING (ST-78-17th/ARCHER)

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 surfacing of Archer Street between the south side of Sixteenth Street and the south side of Seventeenth Street and the surfacing, curbing and guttering of Seventeenth Street between the east side of Spruce Street and the west side of Archer Street in the city of Concordia, Kansas which is within the corporate limits of the city of Concordia, Kansas, as authorized by a resolution of this governing body adopted March 15, 1978, 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).

There were no owners or interested persons present.

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. 2131 (ST-78-17th/ARCHER)

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 THE SURFACING OF ARCHER STREET BETWEEN THE SOUTH SIDE OF SIXTEENTH STREET AND THE SOUTH SIDE OF SEVENTEENTH STREET AND THE SURFACING, CURBING AND GUTTERING OF SEVENTEENTH STREET BETWEEN THE EAST SIDE OF SPRUCE STREET AND THE WEST SIDE OF ARCHER STREET 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": Humes, Doyen and Dunshie. "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 2131.

RESOLUTION NO. 548 (WESTERN POWER CONTRACT)

APPROVED

Acting City Manager Ash presented to the Commission a resolution authorizing Mayor Doyen and the City Clerk to execute on behalf of the City of Concordia two contracts with Western Power Division of Central Telephone and Utilities Corporation concerning ten year contracts for providing electrical service for street lighting and water pumping systems. The Commission examined and considered the resolution, after which it was moved by Commissioner Dunshie, seconded by Commissioner Humes and duly carried by the affirmative vote of the entire members-elect of the Commission that Resolution No. 548 be adopted.

APPROPRIATION ORDINANCE NO. 4-4A

PASSED

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

CITIZEN ADVISORY COMMITTEE

APPOINTEES APPROVED

Motion was made by Commissioner Humes, seconded by Commissioner Doyen and carried by unanimous vote to add the following appointees to the newly appointed Citizen Advisory Committee: Mr. Bill Bryant, 1 year term expiring February 1, 1980 and Mr. Norman Sicard, 2 year term expiring February 1, 1981.

MINUTES OF THE REGULAR COMMISSION MEETING HELD MARCH 7, 1979 (CONTINUED)GAS INSPECTOR AND SEWER PLUMBER BONDSARDELL REUTZEL

Motion was made by Commissioner Humes, seconded by Commissioner Dunshie and carried by unanimous vote to approve the following license application:

Gas Inspector and Sewer Plumber, bonds and license - Ardell Reutzel

PARK DEPARTMENT VEHICLE BIDPREVIOUSLY APPROVED

The following bids, as shown in the regular February 21, 1979 meeting minutes had not been presented, the bids however had been approved for the lowest amount as follows:

Midway Motors, ½-Ton Pickup	\$5,876.72
Babe Houser Motors, ½-Ton Pickup	5,925.00

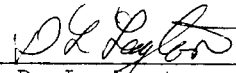
Midway Motors apparent low bid was approved.

ARCHER STREET SURFACINGFATHER LOREN WERTH

Father Loren Werth of the Catholic Church was present to visit with the Commission about surfacing Archer Street between 17th and 18th Streets. The Catholic Cemetery entrance is on the intersections of 18th and Archer. The Church would be willing to pay a share if the street could be curbed and guttered and surfaced. City Attorney Retter advised Father Werth that streets were petitioned in and paid for by the owners of adjacent property. The cemetery would be just beyond the assessment district, but the City would determine the ownership and get back into contact with him if something could be worked out. Mayor Doyen said that in the meantime the City would rock and gravel the surface.

STUDY SESSIONTHURSDAY, MARCH 15, 12:15 P.M.

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



D. L. Layton
Acting City Clerk

(Seal)

DLL:vs

The City Commission met in regular session on March 21, 1979 at 4:00 p.m. in the city commission room in the City Hall. Mayor Doyen presided with Commissioner Humes present. Absent: Commissioner Dunshie.

Other officers present: Acting City Manager Ash, City Attorney Retter, Utility Director Wheaton and acting city clerk Layton.

Visitors present: Pearl E. Smith, Harriett L. Huber, Bernard Adam, C. L. McDaniel, Wilbut Naylor, Fred DeArmond and Chris Tyler.

Minutes of the March 7, 1979 meeting were approved as written.

SANITARY SEWER PETITION (SS-78-4 INDUSTRIAL PARK)

TABLED

Acting city Manager Ash presented to the commission a petition for a Sanitary Sewer in the 1900 block East 7th St. Mr. Bernard Adam and Charles McDaniel were present to question assessments against their properties which are across the street from the Industrial Park. After a short discussion, motion was made by Commissioner Doyen, seconded by Commissioner Humes and carried to table the petition until all parties could get together to discuss the project further. The Sewer District establishment was also tabled.

ORDINANCE NO. 2132 (INDUSTRIAL COST RECOVERY)

PASSED

An ordinance entitled "AN ORDINANCE PROVIDING FOR INDUSTRIAL COST RECOVERY BY THE CITY OF CONCORDIA IN CONNECTION WITH THE IMPROVEMENTS TO THE WASTEWATER TREATMENT WORKS CONSTRUCTION PROJECT, EPA NO. C200-518-05" was read and considered by the Commission. On roll call upon its passage, the following commissioners voted "Yea": Doyen and Humes. "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 2132.

ORDINANCE NO. 2133 (SEWER USAGE REGULATION)

PASSED

An ordinance entitled "AN ORDINANCE REGULATING THE USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS, PRIVATE WASTEWATER DISPOSAL, THE INSTALLATION AND CONNECTION OF BUILDING SEWERS, THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC WASTEWATER COLLECTION SYSTEM(S), REGULATIONS PERTAINING TO NEW AND/OR EXPANSION OF INDUSTRIAL USERS; USER CHARGES: AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF IN THE CITY OF CONCORDIA, COUNTY OF CLOUD, STATE OF KANSAS." was read and considered by the commission. On roll call upon its passage, the following commissioners voted "Yea": Doyen and Humes. "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 2133.

ORDINANCE NO. 2134 (REPEAL SECTION 26-4)

PASSED

An ordinance entitled "AN ORDINANCE REPEALING CONCORDIA CODE SECTION 26-4, PERTAINING TO PROVISION OF WATER OR SEWER SERVICE FOR PROPERTY LOCATED OUTSIDE THE CITY LIMITS." was read and considered by the Commission. On roll call upon its passage, the following commissioners voted "Yea": Doyen and Humes. "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 2134.

REPORTS

The city finance reports were received and ordered placed on file.

APPROPRIATION ORDINANCE NO. 5

PASSED

Appropriation ordinance No. 5 was passed according to law.

BIDS RECEIVED (SS-78-2, SS-78-3)

APPROVED

The following bids were received at 2:00 p.m. March 20, 1979 for the Sanitary Sewer Projects SS-78-2 and SS-78-3:

	TOTAL COSTS	
	<u>SS-78-2</u>	<u>SS-78-3</u>
Derowitsch Plumbing, Belleville	\$11,925.00	\$8,605.00
Hennes Plumbing, Beloit	12,948.20	8,757.86
City Engineers estimate	12,658.00	9,495.00

MINUTES OF THE REGULAR COMMISSION MEETING HELD MARCH 21, 1979 (CONTINUED)

After a short discussion, motion was made by Commissioner Doyen, seconded by Commissioner Humes and carried by unanimous vote of members present to accept the bids of Derowitsch Plumbing of Belleville, Kansas, as the apparent low bids.

CLAIM AGAINST CITYPEARL E. SMITH

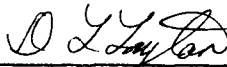
Pearl E. Smith 312 W. 15th, was present to present to the commission a claim for damages at her home when the sanitary sewer backed up into her basement. The city crews responded immediately to her call for help, and aided in the cleanup of her basement, but the electric motor on her furnace was damaged beyond repair. Her total bill of \$158.96 for a new motor and labor was signed and presented to the city clerk. Mayor Doyen assured Mrs. Smith that prompt action would be taken and she would be notified soon of their decision.

WATER BILLING COMPLAINTHARRIETT L. HUBER

Mrs. Harriett L. Huber was present to visit with the commission concerning the new city water and sewer bills. Mrs. Huber felt that she was being charged for an extra month. After a lengthy discussion, Mayor Doyen asked Mrs. Huber to visit with acting City Manager Ash and City Attorney Retter following the commission meeting.

STUDY SESSIONMARCH 29, 1979, 12:15 O'clock

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



D. L. Layton
Acting City Clerk

(Seal)

DLL:kh

The City Commission met in regular session on April 4, 1979, in the city commission room at 4 o'clock p.m. Mayor Doyen presided with Commissioners Humes and Dunshie present. Absent: None.

Other officers present: Acting City Manager Ash, City attorney Retter, Acting City Clerk Layton, Police Chief Rohr and Police officer Rodney Lowell.

Visitors present: Chris Tyler, Fred DeArmond and Wilbur Naylor.

Minutes of the previous meeting of March 21, 1979 were asked to be changed by Mayor Doyen on bids by Derowitsch to \$11,925.00 & Hennes bid to \$12,948.20 both on SS-78-2 Sanitary Sewer.

PETITION (SS-78-4)

TABLED

A petition for the extension of a 10 inch sanitary sewer to the new Industrial Park and property owned by Bernard Adam and Charles McDaniel in the 1900 block East 7th street was tabled pending sufficient signatures. Motion was made by Commissioner Dunshie, seconded by Commissioner Doyen and carried by unanimous vote to postpone creating a sewer district in this area until the commissions meeting at noon on Thursday April 12, 1979.

APPROPRIATION ORDINANCE No. 6-6A

PASSED

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

ORDINANCE NO. 2135 (PUBLIC PARK DAMAGES)

PASSED

An ordinance entitled "AN ORDINANCE PERTAINING TO THE OPERATION OF MOTOR VEHICLES IN THE PUBLIC PARKS OF THE CITY OF CONCORDIA, KANSAS, AND AMENDING THE CONCORDIA CODE BY ADDING A SECTION, TO BE NUMBERED 17-10. BE IT ORDAINED, BY THE GOVERNING BODY OF THE CITY OF CONCORDIA." was read and considered by the Commission. On roll call upon its passage, the following commissioners voted "Yea": Dunshie, Humes and Doyen. "Nay": None. All of the members-elect having voted in favor thereof, the ordinance was declared passed and the title agreed to and the City Clerk assigned to it number 2135.

ORDINANCE NO. 2136 (PARK SHRUBBERY)

PASSED

An ordinance entitled "AN ORDINANCE PERTAINING TO CUTTING, PULLING, INJURING OR REMOVING FLOWERS, SHRUBS OR TREES IN ANY PUBLIC PARK IN THE CITY OF CONCORDIA, KANSAS." was read and considered by the Commission. On roll call upon its passage, the following commissioners voted "Yea": Dunshie, Humes and Doyen. "Nay": None. All of the members-elect having voted in favor thereof, the ordinance was declared passed and the titled agreed to and the City Clerk assigned to it number 2136.

CABLECOM SERVICE ORDINANCE

TABLED

An ordinance concerning Cablecom Television Service to Hospitals was tabled until May 16, 1979, by the Commission in a delaying action until after the arrival of the new city manager.

BIDS RECEIVED

TABLED

The Acting City Manager presented to the commission the following bids which were received at 4:00 o'clock p.m. March 30, 1979, for a small EDA approved tractor for the new secondary disposal plant:

<u>Bidder</u>	<u>Model</u>	<u>Cost</u>
Case Power & Equipment	885 John Deere	\$9,100.00
Carrico Impl. Co., Beloit	2600 Ford Diesel	8,214.26
George Motors, Clyde	2600 Ford	7,980.00
Concordia Tractor Co.	2040 John Deere	9,372.00
Concordia Tractor Co.	950 John Deere	6,772.00

Motion was made by Commissioner Doyen, seconded by Commissioner Humes and carried by unanimous vote to approve the bid of Concordia Tractor Co. on the 950 John Deere for \$6,772.00, since review of specifications found that it was the apparent low bid. This approval is subject to E. P. A. acceptance.

MINUTES OF THE REGULAR COMMISSION MEETING HELD APRIL 4, 1979 (CONTINUED)PLANNING COMMISSION APPOINTMENTHEPPERLY

Motion was made by Commissioner Humes, seconded by Commissioner Dunshie and carried by unanimous vote to approve the appointment of Darlene Hepperly to the City Planning Commission to replace Gene Haynes. The appointment expires November 1, 1981.

CITIZEN ADVISORY COMMITTEE APPOINTEESAPPROVED

Motion was made by Commissioner Doyen, seconded by Commissioner Dunshie and carried by unanimous vote to appoint Rosa Detrixhe and Lonnie Hedstrom to the Citizen Advisory Committee. Mr. Hedstrom will replace Bill Bryant who was inelegible.

EMPLOYEE RECOGNITIONOFFICER LOWELL

Mayor Doyen presented to Police officer Rodney Lowell a certificate of recognition for completion of his basic training at the Police academy where he had graduated in the top 10% of his class.

Police Chief Rohr pointed out that officers are given EMT training also to help city firemen who operate the ambulance service.

COMMUNITY DEVELOPMENT BLOCK GRANT2ND APPLICATION

Acting City Manager Ash advised the City Commission that he had received notice from the Department of Housing and Urban Development that the City of Concordia's pre-application for Community Development Block Grant assistance for 1979 had been rejected. Concordia's application was for \$412,500.00 to be used for expansion of its present program.

STUDY SESSIONNOON APRIL 12, 1979

There being no further business, motion was made by Commissioner Doyen, seconded by Commissioner Humes and carried that the Commission adjourn to Thursday April 12, 1979, at 12:15 o'clock p.m.



D. L. Layton
Acting City Clerk

(Seal)

DLL:kh

The City Commission met in adjourned session on April 12, 1979 at 4:00 o'clock p.m. in the City Commission room in the City Hall. Mayor Doyen presided with commissioners Humes and Dunshie present. Absent: None.

Other officers present: City attorney Retter, Acting City Clerk Layton, and Fire chief Jack Fisher.

Visitors present: Fred DeArmond, Gary Weis of American Fire Equipment Co., Roland Kalivoda, Noel Nickel, John Trude, Jake Swiercinsky and Melvin Rupp.

PETITION (SANITARY SEWER SS-78-4)

ACCEPTED

A petition for a Sanitary Sewer extension to the new Industrial Park and property owned by Bernard Adam and Charles McDaniel in the 1900 Block East 7th, which had been previous signed by 100% of property owners, was presented to the Commission for their examination and acceptance.

ENGINEER'S ESTIMATE OF COST

SS-78-4

Motion was made by Commissioner Humes, seconded by Commissioner Dunshie and carried by unanimous vote to accept the Engineers Estimate of Cost of Sanitary Sewer project SS-78-4 of \$23,390.40. City at large costs are to be 45.9% with benefit district costs 54.1%.

RESOLUTION NO. 549 (SS-78-4)

APPROVED

The City Clerk presented to the City Commission the written petition of Concordia Development Company, Inc. and four others, proposing the Construction of a ten (10") inch sanitary sewer extension from existing manhole in Lot 1, Block C, Nor'east Industrial Park, an Addition to the City of Concordia, Cloud County, Kansas, thence southwest across the right-of-way of the Santa Fe Railway, continuing south, to the Northwest corner of Lot 2, Concordia Industrial Park, an Addition to the City of Concordia, Cloud County, Kansas, thence east to the Northwest corner of Lot 4, of said Concordia Industrial Park in the city of Concordia, Kansas. The Commission examined and considered the petition, after which it was moved by Commissioner Humes seconded by Commissioner Doyen, and duly carried by the affirmative vote of the entire members-elect of the Commission that Resolution No. 549 be adopted.

ORDINANCE NO. 2137 (SEWER DISTRICT NO. 40)

PASSED

An ordinance entitled "AN ORDINANCE ESTABLISHING SANITARY SEWER DISTRICT NO. 40 OF THE CITY OF CONCORDIA, KANSAS, AND DESIGNATING THE PARCELS OF GROUND INCLUDED IN SAID DISTRICT." was read and considered by the Commission. On roll call upon its passage, the following Commissioners voted "Yea": Doyen, Dunshie and Humes. "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 2137.

DISCUSSION

FIRE EQUIPMENT


Several insurance company representatives along with Mr. Weis of the American Fire Equipment Co. of Salina were present to visit with the Commissioners concerning the feasibility of purchasing a new fire truck and repairing the present 20 year old unit for a back up truck. A new truck was available in Salina for lease or purchase if Emergency No-Fund Warrants could be issued, pending approval of the State Board of Tax appeals. After a lengthy discussion about insurance rating for home owners in the City, all present agreed that a new truck and repair of the old fire truck should be carried out as soon as possible.

ORDINANCE NO. 2138 (NO-FUND WARRANTS)

PASSED

An ordinance entitled "AN ORDINANCE ENACTED PURSUANT TO K.S.A. (WEEKS) 12-110a CONCERNING AUTHORIZING ISSUANCE AND SALE OF NON-FUND WARRANTS OF THE CITY OF CONCORDIA, KANSAS, TO RAISE REVENUE TO PURCHASE, REPAIR AND REPLACE FIRE DEPARTMENT EQUIPMENT." was read and considered by the commission. On roll call upon its passage, the following commissioners voted "Yea": Doyen, Dunshie and Humes. "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 2138.

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


D. L. Layton
Acting City Clerk

MINUTES OF THE REGULAR COMMISSION MEETING HELD ON APRIL 18, 1979

The City Commission met in regular session on April 18, 1979 in the City Commission Room at 4:00 o'clock p.m. Mayor Doyen presided with Commissioner Humes present. Absent: Commissioner Dunshie.

Other officers present: City Manager Carl Metzger, City Clerk Richard Ash and Director of Community Development Loren Medley.

Visitors present: Fred DeArmond, Brad Lowell, Mr. and Mrs. Ray Tatum, Ron Bennett, and Ed Detrixhe.

Minutes of the April 4th regular Commission Meeting and April 12th Adjourned Commission Meeting were approved as written.

MARCH FINANCIAL REPORTS

PLACED ON FILE

The City Clerk presented the March financial reports which were ordered placed on file.

1979 INVESTMENT REPORTS

PLACED ON FILE

The City Manager presented to the Commission the First Quarter report of all 1979 investments as follows:

"Ordinance 1860 requires the city manager to submit a quarterly report covering the investment program for the fiscal year to date.

Investment interest received from January 1, through March 31, 1979:

Amount	Fund	Due Date	Interest Rate	Interest Received	Original Term
\$50,000.00	Miscellaneous	1-11-79	8.984	\$374.33	30 Days
31,300.00	Miscellaneous	1-12-79	5.25	96.09	Passbook
38,200.00	Parking Meter	1-18-79	8.256	788.45	90 Days
13,385.00	Miscellaneous	1-16-79	5.25	29.64	Passbook
13,385.00	Miscellaneous	1-16-79	5.25	29.63	Passbook
31,300.00	Miscellaneous	1-19-79	5.25	31.97	Passbook
31,300.00	Miscellaneous	2-12-79	5.25	41.15	Passbook
20,000.00	Fed.Rev.Sharing	3-10-79	8.984	449.20	90 Days
65,000.00	W&S; Misc.	3-12-79	5	491.50	Passbook
15,000.00	Fed.Rev.Sharing	3-12-79	5	113.42	Passbook
17,915.50	Cemetery Endow.	3-29-79	7.50	339.08	4 Year
17,915.50	Cemetery Endow.	3-29-79	7.50	339.08	4 Year
TOTAL INTEREST - FIRST QUARTER				\$3,123.54	
INTEREST RECEIVED IN 1979 FROM 1978					
INVESTMENTS				325.55	
				\$3,449.09	

Respectfully submitted,
/S/ Richard D. Ash
Acting City Manager"

CURRENT INVESTMENT REPORT

PLACED ON FILE

The City Manager presented to the Commission a report of current investments as March 31, 1979.

"Current Investments of the Idle Funds of the City of Concordia:

Amount	Fund	Due Date	Interest Rate	Bank	Original Term
Money Market Certificates					
\$31,300.00	Miscellaneous	7-19-79	9.784	Railroad Savings & Loan	182 Days
35,000.00	Parking Meter	7-20-79	9.534	Cloud Co. Bank	182 Days
13,385.00	Miscellaneous	7-17-79	9.69	First Federal Savings & Loan	182 Days
13,385.00	Miscellaneous	7-17-79	9.568	Peoples Savings & Loan	182 Days

Certificates of Deposit

17,915.50	Cemetery Endow. 6-29-79	7.50	Peoples Savings & Loan	4 Year
17,915.50	Cemetery Endow. 6-29-79	7.50	First Federal Savings & Loan	4 Year
100,000.00	Miscellaneous 4-16-79	9.316	First Bank & Trust	90 Days
100,000.00	Miscellaneous 4-16-79	9.316	Fidelity State Bk	90 days
140,000.00	Misc.; W&S 4-16-79	9.316	Cloud Co. Bank	90 Days
\$468,901.00				

This report discloses all current investments of the idle funds of the City of Concordia as of the above date.

/s/ Richard D. Ash
Acting City Manager

/s/ D. L. Layton
Acting City Clerk

/s/ Verna Scott
City Treasurer "

CITY GENERAL ELECTION

CLOUD COUNTY BOARD OF CANVASSERS

The City Clerk presented to the Commission the results of the official canvass of the April 3, 1979 City Election. The Cloud County Commissioners, sitting as the Cloud County Board of Canvassers, found the following to be true and accurate:

<u>City Commissioner</u>	<u>Vote</u>
Wilbur Naylor	783
Phillip K. Detrixhe	333

The City Commission found Wilbur Naylor to be the winner and ordered the results to be placed on file.

COMMISSIONER-ELECT SURETY BOND

WILBUR NAYLOR

The City Clerk presented to the Commission a surety bond for Commissioner-elect Naylor. Motion was made by Commissioner Humes, seconded by Commissioner Doyen and carried by affirmative vote of two-thirds of the entire members-elect of the Commission that the surety bond be approved pending ultimate approval by the Judge of the District Court of Cloud County, Kansas.

OATH OF OFFICE

WILBUR NAYLOR

City Clerk Ash administered the Oath of Office to Commissioner-elect Wilbur Naylor.

ANNUAL COMMISSION RE-ORGANIZATION

MAYOR APPOINTED

Motion was made by Commissioner Doyen, seconded by Commissioner Naylor and carried by two-thirds of the members-elect of the Commission that Commissioner Fredric L. Dunshie be appointed Mayor for the coming year.

OFFICIAL NEWSPAPER

THE BLADE-EMPIRE

Motion was made by Commissioner Doyen, seconded by Commissioner Naylor and carried by two-thirds of the members-elect as required by Chapter 12, Article 1951-A of the 1959 Supplement of the General Statutes of the State of Kansas, that the Blade-Empire be designated as the official city newspaper.

PUBLIC HEARING - REZONING C-S (HIGHWAY SERVICE) TO C-P (PLANNED NEIGHBORHOOD SHOPPING) DISTRICT

TG&Y DEVELOPMENT

Planning Director Loren Medley presented an application for rezoning from C-S to C-P District for the property at the northwest corner of 17th and Lincoln Streets, the proposed TG&Y Development Site. In covering the eight points of consideration required by the Kansas Supreme Court, the following information was presented by Mr. Medley:

"INTENT AND PURPOSE OF DISTRICT: It is the intent of the "C-P" Planned Shopping District to provide an area for convenience goods, convenience services and entertainment in locations which are easily accessible to the public. Building setback, landscaped areas and ratio of parking area to floor area used in the district regulations are intended for the purpose of regulating traffic and to make uses allowed more compatible with adjoining residential uses. The "C-S"

MINUTES OF THE REGULAR COMMISSION MEETING HELD APRIL 18, 1979 (CONTINUED)

Highway Service District is intended for the purpose of providing limited highway services grouped on a single tract. Floor area is restricted, off-street parking is required and landscaping is required in order to reduce possible adverse effects on adjacent properties.

- a) THE CHARACTER OF THE NEIGHBORHOOD: The site is located on the northwest corner of the intersection of 17th and Lincoln. The traffic volume on Lincoln Street is considered to be high and intensive. The character along Lincoln is commercial and of a higher use than areas one-half block away from Lincoln. The character west of the site is open and would be considered as open space.
- b) THE ZONING AND USE OF PROPERTY NEARBY: The property adjacent to the west and south is "R-1", the property to the north and to the east is "C-S". The use to the west is the Nazareth Convent, the use to the south and southwest is residential, the remaining uses would be commercial to the east and to the northeast.
- c) THE SUITABILITY OF PROPERTY FOR USES TO WHICH IT HAS BEEN RESTRICTED: The "C-S" District does not have as an intent to help regulate the traffic. The existing volume and intensity of traffic on Lincoln will need to be handled and directed so as to reduce the traffic hazards of people turning into and out of the shopping center. The provision of 17th Street to the South will aid in the regulation of the traffic as it enters and exits the shopping center. The utilities that serve the site are adequate; however, the sanitary sewer line will need to be re-routed so as to miss the proposed building construction.
- d) THE EXTENT TO WHICH THE REMOVAL OF RESTRICTIONS WILL ADVERSELY AFFECT NEARBY PROPERTY: The restrictions placed on "C-P" Planned Shopping District are more stringent than on a "C-S" zone; therefore, there will be less adverse affect on adjacent property than if the property were to remain as "C-S". The planned review required by "C-P" District will require the administrative staff of the city to help guide and direct the development of the shopping center.
- e) THE LENGTH OF TIME THE SUBJECT PROPERTY HAS REMAINED VACANT AS ZONED: The subject property has never been built on and therefore has always been vacant.
- f) THE RELATIVE GAIN TO THE PUBLIC HEALTH, SAFETY AND WELFARE BY THE DESTRUCTION OF THE VALUE OF PLAINTIFF'S PROPERTY AS COMPARED TO THE HARDSHIP IMPOSED ON THE INDIVIDUAL LAND OWNER: The relative benefit to the public and the relative hardship to the individual land owner between is similar whether "C-P" or "C-S". The other benefit for the public would be for the visual environment. The visual environment of the Planned Shopping Center will be improved over the Highway Service District, due to the controls of traffic, the sign controls and the review of the development plans.
- g) CONSIDERATION OF THE RECOMMENDATIONS OF PROFESSIONAL STAFF: The staff for the Planning Department of the City of Concordia recommends the approval of the rezoning from "C-S" Highway Service District to "C-P" Planned Shopping District with the condition that the developer satisfy the City Staff regarding the water course as it passes the northwest corner of the site. The water course cannot be diverted onto the convent at that point.
- h) THE CONFORMANCE OF THE REQUESTED CHANGE TO THE ADOPTED OR RECOGNIZED MASTER PLAN BEING UTILIZED BY THE CITY: The proposed land use for the northwest corner of 17th and Lincoln is commercial; therefore, complies with the comprehensive plan for the City of Concordia.

A Planning Commission public hearing was advertised and held on March 28, 1979 at which time the preceding facts were presented and discussion held on this request. The owners of record 200 feet surrounding the boundaries of this District were notified of the Planning Commission public hearing. At that hearing no opposition was presented by the property owners in that area, and the Planning Commission voted to recommend approval of this zoning change to the City Commission.

Mr. Medley stated that the staff recommended the approval of the rezoning subject to the following conditions:

- a. The development plans shall conform to the parking requirements of the zoning ordinance.
- b. The development plan shall conform to the lot coverage of 25%.

Mr. Ron Bennett from Eisenberg Realtors, Developer for the TG&Y Site, was present and indicated acceptance of these conditions and assured the commission that they were either in the process of being complied with or will be complied with as required.

After a brief discussion, motion was made by Commissioner Doyen, seconded by Commissioner Naylor and duly carried by the affirmative vote of two-thirds of the members-elect of the Commission that the zoning change from C-S to C-P be approved, and further that the development meet the conditions established above prior to the issuance of a construction permit.

PUBLIC HEARING - ZONING AMENDMENT PERTAINING TO
FENCING REQUIREMENT IN C-P DISTRICT.

TG&Y DEVELOPMENT

Mr. Loren Medley presented to the Commission a proposed amendment which would allow an evergreen screen to be substituted for a solid wall or fence in a C-P District. The Planning Commission held a public hearing on March 28th to consider this amendment, and the Planning Commission has recommended approval of this amendment. After a brief discussion motion was made by Commissioner Naylor, seconded by Commissioner Doyen and duly carried by the affirmative vote of two-thirds of the members-elect of the Commission that the zoning ordinance be amended to allow an evergreen screen as a substitute for a solid wall or fence in a C-P District.

PUBLIC HEARING - ZONING AMENDMENT PERTAINING TO
SIGNS IN C-P DISTRICT

TG&Y DEVELOPMENT

Mr. Medley presented a proposed amendment to the Commission which would allow an additional sign with the name of the shopping center and two major tenants, and will reduce the existing size from 600 square feet to 400 square feet. The Planning Commission held a public hearing on March 28, 1979 to consider this proposed amendment and the Planning Commission recommended approval of this zoning change. Motion was made by Commissioner Doyen, seconded by Commissioner Naylor and duly carried by the affirmative vote of two-thirds of the members-elect of the Commission that the zoning change be approved as stated.

PUBLIC HEARING - ZONING AMENDMENT PERTAINING TO
SPECIAL USE PERMITS FOR BUS TERMINAL IN R-1 DISTRICTS

DENIED

Loren Medley presented to the Commissioners a proposed amendment to the zoning ordinance which would allow the locating of a bus terminal in an R-1 Zone. The Planning Commission held a public hearing on March 28, 1979 to discuss this matter, and the Planning Commission has recommended denial of this request. After brief discussion, an agreement was made that this amendment would be detrimental to the intent of the R-1 Zoning and that adequate locations are available in zones with authorized land use. A motion was made by Commissioner Doyen, seconded by Commissioner Naylor and duly carried by the affirmative vote of two-thirds of the members-elect of the Commission that this zoning amendment be disapproved.

PUBLIC HEARING - ZONING AMENDMENT PERTAINING TO
SPECIAL USE PERMIT FOR MOBILE HOMES AS TEMPORARY DORMATORIES

DENIED

Mr. Medley presented an amendment to the zoning ordinance to the Commission which would allow the use of mobile homes as temporary dormitory space in an R-2 Zone. This amendment was proposed in connection with the dormitory space problems at the Cloud County Community College. The Planning Commission held a hearing on March 28, 1979 to discuss this zoning amendment, and the Planning Commission recommended the approval of this zoning change. Mr. Medley stated to the Commission that on April 17, 1979, per telephone conversation with Mr. Jerome Letourneau, the Director of Housing for Cloud County Community College, the college was withdrawing their request for this zoning action. After brief discussion the Commissioners felt that without this need existing, such an amendment was unnecessary. Motion was made by Commissioner Doyen, seconded by Commissioner Naylor and duly carried by the affirmative vote of two-thirds of the members-elect of the Commission to disapprove this zoning amendment.

PUBLIC HEARING - ZONING AMENDMENT PERTAINING TO SPECIAL USE
PERMIT FOR EATING ESTABLISHMENTS IN M-H DISTRICT

TABLED

Mr. Medley presented an amendment to the Commission allowing eating establishments and the reduction of parking requirements for such establishments in M-H District. The Planning Commission held a hearing March 28, 1979 to consider this amendment. Mr. Medley indicated that his staff recommendation to the Planning Commission was for denial due to the hazards created by the reduction of the parking requirement, the increased fire hazards due to the district being located outside the fire ordinance and conflict of use of a commercial activity in an intended residential district. The Planning Commission had, however, recommended approval of this zoning amendment. After brief discussion between the commissioners present, a motion was made by Commissioner Doyen, seconded by Commissioner Naylor and duly carried by an affirmative vote of two-thirds of the members-elect of the Commission that this zoning amendment be tabled until

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MINUTES OF THE REGULAR COMMISSION MEETING HELD APRIL 18, 1979 (CONTINUED)

APPROPRIATION ORDINANCE

APPROVED

Appropriation Ordinance No. 7 was approved according to law.

ORDINANCE NO. 2139 (CHANGE IN ZONING CLASSIFICATION)

C-P DISTRICT

An ordinance entitled "AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN SPECIFIC DESCRIBED PROPERTY IN THE CITY OF CONCORDIA, KANSAS; DEFINING THE CHANGES OR BOUNDARIES AS AMENDED; ORDERING THE OFFICIAL CITY ZONING DISTRICT MAP TO BE CHANGED TO REFLECT SUCH AMENDMENT; AND AMENDING SECTION 2 OF ARTICLE IV OF THE OFFICIAL CITY ZONING DISTRICT MAP AS AMENDED" was read and considered by the Commission. On roll call upon it's passage, the following Commissioners voted "Yea": Doyen and Naylor. "Nay": None. With two-thirds of the entire 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 2139.

ORDINANCE NO. 2140 (ZONING ORDINANCE AMENDMENT)

YARD REQUIREMENTS

An ordinance entitled "AN ORDINANCE ADDING A SECTION TO BE NUMBERED 7.2 TO ARTICLE XI OF THE ZONING ORDINANCE OF THE CITY OF CONCORDIA, KANSAS PERTAINING TO YARD REGULATIONS IN ZONING DISTRICT C-P IN SAID CITY" was read and considered by the Commission. On roll call upon it's passage, the following Commissioners voted "Yea": Doyen and Naylor. "Nay": None. With two-thirds of the entire 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 2140.

ORDINANCE NO. 2141 (ZONING ORDINANCE AMENDMENT)

SIGN REQUIREMENTS

An ordinance entitled "AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF CONCORDIA, KANSAS, BY ADDING A SECTION TO BE NUMBERED 10.4, OF ARTICLE XI OF SAID ZONING ORDINANCE OF THE CITY OF CONCORDIA, KANSAS," was read and considered by the Commission. On roll call upon it's passage, the following Commissioners voted "Yea": Doyen and Naylor. "Nay": None. With two-thirds of the entire 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 2141.

AWARD OF CONTRACT FOR WINTERIZATION PROJECT

AWARDED

Mr. Loren Medley, Director of Community Development presented to the Commission a tabulation of bids received for the winterization program sponsored and funded by the State Economic Opportunity Office, the State of Kansas, and the Community Development Block Grant Program, Housing and Urban Development. Mr. Medley stated these funds from the SEO are being administered through the North Central Regional Planning Commission. It was advertised in several newspapers starting on April 1, 1979, to be received April 9, 1979 and opened on April 10, 1979. The bids were evaluated and ranked on the basis of bid price. There were a total of 35 bid packets requested of which thirteen proposals were received. Of the 13 bids returned, 6 bid proposals for installation were rejected and 1 contractor did not bid on storm windows and doors. Two bidders tied in the ranking procedure. A tie breaking procedure was established and the low bidder determined by this procedure was Conestoga Installation and Roofing, Inc. of Lincoln, Nebraska. The second low bidder was Reeves Installing Service of Chapman, Kansas.

After a brief discussion between the Commissioners present, it was determined that although Conestoga, the low bidder, was outside of the State of Kansas, the Commission's standard procedure to award contracts to the lowest bidder should be followed. Motion was made by Commissioner Doyen, seconded by Commissioner Naylor and duly carried by the affirmative vote of two-thirds of the members-elect of the Commission that a contract be awarded to Conestoga Installation and Roofing, Inc. of Lincoln, Nebraska for the winterization program.

CHANGE ORDER FOUR FOR WASTEWATER TREATMENT PLANT

APPROVED

City Clerk Richard Ash presented to the Commission a change order proposed by Wilson & Co. on the wastewater treatment plant to provide for two removable aluminum grate walkways for safety access to gate controls on the aeration basin. Cost of this change order is \$4,233, the City's share of this cost would be \$1,055.75. A motion was made by Commissioner Doyen, seconded by Commissioner Naylor and duly carried by affirmative vote of two-thirds of the entire members-elect of the Commission that this change order be approved.

APPOINTMENT TO LIBRARY BOARDMARY ANN PALMQUIST

City Clerk Ash stated that the position filled by Mary Ann Palmquist on the Library Board would expire April 30, 1979. Mrs. Palmquist has consented to accepting a second term on the Library Board. Motion was made by Commissioner Doyen, seconded by Commissioner Naylor to appoint Mary Ann Palmquist to a second four year term to expire on April 30, 1983.

APPOINTMENT TO THE HOUSING AUTHORITYFATHER LOREN WERTH

City Clerk Ash stated that a position remained vacant after the resignation of Mr. Charles Morris on the Housing Authority. The Authority has made a recommendation of Father Loren Werth to fill that unexpired term, which would expire November 1, 1980. Motion was made by Commissioner Doyen, seconded by Commissioner Naylor that Father Loren Werth be appointed to fill the unexpired term on the Housing Authority, which would expire November 1, 1980.

APPOINTMENT TO THE CITIZENS ADVISORY COMMITTEEWILBUR NAYLOR

City Clerk Ash stated that an ex officio position remains unfilled on the Citizens Advisory Commission which would be representative of the City Commission. Motion was made by Commissioner Doyen, seconded by Commissioner Naylor that Commissioner Wilbur Naylor be appointed to fill the ex officio position on the Citizens Advisory Commission, which would expire February 1, 1980.

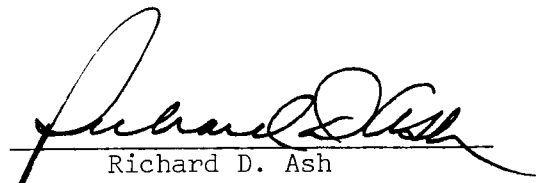
APPLICATION FOR CLASS A CEREAL MALT BEVERAGE LICENSEMUSKET CORPORATION

Application has been filed for a Class A Cereal Malt Beverage License (retail not for consumption) by Musket Corporation at the location of the new Love's Country Store at 13th and Lincoln. Application has been reviewed and the fee paid and submitted for City Commission approval. After a brief discussion motion was made by Commissioner Naylor, seconded by Commissioner Doyen and duly carried by the affirmative vote of two-thirds of the entire members-elect of the Commission that the Class A Beer License for Musket Corporation be approved.

STUDY SESSIONDATE SET

City Manager Carl Metzger and the City Commission established Thursday, April 26, 1979, at 12:15 p.m. as a Planning Study Session.

There being no further business, motion was made by Commissioner Doyen, seconded by Commissioner Naylor that the Commission adjourn.


Richard D. Ash
City Clerk

(Seal)

RDA:vs

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MINUTES OF THE REGULAR COMMISSION MEETING HELD ON MAY 2, 1979

The City Commission met in regular session on May 2, 1979 in the City Commission Room at 4:00 o'clock p.m. Mayor Dunshie presided with Commissioners Doyen and Naylor present. Absent: None.

Other officers present: City Manager Carl Metzger, City Clerk Richard Ash and City Attorney David Retter.

Visitors present: Ralph Campbell, Loren Medley, Dennis Rohr, Fred DeArmond, Christine Tyler, Fred Hake, Mr. and Mrs. Ray Tatum and Tex Wilcox.

Minutes of the April 18, 1979 regular commission meeting were approved as written.

PUBLIC HEARING - NOTICES TO REMOVE AND ABATE NUISANCES

FINAL NOTICES APPROVED

City Manager Metzger presented to the Commission four nuisance abatement notices which had been delivered on the following addresses:

- 1) 125 W. 2nd Street, 2) 211 W. 2nd Street, 3) 339 W. 3rd Street and
- 4) 214 Cedar Street.

The City Manager stated that notices had been served on owners, occupants or agents to the property where each alleged nuisance exists. Each owner, occupant or agent has been given ten days to remove or abate such nuisance. He further stated that in addition to these unresolved cases, five others have been resolved and three are pending. Prior to the public hearing the police department had indicated that the above four listed nuisances still existed as found by investigation.

No owners, occupants or agents of the properties listed above were present at this public hearing, and such nuisances were found to still exist. A motion was made by Commissioner Doyen, seconded by Commissioner Naylor and duly carried by the affirmative vote of the entire members-elect of the Commission that the City Clerk shall forthwith issue notice requiring the owner or agent to remove and abate the nuisance within a time limit not to exceed ten days. Such notice shall describe the nuisance and shall be served in the same manner as provided for serving the original notice.

PUBLIC HEARING - ZONING AMENDMENT PERTAINING TO SPECIAL USE PERMIT FOR EATING ESTABLISHMENTS IN A M-H DISTRICT

DENIED

City Manager Metzger stated that this is a re-convening of the public hearing tabled at the previous Commission Meeting until the full commission was in session. With all three commissioners present, the question of a zoning amendment pertaining to authorizing a special use permit for eating establishments in an M-H District was re-convened. Mr. Loren Medley, Community Development Director, presented to the Commission a facts and finding statement of the Community Development Planning staff on this issue. It was stated that the planning staff had recommended a denial of this request to the Planning Commission, which met on March 28, 1979 in a public hearing to hear this amendment. At that public hearing on March 28th, the Planning Commission ultimately recommended approval of the amendment to the City Commission.

After a brief discussion, Commissioner Doyen made a motion, seconded by Commissioner Dunshie and duly carried by the affirmative vote of the entire members-elect of the Commission to deny this zoning amendment. Commissioner Dunshie's comments in reference to his vote establishing his reason for denial was that this was not in compliance with the intent of the Mobile Home (Residential housing) District, and the conditions of parking, which would be uncontrollable, would be detrimental to any positive gains in approving this amendment.

APPROPRIATION ORDINANCES 8-8A

PASSED

Appropriation Ordinances No. 8-8A were approved according to law.

ORDINANCE NO. 2142 (AN AMENDMENT TO ICR ORDINANCE NO. 2132)

PASSED

An ordinance entitled "AN ORDINANCE DEFINING "INDUSTRIAL USER" PURPOSES OF ORDINANCE NO. 2132, PERTAINING TO THE SEWAGE SYSTEM OF THE CITY OF CONCORDIA, KANSAS; REVIEWING SECTION 7 OF SAID ORDINANCE NO. 2132 OF SAID CITY; AND ADDING A SECTION, TO BE NUMBERED 7, TO SAID ORDINANCE NO. 2132 OF SAID CITY," was read and considered by the Commission. On roll call upon it's passage, the following commissioners voted "Yea": Dunshie, Doyen and Naylor. "Nay": None. With the entire 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 2142.

RESOLUTION NO. 550 (AUTHORIZING CITY MANAGER TO ACT FOR THE CITY ON
EPA PROJECTS

APPROVED

The City Manager presented a resolution to the Commissioners which would authorize him to sign documents and receive payments for EPA Wastewater Treatment Plant Projects. Motion was made by Commissioner Dunshie, seconded by Commissioner Naylor and duly carried by the affirmative vote of the entire members-elect of the Commission that the City Manager be authorized to act in this capacity.

BID AWARD (PURCHASE OF POLICE VEHICLE)

BABE HOUSER CHEV-OLDS-CADILLAC

The City Manager presented the bids received on April 24, 1979 for the replacement on the Police Department vehicle as follows:

<u>Vehicle Description</u>	<u>Bidder</u>	<u>Amount of Bid</u>
1979 Malibu	Babe Houser Chev-Olds, Cadillac	List 6,900.00 Trade-In (Chev trk) <u>1,300.00</u> Difference 5,600.00
1979 Impala	Babe Houser Chev.	List 8,000.00 Trade-In (Chev trk) <u>1,650.00</u> Difference 6,350.00
1979 Malibu	Babe Houser	List 6,900.00 Trade-in Pontiac <u>3,611.00</u> Difference 3,289.00
1979 Impala	Babe Houser	List 8,000.00 Trade-in Phoenix <u>4,000.00</u> Difference 4,000.00
1979 LeMans	Midway Motor Co.	List 7,535.64 Trade-in Phoenix <u>2,285.64</u> Diff. 5,250.00
1979 Catalina	Midway Motor Co.	List 8,258.15 Trade-in <u>2,258.15</u> Diff. 6,000.00

Motion was made by Commissioner Doyen, seconded by Commissioner Naylor and duly carried by the entire members-elect of the Commission that the bid be awarded to Babe Houser Chev-Olds-Cadillac for a 1979 Impala 4-Door with a trade difference in the amount of \$4,000.00.

RULES AND REGULATIONS FOR PREPARING, PROCESSING AND APPROVING APPLICATIONS FOR REHABILITATION
GRANT/LOAN

ADOPTED

Mr. Loren Medley, Director of Community Development, presented to the Commission the rules and regulations prepared by the Concordia Citizen Advisory Committee for their review and adoption. Mr. Medley indicated the document list of 1) eligibility requirements, 2) procedures for processing grant/loan applications, 3) terms and conditions of the grant/loan and 4) development of contracts for grant/loan construction work. The city manager stated that the document is being presented to the Commission for adoption because the Commission is responsible for selection of contractors and serves as the appellate body on grievances relating to the grant/loan approvals, grant/loan cancellations or determination of grant/loan amounts. After a brief discussion and review of contents, motion was made by Commissioner Naylor, seconded by Commissioner Dunshie and duly carried by the affirmative vote of the entire members-elect of the Commission to adopt the Department of Community Development rules and regulations for rehabilitation grant/loans.

MINUTES OF THE REGULAR COMMISSION MEETING HELD ON MAY 2, 1979 (CONTINUED)

DEPARTMENT OF COMMUNITY DEVELOPMENT - HOUSING REHABILITATION CODE SECTION 8 ADOPTED

Mr. Loren Medley presented to the Commissioners the housing rehabilitation code needed for rehabilitation of housing in the Community Development target areas. He stated this housing rehabilitation code was drawn from guidelines provided by the Housing and Urban Development. A motion was made by Commissioner Doyen, seconded by Commissioner Naylor and duly carried by the affirmative vote of the entire members-elect of the Commission to adopt the Housing and Rehabilitation Code.

APPOINTMENT TO LIBRARY BOARD JOHN SULLIVAN

The name of Mr. John Sullivan was submitted to the Commission for appointment to the Library Board replacing Mr. Robert Anderson who completed his second term on the Board April 30, 1979. The city manager stated that board members are limited to a maximum of two terms. Mr. Sullivan's appointment will be for a 4 year term expiring on April 30, 1983. Motion was made by Commissioner Dunshie, seconded by Commissioner Naylor and duly carried that Mr. John Sullivan be appointed to a 4 year term on the Library Board.

APPOINTMENT TO THE COMMISSION ON AGING LEE W. DOYEN

The City Manager stated that one members of the City Commission sits in an ex officio position on the City Commission on Aging, this seat was previously held by Betty Humes. It is necessary at this time to appoint a new commission representative to this Commission. Motion was made by Commissioner Dunshie, seconded by Commissioner Naylor and duly carried that Commissioner Lee Doyen act as ex officio representative of the City Commission on the Concordia Commission on Aging.

BID AWARD CD-ST-78-8, CLOUD STREET AWARDED

The City Manager presented to the Commissioners the bids received for the construction of two blocks of curb and surfacing for the Community Development activity on Cloud Street south of 7th Street, CD-ST-78-8 as follows:

<u>Bidder</u>	<u>Bid Amount</u>	<u>Engineer's Estimate</u>
Prairie States Construction	\$33,620.15 (Asphalt)	\$37,770.50

After a brief discussion, motion was made by Commissioner Doyen, seconded by Commissioner Naylor and duly carried by the affirmative vote of the entire members-elect of the Commission that the bid from Prairie States Construction in the amount of \$33,620.15 be approved and the contract awarded for this project.

BID AWARD (SS-78-4), INDUSTRIAL PARK REJECTED

The City Manager presented to the Commissioners the bids received for Project SS-78-4, a sewer line extension to the Concordia Industrial Park, as follows:

<u>Bidder</u>	<u>Bid Amount</u>	<u>Engineer's Estimate</u>
Jim Hennes Construction	\$18,974.49	
Derowitsch Construction	\$16,550.10	
Engineer's Estimate		\$19,492.00

It was pointed out to the Commission that an error had been made in the per unit cost on Derowitsch Construction Co. bid. By telephone, it was confirmed that the total cost of this line item was correct, however, if you extended the quantity by the unit cost, it would not have totaled the amount shown. Because of this error, it was construed to be a deviation from instructions, motion was made by Commissioner Doyen, seconded by Commissioner Dunshie to reject all bids and to resubmit invitations for bidding on this project.

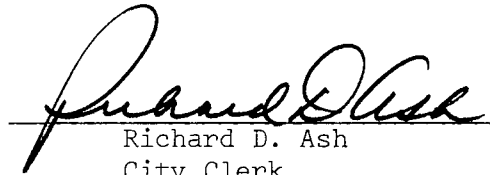
CORPORATE RESOLUTION FOR BANKING TRANSACTIONS APPROVED
(COMMUNITY DEVELOPMENT ACTIVITIES)

City Manager Metzger presented to the Commission a Corporate Resolution dealing with the authorization of individuals for signatures on banking transactions in relation to monies held at First Bank and Trust for the Community Development Activities. This resolution would authorize the city manager, city clerk and city treasurer to sign on checks and those same positions and the city commissioners to make transactions dealing with investments and indebtedness. Motion was made by Commissioner Doyen, seconded by Commissioner Naylor and duly carried by affirmative vote of the entire members-elect of the Commission that the corporate resolution be approved and that the city clerk execute

An ordinance entitled "AN ORDINANCE ESTABLISHING CONNECTION CHARGES TO THE SANITARY SEWER SYSTEM IN THE CITY OF CONCORDIA, KANSAS; REPEALING SECTION 1371 OF CHAPTER 32, PLUMBING CODE, OF THE 1951 CONCORDIA CODE, AS AMENDED BY ORDINANCE NO. 1905 OF SAID CITY; REPEALING SECTION 2 OF ARTICLE IV OF ORDINANCE NO. 2133 OF SAID CITY; AND AMENDING SAID ORDINANCE NO. 2133 BY ADDING A SECTION TO ARTICLE IV THEREOF, TO BE NUMBERED 2," was read and considered by the Commission. On roll call upon it's passage, the following commissioners voted "Yea": Dunshie, Doyen and Naylor. "Nay": None. With the entire 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 2143.

ADJOURNMENT TO LATER DATEMAY 15, 1979

There being no further business, the city manager stated that there was a conflict of meetings for the regularly scheduled City Commission meeting on May 16, 1979. With that, he requested that this Commission Meeting be adjourned until 4:00 p.m. on Tuesday, May 15, 1979 at which time an adjourned meeting would be held. In addition, a study session was established for 12:15 p.m. on Thursday, May 10, 1979. Motion was made by Commissioner Doyen, seconded by Commissioner Dunshie and duly carried that this meeting be adjourned until May 15, 1979.


Richard D. Ash
City Clerk

(Seal)

RDA:vs

MINUTES OF THE ADJOURNED COMMISSION MEETING HELD MAY 15, 1979

The City Commission met in adjourned session on May 15, 1979 in the City Commission Room at 4:00 o'clock p.m. Acting Mayor Doyen presided with Commissioner Naylor present. Absent: Commissioner Dunshie.

Other Officers present: City Manager Carl Metzger, and City Clerk Richard Ash.

Visitors present: Gale Engle, Sandy Anderson, and Harold Daniels representing Cable Com General, Fred DeArmond, Brad Lowell and George Andrews.

Minutes of the May 2, 1979 Commission Meeting were approved as written.

APRIL FINANCIAL REPORT

PLACED ON FILE

City Clerk presented the April Financial Reports which were ordered placed on file.

SURETY BONDS (CITY MANAGER AND CITY CLERK)

APPROVED

The City Manager presented to the Commission a Surety Bond for the City Manager and City Clerk in the amounts of \$5,000 and \$10,000 respectively. The Surety Bonds have been approved as to form by the City Attorney and are required to be approved for sufficiency and placed on file at the direction of the City Commission. Motion was made by Commissioner Doyen, seconded by Commissioner Naylor and duly carried by the affirmative vote of two-thirds of the entire members-elect that the Surety Bonds for the City Manager and the City Clerk be approved for sufficiency and order placed on file.

PUBLIC HEARING - ORDINANCE NO. 2080 FRANCHISE ORDINANCE FOR COMMUNITY ANTENNA TELEVISION SYSTEMS

HELD

The City Manager announced that this was a public hearing to consider an amendment to the Franchise Ordinance authorizing Cable Com General Inc. to provide cable television to this community. The amendment has been requested by Cable Com to clarify the type of service, free of charge, to be provided to Education Institutions not operating for profit, Churches, Hospitals, Charitable Institutions, Public Service and Non-Profit Organizations as such user is construed by the United States Internal Revenue Service, as enumerated in sections 16 of the Franchise Ordinance No. 2080. The amendment would define such services as one outlet for services to single television receiver set per building occupied by any institution referred to in section 16 of Ordinance 2080 within the City of Concordia. The location of said outlet in any such building occupied by any such institution shall be at the discretion of the individual institution served.

Gale Engle, of Cable Com General, stated that this amendment was being requested for clarification dealing with problems that had arisen in providing service to the St. Joseph Hospital Complex. Varying interpretations by both parties has caused an impasse after several months of negotiating a service agreement to the hospital. St. Joseph Hospital was not recommended at the hearing.

City Manager Metzger stated in accordance with the Kansas State Statutes, 12-2007, no franchise shall be granted or extended unless a public hearing shall be held following at least one weeks notice in the official city newspaper. Such notice has been provided setting this date, May 15, 1979 at 4:00 o'clock p.m., for a public meeting on the proposed amended ordinance. Further City Manager Metzger stated the establishment of a rate schedule for cable television service should be established under private agreement between St. Joseph Hospital and Cable Com of Concordia. Any rate structure developed under a private agreement should be submitted to the City Commission for their review prior to implementation.

After a brief discussion, motion was made by Commissioner Doyen, seconded by Commissioner Naylor and duly carried to direct the City Attorney to have drafted an ordinance which would clarify the services provided free by Cable Com General to Hospitals and other Quasi-Public Institutions as had been agreed upon in this public hearing.

ORDINANCE NO. 2144 (AMENDMENT TO FRANCHISE ORDINANCE FOR CATV)

PASSED

An Ordinance entitled "AN ORDINANCE PERTAINING TO CHARITABLE SERVICES TO BE PROVIDED BY CABLE COM GENERAL, INC. (DOING BUSINESS AS CABLE COM OF CONCORDIA), UNDER THE FRANCHISE GRANTED BY THE CITY OF CONCORDIA, KANSAS, BY VIRTUE OF ORDINANCE NO. 2080 OF SAID CITY; DEFINING SAID CHARITABLE SERVICES: AND AMENDING SAID ORDINANCE NO. 2080 BY ADDING A SECTION, TO BE NUMBERED 16½" was read and considered by the Commission. On roll call upon its passage, the following commissioners voted "Yea": Doyen and Naylor, "Nay": None. With two-thirds of the entire members-elect having voted in favor thereof, the Ordinance was declared passed and the title agreed to and the City Clerk assigned to it number 2144.

APPROPRIATION ORDINANCE NO. 9APPROVED

Because the appropriation ordinance document for Ordinance No. 9 was not complete at the time of this meeting, the Commissioners tentatively approved appropriation Ordinance No. 9 contingent upon review which was to be completed by May 18, 1979.

BID AWARD (PUBLIC WORKS PICK-UP)MIDWAY MOTORS

The City Manager presented to the Commissioners bids received at 1:00 o'clock on May 15, 1979 for a ½ ton pick-up truck for the public works department with a trade-in of a 1965 Ford ½ ton pick-up as follows:

Babe-Houser Chevrolet Pick-up trade difference \$5,500

Heptig Ford Ford Pick-up trade difference \$5,605

Midway Motor GMC Heavy Half trade difference \$5,451.03

The manager stated that after review of the staff, recommendation was to the commission to consider accepting the bid from Midway Motor Company on a GMC Heavy Half Ton trade difference of \$5,451.03. After a brief discussion a motion was made by Commissioner Naylor, seconded by Commissioner Doyen and duly carried by the affirmative vote of two-thirds of the entire members-elect of the Commission that the bid award be made to Midway Motors on a GMC Heavy Half Ton with a trade difference of \$5,451.03.

A 1980 CONTRIBUTION FIGURE KP&FRECEIVED

City Manager stated that the City had received the 1980 city contribution requirement for Kansas Police & Fire Retirement System at the percentage rate of 29.1. The Commission indicated receipt and ordered to be placed on file for budget purposes.

1978 AUDITRECEIVED

City Manager presented the 1978 Annual Audit prepared by the accounting firm of Bartlett, Settle, and Edgerly of Hutchinson. The Commissioners acknowledge receipt of this audit and ordered it be placed on file. Further the City Manager presented a 1979 contract prepared by the accounting firm to complete the audit at the end of 1979. City Manager stated to the Commissioners that the accounting firm indicated that because of the changes in state statutes and internal changes made by the City the 1979 audit would have to be on an hourly rate basis instead of its previously approved flat fees. City Manager stated the firm believed that there would be no significant increase in the cost to the City. After a brief discussion, the question of the 1979 contract was tabled until it could be determined if any of the local firms would be interested in bidding on the audit.

NUISANCE ABATEMENT NOTICEGEORGE ANDREWS

Mr. George Andrews was present at the commission meeting to request an extension of his nuisance abatement notice until June 1, 1979 to move two vehicles from in front of his residence. He stated that a family member, presently out of the city, would be returning by that time and aiding him in the removal of these vehicles. Motion was made by Commissioner Doyen, seconded by Commissioner Naylor to grant such extension until June 1, 1979.

PLANNING SESSIONDATE SET

City Manager and the City Commissioner established Thursday, May 24, 1979 at 12:15 p.m. as the Planning Session. There being no further business, a motion was made by Commissioner Doyen, seconded by Commissioner Naylor and carried that the meeting adjourn.


Richard D. Ash
City Clerk

(Seal)

RDA:vj

MINUTES OF THE REGULAR COMMISSION MEETING HELD ON June 6, 1979

The City Commission met in regular session on June 6, 1979 in the City Commission Room at 4 o'clock p.m. Mayor Dunshie presided with Commissioner Doyen and Naylor present. Absent: None.

Other Officers present: City Manager Carl Metzger, and City Attorney Dave Retter.

Other Officers absent: City Clerk Richard Ash.

Minutes of the May 15, 1979 special meeting were approved as written.

PUBLIC HEARING - NOTICE TO REMOVE AND ABATE NUISANCES

HELD

City Manager Metzger presented to the Commission six Nuisance Abatement Notices which had been delivered on the following addresses:

1. 317 E. 15th
2. 329 E. 7th
3. 516 E. 16th Apt. #9
4. 645 E. 14th
5. 337 W. 2nd
6. 104 Washington

The City Manager stated that notices had been served on owners, occupants or agents of property where each alleged nuisance exists. Each owner, occupant or agent has been given ten days to remove or abate such nuisance. Two owners of property to which notices were served were present at the Commission meeting. Mr. Norman Sicard of 337 W. 2nd stated that the two vehicles were to be junked, however, he requested a three week extension to abate the situation.

After a brief discussion, the City Commissioners granted an extension of the abatement of this date to June 25, 1979.

Mr. A. E. Fritz of 104 Washington was present to state that he was in the process of removing and cleaning some of the nuisance that was listed in the notice, however requested an extension of the abatement date. After a brief conversation, the commissioners agreed to extend the abatement notice date on Mr. Fritz to July 15, 1979.

No other parties were present to discuss the Nuisance Abatement Notices delivered upon their property, and the Commission determined that such nuisances still existed. Motion was made by Commissioner Dunshie, seconded by Commissioner Naylor and duly carried by affirmative vote of the entire members-elect of the Commission that the City Clerk shall forthwith issue a notice requiring the owner or agent to remove and abate the nuisance within a time limit not to exceed ten days. Such notice shall describe the nuisance and shall be served in the same manner as provided for in the original notice.

APPROPRIATION ORDINANCE NO. 10-10A

PASSED

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

CHARTER ORDINANCE NO. 10

PASSED

An ordinance entitled "A CHARTER ORDINANCE EXEMPTING THE CITY OF CONCORDIA, KANSAS, FROM THE PROVISIONS OF K.S.A. 79-5011, AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT; AND AUTHORIZING THE LEVYING OF TAXES TO CREATE A SPECIAL FUND FOR THE PURPOSE OF PAYING UTILITY SERVICE COSTS" was read and considered by the Commission. On roll call upon it's passage, the following commissioners voted "yea": Dunshie, Doyen and Naylor. "Nay": None. With the entire 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 Charter Ordinance No. 10.

RESOLUTION NO. 551 (INTENT TO ISSUE INDUSTRIAL REVENUE BONDS)

MEDICAL BUILDING

The City Manager presented to the Commission a Letter of Intent which he received from Mr. Gail W. Doner, Agent for the Brian E. Corrigan Co., consultant for Dr. James W. Lloyd and Dr. James E. Moore, in reference to the issuance of Industrial Revenue Bonds for the acquisition of a site and construction of a medical building on property located west of the St. Joseph Hospital. The City Manager stated the proposal as outlined in the Letter of Intent appeared feasible and was in general conformance with City Policies and State Law for the issuance of Industrial Revenue Bonds. It was recommended by the City Manager that the Commission authorize issuance of a Letter of Intent stating the City's intention to issue such industrial revenue bonds subject to the satisfaction of certain specific conditions and requirements that would satisfy Commission Policy No. 5 dated October 1978. After a brief discussion, motion was made by Commissioner Naylor, seconded by Commissioner

BID CONSIDERATION (STREET DEPARTMENT MOWER)REJECTED

The City Manager presented to the Commission bids for a rotary mower to be used by the Street Department which were received on May 22, 1979. Only one bid was received, the amount of the bid, according to the city manager exceeded the budget projection. The City Manager and the Street Department recommended to the Commission that the bid be rejected and that new specifications be developed and sent to all interested parties.

Motion was made by Commissioner Dunshie, seconded by Commissioner Doyen and duly carried that the bid received be rejected and new specifications be sent out for a new bid.

APPROVAL OF FINAL COSTS, AND HEARING DATE SET (ST-78-CRAIGS)APPROVED

The city manager presented to the governing body the following itemized statement of the actual cost of the grading, curbing and surfacing of Thirteenth Street between the east side of Hill Street and the east line of Craigs Addition, and the surfacing of Kemp Street between the southern boundary of Lot 9, Block 1, Craigs Addition to the City of Concordia, Cloud County, Kansas, if extended east to the southwest corner of Lot 10, Block 2, Craigs Addition to the City of Concordia, Cloud County, Kansas, and the south line of Lot 9, Block 2, Craigs Addition to the City of Concordia, Cloud County, Kansas, if extended east to the southwest corner of Lot 5, Block 3, Craigs Addition, to the City of Concordia, Cloud County, Kansas, and the south side of Thirteenth Street; all in Craigs Addition to the City of Concordia, Cloud County, Kansas, in said city, as authorized and ordered done by a resolution of the governing body adopted September 20, 1978:

<u>Project</u>	<u>Property Assessment</u>	<u>City at Large</u>
Contract (concrete work)	\$ 7,997.47	\$ 546.93
Contract (asphalt-13th St.)	27,735.54	1,896.76
Excavation, Labor & Material (Incl. asphalt-Kemp & Kile)	7,061.11	482.89
Legal	468.00	32.00
Publication, Printing	79.56	5.44
Engineering	1,263.58	86.42
Administration	2,230.46	152.54
Interim Financing	<u>1,944.99</u>	<u>133.01</u>
Totals	\$48,780.71	\$ 3,335.99

This statement was considered by the governing body and on a motion by Commissioner Dunshie, seconded by Commissioner Naylor and unanimously carried, the total cost of the improvement was determined by the governing body to be \$52,116.70. The city manager had determined the assessments against each lot, piece or parcel of land deemed to be benefited in the manner set forth in the said resolution of the governing body adopted September 20, 1978, and had caused to be prepared and filed with the city clerk an assessment roll according to the method of assessment set out in the said resolution. On a motion by Commissioner Dunshie, seconded by Commissioner Naylor, and unanimously carried, this governing body determined to meet and consider the proposed assessments on the 20th day of June, 1979, and the City Clerk was directed to cause a notice to be published in the Concordia Blade-Empire, the official city newspaper, as required by law, at least once not less than ten days prior to the date of the meeting. 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.

APPROVAL OF FINAL COSTS, AND HEARING DATE SET (ST-78-BUDREAU)APPROVED

The city manager presented to the governing body the following itemized statement of the actual cost of the grading, curbing, guttering and surfacing of Ninth Street between the east line of Budreau's Sub-division and the east side of Russ Street, all in Budreau's Subdivision, in said city, as authorized and ordered done by a resolution of the governing body adopted September 6, 1978:

<u>Project</u>	<u>Property Assessment</u>	<u>City at large</u>
Contract	\$19,106.07	\$ 1,519.13
Legal	463.17	36.83
Publication, Printing	69.49	5.51
Engineering	602.12	47.88
Administration	602.12	47.88
Interim Financing	<u>944.87</u>	<u>75.13</u>
Totals	\$21,787.84	\$ 1,732.36

The statement was considered by the governing body and on a motion by Commissioner Dunshie, seconded by Commissioner Naylor, and unanimously carried, the total cost of the improvement was determined by the governing body to be \$23,520.20. The city manager had determined the assessments against each lot, piece or parcel of land deemed to be benefited

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JUNE 6, 1979 (CONTINUED)

in the manner set forth in the said resolution of the governing body adopted September 6, 1978, and had caused to be prepared and filed with the city clerk an assessment roll according to the method of assessment set out in the said resolution. On a motion by Commissioner Dunshie, seconded by Commissioner Naylor, and unanimously carried, this governing body determined to meet and consider the proposed assessments on the 20th day of June, 1979, and the City Clerk was directed to cause a notice to be published in the Concordia Blade-Empire, the official city newspaper, as required by law, at least once not less than ten days prior to the date of the meeting. 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.

BID AWARD (SS-78-4, INDUSTRIAL PARK)

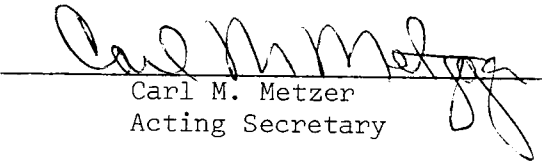
AWARDED

The City Manager presented to the Commission the following bids received on June 6, 1979 for the construction of a sanitary sewer extension to the Concordia Industrial Park. This is the second bidding on this project, the first bids were rejected because of an error in a bidding sheet. Bids received were as follows:

Derowitsch Construction Co., bid for a VCP Piping was in the amount of \$16,549.86. An alternate on the proposal for all PVC Piping from Derowitsch Construction co. was in the amount of \$16,157.80.

No other bids were received. The city manager recommended that the difference in price was not adequate to justify the plastic PVC pipe and recommended the award of the bid to Derowitsch in the amount of \$16,549.86 for VCP sewer line. After a brief discussion, a motion was made by Commissioner Doyen, seconded by Commissioner Dunshie and duly carried by the affirmative vote of the entire members-elect of the Commission that the sanitary sewer extension project be awarded to Derowitsch Construction Co. in the amount of \$16,549.86 for VCP sewer pipe.

There being no further business, motion was made by Commissioner Dunshie, seconded by Commissioner Doyen and duly carried that the Commission adjourn until the next regular Commission meeting.


Carl M. Metzger
Acting Secretary

(Seal)

CMM:vs

REGULAR COMMISSION MEETING HELD ON JUNE 20, 1979

The City Commission met in regular session on June 20, 1979 at 4:00 o'clock p.m. in the City Commission Room. Acting Mayor Doyen presided with Commissioner Naylor present. Absent: Commissioner Dunshie.

Other officers present: City Manager Carl Metzger, City Clerk Richard Ash and City Attorney David Retter.

Visitors present: Fred DeArmond, Brad Lowell, Betty Humes, Robert B. Wilson, Jesse B. Willis, Mrs. Barbara Willis, Cathi Uri.

Minutes of the June 6th, 1979 meeting were approved as written.

MAY FINANCIAL REPORTS

PLACED ON FILE

The City Clerk presented the May financial reports which were ordered placed on file.

PUBLIC HEARING - SPECIAL ASSESSMENTS (ST-78-BUDREAU/9TH)

HELD

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, curbing, guttering and surfacing of Ninth Street between the East line of Budreau's Sub-division and the East side of Russ Street, all in Budreau's Subdivision, in the City of Concordia, Kansas, which is within the corporate limits of the city of Concordia, Kansas, as authorized by a resolution of this governing body adopted September 6, 1978, 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).

No owners of record were present at the hearing.

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. 2145 (SPECIAL ASSESSMENTS, ST-78-BUDREAU/9TH)

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 INSTALMENTS FOR THE COST OF THE GRADING, CURBING, GUTTERING AND SURFACING OF NINTH STREET BETWEEN THE EAST LINE OF BUDREAU'S SUBDIVISION AND THE EAST SIDE OF RUSS STREET, ALL IN BUDREAU'S SUBDIVISION 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": Doyen and Naylor. "Nay": None. With two-thirds of the entire 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 2145.

PUBLIC HEARING - SPECIAL ASSESSMENTS (ST-78-CRAIGS)

HELD

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, curbing and surfacing of Thirteenth Street between the east side of Hill Street and the east line of Craigs addition, and the surfacing of Kemp Street between the southern boundary of Lot 9, Block 1, Craigs Addition to the City of Concordia, Cloud County, Kansas, if extended east to the southwest corner of Lot 10, Block 2, Craigs Addition to the City of Concordia, Cloud County, Kansas, and the south line of Thirteenth Street; and the surfacing of Kile Street between the south line of Lot 9, Block 2, Craigs Addition to the City of Concordia, Cloud County, Kansas, if extended east to the southwest corner of Lot 5, Block 3, Craigs Addition, to the City of Concordia, Cloud County, Kansas, and the south side of Thirteenth Street; all in Craigs Addition to the City of Concordia, Cloud County, Kansas, which is within the corporate limits of the city of Concordia, Kansas, as authorized by a resolution of this governing body adopted September 20, 1978, 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).

MINUTES OF REGULAR COMMISSION MEETING HELD ON JUNE 20, 1979 (CONTINUED)

Mr. Robert B. Wilson and Mr. and Mrs. Jesse T. Willis, property owners within the assessment district were present at the hearing.

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. 2146 (SPECIAL ASSESSMENTS, ST-78-CRAIGS)

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 INSTALMENTS FOR THE COST OF GRADING, CURBING AND SURFACING OF THIRTEENTH STREET BETWEEN THE EAST SIDE OF HILL STREET AND THE EAST LINE OF CRAIGS ADDITION, AND SURFACING OF KEMP STREET BETWEEN THE SOUTHERN BOUNDARY OF LOT 9, BLOCK 1, CRAIGS ADDITION TO THE CITY OF CONCORDIA, CLOUD COUNTY, KANSAS, IF EXTENDED EAST TO THE SOUTHWEST CORNER OF LOT 10, BLOCK 2, CRAIGS ADDITION TO THE CITY OF CONCORDIA, CLOUD COUNTY, KANSAS, AND THE SOUTH LINE OF THIRTEENTH STREET; AND THE SURFACING OF KILE STREET BETWEEN THE SOUTH LINE OF LOT 9, BLOCK 2, CRAIGS ADDITION TO THE CITY OF CONCORDIA, CLOUD COUNTY, KANSAS, IF EXTENDED EAST TO THE SOUTHWEST CORNER OF LOT 5, BLOCK 3, CRAIGS ADDITION TO THE CITY OF CONCORDIA, CLOUD COUNTY, KANSAS, AND THE SOUTH SIDE OF THIRTEENTH STREET; ALL IN CRAIGS ADDITION TO THE CITY OF CONCORDIA, CLOUD COUNTY, KANSAS 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": Doyen and Naylor. "Nay": None. With two-thirds of the entire 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 2146.

RESOLUTION NO. 552 (PETITION FOR SANITARY IMPROVEMENT PROJECT, SS-79-2)

APPROVED

The City Clerk presented to the City Commission the written petition of Gary J. Hobbie and three others, proposing the enlarging and improvement of the city's sanitary sewer system by an extension thereof consisting of an eight-inch line extending approximately 200 linear feet in the city of Concordia, Kansas. The Commission examined and considered the petition, after which it was moved by Commissioner Doyen, seconded by Commissioner Naylor, and duly carried by the affirmative vote of two-thirds of the entire members-elect of the Commission that Resolution No. 552 be adopted.

ORDINANCE NO. 2147 (SANITARY SEWER DISTRICT NO. 41, SS-79-2)

PASSED

An ordinance entitled "AN ORDINANCE ESTABLISHING SANITARY SEWER DISTRICT NUMBER 41 IN THE CITY OF CONCORDIA, KANSAS AND DESIGNATING THE PARCELS OF GROUND INCLUDED IN SAID DISTRICT" was read and considered by the Commission. On roll call upon it's passage the following commissioners voted "Yea": Doyen and Naylor. "Nay": None. With two-thirds of the entire 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 2147.

APPROPRIATION ORDINANCE NO. 11

PASSED

Appropriation Ordinance No. 11 was approved according to law.

INDUSTRIAL REVENUE BONDS - CONCORDIA PLAZA DEVELOPMENT CO.

TABLED

City Manager stated that the representatives of the Concordia Plaza Development Co. had requested that this Agenda item be tabled at this meeting and that a hearing date be set for July 5, 1979, at the next regular commission meeting.

Motion was made by Commissioner Doyen, seconded by Commissioner Naylor and duly carried that July 5, 1979, be set as a hearing date on Concordia Plaza Development Co. Industrial Revenue Bond request.

REVISED ELIGIBILITY GUIDELINES - REHABILITATION PROGRAM

APPROVED

The City Manager advised the Commissioners that the income eligibility guidelines for the rehabilitation program in the Community Development Block Grant program previously approved by the Commission were provided to the City in error, and such eligibility guidelines were to be reduced by approximately 8%. The City Manager presented to the Commissioners a new set of guidelines which will be maintained in the office of Community Development and used for determining applicant eligibility.

Motion was made by Commissioner Naylor, seconded by Commissioner Doyen and duly carried

BID AWARD (STREET DEPARTMENT MOWER)CONCORDIA TRACTOR, INC.

The City Manager presented the Commission two bids received for a street department rotary mower attachment which were received and opened on June 20, 1979, as follows:

Martin Tractor Co.,	\$1,125.00
Concordia Tractor Co.,	742.00

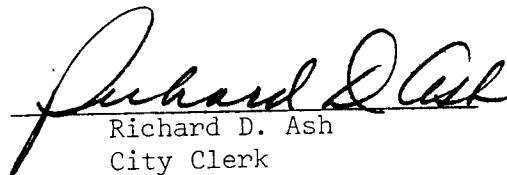
The City Manager recommended to the Commission awarding the contract bid to Concordia Tractor in the amount of \$742.00. Motion was made by Commissioner Doyen, seconded by Commissioner Naylor and duly carried that the mower bid be awarded to Concordia Tractor in the amount of \$742.00.

APPOINTMENTS TO THE COMMISSION ON AGINGDOYEN, MAGAW & SAULNIER

City Manager presented three names as recommendations for replacements on the Commission on Aging. Boyd Dochow is recommended for reappointment for a four year term ending July, 1984. Merle Magaw is recommended for an unexpired term of one year ending July, 1981 to replace the position vacated by Etta Warner. Irene Saulnier is being recommended for a new appointment to a four year term ending July, 1984 replacing Pauline Martin.

Motion was made by Commissioner Naylor, seconded by Commissioner Doyen and duly carried by affirmative vote of two-thirds of the members elect of the Commission that the above appointments be approved as recommended.

There being no further business, motion was made by Commissioner Doyen, seconded by Commissioner Naylor and carried that the Commission meeting adjourn until Thursday, June 28, 1979, to consider the matter of passing a resolution to issue no-fund warrants authorized by the State Board of Tax Appeals for the purchase and repair of fire equipment.


Richard D. Ash
City Clerk

(Seal)

RDA:vs

MINUTES OF THE ADJOURNED COMMISSION MEETING HELD JUNE 28, 1979

The City Commission met in adjourned session on June 28, 1979 at 12:15 o'clock p.m. in the City Commission Room, City Hall. Acting Mayor Doyen presided with Commissioner Naylor present. Absent: Commissioner Dunshie.

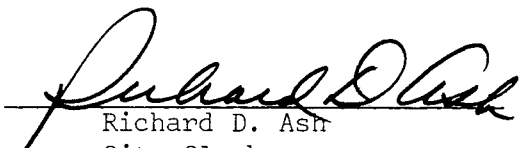
Other officers present: City Manager Carl Metzger, City Clerk Richard Ash and City Attorney David Retter.

RESOLUTION NO. 553 (AUTHORIZATION TO ISSUE NO-FUND WARRANTS)APPROVED

City Manager Metzger presented to the Commissioners a resolution declaring that an emergency exists and in order to protect and service or insure and provide for the health and convenience of the City and the public, it is necessary to purchase one (1) Pierce "Suburban" pumper fire truck, purchase price: \$64,179.00; and it is necessary to repair and replace one (1) 1959 International "190" Pumper Fire Truck to provide it as backup for the new truck. Repairs in the amount of \$9,500.00. The city manager stated that the Board of Tax Appeals for the State of Kansas issued it's order number 3162-79-NFW on the 27th day of June, 1979 authorizing the City to make such expenditure and to issue No-Fund Warrants in an amount not to exceed \$73,679.00, for the purposes above stated. This resolution is necessary to authorize such issuance of no-fund warrants authorized by the State Board of Tax Appeals.

Motion was made by Commissioner Doyen, seconded by Commissioner Naylor and duly carried by the affirmative vote of two-thirds of the entire members elect of the Commission that Resolution No. 553 authorizing the issuance of No-Fund Warrants in the amount of \$73,679.00 for the purpose of purchasing a fire apparatus and repair of existing equipment be approved.

There being no further business, motion was made by Commissioner Naylor, seconded by Commissioner Doyen and duly carried that the Commission adjourn until the next regularly scheduled Commission meeting.


Richard D. Ash
City Clerk

(Seal)

RDA:vs

The City Commission met in regular session on July 5, 1979, at 4:00 p.m. in the Commission room. Mayor Dunshie presided with Commissioners Doyen and Naylor present.

Other officers present: City Manager Carl Metzger, City Clerk Richard Ash and City Attorney David Retter.

Visitors present: Brad Lowell, Charles Everitt, Bill Berner, Leland Perry, J. R. Lawrence, Roy C. Hinkle, Leon Gennette, L. E. Dieble, Betty A. Wallace, Keith R. Palmquist, E. G. Palmquist, David Canfield, Burton Gerard, John D. Heinen, W. W. Lagemann, Lonnie Minor, Loren Medley, Helen W. Carlgren, Lorraine Phipps, Jack Chaney, Mike Johnston, Jo and Dale Barrett, Dan Slavin, Gene Hammon, Gale Engles, Ron Bennett, and Harold Daniels.

Minutes of the June 6 and June 28 meetings were approved as written.

PUBLIC HEARING, ISSUANCE OF INDUSTRIAL REVENUE BOND (CONCORDIA PLAZA DEVELOPMENT CO.)

REQUEST WITHDRAWN

City Manager Metzger stated that this was a public hearing to consider a request for the issuance of an industrial revenue bond to the Concordia Plaza Development Company for the construction of a retail shopping center in the city of Concordia. The request for industrial revenue bonds was in the amount not to exceed \$3,835,000. The City Manager stated that today's hearing would be governed by administrative policy #79-2, which establishes procedures for public hearings. City Manager Metzger stated Kansas State Statute 12-1740 gives cities the authority to issue industrial revenue bonds and such statute places the city into a pivotal role in stimulating economic growth through tax free bond financing. While the state statute is uniformly applicable to all cities local application of statute varies from community to community. Concordia has a policy governing the issuance of industrial revenue bonds which contains provisions of procedures for review and proposals for such issuing for such revenue bond issues. City Manager Metzger stated it is in the opinion of the City staff that Section 1 of the policy is open in allowing application on a case by case basis. Policy statement states that "Commercial - retail enterprises will not generally be approved for financing by the city of Concordia industrial revenue bonds." While not excluding this kind of activity from industrial revenue bond financing, it does suggest that extraordinary benefits should be apparent in the proposal if commission approval is expected. In addition, the determination must be made that an unfair advantage to one firm over another firm within the local market structure is not being created by the issuance of industrial revenue bonds. City Manager Metzger stated that after review of the proposal in its entirety, it was a staff recommendation that this request be denied. Further it was recommended that the commission policy be amended to state that commercial - retail enterprises will not be approved for financing by city of Concordia industrial revenue bonds.

Mr. Ron Bennett of the Concordia Plaza Development Company was present to elaborate on the presentation of the request for industrial revenue bonds for this development site. Further approximately 23 Concordia businessmen and women appeared at the hearing to voice their opposition of the issuance of the revenue bonds. The basic objections voiced by the Concordia merchants included:

- the lower interest rates would create an unfair advantage for businesses located in the shopping center;
- no other retail business in Concordia has had the advantage of industrial revenue bonds in either construction of new buildings or remodeling;
- the businesses located in Concordia have had enough faith in the community to locate here without the assistance of industrial revenue bonds;
- a belief that the shopping center will hurt the downtown business district;
- a belief that the issuance of industrial revenue bonds for retail business would establish a dangerous precedent and create future inequities;
- a belief that the lower interest rate would create an unfair advantage for the shopping center landlords as opposed to the landlords in the downtown business district.

After a brief discussion, and prior to a vote by the commission on this issue, Mr. Ronald Bennett requested that the Concordia Plaza Development Company request for issuance of industrial revenue bonds be withdrawn. Upon that request, the commission stated that no further action was necessary on this issue.

MINUTES OF THE REGULAR COMMISSION MEETING HELD JULY 5, 1979 (CONTINUED)

APPROPRIATION ORDINANCE No. 12 - 12A

PASSED

Appropriation ordinance number 12 and 12A were approved according to law.

ORDINANCE No. 2148 (PARKING METER BAGGING)

APPROVED

An ordinance entitled "AN ORDINANCE PERTAINING TO PARKING METERS AND REGULATING TRAFFIC; REPEALING EXISTING CONCORDIA CODE SECTION 23-41 (d); AND AMENDING THE CONCORDIA CODE BY ADDING A SECTION, TO BE NUMBERED 23-41 (d)," was read and considered by the commission. On roll call upon its passage, the following commissioners voted "yea": Dushie, Doyen and Naylor. "Nay": none. The entire 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 No. 2148.

ORDINANCE No. 2149 (CITY MANAGER'S AUTHORITY TO MAKE REGULATIONS)

PASSED

An ordinance entitled "AN ORDINANCE PERTAINING TO THE CITY MANAGER'S AUTHORITY TO MAKE TRAFFIC REGULATIONS AND TO INSTALL AND MAINTAIN TRAFFIC-CONTROL; REPEALING EXISTING CONCORDIA CODE SECTION 23-3; AND AMENDING THE CONCORDIA CODE BY ADDING THE SECTION, TO BE NUMBER 23-3", was read and considered by the commission. On roll call upon its passage, the following commissioners voted "yea": Dunshie, Doyen and Naylor. "Nay": none. With the entire 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 No. 2149.

RESOLUTION 554 (FINAL NOTICE OF NUISANCE ABATEMENT)

APPROVED

City Manager said that this was a public hearing held to consider the need to issue final abatement notice for nuisance existing at the following locations:

- 1116 East 7th - weeds, trash and wrecked and abandoned vehicles;
- 518 East 2nd - weeds, grass and other loose materials;
- 300 block of East 14th - rank weeds and grass.

The City Manager stated that notices had been served on owners, occupants or agents of the property where each alleged nuisance exist. Each owner, occupant or agent has been given ten days to remove or abate such nuisance. At the time of the hearing before the governing body the owner, occupant or agent is given an opportunity to appear or make a showing to the satisfaction of the governing body that no such nuisance exists, the governing body shall determine such existence and issue final notice to remove and abate alleged nuisance or rescind such notice. No owners, occupants or agents were present to discuss the above three abatement notices, the police department has indicated such nuisances do still exist.

After a brief discussion, motion was made by Commissioner Doyen, seconded by Commissioner Naylor and duly carried by the affirmative vote of all members elect of the commission that Resolution No. 554, directing the City Clerk to issue final abatement notices for the abatement of the above stated nuisances within a ten day period, be approved.

ORDINANCE No. 2150 (AMENDING INDUSTRIAL COST RECOVERY ORDINANCE)

PASSED

An ordinance entitled "AN ORDINANCE DEFINING 'INDUSTRIAL USER' FOR PURPOSE OF ORDINANCE NUMBER 2132, PERTAINING TO THE SEWAGE SYSTEM OF THE CITY OF CONCORDIA, KANSAS; REPEALING SECTION OF SAID ORDINANCE NUMBER 2132 AS AMENDED BY ORDINANCE 2142 OF SAID CITY; AND AMENDING SAID ORDINANCE NUMBER 2132 AND ADDING A SECTION, TO BE NUMBERED 7, TO SAID ORDINANCE NUMBER 2132 OF SAID CITY", was read and considered by the commission. On roll call upon its passage the following commissioners voted "yea": Dunshie, Doyen and Naylor. "Nay": none. With the entire members elect of the commission having voted in favor thereof, the ordinance was declared passed and title agreed to and the City Clerk assigned to it number 2150.

RESOLUTION No. 555 (ST-78-CRAIG, TEMPORARY NOTES)

PASSED

The City Attorney presented to the commission a resolution authorizing the issuance of \$45,981.20 in temporary notes of the city of Concordia at an interest rate of 6% per annum to provide temporary finance for the paving of Kemp and Kyle Streets south of 13th Street, and the curbing, guttering and surfacing of 13th street all in Craig's addition, the city of Concordia, Kansas. These temporary notes were authorized by ordinance number 2118 adopted at special commission meeting of November 22, 1978. A motion was made by Commissioner Naylor, seconded by Commissioner Dunshie and duly carried by the entire members elect of the commission that Resolution Number 555, authorizing the notes, be adopted.

RESOLUTION No. 556 (ST-78-BUDREAU - 9TH, TEMPORARY NOTES)

PASSED

The City Attorney presented to the commission a resolution authorizing the issuance of \$13,610.34 in temporary notes of the city of Concordia at an interest rate of 6% per annum to provide temporary finance for the curbing, guttering and surfacing of 9th Street in the Budreau sub-division of the city of Concordia, Kansas. These temporary notes were authorized by ordinance number 2119 adopted at a special commission meeting of November 22, 1978. Motion was made by Commissioner Doyen, seconded by Commissioner Naylor and duly carried by the affirmative vote of the entire members elect of the commission that Resolution Number 556, authorizing these temporary notes, be adopted.

REVIEW OF FRANCHISE SERVICE CHARGE (CABLECOM VS ST. JOSEPH HOSPITAL)

ACTION REQUIRED

The City Manager stated that in accordance with the direction given to Cablecom, Inc. and St. Joseph Hospital at a public hearing held on May 15, 1979, in conjunction with ordinance number 2144 amending the franchise ordinance dealing with the connection of free service, parties concerned were to establish a rate schedule for provisions of services to the St. Joseph Hospital and such rate structure developed under this private agreement was to be submitted to the city commission for their review prior to the implementation. City Manager Metzger states that the parties have attempted, however, have not been able to make such an agreement, and has brought a request to the commissioners to review and determine whether the city would issue resolutions under the authority of the franchise ordinance to establish a maximum rate. After a brief discussion between the commissioners and the parties concerned, it was determined that Cablecom General required a \$1.00 per hookup charge rate and that St. Joseph Hospital was willing to go to a \$0.50 rate thus placing such negotiations in an impasse and the city commissioners have decided that a maximum rate is to be established by resolution in the amount of \$0.75 per hospital hookup. City commissioners directed the City Attorney to draw such resolution in the amount of \$0.75 per hookup for presentation at their next commission meeting.

APPROVAL OF PARKING LOT ENTRANCE WAYS (CONCORDIA PLAZA DEVELOPMENT SITE)

APPROVED AS AMENDED

Mr. Ron Bennett of Eisenberg Realtors presented to the commission the proposed entry way plan for the new Concordia plaza. Upon review, the commissioners, at the recommendation of the staff, posed problems with both numbers and locations with this plan. Commissioners, after a brief discussion, agreed to approve an interrelated plan which would take no adjustment on the south entrance, would require the central entrance to be moved to the north adjacent to the alley between 15th and 16th Street on Lincoln, and that the entrance way on the plan provided at the north pad be deleted from the plan at this time. Mr. Bennett stated that this would be a necessity in the obtaining of a sale or lease agreement on the pad, however the commissioners stated that at that time the north entrance way would be reconsidered.

CONTRACT NEGOTIATION (HOBBY'S SEWER DISTRICT)

APPROVED

The City Manager requested from the commission the authorization to negotiate a contract with Derowitsch Construction Company for the extension of sewer services along State Street from the alley between 15th and 16th Street south to accomodate building sites in the Hobby Addition. This project has been approved by the commissioners at an earlier meeting, however, the size of the project would not draw adequate interest from contractors for open bidding. After a brief discussion motion was made by Commissioner Doyen, seconded by Commissioner Naylor and duly carried that the authority be granted to the City Manager to negotiate such sewer project and contract.

MINUTES OF THE REGULAR COMMISSION MEETING HELD JULY 5, 1979 (CONTINUED)

FINANCIAL AUDIT - 1979

BARTLETT, SETTLE & EDGERLE

The City Manager presented to the commissioners two proposals from certified public accounting organizations for the 1979 annual audit. Mr. Metzger stated that due to unlike basis of providing proposals, it was indeed difficult to weigh these proposals due to the measuring of dollars. The City Manager recommended that during the ensuing year because of many changes in operation and financial records keeping requirements that the firm Barlett, Settle and Edgerle be retained for this one additional year to provide continuity in the financial reporting and records keeping while these changes are in progress. Further, the City Manager recommended that in considering auditing firms for the 1980 annual audit the City Manager and City Clerk develop a bidding package to be presented to the auditing firms for submission of proposals that would be measured on equal basis, that the audit contract awarded in 1980 be for a longer duration than one year. After a brief discussion, motion was made by Commissioner Doyen, seconded by Commissioner Naylor and duly carried by the entire members elect of the commission that the recommendation of the City Manager to accept the contract from Bartlett, Settle and Edgerle for the 1979 audit be approved, and further that the City Manager be directed to prepare such bid proposals for 1980 and future audits to be disseminated and received in the Spring of 1980.

OVERLAY OF HIGHWAY 81 (CITY-STATE SHARING)

APPROVED

The City Manager presented to the commissioners a letter from the State Highway Department of Transportation offering the city a cost sharing formula of two-thirds state expenses and one-third city expenses for the overlay of Highway 81 from 7th Street to the south city limits. City Manager Metzger stated that using this formula, the city would be obligating itself for approximately \$46,200 for the Highway 81 repair work. The repair work would include a two inch asphalt overlay and repair of concrete joints in existing roadway. The City Manager stated that the action necessary was for the commissioners to approve the state cost sharing formula and authorize him to respond affirmatively to their offer of assistance. After a brief discussion a motion was made by Commissioner Dunshie, seconded by Commissioner Naylor and duly carried by the affirmative vote of two-thirds of the entire members elect of the commission that the city accept the state's sharing formula for such overlay work, and authorize the City Manager to respond in writing affirmatively to the offer for assistance.

WAIVER FIXED ASSET ACCOUNTING REQUIREMENTS

AUTHORITY GRANTED

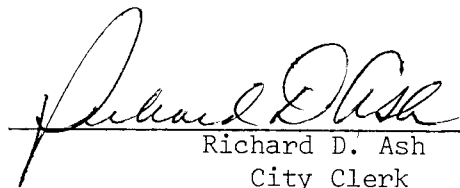
The City Manager explained to the commission the requirement by the state legislature of 1978 which mandated municipal financial operations in accordance with general accepted accounting principles. These generally accepted principles include the maintenance of fixed asset records for all general government fixed assets. The 1979 legislature amended such mandate to allow waiver of this requirement for a period not exceeding January 1, 1978. It is felt by the staff that this waiver should be requested so that adequate processes and procedures can be established for the accounting of general fixed assets however such procedures would not be accomplished during the 1979 fiscal year. After a brief discussion motion was made by Commissioner Dunshie, seconded by Commissioner Naylor and duly carried by affirmative vote of the entire members elect of the commission that the City Clerk be granted the authority to request waiver of this mandated accounting procedure.

STUDY SESSION

DATE SET

The City Manager and the City Commission established Friday, July 13, 1979, at 12:15 o'clock p.m. as a work study session.

There being no further business, motion was made by Commissioner Dunshie, seconded by Commissioner Naylor and duly carried that the Commission meeting adjourn until its next regular Commission meeting.


Richard D. Ash
City Clerk

(Seal)

RDA/cl

The City Commission met in regular session on July 18, 1979 at 4:00 o'clock p.m. in the City Commission Room in the City Hall. Acting Mayor Doyen presided with Commissioner Naylor present. Absent: Commissioner Dunshie.

Other officers present: City Manager Metzger, City Clerk Ash, City Attorney Retter.

Visitors present: Brad Lowell and Fred DeArmond.

Minutes of the July 5, 1979 meeting were approved as written.

JUNE FINANCIAL STATEMENTS

PLACED ON FILE

The City Clerk presented the June financial reports which were ordered placed on file.

QUARTERLY INVESTMENT REPORTS

ORDERED PLACED ON FILE

The city manager presented to the Commission the second quarterly report of all 1979 investments as follows:

"Ordinance 1860 requires the city manager to submit a quarterly report covering the investment program for the fiscal year to date.

Investment interest received from April 1, 1979 through June 30, 1979:

<u>Amount</u>	<u>Fund</u>	<u>Due Date</u>	<u>Interest Rate</u>	<u>Interest Received</u>	<u>Original Term</u>
\$140,000.00	Misc.; W&S	4-16-79	9.316	\$3,260.60	90 Days
100,000.00	Miscellaneous	4-16-79	9.316	2,328.99	90 Days
100,000.00	Miscellaneous	4-16-79	9.316	2,297.10	90 Days
700,000.00	Water & Sewer	5-3-79	5	1,681.34	Passbook
114,000.00	Misc.; W&S	5-17-79	9.649	904.10	30 Days
114,000.00	Misc.; W&S	5-17-79	9.649	904.10	30 Days
80,000.00	Miscellaneous	6-18-79	9.506	633.73	30 Days
80,000.00	Misc.; W&S	6-18-79	9.506	633.73	30 Days
80,000.00	Miscellaneous	6-18-79	9.506	645.89	30 Days
17,915.50	Cemetery Endow.	6-29-79	7.50	339.08	4 Year
17,915.50	Cemetery Endow.	6-29-79	7.50	339.08	4 Year
TOTAL INTEREST - SECOND QUARTER				13,967.74	
TOTAL INTEREST - FIRST QUARTER				3,123.54	
INTEREST RECEIVED IN 1979 FROM 1978 INVESTMENTS				325.55	
				\$17,416.83	

Respectfully submitted,

/s/ Carl M. Metzger
City Manager"

CURRENT INVESTMENT REPORT

PLACED ON FILE

The City Manager presented to the Commission a report of current investments as of June 30, 1979.

<u>"Amount</u>	<u>Fund</u>	<u>Due Date</u>	<u>Interest Rate</u>	<u>Bank</u>	<u>Original Term</u>
Money Market Certificates					
\$ 31,300.00	Miscellaneous	7-19-79	9.784	Railroad Savings & Loan	182 Days
35,000.00	Parking Meter	7-20-79	9.534	Cloud County Bank	182 Days
13,385.00	Miscellaneous	7-17-79	9.69	First Federal Savings & Loan	182 Days
13,385.00	Miscellaneous	7-17-79	9.568	Peoples Savings & Loan	182 Days
Certificates of Deposit					
80,000.00	Miscellaneous	7-18-79	8.956	Fidelity State Bank	30 Days
80,000.00	Miscellaneous	7-18-79	8.956	First Bank & Trust	30 Days
121,300.00	Misc.; W&S	--	5	Cloud County Bank	Passbook
17,915.50	Cemetery Endow.	9-29-79	7.50	Peoples Savings & Loan	4 Year
17,915.50	Cemetery Endow.	9-29-79	7.50	First Federal Savings & Loan	4 Year
<hr/>					
\$ 410,201.00					

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JULY 18, 1979 (CONTINUED)

This report discloses all current investments of the idle funds of the City of Concordia as of the above date.

/s/ Carl M. Metzger
City Manager

/s/ Richard D. Ash
City Clerk

/s/ Verna Scott
City Treasurer"

ORDINANCE NO. 2151 (ANNEXATION-ORANGE OWL, INC.)

APPROVED

The City Manager presented a petition signed by the Orange Owl, Inc. for the annexation of territory, recently platted, in the Lost Creek Addition now under the ownership of Orange Owl, Inc. The City Manager stated that this is a public hearing to view this case. No parties were present to object to this annexation, and after a brief discussion, an ordinance entitled "AN ORDINANCE INCLUDING AND INCORPORATING CERTAIN LAND WITHIN THE LIMITS AND BOUNDARIES OF THE CITY OF CONCORDIA, KANSAS", was read and considered by the Commission. On roll call upon it's passage, the following commissioners voted "Yea": Doyen and Naylor. "Nay": None. With two-thirds of the entire 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 Ordinance No. 2151.

ORDINANCE NO. 2152 (ZONING AMENDMENT IN "R" DISTRICTS)

APPROVED

The City Manager presented to the Commission an ordinance which will amend the existing zoning ordinance in "R" Zones to include "Medical, dental and health clinics (for people) on a lot or tract of land on one and one-half acres or larger". The manager stated that the Planning Commission had held a public hearing on June 27, 1979 to consider this amendment and recommended approval of the change to the City Commission. City staff concurs with this recommendation. With no one present to voice opposition to this change, an ordinance entitled "AN ORDINANCE AMENDING ORDINANCE NO. 1829 OF THE CITY OF CONCORDIA, KANSAS, HEREINAFTER REFERRED TO AS THE ZONING ORDINANCE, BY ADDING A SUB-SECTION TO BE NUMBERED 12, TO SECTION 3 OF ARTICLE V OF SAID ZONING ORDINANCE", was read and considered by the Commission. On roll call upon it's passage, the following commissioners voted "Yea": Doyen and Naylor. "Nay": None. With two-thirds of the entire 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 2152.

RESOLUTION NO. 557 (NUISANCE ABATEMENT NOTICE)

APPROVED

The City Manager stated that this was a public hearing held to consider the need to issuance a final abatement notice for nuisances existing at the following locations.

- 1) 513 Kansas - rank grass, weeds, discarded and junked vehicles.
- 2) 517 Olive - weeds and other trash.
- 3) 522 W. 9th St. - inoperable vehicle.

The city manager stated that notices had been served on the owners, occupants or agents of the property where each alleged nuisance exists. Each owner, occupant or agent has been given 10 days to remove or abate such nuisance. At the time of the hearing before the governing body, the owners, occupants or agents are given an opportunity to appear and make a showing to the satisfaction of the governing body that no such nuisance exists. The governing body shall determine such existence and issue final notice to remove and abate the alleged nuisance or rescind such notice. No owners, occupants or agents were present to discuss the above three abatement notices, the police department has indicated that these nuisances still do exist.

After a brief discussion, motion was made by Commissioner Doyen, seconded by Commissioner Naylor and carried by the affirmative vote of two-thirds of the entire members-elect of the Commission that Resolution No. 557, directing the City Clerk to issue final abatement notice for the abatement of the above stated nuisances within a 10 day period, be approved.

APPROPRIATION ORDINANCE NO. 13

PASSED

Appropriation Ordinance No. 13 was approved according to law.

ORDINANCE NO. 2153 (TEMPORARY NOTES, SS-78-2)

PASSED

An ordinance entitled "AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF \$15,189.60 OF THE TEMPORARY NOTES OF THE CITY OF CONCORDIA, KANSAS, TO PROVIDE FUNDS TO PAY THE COST OF THE CONSTRUCTION OF A SANITARY SEWER SYSTEM IN THE ALLEY IN BLOCK 23; AND IN THE INTERSECTION OF THE ALLEY IN BLOCK 23, IF EXTENDED, AND OLIVE STREET; AND IN THE ALLEY IN BLOCK 24, 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

ORDINANCE NO. 2154 (TEMPORARY NOTES - SS-78-3)PASSED

An ordinance entitled "AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF \$11,394.00 OF THE TEMPORARY NOTES OF THE CITY OF CONCORDIA, KANSAS, TO PROVIDE FUNDS TO PAY THE COST OF THE CONSTRUCTION OF A SANITARY SEWER SYSTEM IN THE DEDICATED PUBLIC RIGHT-OF-WAY BEGINNING AT THE SOUTHERN MOST POINT OF THE INTERSECTION OF PECK AVENUE WITH THE WEST SIDE OF REPUBLICAN STREET, THENCE SOUTHWESTERLY, FOLLOWING THE CURVE OF PECK AVENUE ADJACENT TO LOTS 8 THROUGH 13, BOTH INCLUSIVE, BLOCK 3, COLLEGE HEIGHTS ADDITION, CONCORDIA, KANSAS, ALL ACCORDING TO THE RECORDED PLAT THEREOF, TO A POINT IN THE DEDICATED PUBLIC RIGHT-OF-WAY IMMEDIATELY ADJACENT TO THE SOUTHWEST CORNER OF LOT 9, BLOCK 3, COLLEGE HEIGHTS ADDITION 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": Doyen and Naylor. "Nay": None. With two-thirds of the entire members-elect of the Commission having voted in favor thereof, the ordinance was declared passed, the title agreed to and the City Clerk assigned to it Ordinance No. 2154.

ORDINANCE NO. 2155 (TEMPORARY NOTES - SS-78-4)PASSED

An ordinance entitled "AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF \$23,390.40 OF THE TEMPORARY NOTES OF THE CITY OF CONCORDIA, KANSAS, TO PROVIDE FUNDS TO PAY THE COST OF THE CONSTRUCTION OF A TEN (10") INCH SANITARY SEWER EXTENSION FROM EXISTING MANHOLE IN LOT 1, BLOCK C, NOR'EAST INDUSTRIAL PARK, AN ADDITION TO THE CITY OF CONCORDIA, CLOUD COUNTY, KANSAS, THENCE SOUTHWEST ACROSS THE RIGHT-OF-WAY OF THE SANTA FE RAILWAY, CONTINUING SOUTH, TO THE NORTHWEST CORNER OF LOT 2, CONCORDIA INDUSTRIAL PARK, AN ADDITION TO THE CITY OF CONCORDIA, CLOUD COUNTY, KANSAS, THENCE EAST TO THE NORTHWEST CORNER OF LOT 4, OF SAID CONCORDIA INDUSTRIAL PARK 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": Doyen and Naylor. "Nay": None. With two-thirds of the entire members-elect of the Commission having voted in favor thereof, the ordinance was declared passed, the title agreed to and the City Clerk assigned to it Ordinance No. 2155.

ORDINANCE NO. 2156 (TEMPORARY NOTES - SS-79-2)PASSED

An ordinance entitled "AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF \$5,784.00 OF THE TEMPORARY NOTES OF THE CITY OF CONCORDIA, KANSAS, TO PROVIDE FUNDS TO PAY THE COST OF THE ENLARGING AND IMPROVEMENT OF THE CITY'S SANITARY SEWER SYSTEM BY AN EXTENSION THEREOF CONSISTING OF AN EIGHT-INCH LINE EXTENDING APPROXIMATELY 200 LINEAR FEET 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": Doyen and Naylor. "Nay": None. With two-thirds of the entire members-elect of the Commission having voted in favor thereof, the ordinance was declared passed, the title agreed to and the City Clerk assigned to it Ordinance No. 2156.

ORDINANCE NO. 2157 (ENFORCEMENT PROCEDURES FOR UNSAFE STRUCTURES)PASSED

An ordinance entitled "AN ORDINANCE PERTAINING TO THE REPAIR OR REMOVAL OF UNSAFE OR DANGEROUS STRUCTURES, AND AMENDING THE CONCORDIA CODE BY ADDING A SECTION, TO BE NUMBERED 7-48" was read and considered by the Commission. On roll call upon it's passage the following Commissioners voted "Yea": Doyen and Naylor. "Nay": None. With two-thirds of the entire members-elect of the Commission having voted in favor thereof, the ordinance was declared passed, the title agreed to and the City Clerk assigned to it Ordinance No. 2157.

RESOLUTION NO. 558 (REPEAL OF RESOLUTION NO. 553)APPROVED

The City Manager presented a resolution which would repeal Resolution No. 553 authorized on the 19th day of July, 1979. Resolution 553 authorized the issuance of Fire Department No-Fund Warrants for the purchase and repair of fire equipment. The City Manager stated that the reason for repealing this existing resolution was that the date of the order from the State Board of Tax Appeals authorizing issuance was erroneously dated to be June 27, 1979. After a brief discussion, motion was made by Commissioner Doyen, seconded by Commissioner Naylor and duly carried by affirmative vote of two-thirds of the entire members-elect of the Commission that Resolution No. 558 repealing Resolution No. 553, be approved.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD ON JULY 18, 1979 (CONTINUED)

RESOLUTION NO. 559 (AUTHORIZING ISSUANCE OF NO-FUND WARRANTS)

APPROVED

The City Manager presented Resolution No. 559 to the Commission as a replacement resolution for Resolution No. 553 passed on July 18, 1979. This resolution would authorize the issuance of No-Fund Warrants in a total aggregate amount of \$73,679.00 for the purchase, repair and replacement of fire department equipment. This issuance was authorized by Order of the State Board of Tax Appeals dated on the 10th day of July, 1979. After a brief discussion, motion was made by Commissioner Doyen, seconded by Commissioner Naylor and duly carried by the affirmative vote of two-thirds of the entire members-elect of the Commission that Resolution No. 559, authorizing the issuance of fire department no-fund warrants in the aggregate amount of \$73,679.00 for the purchase, repair and replacement of fire department equipment, be approved.

RESOLUTION NO. 560 (MAXIMUM RATE FOR CABLE TELEVISION SERVICE)

APPROVED

The City Attorney presented to the Commission a resolution, per their instructions at the July 5, 1979 meeting, setting the maximum rate for charges by Cablecom-General, Inc. for hospital services in the amount of seventy-five cents per hook-up. After a brief discussion, motion was made by Commissioner Doyen, seconded by Commissioner Naylor, and carried by the affirmative vote of two-thirds of the entire members-elect of the Commission that Resolution No. 560, setting the maximum rates for cable television service to hospitals, be approved.

CONTRACT AWARD (SS-79-2)

DEROWITSCH CONSTRUCTION CO.

City Manager stated that at the Commission's instructions, a contract was to be negotiated with Derowitsch Construction Co. for the construction of a 200 foot sanitary sewer line extension in Block 46 of the City of Concordia (Hobbie Addition). Derowitsch Construction Co. has submitted a negotiated bid of \$4,795.00. The engineer's estimate for construction on this project is \$4,820.00. The City Manager recommended acceptance of the proposal from Derowitsch Construction Co. in the amount of \$4,795.00. After a brief discussion, motion was made by Commissioner Naylor, seconded by Commissioner Doyen and duly carried by the affirmative vote of two-thirds of the entire members-elect of the Commission that the construction contract for the Hobbie Addition sewer extension be awarded to Derowitsch Construction Co. in the Amount of \$4,795.00.

CONSIDERATION OF REVOCATION (CEREAL MALT BEVERAGE LICENSE-CAROL'S PLACE)

NO ACTION

The City Manager stated that the Concordia Municipal Court had found Carol Cibolski, holder of a cereal malt beverage license, guilty of misdemeanor violations of Section 3-35 prohibiting after hour sales and Section 3-42 dealing with possession of alcoholic liquor on licensed premises of the Code of the City of Concordia. Normal procedure calls for an administrative hearing on the matter. It is recommended that no action be taken to revoke this license in lieu of the fact that the Court has imposed a substantial fine and established a one year probation period. After a brief discussion, the City Commission concurred with such recommendation and decided that no action would be taken at this time.

CHANGE ORDER REQUEST FROM WILSON AND CO. (ENGINEERING CONTRACT-EPA PROJECT)

AUTHORIZED

The City Manager stated that Wilson and Co. had requested additional funding on the wastewater treatment plant facility under their engineering contract. Wilson and Co. Engineers presented a letter to the City requesting additional compensation of the lump sum fee of \$20,000.00 in relation to the engineering services on the wastewater treatment plant facility. Part of the request is based on services requested by the City not included in the original contract agreement, however a major portion of the increase is due to cost for services that were underestimated in the project budget. City Manager Metzger stated that in reviewing the request, the staff feels that all items associated with work outside the contract requested by the city should be approved. Overruns, however, on items covered under the contract shall not be authorized for funding. Further, he stated should the increase be approved there would be a net increase of \$10,442.00 over the contract amount. Presuming EPA funding can be extended to cover this overage, the City's share of the overrun would be 25% or \$2,610.00. In no event will the City be liable for any of the costs outlined if EPA funding is denied. After a brief discussion, motion was made by Commissioner Doyen, seconded by Commissioner Naylor and duly carried by affirmative vote of two-thirds of the members-elect that authorization be granted for Wilson And Co. to submit change order request on the engineering contract in a total amount of \$10,442.00 contingent upon final approval on EPA funding on a 75-25% sharing formula. Further, if funding is not approved by EPA, the city manager is authorized to sit in the negotiation with Wilson and Co. over this matter.

AGREEMENT ON CONNECTING LINK PAYMENTS

APPROVED

The city manager presented the funding formula and dollar figures for the state

payment formula on connecting links for 1980.

ICMA RETIREMENT CORPORATION AGREEMENT

APPROVED

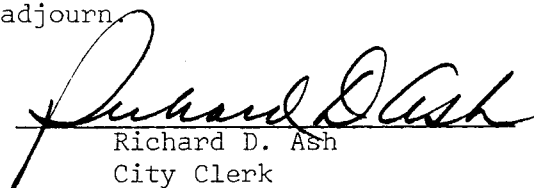
The City Manager presented to the Commission the revised International City Management Association's Retirement Corporation agreement for deferred compensation for members of the employment. The amendments are consistent with changes made by the Board of Directors of the retirement corporation in direct response to changes required by the Internal Revenue Service dealing with the deferred compensation plans. After a brief discussion, motion was made by Commissioner Doyen, seconded by Commissioner Naylor and duly carried by affirmative vote of two-thirds of the members-elect that the ICMA Retirement Corporation Agreement be approved.

STUDY SESSION

DATE SET

The City Commission and the City Manager established Thursday, July 26, 1979 at 12:15 o'clock p.m. as a Study Session.

There being no further business, motion was made by Commissioner Doyen, seconded by Commissioner Naylor and duly carried that the Commission adjourn.


Richard D. Ash
City Clerk

(Seal)

RDA:vs

MINUTES OF THE SPECIAL COMMISSION MEETING HELD JULY 24, 1979

The City Commission met in special session at 12:15 o'clock p.m. July 24, 1979 in the City Commission Room in the City Hall. Mayor Dunshie presided with Commissioner Naylor present. Absent: Commissioner Doyen.

Other officers present: City Manager Carl Metzger, City Clerk Richard Ash and City Attorney David Retter.

Visitors present: None.

Mayor Dunshie requested the call for Special City Commission meeting be entered at length in the official record.

"CALL FOR SPECIAL CITY COMMISSION MEETING
City of Concordia, Kansas

TO THE BOARD OF COMMISSIONERS:

A special meeting of the Board of Commissioners is hereby called to be held as follows:

Place: City Commission Room, City Hall, Concordia, Kansas

Date: July 24, 1979

TIME: 12:15 p.m.

The object of said meeting will be as follows:

1. Consideration and passage of a proposed resolution, which reads as follows:

"RESOLUTION NO. _____

WHEREAS, the governing body of the City of Concordia, Kansas, has by Ordinance No. 2138 declared that an emergency exists and that in order properly to protect and service or insure and provide for the health and convenience of the city and the public it is necessary to purchase one (1) Pierce "Suburban" pumper fire truck, purchase price: \$64,179.00; and it is necessary to repair and replace one (1) 1959 International "190" Pumper Fire Truck as follows: Completely overhaul 1959 Waterous 2-stage pump; overhaul brakes, relief valve, primer; tune-up engine; check and repair plumbing leaks; repair emergency brake and stop light; replace 300-gallon booster tank; cost of repair and replacement: \$9,500.00, for a total aggregate expenditure of \$73,679.00 for such purchase, repair and replacement of said fire department equipment of said city, and that it is necessary to issue no-fund warrants to raise revenue for such purposes; and

WHEREAS, upon proper application having been made by said city, the Board of Tax Appeals of the State of Kansas did, on the 10th day of July, 1979, issue its Order No. 3162-79-NFW authorizing said city to make such expenditure and to issue no-fund warrants in an amount not to exceed \$73,679.00 for such purpose:

NOW, THEREFORE, BE IT RESOLVED, By the governing body of the City of Concordia, Kansas:

Section 1. That for the purpose of providing funds to pay for the purchase of one (1) Pierce "Suburban" pumper fire truck, purchase price: \$64,179.00; and to repair and replace one (1) 1959 International "190" Pumper Fire Truck as follows: Completely overhaul 1959 Waterous 2-stage pump; overhaul brakes, relief valve, primer; tune-up engine; check and repair plumbing leaks; repair emergency brake and stop light; replace 300-gallon booster tank; cost of repair and replacement: \$9,500.00, for a total aggregate expenditure of \$73,679.00 for such purchase, repair and replacement of said fire department equipment of said city, in order to properly protect and service or insure and provide for the health and convenience of the city and the public, that no-fund warrants of the City of Concordia, Kansas, shall be issued under the authority of K.S.A. 12-110a, in the aggregate sum of \$73,679.00, and shall be designated "FIRE EQUIPMENT NO-FUND WARRANTS, SERIES 1979-A". Said warrants shall be dated the 24th day of July, 1979, and shall bear interest at the rate of six and one-half percent (6 1/2%) per annum from the date thereof said interest being payable annually. Said warrants shall each be payable at the office of the county treasurer, Cloud County, Kansas and shall be numbered, mature, and be in the amounts as follows:

<u>Number</u>	<u>Maturity</u>	<u>Amount</u>
1	July 24, 1980	\$13,679.00
2	July 24, 1981	\$15,000.00
3	July 24, 1982	\$15,000.00
4	July 24, 1983	\$15,000.00
5	July 24, 1984	\$15,000.00
	TOTAL	\$73,679.00

Said warrants shall be signed and recorded and otherwise duly registered as provided by law.

Section 2. The governing body of the city shall annually make provision for the payment of the principal and interest of said warrants as the same become due by the levy and collection of the necessary tax therefor.

Passed by the City Commission and signed by the Mayor this _____ day of _____, 1979.

Mayor

(Seal)

Attest:

City Clerk

DATED this 24th day of July, 1979.

/s/ Fredric L. Dunshie
Mayor

/s/ Wilbur Naylor
Commissioner "

"NOTICE OF SPECIAL CITY COMMISSION MEETING
City of Concordia, Kansas

TO FREDRIC L. DUNSHIE, LEE DOYEN AND WILBUR NAYLOR:
CITY COMMISSIONERS:

You are hereby notified that there will be a special meeting of the Board of Commissioners at 12:15 o'clock P.M. on the 24th day of July, 1979, at the City Commission Room, City Hall, Concordia, Kansas, the object of said meeting to be as follows:

"RESOLUTION NO. _____

WHEREAS, the governing body of the City of Concordia, Kansas, has by Ordinance No. 2138 declared that an emergency exists and that in order properly to protect and service or insure and provide for the health and convenience of the city and the public it is necessary to purchase one (1) Pierce "Suburban" pumper fire truck, purchase price: \$64,179.00; and it is necessary to repair and replace one (1) 1959 International "190" Pumper Fire Truck as follows: Completely overhaul 1959 Waterous 2-stage pump; overhaul brakes, relief valve, primer; tune-up engine; check and repair plumbing leaks; repair emergency brake and stop light; replace 300-gallon booster tank; cost of repair and replacement: \$9,500.00, for a total aggregate expenditure of \$73,679.00 for such purchase, repair and replacement of said fire department equipment of said city, and that it is necessary to issue no-fund warrants to raise revenue for such purposes; and

WHEREAS, upon proper application having been made by said city, the Board of Tax Appeals of the State of Kansas did, on the 10th day of July, 1979, issue its Order No. 3162-79-NFW authorizing said city to make such expenditure and to issue no-fund warrants in an amount not to exceed \$73,679.00 for such purpose:

NOW, THEREFORE, BE IT RESOLVED, By the governing body of the City of Concordia, Kansas:

Section 1. That for the purpose of providing funds to pay for the purchase of one (1) Pierce "Suburban" pumper fire truck, purchase price: \$64,179.00; and to repair and replace one (1) 1959 International "190" Pumper Fire Truck as follows:

MINUTES OF SPECIAL COMMISSION MEETING HELD JULY 24, 1979 (CONTINUED)

Completely overhaul 1959 Waterous 2-stage pump; overhaul brakes; relief valve, primer; tune-up engine; check and repair plumbing leaks; repair emergency brake and stop light; replace 300-gallon booster tank; cost of repair and replacement: \$9,500.00, for a total aggregate expenditure of \$73,679.00 for such purchase, repair and replacement of said fire department equipment of said city, in order to properly protect and service or insure and provide for the health and convenience of the city and the public; that no-fund warrants of the City of Concordia, Kansas, shall be issued under the authority of K.S.A. 12-110a, in the aggregate sum of \$73,679.00, and shall be designated "FIRE EQUIPMENT NO-FUND WARRANTS, SERIES 1979-A". Said warrants shall be dated the 24th day of July, 1979, and shall bear interest at the rate of six and one-half percent (6 1/2%) per annum from the date thereof said interest being payable annually. Said warrants shall each be payable at the office of the county treasurer, Cloud County, Kansas and shall be numbered, mature, and be in the amounts as follows:

<u>Number</u>	<u>Maturity</u>	<u>Amount</u>
1	July 24, 1980	\$13,679.00
2	July 24, 1981	\$15,000.00
3	July 24, 1982	\$15,000.00
4	July 24, 1983	\$15,000.00
5	July 24, 1984	\$15,000.00
	TOTAL	\$73,679.00

Said warrants shall be signed and recorded and otherwise duly registered as provided by law.

Section 2. The governing body of the city shall annually make provision for the payment of the principal and interest of said warrants as the same become due by the levy and collection of the necessary tax therefor.

Passed by the City Commission and signed by the Mayor this _____ day of _____, 1979.

Mayor

(Seal)

Attest:

City Clerk

Witness my hand and the seal of said city this 24th day of July, 1979.

City Clerk

(Seal)

To Any Person Authorized to Serve Notice of a Special City Commission Meeting Pursuant to K.S.A. (Weeks) 14-1403:

You are hereby directed to serve the above notice at once personally upon Commissioners Dunshie, Doyen and Naylor or to leave said notice at the usual place of residence of each Commissioner before 10:15 o'clock a.m. on the 24th day of July, 1979, and to make a return in writing of said service, showing the manner of such service.

/s/ Richard D. Ash
City Clerk

(Seal)

RETURN OF SERVICE

The undersigned received the original notice of special city commission meeting, of which the foregoing is a copy, at 9:00 o'clock a.m. on the 24th day of July, 1979, and:

- 1. Served the same personally on Commissioners Fredric Dunshie, Lee Doyen and Wilbur Naylor

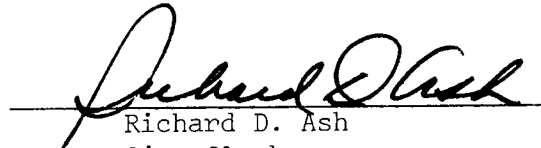
RESOLUTION NO. 561 (AUTHORIZATION TO ISSUE NO-FUND WARRANTS)PASSED

The City Manager presented to the Commission a resolution declaring that an emergency exists and in order to protect and serve or insure and provide for the health and convenience of the City and public, it is necessary to purchase one (1) Pierce "Suburban" pumper fire truck. Purchase price: \$64,179.00; and it is necessary to repair and replace one (1) 1959 International "190" pumper fire truck to provide it as back-up to the new truck. Repairs on the back-up truck in the amount of \$9,500.00. The city manager stated that the Board of Tax Appeals for the State of Kansas issued it's order No. 3162-79-NFW on the 10th day of July, 1979 authorizing the City to make such expenditure and issue No-Fund Warrants in an amount not to exceed \$73,679.00, for the purpose stated above.

This resolution is necessary to authorize such issuance of No-Fund Warrants authorized by the State Board of Tax Appeals.

Motion was made by Commissioner Dunshie, seconded by Commissioner Naylor and duly carried by the affirmative vote of two-thirds of the entire members-elect of the Commission that Resolution No. 561 authorizing the issuance of No-Fund Warrants in the amount of \$73,679.00 for the purpose of purchasing a new fire truck and repair the existing equipment be approved.

There being no further business, motion was made by Commissioner Naylor, seconded by Commissioner Dunshie and duly carried that the Commission adjourn.


Richard D. Ash
City Clerk

(Seal)

RDA:vs

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 1, 1979

The City Commission met in regular session on August 1, 1979 at 4:00 o'clock p.m. in the City Commission Room in the City Hall. Mayor Dunshie presided with Commissioners Doyen and Naylor present. Absent: None.

Other officers present: City Manager Metzger, City Clerk Ash and City Attorney Retter.

Visitors present: Glen Anderson, R.R., Concordia; Melvin W. Trost, R. R., Concordia; Jim Rittel, R. R., Concordia; Bud Hefner, R. R., Concordia; Lynn Buckland, Concordia; Leonard Reedy, Clyde; Judy Reedy, Clyde; Harriet Fahlstrom, Concordia; Irene Lasnier, Concordia; Luella Hupach, Concordia; Max Hupach, Concordia; Mrs. Sam Dorman, R. R. Concordia; Gene Ziegenbalg, Concordia; Rick Breault, Concordia; Ray Hauser, Concordia; Brian Bates, Concordia; J. V. Walker, Concordia; Phil Nault, Concordia; Dean Holbert, R. R., Concordia; Roger Cleveland, Ames; Marvin Cleveland, Concordia; Keith Macy, Concordia; Phillip K. Detrixhe, Concordia; Vernon D. Martin, Concordia; Kenneth & Bonnie Welsh, Concordia; Lowell Palmquist, Concordia; LeEtta Palmquist, R. R., Concordia; Alta Morgan, Concordia; Mariesther Holbert, R. R., Concordia; Jean Thoman, Jamestown; Inez Thurston, R. R., Concordia; Rolland Hood, Concordia; Jerome K. Johnson, Ames; Ross Hatfield, Concordia; Art Schmitt, Concordia; Regina Loeffler, R. R., Concordia; Mike Loeffler, R. R., Concordia; Richard Loeffler, R. R., Concordia; Dennis Tholstrup, Concordia; Dick Istas, R. R. Concordia; Clarence Rieger, Miltonvale; Leon Gennette, Concordia; Ryland Hamilton, Concordia; Tom Cyphers, Concordia; Bryant Thurston, Jamestown; Paul Rimovsky, R. R. Concordia; H. J. Carr, R. R., Concordia; Boyd Dochow, Concordia; Ronald Dorman, Ames; Larry D. Chartier, Ames; Jack D. Gould, Concordia; Roger K. Colby, R. R., Concordia; Walter Jones, R. R. Concordia; Charles K. Blosser, Concordia; Bill Berner, Concordia; Mrs. H. J. Carr, R. R., Concordia; Leonard Melton, Miltonvale; Catherine Cyphers, Concordia; W. W. Lagemann, Concordia; Harold Comfort, Miltonvale; Neva Comfort, Miltonvale; Ethel Fuller, Miltonvale, J. Laters Templin, Miltonvale, Barbara Dunlap, Concordia; Cathy Morgan, Concordia; Ima Jean Chavey, Concordia; Mrs. George Hale and Earl, Jamestown; Doris Steward, Glasco; Marian Cook, Concordia; Dale Tholstrup, R. R. Concordia; Irma Mosburg, R. R., Concordia; Evelyn Brummett, Concordia; Gordon & Virginia Fahring, R. R., Concordia; J. A. Blochlinger, R. R. Concordia; M. E. Thomas, Concordia; Bill Gropp, R. R. Concordia; Dudley Thurston, R. R., Concordia; Ronal LaBarge, Aurora; Lolita Hood, Concordia; Mrs. Bill Fuller, Miltonvale; Albert Trost, Concordia; George R. Burt, R. R., Concordia; John M. Schmitt, Concordia; Col. Carson E. Hansen, Concordia; John L. Johannsen, Ames; Tom McDaniel, Concordia; Levi Deneault, Concordia; Lu Losh, R. R., Concordia; John W. Pilcher, Concordia; Larry Johnson, Concordia; Richard Adams, Delphos; and Ross Hatfield, Concordia.

Minutes of the July 18, 1979, meeting were approved as written.

APPROPRIATION ORDINANCE NO. 14

APPROVED

Appropriation Ordinance No. 14 was approved according to law.

ORDINANCE NO. 2158 (TEMPORARY NOTE AUTHORITY REPEAL)

PASSED

An ordinance entitled "AN ORDINANCE REPEALING THE EXISTING ORDINANCE NO. 2063 AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF \$362,446.88 OF THE TEMPORARY NOTES OF THE CITY OF CONCORDIA, KANSAS" was read and considered by the Commission. On roll call upon it's passage, the following commissioners voted "Yea": Dunshie, Doyen and Naylor. "Nay": None. With the entire members-elect of the Commission elect having voted in favor thereof, the ordinance was declared passed, the title agreed to and the City Clerk assigned to it No. 2158.

RESOLUTION NO. 562 (REPEALING RESOLUTION NO. 559)

APPROVED

The City Manager presented a resolution which would repeal Resolution No. 559 concerning the issuance of No-Fund Warrants for the purchase and repair of fire equipment. The manager stated that this repeal was required as new terms of payments on interest for the new No-Fund Warrants had been approved. After a brief discussion, motion was made by Commissioner Doyen, seconded by Commissioner Naylor and duly carried by affirmative vote of the entire members-elect of the Commission that Resolution No. 562 repealing Resolution No. 559, be approved.

HEARING ON MEMBERSHIP IN THE NORTH CENTRAL REGIONAL PLANNING COMMISSION

HELD

City Manager Metzger stated that a request had been made for this Agenda item for the purpose of discussing the county's continued membership in the North Central Regional Planning Commission. Mr. Metzger stated that this discussion hearing would conform to the policy established for the handling of public hearings and stated the guidelines of that policy. At that time Mr. Metzger asked Mr. David Peterson from the Regional Planning Commission to make a few comments about the Planning Commission, it's goals, it's formation and it's services to it's member communities. After Mr. Peterson's comments, the floor

was open to the approximately 100 visitors to the meeting who then voiced their concerns and oppositions to continued membership to the Regional Planning Commission. The major thrust of these oppositions included as follows:

Fear that regional zoning will be implemented without a voice of the people.

Fear that the regional planning commission is directed by and answers to someone in the governor's office.

A concern that Concordia is overly representative on the RPC as opposed to the rest of the county.

A concern about the methods used in appointing members to the RPC.

A concern that there is too much government now and that regional planning just adds to the mess.

Fear that regional planning is the first step towards regional government which will eventually lead to one world-wide government.

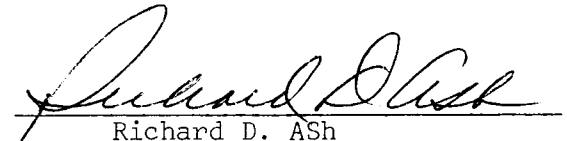
A belief that the people, businesses and institutions are over-regulated by government.

A belief that agencies such as regional planning commissions are little-by-little taking over the country and will lead to a Nazi-like takeover and the establishment of a dictatorship.

After the open forum discussions by the citizens present, the commissioners made several comments in reference to the opposition posed, however, the main thrust of the commissioners statements was that it was not up to the city to decide whether or not the county should continue to participate in the regional planning commissioner. Mayor Dunshie stated that "we're not going to ask the county to stay for our benefit, we'll stand on our own". As the hearing closed, the commissioners stated that they would take the information under advisement and would consider the matter and reach a final decision by their next regular meeting on August 15, 1979.

There being no further business, City Manager Metzger requested that this meeting be adjourned until 12:15 p.m. Thursday, August 9, 1979 to discuss the improvement project for U. S. 81 and other administrative matters.

Motion was made by Commissioner Doyen, seconded by Commissioner Naylor and duly carried that the meeting be adjourned until 12:15 o'clock p.m. August 9, 1979.


Richard D. ASH
City Clerk

(Seal)

RDA:vs

MINUTES OF THE ADJOURNED SESSION HELD ON AUGUST 9, 1979

The City Commission met in adjourned session on August 9, 1979 at 12:15 o'clock p.m. in the City Commission Room in the City Hall. Mayor Dunshie presided with Commissioners Doyen and Naylor present. Absent: None.

Other officers present: City Manager Metzger, City Clerk Ash and City Attorney Retter.

Visitors present: Allen Dreiling.

RESOLUTION NO. 563 (REIMPROVEMENT OF LINCOLN STREET)

APPROVED

City Manager Metzger presented to the Commission a resolution which would provide for the repaving and reconstruction of a portion of Lincoln Street between the south corporate limits of said city and the north line of 7th Street at an estimated cost of \$138,996.00, under the authority of K.S.A. 12-685 et. seq. City Manager Metzger stated that approval had been received from the State Department of Transportation for funding formula of 33% City, 67% State of Kansas. After a brief discussion, motion was made by Commissioner Doyen, seconded by Commissioner Naylor and duly carried by affirmative vote of the entire members-elect of the Commission that Resolution No. 563, authorizing improvements to Lincoln Street, be approved.

RESOLUTION NO. 564 (TEMPORARY NOTE, SS-78-2)

APPROVED

City Manager Metzger presented to the Commission a resolution authorizing issuance of \$15,068.95 in temporary notes of the City of Concordia at an interest rate of 6% per annum to provide temporary financing for the construction of a sanitary sewer system in the alley in Block 23; and in the intersection of the alley in Block 23, if extended in Olive Street; and in the alley of Block 24 in the City of Concordia, Kansas. These notes were authorized by Ordinance No. 2153 adopted at the regular commission meeting on July 18, 1979. Motion was made by Commissioner Naylor, seconded by Commissioner Dunshie and duly carried by the affirmative vote of the entire members-elect of the commission that Resolution No. 564, authorizing these notes, be adopted.

RESOLUTION NO. 565 (TEMPORARY NOTE, SS-78-3)

APPROVED

City Manager Metzger presented to the Commission a resolution authorizing issuance of \$11,388.07 in temporary notes of the City of Concordia at an interest rate of 6% per annum to provide temporary financing for the construction of a sanitary sewer system in the dedicated public right-of-way beginning at the southern most point of intersection of Peck Avenue with the west side of Republican Street, then southwesterly, following the curve of Peck Ave adjacent to Lots 8 through 13, both inclusive, Block 3, College Heights Addition, Concordia, Kansas, all according to the recorded plat thereof, to a point in a dedicated public right-of-way immediately adjacent to the southwest corner of Lot 9, Block 3 of College Heights Addition, City of Concordia, Kansas. These temporary notes were authorized by Ordinance No. 2154 adopted at the regular commission meeting of July 18, 1979. Motion was made by Commissioner Naylor, seconded by Commissioner Dunshie and duly carried by the affirmative vote of the entire members-elect of the Commission that Resolution No. 565, authorizing these notes, be adopted.

RESOLUTION NO. 566 (TEMPORARY NOTE, SS-78-4)

APPROVED

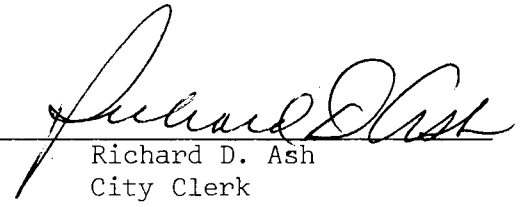
City Manager Metzger presented to the Commission a resolution authorizing issuance of \$21,815.67 in temporary notes of the City of Concordia at an interest rate of 6% per annum to provide temporary financing for the construction of a sanitary sewer system in Lot 1, Block C, Nor'east Industrial Park, an Addition to the City of Concordia, thence southwest across the right-of-way of the Santa Fe Railway, continuing south, to the northwest corner of Lot 2, Concordia Industrial Park, an addition to the City of Concordia, thence east to the northwest corner of Lot 4, of said Concordia Industrial Park in the city of Concordia, Kansas. These temporary notes were authorized by Ordinance No. 2155 adopted at the regular commission meeting of July 18, 1979. Motion was made by Commissioner Dunshie, seconded by Commissioner Naylor and duly carried by the affirmative vote of the entire members-elect of the Commission that Resolution No. 566, authorizing these temporary notes, be adopted.

RESOLUTION NO. 567 (TEMPORARY NOTE, SS-79-2)

APPROVED

City Manager Metzger presented to the Commission a resolution authorizing issuance of \$5,784.00 in temporary notes of the City of Concordia at an interest rate of 6% per annum to provide temporary financing for the enlarging and improving the city's sanitary sewer system by an extension thereof consisting of an eight (8") inch line extending

There being no further business, motion was made by Commissioner Dunshie, seconded by Commissioner Naylor and duly carried that the Commission adjourn until the next regular commission meeting.


Richard D. Ash
City Clerk

RDA:vs

(Seal)

MINUTES OF THE REGULAR COMMISSION MEETING HELD AUGUST 15, 1979

The City Commission met in regular session on August 15, 1979, at 4:00 p.m. in the City Commission room in City Hall. Mayor Dunshie resided with Commissioners Doyen and Naylor present. Absent: none.

Other officers present: City Manager Metzger, City Clerk Ash and City Attorney Retter.

Visitors present: Kenny Welsh, Concorida, Bonnie Welsh, Concordia, Leonard Reedy, Clyde, Judy Reedy, Clyde, Phil Nault, Concordia, Inez Thruston, RR 1, Charles Jordon, Beloit, H. J. Mahin, Randall, Jerry Ruben, Salina, Bob Wilmas, Jewell, Fred DeArmand and Brad Lowell.

Minutes of the August 5 and August 9, 1979, meetings were approved as written.

JULY FINANCIAL REPORT

PLACED ON FILE

City Clerk presented to the Commission the July Financial reports which were reviewed and ordered placed on file.

CONSIDERATION OF MEMBERSHIP IN RPC

CONTINUED

The City Manager stated that this was a matter tabled at the August 1, 1979, meeting for the consideration and advisement for continued membership in the Regional Planning Commission. A motion was made by Commissioner Naylor, seconded by Commissioner Doyen and duly carried by the entire members elect of the Commission that the City of Concordia maintain memership in the Regional Planning Commission at this time.

PUBLIC HEARING - ZONING AMENDMENT (REZONING N $\frac{1}{2}$ Block 104 FROM R-1 to C-1)

APPROVED

City Manager stated today was a public hearing to be conducted on the proposed change in zoning of block 104, original city, from R-1 to C-1. This change has been requested so that an office building may be constructed on the southwest corner of the intersection of Broadway and Ninth Street. The Planning Commission held a public hearing on July 25, 1979, to consider this amendment and recommended approval of this zoning change. The City staff has concurred with this recommendation. The City Manager stated that if the Commission decided to approve such zoning change, the City Attorney would be directed to draw such ordinance and present it for approval at the next Commission meeting. After brief discussion motion was made by Commissioner Doyen, seconded by Commissioner Naylor and duly carried by the affirmative vote of the entire members elect of the Commission that the zoning for the north half of block 104 be changed from R-1 (Single Family Residential) to C-1 (Commercial Central Business District).

PUBLIC HEARING - NUISANCE ABATEMENT (RESOLUTION No. 568)

APPROVED

City Manager stated that this was a public hearing held by the governing body providing for appearance of owners, occupants or agents of property for which a nusiance notice has been served to make a showing to the satisfaction of the governing body that no such nusiance exists. The properties under consideration at this time are:

1. 315 East 15th Street, inoperable vehicle;
2. 403 $\frac{1}{2}$ East 2nd Street, weeds;
3. 317 East 15th Street, junk or abandoned vehicles.

At the time of the hearing no property owners, occupants or agents were present to make showing that no nusiance exists. Motion was made by Commissioner Naylor, seconded by Commissioner Dunshie and duly carried by the affirmative vote of the entire members elect that Resolution Number 568, directing the City Clerk to issue final notice that the nusiance be abated within a time limit not exceeding 10 days, be approved.

PUBLIC HEARING ON 1980 BUDGET

HELD

City Manager stated that at this time a hearing is convened for the governing body as required by the applicable state and federal laws for adoption of the 1980 budget. A public hearing on the proposed use of the Federal General Revenue Sharing was conducted on July 16, 1979, by the City Manager as prescribed by law. A summary of the 1980 expenditures was presented to the Commissioners at the August 1, 1979, meeting.

At this time the City Manager stated that the public hearing on the proposed Revenue Sharing Budget was to be held and citizens were provided time to present any comments about such proposed budget to the governing body. No one present offered any comments, pro or con, to the Commission in reference to the proposed use of Revenue Sharing Funds for 1980.

ORDINANCE NO. 2159 (1980 BUDGET APPROPRIATION BY FUNDS)

PASSED

An ordinance entitled "AN ORDINANCE APPROVING, ADOPTING AND APPROPRIATING BY FUND THE BUDGET OF THE CITY FOR THE YEAR BEGINNING JANUARY 1, 1980" was read and considered. On roll call and upon its passage, the following Commissioners voted "Yea": Dunshie, Doyen, and Naylor. "Nay": None. With the entire members elect of the Commission having voted in favor thereof, the ordinance was declared passed, the title agreed to and the City Clerk assigned to it Number 2159.

ORDINANCE NO. 2160 (1980 BUDGET TAX LEVIES)

PASSED

An ordinance entitled "AN ORDINANCE LEVYING TAXES AND AUTHORIZING CITY CLERK TO CERTIFY SUCH TO THE COUNTY CLERK", was read and considered by the Commission. On roll call upon its passage the following Commissioners voted "Yea": Dunshie, Doyen and Naylor. "Nay": None. With the entire members elect of the Commission having voted in favor thereof, the ordinance was declared passed, the title agreed to and the City Clerk assigned to it Number 2160.

APPROPRIATION ORDINANCE NO. 15

APPROVED

Appropriation Ordinance Number 15 was approved according to law.

VOTING DELEGATES TO LEAGUE OF KANSAS MUNICIPALITIES MEETING

SELECTED

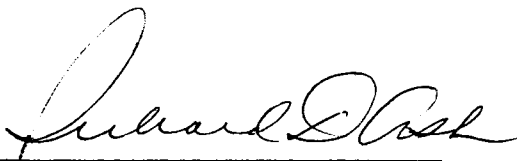
The City Manager stated that the City was required to select the voting delegates for the League of Kansas Municipalities meeting to be held September 23 to September 25, 1979. Motion was made by Commissioner Doyen, seconded by Commissioner Naylor and duly carried by the affirmative vote of the entire members elect that Commissioner Doyen and Commissioner Naylor be selected as voting delegates to the League of Municipalities meeting and that City Manager Metzger, City Clerk Ash and City Attorney Retter be selected as alternate voting delegates for the same meeting.

SECURITY BONDS (VERNA SCOTT AND VENITA JOHNSON)

APPROVED

The City Manager presented to the Commission security bonds for Verna Scott for the positions of City Treasurer and Clerk Stenographer in the amounts of \$20,000 and \$5,000 respectively; and for Venita Johnson for the position of Water Cashier in the amount of \$5,000. The surity bonds have been approved as to form by the City Attorney and are required to be approved for sufficiency and placed on file under the direction of the City Commission. Motion was made by Commissioner Dunshie, seconded by Commissioner Naylor and duly carried by the affirmative vote of the entire members elect that the surity bonds for City Treasurer, Clerk Steonographer, and Water Cashier be approved for sufficiency and ordered placed on file.

There being no further business, at this time, it was requested by the City Manager that the meeting be adjourned to 12:15 p.m. Thursday August 23, 1979, when additional matters will be brought before the City Commission. Motion was made by Commissioner Doyen, seconded by Commissioner Dunshie and duly carried that the meeting adjourn until 12:15 p.m. August 23, 1979.



Richard D. Ash
City Clerk

(Seal)

MINUTES OF THE ADJOURNED COMMISSION MEETING HELD AUGUST 23, 1979

The City Commission met in adjourned session on August 23, 1979 at 12:15 o'clock p.m. in the City Commission Room in the City Hall. Mayor Dunshie presided with Commissioners Doyen and Naylor present. Absent: None.

Other officers present: City Manager Metzger, City Clerk Ash and City Attorney Retter.

Visitors present: Dave Canfield, J. C. Goodwin, R. F. Boose, James W. Lloyd, James E. Moore.

ORDINANCE NO. 2161 (MEDICAL ARTS BUILDING INDUSTRIAL REVENUE BONDS)

PASSED

An ordinance entitled "AN ORDINANCE AUTHORIZING THE CITY OF CONCORDIA, KANSAS, TO ACQUIRE THE REAL PROPERTY HEREIN AFTER DESCRIBED AND TO ACQUIRE, PURCHASE, CONSTRUCT AND EQUIP CERTAIN BUILDINGS, IMPROVEMENTS, MACHINERY AND EQUIPMENT LOCATED AND TO BE LOCATED THEREON TO BE LEASED TO CONCORDIA MEDICAL ARTS BUILDING, FOR COMMERCIAL PURPOSES; AUTHORIZING AND DIRECTING THE ISSUANCE OF \$450,000.00 PRINCIPAL AMOUNT OF INDUSTRIAL REVENUE BONDS, SERIES A, 1979, OF SAID CITY FOR THE PURPOSE OF PROVIDING FUNDS TO PAY THE COST OF ACQUIRING, PURCHASING, CONSTRUCTING AND EQUIPPING CERTAIN BUILDINGS, IMPROVEMENTS, MACHINERY AND EQUIPMENT TO LEASE TO THE CONCORDIA MEDICAL ARTS BUILDING, FOR COMMERCIAL PURPOSES; DESCRIBING THE FORM AND AUTHORIZING THE EXECUTION OF A LEASE BY AND BETWEEN SAID CITY AND CONCORDIA MEDICAL ARTS BUILDING; AND PRESCRIBING THE FORM AND REQUIRING THE EXECUTION OF A SEPARATE GUARANTY AGREEMENT BY CONCORDIA MEDICAL ARTS BUILDING, JAMES W. LLOYD, M.D., JAMES E. MOORE, M. D. AND CAROLYN I. MOORE" was read and considered by the Commission. On roll call upon it's passage, the following commissioners voted "Yea": Dunshie, Doyen and Naylor. "Nay": None. With the entire members-elect of the Commission having voted in favor thereof, the ordinance was declared passed, the title agreed to and the City Clerk assigned to it number 2161.

DISCUSSION - LEASE AGREEMENT BETWEEN THE CITY OF CONCORDIA AND CONCORDIA MEDICAL ARTS BUILDING

HELD

The City Manager stated that there were several items in which guidance was needed from the Commission for negotiating the lease agreement between the City of Concordia and Concordia Medical Arts Building. After a brief discussion on each of these items the following was resolved:

- 1) An attorney's opinion of title would be sufficient in lieu of title insurance.
- 2) The lease agreement would be negotiated with a tax exemption status.
- 3) The Medical Arts Building organization would be billed \$300.00 for attorney fees and \$500.00 for administrative fees.
- 4) The ordinance authorizing issuance of the Industrial Revenue Bonds would be published in it's entirety including the full length of the lease agreement.
- 5) The lease extension clause is to be amended for a joint review at the completion of the bond issue.

After reviewing each of these items, a motion was made by Commissioner Naylor, seconded by Commissioner Dunshie and duly carried by the affirmative vote of the entire members-elect of the Commission that the mayor and city clerk be authorized to execute the lease agreement between the City of Concordia and Concordia Medical Arts Building as amended by the above stated items.

RESOLUTION NO. 569 (EXECUTION AGREEMENT K.D.O.T.)

APPROVED

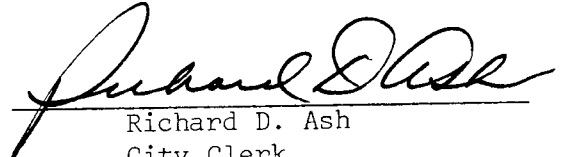
The City Manager presented to the Commission a resolution authorizing the mayor and city clerk to execute an agreement between the City of Concordia and the Kansas Department of Transportation for the resurfacing project of U. S. Highway 81 from 7th Street south city limits. Motion was made by Commissioner Doyen, seconded by Commissioner Naylor and duly carried by the affirmative vote of the entire members-elect of the Commission that Resolution No. 569, authorizing the mayor and city clerk to execute such agreement, be approved.

DATE SET FOR GENERAL OBLIGATION BOND ISSUE SALE

SEPTEMBER 21, 1979

City Manager Metzger stated that a date needed to be set for the sale of General Obligation bonds for the City of Concordia to redeem temporary notes issued for the purpose of internal improvements in the City of Concordia. The City Manager recommended that the sale be held at 10:00 o'clock a.m. (CDST), September 21, 1979. Motion was made by Commissioner Doyen, seconded by Commissioner Naylor and duly carried by the affirmative vote of the entire members-elect of the Commission that a bond sale be held September 21, 1979 at 10:00 o'clock a.m.

There being no further business, motion was made by Commissioner Doyen, seconded by Commissioner Naylor and duly carried by affirmative vote of the entire members-elect of the Commission that this meeting adjourn until the next regular Commission Meeting.


Richard D. Ash
City Clerk

(Seal)

RDA:vs

2

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD SEPTEMBER 5, 1979

The City Commission met in regular session on September 5, 1979, at 4:00 o'clock p.m. in the City Commission Room in the City Hall. Acting Mayor Naylor presided with Commissioner Doyen present. Absent: Commissioner Dunshie.

Other officers present: City Manager Metzger.

Visitors present: Vernon Martin, Marguerite Callaway, Jackie Smith, Bill Kline, Clifton J. Stoner, Fred DeArmond and Brad Lowell.

Minutes of the August 15 and August 23, 1979, meetings were approved as written.

PUBLIC HEARING - DELINQUENT LANDFILL FEES

HELD

City Manager Metzger stated that this was a public hearing held to consider a list of delinquent Cloud County landfill fees prepared in accordance with K.S.A. 65-3410. Properties have changed ownerships since these became delinquent, and that in other cases, many of the renter-tenants owing the delinquent fees have also moved. City Manager stated that staff felt such charges should not be imposed at this time on the new property owners. However, the argument did not carry through where property owners at the time the charge became delinquent are still the existing owner of record. In these cases, the ultimate responsibility belongs with the property owner.

City Manager Metzger stated that the Commission in it's hearing could alter the list as it sees fit where cases justify. Notice was given according to statutes by publication in the city newspaper and mailed notice to owners of record. Several owners were present to explain that they did not own the property at the time the fees were delinquent. After a brief discussion, motion was made by Commissioner Naylor, seconded by Commissioner Doyen and duly carried that the list be certified to the County Clerk on any properties which have the previous owner of record and renter-tenant still residing at that location. All other properties shall be stricken from the list.

APPROPRIATION ORDINANCE NO. 16-16A

APPROVED

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

ORDINANCE NO. 2162 (STANDARD TRAFFIC ORDINANCE)

PASSED

An Ordinance entitled "AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF CONCORDIA, KANSAS; INCORPORATING BY REFERENCE THE "STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES", EDITION OF 1979, WITH CERTAIN OMISSIONS, CHANGES AND ADDITIONAL PROVISIONS; AND REPEALING CERTAIN SECTIONS OF CHAPTER 23 OF THE CONCORDIA CODE" was read and considered by the Commission. On roll call upon it's passage, the following commissioners voted "Yea": Naylor and Doyen. "Nay": None. With two-thirds of the entire members-elect of the Commission having voted in favor thereof, the ordinance was declared passed, the title agreed to and the City Clerk assigned to it No. 2162.

ORDINANCE NO. 2163 (REZONING BLOCK 104)

PASSED

An Ordinance entitled "AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN SPECIFICALLY DESCRIBED PROPERTY IN THE CITY OF CONCORDIA, KANSAS; DEFINING THE CHANGES OR BOUNDARIES AS AMENDED; ORDERING THE OFFICIAL CITY ZONING DISTRICT MAP TO BE CHANGED TO REFLECT SUCH AMENDMENTS; AMENDING SECTION 2 OF ARTICLE IV OF THE ZONING ORDINANCE FOR THE CITY OF CONCORDIA, KANSAS; AND RE-INCORPORATING THE OFFICIAL CITY ZONING DISTRICT MAP AS AMENDED" was read and considered by the Commission. On roll call upon it's passage, the following commissioners voted "Yea": Naylor and Doyen. "Nay": None. With two-thirds of the entire members-elect of the Commission having voted in favor thereof, the ordinance was declared passed, the title agreed to and the City Clerk assigned to it No. 2163.

ORDINANCE NO. 2164 (AMENDING MEDICAL BUILDING INDUSTRIAL REVENUE BONDS)

PASSED

An Ordinance entitled "AN ORDINANCE AMENDING SECTION 3, 7 AND 9 OF ORDINANCE NO. 2161 OF THE CITY OF CONCORDIA, KANSAS, AND REPEALING SAID ORIGINAL SECTION 3, 7 AND 9" was read and considered by the Commission. On roll call upon it's passage, the following commissioners voted "Yea": Naylor and Doyen. "Nay": None. With two-thirds of the entire members-elect of the Commission having voted in favor thereof, the ordinance was declared passed, the title agreed to and the City Clerk assigned to it No. 2164.

APPOINTMENTS TO AIRPORT ADVISORY BOARD

APPOINTED

The City Manager stated the Airport Advisory Board had three vacancies that needed to be filled. The following individuals have been suggested to serve on this Commission:

Keith Christensen, re-appointment, four year term ending July, 1984;
Charles "Bo" Moody, new appointment replacing Armand Racette, four
year term ending July, 1984; and
Ed Pick, new appointment filling vacant position on the board, four
year term ending July, 1984.

After a brief discussion, motion was made by Commissioner Naylor, seconded by Commissioner Doyen and duly carried that Mr. Christensen, Mr. Moody and Mr. Pick be appointed to serve four year terms, all terms ending in July, 1984.

APPOINTMENT TO BOARD OF ZONING APPEALS

APPOINTED

The City Manager stated that the name of Menno Holdeman had been submitted to the commission for appointment to the Board of Zoning Appeals replacing Mr. Mike Kemper who resigned from the Board earlier this year. Mr. Holdeman's appointment will fill out the unexpired term of Mr. Kemper running through January 19, 1980.

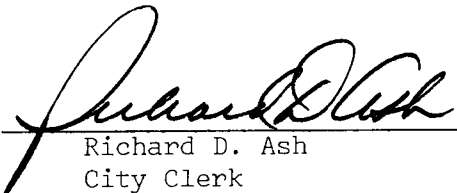
After a brief discussion, motion was made by Commissioner Naylor, seconded by Commissioner Doyen and duly carried that Mr. Holdeman be appointed to fill the unexpired term of Mr. Kemper expiring January 19, 1980.

AUDIENCE WITH VISITORS

VERNON MARTIN

Mr. Vernon Martin was present at the Commission meeting to express his complaint about a zoning permit granted to Mr. Ron Turnbull to construct a garage at his residence. Mr. Martin indicated that he feels the City erred in the granting of this permit as it allowed a garage to be built in the front yard line of the block. City Manager Metzger stated that the permit had been reviewed, and that he feels the permit was issued in accordance with the zoning ordinance of the City of Concordia.

There being no further business, motion was made by Commissioner Doyen, seconded by Commissioner Naylor and duly carried that the Commission adjourn until the next regular commission meeting.


Richard D. Ash
City Clerk

(Seal)

RDA:vs

MINUTES OF THE REGULAR COMMISSION MEETING HELD SEPTEMBER 19, 1979

The City Commission met in regular session on September 19, 1979 at 4:00 o'clock p.m. in the City Commission Room in the City Hall. Mayor Dunshie presided with Commissioners Doyen and Naylor present. Absent: none.

Other officers present: City Manager Metzger, City Clerk Ash and City Attorney Retter.

Visitors present: Fred DeArmond, Brad Lowell, Tom McDaniel, Robert Wilson, Chuck Graham, Vernon D. Martin, Robert E. Peterson, Phil Nault, Helen Cleveland, Marvin Cleveland, Patricia Richey, Charles Richey, Inez Thurston and Barbara Dunlap.

Minutes of the September 5, 1979 meeting were approved.

AUGUST FINANCIAL STATEMENTS

ORDERED PLACED ON FILE

The City Clerk presented to the Commission the August financial statements for their review. After review, the Commission acknowledged receipt and ordered them to be placed on file.

AUDIENCE WITH VISITORS

HELD

Mrs. Inez Thurston was present at the Commission meeting to reconfirm the City Commission's status on membership to the Regional Planning Commission. Mrs. Thurston stated that she had petitions with 600 signatures in favor of withdrawal from membership with the Regional Planning Commission. Commissioner Dunshie stated that as they had stated in the past that because of the benefits received in the community through assistance made from the Regional Planning Commission, the City Commission would retain membership.

Vernon Martin appeared at the meeting to again state his complain about the construction of a garage by Mr. Ron Turnbull of 720 State Street. Attorney David Retter stated that the City Commission had no jurisdiction to act on any request that Mr. Martin might make. He said the only thing the City Commission could do was to pass the change to the Zoning Ordinance. However, the change would not be retrospective and could not change the situation. Further, he stated the City Commission could not make any pre-judgment on the situation before the Board of Zoning Appeals. Mr. Martin then introduced Mr. Robert E. Peterson, who presented to the City Clerk, an application for appeal to the Board of Zoning Appeals including the \$10.00 filing fee to have the question of the issuance of this permit ruled on.

Mr. Phil Nault was present to request the status of the study being done on the signing clauses of the City's Zoning Ordinance. He stated in July he had made an initial contact in reference to modification he wishes to make a sign he wishes to make over this business, at which time he was told could not be accomplished as the Zoning Ordinance existed. Mr. Nault was advised that the question was brought before the Planning Commission and that the Planning Commission had requested a City Attorney opinion on the signing ordinance. The item is flowing through normal procedure and that the city would keep him advised of it's progress.

PUBLIC HEARING - REZONING (PEPSI COLA REQUEST)

DENIED

The City Manager stated that this was a public hearing to consider the proposed amendment to the Zoning Ordinance No. 1829. This change has been requested by the Pepsi-Cola Bottling Co. so they may expand it's warehousing operations. Burial of fuel storage tanks in accordance with regulations of the State Fire Marshal's Department is also intended. The City Manager stated that the burying of fuel storage tanks in the present zoning would be allowed without change. The Mayor stated the Planning Commission held a public hearing on August 29, 1979 to consider this amendment and recommended approval by a three to two vote with one commission abstaining. The City's planning staff made no preliminary recommendation on the proposed amendment. Subsequent review of the amendment has involved review of the factors cited by the Planning Commissioners, re-examining the facts of the case and studying citizen input. Staff evaluated the following issues in arriving at it's conclusion:

1. Public interest.
2. Existing use and zoning of nearby property.
3. Consistency with the Comprehensive Plan.
4. Affect of change in zoning on property values.

stated that it was the opinion of city staff that the proposed

1. The existing use of the property is currently non-conforming, the effect of this change would be to bring the use into conformance. Changing zoning from C to I-1 would create the possibility of more intensive industrial activity on land adjacent to the Pepsi-Cola property.
2. This is not a proper transitional use of the property. This zone should be retained to protect the residents and character of the adjacent neighborhood. Consideration must also be given to the school grounds located immediately east of Pepsi-Cola.
3. The change in zoning may result in encroachment of commercial and industrial activities into relatively stable residential areas posing a long term threat to property values.
4. The amendment is inconsistent with the comprehensive plan as the area in question is designated for commercial activity, not industrial.

The City Manager stated that it was the recommendation of city staff that the proposed amendment to the Zoning Ordinance be denied for the reasons outlined above. However, it is the opinion of staff that expansion of the Pepsi-Cola operation on property to the west of the existing building does not represent a more intensive use of the property, therefore staff also recommends that they be instructed to request that the Planning Commission consider an amendment amending Sub-1, Article XII, Section 3 to provide to the Board of Zoning Appeals may, by special use permit, authorize the following exceptions subject to such conditions as the Board deems necessary to include, but not limited to, property setbacks, landscaping, screening, fencing, maintenance provisions and other special requirements.

Sub-2, Article XXVI, Section 11 to include exceptions that may be authorized by the Board of Zoning Appeals to include warehouses in a C zone.

After a brief discussion, motion was made by Commissioner Doyen, seconded by Commissioner Dunshie and duly carried by the affirmative vote of the entire members-elect of the Commission to deny the proposed re-zoning of Block 1, B & L Sub-Division from C-1 and R-1 to I-1, and further, to direct the City Staff to return the proposal to the Planning Commission for the development and consideration of amendments providing for special use permit in a C zone as outlined above.

APPROPRIATION ORDINANCE NO. 17

APPROVED

Appropriation Ordinance No. 17 was approved according to law.

ORDINANCE NO. 2165 (OFFENSE OF CRIMINAL TRESPASS)

PASSED

An ordinance entitled "AN ORDINANCE PERTAINING TO CRIMINAL TRESPASS, REPEALING EXISTING SECTION 15-15 OF THE CONCORDIA CODE, AND ADDING A SECTION TO THE CONCORDIA CODE, TO BE NUMBERED 15-15", was read and considered by the Commission. On roll call upon it's passage, the following commissioners voted "Yea": Dunshie, Doyen and Naylor. "Nay": None. With the entire members-elect of the Commission having voted in favor thereof, the ordinance was declared passed, the title agreed to and the City Clerk assigned to it number 2165.

RESOLUTION NO. 570 (CREATING LEVY AND BUILDING FUND)

APPROVED

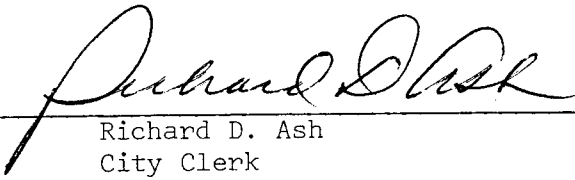
The City Manager presented to the Commission a resolution authorizing the making of an annual levy for the purpose of creating a building fund to be used for the purpose of erecting, constructing and reconstructing shops and equipment maintenance buildings for the City of Concordia. The City Manager stated that this fund and levy would provide funds for the construction of a new shop building located in the vicinity of the pump-house in the northwest corner of the City and the construction of a new maintenance facility for public grounds equipment to be located at Pleasant Hill Cemetery. The general shop would be 6500 square feet at a cost of \$70,000 while the public grounds building would be 1500 square feet at an estimated cost of \$20,000. The City Manager said the new buildings would provide a more efficient and up-to-date shop area as well as a central garage where maintenance and minor repairs could be performed on city vehicles. Also the facility would create a place for central storage for all departments and provide land and storage of vehicles and materials. Financing for these two structures would come from general obligation bonds, the \$70,000 shop building to be paid from a levy authorized by this resolution. The public grounds maintenance building would be paid through transfer of interest earnings from the cemetery endowment fund. The City Manager stated that if the resolution is approved, it will be published once each week for three consecutive weeks in the official city newspaper. The resolution provides for a protest petition signed by 10% of electors at the last regular city election, if filed within 60 days following the last publication of the resolution.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD SEPTEMBER 19, 1979 (CONTINUED)

After a brief discussion, motion was made by Commissioner Dunshie, seconded by Commissioner Naylor and duly carried by the affirmative vote of the entire members-elect of the Commission that Resolution No. 570 authorizing the annual levy and the creation of a building fund be approved.

There being no further business, the City Manager stated that we need to adjourn this Commission meeting to Friday, September 21, 1979 at 1:00 o'clock p.m. for the purpose of reviewing and awarding bids on the 1979A Series General Obligation Bond Issue.

Motion was made by Commissioner Doyen, seconded by Commissioner Naylor and duly carried that the Commission adjourn to Friday, September 21, 1979 at 1:00 o'clock p.m. in the City Commission Room.


Richard D. Ash
City Clerk

(Seal)

RDA:vs

The City Commission met in adjourned session on September 21, 1979 at 1:00 o'clock p.m. in the City Commission Room in the City Hall. Acting Mayor Doyen presided with Commissioner Naylor present. Absent: Commissioner Dunshie.

Other officers present: City Clerk Ash.

Visitors present: Loren Medley.

BID AWARD (1979A SERIES GENERAL OBLIGATION BONDS) FIRST SECURITIES COMPANY - WICHITA

City Clerk Ash presented to the Commission results of the bids received at 10:03 a.m. on September 21, 1979 for the General Obligation Bond Issue, Series 1979A, of the City of Concordia in the amount of \$512,000. The following bids were received:

<u>BIDDER</u>	<u>NET INTEREST</u>	<u>AVERAGE INTEREST RATE</u>
Merrill, Lynch, Pierce, Fenner & Smith, Inc.	\$158,213.80	5.7282
United Missouri Bank	156,983.10	5.6836
First Securities Co.	155,346.00	5.6244
Commerce Bank	158,000.00	5.720492

City Clerk Ash stated that all bid form computations had been checked and were found to be accurate. It is the recommendation from the staff to accept the low bidder which was First Securities Co. with an average interest rate of 5.6244%. After a brief discussion, motion was made by Commissioner Naylor, seconded by Commissioner Doyen and duly carried by the affirmative vote of the two-thirds of the entire members-elect of the Commission that the bid for the 1979A Series General Obligation Bond Issue be awarded to the low bidder, First Securities Co., with an average interest rate of 5.6244%.

AUTHORIZATION TO ADVANCE FUNDS

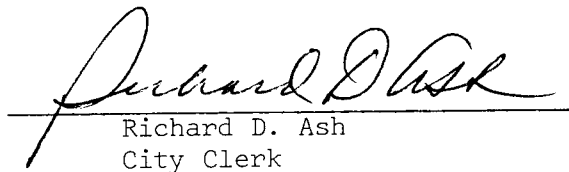
GRANTED

Mr. Loren Medley presented to the Commission a status report on the rehabilitation project of the Community Development Block Grant Program. In addition he presented a request for the advancement of community development rehab dollars for the completion of two homes in which rehab contracts have been awarded and progress has begun. These two home owners have qualified for Farmers Home Administration loans for rehabilitation work in excess of the grant amount provided by the Community Development program. Farmers Home Administration will have funds available for these loans effective October 1, 1979. In order to move expediently in rehabilitating these homes, it is requested that the Commission authorize expenditure of community development funds to pay contract costs, in anticipation of reimbursement by the Farmers Home Administration upon release of their funds in October of this year.

Motion was made by Commissioner Doyen, seconded by Commissioner Naylor and duly carried by the affirmative vote of two-thirds of the entire members-elect of the Commission to grant authority for advancement of Community Development Funds in anticipation of reimbursement after October 1, 1979 by the Farmers Home Administration.

There being no further business, City Clerk Ash stated that it was necessary to adjourn this session to September 27, 1979 at 12:15 o'clock pm for the consideration of award of bids on two public improvement projects.

Motion was made by Commissioner Naylor, seconded by Commissioner Doyen and duly carried that the Commission adjourn until September 27, 1979 at 12:15 o'clock p.m.


Richard D. Ash
City Clerk

(Seal)

RDA:vs

MINUTES OF THE ADJOURNED COMMISSION MEETING HELD SEPTEMBER 27, 1979

The City Commission met in adjourned session at 12:15 o'clock p.m. on September 27, 1979 in the City Commission Room in the City Hall. Mayor Dunshie presided with Commissioners Doyen and Naylor present. Absent: None.

Other officers present: City Manager Metzger, City Clerk Ash and City Attorney Retter.

Visitors present: Loren Medley and Ed Berry.

RESOLUTION NO. 571 (CITY COMMISSION POLICY ON EEO) APPROVED

The City Manager presented to the Commission a resolution establishing the City Commission Policy on Equal Employment Opportunities in the City of Concordia, Kansas. City Manager Metzger stated that this was a requirement of the Community Development Block Grant Program, and the execution of this resolution will aid in the completion of the requirements prior to review of pre-applications for 1980 funding. After a brief discussion, motion was made by Commissioner Doyen, seconded by Commissioner Naylor and duly carried by the affirmative vote of the entire members-elect of the Commission that Resolution No. 571, establishing Commission Policy on Equal Employment Opportunity in the City of Concordia, be approved.

ORDINANCE NO. 2166 (FAIR HOUSING ORDINANCE) PASSED

An ordinance "AN ORDINANCE CREATING A HUMAN RELATIONS COMMISSION, PROVIDING FOR THE NUMBER, TERMS AND POWERS OF THE MEMBERS THEREOF, PROHIBITING DISCRIMINATION IN THE SALE, LEASE, RENTAL OR FINANCING OF HOUSING AND ACCOMMODATIONS AND REAL PROPERTY BECAUSE OF RACE, SEX, RELIGION, PHYSICAL HANDICAP, COLOR, NATIONAL ORIGIN OR ANCESTRY, PROVIDING DEFINITIONS AND PRESCRIBING PROCEDURES FOR THE IMPLEMENTATION AND ENFORCEMENT THEREOF", was read and considered by the Commission. On roll call upon it's passage, the following commissioners voted "Yea": Dunshie, Doyen and Naylor. "May": None. With the entire members-elect of the Commission having voted in favor thereof, the ordinance was declared passed, the title agreed to and the City Clerk assigned to it Number 2166.

BID AWARD (PROJECTS CD-S-78-7 AND ST-79-81 HIGHWAY) AWARDED

The City Manager presented to the Commission the bids received for public improvement projects on Monday, September 24, 1979 at 2:00 o'clock p.m. The bids received for the Community Development project for installation of storm sewers in the northeast corner of the community, and for the asphalt overlay of Highway 81. Bids are as follows:

CD-S-78-7

<u>Bidder</u>	<u>Project Bid</u>	<u>Alternate Bid</u>
Walters Construction	\$77,022.86	\$8,006.88
Prairie States	106,746.20	4,771.20
Derowitsch Construction	89,596.58	5,246.00
Smoky Hill	60,738.60	4,204.80
Engineer's Estimate	80,270.00	4,160.00

ST-79-81 HWY

Brown and Brown Construction	134,522.60
Prairie States	118,228.20
Engineer's Estimate	121,621.50*

*Engineer's Estimate includes a construction contingency.

After a brief discussion, motion was made by Commissioner Doyen, seconded by Commissioner Naylor and duly carried by the affirmative vote of the entire members-elect of the Commission that the storm sewer project including the alternate No. 1 be awarded to the low bidder, Smoky Hill at the bid amounts of \$60,738.60 and \$4,204.80, respectively. A motion was made by Commissioner Dunshie, seconded by Commissioner Naylor and duly carried by the affirmative vote of the entire members-elect of the Commission that the asphalt overlay project be awarded to Prairie States Construction Co. for the bid price of \$118,228.20.

There being no further business, motion was made by Commissioner Doyen, seconded by

The City Commission met in regular session on October 3, 1979 at 4:00 o'clock p.m. in the City Commission Room in the City Hall. Mayor Dunshie presided with Commissioners Doyen and Naylor present. Absent: None.

Other officers present: City Manager Metzger, City Clerk Ash and City Attorney Retter.

Visitors present: Phil Nault, Vivan Almon, Boyd Dochow, Gearld Bachamp, Fred DeArmond and Brad Lowell.

Minutes of the September 21 and September 27, 1979, adjourned sessions were approved.

APPROPRIATION ORDINANCE NO. 18-18A

APPROVED

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

ORDINANCE NO. 2167 (AUTHORIZING ISSUANCE OF G.O. BONDS)

PASSED

An ordinance entitled "AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE CITY OF CONCORDIA, KANSAS, IN THE PRINCIPAL AMOUNT OF \$512,000.00 TO PAY THE COST OF PARK IMPROVEMENTS, SANITARY SEWER IMPROVEMENTS, AND CERTAIN STREET AND ALLEY IMPROVEMENTS" was read and considered by the Commission. On roll call upon its passage, the following commissioners voted "Yea": Dunshie, Doyen and Naylor. "Nay": None. With the entire members-elect of the Commission having voted in favor thereof, the ordinance was declared passed, the title was agreed to and the City Clerk assigned to it Ordinance No. 2167.

ORDINANCE NO. 2168 (TEMPORARY NOTES, ST-79-81 HWY)

PASSED

An ordinance entitled "AN ORDINANCE AUTHORIZING THE ISSUANCE OF TEMPORARY NOTES OF THE CITY OF CONCORDIA FOR THE REPAIR OF LINCOLN STREET, AN EXISTING STREET WITHIN THE CITY OF CONCORDIA, KANSAS, BETWEEN THE SOUTH CORPORATE LIMITS OF SAID CITY AND A POINT 164.89 FEET NORTH OF THE CENTER LINE OF SIXTH STREET, A PART OF A DESIGNATED AND ESTABLISHED MAIN TRAFFICWAY; THE ESTIMATED COST OF THIS REIMPROVEMENT IS \$138,996.00; FOR WHICH GENERAL OBLIGATION BONDS OF THE CITY OF CONCORDIA WILL BE ISSUED AS AUTHORIZED BY LAW TO PAY THE COST OF SUCH REIMPROVEMENT IN AN AMOUNT NOT TO EXCEED THE COST OF SUCH IMPROVEMENT" was read and considered by the Commission. On roll call upon its passage, the following commissioners voted "Yea": Dunshie, Doyen and Naylor. "Nay": None. With the entire members-elect of the Commission having voted in favor thereof, the ordinance was declared passed, the title agreed to and the City Clerk assigned to it Ordinance No. 2168.

RESOLUTION NO. 572 (DANGEROUS STRUCTURE REPAIR OR REMOVAL)

APPROVED

The City Manager presented to the Commission a statement in writing that the following structures at the following locations are unsafe or dangerous:

- 1) Co-op Warehouse, Broadway between 5th and 4th Streets;
- 2) Corner Lot at Peck Ave. and Republican Street, Lot 13, Block 3, College Heights Addition;
- 3) Buildings owned by the Chicago, Nebraska and Kansas Railroad along the alley between 5th and 4th Street and between Cedar and State Street;
- 4) Barons Hotel, corner of 5th and Washington Streets;
- 5) Broadway Hotel, 414 Broadway.

The City Manager stated that in accordance with K.S.A. 12-685 et seq., and Ordinance No. 2157 of the City of Concordia, Kansas, a resolution must be passed setting a hearing date, and providing for an appearance before the Commission by owners, agents, lienholders of record, or occupants of any structure to show cause why such structure should not be condemned and ordered repaired or demolished.

After a brief discussion, motion was made by Commissioner Doyen, seconded by Commissioner Dunshie and duly carried by the affirmative vote of the entire members-elect of the Commission that Resolution No. 572 declaring structures unsafe or dangerous, and setting November 14, 1979, at 4:00 o'clock p.m. in the City Commission Room, City Hall, Concordia, Kansas, as a hearing date, be approved.

AUTHORIZATION FOR SUBMISSION OF COMMUNITY DEVELOPMENT PRE-APPLICATION

GRANTED

The City Manager stated that the deadline for submission of the Community Development Block Grant Pre-Applications for 1980 funding was October 15, 1979. Community Development Director Loren Medley had completed the application, and was present to discuss the application with the commissioners. After Mr. Medley's presentation, City Manager Metzger stated that the administrative staff required authorization for the submission of such application to the Department of Housing and Urban Development for 1980 funding for consideration on the Community Development Block Grant program.

MINUTES OF THE REGULAR COMMISSION MEETING HELD OCTOBER 3, 1979 (CONTINUED)

After a brief discussion, motion was made by Commissioner Naylor, seconded by Commissioner Dunshie and duly carried by the affirmative vote of the entire members-elect of the Commission to grant authorization to the City Manager and Administrative Staff for submission of the 1980 pre-application for the Community Development Block Grant.

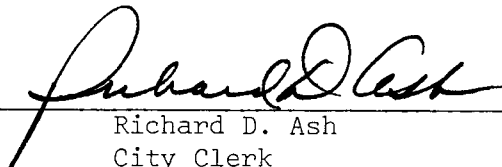
APPOINTMENT TO HOUSING AUTHORITY

IMA JEAN CHAVEY

The City Manager presented to the Commission the name of Ima Jean Chavey as a recommendation for appointment to the Concordia Housing Authority to replace Mr. D. L. Layton who resigned on September 15, 1979. Mrs. Chavey's appointment is to fill out the unexpired term of Mr. Layton running through November 1, 1982.

After a brief discussion, motion was made by Commissioner Dunshie, seconded by Commissioner Naylor and duly carried by affirmative vote of the entire members-elect of the Commission to appoint Mrs. Chavey to an unexpired term on the Concordia Housing Authority, her term running through November 1, 1982.

There being no further business, motion was made by Commissioner Dunshie, seconded by Commissioner Naylor and duly carried that the Commission adjourn until its next regular commission meeting.


Richard D. Ash
City Clerk

RDA:vs

(Seal)

The City Commission was scheduled to hold a regular session at 4:00 o'clock P.M. on October 17, 1979 in the City Commission Room in the City Hall. Due to a lack of quorum, City Clerk, Richard Ash, declared the committee meeting canceled.

Richard D. Ash, City Clerk

Seal

RDA/sr

MINUTES OF THE SPECIAL CITY COMMISSION MEETING HELD OCTOBER 18, 1979

The City Commission met in the special session at 12:15 o'clock P.M. on October 18, 1979 in the City Commission Room at City Hall. Mayor Dunshie presided with Commissioner Doyen present. Absent: Commissioner Naylor.

Other officers present: City Manager, Carl Metzger, and City Clerk, Richard Ash.

Visitors present: Brad Lowell.

Mayor Dunshie requested the call for the Special City Commission meeting be entered at length in the official records.

"CALL FOR SPECIAL CITY COMMISSION MEETING
City of Concordia, Kansas

TO THE BOARD OF COMMISSIONERS:

A special meeting of the Board of Commissioners is hereby called to be held as follows:

Place: City Commission Room, City Hall, Concordia, Kansas
Date: October 18, 1979
Time: 12:15 o'clock P.M.

The object of said meeting will be as follows:

1. Consideration and passage, if found necessary, a resolution stating determination that alleged nuisances exist at
 - a. 1116 E. 7th Street, Don J. and/or Shirley Sager
 - b. 210 W. 2nd Street, Deanna Dussault
 - c. Block 21 and 24, City of Concordia, William Young Co.
 - d. 408 E. 7th Street, Marjetta Chilcottand directing the City Clerk to issue notice requiring the owner, occupant or agent to remove abate the nuisance within a time limit not exceeding ten days; and
2. Consideration and passage of an appropriation ordinance, appropriating the funds for which claims have been submitted; and
3. Consideration and passage of a resolution authorizing the issuance of temporary notes in the amount not to exceed \$138,996.00 of the City of Concordia, Kansas, to provide funds to pay the cost of repaving and reconstruction of Lincoln Street from the South City limits to approximately the North right-of-way of Seventh Street; and
4. Consideration of final cost estimates for the construction of sanitary sewer line in dedicated public right-of-way beginning at Southern most point of the intersection of Peck Avenue with the West side of Republican Street, thence southwesterly, following the curb of Peck Avenue adjacent to lots 8-13, both inclusive, Block 3, College Heights Addition, Concordia, Kansas, all according to the recorded plat thereof, to a point in the dedicate public right-of-way immediately adjacent to the Southwest corner of Lot 9, Block 3, College Heights Addition in said city, as authorized and ordered done by resolution of the gathering body adopted October 4, 1978. And, the provision for a public hearing on the proposed assessments; and

MINUTES OF THE SPECIAL CITY COMMISSION MEETING HELD OCTOBER 18, 1979 (CONTINUED)

5. Consideration for final cost figures for the enlarging and improvement of the City sanitary sewer system by an extension thereof consisting of an 8-inch line extending approximately two hundred linear feet in the City of Concordia, Kansas is authorized and ordered done by resolution of the governing body adopted June 20, 1979. And, the provision for a public hearing on the proposed assessments; and
6. Consideration of the final cost figures for the construction of ten (10") inch sanitary sewer extension from existing manhole in Lot 1, Block C, Nor'-East Industrial Park, an addition to the City of Concordia, Cloud County, Kansas, thence southwest across the right-of-way of the Santa Fe Railroad, continuing south, to the northwest corner of Lot 2, Concordia Industrial Park, an addition to the City of Concordia, Cloud County, Kansas, thence east to the northwest corner of Lot 4, of said Concordia Industrial Park, in said City, as authorized and ordered done by the resolution of the governing body adopted April 12, 1979. And, the provision for public hearing on said proposed assessment; and
7. Consideration of the final cost figures for the construction of a Sanitary Sewer system in the alley in Block 23; and in the intersection of the alley in Block 23, if extended, and Olive Street; and in the alley Block 24, in the City of Concordia, Kansas, as authorized and ordered done by resolution of the governing body adopted September 20, 1978. And, the provision for a public hearing on the proposed assessments.
8. Consideration of bids recieved for the replacement of a police department vehicle, received on October 16, 1979.
9. Consideration of the damage claim filed by Mr. Glen Kasl for damages resulting from alleged deficiency in the curb and gutter adjoining the driveway to his home.
10. Consideration of other matters which might arise subsequent to the preparation of this special call.

DATED this 17th day of October, 1979.

/s/ Fredric L. Dunshie
Mayor

/s/ Lee W. Doyen
Commissioner"

"To any person authorized to serve notice of a Special City Commission Meeting Pursuant to K.S.A. (Weeks) 14-1403:

You are hereby directed to serve the above notice at once personally upon Commission Dunshie, Doyen, Naylor, or to leave said notice at the usual place of residence of said Commissioner before 10:15 o'clock A.M. on the 18th day of October, 1979, and to make a return in writing of said service, showing the manner of such service.

/s/ Richard D. Ash
City Clerk

(SEAL)

RETURN OF SERVICE

The undersigned received the original notice of special city commission meeting, of which the foregoing is a copy, at 8:15 o'clock A.M. on the 18th day of October, 1979, and:

1. Served the same personally on Commissioner Dunshie, Doyen or
2. Left the said original notice at the usual place of residence of said Commissioner Naylor at 9:15 o'clock A.M. on the 18th day of October, 1979.

/s/ Carl M. Metzger
City Manager"

SEPTEMBER FINANCIAL REPORTSORDERED PLACED ON FILE

City court presented to the Commission the September financial reports which were ordered placed on file.

QUARTERLY INVESTMENT REPORTORDERED PLACED ON FILE

The City Manager presented to the Commission the third quarterly report of all 1979 investments as follows:

"Ordinance 1860 requires the City Manager to submit a quarterly report covering the investment program for the fiscal year to date.

Investment interest received from July 1, 1979 through September 30, 1979:

<u>Amount</u>	<u>Fund</u>	<u>Due Date</u>	<u>Interest Rate</u>	<u>Interest Received</u>	<u>Original Term</u>
\$121,300.00	Misc.; W&S	7-11-79	5.000	\$ 390.23	Passbook
13,385.00	Miscellaneous	7-17-79	9.568	638.58	182 days
13,385.00	Miscellaneous	7-19-79	9.690	650.96	182 days
80,000.00	Miscellaneous	7-19-79	8.956	588.89	30 days
80,000.00	Miscellaneous	7-19-79	8.956	588.89	30 days
31,300.00	Miscellaneous	7-19-79	9.784	1,564.86	182 days
35,000.00	Parking Meter	7-19-79	9.534	1,686.98	182 days
35,000.00	Parking Meter	8-19-79	9.336	272.30	30 days
32,300.00	Water & Sewer	9-21-79	9.495	255.57	30 days
35,000.00	Parking Meter	9-21-79	9.495	276.94	30 days
17,915.50	Cemetery End.	9-29-79	7.500	339.08	4 years

TOTAL INTEREST RECEIVED - THIRD QUARTER	\$ 7,253.28
TOTAL INTEREST RECEIVED - SECOND QUARTER	13,967.74
TOTAL INTEREST RECEIVED - FIRST QUARTER	3,123.54
INTEREST RECEIVED IN 1979 FROM 1978 INVESTMENTS	325.55
	<u>\$ 24,670.11</u>

Respectfully submitted,

/s/ Carl M. Metzger
City Manager"

CURRENT INVESTMENT REPORTORDERED PLACED ON FILE

The City Manager presented to the Commission a report of current investments as of September 30, 1979.

"Current Investments of the Idle Funds of the City of Concordia:

<u>Amount</u>	<u>Fund</u>	<u>Due Date</u>	<u>Interest Rate</u>	<u>Bank</u>	<u>Original Term</u>
<u>Passbook</u>					
\$198,000.00	Miscellaneous	--	5%	Cloud County Bank	Passbook
<u>Money Market Certificates</u>					
31,300.00	Miscellaneous	1-17-80	9.255	Railroad Savings & Loan	182 days
13,385.00	Miscellaneous	1-17-80	9.255	First Federal Savings & Loan	182 days
13,385.00	Miscellaneous	1-17-80	9.255	Peoples Savings & Loan	182 days
<u>Certificates of Deposit</u>					
75,000.00	Miscellaneous	10-21-79	10.353	Fidelity State Bank	30 days
75,000.00	Miscellaneous	10-21-79	10.353	First Bank & Trust	30 days
30,000.00	Water & Sewer	10-21-79	10.353	Cloud County Bank	30 days
36,000.00	Parking Meter	11-22-79	10.353	Cloud County Bank	60 days
17,915.50	Cemetery Endow.	12-29-79	7½	Peoples Savings & Loan	4 Years
17,915.50	Cemetery Endow.	12-29-79	7½	First Federal Savings and Loan	4 Years

\$507,901.00

This report discloses all current investments of the idle funds of the City of Concordia as of the above date.

MINUTES OF THE SPECIAL CITY COMMISSION MEETING HELD OCTOBER 18, 1979 (CONTINUED)

RESOLUTION #573 (NUISANCE ABATEMENT NOTICES)

APPROVED

The City Manager stated at this time of public hearing before the governing body was convened as prescribed under Section 15-60 of the code of the City of Concordia to consider whether a nuisance exists at the following locations:

1. 1116 East 7th Street, Don J. and/or Shirley Sager, junked vehicles.
2. 310 W. 2nd Street, Deanna Dussault, rank weeds and grass.
3. Block 21 and Block 40, William Young Co., rank weeds and grass.
4. 330 W. 2nd Street, Marjetta Chilcott, rank weeds and grass.

The City Manager stated that notices have been served on owners, occupants or agents of the property where each alleged nuisance exists. Each owner, occupant or agent have been given 10 days to remove or abate such nuisance, or to appear before this public hearing to show cause why a final nuisance abatement notice should not be issued.

Upon investigation by the police department on this date, all nuisances exist with the exception of number one above, Donald J. and/or Shirley Sager. No owners, occupants or agents of these properties were present to show cause why a final nuisance abatement notice should be issued. Thus after a brief discussion, motion was made by Commissioner Dunshie, seconded by Commissioner Doyen and duly carried by the affirmative vote of two-thirds of the entire members-elect of the Commission. That resolution #573, issuing final nuisance abatement notices and directing the City Clerk to have such notices delivered on property owners, occupants or agents of the the nuisances described in numbers 2,3, and 4 above, be approved.

APPROPRIATION ORDINANCE #19

APPROVED

Appropriation Ordinance #19 was approved according to law.

RESOLUTION #574 (TEMPORARY NOTE, ST-79-81HWY)

APPROVED

The City Manager presented to the Commission a resolution authorizing issuance of temporary notes not to exceed the aggregate amount of \$138,996.00. Such resolution and temporary note authorization was granted in Ordinance #2168 approved by the Commission on October 3, 1979. Passage of such resolution would authorize issuance of temporary note series 1979-E, temporary note in the amount of \$92,668.63 and said temporary note #2 would be in the amount of \$46,327.37. After a brief discussion motion was made by Commissioner Doyen, seconded by Commissioner Dunshie and duly carried by the affirmative vote of two-thirds of the entire members-elect of the Commission, that Resolution #574 authorizing such temporary notes, be approved.

FINAL COST (S-78-2, BLOCK 23 & 24)

APPROVED

The City Manager presented to the governing body the following itemized statement of the actual cost of the construction of a sanitary sewer system in the alley in Block 23; and in the intersection of the alley in Block 23, if extended, and Olive Street; and in the alley in Block 24, in the city of Concordia, Kansas, as authorized and ordered done by a resolution of the governing body adopted September 20, 1978:

<u>Project</u>	<u>Property Assessment</u>	<u>City at Large</u>
Construction costs	\$11,475.00	\$ -0-
Legal Publications	75.00	\$ -0-
Temporary note interest	1,614.52	\$ -0-
Engineering	763.75	\$ -0-
Administration and supervision	640.68	\$ -0-
Legal fees	500.00	\$ -0-
Total	\$15,068.95	\$ -0-

had determined 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 September 20, 1978, and had caused to be prepared and filed with the city clerk an assessment roll according to the method of assessment set out in the said resolution. On a motion by Commissioner Doyen, seconded by Commissioner Dunshie, and unanimously carried, this governing body determined to meet and consider the proposed assessments on the 7th day of November, 1979, and the City Clerk was directed to cause a notice to be published in the Concordia Blade-Empire, the official city newspaper, as required by law, at least once not less than ten days prior to the date of the meeting. 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.

FINAL COST (SS-78-3, PECK AVENUE)APPROVED

The City Manager presented to the governing body the following itemized statement of the actual cost of the construction of a sanitary sewer system in the dedicated public right-of-way beginning at the southern most point of the intersection of Peck Avenue with the west side of Republican Street, thence southwesterly, following the curve of Peck Avenue adjacent to Lots 8 through 13, both inclusive, Block 3, College Heights Addition, Concordia, Kansas, all according to the recorded plat thereof, to a point in the dedicated public right-of-way immediately adjacent to the southwest corner of Lot 9, Block 3, College Heights Addition in said city, as authorized and ordered done by a resolution of the governing body adopted October 4, 1978:

<u>Project</u>	<u>Property Assessment</u>	<u>City at Large</u>
Construction costs	\$ 8,605.00	\$ -0-
Legal Publications	\$ 50.00	\$ -0-
Temporary Note Interest	\$ 1,220.14	\$ -0-
Engineering	\$ 528.75	\$ -0-
Administration and Supervision	\$ 484.18	\$ -0-
Legal Fees	\$ 500.00	\$ -0-
Total	\$11,388.07	\$ -0-

The statement was considered by the governing body and on a motion by Commissioner Doyen, seconded by Commissioner Dunshie, and unanimously carried, the total cost of the improvement was determined by the governing body to be \$11,388.07. The City Manager had determined 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 October 4, 1978, and had caused to be prepared and filed with the City Clerk an assessment roll according to the method of assessment set out in the said resolution. On a motion by Commissioner Doyen, seconded by Commissioner Dunshie, and unanimously carried, this governing body determined to meet and consider the proposed assessments on the 7th day of November, 1979, and the City Clerk was directed to cause a notice to be published in the Concordia Blade-Empire, the official city newspaper, as required by law, at least once not less than ten days prior to the date of the meeting. 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.

FINAL COST (SS-78-4, CONCORDIA INDUSTRIAL PARK)APPROVED

The City Manager presented to the governing body the following itemized statement of the actual cost of the construction of a ten (10") inch sanitary sewer extension from existing manhole in Lot 1, Block C, Northeast Industrial Park, an Addition to the City of Concordia, Cloud County, Kansas, thence southwest across the right-of-way of the Santa Fe Railway, continuing south, to the Northwest corner of Lot 2, Concordia Industrial Park, an Addition to the City of Concordia, Cloud County, Kansas, thence east to the Northwest corner of Lot 4, of said Concordia Industrial Park in said city, as authorized and ordered done by a resolution of the governing body adopted April 12, 1979:

<u>Project</u>	<u>Property Assessment</u>	<u>City at Large</u>
Construction costs	\$ 9,007.52	\$ 7,642.24
Legal Publications	\$ 45.99	\$ 39.01
Temporary Note interest	\$ 1,264.52	\$ 1,072.86

MINUTES OF THE SPECIAL CITY COMMISSION MEETING HELD OCTOBER 18, 1979 (CONTINUED)

<u>Project</u>	<u>Property Assessment</u>	<u>City at Large</u>
Engineering	\$ 711.96	\$ 604.04
Administration and Supervision	\$ 501.79	\$ 425.74
Legal Fees	\$ 270.50	\$ 229.50
Total	\$11,802.28	\$10,013.39

The statement was considered by the governing body and on a motion by Commissioner Doyen, seconded by Commissioner Dunshie, and unanimously carried, the total cost of the improvement was determined by the governing body to be \$21,815.67. The City Manager had determined 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 April 12, 1979, and had caused to be prepared and filed with the City Clerk an assessment roll according to the method of assessment set out in the said resolution. On a motion by Commissioner Doyen, seconded by Commissioner Dunshie and unanimously carried, this governing body determined to meet and consider the proposed assessments on the 7th day of November, 1979, and the City Clerk was directed to cause a notice to be published in the Concordia Blade-Empire, the official city newspaper, as required by law, at least once not less than ten days prior to the date of the meeting. 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.

FINAL COST (SS-79-2,HOBBIE ADDITION)

APPROVED

The City Manager presented to the governing body the following itemized statement of the actual cost of the enlarging and improvement of the city's sanitary sewer system by an extension thereof consisting of an eight-inch line extending approximately 200 linear feet in the city of Concordia, Kansas as authorized and ordered done by a resolution of the governing body adopted June 20, 1979:

<u>Project</u>	<u>Property Assessment</u>	<u>City at Large</u>
Construction costs	\$ 4,680.00	\$ -0-
Legal Publications	\$ 50.00	\$ -0-
Temporary Note Interest	\$ 194.07	\$ -0-
Engineering	\$ 293.75	\$ -0-
Administration and Supervision	\$ 266.18	\$ -0-
Legal Fees	\$ 300.00	\$ -0-
Total	\$ 5,784.00	\$ -0-

The statement was considered by the governing body and on a motion by Commissioner Doyen, seconded by Commissioner Dunshie, and unanimously carried, the total cost of the improvement was determined by the governing body to be \$5,784.00. The City Manager had determined 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 June 20, 1979, and had caused to be prepared and filed with the City Clerk an assessment roll according to the method of assessment set out in the said resolution. On a motion by Commissioner Doyen, seconded by Commissioner Dunshie, and unanimously carried, this governing body determined to meet and consider the proposed assessments on the 7th day of November, 1979, and the City Clerk was directed to cause a notice to be published in the Concordia Blade-Empire, the official city newspaper, as required by law, at least once not less than ten days prior to the date of the meeting. 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.

BID AWARD (1980 POLICE VEHICLE)

HEPTIG FORD

The City Manager presented to the commission bids received on October 16, 1979 for a 1980 replacement vehicle for the police department. Trade-in vehicle for this purchase would be a 1978 Phoenix. Bids received are as follows:

Bid Opening Date - October 16, 1979

BID TABULATION

<u>Vehicle Description</u>	<u>Dealer</u>	<u>Bid</u>
1980 LTD	Heptig Ford	List 8,191.00 Trade-in (1978 Phoenix) <u>3,698.00</u> Diff. 4,493.00
1980 Impala	Babe-Houser Chev-Olds-Cadillac	List 8,200.00 Trade-in (1978 Phoenix) <u>3,550.00</u> Diff. 4,650.00
1980 Pontiac Catalina	Midway Motor Co.	List 8,293.34 Trade-in (1978 Phoenix) <u>3,494.34</u> Diff. 4,799.00

After a brief discussion, motion was made by Commissioner Dunshie, seconded by Commissioner Doyen duly carried by two-thirds of the entire members-elect of the Commission to accept the bid from Heptig Ford for a 1980 LTD the trade difference of \$4,493.00.

DAMAGE CLAIM (GLEN KASL)

DENIED

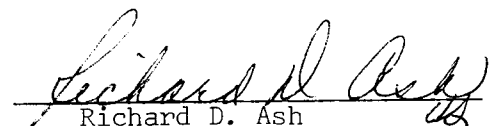
The City Manager presented to the commission a claim filed by Mr. Glen Kasl with the City Clerk in the amount of \$354.19 for damages resulting from an alleged deficiency in the curb and gutter adjoining the driveway to his home. He claims that as a result of repair work done by the city to this portion of the curb and gutter that he sustained substantial damage to engine mounts on his 1965 Cadillac. The City Manager stated that the street superintendant and the city engineer investigated this claim and reported no irregularities to the curb as a result of the repair work done by the city. Further they stated that it appears that the curb repair in question occurred some time ago and is not the result of recent repair work done by city crews in the area of this curb patch. The City Manager stated that administrative staff recommended that this claim be denied and that the City Manager be instructed to inform Mr. Kasl of the Commission's rejection of his claim. After a brief discussion and review of photographs and facts on this claim, a motion was made by Commissioner Doyen, seconded by Commissioner Dunshie and duly carried by the affirmative vote of two-thirds vote of the entire members-elect of the Commission to deny the claim based on the information provided by the City Engineer and Street Superintendant.

STUDY SESSION

DATE SET

The City Manager and the City Commission established November 1, 1979 at 12:15 o'clock P.M. as a Study Session.

There being no further business, motion was made by Commissioner Doyen, seconded by Commissioner Dunshie and duly carried that the City Commission meeting adjourn until the next regular session.


Richard D. Ash
City Clerk

(Seal)

MINUTES OF THE REGULAR COMMISSION MEETING HELD ON NOVEMBER 7, 1979

The City Commission met in regular session on November 7, 1979 at 4:00 o'clock p.m. in the City Commission Room in the City Hall. Acting Mayor Doyen presided with Commissioner Naylor present. Absent: Commissioner Dunshie.

Other officers present: City Manager Metzger, City Clerk Ash and City Attorney Retter.

Visitors present: Police Chief, Dennis Rohr, Fire Chief, Jack Fisher, Community Development Director, Loren Medley, Phil Nault, LaNeta Kerner, Ann Barnett, Carl D. Hobbie, and John Horkman.

Minutes of the October 18, 1979 meeting were approved as written.

PUBLIC HEARING - REZONING (SPECIAL USE PERMIT-C ZONE)

HELD

The City Manager stated on September 19, 1979 the commission instructed the City Staff to request changes in Article XXVI, Section 11.8 of Zoning Ordinance 1829 to provide that a special use permit be allowed for limited warehousing when the operation would not be in conflict with any residential district and under such conditions that the Board of Zoning Appeals may impose. The Concordia Planning Commission held a Public Hearing on October 24, 1979 to consider this amendment and to recommend its approval. The City Manager stated that today's hearing would be conducted for the purpose of hearing all comments on this proposed change in zoning. The change had been requested so that the Pepsi Cola Bottling Company may expand its Concordia operation. City Manager stated that City Planning Staff concurs with the Planning Commission's recommendation. After a brief discussion by the Commissioners and no persons were present to present comments, motion was made by Commissioner Naylor, seconded by Commissioner Doyen, and duly carried by a majority vote of the Board that this amendment be made and that an ordinance will be passed as a later Agenda item at today's meeting.

PUBLIC HEARING - REZONING (AMENDMENT ON FENCE REQUIREMENTS)

HELD

The City Manager stated three months ago the City Staff asked the Planning Commission to review provisions of the zoning ordinance relating to the construction of fences in commercial and industrial zones. Regulations limit construction to a height of no greater than 6 feet except fences erected on Public School Grounds or in Public Parks and Playgrounds. Further fence regulations provided for the Board of Zoning Appeals to grant Special Use Permits authorizing construction of a fence greater than 6 feet if the Board finds the public welfare is preserved.

The Planning Commission held a public hearing on October 24, 1979 to consider amending a zoning ordinance to allow a fence to be erected in a commercial and industrial zone (C, C-1, C-P, C-S, I-1, I-2, I-P) to exceed 6 feet but not more than 10 feet maximum height with no barbed wire or electrification attached. The City Manager stated that the Planning Commission, after hearing this amendment, recommended approval to the City Commission and that the City Planning Staff concurred with that recommendation. After a brief discussion by the Commissioners, no persons were present to comment on this amendment, motion was made by Commissioner Doyen, seconded by Commissioner Naylor and duly carried by a majority vote that this amendment be approved and that an ordinance as a later Agenda item be presented.

PUBLIC HEARING - REZONING (AMENDMENT PERTAINING TO SIGNS IN C-1 ZONE)

HELD

The City Manager stated that the Commissioners request that the Concordia Planning Commission review provisions of Zoning Ordinance 1829 relating to nonconforming signs. Their review focused on reconstruction and repair of the sign and the fee to be charged when the nonconforming signs were refurbished. The Planning commission held a Public Hearing on October 24, 1979 to consider amending regulations to the zoning ordinance governing sign restoration. The Planning Commission recommends approval of the amendment waving payment of the \$3.00 permit fee and allowing routine maintenance to nonconforming signs to take place as long as the signs are not relocated, enlarged, made smaller or reconstructed or repaired using materials and workmanship with an inferior quality in existing signs, so long as said sign is not allowed to deteriorate to an unsafe or unsecure state amounting to a threat to the public safety. The City Manager stated that the City Planning Staff concurred with the Planning Commission recommendation. After a brief discussion among the Commissioners, no comments were presented from the visitors, motion was made by Commissioner Doyen, seconded by Commissioner Naylor and duly carried by a majority vote that this amendment be approved and that an ordinance be approved as a later Agenda item.

PUBLIC HEARING - SPECIAL ASSESSMENTS (SS-78-2)

HELD

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: construction of a sanitary sewer system in the alley in Block 23; and in the intersection of the alley in Block 23, if extended, and Olive Street; and in the alley in Block 24, in the city of Concordia, Kansas, which is within the corporate limits of the city of Concordia, Kansas, as authorized by a resolution of this governing body adopted September 20, 1978, 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). Ann Barnett, owner of record in this district was present at the hearing.

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.

PUBLIC HEARING - SPECIAL ASSESSMENTS (SS-78-3)

HELD

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 construction of a sanitary sewer system in the dedicated public right-of-way beginning at the southern most point of the intersection of Peck Avenue with the west side of Republican Street, thence southwesterly, following the curve of Peck Avenue adjacent to Lots 8 through 13, both inclusive, Block 3, College Heights Addition, Concordia, Kansas, all according to the recorded plat thereof, to a point in the dedicated public right-of-way immediately adjacent to the southwest corner of Lot 9, Block 3, College Heights Addition in the city of Concordia, Kansas, which is within the corporate limits of the city of Concordia, Kansas, as authorized by a resolution of this governing body adopted October 4, 1978, 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). No owners of record were present at the hearing.

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.

PUBLIC HEARING - SPECIAL ASSESSMENTS (SS-78-4)

HELD

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: Construction of a ten (10") inch sanitary sewer extension from existing manhole in Lot 1, Block C, Northeast Industrial Park, an Addition to the City of Concordia, Cloud County, Kansas, thence southwest across the right-of-way of the Santa Fe Railway, continuing south, to the Northwest corner of Lot 2, Concordia Industrial Park, an Addition to the city of Concordia, Cloud County, Kansas, thence east to the Northwest corner of Lot 4, of said Concordia Industrial Park in the city of Concordia, Kansas which is within the corporate limits of the city of Concordia, Kansas, as authorized by a resolution of this governing body adopted April 12, 1979, 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). No owners of record were present at the hearing.

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.

PUBLIC HEARING - SPECIAL ASSESSMENTS (SS-79-2)

HELD

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 enlarging and improvement of the city's sanitary sewer system by an extension thereof consisting of an eight-

inch line extending approximately 200 linear feet in the city of Concordia, Kansas, which is within the corporate limits of the city of Concordia, Kansas, as authorized by a resolution of this governing body adopted June 20, 1979, and to hear written or oral objections thereto. The governing body determined that notice of the hearing had been published and that a 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).

Carl Hobbie, Gary Hobbie and John Horkman, owners of record were present at the hearing.

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.

RESOLUTION NO. 575 (PETITION FOR SANITARY IMPROVEMENT PROJECT, SS-79-1)

APPROVED

The City Clerk presented to the City Commission the written petition of Dillon Real Estate Company (Concordia Plaza Development Co.) proposing the construction of a sanitary sewer system beginning at an existing manhole approximately 408 feet north of the center of 17th Street and on the center line of Broadway extended north, thence north to existing manhole in the center of Broadway at the center of the alley between 13th and 14th Streets, in the City of Concordia, Kansas. The Commission examined and considered the petition after which it was moved by Commissioner Doyen, seconded by Commissioner Naylor, and duly carried by the affirmative vote of two-thirds of the entire members-elect of the Commission that Resolution No. 575 be adopted.

ORDINANCE NO. 2169 (ALLOWING SPECIAL USE PERMIT IN C DISTRICTS)

PASSED

An ordinance entitled "AN ORDINANCE AMENDING SUB-SECTION 8 OF SECTION 11 OF ARTICLE XXVI OF ORDINANCE NO. 1829, BEING THE ZONING ORDINANCE, OF THE CITY OF CONCORDIA, KANSAS, BY REPEALING SUBSECTION 8 AND ADDING A SUBSECTION TO BE NUMBERED 8 TO SAID SECTION 11, ARTICLE XXVI ORDINANCE 1829" was read and considered by the Commission. On roll call upon its passage, the following commioners voted "Yea": Doyen and Naylor. "Nay": None.. With two-thirds of the entire members-elect of the Commission having voted in favor thereof, the ordinance was declared passed, the title agreed to and the City Clerk assigned to it No. 2169.

ORDINANCE 2170 (ZONING AMENDMENT PERTAINING TO FENCES)

PASSED

An ordinance entitled "AN ORDINANCE AMENDING ORDINANCE NO. 1829, BEING THE ZONING ORDINANCE, OF THE CITY OF CONCORDIA, KANSAS, BY: REPEALING EXISTING SUB-SECTION 5 OF SECTION 2 OF XXIII THEREOF; ADDING A SUBSECTION TO BE NUMBERED 5 TO SECTION 2 OF SAID ARTICLE XXIII THEREOF; AND ADDING A SUBSECTION TO BE NUMBERED 6 TO SECTION 2 OF SAID ARTICLE XXIII THEREOF" was read and considered by the Commission. On roll call upon its passage, the following commissioners voted "Yea": Doyen & Naylor. "Nay": None. With two-thirds of the entire members-elect of the commission having voted in favor thereof, the ordinance was declared passed, the title agreed to and the City Clerk assigned to it No. 2170.

ORDINANCE NO. 2171 (ZONING AMENDMENT PERTAINING TO NON-CONFORMING SIGNS)

PASSED

An Ordinance entitled "AN ORDINANCE PERTAINING TO AMENDMENT OF THE ZONING ORDINANCE OF THE CITY OF CONCORDIA, KANSAS, BEING ORDINANCE #1829, BY REPEALING EXISTING SECTION 3.3 OF ARTICLE XVIII: ADDING A SECTION TO ARTICLE XVIII, TO BE 3.3; AND ADDING A SECTION TO ARTICLE XVIII TO BE NUMBERED 4" was read and considered by the commission. On roll call upon its passage, the following commissioners voted "Yea": Doyen and Naylor. "Nay": None. With two-thirds of the entire-members elect of the commission having voted in favor thereof, the ordinance was declared passed, the title agreed to and the City Clerk assigned to it No. 2171.

ORDINANCE NO. 2172 (SPECIAL ASSESSMENTS, SS-78-2)

PASSED

An Ordinance entitled "AN ORDINANCE ASSESSING TO EACH LOT, PIECE AND PARCEL OF LAND LIABLE FOR SPECIAL ASSESSMENTS THE AMOUNT TO BE PAID IN INSTALLMENTS FOR THE COST OF CONSTRUCTION OF A SANITARY SEWER SYSTEM IN THE ALLEY IN BLOCK 23; AND IN THE INTERSECTION OF THE ALLEY IN BLOCK 23, IF EXTENDED, AND OLIVE STREET; AND IN THE ALLEY IN BLOCK 24, IN THE CITY OF CONCORDIA, KANSAS, WHICH IS WITHIN THE CORPORATE LIMITS OF THE CITY OF CONCORDIA, KANSAS," was read and considered by the commission. On roll call upon its passage, the following commissioners voted "yea": Doyen and Naylor. "Nay": None. With two-thirds of the entire members-elect of the commission having voted in favor thereof, the ordinance was declared passed, the title agreed to and the City Clerk assigned to it No. 2172.

MINUTES OF THE REGULAR COMMISSION MEETING HELD ON NOVEMBER 7, 1979 (Continued)

ORDINANCE NO. 2173 (SPECIAL ASSESSMENTS, SS-78-3)

PASSED

An Ordinance entitled "AN ORDINANCE ASSESSING TO EACH LOT, PIECE AND PARCEL OF LAND LIABLE FOR SPECIAL ASSESSMENTS THE AMOUNT TO BE PAID IN INSTALLMENTS FOR THE COST OF THE CONSTRUCTION OF A SANITARY SEWER SYSTEM IN THE DEDICATED PUBLIC RIGHT OF WAY BEGINNING AT THE SOUTHERNMOST POINT OF THE INTERSECTION AT PECK AVENUE WITH THE WEST SIDE OF REPUBLICAN STREET, THEN SOUTHWESTERLY, FOLLOWING THE CURVE OF PECK AVENUE ADJACENT TO LOTS 8 THROUGH 13, BOTH INCLUSIVE, BLOCK 3, COLLEGE HEIGHTS ADDITION, CONCORDIA, KANSAS, ALL ACCORDING TO THE RECORDED PLAT THEREOF, TO APPOINT IN THE DEDICATED PUBLIC RIGHT OF WAY IMMEDIATELY ADJACENT TO THE SOUTHWEST CORNER OF LOT 9, BLOCK 3, COLLEGE HEIGHTS ADDITION, IN THE CITY OF CONCORDIA, KANSAS, WHICH IS WITHIN THE CORPORATE LIMITS OF THE CITY OF CONCORDIA, KANSAS" was read and considered by the commission. On roll call upon its passage, the following commissioners voted "yea": Doyen and Naylor. "Nay": None. With two-thirds of the entire members-elect of the commission having voted in favor thereof, the ordinance was declared passed, the title agreed to and the City Clerk assigned to it No. 2173.

ORDINANCE NO. 2174 (SPECIAL ASSESSMENTS, SS-78-4)

PASSED

An Ordinance entitled "AN ORDINANCE ASSESSING TO EACH LOT, PIECE AND PARCEL OF LAND LIABLE FOR SPECIAL ASSESSMENTS THE AMOUNT TO BE PAID IN ASSESSMENTS FOR THE COST OF CONSTRUCTION OF A TEN (10) INCH SANITARY SEWER EXTENSION FROM EXISTING MANHOLE IN LOT 1, BLOCK C, NORTHEAST INDUSTRIAL PARK, AN ADDITION TO THE CITY OF CONCORDIA, CLOUD COUNTY, KANSAS, THEN SOUTHWEST ACROSS THE RIGHT OF WAY OF SANTA FE RAILROAD, CONTINUING SOUTH TO THE NORTHWEST CORNER OF LOT 2, CONCORDIA INDUSTRIAL PARK, AN ADDITION TO THE CITY OF CONCORDIA, CLOUD COUNTY, KANSAS THENCE EAST TO THE NORTHWEST CORNER OF LOT 4, OF SAID CONCORDIA INDUSTRIAL PARK IN THE CITY OF CONCORDIA, KANSAS WHICH IS WITHIN THE CORPORATE LIMITS OF THE CITY OF CONCORDIA, KANSAS" was read and considered by the commission. On roll call upon its passage, the following commissioners voted "yea": Doyen and Naylor. "Nay": None. With two-thirds of the entire members-elect of the commission having voted in favor thereof, the ordinance was declared passed, the title agreed to and the City Clerk assigned to it No. 2174.

ORDINANCE #2175 (SPECIAL ASSESSMENTS, SS-79-2)

PASSED

An Ordinance entitled " AN ORDINANCE ASSESSING EACH LOT, PIECE AND PARCEL OF LAND LIABLE FOR SPECIAL ASSESSMENTS THE AMOUNT TO BE PAID IN INSTALLMENTS FOR THE COST OF THE ENLARGING AND IMPROVEMENT OF THE CITY'S SANITARY SEWER SYSTEM BY AN EXTENSION THEREOF CONSISTING OF AN EIGHT (8) INCH LINE EXTENDING APPROXIMATELY TWO HUNDRED (200) LINEAR FEET IN THE CITY OF CONCORDIA, KANSAS" was read and considered by the commission. On roll call upon its passage, the following commissioners voted "yea": Doyen and Naylor. "nay": None. With two-thirds of the entire members-elect of the commission having voted in favor thereof, the ordinance was declared passed, the title agreed to and the City Clerk assigned to it No. 2175.

ORDINANCE #2176 (SANITARY SEWER DISTRICT #42, SS-79-1)

PASSED

An Ordinance entitled "AN ORDINANCE ESTABLISHING SANITARY SEWER DISTRICT #42 IN THE CITY OF CONCORDIA, KANSAS AND DESIGNATING THE PARCELS OF GROUND INCLUDED IN SAID DISTRICT" was read and considered by the commission. On roll call upon its passage, the following commissioners voted "yea": Doyen and Naylor. "nay": None. With two-thirds of the entire members-elect of the commission having voted in favor thereof, the ordinance was declared passed, the title agreed to and the City Clerk assigned to it No. 2176.

APPROPRIATION ORDINANCE #20 & 20A

PASSED

Appropriation ordinance number 20-20A was approved according to the law.

COMMUNITY DEVELOPMENT REHABILITATION PROGRAM GUIDELINE REVISION

APPROVED

The City Manager stated that the citizens advisory committee to the Community Development program has formulated two revisions in goals and objectives of rehabilitation for the commission's review and approval. The proposed changes establish (1) an additional event that will result in the grant being canceled; (2) the minimum amount of time that must elapse before another grant application may be made; (3) the only event that will result in grant repayment being waived.

These changes are proposed to clarify certain aspects of this program about which there have been questions. Community Development Director, Loren Medley, was present to explain the details of the changes to the commission. The following additions were made to the guidelines:

Under Section III A, No. 2 - Grant Cancellation.

e) Failure to obtain additional financing to complete the rehabilitation project

Under Section III B No. 2

- e) Failure to obtain additional financing to complete the rehabilitation project shall constitute a grant cancellation on part of the homeowner;
- f) Once the grant has been cancelled, the owner is not eligible to apply for another grant within two years.

Under Section III B No. 3

In the event of death, leaving no immediate family as survivors, repayment of the grant from the estate will be waived.

In the event of homeowner's inability to care for themselves, resulting in long term care, the property could be rented.

After a brief discussion among the commissioners, a motion was made by Commissioner Doyen, seconded by Commissioner Naylor and duly carried by the affirmative vote of two-thirds of the entire members-elect of the commission to approve the above stated additions and amendments to the rehabilitation guidelines of the City of Concordia.

MAINTENANCE COVENANT BETWEEN THE CITY OF CONCORDIA AND
THE STATE OF KANSAS ON BROWN GRAND THEATER

APPROVED

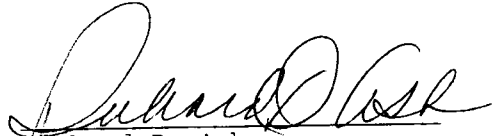
The City Manager stated the City and the Brown Grand Inc. have previously entered into a lease agreement for the Brown Grand Theater dated June 1, 1977. The Kansas Historical Society has advised the City that a covenant needs to be added to the lease providing that the city will assure the historical architectural and archeological significance of the building for a period of 20 years. The City Manager stated this covenant must be approved by the commission before additional funds for the restoration project will be dispursed. In addition, the lease agreement needs to be revised to reflect the appropriation approved for utility, insurance and general maintenance of the facility in the 1980 City budget. The City Manager stated that this covenant would in no way change the operation and financing of Brown Grand Opera House, however, we will place in writing the city's intent to assure the structural, architectural and archeological significance for a 20 year period. After a brief discussion, a motion was made by Commissioner Doyen, seconded by Commissioner Naylor and duly carried by the affirmative vote of two-thirds of the entire members-elect of the Commission to authorize the Mayor and City Clerk to execute an addendum to the lease agreement with the Brown Grand Opera House, Inc. providing for these assurances.

STUDY SESSION

DATE SET

The City Manager and the City Commission set Thursday, November 15, 1979 at 1:15 p.m. as the next study session.

There being no further business the motion was made by Commissioner Doyen, seconded by Commissioner Naylor and duly carried that the Commission meeting adjourn until November 14, 1979 at 4:00 p.m. for the purpose of holding a public hearing on unsafe and dangerous structures.


Richard D. Ash
City Clerk

(Seal)

RDA:dm

MINUTES OF THE ADJOURNED COMMISSION MEETING HELD NOVEMBER 14, 1979

The City Commission met in adjourned session at 4:00 o'clock p.m. on November 14, 1979 in the City Commission Room in the City Hall. Acting Mayor Doyen presided with Commissioner Naylor present. Absent: Commissioner Dunshie.

Other officers present: City Manager Metzger, City Clerk Ash, City Attorney Retter.

Visitors present: Code Enforcement Officer Peterson, Charley C. Hess, Yvonne B. Snyder, and Lena Bessette.

PUBLIC HEARING - DANGEROUS STRUCTURES (BROADWAY HOTEL) HELD

City Manager stated that this was a public hearing held to allow the owners, his or her agent, any lienholder of record and any occupant of this structure to appear and show cause why such structure should not be condemned in order to repair or demolish. City Attorney Retter stated that the description of this structure was a two-story building, formerly known as the Broadway Hotel, located on real estate commonly referred to as 411 Broadway Street, Concordia, Kansas, on the west side of Broadway Street between 5th Street and 4th Street in a tract of land situated in Lots E and F, Block 157, Concordia, Cloud County, Kansas. City Code Enforcement Officer Michael Peterson reported on his findings of the conditions of the building in question. He stated that the building is extremely problematic. It has the potential of endangering many people in its present condition. The severity of the structural problems also make rehabilitation very expensive if not an impossible solution. Mr. Peterson states that the best methods seen at this time of dealing with the Broadway Hotel is of complete razing of the building to eliminate its danger to the community.

Mrs. Yvonne B. Snyder was present speaking for her aunt, Opal Marianias, the owner of record of the structure. She states that ownership is under contract transfer, however, Mrs. Marianias, is attempting to retain ownership, through foreclosure if necessary, in order that the building may be razed and the situation alleviated. The City Attorney recommended that the procedures on this case be deferred until such time as a plan may be set for the razing of the building. After a brief discussion, a motion was made by Commissioner Doyen, seconded by Commissioner Naylor and duly carried by the affirmative vote of two-thirds of the entire members-elect of the Commission that action on this case be deferred until such time as a plan may be set, and further that such plan should be determined between parties involved with the structure and the city manager.

PUBLIC HEARING - DANGEROUS STRUCTURES (STORAGE SHED) (RESO. NO. 576) HELD

The City Manager stated that this was a public hearing held to provide the owners, his or her agent, any lienholder of record and occupant of structure to appear and show cause why such structure should not be condemned in order to repair or demolish. The City Attorney stated that the description of the structure is a building 174 feet by 16 feet, the southwest corner of which is: 194 feet more or less east of the east side of the portion of Cedar Street between 5th Street and 4th Street and 76 feet more or less north of the north line of the alley in Block 55, in Concordia, Cloud County, Kansas. Code Enforcement Officer, Michael Peterson was present to state his findings on the investigation on this structure. He states the building is generally a series of wooden sheds used for storage of building material. The instability of the building components, weed growth and fire hazard due to all wood structure which is dried and weathered extensively is cause for major concern. The danger of fire is also compounded by the density of other structures in a residential area to the south across the alley. The building has been used as a play area for neighborhood children and is definitely unfit for that activity. No owners of record, occupant, lienholder or agents were present to provide comment on this structure.

After a brief discussion, a motion was made by Commissioner Doyen, seconded by Commissioner Naylor and duly carried by the affirmative vote of two-thirds of the entire members-elect of the Commission that Resolution No. 576, stating that the structure in question has been found and determined to be unsafe and dangerous, and further ordering that the same be removed, that the premises be made safe and secure within 42 days from the date of this resolution, be approved.

PUBLIC HEARING - DANGEROUS STRUCTURE (CO-OP SERVICES WAREHOUSE) (RESO. NO. 577) HELD

City Manager stated that this was a public hearing to allow the owner of record, his or her agent, lienholders and occupants to come forward and appear and how cause why such structure shall not be condemned in order to repair or demolish. The City Attorney stated that the description of this property was a two story building approximately 23 feet by 88 feet, on the east side of Broadway between 5th and 4th Streets, the southwest corner

of which is 90 feet more or less from the north side of the alley in Block 158, and 15 feet more or less from the east side of said Broadway Street in Concordia, Cloud County, Kansas. Code Enforcement Officer Peterson stated the building is presently a vacant warehouse. The structure is in advance stages of deterioration. The building presently leans to the south, approximately 10 degrees out of vertical. The roof and walls have numerous holes which allow easy access to the elements, people, vermin, animals and birds. Many of the building components have fallen away and others are in danger of collapsing. The foundation is deteriorating with both block and mortar affected. Being located close to the railroad tracks, it is possible that vibration of moving trains add to the deterioration of the building. Should the structure collapse, it would block the trains causing possible danger to human life and property. The instability of flooring and the structural members make this building very dangerous for persons entering it.

After a brief discussion, a motion was made by Commissioner Naylor, seconded by Commissioner Doyen and duly carried by the affirmative vote of two-thirds of the entire members-elect of the Commission that Resolution No. 577, stating that the structure in question was found and determined to be unsafe and dangerous and further ordering that the same be removed, and the premises be made safe and secure within 42 days from the date of this resolution, be approved.

PUBLIC HEARING - DANGEROUS STRUCTURE (PECK AVENUE FOUNDATION)

HELD

City Manager stated that this was a public hearing to allow owners of record, his or her agent, lienholders and occupants to come forward, appear and show cause why such structure shall not be condemned in order to repair or demolish. The City Attorney stated the legal description of the property is an undeveloped foundation footing and excavation located on Lot 13, Block 3, College Heights Addition to the City of Concordia, Cloud County, Kansas. Code Enforcement Officer Peterson stated that the findings of his investigation indicates the property is at present undeveloped foundation footing. There are two large mounds of dirt left from foundation excavation just to the west of the footings. The major problems with this lot are erosion, weeds and the danger of the uncovered excavation. The erosion problem is very slow in developing, yet it is in progress and will continue to escalate until the area has been leveled or filled. The weed growth is quite pronounced and will create a dangerous fire hazard in the dry season. The excavation creates danger of area children falling into it while playing in the area around it. From a purely aesthetic viewpoint, the site is detrimental to the surrounding areas. Homes in the area are very well maintained which accentuates the unsightliness of the lot. In addition, Mr. Peterson stated that there is six foot long rebar protruding from the foundation footings and creates an additional hazard in light of the area children playing in this area. City Manager Metzger recommended that the City Commission defer action at this time on the site, and allow him to follow Section 8 of the ordinance which allows for emergency conditions and immediate action to be taken.

After a brief discussion, motion was made by Commissioner Naylor, seconded by Commissioner Doyen duly carried by the affirmative vote of two-thirds of the entire members-elect of the Commission to defer action by resolution at this time and to direct the City Manager to follow procedures established for emergency conditions under the unsafe and dangerous structure ordinance and to proceed with the removal of this dangerous situation.

PUBLIC HEARING - DANGEROUS STRUCTURES (BARONS HOTEL) (RESO. NO. 578)

HELD

The City Manager stated that this was a public hearing to allow the owners of record, his or her agent, lienholders of record and occupants of this structure to come forward, appear and show cause why such structure should not be condemned in order to repair or demolish. The City Attorney stated that the legal description on this piece of property is a partially demolished hotel building located on Lots 19 to 24, inclusive, on the west 6 feet of Lot 25, Block 157, Concordia, Cloud County, Kansas, said property being located at the corner of 5th Street and Washington Street in said city and formerly the site of the Barons Hotel. Code Enforcement Officer stated that in his findings of his investigation showed the property at present as a partially demolished building. The major problems at the site are debris, weed growth, and the instability of the remaining structure. The debris consists of broken glass, wood with nails through it, piled up brick, old appliances, etc. The debris and the instability of the structure create a real hazard for pedestrians and children who might wander onto the site. There are two large, steel I-beams which could easily fall. The basement section is half buried under the debris and could easily collapse and cause numerous other walls to fall. The weed problem is definitely unsightly in a business district and could create a fire hazard when the dry season occurs. The building has a potential of being a habitat for vermin because of its present state. After a brief discussion, a motion was made by Commissioner Doyen, seconded by Commissioner Naylor and duly carried by the affirmative vote of two-thirds of the entire members-elect of the Commission that Resolution No. 578 stating that the structure in question has been found and determined to be unsafe and dangerous, and further orders the same to be removed and the premises be made safe and secure within 42 days from the date of this resolution be approved.

MINUTES OF THE ADJOURNED COMMISSION MEETING HELD NOVEMBER 14, 1979 (CONTINUED)

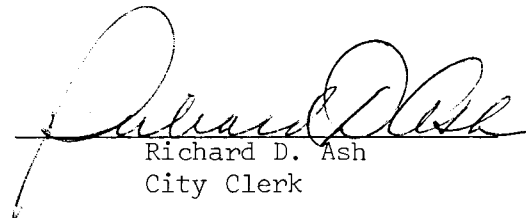
APPEAL - REHABILITATION PROGRAM (BESSETTE)DISAPPROVED

The City Manager stated Mrs. Lena Besette had requested an appeal to the denial of a rehabilitation grant for her property located at 317 W. 3rd Street. Upon application for rehabilitation it was determined that the dollar amount necessary to bring the structure to minimum housing code would be in excess of the amount allowed by the Concordia Rehabilitation Program guidelines. Code Enforcement Officer Peterson was present to discuss the content of the work up and the guideline procedures to the Commission. After much discussion on this issue, motion was made by Commissioner Doyen, seconded by Commissioner Naylor and duly carried by affirmative vote of two-thirds of the entire members-elect of the Commission to deny the grant application by reasons of excess of rehabilitation costs, and further directed the Development Director to investigate the possible use of interim assistance funds to alleviate minor problems of roof leakage.

ORDINANCE NO. 2177 (VACATION OF PROPERTY)PASSED

An ordinance entitled "AN ORDINANCE VACATING CERTAIN LANDS IN THE CITY OF CONCORDIA, KANSAS" was read and considered by the Commission. On roll call upon its passage, the following commissioners voted "Yea": Doyen and Naylor. "Nay": None. With two-thirds of the entire members-elect of the Commission having voted in favor thereof, the ordinance was declared passed, the title agreed to and the City Clerk assigned to it Number 2177.

There being no further business, motion was made by Commissioner Doyen, seconded by Commissioner Naylor and duly carried that the commission meeting adjourn until Monday, November 19, 1979 at 4:00 o'clock p.m. at which time additional items will be considered.


Richard D. Ash
City Clerk

(Seal)

RDA:vs

The City Commission met in adjourned session on November 19, 1979 at 4:00 o'clock p.m. in the City Commission Room in the City Hall. Mayor Dunshie presided with Commissioners Doyen and Naylor present. Absent: None.

Other officers present: City Manager Metzger, City Clerk Ash and City Attorney Retter.

Visitors present: None.

RESOLUTION NO. 579 (TEMPORARY NOTES EPA PROJECTS)

APPROVED

The City Manager presented to the Commission a resolution authorizing the issuance of temporary improvement notes in anticipation of federal aid of city of Concordia, Kansas, in the aggregate amount of \$100,000.00 to temporarily finance the cost of the improvement, extension and enlargement of the water and sewage system in the city of Concordia, Kansas until receipt of federal aid. The ordinance provides for two temporary notes to be issued as Series EPA-3, 1979, Notes No. 1 and 2 in the amount of \$50,000.00 each with a interest rate of 7½% issue date December 1, 1979. The City Manager stated that this temporary financing is necessary to insure cash basis law financing at the end of the year on this project. After a brief discussion, motion was made by Commissioner Dunshie, seconded by Commissioner Naylor and duly carried by the affirmative vote of the entire members-elect of the Commission that Resolution No. 579, authorizing the issuance of \$100,000.00 in federal aid anticipated temporary notes be approved.

APPROVAL OF FINAL COSTS, AND HEARING DATES SET (ST-78-BUDREAU/9TH)

APPROVED

The city manager presented to the governing body the following itemized statement of the actual cost of the grading, curbing, guttering and surfacing of Ninth Street between the East line of Budreau's Sub-division and the East side of Russ Street, all in Budreau's Subdivision, in said city, as authorized and ordered done by a resolution of the governing body adopted September 6, 1978:

<u>Project</u>	<u>Property Assessment</u>	<u>City at Large</u>
Contract	\$19,106.07	\$ 1,519.13
Legal	463.17	36.83
Publication, Printing	69.49	5.51
Engineering	602.12	47.88
Administration	602.12	47.88
Interim Financing	944.87	75.13
Totals	\$21,787.84	\$ 1,732.36

The statement was considered by the governing body and on a motion by Commissioner Naylor, seconded by Commissioner Doyen, and unanimously carried, the total cost of the improvement was determined by the governing body to be \$23,520.20. The city manager had determined the assessments against each lot, piece or parcel of land deemed to be benefited in the manner set forth in the said resolution of the governing body adopted September 6, 1978, and had caused to be prepared and filed with the city clerk an assessment roll according to the method of assessment set out in **the said** resolution. On a motion by Commissioner Doyen, seconded by Commissioner Dunshie, and unanimously carried, this governing body determined to meet and consider the proposed assessments on the 29th day of November, 1979, and the City Clerk was directed to cause a notice to be published in the Concordia Blade-Empire, the official city newspaper, as required by law, at least once not less than ten days prior to the date of the meeting. 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.

APPROVAL OF FINAL COSTS, AND HEARING DATE SET (SS-78-1 BUDREAU ADDITION)

APPROVED

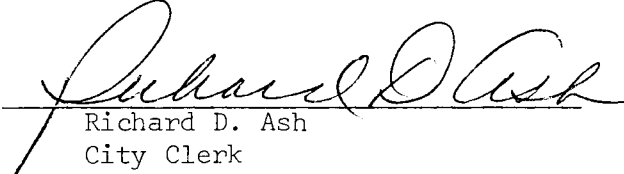
The city manager presented to the governing body the following itemized statement of the actual cost of the construction of a sanitary sewer system in the dedicated public right-of-way west of Block A, south of Block B and between Block E and Block V, all in Budreau's Subdivision, in the city of Concordia, Kansas, as authorized and ordered done by a resolution of the governing body adopted April 19, 1978:

<u>Project</u>	<u>Property Assessment</u>	<u>City at Large</u>
Construction costs	\$ 14,660.19	\$ 10,899.81
Legal Publications	\$ 57.36	\$ 42.64
Engineering	\$ 815.03	\$ 605.97
Administration and supervision	\$ 790.94	\$ 588.06
Legal Fees	\$ 286.78	\$ 213.22
Total	\$ 16,610.30	\$ 12,349.70

MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD NOVEMBER 19, 1979 (CONTINUED)

The statement was considered by the governing body and on a motion by Commissioner Doyen, seconded by Commissioner Naylor and unanimously carried, the total cost of the improvement was determined by the governing body to be \$28,960.00. The city manager had determined the assessments against each lot, piece or parcel of land deemed to be benefited in the manner set forth in the said resolution of the governing body adopted April 19, 1978, and had caused to be prepared and filed with the city clerk an assessment roll according to the method of assessment set out in the said resolution. On a motion by Commissioner Dunshie, seconded by Commissioner Naylor, and unanimously carried, this governing body determined to meet and consider the proposed assessments on the 29th day of November, 1979, and the City Clerk was directed to cause a notice to be published in the Concordia Blade-Empire, the official city newspaper, as required by law, at least once not less than ten days prior to the date of the meeting. 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.

There being no further business, motion was made by Commissioner Doyen, seconded by Commissioner Naylor and duly carried by affirmative vote of the entire members-elect of the Commission that the meeting adjourn.


Richard D. Ash
City Clerk

(Seal)

RDA:vs

The City Commission met in regular session on November 21, 1979 at 4:00 o'clock p.m. in the City Commission Room in the City Hall. Mayor Dunshie presided with Commissioner Naylor present. Absent: Commissioner Doyen.

Officers present: City Manager Metzger, City Clerk Ash.

Visitors present: None.

OCTOBER FINANCIAL REPORTS

PLACED ON FILE

The City Commission reviewed the October financial reports and ordered them placed on file.

APPROPRIATION ORDINANCE NO. 21

APPROVED

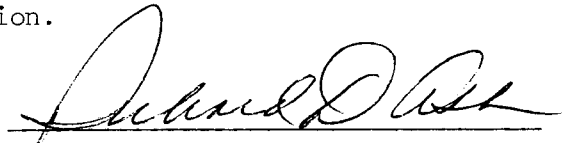
Appropriation Ordinance No. 21 was approved according to law.

DAMAGE CLAIM - BEN GROSSE

AMOUNT AWARDED

The City Manager presented to the Commission a damage claim presented by Mr. Ben Grosse for damage to a fence at the intersection of 10th Street and Third Avenue. Mr. Grosse states that damage was sustained as a result of water department equipment making contact with the decorative block wall. The City Manager presented a statement of investigation by the Director of Utilities Mr. Dave Wheaton in reference to the damage claim, and photographs of the area damaged. The city manager stated we are unable to ascertain a condition of the wall prior to the accident. We do acknowledge that at two points along the three panels in question, city crews did cause physical damage to two decorative blocks and scratched one of the concrete blocks in the foundation. The city manager stated that it was his recommendation that repairs of the first panel (the north panel) should be authorized. On the other two panels, the city manager suggested that partial compensation as the structural integrity of the wall has been irreparably damaged. After a brief discussion, motion was made by Commissioner Dunshie, seconded by Commissioner Naylor and duly carried by affirmative vote of two-thirds of the entire members-elect of the Commission that due to the age of the wall, the city should pay 25% (\$204.00) of the claim submitted, and directed the city manager to correspond with Mr. Grosse on this finding.

There being no further business at this time, motion was made by Commissioner Naylor, seconded by Commissioner Dunshie and duly carried that the City Commission Meeting adjourn until Thursday, November 29, 1979 at 4:00 o'clock p.m. to sit in a public hearing on special assessment projects in the Budreau Subdivision.


Richard D. Ash
City Clerk

(Seal)

RDA:vs

90

MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD NOVEMBER 29, 1979

The City Commission met an adjourned session on November 29, 1979 at 4:00 p.m. in the City Commission Room at City Hall. Mayor Dunshie presided with Commissioners Naylor and Doyen present. Absent: None.

Other officers present: City Manager Metzger, City Clerk Ash, and City Attorney Retter.

Visitors present: None.

ASSESSMENT ROLL (ST-78-BUDREAU/9th)

APPROVED

The mayor announced that one of the purposes of this meeting was to consider the proposed assessments, and set out the Assessment Roll prepared by the city manager and on file in the office of the city clerk, for the following improvement: The grading, curbing, guttering and surfacing of Ninth Street between the East line of Budreaus Sub-Division and the East side of Russ Street, all in Budreaus Subdivision which is within the corporate limits of the city of Concordia, Kansas, as authorized by a resolution of this governing body adopted September 6, 1978, and to hear written or oral objections thereto. The governing body determined that notice of the hearing had been published and that the notice of the hearing and a statement of the cost prepared 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 K.S.A. 12-6a09(b).

No owners of record were present at the hearing.

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 this special assessment in the amounts set out against the lands described in the assessment roll as provided by K.S.A. 12-6a10, as amended.

ASSESSMENT ROLL SS-78-1

APPROVED

The mayor announced that one of the purposes of this meeting was to consider the proposed assessments, set out in the assessment roll prepared by the city manager and on file in the office of the city clerk, for the following improvements; The construction of a sanitary sewer system in the dedicated public right-of-way of Block A, south of Block B and between Block E and Block V, all in Budreaus Subdivision in the city of Concordia, Kansas, which is within the corporate limits of the city of Concordia, Kansas, as authorized by resolution of this governing body adopted April 19, 1978, 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 cost 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) Chapter 99, of the Kansas Legislative Session Laws of 1957, otherwise cited K.S.A. 12-6a09(b).

No owners of record were present at the hearing.

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 governing body and the city attorney was directed to prepare an ordinance levying a special assessments in the amounts set out against the land described in the assessment roll as provided by K.S.A. 12-6a10, as amended.

RESOLUTION NO. 580 (PROJECT SS-79-1)

APPROVED

The city clerk presented to the city commission the written petition of Concordia Plaza Development Company and Ed Detrixhe, proposing the construction of the sanitary sewer system beginning at an existing manhole approximately 408 feet north of the center of 17th Street and on the center line of Broadway extended north, thence north to an existing manhole in the center of Broadway at the center of the alley between 13th Street and 12th Street, in the city of Concordia, Kansas. The commission examined and considered the petition, after which it was moved by Commissioner Naylor, seconded by Commissioner Dunshie, and duly carried by the affirmative vote of the entire members-elect of the commission that Resolution No. 580 be adopted.

ORDINANCE NO. 2178 (SANITARY SEWER DISTRICT NO. 42)

PASSED

ORDINANCE NO. 2179 (SPECIAL ASSESSMENTS, ST-78-BUDREAU/9)PASSED

An Ordinance entitled "AN ORDINANCE ASSESSING THAT EACH LOT, PIECE AND PARCEL OF LAND LIABLE FOR SPECIAL ASSESSMENT, THE AMOUNT TO BE PAID IN INSTALLMENTS FOR THE COST OF THE GRADING, CURBING, GUTTERING AND SURFACING 9TH STREET BETWEEN THE EAST LINE OF BUDREAU SUBDIVISION AND THE EAST SIDE OF RUSS STREET IN BUDREAU SUBDIVISION IN THE CITY OF CONCORDIA, KANSAS" was read and considered by the Commission. On roll call upon its passage, the following commissioners voted "Yea": Dunshie, Doyen and Naylor. "Nay": None. With the entire members-elect of the Commission having voted in favor thereof, the ordinance was declared passed, the title agreed to and the city clerk assigned to it No. 2179

ORDINANCE NO. 2180 (SPECIAL ASSESSMENTS, SS-78-1)PASSED

An ordinance entitled "AN ORDINANCE ASSESSING THAT EACH LOT, PIECE AND PARCEL OF LAND LIABLE FOR SPECIAL ASSESSMENT, THE AMOUNT TO BE PAID IN INSTALLMENTS FOR THE COST OF THE CONSTRUCTION OF A SANITARY SEWER SYSTEM IN A DEDICATED PUBLIC RIGHT-OF-WAY WEST OF BLOCK A, SOUTH OF BLOCK B BETWEEN BLOCK E AND BLOCK V, ALL IN BUDREAU SUBDIVISION IN THE CITY OF CONCORDIA, KANSAS" was read and considered by the Commission. On roll call upon its passage the following commissioners voted "Yea": Dunshie, Doyen, and Naylor. "Nay": None. With the entire members-elect of the Commission having voted in favor thereof the ordinance was declared passed, the title agreed to and the city clerk assigned to it No. 2180.

BID AWARD (SS-79-1)DEROWITSCH CONSTRUCTION

City Manager presented to the Commission the bids received for the sanitary sewer project SS-79-1, a sewer line extension to provide service to the Concordia Development Plaza (TG&Y), as follows:

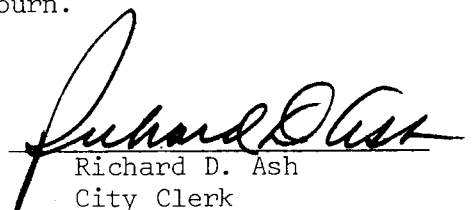
<u>CONTRACTOR</u>	<u>AMOUNT</u>
Hennes Construction	\$20,190.00
Derowitsch Construction	\$19,932.00
Engineers estimate	\$25,440.00

The City Manager stated that both bids were responsive to the invitation and recommended the commission accept the bid of Derowitsch Construction Company, low bidder, in the amount of \$19,932.00. After a brief discussion, a motion was made by Commissioner Naylor, seconded by Commissioner Doyen and duly carried by the affirmative vote of the entire members-elect of the Commission that the bid award of the sanitary sewer project SS-79-1 be awarded to the low bidder, Derowitsch Construction Company in the amount of \$19,932.00.

BID AWARD (CD-S-78-7 A)SMOKY HILLS CONSTRUCTION

The City Manager stated that because of the low bid received on the original storm sewer project (CD-S-78-7), awarded to Smoky Hills Construction Company on September 27, 1979 Commission meeting, additional work could be done on the storm sewer project. The City Manager presented to the Commission the negotiated bid on the additional pipe and junction boxes and established an alternate project for the grant program. A proposal was submitted by Smoky Hills for this additional construction in the amount of \$28,228.00. The engineer's estimate of cost for this additional work was \$29,000.00. The City Manager recommends that the addendum to the original contract be accepted, additional contract awarded to Smoky Hills Construction Company in the amount of \$28,228.00. After a brief discussion, motion was made by Commissioner Dunshie, seconded by Commissioner Naylor and duly carried by affirmative vote of the entire members-elect of the Commission that the additional contract in the amount of \$28,228.00 be awarded to Smoky Hills Construction for additional work to be done by the Community Development storm sewer project.

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


Richard D. Ash
City Clerk

(Seal)

RDA:dm

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MINUTES OF THE REGULAR COMMISSION MEETING HELD ON DECEMBER 5, 1979

The governing body of the City of Concordia, Kansas, met in regular session at the usual meeting place in said city on December 5, 1979, at 4:00 p.m. with the Mayor presiding and the following commissioners present: Doyen and Naylor.

Other officers present: City Manager Metzger and City Clerk Ash.

Visitors present: Brad Lowell and Fred DeArmond.

The minutes of the November 7, 1979; November 14, 1979; November 19, 1979; November 21, 1979; and November 29, 1979 were approved as written.

APPROPRIATION ORDINANCE NO. 22 AND 22A

APPROVED

Appropriation Ordinance No. 22 and 22A were approved according to law.

ORDINANCE NO. 2181 (TEMPORARY NOTES, SS-79-1)

PASSED

An Ordinance entitled "AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF \$30,538.00 OF THE TEMPORARY NOTES OF THE CITY OF CONCORDIA, KANSAS, TO PROVIDE FUNDS TO PAY THE COST OF THE CONSTRUCTION OF A SANITARY SEWER SYSTEM BEGINNING AT AN EXISTING MANHOLE APPROXIMATELY 408 FEET NORTH OF THE CENTER OF 17TH STREET AND ON THE CENTER LINE OF BROADWAY EXTENDED NORTH, THENCE NORTH TO AN EXISTING MANHOLE IN THE CENTER OF BROADWAY AT THE CENTER OF THE ALLEY BETWEEN 13TH STREET AND 12TH STREET, IN THE CITY OF CONCORDIA, KANSAS, THE COST OF WHICH WILL ULTIMATELY BE PAID BY THE ISSUANCE OF BONDS OF SAID CITY."

The said ordinance was considered and discussed and on motion by Commissioner Naylor, seconded by Commissioner Dunshie, the ordinance was adopted by following roll call vote: "Ayes": Commissioners Dunshie, Doyen and Naylor. "Nays": None. A majority of the members of the governing body having voted in favor of said ordinance, was given number 2181, was signed by the mayor, attested by the city clerk and ordered published in the official city newspaper.

COMPREHENSIVE SNOW REMOVAL PROGRAM

ADOPTED

The City Manager presented to the Commission a comprehensive snow removal program to be undertaken by the city for all future snow and ice emergency conditions that will arise. The City Manager stated that the comprehensive plan consisted of three component parts:

1. City Snow Removal/Salting Plan
2. County Snow Removal Plan
3. Snow Emergency Route Plan

The City Manager presented the details of the components of the plan and requested that the Commission adopt parts 1 and 2 to take effect immediately as icing conditions and snow emergencies develop. Further, the manager stated that study sessions would be devoted to the discussion and establishment of part 3, snow emergency route plan, to be implemented upon completion of such studies.

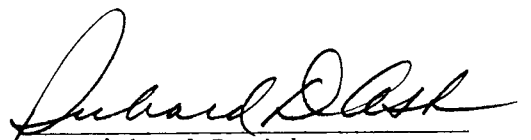
After a brief discussion and further explanation for both the City Commission and the news media, a motion was made by Commissioner Dunshie, and seconded by Commissioner Naylor and duly carried by the affirmative vote of the entire members-elect of the Commission to adopt parts 1 and 2 of the comprehensive snow removal program, and to take under advisement for further study part 3, snow emergency route plan.

STUDY SESSION

DATES SET

The City Manager and the City Commission established Thursday, December 13, 1979 at 12:15 p.m. to be a study session.

There being no further business, a motion was made by Commissioner Doyen, seconded by Commissioner Naylor, and duly carried to adjourn to the next regularly established Commission Meeting.



The City Commission met at regular session on December 19, 1979 at 4:00 p.m. in the City Commission Room at City Hall. Mayor Dunshie presided with Commissioners Doyen and Naylor present. Absent: None.

Other officers present: City Manager Metzger, City Clerk Ash and City Attorney Retter.

Visitors present: Brad Lowell and Fred DeArmond.

RESOLUTION NO. 581 (FINAL NUISANCE ABATEMENT NOTICES)

APPROVED

The City Manager stated that this was a public hearing held to consider the need to issue final abatement notice for nuisances existing at the following locations:

113 East 10th Street
323 East 12th Street

The City Manager stated notices had been served on owners, occupants or agents of the property where each alleged nuisance exists. Each owner, occupant or agent has been given 10 days to remove or abate such nuisance. At the time of the hearing before the governing body the owners, occupants or agents are given an opportunity to appear or make a showing to the satisfaction of the governing body that no such nuisance exists, the governing body shall determine such existence, and final notice to remove and abate alleged nuisances, rescind such notice. In both cases above items of rank grass, weeds, and other uncontrolled growing vegetation; and trash, refuse and debris has been removed from the properties, however, on each piece of property there is an abandoned vehicle that has not been removed which was originally listed on the notices of abatement. No owners, occupants or agents were present to discuss the above two abatement notices, the police department has indicated the above described remaining nuisances that still exist.

After a brief discussion, a motion was made by Commissioner Doyen, seconded by Commissioner Naylor and duly carried by the affirmative vote of all members-elect of the Commission that Resolution No. 581, directing the City Clerk to issue final abatement notices for the abatement of the above stated nuisances within a 10 day period, be approved.

APPROPRIATION ORDINANCE NO. 23

APPROVED

Appropriation Ordinance No. 23 was approved according to law.

ORDINANCE NO. 2182 (SPECIAL ASSESSMENTS - UNSAFE STRUCTURE)

APPROVED

An Ordinance entitled "AN ORDINANCE LEVYING A SPECIAL ASSESSMENT TO PAY THE COST OF RAZING AND REMOVING AN UNSAFE STRUCTURE AND MAKING THE PREMISES SAFE AND SECURE AGAINST THE LOT OF PARCEL OF LAND OF WHICH SUCH STRUCTURE WAS LOCATED" was read and considered by the Commission. On roll call upon its passage, the following Commissioners voted "Yea": Dunshie, Doyen, and Naylor. "Nay": None. With the entire members-elect of the Commission having voted in favor thereof, the ordinance was declared passed, the title agreed to and the City Clerk assigned to it number 2182.

RESOLUTION NO. 582 (TEMPORARY NOTES, SS-79-1)

APPROVED

The City Manager presented to the Commission a resolution authorizing the issuance of \$20,000.00 in temporary notes of the city to pay the cost of the improvement of the construction of a sanitary sewer system beginning at an existing manhole approximately 408 feet north of the center of 17th Street and on the center line of Broadway extended north, thence north to an existing manhole in the center of Broadway at the center of the alley between 13th Street and 12th Street, in the city of Concordia, Kansas. Temporary notes are authorized by Ordinance No. 2181, dated December 20, 1979, bearing interest at the rate of 6.7% per annum to mature on or before the 19th day of December 1983, the ordinance authorizing an aggregate amount of \$30,528.00. After a brief discussion a motion was made by Commissioner Dunshie, seconded by Commissioner Doyen and duly carried by the affirmative vote of the entire members-elect of the Commission that Resolution No. 582 authorizing issuance of temporary notes in the amount of \$20,000.00 for Project SS-79-1 be approved.

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MINUTES OF THE REGULAR COMMISSION MEETING HELD ON DECEMBER 19, 1979 (CONTINUED)

RESOLUTION NO. 583 (1980 PAY GRADES)

APPROVED

The City Manager presented to the Commission a resolution establishing the pay grades, and minimum and maximum salaries for all classified employees of the city of Concordia. The City Manager stated that the resolution implement salary adjustments discussed at early session, and that salary increases implemented by this resolution and in combination with changes and that fringe benefit package will result in a minimum increase of 8% of total salaries and fringe benefit package. After a brief discussion a motion was made by Commissioner Dunshie, seconded by Commissioner Naylor and duly carried by the affirmative vote of the entire members-elect of the Commission that Resolution No. 583, establishing pay grades and minimum and maximum salaries for classified employees, be approved.

FINAL COST ESTIMATE (ST-79-81 HIGHWAY)

APPROVED

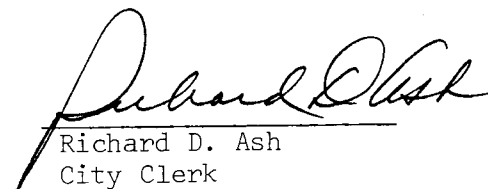
The City Manager presented to the governing body the following itemized statement of the actual costs for the removal of the existing asphalt, joint repair and two inch overlay of US Highway 81, from the north side of 7th Street south to the south city limits.

<u>PROJECTS</u>	<u>TOTAL COST</u>	<u>STATE SHARE</u>	<u>CITY AT LARGE</u>
Construction Contract	\$121,443.20	\$80,966.18	\$40,477.02
Engineering Services	2,408.75	1,605.91	802.84
Legal Services	500.00	333.35	166.65
Administration	6,217.60	4,145.27	2,072.33
Interim Financing	8,107.53	5,405.29	2,702.24
Total Costs	\$138,677.08	\$92,456.00	\$46,221.08
Percentage of Costs	100.00%	66.67%	33.33%

The City Manager stated that the percentage breakdowns of the total costs were these agreed to between the city and the state for the reconstruction of US 81 through the city, and that the total project was below the original engineer's estimate by \$328.92.

The statement was considered by the governing body and on the motion made by Commissioner Doyen, seconded by Commissioner Dunshie and duly carried by the affirmative vote of the entire members-elect of the Commission, the total costs of the improvement was determined by the governing body to be \$138,677.08, and the cost distributions approved.

There being no further business at this time, the City Manager stated that it was necessary to adjourn this regular meeting until Friday, December 28, 1979 at 4:00 p.m. to hold the end of the year business session. Motion was made by Commissioner Doyen, seconded by Commissioner Naylor and duly carried that this session adjourn until Friday December 28, 1979 at 4:00 p.m. to consider end of year business.


Richard D. Ash
City Clerk

(Seal)

RDA:dm

The City Commission met in regular session on December 28, 1979 at 4:00 p.m. in the City Hall in the City Commission Room. Commissioner Dunshie presided with Commissioners Doyen and Naylor present. Absent: None.

Other officers present: City Manager Metzger, City Clerk Ash, and City Attorney Retter.

Visitors present: Fred DeArmond and Ross Hatfield.

Minutes of the December 5 and December 19, 1979 Commission Meeting were approved as written.

NOVEMBER FINANCIAL REPORTS

PLACED ON FILE

The City Commission received and reviewed the November financial reports and ordered them placed on file.

ORDINANCE NO. 2183 (ZONING AMENDMENT PERTAINING TO C-S ZONES)

PASSED

An Ordinance entitled "AN ORDINANCE PERTAINING TO PERMITTED USES IN 'C-S' ZONE UNDER THE ZONING ORDINANCE OF THE CITY OF CONCORDIA, KANSAS, BEING ORDINANCE NUMBER 1829; AMENDING ARTICLE XIII, SECTION 3 OF SAID ZONING ORDINANCE BY ADDING A SUBSECTION TO BE NUMBERED 27 TO SAID SECTION 3", was read and considered by the Commission. On roll call upon its passage the following commissioners voted "Yea": Dunshie, Doyen, and Naylor. "Nay": None. With the entire members-elect of the commission having voted in favor thereof, the ordinance was declared passed, the title agreed to and the City Clerk assigned to it number 2183.

APPROPRIATION ORDINANCE NO. 24

APPROVED

Appropriation Ordinance No. 24 was approved as to its content at the time of the meeting and the Commission directed the City Manager and City Clerk to present to the Commission the finalized copy of the ordinance after completing the year end business, at the next regularly scheduled Commission Meeting.

ORDINANCE NO. 2184 (ANNUAL BOUNDARY ORDINANCE)

PASSED

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 its passage the following Commissioners voted "Yea": Dunshie, Doyen, and Naylor. "Nay": None. With the entire members-elect the commission having voted in favor thereof, the ordinance was declared passed, the title agreed to and the City Clerk assigned to it number 2184.

EMPLOYMENT AGREEMENT

CARL METZGER

City Attorney Retter presented to the Commission the amendments to the City Manager's Employment Agreement which had been discussed in prior sessions and agreed to. After a brief discussion, a motion was made by Commissioner Doyen, seconded by Commissioner Naylor, and duly carried by the affirmative vote of the entire members-elect of the Commission to grant authority to the Mayor to execute such agreement with City Manager Carl Metzger.

ADOPTION OF PAY PLAN (NON-CLASSIFIED EMPLOYEES)

APPROVED

The City Manager presented to the Commission the Pay Plan to take effect in 1980 for non-classified employees. The City Manager stated upon its approval by the Commission, a policy statement will be prepared outlining in policy form the elements of that Pay Plan agreed to by the Commission. After a brief discussion, a motion was made by Commissioner Dunshie, seconded by Commissioner Naylor, and duly carried by the affirmative vote of the entire members-elect of the Commission, that the Non-Classified Employees Pay Plan be approved.

1980 CITY LICENSE RENEWALS

APPROVED

The City Clerk presented the following list of 1980 City Licenses to the Commission for their consideration and approval.

MINUTES OF THE REGULAR COMMISSION MEETING HELD DECEMBER 28, 1979 (CONTINUED)

1980 License Renewals

<u>Owner - Operator</u>	<u>License</u>	<u>Cost</u>
Max Minard dba 3M IGA	Class A Beer	25.00
Boogaart Super Market-Alco Plaza	Class A Beer	25.00
Boogaart of Concordia, Inc.	Class A Beer	25.00
Burl Maley dba Maley's IGA	Class A Beer	25.00
Evert Oil Co. dba Discount Gas	Class A Beer	25.00
Musket Corp. dba Love's Country Store	Class A Beer	25.00
Milton Chilcott & Marjetta Williams dba Milt's Recreation	3 Pool Tables	22.50
American Legion Post #76	1 Music Machine	15.00
V.F.W. Post #588	1 Music, 1 Pool Tbl.	22.50
Clyde Lewis dba The Smoker	5 Pool Tables	37.50
Lorrie Fraser dba Windy's Lounge	1 Music, 1 Amusement,	
	2 Pool Tables	50.00
Theo. Tiller dba Ted's Music Co.	1 Music Machine	15.00
B.P.O. Elks Club	1 Music Machine,	
Hillcrest Lanes	9 Amusement Machines	195.00
Viola Davidson dba Vie's Broadway Lounge	1 Music, 3 Amusement,	
	2 Pool Tables	90.00
Leo Householter dba West Side Inn	1 Amusement	20.00
Pizzaco of McPherson (Pizza Hut)	1 Music Machine	15.00
Eldon Wisdon dba Concordia Music Co.		
Hillcrest Lanes	1 Music	15.00
Mr. Pizza	1 Music, 1 Amusement	35.00
Milt's Recreation	1 Music	15.00
Firebird Lounge	1 Music	15.00
Boll's Burgers'n Bones	1 Music	15.00
Rendevouz	1 Music	15.00
L.W. Davis dba Lesters Sweet Shop	2 Amusement	40.00
Bill Derowitsch/Derowitsch Const.	Sewer Plumber	10.00
Eldon Budreau	Gas Inspector	10.00
Robert Dykes/Co-op Service	Sewer plumber	10.00
Isadore Bombardier/Izzy's	Gas Inspector	10.00
	Sewer plumber	10.00
Richard Culbertson dba Culbertsons	Gas Inspector	10.00
Don McDaniel/McDonald P & H	Gas Inspector	10.00
	Sewer plumber	10.00
Ivan Clark/Clark P & H	Gas Inspector	10.00
	Sewer plumber	10.00
Francis Demanette/Demanette Appliance	Gas Inspector	10.00
	Sewer plumber	10.00
B. B. Gage/Gage Puumbing & Heating	Gas Inspector	10.00
	Sewer plumber	10.00
K.E. Whitney/Whitney P & H	Gas Inspector	10.00
	Sewer plumber	10.00
Vernon Nelson/Swede's Appliance & TV	Gas Inspector	10.00
	Sewer plumber	10.00
Jerrold Olsen/Jerry's Electric	Gas Inspector	10.00
	Sewer plumber	10.00
Roy Hoffer/AAA Plumbing & Heating	Gas Inspector	10.00
	Sewer plumber	10.00
James Huff/Jewell Plumbing & Heating	Gas Inspector	10.00
	Sewer plumber	10.00
Ardell Reutzel/Reutzel Service	Gas Inspector	10.00
	Sewer plumber	10.00
Gerald Danielson/Hillcrest Lanes	12-alley bowling	
	alley, 4 Pool Tables	126.00
Robert P. Pfuetze/Pfuetze-Bergman Studio	Photography	10.00
Shugart Studios	Photography	10.00
James Bell	Photography	10.00
Lloyd Koerber/Skateland	Roller rink	25.00
Martin Molter/M & N Iron & Metal	Junk Yard	10.00
Allen Huff/H & H Taxi	Taxi Cab Company	37.50
James Lagasse, Rollie Lagasse & Bob Thummel	Auctioneer	30.00

1980 License Renewals - Continued

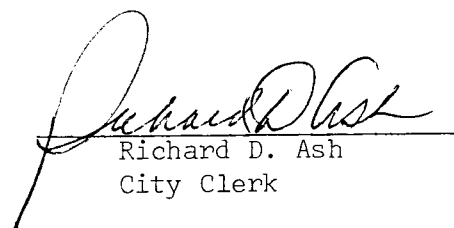
<u>Owner - Operator</u>	<u>License</u>	<u>Cost</u>
Duane E. Donovan	Aviation	25.00
David B. Jones	Aviation	25.00
Franklin Assoc. of Central States	Photography	10.00
Olan Mills Photography	Photography	10.00
Wayne L. Switzer	Photography	10.00
Carol Bumgardner/Carol's Place	Class B Beer	100.00
Lorrie Fraser/Windy's Lounge	Class B Beer	100.00
Concordia Country Club	Class B Beer	100.00
Loyal Order of Moose	Class B Beer	100.00
Gerald Danielson/Hillcrest Lanes	Class B Beer	100.00
Clyde Lewis/The Smoker	Class B Beer	100.00
B.P.O. Elks Club #586	Class B Beer	100.00
V.F.W. Club Post #588	Class B Beer	100.00
American Legion Post #76	Class B Beer	100.00
Viola Davidson/Vie's Broadway Lounge	Class B Beer	100.00
Milton Chilcott & Marjetta Williams		
dba Milt's Recreation	Class B Beer	100.00
Pizzaco of McPherson (Pizza Hut)	Class B Beer	100.00

After a brief discussion, a motion was made by Commissioner Dunshie, seconded by Commissioner Doyen, and duly carried by the affirmative vote of the entire members-elect of the Commission that the above described 1980 City Licenses be approved.

APPOINTMENT TO THE AIRPORT ADVISORY BOARDBILL FELLOWS

The City Manager stated that Mr. Bill Fellows had been recommended by the Airport Advisory Board to fill the unexpired term of Charles Moody, who has moved from the city. Mr. Moody's term was scheduled to expire July 1983. After a brief discussion a motion was made by Commissioner Doyen, seconded by Commissioner Naylor and duly carried that Mr. Bill Fellows be appointed to the unexpired term on the Airport Advisory Board with an expiration date of July 1983.

There being no further business, a motion was made by Commissioner Dunshie, seconded by Commissioner Naylor and duly carried that the City Commission adjourn until its next regularly scheduled meeting.



Richard D. Ash
City Clerk

(Seal)

RDA:dm